

MEMORANDUM TO: Deputy Chief Immigration Judges
All Assistant Chief Immigration Judges
All Immigration Judges
All Court Administrators
All Support Staff

FROM: Office of the Chief Immigration Judge

SUBJECT: Operating Policies and Procedures Memorandum (OPPM) Number 97-6: Definitions and Use of Adjournment and Call-up Codes.

A. Rescinded OPPMs:

This Operating Policies and Procedures Memorandum (OPPM) rescinds OPPM 89-5, ANSIR Call-up Codes, dated July 6, 1989, and OPPM 94-1, Reasons for Adjournment and Adjournment Codes, dated January 26, 1994, and outlines the additions to the Adjournment and Call-up Codes use to track the case hearing process.

B. Effective Date:

The revised definitions for adjournment and call-up codes and corresponding ANSIR adjournment codes listed in this OPPM are effective immediately.

C. Background:

Adjournment and Call-up Codes are used primarily for case tracking information in the Automated Nationwide System for Immigration Review (ANSIR) System. More specifically, when a case is adjourned or a call up date given, the reason for that adjournment must be provided by an Immigration Judge and then entered into ANSIR by a support staff member using a two-digit adjournment code, or a two-letter call-up code. These codes were revised to include changes required by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

(2)

D. List of Revised Adjourment and Call up Codes with their Definition:

Code	Reason	Definition	
1.	Alien to Seek Representation.	Adjourned to seek representation.	
2.	Preparation - Alien/Attorney/Representative	Adjourned to allow alien/attorney/representative time to prepare the case, includes: allowing time to file an additional relief application not initially requested; or, to allow alien/atty/rep additional time to prepare for additional charges submitted by INS at (or within 7 days of the hearing); to take witness testimony outside corrections facility, e.g., at the Immigration Court for a witness in 212(c) hearing.	
3.	Preparation - INS	Adjourned to allow the INS TA time to prepare the case, includes: time to obtain and/or verify certain information pertinent to the case, e.g., INS Form G-325, conviction record, or, to grant a request by for a reason(s) not covered list, or to allow INS to file the charging documents of all family members together, or when consolidation of similarly situated cases is deemed appropriate.	
INS in this	4.	INS or INS Administrative File un - available for hearing	Adjourned because INS doesn't have the A-File available, or does not appear at the hearing.

(3)

D. List of Revised Adjourment and Call up Codes with their Definition (continued):

Code	Reason	Definition
------	--------	------------

5	Alien to File for Asylum	Adjourned to allow the alien to file an asylum application with the Immigration Court.
6	Alien to File Other Application	Adjourned to allow the alien to file an application for relief (other than for asylum) with the Immigration Court.
7a	Alien Application Process	Adjourned to allow alien to establish the existence of a collateral application pending with INS.
7b	INS Application Process	Any matter remanded to INS for Adjudication.
8	State Department Response Not In File	Adjournment used ONLY when the Immigration Judge requests a special case-specific opinion.
9	Alien in INS/Corrections Custody Not Presented for Hearing	Adjourned because INS/Corrections did not bring the detainee/inmate to a scheduled hearing.
10	Notice Sent/Served Incorrectly	Attorney and/or alien does not show up at the scheduled hearing due to the notice of hearing containing inaccurate
informa-		tion, or, attorney/alien appears but has not received adequate notice of hearing in
deportation/ proceedings.		removal

D. List of Revised Adjournment and Call up Codes with their Definition (continued):

Code	Reason	Definition
11	Other No-Show by Alien/Alien's Attorney/Representative	<p>Adjourned because an alien does not appear at a scheduled hearing due to any reason except an incorrect notice; and/or, adjourned because</p> <p>an</p> <p>alien's attorney/representative does not appear at a hearing for any</p> <p>scheduled reason other</p> <p>than an incorrect notice.</p>
12	Other Alien/Alien's Attorney/Representative Request	<p>Adjourned by request of an alien/alien's attorney/representative for reason that is</p> <p>not</p> <p>covered in this OPPM, e.g., illness of alien /alien's attorney/representative.</p>
13	Insufficient Time to Complete Hearing	<p>Adjourned because the case could not be completed in the time allotted, including: preparation of IJ's oral decision (this is different from a "reserved-decision") and delivery at scheduled hearing; or, IJ wants to hear the testimony of additional witnesses, i.e., arresting officer or some other key witness not present at the hearing or to take and present a deposition.</p>
14	Other Operational/Security Factors	<p>Adjourned because of "operational" problems not covered in</p>

