

COA/COV Guidance & FAQs for Social Service Providers

What are the COA and COV? When are unaccompanied children (UCs) required to file the COA/COV?

- COA refers to the Change of Address form EOIR-33 that children in immigration proceedings are required to file within 5 days of moving.
- COV refers to a Change of Venue motion that individuals in immigration proceedings may file if they wish to move their case to the Immigration Court closest to their current address.

Where should the family send the COA/COV?

- When filing the COA and COV, the family must send 2 copies: one copy goes to the Immigration Court where the child's case is currently assigned, and a second copy goes to the corresponding DHS-ICE Office.
 - The addresses for the Immigrant Courts and blank copies of the COA form EOIR-33 can be found here: <u>https://www.justice.gov/eoir/form-eoir-33-eoir-immigration-court-listing</u>.
 - The addresses for the DHS-ICE Offices of the Principal Legal Advisor, or OPLA (formerly ICE Office of the Chief Counsel), can be found here: <u>https://www.ice.gov/contact/field-offices</u>.

How does the family know which Immigration Court they are assigned to, so they know where to send the COA/COV?

- The family should call the EOIR Hotline (1-800-898-7180) or check the online EOIR Portal (<u>https://portal.eoir.justice.gov/InfoSystem/Form?Language=EN</u>) every 1-2 weeks to check the status of the child's case and whether they have been assigned an immigration hearing.
- Once the child's information is in the system and assigned to an Immigration Court, the family should send in the COA/COV to the correct court and corresponding DHS-ICE Office.

Can the COA/COV be filed online?

 The COA can be filled out and submitted to the Immigration Court online at <u>https://respondentaccess.eoir.justice.gov/forms/eoir33ic/</u> and to DHS-ICE at <u>https://eserviceregistration.ice.gov/</u>. (Note that to file the COA online with DHS-ICE, families



This handout is for information only and not intended to serve as legal advice. If you are interested in more information, visit our Unaccompanied Children Resource Center at <u>ucresourcecenter.org.</u>





must first create an account through the DHS eService Portal as a "Pro Se Individual," or they can mail the hardcopy of the COA to the corresponding DHS-ICE Office as described above).

• The COV <u>cannot</u> be filed online and must be sent via regular mail as outlined above.

What if the child's case is not yet assigned to an Immigration Court? Where should they send the COA/COV in that case?

• The Immigration Court does not have jurisdiction over the child's case until DHS files the child's Notice to Appear with the court. If a child's case is not yet in the EOIR system, the family should wait to send the forms and continue checking the EOIR hotline or website every 1-2 weeks until the child is assigned to an Immigration Court.

What does it mean if the COA/COV are rejected?

 If a child's case is not yet in the EOIR system, the COA/COV will be rejected because the Immigration Court does not yet have jurisdiction over the child's case. The family should continue checking the EOIR hotline or website every 1-2 weeks until the child is assigned to an Immigration Court.

Who should sign the COA/COV?

- The sponsor/caregiver can sign the COA/COV on the child's behalf, or if a child is 14 or over, they can sign the COA/COV.
- Post Release Services workers and other social service providers can assist families with filling out the COA/COV but should not sign the forms.

How can a family confirm that the court has received the COA/COV?

- Families are encouraged to send the COA/COV via certified mail, so they receive a receipt as proof that the documents were delivered.
- The family or social service provider can also call the court to confirm that the COA/COV was received. A list of the Immigration Courts with phone numbers can be found here: <u>https://www.justice.gov/eoir/eoir-immigration-court-listing</u>.







What if the family mailed the COA/COV but the child's court hearing location has not been changed - are they still required to appear for their hearing?

- The family should call the court where their hearing is scheduled to confirm that the COA/COV was received. Depending on the court, the Immigration Judge may not process the Change of Venue request until the time of the child's hearing, or the family may be instructed to call the court to "appear" telephonically at the time of the child's hearing.
- Unless otherwise instructed by the Judge's clerk, the child should prepare to appear for their court hearing in person. The Immigration Judge can issue a deportation order if the child does not appear for court, regardless of whether a COA/COV is pending.

What is the correct way to fill out the COA/COV?

- Please refer to the examples on the following pages for a sample COA form and COV template with instructions.
- Please note this guidance is not intended to serve as legal advice. Families should consult an attorney for specific questions about their immigration case.

Other questions?

