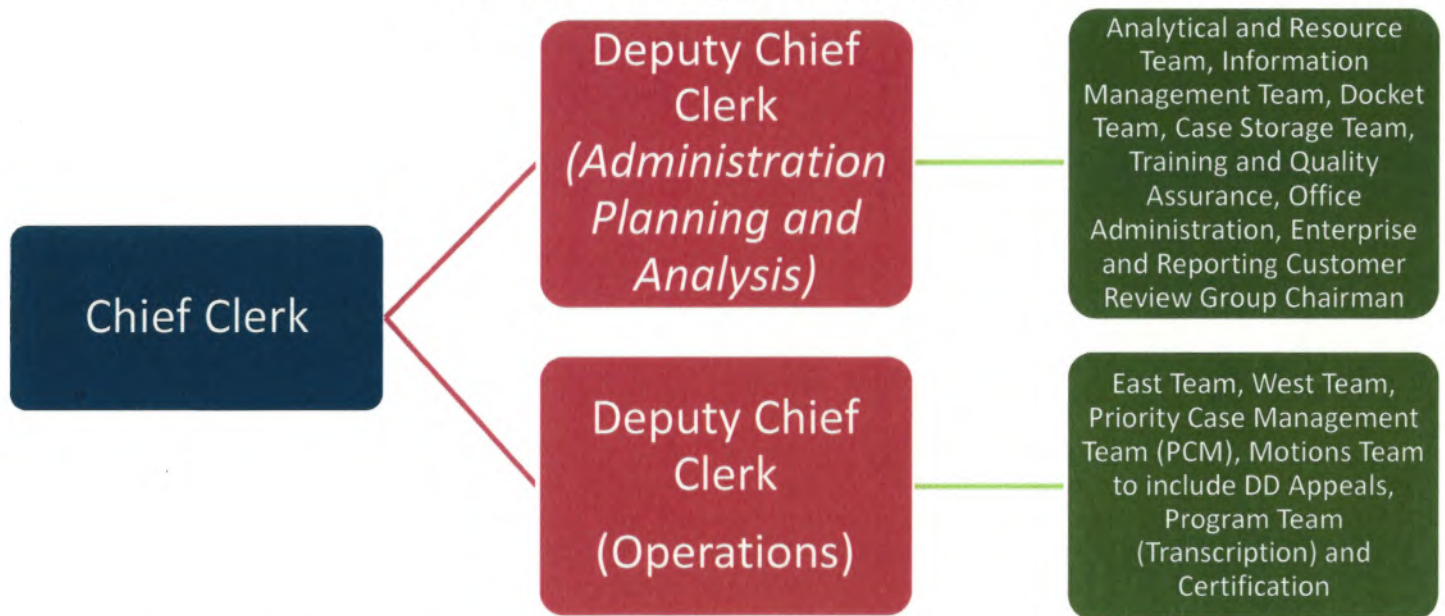


**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**  
**OFFICE OF THE CLERK**  
**Organizations and Outline of Functions** pmd rev. 05.2015

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**Office of the Clerk – Organizational Makeup**



The Office of the Clerk consists of one Chief Clerk, two Deputy Chief Clerks, and nine distinct teams which are responsible for case flow processing and also multiple Programs which serve the agency and the Board of Immigration Appeals. The Office of the Clerk is made up of government employees, contractors, and students. An outline of the teams functions are mentioned below.

**Information Management Team - Mailroom, Receiving, Front Window Operations and Correspondence**

The Mail room opens and date stamps and delivers mail to the Clerk's Office staff and other components of EOIR for review. Correspondence and pleadings are researched and routed to their appropriate teams (e.g., appeals to the various Appeals Processing Teams, motions to Motions Team, correspondence for detained aliens to Priority Case Management, appeals and extension requests to East Team, West Team or PCM depending on the Immigration Court of the document and the custody status of the alien, Program Team for Congressional requests, other inquiries, etc.)

The Receiving Team will attach the barcode label and scan the file to the appropriate team member. Since 1997, the Board has tracked the movement of its ROPs by attaching a barcode label to each file and scanning the file to its destination. The Board has updated their scanning software. This will extend the functionality of the current barcode label functions to absorb the Office of the Chief Immigration Judge (OCIJ), the Immigration Courts throughout the United States and the Office of General Counsel (OGC). This advantage will lend to continual agency inventory assessment throughout EOIR. All record of proceedings comes to the Board from the Immigration Court with an affixed bar code classified such as, but not limited to: removal or deportation.

