

CHECKLIST FOR SKELETAL MOTIONS TO REOPEN

Documents specific to motions to the Board of Immigration Appeals (BIA) are highlighted in **blue** and to an Immigration Court are highlighted in **green**

Do Not Use This Checklist for Motions to Rescind and Reopen In Absentia Order

For filing with the immigration court that issued the removal order OR the BIA if the BIA issued the final order of removal:

- Cover Letter (*template included*)
- Notice(s) of Entry of Appearance as Attorney for Each Respondent
 - **EOIR 28 (Immigration Court):**
<https://www.justice.gov/sites/default/files/pages/attachments/2015/07/24/eoir28.pdf>
 - **EOIR 27 (BIA):**
<https://www.justice.gov/sites/default/files/pages/attachments/2015/07/24/eoir27.pdf>
- Fee Waiver or \$110 Filing Fee for Motion to Reopen (NOTE: A filing fee / fee waiver is NOT required for MTRs seeking to reopen to apply for asylum, withholding, or CAT protection)
 - Fee Waiver
 - **Motion for a Fee Waiver (*template included*) + Form EOIR 26A**
<https://www.justice.gov/sites/default/files/pages/attachments/2015/07/24/eoir26a.pdf>
 - **Form EOIR 26A (*see above*)**
 - Or MTR \$110 Filing Fee:
 - **For Immigration Court: Pay at local USCIS office and attach receipt to MTR**
 - **For BIA: Include check or money order payable to “U.S. Department of Justice”**
- Motion to Reopen (*template included*)
 - Motion
 - Exhibit List and Exhibits
 - Application for Immigration Relief
 - Proof of Service
 - **Immigration Court: Proposed Order**
- Emergency Motion for Stay (*templates included*)
 - Emergency Stay Motion (either for Fear-Based or Non-Fear-Based Claims)
 - Exhibit List and Exhibits
 - Proof of Service
 - **Immigration Court: Proposed Order**