

# DOCUMENT GATHERING FOR CITIZENSHIP: THE OAKLAND MODEL

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## **Preface**

This manual is intended to help make the naturalization process faster and easier for applicants and advocates. The information in the manual was originally developed for the East Bay Citizenship Network, in Oakland, California. However, with modification to fit local INS procedure, the instructions and guidelines should be helpful to all citizenship service providers. To apply this model to your local area and INS district, you may need to research local INS procedures and the procedures of the local agencies that provide records.

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Doug DiSalvo  
Oakland, CA  
May, 1999

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## **Document Gathering For Citizenship: The Oakland Model**

### **INTRODUCTION**

**Solomon applied for citizenship in 1996. He went to class, practiced English, and finally passed his interview two years later. He expected to be scheduled for swearing-in, but instead the INS interviewer gave him a sheet of paper, an “N-14”. It asked for *more* documents: records from a DUI six years ago, and papers from his divorce. Two weeks later, Solomon turned in certified copies of the documents, exactly as INS asked. *Eleven months later*, after 2 inquiries and new fingerprints, he was sworn in as a U.S. Citizen.**

Citizenship should take months, not years! One way advocates can help people reach citizenship faster is by preparing for the interview: practicing interview questions, screening for red flags, and ensuring that they have the documents they need. The sooner our clients and students finish the process, the less time spent on re-fingerprinting appointments, writing inquiries, and keeping cases open.

These materials are intended to help make naturalization faster, easier, and safer for applicants and service providers. In each section, documents likely to be needed for citizenship are explained, and directions for obtaining them are provided. The addresses provided are specific to the Oakland area; however, with some modification for your local INS jurisdiction, these materials should be useful to all citizenship service providers.

Important guidelines that apply to all document gathering are provided on the next page. Please read them before proceeding with specific documents.

## GUIDELINES FOR DOCUMENT GATHERING

***RED FLAG ISSUE WARNING: Every applicant must complete a Red Flag Checklist (see page 3), to determine whether they may face problems with their application. INS often requests documents because they suspect that someone is ineligible for naturalization, but they need evidence. These materials are intended for applicants who have already talked to an expert, and know it is safe to proceed. The resources on page 46 can help you find an expert or answer questions about specific cases.***

These are the basic rules in gathering and providing documents:

- Certified copies are almost always required -- see page 5 for details.
- This packet is based on current local INS practices, which may change at any time. Also, the agencies that provide documents may change their addresses, prices or procedures, so phone before sending requests.
- Keep copies and proof of receipt of any documents given to the INS. If you mail documents, send a copy, not the original. Always mail by Certified Mail, Return Receipt Requested. If you take documents or letters to the INS, take two copies and ask an INS officer to stamp the date on one -- keep that copy. This way, you will have proof that you gave the information to the INS by the deadline.
- Notify the INS of address changes, using Form AR-11, the Citizenship Inquiry form, or a simple letter. Include the old and new addresses, full name, and identifying numbers (A number and any service center numbers, for instance). Provide address change information to all INS offices that may have the applicant's file, such as the CSC (Laguna Niguel), District (S.F.), or local office (Oakland). Keep proof that INS has been notified of address changes.
- For the present, provide documents at the interview, rather than sending them to the service center. They are more likely to reach the applicant's file.
- If a document is unavailable, the INS requires a written statement from the agency expected to provide the document, stating that it is unavailable.
- Don't procrastinate! Documents may take months to obtain. If you cannot provide documents by a deadline, go to your INS office *before the deadline*, and request an extension. They should grant automatic one- or two-month extensions. Write your request, and have it date-stamped.

## Red Flag Checklist

### IMPORTANT INFORMATION FOR EVERY CITIZENSHIP APPLICANT

If any of the statements below are true of you, you need to talk with an immigration expert before you file your application. Be honest and accurate: Immigration has criminal and immigration records with much of this information.

Applicant's initials      I understand that I should consult with an immigration law expert if I have (or am):

- Ever been arrested, detained, or questioned by the police or the Immigration Service.
- Ever been charged with or convicted of a crime, or am currently on probation or parole.
- Ever been deported, or am in deportation proceedings now.
- Been arrested for or had a restraining order against me for domestic violence, child abuse, or child neglect.
- Made any trips outside the U.S. lasting more than 6 months since I got my green card, or moved my home to another country since I got my green card.
- Traveled outside the U.S. for more than 30 days while receiving welfare or other public benefits.
- Given false information or withheld information to get my green card, or received my green card though I was not really eligible for it.
- Obtained my green card through a marriage, and I am now divorced or separated from that spouse.
- Failed to support my children.
- Received welfare or other government benefits by making false statements or concealing information, or I was arrested or charged with doing so.
- Registered to vote or voted in a U.S. election, or claimed to be a US Citizen..
- Helped anyone (including family members) cross the border illegally (without papers).
- Failed to register for the draft between the ages of 18 - 26 (including while undocumented) and I am a man.
- Answered "yes" to any of the questions in Part 7 of the citizenship application (N-400).
  
- I understand that if any of the statements above are true of me, I need to consult with an immigration expert before filing my application for naturalization.

I, \_\_\_\_\_, certify that I am competent to translate from the \_\_\_\_\_ language into the English language, and that I have fully and accurately translated the above document to the person whose initials appear above.





U.S. Department of Justice  
Immigration and Naturalization Service  
630 Sansome Street, Room 237  
San Francisco, California 94111

File No.:

Date:

Officer:

CC:

Examination of your application (N400) shows that additional information, documents or forms are needed before your application can be acted upon. Please **RETURN THIS LETTER WITH REQUESTED INFORMATION and/or DOCUMENTATION** by: \_\_\_\_\_

***Failure to do so may result in the denial of your application.***

A certified copy of the court complaint, disposition, sentence, and proof of fulfillment of sentence (e.g., completion of probation, completion of community service, completion of term of imprisonment) for all your arrests.

An original or certified copy of a letter from the respective agency attesting to the lack of record on you regarding all your arrests.

Proof of child support (e.g. copy of canceled checks, DA letter, notarized letter from child's other parent) for \_\_\_\_\_.

Copy of rent agreement, deed, insurance binder, utility bills, bank/credit statements, other specified evidence of marital union: \_\_\_\_\_. *Submit \_\_\_\_\_ of these.*

Copy of first two pages of income tax returns (forms 1040 & 540) and W-2's for you and your spouse for tax year(s) \_\_\_\_\_.

Letter from your medical provider clarifying points, as indicated in the attached note, regarding his/her letter or form N-648, dated \_\_\_\_\_, that you submitted to support your disability exemption claim.

Letter from Welfare Department/Social Services agency regarding eligibility, attached.

Other:

*Due to heavy work loads, please allow a minimum of three months past the due date noted above for a response.*

## CERTIFIED COPIES AND ORIGINALS

Most records provided to INS must be “**original**” or a “**certified copy**”. An original document usually has a seal and signature, as on Certificate of Citizenship or birth certificate. A certified copy is a photocopy or printout with a seal or signature on the front or back declaring that the document is a certified copy, or has a declaration attached that includes a statement like the following: “I declare under penalty of perjury that the attached is a true and complete copy of the original document”. Many agencies require a small fee for each certified copy. If an agency does not provide certification, obtain a written statement from that agency that states “we do not provide certified copies.”

**When taking documents to the INS interview, take originals or certified copies, with photocopies of each document.** INS will usually keep the photocopy, and return the original or certified copy. It is legal to photocopy any document.

**Never mail original documents to the INS unless an original is specifically requested.** If you have to send original documents, keep a photocopy, so that if the INS loses the original you can obtain a replacement more easily.

**NOTE:** The INS will sometimes request that a signature be “**notarized**.” This is not the same as certifying a document. To have a signature notarized, find a Notary Public in the phone book, sign the document in the notary’s presence, and have the notary put a seal and signature on the document. The cost is \$10.00 per document.

## TRANSLATING DOCUMENTS

A document that includes any language other than English must be translated. All translations must be “certified” by a competent translator. To certify a translation, the translator must attach and sign a statement like the following:

**“I declare under penalty of perjury that I am competent to translate from [language] into English, and that the attached document is a true and complete translation of the original document.”**

The translator does not need to be a notary, attorney, or licensed translator. However, they cannot be a close relative of the applicant, or a beneficiary of the petition or application. A translation of an official document such as a birth or marriage certificate can be a summary of the information on the document, examples which are on pages 6 and 7. Letters, articles, or other non-certificate material must be translated in full.

