

	<b>Contract:</b>	<b>DHS USCIS-SCOSS</b>	
	<b>Service Center:</b>	<b>VSC</b>	
	<b>Name:</b>	<b>G-28</b>	
	<b>Effective Date:</b>	<b>12-17-14</b>	

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## PURPOSE

This SOP prescribes procedures for the acceptability and processing of the Notice of Entry of Appearance as Attorney or representative, Form G-28 at the Vermont Service Center.

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## Related Documentation

Name of Related Document	Control Number of Related Document
Keying Memo	R-VSC-0311-V04
Abbreviation List	

## INTRODUCTION

The Notice of Appearance as Attorney or Representative (Form G-28) is used when petitioners and applicants wish to be represented by an attorney in the United States, as defined in 8 CFR 103.2, or by an attorney outside the United States as defined in 8 CFR 292.1(a) (6), or by an accredited representative as defined in 8 CFR 292.1(a) (4).

## SPECIAL PROCESSING FOR VAWA CASES

Not all requirements are necessary for VAWA cases. All VAWA related cases are sent to CIS Safe Address Review. CIS VAWA Review will provide clear instructions by indicating a safe address to be entered into the system.

## FILE ASSEMBLY

### REVIEWING FORM G-28

The below requirements must be met in order for the G-28 to be considered acceptable.

#### Acceptable Revisions

- G-28s with a revision date prior to 02/28/13 and forms EOIR-27, EOIR-28, G-28I's are no longer acceptable forms of G-28s.
- **For non-VAWA cases:** We will only accept the G-28 with revision date 02/28/13. All other revisions, EOIR-27, EOIR-28 and G-28I's will be flipped as invalid.
- **For VAWA cases:** We will place all revisions of the G-28, EOIR-27, EOIR-28 and G-28I's in ROP order as though they are acceptable at file assembly. CIS Safe Address Review will instruct us to use the address from the G-28, EOIR-27, EOIR-28 and G-28I's and flip them as invalid. We should not be instructed to enter the G-28 if it is not the revision 02/28/13 or EOIR-27, EOIR-28 and G-28I's.

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### Attorney or Representative Section

- A specific individual's or representative's name is in the name fields and not solely a law firm.
  - **EXCEPTION:** When the law firm name includes one representative's name and the signature matches that name.  
**EXAMPLE:** Michael O'Reilly & Associates is listed and Michael O'Reilly's signature appears.

**NOTE:** If multiple representatives' names are printed in the name field or in Part 1#3 or in Part 5, and you cannot determine which individual is representing the case from the signature on the G-28, it is acceptable to use the representative's cover letter or correspondence to determine who is representing the case. If an individual representative cannot be determined, the G-28 should not be recognized.

### Address

- A complete address of the law firm or attorney is present. Attorneys with foreign addresses should be recognized.
- It is acceptable if only the zip code is missing.

### Eligibility Information Section

- **For non-VAWA cases:** The Eligibility Information section has one of the option blocks checked and/or completed with appropriate text. If only Block 3 is checked and/or completed with appropriate text, the G28 is invalid.
- **For VAWA cases:** The representative section can be blank.

### Petitioner Name and Address Section

- **For non-VAWA cases:** Petitioner/applicant name and address section is reviewed and if completed it must be the same name and signature on the underlying case. If it is the beneficiary's name, then we will not accept the G-28.

**NOTE:** If the petitioner/applicant has signed the G-28, but there is no name or address for the petitioner/applicant on the G-28, we will accept the G-28. However, the petitioner/applicant's signature on the G-28 must be verified with that on the petition/application. The Conditional Permanent Resident is the one required to sign the G-28 on I-751s. Initials and "signed for by" are unacceptable.

**EXCEPTION:** G-28's filed by applicants under the age of 14 years can be signed by their parent(s) or legal Guardian(s).

**NOTE:** Original signatures are needed for the petitioner/applicant. Photocopies are not accepted without an original filed with a riding and related petition or application.

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**Signature of Attorney or Representative Section**

- Signature block includes a representative or attorney's original signature.
- **For VAWA cases:** the signature can be photocopied. **For all other cases an original signature is required.**
- A paralegal may sign for the attorney. Initials or signatures of the attorney's paralegal are acceptable.

**Powers of Attorney**

- It is acceptable for attorneys and accredited representatives to sign on behalf of petitioners and/or applicants with a POA.
- The signature on the POA must conform to any particulars that are outlined in the terms and conditions of the POA.
- Flag the POA letter and annotate on the flag, "POA".

**NOTE:** A copy of the original POA may be accepted.

**NOTE:** If POA is questionable, send to CRU.

**Placement in Record**

**If the G-28 meets the above criteria:**

- The G-28 will be accepted and placed on top of the petition or application on the record side (left) of file and forwarded for further processing.
- As noted above, please review G-28's to ensure that it is placed on top of the correct application or petition. This is particularly important when multiple petitions/applications are placed in a single file.

**If the G-28 does not meet the above criteria:**

- The G-28 will be placed face down on the non-record (right) side of the file.
- For VAWA cases put a sticky note on the back side of the invalid G-28 stating why it is invalid.
- This procedure includes EAC receipt and/or A-files.
- The petition or application will then be forwarded for further processing.

