

INSTRUCTIONS

Purpose of Form

Initial Recognition

The Department of Justice (DOJ), through the Executive Office for Immigration Review's (EOIR) Recognition and Accreditation (R&A) Program, may authorize a non-profit religious, charitable, social service, or similar organization that provides immigration legal services primarily to low-income and indigent clients to provide representation through non-attorneys ("Accredited Representatives") in immigration proceedings. An organization may request DOJ Recognition by submitting this form with supporting documentation to EOIR for adjudication. If approved, the organization's Accredited Representatives will be authorized to appear on behalf of clients before the Department of Homeland Security (DHS) and, in some cases, EOIR's immigration courts and Board of Immigration Appeals (BIA). Approved organizations are "recognized" and appear on the R&A Rosters.

When applying for recognition, an organization must simultaneously submit Form EOIR-31A to apply for accreditation of at least one representative. After obtaining initial recognition, a Recognized Organization may apply for the accreditation of additional representatives at any time during the period of recognition. Approved representatives are "accredited" and will appear on the R&A Rosters.

Renewal of Recognition

An organization must renew its recognition by submitting Form EOIR-31 prior to expiration of recognition. Expiration dates appear on the R&A Rosters and on the organization's approval letter. A Recognized Organization's Accredited Representative(s) may continue to provide immigration legal services while a timely submitted Form EOIR-31 is pending. If EOIR has approved an organization's application for extension of recognition, the expiration date of the headquarters or other designated office extends to all of the organization's other offices. An organization granted initial recognition must renew after two years; all other organizations must renew after six years.

Extension of Recognition

EOIR may treat an organization with more than one location in one of two different ways:

- **Extended Recognition:** An organization may request extension of recognition from a designated office to its other location(s) by submitting only one Form EOIR-31 with supporting documentation. EOIR may grant the request if the organization establishes that the proposed extension location(s) shares joint operations, management structure, and funding sources; has access to the same legal resources; and is periodically inspected by the designated office. If approved, all locations will have the same recognition renewal date, and any representative accredited to work at one location will be authorized to work at all locations, simply by submitting one Form EOIR-31A.
- **Separate Recognition:** An organization that does not qualify for extension of recognition or that chooses to proceed separately must submit a separate Form EOIR-31 for each location. EOIR will treat each location as an independent organization, having its own recognition renewal date. In addition, each location will have to submit its own Forms EOIR-31A for each Accredited Representative.

How to Complete

Part 1. Organization Information

Provide the organization's complete name. The organization name must be a legal name that is on file with the Secretary of State or similar agency of the state under which the organization is formed. If already recognized, check the R&A Rosters to see how your organization's name currently appears. A Recognized Organization has the duty to promptly report material changes to EOIR, including organization name and address changes. If your organization's name has changed but you have not previously reported it to EOIR, check the box provided and include a name change certificate or similar document on file with the appropriate state authorities.

Provide the organization's contact information. Provide both physical and mailing addresses (if different). If your organization's contact information has changed but you have not previously reported it to EOIR, check the box provided.

Part 2. Type of Recognition Requested

Check the appropriate box(es) for the type(s) of recognition requested.

- Initial Recognition: Check this box if you are an organization that:
 - Has never requested recognition;
 - Previously requested recognition and was disapproved; or
 - Previously had recognition, which was later terminated.

If your organization is applying for initial recognition, **complete Parts 1–4, 6, 8, and 9**. If either the organization or its Authorized Officer ever applied for recognition for this or any other organization, provide the organization name(s) previously applied under. If the Department of Justice ever disapproved or terminated the recognition of any of these organizations, provide the date(s) of disapproval or termination.

- Renewal of Recognition: Check this box if your organization is currently recognized and your recognition is expiring. Expiration dates may be found on the R&A Rosters or by consulting the organization's recognition approval letter. Enter your organization's recognition expiration date in the space provided.

EOIR recommends that organizations apply for renewal of recognition three months prior to expiration. Nevertheless, an application submitted by the expiration date will be timely. An organization's recognition will remain valid pending EOIR's determination regarding renewal. If your organization is applying for renewal of recognition, **complete Parts 1, 2, 4–6, 8, and 9**. If your organization has updated information to report, **complete Part 3**.

