



U.S. Department of Justice

Executive Office for Immigration Review

Office of the Chief Immigration Judge

Chief Immigration Judge

5107 Leesburg Pike, Suite 2500
Falls Church, Virginia 22041

June 16, 2005

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) 05-07: Definitions and Use of Adjournment, Call-up and Case Identification Codes

A. Rescinded OPPM:

This Operating Policies and Procedures Memorandum (OPPM) rescinds OPPM 03-03, Definitions and Use of Adjournment and Call-up Codes, dated July 8, 2003, and sets forth additions to the Adjournment, Call-up Codes and Case Identifiers used to track the case hearing process.

B. Effective Date:

The revisions and/or additions to the current list of adjournment, call-up and case identification codes listed in this OPPM are effective immediately.

C. Background:

Adjournment, Call-up, and Case Identification Codes are used primarily for case tracking information in the agency's automated system. More specifically, when a case is adjourned or a call-up date given, the reason for that adjournment or call-up must be provided by an Immigration Judge and then entered into the automated system by a support staff member using a two-digit adjournment code, or a two-letter call-up code. These codes have been revised to include changes required by statutory, regulatory and policy changes. Additional codes were also added to allow for better case tracking where case completion goals apply.

D. List of Revised Adjourment Codes with the Definition:

Please note that there are now adjourment codes that will: 1) Exempt a case from being counted toward the case completion goals, but DO NOT stop the asylum clock (e.g. - Adjourment codes 24, 37, 43, 44, 47, 50 and 53), and 2) Exempt the case from aged case completion goals.

<u>Code</u>	<u>Reason</u>	<u>Definition</u>
*01	Alien to Seek Representation	Adjourned for alien to seek representation.
*02	Preparation - Alien/Attorney/ Representative	Adjourned to allow alien/attorney/ representative time to prepare the case, including: allowing time to file an additional relief application not initially requested; or to take witness testimony outside corrections facility, e.g., at the Immigration Court for a witness in 240A(b) hearing.
03	Preparation - DHS	Adjourned to allow the DHS time for case preparation or to cover other DHS-requested continuances not included on this list.
04	DHS or DHS Administrative File - Unavailable for Hearing	Adjourned because DHS does not have the A-File available, or does not appear at the hearing.
*05	Alien to File for Asylum	Adjourned to allow the alien to file an asylum application with the Immigration Court.
*06	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	DHS Application Process - Alien Initiated	Adjourned to allow the adjudication of an application pending with DHS, other than I-130, I- 140, I-730, I-751, Cuban Adjustment or Pending Naturalization Application.

+ These codes exempt a case from being counted toward the Case Completion Goals.

* These codes will stop the Asylum Clock until the next hearing.

D. List of Revised Adjournment Codes with the Definition (continued):

+7B	DHS Application Process - DHS Initiated	Adjourned to allow the adjudication of an application pending with DHS, other than I-130, I-140, I-730, I-751, Cuban Adjustment or Pending Naturalization Application.
+*7C	DHS Adjudication of I-130	Adjourned to allow for adjudication of I-130.
+*7D	DHS Adjudication of I-140	Adjourned to allow for adjudication of I-140.
+*7E	DHS Adjudication of I-730	Adjourned to allow for adjudication of I-730.
+*7F	DHS Adjudication of I-751	Adjourned to allow for adjudication of I-751.
+*7G	1966 Cuban Adjustment	Adjourned to allow for adjustment under the Cuban Adjustment Act of 1966.
+*7H	Pending Naturalization of Petitioning Relative	Adjourned to allow for naturalization of alien's petitioning relative.
08	State Department Response Not in ROP	Adjournment used ONLY when the Immigration Judge requests a special case-specific opinion.
09	Alien in DHS/Corrections Custody Not Presented for Hearing	Adjourned because DHS/Corrections did not bring the detainee/inmate to a scheduled hearing.
10	Notice Sent/Served Incorrectly	Attorney and/or alien does not appear at the scheduled hearing due to the notice of hearing containing inaccurate information, or, alien/attorney appears but has not received adequate notice of hearing of the proceedings.
*11	Other No-Show by Alien/ Alien's Attorney/ Representative	Adjourned because an alien and/or his or her attorney/ representative does not appear at a scheduled hearing due to any reason except an incorrect notice or DHS oversight.

+ These codes exempt a case from being counted toward the Case Completion Goals.

* These codes will stop the Asylum Clock until the next hearing.

