



Immigrant Legal Services Center

PROGRESS REPORT

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UC IMMIGRANT LEGAL SERVICES CENTER

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Thank you to all who contributed to the drafting of this report: Caitlin Patler, Jose Alfonso Perez, and UCIMM staff: Ariel Bailey, Rachel Ray, and Habiba Simjee.

MISSION

The UC Immigrant Legal Services Center (“UCIMM” or “the Center”) is committed to supporting and enhancing the well-being of the University of California Community and to advancing equity and success in higher education through provision of free, high-quality immigration legal representation, outreach, and education.

OVERVIEW

Like previous reports, this report focuses on the impact of our work, including a review of the services provided to students and families over the three most recent fiscal years: 2020, 2021, and 2022.

We begin with a note of appreciation as we bid farewell to Maria Blanco, our founding and long-time Executive Director who retired from the Center in June 2022. The remainder of our report details the total number of various types of cases (or “matters”) opened, and identifies trends with an eye towards what we can expect in the coming year. The report also explains our funding, including our sources of revenue, and highlights the Center’s recent change in leadership. Finally, the report describes our educational and outreach effort across the UC campuses and consultative partnerships with other key stakeholders that address legal developments related to state and federal policies that impact our clients.

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NEW CENTER LEADERSHIP

The close of the 2021-2022 academic year marked the beginning of a new chapter for the UC Immigrant Legal Services Center. After nearly eight years, Maria Blanco, UCIMM's founding Executive Director, retired. On June 27, 2022, the Center welcomed Aidin Castillo Mazantini, a long-time immigration attorney and immigrants' rights advocate, as its new Executive Director.

A Heartfelt Farewell to Maria Blanco

Maria's experience as an attorney, fundraiser, and changemaker helped establish a first of its kind legal services program specifically dedicated to meeting the unmet needs of undocumented and mixed-status students, and their families. During Maria's tenure, our Center secured stable funding and built a solid legal and administrative infrastructure that will serve as a strong foundation upon which to build in 2022 and beyond. Significantly, the Center's success under Maria's advocacy inspired other institutions, such as the California State University system and the California Community Colleges, to provide similar services.

We are deeply grateful to Maria for her leadership and dedication to our clients and our staff. We wish her well in her retirement and in her future endeavors.

UC Immigrant Legal Services Center Welcomes Aidin Castillo Mazantini

The UC Immigrant Legal Services Center is excited to welcome Aidin Castillo Mazantini as the Center's new Executive Director. Aidin, a former undocumented student and one of the first undocumented immigrants in the country to be admitted to the practice of law, brings a valuable perspective and a wealth of experience to the Center. With nearly twenty years of experience as an immigrants' rights attorney and social justice advocate, Aidin has dedicated her career to removing barriers related to immigration status and to combating immigration detention, enforcement, and criminalization.

Before joining the Center, Aidin served as Director of the Immigrants' Rights Practice at Centro Legal de la Raza, one of the largest removal defense programs in California. There, Aidin led a team of 32 immigration attorneys and staff, and oversaw the representation of thousands of immigrants pursuing a broad range of immigration remedies, including complex removal defense cases for long-time residents, children and families fleeing violence, immigrants in detention, and was appointed counsel for immigrants with severe mental disabilities. Under Aidin's leadership, Centro Legal also sued the Trump Administration to prevent its flagrant attempts to erode protections for migrants fleeing violence and persecution.

In addition to her litigation expertise, Aidin brings considerable experience in federal legislative and regulatory work, having previously worked as a policy attorney in Washington, D.C. where she established the Immigrant Legal Resource Center's national policy office. During that time, she worked with other directly impacted advocates on the implementation of the Deferred Action for Childhood Arrivals ("DACA") policy, contributed to legislative proposals, and helped author several publications and practice advisories for immigration practitioners.

Aidin has received national recognition for her work. In 2022 she received the National Legal Aid & Defender Association Kutak Dodds prize for her contributions to advancing access to justice and racial equity in civil legal aid and public defense. Aidin is a graduate of UC Davis and UC Davis School of Law. She serves on the Board of Directors of the Immigrant Legal Resource Center and Centro Legal de la Raza.

STRUCTURE

From its inception, the Center has endeavored to create a solid structure to support growth and enable us to meet the changing needs of our students and their families. After opening our doors in 2015 with just one full-time staff attorney, one part-time staff attorney, and two legal fellows, UCIMM now boasts 18 full-time staff members. With financial support, initially from the UC Office of the President ("UCOP"), funding from UCLA for a full-time staff attorney, and outside support,

we began to grow our team. Contributions from four additional UC campuses and funding from the State of California have been instrumental in helping us expand and build out a system-wide legal practice that today serves nine UC campuses.

Our legal team is comprised of the Executive Director, two Managing Attorneys, one Supervising Attorney, six Staff Attorneys (one of whom holds an additional role as Director of Strategic Initiatives), two Legal Fellows, two Paralegals, a DACA Program Associate, an Office Manager, and two Legal Assistants.

One of the Center's biggest accomplishments has been our ability to attract and retain highly dedicated and experienced staff. Notably, many of our staff members attended a UC campus themselves, and many of our staff have lived experiences that help shape our trauma-informed and culturally-resonant services.

Beyond our full-time, paid staff, we typically host one or more undergraduate interns, as well as one or more legal externs or interns and/or Graduate Student Researchers. Volunteer graphic designers, translators, and pro bono attorneys also support our work.

During the past year, our growth included UCSB's first full-time, on-site Staff Attorney. Our first full-time, on-site Staff Attorney in Northern California began in July 2022 and serves UC Davis. UCLA's Bruin Resource Center also hired a full-time Paralegal to provide support for UCLA's high caseload. The full-time Office Manager is also a new position, based out of the UC Davis School of Law offices. Our clients will benefit enormously from this additional staffing.

The UC Davis School of Law continues its crucial commitment to UCIMM, particularly by housing our Northern California Staff and serving as our headquarters.

FUNDING

We are pleased to report that we concluded FY22 in a strong financial position, with \$1,816,788 in expenses (94% for salaries), overhead of \$344,511 paid to UC Davis School of Law and an anticipated revenue of \$2,452,914.

This was the first year we received \$1.8 M from the State of California through a permanent line item in the Governor's budget. We also continue to provide immigration legal services for negotiated deliverables through a contract with the California Department of Social Services. CDSS also offered significant assistance to our students through application fee assistance for DACA applicants who are unable to pay the application fee.

Additionally, financial contributions from UC campuses continue to be vital to supporting our legal services program. UCLA was the first campus to contribute financially to funding a full-time staff attorney position and continued their support this year. During the past year, UCLA also began contributing to funding a paralegal position. UC San Diego, UC Riverside, UC Irvine, and as of

this year also UC Davis, contribute to help fund on-site attorneys. We are incredibly grateful to the campuses for their support and shared vision to build a robust and stable legal services program to provide critical legal services to our students and their families. Their financial support is vital to sustaining our services and has made a tremendous difference.

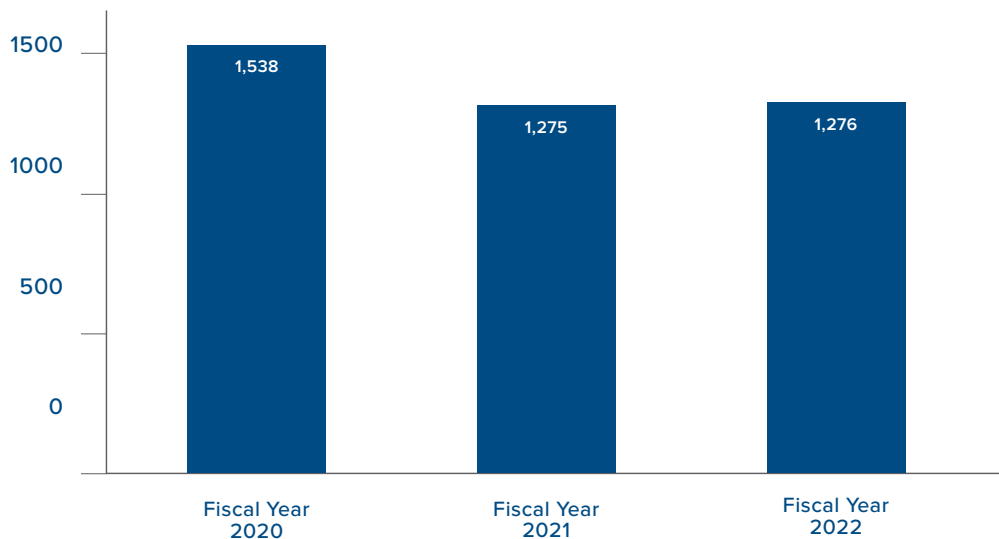
DATA POINTS AND TRENDS

Shifting Case Types & Clientele

In addition to our Center’s shift in leadership, we continue to observe shifts in types of cases and aspects of client demographics. In 2019 and 2020, the years in which we opened the most matters, we also opened the most DACA renewals—1,009 and 909, respectively. Our data indicates that over the last two years, the Center has shifted toward more time-consuming and complex matters, including more case investigations, advance parole and adjustment of status applications, and first-time DACAs in 2021.¹ The following sections will address reasons for these shifts.

