

Immigration Judge Scheduling Orders in Removal Proceedings: A Procedural and Analysis

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February 2, 2026

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FINDINGS

IMMIGRATION JUDGE SCHEDULING ORDERS IN REMOVAL PROCEEDINGS: A COMPREHENSIVE PROCEDURAL AND STRATEGIC ANALYSIS

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Executive Summary

Immigration Judge scheduling orders represent a fundamental procedural device in contemporary removal proceedings under the Immigration and Nationality Act Section 240, codified at 8 U.S.C. § 1229a. These orders establish binding deadlines for parties to submit written pleadings, evidence, applications for relief, and related documentation during the course of removal proceedings before the immigration courts. A scheduling order is typically issued when a respondent is represented by counsel and files a Notice of Entry of Appearance (Form EOIR-28) at least fifteen calendar days before a master calendar hearing, causing the court to vacate the master calendar hearing and proceed instead through written submissions and established deadlines [7]. This procedural innovation, formalized through EOIR Policy Memorandum 21-18 in April 2021, fundamentally altered case management practices across the immigration court system by replacing short in-person master calendar hearings with administrative scheduling that allows parties to conduct their business through written filings rather than oral proceedings [34].

The procedural framework governing scheduling orders is critical for practitioners representing respondents because deadline compliance directly determines whether clients preserve their right to pursue available forms of relief from removal. The standard timeline established by EOIR policy provides thirty calendar days from the most recently scheduled or vacated master calendar hearing date for parties to submit written pleadings and any evidence related to charges of removability, followed by a twenty-day response period for the opposing party [5][34]. Upon establishment of removability, the respondent's obligation to submit an application for relief and supporting documentation ordinarily must occur within sixty calendar days from the date the immigration judge issues an order sustaining the charges of removability, unless the judge specifies a different deadline in the scheduling order [5][34]. Failure to comply with an immigration judge's firm deadline for filing applications for relief results in automatic waiver of the applicant's opportunity to pursue that form of relief, even if a subsequent hearing remains scheduled, as established by the Board of Immigration Appeals in *Matter of R-C-R-*, 28 I&N Dec. 74 (BIA 2020).

The current legal landscape presents both opportunities and significant hazards for respondents facing removal. While scheduling orders are designed to promote judicial efficiency and provide clear procedural roadmaps, they simultaneously create rigid temporal constraints that, if not properly managed through timely motion practice, can result in irreversible loss of relief eligibility. The structure of these orders varies based on whether the respondent is detained or non-detained, whether representation has been secured, and whether special circumstances such as pending relief applications outside immigration court may justify administrative closure or termination of proceedings. Strategic engagement with scheduling order deadlines requires comprehensive understanding of available extensions, the "good cause" standard for obtaining relief from deadline requirements, the interaction between removal proceedings and parallel applications before United States Citizenship and Immigration Services (such as Form I-130 family petitions or Form I-485 adjustment of

status applications), and the preservation of arguments for appellate review when primary strategies face obstacles at the immigration court level.

Legal Framework Governing Scheduling Orders in Removal Proceedings

Statutory Foundation: INA Section 240 and Procedural Requirements

The statutory authority for removal proceedings and their procedural framework derives from INA § 240, codified at 8 U.S.C. § 1229a, which establishes that the Attorney General (now the Secretary of Homeland Security) must establish a system of removal proceedings before immigration judges. This statute mandates that respondents "shall have a reasonable opportunity to examine the evidence against the alien, to present evidence on the alien's own behalf, and to cross-examine witnesses presented by the Government" [8 U.S.C. § 1229a(b)(4)(B)]. The statute further provides that "[t]he immigration judge shall administer oaths, receive evidence, and interrogate, examine, and cross-examine the alien and any witnesses" [8 U.S.C. § 1229a(b)(1)]. While Section 240 does not explicitly mandate the issuance of scheduling orders, it establishes the due process framework within which all procedural rules, including scheduling orders, must operate.

The operative procedural language regarding immigration judge authority to establish deadlines appears in [8 U.S.C. § 1240.15(c)], which delegates to immigration judges the authority to "determine the time and place of the hearing, the procedures to be followed at the hearing, and the order in which evidence and arguments shall be presented." This delegated authority extends to setting deadlines for filings, and the statute explicitly provides that "[a]t the conclusion of the removal hearing, the immigration judge shall render a written decision that addresses all questions of law and fact raised by the evidence presented" [8 U.S.C. § 1229a(c)(1)]. The regulatory framework expands upon this statutory foundation by expressly authorizing immigration judges to establish and modify deadlines for relief applications, with critical consequences for failure to comply.

Regulatory Framework: 8 CFR § 1003.31 and Immigration Court Procedures

The cornerstone regulatory provision governing scheduling orders and filing deadlines before immigration courts is [8 C.F.R. § 1003.31(c)], which provides unambiguously that "[t]he Immigration Judge may set and extend time limits for the filing of applications and related documents and responses thereto, if any. If an application or document is not filed within the time set by the Immigration Judge, the opportunity to file that application or document shall be deemed waived" [6]. This provision vests substantial discretionary authority in immigration judges to fashion procedurally efficient case management while simultaneously establishing the consequence of non-compliance: automatic waiver of the right to file the application or document at issue.

The regulatory provisions regarding filing deadlines and delivery of documents appear in [8 C.F.R. § 1003.23 and § 1003.31], which establish that all filing deadlines are calculated in calendar days, meaning that Saturdays, Sundays, and legal holidays are included in the computation [3][7]. However, if a deadline falls on a Saturday, Sunday, or legal holiday, the deadline is construed to fall on the next business day [7]. These temporal rules are critical for practitioners because miscalculation of a deadline can result in untimely filing and automatic waiver of the respondent's opportunity to pursue relief.

The regulatory framework also addresses motions for extension of filing deadlines at [8 C.F.R. § 1003.31(c)(4)], stating that "[m]otions for extensions are not favored. In general, conscientious parties should be able to meet filing deadlines. In addition, every party has an ethical obligation to avoid delay" [7]. A motion for extension must be received by the original filing deadline to be timely and should clearly state when the filing is due, the reasons for requesting an extension, that the party has exercised due diligence to meet the current deadline, that the party will meet a revised deadline, whether the other party consents to the extension,

and the proposed revised deadline [7]. The regulations further provide that "[a] deadline is only extended upon the granting of a motion for an extension. Therefore, the mere filing of a motion for an extension does not excuse a party's failure to meet a deadline. Unopposed motions for extensions are not automatically granted" [7].

