# ABOUT THE **IMMIGRATION PREPAREDNESS TOOLKIT**

Whether your work authorization in the United States is about to expire or you never had it in the first place, the future can seem uncertain if there is no clear path for you to gain lawful immigration status. This resource-packed **Immigration Preparedness Toolkit** aims to help create a strategy to navigate the future.

This toolkit outlines concrete steps you and your family members can take to protect yourself, provides a guide to seeking legal advice, and describes different immigration options available. Each section below was included to help you create a strategy and build a protection plan.

**Section 1** presents important information on how to prepare your family in case of an emergency, your constitutional rights, and what vital resources you can use.

**Section 2** reviews information on common immigration relief options and how one might qualify, depending on their circumstances. This is important to understand because people may be eligible for legal protection and not be aware of it or have misinformation or an unrealistic expectation about how to obtain lawful status.

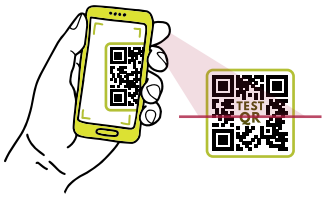
**Section 3** will walk you through considerations and documents to gather as you prepare for a legal consultation. Because general information can only get you so far, it will be important to identify and speak with a trusted legal representative. This section includes useful tools to get you started and make the process a bit less intimidating.

Lastly, **Section 4** will outline basic information to cover your bases regardless of your immigration status. Even if you are not immediately eligible to apply for lawful permanent status, there are best practices you can adopt now to ensure that, when new opportunities emerge, you are ready.




## How do I use this kit?




This packet covers important topics for immigrants with no legal status or in mixed-status households. We recommend you save and/or print this toolkit so it may serve as a reference to revisit when needed. Also, note that there are additional free guides and other resources you can link to directly from this packet. They can be accessed by **either entering the URL into your internet browser address bar** (they usually start with "**bit.ly/**") or by **using a smartphone to scan the QR code through the camera app** and hovering over the code.




https://**bit.ly/immpreptoolkit**

### Try it now!

For your convenience and future reference, this Toolkit can be found on the ILRC website by scanning this QR code or by visiting the following URL: https://**bit.ly/immpreptoolkit**

# 1 KNOW YOUR RIGHTS.

Everyone, regardless of immigration status, is protected by certain rights under the U.S. Constitution. Understanding your rights can make a huge difference when confronted by an Immigration and Customs Enforcement (ICE) agent. Make sure you, your family, and loved ones know what to do if approached by ICE. Here are some steps you can take now.



## Prevention & Safety

### Make a plan

It is wise to always be prepared for any emergency and to make a plan, like those we create for natural disasters. You will want to ensure that you have a plan in place for matters like childcare, financial commitments, and records safekeeping. These include but are not limited to, contact information for legal support, updated school emergency contact numbers, caregiver authorization, and medical needs lists.




https://**bit.ly**/**fightbackice**

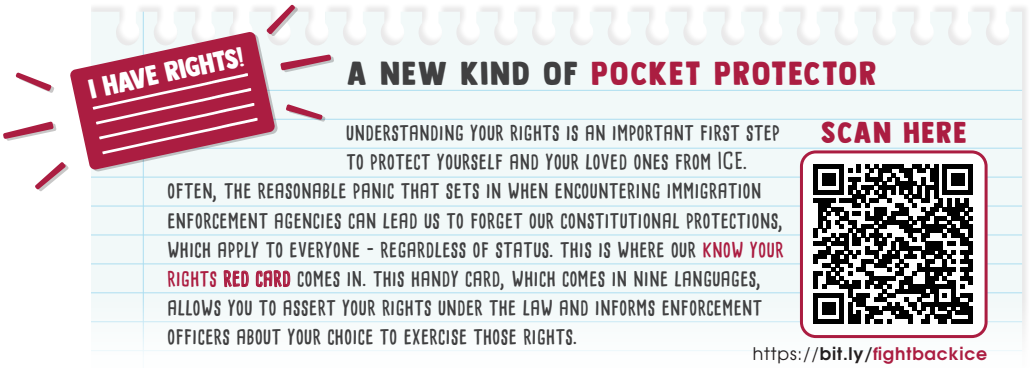
**Download** our printable *Step-By-Step Family Preparedness Plan* so you can map out your priorities and note critical information that can come in handy later, should anyone in your household be detained

### Figure out what documents you should and should *not* carry with you

Unfortunately, both unauthorized *and* authorized immigrants can be stopped and harassed, detained, or arrested by ICE. **To protect yourself, make sure that you carry the correct documentation:**

- If you have a valid work permit or permanent resident card (i.e. "green card"), carry it with you at all times. If you do not have one, carry a municipal ID, state ID, or driver's license only if it was issued in the United States by a U.S. government agency and contains no information about your immigration status or your country of origin. Ask local immigration advocates about what kind of documents are safe for you to carry in your area.
- Do not carry any documentation indicating your country of origin.
- Do not carry any false identity or immigration documents.
- At all times, carry a red card (see below) reminding you of your constitutional rights and to exercise your right to remain silent in case you are stopped or interrogated by ICE or police officers.