Extension of Recognition: Check this box if your organization has more than one location and is seeking extension of recognition to a new location. Provide the number of offices (excluding the designated office) for which your organization is requesting extension of recognition. **Complete Parts 1, 2, and 7–9**. If your organization has updated information to report, **complete Part 3**.

Part 3. Information About Organization

- Non-Profit Status: Your organization must have currently valid non-profit status granted by the appropriate state agency (usually from the Attorney General or Secretary of State of your state) to qualify for recognition. Submit a printout from this agency's website or a contemporaneous letter from the agency, confirming that status.
- Organization Type: Only religious, charitable, social service, or similar organizations qualify for recognition. Submit proof that your organization qualifies under one of these categories, including a statement of its mission or purpose.

- **Immigration Legal Services:** An organization that does not currently offer immigration legal services must include a detailed description of the types of services it intends to provide if recognized. An organization that does currently offer immigration legal services must provide a detailed description of the scope, nature, and history of these services, and by whom they have been provided. An organization that intends to expand the scope of those services if recognized must include a description of those expanded services as well.
- **Clients:** The regulations require that an organization primarily serve low-income and indigent clients to qualify for recognition. 8 C.F.R. § 1292.11(a)(1). The documentation your organization submits, such as the fee schedule, fee waiver and reduction policies, types of services offered, and funding sources, should support this requirement.
- **Fees:** If your organization charges fees, submit the fee schedule available to your clients and the written policies regarding when the organization will reduce and waive fees. The fee schedule should reflect the types of services your organization offers or intends to offer. The policies should set forth the objective criteria that your organization will use in accommodating clients unable to pay for immigration legal services. Include a copy of the fee waiver or reduction application your organization uses, if any.
- **Tax-Exempt Status:** Only federal tax-exempt organizations are eligible for recognition. If your organization is tax-exempt, submit a currently valid IRS tax-exemption determination letter or alternative documentation to establish federal tax-exempt status. If the name and address on the letter or alternative documentation do not match the information you provided in Part 1 of this form, provide an explanation with supporting documentation. If your organization is not currently tax-exempt, provide proof that you have applied for this status with the IRS and submit a copy of the IRS determination letter to EOIR when received.

Part 4. Information About Organization's Immigration Law Practice

EOIR will consider the information and documentation submitted in response to this Part to determine whether the organization has access to adequate knowledge, information, and experience in immigration law and procedure to warrant DOJ Recognition. The regulations require that your organization submit all of the documents listed in this Part. 8 C.F.R. § 1292.11.

- **Budget(s):** If your organization currently offers immigration legal services, submit the immigration program budget for the current year and the prior year. The prior year's budget should reflect actual, not projected, performance. The budgets should describe how your organization is funded and include information about your organization's operating expenses and sources of revenue for providing immigration legal services. Please be as specific as possible when itemizing each revenue source and expense type. If your organization does not yet offer immigration legal services, submit only the proposed budget for the upcoming year, differentiating between those funds that are expected versus currently available. Budgets should include revenue sources and expense types only for the organization's immigration legal services program.
- **Legal Resources:** In the practice of immigration law, Recognized Organizations and their Accredited Representatives will need to refer to legal resources such as statutes, regulations, and other immigration law publications. List the legal resources that your organization uses or plans to use in offering immigration legal services and whether your organization accesses these resources in print or electronic form.
- **Organizational Chart:** In support of the requirement that Recognized Organizations have access to adequate knowledge, information, and experience in all aspects of immigration law and procedure, submit an organizational chart listing the names and titles of all immigration legal staff members, including their supervisors. If your organization has more than one location and is applying for extension of recognition, the organizational chart should reflect the structure of the immigration legal services program at each location.

- Attorney(s) on Staff: Check the appropriate box to indicate whether your organization has on staff any immigration attorney(s) licensed in the United States and in good standing. If yes, provide a résumé or other description of each attorney's qualifications, experience, and breadth of immigration knowledge.
- Technical Legal Support: Check the appropriate box to indicate whether your organization has any formal agreement(s) to consult with and/or receive technical support from private counsel, Recognized Organizations, or other qualified sources. If yes, attach the agreement(s) as well as a description of the other party's qualifications, experience, and breadth of immigration knowledge. If the other party is a private attorney, also attach his or her résumé.

