



OOD
PM 20-08

Effective: February 13, 2020

To: All of EOIR
From: James R. McHenry III, Director *JM*
Date: February 13, 2020

DEFINITIONS AND USE OF ADJOURNMENT, CALL-UP, AND CASE IDENTIFICATION CODES

PURPOSE:	Sets forth updated adjournment, call-up, and case identification codes used to track the case hearing process.
OWNER:	Office of the Director
AUTHORITY:	8 C.F.R. § 1003.0(b)
CANCELLATION:	Operating Policies and Procedures Memoranda 18-02

EOIR continually reviews its adjournment, call-up, and case identification codes and updates or modifies those codes as circumstances warrant. This Policy Memorandum rescinds OPJM 18-02, *Definitions and Use of Adjournment, Call-up, and Case Identification Codes*, dated June 8, 2018, and sets forth updated codes used to track the case hearing process.

Adjournment, call-up, and case identification codes are used primarily for tracking case information in EOIR's Case Access System for EOIR (CASE) (or its successor, if any). More specifically, when an immigration judge adjourns a case or gives a call-up date, the judge is responsible for making the reason(s) for the adjournment or call-up date clear on the record. In all cases, the judge should annotate the case worksheet on the left side of the Record of Proceedings with the corresponding adjournment code or call-up code or note the appropriate code in ECAS. The Court Administrators and court staff are responsible for ensuring that each adjournment code and call-up code is accurately entered into CASE. EOIR employees should be vigilant in ensuring that accurate codes are used in all situations. Intentional or repeated negligent use of an incorrect code or assignment of a continuance to an incorrect party not only affects the integrity of EOIR's data but may also result in corrective action. Court Administrators should review this PM with court staff to ensure that adjournment, call-up, and case identification codes are accurately entered into CASE.

This PM is not intended to, does not, and may not be relied upon to create, any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States,

its departments, agencies, or entities, its officers, employees, or agents, or any other person. Nothing herein should be construed as mandating a particular outcome in any specific case.

Please contact your supervisor if you have any questions.

Adjournment Codes with Definitions

<u>Code</u>	<u>Reason</u>	<u>Definition</u>
*01	Alien to Seek Representation	Adjourned for alien to seek representation.
1A	Case Transferred From Non-Detained to Detained Docket	Adjourned because the case was transferred to a detained docket.
1B	Case Transferred From Detained to Non- Detained Docket	Adjourned because the case was transferred to a non-detained docket.
*02	Preparation – Alien/Attorney/Representative	Adjourned to allow alien/attorney/representative time to prepare the case. Includes 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 a 240A(b) hearing.
03	Preparation - DHS	Adjourned to allow DHS time for case preparation or to cover other DHS- requested continuances not included on this list.
3A	IJ Detail	Adjourned because the IJ was unavailable due to volunteer detail.
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.
4A	Technical Malfunction (not video)	Adjourned due to non-video technical malfunction.
4B	Interpreter Must Leave	Adjourned due to interpreter departure from hearing.
4C	Interpreter Appeared but Wrong Language or Dialect	(EOIR-related) Adjourned because the wrong interpreter appeared due to court error.
4D	Interpreter Appeared but Wrong Language or Dialect	(Alien-related) Adjourned because the wrong interpreter appeared after the respondent’s representative provided the wrong language or dialect to the court.
4E	ROP Missing	Adjourned because the EOIR ROP is not available for the hearing.
4F	Telephonic Interpreter Unavailable	Adjourned because the immigration judge was unable to obtain an unscheduled telephonic interpreter
*05	Alien to File for Asylum	Adjourned to allow the alien to file an asylum application with the immigration court.

