



Action Plan for Acquiring Department of Justice Partial Accreditation

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Instructions

This action plan is designed to provide a broad overview of what is needed to apply for Department of Justice (DOJ) Partial Accreditation. More detailed information on how to apply is available in [CLINIC's DOJ Recognition and Accreditation \(DOJ R&A\) checklists](#), which are referenced throughout this document.

Before beginning work towards DOJ Accreditation, applicants should review the list of eligibility requirements to make sure they qualify.

Definitions

- 1) **DOJ R&A:** Department of Justice Recognition and Accreditation.
- 2) **Recognition:** The authorization given to a nonprofit organization by the Department of Justice (DOJ) that allows that organization to offer immigration legal services through DOJ Accredited Representatives.
- 3) **Accreditation:** The authorization given to an individual person that allows them to practice immigration law through a DOJ Recognized Organization.
- 4) **OLAP:** Office of Legal Access Programs (in charge of DOJ R&A program).
- 5) **EOIR:** Executive Office for Immigration Review (in charge of OLAP and immigration court proceedings).
- 6) **Authorized Officer:** A designated person at an organization who is the primary communicator with OLAP regarding DOJ R&A.

Eligibility requirements for Partial Accreditation under [8 CFR 1292.12](#):

- Have the character and fitness to represent clients.
- Be an employee or volunteer of the recognized organization or one that is applying for recognition.
- Not be an attorney who is eligible to practice law in the United States or a U.S. territory, commonwealth, or possession.
- Not have resigned while a disciplinary investigation or proceeding is pending.
- Not be subject to any order disbarring, suspending, enjoining, restraining, or otherwise restricting him/her in the practice of law or representation before a court or any administrative agency.
- Have not been convicted of a serious crime anywhere in the world.
- Have broad knowledge and adequate experience in immigration law and procedure.

Step 1: Assess for Eligibility

Goal: Determine if the applicant is eligible for DOJ Accreditation.

Action Items:

- Check for eligibility:
- The list below provides generalizations of the eligibility requirements. For further details, please see page 1 of this action plan and read the regulations at [8 CFR 1292.12](#). If the applicant for Accreditation answers “yes” to any of the following, the applicant should do additional research to ensure eligibility:
 - Character and Fitness (See [8CFR 1292.12\(a\)\(1\)](#)):
 - Yes No: Is there anything in the applicant’s financial or criminal background that may constitute acts of dishonesty, fraud, deceit, misrepresentation, or neglect of financial or legal obligations?
 - Yes No: Does the applicant’s current immigration status possibly create a conflict of interest? (See [81 FR 92346](#), specifically [Section III.B.2.a.](#))
 - Yes No: Is the applicant a contractor or working under any arrangement that would *not* be defined as an “employee” or “volunteer?”
 - Yes No: Is the applicant an attorney as defined in [8 CFR 1001.1\(f\)](#)?
 - Yes No: Has the applicant ever resigned from the practice of law while disciplinary investigations or proceedings were pending?
 - Yes No: Is there anything that would restrict the applicant from practicing immigration law, such as, but not limited to, disbarment, suspension, enjoining, or restraining?
 - Yes No: Does the applicant have a criminal history that may include conviction of a “serious crime?” (See [8 CFR 1003.102\(h\)](#) for definition of “serious crime.”)
- NOTE: To be eligible, the applicant must also have adequate knowledge and experience in immigration law. This action plan will outline the basics of the knowledge and experience requirement. Therefore, that requirement is not assessed at this step.
- Is the organization where the DOJ Accreditation candidate works or volunteers a DOJ Recognized Organization?
 - Yes – Continue.
 - No – The organization must file an application for Recognition simultaneously with this application for Accreditation. See CLINIC’s [Application Support Materials](#).

Resources:

- Webinar Recordings in [General Information](#)
- FAQ: [The Basics of DOJ Recognition and Accreditation](#)
- [Application Support Materials](#)
- [DOJ Recognition and Accreditation Toolkit](#)
- [EOIR FAQ](#) for DOJ R&A

Step 2: Make a Plan

Goal: Review the action plan entirely, set deadlines, and make a plan.