### Understand your rights




https://**bit.ly**/**fightbackice**

- **You have the right to remain silent.** You can refuse to speak to an ICE agent. You do not have to answer any questions, especially about your birthplace, immigrations status, or how you entered the United States. Say that you want to remain silent until you speak with a lawyer.
- **You have the right to demand a warrant before letting anyone into your home.** Do not open your door to ICE without a warrant that is signed by a judge and includes your specific and correct name and address on it.

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If they say that they have one, do not open the door for them to show it to you. Ask them to slip it under the door or show it through a window.

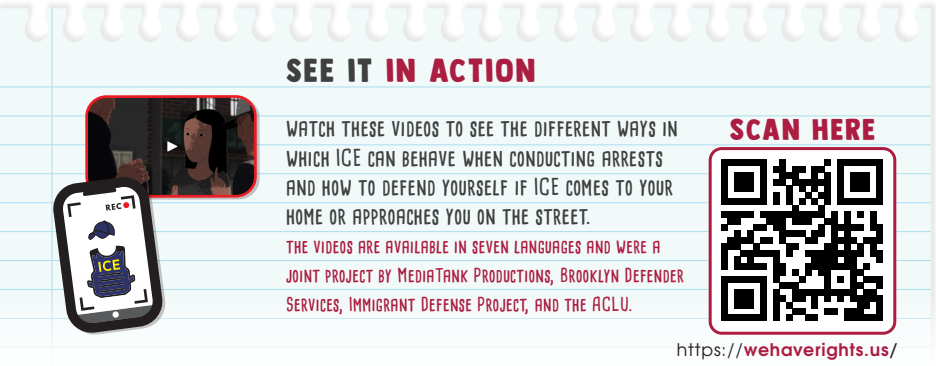
- **You have the right to speak to a lawyer and the right to make a phone call.** Have the phone number of a friend or relative memorized as you may not have access to your cell phone. Also, memorize the phone number of a legal service provider.

- **You have the right to refuse to sign anything before you talk to a lawyer.** Do not sign anything. That could eliminate your right to speak with a lawyer or your right to have a hearing in front of an immigration judge. This may result in you being deported immediately without a hearing.

- **You have the right to refuse to show any documents.** Do not show documents issued by another country to an ICE officer, such as a consular identity document or a passport from your country of birth. Never present false documents.

### Practice exercising your rights, so you and your family are prepared!

- Ensure you and your loved ones are comfortable saying out loud, "I am not going to answer your questions. Am I free to go?" and "I won't sign anything until I speak with a lawyer."




- It is just as important for family members to know their rights to protect themselves and each other. Share with your family and friends what rights are important to exercise in the event of an encounter with ICE. It might feel awkward at first, but a 5-minute conversation could prevent the detention of a loved one.

## During Contact with ICE Officers

### Always be safe

- Remain calm and do not run away (or drive away, if you are in your vehicle). If you do, ICE or the police may use that against you.

- Take photos/video if you feel safe doing so, especially if ICE violates your rights and/or if a loved one has been taken into custody. It may be helpful to designate a family member most comfortable with doing this.

- Photograph any documentation they provide (without signing it), any damage done to your property, or any identifying information from the agents, like a name and/or badge number. Evidence of unlawful entry into your home or harassment may be helpful in court.

### Prepare your family

- Contact a legal service provider and make sure your family knows to contact them on your behalf. It is important that your family has access to the legal contact you have either worked with or identified in your preparedness plan. They will want to contact them to put a defense plan in motion.

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- Make sure your family can locate the file you have created with important documents and information. Family members will want to access your preparedness plan and file of important documents. This will give them a roadmap and plan of action to take in case you are detained. Make sure your preparedness plan includes your "A number" (see page 8 for more detail on the A number) and the ICE online detainee locator web address (https://**locator.ice.gov**) to help your family locate you.

## Plan for traffic stops

- Both ICE and the police pull over vehicles. If this happens to you, ask the officer to identify their agency, as many ICE officers dress in plain/street clothes or drive unmarked vehicles. You should remain in your vehicle, unless otherwise instructed by *local law enforcement* (i.e. local police, highway patrol, etc.).

