

COVID-19 Immigration Impact Update – Attorney

Institution/Type of Case	Status (as of 12/29/2020)	Resources/Recommendations
<p>Fort Snelling Immigration Court – NON-DETAINED Cases</p> <p>Individual/Merit Hearings: All non-detained hearings (both masters AND individual hearings) scheduled between March 18, 2002 and January 22, 2021 have been postponed.</p>	<p>Master Calendar Hearings: All non-detained master calendar hearings scheduled for March 16, 2020, through January 22, 2021 are postponed. Those whose hearings are postponed can expect a new hearing notice by mail at least 10 days before their new hearing day.</p> <p>ALL: Unless otherwise ordered by the court, filing deadlines must still be met. This is especially true for the 1 year filing deadline for asylum applications. This is also true for filing deadlines for Individual Hearings scheduled to take place after January 8th, 2021.</p> <p>Court filing window is open starting May 4 for filing and for new attorneys to register for their EOIR-IDs.</p> <p>Attorneys who have filed asylum applications with the Immigration Court can check the number of days on their client’s clock by calling the EOIR’s Customer Service Hotline, and selecting option 3 to hear that automated number. If clients are experiencing issues with the court’s work permit clock accurately reflecting the number of days since their asylum application was filed with the Court, attorneys are encouraged to reach out to Court Administrator BLM.Requests@USDOJ.GOV, to request that</p>	<p>EOIR Operational updates HERE: and/or EOIR Facebook Page</p> <p>EOIR issued a new Policy Memo on 6/11/2020 re: how reopening will take place. The EOIR indicated that several courts across the country will reopen for non-detained hearings on 6/29/2020, but the Fort Snelling Immigration Court did not reopen for non-detained hearings on that date. The American Immigration Lawyers’ Association and other partners have issued a letter to the EOIR raising due process and public health concerns with the procedures outlined in the new PM, which can be viewed here.</p> <p>Standing order for telephonic appearance here. Individual case status via EOIR website: or EOIR Hotline: 1-800-898-7180 *Note the EOIR hotline may not reflect a new date yet.</p> <p>Fort Snelling Court phone number is: 612-725-3765</p>

	<p>she send correspondence confirming the correct number of days on the clock.</p>	<p>*Set reminders for yourself to check the hotline once the Immigration Court reopens for non-detained hearings. Don't wait for a hearing notice.</p> <p>*Stay on top of address changes by filing EOIR-33</p>
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**Fort Snelling
Immigration Court:
DETAINED Cases**

All: The detained court is open and operational. Judges Mazzie and Carr remain the primary immigration judges and alternate weeks on the bench.

Detained Master Calendar Hearings: Currently as scheduled. All VTC.

Detained Bond Hearings: As scheduled. All VTC. ICE has limited where it will accept bond payments.

Detained Individual/Merits Hearings: Currently as scheduled

****Note:** this is a fluid situation and the Fort Snelling Court may fully close as it has done several times during the pandemic. Hearings are being scheduled with little notice and are moving quickly as the number of cases has declined.

You may receive less than a 36-hour notice of hearings. Be sure your mail handlers at your offices are aware if you have a detained client who might be scheduled for a hearing.

Court requests mail or FedEx rather than in-person filings.

Telephonic Appearances:

For detained hearings, the immigration court issued a [standing order](#) and [supplement](#) that attorneys can appear telephonically without seeking pre-approval or filing a motion. They must notify the court by sending an email to FortSnelling.Immigration.Court@USDOJ.GOV.

E-Filing:

EOIR has established temporary email addresses to facilitate e-filing for detained cases. E-filing via email must comply with rules established by the EOIR, which can be viewed [here](#). There are specific rules regarding file names and subject lines.

4/3/20: EOIR issued a [policy memorandum](#) allowing electronic, digital, and scanned signatures on some filings.

4/24/20: The Fort Snelling Immigration Court established additional rules by standing order, which can be viewed [here](#). These rules restrict filings over 50 pages (including country conditions and other evidence). Additionally, the Court will no longer accept documents filed more than 90 days prior to the next hearing or call-up date.

		<p>Review/Copies of Record of Proceedings:</p> <p>Court will accomodate for detained cases to allow attorneys to come in for file review, but are reluctant as they continue to try to limit the number of people in their space.</p>
<p>Status Docket</p>	<p>Hearings scheduled for 4/6 were cancelled, regardless of whether respondent filed an update. There were also no June status docket hearings. Expect to receive reschedule notice placing your client's case on the court's active docket for a Master Calendar hearing date sometime after October 2020.</p> <p>Status docket Motions are being assessed for the Court's next docket as the Court can address them, but the Court is focused on adjudicating detained cases.</p>	
<p>Fort Snelling Filings</p>	<p>Open to receive filings. Attorneys are discouraged from making window filings if at all possible. Attorneys making window filings must wear masks within the Federal Building. Prefer to receive filings by mail or, for emergency filings, by email. See guidelines re: emailing filings to the Court here. If you need a file stamped copy, include a return envelope in your submission with an extra copy of the filing for stamping.</p> <p>The court is making few decisions on cases for non-detained individuals while hearings on these cases are paused. The court has a skeleton crew rotating in and is focused on detained cases. Judges are on partial</p>	

furlough. The court asks that you please not call for decisions on non-detained cases while these hearings are paused.

