



# Executive Office of Immigration Review (EOIR) Guidelines for Transcription

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## Executive Office for Immigration Review (EOIR) Guidelines for Transcription

### Security

Information provided by the Executive Office for Immigration Review (EOIR) for transcription is **confidential and personal and must be safeguarded** by all those handling the information. When using this information, safeguard its contents from loss or access by individuals who do not have authorization. There are federal penalties for violation of these rules. If you have any questions about this, please contact us at [editors@diaztrans.com](mailto:editors@diaztrans.com).

### Overview

- **Purpose**
  - EOIR requires transcription for both removal hearings and judges' decisions (called either "oral decisions" or "dictated decisions")
    - While both types of transcription follow the same general formatting rules, there are differences between the two (see "**Types of Transcripts**" below)
- **Who's Who**
  - **Respondent** (alien) -- person charged as deportable, main person applying for various form of relief
    - Can potentially be a no-show, present by themselves, or present with counsel (attorney)
    - Rider(s) -- usually the spouse or child(ren) of the respondent; see **Pages 5 and 6** for more info
    - Unrelated(s) -- respondents whose case is completely separate from that of the lead respondent; see **Page 14** for more info
  - **Judge** -- presiding over the hearing; is always present
  - **Counsels**
    - **Respondent's Counsel** -- attorney representing the respondent, often referred to as just "counsel"; not every respondent has an attorney
    - **Government Counsel (DHS)** -- attorney representing the government, referred to as "government," "DHS," or "Department"; assume they are present unless told otherwise
  - **Interpreter** -- often necessary for proceedings as respondents are from outside of the United States
    - You do not need to transcribe anything when the interpreter/respondent is speaking a foreign language; see **Pages 7 and 8** for more info

- Other Speakers
  - **Witnesses** -- people called by either party to testify on their behalf; not always present
  - **Officer** -- present at hearings where the respondent is detained, sometimes referred to as “bailiff” or “guard”; often unmic’d
  - **Clerk** -- person who helps keep date/A-numbers organized, usually only talks to the judge in side conversations; often unmic’d

**Types of Transcripts**

- Case hearing
  - In these hearings, the respondent, who has been charged deportable from the United States, argues for relief from removability by filing an application for relief
    - **Applications for relief**
      - Asylum
      - Withholding of removal under the Convention Against Torture (CAT)
      - Cancellation of removal
      - Voluntary departure
    - Sometimes these hearings will contain a **bond hearing**, where the respondent argues for the ability to be released from ICE custody while their case is pending; see **Page 13** for more info
    - Often there are multiple case hearings for one respondent
  - Group/individual
    - In group hearings -- the respondent whose name was given with the assignment will be one of multiple respondents present at a hearing; include only the assigned respondent's name on the cover page; **HOWEVER** all audio should be transcribed
    - In individual hearings -- the respondent from your assignment email is the only respondent present
- Oral Decision
  - In an oral decision, the judge dictates their decision, based on evidence from hearings, on whether or not a respondent meets the requirements for staying in the United States based on the application filed

Some key differences between hearings and oral decisions:

HEARINGS	ORAL DECISIONS
Speaker IDs needed (multiple speakers)	No speaker IDs needed (judge is only speaker)
Indent first line of new paragraph 0.5"	Indent first line of new paragraph 1"
Lines are numbered (25 per page)	No line numbers
Verbatim transcription (transcribe everything, including if a speaker says “strike that”)	Dictated transcription (do not transcribe judge's instructions on punctuation, spelling, style, etc.)

## Hearings

This section deals with audio that is NOT an oral decision -- instructions for Oral Decisions can be found starting on **Page 15**.

EOIR Supplemental Style Guidelines should be followed for any formatting not covered by DOJ -- See the [Diaz Transcription Website](#) for more information.

**\*\*Please see sample hearing transcript found on Pages 21-23\*\***

## Template

Transcripts for EOIR hearings are to be typed directly into a template, which will be provided for each hearing assigned. A sample title of a hearing template follows:

123-456-789 [AID 1234567] [YYYY-MM-DD CH] [TS].doc

The first nine hyphenated numbers are the “**A-number**” -- a number assigned to an undocumented immigrant that is used to identify them throughout their hearing.

