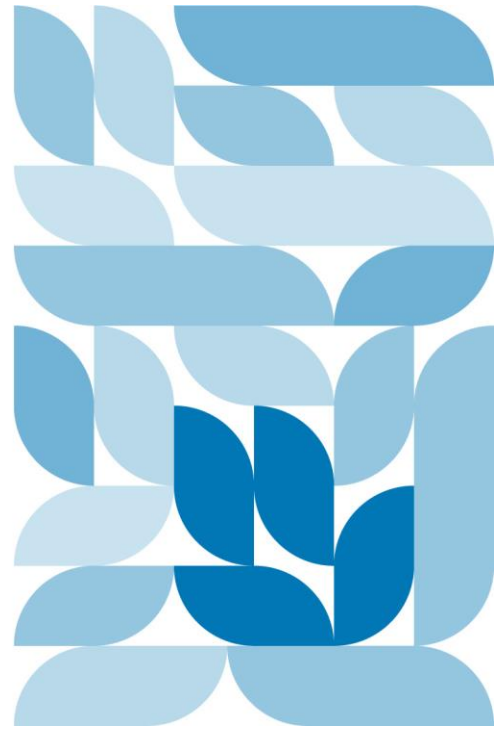




# All About DOJ Accreditation Renewal

February 12, 2025

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## Meet the Presenters



**Nina McDermott**  
Senior Attorney



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Supervising Senior Attorney

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## Agenda

- Review the eligibility requirements for DOJ accreditation renewal
- Detailed overview of each element of the application
- Next steps after filing
- Latest trends and best practices



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## Eligibility Requirements for Accreditation Renewal

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## DOJ Recognition & Accreditation



Program to accredit non-lawyers from recognized agencies to practice immigration law



Office of Legal Access Programs (OLAP) within Department of Justice administers the R & A program



As of January 2025: 917 recognized agencies and 2735 accredited representatives

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## Accreditation Renewal: Two Parts

Meet the accreditation requirements under 8 CFR 1292.12 (a)

*Plus*

Obtain formal training in immigration law and procedure since last accreditation approval date

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## Accreditation Requirements Overview

### MUST:

- ✓ Employee or volunteer
- ✓ Character and fitness
- ✓ Broad knowledge and adequate experience in immigration law and procedure
- ✓ Essential skills for effective litigation (Full accreditation only)

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### CANNOT:

- ✗ Attorney eligible to practice law in the U.S.
- ✗ Resigned while under disciplinary investigation or proceeding
- ✗ Any order disbaring or restricting practice of law
- ✗ Convicted of a serious crime anywhere in the world
- ✗ A contractor

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## Continued Formal Immigration Law Training

### What kind?

- Related to reps caseload & changes to immigration law, policies and procedures
- Types of immigration services provided by organization
- Formal, pre-planned and taught by qualified instructor for external and in house trainings.

### How many?

- Training spread out during three- year practice

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# Elements of the Application

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## Accreditation Renewal Application Packet

- Cover letter (recommended)
- Form [EOIR-31A](#) (October 2022)
- Description of Qualifications (i.e. Resume)
- List of training of immigration law and procedures since last accreditation approval date
- Certificate of training/other verifiable record

# Cover Letter

- Correct [contact information](#) for OLAP
- Clear and concise
- Cite correct [regulations](#)
- Include a list of enclosures in the order requested by OLAP

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# Form EOIR-31A

## Part 1: Non-Attorney Representative Information

**Part 1. Non-Attorney Representative Information**

Name: First \_\_\_\_\_ Middle \_\_\_\_\_ Last \_\_\_\_\_

Other name(s) used \_\_\_\_\_

Daytime phone number(s) \_\_\_\_\_ Email \_\_\_\_\_

Accreditation type(s) requested

Initial  Partial (to practice before DHS only)  Full (to practice before DHS, immigration courts, and IJIA)

Renewal  Partial  Full  Accreditation expiration date \_\_\_\_\_

Change of accreditation type  Partial to full  Full to partial

Name of organization requesting accreditation \_\_\_\_\_

Organization website \_\_\_\_\_

Is organization recognized?  No  Yes *If "no," submit a concurrent EOIR-31 application packet.*

Organization address(es) where non-attorney representative works or intends to work:

Address 1 \_\_\_\_\_ Address 2 \_\_\_\_\_ Address 3 \_\_\_\_\_

- Verify accuracy of information (names, dates, address) on [DOJ R&A roster](#)

Accredited Representative	Accreditation Expiration Date	Representative Status
Name of AR	04/17/26	Active

Recognized Organization	Date Recognized	Recognition Expiration Date
Name of RO	09/19/24	09/19/30