**Photocopying for Multiple Filings**

- **Non-VAWA:** Only make a copy if the applicant is the same. Annotate each photocopied G-28 indicating "Original seen and verified", VT#, and date.
- **VAWA:** Make a photocopy for all riding petitions. Annotate each photocopied G-28 with VT# and date.
  - **EXCEPTION:** A Photocopy is no longer necessary for an acceptable I-192 riding with an I-918, I-918A, I-914 or I-914A for the same person. Make a photo copy if the I-192 is a reject.

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### VAWA Cases

- Ensure all VAWA cases have been through USCIS VAWA Review and contain Safe Address Coversheets.
- Instructions on the USCIS Review Safe Address Coversheet are to be followed.
- If a Safe Address Coversheet is not present, forward case to USCIS Safe Address Review.

### **DATA ENTERING REQUIREMENTS:**

#### Spellings and Abbreviations

- Spelling of names, titles and firm names should be keyed in exactly as they are on the G-28 as this may lead to association of a particular G-28 with a particular individual or group of individuals.

**Example:** There may be a number of people misrepresenting themselves as attorneys on G-28s where the only identifiable connection is the distinct misspelling or improper abbreviation such as "Attorneys as Laws".

- The street address should also be keyed in exactly as it appears on the G-28, with the exception of using standard abbreviations.

**NOTE:** Refer to the Abbreviation List for a complete list of acceptable abbreviations that may be used for addresses.

### G-28 screen:

#### **Part 1. Information about the Attorney or Representative:**

ATTY State License # - Leave blank

VOLAG# - Leave blank

#### Printed Attorney Names

- Enter the Attorney's Last, First, and Middle names as they are listed on the G-28.

**Example:** If the name is listed as:

1.a. Family Name(Last Name): **Smith**

2.b. Given Name(First Name): **J**

3.c. Middle Name: **Jay**

Key it as:

Last Name: **Smith**

First Name: **J**

Middle Name: **Jay**

- **EXCEPTION:** It is acceptable to use logic and supporting documentation to determine name order and placement when the name is not clearly listed in specific fields. A sticky will be affixed to the file.
- If the printed attorney's name is not present check Part 1 number 3 and/or Part 5. If the name can be verified to match the signature, key the name from Part 1 number 3 and/or Part 5.

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### Titles

- If a title appears in the firm field, but is not included in the "Name" field, do not key into the name field.
- Reenter the name in the "Firm" field with the appropriate title.
- Titles in front of the lawyer's name (Mr., Mrs., Miss., AKA, SGT, LT, PR, Attorney,) will be omitted.
- Titles after the lawyer's name should be keyed in the "Last Name" field, after the last name.
- RAPS has a suffix field that is used for the attorney titles when entering G-28s.

### Firm Names

- Any ".com" or ".net" will be keyed in the "Business" or "Firm" name fields only.
- Long firm names may be continued on the first address line if the street address will fit entirely on the second Street address line. Otherwise, type as much of the firm name as possible up to the last letter in the "Firm" name field.

### C/O or ATTN

- On some form types, the "C/O" will not automatically print on the notice.
- If the attorney has a given name with "C/O" written in the data field and the system will not print out "C/O" on that form type, then "C/O" will be keyed in the system.
- If the attorney writes "ATTN", follow the instructions above, keying "ATTN" instead of "C/O".

**NOTE:** If keying in Claims 3 GUI, the system will not allow a "/" in the firm field. Leave "C/O" out.

### Street Addresses

- Both "Street Address" fields can be used to enter the street address, starting with the first street.
- If the identifier is missing and needed, default to STE.
- Verify the City and State after you enter the zip code.

### Foreign Addresses

- All information should be entered for foreign addresses for the petitioner, beneficiary, and the G-28.
- If available, enter both the street address and the PO Box.

**IMPORTANT:** If the foreign country is not included in the address on the G-28, then it must be entered. If you are unsure of what the correct country is check with your supervisor.

### Zip Codes

- If only the zip code is missing, the G-28 will be treated as valid.
- The zip code book or Attorney's letter may be used to determine the zip code.

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**Eligibility Information Section**

If the following block(s) are checked...	Then CLAIMS will be keyed in as...
Block 1,	A
Block 2,	B
Block 3,	For NON VAWA cases, the G-28 is invalid unless blocks 1 or 2 are also checked. For VAWA cases, key as C.
Block 4,	C
Block 1 and 3,	A
Block 1 and 2,	A
Block 1 and 4,	A
Block 2 and 3,	B
Block 2 and 4,	B
Block 3 and 4	C
All blocks are checked,	A
No blocks are checked,	For Non-VAWA cases the G-28 is invalid For VAWA cases, key as A

**NOTE:** Written text will be handled in the same manner as a check box. Use the check box the text is written in and follow the table instructions above.

**REVISION HISTORY**

Revision History											
Version #	V2	Date Reviewed	03/28/13	Date Released	03/28/13	Date Approved	03/28/13	Changes Made By	scoss	Changes Approved By	cpau
Description of Change: Changed wording.											
Version #	V3	Date Reviewed	4/30/2013	Date Released	4/30/2013	Date Approved	4/30/13	Changes Made By	scoss	Changes Approved By	cpau
Description of Change: Changed wording. G28's with a revision date of (2/28/13) if no APT, STE, or FL block is marked please use STE.											
Version #	V4	Date Reviewed	08/26/13	Date Released	08/26/13	Date Approved	08/26/13	Changes Made By	SCOSS	Changes Approved By	CPAU
Description of Change: Entire SOP has been reformatted and updates through out.											
Version #	V5	Date Reviewed	10/02/13	Date Released	10/02/13	Date Approved	10/02/13	Changes Made By	SCOSS	Changes Approved By	CPAU
Description of Change: Changed wording. The SOP was updated so as not to recognize these forms as G28s: EOIR-27, EOIR-28 and G-28I's.											

