

APPENDIX G

Sample Proof of Service

By law, every appeal, motion, or other document filed with the Board *must* be filed with a "Proof of Service" (or "Certificate of Service"). This Appendix provides guidelines on how to satisfy this requirement.

What is required. To satisfy the law, you must do *both* of the following:

1. *Serve the opposing party.* Every time you file an appeal, motion, or other document with the Board, you must give, or "serve," a copy on the opposing party. If you are an alien in proceedings, the opposing party is the Department of Homeland Security.
2. *Give the Board a completed Proof of Service.* You must submit a signed "Proof of Service" to the Board along with your document. The Proof of Service tells the Board that you have given a copy of the document to the opposing party.

Sample Proof of Service. You do not have to use the sample contained in this Appendix. You may write up your own Proof of Service if you like. However, if you use this sample, you will satisfy the Proof of Service requirement.

Sending the Proof of Service. When you have to supply a Proof of Service, be sure to staple or otherwise attach it to the form, motion, or document that you are serving.

Forms that contain a Proof of Service. Some forms, such as the Notice of Appeal (Form EOIR-26), include a Proof of Service (or Certificate of Service) as part of the form. You must complete that part of the form to satisfy the Proof of Service requirement *for that form*.

Forms that do not contain a Proof of Service. Forms that do not contain a Proof of Service are treated like any other document, and therefore you must supply the Proof of Service.

Sample Proof of Service

(Name of alien or aliens)

("A number" of alien or aliens)

PROOF OF SERVICE

On _____, I, _____
(date of mailing or delivery) (printed name of person signing below)

mailed or delivered a copy of this _____
(name of document being served)

and any attached pages to _____
(name of party served)

at the following address: _____

(address of party served)

by _____
(method of delivery, for example: overnight courier, hand-delivery, first class mail)

(signature)

(date)