



YOUR CLIENT WON ASYLUM! NOW WHAT?

Training Overview

1. Immigration Opportunities

- a) Family Petitions
- b) Travel Documents
- c) Preparing for Residency

2. Miscellaneous Issues

- a) Change of Address
- b) Selective Service
- c) Marijuana

3. Work Permits

4. Proving Work Authorization

- a) Social Security Cards
- b) Asylum Approval Letters
- c) DMV Issues & the REAL ID

5. Social Services

- a) Refugee-Specific Resources
- b) General Public Assistance
- c) Referring Your Client



Post-Asylum Legal Opportunities

FOR WHAT AND WHOM CAN ASYLEES PETITION FOR?



Asylee Relative Petitions (I-730)

Who can asylees petition for?

- Spouse
 - Must have been married at the time asylum was granted
- Unmarried child/stepchild/adopted child
 - Must have been under 21 years old at the time of *filing the asylum application*

What is the deadline?

- Must file within **2 years** of applicant being granted asylum
 - Ex: approved May 22, 2019 → can file any time before May 22, 2021

Asylee Relative Petitions (I-730)

What documents are needed?

- Immigration court records
- Certified court records/no records letters for all arrests in the United States
- Proof of Relationship
 - **Spouse**
 - Marriage Certificate
 - Evidence of bona fide marriage
 - Divorce Certificate, if previously married



- **Biological Children**

- Mother petitioning: children's birth certificate
- Father petitioning:
 - Married to child's parent → children's birth certificate & marriage certificate
 - Unmarried → children's birth certificate & evidence of bona fide parent-child relationship

- **Stepchildren**

- Birth certificates & marriage certificate (child <18)

- **Adopted Children**

- Adoption decree showing before child 16
- Evidence resided with child for at least 2 years

Refugee Travel Documents (I-131)

Where can asylees go?

- Anywhere besides their country of origin

What is the cost?

- \$220 for anyone age 15-79
- Free with residency/adjustment of status application

What is the timeline?

- Document takes ~ 3-8 months to approve
- Valid for one year

Note: absence from the country will impact the timeline for residency



Residency/Adjustment of Status (I-485)

When can asylees apply?

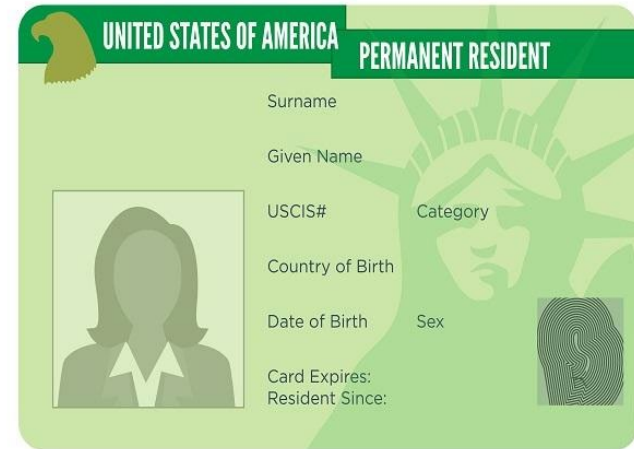
- One year after being granted asylum

What is the cost?

- \$1225 (fee + biometrics fee) to DHS
- Medical Exam (~ \$100-\$600)
 - Note: Must be received within 60 days

Other issues?

- Criminal arrests/convictions after asylum grant
- One year presence requirement vs. travel



Miscellaneous legal issues



Change of Address

- <https://egov.uscis.gov/coa/displayCOAForm.do>



Selective Service

- Males between 18 and 25
- <https://www.sss.gov/Home/Registration>



Marijuana Advisory

- See handout in milestone packet

Proving Work Authorization

THE WORK PERMIT (EAD) AND OTHER OPTIONS



Work Permit (EAD)



How are asylees granted EADs?

Automatic issuance after affirmative grant

Mailed within 4 weeks after grant



What to do if not received?

Contact asylum office

Submit e-inquiry for mailing issues

Contact the USCIS Ombudsman's Office

Other evidence of work authorization

Unrestricted Social Security Card

- Social Security number automatically issued with work permit
- Must apply at the Social Security office to receive a card without restrictions
- Permanent evidence of right to work

Asylum Approval Letter with I-94 Card

- Asylee stamp says “indefinite”
- Permanent evidence of right to work
- **Note:** refugees are not issued indefinite I-94

Plus photo identification (i.e. driver's license)



You are authorized to work in the United States for as long as you remain authorized to work in the United States, so long as they retain derivative as have an Employment Authorization Document (EAD). To demonstrate only as an unrestricted Social Security card, a state-issued driver's license, or any may accept as proof of employment authorization, consult the USCIS Form www.uscis.gov/i-9-central. Many employers also use E-Verify to electronic responsibilities by visiting <http://www.uscis.gov/e-verify>.