Part 5. Renewal of Recognition

An organization must periodically establish that it continues to meet the eligibility criteria for recognition by submitting a renewal application on Form EOIR-31. In addition to this form, the regulations at 8 C.F.R. § 1292.16(c)(1) require the organization to also submit the following documents:

- Fee Schedules: If your organization charges fees, it must submit a copy of every fee schedule that was made available to clients during the previous recognition period. Clearly indicate at the top of each schedule the period during which it was in use.
- Annual Summaries: These are summaries of the immigration legal services that your organization has provided since the last approval of recognition. Submit a separate summary for each calendar year or partial calendar year, if applicable. The contents of these annual summaries are described at 8 C.F.R. § 1292.14(b)(2) and include information such as total number of clients served, a description of the services provided, and a statement regarding fees charged. Please refer to the regulations and EOIR's R&A Frequently Asked Questions (FAQs) for a complete list of the information required, as well as samples of annual summaries.
- Federal Tax-Exempt Status: If your organization does not have individual federal tax-exempt status but rather is a subordinate of a larger entity's group ruling, provide evidence of continued tax-exempt status. For example, this may be in the form of a current letter from a denomination's headquarters stating that the Recognized Organization is still included in its group ruling or the relevant pages of the most recent Official Catholic Directory for organizations that derive their tax-exempt status from the U.S. Conference of Catholic Bishops.

The regulations at 8 C.F.R. § 1292.14(a) require that an organization promptly notify EOIR of certain changes, including those that might affect the organization's recognition eligibility under 8 C.F.R. § 1292.11. If your organization has not reported these changes, please check the appropriate box and submit a description of the relevant changes and supporting documentation.

Part 6. Information About Organization's Accredited Representative(s)

To be eligible for initial recognition, an organization must simultaneously submit an accreditation application (Form EOIR-31A with supporting documentation) to have at least one employee or volunteer of the organization approved as an Accredited Representative. If EOIR does not approve at least one of the accreditation applications submitted, the organization's recognition application cannot be approved. In the space provided, indicate the number of accreditation applications that accompany your organization's recognition application. Also list the name(s) of your organization's proposed representative(s), attaching an additional sheet if necessary. A renewing organization should provide this information if it is concurrently submitting an accreditation application; however, this is not a requirement for renewal of recognition.

A Recognized Organization must have at least one Accredited Representative on staff at all times, unless it is on inactive status. If you are renewing your organization's recognition, provide a list of names of all the Accredited Representatives currently on staff with your organization. Attach additional sheets as necessary.

Part 7. Extension of Recognition

As explained on page 1 of these instructions, an organization may request extension of recognition from a designated office to its other locations. The purpose of extension of recognition is to simplify the communication and application processes between EOIR and a qualifying organization with more than one location. If approved, the designated office will be responsible for all recognition- and accreditation-related communications and applications on behalf of itself and its extension office(s). Therefore, an eligible organization must show that its designated office exercises sufficient management and control over its proposed extension office(s).

Indicate the number of offices, not including the designated office, for which the organization is seeking extension of recognition. Provide the name and contact information for each extension office.

Attach detailed documentation that addresses the relationship between the designated office and the proposed extension office(s) in each of the following areas:

- Periodic Inspections: How often does the designated office inspect the extension office(s) and how do these inspections take place?
- Joint Operations: What types of immigration legal services does each office perform?
- Joint Management Structure: What is the management structure for the organization as a whole and for each office individually?
- Joint Finances: How is the immigration legal services program at each office funded and who oversees the finances at each office?
- Access to Legal Resources: What legal resources does the designated office have access to, and which of those resources can the proposed extension office(s) also access?

Part 8. Declaration of Authorized Officer

Every Recognized Organization must designate an Authorized Officer who will act on behalf of the organization in recognition and accreditation matters. Because the Authorized Officer will serve as the principal point of contact for EOIR, the organization must provide his or her valid email address and phone number. The Authorized Officer need not be the President or Executive Director of the organization, but rather should be someone who is accessible to EOIR and knowledgeable about the organization's immigration legal services program. The Authorized Officer is responsible for verifying the contents of the Form EOIR-31 and promptly reporting to EOIR any material changes such as those listed in 8 C.F.R. § 1292.14(a). By signing the form under penalty of perjury, the Authorized Officer affirms that the form and its attachments are true, correct, and complete.

