

EOIR Motion to Consolidate in Immigration Court: Research and Practice Guide

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FINDINGS

EOIR MOTION TO CONSOLIDATE IN IMMIGRATION COURT: COMPREHENSIVE RESEARCH AND PRACTICE GUIDE

Executive Summary

This report examines the procedural and strategic dimensions of filing a Motion to Consolidate in EOIR immigration court proceedings. Consolidation refers to the administrative joining of two or more separate cases into a single adjudication before one immigration judge[2][7][13][28][31][43][52][56]. The motion practice is entirely discretionary with the immigration judge and is generally limited to cases involving immediate family members, though consolidation of sufficiently interrelated cases may be granted in the court's discretion[2][7][13][28][31][43][52][56]. The core requirement is that the moving party must file a written motion with a properly labeled cover page titled "MOTION FOR CONSOLIDATION" that clearly states the reasons for requesting consolidation, with separate copies filed for each case included in the consolidation request[2][7][13][28][31][43][52][56]. The motion should be filed as far in advance of any filing deadline as possible to maximize the opportunity for the immigration judge to meaningfully consider the request before scheduling hearings[2][7][13][28][31][43][52][56]. For non-detained respondents with representation at the master calendar hearing stage, consolidation motions must be submitted at least fifteen days before the hearing to receive a ruling prior to or at that hearing[9][55]. Strategic persuasiveness depends on demonstrating overlapping factual circumstances, shared evidence and witnesses, judicial efficiency gains, and family unity interests, while practitioners must also consider risks including potential loss of individual strategic options, complicated discovery and evidence issues, and possible complications in appellate review where consolidated cases may not result in identical outcomes[1][14][37][49]. At the Board of Immigration Appeals level, consolidation of appeals follows similar principles but is requested through a formal "REQUEST FOR CONSOLIDATION OF APPEALS" and should be filed as soon as possible after appeal, with the Board retaining discretion to consolidate immediately-family cases or those sufficiently interrelated by overlapping circumstances or claims[3][33][38][48]. This report provides detailed procedural guidance, Northern California implementation considerations, and strategic analysis to assist immigration practitioners in evaluating and executing consolidation motions in removal proceedings.

Legal Framework and Statutory Authority

Jurisdictional Basis for Consolidation

The authority for consolidation in immigration proceedings derives from the Immigration and Nationality Act and the implementing regulations governing EOIR proceedings. Although the INA itself does not explicitly authorize consolidation, [8 U.S.C. § 1229a][note: statutory reference] and its implementing regulations at [8 C.F.R. § 1003.1][note: regulatory authority] delegate to the Executive Office for Immigration Review the authority to establish procedural rules and practices governing immigration court proceedings. Under this delegated authority, the Office of the Chief Immigration Judge has promulgated the Immigration Court Practice Manual, which provides binding procedural guidance on motion practice including consolidation[1][30]. The Practice Manual Chapter 4.21 specifically addresses combining and separating cases[2][7][13][28][31][43][52][56]. This is not merely advisory guidance; the Practice Manual explicitly states that "the requirements set forth in this manual are binding on the parties who appear before the Immigration Courts, unless the Immigration Judge explicitly orders otherwise"[30]. Consequently, the immigration judge's authority to consolidate cases derives from both the delegation within the INA and the

specific procedural rules established by EOIR through the Practice Manual.

Regulatory Framework

The consolidation of cases is governed by [8 C.F.R. § 1003.23(b)][note: specific CFR provision governing motions], which addresses motions before the immigration court generally, and by the specific procedural requirements detailed in the Immigration Court Practice Manual Chapter 4.21[2][7][13][28][31][43][52][56]. At the appellate level, consolidation of appeals is addressed in [8 C.F.R. § 1003.1(d)][note: BIA authority], which grants the Board authority to consolidate appeals, with specific procedural guidance provided in the Board of Immigration Appeals Practice Manual Chapter 4.10[3][33][38][48]. Unlike many procedural motions that are subject to time and number limitations, the consolidation motion itself is not subject to specified quantitative restrictions, though practitioners must still comply with filing deadlines that depend on the stage of proceedings[2][7][13][28][31][43][52][56].

EOIR Policy and Practice Guidance

The Immigration Court Practice Manual Chapter 3 provides the foundational filing requirements applicable to all motions, including consolidation motions[9][15][25][55][59]. These requirements establish that motions must include a cover page clearly labeled with the motion title, comply with specific deadlines depending on whether the case is before a master calendar hearing or individual calendar hearing, and be served on the opposing party with a proof of service[9][15][25][55][59]. The Manual explicitly addresses that consolidation motions are not subject to the same motion limits as other motions (which typically restrict the number of certain motions a party may file), reflecting the procedural priority given to administrative efficiency in case management[2][7][13][28][31][43][52][56].

Definition and Scope of Consolidation

What Consolidation Means in Immigration Court Practice

Consolidation is formally defined as "the administrative joining of separate cases into a single adjudication for all of the parties involved"[2][7][13][28][31][43][52][56]. This means that what were previously separate charging documents, separate records of proceedings, and separate scheduled hearing dates are merged into one proceeding before a single immigration judge. The consolidation creates a single factual and legal determination that binds all respondents in the consolidated case. Once consolidated, the immigration judge will render a single oral decision or written order that addresses all consolidated respondents and all of their respective claims for relief and charges of removability. The parties will present evidence together, witnesses will testify once rather than twice, and the immigration judge will make credibility determinations that apply across all respondents. This is fundamentally different from what the Board of Immigration Appeals calls "concurrent consideration," which is the processing of related appeals in tandem while keeping them formally separate[3][33][38][48]. In concurrent consideration, the appeals remain independent adjudications, but the Board may review them simultaneously to ensure consistency and efficiency[3][33][38][48]. Consolidation, by contrast, produces a unified adjudication from its inception.

Scope Limitations and Non-Consolidable Proceedings

Consolidation is available only in removal, deportation, and exclusion proceedings before the immigration court, and in appeals of such proceedings before the Board[2][7][13][28][31][43][52][56]. Consolidation is not applicable to other proceedings that may be pending in EOIR, such as rescission proceedings, bond hearings conducted as separate proceedings, or limited proceedings[30]. Furthermore, consolidation at the immigration court level is generally limited to cases involving immediate family members, though the

immigration judge retains discretion to consolidate cases in other circumstances where the parties' claims are "sufficiently interrelated"[2][7][13][28][31][43][52][56]. At the Board level, consolidation is also "generally limited" to immediate family members, but the Board has broader discretion to consolidate cases that are "sufficiently interrelated" even without a family relationship[3][33][38][48]. The Board has noted that consolidation at the Board level is most common in cases where the immigration judge has already consolidated the cases below[3][33][38][48]. When one or both cases are already on appeal to the Board, new consolidation requests must be made to the Board rather than to the immigration judge[3][33][38][48].

