



U.S. Department of Justice

Executive Office for Immigration Review

Office of the Chief Immigration Judge

Chief Immigration Judge

5107 Leesburg Pike, Suite 2500
Falls Church, Virginia 22041

March 15, 2005

MEMORANDUM

TO: All Immigration Judges
All Court Administrators
All Judicial Law Clerks
All Immigration Court Staff

FROM: The Office of the Chief Immigration Judge

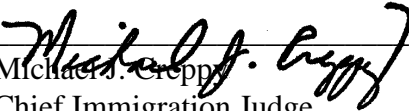
SUBJECT: Operating Policies and Procedures Memorandum 05-01:
Immigration Judge Reassignment/Transfer Policy

This Operating Policies and Procedures Memorandum (OPPM) incorporates OCIJ's longstanding policy concerning Immigration Judge transfer requests. An Immigration Judge can apply for a transfer to a location where an Immigration Court exists.¹ An Immigration Judge must have been in his or her position for a minimum of two years to be eligible for a transfer. The only exception to this "two-year rule" is if the Immigration Judge has a legitimate hardship that was not existing at the time the Judge assumed his or her position, which can only be resolved by a transfer, and there are no requests for transfer to that location from Immigration Judges who meet the "two-year rule." Neither the submission of a transfer request nor the existence of a hardship guarantees that a transfer request will be granted.

In the event of multiple requests from Immigration Judges who wish to transfer to the same location, requests will be considered in order of the date of receipt. In the event of multiple requests received on the same date, requests will be considered in order of seniority. If an Immigration Judge is offered a transfer and declines, he or she will be removed from the transfer list for that location. The Immigration Judge can reapply for a transfer to that location, but the date of receipt will be the date of the new request. If an Immigration Judge is transferred as requested, he or she will be removed from the transfer list. The Judge can request a subsequent transfer, but it is unlikely that he or she will be transferred during the two year period following the initial transfer. All transfer requests should be submitted to Marcia Cato, Special Assistant to the Chief Immigration Judge. Finally, the Chief Immigration Judge retains the right to deviate from this OPPM when deemed necessary.

¹ If a new Immigration Court opens, the Chief Immigration Judge will make an announcement regarding transfer opportunities and set a deadline for transfer requests. Requests for such transfers will be considered in order of seniority.

If you have any questions regarding this OPPM, please contact your Assistant Chief Immigration Judge or Marcia Cato, Special Assistant to the Chief Immigration Judge, at (703) 305-1247.



Michael J. Crepps
Chief Immigration Judge