EOIR Policy Memorandum 21-18: The Current Case Flow Processing Model

The Executive Office for Immigration Review issued Policy Memorandum 21-18 on April 2, 2021, titled "Revised Case Flow Processing Before the Immigration Courts," which superseded prior Policy Memorandum 21-05 and established the current framework for scheduling orders that applies prospectively to removal cases initiated on or after the date of the memorandum [34][5]. This policy memorandum implements an efficiency-focused case flow model that prioritizes the use of scheduling orders over short master calendar hearings for represented, non-detained respondents. Under PM 21-18, when an attorney or accredited representative authorized under 8 C.F.R. § 1001.1(j) and § 1292.1 files a Form EOIR-28 at least fifteen calendar days before a scheduled master calendar hearing, the court shall vacate that hearing and issue a scheduling order establishing deadlines for the filing of written pleadings and any evidence related to charges of removability [34].

PM 21-18 establishes a two-stage filing framework. First, the parties are ordinarily given thirty calendar days from the most recently scheduled hearing date (whether vacated or held) to file written pleadings and evidence related to the charges of removability, unless pleadings have already been taken or the immigration judge specifies a different deadline [34]. The DHS then has twenty calendar days from receipt to file its response [5]. Second, after the immigration judge issues an order determining removability, the court sends to the parties a scheduling order setting the deadline for submission of applications for relief and supporting documents, along with instructions for biometrics where applicable. This deadline is generally sixty calendar days from the date of the judge's order sustaining the charges of removability, unless otherwise ordered [5][34]. PM 21-18 expressly authorizes immigration judges to issue a revised deadline or to extend existing deadlines upon a showing of good cause, and states that "[u]pon a showing of good cause, a representative may seek relief from the application of one or more provisions of a scheduling order by motion to the immigration judge" [34].

The policy memorandum also addresses supplemental filings, providing that "[a]mendments to applications and other supplemental filings must be submitted at least thirty days in advance of the merits hearing, unless otherwise specified by the immigration judge" [5]. However, AILA subsequently reported that EOIR amended PM 21-18 in December 2021 to revise this deadline, stating that in cases involving non-detained respondents, amendments to applications and other supplemental filings can be submitted up to fifteen days (rather than thirty days) before individual calendar hearings, unless the immigration judge specifies otherwise [31].

Board of Immigration Appeals Precedent: Matter of R-C-R- and Deadline Waiver

The Board of Immigration Appeals issued a critical precedential decision in *Matter of R-C-R-*, 28 I&N Dec. 74 (BIA 2020), establishing that "[a]fter an Immigration Judge has set a firm deadline for filing an application for relief, the respondent's opportunity to file the application may be deemed waived, prior to a scheduled hearing, if the deadline passes without submission of the application and no good cause for noncompliance has been shown" [25]. In that case, the respondent, a Guatemalan national in detention, appeared at a hearing without counsel in November 2019, conceded removability, and expressed a desire to apply for asylum, withholding of removal, and protection under the Convention Against Torture. The immigration judge communicated through video conference from a different location and instructed the respondent to submit his relief application no later than December 6, 2019, or it would be deemed waived. The respondent missed the

deadline, and the immigration judge ordered him removed. On appeal to the BIA, the respondent argued that the immigration judge violated his due process rights by setting an application deadline in advance of his next hearing and by not allowing him to explain why he missed the deadline.

The BIA rejected these arguments and upheld the waiver, holding that [8 C.F.R. § 1003.31(c)] expressly provides that "if an application or document is not filed within the time set by the Immigration Judge, the opportunity to file that application or document shall be deemed waived." The BIA noted that the respondent had not moved to extend the deadline and obtain more time to complete his application, nor did he file a motion to reconsider or reopen to explain his failure to file on time. "Had the respondent filed either type of motion and provided good cause for missing the deadline, reconsideration or reopening by the Immigration Judge would likely have been appropriate," the BIA stated [25]. The BIA decision also addressed whether the respondent was deprived of a full and fair hearing due to video conference technology, finding that the use of interactive video for hearings is authorized by statute and regulations and is not a per se due process violation [25]. This precedential decision significantly limits respondents' ability to cure deadline misses post-hoc and emphasizes the critical importance of proactive motion practice to extend deadlines before they expire.

Current Legal Landscape and Recent Developments in Scheduling Order Practice

EOIR Practice Manual Chapter 3.1 and Detailed Procedural Rules

The EOIR Immigration Court Practice Manual, Part II, Chapter 3.1, provides comprehensive guidance on filing procedures, delivery and receipt of documents, and computation of deadlines before immigration courts [3][7]. The Practice Manual establishes that filing deadlines depend upon whether a respondent is represented, whether the respondent is detained, and what stage of proceedings the case has reached. For represented, non-detained respondents where the Form EOIR-28 is filed at least fifteen calendar days prior to a scheduled master calendar hearing, the Practice Manual provides that "[t]he Immigration Judge will issue a scheduling order that establishes the deadline by which the parties must submit written pleadings and any evidence related to the charge(s) of removability" [3][7]. The parties generally are given thirty calendar days from the most recently vacated or held master calendar hearing to submit these pleadings and evidence [7].

The Practice Manual further specifies that for cases where removability has been established, "[t]he parties generally will be given sixty (60) days from the most recently vacated hearing date to file pleadings and evidence related to the charge(s) of removability" where a scheduling order is first issued at a master calendar hearing [7]. This timing applies to cases where the Form EOIR-28 was filed less than fifteen days prior to the master calendar hearing or at the hearing itself, resulting in the need to hold the master calendar hearing rather than vacating it. When the immigration judge sustains the charges of removability, a separate scheduling order is issued establishing the deadline for submission of applications for relief and supporting documents, generally sixty days from the date of the judge's order sustaining removability [5][7].

For unrepresented, non-detained respondents, the filing requirements differ significantly. Filings must be submitted at least fifteen calendar days in advance of a master calendar hearing if requesting a ruling at or prior to the hearing [7]. If a filing is submitted less than fifteen days prior to a master calendar hearing, the response may be presented at the master calendar hearing, either orally or in writing [7]. For detained respondents, the Practice Manual provides that filing deadlines are specified by the immigration court [7], recognizing that detained respondents face time pressures and practical obstacles to document preparation not faced by non-detained respondents.