Eligibility Requirements for Consolidation

Definition of "Immediate Family Members"

The regulatory guidance states that consolidation is "generally limited to cases involving immediate family members"[2][7][13][28][31][43][52][56]. However, the EOIR guidance does not provide a precise statutory or regulatory definition of what constitutes "immediate family members." The examples provided in the Practice Manual include spouses and siblings[2][7][13][28][31][43][52][56], and the sample motion filed in Chicago involved consolidation of a husband and wife[14][49]. By analogy to common usage in immigration law, "immediate family members" likely encompasses spouses, parents, children, and siblings. However, the absence of a specific regulatory definition creates some uncertainty regarding whether more distant relationships (such as grandparent-grandchild, aunt-niece, or cousin relationships) would qualify.

The Board of Immigration Appeals has not issued a precedential decision specifically defining "immediate family members" in the consolidation context. The closest analogous precedent involves family unity considerations in other contexts, but such cases do not precisely define the family relationships encompassed by the consolidation rule[23][24][27][35]. Practitioners seeking to consolidate cases involving relatives beyond the core immediate family categories should anticipate that the immigration judge may require justification for consolidation and should include substantial argument regarding the factual and legal interrelationship of the cases as alternative grounds for consolidation.

The "Sufficiently Interrelated" Standard for Non-Family Cases

Even when the respondents are not immediate family members, the immigration court or Board may consolidate cases where they are "sufficiently interrelated"[2][7][13][28][31][43][52][56]. This standard provides flexibility for situations where consolidation serves significant judicial efficiency purposes or where the factual circumstances are substantially overlapping. The EOIR guidance does not elaborate on what makes cases "sufficiently interrelated," and no reported BIA decision has authoritatively defined this standard. Immigration practitioners should understand this as an open standard that depends on the specific facts of the cases at issue. Factors that would likely support a finding of sufficient interrelationship include shared factual circumstances (such as family members presenting together at a port of entry or fleeing the same persecution incident), common witnesses and evidence, overlapping legal claims (such as both respondents claiming asylum based on persecution by the same actor), and significant judicial efficiency gains from joint adjudication. The practitioner's burden when seeking consolidation on this ground is to affirmatively demonstrate these connections through the motion.

Temporal Eligibility: When Can Consolidation Be Sought?

Consolidation can be sought at any point during the immigration court proceedings, from the initial master calendar hearing through the eve of the individual calendar hearing. The Practice Manual does not establish a cutoff date after which consolidation requests are no longer permissible[2][7][13][28][31][43][52][56].

However, filing the motion "as far in advance of any filing deadline as possible" is strongly encouraged[2][7][13][28][31][43][52][56]. Practically, seeking consolidation very late in the proceedings (such as the day before or day of the individual hearing) may result in denial based on lack of adequate notice to the opposing party, administrative burden to the court, or prejudice to the other party's case preparation. Once an individual calendar hearing has begun and testimony has commenced, seeking consolidation would be unusual and likely problematic, though technically the immigration judge retains discretion. At the appellate level, consolidation requests should be filed "as soon as possible" after the appeal is filed with the Board[3][33][38][48].

Procedural Requirements for Filing a Motion to Consolidate

Cover Page and Caption Requirements

The consolidation motion must include a cover page clearly labeled "MOTION FOR CONSOLIDATION"[2][7][13][28][31][43][52][56]. This is not a discretionary requirement; the Practice Manual specifies that the motion "should include a cover page labeled 'MOTION FOR CONSOLIDATION'"[2][7][13][28][31][43][52][56]. The cover page must comply with the general cover page requirements established in EOIR Appendix E[2][7][13][28][31][43][52][56][10][16]. The EOIR sample cover page format includes the following elements: (1) the official case caption identifying it as "In the Matters of" [respondent names], "Respondents in Removal Proceedings"; (2) the case numbers (A-numbers) for each respondent whose case is to be consolidated; (3) the date and time of the next master calendar hearing or individual calendar hearing, as applicable; (4) the name of the immigration judge before whom the case is scheduled, if the cases are before different judges; and (5) if the filing involves special circumstances (such as detention or emergency status), that information should appear prominently in the top right corner and be highlighted[9][10][16]. The motion itself must state the reasons for requesting consolidation with sufficient specificity; boilerplate assertions without substantive factual grounding are unlikely to persuade the immigration judge[1][14][49].

Multiple Copies and Service Requirements

A critical procedural requirement is that "a copy of the motion should be filed for each case included in the request for consolidation"[2][7][13][28][31][43][52][56]. This means if you are consolidating two cases (with two separate A-numbers), you file two complete copies of the motion—one for placement in each respondent's individual record of proceedings[2][7][13][28][31][43][52][56]. In consolidated cases more generally, the Practice Manual specifies that "parties should submit a separate copy of each submission for placement in each individual Record of Proceedings"[55]. However, the guidance also notes that "a 'master exhibit' may be filed in the lead" case, suggesting that some documents may be cross-referenced rather than duplicated[55]. For consolidation motions, the safest practice is to file a separate cover page and consolidation motion for each respondent's case.

Service on the opposing party is mandatory. The party filing the consolidation motion must serve a copy on the Department of Homeland Security (represented through Immigration and Customs Enforcement Office of Chief Counsel) or its attorney[2][7][13][28][31][43][52][56][25][59]. Service can be accomplished electronically through ECAS (Electronic Case Access System) if DHS is participating in ECAS, or through traditional methods including hand delivery, U.S. Postal Service, or commercial courier[25][59]. A proof of service must be included with the filing, certifying that service was completed[25][59]. If service is completed through ECAS, the proof of service can simply state that service was completed through the ECAS system[25][59].

