

## Differences between *Franco* & EOIR's Nationwide Policy

Procedure	<i>Franco</i>	Nationwide Policy
Timelines for JCI, CR, QR order	Required.	Aspirational.
If a class member is released from detention, does the QR remain on case?	QR remains on case until administratively final order of removal issued.	QR remains for only 90 days from date of release.
If class member released from detention, do they still receive an FCE if the FCE was ordered prior to release?	Yes, unless the class member fails to appear for exam then in IJ's discretion.	No.
Entitlement to a bond hearing after 180 days in detention?	Yes.	No. Nationwide Policy does not create bond authority.
Ability to proceed <i>in absentia</i> at various stages	It depends. <i>See Franco Released Class Member guidance.</i>	Yes, but a continuance may be warranted depending on individual circumstances of the respondent's competency. And, a finding of incompetence may be an exceptional circumstance for reopening.