This year, we opened 1,276 total matters, virtually the same as last year, and responded to 407 inquiries in addition to those matters.²

NUMBER OF MATTERS



Year	Total Number of Matters Opened
2015	54
2016	269
2017	852
2018	1206
2019	1495
2020	1538
2021	1275
2022	1276

¹ “Case investigations” can entail legal research and background checks (Freedom of Information Act “FOIA”, California Department of Justice “DOJ”, and Federal Bureau of Investigation “FBI” record requests).

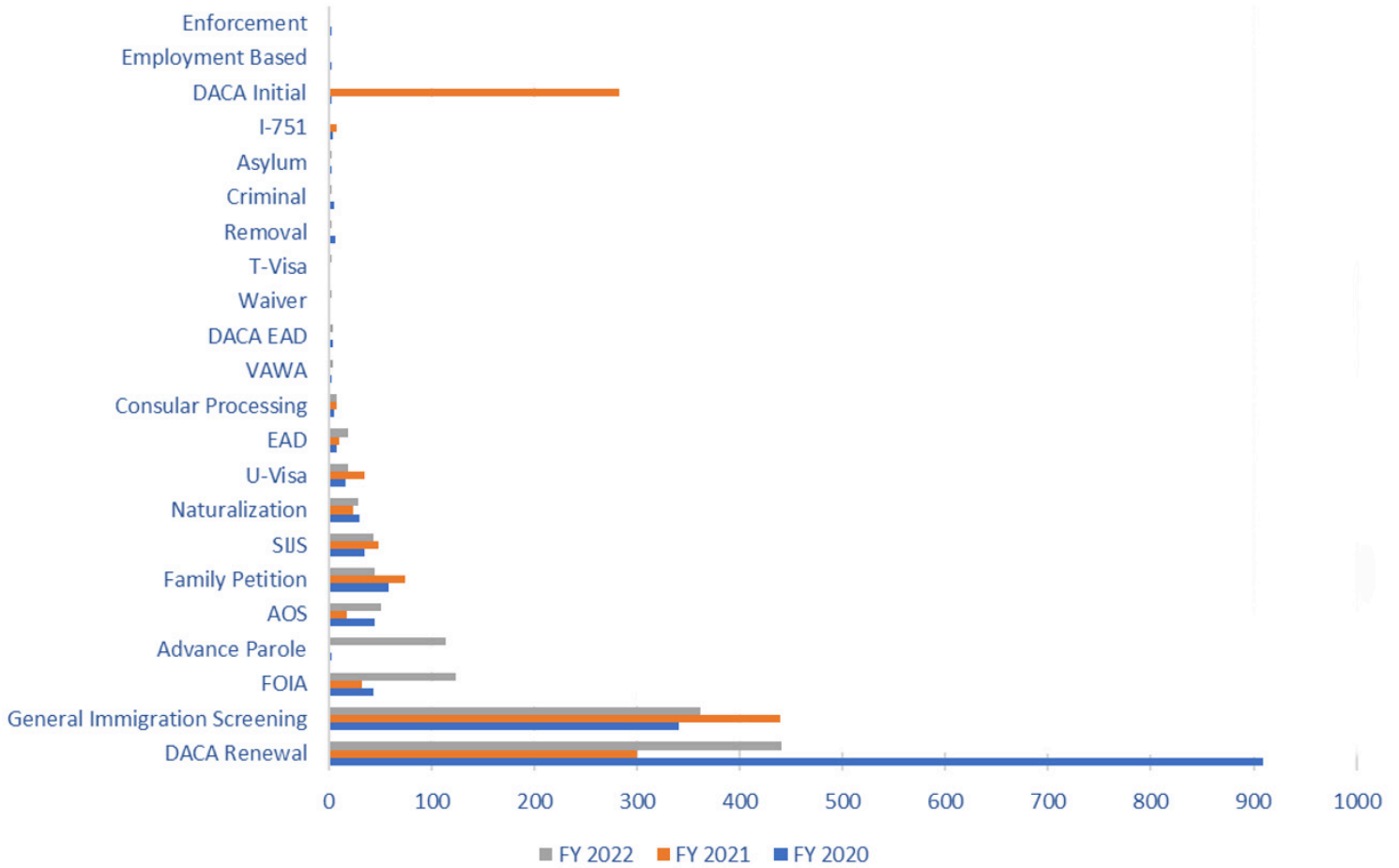
“Advance parole” is explained in the next section.

An application for “adjustment of status” is an application for lawful permanent residence, i.e., a greencard.

“DACA”: see Addendum A.

² Inquiries are contacts with individuals with immigration related questions that do not rise to the level of a matter.

TYPES OF MATTERS



Type of Matter	FY2020	FY2021	FY2022
DACA Renewal	909	300	440
General Immigration Screening (only)	340	439	362
FOIA/Case investigation	43	32	123
Advance Parole	3	0	113
Adjustment of Status	45	17	50
Family Petition	58	74	45
Special Immigrant Juvenile Status	35	48	43
Naturalization	29	24	28
U-Visa	16	35	19
EAD	7	10	18
Consular Processing	5	7	7
VAWA	3	0	4
DACA EAD	4	0	4
Waiver	1	0	3
T-Visa	0	0	2
Removal	6	0	2
Criminal	5	0	2
Asylum	3	0	2
I-751	4	7	1
DACA Initial	3	282	1
Employment Based	3	0	0
Enforcement	2	0	0

DACA & Advance Parole

In last year's report, we detailed the ways in which the DACA program's precariousness has been adversely impacting students since 2017.³ When DACA celebrated its bittersweet 10-year anniversary on June 12, 2022, we observed that first-time DACA applications have been prohibited for nearly half the program's lifetime. One positive development however is that United States Citizenship and Immigration Services ("USCIS") began processing DACA advance parole applications this fiscal year for the first time since Trump's initial attempt to terminate the program in 2017. We opened 113 advance parole matters, many of which were handled at the Advance Parole Application Workshop hosted at UC Davis.

Advance parole grants DACA recipients permission to re-enter the U.S. after traveling abroad for humanitarian, educational, or professional reasons. UC students with DACA are now able to visit ailing relatives, attend funerals, or to participate in study abroad programs and conferences that greatly enrich their educational and professional experience. For many students traveling on advance parole, they are seeing their country of birth and loved ones for the first time in memory.

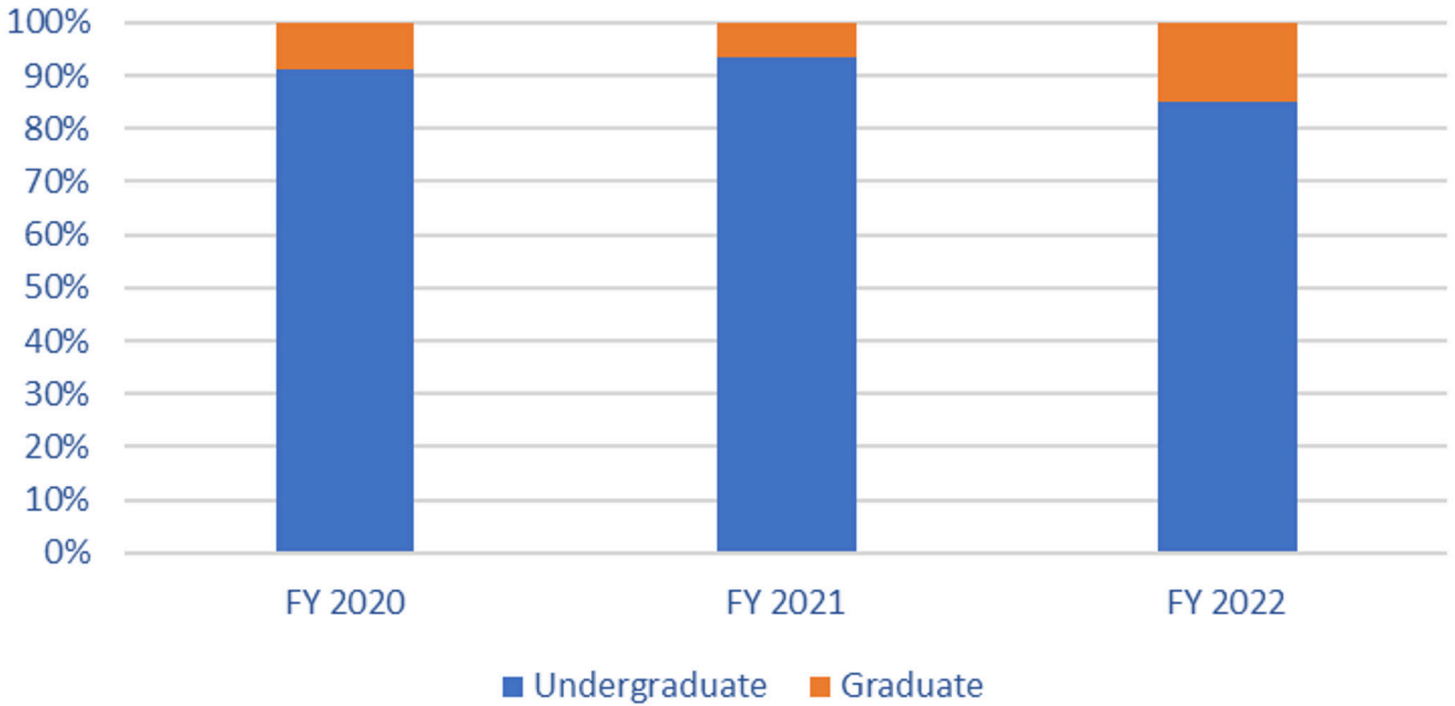
An advance parole entry allows certain individuals to become eligible for adjustment of status to lawful permanent resident if they have a U.S. Citizen immediate relative who can petition for them. A handful of our adjustment of status matters in fiscal year 2022 were made possible by advance parole entries.

