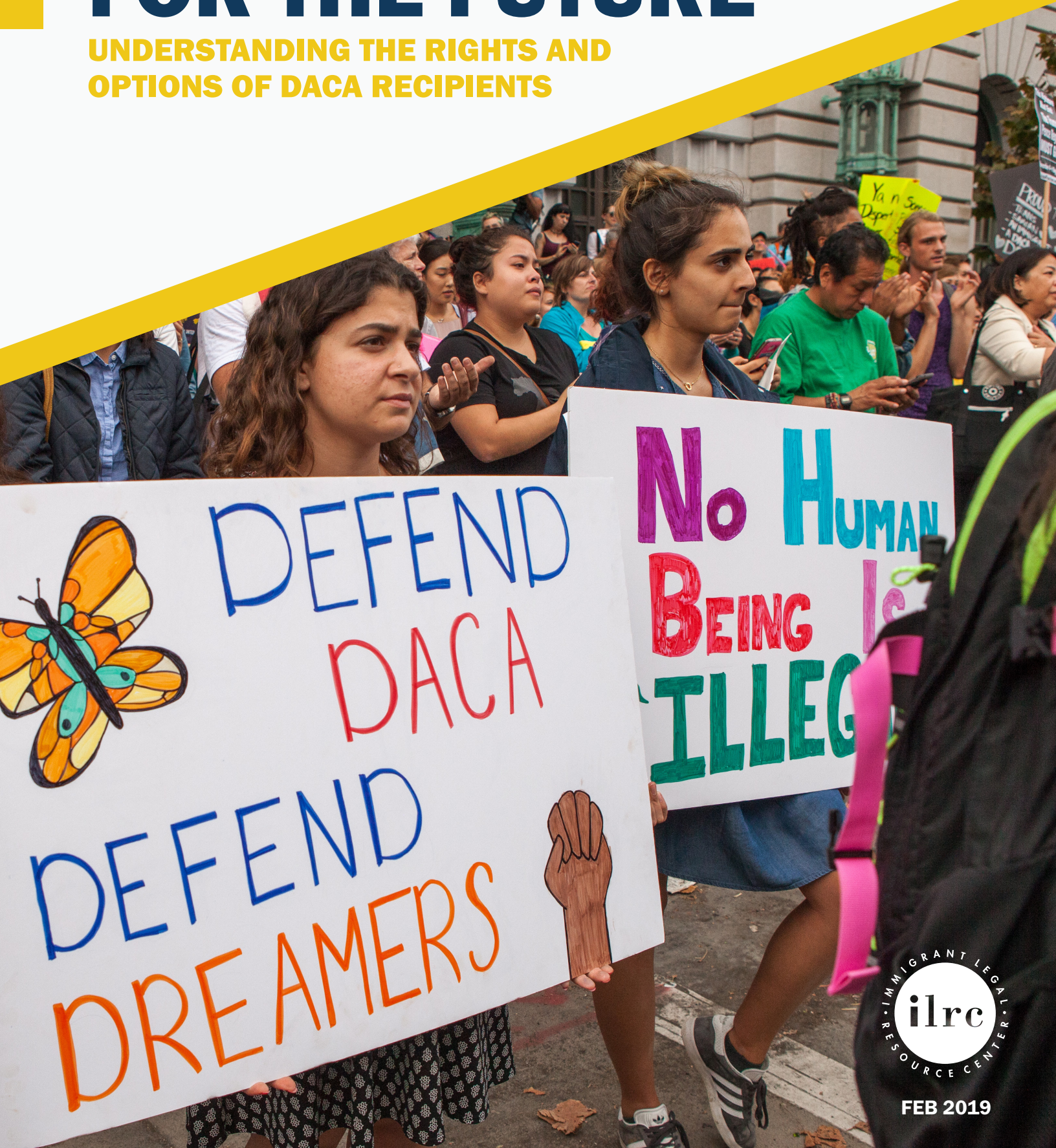


PREPARING FOR THE FUTURE

UNDERSTANDING THE RIGHTS AND OPTIONS OF DACA RECIPIENTS



FEB 2019

INTRODUCTION

The Deferred Action for Childhood Arrivals (DACA) program has faced many threats and experienced significant changes since it began in 2012. This toolkit was created to help inform DACA recipients about their rights as well as how other community members can support DACA recipients during these challenging times.

Part I offers an overview of the program and its current status in light of several lawsuits moving through the federal courts. Part II provides practical information to DACA recipients about renewing their cases and other options they should consider. Part III outlines opportunities to advocate for change to protect the immigrant community.

For a more in-depth discussion on the topics discussed below and information about the status of the DACA program visit the [Immigrant Legal Resource \(ILRC\)](#).

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DACA PROGRAM OVERVIEW

Deferred Action for Childhood Arrivals (DACA) was announced by the Obama administration on June 15, 2012 to provide protection from deportation and a work permit to certain young immigrants for a two-year period, subject to renewal. Nearly 800,000 people have been granted deferred action through the DACA program since its inception.

On September 5, 2017, the Trump administration announced the termination of the program which resulted in several lawsuits challenging the program's termination. Several courts hearing these lawsuits ordered U.S. Citizenship and Immigration Services (USCIS) to continue accepting and processing renewal applications while the cases are pending. While DACA recipients remain protected and continue to be eligible to renew, there is still much uncertainty around the future of the program.



A BRIEF HISTORY OF DACA

Deferred Action for Childhood Arrivals (DACA) is an immigration option for undocumented immigrants who came to the United States before the age of 16.

