

## Immigration and Naturalization Service, Justice

## § 3.0

- 3.15 Contents of the order to show cause and notice to appear and notification of change of address.
- 3.16 Representation.
- 3.17 Appearances.
- 3.18 Scheduling of cases.
- 3.19 Custody/bond.
- 3.20 Change of venue.
- 3.21 Pre-hearing conferences and statement.
- 3.22 Interpreters.
- 3.23 Reopening or reconsideration before the Immigration Court.
- 3.24 Fees pertaining to matters within the jurisdiction of the Immigration Judge.
- 3.25 Form of the proceeding.
- 3.26 In absentia hearings.
- 3.27 Public access to hearings.
- 3.28 Recording equipment.
- 3.29 Continuances.
- 3.30 Additional charges in deportation or removal hearings.
- 3.31 Filing documents and applications.
- 3.32 Service and size of documents.
- 3.33 Translation of documents.
- 3.34 Testimony.
- 3.35 Depositions and subpoenas.
- 3.36 Record of proceeding.
- 3.37 Decisions.
- 3.38 Appeals.
- 3.39 Finality of decision.
- 3.40 Local operating procedures.
- 3.41 Evidence of criminal conviction.
- 3.42 Review of credible fear determination.
- 3.43 Motion to reopen for suspension of deportation and cancellation of removal pursuant to section 203(c) of the Nicaraguan Adjustment and Central American Relief Act (NACARA).
- 3.44 Motion to reopen to apply for section 212(c) relief for certain aliens in deportation proceedings before April 24, 1996.

### Subpart D [Reserved]

### Subpart E—List of Free Legal Services Providers

- 3.61 List.
- 3.62 Qualifications.
- 3.63 Applications.
- 3.64 Approval and denial of applications.
- 3.65 Removal of an organization or attorney from list.

### Subpart F [Reserved]

### Subpart G—Professional Conduct for Practitioners—Rules and Procedures

- 3.101 General provisions.
- 3.102 Grounds.
- 3.103 Immediate suspension and summary disciplinary proceedings; duty of practi-

tioner to notify EOIR of correction or discipline.

- 3.104 Filing of complaints; preliminary inquiries; resolutions; referral of complaints.
- 3.105 Notice of Intent to Discipline.
- 3.106 Hearing and disposition.
- 3.107 Reinstatement after expulsion or suspension.
- 3.108 Confidentiality.
- 3.109 Discipline of government attorneys.

AUTHORITY: 5 U.S.C. 301; 8 U.S.C. 1101 note, 1103, 1252 note, 1252b, 1324b, 1362; 28 U.S.C. 509, 510, 1746; sec. 2 Reorg. Plan No. 2 of 1950; 3 CFR, 1949–1953 Comp., p. 1002; section 203 of Pub. L. 105–100, 111 Stat. 2196–200; sections 1506 and 1510 of Pub. L. 106–386, 114 Stat. 1527–29, 1531–32; section 1505 of Pub. L. 106–554, 114 Stat. 2763A–326 to –328.

### § 3.0 Executive Office for Immigration Review.

(a) *Organization.* The Executive Office for Immigration Review shall be headed by a Director who shall be assisted by a Deputy Director. The Director shall be responsible for the general supervision of the Board of Immigration Appeals and the Office of the Chief Immigration Judge in the execution of their duties in accordance with this part 3. The Director may redelegate the authority delegated to him by the Attorney General to the Deputy Director, the Chairman of the Board of Immigration Appeals, or the Chief Immigration Judge.

(b) *Citizenship Requirement for Employment.* (1) An application to work at the Executive Office for Immigration Review (EOIR or Agency), either as an employee or as a volunteer, must include a signed affirmation from the applicant that he or she is a citizen of the United States of America. Upon the Agency's request, the applicant must document United States citizenship.

(2) The Director of EOIR may, by explicit written determination and to the extent permitted by law, authorize the appointment of an alien to an Agency position when necessary to accomplish the work of EOIR.

[48 FR 8039, Feb. 25, 1983, as amended at 60 FR 29468, June 5, 1995; 63 FR 51519, Sept. 28, 1998]