Action Items:

- Determine the type(s) of support that the organization can offer to the applicant:
 - Yes No: Does the organization have a need for more Accredited Representatives?
 - Yes No: Can the organization assist with the cost and/or time spent on training required for DOJ Accreditation?
 - Name of the current Authorized Officer: _____
- Read all the steps (3 through 10) to gain an understanding of the whole process.
- Fill in dates for the deadlines in each step.
- Confirm the plan with the applicant's supervisor and organization.

Resources:

- Webinar Recordings in [General Information](#)
- FAQ: [The Basics of DOJ Recognition and Accreditation](#)
- [Application Support Materials](#)
- [DOJ Recognition and Accreditation Toolkit](#)
- [EOIR FAQ](#) for DOJ R&A

Step 3: Start Training and Hands-On Experience

Goal: Enroll in and start taking courses in immigration law practice and procedure and start participating in hands-on experience.

What element(s) of DOJ Accreditation does this step support?

- Have broad knowledge and adequate experience in immigration law and procedure.

Deadline(s): _____ (date)

Action Items:

- Sign up for a course on the fundamentals of immigration law, procedure, and practice (CLINIC's Comprehensive Overview of Immigration Law [COIL] course meets this requirement), as required per [8 CFR 1292.12\(c\)](#).

List other courses in immigration law practice and procedure that will be taken while completing steps 3 – 8.

	COURSE TITLE	DATES
<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	_____	_____
<input type="checkbox"/>	_____	_____

- Name of the attorney(s) or DOJ Accredited Representative(s) who will supervise the hands-on experience. This can be within the organization or outside the organization.

- _____
- _____
- _____

- Begin hands-on experience including but not limited to:

- Observation of client consultations.
- Conducting consultations under direct supervision.
- Reviewing completed cases.
- Drafting cover letters or declarations.
- Drafting forms.
- Completing legal research.
- _____
- _____
- _____
- _____

- Recommendation: Keep an informal list of hands-on experiences to help later when writing the resume. This list will not be given to OLAP.

Resources:

- [CLINIC Training Calendar](#)
- [Affiliate Directory](#)
- [Mentorship Toolkit](#)

Step 4: Create a Resume

Goal: Assemble a resume that showcases experience in or related to immigration law.

What element(s) of DOJ Accreditation does this step support?

- Have broad knowledge and adequate experience in immigration law and procedure.

Deadline: _____ (date)

Action Items:

- Create a resume.
 - Focus on experiences that can be connected to immigration law where possible.
 - Include a list of immigration forms with which the applicant is familiar.
- In the resume, include a description of the hands-on experience completed in Step 3.
- Continue gaining hands-on experience adding it to the resume as needed.
- Continue completing immigration courses from Step 3.

Resources:

- Checklist: [Initial Request for Partial Accreditation of Non-Attorney Representative](#) (includes sample resume and tips)

Step 5: Create a List of Completed Trainings and Gather Proof of Completion

Goal: Create a list of completed trainings and compile the corresponding certificates of completion.

What element(s) of DOJ Accreditation does this step support?

- Have broad knowledge and adequate experience in immigration law and procedure.

Deadline: _____ (date)

Action Items:

- Create a list of training courses to provide after the resume.
- Only include trainings that cover substantive immigration law, procedure, and practice.
- For each training provide:
 - The name of the training.
 - The organization or name and title of the trainer that provided the training.
 - The date of the training.
 - The location/type of training (in-person, e-learning series, webinar).
 - The duration of the training (in hours, not including self-study).
 - 1-2 sentence description of the training if it is not clear from the title.
- Initial applicants for Accreditation must have one substantive course covering the fundamentals of immigration law, procedure, and practice.
- Include a signed certificate of completion for each course listed.
- If certificates are not available, create an Affidavit of Attendance.
- Continue working on immigration courses and hands-on experience and add information to the list of trainings and resume as needed.

Resources:

- Checklist: [Initial Request for Partial Accreditation of Non-Attorney Representative](#) (includes tips and sample training list and affidavit of attendance)

Step 6: Letters of Recommendation

Goal: Acquire Two Letters of Recommendation

What element(s) of DOJ Accreditation does this step support?

- Have broad knowledge and adequate experience in immigration law and procedure.