The “CH” at the end of the date stands for “Case Hearing” and the date in the title reflects the date of that particular hearing

**\*\*DOJ provides a template for [every particular hearing](#) for a respondent. Make sure you use the template whose date matches the date of the audio being transcribed\*\***

## Cover Page

The template includes a cover page with some information provided by DOJ and other information which needs to be filled in by the transcriber. NOTE that [phonetic] **should not** be used on the cover page. **\*\*Please see sample found on Page 21\*\***

Information provided by DOJ (should not need to be changed):

- A-number
- Type of proceeding (usually “REMOVAL”)
- Judge’s name
- Hearing date
- Transcription vendor (Diaz Data Services)

Information to be filled in -- all in brackets (see following pages):

- Respondent’s name (Page 5)
- Location (Page 6)
- Interpreter’s name and language (Page 6)
- Counsels’ names (Page 6)

## Bookmarks

When filling out the information on the cover page, please be aware that each bracketed section includes a bookmark. The bookmarks are contained within the document's meta-data and need to remain intact when delivered electronically.

Information should be typed within brackets before deleting brackets to ensure bookmarks remain intact.

EXAMPLE:

For the DHS: [NAME] (default template)

For the DHS: [JOE REID] (counsel's name typed inside brackets)

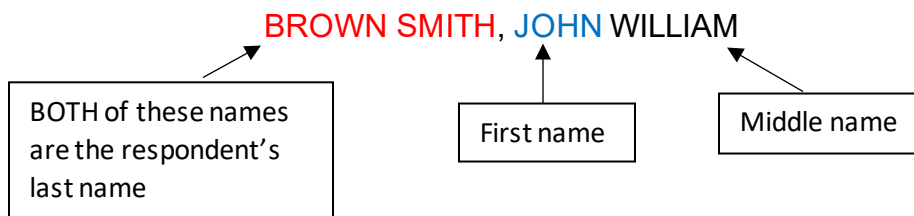
For the DHS: JOE REID (brackets removed -- bookmark is intact!)

## Respondent's Name

Respondent's name should always match what was given in your assignment email, arranged in FIRST MIDDLE LAST order and in ALL CAPS

\*\*in your assignment email -- anything that comes before the comma is a LAST NAME and anything that comes after it is a first or middle name\*\* →

name as seen in assignment email:



name on cover page:

**JOHN WILLIAM BROWN SMITH**

If the speaker goes by a different name, make a note on your Transcription Quality Sheet (TQS), but keep the name on the cover page/speaker IDs the same.

If the hearing being transcribed is a group hearing (see **Overview** section) ONLY the respondent from your assignment email should be on the cover page

## Riders

Respondents' cases who are consolidated with the lead respondent are called riders -- they are usually the lead respondent's spouse or child(ren).

Their names should **NOT** be added to the cover page and should be spelled consistently across all files submitted.

### **Location**

For a full list of DOJ hearing locations, see either the [EOIR Indexes and Terms](#) document or the following web page:

<https://www.justice.gov/eoir/eoir-immigration-court-listing>

SPELL OUT the city and state as opposed to abbreviations and type in ALL CAPS

While locations are given in assignment emails, the location of the hearing being transcribed may differ -- use the location dictated by the judge for the cover page

### **Interpreter's Name and Language**

The interpreter's name should be typed in ALL CAPS and can be spelled phonetically. If the interpreter's name is not given/indiscernible, that field can be left blank.

Language must always be filled in and typed in ALL CAPS. If there is no interpreter, type ENGLISH. If the language is unknown/not specified, use NOT SPECIFIED

Some languages have multiple spellings. See the [EOIR Indexes and Terms](#) document for how DOJ spells them

### **Counsels' Names**

Respondents can appear with or without counsel. Government counsel should be assumed present unless told otherwise -- the names of each are provided in the hearing

Counsels' names should be typed in ALL CAPS and can be spelled phonetically. If their names are not given/are indiscernible, use "[name not specified]"

^^NOTE that [name not specified] is lower case, surrounded by brackets

If the respondent does not have an attorney, PRO SE (all caps) should be entered as the counsel's name

^^If the respondent does not have an attorney and is not present, NONE (all caps) should be entered as the counsel's name

## DOJ Specific Guidelines and Formatting

All transcription within the body of the transcripts should be **verbatim**. [sic] should NOT be used anywhere in either the case hearings or oral decisions. Even if a speaker gives information you know to be incorrect, you should still transcribe verbatim without the use of [sic] or correcting what was said.

**ONLY EXCEPTION** is for interpreters -- when the interpreter is speaking the foreign language, do not note anything in the transcript. Just transcribe what the interpreter says in English on behalf of the respondent, and ID it as though the respondent were speaking.