- AUGUST 15, 2012**
USCIS starts accepting DACA applications.
- JUNE 15, 2012**
President Obama announces the DACA program.
- SEPTEMBER 5, 2017**
The Trump administration terminated the DACA program. The program would be phased out as cases expired without the possibility of renewal. There are about 690,000 individuals enrolled in the program at this time.
- JANUARY 9, 2018**
A federal judge in San Francisco ordered USCIS to accept DACA renewal applications while the lawsuit is pending. This order did not require USCIS to accept first-time applications or travel permits through advance parole. The government appealed the decision to the U.S. Court of Appeals for the Ninth Circuit.
- JANUARY 13, 2018**
USCIS began accepting DACA renewal applications.
- FEBRUARY 13, 2018**
A federal judge in New York ordered USCIS to resume processing of DACA renewals but did not require processing of initial DACA or advance parole applications. The government appealed the decision to the U.S. Court of Appeals for the Second Circuit.
- MARCH 5, 2018**
A federal judge in Maryland upheld the termination of the program but ordered a prohibition on the U.S. Department of Homeland Security (DHS) from sharing or using DACA recipients' information for immigration enforcement purposes against them or their family members unless they pose a threat to national security or have committed certain serious crimes. The case was appealed to the U.S. Court of Appeals for the Fourth Circuit and is currently pending.
- APRIL 24, 2018**
A federal judge in the District of Columbia ruled that USCIS must restart the DACA program in its entirety, but later ruled the order would not be fully implemented while the case is on appeal at the U.S. Court of Appeals for the District of Columbia Circuit.
- AUGUST 31, 2018**
In a case challenging the legitimacy of the DACA program, a federal judge in Texas ruled to allow processing of DACA renewal applications while the case was pending. However, the order indicated that states challenging the DACA program could ultimately prevail in showing that the DACA program should end.
- NOVEMBER 6, 2018**
The U.S. Department of Justice petitioned the U.S. Supreme Court to hear the DACA cases before the Ninth Circuit, Second Circuit, and D.C. Circuit before all Courts of Appeals had an opportunity to respond. No decision has been given by the Supreme Court.
- NOVEMBER 8, 2018**
The Ninth Circuit upheld the federal judge in San Francisco's January 9, 2018 ruling that DACA renewals should continue as it could be shown that the administration wrongfully terminated the program.
- MARCH 12, 2019**
The American Dream and Promise Act of 2019, H.R. 06 was introduced. The bill would provide a pathway to U.S. citizenship for undocumented immigrant youth, TPS holders, and people with DED. Bill is just in its initial phase and still needs to be reviewed and voted on by congress.
- JUNE 28, 2019**
U.S. Supreme Court granted the government's request to hear the DACA cases. A hearing date has not yet been scheduled but it will likely be late fall/early 2020 and a decision expected by June 2020.
- NOVEMBER 12, 2019**
The Supreme Court granted the government's request to hear the DACA cases in the Summer of 2019 and heard the oral arguments for three cases from California, DC and New York. The Court was asked to determine if courts had the power to review the administration's decision and if so, whether DACA was lawfully terminated. No decision has been issued on this case, but a decision is likely to come in Spring of 2020.

What does all this litigation mean?

- **Anyone who was granted DACA before can continue to apply for renewal.** USCIS is processing renewal applications up to a year in advance of the expiration date.
- **It is hard to predict the future, so the best thing to do is to stay informed.** While renewals are being processed, the future of the program is still uncertain given the pending court cases.
- **U.S. Supreme Court granted the Trump administration's request to hear the DACA case.** No Decision has been issued by the court, but one is likely to be given by June 2020. The future of DACA is uncertain, depending on a ruling from the Supreme Court.





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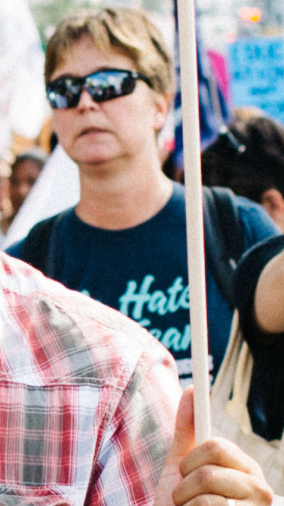
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CONCRETE STEPS FOR DACA RECIPIENTS

LEARN WHICH ORGANIZATIONS HAVE UP-TO-DATE RESOURCES AND INFORMATION ON DACA:

One of the most important things a person can do for themselves and their community is to stay informed about changes and know where they can get trustworthy information. This will allow DACA recipients to prepare and the community to help those who are directly impacted.

National Organizations with DACA Updates:

United We Dream (UWD) is the largest Immigrant youth-led community in the country. UWD is dedicated to creating welcoming spaces for young people—regardless of immigration status—to support, engage, and empower youth to have their voices heard. UWD has many resources on how individuals can support, get involved, and build campaigns in their own communities.

National Immigration Law Center (NILC) is a national organization dedicated to defending and advancing the rights of immigrants through impact litigation and policy analysis & advocacy. NILC is a great resource to learn more about the DACA lawsuits. They provide timely updates on all the pending cases and the issues that were argued before the court.

Informed Immigrant is a collective of nationally recognized immigrant-serving organizations, lawyers, technologies, and allies dedicated to helping the undocumented immigrant community. Informed Immigrant has created resources for DACA recipients, but it also has other resources for the immigrant community at large.

Learn about local immigrant organizations:

It can be hard to know how to connect or get involved in the local immigrant rights movement (or with other DACA recipients). While it is impossible to list all local organizations, here are some steps to connect with local organizations.

- **Perform an internet search**—a lot of organizations have websites or Facebook pages where they list upcoming events or meetings.
- **Connect with an immigration lawyer in your area**—an immigration lawyer can offer information about immigration service organizations and volunteer opportunities.
- **Reach out to a local religious institution**—Some churches, temples, or other religious institutions are great community spaces and may be connected to activities in the community. Immigration organizations may partner with them on different events or campaigns.
- **Connect to school groups or counselors**—Teachers and support staff, like counselors or parent aids, at elementary, middle and high schools may know what organizations and services are available in the community. On college or university campuses, a great place to start might be the First-Generation Centers, Multi-Cultural Student Unions, or with groups that support students of color. These groups usually have information on resources to help DACA students.

This list is not exhaustive and your best point of contact in the community will depend on your particular area.

TIPS FOR FILING DACA RENEWALS:

Whether you are a DACA recipient or know someone with DACA, the most important thing to remember is that DACA renewals are being accepted and individuals should renew as soon as possible. Below are some tips on completing renewals:

If the person has ever had DACA, whether it is still current, has expired, or will expire in the future, they should renew as soon as possible.

