

12 Forms

12.1 Forms Generally

There is an official form that must be used to:

- file an appeal — see Chapter 4.4(b) (Notice of Appeal)
- request a fee waiver — see Chapter 3.4 (Filing Fees)
- appear as a representative — see Chapter 2.1(b) (Entering an appearance)
- report a change of address — see Chapter 2.2(c) (Address obligations)
- request most kinds of relief — see 8 C.F.R. parts 299, 1299

There is an official form that should be used to:

- file a practitioner complaint — see Chapter 11.5 (Complaints)

There is *no* official form to:

- file a motion — see Chapter 5.2(b) (Form)

An appeal form, such as the Form EOIR-26, should *never* be used to file a motion.

12.2 Obtaining Blank Forms

(a) Identifying EOIR forms. — Many forms used by the Executive Office for Immigration Review (EOIR) do not appear in the regulations. Form names and numbers can be obtained from the clerks of most Immigration Courts and the Clerk's Office of the Board. See Appendix B (Directory). All of the forms most commonly used by the public are identified in this manual. See Appendix E (Forms).

(b) Obtaining forms. — Appendix E (Forms) contains a list of frequently requested forms and information on where to obtain them. In general, EOIR forms are available from the following sources:

- the Internet at www.usdoj.gov/eoir
- the local Immigration Court
- the Clerk's Office of the Board
- certain Government Printing Office (GPO) Bookstores

Parties should be sure to use the most recent version of each form, which will be available from the sources listed here.

(c) Photocopied forms. — Photocopies of blank EOIR forms may be used, provided that they are an accurate duplication of the government-issued form and are printed on the correct size and stock of paper. See 8 C.F.R. §§ 299.4(a), 1299.1. The filing party is responsible for the accuracy and legibility of the form. If colored paper is used, it should comply with subsection (e), below. The paper used to photocopy the form should also comply with Chapter 3.3(c)(iv) (Paper size and quality). The most recent version of the form *must be used* and is available from the sources listed in subsection (b), above.

(d) Computer-generated forms. — Computer-generated versions of EOIR forms may be used, provided that they are an accurate duplication of the government-issued form and are printed on the correct size and stock of paper. See 8 C.F.R. §§ 299.4(a), 1299.1. The filing party is responsible for the accuracy and legibility of the form. If colored paper is used, it should comply with subsection (e), below. The paper used should also comply with Chapter 3.3(c)(iv) (Paper size and quality). The most recent version of the form *must be used* and will be available from the sources listed in subsection (b), above. At this time, forms cannot be filed electronically with the Board.

(e) Form colors. —The Board no longer requires forms to be filed on paper of a specific color. All forms may now be filed on white paper. Any submission that is not a form must be on white paper.

The use of colored paper is still welcome, but *only* in the following instances:

blue	-	EOIR-26	(Notice of Appeal / Immigration Judge decision)
tan	-	EOIR-26A	(Appeal Fee Waiver Request)

- yellow - EOIR-27 (Notice of Appearance)
- pink - EOIR-29 (Notice of Appeal / DHS decision)
- pink - EOIR-33/BIA (Change of Address)

(f) Non-form filings. — Where a filing is not form-based (e.g., a motion or a request), the Board strongly recommends the use of a cover page. See Appendix F (Sample Cover Page).

12.3 Submitting Completed Forms

The Board will accept photocopies of completed forms, provided that the original completed form bears an original signature and is available to the Board upon request. The most recent version of the form *must be used* and is available from the sources listed in Chapter 12.2(b) (Obtaining forms). All filing requirements should be observed. See Chapter 3 (Filing with the Board). See also Chapters 4 (Appeals of Immigration Judge Decisions), 5 (Motions before the Board), 7 (Bond), 9 (Visa Petitions), 10 (Fines).