- If you have additional questions or need more assistance with the COA/COV, consult with an attorney. See the following lists of legal service providers:
 - o National Immigration Legal Services Directory (Immigration Advocates Network)
 - List of Pro Bono Legal Service Providers (EOIR)
 - o USCRI Humanitarian Legal Services Division





COA Sample (Page 1 of 2)

U.S. Department of Justice

Change of Address/Contact Information Form Immigration Court

Executive Office for Immigration Review

Instructions: To complete this form, fill out all blanks below, including proof of service, which certifies that you will provide a copy of this form to the Department of Homeland Security (DHS). After filling in the blanks and signing both the declaration and proof of service, you must submit the form electronically, in person, or by mail. If submitting electronically, file in Respondent Portal at https://respondentaccess.eoir.justice.gov. After filling in the blanks and signing both the declaration and proof of service, you must submit the form electronically, in person, or by mail. If submitting electronically, file in Respondent Portal at https://respondentaccess.eoir.justice.gov. Attorneys and fully accredited representatives submitting this form electronically must file in Case Portal at https://portal.eoir.justice.gov. Attorneys and fully accredited representatives submitting this form electronically must file in Case Portal at https://portal.eoir.justice.gov. If submitting by mail, follow the mailing instructions on Page 2. You must submit a separate copy of this form for each individual who has a case pending in immigration court and whom the change of information affects.

You must file this form with the immigration court within five working days of the change to your contact information, or your receipt of a charging document (e.g., a Notice to Appear) with incorrect contact information. The immigration court will send all official correspondence (e.g., notices, decisions) to the address you provide. The immigration court will only make any change(s) to your contact information in EOIR's records upon receipt of this form; the immigration court will not change your contact information based on different information on pleadings, motions, or other communications with the court.

If you fail to appear at any hearing before an immigration judge when notice of that hearing or other official correspondence was served on you or sent to the address you provided, DHS may take you into custody. In addition, the immigration court may conduct your hearing in your absence and enter an order of removal, deportation, or exclusion against you. If the court enters such an order, you may be ineligible for certain forms of relief from removal under the Immigration and Nationality Act as follows:

- If you are in *removal* proceedings: You will be subject to an order of removal for a period of ten years after the date of entry of the final order. You may also become ineligible for voluntary departure, cancellation of removal, and adjustment of status or change of status.
- If you are in *deportation* proceedings: You will be subject to an order of deportation for a period of five years after the date of the entry of the final order.
 You may also become ineligible for voluntary departure, suspension of deportation or voluntary departure, and adjustment of status or change of status.
- If you are in *exclusion* proceedings: Your application for admission to the United States may be considered withdrawn.

Name – Last, First, Middle, Suffix (if applicable):	A-Number:
Child's name (last name, first name, middle name)	A-number
My FORMER address and phone number were:	My CURRENT address and phone number are:

Previous Sponsor/Caregiver name (if applicable) "in care of" other person (if any) Previous address (number, street, apt. #) Number; Street; Apartment (if any) City, state, zip code City, State, and ZIP code; Country (if other than U.S.) Phone number (###) ###-#### Phone Number (include country code if other than U.S.) Email address Email Address

My CURRENT address and phone number are:			
Current Sponsor/Caregiver name "in care of" other person (if any)			
Current address (number, street, apt. #) Number; Street; Apartment (if any)			
City, state, zip code City, State, and ZIP code; Country (if other than U.S.)			
Phone number (###) ###-#### Phone Number (include country code if other than U.S.)			
Email address Email Address			

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that I am the person named above associated with the A-Number listed above, and that the information contained in this form is true and correct to the best of my knowledge.

SI	GN HERE	X	Sponsor/caregiver or child 14+ signature Signature	(month/day/year) Date	
I, to		a me pal Legal A	PROOF OF SERVICE , provided a copy of this Change of Address Form on, dvisor for DHS Immigration and Customs Enforcement-ICH of DHS-ICE OPLA office where the case is current	(date) E at:	
(Indicate if electronic/email service, or in-person or mail service (provide Number and Street, City, State, ZIP Code)) By signing, I agree to provide a copy of this Change of Address Form to the Office of the Principal Legal Advisor for DHS Immigration and Customs Enforcement-ICE at the location I selected above. I understand that I can provide DHS with a copy either electronically through the DHS eService portal (register at <u>https://eserviceregistration.ice.gov</u>), or by mail or personal delivery.					
	GN HERE		gistered user who filed through the ECAS Case Portal. Sponsor/caregiver or child 14+ signat Signature	ure	
				Form EOIR-33/IC Revised February 2022	

COA Sample (Page 2 of 2) SERVICE INSTRUCTIONS

1. Provide a copy of the completed form to the DHS ICE Office of the Principal Legal Advisor (OPLA) per the method you specific the DHS ICE of the DHS ICE o

eService Portal, located at <u>https://eserviceregistration.ice.gov</u>. Addresses for DHS ICE OPLA Field Locations where copies can be mailed or delivered in-person are available online at <u>https://www.ice.gov/contact/legal</u>. Failure to comply with these requirements may result in EOIR rejecting the filing.