The court rulings have allowed the DACA program to continue for those who have been granted DACA at any point (whether it is still valid, expired, or was terminated). Because these court cases remain pending, it is unclear how long the program will continue. This means that all DACA recipients should renew their DACA case in order to be protected as long as possible. USCIS is renewing DACA cases and work permits up to a year in advance of the expiration of a current case.



Note: Make sure to use your previous DACA applications when completing your renewal to ensure all information is consistent. Visit www.uscis.gov to ensure you have the correct edition of the DACA applications.

If you are unsure of when, or if, you should file for renewal, consider the following:

- Those who have a valid DACA case or have a renewal application pending when any changes to the DACA program occur, will likely continue to be protected by DACA
- Those who have a valid DACA case or have a renewal application pending may become eligible for access to a future immigration benefits program
- The new “notice to appear” USCIS policy placing people in removal proceedings if their cases are denied or they fall out of status does not apply to DACA applicants
- Those who apply for DACA renewal and are denied will not be placed in removal proceedings unless they (1) are considered a threat to national security, (2) have committed fraud in a DACA application, (3) have engaged in a serious criminal offense



Every DACA Renewal Application packets should include:

- Form I-821D
- Form I-765
- Form I-765WS
- Make sure every form is completed in black ink, signed and dated
- Photocopy of your work permit (both sides)
- Two identical passport-style photographs
- Check or money order of \$495 payable to U.S. Department of Homeland Security
- Make and save a copy of your DACA renewal packet



Note: Many renewals have been accepted without the two passport pictures. However, the instructions state that they should be included.



TIPS FOR FILING DACA RENEWALS (CONTINUED)

Individuals who have had contact with the police since their last DACA approval should:

Consult a legal representative before applying. Not all contact with the police will make someone ineligible for DACA but it is important to get good legal advice about any potential impact.

Remember that certain convictions will make a person ineligible for DACA and can result in USCIS revoking a DACA case:

- DUI
- Drug trafficking
- Firearms
- Domestic violence
- Burglary
- Sexual abuse or exploitation
- Any felony conviction




NOTE: There are exceptions to these rules and there might be options to clean up a criminal record that allows someone to qualify for DACA. Consult an immigration attorney to identify potential options. For a resource on crime bars, visit <https://www.ilrc.org/daca-criminal-bars-chart>.

A criminal conviction, even if it does not automatically make someone ineligible for DACA, will be a negative factor and it is important that an applicant also submit evidence about positive aspects of their life with their application. USCIS has continued to approve cases for those who have had contact with law enforcement and convictions, but it is important to present the strongest application possible.

Documents to Show Positive Factors in a Case:

- School Records
- Community Letters of Support
- Employment Records
- Church Membership
- Diplomas
- Awards or Certificates



Tip: If you are a community member, teacher, or ally that can offer a letter of support for a DACA recipient, consider writing one if they ask. These documents can help an immigration officer make a positive decision on a DACA renewal.

RESOURCES TO HELP FUND DACA FILING FEE:

LOANS

Self-Help Federal Credit Union—Gives DACA loans with a 15% interest rate to help pay the filing fee. For more information visit: <https://www.self-helpfcu.org/personal/loans/immigration-loans>.

Mission Asset Fund—Gives fee assistance to individuals submitting a DACA application. Individuals have to apply through the website and if approved will get a 0% interest loan to help pay. Individuals who are given a loan will need to make monthly payments. Note that Mission Asset used to have a DACA Grant Program, but funds have been exhausted. To date they are still able to offer loans for immigration applications, like DACA. For more information visit: <https://missionassetfund.org/immigration-programs/>.

FEE ASSISTANCE

United We Dream's DACA Renewal Fund: UWD has provided resources to a number of local partners to help cover the filings fees of applicants. You can find the complete list at www.unitedwedream.org/category/daca-renewal-fund/.

Note: People can donate to this fund to help cover filing fees. Visit <https://secure.actblue.com/donate/renewalfund> to make contributions to the fund!

Ready California: A list of organizations in California offering fee assistance to DACA recipients. Information can be found at <https://ready-california.org/print-resources/daca-renewal-resources/>.

FUNDRAISING OPPORTUNITIES

Gofundme: Some DACA recipients have started Gofundme campaigns to help fund their filing fees. This is a way that DACA recipients can share their story and set an amount they need to raise. Some examples of campaigns, and how to create one can be found: www.gofundme.com/cause/protect-daca.

Community Fundraisers: This can be a good way to help raise money for DACA recipients for filing fees. Partnering with a local church, a school, or a community organization can bring people together to raise money and does not necessarily have to be led by a DACA recipient.

FIND TRUSTWORTHY LEGAL REPRESENTATION AND GET AN IMMIGRATION CONSULTATION

Even though the DACA program is still accepting renewal applications, it is important to get an immigration consultation as soon as possible to learn what options exist beyond DACA. When seeking legal advice, ensure that it is coming from a trusted individual and organization.

UNDERSTAND WHO CAN GIVE LEGAL ADVICE AND SERVICES:

The best way to prevent fraud in legal representation is to look for legal service providers that meet certain requirements. This can be hard if you are unsure of where to begin the search or what kind of duties a legal representative owes their clients.

There are two categories of people who can give legal advice in an immigration case: **Attorney** or a **Department of Justice accredited representative (DOJ)**.

Attorney: An attorney or lawyer is a member of a state bar. To practice immigration law, which is federal law, an attorney can be licensed in any state but must have a valid license and be ‘in good standing’ with the bar association. Attorneys can give legal advice, help file immigration petitions and requests, and represent individuals in court proceedings before an immigration judge. You can verify an attorney’s credentials with the state bar in the state where they are licensed. The Department of Justice also keeps a list of attorneys who are no longer able to practice: <https://www.justice.gov/eoir/list-of-currently-disciplined-practitioners>.

