

IBLA's COVID-19 Questions and Answers

[UPDATED April 1, 2020]

Q: Does the Board's March 24, 2020, COVID-19 Order extend the appeal period?

A: No. The Board's Order applied to "all appeals pending before the Interior Board of Land Appeals." New appeals must be filed with the appropriate bureau in accordance with 43 C.F.R. § 4.411, and, as specified in the regulation, the deadline for filing notices of appeal may not be extended. Please contact the proper bureau with any questions concerning filing notices of appeal. The Board will continue to docket appeals as we receive notice of them.

Q: I have an appeal pending before the Board and still need to file documents before the appeal is ready to be decided. When are my documents due?

A: If you received the Board's March 24, 2020, Order, then the deadline for you to file any document in your appeal has been extended 60 days from the date of the previous filing deadline. For example, if a statement of reasons was due on March 24, 2020, then the extended deadline is May 25, 2020.

Q: I recently filed a motion for an extension of time to file a document in my appeal but received the Board's March 24, 2020, Order before I received a ruling on my motion. Does the Order address my motion for an extension of time?

A: Yes. The Order governs all deadlines pending in your appeal since March 24, 2020. This means that the deadline for filing your document has been extended by 60 days. The Board will not issue a separate order addressing your motion.

Q: Is the Board accepting filings by email?

A: Yes. Please email your documents to the Board at ibla@oha.doi.gov. A 20 MB data limit applies to each email sent to the Board. If you need to send more than one email to file a document with the Board, then please identify how many emails you are sending and identify each one (e.g., "email 1 of 3") in your email message to the Board.

Q: Will the Board provide any confirmation of receipt/delivery of my emailed/filed document?

A: Yes. The Board will send parties an email acknowledging receipt of any emailed filing.

Q: How should parties establish and execute electronic service of documents to each other?

A: The Board's regulation governing service of documents, 43 C.F.R. § 4.401(c), requires parties to include a certificate of service with each document they file with the Board, indicating, among other things, the manner of service. If the parties consented to electronic service, then the certificate of service should identify the manner of service as email. The Board has no other requirements about how parties document their consent to electronic service.

Q: Will IBLA accept emailed documents with a digital signature?

A: Yes. IBLA will accept digital signatures.

Q: How often does IBLA post its decisions and orders online so that the public may view them?

A: IBLA posts decisions on its website as it issues them:
<https://www.doi.gov/oha/organization/ibla/Finding-IBLA-Decisions>.
IBLA posts dispositive orders on its website once a month:
<https://www.doi.gov/oha/organization/ibla/IBLA-Dispositive-Orders>.

Q: I have a question not covered by these Q&As. Whom do I contact?

A: Please email your question to ibla@oha.doi.gov.