Recent Federal Register Notices and Proposed Rulemaking on Good Cause Standards

The Department of Justice issued a Notice of Proposed Rulemaking addressing the "good cause" standard for continuances, adjournments, and postponements in immigration proceedings [27]. The NPRM proposes to define "good cause" and provide guidance on situations warranting postponement of proceedings. The proposed rule would establish a non-exhaustive list of factors for immigration judges to consider when determining whether good cause exists for a continuance. The NPRM specifically addresses the scenario of collateral immigration applications pending outside immigration court proceedings and proposes that immigration judges should consider "whether the alien has exercised reasonable diligence in pursuing relief, DHS's position on the motion, the length of the requested continuance, and [whether the continuance would] materially affect the outcome of the removal proceedings" [27]. The NPRM also identifies scenarios in which good cause is not shown, including where the continuance "would cause the immigration court to exceed a statutory or regulatory deadline, unless an exception applies or the movant demonstrates good cause" [27].

This proposed rulemaking is significant for scheduling order practice because it signals regulatory intent to constrain the "good cause" standard while providing factors for judges to weigh. As of February 2026, the NPRM remains in proposed form and has not yet been finalized, meaning that immigration judges continue to exercise substantial discretion in applying the good cause standard in individual cases. However, practitioners should monitor the Federal Register for finalization of this rule, as it will likely reshape deadline extension practice once implemented.

December 2021 Amendment to PM 21-18: Supplemental Filing Deadlines for Non-Detained Cases

EOIR amended Policy Memorandum 21-18 in December 2021 to modify the deadline for submitting amendments to applications and other supplemental filings in non-detained cases [31]. Under the original PM 21-18, amendments to applications and other supplemental filings (other than rebuttal or impeachment evidence) were required to be submitted at least thirty days in advance of the merits hearing [5]. The December 2021 amendment reduced this deadline to fifteen calendar days prior to the individual calendar hearing for non-detained respondents, unless the immigration judge specifies otherwise [31]. This revision reflects a policy recognition that the thirty-day deadline created unnecessary delays and that sufficient judicial economy could be achieved with a fifteen-day deadline for non-detained cases, which may involve less complex preparation requirements than detained cases where respondents face incarceration and logistical constraints.

This amendment is relevant for scheduling order practice because supplemental filings often become necessary when respondents discover new evidence, receive updated country conditions reports, obtain recent affidavits from family members, or otherwise identify additional documentary support for their claims. The fifteen-day deadline for non-detained respondents provides somewhat greater flexibility than the original thirty-day requirement but still requires advance planning and diligent preparation.

BIA Precedent on Administrative Closure and Case Recalendaring

The regulatory framework for administrative closure and recalendaring of cases appears in [8 C.F.R. § 1003.18(c)], which provides that "[a]dministrative closure is the temporary suspension of a case. Administrative closure removes a case from the immigration court's active calendar until the case is recalendared. Recalendaring places a case back on the immigration court's active calendar" [15][18]. An immigration judge may, in the exercise of discretion, administratively close a case upon the motion of a party, after applying the standard set forth in the regulation [15]. The regulation provides that "[a]n immigration judge shall grant a motion to administratively close or recalendar filed jointly by both parties, or filed by one party where the other party has affirmatively indicated its non-opposition, unless the immigration judge

articulates unusual, clearly identified, and supported reasons for denying the motion" [15][18].

In all other cases, in deciding whether to administratively close or recalendar a case, the immigration judge shall consider the totality of the circumstances, including factors such as the reason administrative closure is sought; the basis for any opposition to administrative closure; the length of time elapsed since the case was administratively closed; whether the case was closed to allow filing of a petition, application, or other action outside immigration proceedings; whether such petition, application, or action was filed and the timing thereof; the current status of the petition, application, or action; whether the failure to file resulted from lack of diligence; and the ultimate anticipated outcome if the case is recalendared [15]. No single factor is dispositive, and the immigration judge, having considered the totality of circumstances, may grant a motion to administratively close or recalendar over the objection of a party [15].

Administrative closure is particularly relevant to scheduling order practice because respondents may seek closure of their removal proceedings when they have pending Form I-130 family petitions, Form I-485 adjustment of status applications, or other forms of relief that require processing by USCIS before the immigration judge can adjudicate the removal proceedings. By obtaining administrative closure, the respondent can suspend the immigration court's deadlines while the USCIS application is processed, potentially creating additional time to develop the case without the pressure of scheduling order deadlines.

San Francisco Immigration Court Context and Northern California-Specific Practices

San Francisco Immigration Court and Procedural Particularities

The immigration court facility in San Francisco is located at 100 Montgomery Street, Suite 800, San Francisco, CA 94104, and operates an additional location at 630 Sansome Street, 4th Floor, Room 475, San Francisco, CA 94111. A third courtroom facility operates in Concord at 1855 Gateway Blvd., Suite 850, Concord, CA 94520. The San Francisco Immigration Court maintains its own procedural orders and local administrative practices that may supplement the national Practice Manual and EOIR policy memoranda. Practitioners appearing before San Francisco immigration judges should obtain copies of any local procedural orders issued by the court and should familiarize themselves with individual judge preferences regarding motion practice, evidence submission, and hearing management. While the search results provided do not contain specific information about individual San Francisco judges' practices, practitioners should research and document the tendencies of assigned judges regarding scheduling order modification requests, good cause determinations, and willingness to grant continuances for collateral matter resolution.

The San Francisco Asylum Office, which conducts affirmative asylum interviews before cases are referred to immigration court or when individuals apply directly with USCIS, has a significant role in the removal proceedings pipeline for the Northern California region. The asylum office issues credible fear determinations that feed into the immigration court docket and maintains interview procedures that practitioners should understand when advising clients on timing and strategy regarding asylum applications filed in immigration court versus those that could be filed affirmatively with USCIS.

ICE Enforcement and Detention Practices in Northern California

ICE Enforcement and Removal Operations (ERO) Field Office 1 covers Northern California, including the San Francisco Bay Area. The detention facilities within this region include facilities in the East Bay and other locations that impact scheduling order practice for detained respondents. Detained respondents face significantly different scheduling order dynamics than non-detained respondents because the immigration judge may establish custom deadlines accounting for the respondent's incarceration status and the practical

obstacles to document preparation and communication with counsel that detention creates. Practitioners representing detained respondents should be aware that filing deadlines for detained respondents are "as specified by the immigration court" rather than following the standard non-detained schedule, and should proactively request reasonable extension of deadlines based on the client's detention status and communication constraints.

California State Law Interactions with Federal Immigration Proceedings

California law provides several procedural mechanisms that interact with federal immigration proceedings and may be relevant to scheduling order strategy. Under California Penal Code § 1473.7, a defendant may file a motion to vacate a conviction "on the ground that the conviction had a prejudicial effect on the person's ability to defend a removal proceeding" or when the defendant was not properly advised of immigration consequences. This statute allows for collateral attack of state criminal convictions that form the basis for removal charges. A respondent may move to vacate a conviction under PC § 1473.7 during immigration removal proceedings, and such action may justify administrative closure of the immigration case pending resolution of the state court motion. California's Proposition 47, which allows reduction of certain felonies to misdemeanors, similarly may be implicated in immigration cases where a prior conviction is charged as a ground of removability.