Department of Justice accredited representatives: A DOJ accredited representative is a non-attorney who has been certified by the Department of Justice to work on immigration matters. The person must be affiliated with a non-profit that is recognized by the Department of Justice. DOJ accredited representatives can assist in various matters, depending on the type of certification they received. Non-profit organizations with DOJ accredited representatives can give legal advice, file immigration petitions and request, and, if they are fully accredited, represent clients in immigration proceedings. A list of accredited representatives can be found at: <https://www.justice.gov/eoir/recognition-accreditation-roster-reports>.

KNOW WHERE TO LOOK FOR QUALIFIED SERVICE PROVIDERS:

To find a free or low-cost legal service provider, you can search the National Immigration Legal Services Directory by zip code or state at: <https://www.immigrationadvocates.org/nonprofit/legaldirectory/>.

KNOW WHAT TO EXPECT OF A LEGAL REPRESENTATIVE:

A legal service provider has the duty of representing each client to the best of their abilities. These are some best practices you should expect from a legal service provider:

- **Sign a contract:** You should be provided with a written contract which outlines the service to be provided and what fee (if any) will be charged. The contract is signed by you and the legal representative.
- **Informed about your case:** A legal service provider should keep you informed about the progress and status of your case. This means that they should explain the immigration benefit you qualify for, the application process, and answer any questions you have.
- **Copies of all documents:** A legal service provider should give you a copy of all documents submitted on your behalf as well as copies of any receipt notices sent by USCIS. They should never refuse to give you a copy of these documents or your file. In most cases, an attorney should not charge you to get a copy of your file unless you agreed to pay for photocopies in your original agreement.

GET A FULL IMMIGRATION SCREENING FROM A TRUSTWORTHY ATTORNEY OR DOJ ACCREDITED REPRESENTATIVE:

Many DACA recipients may be eligible for another immigration option that may lead to lawful permanent residence. It is important that all immigrants get a full legal consultation from a trusted legal service provider.

Studies estimate that 20-25% of DACA recipients who were screened are found to be eligible for a more permanent form of status. These options include U visas, Special Immigrant Juvenile Status, family-based immigration, relief under the Violence Against Women's Act (VAWA), and even citizenship.

Remember, the law and personal circumstances are fluid and change. Even if at a previous legal consultation, you were told DACA was your only option, the law or your situation might have changed so that you are now eligible for a more permanent solution. Don't wait until you no longer have DACA status to go see if you are eligible for another form of status and to submit an application. It's ok to have DACA and apply for another form of status.

Eligibility for immigration status can be very fact specific. While no applications should be submitted before getting a full consultation with a trusted provider, below is an overview of some potential options.

QUICK REFERENCE GUIDE TO STATUS OPTIONS

FAMILY PETITIONS

Many people are eligible for lawful permanent resident status through a family member with status.

DO YOU HAVE A FAMILY MEMBER THAT CAN PETITION FOR YOU?

U.S. citizens can petition their spouses, children (of any age, married or unmarried), parents, and siblings. Spouses, minor children and parents of U.S. Citizens are not subject to a wait list.

Lawful permanent residents can petition their spouses, **unmarried** sons and daughters of any age. All are subject to a wait list.

HOW DID YOU ENTER THE COUNTRY?

Visas allow an individual to enter lawfully into the United States and meet the first requirement to applying for a green card inside the country (also known as adjustment of status). If you entered with a tourist visa, even if it expired a long time ago, and have a U.S. citizen family member, you might be eligible to adjust status in the United States. Sometimes even if you were allowed to enter the country by an immigration officer without the proper documents, this can be a lawful entry for purposes of applying for a green card.

Advance Parole is a travel permit that was previously available to DACA recipients. Re-entering the United States on advance parole after traveling abroad means the person meets that initial requirement for adjustment of status and could potentially apply for a green card in the United States if they were petitioned by certain U.S. citizen family members.

DID SOMEONE PREVIOUSLY PETITION FOR YOU (OR FOR YOUR PARENTS)?

245(i) was a part of immigration law that allowed an individual to apply for their green card in the United States regardless of how they entered the country. A person is eligible if a family member or employer filed a petition for them on or before April 30, 2001. You might be protected by 245(i) even if the petition was filed on behalf of someone else – for example, if a U.S. citizen aunt or uncle petitioned for your parent while you were still under the age of 21.

HUMANITARIAN OPTIONS

These are special circumstance that may lead to eligibility for other forms of status in the United States and some allow family members to be included with status.

DO YOU LIVE WITH BOTH PARENTS?

Special Immigrant Juvenile Visas (SIJS) can allow a minor who has been abandoned, neglected, or abused by one or both parents to get a visa and ultimately apply for permanent residence. This process takes part in both family or juvenile court and with USCIS.



Resource: Visit Catholic Legal Immigration Network, Inc. for a detailed guide on “Screening DACA Recipients for Special Immigration Juvenile Status Eligibility.”

ARE YOU AFRAID OF RETURNING TO YOUR HOME COUNTRY? WERE YOU EVER HARMED IN YOUR HOME COUNTRY?

Asylum can allow an individual to stay in the United States if they can show they have been harmed or will be harmed in their home country. Unfortunately, this does not cover all kinds of suffering or hardship, and the harm must be based on race, religion, nationality, membership in a particular group, or political opinion. This can include persecution based on your sexual orientation or gender identity, political activities, religious beliefs, among others. Asylum ultimately allows a person to apply for a green card.



Resource: Visit the Center for Gender & Refugee Studies for a detailed Practice Advisory on asylum claims for DACA recipients: “Immigration Relief for DACA Recipients based on fear of Return.”

WERE YOU EVER A VICTIM OF A CRIME?

U-visa is an option for immigrant victims of certain serious crimes who have been helpful to the police. The crime and helpfulness must be certified by law enforcement or a judge and the person must show they suffered as a result of the crime. The wait list for a U-visa is very long, but people can include their family members in the application, and, if granted a U-visa, can ultimately apply for a green card.

T-visa is available to people who have been victims of human trafficking, such as forced labor or sex trafficking. Unlike the U-visa, this does not require the person to have a police report or a law enforcement certificate. A T-visa recipient can eventually apply for lawful permanent residence.

VAWA is for people who have been abused by a U.S. citizen or LPR family member. VAWA mirrors the family petition process but does not require the victim to continue a relationship with the abuser to apply. VAWA leads to lawful permanent residence.