**NOTE: Some offices may not accept summary translations -- inquire first to find out whether summaries will be accepted!**



**ENGLISH EXTRACT TRANSLATION OF**  
**SPANISH LANGUAGE MARRIAGE CERTIFICATE**

NAME OF GROOM: \_\_\_\_\_

GROOM'S AGE: \_\_\_\_\_ GROOM'S NATIONALITY: \_\_\_\_\_

NAME OF BRIDE: \_\_\_\_\_

BRIDE'S AGE: \_\_\_\_\_ BRIDE'S NATIONALITY: \_\_\_\_\_

DATE OF MARRIAGE: \_\_\_\_\_

PLACE OF MARRIAGE: \_\_\_\_\_

PARENTS OF GROOM: \_\_\_\_\_

PARENTS OF BRIDE: \_\_\_\_\_

WITNESSES: \_\_\_\_\_

\_\_\_\_\_

DATE AND PLACE THIS COPY ISSUED: \_\_\_\_\_

\_\_\_\_\_

State  
County

I, [name of translator], attest to my competency to translate from Spanish to English, and I certify that this is a correct translation of all pertinent information from the Spanish original.

Signed this [day of month] day of [month], [year], in [city and state].

\_\_\_\_\_  
[signature of translator]

**ENGLISH EXTRACT TRANSLATION OF**  
**SPANISH LANGUAGE BIRTH CERTIFICATE**

NAME OF REGISTERED CHILD:

DATE OF BIRTH:

PLACE OF BIRTH:

SEX OF CHILD:

FATHER OF CHILD:

NATIONALITY OF FATHER:

AGE OF FATHER:

MOTHER OF CHILD:

NATIONALITY OF MOTHER:

AGE OF MOTHER:

GRANDPARENTS

PATERNAL:

MATERNAL:

WITNESSES:

PLACE AND DATE OF REGISTRATION:

DATE AND PLACE THIS COPY ISSUED:

NAME/TITLE OF OFFICIAL:

---

---

State of California  
County of Alameda

I, [name of translator], attest to my competency to translate from Spanish to English, and I certify that this is a correct translation of all pertinent information from the Spanish original.

Signed this [day of month] day of [month], [year], in [city and state].

---

[signature of translator]

## OFFICIAL CERTIFICATES

Certificates are the most basic documents showing proof of birth, death, marriage, and divorce. These must be originals or “certified copies”, and translations into English must be “certified” (see page 5). **In most cases applicants already have these records, since they are required when getting a green card, enrolling children in school, and applying for many jobs or public benefits.**

- A marriage certificate is needed in every case where an applicant is applying under the rule that allows spouses of U.S. citizens to apply after only three years as a lawful permanent resident, to prove that the applicant has been married to the U.S. citizen for three years.
- A divorce or death certificate is needed in some cases, to show that a naturalization applicant’s first marriage ended in divorce or death before the applicant married her current spouse (particularly in cases where the U.S. citizen spouse petitioned for the applicant to get her lawful permanent resident status). **Contact an immigration specialist if there is reason for the INS to suspect marriage was for the purpose of getting a green card.**
- A birth certificate is needed when an N-600 is filed, to show that the child-parent relationship exists. The parent’s U.S. birth certificate or Citizenship certificate is also required to show that the parent is actually a U.S. citizen.

## HOW TO OBTAIN BIRTH, DEATH, MARRIAGE OR DIVORCE RECORDS

### Documents from outside the United States

The most common way to obtain overseas documents is to have a relative who still lives in the country of origin obtain them.

The Foreign Affairs Manual or “FAM,” contains guidelines on the availability of documents in every country. The FAM is published by the US Department of State, and it is what the INS uses to determine if documents should be provided. If the FAM says that a document is available in your client’s country, then the client is expected to provide that document. However, if there is a good reason someone cannot get records that the FAM states are generally available, you should document that reason with proof from the country where you are trying to get the records (for example, a fire destroyed the building; your mother did not register your birth because of ill health, etc). Call the Immigrant Legal Resource Center at (415) 255-9499 (ext. 400) to ask them to check availability for a particular country, or locate the FAM at a local law library or CBO.

## **Basic Documents in the United States**

**County Records:** Each county has a recordkeeping agency for basic documents, usually called the "County Recorder". This is often the best source of documents. Unfortunately, each county has its own procedures for obtaining documents. The applicant will have to locate the "County Recorder" for their county, and follow their guidelines on requesting documents (see the sample request for the Alameda County Recorder on page 11, and addresses for several other counties on page 10). To find addresses for many state and county record offices, try the Internet site "www.vitalcheck.com".

**State Records:** States also keep records, but they may be less complete and accessible than county records. To request records from the State of California, send a detailed request like that on page 11 to:

California Office of Vital Records  
304 S Street  
Sacramento, CA 95814

Currently, you should include a \$12 check/money order for a Birth/Marriage certificate, and \$8 for a Death certificate. This service takes 6-8 weeks. If you need the document in 2-3 weeks, fax the Office of Vital Records at 1(800)858-5553. Include a major credit card number and expiration date, phone number, and return address (in addition to the information about the document, as below). The Office will charge \$7.00 extra for the 2-3 week service. If you want a certificate sent overnight, an additional \$11.00 will be added for shipping.

### **INFORMATION TO INCLUDE WITH REQUESTS**

For Birth or Death Certificates, provide the full name of the individual named on the certificate, their sex, parents' names (including mother's maiden name), their date of birth or death, city/county/state of birth or death, purpose for which copy is needed, and the relationship of the person requesting the copy to the person whose record is being requested (self, son or daughter, husband, etc.).

For Marriage records, provide the full names of the bride (include maiden name) and groom, date of marriage, place of marriage (city/town, county, state), purpose for which copy is needed, and the relationship of the person requesting the copy to the person whose record is being requested.

For Divorce records, provide the full names of husband and wife, date of divorce or annulment, place of divorce or annulment, type of final decree, purpose for which copy is needed, and the relationship of the person requesting the copy to the person whose record is being requested.

**NOTE:** In California, divorce certificates must be requested from the county in which the divorce was recorded. They are not available from the State of California.

**NOTE:** If an applicant obtained permanent residency through marriage to a USC or permanent resident, and subsequently divorced, the INS may require the divorce decree and the divorce petition. The petition may be available through court records, if the applicant does not have a copy.

**NOTE:** Refugees who do not possess basic certificates should compile the refugee documents they do have and complete affidavits from the individuals involved, relatives, and friends or neighbors.

**Addresses of County Recorders:**

ALAMEDA COUNTY RECORDER  
1225 Fallon St. Room 100  
Oakland, CA 94612

CONTRA COSTA COUNTY RECORDER  
730 Las Juntas  
Martinez, CA 94553

LOS ANGELES COUNTY RECORDER  
12400 East Imperial Highway, Room #1002  
Norwalk, CA 90650

SAN FRANCISCO RECORDER  
875 Stevenson St., Room #100  
San Francisco, CA 94103

SAMPLE REQUEST FOR CERTIFICATE FROM COUNTY RECORDER

Your Name  
Street Address  
City/State, Zip

Date

Alameda County Recorder  
1225 Fallon Street, Room 100  
Oakland, CA 94612

Dear Sir or Madam,

I am writing to request that you send a certified copy of the marriage certificate for the marriage of myself, \_\_\_\_\_, and \_\_\_\_\_ to me at the above address. I have enclosed a check for \$12.00 and a self-addressed, stamped envelope. The certificate is needed for a legal matter.

The required information is:

Name of groom:  
Maiden name of bride:  
City where marriage took place:  
Date of marriage:

Thank you for your help.

Sincerely,

Your Name



## CRIMINAL RECORDS

**WARNING: Any applicant who has an arrest, criminal conviction or the possibility of a criminal history should be referred to an attorney or immigration specialist. Many minor crimes are grounds for removal or denial of citizenship: applicants can be deported! Always check with an attorney or expert before proceeding. (The only exception is one or two drunk driving convictions for which no jail time was imposed).**

If an applicant tells you he has a criminal conviction, answers 'yes' to question 15 on the N-400, or is asked by the INS for documentation of crimes, he may need to gather criminal records, after an attorney or immigration expert has analyzed the possible consequences of the offense!

Court or arrest records are required for any arrest or charge: the INS even wants records of fishing tickets! Court and police documents are often difficult to read, so someone familiar with such records should always review them. **All criminal records submitted to the INS should be certified copies.**

These are the main types of documents related to crimes:

**FBI file:** These are the records the FBI provides after a fingerprint check, and includes criminal convictions from all 50 states. These records are sometimes incomplete, and can be supplemented by state records, below. The INS *always* has this file for naturalization applicants. You can obtain them from the FBI, so you will have the same information the INS has.

**California Summary Criminal History:** These are records of all offenses committed in California. If an applicant has lived in another state, it may be wise to get records from that state as well. California and FBI files may help an applicant to remember details or incidents more completely. Many applicants forget -- or are too embarrassed -- to tell you about criminal records, so it is a good idea to check these files if you have reason to suspect a criminal history.

