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NON-DETAINED

Pro Bono Counsel for Respondent

THE UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
UNITED STATES IMMIGRATION COURT

CITY, STATE

In the Matter of:)
)
 [NAME])
)
 Respondent,)
)
 In removal proceedings)

File No: A #####

Immigration Judge [JUDGE NAME]

Next Master Calendar Hearing: [DATE AND TIME]

**RESPONDENT'S MOTION TO SET INDIVIDUAL MERITS HEARING AND
CANCEL [DATE] MASTER CALENDAR HEARING**

Commented [SB1]: Can also be titled as a Motion to
Convert Master Calendar Hearing Into An Individual Hearing

**THE UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
UNITED STATES IMMIGRATION COURT
CITY, STATE**

In the Matter of:	)	
	)	
[NAME]	)	File No: A #####
	)	
Respondent,	)	Next Master Calendar Hearing
	)	[HRG DATE AND TIME]
In removal proceedings	)	Judge [NAME]

**RESPONDENT'S MOTION TO SET INDIVIDUAL MERITS HEARING AND
CANCEL [DATE] MASTER CALENDAR HEARING**

Respondent, through undersigned counsel, requests that the Court cancel the master calendar hearing scheduled for [DATE] in this matter, and instead issue a written order setting the individual merits hearing, so that Respondent can move forward expeditiously with his asylum claim. This request is consistent with the procedures laid out in EOIR Policy Memorandum 21-18, *Revised Case Flow Processing Before the Immigration Courts*, and enhances the efficiency of these proceedings as the scheduling of the merits hearing is the only matter outstanding.

In support of this motion, the Respondent states the following:

1. Undersigned counsel is a volunteer with the Immigration Justice Campaign, providing *pro bono* representation to the Respondent.
2. Respondent, [NAME], is a XX-year-old citizen of COUNTRY OF ORIGIN who arrived in the United States on or about MONTH XX, YEAR.

Commented [SB2]: Can also be titled as a Motion to Convert Master Calendar Hearing Into An Individual Hearing

Commented [SB3]: Can also frame as convert Master into Individual and adjust wording here.

Commented [SB4]: If pleadings have not yet been taken/submitted in writing, then that will need to be completed in conjunction with this motion.

3. Within the first year of her arrival, Respondent affirmatively applied to USCIS for asylum and withholding. Her application was referred to EOIR in a letter dated MONTH XX, YEAR.
4. Respondent received a Notice to Appear dated MONTH XX, YEAR directing her to appear before the Immigration Court in [City, State] on MONTH XX, YEAR for her first Master Calendar Hearing (MCH), which was rescheduled for a later date.
5. On MONTH XX, YEAR, Respondent re-filed her I-589, Application for Asylum, Withholding of Removal, and protection under the Convention Against Torture with the [Location] Immigration Court along with some initial supporting evidence.
6. On MONTH XX, YEAR, Respondent, through Counsel, filed her Written Pleadings and a Motion to Change Venue. Her Motion to Change Venue was granted and the Immigration Court in [City, State] took jurisdiction of the matter.
7. Respondent's first MCH before the [Location] Immigration Court was set for MONTH XX, YEAR, however that hearing was rescheduled by the Court to MONTH XX, YEAR, as reflected on the EOIR Automated Case Information.
8. The only outstanding matter before the Court at the upcoming [DATE] MCH is the scheduling of Respondent's individual merits hearing on her application for asylum, withholding of removal, and protection under the Convention Against Torture.
9. This request is also consistent with the Policy Memorandum 21-18, *Revised Case Flow Processing in Removal Proceedings*, Section II, which states: "In general, under the new model, for non-detained cases in which a representative, as defined in 8 C.F.R. § 1001.1(j) and 1292.1, files a Form EOIR-28 at least 15 days before a master calendar hearing, the hearing will be vacated and the court will send to the parties a scheduling

Commented [SB5]: Provide your client's procedural history relevant to their immigration proceedings.

order, setting deadlines for the filing of written pleadings and any evidence related to the charges of removability.”

10. Specific to scheduling, Respondent, who has been represented by undersigned counsel since [MONTH YEAR], and undersigned counsel will be prepared to proceed on this matter on [insert date of MCH or relevant appropriate timeframe].
11. As noted in her Written Pleadings, Respondent requests the full four-hour time period for her merits hearings and requests a [LANGUAGE] interpreter.
12. Undersigned counsel attempted contact OPLA [Location] on MONTH XX, YEAR to get DHS’s position on this motion, but was unable to reach the duty attorney.
13. This motion does not prejudice DHS or the Court, but instead serves the interests of efficiency for the Court and the parties.

Commented [SB6]: Try to call the OPLA number, you may not get a response, but it's best to show that you attempted.

Accordingly, for these reasons, Respondent requests 1) that Respondent’s Master Calendar Hearing scheduled for [DATE] be canceled, and 2) that the Court move forward directly to scheduling Respondent’s individual merits hearing in [insert appropriate time frame].

Respectfully submitted this ____ day of _____, 2024.

Attorney Name
Attorney Contact Information
Address
Office Phone:
Direct Line:
Fax:
Email:
EOIR ID:
Pro Bono Counsel for Respondent

CERTIFICATE OF SERVICE

I, [REDACTED], hereby certify that on [REDACTED] I served a copy of the foregoing [REDACTED] to the Office of Chief of Counsel by uploading it onto ECAS, in which the government participates, therefore, no separate service is required.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]