DERIVATION OR ACQUISITION OF U.S. CITIZENSHIP

There are ways that someone may be a U.S. citizen based on their relationship to a U.S. citizen parent or grandparent.

ARE YOUR PARENTS/GRANDPARENTS U.S. CITIZENS?

This is a complicated area of the law but it is worth asking about because people whose grandparents or parents are U.S. citizens might be citizens as well.

IMMIGRATION APPLICATION PROCESS:

Though every immigration process has different requirements and benefits, there are some general steps:

- **Receipt:** USCIS sends a receipt notice for all applications they receive and are processing. You can inquire about the status of your case using the receipt number by inputting it here: (<https://egov.uscis.gov/casestatus/landing.do>) or calling the USCIS Contact Center: 1-800-375-5283.
- **Biometrics:** Every immigration application will require a biometrics appointment for fingerprinting in order for a background check to be conducted on the applicant.
- **Decisions:** Some applications, like DACA, are processed by mail. Others will require an interview at your local USCIS office, such as for permanent residence. A legal service provider can orient you about the process for your particular type of case.

PLANNING FOR THE FUTURE:

IMPACT OF CHANGES TO DACA

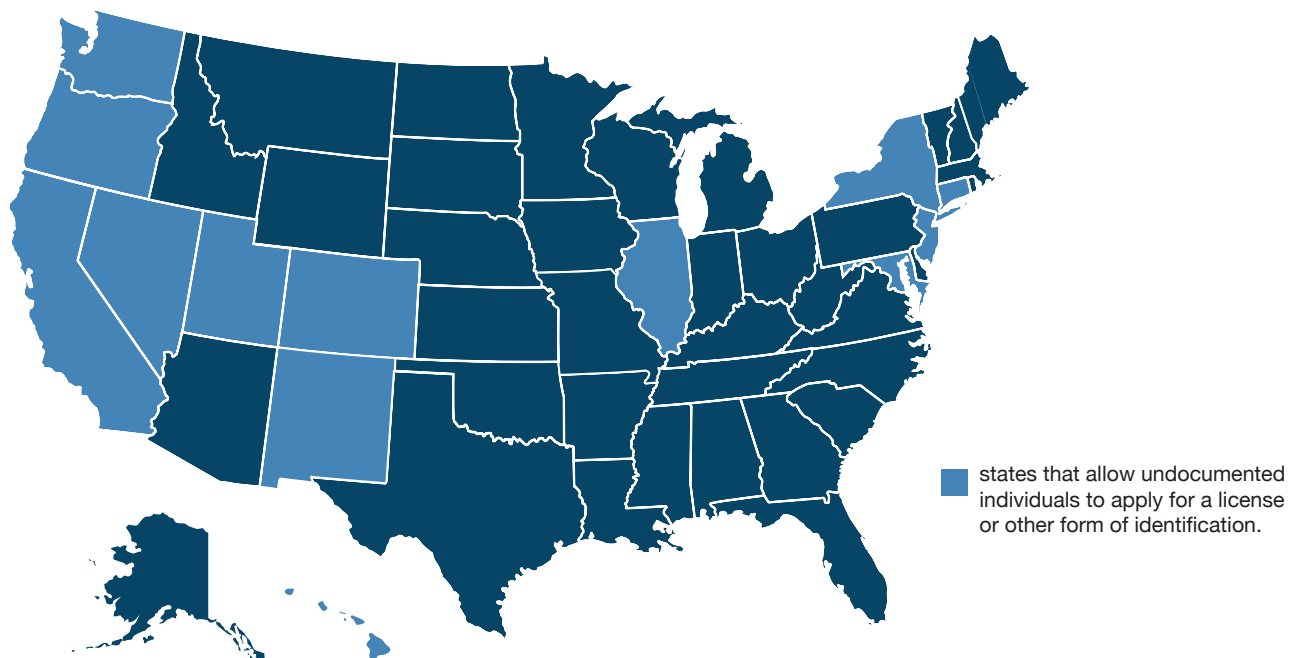
Social Security Number: A social security number is valid for life, even if a DACA work permit or other form of status expires. Even if the DACA program ends and your case expires, you can continue to use your social security number. You can use your social security number for education, banking, housing, and to file income taxes, and you do not need to apply for an Individual Taxpayer Identification Number (ITIN). If you later become a permanent resident or gain some other immigration status, you can continue to use the same social security number.

Social security cards issued to people with temporary immigration protection, such as DACA, require a valid work permit to use it for employment purposes. Therefore, if the work permit associated with your DACA case expires, you will not be able to use your social security number for employment until you have a valid work permit. On the other hand, if you gain permanent residence you can request a new card that contains your same social security number without requiring a work permit to use it for employment purposes.

Driver's Licenses: Eligibility for a driver's license or state identification card varies depending on the state in which a person lives.

A driver's license or ID card issued based on DACA will expire when the underlying case expires. Some states allow for individuals to apply for a license even if they are undocumented. Individuals who are interested in applying will need to meet the requirements specified by each state. Most states will require individuals to submit proof of identity and residency in the state. Some states will require additional documentation. Individuals who live in the following states may be eligible for a new license or ID Card when their current one expires:

California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maryland, Nevada, New Mexico, New Jersey, New York, Oregon, Puerto Rico, Utah, Vermont, Washington, District of Columbia





Work Permit: An employment authorization document (EAD), also known as a work permit, is generally valid until it expires. It is an employer's responsibility to verify work authorization at the time of hire and at the time of expiration of an employee's current work permit, but at no other time. Employers do have the right to ask for updated employment authorization, and will likely to do so, when the expiration date of the employee's work permit is approaching. But employers cannot fire, put on leave, or change the work status of a person until after the work permit has expired.

If the DACA program ends, it is possible DACA recipients will be allowed to keep their work permits and continue to work legally until their work permit expires. In that scenario, DACA recipients have no obligation to inform employers that DACA has ended. Similarly, an employer does not have the right to ask how the work permit was obtained. If you believe your employer has violated your rights in the workplace because of your immigration status, you can report the incident to the Department of Justice, Civil Rights Division: <https://www.justice.gov/crt/immigrant-and-employee-rights-section>.