Deadlines:

Ask for Letters: _____ (date)

Receive Letters: _____ (date)

Action Items:

- Request two letters of recommendation. Ideally, the letters are from two people with immigration experience who are authorized to practice law as DOJ Accredited Representatives or attorneys.

NOTE: Character and fitness are assessed by using the applicant's date of birth, as provided on Form EOIR-31A, to run background and financial checks. The letters of recommendation should focus more on knowledge and experience to practice immigration law.

Resources:

- Checklist: [Initial Request for Partial Accreditation of Non-Attorney Representative](#) (includes tips and sample letters of recommendation)

Step 7: Form EOIR-31A

Goal: Fill out Form EOIR-31A Request by Organization for Accreditation or Renewal of Accreditation of Non-Attorney Representative.

What element(s) of DOJ Accreditation does this step support?

- All elements: The form includes questions that touch on every element of eligibility.

Deadline: _____ (date)

Action Items:

- Fill out Form EOIR-31A (See resources below).
- Request the signature of the authorized officer on EOIR-31A.
- The proposed accredited representative will sign EOIR-31A.
- Whoever sends the application to USCIS and OLAP will fill out and sign the proof of service section on EOIR-31A.

NOTE: Pay special attention to the instructions throughout the form. Some sections are only for Accreditation renewal or Full Accreditation. This action plan only addresses initial Partial Accreditation.

Resources:

- Checklist: [Initial Request for Partial Accreditation of Non-Attorney Representative](#) (has tips on filling out EOIR-31A)
- [EOIR Recognition and Accreditation Website](#) (with forms).

Step 8: Cover Letter

Goal: Write a cover letter and include a list of enclosures.

What element(s) of DOJ Accreditation does this step support?

- A cover letter is not required, but CLINIC recommends including one.

Deadline: _____ (date)

Action Items:

- Recommendation: Typically, the cover letter is written and signed by the authorized officer, but that is not required.
- Recommendation: Include a list of enclosures and attach the documentation in the same order as the list of enclosures. (See Step 9 for a checklist of the items that should be enclosed.)

Resources:

- Checklist: [Initial Request for Partial Accreditation of Non-Attorney Representative](#) (includes tips and sample cover letter).

Step 9: Submit the Application

Goal: Send application for Accreditation to OLAP and the assigned USCIS District Office.

Deadline: _____ (date)

Action Items:

- Organize all paperwork in the following order and scan it into one single PDF document. Enclosures should include:
 - Cover letter (optional).
 - EOIR-31A.
 - Resume.
 - Training list.
 - Certificates of attendance or proof of training completion.
 - Two letters of recommendation.
- Proofread the application.
- Use the district office locator (below) to find the correct district office by searching by the zip code of the Recognized Organization. If the organization has extension sites, search by the zip code of every site. There might be more than one USCIS district office assigned to the organization.
- Send the application as a single PDF attachment via email to both OLAP and the USCIS district office(s). (This can be one email going to both of them together.)

Resources:

- [EOIR Recognition and Accreditation Website](#) (provides OLAP's email).
- [USCIS District Office Locator](#) (provides USCIS district office's information and email).
- [EOIR FAQ](#) for DOJ R&A.

Step 10: After Submission

Goal: Wait for a decision. If OLAP requests additional information, respond to their request before the given deadline.

If denied, file a request for reconsideration or a new application. If approved, maintain Accreditation.

Date of Decision: _____ (date)

- Approved – Maintain Accreditation.
- Denied – File a request for reconsideration or a new application.

Action Items:

- If denied, determine if a request for reconsideration will be filed or if the application will be re-filed as a new application. Requests for reconsideration must be sent within 30 days of the denial. (See [8 CFR 1292.17\(d\)](#)).
- If approved, the Accredited Representative will receive a letter of approval and be added to the EOIR Roster. (See below).
- Accreditation will be valid for three years from the date of approval.
- Accredited Representatives should participate in ongoing training on immigration law practice and procedure on a yearly basis. This will be required for renewal.

Applications for renewal should be submitted to OLAP and USCIS on or before the Accredited Representative's expiration date to avoid lapses in authorization to practice immigration law.

Resources:

- [EOIR Recognition and Accreditation Website](#) (provides OLAP's email).
- [USCIS District Office Locator](#) (provides USCIS district office's email).
- [EOIR Roster](#).