Notably, our data shows an increase in graduate student clients, which we attribute to the availability of advance parole and the fact that graduate students are now more likely to have DACA and therefore utilize our DACA renewal assistance than undergraduate students.⁴ A number of graduate students sought our assistance with their advance parole applications to attend conferences abroad.

³ Previous report DACA section titles are as follows:
2021 – Years of Uncertainty for First-Time DACA Eligible Students
2020 – Climate for Undocumented Students
2019 – Navigating the Uncertain Future of DACA
2018 – DACA 2017-2018
2017 – DACA 2016-2017

⁴ See Immigration Status section below.

UNDERGRADUTE & GRADUATE STUDENT SERVED



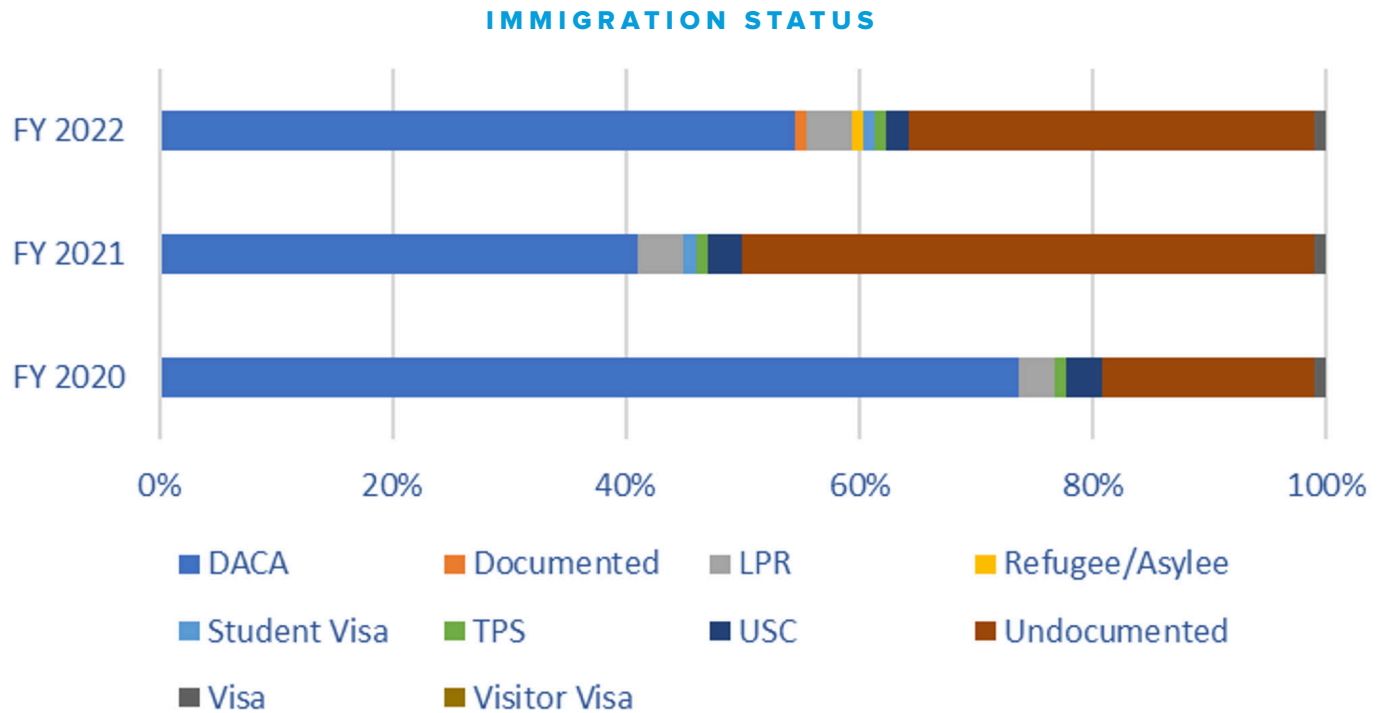
Undergraduate & Graduate Students Served	FY2020	FY2021	FY2022
Undergraduate	91.4%	93.3%	85.1%
Graduate	8.7%	6.7%	14.9%
Total	100%	100%	100%

Freedom of Information Act (“FOIA”)/Case Investigations

We saw a dramatic increase in the number of FOIA/case investigation matters in 2022. In line with many other practitioners, we believe that obtaining our clients’ immigration files and fully understanding their immigration, and sometimes criminal, history allows us to accurately assess risks and assist our clients in making fully informed decisions with respect to submitting immigration applications. FOIA requests/case investigations allow us to obtain this critical information for our clients, and can sometimes even uncover additional paths to lawful status. Our Legal Assistant and Paralegals handle a majority of our case investigations, and their presence on our staff expanded our capacity to perform case investigations and thus empower our clients with more information.

Immigration Status

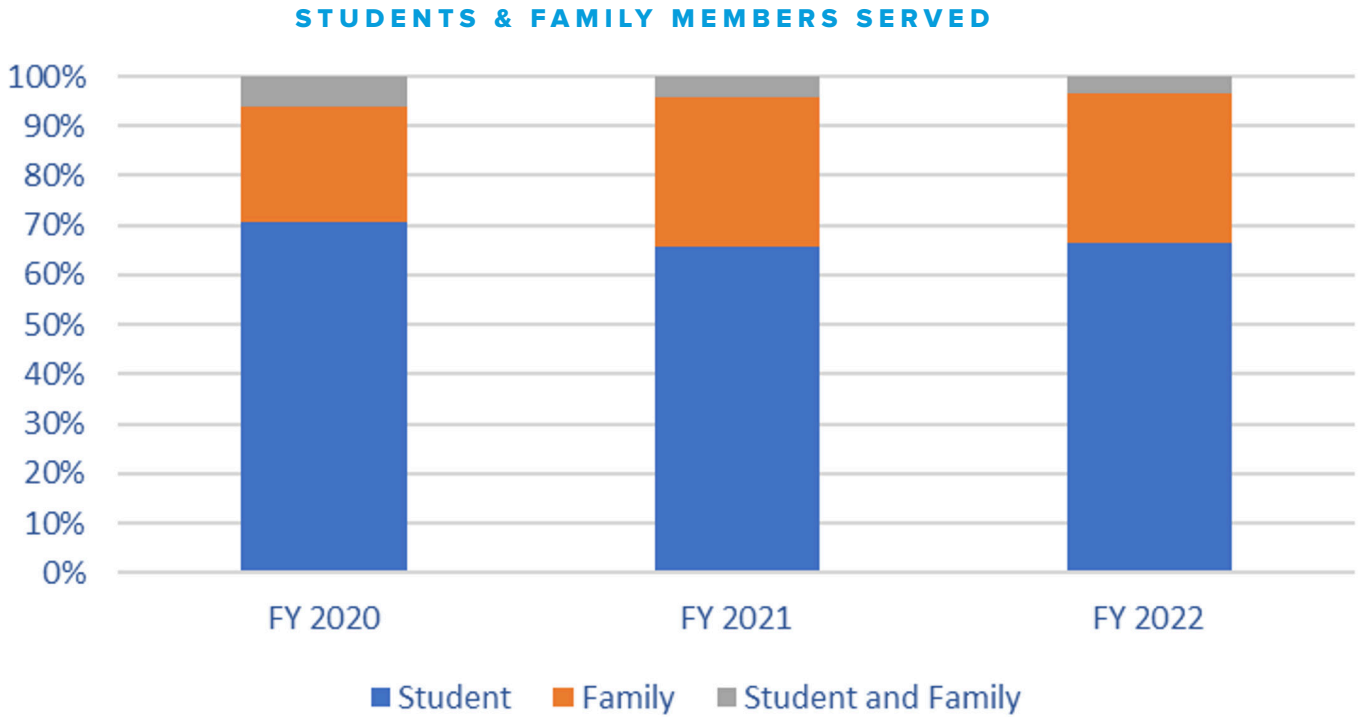
In the last two fiscal years, we have seen an expected increase in the number of undocumented clients without DACA and a decline in the number of DACA clients. This is because, with few exceptions, every incoming class of first-year UC students since Fall 2020 has been ineligible for DACA and accompanying work authorization.



