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## GENERAL INSTRUCTIONS

**Please read carefully before completing and submitting Form EOIR-31**

### A. When to submit a Form EOIR-31:

#### **New Recognition**

- Organizations must use this form (Form EOIR-31) when requesting recognition as a non-profit religious, charitable, social service, or similar organization approved to designate a representative or representatives to provide immigration legal services on behalf of its clients before the Executive Office for Immigration Review (EOIR) (i.e., the immigration courts and the Board of Immigration Appeals (BIA)) and the Department of Homeland Security (DHS), or before DHS only. Approved applicants will appear on the roster of recognized organizations maintained by EOIR's Office of Legal Access Programs.
- Organizations must use a different form, Form EOIR-31A, to request accreditation of a representative to provide immigration legal services on behalf of its clients before EOIR and DHS, or before DHS only. A separate request for accreditation (Form EOIR-31A) is required for each proposed representative. An organization must file at least one request for accreditation at the same time that it is applying for new recognition. Organizations may file for accreditation of additional representatives any time after approval of recognition. Approved applicants will appear on the roster of accredited representatives maintained by EOIR's Office of Legal Access Programs.

#### **Renewal of Recognition**

- Recognized organizations must use this form (Form EOIR-31) when seeking to renew recognition.
  - ***Organizations recognized by the Office of Legal Access Programs after January 17, 2017.*** Organizations conditionally recognized must renew two (2) years after the initial approval of recognition; all other organizations must renew six (6) years after the last approval of renewal of recognition unless otherwise specified below. To determine when your organization should request renewal, check the recognition approval letter from OLAP or the Roster of Recognized Organizations and Accredited Representatives to determine the expiration date of recognition.
  - ***Organizations recognized by the Board of Immigration Appeals prior to January 17, 2017,*** the effective date of the rule amending the requirements for recognition and accreditation, must initially renew recognition at different time periods: 1-year, 2-years, or 3-years after the effective date, based on the following criteria:

- For organizations without an accredited representative on January 17, 2017 – organizations must seek renewal within 1-year of January 17, 2017
- For organizations that were recognized more than 10 years prior to January 17, 2017 – organizations must seek renewal within 2-years of January 17, 2017
- For organizations that were recognized less than 10 years prior to January 17, 2017 – organizations must seek renewal within 3-years of January 17, 2017
- For headquarters or designated office with extension(s) to branch offices that are approved by OLAP under 8 CFR § 1292.15, the headquarters or designated office’s recognition approval date is the date that triggers the renewal requirements for all offices. For example, the headquarters or designated office of an organization was recognized more than 10 years prior to January 17, 2017, but branch offices of the organization were separately recognized five (5) and three (3) years prior to that date. For the headquarters and the branch offices to remain recognized, the organization must apply for renewal of recognition within two (2) years of January 17, 2017. The organization may also seek extension of its recognition to additional offices or locations at that time.

**Extension of Recognition**

- Organizations requesting recognition and currently recognized organizations must use this form (Form EOIR-31) when seeking to extend or renew extension of recognition from the organization’s headquarters or designated office to any other office or location where the organization regularly offers immigration legal services. The name and address of the extended locations will be included on the roster of recognized organizations once approved. Representatives accredited at the organization’s headquarters or designated office location may serve clients at any of the other approved offices or locations.

**B. Where to submit a Form EOIR-31:**

R&A Coordinator  
 Office of Legal Access Programs  
 Executive Office for Immigration Review  
 5107 Leesburg Pike, Suite 1900  
 Falls Church, VA 22041

**C. How to request new recognition, renewal of recognition, or extension of recognition:**

**Part 1.**

- Provide the organization’s complete name, including any other names under which it is doing business or that it previously used to request recognition or accreditation. Also, provide the organization’s contact information. The organization’s physical location (street address) must be provided; a post office box number is not acceptable.

**Part 2.**

For more information about requesting recognition, visit the EOIR website at: <http://www.justice.gov/eoir/ra.htm>

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Only choose one of the following items to show what action you are requesting with this form:

- **New Recognition:** Check this box if you are an organization which: (1) has never requested recognition; (2) previously requested recognition and the request was disapproved; or (3) previously had been approved for recognition and then the organization's recognition was terminated. If the organization previously had its request for recognition disapproved or its recognition terminated, please provide the date of the disapproval or termination.
- **Renewal of Recognition:** Check this box if you are an organization which is currently recognized and seeking to renew your recognition.
  - An organization seeking renewal that has no extended office or location **and** has had no changes to the information provided in Part 5 through Part 8 of this form since the last date of approval of recognition may skip those parts and continue to Part 9.
  - An organization that has had changes to the information provided in Part 5 through Part 8 of this form since the last date of approval of recognition must update those parts of the form.
  - An organization seeking renewal with an extended office or location must complete Part 3 and Part 4 of this form. Such an organization must also complete and update Part 5 through Part 8 of the form, unless the organization has had no changes to the information provided in Part 5 through Part 8 since the last date of approval of recognition or extension of recognition, whichever is later.
- **Extension of Recognition:** Check this box if you are currently a recognized organization and you are *only* seeking to extend recognition to another office or location. (If you are a new organization applying for recognition or a currently recognized organization and you are seeking renewal, you do not need to check this box.)