### Speaker IDs

- See “Who’s Who” list in the **Overview** section for a breakdown of speakers

Speaker IDs should be formatted as follows:

- All caps
- Left-aligned
- No indent
- No colon
- Speaker **AND** the person spoken to should be included:

1	JUDGE TO MR. RODRIGUEZ
2	How are you today, sir?
3	MR. RODRIGUEZ TO JUDGE
4	Doing well, your honor.

DOJ uses a lot of titles for speaker IDs as opposed to the individuals’ names. The chart on the following page contains proper speaker IDs in DOJ formatting

If you have any questions or issues concerning speaker IDs, please feel free to contact us at [editors@diaztrans.com](mailto:editors@diaztrans.com)

Any oddities (speaker goes by different name, speaker not identified) should be noted in your TQS

JUDGE	Always use this for the <b>judge</b>
JUDGE FOR THE RECORD	When judge is making general statements <b>to no one in particular/the entire courtroom</b>
MR./MS. LAST NAME	Used for <b>respondent, attorneys, and any witnesses</b>  **Do not use other titles (like DR. or REVEREND) in speaker IDs  **If the respondent has a two-part or hyphenated last name, both names should be included in the speaker ID (MS. LOUIS-DREYFUS, for example)  **If there are multiple speakers with the <u>same last name</u> , include <b>first initials</b> in <b>each</b> of those speaker IDs (MR. J. SMITH and MR. A. SMITH, for example).  **If there are multiple speakers with the <u>same first initial and last name</u> , use <b>first names</b> in <b>each</b> of those speaker IDs (MR. JOHN SMITH and MR. JIM SMITH, for example).
INTERPRETER	Used only if <b>interpreter is speaking for themselves</b> (when interpreting the respondent's speech, ID as the respondent) - <b>Do not use interpreter's name in speaker IDs</b>  If interpreter indicates that they are interpreting multiple respondents at once, use INTERPRETER in speaker IDs:  INTERPRETER FOR THE RECORD "Yes," by all.  If there are multiple interpreters in different languages, you can use the language to differentiate them in speaker IDs: SPANISH INTERPRETER and MAM INTERPRETER, for example
CLERK	Usually speaks to the judge only, in side conversations - <b>Do not use the clerk's name in speaker IDs</b>
OFFICER	Usually in hearings where respondent is detained; referred to as "Officer," "Bailiff," or "Guard" - <b>Do not use the officer's name in speaker IDs</b>
RESPONDENT'S COUNSEL	Only used when last name is unknown
GOVERNMENT COUNSEL	Only used when last name is unknown
WITNESS	Only used in an instance where a witness' name is unknown



UNIDENTIFIED MALE/FEMALE SPEAKER	For an unknown person whose role in the hearing is unknown  Use this speaker ID for unidentified voices over the phone, including automated menus
JUDGE TO RESPONDENT	When the judge is speaking to a single respondent whose last name is unknown or unclear
JUDGE TO RESPONDENTS	When the judge is speaking to multiple respondents
JUDGE TO COUNSELS	When the judge is speaking to both counsels
RESPONDENT/ INTERPRETER/ MR(S). LAST NAME FOR THE RECORD	When a speaker is making general statements to <b>no one in particular</b>

\*\*Occasionally, a respondent will identify as a gender that differs from their birth gender. In this case, for speaker IDs, use the gender prefix that corresponds to the gender with which the respondent identifies

\*\*If you get confused about who is speaking, remember that the judge is the one who is speaking authoritatively; the respondent's counsel is arguing against removal; and the government's counsel is arguing in favor of removal; respondent's counsel is often just referred to as "counsel"; government counsel is referred to as "DHS," "government," or "Department"

### **Body of Transcript**

- Font is Arial, size 12 pt
- Line spacing is **Exactly 25 pt**

Template should be pre-formatted, but in case something messes up:

In the Paragraph section of the Home tab in Word, click on the expanding arrow --> Select the "Indents and Spacing" tab in the pop-up window --> in the Spacing section, make sure the "Line spacing:" drop down is selected to "Exactly" --> type "25" in the "At:" drop down --> OK

- New paragraphs are indented at 0.5"

You may have to reposition the "tab" in Word when you begin the body of the transcript. To do this, click on the 0.5" hash mark on the ruler at the top of the page. When you see a little "L" shaped symbol on that mark, your tab has been set correctly. Now when you hit the Tab key to begin a new paragraph, it will move in 0.5"