Immigration Status	FY2020	FY2021	FY2022
DACA	73%	41%	55%
Documented	0%	0%	1%
Lawful Permanent Resident	3%	4%	4%
Refugee/Asylee	0%	0%	1%
Student Visa	0%	1%	1%
TPS	1%	1%	1%
US Citizen	3%	3%	2%
Undocumented	18%	49%	35%
Visitor Visa	0%	0%	0%
Visa	1%	1%	1%
Total	100%	100%	100%

Students and Family Members

UCIMM continues to assist both students and family members, having served increasing numbers of family members over the past two fiscal years.



Students & Family Members Served	FY2020	FY2021	FY2022
Student	70.6%	65.6%	66.3%
Family	23.3%	30.4%	30.2%
Student and Family	6.1%	4.0%	3.5%
Total	100%	100%	100%

Consistent Demographics

As in previous years, the majority of our clients consider their permanent residence to be in Los Angeles, Orange, Riverside, and San Diego Counties.

The majority of our clients' countries of origin continue to be Mexico, El Salvador, Guatemala, South Korea, Peru, the Philippines, United States, and China.

CA County of Residence	%
Not CA	3.9%
Alameda	1.5%
Contra Costa	2.5%
Fresno	1.0%
Imperial	0.1%
Kern	1.4%
Lake	0.1%
Los Angeles	32.2%
Madera	0.1%
Marin	0.8%
Mendocino	0.2%
Merced	1.9%
Monterey	0.8%
Orange	10.0%
Placer	0.1%
Riverside	8.1%
Sacramento	3.1%
San Benito	0.1%
San Bernardino	5.5%
San Diego	7.9%
San Francisco	1.9%
San Joaquin	0.7%
San Luis Obispo	0.2%
San Mateo	0.9%
Santa Barbara	3.2%
Santa Clara	2.5%
Santa Cruz	1.1%
Solano	0.6%
Sonoma	0.5%
Stanislaus	0.4%
Tehama	0.1%
Tulare	0.6%
Ventura	0.8%
Yolo	5.3%
Total	100%

Country of Origin	%
Afghanistan	0.2%
Argentina	0.3%
Australia	0.1%
Bolivia	0.2%
Brazil	0.7%
Burma	0.2%
Cambodia	0.1%
Cameroon	0.1%
Canada	0.8%
China	1.2%
Colombia	0.2%
Costa Rica	0.1%
Czech Republic	0.2%
Egypt	0.1%
El Salvador	4.9%
Eritrea	0.1%
Ethiopia	0.2%
France	0.1%
Greece	0.1%
Guatemala	3.4%
Haiti	0.1%
Honduras	0.5%
Hong Kong	0.3%
India	0.3%

Country of Origin	%
Indonesia	0.7%
Israel	0.2%
Japan	0.3%
Kenya	0.1%
Mexico	73.6%
Nicaragua	0.2%
Nigeria	1.0%
Norway	0.1%
Peru	1.6%
The Philippines	1.4%
Poland	0.1%
South Africa	0.1%
South Korea	2.8%
Spain	0.2%
Sri Lanka	0.2%
Syria	0.1%
Taiwan	0.2%
Thailand	0.4%
Turkey	0.2%
Ukraine	0.1%
United Arab Emirates	0.1%
United States	1.4%
Venezuela	0.2%
Vietnam	0.6%
Total	100%

CASE HIGHLIGHTS⁵

(TRIGGER WARNING – CONTENT MAY BE TROUBLING)

U Visa

A U Visa is available to immigrants who are survivors of serious crimes, have suffered substantial emotional or physical harm as a result, and assist law enforcement in reporting and the investigation of the crime. In 2016, we assisted with our Center's first U Visa application for a student and her mother, whose brother/son was tragically shot to death. This was a particularly tough case legally because the mother was a "bystander victim" (i.e., the crime did not happen to her directly). Our attorney had to go in person to make the case to the Police Department for signing the U Visa Law Enforcement Certification needed to apply for immigration relief. In 2021, almost 5 years after filing, the U Visas were approved! The clients now have work authorization and will be able to apply for lawful permanent residence in 2024. Moreover, the student was so inspired by her interactions with her UCIMM attorney that she is now attending law school, focusing on juvenile justice.

This case in particular highlights one of the many ways in which the nature of our Center's services is unlike other campus resources. Many immigration applications take several years to process, and we remain legally responsible for many of our clients well beyond their graduation date.

T Visa

T Visas are a form of immigration relief for survivors of human trafficking. Our Center successfully assisted a client in obtaining permanent residency in 2022 through our Center's first T Visa case, filed in 2020 for the mother of a UC student. The student's mother was brought to the U.S. under the guise of a relationship with an individual who forced her to work for him and subjected her to violence. Although she had attempted to seek help from a private attorney after escaping her trafficker, they did not identify her as a survivor of trafficking and the survivor did not receive further assistance until our Center began working with her son on his (successful) asylum claim in 2019. She now receives holistic support services from organizations we have referred her to as a survivor of human trafficking and is able to stay safely in the U.S. with her loved ones.

Special Immigrant Juvenile Status ("SIJS")

Special Immigrant Juvenile Status ("SIJS") is available to young people under 21 years of age who have been abused, abandoned, and/or neglected by one or both parents and for whom it would not be in their best interest to be returned to their native country.⁶ A UC student consulted with us a little more than a year before his 21st birthday. In our first meeting, we discovered that he and

⁵ See Addendum A for further descriptions of immigration relief.

⁶ See additional description of SIJS in the next section and Addendum A.

his three younger brothers were former foster youth and therefore eligible for SIJS. We have been working with the whole family to obtain the necessary state court orders and apply for SIJS, first for the oldest brother, then for the second oldest, and so on. The oldest brother (a UC student) is currently awaiting his SIJS-based green card and has work authorization for the first time in his life, just in time for his post-graduation job search. The second oldest brother has an approved state court order and is eager to apply for permanent residence before he goes to college. The two youngest brothers, both still in middle school, look forward to following in their siblings' footsteps soon.

Emergency Advance Parole

A graduate student-teacher, whom we had been assisting since he was a UC undergrad, reached out for help with an advance parole request to visit his ailing grandfather in his country of origin. Unfortunately, his grandfather passed while we were in the middle of preparing his advance parole request. We pivoted and instead scheduled an emergency appointment with USCIS to request advance parole for urgent travel to be with his family for his grandfather's services. The request was granted, and the student was able to promptly travel and return safely. He is currently working on an adjustment of status case as the spouse of a U.S. citizen now that he is eligible to do so based on his lawful recent parole entry.

First-Time DACA & Advance Parole

In late 2020, we filed a DACA application on behalf of a UC student during the short window when USCIS could adjudicate initial DACA applications. This student was one of the lucky few whose applications were approved before a Texas court ruled that DACA is unlawful, closing the window for initial DACAs. In 2022, the student and her sister, a longtime DACA recipient, attended our Advance Parole Application Workshop hosted at UC Davis. At the workshop, our attorneys and volunteers helped the sisters apply for advance parole to visit their grandparents in Mexico. The sisters are thrilled to finally plan a trip together.

Adjustment of Status through Adoption

A first-year UC student came to us shortly after her first day on campus. She had lived in uncertain immigration status for years, despite being the adopted daughter of U.S. citizens. After careful screening and research, we discovered that her adoption did not comply with the procedural requirements for international adoptions.⁷ Although she should have qualified for permanent residence based on her parents' citizenship, she could not access those benefits without a legal

⁷ Despite a final adoption, intercountry adoptees often have significant issues related to their own U.S. citizenship, that may have life-altering repercussions. Historically, thousands of intercountry adoptees did not and still do not qualify today for automatic U.S. citizenship. Unfortunately, some intercountry adoptees may not even know they lack citizenship. Worse, dozens of adoptees have been deported to their countries of origin and others live in the U.S. with the fear that they will be removed.

adoption. We convinced the state court judge who granted her adoption to reopen the case and amend the adoption order to comply with the procedural requirements necessary under immigration law. This allowed the student to apply for lawful permanent residence. Her case remains pending, but she feels hopeful that she will soon have secure status that will allow her to stay with her family in the U.S.

