



U.S. Immigration and Customs Enforcement

May 20, 2016

Via E-Mail

Re: How to Identify the Responsible Attorney for Your Client's Case

Dear members of AILA and other colleagues of the private bar,

For several years now, the Office of the Chief Counsel New York (OCC-NYC) has been focused on enhancing docket efficiency. Unit Prosecution (UP), implemented in 2013, was a significant step in that direction and one of the basic tenets of UP is accountability. Under UP, there is a responsible attorney at every stage of litigation.

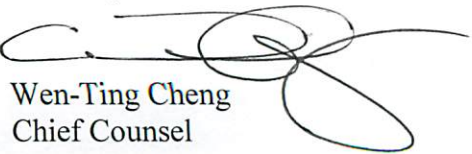
I want to provide you with some insight into how the responsible OCC-NYC attorney is determined in order to facilitate your communication with our office. I hope that this will enable us to partner in streamlining litigation and eliminating unnecessary adjournments. Here are some general points:

- If the case is on for an individual hearing and the calendar for that day has been set by the Deputy Chief Counsel (DCC), the Assistant Chief Counsel (ACC) scheduled to appear is the responsible attorney.
- If the calendar for the individual hearing has not been issued, the ACC who last appeared at a hearing remains the responsible attorney unless and until it is assigned to another attorney.
- The ACC who appears at a master is the responsible party for any follow-up that arises at that hearing or during the adjournment until the next hearing.
- If the case has not yet been scheduled for an initial master, the DCC with oversight over the UP team which handles the presiding judge's docket will assign a responsible attorney to address any pre-hearing inquiries.
- If the case is new and has not yet been assigned to a judge, the responsible attorney is the duty attorney unless otherwise assigned by a DCC.

In addition, we encourage our attorneys to continue with a case in which they have had substantial involvement even if they might not otherwise be the responsible attorney under the above scheme. I respectfully suggest that you take note of the name of the ACC who appears at each hearing or with whom you interact on a case so that you can identify that individual later for any follow up conversations.

In sum, when you call the OCC-NYC, you should never be told that there is no one able to assist you because an attorney has not been assigned. The receptionist or duty attorney should be able to assist you in determining who the responsible attorney is or refer you to a DCC if necessary.

Sincerely,


Wen-Ting Cheng
Chief Counsel