Another way to set the tab is to go to the Paragraph section of the Home

tab in Word, click on the expanding arrow --> Click "Tabs" at the bottom of the pop-up window --> Set "Tab stop position" to 0.5" --> OK

**Bracketed Terms**

The following are the acceptable bracketed terms for DOJ:

[indiscernible]	Used when speech cannot be accurately transcribed. If there are a large number of [indiscernibles] in a transcript, please note why in the TQS.
[phonetic]	<p>When the spelling of a name, place, or other proper noun is unknown (only used the FIRST time in a given transcript a phonetically spelled word is said). If a name is <b>not</b> spelled phonetically, please note this in the TQS.</p> <p><b>NOTE:</b> for words/phrases other than proper nouns, please transcribe them to the best of your ability WITHOUT putting [phonetic] after. Do <b>NOT</b> use phonetic for misstatements or non-standard English</p>
[untranslated]	<p>Used when a foreign language spoken by any non-English speaker is not translated by the interpreter</p> <p><b>NOTE:</b> If the judge, attorneys, or any other speakers are using a non-English word or phrase (for example, the official name of a political group or a term that has no English translation), [untranslated] should <b>NOT</b> be used and the term should be transcribed.</p> <p>If the spelling of the term cannot be found, see [phonetic] box above</p>

If an entire line or sentence is [indiscernible] or [untranslated], it should still receive proper end punctuation:

JUDGE FOR THE RECORD

[indiscernible].

**Do not** use [unintelligible], [inaudible], [spelled phonetically], [affirmative], or [negative]

^^In place of [affirmative] or [negative] transcribe "Uh-huh," "Mm-hmm" or "Uh-uh," "Mm-mm"

### Capitalization

DOJ has specific terms that they require to be capitalized:

<p>Capitalize</p>	<ul style="list-style-type: none"> <li>• <b>specific exhibit references</b> (e.g. "See Exhibit 5, Page 3, Tab B.") exhibit numbers should be transcribed as numerals unless they start a sentence</li> <li>• <b>Department</b> (when referring to the Department of Homeland Security) "And how does the Department feel about an extension?"</li> <li>• <b>Convention Against Torture</b> (CAT)</li> <li>• <b>Immigration Judge</b> (when appearing before judge's name)</li> <li>• <b>Notice to Appear</b> (NTA; also "Notice" when referring to the Notice to Appear only)</li> <li>• <b>Act</b> (when referring to the Immigration and Nationality Act) "According to Section 212 of the Act"</li> <li>• <b>Board</b> (when referring to the Board of Immigration Appeals) "The Board found that to be unlawful."</li> </ul>
<p>Do NOT capitalize</p>	<ul style="list-style-type: none"> <li>• the court</li> <li>• your honor</li> <li>• cancellation of removal</li> <li>• withholding of removal</li> <li>• asylum</li> <li>• voluntary departure</li> <li>• judge (when used on its own without preceding a name)</li> <li>• government</li> <li>• allegation</li> </ul> <p>Phrases such as "allegation one" should be spelled out</p>

### Headings

All headings should be centered, in ALL CAPS, and underlined:

1) OFF THE RECORD  
ON THE RECORD

\*\*Put OFF THE RECORD when judge calls to go off the record, and put ON THE RECORD on the next line before the judge states that they're back on the record

\*\*When a hearing is split between **multiple files**, put OFF THE RECORD to signify the break in the hearing and ON THE RECORD to signify that the hearing has resumed.

\*\*These split hearings are called **underscore files**, because files after the first one will have an underscore followed by a number after the file name (“123-456-789\_2019-01-09\_1” “123-456-789\_2019-01-09\_2,” et cetera) -- these should be combined with the first audio file and transcribed into the template with the corresponding date, separated by the OFF/ON THE RECORD heading

\*\*Occasionally, an underscore file will be an unrelated hearing; see **Page 14** for more information

## 2) JUDGE RENDERS ORAL DECISION

\*\*Enter JUDGE RENDERS ORAL DECISION, when the judge indicates that they are starting their **Oral Decision**

\*\* If the judge interrupts the decision to talk to someone else in the courtroom and then goes back to the decision that needs to be noted back in the hearing template

1	JUDGE TO COUNSELS
2	I'm going to start the oral decision.
3	<u>JUDGE RENDERS ORAL DECISION</u>
4	JUDGE TO INTERPRETER
5	Madam Interpreter, this doesn't need to be interpreted.
6	INTERPRETER TO JUDGE
7	Oh, sure, your honor. Sorry.
8	<u>JUDGE RENDERS ORAL DECISION</u>
9	JUDGE TO COUNSELS
10	And we're still on the record. Anything further?