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Version #	V6	Date Reviewed	12-17-14	Date Released	12-17-14	Date Approved	12-17-14	Changes Made By	SCOSS	Changes Approved By	CPAU
<b>Description of Change:</b> Pg. 4, Signature of Attorney or Representative Section, 2 <sup>nd</sup> bullet, Added "For all other cases an original signature is required."											

**Vermont Service Center**

**Standard Operating Procedure (SOP)**

**Notice of Entry of Appearance as Attorney or  
Accredited Representative (Form G-28)**

Prepared by: Center Training Unit  
Vermont Service Center

**December 19, 2014**

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## General

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**Purpose** This SOP prescribes procedures for the processing of the Notice of Entry of Appearance as Attorney or representative, Form G-28, at the Vermont Service Center (VSC).

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**References** 8 CFR 103.2, 103.3, and 103.5  
8 CFR 292

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**Applicability** This SOP is applicable to all VSC SISOs, ISOs, and clerical personnel performing adjudicative and clerical functions, or review of those functions. Personnel performing other duties pertaining to G-28s are similarly bound by the provisions of this SOP that apply to their specific task or duties.

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**Conflict Resolution** Any provision of the Immigration and Nationality Act (the INA) or 8 CFR, that conflicts with this SOP will take precedence over the SOP; if you identify a conflict, report the matter immediately to your supervisor or to any SISO.

Report any conflicts between this SOP and policy or guidance documents issued by HQSCOPS through the supervisory chain of command for resolution.

This SOP supersedes all prior VSC guidance documents, policy memoranda, training packets, or other material pertaining to the Notice of Appearance as Attorney or Representative, (Form G-28). These documents should be discarded.

**NOTE:** Any previous instructions signed off by the COTR will be adhered to by the contractor until formal changes have been made and gone through the appropriate chain of command.

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## General, Continued

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### Revisions

Numbered revisions to this SOP will be issued as required; no other document will be considered a valid modification.

#### *Electronic and Printed Copies*

All personnel who maintain a printed copy of the SOP will post the revisions upon receipt. Electronic copies of the SOP will be modified to reflect changes as they are issued; a listing of posted revisions will be included in the electronic SOP to serve as a summary of all applicable revisions.

#### *Proposed Changes*

Submit proposed changes with appropriate supporting documents through first-line supervisors to an Assistant Center Director in Adjudications.

#### *Revisions*

Current revisions will be posted in the beginning of the document and all new changes will be highlighted in yellow. A complete listing of all prior revisions can be found at the end of this document in the Previous Revisions section.

**NOTE:** the KM# column below indicates the associated Knowledge Management change request submitted by the division.

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### Current Revisions

Refer to the table below for the list of current revisions to this SOP.

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Revision	Date	Change	Page	KM#
30	12/19/14	Reformatted	Throughout	
		Updated to identify all form types that may be filed under Violence Against Women Act (VAWA) and the Victims of Trafficking and Violence Protection Act (VTVPA)	5	2398

# Chapter 1: Filing Requirements

## Overview

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### **Purpose of Form G-28**

The Notice of Appearance as Attorney or Representative (Form G-28) is used when petitioners and applicants wish to be represented by:

- an attorney in the United States, as defined in 8 CFR 103.2, or
  - an attorney outside the United States as defined in 8 CFR 292.1(a)(6), or an accredited representative as defined in 8 CFR 292.1(a)(4).
- 

### **Proper Form**

On March 28, 2013, USCIS published a new Form G-28 version, dated February 28, 2013. After May 26, 2013, older versions of the G-28 will not be accepted.\*

The new G-28 also has a barcode at the bottom of the form. Do not cover or damage the barcode when processing the form or when adjudicating an application or petition.

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### **VAWA/ VTVPA Cases**

Due to the sensitivity of cases filed under the Violence Against Women Act (VAWA) and the Victims of Trafficking and Violence Protection Act (VTVPA), all G-28 versions will be included in the record and sent directly to USCIS Safe Address Review when filed with the any of the following VAWA/VTVPA based filings :

- I-360 (i), (j) or (m)
  - I-918/ I-918A
  - I-914 /I-914A
  - I-751 (e), (f) or (g)
  - I-192/I-193
  - I-929
  - I-485 with underlying VAWA I-360, I-918/I918A, I-914/I-914A
  - I-601 with underlying VAWA I-360, I-918/I918A, I-914/I-914A
  - I-90 with underlying VAWA I-360, I-918/I918A, I-914/I-914A
  - I-539 with underlying I-918/I918A
  - I-765(a)(19)
  - I-765(a)(20)
  - I-765(c)(31) related to VAWA I-360s
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## Overview, Continued

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### **Filing Requirements**

A properly filed Form G-28 must have all fields completed, contain original signatures of both the attorney/representative and the client, and must have the client's name as it appears on the related application or petition. You must also verify that a separate G-28 is completed for:

- Each applicant and petitioner;
- The applicant or petitioner if both are being represented by the same individual;
- Each individual application or petition when a client files multiple forms

A recognized, or honored, G-28 is entered into CLAIMS. The representative is then sent all correspondence for the underlying cases. A courtesy copy of a denial notice or approval notice is also sent to the petitioner/applicant's address.