- Assert your rights just as you would if the ICE officer were at your front door. You can either show them your red card or audibly share that you are not going to answer their questions or sign anything without an attorney present. No explanations or excuses needed. You can then ask if you are free to go.

- If you are pulled over on a routine traffic stop (i.e. speeding, expired tags, broken taillight, etc.) by local police, sheriff, or highway patrol, your approach should be in accordance with local law (see the chart before for more information).

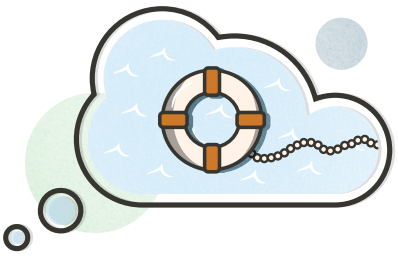
**The following table includes helpful advice on Do's and Don'ts when interacting with ICE and local law enforcement (like city police, sheriff, or highway patrol):**

| If you are stopped by local law enforcement: | If you are stopped by ICE: |
|---|---|
| • **DO show your license, registration, and proof of insurance when asked, if you were driving.**<br>• **DO keep your hands on the wheel and let the officer know what you are doing ("I'm going to reach for my registration now.").**<br>• **DO say "I do not consent to a search."**<br>• **DO sign your ticket if you are given one. Otherwise, you may be arrested.**<br>• **DO ask if you can park your car in a safe place or have a licensed driver take it away, if you are arrested, to avoid towing or impoundment fees.**<br>• **DON'T search for your license or registration until asked. It may look as if you are trying to hide something.**<br>• **DON'T disrespect the officer. Although you have a constitutional right to do so, it could lead to your arrest.**<br>• **DON'T attempt to bribe the police.**<br>• **DON'T have any objects hanging from your rearview mirror. It may give police a reason to pull you over.** | • **DO show a red card to assert your rights**<br>• **DO ask what agency they represent and why you have been stopped.**<br>• **DON'T show your license or registration UNLESS they have a warrant.**<br>• **DON'T physically resist a search. Say "I do not consent to a search."**<br>• **DON'T sign any document they give you.**<br>• **DON'T lie, make up excuses, or give any explanations. Simply remind them you do not wish to speak with them.**<br>• **DON'T discuss your country of birth, citizenship or immigration status with anyone other than your lawyer. ICE agents often use deceptive tactics to intimidate detainees, including lying, so do not be alarmed by official-sounding language regarding their requests for you to cooperate.**<br><br>List by ACLU of Northern California. |
| **Note: In California, an AB 60 driver's license should be accepted by state and local law enforcement, the same as other state-issued IDs.** | |

**For more tips and information**, including Do's and Don'ts if you have been arrested or taken to a police station, visit the *ACLU of Northern California* Know Your Rights resource on police interactions: https://**bit.ly/aclukyrpolice**

# 2 UNDERSTAND COMMON IMMIGRATION OPTIONS

Immigration law is complicated and case-specific. Below is a brief overview of some legal options currently available under immigration law. Keep in mind that eligibility for these options will depend on many factors, including your immigration history and criminal record. Before starting any legal process, it is critical to connect with a trusted legal service for an in-depth consultation (see *Build Your Consultation Roadmap* for more on this).



## Family Petitions

Many people are eligible for a green card through a U.S. citizen or green card holder family member (e.g. a lawful permanent resident). Those who are eligible to apply for lawful permanent residence do so through Adjustment of Status or Consular Processing.

### Do you have a family member that can petition for you?

**U.S. Citizens** can petition their spouses, children (of any age, married or unmarried), parents, and siblings. Some kinds of family members may have to wait on a waitlist before they can get their green card, but spouses, minor children, and parents of U.S. citizens are not subject to a waitlist.

**Lawful Permanent Residents (LPRs)** can petition their spouses, children, and unmarried sons and daughters of any age. Again, some kinds of family members may have to wait on a waitlist.

### What is Consular Processing v. Adjustment of Status?

In immigration law, there are two different processes to get lawful permanent status through a family member—consular processing and adjustment of status. Simply put, individuals have to consular process if they did not enter the United States lawfully or are living in another country. They must go to an interview at a U.S. embassy or consulate in their home country. On the other hand, adjustment of status is available for individuals who have entered the United States with a visa or traveled with advance parole or meet some other exception to this rule. They can do the green card interview within the United States, if they meet all the requirements (See *Build Your Consultation Roadmap* below for more information on how to determine which process you will need to utilize).