Part 9. Proof of Service on USCIS District Director(s)

The organization must send an exact copy of this form and its attachments to the U.S. Citizenship and Immigration Services (USCIS) District Director of the district where the organization is located. If the organization (1) has, or is applying for, extension of recognition; and (2) has its designated and extension office(s) located in more than one USCIS district, the organization must send an exact copy of the form and its attachments to each applicable USCIS District Director.

The proof of service is the organization's formal guarantee that it sent an exact copy of this form and its attachments to the appropriate USCIS District Director(s). EOIR's R&A FAQs contain more information about how to identify the appropriate USCIS District Director(s) and how to properly complete the proof of service.

Where to Submit

Organizations should send their complete, original applications and supporting documentation by email to the R&A Program at R-A-Info@usdoj.gov. **Email submissions are strongly preferred**, but applicants may instead submit mailed applications to the R&A Program's mailing address:

R&A Program
Executive Office for Immigration Review
5107 Leesburg Pike, Suite 2500
Falls Church, VA 22041

Other R&A Resources

R&A Website: <https://www.justice.gov/eoir/recognition-and-accreditation-program>

R&A Rosters: <https://www.justice.gov/eoir/recognition-accreditation-roster-reports>

R&A FAQs: <https://icor.eoir.justice.gov/en/faq/>

Email: R-A-Info@usdoj.gov

Paperwork Reduction Act

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. In accordance with the Act, EOIR tries to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you. The estimated average time to review the form, gather necessary materials, and assemble the attachments is 2 hours for an initial application, and 7 hours (one hour for review and completion of this form, and 6 hours to provide the annual summaries of legal services provided) for renewal of recognition. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to the Executive Office for Immigration Review, Office of the General Counsel, 5107 Leesburg Pike, Suite 2600, Falls Church, Virginia 22041 or coir.pra.comments@usdoj.gov.

Privacy Act Notice

The collection of this information is authorized by 8 U.S.C. §§ 1103, 1229a, 1362 and 8 C.F.R. §§ 1292.11-19 to determine whether your organization has established eligibility for recognition to provide representation through accredited representatives who appear on behalf of clients before EOIR's immigration courts, EOIR's Board of Immigration Appeals, and/or the Department of Homeland Security. Specifically, 8 U.S.C. § 1103(g)(2) authorizes the Attorney General to establish regulations as the Attorney General determines to be necessary for carrying out this section. Under 8 U.S.C. §§ 1229a(b)(4)(A) and 1362, aliens in immigration proceedings shall have the privilege of being represented by counsel of their choosing. Pursuant to 8 C.F.R. §§ 1292.13(a), 1292.15, and 1292.16(a), this form must be submitted by an organization that is (1) applying for recognition, (2) requesting an extension of its recognition to any office or location where it offers services, or (3) requesting the renewal of its recognition. The information solicited by this form is voluntary and will be used by EOIR to assess your organization's eligibility for recognition; however, failure to provide the requested information may preclude consideration of your request. EOIR uses the information collected by this form for authorized routine uses, including sharing with other federal government agencies and courts, as provided in the following System of Records Notice (SORN): JUSTICE/BIA-002, Roster of Organizations and their Accredited Representatives Recognized by the Board of Immigration Appeals; or its successors. This SORN can be found on the Department of Justice's website at <https://www.justice.gov/opcl/doj-systems-records>. Furthermore, the submission of this form acknowledges that an approved applicant will be subject to the disciplinary rules and procedures at 8 C.F.R. §§ 1003.101 et seq., including, pursuant to 8 C.F.R. §§ 292.3(h)(3) and 1003.108(c), publication of the approved applicant's name and findings of misconduct should the applicant be subject to public discipline.

Part 1. Organization Contact Information

Organization Name _____

Check this box if your organization's name has officially changed. See Form Instructions.

Other Name(s) Used _____

Physical Address (where organization provides immigration legal services)

| | | | | |
|-------------------|--------------|------|-------|----------|
| Number and Street | Suite Number | City | State | Zip Code |
|-------------------|--------------|------|-------|----------|

Mailing Address (if different than address above)

| | | | | |
|-------------------|--------------|------|-------|----------|
| Number and Street | Suite Number | City | State | Zip Code |
|-------------------|--------------|------|-------|----------|

Telephone _____ Email _____ Website _____

Check this box if your organization's contact information has changed. See Form Instructions.