Filing Location and Acceptable Media

The consolidation motion should be filed with the immigration court having jurisdiction over the cases. If the two cases being consolidated are before different judges at the same immigration court location, both the same court location is used[2][7][13][28][31][43][52][56]. However, if the cases are before different immigration courts (such as one in San Francisco and one in Oakland), the situation becomes more complex. Technically, each immigration court has jurisdiction only over cases on its own docket, so consolidation of cases before different immigration courts would require coordination between the courts. In practice, this is uncommon, and practitioners seeking to consolidate cases pending before different courts should contact the respective immigration courts to determine the proper procedure. Most consolidation requests will involve cases within the same immigration court location.

Deadline Compliance

The consolidation motion must comply with filing deadlines that depend on the stage of proceedings. For motions submitted while the case is still before the immigration court (prior to a final decision), the deadline structure is as follows: For non-detained respondents at the master calendar hearing stage, filings must be submitted at least fifteen days in advance of the hearing if requesting a ruling prior to or at the hearing[9][15][25][55][59]. If the consolidation motion is submitted at least fifteen days before the master calendar hearing, the opposing party (DHS) must submit a response within ten days of the filing[9][15][25][55][59]. If submitted fewer than fifteen days before the master calendar hearing, the consolidation motion and any response may be addressed at the master calendar hearing itself[9][15][25][55][59]. For represented respondents at the master calendar hearing stage, if a Form EOIR-28 (Notice of Entry of Appearance) is filed at least fifteen days prior to the master calendar hearing, the hearing will be vacated and the immigration judge will issue a scheduling order[59]. The consolidation motion should be filed in compliance with whatever scheduling order is issued[59].

For the individual calendar hearing stage, the standard fifteen-day advance filing requirement applies, with responses due within ten days[59]. However, the consolidation motion is not an "application for relief" in the traditional sense, so it may be subject to somewhat different timing considerations than substantive applications like asylum claims. Practitioners should err on the side of filing consolidation motions well in advance of deadlines to avoid any question about timeliness.

For motions to reopen or reconsider filed after a final decision, the consolidation motion would not apply because the immigration judge's decision is already final. Instead, parties in separate completed cases seeking to consolidate their appeals before the Board would file a "REQUEST FOR CONSOLIDATION OF APPEALS" as discussed below[3][33][38][48].

Required Contents Beyond the Cover Page

The consolidation motion must "state the reasons for requesting consolidation"[2][7][13][28][31][43][52][56]. This requirement is not satisfied by a generic assertion that consolidation would be "efficient" or that it "serves justice." The motion should identify with specificity: (1) the family relationship between the respondents, if applicable; (2) the overlapping factual circumstances of the cases; (3) the common legal claims or defenses being raised; (4) the shared witnesses and evidence; (5) the judicial efficiency gains expected from consolidation; and (6) any other circumstances militating in favor of consolidation[1][14][49]. The sample motion filed in the Chicago immigration court provides an illustrative template, explaining that the respondents were spouses who presented together at a port of entry but were separated by DHS, subsequently placed before different judges, and both seeking asylum based on witnessing a murder committed by a

criminal organization and receiving threats[14][49]. The motion noted that "nearly identical evidence and supporting documentation will be submitted," "the same witnesses will also testify," and that consolidation "will allow for judicial efficiency" and "minimize the impact that these proceedings will have on Respondents' children, who may testify"[14][49].

A motion statement to the effect that "This motion is not filed for the purpose of causing delay in the adjudication of these cases" is also advisable, particularly if there is any possibility the opposing party might argue that consolidation is a delay tactic[14][49]. The sample motion includes this language[14][49]. Additionally, the motion may request a specific date and judge for the consolidated hearing, though the immigration judge ultimately retains discretion over scheduling[14][49].

Timing and Strategic Considerations for Filing

Optimal Timing: Master Calendar Hearing vs. Individual Calendar Hearing

The procedural requirements create incentives to file consolidation motions at the master calendar hearing stage rather than later. At the master calendar hearing, the immigration judge's role is largely administrative-addressing representation, narrowing legal and factual issues, and scheduling the individual hearing[12][44]. Consolidation at this stage allows the immigration judge to set up consolidated discovery deadlines, identify common witnesses, and plan for a unified individual hearing. Filing the consolidation motion at least fifteen days before the master calendar hearing ensures that the immigration judge will rule on it at or before that hearing, allowing sufficient time for the parties to prepare for consolidated proceedings[9][15][25][55][59].

By contrast, seeking consolidation later-at status conferences, at the scheduling phase after the master calendar hearing, or immediately before the individual calendar hearing-creates several practical problems. First, filing close to the individual hearing may be deemed untimely or disruptive if the hearing has already been scheduled and the opposing party has prepared separately. Second, late filing may result in denial based on lack of adequate time to adjust discovery, evidence organization, and hearing preparation. Third, the immigration judge may view late consolidation as a delay tactic or an attempt to gain tactical advantage by forcing last-minute reorganization of the case. The guidance that consolidation motions "should be filed as far in advance of any filing deadline as possible" reflects this preference for early filing[2][7][13][28][31][43][52][56].

For practitioners, the strategic recommendation is to file the consolidation motion at the first master calendar hearing or, if representation has already been established and a scheduling order has been issued, as soon as the practitioner identifies the opportunity for consolidation. If the two cases have different master calendar hearing dates, the consolidation motion should be filed in advance of the earlier hearing to seek consolidation of both cases before the same judge.

Advantages of Consolidation for Respondents

Consolidation offers several potential advantages for respondents seeking immigration relief. **Judicial Efficiency and Unified Testimony:** If respondents are related and their claims overlap factually, consolidation allows them to testify once rather than twice, eliminates redundant evidence presentations, and permits the immigration judge to hear the complete factual picture in a single proceeding[1][14][49]. This can be particularly significant for family members where the same persecution incident affected multiple family members or where family members fled together and have parallel asylum claims[1][14][49]. **Avoiding Inconsistent Decisions:** When related cases are consolidated, the immigration judge cannot issue inconsistent

rulings on overlapping legal and factual issues. This protects against the risk that one respondent is granted asylum while a similarly situated family member is denied, or that one is granted withholding of removal while another is denied[1][14][49]. Impact on Family Witnesses: If children or other family members must testify to support the parents' or siblings' cases, consolidation allows these witnesses to testify once in a single proceeding, reducing the trauma and disruption to family members[1][14][49]. Reduced Litigation Costs: Consolidation reduces the respondents' litigation costs by eliminating duplicative discovery, evidence preparation, and attorney time[1][14][49].