#### THE SECTION 245 (i) OPTION



SECTION 245(i) IS A PART OF IMMIGRATION LAW THAT ALLOWS PEOPLE TO GO THROUGH THE GREEN CARD PROCESS IN THE UNITED STATES REGARDLESS OF HOW THEY ENTERED THE COUNTRY. A PERSON IS ELIGIBLE UNDER THAT PROVISION OF THE LAW IF A FAMILY MEMBER OR EMPLOYER FILED A PETITION FOR THEM ON OR BEFORE APRIL 30, 2001. YOU MIGHT BE PROTECTED BY 245(i) EVEN IF THE PETITION WAS FILED ON BEHALF OF SOMEONE ELSE. FOR EXAMPLE, AN AUNT OR UNCLE PETITIONED FOR YOUR PARENT BEFORE APRIL 30, 2001 WHILE YOU WERE STILL UNDER THE AGE OF 21.

## Employment-Based Petitions

Another way you can seek lawful status in the United States is through an employment-based petition. Essentially, under employment-based petitions, an employer, instead of a family member, applies for you to get immigration status based on the type of work you do for them. This type of petition is not as common as other immigration options, but it may be a possibility for people with some specialized skill for which the employer cannot easily fill a position

In addition to the petition, most employment-based petitions will need to get a Labor Certification, which certifies that your employer has not found a U.S. citizen worker who is able and willing to do the job that you have or are seeking.

**For more information** on employment-based petitions, visit the Employment-Based Visa Categories in the United States fact sheet by the *American Immigration Council*: https://**bit.ly/aicemploymentbasedpetition**

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## Humanitarian Options

These are special circumstance immigration options. Some allow family members to be included, too.

### Are you afraid of returning to your home country? Were you ever harmed in your home country?

**Asylum** allows an individual to remain permanently in the United States if they can show they have been harmed or will be harmed in their home country. Unfortunately, this does not cover all kinds of suffering or hardship, and the harm must be based on the person's race, religion, nationality, membership in a particular group, or political opinion. This can include persecution based on sexual orientation, gender identity, political activities, religious beliefs, among others. People granted asylum are eligible to apply for lawful permanent residence (a "green card") after one year.

### Were you ever the victim of a crime?

A **U visa** is an option for immigrant victims of certain serious crimes who have been helpful or are likely to be helpful in the investigation of those crimes. Some examples of qualifying crimes are domestic violence, sexual assault, and other serious crimes. In order to apply for a U visa, a federal, state, or local law enforcement agency must certify the victim's helpfulness in the investigation of the crime. The waitlist for a U visa is very long, but people granted a U visa can ultimately apply for a green card and get the same immigration benefits for certain family members.

A **T visa** is available to people who have been victims of human trafficking, such as forced labor or sex trafficking. Unlike the U visa, this does not require the person to have a police report or a law enforcement certification. A T visa recipient can eventually apply for a green card and include their family members as dependents in their case.

**VAWA (Violence Against Women Act)** is a benefit available to both men and women who have been abused by a U.S. citizen or LPR family member. VAWA mirrors the family petition process but, unlike the U visa, does not require certification by law enforcement. VAWA allows the victim to gain permanent status without depending on the abuser to petition. VAWA leads to lawful permanent residence, and certain family members may also obtain immigration status as a result.

**Special Immigrant Juvenile Status (SIJS)** is a form of relief that allows certain undocumented children and youth who have been abandoned, neglected, or abused by one or both parents to apply for lawful permanent status. The abuse could have happened here in the United States or in the youth's country of origin. Note that this immigration option requires a state court order before filing the case with the immigration service. A person granted SIJS will not be able to petition their parents in the future, even once they are a U.S. citizen.

## Other Immigration Options

There are other personal factors that can lead to immigration status in the United States:

### Do you have a family member that is in the military? Like a spouse, parent, son, or daughter?

**Parole in Place** is an immigration option that allows certain family members of military personnel to apply for a work permit and protection from deportation. Individuals who meet other requirements might also qualify for adjustment of status based on their Parole in Place.

### Are either of your parents U.S. citizens?

**Acquisition:** It is possible to acquire U.S. citizenship at birth automatically, even if you were born in another country, if one or both of your parents were U.S. citizens and meet other requirements.

### Are you currently in removal proceedings?

There are other options available to people who are in removal proceedings (have an immigration court case before an immigration judge). These immigration options are defensive strategies that can help someone fight against being deported and are only available once someone is in immigration court.

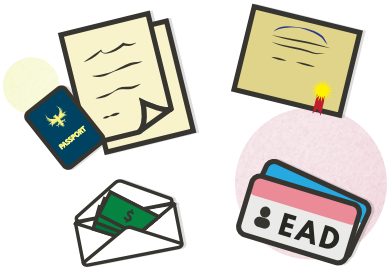
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People who are in this position should consult with an attorney to see what options they might have. Some of the options available include: **Cancellation of Removal, VAWA Cancellation, Withholding of Removal, Convention Against Torture,** and **Asylum**. Each form of relief has different requirements, and some will ask you to prove you are a person of "good moral character" and have a connection to either a family member who is a U.S. citizen or LPR.

