

8 C.F.R. § 1003.62
§ 1003.62 Qualifications.
Currentness

(a) Organizations recognized under § 1292.2. An organization that is recognized under § 1292.2 of this chapter that seeks to have its name appear on the list of free legal services providers maintained by the Chief Immigration Judge must have on its staff:

- (1) An attorney, as defined in § 1001.1(f) of this chapter; or
- (2) At least one accredited representative, as defined in § 1292.1(a)(4) of this chapter, who is authorized to practice before the Board and Immigration Courts.

(b) Organizations not recognized under § 1292.2. An organization that is not recognized under § 1292.2 of this chapter that seeks to have its name appear on the list of free legal services providers maintained by the Chief Immigration Judge must declare that:

- (1) It is established in the United States;
- (2) It provides free legal services to indigent aliens; and
- (3) It has on its staff, or retains at no expense to the alien, an attorney, as defined in § 1001.1(f) of this chapter, who is available to render such free legal services by representation in immigration proceedings.

(c) Bar associations. A bar association that provides a referral service of attorneys who render pro bono assistance to aliens in immigration proceedings may apply to have its name appear on the list of free legal services providers maintained by the Chief Immigration Judge. Any other organization that provides such a referral service may also apply to have its name appear on the list of free legal services providers, and may, in the sole discretion of the Chief Immigration Judge, be included on the list.

(d) Attorneys. An attorney, as defined in § 1001.1(f) of this chapter, who seeks to have his or her name appear on the list of free legal services providers maintained by the Chief Immigration Judge must declare in his or her application that he or she provides free legal services to indigent aliens and that he or she is willing to represent indigent aliens in immigration proceedings pro bono. An attorney under this section may not receive any direct or indirect remuneration from indigent aliens for representation in immigration proceedings, although the attorney may be regularly compensated by the firm or organization with which he or she is associated.

Credits

[68 FR 10350, March 5, 2003]

SOURCE: 52 FR 2936, 2941, Jan. 29, 1987; 57 FR 11570, April 6, 1992; 60 FR 29468, June 5, 1995; 61 FR 59305, Nov. 22, 1996; 62 FR 9073, Feb. 28, 1997; 63 FR 27448, May 19, 1998; 63 FR 31894, June 11, 1998; 64 FR 56141, Oct. 18, 1999; 66 FR 37123, July 17, 2001; 66 FR 54911, Oct. 31, 2001; 66 FR 56976, Nov. 14, 2001; 68 FR 9824, Feb. 28, 2003; 68 FR 9830, Feb. 28, 2003; 71 FR 57884, Oct. 2, 2006; 71 FR 70857, Dec. 7, 2006; 73 FR 33876, June 16, 2008, unless otherwise noted.

AUTHORITY: 5 U.S.C. 301; 6 U.S.C. 521; 8 U.S.C. 1101, 1103, 1154, 1155, 1158, 1182, 1226, 1229, 1229a, 1229b, 1229c, 1231, 1254a, 1255, 1324d, 1330, 1361, 1362; 28 U.S.C. 509, 510, 1746; sec. 2 Reorg. Plan No. 2 of 1950; 3 CFR, 1949–1953 Comp., p. 1002; section 203 of Pub.L. 105–100, 111 Stat. 2196–200; sections 1506 and 1510 of Pub.L. 106–386, 114 Stat. 1527–29, 1531–32; section 1505 of Pub.L. 106–554, 114 Stat. 2763A–326 to –328.

Current through Feb. 12, 2015; 80 FR 7966.