Disadvantages and Risks of Consolidation

However, consolidation also presents significant risks and disadvantages that practitioners must carefully evaluate and disclose to clients. Loss of Individual Strategic Options: Once cases are consolidated, the respondents lose the ability to pursue separate litigation strategies. For example, if one respondent has a stronger claim than another, consolidation prevents the stronger claimant from proceeding separately and securing relief more quickly[1]. Similarly, if one respondent wishes to pursue relief before the immigration court while another might prefer administrative closure or other alternatives, consolidation prevents this differentiation[1]. Credibility Determinations: The immigration judge may make negative credibility findings as to one respondent that, while technically not binding on the other respondent, will inevitably influence the immigration judge's overall assessment of the family's credibility[1]. Conversely, if one respondent is found not credible, this can taint the narrative for all respondents in the consolidated case[1]. Weakness Spillover: If one respondent's asylum claim is particularly weak or if evidence unfavorable to one respondent is presented, this can negatively affect the other respondents' cases[1]. In separate cases, weaker claims can sometimes be resolved through administrative closure or dismissal without prejudicing stronger claims[1]. Appellate Complications: If the immigration judge denies both respondents' asylum claims, both must appeal together, and the Board will review the consolidated decision as a unit[1]. If one respondent has a colorable appeal while the other's appeal is clearly meritless, the consolidated structure may create strategic complications[1]. Discovery and Evidence Complications: In consolidated cases, both DHS and respondents' counsel must exchange discovery that applies to multiple respondents, potentially expanding the scope of discoverable documents and creating evidentiary complications[1].

Factors Affecting DHS Position

The Department of Homeland Security's position on a consolidation motion significantly affects the immigration judge's likelihood of granting it. If DHS does not oppose the motion, the immigration judge is more likely to grant it, particularly where consolidation does not prejudice DHS's prosecutorial interests[1][14][49]. DHS may oppose consolidation if it believes consolidation will delay proceedings, if it complicates DHS's case presentation, or if DHS has strategic reasons to keep cases separate. The sample motion filed in Chicago included language stating "This motion is not filed for the purpose of causing delay in the adjudication of these cases. Granting this motion will not prejudice the Court or Office of Chief Counsel"[14][49], explicitly addressing the DHS concern that consolidation might be a delaying tactic. Practitioners should be prepared to argue affirmatively that consolidation promotes efficiency rather than delaying it.

Immigration Court Procedures: Chapter 4.21 Consolidation

Immigration Judge Discretion and Standards of Review

The immigration judge has broad discretion to grant or deny consolidation motions[2][7][13][28][31][43][52][56]. The Practice Manual states that "the immigration court may

consolidate cases at its discretion or upon motion of one or both of the parties, where appropriate"[2][7][13][28][31][43][52][56]. This language indicates that appropriateness is determined by the immigration judge, applying the factors identified in the guidance (immediate family relationship, overlapping circumstances or claims for relief, judicial efficiency, etc.). There is no absolute right to consolidation even for immediate family members[1][14][49]. An immigration judge may deny consolidation of a spouse's case based on factors such as conflicts of interest in representation, significant difference in legal claims, or other reasons. The denial of a consolidation motion is not readily reviewable by the Board of Immigration Appeals, as the Board defers to immigration judges on matters of case management and docket administration. However, if an immigration judge's denial of consolidation is accompanied by reasoning that suggests the judge erred on a question of law (such as misapplying the definition of immediate family members or applying an overly restrictive interpretation of the "sufficiently interrelated" standard), the Board might review this on appeal as part of a broader appeal of the immigration judge's final decision.

Effect of Consolidation on the Record of Proceedings

When cases are consolidated, the two separate Records of Proceedings are merged for purposes of adjudication, though each respondent technically retains a separate A-number and case file. In consolidated cases, the practice manual specifies that "parties should submit a separate copy of each submission for placement in each individual Record of Proceedings," though a master exhibit may be filed in the lead case[55]. This means that evidence, applications for relief, and other documents submitted in the consolidated case should be placed in both respondents' individual records for purposes of administrative tracking, but the single adjudication and single decision order from the immigration judge applies to both respondents. When the immigration judge renders an oral decision or issues a written order in a consolidated case, that decision addresses both respondents and both will be bound by it.

Motion to Sever a Consolidated Case

Parties in a consolidated case may later file a "Motion for Severance" if they determine that consolidation is no longer appropriate[2][7][13][28][31][43][52][56][36][50][58]. The severance motion follows the same procedural requirements as the consolidation motion, with a cover page labeled "MOTION FOR SEVERANCE" and written explanation of reasons for requesting severance[2][7][13][28][31][43][52][56][36][50][58]. Severance might be sought if, for example, the respondents' cases diverge significantly during discovery, one respondent obtains separate representation with conflicting interests, new evidence emerges affecting only one respondent, or credibility issues concerning one respondent threaten to contaminate the other's case. The immigration judge retains discretion to grant or deny severance motions[2][7][13][28][31][43][52][56][36][50][58]. Like the consolidation motion, the severance motion should be filed "as far in advance of any filing deadline as possible"[2][7][13][28][31][43][52][56][36][50][58].

Board of Immigration Appeals Procedures: Chapter 4.10 Consolidation

Requesting Consolidation of Appeals

When both cases have already proceeded to final decision by the immigration judge and both respondents have appealed (or are contemplating appeal) to the Board of Immigration Appeals, consolidation at the appellate level is governed by the Board of Immigration Appeals Practice Manual Chapter 4.10[3][33][38][48]. The procedure is somewhat different from consolidation at the immigration court level. Rather than filing a "Motion for Consolidation," appellants file a "REQUEST FOR CONSOLIDATION OF APPEALS"[3][33][38][48]. The request should include a cover page labeled "REQUEST FOR

CONSOLIDATION OF APPEALS" and must state the reasons for requesting consolidation[3][33][38][48]. Like the immigration court consolidation motion, "a copy of the request should be filed for each case included in the request for consolidation"[3][33][38][48]. The critical procedural difference is timing: whereas immigration court consolidation motions should be filed early in the proceedings, Board consolidation requests "should be filed as soon as possible" after the appeal is filed[3][33][38][48]. The Board has broad discretion to grant or deny consolidation requests[3][33][38][48].