# 3 BUILD YOUR CONSULTATION ROADMAP.

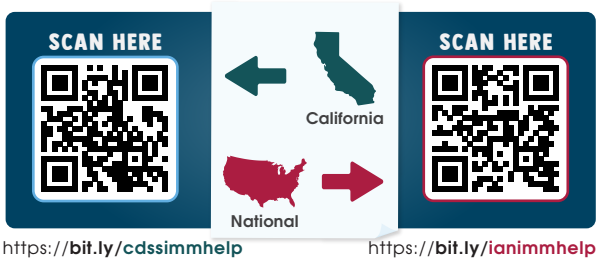
Meeting with a legal representative can be intimidating and confusing. It can be difficult to identify what you need and anticipate what a legal representative will ask you. You may have questions like: What information and documents do I need to take? What questions will the person be able to answer? What questions can I even ask them? Will they be able to help me with my case right away? These questions are hard to figure out if you have never interacted with a legal representative. Below is a guide to preparing for a legal consultation.




## Find a Legal Representative that Works for You:

There are various resources available to help you find a legal representative for a consultation. Online directories are increasingly useful starting points, as they offer regionally specific contact information and can be continually updated. There are both national and state specific directories available. Some examples include: National Immigration Legal Services Directory or the California Department of Social Services Immigration Services list (find below). These are lists of organizations with specific information on what type of cases they handle. It is important to note that some of the organizations listed also offer legal representation, pro bono support, and/or fee assistance for immigration applications.

### Identify a Local Legal Service Provider:




https://**bit.ly/cdssimmhelp** https://**bit.ly/ianimmhelp**

Give yourself some time to look through the options, identify organizations that might work best for you, and reach out to them to understand the extent to which they can help. It is ok to reach out to several organizations at once and then determine which ones you would like to schedule an appointment with or even to get a consultation from more than one. Remember to always follow-up promptly and consistently as organizations often deal with high volumes of requests.

## Collect the Information Needed for a Successful Consultation

A legal service provider is best equipped to serve your needs when they have a clear picture of your background and history. Much like a medical doctor, they may not need *every* single background detail to do their job but the more they have, the more effective they can be. It is best to collect relevant documents and have a folder that you can take with you to your appointment. However, do not feel discouraged if you cannot recall certain dates or are missing some paperwork. Legal service providers will often do what they can with what you have, as long as you are transparent and truthful.

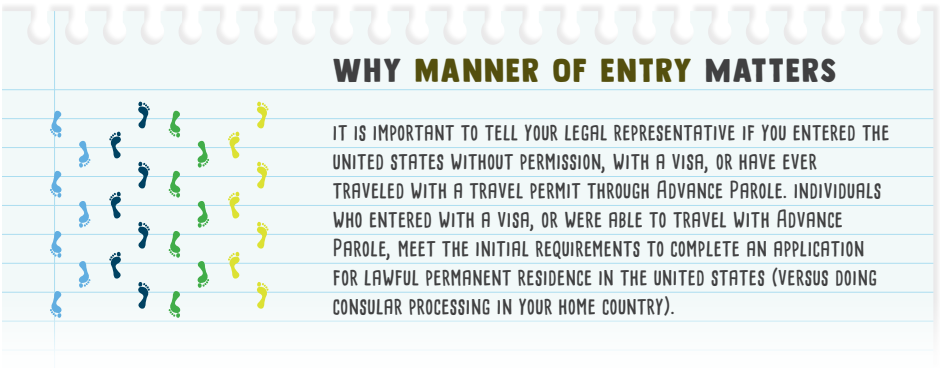
### Immigration History

This information is very important since it will inform your legal representative's advice. **Some of the information to collect before the consultation include:**

A. **Entries:** When did you enter the country? How many times? For each entry, did you have a visa or other entry document or were you undocumented? Prepare a list of entries and exits from the United States along with any notes on your age when you entered. If you are not sure of when you came in, ask your parents or other family member who might help you remember. **It is important that you are honest with the person screening you about this!**

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**Also,** share information about your journey to the United States with your legal representative. Were you recruited to come to the United States? Did you come with the promise of a job and the situation changed once you entered the country? Did someone harm you on the way to the United States or once you got here? These details may be difficult to talk about but could help determine if you qualify for certain legal protections.