Additionally, California Penal Code § 1203.43 limits the use of certain convictions in immigration proceedings, and AB 1352 requires discovery of immigration consequences in criminal cases. These state law provisions may create opportunities for respondents to challenge the factual basis of charges in their removal proceedings through motions to suppress or motions challenging the sufficiency of the government's proof.

California's Senate Bill 54, known as the California Values Act, also impacts immigration enforcement by limiting cooperation between state and local law enforcement and ICE, which may have procedural consequences for how cases are initiated and handled in immigration court.

Strategic Analysis: Responding to Scheduling Orders and Protecting Relief Eligibility

Procedural Framework for Deadline Compliance and Waiver Prevention

The overwhelming importance of deadline compliance in scheduling order practice cannot be overstated. The Board of Immigration Appeals' holding in [Matter of R-C-R-, 28 I&N Dec. 74 (BIA 2020)], that respondents who fail to meet firm scheduling order deadlines automatically waive their opportunity to pursue relief absent a timely motion to reopen or reconsider, establishes the default rule: missed deadlines result in loss of relief eligibility [25]. This means that a respondent who misses a sixty-day deadline for filing an asylum application loses the opportunity to file that application, even if the respondent remains eligible and has strong claims. The only post-deadline avenue available to cure a missed filing deadline is through a motion to reconsider or motion to reopen, which requires demonstration of good cause for the missed deadline and often must be accompanied by the substantive application itself [25].

To avoid this catastrophic outcome, practitioners must implement systematic procedures to track scheduling order deadlines, communicate with clients regarding filing deadlines well in advance of the deadlines themselves, gather necessary supporting documentation on a timeline that permits completion before the deadline, and, when time pressure appears unavoidable, proactively file a motion for extension before the deadline expires. A motion for extension filed before the deadline expires, supported by evidence of due diligence and explanation of the need for additional time, has substantially better prospects of approval than a post-deadline motion to reconsider or reopen.

Identifying and Establishing Good Cause for Deadline Extensions

The regulatory framework and BIA precedent establish that "[m]otions for extensions are not favored" and that "in general, conscientious parties should be able to meet filing deadlines" [7]. However, immigration judges retain discretion to extend deadlines upon a showing of good cause. The Ninth Circuit has developed precedent relevant to the good cause standard in the context of motions for continuance, which courts have stated applies similarly to deadline extension motions. In [Matter of L-A-B-R-, 27 I&N Dec. 405 (A.G. 2018)], the Attorney General established that "the good-cause standard . . . requires consideration and balancing of all relevant factors in assessing a motion for continuance to accommodate a collateral matter" [28]. Factors that may establish good cause for an extension include delays in obtaining necessary documentary evidence, recent retention of counsel requiring time to investigate the case and prepare relief applications, pending collateral matters such as USCIS Form I-130 family petitions that may affect removability or relief eligibility, significant case complexity requiring time for expert reports or detailed factual development, and client personal circumstances such as serious health conditions or family emergencies that impair the client's ability to provide necessary information for the application.

The proposed rulemaking on good cause standards suggests that immigration judges should consider the following factors when evaluating extension requests: whether the party has exercised reasonable diligence in pursuing relief, the government's position on the motion, the length of the requested continuance, and whether the continuance would materially affect the outcome of the removal proceedings [27]. Practitioners should frame extension motions in terms that address these factors, providing evidence of diligent efforts to meet the original deadline, explaining why those efforts proved insufficient, and demonstrating that a reasonable extension would not cause undue prejudice to the government or the judicial process.

Strategic Considerations Regarding Different Forms of Relief and Scheduling Orders

Scheduling orders affect different forms of relief in varied ways, and practitioners must tailor their response to scheduling orders based on which forms of relief their clients are pursuing. Asylum applications must be filed within one year of the respondent's last arrival in the United States unless the respondent qualifies for an exception based on changed circumstances or extraordinary circumstances, as provided in [8 C.F.R. § 208.4(c)][37][40]. If the respondent's case has been pending for many months or years before the respondent was placed in removal proceedings, the one-year bar may be imminent, creating pressure to file within the scheduling order deadline to preserve eligibility for asylum. Similarly, withholding of removal and Convention Against Torture claims are not subject to the one-year filing deadline [40], providing alternative forms of relief that may be pursued without temporal constraint regarding filing date.

Cancellation of removal requires that the respondent have been physically present in the United States for at least ten continuous years and demonstrates that removal would result in exceptional and extremely unusual hardship to a spouse, parent, or child who is a United States citizen or lawful permanent resident [8 U.S.C. § 1229b(b)]. The scheduling order deadline to file an application for cancellation of removal should not be missed because doing so permanently waives eligibility for this significant form of relief. For cancellation of removal, practitioners must gather extensive evidence of hardship, typically including declarations from family members, documentation of family relationships, evidence of economic dependency, medical evidence of serious conditions in family members that would be exacerbated by the respondent's removal, and evidence of established residence and community ties.

Voluntary departure is a form of relief that respondents may request at the master calendar hearing or later, and represents the respondent's agreement to depart the United States voluntarily within a specified period rather than facing a removal order [21][32]. Respondents granted voluntary departure prior to the completion

of removal proceedings must depart within 120 days, while those granted such relief at the conclusion of removal proceedings must depart within 60 days [32]. Because voluntary departure is available throughout the proceedings and does not require lengthy application preparation, respondents should consider this option if time constraints make other relief applications impossible to complete within scheduling order deadlines.

Adjustment of status under INA § 245 represents another form of relief that may be available if the respondent has a qualifying family relationship to a United States citizen or lawful permanent resident and meets other eligibility requirements [33][36]. When a respondent is in removal proceedings and seeks to adjust status, the immigration judge (rather than USCIS) adjudicates the adjustment application, and the respondent must file Form I-485 and supporting documentation within the scheduling order deadline. Adjustment of status has specific evidentiary requirements including medical examination (Form I-693), financial support affidavits (Form I-864), and police clearances, which require adequate time to prepare.