When Consolidation at the Board is Appropriate

The Board may consolidate appeals where the respondents are immediate family members or where "the cases are sufficiently interrelated"[3][33][38][48]. The Board notes that "most of the consolidated cases before the Board were consolidated by the Immigration Judge in the proceedings below"[3][33][38][48], suggesting that consolidation at the Board level is most common where consolidation has already occurred at the immigration court level and is simply carried forward on appeal. If the immigration judge consolidated the cases at the immigration court level, the natural progression is for the consolidated decision to be appealed as a consolidated appeal. However, if the immigration judge denied consolidation at the immigration court level, the respondents do not lose the opportunity to seek consolidation at the Board; they may file the consolidation request at the Board even if the immigration judge denied the consolidation motion below[3][33][38][48]. In such cases, the request should explain why consolidation is appropriate at the appellate level even though the immigration judge declined to consolidate at the immigration court level, potentially emphasizing appellate-level efficiencies or newly-apparent case interrelationships.

Concurrent Consideration as Alternative to Consolidation

In some circumstances, the Board offers an alternative procedure called "concurrent consideration" that may be more appropriate than full consolidation[3][33][38][48]. Concurrent consideration is "the adjudication of unrelated appeals in tandem for the purposes of consistent adjudication and administrative efficiency"[3][33][38][48]. The critical distinction is that "concurrent consideration differs from consolidated appeals in that, however similar the case or the adjudications, the appeals remain separate and distinct from one another"[3][33][38][48]. Concurrent consideration is appropriate, for example, "when unrelated cases involve the same legal issue"[3][33][38][48]. If two respondents are not related but both appeal based on the same legal question (such as the proper standard for establishing persecution in asylum law), concurrent consideration might be sought to ensure consistent adjudication without the complications of full consolidation. Concurrent consideration is requested through a form labeled "REQUEST FOR CONCURRENT CONSIDERATION OF APPEALS"[3][33][38][48]. Practitioners should evaluate whether concurrent consideration or consolidation is more appropriate to their clients' circumstances.

Severance at the Board Level

If cases were consolidated at the immigration court level and appealed as a consolidated appeal, but the respondents later wish to sever the appeal, they may file a "REQUEST FOR SEVERANCE OF APPEALS" with the Board[3][33][38][48]. The request should include a cover page labeled "REQUEST FOR SEVERANCE OF APPEALS" and state reasons for requesting severance[3][33][38][48]. The Board advises that such requests "must be clear and filed as soon as possible"[3][33][38][48]. The Board retains discretion to grant or deny severance requests[3][33][38][48]. Notably, the BIA precedent [Matter of Taerghodsi, 16 I&N Dec. 260 (BIA 1977)][note: key precedent on severance] addresses severance of appeals, confirming the Board's authority in this area.

Form and Content of a Consolidation Motion: Drafting Guidance

Recommended Structure and Elements

The consolidation motion should follow a clear structure that efficiently conveys the required information to the immigration judge. The recommended format is as follows:

Cover Page: "MOTION FOR CONSOLIDATION" centered at the top, with the caption identifying the respondents, case numbers, next hearing date, and assigned judge(s).

Introduction: A brief opening paragraph identifying the moving party (e.g., "Respondents [Names], by and through their attorney [Attorney Name], respectfully move for consolidation of their proceedings...").

Statement of Facts: A section explaining the relationship between the respondents, the circumstances that brought them into removal proceedings, and any shared experiences or incidents. This section should establish the factual commonality between the cases.

Shared Legal Claims: A section identifying that both respondents are seeking the same forms of relief (e.g., both seeking asylum and withholding of removal) and explaining how the legal claims are interrelated.

Common Evidence and Witnesses: A detailed explanation of the evidence, documents, and witnesses that are common to both cases. This section should specifically identify: (1) testimonial evidence from family members who witnessed events affecting both respondents; (2) documentary evidence (such as country conditions reports, medical records, police reports, or incident documentation) that is common to both cases; (3) expert evidence (such as country conditions experts or psychological experts) that would apply to both respondents.

Judicial Efficiency: An explanation of how consolidation would promote judicial efficiency—for example, by eliminating the need to present the same evidence twice, allowing witnesses to testify once rather than twice, reducing the total hearing time, and ensuring consistent legal rulings.

Family Impact: Where applicable, a discussion of how consolidation would minimize disruption to family members, particularly minor children, who might otherwise be required to testify multiple times.

No Prejudice to DHS or the Court: An assurance that consolidation is not sought for purposes of delay and will not prejudice the government's ability to prosecute its charges or present its evidence.

Requested Relief: A clear statement of the relief sought, such as "Respondents request that their cases be consolidated before Judge [Name] on the hearing date of [Date], or at such other time and date as the Court shall determine."

Conclusion: A closing paragraph such as "Respectfully submitted" with the attorney's signature and date.

Evidentiary Support

The consolidation motion itself is not required to be accompanied by affidavits or documentary evidence; the motion's legal arguments and factual assertions are sufficient^{[2][7][13][28][31][43][52][56]}. However, if the motion's factual assertions are likely to be disputed by DHS, or if the motion relies on documentary evidence (such as country conditions reports showing the shared persecution) that would strengthen the motion, the practitioner may choose to attach supporting documentation. The sample Chicago motion cited family unity identity documents and evidence regarding paroled status^{[14][49]}, suggesting that supporting documentation can strengthen the motion. At a minimum, the motion should be sufficiently detailed that the immigration judge can understand the factual commonality without requiring additional explanation or oral argument. Written motions are strongly preferred over oral motions at this stage; the immigration judge should be given

the opportunity to carefully review the motion before ruling.

Service and Proof of Service

The consolidation motion must be served on the Department of Homeland Security through its Office of Chief Counsel attorney. The proof of service should specify the method of service (electronic through ECAS, email, hand delivery, regular mail, or overnight courier) and the date of service. If service is through ECAS, the proof of service can simply note that service was completed through the ECAS system. The proof of service should be signed by the person completing service and should be placed at the bottom of the motion or filed as a separate page[25][59].

Northern California-Specific Implementation Considerations

San Francisco Immigration Court Context

The San Francisco Immigration Court, with locations in San Francisco proper, Oakland, and Concord, processes a substantial caseload with significant diversity in case complexity and parties' circumstances. The San Francisco court has developed certain procedural norms that practitioners should understand when filing consolidation motions. First, the San Francisco court generally encourages early case resolution and efficient docket management, which favors early filing of consolidation motions at the master calendar hearing stage[12]. Second, immigration judges in the San Francisco court have developed individualized preferences regarding motion practice; some judges prefer detailed written motions with supporting legal analysis, while others prefer concise motions followed by oral argument. Practitioners unfamiliar with a particular judge's preferences should contact the court clerk or review the judge's recent orders to ascertain procedural preferences. Third, the San Francisco court maintains access to multiple judges, so cases assigned to different judges can be consolidated by the immigration judge who has jurisdiction over the earlier-scheduled master calendar hearing or, with consent, by consolidating the cases before a mutually agreeable judge if both parties consent and the court can accommodate such reassignment.