In an effort to protect court staff and others from exposure to COVID-19, the Executive Office for Immigration Review (EOIR) has established temporary email addresses to facilitate e-filing for detained cases. E-filing via email must comply with rules established by the EOIR, which can be viewed [here](#). There are specific rules regarding file names and subject lines.

4/24/20: The Fort Snelling Immigration Court established additional rules by standing order, which can be viewed [here](#). These rules restrict filings over 50 pages (including country conditions and other evidence). Additionally, the Court will no longer accept documents filed more than 90 days prior to the next hearing or call-up date.

Court is still accepting and processing new attorney registrations and does not have another way to process new attorneys besides presenting ID at the filing window. Please note that the Court has occasionally been fully shut down, and the Court is notifying the public regarding whether it is open on a day to day basis via Twitter.

On 4/3/20, EOIR issued a [policy memorandum](#) regarding signature requirements on documents submitted to the Court and BIA. "This Policy Memorandum (PM) updates

	<p>EOIR's policies regarding permissible signatures on documents filed with the immigration courts and the Board of Immigration Appeals. As of March 31, 2020, EOIR has begun accepting digital and electronic signatures on all documents filed with it, whether those documents are filed by mail, in person, or electronically. In addition, EOIR will accept electronically-reproduced copies of documents containing digital, electronic, or "wet" signatures. EOIR will also continue to accept original documents containing wet signatures."</p>	
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ASYLUM OFFICE

March 19-October 22nd: All asylum interviews cancelled and will be rescheduled in the future. No stop to work permit clock.

<https://www.uscis.gov/about-us/uscis-office-closings>

The Chicago Asylum Office has not resumed circuit rides to conduct interviews in MN and the Dakotas, as of October 2020. The Chicago Asylum Office is conducting asylum interviews in Chicago, but is not permitting asylum seekers from MN and the Dakotas to cross state lines to attend interviews there. The Chicago Asylum Office leadership has indicated they are in conversation with the St. Paul-Minneapolis USCIS office to establish a strategy for resuming interviews. Current interview guidelines for how interviews will be conducted when USCIS offices reopen can be viewed here:

<https://www.uscis.gov/about-us/uscis-response-covid-19>

USCIS has indicated that, for asylum interviews, CFIs and RFIs canceled due to COVID:

“Cancellations will not impact the 180-day Asylum Employment Authorization (EAD) Clock, which will continue to run where the clock was running prior to the scheduled interview. However, to apply for, and be granted, an EAD based on a pending asylum application,

You can find updated information on USCIS office reopening [here](#).

Chicago Asylum Office email:
Chicago.Asylum@uscis.dhs.gov.

asylum applicants must continue to meet existing requirements.

USCIS asylum offices will send interview cancellation notices and automatically reschedule asylum interviews. **Rescheduling canceled interviews is USCIS' highest priority.** According to USCIS, [w]hen the interview is rescheduled, asylum applicants will receive a new interview notice with the new time, date and location of the interview. We will endeavor to reschedule any cancelled interviews in the order of cancellation when the offices reopen to the public.”

USCIS has implemented social distancing policies applicants, attorneys and interpreters must follow at rescheduled interviews. General information is available [here](#). As of September 2020, USCIS has mandated that, for 180 days, asylum seekers work with contract interpreters who appear by telephone during asylum interviews. Asylum seekers may not bring their own interpreters and must instead use USCIS' contract interpreters. This is true for all applicants who speak one of the 47 languages found in the Required Languages for Interpreters GSA Schedule.

Applicants will be required to respond to 3 COVID screening questions before they're allowed to enter a USCIS office. There is no guarantee information will be provided in multiple languages, so applicants should be ready with an interpreter either in person or on the phone

who can help them respond to those questions so they can proceed to their interview.

Asylum Office interview priorities are as follows:

First priority: rescheduled interviews

Second priority: new applications (those pending 21 days or less)

Third priority: other applications, starting with newer filings and working back

Applicants that want to reschedule their interview should contact the AO via mail or email. Procedures for requesting a reschedule are on interview notice. Reschedule requests due to documented COVID concerns will not be attributed as a delay by the applicant and thus will not impact the applicant's work permit clock. As of October 2020, USCIS is not rescheduling asylum interviews in MN or the Dakotas.

