



**CATHOLIC LEGAL
IMMIGRATION
NETWORK, INC.**

**How to Apply for
DOJ Full Accreditation
February 2, 2022**

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Meet Your Presenters

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Overview

- Background
- Eligibility requirements
- The process and application
- After approval
- Resources



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What is DOJ R&A?

- The recognition and accreditation program permits recognized organizations and their non-attorney accredited representatives to represent clients in immigration proceedings.
- 8 CFR §1292.11 and §1292.12

Recognition & Accreditation Roster

- <https://www.justice.gov/eoir/recognition-accreditation-roster-reports>

Hypo

- Claire has been a partial accredited representative for 2 years. Recently, more individuals in removal proceedings are requesting immigration legal assistance from her organization. There is a shortage of local immigration attorneys handling removal defense. The program director is seeking to expand immigration legal services to include removal defense and has asked Claire to consider obtaining full accreditation. What are some program considerations? What should Claire do to get started with the process?

DOJ Accreditation: 2 Types

- Partial and Full
- Partial allows representation before DHS
- Full allows representation before DHS & EOIR
- Can request change from partial to full at any time
- Qualifications for full accreditation are greater than partial and will be carefully scrutinized by OLAP
- Must be renewed every 3 years

Eligibility for Accreditation

- Must be employee or volunteer of recognized organization
- Must have character and fitness to represent clients
- Must possess broad knowledge and adequate experience in immigration law and procedure – For full accreditation must establish that the individual also possesses skills essential for effective litigation
- Cannot be attorney who is eligible to practice law in the U.S.
- Cannot have resigned while under disciplinary investigation or proceeding
- Cannot be subject to any order disbaring or restricting practice of law
- Cannot be convicted of a serious crime anywhere in the world

What is character and fitness?

- Includes, but not limited to examination of these factors:
 - Criminal background
 - Prior acts involving dishonesty, fraud, deceit, or misrepresentation
 - Past history of neglecting professional, financial, or legal obligations
 - Current immigration status that presents actual or perceived conflict of interest

Do you need partial before full?

- It depends!

Preparing for Full Accreditation

- Assessing Community Need and Program Capacity: Questions to Ask
- Reach out to USCIS local office if they are not familiar with your organization

Finding a Mentor

- Working with a mentor, types of experience needed

Court Observation

- How much, how to document, what types of cases to observe, challenges due to Covid

Formal Training

- CLINIC's partial to full training program, <https://cliniclegal.org/issues/defending-vulnerable-populations/partial-to-full-accredited-representative-initiative>
- Other options: Legal writing, IAN calendar, Access EOIR

Training Tips

- Ongoing training
- Keep good records of all trainings attended, *especially certificates*
- List trainings on resume
- List who gave the training, title, date, location, type of training
- Include \$ for ongoing training in annual budget

The Full Accreditation Application

- Brief cover letter with list of enclosures
- Form EOIR-31A, <https://www.justice.gov/eoir/page/file/1348431/download> (Jan. 2017 edition)
- Supporting documentation

Supporting Documentation

- Resume with immigration law experience and list of trainings showing court advocacy skills
- Immigration court observation log
- 2 redacted writing samples
- 2 letters of recommendation
- Training certificates of completion or attendance

The Application Process

- File Form EOIR-31A for each staff person seeking full accreditation
- OLAP reviews application and may request additional information
- USCIS has 30 days to respond
- OLAP sends letter with decision in writing (separate decisions for R&A)
- Processing time varies

Avoiding Common Mistakes

- Include all supporting documentation in the initial application
- Don't include unnecessary information
- Describe trainings and experience in detail, but don't give hours
- Make sure information is consistent
- Respond to any OLAP requests promptly
- Seek help from FSC *before* applying, if you're an affiliate

After Approval

- E-Registry:
<https://ereg.eoir.justice.gov/#maincontent>
- Tips for beginning court practice
- Requirements for renewing full accreditation
- Report changes – email R-A-Info@usdoj.gov

What happens if a program loses its only accredited representative?

- Must notify OLAP promptly
- Removed from roster, placed on inactive status for up to 2 years
- Can no longer file G-28s/E-28s or provide legal representation unless you have an immigration attorney
- Must renew recognition by expiration date, even if on inactive status
- Must apply for new staff person to be accredited to keep recognition
- Recommend having 2+ accredited reps on staff

R&A Trends

- Processing backlogs
- Background checks
- Proof of trainings
- Virtual services
- E-mail submission

Resources

- R&A Toolkit and Step-by-Step Guide: <https://cliniclegal.org/R&A>
- EOIR R&A Website and FAQs: <http://www.justice.gov/eoir/recognition-and-accreditation-program>
- CLINIC training calendar: <https://cliniclegal.org/training/calendar>
- IAN training calendar: <https://www.immigrationadvocates.org/nonprofit/calendar/>
- If you are a NAC or Coulter partner/affiliate and would like to receive R&A assistance, please contact Helen Chen, hchen@cliniclegal.org

Advocacy Resources

- CLINIC comments on revised application forms: <https://cliniclegal.org/resources/doj-recognition-and-accreditation/revised-application-forms-recognition-and-accreditation>
- OIG report: <https://oig.justice.gov/sites/default/files/reports/20-109.pdf>
- CLINIC policy brief: <https://cliniclegal.org/resources/federal-administrative-advocacy/policy-brief-severely-under-resourced-ra-program>

Join the CLINIC Network for 2022

- Subscription benefits and request for application:
<https://cliniclegal.org/find-legal-help/affiliates/subscription>
- Annual dues for subscription: \$1,500
- Get in-depth assistance on your R&A application



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Questions?



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