**B. Past Petitions:** Has anyone in your family ever submitted a family petition for you—such as a sibling, parent, spouse, ex-spouse, or employer? It is also important to ask your parents if anyone ever submitted a petition for them, like an aunt or uncle petitioning your mother or father. If there was a prior petition, get the date! It is important to share that information during your appointment with a legal service provider. **If you can get a copy of the petition, receipt letter, or other documentation that immigration might have sent, bring it with you.**

**C. Immigration Court:** Do you currently have a case in immigration court or have you ever appeared before an immigration judge? If so, make sure to bring all information about the hearing to your consultation. If you do not have any paperwork, make sure you at least bring the case number (or A#) assigned to you.




**Note: What is an A#?** An A#, also known as an "Alien Registration Number," is an eight- or nine-digit number issued by United States Citizenship & Immigration Services (USCIS) or ICE that can be found on a variety of documents, like a work permit (listed as "USCIS #"), court documents, or receipts from old applications.

**Download** our printable *Community Guidance: Your Day in Court* resource to get more insight on what the immigration court experience is like. If you or a loved one has or had a hearing in immigration court, this resource can help answer some questions on the process.




https://**bit.ly/ilrcdayincourt**

**D. Family Information:** The most common way to obtain status in the United States is through a family member, so it is important to get any information about your family members' status to see if they can petition for you.

- Bring information about any family members born in the United States—like parents, children, or spouses.
- For family members who recently got their green card or naturalized, bring information about how they were eligible to do so.
- If you are married, bring information about the status of your spouse.
- If you have children who were born in the United States, bring information about their ages and if they are in the United States now.

**E. Employment Information:** Have you been working in the United States? If so, collect information about your employment and documents that illustrate how long you have been employed. This might help you show how long you have been in the United States and possibly explore if an employer could help petition for you.

**F. Contact with Law Enforcement:** It is vital to inform a legal representative of any contact you have had with law enforcement (this includes police, sheriffs, immigration authorities, and/or security guards) whether it was because you were arrested or because you were the victim of a crime. Tell your legal representative if you have any criminal arrests and/or if you have called the police at any moment because you were harmed by someone or felt unsafe and had to call the police.

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- Collect information on any arrests—gather documents related to any arrests, from police reports to court documents. This is necessary to get the most accurate advice from a legal representative. If you already have these, the legal representative can give you more information during the consultation. If you don't have these documents, the legal representative can help you request them from the authorities.

- Collect information of any reports you have filed with law enforcement if you have ever been the victim of a crime and the police were called. If anyone has ever abused you, hit/assaulted you, or made you feel threatened and you have a police report of it, it is helpful to bring these reports with you. If you don't have a report, the legal representative can help you request it or request it on your behalf.



**Note:** Even if you have not reported a crime you were the victim of, it is still critical you mention it to the legal representative. Also, mention who hurt you; was it a spouse, a parent, a stranger? Did they have immigration status? As discussed above in the legal immigration options section, this might make you eligible for a humanitarian form of relief, like VAWA, U visa, or T visa.

**G. Incidents Abroad:** Many times, individuals travel to the United States because they fear harm in their country of origin. If you are afraid of returning to your home country or something has happened to your family abroad, it is essential to mention this to the legal representative. Also, if you have any record or documentation of this, bring it to the appointment

## Requesting Records

Eligibility for immigration benefits may depend on your immigration and criminal history. A consultation with a legal service provider can be more productive if you come prepared to the appointment with any relevant information. Before going to an appointment, you should request your criminal records, if any, from the appropriate agency. To help understand which agency has your records and how to request them, visit our *How to Check if You Have a Criminal Record* guide.




https://**bit.ly/checkcrimrecord**

**Download** our printable *How to Check if You Have a Criminal Record* resource to learn how you can gather relevant documents about past contact with law enforcement.

## Preparing Notes & Questions for the Consultation:

It is useful to come prepared with notes and questions to your consultation with a legal representative. It is productive to ask questions and make sure the answers you receive make sense to you. Do not hesitate to ask for clarification on things you do not understand. Ask questions about the information being provided, how it impacts you, and what services they are agreeing to provide for you.

**Some sample questions you can ask include things like:**

- Based on the information I have provided, what do you think I qualify for?

- Can I include any family members?

- What kind of immigration benefits can I receive?

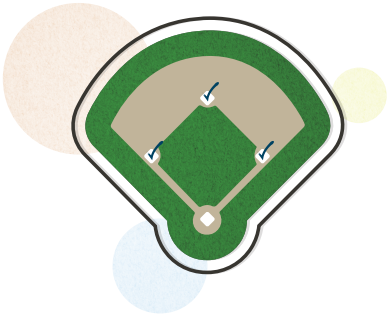
- Does it matter that I have traveled outside the country multiple times? Does it matter that I came in without a visa?

