

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

NATIONAL IMMIGRATION PROJECT OF
THE NATIONAL LAWYERS GUILD, *et al.*,

Plaintiffs,

-against-

EXECUTIVE OFFICE OF
IMMIGRATION REVIEW, *et al.*,

Defendants.

Civil Action No. 1:20-cv-00852 (CJN)

**PLAINTIFFS' SUPPLEMENTAL BRIEF IN SUPPORT OF
EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER**

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Plaintiffs respectfully submit this supplemental brief to bring to the Court's attention new evidence that denials of motions for continuance are ongoing, including in cases where a hearing participant had tested positive for COVID-19. Indeed, on April 15, as this Court was being assured by Defendants that its concern about such denials was entirely hypothetical, *see* Hr'g Tr. 39:12-13, a detained person who had tested positive for COVID-19 was denied a request for continuance of a hearing scheduled for April 16. As a result, the individual was required to attend a two-hour hearing on April 16, during which the guard accompanying him informed the immigration judge that the individual was too sick even to state his name. Right after the hearing, he was hospitalized, and he is now in intensive care. *See* Ex. 55, Semino Decl. ¶¶ 6-10.¹

As the Court pointedly ascertained in the April 15 hearing, such denials of a continuance create an injury for which there is no remedy. *See* Hr'g Tr. 38:6-42:13. Even setting aside that the immigration system does not provide a viable means of interlocutory review,² interlocutory review could not provide a remedy for the harm to the health of the detained person or to others who are required to participate in such proceedings, or who later come into contact with the participants. This risk goes beyond outright denials – requests for continuances often go unaddressed, so that counsel must appear in court, even when continuances are ultimately granted, irreparably risking the health of all concerned as fully as if the request had been denied.

¹ Although this hearing was nominally “remote,” the detained person’s participation caused him to be transported out of quarantine and to expose at a minimum one guard unnecessarily.

² Executive Office for Immigration Review, *Board of Immigration Appeals Practice Manual* (Feb. 20, 2020), <https://www.justice.gov/eoir/page/file/1250701/download> (“(c) Scope of interlocutory appeals. – The Board does not normally entertain interlocutory appeals and generally limits interlocutory appeals to instances involving either important jurisdictional questions regarding the administration of the immigration laws or recurring questions in the handling of cases by Immigration Judges. *See Matter of K-*, 20 I&N Dec. 418 (BIA 1991).”).

This supplemental brief accordingly presents additional evidence of this ongoing irreparable injury and summarizes the evidence already in the record that demonstrates a pattern of activity and injury that necessitates this Court's intervention. In addition, at the Court's direction, this brief provides updates as to the circumstances of the individual Detained Plaintiffs.

ARGUMENT

A. In-Person Proceedings Continue To Be Conducted Despite Objections

The record in this case, as well as additional declarations filed with this supplemental brief,³ demonstrate that in-person hearings continue to take place for a variety of reasons, including because:

- Courts deny or fail to timely respond to requests for continuances, such that counsel, detained persons, witnesses, or others must appear in person and commingle with other people before they learn that the hearing has been or will be adjourned.
 - Ex. 9, Terezakis Decl. ¶¶ 32-33
 - Ex. 31, Steiner Decl. ¶¶ 5, 10
 - Ex. 35, Boyle Decl. ¶¶ 7-8
 - Ex. 55, Semino Decl. ¶¶ 5-7
- Courts deny or fail to timely respond to requests to participate by telephone in what is otherwise an in-person proceeding, such that counsel, detained persons, witnesses, or others must appear in person and commingle with other people.
 - Ex. 3, Church Decl. ¶ 11
 - Ex. 9, Terezakis Decl. ¶¶ 36-41
 - Ex. 31, Steiner Decl. ¶ 10
 - Ex. 51, Beckett Decl. ¶¶ 4-6
 - Ex. 52, Stump Decl. ¶¶ 5-8

³ Plaintiffs are submitting additional declarations from practitioners describing recent events. Ex. 51, Beckett Decl.; Ex. 52, Stump Decl.; Ex. 53, Hartnett Decl.; Ex. 54, Edstrom Supp. Decl.; Ex. 55, Semino Decl.; Ex. 56, Lopez Supp. Decl.; Ex. 58, Sud-Devaraj Supp. Decl.; Ex. 60, Decl. Summary Chart. Plaintiffs are also submitting supplemental declarations on behalf of Organizational Plaintiffs AILA, NIPNLG, and IJC to explain which of the new declarants are members of the Organizational Plaintiffs. Ex. 57, Tolchin Supp. Decl.; Ex. 59, Voigt Second Supp. Decl.; Ex. 61, Greenstein Supp. Decl.

- Ex. 53, Hartnett Decl. ¶¶ 4-6

In addition to causing some or all of the participants in a proceeding to come together in person despite objection, these immigration court actions frequently result in other limitations of the right to counsel or due process rights. These include the inability to obtain evidence due to the COVID-19 pandemic, and the exclusion of a necessary person from participating in the proceeding. *See, e.g.*, Ex. 54, Edstrom Supp. Decl. ¶ 3-4; Ex. 35, Boyle Decl. ¶¶ 7-10.

Examples of these in the record (including the new declarations) are catalogued in the accompanying table. *See* Ex. 60.

B. “Remote” Hearings Often Fail To Protect Health Or Due Process

While Defendants emphasized that individual judges have discretion to conduct hearings remotely by video-conference (“VTC”) or telephone conference, the evidence summarized above demonstrates that the availability of discretion, without clear direction to exercise it, is insufficient to prevent irreparable injury. Further, the use of such hearings does not eliminate the harms to health and to the right to counsel that underlie the need for a temporary restraining order. As noted above, a nominally remote hearing occurred – over the detained person’s objection – on April 16, but this “remote” hearing was not, and could not have been, conducted safely and in accordance with due process. In this case, the detained person’s lawyer learned that the detained person was ill and being tested for COVID-19, and she filed a motion for a continuance on April 14. She also noted that she had not had access to her client to prepare for the hearing due to COVID-19 conditions, thereby depriving him of his right to counsel. After learning of her client’s positive diagnosis of COVID-19, the lawyer supplemented the motion for a continuance on April 15, noting the positive diagnosis and her client’s weak health condition. Notwithstanding this motion, her client was forced to travel through the detention center to appear by VTC for his hearing, accompanied by at least one ICE employee. The hearing

proceeded to consider the detained person's application for a T visa (a form of relief available to victims of human trafficking). After proceeding with the hearing for two hours (without the benefit of meaningful participation by the detained person, who was too ill to speak), the judge finally adjourned it and set it to continue as soon as next week, and even that short delay was due to the judge's inability to set it sooner. *See* Ex. 55, Semino Decl. ¶¶ 5-9. This incident exemplifies the risk to health and right to counsel even in nominally remote hearings.