ICE Office of Chief Counsel in Northern California

The Department of Homeland Security is represented in immigration court by attorneys from the Office of Chief Counsel, part of Immigration and Customs Enforcement. In Northern California, the relevant ICE office is ERO Field Office 1 (Northern California), which covers the entire region. Service of the consolidation motion can be accomplished on the assistant chief counsel or the DHS attorney assigned to the case. The contact information for service can typically be obtained from previous correspondence or from the court file. Many ICE offices now participate in the ECAS system, which streamlines service requirements[25]. Practitioners should determine whether DHS is participating in ECAS for the particular case to determine the appropriate service method.

Specialized Case Types in Northern California

Northern California's immigration courts handle significant numbers of Central American asylum seekers (particularly from Guatemala, El Salvador, and Honduras), Mexican nationals, and tech workers in various visa categories. For asylum-based consolidation motions involving Central Americans, practitioners should be prepared to demonstrate that the respondents' persecution claims are based on overlapping facts or shared persecution incidents. For example, family members who fled together and witnessed the same persecution incident, or family members who suffered persecution by the same gang or cartel, have strong consolidation arguments. The San Francisco Asylum Office's interview patterns and the particular judges' approach to asylum claims should be considered when drafting consolidation motions; judges who have indicated

skepticism about family-based asylum claims may require more detailed factual support for consolidation, whereas judges sympathetic to family unity principles may be more receptive.

Northern California Criminal Law Implications

Practitioners in Northern California should be aware that California's Proposition 47, Proposition 64, and related statutes allow modification of criminal convictions after sentencing where the conviction carries immigration consequences. If either respondent in a consolidation motion has pending criminal conviction modification proceedings (under [California Penal Code § 1473.7][note: CA PC provision] or [§ 18.5][note: CA PC provision]), this may affect the timing or appropriateness of consolidation. A consolidation motion should not be filed if one respondent's criminal case remains pending modification, as resolution of the criminal case could significantly alter the immigration law consequences. Alternatively, the consolidation motion could identify the pending criminal matter and explain how its resolution might affect both respondents. The California Values Act ([Senate Bill 54][note: CA SB 54]) limits state and local cooperation with immigration enforcement, which may affect the San Francisco Immigration Court's local practices and DHS's approach to certain cases, though this does not directly affect consolidation procedure.

Current Legal Landscape and Recent Developments

Efficient Case and Docket Management Rule (2024)

In May 2024, the Department of Justice issued a rule on [Efficient Case and Docket Management in Immigration Proceedings][11] (published at [89 Fed. Reg. 33,844][note: Federal Register citation]). This rule modernized EOIR's regulations to promote efficiency in immigration court proceedings and gave immigration judges and the Board greater flexibility in case management. While the rule does not specifically address consolidation, it provides an overarching policy framework favoring efficient case adjudication and flexible docket management. This suggests that immigration judges have been given broader discretion to approve consolidation motions that serve judicial efficiency purposes. The rule affirms that immigration judges may conduct proceedings by video or telephone conference and may modify traditional hearing procedures to promote efficiency, which could affect how consolidated cases are conducted (for example, allowing remote testimony for common witnesses).

No Recent BIA Consolidation Precedent

As of February 2026, the Board of Immigration Appeals has not issued any published interim or precedential decisions within the past 12 months addressing consolidation standards or procedures. The controlling BIA authority remains [Matter of Taerghodsi, 16 I&N Dec. 260 (BIA 1977)][note: historical precedent], which addressed severance of cases but did not establish detailed consolidation standards. The absence of recent BIA guidance suggests that consolidation practice remains within the immigration judge's broad discretion, with limited appellate oversight. Practitioners should treat consolidation denials as essentially unreviewable on appeal absent a clear error of law (such as a judge refusing to consolidate cases of immediate family members without any stated reason).

AILA Practice Materials and Removal Litigation Toolbox

The American Immigration Lawyers Association has published [AILA's Removal Litigation Toolbox][37] (updated as of August 2025), which includes sample consolidation motions and supporting materials for practitioners. The Toolbox contains materials labeled as "B24 - Motion for Consolidation" and "B25 - Motion for Severance" providing templates and guidance for practitioners drafting these motions. While AILA materials are persuasive authority for practice guidance, they are not binding on immigration courts. However,

they reflect the considered judgment of experienced immigration practitioners and should inform motion drafting.

Federal Register and Policy Notices

The Federal Register publishes notices of proposed rulemaking and final rules affecting EOIR procedures. Practitioners should monitor the Federal Register for any notices proposing changes to consolidation rules, though no such notices have been issued recently. EOIR occasionally publishes policy memos through the EOIR website clarifying procedures; practitioners should review the EOIR website regularly for new guidance.

Strategic Considerations and Risk Assessment

Likelihood of Success Analysis

The likelihood of success for a consolidation motion depends on several factors that practitioners should evaluate before filing. High probability of success: A consolidation motion requesting the joining of the cases of a spouse and the respondent, where both are seeking asylum based on shared persecution circumstances, both have the same counsel, and DHS does not oppose consolidation, would have a high probability of success. The immediate family relationship, overlapping legal claims, shared factual circumstances, and lack of opposition create a very favorable posture. Moderate probability of success: A consolidation motion for a parent and adult child seeking asylum based on different but related persecution incidents, with the same counsel, but with some factual variation between the cases and uncertainty about DHS's position, would have moderate probability of success. The immigration judge would need to be persuaded that despite factual differences, the cases are sufficiently interrelated to justify consolidation. Lower probability of success: A consolidation motion for distant relatives (grandparent and grandchild), or for unrelated individuals with only tangential factual connections, would have lower probability of success. The lack of immediate family relationship and less clear interrelationship would require very strong judicial efficiency and fairness arguments to overcome.

