

United States Department of Justice  
Executive Office for Immigration Review  
Immigration Court  
Seattle, WA

\_\_\_\_\_) )  
In the Matter of: ) File No.: [The Respondent's A number]  
) )  
[the Respondent's name] ) Motion to Recalendar  
) )  
In Removal proceedings ) )  
) )  
\_\_\_\_\_)

I, the Respondent's name, hereby state:

1. My case was previously administratively closed.
2. I am asking that the court recalendar my case so that my removal proceedings will continue.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

**How do I restart my case after an order of administrative closure?**

You will need to file a Motion to Recalendar your case. A Motion to Recalendar consists of a cover page, the motion to recalendar, a proposed order for the Judge to sign and proof of service. For sample copy of cover page, motion, and proposed order go to:

<http://www.justice.gov/eoir/vll/OCIJPracManual/appendix.html> or <http://www.ailawa.org/>

Please remember that all documents that you file with the court must also be served on the Department. The Department's address is Office of the Chief Counsel, U.S. Immigration and Customs Enforcement, 1000 – Second Avenue, Suite 2900, Seattle, WA 98104.

**For other sample forms, please visit:**

<http://www.justice.gov/eoir/vll/OCIJPracManual/appendix.html> or <http://www.ailawa.org/>

**Disclaimer:** This brochure answers specific questions about the administrative closure process as of 2/29/12 and was prepared by local members of the American Immigration Lawyers Association with government input. For specific legal advice about your case, you should consult qualified legal counsel. A notario or consultant is not an attorney and cannot provide competent legal advice.

**Administrative  
Closure before the  
Seattle Immigration  
Court**

**What is it?**

Administrative closure is an order of an Immigration Judge temporarily closing but NOT terminating removal proceedings. Most often administrative closure is granted when both the Department of Homeland Security, Office of Chief Counsel (the "Department") and you request or agree that the Immigration Judge should enter an order of administrative closure.

**What does the order do?**

The order of administrative closure means that no further action will be taken by the Department on your case at this time. Your case will not be set for any future hearing dates, nor will there be an order requiring you to depart the United States. In other words, your case is placed on hold, but you still remain in removal proceedings.

**How long does this order last?**

Administrative closure may last indefinitely. However, either side can request that the case be resumed at any time. This process is called "recalendarng."

**Why is the Department offering to administratively close my case?**

The Department is offering to administratively close your case at this time in the exercise of their discretion.

**What if I'm not sure what I want to do?**

You can ask for a continuance to seek legal advice from qualified legal representative.

**Can I get a work permit if my case is administratively closed?**

It depends, but the Immigration Judge does not issue work permits. The laws governing issuance of work permits are very specific. There are different rules depending on the facts of your case. Work permits are issued by Citizenship and Immigration Services. See [www.uscis.gov](http://www.uscis.gov) for further information.

**Can I travel internationally if my case is administratively closed?**

Generally no. Administrative closure does not authorize you to depart and reenter the United States.

**I paid a bond to be released from detention; will I get that money back if my case is administratively closed?**

Once an order of administrative closure is entered you may ask Immigration and Custom Enforcement, Enforcement and Removal Operations, for your bond to be cancelled and for your bond to be returned.

**Is administrative closure the same as termination?**

No. Termination is a dismissal of your Immigration Court case. Administrative closure places your case on hold.

**If administrative closure is granted, do I need to notify the Immigration Court if I move?**

Yes. You must continue to file Forms EOIR-33 to notify the Immigration Court of all address changes. You are also required to serve a copy of the form on the Department when you file it with the Immigration Court.

**Can I refuse to have my case administratively closed?**

Yes. You have the right to ask the Immigration Judge to proceed with your case. Under most circumstances, you and the Department must agree before the Immigration Judge will administratively close your case. But you should know that the Department will generally offer administrative closure only once.

**Why would I want to go forward with my case?**

Individuals with a high likelihood of obtaining lawful status or obtaining relief from removal may wish to proceed with their case. This decision is complex and should be made with the assistance of qualified legal representative

**Can the Department recalendar my case?**

Yes, by filing a Motion to Recalendar with the Court and serving a copy of the motion on you.

**Why would the Department want to recalendar my case?**

Neither you nor the Department need to state a reason to recalendar your case.

**Why would I want to restart my case?**

There are many reasons. Some people become eligible for relief because of changes in the law, changes in their life (i.e.: marriage to a United States Citizen), or changes in their country (fear of returning to your country of birth). A change does not automatically make you eligible for relief. You should seek legal advice from a qualified legal representative.

**If a Motion to Recalendar is filed by either side, what happens next?**

The case will be recalendar. The Immigration Judge will set a master calendar hearing date and you will be required to attend. If you do not attend an order of removal can be entered in your absence. Again, it is important that the Court always have your current mailing address.

**What if I decide that I no longer want to stay in the United States and wish to leave?**

If your case has not been administratively closed you can proceed forward with your hearing. If your case has been administratively closed you will need to file a Motion to Recalendar.

**I paid a bond to be released from detention; will I get that money back if my case is administratively closed?**

You may ask for a refund of your bond from ERO.