In addition, immigration courts and detention facilities frequently do not have the capacity to connect all necessary parties remotely. This results in critical participants either being required to gather in common locations and/or being excluded altogether. *See, e.g.*, Ex. 52, Stump Decl. ¶¶ 5-7; Ex. 54, Edstrom Supp. Decl. ¶¶ 3-4; Ex. 38, Bennion Decl. ¶¶ 2-3; Ex. 22, Hollithorn Decl. ¶ 13. There are also numerous examples in the record of attorneys being prepared to appear telephonically, but never receiving calls at the appointed time. *See, e.g.*, Ex. 36, Green Decl. ¶¶ 4-6; Ex. 39, Ford Decl. ¶ 5.

Examples of these injuries in the record are also summarized in the accompanying table. *See* Ex. 60.⁴

C. Update Regarding Individual Plaintiffs

As requested by the Court at the April 15 hearing, the following update is provided concerning the individual plaintiffs.

⁴ Defense attorneys are not the only participants worried about their ability to zealously represent their clients in the face of COVID-19. Attorneys for Defendant ICE have reported to their union president that "not enough documents were available online to do a 'credible job of representing the government.'" Liz Robbins, *As Coronavirus Spreads, So Does Panic and Confusion at Immigration Courts Across The U.S.*, The Appeal (Apr. 3, 2020), <https://theappeal.org/as-coronavirus-spreads-so-does-panic-and-confusion-at-immigration-courts-across-the-u-s/>.

1. Reynaldo Guerrero-Cornejo

Mr. Guerrero-Cornejo continues to be detained at La Palma Detention Center in Eloy, Arizona. ICE currently reports that there are 6 confirmed cases of COVID-19 at La Palma.⁵ His individual hearing on the merits is scheduled to proceed on April 24, 2020. His attorney is at-risk for more serious complications from COVID-19 and cannot participate in an in-person hearing. To adequately represent Mr. Guerrero-Cornejo, his attorney would at a minimum require appearing by VTC, but that is not an option for the April 24 hearing, because to do so she would need to travel to either the Tucson Immigration Court or the detention center, neither of which she can do. Ex. 58, Sud-Devaraj Supp. Decl. ¶¶ 4-6. While the details of the April 24 hearing are still being arranged, she expects that: (1) the Immigration Judge and the interpreter will be together in one room at the Tucson Immigration Court and participate via VTC; (2) Mr. Guerrero-Cornejo will participate via VTC from the La Palma Correctional Center; (3) the DHS attorney will likely participate via VTC; (4) the attorney will appear telephonically; and (5) witnesses supporting Mr. Guerrero-Cornejo will have to participate in-person at the Tucson Immigration Court, which is more than a three-hour drive from where they reside. *Id.* ¶ 7. The attorney is very concerned that she will not be able to see her client while he is being questioned because she cannot participate by VTC.

I will be unable to judge from his body language and facial expressions whether he understands the questions posed to him, whether he is getting overwhelmed during cross-examination, whether he needs a break from the questioning, etc. Typically, I am able to gauge this information when a hearing is conducted in-person. For instance, when I am able to see my client during a hearing, I can tell when my client is not understanding a question or not following what the interpreter is saying. In that sort of scenario, I would normally request that the DHS attorney rephrase the question or I would rephrase any of my questions. By appearing telephonically, I will be unable

⁵ U.S. Immigrations and Customs Enforcement, *ICE Guidance on COVID-19*, <https://www.ice.gov/coronavirus> (accessed Apr. 19, 2020).

to fully and adequately represent Mr. Guerrero-Cornejo during his upcoming hearing.

Id. ¶ 8. The attorney, an AILA member, joined to support the TRO in this case in hopes that it would be granted in time to enable her to participate more fully in representing her client in the hearing, without having to put her life and health at risk.

2. Enrique Napoles Vaillant

Mr. Vaillant continues to be detained at La Palma Detention Center in Eloy, Arizona, where there are at least 6 confirmed cases of COVID-19. His individual hearing on his asylum claim is scheduled for June 22, 2020. He still does not have counsel.

3. Ernesto Rodriguez Cedeno

Mr. Cedeno continues to be detained at La Palma Detention Center in Eloy, Arizona, where there are at least 6 confirmed cases of COVID-19. After Mr. Cedeno's motion to continue was denied, his April 2 hearing ultimately was rescheduled to August 5, 2020. This fortuitous outcome, however, was only a result of EOIR's *sua sponte* rescheduling due to judge unavailability. Mr. Cedeno still does not have counsel.

4. Arlety Aliaga-Cobas

Ms. Aliaga-Cobas continues to be detained at Eloy Detention Center in Eloy, Arizona. Her individual hearing on her asylum claim is scheduled for June 2, 2020. She still does not have counsel.

5. Roberto Fausto Velasquez Quiala

Mr. Quiala continues to be detained at Pine Prairie ICE Processing Center in Pine Prairie, Louisiana. ICE currently reports that there are 4 confirmed cases of COVID-19 at Pine Prairie.⁶

⁶ U.S. Immigrations and Customs Enforcement, *ICE Guidance on COVID-19*, <https://www.ice.gov/coronavirus> (accessed Apr. 19, 2020).

Mr. Quiala's individual hearing is scheduled for May 19, 2020. Mr. Quiala's attorney has attested to how the constraints on remote access to communicate with individuals detained at Pine Prairie have caused him to struggle to communicate with Mr. Quiala. Ex. 4, Lopez Decl. ¶¶ 5-8; Ex. 56, Lopez Supp. Decl. ¶¶ 4-5.

D. A Temporary Restraining Order Is Necessary And Warranted

To avoid irreparable injury and to promote the public interest, in-person proceedings for detained individuals must be stopped during the public health emergency caused by the COVID-19 pandemic, and related continuances granted as of right. Consistent with the evidence previously presented and summarized above, immigration judges have likewise encountered an approach by EOIR that "has been marked by a chaotic, inconsistent and confusing series of pronouncements—some by order, some by memo, some by email, and some by Tweet . . . that are not based on conditions in the surrounding communities." Former Judges Br. at 3, ECF No. 20. The result is that "EOIR and therefore the immigration court system itself, has sacrificed due process in favor of rapid removals, leaving the court without any incentive at all to plan to protect the public health or the individuals and participants in the system." *Id.* at 2-3.