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### **Computer Generated G-28**

The G-28 is available on-line for applicants and petitioners to complete and submit. The G-28 can also be computer-generated on-line and electronically submitted into USCIS systems. Further information, including the full instructions for completing the Form G-28 and additional filing tips, can be found at [www.uscis.gov/g-28](http://www.uscis.gov/g-28).

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## Overview, Continued

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### Separately Filed G-28s

An attorney/representative may submit a new, original Form G-28 for previously filed petitions/applications.

Follow the steps below when you receive a new, original Form G-28.

Step	Action
1	Ensure the G-28 is properly completed and signed by the applicant/petitioner.
2	Replace the old G-28 data in CLAIMS with the new G-28 data.
3	Place the old G-28 on the non-record side of the file with an indication of "Replaced on", <i>date</i> , and your NFTS code in red ink.
4	Cross out or discard the labels with the old representative's address.

The Customer Service Unit advises the customer to send the G-28 to PO Box 600. The Customer Service Unit will receive the G-28 from the mailroom and place it in the file and update the appropriate systems. For further information, refer to the CorreSRMT SOP.

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### Motions and Appeals

A G-28 filed with a motion or an appeal to the AAO will be recognized if it meets the same criteria as a G-28 filed with a petition or application. Refer to the Motions and Appeals SOP for further guidance.

If an applicant is filing a Notice of Appeal to the Board of Immigration Appeals from a Decision of an INS officer (Form EOIR-29), and the applicant is represented, a Notice of Entry of Appearance as Attorney or Representative Before the Board (Form EOIR-27) must be filed with the Notice of Appeal.

The Form EOIR-27 will be recognized if it meets the same criteria as a G-28 filed with a petition or application.

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## Power of Attorney

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**Types of POA** A Power Of Attorney (POA) may be *special* or *limited* to one specified act or type of act, or it may be *general*, and whatever it defines as its scope is what a court will enforce as being its scope. It may also be limited as to time.

### ***Durable Power of Attorney***

Under the common law, a POA becomes ineffective if its grantor dies or becomes "incapacitated," meaning unable to grant such a power, because of physical injury or mental illness, for example, unless the grantor (or principal) specifies that the POA will continue to be effective even if the grantor becomes incapacitated (but any such power ends when the grantor dies). This type of POA is called a *durable power of attorney*.

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### **POA Signs on Behalf of Petitioner/Applicant**

It is acceptable for attorneys and accredited representatives to sign on behalf of petitioners and/or applicants with a POA. The signature on the POA must conform to any particulars that are outlined in the terms and conditions of the POA. This means that you must check to ensure that the signature on case documentation matches any signature specifications that are outlined in the POA. If the POA has an expiration date, you must ensure that the POA is valid at the time of adjudication. A copy of the original POA may be accepted.

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**POA is Missing** The application or petition will be rejected if the attorney and/or accredited representative signed the application/petition and the required POA is missing.

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## Chapter 2: G-28 Placement in the Record

### General

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**Introduction** The Form G-28 must be reviewed for acceptability as defined by each section in *Chapter 1: Overview*.

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**Acceptable G-28** If the G-28 meets the criteria in Chapter 1, it is properly filed and will be accepted and placed on top of the petition or application on the record side (left) of file and forwarded for further processing.

Review the G-28 to ensure that it is placed on top of the correct application or petition. This is particularly important when multiple petitions/applications are placed in a single A-file.

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**Unacceptable G-28** If the G-28 does not meet the criteria in Chapter 1, then the G-28 is not properly filed and is unacceptable. It will be placed face-down on the non-record (right) side of the file.

This procedure includes EAC receipt and/or A-files. The petition or application will then be forwarded for further processing.

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## Exceptions to File Placement

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**VAWA/  
VTVPA Cases**

USCIS Safe Address Review will determine acceptability and will provide clear instructions for the adjudicating officer by placing a Safe Address Worksheet on top of the ROP. The Safe Address Worksheet will identify the safe address to be entered into CLAIMS.

This applies to all other concurrently filed applications or petitions identified in the *VAWA/VTVPA Cases* section in Chapter 1.

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## Exceptions to File Placement, Continued

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**Placement for N-400 Filings** Per NQP requirements, G-28s for N-400 applications will be placed beneath the N-400.

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**Placement for I-821/I-765 TPS Filings** When Forms I-821 and I-765 are concurrently filed for Temporary Protected Status and placed in an A-file, the I-821 is placed on the left side of the file folder and the I-765 on the right side of the file folder.

When a G-28 is not honored, it is placed face down on the right side of the folder underneath the I-765 and all supporting documentation, regardless of which application it was originally intended.

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**Placement in Third Party Notification** If a case is being sent to the NVC or other outside agency, the ROIQ (or Manifest Printout if No Hit) and Resolution Memo will be included in the ROP on top of the G-28.

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## Chapter 3: Data Entry

### General

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#### Data Entry Requirements

Data entry requirements are identified in this chapter. You must review all G-28s, including those placed on the non-record side, to ensure they meet the requirements in *Chapter 1: Overview* before data is entered or changed.

