

Requesting Immigration and Criminal Records: A Guide for Immigrants with Removal Orders

Some immigrants may be eligible to file a “motion to reopen” their removal case. If your motion is granted, you no longer have a removal order. This is a complex legal process, so it is best to work with a trusted immigration lawyer. The lawyer will need to review your criminal and immigration records to give you accurate advice on whether it is possible to reopen.

1) Request your immigration records

You can request your records from immigration agencies using the “Freedom of Information Act” (FOIA), a law that allows you to get copies of government records about you. It is safe and free. The Executive Office for Immigration Review (EOIR) has your immigration court records, and the U.S. Citizenship and Immigration Services (USCIS) has your documents from family petitions, refugee application, etc.

The fastest way to request your records is online:

- For your **immigration court records**, you can email the immigration court that issued your removal order to request your “whole file,” following the instructions here: <https://www.justice.gov/eoir/request-rop-email-immigration-courts>.
 - You can look up when and where your removal order was issued at <https://acis.eoir.justice.gov> or call (800) 898-7180.
 - If you have an older case, the immigration court may not have your records, and you should file a FOIA with EOIR here: <https://foia.eoir.justice.gov>. Alternatively, you can submit a FOIA with EOIR by mail. There is a letter at the end of this guide that you can use if you are submitting a FOIA with EOIR by mail rather than online. After mailing, you should receive a letter acknowledging your request, and then – within a few months – you will be mailed your immigration court records on a CD.
- For your **USCIS records**, you can request them here: <http://first.uscis.gov>.

2) Request your criminal records

You can request your criminal records from the court where you were convicted. If you have convictions from more than one county, you will need to contact each court where you received convictions. Visit the court’s website or call the court clerk for specific instructions. The clerk can search for your case(s) using your name and date of birth.

- You should request a copy of the “entire case file” for each case. If the case file is very large and too expensive to request, ask the clerk for the “charging document” and the “disposition,” which shows your conviction and sentence. You do not need “certified” copies.

This guide is for information purposes only and is not intended as legal advice. If you are at risk of being re-detained and deported, contact Asian Americans Advancing Justice – Asian Law Caucus at (415) 896-1701.

Office of the General Counsel – FOIA Service Center
Executive Office for Immigration Review
5107 Leesburg Pike, Suite 2150
Falls Church, VA 22041

Re: FOIA/PA Request of _____, **A#** _____
(name) (8 or 9 digit A number)

Dear FOIA Officer:

I am writing to request that you send me a complete copy of my record of proceedings, including any audio recordings.

Full Name: _____

Date of Birth: _____

Place of Birth: _____

I was previously in removal proceedings in _____ in the year _____.
(city, state)

Please send the copy of my file to me at the following address:

Thank you for your time.

I declare under penalty of perjury that the foregoing is true and correct.

Signature: _____

Printed Name: _____

Date: _____