UNDERSTANDING ALTERNATIVE WORK OPTIONS:

There are different ways to lawfully make a living in the United States. Many people have worked for several years using one of the options below. Each option requires a different process and comes with different protections and limits. Note that working in this capacity can still incur penalties in a future immigration case for having worked without authorization. Some of the available options include:

- **Independent Contractors** are self-employed, contracted for a limited amount of time and purpose and can use Form W-9 and provide an Individual Taxpayer Identification Number.
- **Sole Proprietors** are businesses owned and run by the independent contractor which allows the independent contractor to use the name of a business or trade name instead of using their own.
- **Limited Liability Company** is a type of entity that allows itself to be structured as a worker cooperative and it can be hired as a company using the company's tax identification number.

For a more thorough analysis of these options, and information about available resources to support immigrant entrepreneurs, visit Immigrants Rising at www.immigrantsrising.org.

UNDERSTANDING EDUCATION OPTIONS FOR UNDOCUMENTED INDIVIDUALS:

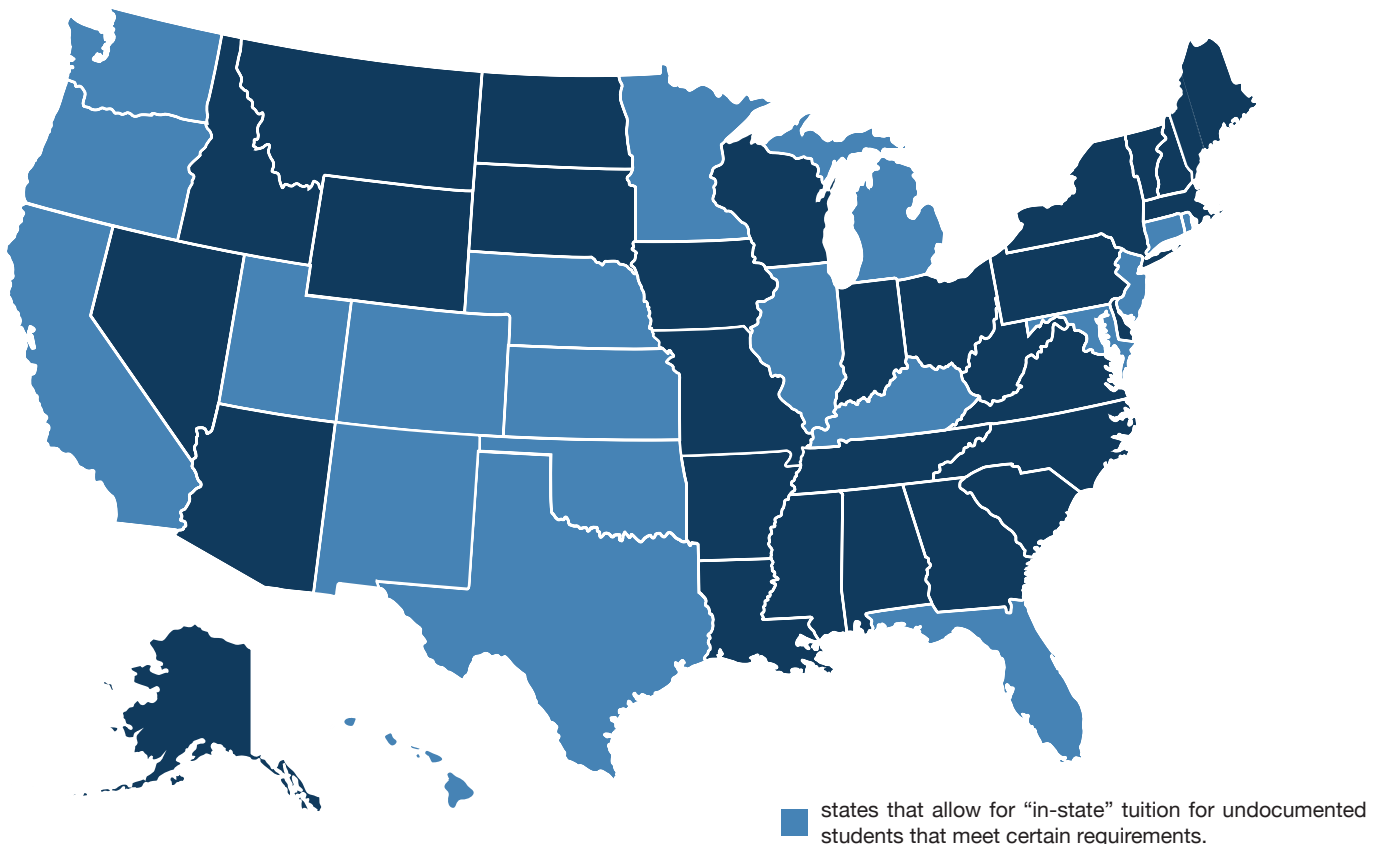
Everyone should pursue their educational goals regardless of their immigration status. While undocumented students face certain barriers, support services and funding sources do exist.

Paying Tuition:

One of the biggest hurdles all students face is the rising cost of higher education. Undocumented students, including DACA recipients, are at a great disadvantage because they do not qualify for federal financial aid. In addition, some states consider undocumented students non-residents and charge them a higher, out of state tuition rate.

Certain States have enacted laws and policies to allow undocumented students to pay “in-state” tuition. The following is a list of states that allow for “in-state” tuition for undocumented students that meet certain requirements:

California, Colorado, Connecticut, Florida, Hawaii, Illinois, Kansas, Kentucky, Maryland, Minnesota, Nebraska, New Jersey, New Mexico, New York, Oklahoma, Oregon, Rhode Island, Texas, Utah, and, Washington, The University of Michigan’s Board of Regents adopted a similar policy for its campuses.





Of these states, California, Maryland, Minnesota, New Jersey, New York, New Mexico, Oklahoma, Oregon, Texas, Washington, and the District of Columbia, offer state financial aid to students regardless of their immigration status.