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#### VAWA/ VTVPA Cases

Refer to the following guidelines to process the Form G-28 filed with any of the VAWA/VTVPA related cases identified in the *VAWA/VTVPA Cases* section in chapter 1.

- The Form G-28 must be signed by the attorney or representative and the petitioner/applicant.
- Signatures do not have to be original.
- Ensure all VAWA/VTVPA cases have been through USCIS Safe Address Review and contain a Safe Address Worksheet. Follow instructions on the Safe Address Worksheet.

**NOTE:** If a Safe Address Worksheet is not present, return the case to USCIS Safe Address Review.

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## Data Entry

### G-28 Information

The following G-28 information must be entered into the appropriate database:

<b>BLOCK</b>	<b>Enter into the appropriate database...</b>
Name	<p>The Last, First, and Middle name of the attorney or representative. Include any titles in the "Last Name" field (e.g. ESQ, SR, JR, etc.).</p> <ul style="list-style-type: none"><li>• If the first name is indicated as an initial and the attorney is addressed by his or her middle name, enter the initial and middle name in the "First Name" field (e.g. Smith, J. Jay).</li><li>• If the first and middle names are indicated as initials, key both initials in the "First Name" field, separated with a space (e.g. Smith, J J).</li></ul>
Address	<ul style="list-style-type: none"><li>• The firm name/VOLOG if different from the attorney's name.</li><li>• The "Street Address" or P.O. Box # if both provided.</li></ul>
Type of Appearance	Note the type of appearance for the appropriate entry into the database if applicable [e.g. In CLAIMS-3, block 1 is an "A", block 2 is a "B", and block 3 is a "C"]

### Spellings and Abbreviations

Spelling of names, titles and firm names should be keyed in exactly as they are on the G-28 as this may lead to association of a particular G-28 with a particular individual or group of individuals. For example, there may be a number of people misrepresenting themselves as attorneys on G-28s where the only identifiable connection is the distinct misspelling or improper abbreviation such as "Attorneys as Laws" [sic].

Use of the G-28 Blocks in this fashion simplifies the data entry process while maximizing the search efficiency for CFDO and other users. The street address should also be keyed in exactly as it appears on the G-28, with the exception of using standard abbreviations such as RD, AVE, CIR, ST, and STE.

**NOTE:** Refer to the Standard Abbreviations Guide for a complete list of acceptable abbreviations that may be used for addresses.

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## Data Entry, Continued

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### **Titles**

If there is a title in the "Name" block, it will be keyed in the "Last Name" field. If a title appears in the address block, but is not included in the "Name" block, do not key into the name field. Reenter the name in the "Firm" field with the appropriate title.

Titles in front of the lawyer's name (Mr., Mrs., Miss., AKA, SGT, LT, PR, Attorney, etc.) will be omitted. Titles after the lawyer's name should be keyed in the "Last Name" field, after the last name.

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### **Street Addresses**

The first "Street Address" field is to be used for the street address, with any overflow entered into the second one. Verify the City and State after you enter the zip code.

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### **Foreign Addresses**

All information should be entered for foreign addresses for the petitioner, beneficiary, and the G-28. If available, enter both the street address and the PO Box.

**IMPORTANT:** If the foreign country is not included in the address on the G-28, then it must be entered.

**EXAMPLE:** If a G-28 is submitted with a Canadian address, then "Canada" must be included in the address field. If Canada is not on the G-28 as the country, then you will need to enter it.

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### **Zip Codes**

If only the zip code is missing, the G-28 will be treated as valid. The zip code book or Attorney's letter may be used to determine the zip code.

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### **Firm Names**

If there is a firm name in the "Printed Name" section on the G-28, but not in the "Address" section, then it will be keyed in the system as the "Firm Name". Any ".com or .net" will be keyed in the "Business" or "Firm" name fields only.

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*Continued on next page*

## Data Entry, Continued

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**Firm Names**  
(continued)

Long firm names may be continued on the first address line if the street address will fit entirely on the second Street address line. Otherwise, type as much of the firm name as possible up to the last full word in the "Firm" name field.

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**Attorney ID**  
**Numbers**

Do not key attorney ID numbers.

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**C/O or ATTN**

On some form types, the "C/O" will not automatically print on the notice. If the attorney has a given name with "C/O" written in the data field and the system will not print out "C/O" on that form type, then "C/O" will be keyed in the system.

If the attorney writes "ATTN", follow the instructions above, keying "ATTN" instead of "C/O".

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**Part 2: Check**  
**Boxes**

Refer to the table below to determine the appropriate letter code for CLAIMS entry of Part 2, Eligibility Information, of the G-28.

If the following block(s) are checked...	Then CLAIMS will be keyed in as...
Block 1,	A
Block 2,	B

**NOTE:** If block 3 is checked, either block 1 or block 2 must also be checked. If not, the G-28 is invalid.

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## Chapter 4: Adjudication Procedures

### General

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#### Officer Requirements

You must review the G-28 to ensure that the requirements are met and that the G-28 should be accepted and recognized. If the G-28 has been placed on the non-record side of the file, you must also review to ensure that it is unacceptable. If the G-28 is acceptable, you must confirm that it was data-entered correctly into the appropriate database, or make any necessary updates.

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#### Request for Evidence (RFE)

Do **not** initiate an RFE solely for a G-28 that has not been properly filed.