D. List of Revised Adjournment Codes with the Definition (continued):

*12	Other Alien/Alien's Attorney/ Representative Request	Adjourned at the request of an alien/ alien's attorney/representative for reason that is not covered in this OPPM.
13	Insufficient Time to Complete Hearing	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.
14	Other Operational/Security Factors	Adjourned because of "operational" problems not covered in this list; e.g., recorder inoperable; weather, or environmental factors; agendas changed by OCIJ, IJ replaced/ resigned or retired; and/or, security risk to anyone in the court, e.g., in detained or criminal alien cases where DHS/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. <i>For televideo malfunction, see code 46.</i>
16	Alien Released From DHS/Corrections Custody	Adjourned from a detained to a non-detained calendar due to the alien being released from custody/ incarceration (except for transfer from IHP custody to DHS custody).
17	MC to IC - Merits Hearing	Adjourned from a Master Calendar to an Individual Calendar for a merits hearing, usually allowing time to file and process applications for relief before the hearing on the merits.
*21	Supplement Asylum Application	Adjourned to file additional attachments or updates to a previously filed Form I-589.

+ These codes exempt a case from being counted toward the Case Completion Goals.

* These codes will stop the Asylum Clock until the next hearing.

D. List of Revised Adjournment Codes with the Definition (continued):

*22	Alien or Representative Rejected Earliest Possible Asylum Hearing	Original hearing reset date was rejected and rescheduled to a later date.
*23	Asylum Application Withdrawn/ Reset for Other Issues	Hearing adjourned because the Form I-589 was withdrawn and hearing was reset for other issues.
+24	DHS to Provide Biometrics Check	Adjourned to allow DHS to complete the biometrics checks including required data base and fingerprint checks.
25	To Allow for Scheduling of Priority Case	Adjourned to allow for space to set a time-sensitive case.
*26	Alien Request for an In-Person Hearing	Telephonic/televideo hearing adjourned due to a request by alien for an in-person hearing.
27	DHS Request for an In-Person Hearing	Telephonic/televideo adjourned due to a request by DHS for an in-person hearing.
28	IJ Determined that an In-Person Hearing is Necessary	Adjourned because IJ determined that an in-person hearing is necessary.
29	To Indicate Concurrent Applications for Relief	Alien/Attorney/Representative has filed an application for any other form of relief in addition to suspension of deportation or cancellation of removal. Typically used during the suspension/cancellation grant cut-off period.
*30	Consolidation with Family Members	Adjourned to allow Immigration Court to consolidate a family under one lead A#.

+ These codes exempt a case from being counted toward the Case Completion Goals.

* These codes will stop the Asylum Clock until the next hearing.

D. List of Revised Adjournment Codes with the Definition (continued):

31	RC to SC Merits Hearing	Adjourned from a Reasonable Cause to a Special Circumstances Merits Hearing in a continued detention review case, meaning that a final decision by the IJ or the BIA has determined that DHS met the burden to show reasonable cause to proceed with a merits hearing.
32	Interpreter Not Ordered	Adjourned because the case requires an interpreter but none was ordered.
33	Interpreter Ordered, but FTA	Case adjourned because the ordered interpreter ordered but failed to appear.
34	Unplanned IJ Leave - Sick/Annual	Adjourned because the presiding IJ is on unscheduled sick or annual leave.
35	Unplanned IJ Leave - Detail/Other Assignment	Adjourned because the presiding IJ is on detail assignment or other administrative assignment.
+*36	Records/Biometrics Check/Overseas Investigation	Adjourned to allow alien time to complete the required paperwork for a biometrics check or an overseas investigation.
+37	DHS Investigation	Adjourned to allow DHS time to complete investigations.
*38	Illness of Alien	Adjourned due to severe and legitimate illness of alien.
*39	Illness of Atty/Rep	Adjourned due to severe and legitimate illness of alien attorney/representative.
*40	Illness of Witness	Adjourned due to severe and legitimate illness of a material witness and/or expert.
*42	Alien Requested Forensic Analysis	Adjourned by request of alien for forensic analysis.
+43	DHS Forensic Analysis	Adjourned by request of DHS for forensic analysis.

+ These codes exempt a case from being counted toward the Case Completion Goals.

* These codes will stop the Asylum Clock until the next hearing.