- Illinois established a Dream Fund to raise money for private scholarships that assist children of immigrants.
- California, Connecticut, Minnesota, and Utah allow public universities to offer private institutional aid or scholarships to students who pay in-state rates or graduate from their high schools.
- The University of Hawaii also offers financial assistance to eligible students.

Scholarships:

It is always a good idea to apply for private scholarships. Over the years, more and more scholarships have become available to undocumented students. Because the exact requirements and deadlines are different depending on the scholarship provider, students should check for new scholarship opportunities.

Educational Resources:

Immigrants Rising is an organization whose mission is to support undocumented youth in education. They have many resources on scholarships, working while undocumented, and general legal immigration information.

My Undocumented Life is an organization that offers resources to immigrant youth, including scholarship information, job opportunities, and DACA information.

Dreamers Road Map is an organization that offers scholarship information to undocumented youth through a mobile app you can download.

theDream.us is the nation's largest college access program that works with partners to offer scholarships to DACA recipients to help pay for college.

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ImmigrantsMake
AmericaGreat&
WomensRights
AreHumanRights

PREPARE FOR AN UNCERTAIN FUTURE:

It is difficult to predict the outcome of the DACA lawsuits, but any future immigration program or form of protection will require filing fees and certain types of supporting documentation. This is why it is recommended that every individual:

- Save money that can be used for government filing fees to apply for an immigration program, legal fees to pay for representation, or other costs.
- Collect documents that can demonstrate your eligibility for an immigration program or legal defense. Many immigration programs, such as DACA, ask applicants to prove their presence in the United States for a certain number of years. Others require proof of education or family relationships. Some of the documents that may one day prove useful and should be saved include evidence of:
 - Presence in the United States: leases, mortgages, rental payments, records of medical or dental visits, vaccination records, benefits receipts, remittance receipts, court records
 - Education: transcripts, attendance records, certificates of completion, report cards, diplomas
 - Work History: pay stubs, time sheets, letters from employers
 - Payment of Taxes: tax returns, W-2s, tax transcripts
 - Community Involvement: membership records, attendance records, volunteer hour logs, letters from group leaders, certificates, or proof of participation in religious, community, or volunteer activities.
 - Family Relationships: birth certificates, marriage certificates, divorce decrees, adoption papers
 - Being a Person of ‘Good Moral Character’: awards, certificates, letters of support from friends, coworkers, teachers, neighbors, etc.

WORK FOR THE PROTECTION OF ALL

LEARN, EXERCISE, AND SHARE OUR CONSTITUTIONAL RIGHTS

Encounters with police or immigration agents:

Whether a person is in public or in their home, they have the right to remain silent, not to answer any questions, or sign any document. Additionally, a person can refuse to grant agents permission to enter their home without a warrant signed by a judge. Immigration officials rarely have a judicial warrant required to enter a home without the resident's permission.

If a person is detained by immigration agents, they have a right to an attorney and should ask for one immediately. It is important to remember a phone number of someone you trust in case of detention, as cell phones are usually taken away, so you can inform them about what is happening.

Rights Inside a Local Jail:

Every person who is charged with a criminal offense has a right to an attorney, and if they are low-income, a public defender will be provided to them at no cost. Defense attorneys are required to tell an individual how a criminal case might affect their immigration status and options.

Rights Inside Immigration Detention:

Before signing anything, especially a voluntary departure order (which means you do not want to fight your case or see a judge, but just be deported) speak with an attorney about your options. Many people detained by ICE can be released by paying an immigration bond. This allows the person to return home and to their regular routine, but they will have an ongoing case in immigration court. Because of the delays in immigration courts, it may take years before there is a final decision in a case. It is important to have legal representation in immigration court. You can find a free to low cost service provider at: <https://www.immigrationadvocates.org/nonprofit/legaldirectory/>.



Red Cards

A red card contains a bilingual list (English on one side and Spanish, Korean, Chinese, or one of many other languages on the other) of the constitutional rights every person has regardless of immigration status during an encounter with an immigration official. This card can remind you of your rights and can also be given to an ICE official to show you are exercising your rights, especially if an agent does not speak your language. Red cards can be ordered at <https://www.ilrc.org/red-cards>.



CREATE A FAMILY PREPAREDNESS PLAN AND ENCOURAGE OTHERS TO DO THE SAME:

Every family should have a family preparedness plan. It is an important resource to have in place to help reduce the stress of the unexpected. Each plan will differ depending on the individual's situation, but a basic framework can be followed to develop an individualized plan.

Every family preparedness plan should include:

■ Child Care Plan (if applicable):

- A designated adult to care for the child in the absence of the parent
- Updated emergency contact information for the adults
- School and medical information of the child
- Child care plan that outlines the desires of the parent

■ File of Important Documents:

- School records, medical history
- Passports, birth certificates, marriage certificates
- Immigration paperwork—pending applications, receipt notices, work permits, attorney contact information
- Documents demonstrating presence in the United States

■ Written Plan of Goals/Decisions

- Where will the children reside?
- What will happen with the finances?
- What payments need to be made?
- Is there an attorney that should be notified?
- Is there a medical plan that needs to be followed?



Resource: Individuals can find a detailed Step-by-Step Family Preparedness Plan at <https://www.ilrc.org/step-step-family-preparedness-plan>.

ADVOCATE FOR POLICY CHANGE:

There is a need to continue to advocate for a more permanent solution for all undocumented individuals in the United States. It is time to be proactive in fighting for just and inclusive solutions for the immigrant community.

Advocacy can seem very daunting for community members who have never participated in the process. Below are steps all community members can take to work for change.

STEP 1: JOIN THE MOVEMENT

This can mean joining a national organization or a local group to help work for change. This can also include donating money to a trustworthy organization so they can fund DACA renewals, fund their work in the community, or hire more staff

- Find a group that exists in your area and see how you can help!
- Start a group with allies:
 - Are their people doing local, state, or national advocacy?
 - Are there ally movements you can join?
 - Is there a need for a multilingual group to better reach diverse immigrant communities?
- Fundraise—identify and spread the word about where people can donate or organize fundraising efforts in collaboration with a local organization.