However, if additional evidence is needed for the application or petition, then inform the petitioner or applicant why the G-28 was not honored and request a properly filed G-28.

Upon receiving a response to an RFE that includes a properly filed G-28, enter the G-28 data into *CLAIMS* using the guidelines found in the Data Entry section of this SOP.

If a newly filed G-28 is submitted on a case with a pre-existing G-28, ensure it is the same representative and address. If so, place the new one on the non-record side and indicate "Duplicate" in red ink.

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#### Motions and Appeals

Review any G-28 submitted with a motion or appeal and update the underlying case in *CLAIMS/GUI* to include the data provided on the G-28 filed with the motion or appeal if:

- No G-28 was filed with the underlying case, or
  - A G-28 was filed with the underlying case by a different attorney or representative.
- 

#### Digitized File with Invalid G-28

If you identify a digitized file with an invalid G-28, make a note in EDMS under the Comment section listing the reason(s) as to why the form is not being recognized (e.g. not properly filed, attorney barred/suspended etc.).

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*Continued on next page*

## General, Continued

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**Return Mail** In the event that an RFE/ITD/ITR is returned undeliverable and the notice was sent to the attorney or representative, refer to the Return Mail SOP for further instructions.

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**VAWA/  
VTVPA Cases** Refer to the following guidelines to process the Form G-28 filed with any VAWA/VTVPA case identified in the *VAWA/VTVPA Cases* section in chapter 1:

- A G-28 must be signed by the attorney or representative and the petitioner/applicant.
  - Signatures do not have to be original.
  - A G-28 (despite unacceptable signatures) will always be used when this address is considered to be the safest.
  - Ensure that CLAIMS/GUI contains the proper G-28 information.
  - Place the G-28 on top of the Record of Proceeding (ROP).
  - A Safe Address Worksheet must remain on top of the file.
-

## Validity of G-28

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### Accredited Representatives and Ineligible Attorneys lists

There are 3 lists used as reference when verifying the legitimacy of an attorney or representative. All three lists are located on the VSC ADJ ECN page under the Reference links on the right-hand side of the page.

1) **Accredited Representatives list**

Representatives found on this list are legitimate representatives; therefore, the G-28 is considered valid if all other criteria have been met (ex: signature).

2) **List of Currently Disciplined Practitioners**

3) **Internal List of Ineligible Individuals**

Individuals found on either of the two lists above are not recognized as eligible to represent the applicant/petitioner; the G-28 should not be considered valid.

**EXCEPTION:** Attorneys on the **List of currently disciplined practitioners** that have what is called a “public censure” are still eligible to represent individuals before DHS. Do not invalidate these G-28s.

---

### Foreign Attorneys / Representatives

Attorneys admitted to the practice of law in countries other than the United States must use Form G-28I and may only represent individuals in matters filed in DHS offices outside of the geographical confines of the United States.

Attorneys and representatives that provide a foreign address on the G-28 may not be recognized by the VSC in these proceedings **unless they are an attorney licensed to practice in any one of the United States.**

8 CFR 292.1(a)(6) states:

An attorney [may be recognized]...provided that he/she represents persons only in matters outside the United States...and that the Service official before whom he/she wishes to appear allows such representation as a matter of discretion.

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*Continued on next page*

## Validity of G-28, Continued

### Not Recognizing Representatives

Follow the steps below if the G-28 is not properly filed, or the attorney has been barred by the BIA:

Step	Action						
1	Place the G-28 face-down on the right side of the file with a red line through it.						
2	<p>Delete the G-28 data from CLAIMS/GUI:</p> <table border="1"> <thead> <tr> <th>If the case is in...</th> <th>Then...</th> </tr> </thead> <tbody> <tr> <td>CLAIMS,</td> <td> <ul style="list-style-type: none"> <li>• Place an "N" in the G-28 field</li> <li>• Answer "Yes" to remove all G-28 data.</li> <li>• Press [F4] twice to save correctly.</li> </ul> </td> </tr> <tr> <td>GUI,</td> <td> <ul style="list-style-type: none"> <li>• Click on the "Y" in the G-28 field.</li> <li>• Click "Clear All" and "Yes."</li> <li>• Click "Cancel" and "Yes."</li> <li>• Click "Save."</li> <li>• Click "Cancel."</li> </ul> </td> </tr> </tbody> </table>	If the case is in...	Then...	CLAIMS,	<ul style="list-style-type: none"> <li>• Place an "N" in the G-28 field</li> <li>• Answer "Yes" to remove all G-28 data.</li> <li>• Press [F4] twice to save correctly.</li> </ul>	GUI,	<ul style="list-style-type: none"> <li>• Click on the "Y" in the G-28 field.</li> <li>• Click "Clear All" and "Yes."</li> <li>• Click "Cancel" and "Yes."</li> <li>• Click "Save."</li> <li>• Click "Cancel."</li> </ul>
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GUI,	<ul style="list-style-type: none"> <li>• Click on the "Y" in the G-28 field.</li> <li>• Click "Clear All" and "Yes."</li> <li>• Click "Cancel" and "Yes."</li> <li>• Click "Save."</li> <li>• Click "Cancel."</li> </ul>						
3	Cross out or discard any address labels in the file with the deleted representative's address.						
4	<p>Proceed with adjudication of the case.</p> <p><b>NOTE:</b> If an RFE has already been mailed to the attorney or representative, a new letter must be mailed to the applicant or petitioner. Use call-up 0040 at the beginning of the letter.</p>						

# MFAS

## Linking G-28 in MFAS

To link a G-28 in MFAS, follow the steps below to link attorney's information. The MFAS links with the PAMS (Private Attorney Maintenance System) automatically.