**Court records:** These records are kept by the court where a complaint was filed. They generally show the actual charges, outcome, and sentence of any charges filed. The INS cannot grant naturalization unless they get these records, or a letter from the court stating that no such records exist.

**Police records:** The police keep records for almost every incident. If an applicant was arrested but no charges were filed, or if no court records are available, the INS requires arrest or incident records from the local police.

**“Proof of Completion of Sentence”:** If an applicant was convicted of a crime and the sentence included probation, he needs to obtain proof that probation was completed. Proof of completion of sentence is usually included in the court record; if it is not, request a letter from the probation department or officer stating that probation or other sentence has been successfully completed.

### **LOCAL INS PRACTICES**

In practice, the following records are generally required by the San Francisco district offices. Remember to find out whether your local INS offices follows different procedures. Instructions for obtaining each type of record are in the next section.

**1. Court records for every arrest, including: complaint, disposition, sentence, and proof of fulfillment of sentence.** If the court has no records, INS requires a letter stating that no such records exists. This letter can be in the form of the negative results of a “name check.” Most courts in California will conduct a name check, to find out whether that person has a record and, if so, the case number and date.

The court record may not affirmatively show that the sentence has been fulfilled; if it does not and the person was on probation, INS is likely to ask for a letter from the probation office stating that probation was satisfactorily completed.

**2. If there are no court records, a certified or other official copy of the arrest record.** California law directs police to give only summaries of records. Some police departments comply with this law and give only a summary; others give the full record. If there is no arrest record, you need to obtain a letter stating there is no record.

**3.** Sometimes INS asks for a letter from the District Attorney saying no charges were filed on a particular arrest. This request is unusual, but you may encounter it.

**REMEMBER: Be very careful about any criminal record, whether the crimes were expunged, or the person was placed in diversion, or used other remedies. Immigration laws are extremely harsh for people with criminal records. You must always consult an immigration expert if there is any criminal record.**

## HOW TO OBTAIN CRIMINAL RECORDS

### FBI Files

FBI files can be requested from the FBI in Washington, D.C. Requests need to be accompanied by a money order for \$18.00, payable to "Treasury of the United States", and a completed fingerprint card, Form FD 258 (a copy of Form FD 258 is on page 17). Applicants cannot copy this form; they are available at local police departments. A sample FBI file request including the address is included on page 18. This request must be completed and signed by the applicant, unless you are a BIA accredited rep or attorney. The applicant should have the records sent to their home, not to your office. Do not say that the records are for "Immigration" or "Naturalization" or the FBI may return your request unfilled. You should say you are requesting the records for "verification" or for "a legal matter".

### California Summary Criminal History

The process for requesting this history is similar to requesting FBI records, but the fee is \$32.00. A sample letter including the address is on page 19.

### Court Records

Requesting these depends on where the case was filed. Applicants should contact the "Clerk of the Court" to determine where the records are held, and the procedure for obtaining them. To locate the Clerk, look in the blue Government pages in the beginning of the phone book, under "County Offices - Courts". Sample letters are on pages 20-22. Copies of court records must be certified.

If the applicant is uncertain whether she has a record at a particular court, she may use a "name check," a request that the court check its records and report any existing case records. The name check is a good way to obtain a letter stating that a court has no records on the applicant. A sample "name check" letter is on page 21.

### Arrest Records

Like the courts, each police department has its own policy, so you need to contact them directly and ask about the procedure. You should request an "incident report" or "arrest report". Specify that you need a letter stating that no record is available if that is the case. Sample request letters are on pages 23 and 24. A list of several police departments and their procedures is on page 15.

### Probation Records

You will need to talk to the applicant about getting proof that probation has been completed. Sometimes it is stated on the court record, or can be obtained from the probation department or the probation officer. A sample letter is on page 25.

Police Arrest Reports from Some East Bay Police Departments

Information needed: Name; DOB; Date of incident and report #, if you have them  
If you mail, send a check with the amount blank and "Not to exceed \$X"--e.g. \$20.00  
Also send a large SASE

Oakland

Telephone #: 510-238-3021  
Go to: Police Records at 455 - 7th Street (at Broadway), 3rd Floor  
Hours: 8:00 a.m. - 8:00 p.m., 7 days a week  
Cost: \$.05 per page.  
Dates available: Through 1995 in paper form; back many years on microfiche  
Time: Through 1995 usually available immediately; older may take longer

They do not certify.

San Leandro

Telephone #: 510-577-3217  
Mail to: 901 E 14th Street, San Leandro, CA 94577  
Cost: \$.10 per page  
Send: Send a release of information signed by your client.  
Dates available: Past 10 years only  
Time: Takes about 2 weeks

They will certify.

Berkeley

Telephone #: 510-644-6235  
Go to: Police Department at 2171 McKinley; complete request form  
may give copies then, or may call w/i 3-5 work days  
Or Mail: Berkeley Police Records, 2171 McKinley, Berkeley, CA 94703  
Cost: \$.10 per page, payable to City of Berkeley. Also send a big SASE  
Dates available: At least to 1988  
Hours: M-F 8:00-4:30  
They will certify for \$5 per report

SAMPLE REQUEST FOR FINGERPRINTS  
FOR F.B.I. or CALIFORNIA DEPT. OF JUSTICE FILE

Name  
Address  
City/State

Date

To Law Enforcement Officer or Fingerprinting Agency:

I need a fingerprint card completed for a legal matter. I request that you make the fingerprints and provide me with the card.

Thank you for your assistance.

Sincerely,

Name

**APPLICANT**

LEAVE BLANK

TYPE OR PRINT ALL INFORMATION IN BLACK  
LAST NAME NAM FIRST NAME MIDDLE NAME

FBI LEAVE BLANK

SIGNATURE OF PERSON FINGERPRINTED

ALIASES AKA

O  
R  
I

RESIDENCE OF PERSON FINGERPRINTED

DATE OF BIRTH DOB  
Month Day Year

DATE SIGNATURE OF OFFICIAL TAKING FINGERPRINTS

CITIZENSHIP CTZ

SEX

RACE

HGT.

WGT.

EYES

HAIR

PLACE OF BIRTH POB

EMPLOYER AND ADDRESS

YOUR NO. OCA

LEAVE BLANK

FBI NO. FBI

CLASS

REASON FINGERPRINTED

ARMED FORCES NO. MNU

REF.

SOCIAL SECURITY NO. SOC

MISCELLANEOUS NO. MNU

1. R. THUMB

2. R. INDEX

3. R. MIDDLE

4. R. RING

5. R. LITTLE

6. L. THUMB

7. L. INDEX

8. L. MIDDLE

9. L. RING

10. L. LITTLE

LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY

L. THUMB

R. THUMB

RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY

**SAMPLE ONLY --- DO NOT USE**

**Fingerprint cards are available from local law enforcement agencies**



SAMPLE REQUEST FOR FBI REPORT

March 8, 1999

U. S. Department of Justice  
Federal Bureau of Investigation  
1000 Custer Hollow Road  
Clarksburg, WV 26306  
ATTENTION: CRIMINAL JUSTICE INFORMATION  
SERVICES DIVISION

Re: FBI Records Clearance for \_\_\_\_\_

Madam or Sir:

This is to request a copy of the FBI report for the above-named individual who needs the information for personal reasons (FOIA). The relevant personal information is:

1. Full Name:
2. Date of Birth:
3. Place of Birth:
4. Sex:
5. Race:
6. SS#:
7. Current Mailing Address:

I am enclosing a fingerprint chart. For your convenience in replying, I am also enclosing a self-addressed return mailing label. Also enclosed is a money order for \$18 to cover your fees.

Thank you for your courtesy and cooperation in this matter.

Very truly yours,

SAMPLE REQUEST FOR CALIFORNIA DEPT OF JUSTICE RECORDS

Date

Bureau of Criminal Identification  
California Department of Justice  
P.O. Box 903417  
Sacramento, CA 94203-4170

Re:  
DOB:

To the Bureau of Criminal Identification:

I request a check of my criminal record as provided by California Penal Code Section 11105(c)(8). These records are necessary for a legal matter.

I enclose my fingerprint card and a money order in the amount of \$32.00 made payable to the California Department of Justice. Please send the record to me at the address below.

If you need any additional information to respond to this request, please let me know. Thank you for your attention to this matter.

Sincerely,

[signature]  
[name]  
[address]  
[phone]

SAMPLE REQUEST FOR SEARCH OF COURT RECORDS

[Date]

Coordinated Trial Courts  
Criminal Division  
725 Court Street, Room 127  
Martinez, CA 94553

Re:  
DOB:

Dear Clerk:

I request a search of the records to determine whether any records exist relating to the above-named person.