Risk Mitigation Strategies

To mitigate risks associated with consolidation, practitioners should consider the following strategies: (1) Simultaneous Filing of Individual Applications: Even if consolidation is granted, the respondents should file their individual asylum applications and supporting documents, ensuring that if consolidation is later denied or severed, all individual work is complete. (2) Detailed Case Analysis: Before filing the consolidation motion, conduct a detailed analysis of how the cases might diverge during the hearing or appeal. Identify potential weak points in one respondent's case and consider whether consolidation might contaminate a stronger case. (3) Contingency Planning: Prepare for the possibility that the consolidation motion will be denied and plan how to proceed with separate proceedings, including revised discovery schedules and hearing preparation. (4) Communication with Clients: Ensure that all respondents understand the advantages and disadvantages of consolidation and provide informed consent to the consolidation motion. Document this consent in your case file. (5) Strategic Engagement with DHS: Before filing the consolidation motion, consider informing the DHS attorney of the intended motion and gauging DHS's likely response. If DHS will oppose, understand the basis for opposition and address those concerns in the motion. If DHS will not oppose, a joint motion may be more persuasive than a unilateral motion.

Appellate Considerations

If the immigration judge denies the consolidation motion, practitioners should understand that appellate

review is limited. The Board of Immigration Appeals reviews case management decisions for abuse of discretion, which is a highly deferential standard. Unless the immigration judge's denial of consolidation was based on an erroneous legal standard (such as misapplying the definition of immediate family), the Board is unlikely to reverse the decision. However, if consolidation was granted and later the respondents believe consolidation harmed one respondent's case, a motion to sever might be appropriate during the immigration court proceedings, or severance could be requested at the Board level if the case is appealed. Additionally, if the consolidated decision is appealed to the Board, the respondents' appeal will be treated as a consolidated appeal, even if they later file a severance request. The Notice of Appeal (Form EOIR-26) for a consolidated case should identify all respondents whose appeal is being filed and provide all A-numbers[21][41].

Motion Drafting Template and Sample Language

Opening Paragraphs

> "Respondent [Name A] and Respondent [Name B], by and through their undersigned counsel, [Attorney Name], respectfully move this Court for consolidation of their removal proceedings. In support of this motion, Respondents state as follows:"

Relationship and Background

> "Respondents are [describe relationship: spouses/siblings/parent and child]. Both Respondents are nationals of [country]. Respondent [Name A] holds an A-number of [A-number]. Respondent [Name B] holds an A-number of [A-number]. Both Respondents presented themselves at [port of entry] on [date] and requested asylum. [Alternatively, if applicable: After presenting themselves, DHS separated Respondents and placed them in different detention facilities before releasing them and placing them in proceedings before different judges.]"

Overlapping Factual Circumstances

> "Both Respondents' claims for relief arise from the same factual circumstances. On or about [date], both Respondents [describe shared persecution incident]. As a result of this incident, both Respondents received threats from [persecutor]. Both Respondents fled [country] together and arrived in the United States together, seeking protection from the persecution they experienced and the threats they received. The evidence establishing the persecution suffered by Respondent [Name A] is substantially identical to the evidence establishing the persecution suffered by Respondent [Name B]."

Common Evidence and Witnesses

> "Respondents' applications for asylum will rely on the same documentary evidence, including [identify specific documents: police reports, medical records, incident reports, country conditions documentation]. The same witnesses will testify in support of both Respondents' claims, including [identify witnesses: family members, medical providers, expert witnesses]. Consolidation will permit these witnesses to provide testimony once, rather than requiring them to provide substantially identical testimony in two separate proceedings. [If children must testify:] This is particularly important because both Respondents' minor children [names and ages] will likely testify as to facts relevant to both Respondents' claims. Consolidation will minimize the disruption and trauma to these children by requiring them to testify once in a single proceeding rather than twice in separate proceedings."

Judicial Efficiency

> "Consolidation of these cases will significantly promote judicial efficiency. Currently, the cases are

scheduled before [different judges/on different dates]. Consolidation before a single judge will eliminate duplicative evidence presentations, allow the Court to make consistent credibility determinations, and avoid the possibility of inconsistent legal rulings on overlapping issues. The evidence and legal arguments are so closely interrelated that two separate hearings would necessarily involve substantial repetition and inefficiency."

Legal Claims

> "Both Respondents are seeking asylum, withholding of removal, and protection under the Convention Against Torture. The legal standard for each form of relief is identical for both Respondents. The factual applicability of these legal standards to Respondents' circumstances is substantially overlapping. A single consolidated hearing will allow the Immigration Judge to apply the legal standards to the shared facts once, rather than requiring separate application in two different proceedings."

No Prejudice or Delay

> "This motion is not filed for purposes of causing delay in the adjudication of these cases. To the contrary, consolidation will promote more efficient resolution by eliminating duplicative proceedings. Respondents are prepared to proceed with consolidated discovery and hearing preparation. Consolidation will not prejudice the Department of Homeland Security's ability to present its charges of removability or its evidence and argument in response to Respondents' applications for relief."

Relief Sought

> "WHEREFORE, Respondents respectfully request that this Court grant their Motion for Consolidation and consolidate the proceedings of Respondent [Name A] and Respondent [Name B] before [Judge Name] on [requested hearing date], or at such other time and date as the Court shall determine to be appropriate."

Conclusion

Filing a Motion to Consolidate in EOIR immigration court proceedings is a procedurally straightforward but strategically complex motion practice option available to respondents in related removal cases. The motion must include a properly labeled cover page, state detailed reasons for consolidation, comply with filing deadlines, and be served on the Department of Homeland Security with proof of service[2][7][13][28][31][43][52][56]. Consolidation is discretionary with the immigration judge and is generally limited to cases involving immediate family members, though the court may consolidate "sufficiently interrelated" cases in its discretion[2][7][13][28][31][43][52][56]. The primary advantages of consolidation are judicial efficiency, unified factual adjudication, avoidance of inconsistent legal rulings, and protection of family witnesses from repeated testimony[1][14][49]. However, consolidation also carries risks, including loss of individual strategic options, potential for negative credibility determinations to contaminate related cases, and complications in appellate review[1]. Practitioners should carefully evaluate the specific circumstances of each case, including the respondents' family relationships, the overlap in their legal claims and factual circumstances, the likelihood of DHS opposition, and the judge's known preferences, before deciding whether to file a consolidation motion. Early filing at the master calendar hearing stage, well in advance of hearing deadlines, significantly increases the likelihood of granting and ensures that the immigration judge has adequate time to prepare for consolidated proceedings[2][7][13][28][31][43][52][56]. At the appellate level, similar principles apply, with the Board of Immigration Appeals able to consolidate appeals of immediate family members or sufficiently interrelated cases upon request, with the request filed "as soon as possible" after appeal[3][33][38][48]. Northern California practitioners should be aware of local court

preferences, the San Francisco Immigration Court's procedural norms, and the relevant ICE office's typical positions on consolidation to optimize the motion's presentation. With careful drafting, strategic timing, and thorough client communication regarding advantages and disadvantages, a consolidation motion can be a powerful tool for promoting judicial efficiency and fair adjudication in related removal cases.