### Part 3.

- Check the "yes" box if you are seeking to extend the organization's recognition from its headquarters or designated office to another office or location where the organization regularly provides immigration legal services. Provide the number of locations to which you are seeking to extend recognition and continue to Part 4.
- Check the "no" box if you are not seeking to extend the organization's recognition to another office or location. Skip Part 4 and continue to Part 5.

### Part 4.

- Provide the name (if it is known in the community under a different name from the applicant organization) and contact information about individual offices or locations to which the organization is seeking to extend recognition. The extended office(s) or location(s) of an organization must have a street address for contact purposes. A post office box number is not acceptable.

- Check the appropriate box to indicate whether the extension request is for a new extension of recognition or a renewal of an extension of recognition. Also, indicate whether there is additional relevant information about this office or location, such as other contact information or a fee schedule or supervisory structure different than the organization's headquarters or designated office. Provide this information on additional sheets of paper.
- Attach additional sheets of paper (or copy Part 4 of this form), if you seek to extend recognition to more than one office or location.
- If your organization is currently recognized and solely submitting this form to extend recognition to a new location, complete Part 5 and Part 6 *only* if there have been changes affecting the organization since the last approval of recognition, which have not been previously reported to OLAP. Otherwise, continue to Part 7.

#### Part 5.

- Check the box(es) to indicate the proof submitted with the request to show that the applicant organization is established as a non-profit religious, charitable social service or similar organization in the United States. PLEASE NOTE: A mission statement or statement of purpose of the organization must be included. Additional proof may include the organization's constitution, charter, by-laws, articles of incorporation, state non-profit status, or other documentation.

#### Part 6.

- Check the box to show that the organization has obtained or is in the process of obtaining federal tax-exempt status and attach supporting documentation. If the organization is in the process of obtaining federal tax-exempt status, the organization must attach documentation to show that the organization applied for tax-exempt status and the determination is pending.

#### Part 7.

The information and documentation requested under Parts 7 and 8 will be considered to ascertain whether the organization has adequate knowledge, information, and experience in immigration and nationality law, practice, and procedure.

- Submit an organizational chart identifying the names and titles of immigration legal staff and supervisors at the organization's headquarters or designated office and any offices or locations seeking extension of recognition.
- Indicate whether the organization's staff includes attorneys who are eligible to practice law and who are members in good standing of the bar of any state, possession, territory, or commonwealth of the United States, or of the District of Columbia. Attach the attorneys' resumes, which must include information regarding bar admissions, legal experience, and immigration legal training.
- Indicate whether the organization has any currently approved accredited representatives on staff. If applicable, indicate the number of accreditation requests (Form EOIR-31A) accompanying this form and the name(s) of the applicant(s) for accreditation. All requests for new recognition must be accompanied

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by at least one request for accreditation. A request for renewal of recognition or extension of recognition may be accompanied by a request for accreditation.

- If applicable, indicate whether the organization has any arrangements to receive technical support from private counsel, other recognized organizations, or other persons or entities. Describe the arrangements and attach the relevant documentation outline the arrangements.
- Provide a description of the immigration legal services provided by the organization and describe the qualifications for the organization's immigration legal staff to provide such services if not readily apparent from the resumes and documentation already included with the application.

#### **Part 8.**

- List the print and electronic legal resources available to the organization and its representatives.

#### **Part 9.**

- Attach copies of the current annual budget and the prior year's budget, if available. If a current budget is not available, provide the projected budget for the coming year. The annual budget should include sources and amounts of revenue and expenses, and a description of how the organization is funded.
- Indicate whether the organization charges or imposes fees or membership dues on its immigration clients and whether the organization has fee waiver and fee-reduction policies for immigration clients at all locations seeking recognition.
- Attach supporting documentation, such as: fee schedules, fee reduction/waiver policy or guidance, reports for funders or information about other free or low-cost immigration services provided (i.e. educational or outreach activities,), or other relevant documents.