## 3) HEARING CLOSED

\*\*ALWAYS used at the very end of a hearing -- no dialogue/text/blank numbered lines should come after HEARING CLOSED

4) AUDIO RECORDING BEGINS  
AUDIO RECORDING ENDS

\*\*Only used when judge plays back recording of a previous hearing -- this is a rare occurrence, but it does occasionally happen

5) BEGIN RECORDING  
END RECORDING

\*\*Only used when judge plays a pre-recorded video of rights advisals in some group hearings

## Bond Hearings

Bond hearings are hearing where a respondent argues for the ability to be released from ICE custody while their case is pending. If a bond hearing occurs either within your audio file or takes up the entirety of an audio file, transcribe the file as normal. **Please** be sure to note in your TQS the date of hearing when the bond occurred.

## Miscellaneous Formatting

- Breaking up long chunks of speech under one speaker ID into new paragraphs is not necessary -- it's avoided because it can look like a speaker ID was skipped
- [indiscernible] should be used as few times as possible
  - DOJ will often have various issues like poor audio, thick accents, telephonic speech, or the interpreter talking at the same time as other speakers, so sometimes the use of [indiscernible] is unavoidable. Still, it is expected that **you will listen to any garbled words/phrases more than once** in order to determine what's being said.
  - If you have a strong sense of what the word or phrase sounds like and it makes contextual sense transcribe your best guess. If after multiple listens, you are unable make an attempt at the word/phrase with a high degree of certainty, it is acceptable to go with [indiscernible].
  - Try to avoid using [indiscernible] for proper names. Instead, take your best guess and use [phonetic].
  - Timestamps for indiscernibles should be recorded in the TQS as a chronological list (individual explanations are not necessary). If there are several in a row, you may put a block of time (for example, "1:31:17-1:31:45")

- If there are a large number of indiscernibles in a transcript, please note a general reason why in the TQS (e.g., “interpreter has heavy accent”)
- If the audio you receive for an assignment is poor enough that you cannot transcribe the complete file, PLEASE email [transcribers@nccsite.com](mailto:transcribers@nccsite.com) as soon as possible.
  - **Examples:** audio does not play, is blank, or consists of only static noise (contains no dialogue), or extremely poor quality
  - If the issue is simply heavy accents or some speakers are hard to hear, you are still expected to transcribe the full file to the best of your ability, and we would ask you to note any of these issues in the TQS.

### Unrelated Aliens/Transcription

Unrelated aliens are respondents that are included within your assigned files but are a completely separate case than that of the respondent from your assignment email. They can be:

- **Embedded** -- where only part of the audio file is unrelated
- **The full audio file** -- the entire file deals with a respondent that is not related to the lead respondent from your assignment email
- **Group hearings** -- a group hearing where the lead respondent is not present/not included in the proceedings
  - if the respondent from your assignment email is mentioned, but not present that is **NOT** an unrelated hearing
- **Individual** -- the hearing pertains to only one respondent (potentially with riders, see **Page 5**) who is not the respondent from your assignment email

Unrelated hearings **must be transcribed separately** in the blank “[Case Hearing Template](#)”

Like a normal cover page, anything surrounded by black brackets needs to be filled in by the transcriber. In addition to the usual information (respondent’s name, location, interpreter/language, and counsels’ names), transcribers must also fill in:

- A-number
  - If the A-number is not given, use dashes (--- --- ---) on the cover and in the footer. If the A-number is only partially given, use a mix of numerals and dashes (for example, --- --- 123)
- Type of proceeding
- Immigration Judge name
- Date of hearing spelled out in sentence case (for example, “October 1, 2020”)

All of this information will be given in the audio file. Be sure to erase all black brackets on the cover page and mind the Bookmarks (see **Page 5**). The A-number and hearing date should also be filled in in the **footer** of the document (changes made in the footer

of one page will apply to all pages).

For group hearings:

- Use --- --- --- as the A-number
- Use GROUP as the respondent's name

When saving the transcript, change the name "Case Hearing Template" so that it matches the normal DOJ naming convention, filling in the information as appropriate:

--- --- --- [2018-03-04 CH] [TS]

^^only exception is that the AID is removed/omitted

**\*\*Please see sample of blank/filled in Case Hearing Templates on Pages 26-27\*\***

## Oral Decisions (ODs)

This section deals with Oral Decisions (ODs) -- transcription where the immigration judge dictates whether or not the respondent is able to stay lawfully in the United States and their reasoning behind their decision. Formatting for oral decisions differs slightly from that of case hearings, so please read the guidelines carefully.