5A	Hearing Advanced by Motion	Adjourned because an earlier hearing has been scheduled following a motion.
5B	Late Filed Evidence (Alien)	Adjourned because the court accepted late-filed evidence from the respondent and needs additional time for file review.
5C	Late Filed Evidence (DHS)	Adjourned because the court accepted late-filed evidence from the government and needs additional time for file review.
*06	Alien to File Other Application	Adjourned to allow the alien to file an application other than asylum with the immigration court.
*7A	DHS Application Process - Alien Initiated	Adjourned to allow the adjudication of an application pending with DHS.
*8A	IJ Completion Prior to Hearing	Adjourned because IJ completed case prior to the scheduled hearing.
*8B	IJ Completion at Hearing	Case was completed at the hearing.
09	Alien in DHS/Corrections Custody Not Presented for Hearing	Adjourned because DHS/Corrections did not bring the detainee/inmate to a scheduled hearing.
9A	Docket Management (Postpone Hearing)	Hearing postponed by EOIR for docket management reasons.
9B	Docket Management (Advance Hearing)	Hearing advanced by EOIR for docket management reasons.
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 or Rep.	Adjourned because an alien and/or his or her attorney/representative does not appear at a scheduled hearing for any reason except an incorrect notice or DHS oversight.
*12	Other Alien/Alien's Attorney/Representative Request	Adjourned at the request of an alien/alien's attorney/representative for a reason that is not covered in this PM.
13	Insufficient Time to Complete Hearing	Adjourned because the case could not be completed in the time allotted. Includes preparation of IJ oral decision (different from a "reserved decision") for delivery at scheduled hearing, IJ to hear testimony of additional witnesses, or to take and present a deposition.

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.
*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 Issue	Hearing adjourned because the Form I-589 was withdrawn or the hearing was reset for other issues.
24	DHS Delayed Records/Fingerprint Check	Adjourned to allow DHS to complete the biometrics checks including required database 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 hearing adjourned due to a request by DHS for an in-person hearing.
28	IJ Determined an In-Person Hearing is Necessary	Adjourned because IJ determined that an in-person hearing is necessary.
*30	Consolidation with Family Members	Adjourned to allow immigration court to consolidate a family under a lead A#.
31	RC to SC Merits Hearing	Adjourned from a Reasonable Cause to a Special Circumstances Merits Hearing in a continued detention review case. Occurs after 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 failed to appear.
34	IJ Leave	Adjourned because the presiding IJ is on leave.
*36	Alien Delayed Records/Fingerprint Check	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/Atty Rep/Witness	Adjourned due to severe and legitimate illness of alien, attorney or representative, or alien's witness.
*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.
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	Video Malfunction	Adjourned due to malfunction of video equipment.
47	New Charge Filed by DHS	Adjourned because of newly filed charge by DHS.
48	Interpreter Appeared but Disqualified	Adjourned because contract interpreter appeared but disqualified by IJ; e.g., IJ previously disqualified interpreter from all future hearings, or it is determined during the hearing that the interpreter is not interpreting correctly and IJ disqualifies interpreter.
50	Quarantine - Detained Cases	Adjourned because of alien quarantine for illness outbreak in detention facility.
*51	Contested Charges	Adjourned because charges are contested by alien.
*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.
*54	Alien Claim to U.S. Citizenship	Adjourned because alien claims to be a U.S. citizen.
59	Court Closure	Adjourned due to unscheduled court closure (weather, safety, environmental factors, a federal government shutdown).
60	EOIR Forensic Competency Evaluation	Adjourned to allow a forensic competency evaluation to be conducted.
61	Appointment of Qualified Representative	Adjourned to allow for the appointment of a qualified representative for the alien.
62	Judicial Competency Inquiry	Adjourned and set for a judicial competency inquiry at a subsequent hearing.

63	Non-Franco Competency Inquiry	For non- <i>Franco</i> cases, adjourned and set for competency inquiry at a subsequent hearing.
64	IJ Reassignment	Adjourned because the IJ was reassigned due to recusal, transfer of case, separation from service, etc.
99	Data Entry Error	Hearing date entered in error and cannot be corrected. (CASE users only)
RD	Reserved Decision Suspension/Cancellation	Adjourned for reserved decision on suspension or cancellation.
RR	Reserved Decision	Adjourned for reserved decision.

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

‡ This code eliminates the Asylum Clock.

Call-up Codes

<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
RC	DHS to provide records checks
RE	Alien/Attorney/Representative to file application for Registry - Section 249
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)

Case Identification Codes

<u>Code</u>	<u>Description</u>
4M	NTA Not Filed Within 120 Days of EPRD
AD	ATD Pilot
CD	Civil Detention Hearing
EM	Electronic Monitoring
FL	Franco Litigation
PB	EOIR Pro Bono Representation
PO	Protective Order
SR	Stipulated Removal
SX	Stipulated Removal Order - Denied