



Motion to Change Venue Template

The Asylum Seeker Advocacy Project (ASAP) prepared this template in 2022 to assist asylum seekers who are interested in filing Motions to Change Venue. A Motion to Change Venue is a request to change your immigration court to one that is closer to where you live.

Your Motion to Change Venue package should include:

1. Form EOIR-33. You need to include a separate Form EOIR-33 for yourself and each family member included in your case.
2. Cover page and explanation of why you need to move your immigration court.
3. Proof of your new address.
4. Proposed order of the immigration judge.
5. Proof of service.

Your Motion to Change Venue package must be in English!

For more instructions, including blank documents to fill out, visit: asapmbr.us/change-venue.

We hope that this resource will be useful to asylum seekers with cases in immigration court. However, it is not intended to be legal advice. To search for a lawyer, visit asapmbr.us/find-help.

Change of Address/Contact Information Form Immigration Court

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>. 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): Write your name here (last name, first name, middle name)		A-Number: Write your A Number here
My FORMER address and phone number were: You can leave this blank _____ "In care of" other person (if any) Write your old address here _____ Number; Street; Apartment (if any) Write your old city, state, and zip code here _____ City, State, and ZIP Code; Country (if other than U.S.) Write your phone number here _____ Phone Number (include country code if other than U.S.) Write your email address here _____ Email Address	My CURRENT address and phone number are: You can leave this blank _____ "In care of" other person (if any) Write your new address here _____ Number; Street; Apartment (if any) Write your new city, state, and zip code here _____ City, State, and ZIP Code; Country (if other than U.S.) Write your phone number here _____ Phone Number (include country code if other than U.S.) Write your email address here _____ 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.

SIGN HERE →	X _____	Sign here	Write the date here mm/dd/yyyy
		Signature	Date

I, **Write your full name here**, **PROOF OF SERVICE**, provided a copy of this Change of Address Form on, **Write the date here** to the
(Name) (date)

Office of the Principal Legal Advisor for DHS Immigration and Customs Enforcement-ICE at: _____
Write the address of the government attorney here, and how you are going to send your document to them.
(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 <https://eserviceregistration.ice.gov>), or by mail or personal delivery.

SIGN HERE →	X _____	Sign here
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Your Name: Write your full name here

Your Address: Write your new address here

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

City and State: Write the city and state of your current immigration court

In the Matters of:
Write your full name here
(Your Name)

File No.: A Write your A Number here
(your alien registration number)

<u>Write your child or spouse's full name here</u> (Name)	A <u>Write your child or spouse's A Number here</u>
<u>Write your child's full name here</u> (Name)	A <u>Write your child's A Number here</u>

**Only include this part if you have a spouse or children included in your immigration court case*

_____ /

Immigration Judge: Write the name of your immigration judge here

Next Hearing Date: Write the date of your next hearing here

**PRO SE
MOTION TO
CHANGE VENUE**

RESPONDENT'S MOTION TO CHANGE VENUE

Now comes Respondent, Write your full name here (Name), and moves this Honorable Court to change the venue of his/her removal proceedings from: Write the city and state of your current immigration court (city and state where case currently is) to: Write the city and state of the court near your new address (city and state where you want your case moved). I

seek this change of venue pursuant to 8 CFR § 1003.20.

In support of this motion, I state as follows:

Explain that you have moved. Request to move your case from your current immigration court to an immigration court near your new address. You can also explain why it would be difficult for you to go back to your current immigration court for your hearing.

If your spouse or children are included in your case, you can write here, "My spouse/children (full names and A-number) are derivatives in my case, and they are included in this motion."

Some immigration judges may require you to "concede allegations" before they agree to change your court. "Conceding allegations" means that you have read your Notice to Appear (NTA) and you agree with what is written there. However, conceding allegations may not be the best decision for everyone – visit asapmbr.us/moving-traveling to learn more.

If you agree with all of the statements in your Notice to Appear, you can write here "I concede the allegations in the Notice to Appear".

Respectfully submitted,

Write your full name here

Name

Write the date here
mm/dd/yyyy

Dated: _____

Place proof of your new address here.

For example, you can include a copy of utility bill, rental agreement, or document from your child's new school. The document should show your name and new address.

If you do not have any other proof, you can ask for a letter from someone who lives with you at your new address. You should also include a copy of their ID and proof of address. See next page for an example with instructions.

To Whom it May Concern:

My name is .

I am the of .

I am writing to confirm that .

lives with me at .

and has lived with me since .

Please find a copy of my ID and proof of my address attached.

Thank you.

Signature

Date

**Place a copy of
identification for the person
who completed the letter
here.**

**Place a copy of proof of
address for the person who
completed the letter
here.**

**United States Department of Justice
Executive Office for Immigration Review
Immigration Court**

Write the city and state of your current immigration court

[the court's location (city or town) and state]

In the Matter of: Write your full name here Alien Number: Write your A Number here
[the respondent's name] [the respondent's alien number]

ORDER OF THE IMMIGRATION JUDGE

Upon consideration of the respondent's Motion to Change Venue, it is HEREBY ORDERED that the motion be **GRANTED** **DENIED** because:

- DHS does not oppose the motion.
- The respondent does not oppose the motion.
- A response to the motion has not been filed with the court.
- Good cause has been established for the motion.
- The court agrees with the reasons stated in the opposition to the motion.
- The motion is untimely per _____.
- Other:

Deadlines:

- The application(s) for relief must be filed by _____.
- The respondent must comply with DHS biometrics instructions by _____.

Date Immigration Judge

Certificate of Service

This document was served by: [] Mail [] Personal Service
To: [] Alien [] Alien c/o Custodial Officer [] Alien's Atty/Rep [] DHS
Date: _____ By: Court Staff

Leave this part blank

Write your full name here

(Name of alien or aliens)

Write your A Number here

("Alien number" of alien or aliens)

PROOF OF SERVICE

On Write the date here, I, Write your full name here,
(date) (printed name of person signing below)

served a copy of this Motion to Change Venue,

and any attached pages to Write "Office of the Principal Legal Advisor for DHS – ICE" here
(name of party served)

at the following address: Write the address of the government attorney here
(address of party served)

by Write how you are going to send a copy to the government attorney. For example, "USPS priority mail."
(method of service, for example overnight courier, hand-delivery, first class mail)

Sign here

(signature)

Write the date here
mm/dd/yyyy

(date)