

# Immigration 101 for Social Service Providers



Catholic Charities  
Diocese of Fall River

*Service Anchored in Faith*

# JUST FOR CONTEXT

**Part I:** IMMIGRATION STATUS BASICS AND  
WHAT THEIR PAPERWORK MEANS

**Part II:** IMMIGRATION SERVICES AT CCFR

**Part III:** HOW TO REFER A CLIENT



**Part I:**

**IMMIGRATION STATUS BASICS  
AND WHAT THEIR PAPERWORK  
MEANS**

# Who is an “immigrant”?

Someone from another  
country

Could be here “legally” or  
“illegally”

Could be here short-term, or  
on a long term/permanent  
basis



# Who's Here “Legally”?

- People with **Particular visas** or **“work cards”** or **DACA** or **TPS**
- **“Green Card”** Holders
- **Lawful Permanent Residents**
- People with **Asylum/Refugees**
- Visitors
- US Citizens



# Immigrant Rights

## In General

- Right to be treated for **medical emergencies**, and potentially to receive MassHealth **Limited**
- Right to remain silent, have other protections if detained or accused of a crime
- Right to be free from workplace discrimination, including based on national origin, citizenship
- Right to free, appropriate public education (<18)
- Right to travel domestically with valid ID, own property, have a family, etc.

# Immigrant Rights

ICE should not make arrests at:

**“Sensitive Locations” anywhere in U.S.,**

which are:

- Schools
- Health facilities
- Places of Worship
- Religious/civil ceremonies (funerals, weddings)
- Public marches, rallies, parades

## **Courthouses and Surroundings**

- Unless imminent risk of violence, threat to public safety or national security

# Immigrant Rights

## HEALTHCARE AND MASSHEALTH

**MassHealth options** vary by income, status

- **Standard: “Qualified Noncitizen”**
  - Green card (LPR) or VAWA for 5+ years
  - Asylum/refugee granted
  - Any status/Undocumented, if pregnant or <21 years old
- **Connector Care: “Qualified Noncitizen Barred”/“Lawfully Present”**
  - Green card (LPR) or VAWA for <5 years
  - Asylum pending
  - TPS
  - SIJS pending or approved
  - Work Permit/Temporary Status
- **Family Assistance: “Nonqualified PRUCOL”**
  - DACA
- **Limited:**
  - Undocumented



# Why not get a better status?



# You usually have to go in order.

HOME COUNTRY



ASYLUM OR VISA



LAWFUL PERMANENT RESIDENCY



U.S. CITIZENSHIP

# You can't just apply and “GET IN LINE.”

## There's not a line for everyone

- **4 big lines**, often years long
  - **Family members** of US citizens or lawful permanent residents
  - **Highly skilled workers** or business **investors**
  - **Painful past** (asylum, crime victims, other humanitarian)
  - Worldwide Visa **Lottery**



*Even if you have a line,  
successful immigration is not  
guaranteed*

- Prohibitive immigration or criminal history/discretion
- Life events while in line
- Insufficient finances

# It's a Long Road!

YEARS TO WAIT	IMMIGRATION BENEFIT
2-3 YEARS	US Citizen requests spouse, child, or parent to join her (I-130)
8 YEARS	Victim of crime in the US to gain status (U-visa)
13 YEARS 25 YEARS (MEX.)	US Citizen request married adult child to join her
?? (6+ YEARS)	Person fleeing persecution requests asylum (affirmative)

*Life changes and legal changes during those years can eliminate eligibility.*

# Lawful Permanent Residency (Green Card)

## Benefits

- Permanent right to live in, work in, travel from/to US
- Petition for family to become LPRs later
- Apply for citizenship in 3-5 years
- After 5 years, eligible for all public benefits

## Criteria

- Spouse, parent, child, or sibling is US citizen (or maybe LPR)
- Minimal criminal / immigration violation history



# Work Permit (EAD)

## Criteria:

### Temporary status granted,

- Visa (depends on the visa)
- Parole (I-94)
- Temporary Protected Status (TPS)