- 2. To mail the form to the immigration court, fold the page at the dotted lines marked "Fold Here" so that the address is visible. (Important: Ensure the address section is visible after you fold the page.)
- 3. Staple, or otherwise secure, the folded form along the open end marked "Fasten Here."
- 4. Place appropriate postage stamp in the area marked "Place Stamp Here."
- 5. Write your return address in the area marked "PUT YOUR ADDRESS HERE."
- 6. Mail the original form to the immigration court.

Fold Here

PUT YOUR ADDRESS HERE

Families may also put this

form in an envelope and

leave this blank.

Place Stamp Here

U.S. Department of Justice

Executive Office for Immigra	ation Review Should match the
Immigration Court	immigration court
1705 E. Hanna Road	where the child's
Suite 366 Eloy, AZ 85131	case is currently
	assigned.

Fold Here

Privacy Act Notice

The information on this form is required by 8 U.S.C. § 1229(a)(1)(F)(ii) and 8 C.F.R § 1003.15(d)(2) in order to notify EOIR's immigration court of any change(s) of address or phone number. The information you provide is mandatory. Failure to provide the requested information limits the notification you will receive and may result in adverse consequences noted above. EOIR may share this information with others in accordance with approved routine uses described in EOIR's system of records notice EOIR–001, Records and Management Information System, and EOIR-003, Practitioner Complaint-Disciplinary Files.

COV Sample

UNITED STATES DEPARTMENT OF JUSTICE EXECUTIVE OFFICE FOR IMMIGRATION REVIEW IMMIGRATION COURT ADDRESS OF IMMIGRATION COURT WHERE CASE IS CURRENTLY ASSIGNED Number, street City, state, zip code

)

IN THE MATTER OF :

Youth's name (last name, first name, middle name)

(JUVENILE RESPONDENT'S NAME / NOMBRE COMPLETO Y VERDADERO))

Youth's A-number

IN REMOVAL PROCEEDINGS (JUVENILE CASE)

(JUVENILE RESPONDENT'S ALIEN NUMBER / NÚMERO DE INMIGRANTE)

MOTION FOR CHANGE OF VENUE

The JUVENILE RESPONDENT in this matter is residing at the following address.

Youth's current address

Number, street, apt. #

City, state, zip code

United States of America

JUVENILE RESPONDENT requests that his/her case be transferred to the Immigration Court closest to JUVENILE RESPONDENT'S place of residence.

Date (month/day/year)

(date / FECHA DE FIRMA -- mes, día y año)

Date (month/day/year)

(date / FECHA DE FIRMA -- mes, día y año)

Youth's signature if 14 or older

(Juvenile Respondent's signature / FIRMA DE MENOR)

Sponsor/caregiver signature (Adult Sponsor's signature / FIRMA DE ADULTO)

Sponsor/caregiver name

(Adult Sponsor's name / ESCRIBA NOMBRE DE ADULTO)

Sponsor/caregiver phone number (###) ###-#### (Adult Sponsor's telephone number / NÚMERO DE TELÉFONO)

CERTIFICATE OF SERVICE

I certify that I have today placed in first class mail a true copy of the foregoing Motion to Change Venue in an envelope addressed as follows:

Address of DHS-ICE OPLA office where youth's case is currently assigned

Sponsor/caregiver or youth 14+ signature

(Adult Sponsor's Signature / FIRMA DE ADULTO)

Date (month/day/year)

(Date / FECHA)

UNITED STATES DEPARTMENT OF JUSTICE EXECUTIVE OFFICE FOR IMMIGRATION REVIEW IMMIGRATION COURT

IN THE MATTER OF :

(JUVENILE RESPONDENT'S NAME / NOMBRE COMPLETO Y VERDADERO)

<u>IN REMOVAL</u> <u>PROCEEDINGS</u> (JUVENILE CASE)

)

)

(JUVENILE RESPONDENT'S ALIEN NUMBER / NÚMERO DE INMIGRANTE)

MOTION FOR CHANGE OF VENUE

The JUVENILE RESPONDENT in this matter is residing at the following address.

United States of America

JUVENILE RESPONDENT requests that his/her case be transferred to the Immigration Court closest to JUVENILE RESPONDENT'S place of residence.

(date / FECHA DE FIRMA -- mes, día y año)

(date / FECHA DE FIRMA -- mes, día y año)

(Juvenile Respondent's signature / FIRMA DE MENOR)

(Adult Sponsor's signature / FIRMA DE ADULTO)

(Adult Sponsor's name / ESCRIBA NOMBRE DE ADULTO)

(Adult Sponsor's telephone number / NÚMERO DE TELÉFONO)

CERTIFICATE OF SERVICE

I certify that I have today placed in first class mail a true copy of the foregoing Motion to Change Venue in an envelope addressed as follows:

(Adult Sponsor's Signature / FIRMA DE ADULTO)

(Date / FECHA)