The Front Window Operations receives appeals and motions from attorneys, couriers, aliens, and DHS. Emergency Stays also filed. Additionally inquiries to the Clerk's Office are directed to and/or routed through the front window, either in person or by telephone. It is the gateway for all physical filings at the Board. We have two main Interpretation services:



# EXECUTIVE OFFICE FOR IMMIGRATION REVIEW

## OFFICE OF THE CLERK

### Organizations and Outline of Functions *pmd rev. 05.2015*

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Lionbridge and Interpretalk for those individuals with limited English proficiency. We also have a 1 800# for individuals to check up on the status of their case.

#### **Priority Case Management - Detained Cases**

This team processes incoming appeals, extension requests and, receives briefs for aliens that are detained. If court hearings need to be transcribed, the Program Staff's Transcription Unit will process them. The briefing schedule is set once the transcripts are returned from the transcription contractor and received by the Transcription Unit. After the briefing schedule has expired, the files are logged in and staged to be screened by the paralegals. The Priority Case Management Team also manages Federal Court Remands (FCRs).

#### **East and West Teams - NonDetained Cases**

These two teams process incoming appeals, extension requests and, receive briefs for aliens that are not detained. If court hearings need to be transcribed, the Program Staff's Transcription Unit will process them. The briefing schedule is set once the transcripts are returned from the transcription contractor and received by the Transcription Unit. After the briefing schedule has expired, the files are logged in and staged to be screened by the paralegals.

#### **Motions Team**

After a decision has been rendered by the Board, either party may file a Motion to Reopen or a Motion to Reconsider. The Motions Team processes all types of incoming motions received at the Board. These motions are processed quicker than appeals because a briefing schedule need not be set. The files are then staged to be screened by the paralegals.

#### **Visa Team (DD Appeal)**

This team processes appeals of a District Director's (DD) denial of various applications or petitions. Examples include: Form I-130, I-191, I-192, and fine proceedings. DD Appeals are filed on a Form EOIR-29 (Notice of Appeal to the Board of Immigration Appeals from a Decision of an INS Officer).

#### **Program Team - Transcription**

This team processes transcripts. A transcript is prepared for most case appeals. Transcripts are generally not prepared in appeals from an Immigration Judge's denial of a motion to reopen; bond appeal, interlocutory appeal, or motion to reopen/reconsider. There is a 20/5 day turnaround for transcripts. Non detained cases have 20 days and detained cases have 5 days. Once the transcripts are received a cursory Quality Check is performed then the transcripts are provided to their respective teams (East, West, and PCM). The teams then match the transcripts with the files and set the briefing schedules. Free State Reporting (FSR), National Capital Contracting (NCC), and Deposition Services Incorporated (DSI) are the three contracted transcription companies utilized. eTranscription is a tool utilized to assign, capture, and track transcript requests for appeals.

#### **Program Team - Certification**

After the Board's decision is rendered, only aliens may appeal from any decision of the Board to one of the eleven Circuit Court of Appeals or District Court. The courts generally require that a Certified Administrative Record (CAR) be filed. The Certification Unit prepares a certified copy of the record of proceedings when the Board's decision was appealed to the Federal or District court. The reason is to provide the Federal or District court an exact copy of the record as it was when was on appeal before the Board.



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#### **Docket Team/ Scanning Team**

When the Board issues its decision in a case, the case is sent down here to the Clerk's Office for data entry and mail out. The Docket Team review orders for deficiencies and enters the decision information into CASE, makes copies of each decision then: 1) places the original decision in the ROP and 2) serves the other copies on the parties. A copy of the original decision is forwarded to the scanning section where they are separated (restricted and unrestricted). The unrestricted decisions are scanned and uploaded to the Virtual Law Library (VLL). The decisions are stored in the BIA Library.

#### **Case Storage**

The ROP is then sent to the Case Storage Unit where it is housed for 120 days in case any other correspondence is received such as but not limited to, a motion or certification request. At the conclusion of the 120-day storage period, the ROPs are reviewed to determine if there are any pending requests for the ROP through the use of COGNOS reports. Those cases which are remanded are sent back immediately to the Immigration Court from which they originated from. This team also manages files requested from the FOIA and Certification Units.