### OR

### • **Bona fide application for longer/permanent status pending**

- Green Card
- Asylum
- U-visa



## Benefits:

- Work and live lawfully in US for one or two years
- Eligible for driver license, sometimes public benefits

# ASYLUM



## Criteria:

- **Afraid to return to home country because did/could face harm on account of something they cannot change:**
  - **race, religion, nationality, political opinion or “membership in a particular social-group”**
- Women and other family members who faced domestic violence in home country can sometimes qualify

## Benefits:

- Permanent right to live, work, travel from/to US, public benefits
- Can bring family members
- If application pending 180 days+, work permit available

# U Nonimmigrant Status (U visa)

## Criteria:

- Victim of serious crime that occurred in U.S.
  - Violent crime (assault, domestic violence, sexual assault, child abuse)
  - Forced to work (employer uses threats, takes immigration documents, deprives of wages/food/housing promised)
- Suffered substantial physical or mental harm because of crime
- Reported crime, helped law enforcement investigate

## Benefits:

- Four years to live, work, drive, get public benefits in U.S.
- Can bring family members
- Can become Lawful Permanent Resident (and eventually citizen)



# Citizenship

## Criteria:

- Has had legal permanent resident status (green card) for 5 years; or 3 years if obtained through marriage to a U.S. citizen
- Good moral character for 5 (or 3) years
- Able to pass Civics and English exam

Exam can be waived based on disability, age, or length of legal residence

## Benefits:

- Voting!
- Public benefits
- Can sponsor many family members
- Never worry about deportation again





# What are these papers?

U.S. Department of Homeland Security

**Notice to Appear**

**In removal proceedings under section 240 of the Immigration and Nationality Act:**

Subject ID: \_\_\_\_\_ FIN #: \_\_\_\_\_ File No: A  
SIGMA Event: \_\_\_\_\_ DOB: \_\_\_\_\_ Event No: ZHO

In the Matter of: \_\_\_\_\_ currently residing at: \_\_\_\_\_  
Respondent: \_\_\_\_\_ (Number, street, city and ZIP code) (Area code and phone number)

1. You are an arriving alien.  
 2. You are an alien present in the United States.  
 3. You have been admitted to the United States.

The Department of Homeland Security alleges:  
1. You are not a citizen or national of the United States.  
2. You are a native of Venezuela.  
3. On or about September 30, 2011, you became a permanent resident alien (R10).  
4. On or about \_\_\_\_\_ 2011, you were in \_\_\_\_\_ Texas for the offense of \_\_\_\_\_.  
5. On or about December 25, 2011, you were in Houston, Texas and applied for permanent resident alien.

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:  
See Continuation Page Made a Part Hereof

This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.  
 Section 235(b)(1) order was vacated pursuant to:  8CFR 208.30(f)(2)  8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:  
1801 SMITH STREET 5TH FLOOR Houston TEXAS US 77002

(Complete Address of Immigration Court, including Room Number. (f any))

On \_\_\_\_\_ at \_\_\_\_\_ a time to be set \_\_\_\_\_ to show why you should not be removed from the United States based on the charges set forth above.  
(Date) (Time)

Date: December 26, 2018 HOUSTON, TX (City and State)

See reverse for important information

Form I-862 (Rev. 08)

**PERSON MUST GO TO IMMIGRATION COURT**

NOTICE OF HEARING IN REMOVAL PROCEEDINGS  
IMMIGRATION COURT  
525 W. VAN BUREN, SUITE 500  
CHICAGO, IL 60607

RE: \_\_\_\_\_  
FILE: \_\_\_\_\_  
DATE: Jul 18, 2012

TO: \_\_\_\_\_

\_\_\_\_\_ scheduled for a hearing at 09:00 A.M. at: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ to the \_\_\_\_\_ sized and qualified \_\_\_\_\_ ing date has not \_\_\_\_\_ of the Notice to Appear or \_\_\_\_\_ attorney or \_\_\_\_\_ y or representative \_\_\_\_\_ a can request an \_\_\_\_\_

\_\_\_\_\_ l circumstances \_\_\_\_\_ may be taken into \_\_\_\_\_ custody by the Department of Homeland Security and held for further \_\_\_\_\_ action. (2) Your hearing may be held in your absence under section 240(b)(5) of the Immigration and Nationality Act. An order of removal will be entered against you if the Department of Homeland Security established by \_\_\_\_\_ clear, unequivocal and convincing evidence that a) you or your attorney has been provided this notice and b) you are removable.