EOIR Supplemental Transcription Style Guidelines should be followed for any formatting not covered by DOJ -- See the [Diaz Transcription Website](#) for more information.

**\*\*Please see sample oral decision transcript found on Page 24\*\***

## Template

ODs are transcribed in their own **separate template**. If the judge says something to the effect of, "Transcriber, please switch to the oral decision format," put JUDGE RENDERS ORAL DECISION centered on its own line in the hearing transcript, save, and open the oral decision template which has been provided. A sample title of a hearing template follows:

123-456-789 [AID 1234567] [YYYY-MM-DD OD] [TS].doc

The "OD" stands for Oral Decision and the date preceding it refers to the date that the decision was dictated.

There is also a blank "Oral Decision Template" provided, which is used for [Embedded Oral Decisions](#) (see **Page 19**)

## Cover Page

The formatting of the cover page template (up to and including the “ORAL DECISION OF THE IMMIGRATION JUDGE” heading) should remain unchanged from its original format, even if the judge dictates otherwise. Like a hearing template, some information is provided by DOJ and some must be filled in by the transcriber. **NOTE** that [phonetic] **should not** be used on the cover page. Be careful to not delete bookmarks!

Information provided by DOJ

- A-number
- Date
- Immigration Judge (in signature line)

Information to be filled in by transcriber:

- Location (same protocol as case hearings, **Page 6**)
- Respondent’s name (same protocol as case hearings, **Page 5**)
- Charges/Applications
- Counsels’ names

## Charges/Applications

Text in the charges/applications section should be **sentence case and tabbed at 1.5”** (see sample on **Page 24**) and any text that wraps around to the second line should be indented to match the line above it

Remove the “S” if there is only one charge and/or application

If charges/applications are not dictated by the judge, those sections can be left blank

## Counsels’ Names

Attorney information should be in **sentence case, three spaces** to the right of the colon. If an address is dictated, it should be formatted like it would be on an envelope:

John Smith  
1234 Cherry Tree Court  
McLean, VA 22102

ONLY the attorney’s name needs to be in the brackets/bookmark. Titles (such as “Esquire”) should be outside of the bookmarks



## Formatting

### Body of Transcript

- Speaker IDs are **not** necessary since the judge is the only speaker
- Font is Arial, size 12
- Line spacing is Exactly 25 pt (see **Page 9**)
- New paragraphs are indented at **1”** (as opposed to 0.5” in case hearings)
- No line numbers

### Grammar/Verbatim Transcripts

The judge will often specify exact punctuation, spelling, and capitalization. Instructions should not be transcribed, but reflected in the transcript

**Example:** If judge says, “As such comma, the court feels that capital R respondent did not meet their burden according to capital S Section 212, parentheses, A, close paren, of the Act period.” →

“As such, the court feels that Respondent did not meet their burden according to Section 212(a) of the Act.” would be transcribed

In the absence of specific directions from the judge, use spelling and punctuation in line with the EOIR Supplemental Guidelines.

Also, unlike the regular hearing transcript, **oral decisions are not necessarily verbatim**: do **not** transcribe stutters, corrections, or “strike that.” Similarly, if the judge misspells/misstates something, the transcript should reflect the correct spelling, et cetera.

**Example:** If the judge says: “The respondent did -- the respondent entered the U.S. on February 3, 2011. Strike that. The respondent entered the U.S. on March 3, 2011.” →

“The respondent entered the U.S. on March 3, 2011.” would be transcribed.

### Headings

Occasionally, the judge will dictate headings (see sample on **Page 24**). These should be formatted however the judge instructs. If the judge does not provide instructions for formatting, headings should be in ALL CAPS, CENTERED, AND UNDERLINED

## Footnotes

A judge may dictate that there is a footnote in the oral decision. These must be transcribed.

To enter a footnote, click “References” → “Insert Footnote” and begin typing the footnote. When the judge specifies to go back to the regular text, click in the body of the document and resume typing the decision.

## Citations

During a decision, the judge will cite various laws and cases which must be formatted a certain way.

### Immigration and Nationality Act (INA):

Capitalize “Act” when INA is being referenced

Transcribe the word “Section” (capitalized); if instructed to use the section symbol by the judge, please note that in your TQS.