If any records are found, I request that you inform me of the case number or numbers, and of the contents of the record. If no records are found, I request that you send me a written statement that no records are found.

I enclose a money order made payable to Coordinated Trial Courts in the amount of \$5.00.

Thank you for your attention to this matter. If you have any questions, please let me know.

Sincerely,

Name

SAMPLE REQUEST FOR NAME CHECK AND CERTIFIED COPY OF FILE

Date

Clerk of the Court  
Criminal Division  
661 Washington Street, 2nd Floor  
Oakland, CA 94609

Re:  
DOB:  
Date of Incident:

Dear Clerk of the Court:

I request a name check on the above-named person, and a certified copy of the complete file in any record you find. If no file or records are available, I request a letter stating that no such records are available.

I enclose a check payable to the Clerk of the Court, amount unspecified, not to exceed \$25.00, and a self addressed, stamped envelope.

If you have any questions, please let me know.

Sincerely,

Name

SAMPLE REQUEST FOR APPLICANT TO TAKE TO CLERK OF COURT TO  
REQUEST RECORDS

Clerk of the Court  
Criminal Division  
661 Washington Street, 2nd Floor  
Oakland, CA

HAND DELIVERED

Re:  
DOB:  
Docket #:

Dear Clerk of the Court:

Please give the person who presents this letter to you a certified copy of the complete record in the above-entitled case.

Thank you for your attention to this matter. If you have any questions, please call me at the number below.

Sincerely,

Name

SAMPLE REQUEST FOR POLICE INCIDENT REPORT OR LETTER STATING  
REPORT NOT AVAILABLE

Seattle Police Department  
610-3rd Avenue  
Seattle, WA 98104

Attn: Records

Re:  
DOB  
Rpt. #:

Dear Seattle Police Department:

I request a certified copy of the incident report named above, OR a certified or original letter stating the report is not available. I need this document for a legal matter.

I enclose \$1.00 and a self addressed stamped envelope.

Thank you for your attention to this matter.

Sincerely,

Your name



SAMPLE IN-PERSON REQUEST FOR POLICE RECORDS

[Date]

[Police Department Name]

[Address]

HAND DELIVERED

Re:

DOB:

Date of Incident:

Dear Police Department:

Please give the person who presents this letter to you a certified copy of the arrest report or incident report on the above-entitled incident, or an extract of the record. If the record is unavailable, or you cannot give it to us for any reason, please give the person a letter with an original signature or a seal stating that the record is unavailable to us.

Thank you for your attention to this request. If you have any questions, please call me at the number below.

Sincerely,

Name

Phone Number

SAMPLE REQUEST FOR PROBATION RECORDS/  
LETTER FROM PROBATION OFFICER

[Date]

[Probation Department Name]  
[Address]

HAND DELIVERED

Re:  
DOB:  
Docket #:

Dear Probation Department:

Please give the above-named person a letter that documents her/his performance under probation in the above-entitled matter.

If the file is unavailable, please give the person a letter stating that the record is unavailable.

Thank you for your attention to this request. If you have any questions, please call me at the number below.

Sincerely,

Name

## PUBLIC BENEFITS

INS officers may ask applicants who have received public benefits to provide documentation from the Social Services or Social Security agencies. Most often, they will give the applicant a short questionnaire to be filled out by the government agency that provided the benefits (see page 28). The INS wants to know whether an applicant has committed welfare fraud, as part of the good moral character requirement for naturalization.

Applicants have the right to receive public benefits, and to leave the U.S. However, for most public benefits (SSI, General Assistance, Food Stamps, CAPI, or CalWORKs), a person can not receive benefits while out of the United States for more than 30 days. A welfare recipient should notify the Social Security Administration or Social Services Department that they are leaving for more than 30 days. That person can get benefits before s/he leaves the U.S. and s/he should get benefits again after s/he has been back in the U.S. for at least 30 days.

If INS officers see that applicants have left the U.S. for 30 days and receive (or used to receive) public benefits, or suspect fraud for other reasons, they will give the applicants the attached form to be completed and returned within 30 days

The applicant must take this form to be completed and signed by a caseworker. For SSI, applicants should go to their local Social Security Administration office (see following page). Applicants should go to the SSA main counter, and ask the worker there to complete the form.

For other benefits, applicants should contact their caseworkers. If the applicant no longer receives public benefits, but did in the past, s/he should visit the local Social Services department (see attached list) and ask for help.

**When the form has been completed, personally mail or deliver it to INS by the deadline on the form.**

**Sometimes applicants were receiving benefits while out of the U.S.** This often happens where a spouse cashed a joint check or where the applicant has automatic deposit. Often applicants did not understand that this was not right, because social services only give out information about absences in English.

In this case, the applicants are not automatically guilty of welfare fraud. Usually they explain to a caseworker that they did not understand, and the situation is treated as an overpayment. The worker can create a repayment plan for the applicant to pay back the overpayment: for SSI, the monthly benefits check is reduced by up to 10% each month (and sometimes for only \$10 per month).

**If applicants were out of the U.S. for a very long time or there is some other suggestion that they committed welfare fraud, consult with a public benefits expert before submitting the INS' form to SSA or Social Services.** If an applicant is convicted of welfare fraud, s/he could be deported. However, most people who

mistakenly received benefits while out of the U.S. for a few months will have no problem if they submit the form to SSA, work out a repayment plan, and return the completed form to INS.

**Because completing the questionnaire after the interview can add months to the naturalization process, applicants may wish to bring proof that they did not receive benefits during an absence to their interview.** Applicants should go to their caseworker or to the SSA office and ask for a printed history.

### Local Social Security Administration Offices

2045 Allston Way Berkeley, CA 94704 (510) 486-3115	2115 Broadway Oakland, CA 94612 (510) 273-6063	3100 Mowry Ave, Suite 100 Fremont, CA 94538 (510) 797-2418
10700 MacArthur, Bldg. 13 Oakland, CA 94605 (510) 273-4152	24085 Amador Street Hayward, CA 94544 (510) 783-9140	2600 Kitty Hawk Rd, #125 Livermore, CA 94550 (510) 443-5106
355 E. Leland Rd. Pittsburg, CA 94565 (925) 439-3838	1221 Nevin Ave. #100 Richmond, CA 94801 (510) 235-0187	2450 Washington, #285 San Leandro, CA 94577 (510) 483-0231
21010 Van Ness St. San Pablo, CA 94806	1111 Civic Drive Walnut Creek, CA 94596 (925) 938- 7640	For the SSA office nearest you, call 1-800-772-1213

### Alameda County Social Services Agency offices

(for GA, Food Stamps, CalWORKs)

401 Broadway or 8477 Enterprise Way or 4501 Broadway in Oakland  
24041 Amador in Hayward  
3311 Pacific Avenue in Livermore  
37354 Joseph Street in Fremont



U.S. Department of Justice  
Immigration and Naturalization Service

630 Sansome Street, Room # 237  
San Francisco, CA. 94111

File No.: A \_\_\_\_\_

Date: 12-31-97

THE FOLLOWING IS TO BE EXPLAINED BY THE SOCIAL SERVICES REPRESENTATIVE.  
It is necessary for you to return it within 30 days or your application for naturalization will be denied.

1. What program(s) of public assistance has the applicant received: General assistance & Foodstamps
2. How much does the applicant receive per month: \$221 GA and \$122 Foodstamp.
3. When did the applicant initially receive assistance: 11/1/96
4. Upon what basis is the applicant eligible for such payments: No income or resource

INS records show that the applicant had real estate valued at \_\_\_\_\_  
and other assets of \_\_\_\_\_

5. Was the applicant ever requested to repay any public assistance and, if so, did the applicant fail or fail or refuse to repay? Repayment agreement was signed but client has never been asked to repay

- 6.a. Does your Agency have any record of the applicant being absent from the U.S.? N/A  
INS records show that the applicant made the following trips: Dates are prior to receiving aid. 11-8-95 to 1-28-96

- b. Has/will your Agency asked for reimbursement of any overpayment? No

7. Is the applicant under any obligation to seek employment? Yes

Any other requirements? Yes Are these requirements being met? Yes

8. Other Client is not eligible to receive foodstamps at present time due to her alien status. Foodstamps discontinued 2/28/98

THIS LETTER MUST BE SIGNED AND STAMPED BY THE AGENCY REPRESENTATIVE.

[Signature] LY64  
Signature of Agency Representative

Alameda County Social Services  
General Assistance Division  
405 Broadway  
Oakland, CA 94607

Telephone Number: -2806 28 Stamp Here \_\_\_\_\_



## INTERNAL REVENUE SERVICE (IRS) RECORDS

Tax records may be needed by applicants who failed to pay their taxes when they were required to, or who left the U.S. for more than six months since becoming a permanent resident, or who apply for citizenship based on marriage to a U.S. citizen. Generally, the INS will ask for tax records for the last five (5) years, or may ask for older records depending on the situation.