Recognized Organization Address

Address(s) of Organization

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# EOIR-31A Cont'd

## Part 2(a): About the Representative

### A. About the Representative

Is the representative an attorney as defined in 8 C.F.R. § 1001.1(f)?  No  Yes

Representative's status with the organization:  Employee  Volunteer  Other

If a previous accreditation application has ever been submitted on the representative's behalf, please provide: (attach additional sheets if necessary)

Date	Organization Name	Outcome
1. _____	_____	(e.g. Approved, Disapproved, Withdrawn)
Reason(s) for leaving organization, if applicable: _____		
2. _____		
Reason(s) for leaving organization, if applicable: _____		

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- Attorneys are not eligible
- Independent contractors are **NOT** eligible for accreditation
- List **ALL** previous applications for accreditation
- Include details of any terminations and disapprovals
- Dates unknown, include general explanation

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# EOIR-31A Cont'd

## Part 2(b): Representative's Knowledge and Experience

### B. Representative's Knowledge and Experience

Does the representative possess broad knowledge and adequate experience in immigration law and procedure?  No  Yes. If "No," please explain.

If applying for renewal of partial or full accreditation, how frequently has the representative provided direct legal representation before USCIS or EOIR within the past three years, or since last accredited?

USCIS: \_\_\_\_\_ EOIR: \_\_\_\_\_

If applying for partial accreditation, attach the following documents:

- A description of the representative's qualifications, including education and immigration law experience
- A list of all relevant, formal, immigration-related training with certificate of training from the training organization or similarly verifiable record (only for the past three years for renewal of accreditation)
- Documentation of at least one course completed on the fundamentals of immigration law, procedure, and practice (not required for renewal of accreditation)
- Letters of recommendation from at least two persons familiar with the representative's broad knowledge and adequate experience in immigration law and procedure (not required for renewal of accreditation)

If applying for full accreditation, in addition to the above documents required for partial accreditation, also attach evidence that the representative:

- Possesses skills essential for effective litigation
- Has formal training, education, or experience related to trial and appellate advocacy

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- Must continue to possess knowledge and experience
- Approximate # representative entered appearance before USCIS or EOIR
  - For reps who have not filed G-28 or E-28/27 explain why accreditation is needed
- Demonstrate continued experience and immigration law trainings since last approval date
- Continue to possess effective litigation skills and trainings and experience in trial and appellate advocacy (**Full accreditation only**)

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# EOIR-31A Cont'd

## Part 2(c): Representative's Background

**C. Representative's Background**

Does the representative possess the character and fitness to represent clients before the BIA, immigration courts, and/or DHS?  No  Yes *If "no," please explain.*

Representative's date of birth (mm dd/yyyy)

*If you answer "yes" to any of the following questions, attach a separate explanation.*

Has the representative ever been found guilty of, or pleaded guilty or nolo contendere to, a serious crime, as defined in 8 C.F.R. § 1003.102(h), in any court anywhere in the world?  No  Yes

Has the representative ever committed prior acts involving dishonesty, fraud, deceit, or misrepresentation?  No  Yes

Does the representative have a current immigration status that presents an actual or perceived conflict of interest?  No  Yes

Has the representative ever resigned while a disciplinary investigation or proceeding was pending?  No  Yes

Is the representative subject to any order disbarring, suspending, enjoining, restraining, or otherwise restricting the individual in the practice of law or representation before a court or any administrative agency?  No  Yes

- AR's must have the "character and fitness" to represent individuals in immigration proceedings.

- "Character and fitness" a broad range of factors defined by 8 C.F.R. § 1292.12(a)(1)

- A background check for criminal history, judgements or liens will be conducted for all applicants.

- For information on Immigration status see [81 FR 92346](#) at page 92352.

# EOIR-31A Cont'd

## Part 3 : Declaration of Authorized Officer

**Part 3. Declaration of Authorized Officer**

Under penalty of perjury, I attest that:

- I am the Authorized Officer of \_\_\_\_\_
- I have examined this form, including accompanying attachments, and to the best of my knowledge and belief, it is true, correct, and complete; and
- The representative named in Part 1 meets all of the eligibility criteria listed in 8 C.F.R. § 1292.12.

Signature of Authorized Officer \_\_\_\_\_ Date \_\_\_\_\_

Printed Name and Title of Authorized Officer \_\_\_\_\_ Phone Number \_\_\_\_\_

\_\_\_\_\_ Email Address \_\_\_\_\_

- Same person designated by recognized organizations as the AO must sign/date form prior to filing

- Attests to the veracity of the contents of the application

## Part 4 : Declaration of Representative

**Part 4. Declaration of Representative**

Under penalty of perjury, I attest that:

- I have examined this form regarding my qualifications for accreditation, including accompanying attachments, and to the best of my knowledge and belief, it is true, correct, and complete;
- I meet all of the criteria listed in 8 C.F.R. § 1292.12, qualifying me to represent others before DHS and/or EOIR; and
- I am not under any suspension or censure of my name and findings of misconduct should I become subject to public discipline.