IF YOUR ADDRESS IS NOT LISTED ON THE NOTICE TO APPEAR, OR IF IT IS NOT CORRECT, WITHIN FIVE DAYS OF THIS NOTICE YOU MUST PROVIDE TO THE IMMIGRATION COURT CHICAGO, IL THE ATTACHED FORM EOIR-33 WITH YOUR ADDRESS AND/OR TELEPHONE NUMBER AT WHICH YOU CAN BE CONTACTED REGARDING THESE PROCEEDINGS. EVERYTIME YOU CHANGE YOUR ADDRESS AND/OR TELEPHONE NUMBER, YOU MUST INFORM THE COURT OF YOUR NEW ADDRESS AND/OR TELEPHONE NUMBER WITHIN 5 DAYS OF THE CHANGE ON THE ATTACHED FORM EOIR-33. ADDITIONAL FORMS EOIR-33 CAN BE OBTAINED FROM THE COURT WHERE YOU ARE SCHEDULED TO APPEAR. IN THE EVENT YOU ARE UNABLE TO OBTAIN A FORM EOIR-33, YOU MAY PROVIDE THE COURT IN WRITING WITH YOUR NEW ADDRESS AND/OR TELEPHONE NUMBER BUT YOU MUST CLEARLY MARK THE ENVELOPE "CHANGE OF ADDRESS." CORRESPONDENCE FROM THE COURT, INCLUDING HEARING NOTICES, WILL BE SENT TO THE MOST RECENT ADDRESS YOU HAVE PROVIDED, AND WILL BE CONSIDERED SUFFICIENT NOTICE TO YOU AND THESE PROCEEDINGS CAN GO FORWARD IN YOUR ABSENCE.

A list of free legal service providers has been given to you. For information regarding the status of your case, call toll free 1-800-898-7180 or 240-314-1500. For information on Immigration Court procedures, please consult the Immigration Court Practice Manual, available at [www.usdoj.gov/eoir](http://www.usdoj.gov/eoir).

CERTIFICATE OF SERVICE

THIS DOCUMENT WAS SERVED BY: MAIL (M) PERSONAL SERVICE (P)  
TO: [M] ALIEN [ ] ALIEN c/o Custodial Officer [ ] ALIEN's ATT/RBP [M] DHS  
DATE: 7/18/12 BY: COURT STAFF JM V3  
Attachments: [X] EOIR-33 [ ] EOIR-28 [ ] Legal Services List [ ] Other

# What are these papers?

DEPARTMENT OF HOMELAND SECURITY  
U.S. Immigration and Customs Enforcement  
**ORDER OF SUPERVISION**

Name: \_\_\_\_\_ File No.: \_\_\_\_\_  
Date: \_\_\_\_\_

On \_\_\_\_\_, you were ordered:  
(Date of Final Order)

Excluded or deported pursuant to proceedings commenced prior to April 1, 1997.  
 Removed pursuant to proceedings commenced on or after April 1, 1997.

Because the agency has not effected your deportation or removal during the period prescribed by law, it is ordered that you be placed under supervision and permitted to be at large under the following conditions:

That you appear in person at the time and place specified, upon each and every request of the agency, for identification and for deportation or removal.

That upon request of the agency, you appear for medical or psychiatric examination at the expense of the United States Government.

That you provide information under oath about your nationality, circumstances, habits, associations and activities and such other information as the agency considers appropriate.

