



March 15, 2010

Executive Summary

Stakeholder Engagement – Transitioning to Electronic Filing

Background

On March 12, 2010, the Office of Public Engagement hosted a stakeholder engagement at the Tomich Center to discuss transitioning to electronic filing for specific benefit request and standard form types. Stakeholders participated in a teleconference to provide feedback and input on the impact of this transformation initiative and how to best implement. The objective of the meeting was to ensure that the Agency considers stakeholder input in developing and administering future guidelines and policy regarding e-filing.

Principal Themes

- **Require E-filing for Practitioners**

The stakeholder community felt that mandating electronic filing for legal practitioners would be much easier to implement than for individual applicants/petitioners. USCIS stakeholders stated specific government departments that already require electronic submission of certain applications include the Department of Labor, the Department of State, and the Department of Justice. Although stakeholder experience with government systems has been mixed, participants also recognized that they would be more able to adapt to mandatory e-filing changes than individual applicants or petitioners. This is largely due to the fact that certain USCIS customer groups (elderly and low English proficiency groups) have limited access to internet and electronic forms of payment. Furthermore, community-based organizations stated that they do not have the capacity to assist individuals through the e-filing process. However, practitioners indicated that their primary means of communication with clients and government agencies is electronic and thus, e-filing would be more consistent with current practice. Stakeholders stressed that system features such as user profiles, e-signatures, the ability to upload documents and amend applications, case status updates, sufficient text field space, and strong customer service measures, would aid a smooth transition to online filing for practitioners. Stakeholders recommended that the Agency consider the Department of Justice PACER system as a model for developing compulsory e-filing for practitioners.

- **Do Not Require E-filing for Specific Benefit Types**

Various stakeholders expressed that the Agency cannot require electronic filing for applications and petitions for specific benefit types. Stakeholders indicated that a number of benefit types (employment-based, family-based, humanitarian) require significant supporting documentation for adjudication. They stated that current technology and staffing limitations make scanning and uploading documents time consuming and that requiring multiple copies of documents is wasteful and inefficient. These weaknesses make it difficult to enforce e-filing for specific benefit types in current and future practice. Additionally,

stakeholders asserted that e-filing cannot be mandated for family-based, adjustment of status, humanitarian, and naturalization benefits because it may further marginalize certain groups. While stakeholders understand that filing electronically for applications that require less documentation, such as the I-90, I-131, and I-765, may offer certain efficiencies in the future, they did not suggest that these should be mandated for e-filing.

- **Consider the Use of Supporting Documentation**

A primary concern with transitioning to electronic filing is the submission of supporting documentation. Specifically, stakeholders emphasized that USCIS needs to minimize the amount of supporting documents it requires for adjudication. Particular areas of concerns in terms of e-filing included the accessibility to scanning facilities; time requirements for scanning; ensuring documents are collated with the correct applications or petitions; and guaranteeing that, when multiple copies of documents are submitted, complete applications or petitions are provided to all necessary government offices. Among the stakeholder suggestions were: providing locations with government oversight to present documentation to USCIS (i.e. ASCs with kiosks); sharing information with other government agencies and/or authoritative sources; providing more space in text fields on electronic applications and forms; and retaining documents in user profiles for future immigration benefit requests. Each of these recommendations was strongly supported by stakeholders as means to simplify e-filing processes and motivate users – practitioners and individuals alike.