#### **Part 10. Renewal of recognition (skip to section D if not seeking renewal of recognition):**

- To renew recognition, an organization must maintain the requirements for recognition and complete the necessary parts of this form to show changes since the last approval of recognition, or extension of recognition, as applicable. For example, an organization that has its tax-exempt status determination pending at the time of approval of recognition must provide its final determination letter.
- Provide a summary of legal services provided for each year since last recognition (but not for any year prior to January 17, 2017) and a list of the offices or locations where the immigration legal services were provided. The summary should include information such as: the total number of clients served (which includes intakes, applications prepared and filed before USCIS, cases appeared in before the immigration courts and the Board, or referred to other attorneys or organizations) and the number of clients to which it provided services at no cost; a general description of the immigration legal services and any immigration-related services provided, such as educational or outreach events conducted, and whether services were provided pro bono or clients were charged in accordance with a fee schedule and organization policies or guidance. Do not provide any client-specific or client-identifying information in the summary. Submit fee schedule(s) and fee reduction/waiver policy or guidance, if any, for each year since the last approval of recognition only if different than those provided since last recognition.

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- Indicate whether the organization does not have a currently accredited representative on staff and is on inactive status or seeks inactive status.
- Extension(s) of recognition must be renewed at the same time the organization seeks renewal of recognition or the approval of extension of recognition will expire. Include all requests to renew extension of recognition under Part 4 of this form.

**D. Who must verify the contents of Form EOIR-31:**

- Authorized officer of the requesting organization, such as the President, Executive Director or an officer of the organization, who has been designated to act on behalf of the organization in recognition and accreditation matters must verify the contents of the Form EOIR-31. By signing the form under penalty of perjury, the authorized officer affirms that the form and its attachments are true, correct, and complete. The authorized officer must also attest that the organization provides immigration legal services primarily to low-income and indigent clients.
- Provide contact information for the authorized officer in the event there are any questions related to the application.

**E. Who must be sent a copy of Form EOIR-31 and its attachments:**

- The organization must send an exact copy of the form and its attachments to the District Director(s) of the U.S. Citizenship and Immigration Services (USCIS) where the organization is located and where it offers or intends to offer immigration legal services. If the organization has offices or locations for which it is seeking extension of recognition or for which it has received extension of recognition that are outside the USCIS district of the organization's headquarters or designated office, the organization must send an exact copy of the form and its attachments to the USCIS District Director(s) covered by those offices or locations.
- For a request for renewal of recognition, an exact copy of the form and its attachments must also be sent the USCIS District Director(s) in the jurisdiction(s) where the organization's accredited representatives regularly represent clients, if not already served according to the above instruction.
- Complete and sign the "proof of service." The proof of service is the organization's formal guarantee that copies of this form and its attachments have been sent to the appropriate USCIS office(s). Every filing – whether the recognition or accreditation request, additional supporting documents, or other submission to OLAP – must clearly contain a proof of service to the District Director of USCIS in the jurisdiction where the organization is located and, if offering immigration legal services in a different USCIS district, to that USCIS office. To identify the appropriate USCIS offices, the organization should consult the USCIS website (<http://www.uscis.gov/about-us/find-uscis-office>) or a local DHS office.

**F. 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

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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.

#### **G. 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 in order to request recognition of a non-profit religious, charitable, social service or similar organization. The information you provide is voluntary and will be used by EOIR employees to assess your organization's eligibility for recognition; however, failure to provide the requested information may preclude consideration of your request. Pursuant to the Privacy Act, EOIR may share the information provided with this form with others in accordance with approved routine uses. 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), 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 Seeking Recognition (Headquarters or designated office for recognition purposes)**

Organization Name \_\_\_\_\_  
Other Name(s) \_\_\_\_\_ Name(s) previously applied under \_\_\_\_\_  
Number and Street \_\_\_\_\_ Suite \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Telephone \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_  
Website \_\_\_\_\_

**Part 2. Type of Recognition Sought (check one)**

- New recognition (or organization previously had recognition disapproved or terminated on \_\_\_\_\_)  
(Month/Day/Year)  
 Renewal of recognition. Date of last approval or renewal of recognition: \_\_\_\_\_  
(Month/Day/Year)  
 Extension of recognition. Approval date of current recognition: \_\_\_\_\_  
(Month/Day/Year)

**Part 3. Extension of Recognition to Other Offices or Locations**

- Yes. Number of offices or locations seeking new or renewal extension of recognition: \_\_\_\_\_. *Go to Part 4.*  
 ~~No. Skip Part 4 and Go to Part 5.~~

**Part 4. Information about Other Offices or Locations Seeking Extension of Recognition  
(attach additional sheets of paper, if seeking to extend to more than one location)**

If organization is known in the community under a different name at this office or location than stated above in part 1, provide name.