The general format for parentheticals in INA citations is: 123(a)(1)(A)(i)(I)

- First parenthetical letter (a) is lowercase.
- First parenthetical number (1) is regular numeral.
- Second parenthetical letter (A) is uppercase.
- Second parenthetical number (i) is lowercase Roman numeral.
- Third parenthetical number (I) is uppercase Roman numeral.
- If there are two letters cited in a row at the beginning, capitalize the first letter (Section 242A(a)(1), for example)

### Court Cases:

Names in court citations should be underlined even when only mentioned by one name.

**NOTE:** if the judge requests different formatting (italicizing, for example) follow their instructions, and note the differentiation in your TQS

### Examples:

INS v. Cardoza-Fonseca, 480 U.S. 421 (1987)

^^INS -- Immigration and Naturalization Service

^^”Versus” should be transcribed as “v.”

Matter of Andazola, 23 I&N Dec. 319 (BIA 2002)

^^"Dec." is often dictated as "decision" -- it should be abbreviated as seen here  
^^BIA -- Board of Immigration Appeals

Efe v. Ashcroft, 293 F.3d 899 (5th Cir. 2002)

^^"F.3d" is dictated "F third"

^^"Cir." is dictated "circuit" -- it should be abbreviated as seen here

^^"Second" and "Third" should be transcribed as "2d" and "3d" (both after "F." and when referring to a circuit court -- e.g., "2d Cir. 2004")

Matter of M-E-V-G-, 26 I&N Dec. 227 (BIA 2014)

^^When a judge cites only initials for a BIA decision, transcribe like this

**If spelling of names is unknown, copy all other citation info and paste into a Google search bar.** The case you're looking for should be among the first search results. If, after a Google search, the names can't be confirmed, transcribe your best guess at the name(s) and add [phonetic] after the name(s).

Fictional Example: Andi [phonetic] v. Sessions

### C.F.R.:

C.F.R. stands for Code of Federal Regulations ---> periods are needed after every letter

The section symbol § should be transcribed instead of the word "section" for C.F.R. citations (To find -- Insert > Symbol > More Symbols. Click the special characters tab to find the § symbol. [It is recommended that you enable autocorrect for the § symbol.](#))

**Example:** 8 C.F.R. §1240.26(b)(3)

Note that there is no space between § and the citation

### **Embedded Decisions**

An embedded decision (embedded OD) is a decision that happens in a hearing that does not have a corresponding OD template and does not match the dates of any provided ODs. In this case, the blank "[Oral Decision Template](#)" should be used.

It should also be used if any **unrelated** (see **Page 14**) transcription has an OD.

Like a normal oral decision, anything surrounded by black brackets needs to be filled in by the transcriber. In addition to the usual information (location, respondent's name, charges/applications, and counsels' names), transcribers must also fill in:

- A-number
  - If the A-number is not given, use dashes (--- --- ---) on the cover and in the footer. If the A-number is only partially given, use a mix of numerals and dashes (for example, --- --- 123)
- Date of hearing
- Immigration judge name (in signature line)

All of this information should be dictated by the judge. Be sure to erase all black brackets on the cover page and mind the Bookmarks (see **Page 5**). The A-number and hearing date should also be filled in in the **footer** of the document (changes made in the footer of one page will apply to all pages).

For group hearings:

- Use --- --- --- as the A-number
- Use GROUP as the respondent's name

When saving the transcript, change the name "Oral Decision Template" so that it matches the normal DOJ naming convention, filling in the information as appropriate:

--- --- --- [2018-03-04 OD][TS]

^^only exception is that the AID is removed/omitted

Case Hearing Sample

**Samples**

U.S. Department of Justice  
Executive Office for Immigration Review  
United States Immigration Court

In the Matter of

File: A200-200-200

CHARLIE CHAPLIN

)

)

)

)

RESPONDENT

IN REMOVAL PROCEEDINGS

Transcript of Hearing

Before JACK L. ANDERSON, Immigration Judge

Date: January 15, 2013

Place: OMAHA, NEBRASKA

Transcribed by Diaz Data Services

Official Interpreter: RUSSIAN

All brackets are removed!

Language: VINCENT PRICE

Appearances:

For the Respondent: HUBERT LEWIS

For the DHS: FARNSWORTH DOUBLEDAY

## Case Hearing Sample

1 JUDGE FOR THE RECORD ← Use this when Judge speaks to all

2 Good morning. This is Immigration Judge Jack L. Anderson in Omaha, Nebraska, on  
3 January 15, 2013, in the matter of Charlie Chaplin, case number A200-200-200. Appearing on  
4 behalf of the respondent is Hubert Lewis [phonetic]. For the government is Farnsworth  
5 Doubleday [phonetic]. The Russian-language SOSI interpreter is Vincent Price [phonetic].