- What is the cost of this service? What is included? Does this representation include any court dates?

- What does the process entail? When do we submit an application? When should I expect a response? How long might it take for me to gain lawful status? How long will you represent me?

# 4 COVER YOUR BASES.

It is impossible to predict future changes in immigration law. Given this uncertainly, it is best to plan and feel that you and your family are prepared. This section outlines constructive steps and best practices so you feel ready and secure regardless of what changes may come.



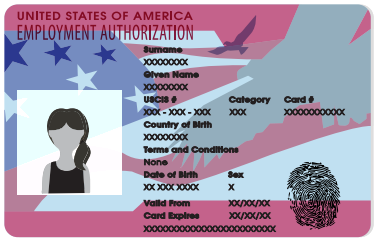
Individuals, regardless of immigration status, are still able to access certain benefits. This depends on the state they live in. Below is an overview of eligibility to access certain resources:

## Driver's Licenses

As of April 2020, there are 15 states and the District of Columbia offering driver's licenses to undocumented immigrants. Individuals will be able to get a driver's license as long as they meet the state's specific requirements. Visit the following site from our partners at the *National Immigration Law Center* for up to date information on driver's licenses and for fact sheets regarding federal REAL ID requirements: https://www.**nilc.org/issues/drivers-licenses/**

## Social Security Numbers (SSN)

Only U.S. citizens, lawful permanent residents, and those who are authorized to work in the United States can get an SSN (this includes DACA and TPS recipients and those with certain pending immigration cases). Individuals issued an SSN who no longer have a valid work permit can continue to use that number to file income taxes. Their SSN is valid for life but is not valid for employment unless they can show work authorization (you have an Employment Authorization Document, or EAD).




**Note: What is an Employment Authorization Document (EAD)?** An EAD, or work permit, is needed by all individuals—except for LPRs, U.S. citizens, or those who hold a work-based visa—in order to be lawfully employed in the United States. Individuals cannot obtain permission to legally work without first being eligible for an immigration option that allows for the issuance of work authorization. Some of applications that allow for work authorization to be granted is a pending application for lawful permanent residence, an approved DACA/TPS, or a pending asylum case.

## Filing Income Taxes

Individuals should file income taxes if they make above the amount specified by the Interval Revenue Services (IRS), regardless of whether or not they have a Social Security Number. Usually, if you've worked and earned over $10,000, you are required to file taxes. The minimum amount you need to earn that requires you to file taxes varies depending on your age and your state. Individuals will need an SSN or Individual Taxpayer Identification Number (ITIN) to file taxes. Individuals with an SSN can use that to file taxes. All other people can file for an ITIN number with the IRS at https://www.**irs.gov/individuals/individual-taxpayer-identification-number**. ITINs are only for the purpose of filing tax returns; they cannot be used in place of an SSN to secure employment.




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## Preparing for a Future Immigration Case:

While you may not have an immediate option to file for lawful status, beginning to collect documents and resources can help you prepare for a future case. In addition, regularly saving a small amount of funds can help to cover immigration application filing fees, legal fees to pay for representation, or other costs.

Collect documents that can demonstrate your eligibility for an immigration option or that can support your legal defense. Many immigration options require applicants to prove their presence in the United States for a certain number of years. Others require proof of education, family relationships, and community ties.

**Some of the documents that may prove useful and should be saved include evidence of:**

- **Presence in the United States:** pay stubs, tax documents, household bills, leases, mortgages, rental payments, records of medical or dental visits, vaccination records, benefits receipts, remittance receipts, and/or court records.
- **Education:** transcripts, attendance records, certificates of completion, report cards, and/or diplomas.
- **Work History:** pay stubs, time sheets, and/or letters from employers.
- **Taxes:** tax returns, W-2s, and/or tax transcripts.
- **Community Involvement:** membership records, attendance records, volunteer hour logs, letters from group leaders, certificates, or proof of participation in religious, community or volunteer activities.
- **Family relationships:** birth certificates, marriage certificates, adoption papers, divorce papers, and certificates from religious ceremonies (such as baptisms, etc.).
- **Showing 'good moral character':** some programs require you to show you are a person of `good moral character'. This can be shown through awards, certificates, and other evidence of ties to community, religious, and other institutions.
- **Criminal records:** arrest reports, police reports, conviction documents, and other evidence related to any criminal arrest if you were arrested or helpfulness if you were the victim.



**Note:** Whether you are preparing to meet with a legal representative, it is tremendously helpful to keep your personal documents securely stored and sorted. This does not necessarily mean you have to catalog or label documents in a specific way but having paperwork safe and organized will help you have the necessary documents on hand to move forward with your case efficiently.