Organization Name \_\_\_\_\_  
Number and Street \_\_\_\_\_ Suite \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Telephone \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_

- ~~New extension-~~  
 ~~Renewal of extension~~  
 ~~Check this box if you have additional relevant information regarding this office or location, such as other contact information, or a fee schedule or supervisory structure different than the organization's headquarters or designated office (attach additional sheets of paper to describe).~~

## Part 5. Proof of Non-profit, Religious, Charitable, Social Service or Similar Organization

Required Proof:  Mission Statement/Statement of Purpose

Optional Proof:  Constitution  Charter  Bylaws  Articles of Incorporation  Other \_\_\_\_\_

## Part 6. Federal Tax-exempt Status (check applicable boxes)

Organization has federal tax-exempt status under section 501(c)(3) or section \_\_\_\_\_ of the Internal Revenue Code

IRS tax determination letter and first page of last annual IRS information return is attached

OR

~~Alternative documentation to establish federal tax-exempt status is attached~~

Federal tax-exempt status applied for and a determination is pending; supporting documentation is attached

## Part 7. Knowledge of Immigration Law and Procedures

a. Attach organizational chart identifying names and titles of legal staff and supervisors at all locations

b. Attorney(s) licensed in the United States and in good standing on staff:  No  Yes, attach resume(s)

c. Accredited representative(s) on staff:  Yes  No

• If applicable, provide number of accreditation applications (Form EOIR-31A) submitted with this recognition application: \_\_\_\_\_

• Name(s) of applicant(s) for accreditation: \_\_\_\_\_

d. If applicable, describe any arrangements to consult with and/or receive technical support from qualified immigration practitioners:

• Private counsel:  No  Yes, attach all agreements with name(s) of private counsel ~~and bar admission(s)~~

• Another recognized organization:  No  Yes, attach all agreements with other recognized organizations

• Other:  No  Yes, explain: \_\_\_\_\_

e. Describe immigration legal services offered and qualifications of immigration legal staff to provide such services. Attach supporting documentation such as resumes, training certificates, letters of recommendation, or other similar information.

## Part 8. List of Print and Electronic Legal Resources

Print resources:

Electronic resources:

Extended locations have access to  same sources  ~~other resources (please describe):~~

## Part 9. Provides Services Primarily to Low-Income and Indigent clients

Organization must provide immigration legal services primarily to low-income and indigent clients, and if charging fees, organization must have a policy or guidance for waiving or reducing fees. Provide supporting documentation as provided in the form instructions and attach copies of budget for current year and past year, if available, itemizing sources and amount of funding. If current and/or past budget are not available, provide projected budget for upcoming year.

Budget(s). Check if attached.

- a. Fees charged for immigration legal services No  Yes  Attach detailed fee schedules for all locations
- ~~b. Membership dues charged No  Yes  Attach list of dues charged at all locations~~
- c. Waiver of immigration legal fees policy No  Yes  Attach fee waiver policy/guidance provided to clients and staff at all locations
- d. Reduction of immigration legal fees policy No  Yes  Attach fee reduction policy/guidance provided to clients and staff at all locations

## Part 10. Renewal of Recognition. Complete if seeking to renew recognition.

*If not seeking renewal, skip to Part 11.*

- a. Organization must maintain the requirements for recognition and complete Parts 1 through 9 of this form. In the case of the headquarters or designated office with extension(s) to branch offices that are approved by OLAP, the headquarters or designated office's recognition approval date is the date that triggers the renewal requirements for all offices. Attach supporting documentation for the above sections only if there have been changes since the last approval or renewal of recognition. Check this box if supporting documentation has been attached.
- b. Include summary of legal services performed for each year during the last period of recognition. Check this box if attached.
- ~~c. If the organization does not currently have an accredited representative on staff and is on inactive status or seeks inactive status, check this box.~~
- ~~d. All requests for renewal of extension or to apply for new extension(s) of recognition with this application should be indicated in Part 4. Check this box if seeking renewal of extension(s) or new extension(s).~~

## Part 11. Declaration of Authorized Officer

Under penalty of perjury, I declare that I am the authorized officer of \_\_\_\_\_ (organization), that I have examined this form, including accompanying attachments, and to the best of my knowledge and belief, it is true, correct, and complete. I also attest that the organization (and the offices or locations to which recognition is to be extended) will provide immigration legal services primarily to low-income and indigent clients, that the organization will supervise its accredited representatives, and that the organization will conduct regular inspections of extended offices or locations. I consent to 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 of Authorized Officer

\_\_\_\_\_  
Title of Authorized Officer

\_\_\_\_\_  
Contact Information (Phone Number and Email Address)

## Part 12. Proof of Service on USCIS District Director(s)

I, \_\_\_\_\_ (print name), on behalf of \_\_\_\_\_ (organization),

mailed or delivered a copy of this Form EOIR-31 and its attachments to the District Director(s) for USCIS of DHS

on \_\_\_\_\_ (Day/Month/Year) at the following location(s):

(1) \_\_\_\_\_  
Number and Street City State Zip Code

(2) \_\_\_\_\_  
Number and Street City State Zip Code

(3) \_\_\_\_\_  
Number and Street City State Zip Code

\_\_\_\_\_  
Signature