Applicant, attorney, interviewing officer, and interpreter will each sit in separate rooms and will participate via video. Devices including mobile devices will be used to conduct video interviews to promote social distancing.

For affirmative interviews, applicant still must bring all dependents included on the application and interpreter to the interview in person. Trusted adult (for minor) or

	<p>representative may also appear in person for asylum applicant.</p> <p>Asylum Office will consider in the near future ways people can participate via outside the office (interpreter, attorney, potentially also the applicant).</p>	
ICE/ISAP Check-ins	<p>Not yet suspended, but contact the ICE or ISAP office before traveling in to report. ICE is permitting many check ins via telephone rather than in person.</p>	<p>Check here for updates.</p> <p>Your ICE officer number should be on your client's check in sheet. If not, call the general line: 612.843.8600</p>

USCIS Local Office	<p>Certain USCIS field offices and asylum offices resumed non-emergency face-to-face services to the public on June 4.</p> <p>Those who had InfoPass or other appointments must request to reschedule through the USCIS Contact Center once field offices are open to the public again. Please check to see if the respective office has been reopened before calling the Contact Center.</p> <p>Individuals can submit <i>RFE responses</i> by mail as they normally would (i.e. USPS, FedEx, UPS, etc.) but not physical drop off to the local USCIS drop box. They are still receiving mail daily and have minimal staffing in the office.</p> <p>USCIS expects written guidance to come out soon regarding extension requests and some leniency is likely.</p> <p>Info pass appointments scheduled through the contact center will continue at the office to address emergent issues.</p> <p><i>Naturalization interviews</i> scheduled at Application Support Centers are canceled;</p> <p><i>Biometrics appointments</i> at the ASCs have also been cancelled.</p>	<p>Liaison: Naomi E. Perman <naomi@permanlaw.com></p> <p>You can find updated information on USCIS office closings here.</p>
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	<p>USCIS will also automatically reschedule ASC appointments due to the office closure. Those impacted will receive a new appointment letter in the mail. Biometrics collection appointments for asylum applicants at the ASCs will also be cancelled without an impact to the 180-day Asylum EAD Clock.</p> <p>Same social distancing policies for USCIS Field Office apply to application service centers.</p>	
<p>USCIS benefits (T visa, EADs, travel documents, family petitions, etc.)</p>	<p>No current plans to stop processing. But note that there may be delays due to staffing.</p> <p>USCIS is allowing a scanned or copied <i>original</i> signature to be used for requests dated March 21, 2020, and beyond; however, it DOES NOT allow an electronic (typed) signature, and retains the option to request wet signatures at a later date.</p> <p>USCIS is also allowing flexibility on RFE, NOID, NOIR and NOIT responses: “Any response to an RFE, NOID, NOIR, or NOIT [dated between March 1, 2020 and January 1, 2021 inclusive] received within 60 calendar days after the response due date set in the request or notice will be considered by USCIS before any action is taken. Any Form I-290B received up to 60 calendar days from the date of the decision will be considered by USCIS before it takes any action.”</p>	<p>USCIS.gov</p> <p><i>Passport Photos</i></p> <p>Target photo upload</p> <p>Passport Booth iPhone/iPad</p> <p>Passport Booth Android</p> <p>https://www.123passportphoto.com/</p>

	<p>Most EADs have automatic extensions, but you are encouraged to file early to ensure sufficient processing time.</p> <p>Application Support Centers for biometrics are CLOSED. USCIS will <u>reuse</u> biometrics for EAD renewals for Applicants who had an appointment scheduled with an ASC on or after the March 18 closure or have filed an I-765 extension. Unclear about biometrics for other application types.</p> <p>NOTE: extensions of Liberia DED and Somalia TPS</p>	
Dept of State (consular processing)	<p>Most consulates/embassies are closed due to COVID. Processing of fingerprints at most consulates is paused. Processing of visas (non-immigrant and immigrant) is generally only available in emergency situations. Some restrictions on visa processing-- also watch for implementation of regs/proclamations on barring entry due to COVID</p>	<p>https://travel.state.gov/content/travel/en/traveladvisories/ea/covid-19-visa-services-and-restrictions.html</p> <p>https://travel.state.gov/content/travel/en/us-visas.html</p>
ICE ERO	<p>"ICE Enforcement and Removal Operations (ERO) will focus enforcement on public safety risks and individuals subject to mandatory detention based on criminal grounds. For those individuals who do not fall into those categories, ERO will exercise discretion to delay enforcement actions until after the crisis or utilize alternatives to detention, as appropriate."</p>	<p>https://www.ice.gov/news/releases/updated-ice-statement-covid-19</p>
Sherburne	<p>No contact visits for attorneys.</p>	

Effective Saturday April 4, 2020, the remote visiting hours for Sherburne County will change.

