



U.S. Immigration and Customs Enforcement

Instructions for Requests to Join in Motions to Reopen

Requests to join in motions to reopen (aliens with a final order of removal) must be served electronically via the ICE eService portal.¹ All submissions must comply with the ICE eService Terms and Conditions of Use. If you fail to comply, your submission will be rejected. Paper submissions will no longer be accepted and will be returned to sender with instructions to serve electronically. Our office will continue to accept paper filings in all matters from unrepresented aliens. A joint motion to reopen filed with the Executive Office for Immigration Review (EOIR) will be treated as a regular motion to reopen.

The Chief Counsel reviews all joint motions to reopen. She will endeavor to respond to these requests within a reasonable period of time. If you have not received a response within 90 days, please contact the Chief Counsel.

Joint motions to reopen must include documentation establishing prima facie eligibility for the relief sought (approved visa petition, I-485, etc.) as well as documentation evidencing the exceptional factors that would establish that an exercise of favorable discretion is warranted.

Distinction between Joint Motions to Reopen, and non-opposition to Motions to Reopen

We request that attorneys only submit joint motions to reopen where the motion would otherwise be time or numerically barred. For example, if your client was ordered removed *in absentia* and you assert that your client failed to receive notice of the hearing, there are no time or numerical limitations to your motion, so joinder by our office is inappropriate. *See* 8 C.F.R. § 1003.2(c)(3)(iii) (if a motion is joined by the government, the time and numerical limitations of the motion are waived). In this scenario, you may file your motion directly with EOIR, follow up with the attorney assigned to respond to your motion, and seek that we not oppose your motion.

Joint Motions to Recalendar and Dismiss

If you are seeking to have a matter recalendared and dismissed, please serve the request via the ICE eService portal. Your submission must comply with the ICE eService Terms and Conditions of Use.

¹ You may register for ICE eService at: <https://eserviceregistration.ice.gov/>.