

## General Instructions

***Who Must Register?*** In order to practice before the Immigration Court or the Board of Immigration Appeals attorneys and accredited representatives must register with EOIR's eRegistry. See 8 C.F.R. §§ [1001.1\(f\)](#), [1292.1\(f\)](#), [1292.1\(a\)\(1\)](#), [\(a\)\(4\)](#).

***Who is an attorney?*** EOIR defines an attorney as “any person who is eligible to practice law in and is a member in good standing of the bar of the highest court of any State, possession, territory, or Commonwealth of the United States, or of the District of Columbia, and is not under any order suspending, enjoining, restraining, disbaring, or otherwise restricting him in the practice of law.” [8 C.F.R. § 1001.1\(f\)](#). See also [8 C.F.R. § 1292.1\(a\)\(1\)](#).

***Who is an accredited representative?*** An accredited representative is a non-attorney who is designated by a recognized organization and accredited by the Board of Immigration Appeals pursuant to [8 C.F.R. § 1292.2\(d\)](#) to represent individuals before the Department of Homeland Security (DHS) and/or EOIR. The Board may grant either full accreditation (allowing appearances before DHS, Immigration Courts, and the Board) or partial accreditation (allowing appearances before DHS only). All accredited representatives must be affiliated with an organization that has received recognition by the Board of Immigration Appeals pursuant to [8 C.F.R. § 1292.2\(a\)](#).

Only those accredited representatives who have been granted full accreditation are required to register with EOIR's eRegistry. Accordingly, in this document, the term “accredited representatives” refers only to accredited representatives who have been granted full accreditation.

***Do accredited representatives with partial accreditation, law students, law graduates, reputable individuals, or accredited foreign government officials need to register?*** No. At this time, EOIR is requiring only attorneys and accredited representatives with full accreditation to register. Accordingly, accredited representatives with partial accreditation, law students, law graduates, reputable individuals, or accredited foreign government officials should not and will not be able to register at this time.

***Does a law firm or recognized organization need to register?*** No. EOIR's regulations provide that individual attorneys or fully accredited representatives, not law firms or recognized organizations, represent aliens. See 8 C.F.R. §§ [1292.1](#), [1292.4\(a\)](#). Accordingly, law firms and recognized organizations should not and will not be able to register.

## How to Register

Registration is a two-step process, which consists of an online registration and an identity validation. Both steps must be completed in order for an attorney or accredited representative to be registered before EOIR.

Attorneys and accredited representatives begin the registration process online by selecting their relevant account type and creating a UserId and password. Thereafter, attorneys and accredited representatives follow the on-screen instructions to enter and submit the requested information. After registering, an attorney or accredited representative will need to appear at an immigration court location or the Board of Immigration Appeals to present photo identification, so that EOIR can verify the registry applicant's identity. Once that step is completed, EOIR will notify the registrant that his or her account has been activated.

**Attorneys:** EOIR requires that attorneys provide the following information when registering: name; date of birth; business address(es); business telephone number(s); e-mail address; and bar admission information for all the jurisdictions in which they are licensed to practice, including those in which they are inactive. If they are licensed in a jurisdiction that does not provide bar numbers, they will not be required to submit a bar number for that jurisdiction. Attorneys may also enter the name of their business or law firm.

**Accredited Representatives:** EOIR requires that accredited representatives provide the following information when registering: name; date of birth; name(s) of all the recognized organization(s) with which the accredited representative has been granted full accreditation; business address(es); business telephone number(s); and e-mail address.

EOIR will process the submitted information and then communicate with the registry applicant via e-mail. First, EOIR will send an e-mail to the registry applicant with instructions for the identity validation process. After the registry applicant successfully completes the identity validation process, EOIR will send an e-mail notifying the registrant that it has activated his or her account and will provide an EOIR ID number and instruction for logging in. Each registrant is required to include the EOIR ID number when filing a Form [EOIR-27](#), Notice of Entry of Appearance as Attorney or Representative before the Board of Immigration Appeals or Form [EOIR-28](#), Notice of Entry of Appearance as Attorney or Representative before the Immigration Court.

