

EXECUTIVE OFFICE FOR IMMIGRATION REVIEW

IMMIGRATION COURT

SEATTLE, WASHINGTON

LOCAL OPERATING PROCEDURES

Procedure 1. General

All matters shall proceed at the time and date scheduled for hearing. Parties shall be prepared to go forward with their cases as notified. These operating procedures are intended to promote the efficient operation of the Immigration Court thereby better serving the interests of justice.

Procedure 2. Filing Procedures

A. All documents and applications shall be filed at the public window of the Immigration Court during regular hours as posted in the Immigration Court or as otherwise ordered by the presiding Immigration Judge.

B. In addition to complying with 8 C.F.R. Sections 3.31 and 3.32, all documents and applications shall be two-hole punched at the top of the page with holes 2-3/4 inches apart. All submissions exceeding five (5) pages in length shall be paginated by numbering each page consecutively in the bottom right hand corner. The numbering of pages shall begin anew with each submission. Submissions should neither be tabbed, lettered nor designated as exhibits. The Immigration Judge will assign exhibit numbers to your submissions as he/she sees fit. All such submissions shall also have as a first page a table of contents with page number identification.

C. In addition to complying with 8 C.F.R. Sections 3.31 and 3.32, all proposed exhibits and briefs must be filed with the Immigration Court no later than ten (10) calendar days prior to the scheduled Individual Calendar hearing unless otherwise authorized by the Immigration Judge in extraordinary

circumstances.

Procedure 3. Continuance of Individual Calendar Hearings

A request for a continuance of an Individual calendar hearing shall, except in extraordinary circumstances, be made and filed with the Immigration Court no later than ten (10) calendar days before the date of the scheduled hearing and shall be upon written motion setting forth reasons therefor. The motion shall include the date and the time of the Individual Calendar hearing, the alien's name and case number, and the name of the Immigration Judge before whom the matter is set. The request may be rejected unless all required information is provided. All parties must attend the hearing and be prepared to proceed unless notified by the Immigration Judge that the motion for continuance has been granted.

Procedure 4. Time of Filing of Motions for Change of Venue

In the absence of exceptional circumstances, a Motion for a Change of Venue shall be filed no later than ten (10) days prior to the scheduled date of an Individual Calendar hearing. All parties shall attend the scheduled hearing and be prepared to go forward unless notified by the Immigration Court that the request for Change of Venue has been granted.

Procedure 5. Pre-hearing Motions

In accordance with 8 C.F.R. Section 3.23, except as otherwise ordered by the Immigration Judge, all parties presenting pre-hearing motions relative to cases scheduled for Individual Calendar hearings shall file such motions with the Immigration Court no later than ten (10) days prior to the date set for the Individual Calendar hearing. Any party opposing any such pre-hearing motion shall no later than five (5) days following service of such action, file with the Court its written response to said motion. In the event no opposition or response to such pre-hearing motion shall have been filed within the response period, the motion shall be deemed unopposed.

Procedure 6. Withdrawal/Substitution of Representation

A. For withdrawal of representation, the request shall be by a written or oral motion to withdraw addressed to the Immigration Judge to whom the matter is assigned, and shall set forth the following:

1. The reason(s) for the request to withdraw;
2. Evidence of the client's consent to withdraw, or a statement as to why such consent is unavailable;
3. The current or last-known address of the client; and
4. A statement as to whether or not the client was advised of any currently scheduled hearings, and if not, the efforts made to contact and notify the client.

B. Counsel shall continue to be considered by the Court as a counsel of record until a request to withdraw has been approved by the Court.

C. For substitution of representation, the request shall be by written or oral motion addressed to the Immigration Judge to whom the matter is assigned, accompanied by an EOIR Form 28 (Notice of Entry of Appearance) completed by the attorney or representative to be substituted.