Our new hours are Monday through Sunday at the following starting and ending times:

8:30am – 11:20am

12:30pm – 4:20pm

7:00pm – 9:50pm

For Attorneys/Professional Visitors, you will still have the option of 20-minute or 40-minute visits.

For a free visit, you will still need to call (763)765-3844 during business hours Monday – Friday (8:00am – 4:30pm)

Using headphones during a visit is recommended

To deal with the attorney documents to be signed and discovery sent in we have added a secure email group that will be managed by or Master Control. That email is scsojaildocs@co.sherburne.mn.us this can be given to any attorney requesting to send in documents.

Master control will have a rover deliver the documents and have anything needed to be signed

	<p><i>and returned brought back to Master Control or an alternate work station in Sheriff's Administration. These signed documents will be sent back to the attorney.</i></p> <p><i>It will be important for the attorney to specify who the documents are to be delivered to or what needs to be signed. As always documents can be mailed in and is preferred to keep this process manageable. We ask this process to be used for time sensitive document delivery.</i></p> <p>Per the Jail Staff, turnaround time should be within a day or two. Please continue to use mail when possible to avoid overtaxing the new system. Please do not share the email address with detainees.</p>	
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The city of Minneapolis has also developed a one-stop-shop for updates that you can find [here](#).

ILRC Practice Alert: https://www.ilrc.org/sites/default/files/resources/practice_alert-uscis_updates_covid19_final.pdf

NOTES ON ELECTRONIC FILING:

The Executive Office for Immigration Review (EOIR) has established temporary email accounts for immigration courts nationwide to facilitate electronic filing for all parties while the rollout of the EOIR Court & Appeals System (ECAS) is delayed due to COVID-19. Those who have already opted-in to ECAS should continue to use ECAS where it is available. Others who wish to utilize electronic filing may file through email as instructed below.

Please visit <http://www.justice.gov/eoir/filing-email> for requirements that apply to filing by email and the email address for each immigration court.

Please note EOIR cannot provide technical support or confirm receipt of filings at this time.

If you have questions, please contact the EOIR Office of Policy, Communications and Legislative Affairs Division at PAO.EOIR@usdoj.gov.

FortSnelling.Immigration.Court@usdoj.gov

All filers:

- Failure to follow the guidelines listed below may result in the rejection of your submitted document filing. If your submission is rejected, you will be notified by email with a request to correct the issue and refile the document.
- The subject of your email must contain the nature of the filing, the alien registration number, the date of the next hearing, and the initials of the immigration judge assigned to the case.

Example: A filer of a motion to continue with a case with alien registration number 012345678 and a hearing date on 01/02/2021 would input, "Motion to Continue - 012345678 - 01/02/2021" in the subject line of the email. If the filer knows the hearing is scheduled before Judge William A. Jones, the subject would be, "Motion to Continue - 012345678 - 01/02/2021 - WAJ"

- While multiple documents for the same case may be submitted in one email, do not combine separate submissions into one file. Each document type must be submitted separately and include the type of filing in the file name.
- You remain responsible for service on the opposing party.
- Submit certificate of service with every filing in the same email.
- All electronically-filed documents must meet the requirements of filings outlined in the Immigration Court Practice Manual. **Further, an electronically filed document cannot be larger than 25 megabytes (MB). For submissions that would be larger than 25 MB, please follow the below steps:**

- split the document into multiple files so no portion is larger than 25 MB;
- name each document so that it is clear they should be matched with the other portions. Example: 5678_1234ABC_Brief_Part1;
5678_1234ABC_Brief_Part2

- **Files must be a minimum resolution of 300dpi.**
- File formats accepted are PDF and JPEG. We cannot accept other file formats.
- Do not include links to non-EOIR websites in your submissions.
- Filings with more than one page must include page numbers.
- If scanning and attaching a document, pages must appear right-side-up.
- **The filing party must maintain the originals of any documents that are electronically filed and must make the originals available for production, if so ordered, or for inspection upon request by a party.**

Attorneys and fully-accredited representatives

- If you have opted-in to ECAS, do not use email in lieu of filing through ECAS.
- **Name your file with the last four digits of your client's alien registration number, *your* EOIR ID, and the type of filing.**

Example: Attorney Johnson, EOIRID 1234ABC, with client 012345678, filing an asylum application would name the document:
5678_1234ABC_AsylumApplication

Respondents

- Name your file with the last four digits of your alien registration number, your last name, and the type of filing.

Example: Jane Smith, alien registration number 876543210, filing a motion to expedite, would name the document:
3210_Smith_MotionToExpedite

Example: Submitting an asylum application and country conditions evidence, attach the application with the file name 5678_1234ABC_AsylumApplication in one file and the country conditions with the file name 5678_1234ABC_CountryConditions.