Step	Action																																		
1	Type REPR at "COMMAND:" and press [Enter].																																		
2	Type an "X" in the <b>Attorney Last Name:</b> field and press [Enter].  <b>RESULT:</b> This will bring you into the PAMS.																																		
3	In the <b>Office:</b> field type in the three-letter code of District Office jurisdiction where the attorney is located. Then press the [Tab] key. (Refer to the chart below for the three-letter code ex: BOS)																																		
	<table border="1"> <thead> <tr> <th>State</th> <th>City</th> </tr> </thead> <tbody> <tr><td>CT</td><td>HAR</td></tr> <tr><td>DC</td><td>WAS</td></tr> <tr><td>DE</td><td>DOV</td></tr> <tr><td>ME</td><td>POR</td></tr> <tr><td>MD</td><td>BAL</td></tr> <tr><td>MA</td><td>BOS</td></tr> <tr><td>NH</td><td>BOS</td></tr> <tr><td>NJ</td><td>NEW</td></tr> <tr><td>NY</td><td>NYC,BUF,ALB</td></tr> <tr><td>PA</td><td>PHI,PIT</td></tr> <tr><td>PR</td><td>SAJ</td></tr> <tr><td>RI</td><td>PRO</td></tr> <tr><td>VT</td><td>EAC,STA</td></tr> <tr><td>VA</td><td>NOR</td></tr> <tr><td>VI</td><td>CHA,CHR</td></tr> <tr><td>WV</td><td>WAS</td></tr> </tbody> </table>	State	City	CT	HAR	DC	WAS	DE	DOV	ME	POR	MD	BAL	MA	BOS	NH	BOS	NJ	NEW	NY	NYC,BUF,ALB	PA	PHI,PIT	PR	SAJ	RI	PRO	VT	EAC,STA	VA	NOR	VI	CHA,CHR	WV	WAS
State	City																																		
CT	HAR																																		
DC	WAS																																		
DE	DOV																																		
ME	POR																																		
MD	BAL																																		
MA	BOS																																		
NH	BOS																																		
NJ	NEW																																		
NY	NYC,BUF,ALB																																		
PA	PHI,PIT																																		
PR	SAJ																																		
RI	PRO																																		
VT	EAC,STA																																		
VA	NOR																																		
VI	CHA,CHR																																		
WV	WAS																																		
4	In the <b>Attorney-Last-Name:</b> field type in the last name of the attorney and press [Enter].  <b>RESULT:</b> This should bring up the different attorney IDs. Make sure the attorney you select has the exact address, including the suite numbers or apartment numbers.																																		
5	[TAB] down and type "X" to the correct attorney's name.																																		

*Continued on next page*

## MFAS, Continued

### Linking G-28 in MFAS (continued)

Step	Action
6	Press [Enter].  <b>RESULT:</b> This will bring up the attorney's address. Verify the name and address.
7	Type RETN at "COMMAND:" and press [Enter].  <b>RESULT:</b> "Representative ID Updated" will appear at the bottom of the screen.
8	Refer to the following section " <b>Adding New Attorney in MFAS</b> " to update the attorney.

**NOTE:** If the attorney is not found or does not show up under any of the above codes or the address was not exactly correct, then you must add the attorney by using EAC as the three-letter code for the city.

### Adding New Attorney in MFAS

Follow the steps below to add a new attorney.

Step	Action
1	Type ACAT at "COMMAND" and press [Enter].
2	Take information from the G-28 to type in the attorney's address.
3	Proofread attorney address and press [ENTER]. On the bottom of screen it should say "Attorney Added".
4	Type RETN at "COMMAND". This will bring you back to the REPR screen.  <b>RESULT:</b> The attorney's ID number and name will appear that you just added to the MFAS case.
5	Type CSTA at "COMMAND."
6	Verify that the attorney has been added by checking the representative ID on the CSTA screen.

*Continued on next page*

## MFAS, Continued

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### Deleting Attorney in MFAS

Follow the steps below to delete an attorney.

Step	Action
1	Type REPR at "COMMAND" and press [Enter].
2	[TAB] through information using space bar (to delete) bringing you to "COMMAND" and press [ENTER]. Bottom of screen should show "Representative ID deleted".
3	Type CSTA at "COMMAND" to verify that the "Rep Id" has been deleted.

---

### MFAS Verify Attorney

Follow the steps below to verify attorney information.

Step	Action
1	Type REPR at "COMMAND" and press [Enter].
2	You will see the Representative ID number...[TAB] to the ATTORNEY LAST NAME put in (x) and press [ENTER]. The name of the attorney will show.
3	Verify the attorney's name against the G-28 in the file.

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## Record of Proceeding

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### Properly Filed G-28

The Record of Proceeding (ROP) for cases with properly filed G-28s should appear as follows:

- G-28s are placed immediately on top of the petition or application.
- Initiated requests for evidence or intent letters are placed on top of the G-28 until a response is received.
- Denial and revocation notices are placed on-top of the G-28 with a pink cover sheet on top of all documents.
- G-28s filed with motions or appeals are placed on top of the motion or appeal and the supporting documentation.

