

GOVERNMENTAL AFFAIRS
OFFICE

DIRECTOR
Robert D. Evans
(202) 662-1765
rdevans@staff.abanet.org

SENIOR LEGISLATIVE COUNSEL
Denise A. Cardman
(202) 662-1761
cardmand@staff.abanet.org

Kevin J. Driscoll
(202) 662-1766
driscollk@staff.abanet.org

Lillian B. Gaskin
(202) 662-1768
gaskinl@staff.abanet.org

LEGISLATIVE COUNSEL
R. Larson Frisby
(202) 662-1098
frisbyr@staff.abanet.org

Kristi Gaines
(202) 662-1763
gainesk@staff.abanet.org

Mondi Kumbula-Fraser
(202) 662-1789
kumbulam@staff.abanet.org

Ellen McBarnette
(202) 662-1767
mcbarnee@staff.abanet.org

E. Bruce Nicholson
(202) 662-1769
nicholsonb@staff.abanet.org

DIRECTOR GRASSROOTS
OPERATIONS
Julie M. Strandlie
(202) 662-1764
strandlj@staff.abanet.org

INTELLECTUAL PROPERTY
LAW CONSULTANT
Hayden Gregory
(202) 662-1772
gregoryh@staff.abanet.org

STAFF DIRECTOR FOR
STATE LEGISLATION
Kenneth Goldsmith
(202) 662-1780
goldsmithk@staff.abanet.org

STAFF DIRECTOR FOR
INFORMATION SERVICES
Sharon Greene
(202) 662-1014
greenes@staff.abanet.org

EDITOR WASHINGTON LETTER
Rhonda J. McMillion
(202) 662-1017
mcmillionr@staff.abanet.org

AMERICAN BAR ASSOCIATION

Governmental Affairs Office

740 Fifteenth Street, NW
Washington, DC 20005-1022
(202) 662-1760
FAX: (202) 662-1762

June 9, 2004

Kevin Rooney
Director
Executive Office for Immigration Review
5107 Leesburg Pike, Suite 2400
Falls Church, VA 22041

Dear Mr. Rooney:

The American Bar Association has recently been informed that EOIR is proposing to begin a "national video immigration court" to be housed at the EOIR's headquarters in Falls Church, Virginia. We understand that all of the proposed court's hearings, including merits hearings, will be conducted by video-conference and that there are no provisions for attorneys, respondents, or witnesses to appear before the court's immigration judges. We also understand that EOIR does not intend to propose this change in the Federal Register or to give an opportunity for interested or affected people to comment before this new plan is implemented.

If true, this major and alarming development raises numerous serious concerns. The ABA has already expressed its concerns regarding tele-video hearings recently implemented at the Port Isabel Service Processing Center in South Texas. Attached you will find a letter to Chief Immigration Judge Michael Creppy outlining the numerous problems created by the tele-video process and its impact on due process protections for detainees and the effective administration of justice. We have grave concerns about the possibility of this process being expanded on a national level.

We respectfully request that you hold a meeting with interested organizations to clarify the nature of the proposal and the process by which it is to be adopted. We also recommend that any such plan first be proposed in the Federal Register with full opportunity for comment, in compliance with the Administrative Procedures Act and other pertinent authority.

Thank you for your attention to this important matter.

Sincerely,



Robert D. Evans