STEP 2: ENGAGE YOUR REPRESENTATIVES

Whether you are pushing for change at a local, state, or national level, identify the key players. Find out who is on your local school board or city council to advocate locally. At the state level, identify the representative for your area to the state legislature. Immigration law is federal law so advocacy for immigration reform will target members of Congress. To do advocacy at this level, identify key members of Congress as well as those who are your local representatives.

- Locate your local congress person at <https://www.govtrack.us/congress/members/map>.
- Is your local congress member an ally or a foe? Do they serve on any relevant committees in Congress?
- Where is the local district office? Who are their key staff members?
- Can you ask for a meeting with them or a member of their staff? Or organize a public forum when they are in your state?
- What are their telephone numbers? Share this information through your networks.

STEP 3: MAKE AN ACTION PLAN

Determine an action plan. After doing research, there will be a need to create a strategy. It is good to build a strategy with a final objective in mind. If the result is to get the local Congressional representative to support a Dream Act, then the strategy might center around calling their office, attending meetings, offering local stories to Congress, and showing up at townhalls or other events.

- Are local meetings happening that would be useful to attend?
- Is Congress debating legislation and you need to organize calls to let Representatives know where you stand?
- Is there a need or opportunity to form a coalition with other groups?

STEP 4: IMPLEMENT ACTION PLAN AND REGROUP

Once the plan has been implemented, it is always good to evaluate how effective it was and what can be learned from the experience for future advocacy. Then outline the next steps. Remember to regroup and to stay informed!

ORGANIZE A DACA WORKSHOP TO HELP SUBMIT APPLICATIONS:

Many regions support DACA recipients in completing their applications for renewal through ongoing DACA legal services or the coordination of regular DACA assistance workshops. However, many regions of the country lack resources and infrastructure to do so. DACA recipients, allies and volunteers can organize an event to provide legal services in underserved areas. Below are some tips to consider when helping organize a workshop in your area.

PLANNING:

For a successful event, the organization needs to plan and organize well in advance. Below are some key steps in the planning process:

- Organize a planning committee. Be sure a legal expert is involved to provide input.
- Partner with organizations with close connections and a trusted reputation within the immigrant community.
- Secure funding and resources.
- Create a planning timeline and game plan for the day of the workshop, including design stations and floor plans.
- Determine how much time is needed to secure space, organize and conduct outreach.
- Reserve a facility with adequate space and that is known to and trusted by the immigrant community.
- Conduct outreach to DACA recipients in person, through fliers, on line, and through partner organizations and other stakeholders.
- Recruit and train volunteers and discuss roles and responsibilities.
- Create supply lists and assign tasks, including whether applications will be completed by hand or on lap tops and access to printing and copying.
- Develop a plan to handle complex cases- such as a referral list or the presence of experienced attorneys or accredited representatives.
- Develop a comprehensive referral list for related services—such as loan programs for DACA fees, fingerprinting services for background checks, and legal service providers for other types of immigration assistance.



NOTE: Make sure DOJ Accredited Representatives and/or Attorneys are at the workshop so they can review all completed applications for accuracy and answer any legal questions. Non-legal volunteers can do the bulk of the work, but they cannot finalize the application for mailing.

Volunteer Recruitment

Volunteer recruitment is an important element to workshops, especially if the workshop is large.

Possible volunteers could include: immigration attorneys, non-immigration attorneys, DOJ accredited representatives, students, former workshop participants, DACA applicants/recipients, union members, church members, and community members.

Volunteers can be recruited from: legal service providers, local bar associations, AILA (American Immigration Lawyers Association), colleges or universities, unions, law schools, community organizations, and at other group processing events. Volunteers with language skills and cultural competency that match the client population can be especially helpful.



Tip: Volunteers should arrive 30-90 minutes before the event begins to go over workshop logistics, roles and responsibilities of volunteers, requirements for DACA renewals, red flags, the application forms, and whom they should consult if they have any questions during the day.

Staff Needed

For 10 applicants, one attorney or accredited representative and two to three volunteers are sufficient. For every 10–20 additional applicants, you need one additional attorney or accredited representative and one to two additional volunteers.

Outreach

One of the most important parts of hosting a workshop is the community outreach. Once the group processing event details have been finalized, such as location and date, the organizers can start reaching out to the community to advertise the workshop. Possible hubs for outreach can be local high schools, colleges, universities, recreational centers, after-school programs, churches and other religious institutions. Outreach can also be done through social media and traditional media but consider whether potential participants will feel comfortable going to such a public event.

Full Legal Screenings

As described above, it is critical for DACA recipients and other immigrant youth to have full immigration screenings to identify their legal options. Because USCIS is no longer accepting initial DACA applications, young immigrants who would have aged in to eligibility for the program, no longer have that option. In addition, there are many immigrants who either did not meet all of the DACA requirements (due to age, criminal record, etc.) or did not have sufficient evidence to prove their eligibility (such as lack of evidence of entry date or physical presence). Therefore, while these individuals will not be able to apply for DACA they can benefit from a legal consultation. Furthermore, given the uncertain future of the DACA program, even those who are eligible to renew their DACA cases should also explore other legal options.



THIS LAND
WAS MADE FOR
YOU + ME

CONCLUSION

This toolkit was created to provide information and resources to DACA recipients as well as those community members who are part of the immigrant rights movement or provide legal services. Changes and threats to the DACA program have caused confusion and fear but staying informed and being active in both renewing DACA protections and advocating for permanent legal solutions is more critical than ever. While there is still uncertainty, there are concrete steps to take:

DACA Recipients:

- Renew your DACA Case: whether its valid now or has already expired, renew soon.
- Understand your Legal Options: get a legal consultation from a qualified and trustworthy provider.
- Know your Rights: understand your constitutional rights, exercise them and share the information with others.
- Get Involved: join an immigrant rights group or participate in an advocacy campaign.

Advocates, Allies and Community Members:

- Support DACA renewals: Share your time or money with efforts to renew DACA cases.
- Know your Rights: Understand your constitutional rights, exercise them and share the information with others.
- Get Involved: Join an immigrant rights group or participate in an advocacy campaign.



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