Signature of Representative \_\_\_\_\_ Date \_\_\_\_\_

Printed Name of Representative \_\_\_\_\_

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- Sign/date form prior to filing

- Attest to the veracity of the contents of the application



# EOIR-31A Cont'd

## Part 4 and 5 (Signatures and Proof of Service)

### Part 5. Proof of Service on USCIS District Director(s) (attach additional sheets of paper as necessary)

I, \_\_\_\_\_, on behalf of the organization, \_\_\_\_\_,  
 send a copy of this Form EOIR-31A and its attachments on \_\_\_\_\_ (month/day/year)  
 to:

(1) USCIS District Office: \_\_\_\_\_, at: \_\_\_\_\_

(2) USCIS District Office: \_\_\_\_\_, at: \_\_\_\_\_

(3) USCIS District Office: \_\_\_\_\_, at: \_\_\_\_\_

Signature \_\_\_\_\_

- Proof of service to USCIS District Director with jurisdiction over your office(s)
  - [USCIS District Director information](#):
- DOJ R and A program prefers application sent via email
- Note USCIS District Director mailing address and email in Part 5

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# Resume

- Purpose: Demonstrate your continued qualifications, including education and immigration law experience
- Include updated experience since last accreditation approval
  - Brief description of EOIR/BIA cases handled (full accreditation only)
- List current position with organization first
- Updated list of immigration applications assisted/familiar with
  - List by form # and name

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## Training List

- List only immigration law trainings taken since last accreditation approval
- Included as part of resume or separate document
- Taken continuous and relevant immigration law trainings
  - Trainings taken annually
  - Related to cases handled/services provided by organization and changes to immigration law, policy and regulations.
- Note training by title, type of training, duration, organization providing it and brief description of the training
  - For conferences include agenda and list workshops attended
- List trainings in reverse chronological order

## Training Certificates

- Copy of certificate of training for each training attended
  - Make sure certificate is not missing any information such as date, title, and signatures
- Use other verifiable record if training certificate is not available:
  - Affidavit attesting to attendance signed by applicant and applicant's supervisor
  - Email confirmation of attendance (no registration confirmation)
  - Letter from organization hosting the training verifying attendance
- Make sure trainings listed correspond to the training certificates included in application

# Next Steps After Filing

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## Application Process

### Filing

- File by or before expiration date to maintain accreditation
- DOJ roster note “pending accreditation renewal”

### After Filing

- 30 day for USCIS to respond
- Recommend against approval, organization has 30 days to respond
- OLAP may request for more information

### Decision

- Approval – need to renew every 3 years
- Denial
  - 30 days to submit reconsideration
  - Reconsideration denied, 10 days for admin review on factual or legal errors

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# Trends and Best Practices

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## What to Expect

- Make sure your application is submitted prior to expiration date
  - Keep proof of submission
- Background checks are run every three years
  - May get a request for personal email – to check legitimacy –
  - email [R-A-Info@usdoj.gov](mailto:R-A-Info@usdoj.gov)
- Requests for Evidence
  - Be responsive
- Check the roster to make sure that you are listed
  - If removed in error email [R-A-Info@usdoj.gov](mailto:R-A-Info@usdoj.gov)



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# CLINIC Resources

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## CLINIC Resources on DOJ R&A

- DOJ R&A Toolkit: <https://www.cliniclegal.org/toolkits/recognition-accreditation>
  - Go to “Application Support Materials” to see checklists and samples.
  - Go to “General Information” to watch recorded webinars on DOJ R&A.



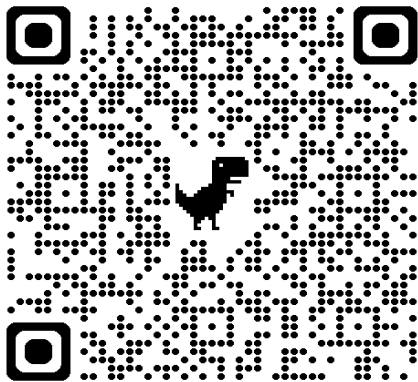
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## Tell us What you Think!



[Survey Link](#)

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## CLINIC Affiliation Can Help

Programs with an immigration attorney or DOJ R & A receive access to:

- Technical assistance and case escalation
- Training discounts
- Network calls and Peer to Peer groups
- Newsletters and other publications
- Sub-grant opportunities

Programs without an immigration attorney or DOJ R & A receive access to:

- Structured curriculum of required CLINIC trainings, cohort meetings and office hours.
- Training discounts
- Dedicated CLINIC staff assigned to provide support.

For more information on benefits and pricing visit <https://www.cliniclegal.org/find-legal-help/affiliates>

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Embracing the Gospel value of welcoming the stranger, CLINIC promotes the dignity and protects the rights of immigrants in partnership with a dedicated network of Catholic and community legal immigration programs.



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