Government prosecutors are likewise concerned for their health and support an end to in-person hearings. The head of the American Federation of Government Employees Local 511, which represents ICE attorneys, publicly stated that "[a]ll of the attorneys . . . in our agency, they are scared to death."⁷ Other members of the union have also criticized Defendants' agency actions,

⁷ Alejandro Lazo, *Fear of Coronavirus in Immigrant Detention Leads to Preparation, Calls for Release*, The Wall Street Journal (Mar. 21, 2020), <https://www.wsj.com/articles/fear-of-coronavirus-in-immigrant-detention-leads-to-preparation-calls-for-release-11584810004>.

calling the decision to keep immigration courts open “absolutely outrageous” and a “conscious disregard for human life and safety.”⁸

This is a national problem stemming from Defendants’ actions to decline to set national standards.⁹ In these circumstances, it is entirely appropriate for the Court to require Defendants to exercise their authority to supervise the national system of immigration court and detention facilities. It is not realistic or consistent with basic notions of due process to instead require individual detained persons or their counsel to deal with these risks on a one-off basis in a game of whack-a-mole all over the country. This is especially the case when the record shows that Defendants can and do move detained persons around the country, far from where their counsel are located.¹⁰

Defendants have it within their power to bring order to the chaos by adopting clear statements that a request for continuance of a hearing based on COVID-19 shall be deemed granted upon filing. They also have the ability to require that remote hearings must proceed in a

⁸ Megan Towey, *Citing coronavirus pandemic, judges and ICE attorneys demand closure of immigration courts*, CBS News (Mar. 25, 2020), <https://www.cbsnews.com/news/citing-coronavirus-pandemic-judges-and-ice-attorneys-demand-closure-of-immigration-courts/>

⁹ Because detained persons are moved around the country and counsel may be in states far from the detention center, these are not solely localized issues. Likewise, because of the risk of transmission by asymptomatic or presymptomatic carriers, the absence of formal diagnoses of COVID-19 infection in a particular facility is not a reason to refuse minimum national guidance as is sought by this motion. For example, on Friday, April 17, Governor DeWine of Ohio reported that testing by the Ohio Department of Health in the population of a single correctional facility found high levels of COVID-19 infection among “individuals who otherwise are asymptomatic or would recover without a test. For example, the testing of one prison dorm in Marion found that out of 152 inmates, 39 percent tested positive for COVID-19 although they did not show any symptoms.” WKTN, *Gov. DeWine’s COVID-19 Update: Recovery Phase, Inmate Testing* (Apr. 17, 2020), <https://wktn.com/gov-dewines-covid-19-update-recovery-phase-inmate-testing>.

¹⁰ Ex. 51, Beckett Decl. ¶¶ 1, 3-4; Ex. 53, Hartnett Decl. ¶¶ 1-3, 7-8; Ex. 49, Durham Decl. ¶ 4.

manner that respects the right to counsel and due process by ensuring that all necessary participants may in fact participate meaningfully, rather than (as is the case now) dropping witnesses or interpreters because the court's system does not accommodate more than a minimal number of remote participants.¹¹ Their decision not to adopt such minimum standards (or to refuse to do so) constitutes agency action that the Court may set aside as arbitrary and capricious, or unlawfully withheld.

The Court need not find that Defendants have acted in bad faith – Plaintiffs make no such claim. Nor must the Court disregard the presumption of regularity of agency action, as Defendants contend. The agency action (or refusal to act) at issue is that of Defendants, not those of individual immigration judges or individual facilities. As to that action (or refusal to act), the Court is compelled to find, based on the uncontroverted evidence in the record of this case, that it has resulted in irreparable injury and presents an imminent and ongoing risk of irreparable injury to members of Organizational Plaintiffs and to Detained Plaintiffs for which the Court may afford relief in the form of a temporary restraining order.

CONCLUSION

For the foregoing reasons, and those set forth in the record of proceedings to date, this Court should GRANT Plaintiffs' Motion for a Temporary Restraining Order to prevent imminent

¹¹ For example, in a typical "remote" hearing (a) the immigration judge and interpreter will likely appear together by VTC from the immigration court, (b) the government attorney may appear by VTC from a separate location, (c) the detained person's attorney will likely appear by telephone from a separate location, and (d) witnesses, if they are permitted at all, are likely required to appear at the courthouse, either by VTC in a separate courtroom or in the same room as the judge. *See* Ex. 58, Sud-Devaraj Supp. Decl. ¶ 7; Ex. 54, Edstrom Supp. Decl. ¶ 4; Ex. 52. Stump Decl. ¶ 4.

and ongoing risk of irreparable injury, which is supported by the likelihood of success on the merits, the absence of injury to Defendants, and the public interest.

Dated: April 20, 2020
Washington, D.C.

Respectfully submitted,

/s/ Sirine Shebaya

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**IN THE UNITED STATES DISTRICT COURT
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NATIONAL IMMIGRATION PROJECT OF
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Plaintiffs,

-against-

EXECUTIVE OFFICE OF
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Defendants.

Civil Action No. 1:20-cv-00852 (CJN)

DECLARATION OF MATTHEW D. SLATER

I, Matthew D. Slater, pursuant to 28 U.S.C. § 1746, declare and state as follows:

1. I am an attorney admitted to practice before this Court and a partner of the law firm Cleary Gottlieb Steen & Hamilton LLP, counsel for National Immigration Project of the National Lawyers Guild, American Immigration Lawyers Association, Immigration Justice Campaign, Enrique Napoles Vaillant, Ernesto Rodriguez Cedeno, Arlety Aliaga-Cobas, Reynaldo Guerrero-Cornejo, and Roberto Fausto Velasquez Quiala. I submit this declaration in support of Plaintiffs' Supplemental Brief In Support Of Emergency Motion For Temporary Restraining Order, dated April 20, 2020.

2. Attached as Exhibit 51 to this declaration is a true and correct copy of the declaration of Eduardo Beckett, dated April 18, 2020.

3. Attached as Exhibit 52 to this declaration is a true and correct copy of the declaration of Kelli Stump, dated April 19, 2020.

4. Attached as Exhibit 53 to this declaration is a true and correct copy of the declaration of Matthew Hartnett, dated April 18, 2020.

5. Attached as Exhibit 54 to this declaration is a true and correct copy of the declaration of Michelle Edstrom, dated April 17, 2020.