If an applicant has copies of her yearly tax returns, including the W-2 forms, she should make copies of these for the interview. If she does not have copies available, she will have to request her records from the Internal Revenue Service (IRS). The IRS provides records at no cost, with only a phone call.

Applicants who failed to file or pay taxes but have an agreement with the IRS need to take copies of that agreement and all other correspondence with the IRS to their interview.

**WARNING: If an applicant failed to pay taxes when required to, or filed as a non-resident although they had permanent residency, he may face serious consequences, including the possibility of removal. These applicants should speak with an attorney or immigration specialist.**

### HOW TO OBTAIN IRS RECORDS

The records the INS usually needs are attached to documents called "Letter 1721" and "Letter 1722" (sample on page 31). A "transcript" of the tax return will usually be attached to the letter -- applicants will probably be asked for transcripts for each year of the last five years, or for any sensitive period. Transcripts may not be enough, however, and the applicant may have to order photocopies at a cost of \$23.00 per year.

The easiest way to get tax return transcripts from the IRS is **by phone, 1(800) 829-1040**. This is an automated system, with operators available. The applicant needs to provide her social security number, date of birth, and address to obtain records. Transcripts should be sent within two weeks. The operators have given verbal assurance that many translators are available; however, it is probably best to have someone with strong English skills make this call.

If an applicant prefers requesting records **by mail** (for evidence that a request was sent, use a return receipt postcard), use Form 4506, on pages 32-33. You can make and use copies of this form, or request one from the IRS. Directions for completing the form

are on the back of the form. The applicant should check **box 8a** to request tax return transcripts, although this may only provide transcripts for the last three years (she would then have to request older transcripts by phone, or may have to order photocopies). The address for the request depends on the county of residence -- see the back of the form for all US addresses.

The addresses for the East Bay are:

**For Alameda Residents:**

Internal Revenue Service Center  
5045 E. Butler Avenue  
Photocopy Unit  
Stop 52180  
Fresno, CA 93888

**For Contra Costa Residents:**

Internal Revenue Service Center  
PO Box 9941  
Photocopy Unit  
Stop 6734  
Ogden, Utah 84409



Internal Revenue Service  
District Director  
100 S. Charles Street  
Baltimore, MD 21201

Department of the Treasury

Date: Dec. 31, 1998

Person to Contact:  
Customer Service Division  
Telephone Number(s):  
Baltimore: (410) 962-2590  
Elsewhere in MD and Washington, D. C.: 1-800-829-1040  
Your SSN:

Spouse's SSN:

Name and Current Mailing Address

San PABLO Ave
BERKELEY, CA. 94702-1419-382

Name/Address on Last Return You Filed

Phone Number/Best Time to Call

Hearst Ave  
Berkeley, Ca. 94702

Address change requested

Dear Taxpayer:

In reply to your inquiry of 12/17/98 :

Our records show the following account information:

Tax Year(s)	_____	_____	_____
Type of Return Filed	_____	_____	_____
Filing Status	_____	_____	_____
Number of Exemptions	_____	_____	_____
Mortgage Interest	_____	_____	_____
/Real Estate Tax Deduction	_____	_____	_____
Adjusted Gross Income	_____	_____	_____
Taxable Income	_____	_____	_____
Self-Employment Tax	_____	_____	_____
Tax on Return	_____	_____	_____
Federal Income Tax Withheld	_____	_____	_____
Earned Income Credit	_____	_____	_____
Refund Issued	_____	_____	_____

- We have no record that you filed a return for tax year(s) \_\_\_\_\_.
- Attached is a transcript of your tax return for tax year(s) 1994, 1993.
- Address changed per your request.

If you need additional information, you may request a copy of your return from the Service Center where the return was filed.

If you have any questions concerning this matter, please call our office at the telephone number above. If you write to us, please enclose a copy of this letter.

Sincerely yours,

*Michael H. Williams*

Customer Service Division

# Request for Copy or Transcript of Tax Form

▶ Read instructions before completing this form.

▶ Type or print clearly. Request may be rejected if the form is incomplete or illegible.

**Note: Do not use this form to get tax account information. Instead, see instructions below.**

<b>1a</b> Name shown on tax form. If a joint return, enter the name shown first.	<b>1b</b> First social security number on tax form or employer identification number (see instructions)						
<b>2a</b> If a joint return, spouse's name shown on tax form	<b>2b</b> Second social security number on tax form <div style="text-align: center;">           .....            .....         </div>						
<b>3</b> Current name, address (including apt., room, or suite no.), city, state, and ZIP code							
<b>4</b> Address, (including apt., room, or suite no.), city, state, and ZIP code shown on the last return filed if different from line 3							
<b>5</b> If copy of form or a tax return transcript is to be mailed to someone else, enter the third party's name and address							
<b>6</b> If we cannot find a record of your tax form and you want the payment refunded to the third party, check here <span style="float: right;"><input type="checkbox"/></span>							
<b>7</b> If name in third party's records differs from line 1a above, enter that name here (see instructions) ▶							
<b>8</b> Check only one box to show what you want. There is <b>no charge</b> for items 8a, b, and c:							
<b>a</b> <input type="checkbox"/> Tax return transcript of Form 1040 series filed during the <b>current calendar year</b> and the <b>3 prior calendar years</b> (see instructions).							
<b>b</b> <input type="checkbox"/> Verification of nonfiling.							
<b>c</b> <input type="checkbox"/> Form(s) W-2 information (see instructions).							
<b>d</b> <input type="checkbox"/> Copy of tax form and all attachments (including Form(s) W-2, schedules, or other forms). <b>The charge is \$23 for each period requested.</b>							
<b>Note: If these copies must be certified for court or administrative proceedings, see instructions and check here</b> <span style="float: right;"><input type="checkbox"/></span>							
<b>9</b> If this request is to meet a requirement of one of the following, check all boxes that apply.							
<input type="checkbox"/> Small Business Administration <input type="checkbox"/> Department of Education <input type="checkbox"/> Department of Veterans Affairs <input type="checkbox"/> Financial institution							
<b>10</b> Tax form number (Form 1040, 1040A, 941, etc.)	<b>12</b> Complete only if line 8d is checked. Amount due:						
<b>11</b> Tax period(s) (year or period ended date). If more than four, see instructions.	<table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:80%;"><b>a</b> Cost for each period . . . . .</td> <td style="width:20%; text-align: right;">\$ 23.00</td> </tr> <tr> <td><b>b</b> Number of tax periods requested on line 11</td> <td style="border-bottom: 1px solid black;"></td> </tr> <tr> <td><b>c</b> Total cost. Multiply line 12a by line 12b. . . . .</td> <td style="border-bottom: 1px solid black; text-align: right;">\$</td> </tr> </table>	<b>a</b> Cost for each period . . . . .	\$ 23.00	<b>b</b> Number of tax periods requested on line 11		<b>c</b> Total cost. Multiply line 12a by line 12b. . . . .	\$
<b>a</b> Cost for each period . . . . .	\$ 23.00						
<b>b</b> Number of tax periods requested on line 11							
<b>c</b> Total cost. Multiply line 12a by line 12b. . . . .	\$						
<b>Full payment must accompany your request. Make check or money order payable to "Internal Revenue Service."</b>							

**Caution:** Before signing, make sure all items are complete and the form is dated.

I declare that I am either the taxpayer whose name is shown on line 1a or 2a, or a person authorized to obtain the tax information requested. I am aware that based upon this form, the IRS will release the tax information requested to any party shown on line 5. The IRS has no control over what that party does with the information.

		Telephone number of requester ( )
<b>Please Sign Here</b>	Signature. See instructions. If other than taxpayer, attach authorization document.	Date
	Title (if line 1a above is a corporation, partnership, estate, or trust)	Best time to call
	Spouse's signature	Date

## Instructions

Section references are to the Internal Revenue Code.

**TIP:** If you had your tax form filled in by a paid preparer, check first to see if you can get a copy from the preparer. This may save you both time and money.

**Purpose of Form.**—Use Form 4506 to get a tax return transcript, verification that you did not file a Federal tax return, Form W-2 information, or a copy of a tax form. Allow 6 weeks after you file a tax form before you request a copy of it or a transcript. For W-2

information, wait 13 months after the end of the year in which the wages were earned. For example, wait until Feb. 1999 to request W-2 information for wages earned in 1997.

**Do not** use this form to request Forms 1099 or tax account information. See this page for details on how to get these items.

