

8 U.S.C.A. § 1103

§ 1103. Powers and duties of the Secretary, the Under Secretary, and the Attorney General

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(g) Attorney General

(1) In general

The Attorney General shall have such authorities and functions under this chapter and all other laws relating to the immigration and naturalization of aliens as were exercised by the Executive Office for Immigration Review, or by the Attorney General with respect to the Executive Office for Immigration Review, on the day before the effective date of the Immigration Reform, Accountability and Security Enhancement Act of 2002.

(2) Powers

The Attorney General shall establish such regulations, prescribe such forms of bond, reports, entries, and other papers, issue such instructions, review such administrative determinations in immigration proceedings, delegate such authority, and perform such other acts as the Attorney General determines to be necessary for carrying out this section.

8 U.S.C.A. § 1362 Right to counsel

United States Code Annotated Title 8. Aliens and Nationality

Chapter 12. Immigration and Nationality

Subchapter II. Immigration Part IX. Miscellaneous

In any removal proceedings before an immigration judge and in any appeal proceedings before the Attorney General from any such removal proceedings, the person concerned shall have the privilege of being represented (at no expense to the Government) by such counsel, authorized to practice in such proceedings, as he shall choose.

8 C.F.R. § 1292.4 Representation and Appearances.

Code of Federal Regulations Title 8. Aliens and Nationality

Chapter V. Executive Office for Immigration Review, Department of Justice

Subchapter B. Immigration Regulations

(a) An appearance shall be filed on the appropriate form by the attorney or representative appearing in each case. During Immigration Judge or Board proceedings, withdrawal and/or substitution of counsel is permitted only in accordance with §§ 1003.16 and 1003.36 respectively. During proceedings before the Service, substitution may be permitted upon the written withdrawal of the attorney or representative of record, or upon notification of the new attorney or representative. When an appearance is made by a person acting in a representative capacity, his or her personal appearance or signature shall constitute a representation that under the provisions of this chapter he or she is authorized and qualified to represent. Further proof of authority to act in a representative capacity may be required. A notice of appearance entered in application or petition proceedings must be signed by the applicant or petitioner to authorize representation in order for the appearance to be recognized by the Service.

8 C.F.R. § 1003.17 Appearances

Code of Federal Regulations Title 8. Aliens and Nationality

Chapter V. Executive Office for Immigration Review, Department of Justice

Subchapter A. General Provisions

Part 1003. Executive Office for Immigration Review

Subpart C. Immigration Court--Rules of Procedure

(a) In any proceeding before an Immigration Judge in which the alien is represented, the attorney or representative shall file a Notice of Appearance on Form EOIR-28 with the Immigration Court and shall serve a copy of the Notice of Appearance on the Service as required by 8 CFR 3.32(a). Such Notice of Appearance must be filed and served even if a separate Notice of Appearance(s) has previously been filed with the Service for appearance(s) before the Service.