

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

Administrative Order Regarding Immigration Petitions for Review
Opened on or after May 1, 2021
(as adopted 4/23/21)

As of May 1, 2021, the Court will process all new petitions for review from decisions of the Board of Immigration Appeals and other administrative immigration cases through the Court's new Appellate Case Management System (ACMS). These interim provisions govern the filing of documents in ACMS. The Court may amend them from time to time and may deviate from them in specific cases if warranted.

The Court will post documentation, training materials, and other information about ACMS on the Court's website (under E-Filing) on 1 May 2021. All ACMS filers are strongly encouraged to review this information.

Rule 1 – Effective Date and Impact on Existing Rules

- (a) *Except as stated otherwise in this Administrative Order, all existing Court rules and procedures governing party filings, both electronic and in paper format, remain in effect.*
- (b) Should technical failure prevent timely electronic filing of any document in ACMS, the filing party should preserve documentation of the failure and may seek relief from the Court.
- (c) Filings in petitions for review submitted on or before April 30, 2021, along with all non-immigration cases, will continue to be processed via CM/ECF unless the Court directs otherwise.

Rule 2 – Attorneys MUST use ACMS; Petitioners Proceeding Without Counsel Must Use Paper

- (a) Effective May 1, 2021, use of ACMS is now mandatory for all attorneys submitting immigration petitions for review and related documents filed on or after May 1, 2021; attorneys will no longer be allowed to submit any filings in paper format or through CM/ECF.

- (b) Effective May 1, 2021, people proceeding without attorneys will not be authorized to file electronically in ACMS and must instead file their petitions and all subsequent pleadings in paper format by mailing them directly to the court at its mailing address: 95 Seventh Street, San Francisco, CA, 94103.

Rule 3 – Registration

- (a) If you are an attorney already registered for the Ninth Circuit’s CM/ECF, then no further action is required.
- (b) If you are NOT currently registered, start [here](https://pacer.psc.uscourts.gov/pscwf/regWizard.jsf) (<https://pacer.psc.uscourts.gov/pscwf/regWizard.jsf>)

Rule 4 – Submitting a New Petition for Review

- (a) Attorneys may submit the petition for review with or without fee payment, and with or without accompanying motions.
- (b) Be sure to follow all the instructions on the ACMS user portal. Each request for relief or motion must be submitted to the Court as a separate PDF file. For example, a motion to stay removal should be submitted as its own PDF file and cannot be included in the same PDF file as the petition for review.

Rule 5 – Submitting Motions and Briefs

- (a) Attorneys must submit their motions and briefs electronically in ACMS.
- (b) All parties registered for electronic filing in ACMS will receive service through ACMS. Only unrepresented parties must be served separately by the filer.
- (c) As you prepare to submit the opening brief, keep in mind that you will need (i) a PDF file of your brief and (ii) a separate PDF file containing all the orders you wish the court to review.
- (d) The Court will review submitted motions and briefs for deficiencies. Do not submit any paper copies of motions or briefs unless directed by the Court to do so.

Rule 6 – Effect of Failure to Comply with this Order

- (a) The Clerk will contact any attorney who submits a petition in paper format after the effective date of this Order and will provide the attorney with a copy of this Order and instructions for submitting the filing in ACMS.
- (b) If an attorney continues to submit petitions in CM/ECF or in paper format after receiving notice of this Order, the Clerk is authorized to return or strike the filings and take other action deemed necessary to enforce this Order.



Sidney R. Thomas, Chief Judge