

**AILA / CHICAGO ASYLUM OFFICE LIAISON MEETING  
OCTOBER 18, 2018 · 10:00 A.M.**

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**TVPRA**

1. How many TVPRA asylum applicants have you interviewed since October 1, 2018?

*See attached statistics.*

2. How many TVPRA asylum cases have you adjudicated since October 1, 2018?

*See attached statistics.*

3. How many TVPRA asylum cases are currently pending a decision?

*See attached statistics.*

4. Are there any procedural changes in light of the new Executive Orders or due to new Headquarter directives with regard to TVPRA cases that you can share with the chapter?

*There are no new procedural changes to report.*

5. Has new guidance been issued related to the scheduling of TVPRA asylum applicants? Since TVPRA asylum applicants are not priorities within the LIFO scheduling paradigm, is the Asylum Office currently scheduling TVPRA asylum applicants for interviews?

*The AO is currently awaiting guidance in light of the recent BIA decision Matter of M-A-C-O, 27 I&N Dec. 477 (BIA 2018).*

**REASONABLE/CREDIBLE FEAR**

6. How many credible fear interviews have you conducted since October 1, 2018?

*See attached statistics.*

7. How many reasonable fear interviews have you conducted since October 1, 2018?

*See attached statistics.*

8. How many individuals are currently waiting to receive a credible/reasonable fear interview?

*See attached statistics.*

9. How many individuals are currently waiting to receive a credible/reasonable fear decision?

*See attached statistics.*

10. Are there any procedural changes in light of the new Executive Orders or due to new Headquarter directives?

*There are no new procedural changes to report.*

11. Has the Asylum Office resumed normal scheduling of non-detained credible/reasonable fear interviews? Relatedly, who is the best person to contact when a non-detained client is approaching their one-year deadline and requires a credible fear interview to proceed with his/her application for asylum?

*Yes, the Chicago AO has resumed normal scheduling of non-detained credible/reasonable fear interviews. Chapter members should submit their request for a non-detained CF/RF interview, in writing, to the Chicago AO as soon as possible before the one-year deadline. If chapter members do not receive a response from the Chicago AO within a reasonable amount of time they should follow-up their written request by calling the Chicago AO. Chapter members whom have made repeated requests and have not had a non-detained CF/RF interview scheduled should contact AO Director Kenneth Madsen at 312-849-5225 or Asylum Office Deputy Director, Lisa Flanagan at 312-894-5221.*

## **ASYLUM**

12. How many asylum cases have you adjudicated since October 1, 2018?

*See attached statistics.*

13. How many grants/denials/referrals?

*See attached statistics.*

14. Any new trends in asylum cases? Has the asylum office seen an influx of cases from any particular region of the world?

*The Chicago AO has received an increased number of applicants from South America not previously seen.*

15. Are there any procedural changes in light of the new Executive Orders or due to new Headquarter directives?

*There are no new procedural changes to report.*

16. Have there been any changes to the procedure for filing asylum applications when a principal applicant is also a derivative on a family member's application? Our current understanding is that chapter members should file the first family member's asylum application with the Nebraska Service Center and then, upon receipt of the biometrics notice, file the second family member's asylum application directly with the Chicago Asylum Office.

*No, there have not been any changes to the procedure for filing asylum applications where the principal is also a derivative on a family member's application. The Chicago AO recognizes that chapter members continue to experience issues with filing the derivative family member's application(s) and coordinating interview scheduling. New tracking software at the AO does not allow applications for two (2) principal applicants to be connected as a family group. This issue is being worked. The Chicago AO is actively addressing this issue with HQ. Presently, the AO is establishing a "Family Unit" to manually connect these filings prior to interview scheduling. Please notify the AO in correspondence marked FAMILY UNIT, that you have files both as Principal and Dependent and we will make every effort to combine those cases for interview. In addition, you can file one case as Principal and Dependent and file the second Principal I-589 application directly to the AO marked FAMILY UNIT.*

17. Chapter members report being advised that their cases are being added to the short notice/cancellation list queue when their requests for an expedited interview are denied. How many cases are on this list? How many interviews were scheduled from that list since the last AILA meeting on June 7, 2018?

*There are presently approximately 50 cases in the short notice/cancellation queue. The Chicago AO does not collect data on the number of interviews scheduled from this list throughout the fiscal year. The AO requests that chapter members submit reschedule requests as far ahead of the interview date as time will allow so that those time slots can be given to applicants on the short notice/cancellation list.*

18. Can the Asylum Office provide an update as to the procedure or timeline for scheduling long-pending cases that were filed before January 2018? Are any pre-January 2018 cases being scheduled and if so, is that first-in, first-out as to the filing date?

*At present staffing levels the Chicago AO is unable to systematically address cases in the backlog. The Chicago AO is hiring additional staff to address long-pending cases and will begin to schedule long-pending cases.*

19. Is the Asylum Office able to interview all of the newly filed asylum cases within 43 days of receipt?

*The Asylum Office is generally able to interview all newly filed cases. The Asylum Office interviews long-pending cases when officers have the capacity to do so.*

- a. If not, what percentage of newly filed cases is being interviewed within 43 days of receipt?

*See above.*

- b. If a newly filed case is not interviewed within 43 days, does that case go into the backlog?

*See above.*

20. What is the best way for chapter members to inform the Asylum Office that an applicant is a member of the *Mendez Rojas* class?