In the future, EOIR may send correspondence about immigration cases to the e-mail address provided on the registry system.

## **Failure to Register**

After December 10, 2013, all attorneys and accredited representatives must have completed the registration process as a condition to practice before the Immigration Court and the Board of Immigration Appeals. If an attorney or accredited representative who has cases pending before EOIR fails to register by December 10, 2013, EOIR may administratively suspend that individual from practicing before the agency. *See* [8 C.F.R. § 1292.1\(f\)](#). An attorney or accredited representative subject to administrative suspension can resume practicing before EOIR upon completing the registration process. While administrative suspension, on its own, is not disciplinary in nature, an attorney or accredited representative's multiple attempts to appear before EOIR without registration may result in disciplinary sanctions. *See* [8 CFR 1003.101\(b\)](#). Any individual who meets the definition of attorney in [8 C.F.R. § 1001.1\(f\)](#) or the definition of representative in [8 C.F.R. § 1001.1\(j\)](#) is subject to disciplinary sanctions for misconduct, even if the individual is not registered. *See* [8 C.F.R. § 1003.101\(b\)](#).

An Immigration Judge may permit, under extraordinary and rare circumstances, an unregistered attorney or accredited representative to appear at one hearing if the Immigration Judge first acquires from the attorney or accredited representative, on the record, the required registration information. An unregistered attorney or accredited representative who is permitted to appear at a hearing in such circumstances must complete the electronic registration process without delay after the hearing at which he or she is permitted to appear. *See* [8 C.F.R. § 1292.1\(f\)](#).

## **Voluntary Electronic Submission of Form EOIR-27 and Form EOIR-28**

The eRegistry is part of a long-term agency initiative to create an electronic case access and filing system for the Immigration Court and the Board of Immigration Appeals. Upon implementation of the eRegistry, registrants will be able to use their stored eRegistry information to pre-populate and, on a voluntary basis, electronically file the Form [EOIR-27](#) and the Form [EOIR-28](#), except in the situations listed below. EOIR will still accept paper submissions of the Form [EOIR-27](#) and the Form [EOIR-28](#). At this time, immigration practitioners who are not required to register will not be able to file these forms electronically.

Attorneys and accredited representatives who electronically file a Form [EOIR-28](#) close to a hearing may be required to complete a paper Form [EOIR-28](#) at the hearing.

*Form EOIR-27:* Attorneys and fully accredited representatives who are filing the Form [EOIR-27](#) with appeals from the following decisions may not electronically submit the Form [EOIR-27](#) at this time:

- decisions involving fines and penalties, [8 C.F.R. § 1003.1\(b\)\(4\)](#); and
- decisions of adjudicating officials in practitioner disciplinary proceedings, [8 C.F.R. § 1003.1\(b\)\(13\)](#).

Attorneys and fully accredited representatives who are filing the Form [EOIR-27](#) with appeals from the following decisions should not electronically submit the Form [EOIR-27](#) unless the DHS has transferred the record to the Board:

- appeals from a decision of a DHS officer, [8 C.F.R. § 1003.1\(b\)\(5\)](#);
- decisions on denials of advance permission to enter the United States, [8 C.F.R. § 1003.1\(b\)\(6\)](#); and
- decisions of a DHS district director regarding bond. [8 C.F.R. § 1236.1\(d\)\(3\)\(ii\)](#).

The Board will reject the electronic submission of the Form [EOIR-27](#) for cases that DHS has not transferred the record to the Board.

*Form EOIR-28:* Attorneys and accredited representatives who are filing the Form [EOIR-28](#) in the following situations may not electronically submit the Form [EOIR-28](#) at this time:

- prior to the filing of a Notice to Appear with the Immigration Court;
- bond redetermination requests made before the filing of a Notice to Appear with the Immigration Court.;
- motions to reopen, [8 C.F.R. § 1003.23](#);
- motions to reconsider, [8 C.F.R. § 1003.23](#);
- motions to recalendar proceedings that are administratively closed;
- motions to substitute counsel;
- cases which are pending on appeal before the Board of Immigration Appeals (A Form [EOIR-27](#) should be filed with the Board of Immigration Appeals);
- cases in which there are more than one open proceeding; and
- disciplinary proceedings, [8 C.F.R. § 1003.106\(a\)\(2\)\(iii\)](#).