Interaction Between Removal Proceedings and Parallel USCIS Applications

Many respondents have pending or potentially available applications before USCIS that interact with their removal proceedings. Form I-130 (Petition for Alien Relative) family petitions filed by United States citizen or lawful permanent resident family members can take many months or years to process, depending on the family relationship and country of chargeability. If an I-130 petition is pending and approaching approval, a respondent may seek administrative closure of the removal proceedings to allow the I-130 to be adjudicated and, once approved, permit the respondent to file an adjustment of status application before the immigration judge [15][28]. This strategy requires proactive motion practice to administratively close the case, supported by evidence that the I-130 petition is genuinely pending and approaching resolution [43].

Similarly, if a respondent is eligible to file an I-130 petition but has not yet done so, time constraints imposed by scheduling order deadlines may necessitate filing a motion for extension or seeking administrative closure to allow time for a family member to file the I-130 petition. The regulatory framework provides that administrative closure may be appropriate "where a petition, application, or other action is pending outside of proceedings before the immigration judge," and that courts should consider "the current status of the petition, application, or action" when determining whether to grant administrative closure [15].

Due Process Limitations on Scheduling Order Deadlines

While the immigration courts possess broad authority to establish scheduling order deadlines, this authority operates within constitutional due process constraints established by the Fifth Amendment and by the statutory requirement in INA § 240(b)(4) that respondents have "a reasonable opportunity to examine the evidence against the alien, to present evidence on the alien's own behalf, and to cross-examine witnesses presented by the Government." If a scheduling order deadline is so compressed as to deprive a respondent of a reasonable opportunity to develop their case, prepare necessary evidence, and consult with counsel regarding relief options, the deadline may be challengeable as violative of due process. Practitioners confronting unreasonable deadlines should frame extension motions in terms of the respondent's due process right to a reasonable opportunity to prepare their defense and present evidence.

Practical Implementation and Procedural Roadmap for Responding to Scheduling Orders

Step-by-Step Procedures for Deadline Tracking and Compliance

Upon receipt of a scheduling order or confirmation that a scheduling order will be issued by the immigration court, practitioners should immediately undertake the following procedures: (1) clearly identify all deadlines

specified in the scheduling order, including the date of each deadline and any conditions specified by the judge (such as "30 days from the date of this order" or "30 days from the date the judge issues an order sustaining the charges of removability"); (2) calculate the deadline in calendar days, accounting for the rule that Saturdays, Sundays, and legal holidays are counted in the computation but that if the deadline falls on a weekend or holiday, the deadline is extended to the next business day [7]; (3) establish a calendar system that provides notice to the practitioner at least two weeks before each deadline expires, and at one week before, and at three days before; (4) communicate the deadline to the client in writing, explaining that missing the deadline will result in automatic waiver of the application or document unless the client first files a timely motion for extension; (5) begin gathering necessary evidence and documentation on a timeline that permits completion at least ten business days before the deadline; (6) if complications arise that will prevent timely completion, immediately file a motion for extension before the deadline expires, rather than waiting until after the deadline to file a motion to reconsider or reopen.

Required Forms and Documentation for Relief Applications Filed Within Scheduling Order Deadlines

When filing an application for relief within a scheduling order deadline, the practitioner must determine which forms are required by the specific relief sought. For asylum, withholding of removal, and Convention Against Torture claims, respondents must file Form I-589, Application for Asylum and Withholding of Removal [41]. The I-589 application is a detailed form requiring comprehensive information about the respondent's biography, immigration history, current circumstances in the country of feared persecution, and factual basis for the claim. Practitioners must ensure that the I-589 is completed accurately and thoroughly because inconsistencies or omissions can affect the credibility determination that immigration judges use when evaluating asylum claims [49].

For cancellation of removal, respondents must file the appropriate application form and comprehensive supporting documentation establishing hardship and eligibility. While there is no official USCIS form specifically titled "Application for Cancellation of Removal," practitioners typically file a detailed written application accompanied by a fee if required, along with the supporting documentation necessary to establish eligibility and merit [14].

For adjustment of status, respondents must file Form I-485, Application to Register Permanent Residence or Adjust Status, along with Form I-864 (Affidavit of Support), Form I-693 (Report of Medical Examination and Vaccination Record), police clearances, and evidence of admissibility [36]. The medical examination must be conducted by a USCIS-designated civil surgeon, and obtaining an appointment with such a surgeon requires advance planning to ensure the medical examination can be completed before the scheduling order deadline [36].

Evidence Gathering and Documentation Requirements

Practitioners must develop comprehensive evidence gathering checklists specific to each client's claimed basis for relief. For asylum, evidence typically includes country conditions documentation obtained from State Department Country Reports on Human Rights Practices, reports from human rights organizations such as Human Rights Watch and Amnesty International, documentation of the respondent's specific experiences of persecution or fear of future persecution, medical or psychological evaluations documenting trauma or persecution-related harm, evidence of the respondent's political opinions or activities, documentation of family relationships or membership in particular social groups that may ground the asylum claim, and affidavits or witness statements from individuals with knowledge of the respondent's circumstances.

For cancellation of removal, evidence includes documentation of the respondent's physical presence in the United States (such as utility bills, lease agreements, employment records, school records, and medical records establishing the ten-year continuous residence requirement), evidence of hardship to United States citizen or lawful permanent resident family members (including declarations from family members, medical records demonstrating serious health conditions, evidence of economic dependency, school records for children, and documentation of community integration), evidence of good moral character (including letters from employers, community leaders, faith leaders, and educational institutions; evidence of community service and volunteer work; evidence of rehabilitation if any criminal history exists), and evidence of family relationships (birth certificates, marriage certificates, naturalization documents, and other official documents establishing the claimed relationships).

Client Preparation and Communication Regarding Scheduling Order Deadlines

Practitioners must engage in clear, direct communication with clients regarding scheduling order deadlines and the critical importance of meeting those deadlines. Clients must be advised that missing a scheduling order deadline results in automatic waiver of their opportunity to pursue relief, and that the client will thereafter be subject to a removal order. Many clients, particularly those in detention or facing personal crises, may not fully internalize the significance of deadlines, and practitioners should document client communication regarding deadlines in written form (such as by letter or email) to create evidence of notice.

When clients are detained, practitioners should coordinate with facility staff to ensure that clients have adequate access to phone communications and correspondence to prepare relief applications. For clients in detention, practitioners should anticipate that document preparation may require more time due to the client's difficulty in obtaining necessary evidence from outside sources while incarcerated. This reality supports motions for extension in detained cases, as detention itself may constitute good cause for extended deadlines.

Spanish-Language Resources and Bilingual Practice Considerations

Given the significant population of Spanish-speaking immigrants in Northern California, practitioners should ensure that clients receive written materials and verbal explanation of scheduling order deadlines in Spanish. The immigration court system provides various materials in Spanish, and practitioners should locate and provide clients with Spanish-language explanations of the asylum process, the scheduling order process, and the requirements for different forms of relief. When clients speak indigenous languages or have limited literacy in both English and Spanish, practitioners should ensure that appropriate interpreters or translators are engaged to explain deadlines and relief options.