Waiver of marriage requirement for Adjustment of Status

A UC graduate student came to us distraught over her recent divorce from her U.S. citizen spouse. On top of her heartbreak at the breakdown of her marriage, she worried that the divorce would put her immigration status at risk. She had received a green card whose validity was conditioned on her remaining in a valid marriage with her U.S. citizen spouse for two years. After the divorce just one year into their marriage, she believed she would lose her green card and her job at a high-profile company in California. We helped her apply for a waiver of the two-year marriage requirement, arguing that she entered the marriage in good faith and it ended through no fault of her own. Almost two years later, we represented the student at her USCIS interview for the waiver application. The stakes were now even higher, as she had recently remarried and given birth to a U.S. citizen child. After hearing our arguments, the officer granted the application, and the student is now a lawful permanent resident looking forward to watching her daughter grow up in the United States.

MULTIPLYING OUR IMPACT IN SUPPORT OF STUDENTS AND FAMILIES THROUGH SPECIAL INITIATIVES PROGRAMMING

While direct representation is core to the Center's mission and work, our staff's wealth of legal experience and expertise has allowed us to broaden our reach and deepen our impact through strategic initiatives and partnerships. This year, we engaged in numerous collaborations with partner stakeholders both in and outside of the UC.⁸

Deferred Action for Childhood Arrivals (“DACA”)

In Fall 2021, University of California Office of the President (“UCOP”) consulted our Center as subject matter experts in the drafting of [UC's official comment](#) to the Department of Homeland Security's (“DHS”) [DACA Notice of Proposed Rulemaking](#). We were excited and grateful for the opportunity to offer our ideas for improvements to the DACA program. Unfortunately, despite receiving thousands of comments urging DHS to expand access to DACA, it did not.⁹

Special Immigrant Juvenile Status (“SIJS”)

SIJS is available to juveniles under 21 years of age who have been abused, abandoned, or neglected by one or both parents and for whom it would not be in their best interest to be returned to their native country. SIJS can provide work authorization, deferred action, and a pathway to citizenship. Over the past few years, SIJS has become a valuable option for our young clients, particularly for those without DACA. However, there are unique challenges associated with SIJS: 1. Applicants must first receive state court SIJ findings, which requires ample legal support; 2. Eligible youth “age out” (become ineligible) when they turn 21; and 3. A visa backlog prevents many SIJS youth from pursuing lawful permanent residency for several years.

Amicus Curiae:¹⁰ In Fall 2021, Immigrant Defenders Law Center requested support in challenging *Guardianship of S.H.R.*, a case in which a California Court of Appeal issued a ruling that is extremely adverse to our SIJS clients' interests. First, we submitted an Amicus Curiae Letter in support of

⁸ In addition to the collaborative projects discussed in this section, it is important to highlight other ongoing partnerships. Since our inception, UCIMM continues to collaborate with and refer students to external partners and UC departments such as counseling, psychological evaluations, housing, food pantry, emergency financial aid, and others. We also engage with education abroad campus offices and UCEAP to discuss issues around international travel for immigrant students.

⁹ On August 30, 2022, the DHS published the new rule that aims to protect DACA from ongoing litigation by incorporating it into the Federal Regulations. As discussed in our [FAQ Regarding the New DACA Rule](#), the regulation limits DACA eligibility to the requirements outlined in the memorandum that first created the policy. Additionally, the ongoing litigation challenging the legality of DACA means that even those who meet the requirements of DACA but did not or could not apply before the federal injunction went into place in 2017 are still blocked from receiving a determination about their eligibility.

¹⁰ Amicus Curiae: A person or group who is not a party to a case, but has a strong interest in the matter, petitions the court for permission to submit a letter or brief in regard to the case in hopes of influencing the court's decision. See https://www.law.cornell.edu/wex/amicus_curiae

Petition for Review No. S271265, asking the Supreme Court of California for review.¹¹ After the case was taken up, in Spring 2022 we filed an [Amicus Curiae](#) Brief in Support of Petitioner S.H.R. On August 15, 2022, SIJS proponents celebrated a win when the Supreme Court reversed the Court of Appeal's ruling.

Awareness Campaign: Because SIJS is not widely known and many eligible students miss the opportunity to apply due to the age out issue, UCIMM has launched an [SIJS Awareness Campaign](#). Currently, we are soliciting partnerships from campus departments beyond Undocumented Student Services who may be able to assist with outreach to SIJS eligible students, including Counseling and Psychological Services, Foster Youth Services, Financial Aid, Admissions, and others.

End SIJS Backlog: In a limited capacity via our Director of Strategic Initiatives, UCIMM assists the [End SIJS Backlog Coalition](#), who advocate on behalf of impacted SIJS youth who are stuck in the visa backlog. Specifically, we provide the Coalition with compelling anecdotal information as to our Center's "typical" SIJS clients—undocumented university students who grew up in California, many of whom do not have DACA protections, and how the backlog adversely impacts these students' future trajectories. The Coalition works with legislators to positively influence SIJS policy; for example, in March 2022, USCIS began granting deferred action and employment authorization to SIJS youth impacted by the backlog.

Holistic Services

In the spirit of commitment to advancing equity and success in higher education, we must often employ a holistic approach to serving our clients. In the nonprofit legal aid world, this could entail hiring a staff psychologist or social worker. When working with student clients and their families, issues like tuition, financial aid, and employment frequently arise. We receive many individual student inquiries that stem from complex and often misunderstood state and federal law and university policy.

Financial Aid: When undocumented and mixed-status students cannot afford tuition, they do not succeed in completing their higher educations. Our Center has built excellent relationships with allies at [UCOP](#), [Immigrants Rising](#), [California Undocumented Higher Education Coalition](#), and the [California Student Aid Commission](#), in effort to help clarify misunderstandings and discrepancies in the implementation of these policies, and to identify new ways in which UC students can afford to complete their higher education.

¹¹ Available upon request.

Employment: In February 2022, UCIMM partnered with UC Davis in drafting an internal guide: *UCD Human Resources Guide to Immigration Status and Hiring*.¹² And in April 2022, in response to requests from campus Dream Centers, UCIMM partnered with Golden Gate University Women’s Employment Rights Clinic to host a UC-wide webinar: *Immigrant Workers’ Rights*.¹³

PARTNER TESTIMONIALS

“Making progress on social justice issues often takes a partnership between those working within systems and advocates on the outside. The University of California cares about serving our immigrant students, but we don’t always get it right. That’s why the UC Immigrant Legal Services Center has been so helpful to my department (Graduate, Undergraduate and Equity Affairs) at the UC Office of the President. They bring concerns to our attention from their work advising students on the front line in a manner that lets us find solutions together. My particular policy areas – financial aid and residence for tuition purposes – are at the heart of the needs of our undocumented and immigrant students.

The team at the Center helps me do my job better and for that I am extremely grateful.”



Shawn Brick, Executive Director of Student Financial Support - Graduate, Undergraduate and Equity Affairs - University of California Office of the President

“Immigrants Rising has always been incredibly supportive of the impactful work of the UC Immigrant Legal [Services] Center Initiative. Over the years, we have looked to them for legal analysis and thought partnership. However, we are incredibly grateful that we were able to deepen our collaboration and count on them as **key partners in two groundbreaking initiatives** that we spearheaded this year: [The AB 540 20 Year Anniversary Celebration & Call to Action](#) & [The AB 540 Equitable Implementation Intersegmental Workgroup](#). UCIMM’s knowledge of the law and historical awareness, combined with a deep understanding of the issues undocumented and other vulnerable populations students face, makes them an invaluable asset to our communities, our educational institutions and to California overall.”

Nancy Jodaitis, Director of Higher Education - Immigrants Rising

¹² Available upon request.

¹³ <https://www.youtube.com/watch?v=45pSVQExs1Q>

PARTNER TESTIMONIALS

*“In addition to the urgent direct assistance that the **UC Immigrant Legal Services Center** provides students, **their staff are invaluable resources in addressing systemic policy and legal barriers facing students.** The UC Immigrant Legal Services Center has helped identify challenges impacting how UC students can access critical opportunities, like income-based loan repayment or the [CA Dream Act Service Incentive Grant Program](#), as well as contributed to forging solutions. The UC Immigrant Legal Services Center is an important and valued part of the community working to inform how we can better serve immigrant and undocumented students in California. Thanks to the Center and its dedicated team, we not only have identified issues, but crafted solutions to help more students access the support they need.”*

Jake Brymner, Deputy Director - Policy & Public Affairs - California Student Aid Commission

*“The UC Immigrant Legal Services Center continues to be an invaluable leader and thought partner for the California Undocumented Higher Education Coalition. **Their leadership in ensuring state policy has student protections in mind** provides an immense value as state leaders, advocates, systems, and campuses work to craft and implement policies that support undocumented students. Most recently, the Center served as a lead collaborator on an FAQ document regarding background checks for undocumented students, supporting and guiding students through an often confusing and challenging process required to access certain programs. We thank the Center for their continued partnership.”*

Katrina Linden, Public Affairs Director – The Campaign for College Opportunity – California Undocumented Higher Education Coalition

CONCLUSION

Although the past academic year continued to be one of growing uncertainty for our students and families due to the absence of immigration reform, our team's resolve to leave no stone unturned when exploring relief options for students and families was constant. We launched new campaigns to increase awareness about little known avenues for relief, and were ready to help students avail themselves of these opportunities, often confronting significant legal complexities, and beating the odds. We helped eligible DACA beneficiaries take advantage of travel opportunities in record numbers. And, we leveraged our legal expertise to inform and improve other initiatives for undocumented student services.