Attorneys and accredited representatives who electronically file a Form [EOIR-27](#) or a Form [EOIR-28](#) are still required to serve DHS with a printed copy of the completed Form [EOIR-27](#) or Form [EOIR-28](#).

### **Official Correspondence and Representative Change of Address**

EOIR will send all official correspondence to the representative's address included on the most recent Form [EOIR-27](#) or Form [EOIR-28](#) for each case. Representatives are still under an obligation to notify the Immigration Court and the Board of Immigration Appeals of any change in their current address.

Registrants may change their addresses electronically by completing a two-step process. First, registrants must log in to their eRegistry account and add the new address to their profile. Second, registrants must then electronically file the Form [EOIR-27](#) or the Form [EOIR-28](#) for each of their cases using the newly added address, and checking the "new address" box on the form. As with all submissions of the Form [EOIR-27](#) or the Form [EOIR-28](#), registrants are still required to serve DHS with a printed copy of the completed Form [EOIR-27](#) or Form [EOIR-28](#).

Registrants should note that adding a new address to their eRegistry profiles will not serve to update their addresses with the Immigration Court or the Board of Immigration Appeals unless and until the Form [EOIR-27](#) or the Form [EOIR-28](#) has been filed in each of their cases.

In matters in which EOIR does not yet accept electronic filings of the Form [EOIR-27](#) or the Form [EOIR-28](#), registrants will need to file paper versions of those forms with the Immigration Court or the Board of Immigration Appeals to complete the address change.

### **Effect of Disciplinary Orders on eRegistry**

Individuals with law licenses will not be able to register if they do not meet EOIR's definition of an attorney: "any person who is eligible to practice law in and is a member in good standing of the bar of the highest court of any State, possession, territory, or Commonwealth of the United States, or the District of Columbia, and is not under any order suspending, enjoining, restraining, disbaring, or otherwise restricting him in the practice of law." [8 C.F.R. § 1001.1\(f\)](#). Such individuals may register once they meet this definition.

As is the current practice, EOIR will not accept filings from individuals who are not entitled to represent individuals before EOIR pursuant to [8 C.F.R. § 1292.1](#).

### **Use of System**

Registrants will be responsible for all activity conducted under the registrant's account. Registrants should contact EOIR immediately if they suspect that their account has been compromised.

### **Privacy Act Statement**

Disclosure of this information is authorized by [8 C.F.R. § 1292.1](#) in order for an attorney or accredited representative to represent aliens before EOIR and will allow future access to an electronic filing system for EOIR proceedings. The information contains voluntary and required information fields. Required information is mandatory and required for you to comply with regulatory registry requirements. Failure to provide the required information will result in EOIR denying your request to practice before it and/or in disciplinary sanctions. EOIR may share this information with others in accordance with approved routine uses described in EOIR's system of records notices: [EOIR-001](#), Records and Management Information System, 69 Fed. Reg. 26,179 (May 11, 2004)(or its successors); and/or [EOIR-003](#), Practitioner Complaint-Disciplinary Files, 64 Fed. Reg. 49237 (September 1999); and/or [BIA-002](#), Roster of Organizations and their Accredited

Representatives Recognized by the Board of Immigration Appeals, 45 Fed. Reg. 75,908 (Nov. 17, 1980).

**Paperwork Reduction Act Notice**

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a valid OMB control number. We try to create forms and instructions that are accurate, you can easily understand, and which impose the least possible burden on you to provide us with information. The estimated average time to complete this collection of information is ten (10) minutes. If you have comments regarding the accuracy of this estimate or suggestions for making this collection of information simpler, you can write to the [Executive Office for Immigration Review](#), 5107 Leesburg Pike, Suite 2600, Falls Church, VA 22041.