6. Attached as Exhibit 55 to this declaration is a true and correct copy of the declaration of Veronica Semino, dated April 18, 2020.

7. Attached as Exhibit 56 to this declaration is a true and correct copy of the declaration of Homero López, dated April 19, 2020.

8. Attached as Exhibit 57 to this declaration is a true and correct copy of the declaration of Stacy Tolchin on behalf of the National Immigration Project of the National Lawyers Guild, dated April 19, 2020.

9. Attached as Exhibit 58 to this declaration is a true and correct copy of the declaration of Monika Sud-Devaraj, dated April 19, 2020.

10. Attached as Exhibit 59 to this declaration is a true and correct copy of the declaration of Kate Voigt on behalf of the American Immigration Lawyers Association, dated April 19, 2020.

11. Attached as Exhibit 60 to this declaration is a true and correct copy of a declaration summary chart.

12. Attached as Exhibit 61 to this declaration is a true and correct copy of the declaration of Ilana Etkin Greenstein on behalf of the Immigration Justice Campaign, dated April 19, 2020.

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 20, 2020 in Bethesda, Maryland.

A handwritten signature in black ink, appearing to read "Matthew Slater", written over a horizontal line.

Matthew D. Slater

Exhibit 51

**IN THE UNITED STATES DISTRICT COURT
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NATIONAL IMMIGRATION PROJECT OF
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al.,

Plaintiffs,

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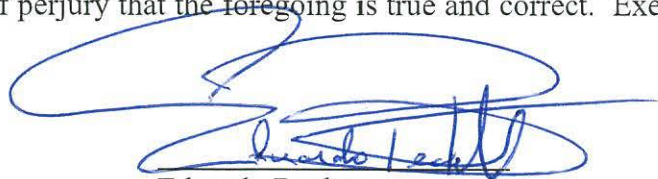
Declaration of Eduardo Beckett

I, Eduardo Beckett, declare as follows:

1. I am an attorney licensed to practice law in New Mexico. I am admitted to the New Mexico District Court, the Western District of Texas, and the United States Court of Appeals for the Fifth Circuit. My business address is 1611 Beech Street, Suite B, El Paso, TX 79925.
2. I have been practicing law since 2005 when I joined the New Mexico Legal Aid, Inc., farmworker division, located in Las Cruces, New Mexico, where I represented migrant and seasonal farmworkers under, *inter alia*, the Fair Labor Standards Act ("FLSA") and the Agriculture Worker Protection Act ("AWPA"). From 2006-2008, I worked as an Assistant City Attorney/Prosecutor for the City of Las Cruces, NM.
3. I have a client detained at Tacoma Northwest Detention Center in Washington. He was previously detained at the Otero Processing Center in Chaparral, New Mexico, and the West Texas Detention Center in Sierra Blanca.
4. My client had an individual hearing scheduled for April 8, 2020. On April 3, 2020, consistent with the standing order of Judge Brock Taylor of the Otero Immigration Court, I called the immigration judge's clerk to request to appear telephonically for the April 8 hearing due to the COVID-19 pandemic. Because my client was in Tacoma, both I and the court knew that he would be appearing by video-teleconference ("VTC"). The clerk did not decide my request on April 3.

5. On April 6, the clerk called me back and said I could not appear telephonically because my client was appearing by VTC. I was told to appear in person and that the jail in which Otero Immigration Court is located would require me to wear a mask and gloves.
6. When I appeared in person on April 8, the judge told me that I had to appear in person due to technological limitations. I was told that the court lacked the technological capability to have myself, my client, and the interpreter all participate in the hearing remotely.
7. I asked for a change of venue as the IJ told me that she was going to deny the claim due to last-minute changes on my client's asylum application. I argued that ICE took my client across state lines preventing me from going over the asylum application with him and the staff in Tacoma only recently allowed me to speak to my client for ten minutes one day before his individual hearing. The judge eventually granted my request to change the venue to Tacoma.
8. The immigration judge and I discussed the impact of COVID-19 and the danger it presents to judges, counsel, and detainees. I told her that one of my clients was recently transferred to Otero Detention Center and he witnessed a Guatemalan detainee who had a high fever and was literally shaking. The guards were co-mingling the detainees and not practicing social distancing. The guard that was in the court denied it. The next day it was reported that an employee and a detainee at the detention center tested positive for COVID-19.
9. Before I entered the facility, a guard who was not wearing personal protective gear, such as gloves or a mask, took my temperature with a defective thermometer. The thermometer was not reading my temperature correctly because it took him several attempts to get a reading. During the hearing, the immigration judge, the guard, the judge's clerk, and ICE counsel were all without wearing personal protective equipment. They immigration judge claimed that counsel table was ten feet away from her. She also admitted that the court staff were not being tested for COVID-19 and that they did not have personal protective equipment.

I declare under penalty of perjury that the foregoing is true and correct. Executed
on April 18, 2020 in El Paso, TX.



Eduardo Beckett

Exhibit 52

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

NATIONAL IMMIGRATION PROJECT OF
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Plaintiffs,

-against-

EXECUTIVE OFFICE OF
IMMIGRATION REVIEW, *et al.*,

Defendants.

Civil Action No. 1:20-cv-00852 (CJN)

Declaration of Kelli Stump

I, Kelli Stump, declare as follows:

1. I am an attorney admitted to practice in Oklahoma.
2. I represented a client at an individual merits hearing in the Dallas Immigration Court.
3. My client was detained in the Moore Detention Center in Okmulgee, Oklahoma.
4. My client's individual merits hearing was originally scheduled for April 16, 2020. My client was to appear by videoteleconference ("VTC") from Moore Detention Center. Two witnesses who were testifying on behalf of my client were to appear in Dallas Immigration Court in order to appear by VTC. The judge hearing the proceeding was located at the Falls Church Immigration Adjudication Center in Virginia and was to appear by VTC. I was instructed to appear in-person either at the Dallas Immigration Court with the witnesses or at the Moore Detention Center with my client.
5. On March 27, 2020, I filed a motion requesting that the court allow me and the two witnesses to appear telephonically from my office instead of by VTC from the Dallas Immigration Court. Having received no response, I spoke with the Dallas Immigration Court administrator on April 8, 2020, and was directed to resubmit my motions via email for forwarding to the Falls Church court.
6. I followed up with the court again on April 14 and 15, but I still received no response to my motion.