**Note:** Form 4506 must be received by the IRS within 60 calendar days after the date you signed and dated the request.

**How Long Will It Take?**—You can get a tax return transcript or verification of nonfiling within 7 to 10 workdays after the IRS receives your request. It can take up to 60 calendar

days to get a copy of a tax form or W-2 information. To avoid any delay, be sure to furnish all the information asked for on Form 4506.

**Forms 1099.**—If you need a copy of a Form 1099, contact the payer. If the payer cannot help you, call or visit the IRS to get Form 1099 information.

**Tax Account Information.**—If you need a statement of your tax account showing any later changes that you or the IRS made to the original return, request tax account information. Tax account information lists

(Continued on back)



certain items from your return, including any later changes.

To request tax account information, write or visit an IRS office or call the IRS at the number listed in your telephone directory.

If you want your tax account information sent to a third party, complete **Form 8821**, Tax Information Authorization. You may get this form by phone (call 1-800-829-3676) or on the Internet (at <http://www.irs.ustreas.gov>):

**Line 1b.**—Enter your employer identification number (EIN) **only** if you are requesting a copy of a **business** tax form. Otherwise, enter the first social security number (SSN) shown on the tax form.

**Line 2b.**—If requesting a copy or transcript of a joint tax form, enter the second SSN shown on the tax form.

**Note:** *If you do not complete line 1b and, if applicable, line 2b, there may be a delay in processing your request.*

**Line 5.**—If you want someone else to receive the tax form or tax return transcript (such as a CPA, an enrolled agent, a scholarship board, or a mortgage lender), enter the name and address of the individual. If we cannot find a record of your tax form, we will notify the third party directly that we cannot fill the request.

**Line 7.**—Enter the name of the client, student, or applicant if it is different from the name shown on line 1a. For example, the name on line 1a may be the parent of a student applying for financial aid. In this case, you would enter the student's name on line 7 so the scholarship board can associate the tax form or tax return transcript with their file.

**Line 8a.**—If you want a tax return transcript, check this box. Also, on line 10 enter the tax form number and on line 11 enter the tax period for which you want the transcript.

A tax return transcript is available only for returns in the 1040 series (Form 1040, Form 1040A, 1040EZ, etc.). It shows most line items from the original return, including accompanying forms and schedules. In many cases, a transcript will meet the requirement of any lending institution such as a financial institution, the Department of Education, or the Small Business Administration. It may also be used to verify that you did not claim any itemized deductions for a residence.

**Note:** *A tax return transcript does not reflect any changes you or the IRS made to the original return. If you want a statement of your tax account with the changes, see **Tax Account Information** on page 1.*

**Line 8b.**—Check this box only if you want proof from the IRS that you did not file a return for the year. Also, on line 11 enter the tax period for which you want verification of nonfiling.

**Line 8c.**—If you want only Form(s) W-2 information, check this box. Also, on line 10 enter "Form(s) W-2 only" and on line 11 enter the tax period for which you want the information.

You may receive a copy of your actual Form W-2 or a transcript of the information, depending on how your employer filed the form. However, state withholding information is not shown on a transcript. If you have filed your tax return for the year the wages were earned, you can get a copy of the actual Form W-2 by requesting a complete copy of your return and paying the required fee.

Contact your employer if you have lost your current year's Form W-2 or have not received it by the time you are ready to prepare your tax return.

**Note:** *If you are requesting information about your spouse's Form W-2, your spouse must sign Form 4506.*

**Line 8d.**—If you want a certified copy of a tax form for court or administrative proceedings, check the box to the right of line 8d. It will take at least 60 days to process your request.

**Line 11.**—Enter the year(s) of the tax form or tax return transcript you want. For fiscal-year filers or requests for quarterly tax forms, enter the date the period ended; for example, 3/31/96, 6/30/96, etc. If you need more than four different tax periods, use additional Forms 4506. Tax forms filed 6 or more years ago may not be available for making copies. However, tax account information is generally still available for these periods.

**Line 12c.**—Write your SSN or EIN and "Form 4506 Request" on your check or money order. If we cannot fill your request, we will refund your payment.

**Signature.**—Requests for copies of tax forms or tax return transcripts to be sent to a third party must be signed by the person whose name is shown on line 1a or by a person authorized to receive the requested information.

Copies of tax forms or tax return transcripts for a jointly filed return may be furnished to either the husband or the wife. Only one signature is required. However, see the line 8c instructions. Sign Form 4506 exactly as your name appeared on the original tax form. If you changed your name, also sign your current name.

For a corporation, the signature of the president of the corporation, or any principal officer and the secretary, or the principal officer and another officer are generally required. For more details on who may obtain tax information on corporations, partnerships, estates, and trusts, see section 6103.

If you are **not** the taxpayer shown on line 1a, you must attach your authorization to receive a copy of the requested tax form or tax return transcript. You may **attach a copy of the authorization document** if the original has already been filed with the IRS. This will generally be a **power of attorney** (Form 2848), or **other authorization**, such as Form 8821, or evidence of entitlement (for Title 11 Bankruptcy or Receivership Proceedings). If the taxpayer is deceased, you must send Letters Testamentary or other evidence to establish that you are authorized to act for the taxpayer's estate.

**Where To File.**—Mail Form 4506 with the correct total payment attached, if required, to the **Internal Revenue Service Center** for the place where you lived when the requested tax form was filed.

**Note:** *You must use a separate form for each service center from which you are requesting a copy of your tax form or tax return transcript.*

If you lived in:	Use this address:
New Jersey, New York (New York City and counties of Nassau, Rockland, Suffolk, and Westchester)	1040 Waverly Ave. Photocopy Unit Stop 532 Holtsville, NY 11742
New York (all other counties), Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont	310 Lowell St. Photocopy Unit Stop 679 Andover, MA 01810
Florida, Georgia, South Carolina	4800 Buford Hwy. Photocopy Unit Stop 91 Doraville, GA 30362

Indiana, Kentucky, Michigan, Ohio, West Virginia	P.O. Box 145500 Photocopy Unit Stop 521 Cincinnati, OH 45250
Kansas, New Mexico, Oklahoma, Texas	3651 South Interregional Hwy. Photocopy Unit Stop 6716 Austin, TX 73301
Alaska, Arizona, California (counties of Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Glenn, Humboldt, Lake, Lassen, Marin, Mendocino, Modoc, Napa, Nevada, Placer, Plumas, Sacramento, San Joaquin, Shasta, Sierra, Siskiyou, Solano, Sonoma, Sutter, Tehama, Trinity, Yolo, and Yuba), Colorado, Idaho, Montana, Nebraska, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, Wyoming	P.O. Box 9941 Photocopy Unit Stop 6734 Ogden, UT 84409
California (all other counties), Hawaii	5045 E. Butler Avenue Photocopy Unit Stop 52180 Fresno, CA 93888
Illinois, Iowa, Minnesota, Missouri, Wisconsin	2306 E. Bannister Road Photocopy Unit Stop 6700, Annex 1 Kansas City, MO 64999
Alabama, Arkansas, Louisiana, Mississippi, North Carolina, Tennessee	P.O. Box 30309 Photocopy Unit Stop 46 Memphis, TN 38130
Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, a foreign country, or A.P.O. or F.P.O. address	11601 Roosevelt Blvd. Photocopy Unit DP 536 Philadelphia, PA 19255

**Privacy Act and Paperwork Reduction Act**

**Notice.**—We ask for the information on this form to establish your right to gain access to your tax form or transcript under the Internal Revenue Code, including sections 6103 and 6109. We need it to gain access to your tax form or transcript in our files and properly respond to your request. If you do not furnish the information, we will not be able to fill your request. We may give the information to the Department of Justice or other appropriate law enforcement official, as provided by law.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by section 6103.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated average time is: **Recordkeeping**, 13 min.; **Learning about the law or the form**, 7 min.; **Preparing the form**, 26 min.; and **Copying, assembling, and sending the form to the IRS**, 17 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form simpler, we would be happy to hear from you. You can write to the Tax Forms Committee, Western Area Distribution Center, Rancho Cordova, CA 95743-0001. **DO NOT** send the form to this address. Instead, see **Where To File** on this page.

## CHILD SUPPORT PAYMENTS

The INS may require applicants to document support payments for children or former spouses. If an applicant pays child support for any children or former spouses, he should take proof of support payments to his interview. If he has failed to support his children or his wife, he could be found to lack good moral character, and may have his application denied.

The two components of child support documentation are: proof of the amount the applicant is supposed to pay, and proof of regular payments. If the agreement to pay support is consensual, he should get a letter from the former spouse or custodial parent that states the amount to be paid and that payments have been received as agreed. If a letter from a former spouse or custodial parent seems suspicious, the INS will contact the writer of the letter to verify that it is a genuine letter. A notarized letter may decrease INS suspicion of fraud. Include canceled checks to support statements made in the letter.