One of the most remarkable aspects of our practice continues to be our team's ability to pivot and respond to frequent changes in policy. Nevertheless, as we await a decision from the Fifth Circuit Court of Appeals about the future of DACA, one that will undoubtedly have life altering consequences for thousands of DACA beneficiaries, we are already seeing the consequences of the challenges to DACA. Today, nearly half of students served by the Center are undocumented, without DACA—a number that we expect will only grow. While important progress has been made to support undocumented students, there continues to be great need for additional support. Significantly, without work authorization, the need for financial assistance, including for living expenses, will be crucial. Career planning support will also be important.

The challenges ahead demand strategic and zealous advocacy and we stand ready to meet the moment. The UC Immigrant Legal Services Center will continue to support students and families through legal services and strategic initiatives. We also look forward to continued partnerships on and off campuses to ensure that we are maximizing opportunities to support students and families.

APPENDIX A – IMMIGRATION 101

This primer is intended to explain terms used in this report and is not meant to be a comprehensive compendium of immigration law.

United States Citizenship and Immigration Service (“USCIS”)

U.S. Citizenship and Immigration Services (“USCIS”) is the federal agency that oversees lawful immigration to the United States. It is a component of the Department of Homeland Security (“DHS”).

Family-Based Immigration

Family Based Petitions

U.S. citizens and lawful permanent residents (“green card” holders) can sponsor certain family members, such as spouses, parents, children, and siblings so that they may immigrate lawful to the United States. Beneficiaries of family petitions can receive lawful permanent resident status and a pathway to citizenship.

Humanitarian-Based Immigration

U Nonimmigrant Status (“U Visa”)

The U visa is available to survivors of qualifying crimes who have suffered substantial physical or mental harm as a result of surviving a crime. U visa recipients receive a potential path to citizenship for themselves, and, in some cases, their spouses and children.

T Nonimmigrant Status (“T Visa”)

The T visa provides relief to survivors of severe forms of human trafficking. T visa recipients receive a potential path to citizenship for themselves, and, in some cases, their spouses and children. Trafficking includes persons working under certain conditions.

Special Immigrant Juvenile Status (“SIJS”)

Special Immigrant Juvenile Status is a form of relief available to juveniles who have been abused, abandoned, or neglected by one or both parents and for whom it would not be in their best interest to

be returned to their native country. In California, individuals under the age of 21 who meet all other requirements can receive SIJS. Recipients of SIJS can be eligible for a green card and have a potential path to citizenship.

Violence Against Women Act (“VAWA”)

Under the Violence Against Women Act (“VAWA”), immigrant survivors of domestic violence, child abuse, or elder abuse by a U.S. citizen or lawful permanent resident spouse, parent, or child may “self-petition” for lawful permanent residence status without relying on an abusive spouse, parent, or adult child to sponsor them even if they are undocumented. Relief under VAWA provides recipients with a potential path to citizenship for themselves, and, in some cases, their children.

Temporary Forms of Immigration Relief

Deferred Action for Childhood Arrivals (“DACA”)

The DACA program was enacted following failed congressional attempts at creating a pathway to citizenship for undocumented youth. Under the program, recipients receive deferred action, meaning they are not subject to removal (deportation) from the U.S. DACA also provides recipients with a two-year work authorization permit subject to renewal. Because DACA is a form of temporary status created through a DHS policy, it does not provide recipients with a pathway to citizenship.

Temporary Protected Status (“TPS”)

Temporary Protected Status provides temporary protection from deportation to migrants from countries that have suffered natural disasters, conflict, or unrest. TPS (Temporary Protected Status) recipients are eligible for a work permit subject to renewal while their native countries retain TPS designation.

Barriers to Obtaining Immigration Relief

In many cases, an individual may meet the basic requirements to qualify for a given form of immigration relief but still be ineligible. For example, an individual may have a qualifying relative who can file a family-based petition on their behalf. That individual may not, however, be eligible to apply for a green card if they have been convicted of certain crimes, if they initially entered the U.S. without permission, or if they have used certain public benefits, among other possible disqualifications. The many complex requirements for applying for immigration relief are the reason that individuals seeking to obtain an immigration benefit need to consult with a qualified attorney.



Immigrant Legal Services Center



CENTER UPDATES

[Special Immigrant Juvenile Status \(SIJS\) Awareness Campaign Toolkit](#)

Last month, UCIMM officially launched our SIJS Awareness Campaign to inform the UC community about the eligibility requirements and application process for obtaining a work permit and lawful permanent immigration status through SIJS. As a reminder, our staff are available to host in-person and virtual informational sessions now and in the future. We will re-launch this campaign in the Fall, and hope that admissions stakeholders will help get involved and spread the word! View our SIJS Awareness Campaign Toolkit at tinyurl.com/UCIMM-SIJS-Toolkit

[Reminder](#)

UCIMM's summertime soft closure is in effect. Please refer to our previous email announcement, or contact your campus attorney if you have questions.



STATE POLICY UPDATES

[Medi-Cal Older Adult Expansion](#)

As of May 1, 2022, eligible adults 50 years of age or older can now qualify for full scope Medi-Cal, regardless of immigration status. The California Immigrant Policy Center has created a [helpful FAQ](#). California also plans to include 26-49 year-olds in MediCal expansion, however, the rollout is not scheduled until January 1, 2024. To learn more or to get involved with efforts to move up the rollout date, visit the [Health4All campaign](#).

[Below are updates on proposed bills moving through the California legislature that could help immigrant communities](#)

[SB 1141 \(Limon\) Equitable AB 540 Implementation:](#) This bill would reduce the total years of full-time attendance in certain California schools, the years of full-time high school coursework in California, and the total years of attendance in California elementary schools and California secondary schools required from 3 or more years to 2 or more years.

The bill passed senate last month, and passed unanimously by the higher education committee. The bill now goes to the assembly appropriations committee. We will not know anything new until mid-August.

[AB 2004 \(C. Garcia\) California DREAM Loan Program:](#) This bill would increase the DREAM Loan amounts for graduate students, ensure that student borrowers have access to comprehensive financial and borrowing education, and ensure student borrowers are offered all forms of relief that federal loan student borrowers are eligible for, including loan forgiveness, deferment, discharge, forbearance, repayment, and administrative relief.

The state is facing difficulty in determining who will own/run the program that facilitates forgiveness, deferment, etc.

[AB 2652 \(McCarty\) Food Support Pilot Program:](#) This bill would require the CA Student Aid Commission (CSAC) to establish a state-funded Food Support Pilot Program to provide California Food Assistance Program (CFAP) benefits to students who submit a California Dream Act Application.

Unfortunately this bill will not move forward this year, but CSAC will continue to push for it during next year's legislative session.

[AB 1746 \(Medina\) Cal Grant Reform Act:](#) This Cal Grant equity framework would simplify and expand the Cal Grant program, potentially serving more than 150,000 additional students including student-parents, adult learners, and CA Dream Act Application filers.

The CA legislature is in support of the bill; it's passing will depend on whether Newsom includes it in the budget.

[AB 1766 \(Stone\) California IDs for All Act:](#) The bill will expand California Identification cards (CA ID) to all Californians, regardless of immigration status.

Bill is making its way through legislature; no specific updates.



FEDERAL POLICY UPDATES

[DACA litigation timeline](#)

On July 6, 2022, oral arguments will be heard at the Fifth Circuit Court of Appeals in the matter of *Texas v. United States*, which ruled on July 16, 2021 that DACA is unlawful.

[Los Angeles Declaration on Migration and Protection](#)

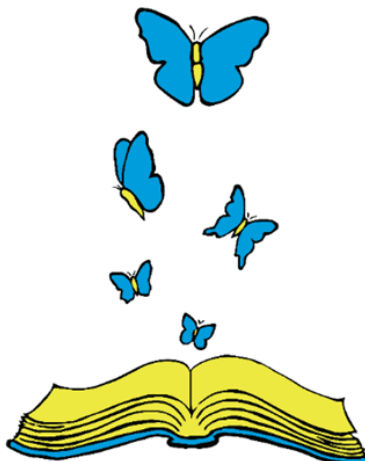
President Biden and leaders from across the Western Hemisphere signed on to the Los Angeles Declaration on Migration and Protection at the Summit of the Americas. The Declaration seeks to mobilize around actions that will transform approaches to managing migration in the Americas. The Declaration is organized around four key pillars: (1) stability and assistance for communities; (2) expansion of legal pathways; (3) humane migration management; and (4) coordinated emergency response.