7. Citing their concerns about COVID-19, the two witnesses refused to travel to the Dallas Immigration Court to testify. I was forced to file an emergency motion amending the witness list the morning of the hearing.
8. Because the court had not responded, I understood that I was required to appear in person at the hearing as originally planned. Although concerned about the risk of COVID-19 exposure, I traveled to the Dallas Immigration Court to do so. However, when I appeared at the hearing, counsel for the government was not present, even though I was never served with any motion from them to appear telephonically. Moreover, the immigration judge expressed surprise that I was present in person.

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 19, 2020 in Oklahoma City, OK.

A handwritten signature in black ink, appearing to be 'Kelli Stump', with a stylized, cursive script.

Kelli Stump

Exhibit 53

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Defendants.

Civil Action No. 1:20-cv-00852 (CJN)

Declaration of Matthew J. Hartnett

I, Matthew J. Hartnett, declare as follows:

1. I am an attorney admitted to practice in Pennsylvania and New Jersey.
2. I represent a detained client in removal proceedings in the Dallas Immigration Court; until recently, that client's case was before the York Immigration Court in Pennsylvania.
3. My client is detained at the Prairieland Detention Center in Alvarado, Texas; until recently, he was detained in the Pike County Correctional Facility in Pennsylvania.
4. My client had an adjustment-of-status hearing scheduled for April 8, 2020. On April 2, 2020, I filed a motion to appear telephonically, as well as a motion to permit a witness, my client's wife, to testify telephonically. In my motion to appear telephonically, I cited the fact that I live with medically vulnerable family members—an asthmatic niece and in-laws in their late sixties—and that I was concerned about the risk of spreading COVID-19 to them. I also cited to the fact that opposing counsel from the Department of Homeland Security ("DHS") was already planning to appear at the hearing by televideo.
5. On April 7, 2020, a legal assistant from the court called to tell me the immigration judge had denied my motions for telephonic appearance and testimony. She was unable to provide a reason for the denial, nor have I received any written explanation of the court's decision.
6. Following the denial, I was forced to appear in person. However, shortly before the hearing on April 8, I was told the court was having difficulty connecting to the detention center and received mixed messages as to whether or not the hearing would move

forward. I waited for approximately two hours for the hearing to begin, until I was told that the hearing was not on the judge's calendar for that day and that I should leave.

7. On April 12, I learned from my client's wife that my client had been transferred to a detention facility near Dallas. On April 16, I consulted the docket for my client's case and discovered that venue had been changed to Dallas, Texas.
8. On April 18, I received the DHS Motion to Change Venue to the Dallas Immigration Court. Also on April 18, I received the Judge's Order granting DHS' Motion to Change Venue to the Dallas. I was not afforded any opportunity to respond to this motion.

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 18, 2020 in Philadelphia, Pennsylvania.



Matthew J. Hartnett

Exhibit 54

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

NATIONAL IMMIGRATION PROJECT OF
THE NATIONAL LAWYERS GUILD, *et al.*,

Plaintiffs,

-against-

EXECUTIVE OFFICE OF
IMMIGRATION REVIEW, *et al.*,

Defendants.

Civil Action No. 1:20-cv-00852 (CJN)

Declaration of Michelle Edstrom

I, Michelle L. Edstrom, declare as follows:

1. I am an attorney admitted to practice in the State of Oklahoma, the United States District Court for the Western District of Oklahoma, the United States Court of Appeals for the Tenth Circuit, and the Supreme Court of the United States.
2. I am submitting this declaration as a supplement to update my prior declaration submitted in connection with this litigation on March 26, 2020.
3. In my prior declaration, I explained that one of my clients, who is detained at the Moore Detention Center in Okmulgee, Oklahoma, had an individual hearing scheduled for April 2, 2020. As of the writing of my prior declaration, I intended to present witnesses at the April 2 hearing and I filed separate motions for myself and the proposed witnesses to appear telephonically rather than in-person.
4. Since the writing of my prior declaration, I was permitted to appear telephonically, per the Immigration Court's standing order, but the Immigration Judge assigned to my client's case did not permit the witnesses to appear telephonically or in person. Consequently, my client was forced to proceed with the hearing without the benefit of the witnesses' testimony.
5. As of today, the Immigration Judge has not yet issued a decision in my client's case. However, I believe these witnesses' testimony would have been critical for my client's case and it was prejudicial to my client to have had to proceed with the hearing without it.

I declare under penalty of perjury that the foregoing is true and correct. Executed on April
17, 2020 in Oklahoma City, Oklahoma.


Michelle L. Edstrom, OBA# 22555

Exhibit 55

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

NATIONAL IMMIGRATION PROJECT OF
THE NATIONAL LAWYERS GUILD, *et al.*,

Plaintiffs,

-against-

EXECUTIVE OFFICE OF
IMMIGRATION REVIEW, *et al.*,

Defendants.

Civil Action No. 1:20-cv-00852 (CJN)

Declaration of Veronica Semino

I, Veronica Semino, declare as follows:

1. I am an attorney admitted to practice in Florida.
2. I represent a detained client, Salomon Diego Alonzo, in immigration proceedings before the Buffalo Immigration Court.
3. My client is detained at Richwood Correctional Center in Louisiana. He had an individual hearing on the merits of his asylum claim scheduled for Thursday, April 16, 2020, at 8:30 a.m.
4. On Monday, April 13, 2020, a legal call with my client was cancelled by the detention center, and I was advised that my client was in isolation and being tested for COVID-19. I was not allowed to speak to my client again until Wednesday, April 15, 2020, when he advised me that he had tested positive for COVID-19 and was experiencing severe symptoms, including respiratory symptoms. He told me that he was only being checked on twice a day and was being kept in a cell with another detainee that was also experiencing COVID-19 symptoms.
5. On Tuesday, April 14, 2020, I filed a motion for continuance of my client's asylum merits hearing, on the basis that my client was being held in solitary confinement, his lack of access to counsel, and that he was experiencing severe COVID-19 symptoms, which would make a proper hearing impossible. My office contacted the court regarding my motion on April 15, 2020 but received no response to my request.
6. On Wednesday, April 15, 2020, after speaking with my client and receiving confirmation that he had in fact tested positive for COVID-19, I filed a supplement to my April 14th motion for continuance and advised the court that Respondent had tested positive and that he

had reported that he was “very weak, suffering from extreme exhaustion, fever, diarrhea, shortness of breath, vomiting, and a severe and violent cough”.

7. Despite my repeated requests for a continuance, the hearing was conducted as scheduled on April 16. Because he is detained in Louisiana, my client appeared by video teleconference. I appeared telephonically from North Carolina.