Many country conditions documents and evidence of persecution are available in Spanish from Spanish-language news organizations, Latin American human rights organizations, and Spanish-language academic publications. Practitioners should develop familiarity with Spanish-language resources documenting country conditions in Central America, Mexico, El Salvador, Guatemala, Honduras, and Nicaragua, given the significant caseload of clients from these countries in Northern California immigration court.

Motion Practice and Procedural Remedies Related to Scheduling Orders

Motions for Extension of Filing Deadlines: Requirements and Strategy

A motion for extension of a filing deadline must comply with the procedural requirements established in [8 C.F.R. § 1003.31(c)(4)][7]. The motion must be filed with a cover page labeled "MOTION FOR EXTENSION" and must be received by the original filing deadline [7]. The motion should clearly state when the filing is due, the reason(s) for requesting an extension, that the party has exercised due diligence to meet

the current filing deadline, that the party will meet a revised deadline, whether the other party consents to the extension, and a proposed revised deadline [7]. The motion should be supported by affidavits, declarations, or other evidence demonstrating the circumstances justifying the extension.

Practitioners preparing extension motions should anticipate that the government will oppose most extension requests and should frame the motion in a manner that emphasizes good cause factors rather than relying on government consent. The motion should articulate specific, concrete reasons for the need for additional time (such as "client recently retained counsel and attorney required two weeks to review government's charging documents and conduct client interview," or "critical country conditions document became available only on [date], requiring [number] of additional days to incorporate into application"). Generic statements that the applicant "needs more time" are unlikely to persuade and may be characterized as lack of diligence.

If the opposite party consents to the extension, the motion should note this fact prominently, as joint motions and motions where the opposing party has indicated non-opposition are reviewed under a more favorable standard [7]. Even if the government states that it is "not opposed" to an extension, this may not constitute sufficient indication of non-opposition to trigger the favorable standard, and practitioners should seek explicit written indication of non-opposition.

Motions to Reopen or Reconsider After Missed Deadlines: Limited Utility and Challenging Standards

[8 U.S.C. § 1229a(c)(7)][8] permits an alien to file one motion to reconsider a decision that the alien is removable from the United States, and [8 U.S.C. § 1229a(c)(6)][8] permits one motion to reopen proceedings, except in certain circumstances (such as motions based on changed country conditions or applications for VAWA relief, which may have no time limit). A motion to reconsider must be filed within thirty calendar days of the date of entry of the immigration judge's decision [8], while a motion to reopen must be filed within ninety days of the date of entry of the final administrative order of removal, except in specific circumstances [8].

For practitioners attempting to cure a missed scheduling order deadline through a post-deadline motion to reconsider or reopen, the available grounds are limited. A motion to reconsider can only argue errors of law or fact in the previous order and must be supported by pertinent authority [8]. A motion to reopen can only introduce new facts or evidence that was unavailable at the original proceeding [8]. When an immigration judge has denied an application for relief based on the respondent's failure to file timely, a motion to reopen that includes the substantive relief application (such as a newly completed I-589 asylum application) may have prospects of success if the respondent can establish good cause for the missed deadline and that the relief was previously available to the respondent.

In the aftermath of [Matter of R-C-R-, 28 I&N Dec. 74 (BIA 2020)][25], immigration judges and the BIA have become quite skeptical of claims that good cause existed for missing a deadline. The respondent must demonstrate both that she exercised due diligence to meet the deadline and that extraordinary or unavoidable circumstances prevented compliance. Simply being too busy, having ineffective communication with counsel, or struggling to locate necessary documents may not constitute sufficient good cause, particularly if the respondent had months to prepare and failed to initiate preparation in a timely manner [25].

Motions for Administrative Closure and Recalendaring

When a respondent has a pending application with USCIS or a collateral matter in state court that may affect the immigration proceedings, the respondent should consider seeking administrative closure of the removal proceedings under [8 C.F.R. § 1003.18(c)][15][18]. Administrative closure temporarily suspends the case and

removes it from the court's active calendar, halting scheduling order deadlines and allowing time for the collateral matter to be resolved [15]. Once the collateral matter is resolved, the parties may move to recalendar the case, placing it back on the court's active calendar [15].

The regulation provides that immigration judges "shall grant a motion to administratively close or recalendar filed jointly by both parties, or filed by one party where the other party has affirmatively indicated its non-opposition, unless the immigration judge articulates unusual, clearly identified, and supported reasons for denying the motion" [15]. This means that if both parties agree to administrative closure, the immigration judge must grant the motion absent articulated, unusual reasons for denial. When the government opposes administrative closure, the immigration judge should consider "the totality of the circumstances, including as many of the factors listed" in the regulation as are relevant, including the reason administrative closure is sought, the basis for opposition, the length of time elapsed since the case was closed, whether a petition or application is pending and its status, whether failure to file resulted from lack of diligence, and the ultimate anticipated outcome if the case is recalendared [15][18].

Motions to Terminate Removal Proceedings

Under the new regulatory framework implemented in January 2025, immigration judges have authority to terminate removal proceedings in certain circumstances. Mandatory termination is required when "no charge of deportability, inadmissibility, or excludability can be sustained," meaning that the government cannot establish removability on the charges in the Notice to Appear [43]. Discretionary termination may be ordered in circumstances such as when "the respondent has obtained lawful permanent resident status" or when "termination is necessary for the respondent to be eligible to seek immigration relief before United States Citizenship and Immigration Services" [43].

The second category of discretionary termination can be critical to scheduling order strategy. If a respondent cannot file an I-130 family petition or I-485 adjustment of status application while in removal proceedings (perhaps due to a jurisdictional limitation or other procedural requirement), the respondent should seek termination of the removal proceedings to allow the USCIS application to be filed, with the understanding that the immigration proceedings can potentially be reinitiated if the USCIS application is denied or if circumstances change [43]. Motions to terminate should be supported by documentation showing that termination is necessary for the respondent to pursue available relief.

Northern California Implementation and San Francisco Immigration Court Context

Filing Procedures and Local Practices Before the San Francisco Immigration Court

The San Francisco Immigration Court maintains specific filing procedures and local administrative practices that supplement the national EOIR Practice Manual. Practitioners should ensure that they have obtained current information regarding where to file documents (whether electronically through ECAS or in paper form at specific court locations), the mailing address for certified mail filing, contact information for the immigration court clerk's office, and any local procedures regarding cover pages or formatting requirements [3][7].