D. List of Revised Adjournment and Call up Codes with their Definition (continued):

Code	Reason	Definition
14	Other Operational/Security Factors (continued)	this list; e.g., recorder inoperable; weather, or environmental factors; agendas changed by OCIJ, IJ replaces resigned or retired IJ; and/or, Security risk to anyone in the court, e.g., in detained or criminal alien cases where INS/ the Corrections officials notify us that they believe the person is a security risk to take out of detention, or in the event of a bomb threat.
16	Alien Released From INS/Corrections Custody	Adjourned from a detained to a non-detained calendar due to the alien being released from custody/incarceration, except for transfer from Corrections custody to INS custody.
17	MC to IC - Merits Hearing hearing, file and relief	Adjourned from a Master Calendar to an Individual Calendar for a merits usually allowing time to process applications for before the hearing on the merits.
18	Lack of Interpreter interpreter.	Adjourned because of a lack of an EOIR or contract
19	Unplanned IJ leave or Detail Assignment	Adjourned for IJ unplanned leave; or to accommodate a detail.

(6)

D. List of Revised Adjournment and Call up Codes with their Definition (continued):

Code	Reason	Definition
20	Request for an In-Person Hearing	Adjourned due to a request by either party for an in-person hearing, except where hearing is to be conducted by televideo.
21	Supplement Asylum Application	Adjourned to file additional attachments or updates to a previously filed Form I-589.
22	Alien or Alien's Attorney/Representative	Original hearing reset date was rejected and rescheduled to a later date.
23	Asylum Application Withdrawn/Reset for Other Issues	Hearing adjourned because the the Form I-589 was withdrawn for hearing on other issues.
24	INS to Provide Records Check	Adjournment to allow INS to complete the required data base and fingerprint checks.

E. Call-up Codes:

The following list of fifteen (15) call-up codes will be used by all Immigration Judges, Court Administrators, and Support Staff. The call-up code is entered into ANSIR by a member of the support staff using a two-letter alphabetic code (an adjournment code is a two-digit numerical code).

<u>CODE</u>	<u>DESCRIPTION</u>
AS	<u>Alien/Attorney/Representative to file an Asylum Application - I-589.</u>
SR	<u>Pending State Department Response to Asylum Application.</u>
ST	<u>Alien/Attorney/Representative to file application for Adjustment of Status - §245.</u>

<u>CODE</u>	<u>DESCRIPTION (continued)</u>
SU	<u>Alien/Attorney/Representative to file application for Suspension of Deportation - § 244.</u>
CA	<u>Alien/Attorney/Representative to file application for Cancellation of Removal - § 240A(a).</u>
CB	<u>Alien/Attorney/Representative to file application for Cancellation of Removal - § 240A(b).</u>
WA	<u>Alien/Attorney/Representative to file application for a waiver, e.g., §212(i).</u>
RE	<u>Alien/Attorney/Representative to file application for Registry -§ 249.</u>
OT	<u>Alien/Attorney/Representative to file other application/document.</u>
AB	<u>Alien/Attorney/Representative to file brief (other than for appeal).</u>
IB	<u>INS to file brief (other than for appeal).</u>
MR	<u>Pending IJ response to motion or request - motion to reopen; motion for change of venue; motion for termination; request for continuance; etc.</u>
RE	<u>Alien/Attorney/Representative to file application for Registry - § 249.</u>
RC	<u>INS to Provide Records Checks</u>
RR	<u>Reserved Decision</u>

E. Use of Adjournment and Call-Up Codes:

All Court Administrators are requested to review this OPPM with their support staff to insure that the adjournment and call-up codes are properly entered. Adjournment codes should be monitored to identify the improper use of these codes in the ANSIR.

F. Laminated Adjournment and Call-up Code Cards:

New laminated cards will be delivered to all Immigration Courts as soon as possible. Until then, your Court Administrator can print these new codes from your ANSIR Edit Table and provide them to you. Previous versions should be collected and destroyed to avoid confusion.

Attachment