8. My client’s respiratory symptoms were so severe that when the judge asked him to state his name, the guard accompanying him at the detention center responded that my client “d[id] not have the lung capacity” to talk.

9. The court proceeded with the hearing to address a pending motion to terminate and/or continue the removal proceedings to afford USCIS time to adjudicate my client’s pending T visa application, heard legal argument, then gave an oral decision, which lasted for approximately two hours, the judge then agreed to continue my client’s asylum hearing because of my client’s physical condition and his inability to testify. The judge also noted that counsel arguments regarding lack of access had no merit, because I had represented my client for a few months. The judge attempted to reset the asylum merits hearing for the week of April 20, 2020, but did not have any availability and set it for April 28, 2020, at 8:30 a.m.

10. Right after the hearing, my client was hospitalized due to his severe symptoms. On April 18, 2020, I spoke to Jonathan Phillips, the Health Services Director at Richwood, who confirmed that my client tested positive for COVID-19 and is currently in the Intensive Care Unit, where he is being treated for pneumonia.

11. ICE has now announced that there are 20 other confirmed COVID-19 cases at the same detention center.

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 18, 2020 in Cary, North Carolina.

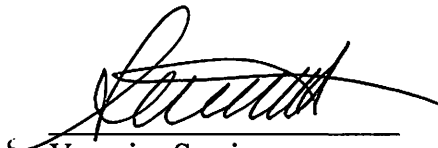

Veronica Semino

Exhibit 56

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

NATIONAL IMMIGRATION PROJECT OF
THE NATIONAL LAWYERS GUILD, *et al.*,

Plaintiffs,

-against-

EXECUTIVE OFFICE OF
IMMIGRATION REVIEW, *et al.*,

Defendants.

Civil Action No. 1:20-cv-00852 (CJN)

Declaration of Homero López, Jr.

I, Homero López, declare as follows:

1. I am an attorney admitted to practice in Louisiana.
2. I am submitting this declaration as a supplement to update my prior declaration dated April 6, 2020, which was previously submitted in connection with this litigation.
3. I am counsel to one of the named plaintiffs in this case, Roberto Fausto Velazquez Quiala. Mr. Velasquez Quiala is currently detained in the Pine Prairie ICE Processing Center (“PPIPC”) in Louisiana. Originally, he was scheduled for an individual merits hearing at the Oakdale Immigration Court on April 30, 2020. This hearing was rescheduled to May 19, 2020, due to the travel restrictions put in place by Louisiana’s stay at home order as well as the extreme limitations on meeting with clients at PPIPC due to the COVID-19 outbreak.
4. As I previously explained in my original declaration, I have had substantial difficulty reaching multiple clients at the PPIPC, including Mr. Velasquez Quiala. In-person visits with clients have been canceled at the PPIPC due to the COVID-19 and I can only meet with clients through video teleconferencing (VTC). VTCs are limited to 30 minutes a day per client, are often interrupted due to technical issues, and become more limited in time due to the facility’s count, ongoing quarantines, etc. Phone calls are more difficult to schedule as the process at PPIPC is that the attorney must call the center, request that the case manager give a message to the client, the client then requests the call, and then the case manager calls the attorney to schedule a time.
5. Since the writing of my original declaration, communicating with Mr. Velasquez Quiala has remained difficult. I have scheduled two VTCs with him. On one occasion, the

facility's count delayed and limited my meeting with Mr. Velaquez Quiala. During the second one, I was able to begin preparing him for his upcoming hearing. However, the limited 30 minutes makes it difficult to go over the preparation in detail and in a manner which will allow ongoing preparation to be carried out effectively.

6. Separately, all hearings for individuals detained at PPIPC are being conducted via videoconference from PPIPC's library. This means that library hours have become even more limited than before. Individuals are not permitted into the library until all hearings for the day have concluded, which typically does not occur until the evening. This limits the ability of individuals who are proceeding on a pro se basis to prepare for their cases, complete required forms, make copies, etc. This leaves them unprepared for their hearings and submitting documents that have not been completed with adequate research.

I declare under penalty of perjury that the foregoing is true and correct. Executed
on April 19, 2020, in New Orleans, Louisiana.

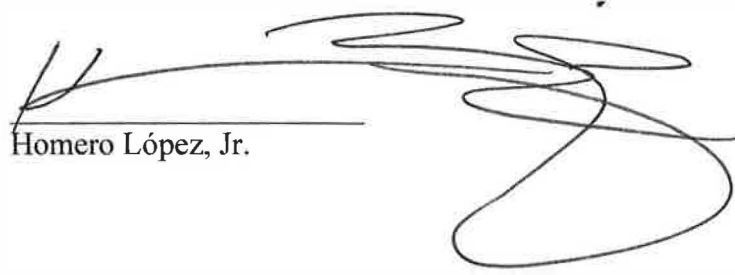

Homero López, Jr.

Exhibit 57

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

NATIONAL IMMIGRATION PROJECT OF
THE NATIONAL LAWYERS GUILD, *et al.*,

Plaintiffs,

-against-

EXECUTIVE OFFICE OF
IMMIGRATION REVIEW, *et al.*,

Defendants.

Civil Action No. 1:20-cv-00852 (CJN)

Declaration of Stacy Tolchin

I, Stacy Tolchin, declare as follows:

1. I am an attorney admitted to practice in the State of California.
2. I am the Vice-Chair of the Board of the National Immigration Project of the National Lawyers Guild (“NIPNLG”), a Plaintiff in this lawsuit.
3. NIPNLG is a membership-based organization representing 1,500 immigration attorneys, legal workers, and immigration rights advocates.
4. The following members of NIPNLG have submitted declarations in support of Plaintiffs’ Complaint in this matter:
 - i. Laura G. Rivera
 - ii. Andrea Sáenz
 - iii. George A. Terezakis
 - iv. Kelly Morgan
 - v. Amy Melissa Bittner
 - vi. Ilana Etkin Greenstein
 - vii. Laura P. Lunn
 - viii. Christina A. Brown

- ix. Carlos Moctezuma Garcia
- x. Michelle Mendez
- xi. Stacy Tolchin
- xii. Matthew Green
- xiii. David Bennion
- xiv. Allison Boyle
- xv. Veronica Semino

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 19, 2020 in Altadena, CA.



Stacy Tolchin

Exhibit 58

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

NATIONAL IMMIGRATION PROJECT OF
THE NATIONAL LAWYERS GUILD, *et al.*,

Plaintiffs,

-against-

EXECUTIVE OFFICE OF
IMMIGRATION REVIEW, *et al.*,

Defendants.