That you do not travel outside \_\_\_\_\_ for more than 48 hours without first having notified this agency office of the dates and places, and obtaining approval from this agency office of such proposed travel.

That you furnish written notice to this agency office of any change of residence or employment 48 hours prior to such change.

That you report in person on \_\_\_\_\_ to this agency office at \_\_\_\_\_  
(Date of report) (Reporting Address)

That you assist U.S. Immigration and Customs Enforcement in obtaining any necessary travel documents.

Other: Your release is contingent upon your enrollment and successful participation in an Alternatives to Detention (ATD) program as designated by the U.S. Department of Homeland Security. As part of the ATD program, you will be subject to electronic monitoring and may be subject to a curfew. Failure to comply with the requirements of the ATD program will result in a redetermination of your release conditions or your arrest and detention.

*If fitted with a U.S. Immigration and Customs Enforcement GPS tracking ankle bracelet, do not tamper with or remove the device. Under federal law, it is a crime to willfully damage or attempt to damage property of the United States. Damaging or attempting to damage the GPS tracking ankle bracelet or any of its associated equipment (including, but not limited to, the charging station, batteries, power cords, etc.) may result in your arrest, detention, and prosecution under 18 U.S.C. § 1361 and/or 18 U.S.C. § 641, each punishable by a fine, up to ten years imprisonment, or both.*

See attached sheet containing other specified conditions (Continue on separate sheet if required)

\_\_\_\_\_  
(Signature of ICE Official)

\_\_\_\_\_  
(Print Name and Title of ICE Official)

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**Alien's Acknowledgement of Conditions of Release under an Order of Supervision**

I hereby acknowledge that I have (read) (had interpreted and explained to me in the \_\_\_\_\_ language) the contents of this order, a copy of which has been given to me. I understand that failure to comply with the terms of this order may subject me to a fine, detention, or prosecution.

\_\_\_\_\_  
(Signature of ICE Official Serving Order)

\_\_\_\_\_  
(Signature of Alien)

\_\_\_\_\_  
(Date)

ICE Form I-220B (10/20) Page 1 of 4

**PERSON MUST  
CONTACT ICE**

[icebostonreporting@ice.dhs.gov](mailto:icebostonreporting@ice.dhs.gov)

Provide the person's full name,  
A number, check-in date,  
current address, and current  
phone number

# What are these papers?

Departure Number  
813106636 11

Department of Homeland Security  
CBP I-94A (11/04)  
Departure Record

L1  
12345  
09/17/2007

Family Name  
SAMPLE

First (Given) Name  
AHMET

Country of Citizenship  
PAKISTAN

20041122 US-VISIT 20050207 MULTIPLE

See Other Side

STAPLE HERE

U.S. CUSTOMS AND BORDER PROTECTION  
ADMITTED  
USA  
09/17/2007  
CLASS L1  
UNTIL 10/10/2012

U.S. Customs and Border Protection  
Securing America's Borders

Get I-94 Number I-94 FAQ

Admission (I-94) Number Retrieval

Admission (I-94) Record Number: 69000888062

Admit Until Date (MM/DD/YYYY): 10/10/2012

Details provided on Admission(I-94) form:

Family Name:	LI
First (Given) Name:	LYDIA
Birth Date (MM/DD/YYYY):	01/01/1990
Passport Number:	P123123213
Passport Country of Issuance:	Mexico
Date of Entry (MM/DD/YYYY):	04/11/2012
Class of Admission:	B1

I-94 = Lawful admission to the US

A group of people, including men, women, and children, are dressed in traditional, colorful clothing. They are gathered around a large, multi-tiered, conical structure that appears to be a traditional dance or performance prop. The structure is covered in intricate, colorful patterns. The background is a large, colorful, patterned fabric or wall. The overall scene suggests a cultural celebration or festival.