If a divorce decree states the amount to be paid, it may be used as documentation, with proof that payments have been made (such as several canceled checks).

If support payments were court ordered, and made through the Family Support Division of the District Attorney, your client needs a copy of the court order, and payment history from the Family Support Division. The payment history is available by phone, provided your client has his case number (if he has been making payments, he will know this number). Records are available by mail, from the addresses below. Directions for written requests produced by Northern California Legal Services begin on page 35.

If a letter cannot be obtained from the spouse or custodial parent, and a Family Support Division history is not available, applicants should collect any other documentation that shows they are making proper payments. This could be canceled checks, proof of wage garnishment, or other information. He will not have to show each and every payment that has been made, but should show that payments are regular and for the required amount.

### Local Family Support Division Offices:

#### Alameda County

**By phone:** (510) 639-3000

**By mail:**

Family Support Division  
ATTN: Case # XXXXX  
2901 Peralta Oaks  
Oakland, CA 94605

#### Contra Costa County

**By phone:** (925) 313-4200

**By mail:**

Family Support Division  
ATTN: Case # XXXXX  
50 Douglas Drive  
Martinez, CA 94553

## CHILD SUPPORT ACCOUNTING REQUEST FORM

To get an accounting of the child support collected and distributed by the Family Support Division (FSD) of the District Attorney's office, all you have to do is ask. California law requires that the FSD give you an accounting of **all** collections and distributions. The law is California Welfare and Institutions Code § 11478.1(c)(3).

To get an accounting, send the FSD that is handling your child support a letter requesting an accounting. A sample letter is attached, along with a blank letter. If you like, you can simply fill in the information about your child support case in the blank letter and send it to the FSD.

**Remember to keep a copy of the letter.**

You should address the letter to your caseworker. If you do not have a caseworker, we suggest that you send the letter to the FSD Administrator. If you do not know the name or address of the FSD Administrator, you can look it up in the county government section of the telephone book.



SAMPLE ACCOUNTING LETTER

[Your Caseworker/Administrator]

**\*\*DO NOT SEND THIS LETTER!\*\***

[Your County Family Support Division]

**\*A blank copy is on the next page for you to fill in.**

[The street address of the FSD]

[City], CA [Zip Code]

[Date]

Re: Request for an Accounting of Child Support

[one or more of these will be on FSD forms]

FSD File # \_\_\_\_\_ or \_\_\_\_\_ v. \_\_\_\_\_

Superior Court of \_\_\_\_\_ Co., Case No. \_\_\_\_\_

Dear [Caseworker/Administrator],

I would like an accounting of the child support collected and distributed for the above-referenced case for the period from [starting date] to [ending date].

California law requires that you provide me with an accounting. California Welfare and Institutions § 11478.1(c)(3).

For all money collected, the accounting should list the legal date of collection, the actual date of receipt by your office, the amount and source, the date of distribution, and how the money was distributed for each payment (i.e., current support to family, pass-through to family, current recoupment by the county, arrears to family, arrears to county, interest to family and interest to county).

I also request the total past due support currently owed by me, including interest.

Please send the accounting to me at the address listed below. I will appreciate receiving the accounting within **20 days of the date of this letter.**

Thank you very much for your assistance with this matter.

Sincerely,

[Sign you name here]

[Print or type your name]

Address: [Your street address]

[Your city], [Your state] [Your Zip Code]

Phone:( ) [Your telephone number]

**REMEMBER TO KEEP A COPY OF THE LETTER FOR YOURSELF AND NOTE THE DATE YOU MAILED IT.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_, 199\_\_

**Re: Request for an Accounting of Child Support**

FSD File # \_\_\_\_\_ or \_\_\_\_\_ v. \_\_\_\_\_  
Superior Court of \_\_\_\_\_ Co., Case No. \_\_\_\_\_

Dear \_\_\_\_\_,

I would like an accounting of the child support collected and distributed for the above-referenced case for the period from \_\_\_\_\_ to \_\_\_\_\_.

California law requires that you provide me with an accounting. California Welfare and Institutions § 11478.1(c)(3).

For all money collected, the accounting should list the legal date of collection, the date of receipt by your office, the amount and source, the date of distribution, and how the money was distributed for each payment (i.e., current support to family, pass-through to family, current recoupment by the county, arrears to family, arrears to county, interest to family and interest to county).

I also request the total past due support currently owed by me, including interest.

Please send the accounting to me at the address listed below. I will appreciate receiving the accounting **within 20 days of the date of this letter.**

Thank you very much for your assistance with this matter.

Sincerely,

\_\_\_\_\_  
\_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: ( ) \_\_\_\_\_



## SELECTIVE SERVICE REGISTRATION

Every male resident between the ages of 18 and 26 is required by law to register for the Selective Service (even if they are undocumented, refugees, or parolees!).

Many applicants do not know their Selective Service registration numbers, or if they registered. These men should call **(847) 688-6888**, and enter their date of birth and Social Security Number. The machine will report the registration number, or report that there is no information for that individual (which likely means he has not registered). This machine has limited hours, so it may not be open when you call -- try at another time.

If an applicant is between 18 and 26, he can register at his local post office, or even on the Internet at **www.sss.gov** (applicants can also find registration numbers on this website). Registration is free and easy.

**“Willfully and knowingly” failing to register can be a temporary bar to naturalization, because the INS believes it shows a lack of good moral character.** If applicants fail to register for the Selective Service when required to, they should include an attachment on their N-400 that explains why they didn’t register -- that is, shows that their failure to register was not “knowing and willful”.

Applicants who need to attach an explanation to their N-400 should include the following points, if true:

- 1) I did not register for the Selective Service because I did not know I had to.
- 2) If I had known there was a law that I was supposed to register, I would have done so, because I obey the laws of the United States.
- 4) I would never have tried to get out of this requirement because I would be glad to serve the United States.

Applicants may be asked to sign an additional INS affidavit at the interview.

In some cases, a “Status Information Letter” may be required by the INS. This letter can be obtained through the phone number above. Clients should not provide this letter to the INS unless they are specifically asked for it, as the letter will probably hurt rather than help the applicant’s case.

## IMMIGRATION AND NATURALIZATION DOCUMENTS

### Freedom of Information Act Request (FOIA)

The FOIA Request allows an individual to obtain any information that a US government agency has about him or her (in this case, the government agency is the INS). The information in the immigration file can help an applicant remember what she said on earlier immigration forms, and may let her know why the INS is asking specific questions. For example, INS may ask someone to provide a statement about membership in the Communist Party, or records about her criminal history. When she receives her INS file after a FOIA request, she might discover that she told INS on past applications that she was part of a Communist group, or see that the INS has received information about crimes in which she was involved.

**WARNING: Many FOIA responses will lack several pages (this will be noted in correspondence to you). Missing pages may contain derogatory, or damaging, evidence. For example, Bernardo was detained trying to bring a friend's child into the U.S. illegally. To find out whether the INS has records of that detention, Bernardo makes a FOIA request. When he receives his file, there is no reference to the detention, but only 42 out of 45 pages in his file have been provided. Bernardo must assume that the missing pages provide information about the detention.**

A G-639 FOIA Request form is on pages 41-43. Photocopy this form or request one from the INS. Applicants should submit their own FOIA requests, as the INS can only send a response to the person whose information is being requested, or to someone who has filed a G-28 for the applicant (an attorney or BIA accredited representative). Mail it to the INS office where the records are most likely located (630 Sansome St., San Francisco, for example). Mark clearly on the outside of the envelope in red ink that it is a FOIA request. The request does not need to be notarized, if the "Attachment to Form G 639" (on following page) is signed and included with the request. When a FOIA request is submitted to the INS, the INS must respond in a timely fashion, usually within two weeks. It may take several weeks longer for them to send the complete immigration file.

### Naturalization Records

Naturalization documents may be needed to support an N-600 application, to travel, or to obtain a scholarship. You can get naturalization records from several agencies, including the INS, federal courts, and Federal Record Centers. The following are the best sources for naturalization information:

1. **The INS, through a Freedom of Information Act Request (FOIA)** to INS for naturalizations after September 26, 1906. Use Form G-639 and the G-639 declaration.
2. **The federal court or state court** that naturalized the person. Call the clerk of the court for information on how to get the record.
3. **Federal Records Center.** Many federal court records are in the National Archives. For Northern California and Western Nevada, call (415) 876-9009 for information. For Southern California and the southwest, send \$10 and a written request (a sample request is on page 44) to the Federal Records Center in Laguna Niguel.