Civil Action No. 1:20-cv-00852 (CJN)

Declaration of Monika Sud-Devaraj

I, Monika Sud-Devaraj, declare as follows:

1. I am an attorney admitted to practice in Arizona.
2. I am submitting this declaration to supplement my prior declaration dated April 6, 2020, in connection with the above-captioned litigation.
3. I am a member of Plaintiff American Immigration Lawyers Association ("AILA") and submitted my prior declaration in hopes that the present litigation would relieve the need for detained persons and their counsel to choose between personal and public health and the effective right to counsel. Sadly, that has not yet occurred.
4. I am immigration counsel to one of the individual Detained Plaintiffs in this case, Reynaldo Guerrero-Cornejo. Mr. Guerrero-Cornejo is detained in the La Palma Correctional Center in Eloy, Arizona. He currently has an individual merits hearing scheduled for Friday, April 24, 2020, which requires substantial preparation. This hearing will be an evidentiary hearing and last for several hours.
5. As discussed in my prior declaration, paragraph 7, I am at-risk for more serious complications from COVID-19. Under the present circumstances, I cannot go visit Mr. Guerrero-Cornejo in person or participate in an in-person hearing. To adequately represent Mr. Guerrero-Cornejo, I would consider a videoteleconference hearing to be the minimum necessary, for reasons

discussed further below. Unfortunately, the Tucson Immigration Court, which is handling Mr. Guerrero-Cornejo's case and is a drive of almost 2 hours from my home and office, requires attendance either in-court or at the relevant detention facility to be able to participate in a videoteleconference hearing. Due to my health situation, I am not able to do either.

6. Preparation for an individual merits hearing requires substantial client contact and communication. As I stated in my prior declaration, while I have had limited access to Mr. Guerrero-Cornejo by telephone, this limited contact does not allow me to adequately represent him and to prepare for his upcoming hearing. In order to schedule a call with Mr. Guerrero-Cornejo, I have to email officials at the La Palma Correctional Center and request that he call me at a specific date and time. This access has not improved since April 6, 2020. Mr. Guerrero-Cornejo has attempted to contact my office twice unsuccessfully.
7. While the details are still being arranged, I currently anticipate that for the April 24 hearing: (1) the Immigration Judge and the interpreter will be together in one room at the Tucson Immigration Court and participate via videoconference; (2) Mr. Guerrero-Cornejo will participate via videoconference from the La Palma Correctional Center; (3) the Department of Homeland Security ("DHS") attorney will likely participate via videoconference and (4) I will appear telephonically. I currently understand that the witnesses will have to participate in-person at the Tucson Immigration Court. They live in Yuma, Arizona, about a 3+-hour drive from Tucson.
8. Because I will be appearing only by telephone during the hearing, I will be unable to see any of the participants, including Mr. Guerrero-Cornejo. I will be unable to judge from his body language and facial expressions whether he understands the questions posed to him, whether he is getting overwhelmed during cross-examination, whether he needs a break from the questioning, etc. Typically, I am able to gauge this information when a hearing is conducted in-person. For instance, when I am able to see my client during a hearing, I can tell when my client is not understanding a question or not following what the interpreter is saying. In that sort of scenario, I would normally request that the DHS attorney rephrase the question or I would rephrase any of my questions. By appearing telephonically, I will be unable to fully and adequately represent Mr. Guerrero-Cornejo during his upcoming hearing.
9. I remain hopeful that this litigation will improve the conditions for my access to my client and for my ability to represent him in his forthcoming hearing. At present, I am placed in the impossible situation of having to choose between protection of my health and my client's right to counsel.

I declare under penalty of perjury that the foregoing is true and correct. Executed
on April 19, 2020 in Mesa, AZ.

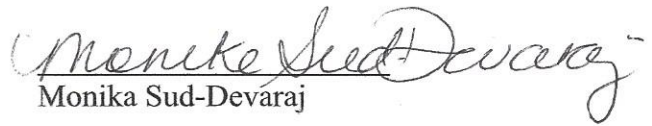

Monika Sud-Devaraj

Exhibit 59

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

NATIONAL IMMIGRATION PROJECT OF
THE NATIONAL LAWYERS GUILD, *et al.*,

Plaintiffs,

-against-

EXECUTIVE OFFICE OF
IMMIGRATION REVIEW, *et al.*,

Defendants.

Civil Action No. 1:20-cv-00852 (CJN)

Declaration of Kate Voigt

I, Kate Voigt, declare as follows:

1. I am an attorney admitted to practice in the State of New York.
2. I am the Senior Associate Director of Government Relations for the American Immigration Lawyers Association (“AILA”), a Plaintiff in this lawsuit.
3. I am submitting this declaration to clarify my prior declarations submitted in this matter (ECF No. 7-25 and ECF No. 22-17).
4. As of today, the following members of AILA have submitted declarations in support of Plaintiffs’ Complaint in this matter. The following list supplements the list of AILA members in my prior declaration (ECF No. 22-17); AILA members who are not included in the list of members in my prior declaration are marked with an asterisk below:
 - i. Susan B. Church
 - ii. Homero López
 - iii. Andrea Sáenz
 - iv. George A. Terezakis
 - v. Kelly Morgan
 - vi. Debora Lelli
 - vii. Amy Melissa Bittner

- viii. Jodi Ziesemer
- ix. Ilana Etkin Greenstein
- x. Laura P. Lunn
- xi. Juliana C. Manzanarez
- xii. Henry D. Hollithron
- xiii. Christina A. Brown
- xiv. Carlos Moctezuma Garcia
- xv. Michelle Mendez
- xvi. Michelle Edstrom
- xvii. Stacy Tolchin
- xviii. Elisa Gahng
- xix. Paul H. Scott
- xx. Monika Sud-Deveraj
- xxi. Stephanie Marzouk
- xxii. David Bennion
- xxiii. Jordan Weiner
- xxiv. Elizabeth Ford
- xxv. Joelle Lingat
- xxvi. Eduardo Beckett*
- xxvii. Matthew J. Hartnett *
- xxviii. Veronica Semino*

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 19,
2020 in Washington, D.C.