*Chapter members should note that an applicant is a class member at the top of their cover letters to any and all filings with the AO. For supplementary filings made to the front desk, chapter members should also alert front desk staff that an applicant is a class member.*

21. Can the Asylum Office provide guidance on how reschedule requests are being addressed when the request is due to the limited notice attorneys receive in advance of asylum interviews? Attorneys, especially, solo practitioners, may need to request reschedules when conflicts arise with EOIR hearings or other CIS interviews that are scheduled. Relatedly, chapter members report that reschedule requests of LIFO cases are now delayed. Have there been any procedural changes that effect the rescheduling of LIFO interviews?

*The AO makes every effort to reschedule interviews as soon as possible after the request is received. Please make every effort to send in reschedule requests as soon as possible to enable the AO to use those interview slots to schedule applicants on the short notice/cancellation list.*

22. What is Asylum Office's policy on new attorney/new interpreter observation in an asylum interview (with applicant's consent) for training purposes? Is there a procedure chapter members should follow to inform the Asylum Office when a new attorney or interpreter will observe an interview?

*The Chicago AO recognizes the value of allowing new translators/attorneys to observe an interview for training purposes and is implementing a new policy to allow for these training opportunities.*

*The procedure to request new translator/attorney interview observation for training purposes should be made in writing as follows:*

- *Fax the request to 312-849-5201 - Attn: Edward Jeszka*
- *Supplementary documents submitted pre-interview should also note that the request has been made.*

23. Chapter members report officers interrupting clients during interviews to obtain “specific information” and/or “review the file” that make it evident the officer is not thoroughly reviewed the case prior to the interview. These interruptions not only throw off the Applicant’s train of thought, but create significant confusion as they are repeatedly interrupted for “specific information” and/or “file review” based upon an inadequate understanding of their claim. Do the officers receive training on interview pacing and the timing/effect that these interruptions can have on the applicants? How far ahead of time does an officer receive the interview file prior to interview? Are the officers required to prepare interview questions ahead of time for each interview?

*Officers typically receive their assigned files the week previous to the interview. Although interruptions and file review may be necessary during an interview, the AO management staff understands the importance of minimalizing these interruptions and will address these issues/concerns in training.*

24. Chapter members continue to report that their timely-filed supplementary documents are not part of the Applicant’s file at the interview. Officers have stated that they either do not have the supplementary documents or did not receive the documents until moments before the interview. The chapter is concerned that officers cannot conduct thorough interviews without access to supplementary filings in advance of the interview. What can chapter members do to ensure the supplementary documents have reached their client’s file in advance of the interview?

*The AO is aware of this issue and is addressing it by hiring additional support staff to ensure that all timely-filed supplementary documents are given to the assigned officer in advance of the interview. In addition, the AO will provide case assignment lists to the front desk staff further in advance of the interview date to promote efficiency in routing timely-filed supplementary documents to the interviewing officers.*

25. Liaison has identified a clear trend in officers whom refuse to give their names, state that they are only permitted to give their first name, and/or state that they are not allowed to give their name as a matter of policy. Chapter members also report being told by officers that they can get the name from the mail-out or pick-up notice at the end of the interview which only provides an officer’s signature. What is the current policy with regard to interviewing officers sharing their names?

*The Chicago AO policy provides that officers should identify themselves by their first and last names in interviews. Officers have been instructed that they are to provide their first and last names without issue when requested.*

**REQUEST TO CHAPTER MEMBERS:** *Chapter members who continue to experience issues with officers refusing to provide their full name and/or offering their CCH code in lieu of their name should contact the liaison co-chairs, in writing, at the email addresses listed below. Please remember to include a copy of your G-28 with your email.*

*KiKi Mosley – kiki@kikislaw.com*

*Amanda Crews Slezak - acrews@heartlandalliance.org*

26. Chapter Members continue to report issues with G-28s not being properly attached to filings and/or attorney mailing addresses being properly entered and honored. What can chapter members do to ensure that their G-28 is recognized by the Asylum Office from the date of filing?

*The Chicago AO is deeply troubled by this continued issue and is actively engaging with management and support staff to address it.*

27. The August 2018 USCIS Asylum Division Quarterly Stakeholder Meeting Q&As state that “Asylum office directors may, at their discretion, allow the use of electronic devices for note-taking or other purposes.” Will attorneys now be allowed to use laptops during interviews to take notes? How does an attorney request that they be permitted to use a laptop during an interview?

*The Chicago AO policy has not changed; electronic devices are not permitted for note-taking purposes. HQ has reaffirmed this policy and the Chicago AO requests that chapter members abide by this policy without issue.*

### **NACARA**

28. How many NACARA applications are currently pending with the Chicago Asylum Office?

*See attached statistics.*

29. How many grants/denials?

*See attached statistics.*

### **MISCELLANEOUS**

30. Can you provide an update on any new staff and supervisory positions?

*The Chicago AO continues to hire for officer and support staff positions. Currently the office is fully staffed at 60 officers. Fourteen new officers are currently at training with an additional four (4) officers on duty but whom had not attended training as of the date of the liaison meeting. The Chicago AO will continue to hire and expand through the 2019 fiscal year. In addition to many new faces the Chicago AO has also promoted several officers to supervisory positions. Most recently Heather Cleary, Marina Basseas, Jennifer Lorio, Heather Chelberg and Gloria Chong have been promoted to supervisory positions. AO liaison will provide an updated list of Senior Supervisors to the chapter, once available.*

**The next AILA Asylum Office Liaison Meeting will be held on Thursday January 24, 2019 at 10:00 a.m. at the Chicago Asylum Office. The meeting is open to all Chicago Chapter AILA members. All questions must be submitted to Amanda Crews Slezak at [acrews@heartlandalliance.org](mailto:acrews@heartlandalliance.org) by Friday January 18, 2019 no later than 3:00 p.m.**