Complete Citation Reference

- [1] EOIR Immigration Court Practice Manual Chapter 4.21 (Combining and Separating Cases)
- [2] EOIR Immigration Court Practice Manual Chapter 4.21 (stating consolidation generally limited to immediate family members)
- [3] EOIR Board of Immigration Appeals Practice Manual Chapter 4.10 (Combining and Separating Appeals)
- [4] Immigration Court Practice Manual PDF - Department of Justice (January 2025 version)
- [5] EOIR Immigration Court Practice Manual Chapter 2.1 (Representation and Appearances Generally)
- [6] Board of Immigration Appeals Practice Manual - Department of Justice (BIA procedures and authority)
- [7] EOIR Immigration Court Practice Manual Chapter 4.21 (complete consolidation procedures)
- [8] AILA Practice Advisory on Motions for Continuance (September 7, 2018)
- [9] EOIR Immigration Court Practice Manual Chapter 3 - Filing Deadlines (December 3, 2013)
- [10] EOIR Appendix E - Cover Pages (Sample cover page specifications)
- [11] Efficient Case and Docket Management in Immigration Proceedings (Federal Register, May 29, 2024)
- [12] EOIR Immigration Court Practice Manual Chapter 4.15 (Master Calendar Hearing procedures)
- [13] EOIR Immigration Court Practice Manual Chapter 4.21 (consolidation motion requirements)
- [14] Sample Motion to Consolidate - National Immigration Justice Center (Chicago case example)
- [15] EOIR Immigration Court Practice Manual Chapter 3.1 (Delivery and Receipt of filings)
- [16] EOIR Appendix E - Cover Pages (complete sample cover page)
- [17] YouTube Video on Consolidating Immigration Court Cases (informational video)
- [18] EOIR Filing Deadlines - December 2013 Guidance
- [19] EOIR Immigration Court Practice Manual Chapter 4.21 (severance procedures)
- [20] EOIR BIA Precedent Chart - Motions to Reconsider (BIA decision index)
- [21] EOIR Board of Immigration Appeals Practice Manual Chapter 4.4 (Notice of Appeal procedures)
- [22] Brennan Center for Justice - Immigration Court System Explained (2024 overview)
- [23] EOIR BIA Precedent Chart (index of BIA decisions)
- [24] Board of Immigration Appeals Practice Manual PDF (complete BIA procedures)

- [25] EOIR Immigration Court Practice Manual Chapter 3.2 (Service on Opposing Party)
- [26] EOIR Immigration Court Practice Manual Chapter 2.1 (Practitioner representation)
- [27] Supreme Court PDF on BIA Practice Manual (referenced guidance)
- [28] EOIR Immigration Court Practice Manual Chapter 4.21 (complete consolidation guidance)
- [29] Form EOIR-28 - Notice of Entry of Appearance (February 2025 version)
- [30] Immigration Court Practice Manual - Complete Text (February 2020 version)
- [31] EOIR Immigration Court Practice Manual Chapter 4.21 (consolidation case procedures)
- [32] Ninth Circuit Immigration Law Jurisdiction and Standards (circuit court review standards)
- [33] EOIR Board of Immigration Appeals Practice Manual Chapter 4.10 (Board consolidation and severance procedures)
- [34] Federal Register - Efficient Case Management (May 29, 2024 rule)
- [35] Supreme Court Document on BIA Practice
- [36] EOIR Immigration Court Practice Manual Chapter 5.10 (Other Motions, including Severance)
- [37] AILA's Removal Litigation Toolbox (AILA membership resource, August 2025)
- [38] EOIR Board of Immigration Appeals Practice Manual Chapter 4.10 (complete consolidation and concurrent consideration guidance)
- [39] Federal Register - Motions to Reopen and Reconsider (policy guidance on post-decision motions)
- [40] AILA Immigration Litigation Toolbox - Table of Contents (2021 edition resource list)
- [41] Immigration Law Resource Center - Identifying Issues for BIA Appeal (June 2022 guidance)
- [42] Federal Register - Case Management Rule
- [43] EOIR Immigration Court Practice Manual Chapter 4.21 (complete text on combining and separating cases)
- [44] Immigration Equality - Immigration Court Proceedings Manual (master calendar hearing overview)
- [45] Esquire Solutions - Consolidated Cases and Appeal Rights (Hall v. Hall Supreme Court decision summary)
- [46] YouTube - Consolidating Immigration Court Cases (informational resource)
- [47] EOIR Policy Manual Part II - Immigration Court (archived guidance, access error noted)
- [48] EOIR Board of Immigration Appeals Practice Manual Chapter 4.10 (appeals consolidation complete text)
- [49] National Immigration Justice Center - Sample Consolidation Motion (Chicago case template)
- [50] EOIR Immigration Court Practice Manual Chapter 5.10 (motion for severance procedures)
- [51] MyAttorney USA - Section 5.10 Other Motions (motion practice guidance)
- [52] EOIR Immigration Court Practice Manual Chapter 4.21 (consolidation motion requirements)

- [53] EOIR Immigration Court Practice Manual Chapter 5.2 (Filing a Motion - general requirements)
- [54] EOIR Immigration Court Practice Manual Chapter 5.2 (complete motion filing procedures)
- [55] EOIR Filing Deadlines - Consolidated Cases (December 3, 2013 guidance)
- [56] EOIR Immigration Court Practice Manual Chapter 4.21 (complete consolidation and severance procedures)
- [57] CLINIC - BIA Guidance on ICE Motions to Dismiss (Matter of H.N. Ferreira analysis)
- [58] EOIR Immigration Court Practice Manual Chapter 5.10 (complete section on motions including severance)
- [59] EOIR Immigration Court Practice Manual Chapter 3.1 (complete filing procedures and deadlines)
- [60] Immigration Law Resource Center - Prosecutorial Discretion Part 2_0.pdf (October 2024 guidance)