IN CASE YOU MISSED IT

[On May 19, DHS announced the TPS registration process for individuals from Afghanistan.](#)

[Article: Partnership Model to Bolster Financial Support for Undocumented College Students](#)



As always, please do not hesitate to contact us with any questions.

Thank you,
The UC Immigrant Legal Services Center team

[View this email in your browser](#)



April 27, 2022



Immigrant Legal Services Center

Dear Coordinators & Directors,

*Below you will find updates and information on the following topics: **I. Litigation:** Texas tuition equity law; **II. State policy:** current legislative proposals; **III. Federal policy:** DACA filings online and USCIS guidance on expedited EADs for healthcare and childcare workers; and **IV. ICYMI:** UCIImm Immigrant Workers' Rights webinar recording; DHS withdraws Trump-era rule that expanded quick deportations; Biden's new asylum process; Cameroon designated for TPS; and new book release, [Illegally Yours: A Memoir](#).*

I. Litigation: Texas tuition equity law

On April 8, a [federal court struck down Texas' tuition equity law](#), which had allowed undocumented students to pay in-state tuition fees. Understandably, there is concern regarding the legal status of AB540 and other states' tuition equity laws. However, based on our analysis, it is highly unlikely that AB540 would be deemed illegal based on the [Texas court ruling](#).

*[Federal law](#) dictates that an undocumented student cannot be eligible for a postsecondary education benefit based on "**residence**" **within a State** unless **U.S. citizens/nationals are also eligible for the benefit**. Texas's tuition equity law contains language that classifies undocumented college students that have attended high school in Texas as "residents." In addition, the Texas law does not allow U.S. citizens/nationals to benefit from the non-resident tuition exemption. **In California**, the drafters of AB540 were careful to not base tuition equity on "residence" and made sure that all students (including U.S. citizens/nationals) who attended California schools can qualify for AB540, not just undocumented individuals.*

II. State policy: current legislative proposals

Below is a list of bills that are currently going through policy and fiscal committee reviews:

- **[SB 1141 \(Limon\) Equitable AB 540 Implementation:](#) This bill would reduce the total years of full-time attendance in certain California schools, the years of full-time high school coursework in California, and the total years of attendance in California elementary schools and California secondary schools required from 3 or more years to 2 or more years. See Fact Sheet attached.**
- **[AB 2004 \(C. Garcia\) California DREAM Loan Program:](#) This bill would increase the DREAM Loan amounts for graduate students, ensure that student borrowers have access to comprehensive**

financial and borrowing education, and ensure student borrowers are offered all forms of relief that federal loan student borrowers are eligible for, including loan forgiveness, deferment, discharge, forbearance, repayment, and administrative relief. See Fact Sheet attached.

- [AB 2652 \(McCarty\) Food Support Pilot Program](#): This bill would require the Student Aid Commission to establish a state-funded Food Support Pilot Program to provide California Food Assistance Program (CFAP) benefits to students who submit a California Dream Act Application.
- [AB 1746 \(Medina\) Cal Grant Reform Act](#): This Cal Grant equity framework would simplify and expand the Cal Grant program, potentially serving more than 150,000 additional students including student-parents, adult learners, and CA Dream Act Application filers.

III. Federal policy

[DACA filings online](#): Earlier this month, USCIS announced that DACA recipients can now renew online. As always, we recommend that individuals consult with a qualified immigration attorney before filing.

[USCIS guidance on expedited EADs for healthcare and childcare workers](#): We previously noted that healthcare workers were eligible for expedited employment authorization documents; please note that childcare workers are also eligible.

IV. ICYMI

- This month UCImm hosted a UC-wide webinar: *Immigrant Workers' Rights*, presented by Golden Gate University School of Law Women's Employment Rights Clinic. The webinar recording will soon be posted to [our website](#) and is also available by request - email anna.ucimm@law.ucdavis.edu.
- [DHS withdraws Trump-era rule that expanded quick deportations](#)
- [Biden's New Asylum Process: What You Need to Know](#)
- On April 15, the Department of Homeland Security [designated Cameroon for Temporary Protected Status \(TPS\)](#) for 18 months.
- Book Release - July 12: [Illegally Yours: A Memoir](#) by Rafael Agustin. Agustin is a formally undocumented student, a Mt. San Antonio College alum, a Bruin, a former writer for *Jane the Virgin*, and the Latino Film Institute CEO. "[Agustin makes a splashy debut with this humorous account of coming-of-age, undocumented, in Southern California.](#)" Agustin is available for speaking engagements and can be contacted at rafa1026@gmail.com.

As always, please do not hesitate to reach out with any questions.

Thank you,
The UC Immigrant Legal Services Center team

March 16, 2022



Immigrant Legal Services Center

Dear Coordinators & Directors,

Below you will find updates and information on the following topics: **I. Special Immigrant Juvenile status ("SIJS"):** deferred action and employment authorization; **II. Department of Homeland Security's ("DHS")** proposed new public charge rule; **III: Ukraine:** TPS and visa options; **IV. Afghanistan:** TPS and Afghan Adjustment Act; and **V. ICYMI:** USCIS data on DACA recipients; RELIEF Act; TPS for South Sudan and Sudan; Advocacy, Tell USCIS to Address Crisis-Level Processing Delays; and Blog: Immigration law and cannabis present traps for the unwary.

I. Special Immigrant Juvenile status ("SIJS"): deferred action and employment authorization

[SIJS](#) allows young immigrants who are abused, abandoned, or neglected by one or both of their parents to stay legally in the U.S. and apply for lawful permanent residency, i.e. a green card. One major procedural problem with SIJS has been that, like many immigrant categories, there is a substantial visa backlog--i.e., many applicants who petition for and receive SIJS must then wait for several years before applying for lawful permanent residency. To make matters worse, SIJS petitioners have not been eligible for employment authorization nor protection from deportation while waiting to apply for residency.

But last week, [USCIS announced](#) that it is updating its Policy Manual to **allow deferred action (i.e., protection from deportation) and employment authorization for noncitizens who have an approved petition for special immigrant juvenile classification** but who cannot apply to adjust status to become a lawful permanent resident because a visa number is not available. **This comes as welcome news, particularly for folks who have not been able to receive DACA!** The [update](#) will become effective on **May 6, 2022**, and applies to eligible noncitizens classified as SIJs before, on, or after May 6.

Note: our Center is planning to launch an SIJS Awareness Campaign on May 6, 2022--the day USCIS' new SIJS policy and guidance go into effect. Stay tuned for more details.

II. Department of Homeland Security's ("DHS") proposed new public charge rule

On February 24, 2022, DHS published a [new proposed public charge rule](#), which is open for public comment. "Public charge" is a ground of inadmissibility, i.e., a reason that a person could be denied a green card, visa, or admission into the United States.

Currently, USCIS is following its [1999 field guidance](#) on public charge, which prescribes that a person is deemed a public charge if they are likely to become "primarily dependent on the government for subsistence, as demonstrated by either (i) the receipt of public cash assistance for income maintenance

or (ii) institutionalization for long-term care at government expense.” Importantly, the test does not apply to many individuals who are applying for green cards, and **student financial aid is never considered in the public charge test**. The Trump public charge rule is no longer in effect.

Unlike Trump's public charge rule, the Biden Administration's proposed changes are minor and do not increase barriers for immigrants. The main distinctions are as follows:

- Under the 1999 guidance, if someone in the applicant's household receives cash assistance, and that is the only source of household income, the benefit would count against the person applying for admission even though the benefit is not in the applicant's name. This has adversely impacted applicants who do not have verifiable income where the only source of household income on records is their child's Cal Works grant. The 2022 rule would clarify that **only benefits taken by the applicant** can be counted toward the public charge test.
- The 2022 rule would explicitly clarify that where an **Affidavit of Support of required, DHS will consider it "favorably."**
- Under the 2022 rule, any denial on public charge grounds must **explicitly discuss how the five factors for consideration** (age, health, family status, assets/resources/financial status, and education/skills) were examined. This is not current practice under the 1999 rule.
- Under the 2022 rule, benefits received by an applicant while eligible for **refugee resettlement assistance** will not be considered.

For more information on public charge, visit [ILRC Latest on Public Charge](#).

III: Ukraine: TPS and visa options

- DHS announced [designation of Ukraine for TPS](#) for 18 months.
- AILA published an advisory that discusses [visa options for Ukrainian nationals](#).