When the final action is an approval, all USCIS notices and corresponding responses are removed from the top and filed appropriately within the ROP according to the case type's SOP, leaving the G-28 on top.

In general, the G-28 should always remain immediately on top of the petition, application, motion, or appeal that it was filed with and service actions placed on top.\* This will ensure that the G-28 is not separated from the corresponding petition or application and is appropriately recognized.

\* **NOTE:** An appeal or motion filed without a Form G-28, but signed by the attorney or representative with a properly filed G-28 on the underlying case, will be recognized and all correspondence will be forwarded to that representative. However, the G-28 will remain directly on top of the petition or application and **not** moved to the top of the appeal or motion.

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### Improperly Filed G-28

An improperly filed G-28 will be placed face-down on the right side of the file with a red line through it.

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## Previous Revisions

**Changes Prior  
to Current  
Revision Date**

The revisions below represent changes that were made to this document prior to the current revision date.

Revision	Date	Change	Page
20	12-16-09	Reorganized the SOP to improve ease of use and reduce the amount of duplicate information in each chapter.	Throughout
		<u>Added the following exception in regards to invalidating Attorneys on the Suspended Attorney's List:</u> <b>EXCEPTION:</b> Attorneys on the Suspended Attorney's list that have what is called a "public censure" are still eligible to represent individuals before DHS. Do not to invalidate these G-28s.	19
21	4-9-10	<u>The SOP was updated to reflect Headquarters guidance issued in the USCIS Update on November 9, 2009, which states that previous versions of the G-28 will be accepted until further notice.</u>	18
22	5-3-10	<u>The hyperlink on the VSC Intranet Adjudications Homepage to the Accredited Representatives and Barred Attorneys list was updated.</u>	19
		A step was added to "Changes Prior to Current Revision Date." Step 8 instructs the user to refer to the following section, " <b>Adding New Attorney in MFAS</b> " to update the attorney.	23
23	07/14/10	All reference to Power of Attorney (POA) signing for an applicant or petitioner was removed from this SOP per HQSCOP Memo 70/6-P dated January 19, 2010. SUBJECT: Signatures on Applications and Petitions Filed with USCIS: Amendment of Adjudicator's Field Manual (AFM) Chapter 10.1(a)(2) (AFM Update AD 10-23).	6
--	--	<u>A signature by an outside attorney or accredited representative or by any other individual based on a POA or other authorization is not acceptable.</u>	6

*Continued on next page*

## Previous Revisions, Continued

Revision	Date	Change	Page
24	07/27/10	Per HQ and supervisor guidance HQSCOP Memo 70/6-P dated January 19, 2010, is rescinded. We will continue our previous practice of recognizing a signature by an outside attorney or accredited representative or by any other individual based on a POA or other authorization.	6
25	04/25/12	Changed "VSC Intranet" to "VSC ECN site"	8 and 11
		<ul style="list-style-type: none"> <li>• Changed "VSC Adjudication page" to "VSC ECN ADJ page" and added a hyperlink to the page.</li> <li>• Changed <i>Suspended Attorneys list</i> to <i>List of Currently Disciplined Practitioners</i>.</li> <li>• Changed <i>Barred Individuals list</i> to <i>Internal List of Ineligible Individuals</i>.</li> <li>• Added instructions for removing the G-28 info from GUI.</li> </ul>	20
		Removed Previous Revisions section and placed it in a separate document.	
26	11/14/13	<ul style="list-style-type: none"> <li>• Changed the Title of Chapter 1 to "Filing Requirements."</li> <li>• Changed the "Introduction" block to show that older editions of the G-28 will not be accepted, and added an exception for VTVPA filings.</li> <li>• Added new "Filing Requirements" block.</li> </ul>	4
		Added website location for the G-28 in the "Computer-Generated G-28" block.	5
		Removed "G-28 Review" section.	20
27	3/10/14	Edited for Plain Language, Formatting and Spelling Corrections.	All
28	12/10/14	Changed Block Title.	4
		Removed guidance for missing POAs on applications/petitions filed prior to July 2006.	6
		Updated guidance for CLAIMS entry for Part 2 of G-28.	12
		<ul style="list-style-type: none"> <li>• Removed reference to outdated versions of G-28.</li> <li>• Added officer direction to update underlying case with data from G-28 filed with motion or appeal.</li> </ul>	13

Continued on next page

## Previous Revisions, Continued

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### Changes Prior to Current Revision Date (continued)

Revision	Date	Change	Page
29	12/15/14	<ul style="list-style-type: none"><li>• Updated <i>Proper Form</i> guidance for acceptance of outdated versions of G-28 for VAWA cases.</li><li>• Removed reference to Forms EOIR-27 and EOIR-28 from the <i>Filing Requirements</i> guidance.</li></ul>	4
		Added EOIR-27 as the proper form for Notice of Entry of Appearance as Attorney or Representative Before the Board to be filed with a Notice of Appeal to the Board of Immigration Appeals from a Decision of an INS officer (Form EOIR-29).	5
		Added I-751 (f) waivers as a VTVPA case subject to special processing.	7
		<ul style="list-style-type: none"><li>• Added I-751 (f) waivers to list of VTVPA cases.</li><li>• Reformatted <i>VTVPA Cases</i> block and removed reference to Forms EOIR-28 and EOIR-29.</li></ul>	9

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12/19/2014

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