Understanding and Supporting the Legal Needs of Immigrant Communities

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

AGENCIES INVOLVED

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

LAW

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

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

- Must qualify for, and obtain lawful permanent resident status first
  - Outside the US (consular process)
  - Within the US (adjustment of status)

- After residing in the US for 5 years (or 3 years in some cases), LPRs can eventually apply for US citizenship

- LPRs should talk to a trusted legal service provider about their eligibility for citizenship!
Benefits of Lawful Permanent Resident (LPR) status

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

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

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

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

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

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

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

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

Why is this important?

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

Who can help? Two trusted types of advocate groups

1. Private immigration attorneys
   - *American Immigration Lawyers Association (AILA)*

2. Department of Justice (DOJ) accredited organizations
   - *Non-profit organizations ONLY*
   - *Accreditation process through Department of Justice*
   - *Attorneys and DOJ-accredited representatives*

NOT NOTARIOS!
Avoid *notarios*

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

RESOURCES-
- AILA and ABA- Stop Notario Fraud
  - [https://stopnotariofraud.org/](https://stopnotariofraud.org/)
- Federal Trade Commission- Notario Fraud Information
  - [https://consumer.gov/content/notario-fraud](https://consumer.gov/content/notario-fraud)
Interpretation and translation services

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

RESOURCES:
- Northwest Translators and Interpreters Society
  - [https://www.notisnet.org/](https://www.notisnet.org/)
- Washington Court Certified Interpreters and Translators
  - [https://www.courts.wa.gov/programs_orgs/pos_interpret/](https://www.courts.wa.gov/programs_orgs/pos_interpret/)
Mental health support

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

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

- Identity documents
- Immigration records
- Criminal records
- Immigration timeline
Immigrant customs and culture

- Learn about cultural competency
- Understand your own culture and explore other cultures (Language, food, music, dress, holidays, customs, etc.)
- Be open and respectful to new and different cultures than your own
Helping immigrants connect with their communities in this area. This is not an exhaustive list, just examples of the different community groups in our area.

- Ukrainian Community Center
- Afghan American Community of Washington
- Somali Family Safety Task Force
- West African Community Council
- Villa Comunitaria
- El Centro de La Raza
- Asian Counseling and Referral Service
- Immigrant Women’s Community Center
- Chinese Information Service Center
- Horn of Africa Services
Connecting with communities continued

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

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

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

**RESOURCE:**
- Catholic Legal Immigration Network
- [https://cliniclegal.org/resources/protecting-your-community/know-your-rights/know-your-rights-guide-your-rights-when](https://cliniclegal.org/resources/protecting-your-community/know-your-rights/know-your-rights-guide-your-rights-when)
Legislative advocacy

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

Catholic Immigration Legal Services
https://ccswww.org/get-help/specialized-services/refugee-immigration-services/

To search for Department of Justice accredited organizations

To search for non-profit immigration legal service providers
https://www.immigrationadvocates.org/nonprofit/legaldirectory/

To find private immigration attorneys that are American Immigration Lawyer Association (AILA) members
https://ailalawyer.com/
Resources continued

Catholic Legal Immigration Network
https://cliniclegal.org/

National Immigration Law Center
https://www.nilc.org/

National Immigrant Justice Center
https://immigrantjustice.org/

Immigrant Legal Resource Center
https://www.ilrc.org/community-resources

American Immigration Council
https://www.americanimmigrationcouncil.org/
Resources continued

National Immigration Project
https://nipnlg.org/index.html

United We Dream
https://unitedwedream.org/

Immigrants Rising
https://immigrantsrising.org/

Informed Immigrant
https://www.informedimmigrant.com/

Washington Immigrant Solidarity Network
https://www.waisn.org/
Resources continued

Northwest Immigrant Rights Project
https://nwirp.org/

One America
https://weareoneamerica.org/

Immigrant Women’s Community Center
https://iwccwa.org/

Seattle Office of Immigrant and Refugee Affairs
https://www.seattle.gov/iandraffairs

WA DSHS Office of Refugee and Immigrant Assistance
https://www.dshs.wa.gov/esa/office-refugee-and-immigrant-assistance
Questions

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

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- https://www.americanimmigrationcouncil.org/research/how-united-states-immigration-system-works
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- https://www.ilrc.org/asylum
- https://www.americanbar.org/groups/public_interest/immigration/projects_initiatives/fightnotariofraud/about_notario_fraud/
- https://www.wikihow.com/Learn-About-Other-Cultures
- https://www.apa.org/monitor/2015/03/cultural-competence#:~:text=Cultural%20competence%20%E2%80%94%20loosely%20defined%20as%20practice%20for%20some%2050%20years.
- https://www.aclu.org/know-your-rights/immigrants-rights