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Article: POSTPONEMENTS, CLOSURES AND NEW RULES AT IMMIGRATION DURING COVID19 EPIDEMIC

By: Christopher A. Kerosky

COVID-19 has resulted in various closures of immigration courts and offices, postponement of hearings and changes of policies across the board. Here is a summary:

Developments at EOIR (Immigration Courts)

The immigration courts in San Francisco and Sacramento have confirmed that all hearings where the immigrant is not detained --both masters and merits-- are canceled through April 10, 2020.

EOIR staff will work to reset the cases and send new notices over the next week or two. Immigration Courts at 100 Montgomery and 630 Sansome Street remain open for filings and inquiries. Persons can call 800-898-7180 or use the online case portal to check case information/next hearing dates to obtain useful information which parties routinely call EOIR SF about.

The Immigration Courts issued this new memo: <https://www.naij-usa.org/images/uploads/newsroom/2020.03.18.00.pdf> concerning the COVID-19 outbreak.

Developments at the CIS (Immigration Service)

Last week, U.S. Citizenship and Immigration Services ([USCIS](#)) closed offices temporarily around the country in response to the outbreak of the novel coronavirus. USCIS stated in a memorandum posted to its website that the closures would apply to its field offices, asylum offices and Application Support Centers. The closures will remain in effect until at least April 1.

USCIS field offices will send notices of postponements to applicants and petitioners with scheduled appointments and naturalization ceremonies impacted by this closure.

In the meantime, USCIS will provide limited emergency services. Please call the USCIS Contact Center for assistance with emergency services, according to the memorandum posted on its site.

The U.S. Citizenship and Immigration Services announced that, due to the ongoing COVID-19 National Emergency, it will accept all benefit forms and documents with reproduced original signatures, for submissions dated March 21, 2020, and beyond.

The H2A agricultural worker program is now closed for Mexican applicants. This is the only visa available for workers who come to the U.S. to work in the agricultural industry; many wineries and other agricultural businesses rely on this program to meet their labor needs;

Suspension of the Trusted Traveler Program (Global Entry, NEXUS, SENTRI, FAST)

On March 19, 2020, the DHS issued an announcement regarding the suspension of operations for all CBP Trusted Traveler Program Enrollment Centers due to the outbreak of COVID-19. Effective March 19, 2020, and at least until May 1, 2020, the temporary closure includes all public access to Global Entry, NEXUS, SENTRI, and FAST enrollment locations.

ICE Deportations.

ICE announced on March 18, 2020 that, during the corona virus epidemic, it would limit its deportations to persons who posed a security risk or had committed serious crimes. Then on March 20th, the DHS acting Deputy Secretary Kenneth Cucinelli walked back that policy in a tweet, implying that nothing had changed, and ICE would not change its prior deportation policies in light of the crisis.

At present, there is no clear statement of U.S. government policy on the matter so undocumented members of the community should exercise caution.

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About the author:

CHRISTOPHER A. KEROSKY is a partner with Wilson Purves in the law firm of KEROSKY PURVES & BOGUE, with offices located in San Francisco, Santa Rosa, Ukiah, Napa, San Rafael, Walnut Creek, San Jose and Sacramento. Mr. Kerosky has been an attorney licensed to practice law in California for 25 years. He is a graduate of UC Berkeley (Boalt Hall) School of Law and a former trial lawyer for the Civil Division of the U.S. Department of Justice in Washington D.C. For 9 years, he has been honored as one of Northern California's top lawyers by San Francisco Magazine, "Super Lawyers" edition. Mr. Kerosky speaks English, Spanish and Polish and has also working knowledge of Russian.

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