The San Francisco court location at 100 Montgomery Street, Suite 800, and the alternative location at 630 Sansome Street, 4th Floor, Room 475, may have different procedures or staffing. The Concord hearing location at 1855 Gateway Blvd., Suite 850 serves respondents in the North Bay and may have different practices than the main San Francisco locations.

Practitioners should also determine whether the San Francisco court has issued any standing or administrative

orders regarding scheduling orders, deadline extensions, or case management procedures. Some immigration courts have issued standing orders establishing presumptive deadline extension practices or procedural guidelines for specific types of motions. Information about such orders should be obtained from the immigration court clerk's office or from consultation with other practitioners regularly appearing before San Francisco judges.

Judge-Specific Practices and Tendencies in San Francisco

While the search results provided do not contain specific information about individual San Francisco immigration judges' practices, practitioners should conduct extensive research regarding the judges to whom their clients' cases are assigned. This research should include speaking with other practitioners who regularly appear in San Francisco, reviewing published appellate decisions where San Francisco judges' decisions have been reviewed and reversed or affirmed, and consulting with experienced local practitioners regarding known judge preferences regarding motion practice, continuance requests, and willingness to extend scheduling order deadlines.

Some judges may have a reputation for strict deadline enforcement and resistance to extension requests, while others may be more accommodating of good cause showing. Understanding these tendencies allows practitioners to frame motions in ways likely to persuade the assigned judge and to consider whether seeking a change of venue (though such requests are disfavored and require a separate motion) might be strategically advantageous in particular circumstances.

San Francisco Asylum Office Procedures and Credible Fear Screening

The San Francisco Asylum Office maintains jurisdiction over affirmative asylum applications filed by respondents who are not in removal proceedings, as well as credible fear determinations for respondents placed in expedited removal. While most respondents in removal proceedings file Form I-589 applications with the immigration court rather than with the Asylum Office, practitioners should be aware that in some circumstances, respondents may be eligible to file affirmatively with USCIS before being placed in formal removal proceedings. The timing of such filings affects scheduling order deadlines because an affirmative asylum application with USCIS initiates a 180-day clock toward employment authorization eligibility [1].

The San Francisco Asylum Office conducts credible fear interviews for respondents placed in expedited removal at the border or in CBP custody. The standards for credible fear (a "significant possibility" that the respondent can establish an asylum claim) are lower than the standards for final asylum adjudication (a "well-founded fear" of persecution), and passing a credible fear screening results in referral to removal proceedings before an immigration judge [49][52].

Bay Area Transportation and Logistical Considerations for Clients

Northern California's geography creates logistical challenges for respondents who must appear in person at the San Francisco Immigration Court or its satellite locations. Respondents detained in facilities in other regions of Northern California or even in Central California may need to be transported to San Francisco for hearings, creating scheduling challenges and transportation delays that should be factored into deadline extension requests for detained respondents. Practitioners representing detained respondents should consider the facility's location when evaluating whether a particular deadline is realistic and should include transportation time in calculating whether a deadline extension is necessary.

For non-detained respondents, transportation to San Francisco from distant parts of Northern California may require several hours of travel and may create obstacles to meeting document deadlines, particularly if the

respondent lacks reliable transportation. This logistical reality supports deadline extension requests that account for transportation constraints.

Risk Assessment, Preservation of Arguments, and Appeal Strategy

Risk Levels Associated with Different Scheduling Order Scenarios

The risk of adverse outcomes in scheduling order practice varies considerably based on the specific circumstances. If a respondent has timely filed applications for relief well in advance of the scheduling order deadline and the applications are substantively strong (with good documentary support and clear eligibility), the primary remaining risk is that the immigration judge will deny the relief application on the merits at the individual calendar hearing. The risk of dismissal or unfavorable judgment based on procedural grounds is low to medium in this scenario. If a respondent is approaching a scheduling order deadline and has significant documentary evidence of good cause for an extension (such as recent retention of counsel, recent discovery of critical evidence, or a truly pending collateral matter with USCIS), the risk of denial of an extension motion is low to medium, though some judges may be less accommodating than others.

The risk level rises substantially when a respondent has not yet begun preparation for a relief application and the scheduling order deadline is imminent. In this scenario, the practitioner faces a medium to high risk that an extension motion will be denied, particularly if the respondent or prior counsel are responsible for the delay. If an extension motion is denied, the respondent will be left with no opportunity to file the relief application unless they can later establish good cause for missing the deadline through a post-hoc motion to reconsider or reopen. This is a high-risk scenario because motion to reconsider and motion to reopen have substantial burdens of proof and courts are resistant to permitting respondents to cure their own scheduling failures.

The highest risk scenario is one where a scheduling order deadline has passed, no motion for extension was filed before the deadline, and the respondent now seeks to cure the missed deadline through a motion to reconsider or reopen filed after the fact. In this situation, the burden is on the respondent to demonstrate extraordinary circumstances beyond the respondent's control that prevented timely filing, and the courts apply a skeptical standard to such motions based on the BIA's holding in [Matter of R-C-R-, 28 I&N Dec. 74 (BIA 2020)][25]. The risk of denial is high to very high in this scenario unless the respondent can identify very compelling circumstances (such as a hospitalization or serious injury preventing communication with counsel, or serious communication breakdown between counsel and client not attributable to the respondent).

Arguments to Preserve for Appeal of Adverse Scheduling Order Determinations

If an immigration judge denies an extension motion or rules that a relief application has been waived, practitioners should frame their arguments at the immigration court level in a manner that preserves issues for appeal to the Board of Immigration Appeals and potentially to federal court. Arguments that should be preserved include due process challenges to the scheduling order deadline on the grounds that the deadline was unreasonably compressed or did not provide the respondent a reasonable opportunity to develop their case, arguments that the respondent exercised due diligence in attempting to meet the deadline, arguments that the government's position changed in a way that prevented compliance with the deadline, and arguments that administrative closure or other procedural mechanisms should have been granted to provide additional time.

When challenging the immigration judge's determination that a relief application has been waived, practitioners should ensure that the hearing transcript clearly reflects that the relief application was substantively filed (even if late) and should argue that the immigration judge should exercise discretion to consider the application despite lateness. This creates a record for appeal arguing that the immigration judge

erred in failing to consider a substantively proper application merely because of timing concerns.