**Part II:**

**IMMIGRATION SERVICES AT CCFR**

# CCFR Immigration Department

*Providing free & low-cost legal services to people of all faiths in English, Spanish, Portuguese, and Khmer*

## **Immigration Law Education & Advocacy Project (ILEAP)**

- Low-cost help to apply for:
  - Citizenship
  - Family-Based Lawful Permanent Residency
  - Asylum
  - Health-based Status Extensions
  - TPS
  - DACA
  - Work Permits
  - Deportation defense

## **Immigrant Victims Representation Project (IVRP)**

- Free legal assistance for immigrant survivors of:
  - Domestic violence
  - Child abuse or neglect
  - Human trafficking
  - Other serious crimes

# CCFR Immigration Department

*Providing free & low-cost legal services to people of all faiths in English, Spanish, Portuguese, and Khmer*

## **Unfortunately we cannot assist with:**

- Visitor Visas (except extensions based on health need)
- Student Visas
- Work Visas
- Divorces/State Court Work unrelated to Immigration Case
- Non-Legal Services unrelated to Immigration Case



# CCFR Immigration Department

*Providing free & low-cost legal services to people of all faiths in English, Spanish, Portuguese, and Khmer*

**Unfortunately we cannot always take a case.**

- Person might be over-income
- Person might not have a case/might not have a case they are likely to win
- CCFR Immigration Department might have too many cases at the moment

(We do prioritize referrals from other CCFR programs.)

A group of diverse people, including men and women of various ethnicities, are shown in traditional or cultural attire. They are standing in front of a large, colorful, patterned backdrop that resembles a traditional textile or tapestry. The scene appears to be a cultural performance or festival. The text is overlaid on this image.