6 JUDGE TO INTERPRETER

7 Mr. Price, could you sit a little closer to the microphone, please?

8 INTERPRETER TO JUDGE ← Interpreter speaker; not interpreting

9 Yes, your honor.

10 JUDGE TO INTERPRETER

11 Thank you.

12 JUDGE TO MR. CHAPLIN

13 How are you this morning, sir?

14 MR. CHAPLIN TO JUDGE ← Interpreter interpreting

15 Fine, thank you.

16 JUDGE TO MR. LEWIS Indent 1/2 inch

17 ← Will you be entering a plea this morning?

18 MR. LEWIS TO JUDGE

19 We're not yet prepared to plead. I was just assigned to this case 10 minutes ago.

20 JUDGE FOR THE RECORD

21 We're going to go off the record while respondent's counsel convenes with his client to  
22 decide on a plea.

23 OFF THE RECORD

24 ON THE RECORD

25 JUDGE FOR THE RECORD

## Case Hearing Sample

1 We're back on the record in A200-943-415.

2 JUDGE TO MR. LEWIS

3 You're ready to plead, Mr. Lewis?

4 MR. LEWIS TO JUDGE

5 Yes, your honor. We admit to the charges and concede removability.

6 JUDGE TO MR. LEWIS

7 Very well. That's [indiscernible]. I'm now going to do my decision.

8 JUDGE RENDERS ORAL DECISION

Use this when switching to  
dictated decision template

9 JUDGE TO MR. CHAPLIN

10 Mr. Chaplin, I've rendered my decision, and you are to be removed to Russia. Do you  
11 understand the decision?

12 MR. CHAPLIN TO JUDGE

13 Yes, your honor.

14 JUDGE FOR THE RECORD

15 That completes the hearing.

16 HEARING CLOSED

Place this at the end of the  
hearing





## Oral Decision Sample

Accordingly, I find that there is clear and convincing evidence to establish he is removable as charged. Mexico is designated as country of removal.

Indented to 1"

### STATEMENT OF LAW

→ Cancellation of removal is available to an alien who has been physically present in the U.S. for at least 10 years, has been a person of good moral character during that period, has not been convicted of certain specified criminal offences, and has established that removal would result in exceptional and extremely unusual hardship to the alien's spouse, parent, or child who is a U.S. citizen or lawful permanent resident. See Matter of Monreal, 23 I&N Dec. 56 (BIA 2001).

### FINDINGS OF THE COURT

The court will note that based on the entire record and totality of the circumstances that the respondent has been able to meet all the required statutory requirements to be granted cancellation of removal. Specifically, the respondent has been able to establish that he has at least 10 years of continuous presence in the United States. Further, the respondent does not have any significant criminal history, and based on his ties in the United States, the court finds he has established good moral character.

### ORDERS OF THE COURT

Therefore, the following order shall be entered. The respondent's request for cancellation of removal pursuant to Section 240A(b)(1)(i) is hereby granted.

---

Laura P. McKnight  
Immigration Judge

Unrelated Template (before filled in)

U.S. Department of Justice  
Executive Office for Immigration Review  
United States Immigration Court

In the Matter of

File: A[A-NUMBER]

[FIRST MIDDLE LAST]

)

IN [REMOVAL] PROCEEDINGS

)

[RESPONDENT]

)

Transcript of Hearing

)

Before [IJ NAME], Immigration Judge

Date: [DATE]

Place: [CITY, STATE]

Transcribed by Diaz Data Services

Official Interpreter: [NAME]

Language: [LANGUAGE]

Appearances:

For the [RESPONDENT]: [NAME]

For the DHS: [NAME]

Templates (after filled in)

U.S. Department of Justice  
Executive Office for Immigration Review  
United States Immigration Court

In the Matter of

File: A123-456-789

DAVID SCOTT MUSTAINE

)

)

)

)

RESPONDENT

IN REMOVAL PROCEEDINGS

Transcript of Hearing

Before JACKSON BROWN, Immigration Judge

Date: October 12, 2018

Place: LOS ANGELES, CALIFORNIA

Transcribed by Diaz Data Services

Official Interpreter: GLEN DANZIG

All brackets erased!

Language: GERMAN

Appearances:

For the RESPONDENT: PRO SE

For the DHS: BENNY HILL