

# Understanding and Supporting the Legal Needs of Immigrant Communities

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*\*Material presented here is for general informational purposes only. This information is not legal advice and does not create any attorney-client relationship.*

# Immigration framework

## AGENCIES INVOLVED

- ▶ Department of Homeland Security (DHS)
  - *United States Citizenship and Immigration Services (USCIS)*
  - *United States Customs and Border Patrol (CBP)*
  - *United States Immigration and Customs Enforcement (ICE)*
- ▶ Department of Justice (DOJ)
- ▶ Department of State (DOS)

## LAW

- ▶ Immigration and Nationality Act (INA)- enacted in 1952

# Immigration status

- ▶ US Citizen (USC)
- ▶ Non-citizen
  - *Lawful Permanent Resident (LPR)- have a green card*
  - *Temporary legal status (Visitor visa, student visa, temporary work visa, U visa, T visa, etc.)*
  - *Undocumented (No status- ex. visa overstay or entered without permission)*

# Immigration status continued...

How can non-US citizens become US citizens?

- ▶ Must qualify for, and obtain lawful permanent resident status first
  - Outside the US (consular process)
  - Within the US (adjustment of status)
- ▶ After residing in the US for 5 years (or 3 years in some cases), LPRs can eventually apply for US citizenship
- ▶ LPRs should talk to a trusted legal service provider about their eligibility for citizenship!

# Benefits of Lawful Permanent Resident (LPR) status

- ▶ LPRs can remain in the US permanently (must renew their LPR card/green card though)
- ▶ LPRs can obtain a social security number and work in the US
- ▶ LPRs can travel outside the US and re-enter the US with their LPR card/green card (\*restrictions on the amount of time spent outside the US though)
- ▶ LPRs can sponsor certain family members (numerical limits on visas, must wait for visas to be available)

# Benefits of US citizen (USC) status

- ▶ USCs can vote
- ▶ USCs can obtain US passport
- ▶ USCs can travel more freely (can live outside the US, can take long trips)
- ▶ USCs can apply for jobs only open to USCs (some federal government jobs)
- ▶ USCs can give their children USC
- ▶ USCs can sponsor certain family members (some visas immediately available)

# Commons pathways to obtain LPR status

- ▶ Family-based
- ▶ Employment-based
- ▶ Humanitarian-based

# Family-based

- USC or LPR family member sponsors their family member
- Only certain close relationships (spouse, child, parent, sibling)
- Depending on status and relationship, visas may or may not be immediately available



# Employment-based

- Employment-based visa process allows for immigrants with certain skills to live and work in the US either temporarily or permanently

# Humanitarian-based

- Refugee status (apply for protection outside the US)
- Asylee status (apply for protection once inside the US)
- Other forms of humanitarian relief
  - U-Visa, T-Visa, VAWA, etc.

# What else should you know?

- ▶ The US immigration system is complex, slow, and strict
- ▶ Immigration consequences can be severe
- ▶ Immigration procedure and policy change often
- ▶ No right to appointed counsel in immigration court
- ▶ Application fees are expensive
- ▶ It's important for immigrants to have a proper consultation to explore their immigration options, if any

# How can you help?

- ▶ Help people find TRUSTED immigration legal service providers
- ▶ Help people find interpretation and translation services
- ▶ Help people find domestic violence and mental health support
- ▶ Financial support for legal services and associated fees
- ▶ Help people find information and documents
- ▶ Educate yourself about immigrant customs and culture
- ▶ Help people connect with others in their community
- ▶ Help people find ESL and citizenship classes
- ▶ Understand and share *Know Your Rights* information
- ▶ Support pro-immigrant legislative efforts and advocacy

# Trusted immigration legal service providers

- ▶ Why is this important?

*The US Immigration system is very complex. Time is of the essence!*

- ▶ Who can help? Two trusted types of advocate groups

- ▶ 1. Private immigration attorneys

- ✓ *American Immigration Lawyers Association (AILA)*

- ▶ 2. Department of Justice (DOJ) accredited organizations

- ✓ *Non-profit organizations ONLY*

- ✓ *Accreditation process through Department of Justice*

- ✓ *Attorneys and DOJ-accredited representatives*

- ▶ NOT NOTARIOS!

# Avoid *notarios*

- ▶ “Notario publico” translates to notary public
- ▶ Notary public in the US vs. notary public many Latin American and European countries
- ▶ Notarios are NOT attorneys and cannot give legal advice or provide legal services
- ▶ They offer “immigration/visa consultation services” and make impossible claims to entice people to pay their fees.

## RESOURCES-

- AILA and ABA- Stop Notario Fraud
- <https://stopnotariofraud.org/>
- Federal Trade Commission- Notario Fraud Information
- <https://consumer.gov/content/notario-fraud>

# Interpretation and translation services

- ▶ Helps ensure information regarding rights and responsibilities is understood accurately.
- ▶ Helps prevent miscommunication and misunderstanding that could be costly, time-consuming, and/or detrimental to immigrant status.

## RESOURCES-

- Northwest Translators and Interpreters Society
- <https://www.notisnet.org/>
- Washington Court Certified Interpreters and Translators
- [https://www.courts.wa.gov/programs\\_orgs/pos\\_interpret/](https://www.courts.wa.gov/programs_orgs/pos_interpret/)

# Mental health support

- ▶ Support immigrants dealing with trauma, loss, persecution, abuse
- ▶ May be fleeing their home countries, separated from their support systems, and adapting to new lives
- ▶ In-language support services, culturally competent services



# Financial support

- ▶ Legal services
- ▶ USCIS application fees (if they don't qualify for a fee-waiver)
- ▶ Associated application fees (medical exams, psychological evaluations, translation and interpretation fees, criminal background check fees, etc.)

