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Contact:

Maria Frausto, mfrausto@immcouncil.org, 202-507-7526
George Tzamaras, GTzamaras@aila.org, 202-507-7649
Sirine Shebaya, sshebaya@nipnl.org, 202-656-4788

Temporary Restraining Order Requested to Stop Dangerous EOIR and ICE Policies During the COVID-19 Pandemic

WASHINGTON, DC—Immigration groups today moved for an emergency temporary restraining order (TRO) against the Executive Office for Immigration Review (EOIR) and U.S. Immigration and Customs Enforcement (ICE) in order to protect the health of immigration attorneys, immigrants, and the public from the impact of dangerous and unconstitutional policies during the COVID-19 pandemic.

Represented by the National Immigration Project of the National Lawyers Guild (NIPNLG) and the law firm of Cleary Gottlieb Steen & Hamilton LLP, NIPNLG, the American Immigration Lawyers Association (AILA), and the Immigration Justice Campaign—a joint initiative of the American Immigration Council and AILA—filed the TRO, in [*NIPNLG, et al., v. EOIR, et al.*](#), to seek a brief pause of in-person hearings for detained individuals and facilitate remote confidential communication between attorneys and their clients. The pause would enable EOIR and ICE to adopt policies, practices, and procedures to enable the consistent and safe conduct of remote hearings (for example by video teleconference) that are protective of attorney-client privilege.

EOIR and ICE have repeatedly ignored recommendations regarding how to maintain health and safety in the courts and in detention, including the use of remote access. Detainees, court staff, and attorneys are subject to inconsistent practices and procedures for in-person hearings in 58 of the nation's 69 immigration courts.

| [A copy of the motion for the emergency temporary restraining order is here.](#)

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The [National Immigration Project of the National Lawyers Guild](#) (NIPNLG) is a national non-profit organization that provides technical assistance and support to community-based immigrant organizations, legal practitioners, and all advocates seeking and working to advance the rights of noncitizens. NIPNLG utilizes impact litigation, advocacy, and public education to pursue its mission. Follow NIPNLG on social media: [National Immigration Project of the National Lawyers Guild](#) on Facebook, @NIPNLG on Twitter.

The [American Immigration Council](#) works to strengthen America by shaping how America thinks about and acts towards immigrants and immigration and by working toward a more fair and just immigration system that opens its doors to those in need of protection and unleashes the energy and skills that immigrants bring. The Council brings together problem solvers and employs four coordinated approaches to advance change—litigation, research, legislative and

administrative advocacy, and communications. Follow the latest Council news and information on ImmigrationImpact.com and Twitter [@immcouncil](https://twitter.com/immcouncil).

The American Immigration Lawyers Association is the national association of immigration lawyers established to promote justice, advocate for fair and reasonable immigration law and policy, advance the quality of immigration and nationality law and practice, and enhance the professional development of its members. Follow AILA on Twitter [@AILANational](https://twitter.com/AILANational).