

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
UNITED STATES IMMIGRATION COURT
HARTFORD, CONNECTICUT

(Effective September 6, 1999)

LOCAL OPERATING PROCEDURES

PREAMBLE

These rules are adopted under the authority of 8 C.F.R. § 3.40 for the purpose of facilitating the convenient, efficient, and orderly conduct of the business of the United States Immigration Court in Hartford, Connecticut ("the Court"). These rules govern the procedures within the jurisdiction of the United States Immigration Court in Hartford, Connecticut.

PROCEDURE 1

General

A. All matters shall proceed at the time and date scheduled for hearing. All parties shall be prepared to go forward with their cases at that time.

B. Failure to comply with these procedures may result in the submission or issue in question being found or ruled conceded, denied, evidentiary weight diminished, rejected, and/or waived against the party failing to comply.

C. The procedures set forth herein shall not diminish the Immigration Judge's discretion to order a deadline and procedure be followed in a specific case or to waive a requirement or deadline upon a showing of emergent circumstances, exigent circumstances, or good cause.

PROCEDURE 2

Filing Procedure

A. Unless required to file in open Court, the filing of written materials for the Court may be accomplished in person at the reception window during regular business hours, by mail, or by other delivery service. ***No receipt or filing by facsimile is authorized.***

B. In all consolidated cases, there shall be submitted a separate copy of each submission for placement in each individual Record of Proceeding, except a "master exhibit" may be filed in the lead individual's file for supporting documentation applicable to more than one individual. The applicable individual's name and A-file number shall be prominently displayed on each submission.

C. All written materials in support of any application or motion shall be filed as follows:

1. Indexed, as to multiple documents and exhibits with each separately listed;
2. Paginated consecutively by number, at the bottom of the page between the center and right margin of each page, except as to promulgated application forms; and
3. Tabbed, as to multiple documents and exhibits either for each separate listing or related grouping, on the right side and commencing with the letter designation "A."

D. A properly executed certificate of service on the opposing party shall be on the last page of each submission and shall specifically describe the submission.

PROCEDURE 3

Filing Deadline

A. Any application or supporting written material, except for impeachment purposes, shall be filed with the Court no later than ten (10) days prior to the scheduled individual hearing.

B. All parties shall file with the Court no later than ten (10) days prior to the scheduled individual hearing a proposed witness list containing:

1. A brief proffer of each witness' testimony;
2. Length of the testimony; and
3. Language in which the witness will testify.

C. Any motion to change venue, continue, or reschedule an individual hearing shall be filed with the Court no later than thirty (30) days prior to the scheduled individual hearing.

D. A response to any motion shall be filed with the Court no later than seven (7) days following date of service, if personal service, and no later than ten (10) days following service of the motion by mail.

PROCEDURE 4

Written Motions in General

A. All written motions shall be in a "legal-motion" format containing:

1. Caption identifying:
 - a. Court;
 - b. Name of the respondent/applicant;
 - c. A-file number;
 - d. Type of proceedings; and
 - e. Scheduled hearing date;
2. Title of the motion;
3. Text specifying reasons for the motion;
4. Date;
5. Signature; and
6. Certificate of service.

A "letter" format is unacceptable, except those filed by unrepresented respondents/applicants.

B. Unless a written motion has been granted, all parties shall be present and prepared to proceed with the hearing as scheduled.

PROCEDURE 5

Motions for Change of Venue

In addition to complying with 8 C.F.R. §§ 3.20, 3.23(a) and 3.32, all written motions for change of venue shall contain the respondent's/applicant's:

1. Plea to all original and additional or substituted allegations and charge(s);
2. Designation of a country in the event of deportation/removal or a refusal to designate such a country;

3. Relief to be sought; and
4. Date and time of the scheduled hearing before the Immigration Judge.

PROCEDURE 6

Motions for Withdrawal of Representation

All written motions for withdrawal of representation shall state:

1. The reason(s) for the withdrawal;
2. That a good faith effort was made to locate alternative representation;
3. That the client was notified of the:
 - a. Date of any scheduled deadlines and hearing(s) before the Immigration Judge;
 - b. Necessity of appearing at such hearing; and
 - c. Consequences of failure to appear;
4. Evidence of the respondent's/applicant's consent to withdraw or a statement of why evidence of such consent is unobtainable; and
5. The last known address and phone number of the respondent/applicant.

PROCEDURE 7

Notice of Appearance

In addition to complying with 8 C.F.R. § 3.17(a), an original, promulgated Notice of Entry of Appearance (Form EOIR-28) shall be accurately, completely, and separately filed with the Court for each individual being represented. It shall not be included only as a part of an exhibit. In any consolidated matter, there shall be a separate notice for each individual Record of Proceeding.