D. List of Revised Adjournment Codes with the Definition (continued):

+44	Cooperating Witness/Law Enforcement	Adjourned because alien is a cooperating witness or law enforcement has an interest in the alien.
*45	Joint Request of Both Parties	Adjourned at the request of alien/attorney/representative and government representative.
46	Televideo Malfunction	Adjourned due to malfunction of televideo equipment.
+47	New Charge Filed by DHS	Adjourned because of charge newly filed by DHS
48	Interpreter Appeared but IJ Rejected	Adjourned because contract interpreter appeared but rejected by IJ; e.g., IJ previously disqualified interpreter from all future hearings, but same interpreter shows up for the case or it is determined during the hearing that the interpreter is not interpreting correctly and IJ disqualifies interpreter.
49	Juvenile Home Study	Adjourned due to required home study before final adjudication.
+50	Quarantine - Detained Cases	Adjourned because alien is quarantined due to outbreak of illness in detention facility.
*51	Contested Charges	Adjourned due to alien contesting charges.
*52	Jurisdiction Rests with the BIA	Adjourned due to alien filing certain appeals or motions causing jurisdiction to shift from the court to the BIA.
+53	DHS Request for Certification of Mental Competency	Adjourned because DHS requested a certification of the alien's mental competency.
+*54	Alien Claim to U.S. Citizenship	Adjourned due to alien claiming to be a U.S. citizen.

+ These codes exempt a case from being counted toward the Case Completion Goals.

* These codes will stop the Asylum Clock until the next hearing.

D. List of Revised Adjournment Codes with the Definition (continued):

55	Hearing Deliberately Advanced	Adjourned because circumstances dictated that the hearing be moved forward; e.g., a non-detained alien is arrested and hearing now has to be placed on the detained docket causing the hearing date to be earlier than previous hearing date.
99	Data Entry Error	Hearing date entered in error and cannot be corrected. (CASE users only)

NOTE: The edit table contains inactive codes that are not included in this OPPM.

E. Call-up Codes:

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

<u>CODE</u>	<u>DESCRIPTION</u>
AB	Alien/Attorney/Representative to file brief (other than for appeal)
AS	Alien/Attorney/Representative to file an Asylum Application - Form I-589
CA	LPR Alien/Attorney/Representative to file application for Cancellation of Removal - Section 240A(a)
CB	Non-LPR Alien/Attorney/Representative to file application for Cancellation of Removal - Section 240A(b)
DD	Decision of the IJ is delayed due to extenuating circumstances during a continued detention review hearing
IA	Interlocutory appeal filed by DHS to appeal the denial of a motion for protective order
IB	DHS to file document(s) or brief (other than for appeal)
MR	Pending IJ response to motion or request - motion for change of venue; motion for termination; request for continuance, etc.
OT	Alien/Attorney/Representative to file other application/document

E. Call-up Codes (continued):

<u>CODE</u>	<u>DESCRIPTION</u>
RC	DHS to Provide Records Checks
RE	Alien/Attorney/Representative to file application for Registry - Section 249
RR	Reserved Decision
SR	Pending State Department Response to Asylum Application
ST	Alien/Attorney/Representative to file application for Adjustment of Status - Section 245
SU	Alien/Attorney/Representative to file application for Suspension of Deportation - Section 244
WA	Alien/Attorney/Representative to file application for a waiver, e.g. Section 212(i)

F. Case Identification Codes:

The following list of case identifiers will be used by all Immigration Judges, Court Administrators, and Support Staff. The case identifier is entered into the automated system by a member of the support staff using a one or two-letter alphanumeric code.

<u>CODE</u>	<u>DESCRIPTION</u>
+4M	NTA Not Filed Within 120 Days of EPRD
B	Barahona Cases
CA	Cuban-Nicaraguan
CN	NACARA Remand
DC	Departure Control Case
EM	Electronic Monitoring
F	Female
FS	Forced Sterilization

+ These codes exempt a case from being counted toward the Case Completion Goals.

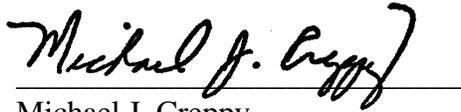
F. Case Identification Codes (continued):

<u>CODE</u>	<u>DESCRIPTION</u>
HA	Haitian Refugee Fairness Act
+J	Juvenile Case
J1	Juvenile Turned 18 While Case Pending
NA	NACARA
ND	NACARA Dependents
PO	Protective Order
RD	Reserved Suspension/Cancellation Decision
+RI	BIA Remand of IHP Case Originally Completed Prior to EPRD
RN	Cancellation of Removal
RP	Administrative Closure of Repapered Cases
SC	NACARA Section 203
SR	Stipulated Removal
TE	Tefel
TC	Third Country
+UJ	Unaccompanied Juvenile - See OPPM 04-07

+ These codes exempt a case from being counted toward the Case Completion Goals.