Part 2. Type(s) of Recognition Requested (check all that apply)

Initial Recognition Complete Parts 1-4, 6, 8, 9

What organization name(s) has your organization or Authorized Officer previously applied under?

Prior disapproval or termination date (if applicable): _____ (Month/Day/Year)

Renewal of Recognition Complete Parts 1, 2, 4-6, 8, 9; to report updates, complete Part 3.

Recognition expiration date: _____ (Month/Day/Year)

Extension of Recognition Complete Parts 1, 2, 7-9; to report updates, complete Part 3.

Number of offices for which requesting extension of recognition (excluding headquarters): _____

Part 3. Information About Organization

Does your organization have current non-profit status? No Yes *Attach proof from appropriate state agency*

Is your organization a religious, charitable, social service, or similar organization?

No Yes *Attach organizing documents, including statement of mission or purpose*

Does your organization provide immigration legal services? No *Attach description of services to be provided*

Yes *Attach description of services provided*

Does your organization serve primarily low-income and indigent clients? No Yes

Does your organization charge fees? No Yes *Attach fee schedule and fee waiver/reduction policy*

Is your organization a federal tax-exempt organization? No *Attach proof of pending IRS application*

Yes *Attach proof of currently valid tax-exempt status*

Part 4. Information About Organization's Immigration Law Practice

Attach the following documents:

Immigration budget for current year and prior year

Description of the legal resources to which your organization has access

Organizational chart identifying names and titles of immigration legal staff and supervisors at all locations

Does your organization have on staff any attorney(s) licensed in the United States and in good standing?

No Yes *Attach description of qualifications, experience, and breadth of immigration knowledge*

Does your organization have any formal agreement(s) to consult with and/or receive technical legal support from private counsel, Recognized Organizations, or other qualified sources?

No

Yes *Attach* *All agreements; and*

| *Description of other party's qualifications, experience, and breadth of immigration knowledge*

Part 5. Renewal of Recognition

Attach the following documents:

Fee Schedules

Include any versions used since last recognition

Annual Summaries

Include one for each calendar year since last recognition

Federal Tax-Exempt Status

If your tax-exempt status is based on a larger entity's group ruling, provide evidence of current tax-exempt status

Has your organization experienced any changes since last being recognized that might affect your recognition eligibility? No Yes *Attach description and supporting documentation*

Part 6. Information About Organization's Accredited Representative(s)

Number of accreditation applications (Form EOIR-31A) concurrently submitted, if applicable: _____

Name(s) of applicant(s) for accreditation: _____

If renewing recognition, list name(s) of current Accredited Representative(s) or indicate "none": (*attach additional sheets if necessary*) _____

Part 7. Extension of Recognition

(*If more than one office, attach additional sheets of paper with the information contained below.*)

Extension Office Name _____

Physical Address (where organization provides immigration legal services)

Number and Street

City

State

Zip Code

Mailing Address (if different than address above)

Number and Street

City

State

Zip Code

Telephone _____ Email _____ Website _____

Attach documentation and/or a narrative that demonstrates each of the following:

- Frequency with which Organization in Part 1 conducts inspections of proposed Extension Office
- Joint operations
- Joint management structure
- Joint funding sources and financial oversight
- Extension Office has access to the same legal resources as the Organization in Part 1

Part 8. Declaration of Authorized Officer

Under penalty of perjury, I attest that:

- I am the Authorized Officer of _____ (organization); *see Form Instructions for who qualifies to be an Authorized Officer*
- I have examined this form, including the accompanying attachments, and to the best of my knowledge and belief, it is true, correct, and complete;
- The Organization and its Extension Offices, if any, will provide immigration legal services primarily to low-income and indigent clients;
- The Organization will conduct regular inspections of its Extension Offices, if any;
- The Organization will supervise its Accredited Representatives at all recognized locations; and
- I consent to the publication of the Organization’s name and findings of misconduct should the Organization become subject to public discipline.

Signature of Authorized Officer

Date

Printed Name and Title of Authorized Officer

Phone Number

Email Address

Part 9. Proof of Service on USCIS District Director(s) (attach additional sheets of paper as necessary)

I, _____, on behalf of the organization, _____, sent a copy of this Form EOIR-31 and its attachments on _____ (month/day/year) to:

(1) USCIS District Office: _____, at: _____

(2) USCIS District Office: _____, at: _____

(3) USCIS District Office: _____, at: _____

Signature