# Obtaining information and documents

- ▶ Identity documents
- ▶ Immigration records
- ▶ Criminal records
- ▶ Immigration timeline

# Immigrant customs and culture

- ▶ Learn about cultural competency
- ▶ Understand your own culture and explore other cultures (Language, food, music, dress, holidays, customs, etc.)
- ▶ Be open and respectful to new and different cultures than your own

# Connecting with communities

- ▶ Help immigrants connect with their communities in this area. This is not an exhaustive list, just examples of the different community groups in our area.
- *Ukrainian Community Center*
- *Afghan American Community of Washington*
- *Somali Family Safety Task Force*
- *West African Community Council*
- *Villa Comunitaria*
- *El Centro de La Raza*
- *Asian Counseling and Referral Service*
- *Immigrant Women's Community Center*
- *Chinese Information Service Center*
- *Horn of Africa Services*

# Connecting with communities continued

- ▶ Help immigrants connect with their communities in this area. This is not an exhaustive list, just examples of the different community groups in our area.
- *East African Community Services*
- *Filipino Community of Seattle*
- *Korean Community Service Center*
- *Council on American-Islamic Relations*
- *Entre Hermanos*
- *Refugee Women's Alliance*
- *Multicultural Self-Sufficiency Movement*
- *International Rescue Committee*
- *Refugee and Immigrant Services Northwest*
- *Kandelina*

# ESL and citizenship classes

- ▶ Share information about ESL and citizenship classes
- ▶ Helps reduce language barriers and creates more opportunities for education, employment, and community participation
- ▶ Offered at many public libraries, community colleges, and community centers

# Know Your Rights

- ▶ EVERYONE living in the US has certain basic rights.
- ▶ If stopped by police or ICE remember:
  1. *You have the right to remain silent. Anything you say can be used against you.*
  2. *You have the right to speak to an attorney.*
  3. *You have the right to refuse to sign anything before consulting with an attorney.*

## RESOURCE-

- Catholic Legal Immigration Network
- <https://cliniclegal.org/resources/protecting-your-community/know-your-rights/know-your-rights-guide-your-rights-when>

# Legislative advocacy

- ▶ Educate yourself about immigration issues and voice your support for immigrants in your community
- ▶ If you're eligible to vote, please register and vote for your elected officials
- ▶ Contact your congressional representatives and tell them what issues matter to you (their constituents)
- ▶ Attend Refugee and Immigrant Legislative day in Olympia



# Resources

Catholic Immigration Legal Services

<https://ccsww.org/get-help/specialized-services/refugee-immigration-services/>

To search for Department of Justice accredited organizations

<https://www.justice.gov/eoir/recognized-organizations-and-accredited-representatives-roster-state-and-city>

To search for non-profit immigration legal service providers

<https://www.immigrationadvocates.org/nonprofit/legaldirectory/>

To find private immigration attorneys that are American Immigration Lawyer Association (AILA) members

<https://ailalawyer.com/>

# Resources continued

Catholic Legal Immigration Network

<https://cliniclegal.org/>

National Immigration Law Center

<https://www.nilc.org/>

National Immigrant Justice Center

<https://immigrantjustice.org/>

Immigrant Legal Resource Center

<https://www.ilrc.org/community-resources>

American Immigration Council

<https://www.americanimmigrationcouncil.org/>

# Resources continued

National Immigration Project

<https://nipnlg.org/index.html>

United We Dream

<https://unitedwedream.org/>

Immigrants Rising

<https://immigrantsrising.org/>

Informed Immigrant

<https://www.informedimmigrant.com/>

Washington Immigrant Solidarity Network

<https://www.waisn.org/>

# Resources continued

Northwest Immigrant Rights Project

<https://nwirp.org/>

One America

<https://weareoneamerica.org/>

Immigrant Women's Community Center

<https://iwccwa.org/>

Seattle Office of Immigrant and Refugee Affairs

<https://www.seattle.gov/iandraffairs>

WA DSHS Office of Refugee and Immigrant Assistance

<https://www.dshs.wa.gov/esa/office-refugee-and-immigrant-assistance>

# Questions

- ▶ Catholic Immigration Legal Services, a program of Catholic Community Services of Western Washington
- ▶ Website: <https://ccsww.org/get-help/specialized-services/refugee-immigration-services/>
- ▶ Phone: 206-328-6314
- ▶ Email: [immigration@ccsww.org](mailto:immigration@ccsww.org)

# References

- ▶ <https://www.uscis.gov/>
- ▶ <https://www.state.gov/>
- ▶ <https://www.americanimmigrationcouncil.org/research/how-united-states-immigration-system-works>
- ▶ <https://vimeo.com/472369862>
- ▶ <https://www.ilrc.org/asylum>
- ▶ [https://www.americanbar.org/groups/public\\_interest/immigration/projects\\_initiatives/fightnotariofraud/about\\_notario\\_fraud/](https://www.americanbar.org/groups/public_interest/immigration/projects_initiatives/fightnotariofraud/about_notario_fraud/)
- ▶ <https://cliniclegal.org/resources/protecting-your-community/unauthorized-practice-immigration-law/immigrants-dont-let>
- ▶ <https://www.wikihow.com/Learn-About-Other-Cultures>
- ▶ <https://www.apa.org/monitor/2015/03/cultural-competence#:~:text=Cultural%20competence%20%E2%80%94%20loosely%20defined%20as,practice%20for%20some%2050%20years.>
- ▶ <https://www.aclu.org/know-your-rights/immigrants-rights>
- ▶ <https://nationalimmigrationproject.org/PDFs/community/know-your-rights-eng-casa-maryland.pdf>