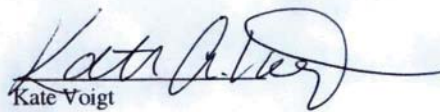

Kate Voigt

Exhibit 60

	Declarant/Ex. Number	COVID among hearing participants before/after	Unable to obtain evidence due to COVID	Necessary party unable to fully participate in hearing due to COVID or tech issue	Participants required to travel to common locations for hearing	States involved
Request for continuance of in-person proceeding denied or untimely decided, request for telephonic appearance denied or untimely decided, or due process concerns compelled in-person appearance	Ex. 52, Stump Decl. ¶¶ 5-8*		¶¶ 5-7	¶¶ 5-7	¶ 8	TX/VA
	Ex. 51, Beckett Decl. ¶¶ 4-6*		¶ 7		¶ 6	NM/WA
	Ex. 53, Hartnett Decl. ¶¶ 4-6*			¶ 5	¶ 6	PA
	Ex. 3, Church Decl. ¶ 11	¶ 17	¶ 15		¶¶ 9, 10-11, 13	MA
	Ex. 9, Terezakis Decl. ¶¶ 32-33, 36-41 Ex. 40, Terezakis Supplemental Decl. ¶¶ 3-4	Ex. 9, ¶ 42; Ex. 40, ¶ 5			Ex. 9, ¶ 33	NY/NJ
	Ex. 28, Edstrom Decl. ¶¶ 7-8 Ex. 54, Edstrom Supplemental Decl. ¶¶ 3-4*		Ex. 54, ¶¶ 3-4	Ex. 54, ¶¶ 3-4		OK/TX
	Ex. 31, Steiner Decl. ¶¶ 3-5, 10				¶¶ 3-5, 10	N/A
	Ex. 35, Boyle Decl. ¶¶ 7-8		¶¶ 3-6, 10	¶ 9	¶ 9	TX
	Ex. 38, Bennion Decl. ¶¶ 2-3		¶ 3	¶ 3		PA
	Ex. 6, Rivera Decl. ¶ 23				¶ 23	GA
	Ex. 10, Morgan Decl. ¶ 4				¶ 4	MA
	Ex. 48, Marzouk Decl. ¶ 6			¶ 6	¶ 6	MA
	Ex. 55, Semino Decl. ¶¶ 5-10*	¶¶ 5-6, 10	¶ 4	¶¶ 8-9		LA/NY
	Ex. 41, Lingat Decl. ¶¶ 10-17	¶¶ 11, 15	¶¶ 5-10			NJ
"Remote" hearing continuance denied	Ex. 9, Terezakis Decl. ¶¶ 32-33 Ex. 40, Terezakis Supplemental Decl. ¶¶ 3-4	Ex. 40, ¶ 5			Ex. 9, ¶ 33	NY/NJ
	Ex. 42, Weiner Decl. ¶¶ 7-9		¶¶ 7-8			NY/NJ
	Ex. 55, Semino Decl. ¶¶ 7-8*	¶¶ 5-6, 10		¶¶ 8-9		LA/NY
"Remote" hearing conducted or to be conducted without protecting health or due process**	Ex. 2, Ehrlich Decl. ¶ 1		¶¶ 1-3, 7			NJ
	Ex. 9, Terezakis Decl. ¶¶ 36-45	¶ 42				NY/NJ
	Ex. 13, Bittner Decl. ¶¶ 27-28			¶¶ 27-28		OH
	Ex. 22, Hollithron Decl. ¶ 13			¶ 13	¶ 13	CO
	Ex. 28, Edstrom Decl. ¶¶ 7-8 Ex. 54, Edstrom Supplemental Decl. ¶¶ 3-4*		Ex. 54, ¶¶ 3-4	Ex. 54, ¶¶ 3-4		OK
	Ex. 36, Green Decl. ¶¶ 4-6			¶¶ 4-5	¶ 6	PA
	Ex. 39, Ford Decl. ¶ 5			¶ 5		OH
	Ex. 49, Durham Decl. ¶¶ 4, 6			¶ 6		NE
	Ex. 38, Bennion Decl. ¶¶ 2-5		¶¶ 2-3	¶¶ 2-3		PA
	Ex. 56, Lopez Supplemental Decl. ¶ 6*		¶¶ 4-5			LA
	Ex. 34, Sud-Devaraj Decl. ¶¶ 4-5 Ex. 58, Sud-Devaraj Supplemental Decl. ¶¶ 7-8*		Ex. 34, ¶ 8; Ex. 57 ¶ 7	Ex. 58, ¶¶ 7-8	Ex. 58, ¶ 7	AZ

* Declaration received after reply submitted

** Many standing orders require participants to waive the right to object to the admissibility of documents on the basis that it cannot be inspected, *even when* the documents has not previously been served on the opposing party. *See, e.g.*, Standing Order, Aurora Immigration Court, <https://www.justice.gov/eoir/page/file/1264456/download>; Standing Order, Florence Immigration Court, <https://www.justice.gov/eoir/page/file/1266931/download>; Standing Order, LaSalle Immigration Court, <https://www.justice.gov/eoir/page/file/1261171/download>; Standing Order, Las Vegas Immigration Court, <https://www.justice.gov/eoir/page/file/1259231/download>; Standing Order, Otay Mesa Immigration Court, <https://www.justice.gov/eoir/page/file/1264436/download>; *see also* Ex. 3, Church Decl. ¶ 12; Ex. 6, Rivera Decl. ¶ 23; Ex. 17, Manzanarez Decl. ¶ 19; Ex. 26, Mendez Decl. ¶ 19; Ex. 33, Scott Decl. ¶ 14.

Exhibit 61

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

NATIONAL IMMIGRATION PROJECT OF
THE NATIONAL LAWYERS GUILD, *et al.*,

Plaintiffs,

-against-

EXECUTIVE OFFICE OF
IMMIGRATION REVIEW, *et al.*,

Defendants.

Civil Action No. 1:20-cv-00852 (CJN)

Declaration of Ilana Etkin Greenstein

I, Ilana Etkin Greenstein, declare as follows:

1. I am an attorney admitted to practice in the Commonwealth of Massachusetts.
2. I am the Senior Technical Assistance Attorney for the Immigration Justice Campaign (“IJC”), a Plaintiff in this lawsuit.
3. IJC is a non-profit national organization which facilitates pro bono representation for detained individuals by recruiting, training, and mentoring attorneys and connecting them with individuals who need their legal services in immigration proceedings.
4. The following IJC volunteers have submitted declarations in support of Plaintiffs’ Complaint in this matter:
 - i. David Ehrlich
 - ii. Mary Jane Miller
 - iii. Deva Robbins
 - iv. Stephanie S. Pengilley
 - v. Henry D. Hollithron
 - vi. Veronica Semino

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 19,
2020 in Brookline, Massachusetts



Ilana Etkin Greenstein