G. Use of Adjournment, Call-Up and Case Identification Codes:

All Court Administrators are instructed to review this OPPM with their support staff to insure that the adjournment, call-up and case identification codes are properly entered. Use of all codes should be monitored to identify any improper use of them in the automated system.

A handwritten signature in black ink, reading "Michael J. Creppy", written over a horizontal line.

Michael J. Creppy
Chief Immigration Judge

Attachment

Adjournment Codes

June 15, 2005

ALIEN - RELATED ADJOURNMENTS

Description	Code	Clock
Alien to Seek Representation	01	S
Preparation - Alien/Attorney/Representative	02	S
Alien to File for Asylum	05	S
Alien to File Other Application	06	S
DHS Application Process - Alien Initiated	7A+	S
DHS Adjudication of I-130	7C+	S
DHS Adjudication of I-140	7D+	S
DHS Adjudication of I-730	7E+	S
DHS Adjudication of I-751	7F+	S
1966 Cuban Adjustment	7G+	S
Pending Naturalization of Petitioning Relative	7H+	S
No-show by Alien/Alien's Attorney/Representative	11	S
Alien/Alien's Attorney/Representative Request	12	S
Supplement Asylum Application	21	S
Alien or Representative Rejected Earliest Possible Asylum Hearing	22	S
Asylum Application Withdrawn/Reset for Other Issues	23	X
Alien Request for an In-Person Hearing	26	S
Consolidation with Family Member	30	S
Preparation of Records/Biometrics Check/ Overseas Investigation by Alien	36+	S
Illness of Alien	38	S
Illness of Atty/Representative	39	S
Illness of Witness	40	S
Alien Requested Forensic Analysis	42	S
Joint Request of Both Parties	45	S
Contested Charges	51	S
Jurisdiction Rests with the BIA	52	S
Alien Claim to U.S. Citizenship	54+	S

DHS - RELATED ADJOURNMENTS

Description	Code	Clock
Preparation - DHS	03	R
DHS or DHS Administrative File Unavailable for Hearing	04	R
DHS Application Process - DHS Initiated	7B+	R
Alien in DHS/Corrections Custody not Presented for Hearing	09	R
Alien Released From DHS/Corrections Custody	16	R
DHS to Provide Biometrics Check	24+	R
DHS Request for an In-Person Hearing	27	R
DHS Investigation	37+	R
DHS Forensic Analysis	43+	R
Cooperating Witness /Law Enforcement	44+	R
New Charge Filed by DHS	47+	R
Juvenile Home Study	49	R
Quarantine - Detained Cases	50+	R
DHS Request for Certification of Mental Competency	53+	R

IJ - RELATED ADJOURNMENTS

Insufficient Time to Complete Hearing	13	R
MC to IC - Merits Hearing	17	R
IJ Request for an In-Person Hearing	28	R
RC to SC Merits Hearing	31	R
Unplanned IJ Leave - Sick/Annual	34	R
Unplanned IJ Leave - Detail/Other Assignment	35	R
Interpreter Appeared But IJ Rejected	48	R

OPERATIONAL ADJOURNMENTS

State Department Response not in File	08	R
Notice Sent/Served Incorrectly	10	R
Other Operational/Security Factors	14	R
Allow for Scheduling of Priority Case	25	R
Concurrent Application	29	R
No Interpreter - Not Ordered	32	R
No Interpreter - Ordered but FTA	33	R
TeleVideo Malfunction	46	R
Hearing Deliberately Advanced	55	R
Data Entry Error	99	R

+ These codes exempt a case from being counted toward the Case Completion Goals or Aged Completion Deadlines

COLOR KEY

RED = Alien-Related Delay
GREEN = DHS-Related Delay
BLUE = EOIR-Related Delay (IJ)
ORANGE = EOIR-Related Delay (Operational)

CLOCK CODES

S = Stops
R = Runs
X = Eliminates

Call-up Codes

June 15, 2005

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WA	Alien/Attorney/Representative to file application for a waiver, e.g. Section 212(i)

Case Identification Codes

June 15, 2005

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SC	NACARA Section 203
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