Joint Motions to Reopen at the Board of Immigration Appeals, 2017–2025

Outcomes of 6,033 decisions posted in EOIR's FOIA Reading Room

Immigrant Defense Project

AT A GLANCE

01

6,033

joint motions to reopen decided by the BIA in the decisions retrieved, January 2017 – December 2025.

02

99.7%

granted: 6,017 of 6,033. 16 were denied (0.27%).

03

≥ 99%

grant rate in every calendar year in the period, ranging from 99.0% to 100%.

1 THE JOINT-MOTION EXCEPTION

Motions to reopen before the Board of Immigration Appeals (BIA) are ordinarily subject to a 90-day deadline and a limit of one motion. Those limits do not apply to a motion "agreed upon by all parties and jointly filed." 8 C.F.R. § 1003.2(c)(3)(iii). This brief describes how the BIA has disposed of such motions.

2 DATA AND METHOD

Source. The BIA designates nearly all of its decisions as unpublished. Under a February 2022 settlement following *New York Legal Assistance Group v. Board of Immigration Appeals*, 987 F.3d 207 (2d Cir. 2021), the BIA posts redacted unpublished decisions issued from 2017 onward in an online reading room, with older decisions added on a rolling basis through July 2027. The Reading Room has no full-text search or bulk download; each decision must be downloaded individually.

Population. On September 22, 2026, IDP staff ran a Reading Room search for appeal type "MTR BIA" filed by "Both." The search returned 6,171 BIA decisions dated January 2017 through December 2025, all of which were retrieved and reviewed by IDP staff.

Coding. IDP staff converted each decision to searchable text using optical character recognition. A script then read the order at the end of each decision for disposition language (for example, "the joint motion is granted," "these proceedings are reopened," or "the motion is denied"), allowing for common character-recognition errors, and searched the full decision for language showing that DHS joined the motion (for example, "joint motion" or "DHS joins"). The script coded a decision as a grant only if its order granted the motion, the decision showed a joint filing, and nothing in it suggested non-opposition, lack of jurisdiction, mootness, withdrawal, or a mixed order; it flagged every other decision for review. IDP staff read 294 decisions in full: every decision coded as a denial or an exclusion, decisions the script flagged, and a random sample of 85 decisions the script coded as grants (no errors found). A motion was treated as joint only where the decision

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shows that DHS joined, consented to, or agreed to it. A statement by DHS that it did not oppose the motion, or a motion deemed unopposed because DHS did not respond, was not treated as a joint motion; those decisions are excluded.

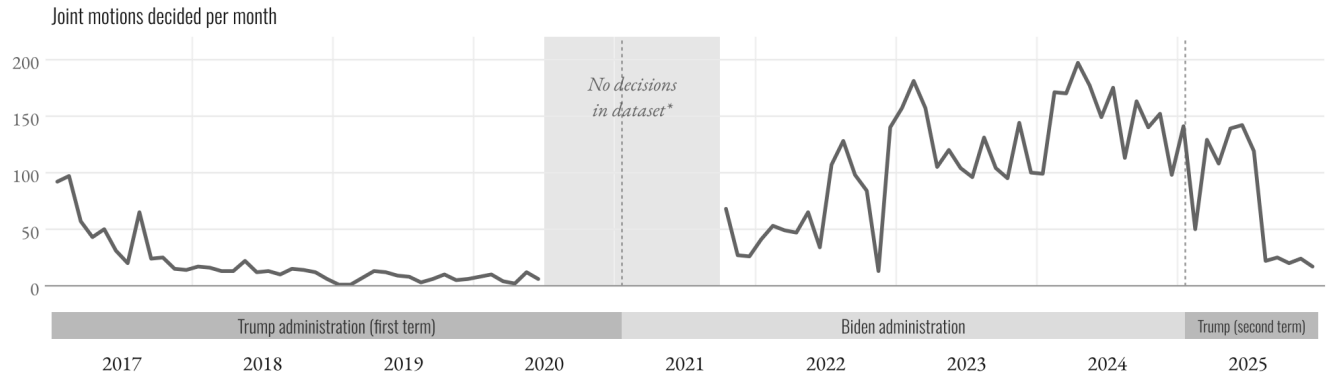
Exclusions. 138 decisions did not adjudicate a joint motion to reopen and are excluded from the rates reported here: 68 in which the BIA lacked jurisdiction, 40 that were not joint motions (27 in which DHS stated only that it did not oppose the motion or did not respond at all, and 13 in which the decision does not show that DHS joined the motion), 14 appeals or other motions, 11 moot or duplicate, 4 withdrawn before decision, and 1 seeking relief only for other parties.

3 FINDINGS

Across the full period the BIA granted 6,017 of 6,033 joint motions to reopen. Monthly volume varied widely, falling through 2018–2020 and rising sharply from 2022, but the grant rate did not fall below 99% in any year.

Board of Immigration Appeals decisions on joint motions to reopen, 2017–2025

6,017 of 6,033 decided joint motions granted (99.7%).



Source: EOIR FOIA Reading Room, appeal type "MTR BIA," filed by "Both"; retrieved Sept. 22, 2026.

Excludes 138 decisions that did not adjudicate a joint motion (jurisdictional returns, appeals, duplicates, non-joint motions).

**No decisions dated July 2020 – Sept. 2021 in the retrieved set; EOIR has not yet posted decisions from Jan.–Sept. 2021.*

	2017	2018	2019	2020*	2021*	2022	2023	2024	2025	TOTAL
Decided	533	163	81	42	121	859	1,494	1,804	936	**6,033**
Granted	533	163	81	42	121	856	1,493	1,801	927	**6,017**
Grant rate	**100%**	**100%**	**100%**	**100%**	**100%**	**99.7%**	**99.9%**	**99.8%**	**99.0%**	**99.7%**

** No decisions dated July 2020 – September 2021 appear in the retrieved set; see Limitations.*

4 LIMITATIONS

- **Posting gap.** The retrieved set contains no decisions dated July 2020 through September 2021, and EOIR's Reading Room states that decisions from January through September 2021 have not yet been posted. Figures for 2020 and 2021 reflect only the decisions available on September 22, 2026.
- **Completeness.** This analysis relies on the decisions posted to the Reading Room as of September 22, 2026; decisions not posted by that date are not included.
- **Classification.** "Filed by: Both" is EOIR's designation; the text of each decision was used to confirm DHS's role.

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