USCIS will mail to the last address you provided to USCIS a secure Form years. USCIS will also mail EADs for each of your derivative family member photo, and signature) at a USCIS Application Support Center (ASC). If you within 14 business days of the issuance of your asylum approval letter, please see the additional information on the back. You will be notified separately.

San Francisco Asylum Office
U. S. CITIZENSHIP & IMMIGRATION SVC
P.O. Box 77530
San Francisco CA 94107
USCIS Contact Center: www.uscis.gov/contactcenter

DEPARTMENT OF HOMELAND SECURITY
U.S. Customs and Border Protection

Asylum Status
Granted Indefinitely
Immigration Section 208
Immigration and Nationality Act

Departure Record
Admission Number
778275678 33

IR Family Name
First (Given) Name
Country of Citizenship
MEXICO

Birth Date (DDMMYY)
FEB 01 2019

CBP Form I-94 (1558)
STAPLE HERE



Asylee work authorization citations

Asylees are classified as
“aliens authorized employment incident to status”

- 8 C.F.R. 274a.12(a)

Asylees do not need an EAD to work

- 8 C.F.R. 274a.12(a)(5)
 - → expiration of EAD doesn't indicate expiration of authorization

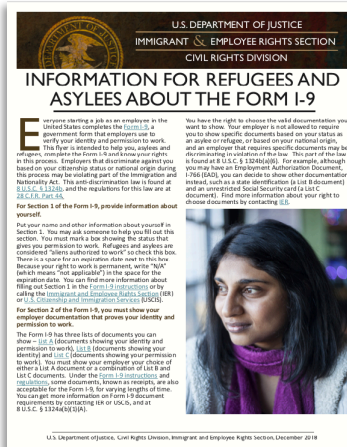
Asylees are protected from discrimination based on:

- Citizenship status
 - 8 U.S.C. § 1324b(a)(1)(B)
- Unfair documentation requirements
 - 8 U.S.C. § 1324b(a)(6)
- Unfair I-9 Verification
 - 8 U.S.C. § 1324b(a)(6)

Letter from you, the attorney

- U.S. DOJ Immigrant & Employee Rights Division**

- ## For employers



Social Services for Asylees

HOW TO BEST SERVE ASYLEES WHO NEED MORE SUPPORT

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Refugee-Specific Programs

Refugee Cash Assistance (RCA)

- Cash assistance program for refugees* without children not otherwise eligible for cash aid
- Required to participate in employment services & training
- Administered by the county social services office
- Time Limit: first 8 months

Refugee Medical Assistance (RMA)

- Refugee Health Assessment through local resettlement agencies

Refugee Support Services

- English classes, employment support/job training, and more
- Time limit: up to 5 years

Cash Assistance for Immigrants (CAPI)

- Monthly cash benefits
- Very limited eligibility



General Social Services Programs

Covered California (Obamacare)

Medi-Cal

Food Stamps (CalFRESH)

Welfare to Work Programs



How to Help Your Client

SF Asylum Office Orientation

- Comprehensive overview
- English with Spanish translation
 - <http://sf-cairs.org/asylum-orientation/>

CDSS Refugee Programs Bureau

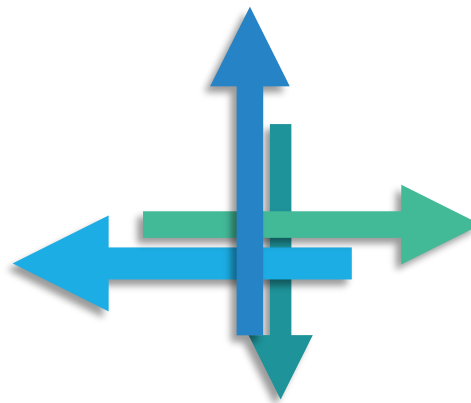
- Centralized source for CA resources
 - <http://www.cdss.ca.gov/inforesources/Refugees/Programs-and-Info/Asylees>
 - Fact sheets in English only (at this time)

County Refugee Coordinators

- Only in "impacted counties"
 - <http://www.cdss.ca.gov/inforesources/Refugees/CRCs>
- Regional refugee/immigrant forums

Refugee Resettlement Organizations & Community-Based Organizations

- Administer refugee support services
- Reach out to determine the referral process
- Can find information from forums or ORR



Miscellaneous Issues

Finding mental health support

- Bay Area Resources
 - LGBTQ+ provider network Gaylesta
- SF resources
 - <https://www.honeyartstherapy.com/resources>
 - UCSF Trauma Recovery Center/Survivors International
- East Bay
 - Partnerships for Trauma Recovery
- San Jose/Santa Clara
 - Center for Torture Survivors in San Jose
 - Family Alliance for Counseling Tools and Resolution (Factr.org)
- California Violent Crime Victims
 - <https://victims.ca.gov/victims/issues/mentalhealth/>



Finding affordable housing

- Burma Refugee Family Network (BRFN) training

DMV Issues: dmv@ailanorcal.com

- The hype around REAL IDs...

Questions?

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