## Getting a Legal Consultation

### Avoiding Fraud

People who seek a legal consultation should know that, generally, there are two types of individuals who can give legal advice about an immigration case: an immigration attorney or Department of Justice (DOJ) accredited representative. All practicing attorneys are active members of a state attorney association, also known as the State Bar or Bar Association. To practice immigration law, an attorney can be licensed in any state but must have a valid license and be "in good standing" with a State Bar or Bar Association.

You can verify an attorney's credentials with the State Bar in the state where they are licensed. A DOJ accredited representative is a non-attorney who has been certified by the DOJ to work on certain kinds of immigration matters. The person must be affiliated with a non-profit organization that is recognized by the DOJ. Non-profit DOJ accredited representatives can give legal advice, file immigration petitions and requests, and accompany clients at immigration interviews. A list of accredited representatives can be found at: https://www.**justice.gov/eoir/recognition-accreditation-roster-reports**.

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Once a legal representative decides to take your case, know that they have a duty to provide you with information about your case and to tell you exactly what they are working toward. A legal service provider has the duty to represent each client to the best of their abilities.

**These are some best practices you should expect from a legal service provider:**

- **Sign a contract:** You should be provided with a written contract which outlines the service to be provided and what fee will be charged, if applicable. The contract is signed by you and the legal representative and you should be given a copy.

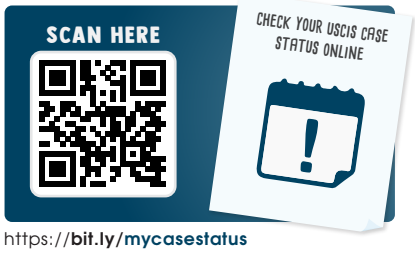
- **Be informed about your case:** A legal service provider should explain the immigration benefit you qualify for, the application process, and answer any questions you have. Once your case has been filed, they should keep you informed about the progress and status of your case, although sometimes immigration cases move very slowly and/or processing times can change.

- **Copies of all documents:** A legal service provider should give you a copy of all documents submitted on your behalf as well as copies of any receipt notices sent by USCIS. They should never refuse to give you a copy of these documents or your file. In most cases, an attorney or DOJ accredited representative should not charge you to get a copy of your file unless it was agreed that you will pay for the photocopies in your original agreement.

Once a case is filed with USCIS, you can expect to receive correspondence from immigration.

**Though every immigration process has different requirements, benefits, processes, and timing for cases, these are the general steps:**

- USCIS sends a receipt notice for all petitions and applications they receive and are processing. You can inquire about the status of your case using the receipt number by inputting it here: https://**bit.ly/mycasestatus/** or by calling the USCIS Contact Center: 1-800-375-5283.



https://**bit.ly/mycasestatus**

- Every immigration application will require a routine biometrics appointment for fingerprinting for a background check to be conducted on the applicant. These appointments are done at Application Support Centers, not USCIS offices, and they do not interview you.

- Some applications, like that for DACA, are processed by mail. Others will require an interview at your local USCIS office, such as for permanent residence. A legal service provider can orient you about the process for your particular type of case and whether an in-person interview will be required.

## Avoiding Predatory Lenders

Many immigrant families find it difficult to pay the application fees for many immigration programs. Immigration fees can be an extra burden to families shouldering other financial responsibilities on a limited income. Due to this, many seek financial assistance when submitting a petition or application to USCIS.

When seeking financial support, it is crucial that you plan accordingly and wisely. Much like immigration and notary fraud, there are predatory entities that take advantage of those in difficult situations by lending at exorbitantly high interest rates or incorporating deceptive fine print. Payday lenders and other neighborhood private entities are often culprits of this type of behavior. If you are unsure about whether or not you are being taken advantage of, consult with your legal representative before moving forward with a contract. Do not sign anything if it seems too good to be true because, more often than not, it is.



**Note:** Some legal organizations have fee assistance and/or free or low-cost services. Inquire about what costs may be incurred when making initial contact with a legal representative so you are able to weigh your options and develop your own savings strategy. Some trusted organizations, like the *Mission Asset Fund* provide zero-interest loans to those who qualify. For details about eligibility and their program, head to https://**missionassetfund**.org/.

We know that embarking on your immigration journey can feel daunting, but with the right tools in hand, any road can be broken down into manageable steps. We hope this Immigration Preparedness Toolkit is a helpful resource as you chart your path forward.

**To learn more about helpful tools and to keep up to date on the latest in immigration law, visit ilrc.org or follow us on Facebook, Instagram, and Twitter.**

## Notes