#### **Analysis and Resource Team**

The ART Team manages and/or oversees the following programs:

- Enterprise Reporting (including ad hoc, case management and case management related reports)
- Recognition and Accreditation Program
- Accredited Representative Monitoring
- Attorney Discipline
- Processing Protective Orders
- Arranging and Supporting Attorney ROP Review Requests
- Performing Various Analysis for Clerk's Office Processes and Procedures (Workload, Cluster Analysis)
- Oral Argument

#### **Administrative Functions, Training, and Quality Assurance Program {to include but not limited to}:**

- Upkeep of Standard Operating Procedures/Quick Reference Guides/Task Certification Documents
- Training of new and seasoned employees on various functionalities executed by the Clerk's Office and to introduce case flow processes and develop training Program enhancements
- Secure Access Cases/Protective Order Cases
- Office Tours
- Administrative Functions Noted Below:

Certification of Contractor Invoices	Overtime Reporting	HELPDESK Ticket Submission
CO List Maintenance	Transit Subsidies	New Employee Processing
Table of Organization	Awards	OTCNet Security Administrator
Telephone Directory	WIGI Certificates	Timekeeping
Quick Phone List	Leave Bank Applications	Office Supplies
Work Hours Chart	Space & Facilities POC	Processing of Forms
Phone Tree	Cabinet/Cubicle Repairs	
Equipment Service POC	SF-52s	
Exit Interviews	Name Signs	
FedEx Administrator	Student Coordinator	

**Clerk's Office Quality Control Checklist**

Alien Registration Number: \_\_\_\_\_

TYPE OF CASE: (Please check one)	File Prep Function			Log-in Function	
	Document	Tab Color	Initial	Is it in the ROP?	
<b>Case Appeal</b> <input type="checkbox"/> Charging document IJ Decision Appeal - EOIR-26	Charging Document I-122, I-221, I-862	RED		Y N	
	Verified name on Charging Document: I-122, I-221, I-862			Y N	
	Minute Order	YELLOW		Y N	
	Written Dec. (Reserved)	YELLOW		Y N	
<b>MTR-BIA</b> <input type="checkbox"/> Charging document Previous Board dec. MTRreopen/Reconsider	Bond Memorandum	YELLOW		Y N	
	MTR-BIA	ORANGE		Y N	
	Appeal - EOIR-26	GREEN		Y N	
	EOIR -27	BLUE		Y N	
<b>IJ MTR</b> <input type="checkbox"/> Charging document IJ Decision Appeal - EOIR-26	Please circle one: Hearing Tapes    Yes    No DAR                Yes    No		Number of tapes: _____	Current Number of Lead ROPs associated with the case: _____	
	Number of ROPs associated with the Lead: _____		Number of Rider ROPs: _____	Current Number of Rider ROPs associated with the case: _____	
	<b>Briefing Function</b>			Front of each ROP is date stamped. Y N	
	Transcript of hearing(s)		Initial	Y N	
<b>Interlocutory Appeal</b> <input type="checkbox"/> Charging document Appeal - EOIR-26	Written/Oral Decision (Placed on top of Transcript)			Y N	
	Briefing schedule set			Y N	
	<b>VERIFIED</b> Alien/Attorney address			Y N	
	Alien's brief		PURPLE		Y N
<b>IJ Cert</b> <input type="checkbox"/> Certified pursuant to 8 CFR. § 1003.1(c)	DHS brief		PURPLE		Y N
	Extension set			Y N	
	Additional filings			Y N	
	Request for Oral Argument		Y N		Y N
	<b>Checked</b> suspension		Y N		Y N
	<b>Enter Log-in dates:</b> Docket Date; Received by Docket; To Screening; & Verify that the ROP has a date stamp on the front			Y N	

ROP Logged in by: \_\_\_\_\_

Date: \_\_\_\_\_



## Office of the Clerk

The Office of the Clerk identifies essential correspondence received with marked colored tabs in the Record of Proceeding (ROP).



Charging Document	<b>Red</b>
Minute Order	<b>Yellow</b>
Written Decision	<b>Yellow</b>
Bond Memorandum	<b>Yellow</b>
MTR-BIA	<b>Orange</b>
Form EOIR-26 (Notice of Appeal)	<b>Green</b>
Form EOIR-29 (DD - Notice of Appeal) <i>Note: Visa, 212, fine cases only.</i>	<b>Green</b>
Form EOIR-27 (Notice of Entry of Appearance as Attorney or Representative Before the Board of Immigration Appeals)	<b>Blue</b>
Form EOIR-33(Alien's Change of Address)	<b>Blue</b>
Hearing Tapes (EOIR-10)	
Transcript	
Oral Decision	
Briefing Schedule	
Respondent's Brief	<b>Purple</b>
DHS Brief	<b>Purple</b>
All Additional Briefs	<b>Purple</b>
Briefing Extension	<b>Purple</b>