### **To Obtain Or Replace a Certificate of Citizenship**

There are two ways to obtain or replace a Certificate of Citizenship if you are a US citizen and need to prove it, or want to have the security of a Certificate of Citizenship.

1. If you are a US citizen by birth abroad to a USC parent (acquisition), or if you are a US citizen through the naturalization of one or both parents (derivation), you will need to file an N-600. To obtain this form with directions and the current fee, call the **INS FORM line, 1-800-870-3676.**
2. If you already had a certificate, but it was lost or destroyed, you will need to file an N-565 Application for Replacement Naturalization/Citizenship Document, also available through the **INS FORM line.**

### **US Passports**

To prove US citizenship or to travel out of the country once you are a US citizen, a US passport is the fastest, easiest, and least expensive document. Passport applications can be obtained at any US Post Office, and can be submitted in the Bay Area at any of the offices listed on page 45. Passport offices may be unable to determine US citizenship in some cases, and will refer these individuals to the INS to obtain a Certificate of Citizenship.

**NOTE: You cannot obtain a US passport unless you are a US citizen, and there are severe consequences for filing fraudulent passport applications.**

**START HERE - Please Type or Print and read instructions on the reverse before completing this form.**

**1. Type of Request: (check appropriate box)**

- a. Freedom of Information Act (FOIA) (complete all items except 6)
- b. Privacy Act (PA) (item 6 must be completed in addition to all other applicable items)
- c. Amendment (PA only)

**2. List below, the name and telephone number of the person to whom the information should be released. By my signature, I consent to the following (check applicable boxes):**

- a. Pay all costs incurred for search, duplication, and review of materials up to \$25.00, when applicable. (see reverse)
- b. Allow the person named below to see my record or a portion of my record (specify) \_\_\_\_\_  
(Consent is required for records for United States Citizens (USC) and Lawful Permanent Residents)
- c. Proof of death is attached for deceased subject (obituary or death certificate)

Please type or print all information, except where signature is requested:

Name of person authorized to see record:

Signature of person giving consent:

Name of requester:

Daytime phone number: ( ) -

Address (street number and name):

Apt. No.:

City:

State:

Zip Code:

**3. Action Requested (check one):**

- a. Copy
- b. In-person Review

**4. Information needed to search for record(s):**

Specific information, document(s), or record(s) desired (identify by name, date, subject matter, and location of information):

Purpose (optional; you are not required to state the purpose for your request, however, doing so may assist the INS in locating the records needed to respond to your request.):

**5. Data NEEDED on SUBJECT of Record (if data marked with an asterisk (\*) is not provided records may not be located):**

\*Family Name:

Given Name:

Middle Initial:

\*Other names used, if any:

\*Name at time of entry into the US:

I-94 Admissions #:

\*Alien Registration #:

\*Petition #:

\*Country of birth:

\*Date of birth or Age:

Names of other family members that may appear on requested record(s) (i.e. spouse, daughter, son):

Passport #:

Country of origin:

Port-of-Entry into the US:

Date of entry:

Manner of entry (air, sea, land):

Mode of travel (name of carrier):

SSAN:

\*Name on Naturalization Certification:

Certificate #:

Naturalization date:

Address at time of Naturalization:

Court and location:

**6. Verification of subject's identity (see reverse for explanation) (check one box):**

- a. In-person, with ID
- b. Notarized Affidavit of identity
- c. Other (specify):

Signature of Requester:

Date:

Telephone #: ( ) -



*These instructions supersede instructions contained on the reverse of form G-639 (Freedom of Information/Privacy Act Request) regarding verification of identity by mail.*

In lieu of notarized signatures, requesters may establish proof of the identity of the subject of the record by submitting a sworn declaration under penalty of perjury with their requests. If the record subject provides proof of identity in the form of a declaration in lieu of a notarized signature, the declaration **MUST INCLUDE THE FOLLOWING:**

▶▶ *If executed within the United States, its territories, possessions, or commonwealths:*

"I declare (or certify, verify, or state) under penalty of perjury that I am the individual who is the subject of the requested record and that the foregoing is true and correct.

Executed on \_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature)

OR

▶▶ *If executed outside the United States:*

"I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that I am the individual who is the subject of the requested record and that the foregoing is true and correct.

Executed on \_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature)

# BAY AREA PASSPORT ACCEPTANCE OFFICES

\*\*\*WE RECOMMEND THAT YOU CALL THE OFFICE TO VERIFY TIMES OF ACCEPTANCE

<u>CITY</u>	<u>OFFICE</u>	<u>HOURS</u>	<u>LOCATION</u>	<u>TELEPHONE</u>
ALAMEDA	POST OFFICE	9-4	2201 SHORELINE DR.	(510) 748-5366
ALBANY	CITY CLERK	M-8:30-7PM& T-F-8:30-6	1000 SAN PABLO AVE.	(510) 528-6720
ANTIOCH	POST OFFICE	10-4	2730 WEST TREGALLAS RD.	(510) 757-4191
BERKELEY	POST OFFICE	8:30-4:30	2000 ALLSTON WAY	(510) 649-3174
CONCORD	POST OFFICE	10-4	2121 MERIDIAN PARK BLVD.	(510) 687-1500
DALY CITY	POST OFFICE	1-3	1100 SULLIVAN AVE.	(650) 756-2303
FAIRFIELD	POST OFFICE	9-4	600 KENTUCKY ST.	(707) 425-8471
FREMONT	POST OFFICE	9-4	37010 DUSTERBERRY WAY	(510) 792-8654
HAYWARD	POST OFFICE	10-12&1:30-3:30	24438 SANTA CLARA ST.	(510) 783-2400
LOS GATOS	CITY CLERK	8-3:30 BY APPT.	110 EAST MAIN STREET	(408) 354-6834
MARTINEZ	CO. CLERK	8-4	822 MAIN ST.	(510) 646-2366
MOUNTAIN VIEW	POST OFFICE	9-12&1-4	211 HOPE ST.	(650) 967-5721
NAPA	POST OFFICE	10-4	1625 TRANCAS ST.	(707) 255-1621
NOVATO	POST OFFICE	10-4	1537 S. NOVATO BLVD.	(415) 897-3171
OAKLAND	POST OFFICE	8:30-4	1675 7TH ST.	(510) 874-8275
PALO ALTO	POST OFFICE	9-3	2085 EAST BAYSHORE RD.	(650) 321-4310
PETALUMA	POST OFFICE	TU-FRI 9:15-11:15&2:15-4:15	120 4TH ST.	(707) 769-5350
PLEASANTON	POST OFFICE	10-3	4300 BLACK AVE.	(510) 846-6631
REDWOOD CITY	POST OFFICE	8:30-4:00	1100 BROADWAY	(650) 368-4181
REDWOOD CITY	CO. CLERK	8-5	401 MARSHALL ST.	(650) 363-4712
RICHMOND	POST OFFICE	8:30-4:30	1025 NEVIN AVE.	(510) 232-9709
SAN FRANCISCO	CO CLERK-REC.	9-3	875 STEVENSON ST. RM100	(415) 554-4176
SAN FRANCISCO	POST OFFICE	8:30-4	150 SUTTER ST.	(800) 275-8777
SAN FRANCISCO	POST OFFICE	10-3	3245 GEARY BLVD.	(800) 275-8777
SAN JOSE	CO. REC	9-12	70 WEST HEDDING ST.	(408) 299-2481
SAN JOSE	POST OFFICE	8-4	1750 MERIDIAN AVE.	(408) 723-6197
SAN LEANDRO	POST OFFICE	8-12&1-4:30	1777 ABRAM CT.	(510) 483-0550
SAN MATEO	POST OFFICE	8:30-4	1630 S. DELAWARE ST.	(650) 358-8475
SAN RAFAEL	CO. CLERK	9-4	3501 CIVIC CENTER DR.	(415) 499-6415
SAN RAFAEL	POST OFFICE	10-1&2-4	40 BELLAM BLVD.	(415) 457-8770
SANTA CLARA	POST OFFICE	10-3	1200 FRANKLIN MALL	(408) 296-1882
SANTA ROSA	POST OFFICE	8-4:45	730 SECOND STREET	(707) 528-8779
SARATOGA	POST OFFICE	9:15-2	19630 ALLENDALE AVE.	(408) 867-3036
SONOMA	POST OFFICE	8-4	617 BROADWAY	(707) 996-2459
STANFORD	POST OFFICE	9-3	WHITE PLAZA	(650) 322-0059
SUNNYVALE	POST OFFICE	9:30-12&1:00-3:00	580 N. MARY AVE.	(408) 732-0121
VALLEJO	POST OFFICE	8-4	485 SANTA CLARA ST.	(707) 642-4441
WALNUT CREEK	POST OFFICE	10-12&1-3	2070 N. BROADWAY	(510) 935-2611