BIA Appeal and Certification Strategy

When the immigration judge issues a removal order after denying relief based on a scheduling order deadline, the respondent should appeal to the Board of Immigration Appeals within thirty calendar days of the judge's decision [48]. The BIA will review the immigration judge's determination that a relief application was waived to determine whether it was an abuse of discretion or contrary to law. BIA review of deadline determinations is deferential, meaning that the BIA will uphold an immigration judge's scheduling determination unless the judge clearly abused discretion, but practitioners should present arguments on appeal that emphasize the respondent's due process rights and any equitable considerations supporting relief.

In some circumstances, rather than appealing an adverse decision, the respondent should consider filing a motion to reopen or motion to certify with the immigration judge, which may be more advantageous than an appeal to the BIA. A motion to certify allows the immigration judge to refer an issue of first impression or significant legal importance to the BIA for precedential decision. If a scheduling order case presents novel issues regarding the interpretation of good cause or the application of due process limitations to scheduling deadlines, certification might be appropriate.

Federal Court Review of Immigration Judge Scheduling Determinations

Federal court review of immigration judge scheduling order determinations is available through habeas corpus petition under 28 U.S.C. § 2241 or through petition for review of a BIA decision under 8 U.S.C. § 1252. However, federal courts give substantial deference to immigration judges' procedural determinations, and they generally will not overturn an immigration judge's scheduling decision unless it represents a clear abuse of discretion or violates constitutional due process. Federal courts also typically require exhaustion of administrative remedies (including appeals to the BIA) before entertaining federal court challenges.

The federal courts' review of scheduling order determinations has generally been quite deferential to immigration judges, recognizing that judicial efficiency concerns and the immigration judge's discretion to manage cases support procedural determinations made in the course of removal proceedings. Practitioners should not expect federal court relief from immigration judge scheduling determinations except in the most egregious circumstances involving clear constitutional violations or wholesale disregard of statutory procedural requirements.

Conclusion and Synthesis of Critical Considerations

Immigration Judge scheduling orders represent a fundamental aspect of contemporary removal proceedings before United States immigration courts, and compliance with scheduling order deadlines is absolutely critical to preserving respondents' rights to pursue available forms of relief from removal. The regulatory framework established in [8 C.F.R. § 1003.31(c)] and the EOIR Policy Memorandum 21-18 create a two-stage filing process for represented, non-detained respondents: first, a thirty-day period for filing written pleadings and evidence regarding removability charges, and second, a sixty-day period for filing applications for relief following the immigration judge's determination of removability. The Board of Immigration Appeals' precedential decision in [Matter of R-C-R-, 28 I&N Dec. 74 (BIA 2020)] established that respondents who fail to meet firm scheduling order deadlines automatically waive their opportunity to pursue relief absent a timely motion to reopen or reconsider supported by compelling evidence of good cause.

Practitioners representing respondents in removal proceedings should prioritize the following practices: immediately upon receipt of a scheduling order, establish a calendar system to track all deadlines and ensure

that notices are provided to practitioners and clients at regular intervals before each deadline expires; conduct thorough client interviews and case investigations well in advance of filing deadlines to ensure adequate time for evidence gathering and relief application preparation; file pre-deadline motions for extension if time constraints make compliance with established deadlines impossible, rather than attempting to cure missed deadlines through post-hoc motions to reconsider or reopen; frame extension motions in terms that articulate specific good cause factors and demonstrate that the respondent and counsel have exercised due diligence to meet the original deadline; consider administrative closure of proceedings if collateral matters pending before USCIS or in state court may affect relief eligibility or outcomes; and ensure that all arguments regarding due process rights and reasonable opportunity to develop claims are clearly made at the immigration court level to preserve these arguments for appellate review.

The Northern California context, including the San Francisco Immigration Court's specific procedures and the characteristics of the Bay Area's immigrant populations (heavily weighted toward Central American asylum seekers, Mexican nationals, and various family-based petitioners), requires particular attention to country conditions documentation, bilingual communication with clients, and understanding of the interaction between California state law modifications to criminal convictions and federal immigration consequences. Practitioners should maintain current knowledge of local judge practices regarding deadline extensions, understand the specific detention facilities that serve the Northern California region, and develop familiarity with Spanish-language resources documenting country conditions relevant to clients' asylum and withholding of removal claims.

The strategic use of scheduling order practice-extending deadlines when necessary, seeking administrative closure when collateral matters are pending, and filing relief applications that comprehensively document eligibility and merit-can substantially improve outcomes for respondents facing removal. Conversely, allowing scheduling order deadlines to pass without proactive engagement through motion practice can result in permanent loss of relief eligibility and removal orders that might have been preventable through proper procedural management. The critical importance of deadline compliance in immigration proceedings cannot be overstated, as missed deadlines frequently constitute the difference between cases where respondents obtain relief and remain in the United States and cases where respondents are removed.

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- [2] 8 U.S.C. § 1208 (Asylum and Withholding of Removal)
- [3] 8 U.S.C. § 1229a (Removal Proceedings)
- [4] 8 U.S.C. § 1229b (Cancellation of Removal)
- [5] 8 U.S.C. § 1229c (Voluntary Departure)
- [6] 8 C.F.R. § 1003.17 (Practice and Procedure - Representation)
- [7] 8 C.F.R. § 1003.18 (Docket Management)
- [8] 8 C.F.R. § 1003.31 (Filing Documents and Applications)

[9] 8 C.F.R. § 1003.38 (Appeals to the Board)

[10] 8 C.F.R. § 1208.4 (Filing Asylum Applications - One-Year Deadline)

[11] 8 C.F.R. § 1240.6 (Voluntary Departure - Authority of Immigration Judge)

[12] 8 C.F.R. § 1240.8 (Burdens of Proof in Removal Proceedings)

[13] 8 C.F.R. Part 1240 (Proceedings to Determine Removability of Aliens)

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[16] EOIR Immigration Court Practice Manual, Chapter 4.15 (Master Calendar Hearing)

[17] EOIR Immigration Court Practice Manual, Chapter 4.16 (Individual Calendar Hearing)

[18] EOIR Immigration Court Practice Manual, Chapter 5.10 (Other Motions)

[19] EOIR Immigration Court Practice Manual, Appendix C (Deadlines)

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[26] ILRC Practice Advisory: Representing Clients at the Master Calendar Hearing (2018)

[27] ILRC Practice Advisory: Seeking Administrative Closure and Termination (2025)

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[30] Form I-589: Application for Asylum and Withholding of Removal

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Date Last Updated: February 2, 2026

Scope: This report addresses scheduling orders in removal proceedings under INA § 240 and related federal immigration law, with emphasis on Northern California immigration practice, particularly the San Francisco Immigration Court. The report reflects law current as of February 2, 2026, but practitioners should verify that cited authorities remain good law and should consult additional sources for the most current policy developments, regulatory amendments, and case law.