**Part III:**

**CLIENT ELIGIBILITY and  
HOW TO REFER A CLIENT**

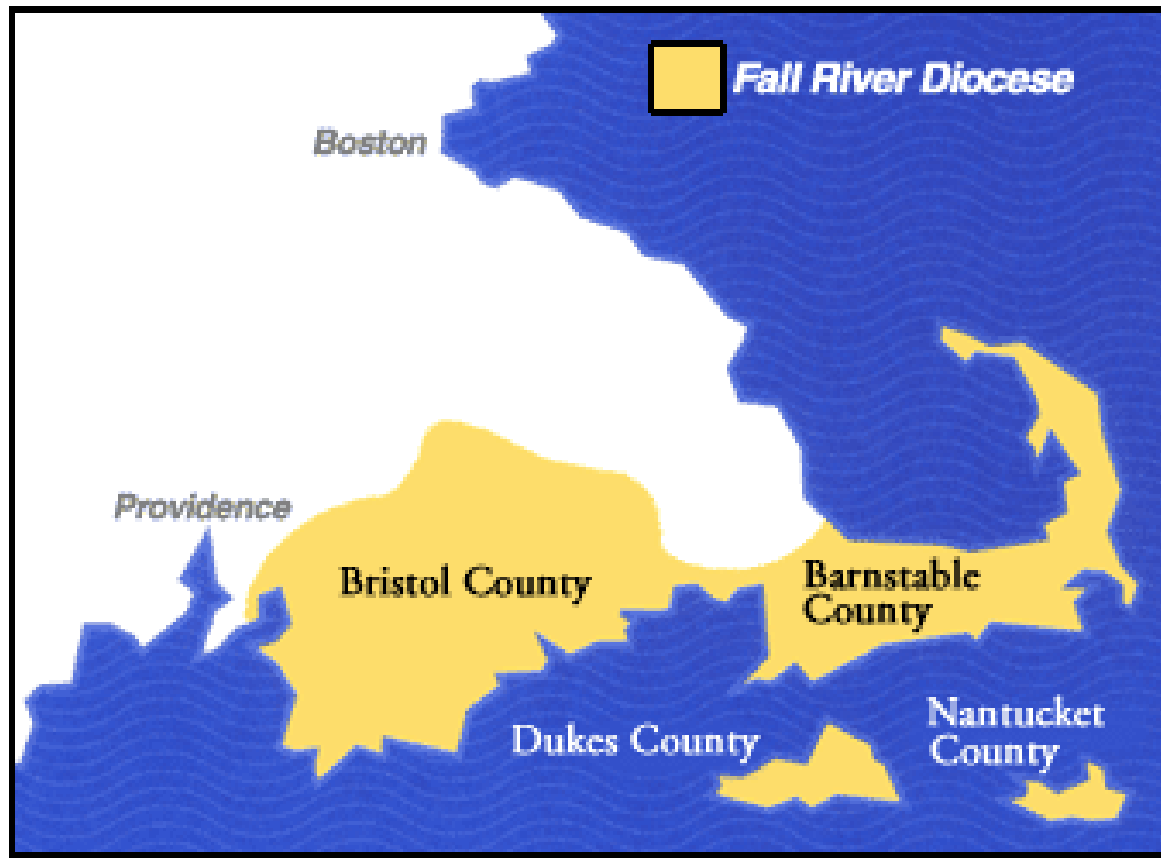
# CCFR Immigration Department

## ELIGIBILITY, INTAKE PROCESS, COSTS

- **Eligibility**
  - Geographic
  - Financial (<200% FPL)
  - Case type we are accepting
- **Intake Process: Phone Only**
  - Initial Intake: eligibility
  - From there, referral or  
Secondary Intake: case background
  - *Confidential!*
- **Costs**
  - IVRP clients – **Free!**
  - <125% FPL – \$50 or less
  - >125% FPL – By case type,  
about 10% of private attorney  
fees

# CCFR - Service Area

Bristol, Barnstable, Nantucket, and Dukes County, and towns of Mattapoisett, Marion, and Wareham in Plymouth County



# CCFR Immigration Department

*Providing free & low-cost legal services to people of all faiths  
in English, Spanish, Portuguese, French, and Khmer*

Three attorneys, five paralegals.

Home base in Fall River, but serving clients remotely and through offices in New Bedford and Hyannis.

## Immigrant Victims Representation Project (IVRP)

- Free legal assistance for immigrant survivors of:
  - Domestic abuse
  - Human trafficking
  - Other serious crimes

## Immigration Law Education & Advocacy Project (ILEAP)

- Practice areas include:
  - Deportation defense
  - Family Green Cards
  - Asylum
  - Citizenship
  - (Many other statuses too)

# CCFR Immigration Department

*Providing free & low-cost legal services to people of all faiths in English, Spanish, Portuguese, and Khmer*

## **INTAKE PROCESS**

- **Intake Process: Phone Only**
  - Initial Intake:
    - Is this person eligible geographically, financially, and case-type-wise?
  - If not, referral to trusted partner.
  - If so, secondary Intake (longer phone call):
    - Case background
    - Immigration and criminal history needed (documentation often necessary)
  - Intake documents are assessed by lawyer

# We'd Love to Help!

## CONTACT US ON BEHALF OF A CLIENT!

- Direct your client to call [508-674-4681](tel:508-674-4681) Ext. 1132 and leave a voice message for the Immigration Department (can leave message in foreign language)  
Or
- Use QR code to complete online intake form



Follow [Catholic Charities, Diocese of Fall River](#) on Facebook  
When we can't help, we strive to provide [referrals](#).

# We'd Love to Help!

## **CONTACT US ON YOUR OWN BEHALF!**

- Technical advice/answers for a particular client's situation
- Presentations
- Call me or email us (see final slide)



# Questions?



# Thank you!

**Kenneth Amoriggi** – *Legal Director*

[kamoriggi@ccfrdioc.org](mailto:kamoriggi@ccfrdioc.org)

**Sara Bizarro** – *DOJ Accredited Representative*

[sbizarro@ccfrdioc.org](mailto:sbizarro@ccfrdioc.org)

**Beatriz Marques** – *AGO Admin. Assistant*

[bmarques@ccfrdioc.org](mailto:bmarques@ccfrdioc.org)



Catholic Charities  
Diocese of Fall River  

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Service Anchored in Faith