IV. Afghanistan: TPS and Afghan Adjustment Act

- DHS today announced the [designation of Afghanistan for TPS](#) for 18 months.
- Evacuate Our Allies Coalition created a 2-page [fact sheet discussing the Afghan Adjustment Act](#).

V. ICYMI

- [USCIS released data on DACA recipients](#), including a count of current DACA recipients, countries of birth, states and cities of residence, age, and other categories.
- On March 1, 2022, Democratic Senators introduced the [RELIEF Act](#), Resolving Extended Limbo for Immigrant Employees and Families Act, which would raise visa caps and reclassify spouses and children of legal permanent residents as "[immediate relatives](#)."
- DHS announced that due to conflict in both regions, the agency will extend and redesignate [South Sudan for TPS](#) for 18 months, and designate [Sudan for TPS](#) for 18 months.

- *Advocacy: Tell USCIS It's Time to Right the Ship and [Address Crisis-Level Processing Delays](#).*
- *Blog: "Wait, but isn't pot legal?" - [Immigration law and cannabis present traps for the unwary](#).*

As always, please do not hesitate to reach out with any questions.

*Thank you,
The UC Immigrant Legal Services Center team*

February 18, 2022



Dear Coordinators & Directors,

*Below you will find updates and information on the following topics: **I. Federal policy:** House Republicans introduce immigration reform bill; new proposed Public Charge Rule; **II. State policy:** Proposed AB-540 expansion, SB-1141; Gov. Newsom's Health For All plan; **III. UCImm updates:** introducing new UCSB Staff Attorney; and **IV. ICYMI:** CHIRLA CDN workshop for UC students; USCIS has a new mission statement; new bill proposing independent immigration courts; and project funding opportunity from The Center for Inclusion and Belonging.*

I. FEDERAL POLICY

[Republican Congresswoman introduces an immigration reform bill](#)

*Last week, Congresswoman Maria Elvira Salazar and other House Republican introduced the "Dignity Act," an immigration reform bill "consisting of 3 core principles: stopping illegal immigration, providing a dignified solution for immigrants living in America, and strengthening the American workforce and economy." The bill would: **expand border security and enforcement**; create a 10-year "**Dignity Program**" wherein certain undocumented immigrants "will be provided a chance to work, earn legal status, **pay restitution [\$10,000]**, and get right with the law;" create an additional 5-year "**Redemption Program**" that "will offer a chance at redemption and to earn more permanent legal status;" would expand and modernize the **H-2A Agricultural Guest Worker** program "to adequately respond to workforce needs;" and includes the **H-2B Returning Worker Exception Act** "to ensure that small and seasonal businesses can fulfill their labor needs."*

*Unsurprisingly, this Republican proposal is **not clean immigration reform**. See link above and [this article](#) for more details.*

[DHS proposes new Public Charge Rule](#)

The Department of Homeland Security has posted a new draft public charge rule, which means that the proposed regulation could appear in the [Federal Register](#) within the next few days. Analysis of the rule is forthcoming.

[Protecting Immigrant Families \("PIF"\)](#) will host an informational webinar Wednesday, February 23, at 1pm - [register here](#).

II. STATE POLICY

[Proposed AB-540 expansion, SB-1141](#)

This week, Senator Limón (with support of the CCC Chancellor's Office) introduced a bill to expand AB-540 eligibility. The bill would do two things: 1. Change the threshold to qualify the nonresident tuition exemption **from three to two years** of full-time attendance; and 2. **remove the two-year cap** on full-time enrollment in credit courses. You can view the [proposed edits \("compare versions"\) here](#).

[Newsom's plan closes the gap for Health for All access regardless of immigration status](#)

Governor Newsom recently announced that he plans to **expand health care access to all income-eligible California residents regardless of legal status**, starting Jan. 1, 2024. The plan could impact an estimated 764,000 undocumented immigrants.

Beginning May 1, 2022, all qualifying individuals over 50 will become eligible for Medi-Cal regardless of immigration status, and undocumented individuals under 26 years of age can already qualify.

III. UCIMM UPDATES: New Staff Attorney serving UCSB

We are happy to welcome **Amber Spring**, our newest UCImm Staff Attorney! Amber is a UCSB alum who brings a wealth of experience from her work at Kids In Need of Defense ("KIND"), Central American Resource Center ("CARECEN"), and Immigration Center for Women and Children ("ICWC"). Welcome Amber!

IV: ICYMI

- CHIRLA's California Dream Network ("CDN") team will present their ["Leave No Dream\\$ on the Table" workshop](#) on Wednesday, Feb 23 at 3PM, where they **will discuss resources available to undocumented UC students** (flyer attached). UCImm's Davis Legal Fellow Ariel Bailey will be discussing legal services.
- [USCIS Announces New Agency Mission Statement](#): "USCIS upholds America's promise as a nation of welcome and possibility with fairness, integrity, and respect for all we serve."
- [Immigration Court Bill](#): San Jose Rep. Zoe Lofgren has introduced a bill that would allow immigration courts to gain independence from the DOJ, which is led by the U.S. attorney general

- the nation's top law enforcement officer and a political appointee. You can [urge Congress](#) to Support the Real Courts, Rule of Law Act of 2022 [here](#).

- The Center for Inclusion and Belonging has posted an [Open Call for Bridging Communities Projects](#) - honorariums and a fellowship will be awarded.

As always, please do not hesitate to reach out with any questions.

Thank you,
The UC Immigrant Legal Services Center team

January 19, 2022



Immigrant
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Dear Coordinators & Directors,

Below you will find updates and information on the following topics: **I. UCImm updates:** Outreach to graduating students; UCImm is searching for a new ED; **II. State policy:** Californians For All College Corps; **III. Federal policy:** What is happening with Build Back Better?; **IV. USCIS:** What does the Ombudsman's office do?; and **V: ICYMI:** ILRC's Social Media toolkit for protected areas from ICE & CBP; Take Action: Urge the Biden Administration to adopt policies that reduce visa backlogs and delays; USCIS is processing expedited EADs for healthcare workers; California Health & Human Services Agency's Public Charge Guide.

I. UCImm updates

- **Outreach to graduating students**

We invite you all to please remind graduating students to book their appointments for legal services as soon as possible. As most students know, our Center is only able to open new cases for currently enrolled students; however, many don't realize that we often must first conduct a case investigation before a new case can be opened.

- **UCImm is currently searching for a new Executive Director**

As you likely know, our Executive Director Maria Blanco recently announced she will be stepping down on June 30, 2022. While this news makes our hearts heavy, we are optimistic that our next Director will fill Maria's small but mighty shoes in their own unique way. The deadline to apply is January 28. [Click here](#) for the position description and application link; current UC employees should use [this link](#) to apply.

II. State policy: [Californians For All College Corps](#)

"Gov. Gavin Newsom announced Tuesday that 45 colleges and universities in California, including some of the most prestigious campuses in the state, will be part of a new public service program that will subsidize tuition for students who do community service alongside their studies . . . In exchange for 450 hours of service, **each student will receive \$10,000 toward their education** and can get academic credit for their work . . . The [program's website](#) outlines a competitive application process for the program that it says **will focus on admitting low-income students and 'dreamers'** . . . "

III. Federal policy: What is happening with Build Back Better ("BBB")?

As you likely know, in December the Senate Parliamentarian ruled against the parole provisions in BBB, and Sen. Joe Manchin (D-W.Va.) announced he wouldn't support the House bill. At this point it remains unclear what Democrats plan to do. According to [this article](#), "potential steps forward range from ambitious to downsized" but apparently "a person familiar with the discussions" stated that "Democrats are poised to at least vote on disregarding the parliamentarian's advice and plowing ahead on rejected immigration provisions," which is a departure from their previous stance that they would not push forward without the Parliamentarian's approval.

Despite this Congress' failure to pass immigration legislation to date, attorneys nonetheless recommend that individuals be prepared for any new policy that allows undocumented people to apply for legal status or protection from deportation. This document from the [national Ready to Stay Coalition](#) provides [a simple checklist of things to do](#). It's available in English, Spanish, and Chinese.

IV. USCIS: What does the [Ombudsman's office](#) do?

The CIS Ombudsman can help with many common issues (this list is not exhaustive): cases past processing times; typographic errors in immigration documents; cases where the beneficiary may "age-out" of eligibility for the requested immigration benefit; applications and petitions that were improperly rejected by USCIS; mailing issues; and certain cases involving an emergency or a hardship.

In [this AILA video](#), Deputy Ombudsman Nathan Stiefel explains the case assistance services the office provides, and shares tips on how to use the services most effectively. Campus attorneys may be able to assist with contacting the Ombudsman's office.

V: ICYMI

- [ILRC's Social Media toolkit for protected areas from ICE & CBP](#)
- [Take Action: Urge the Biden Administration to adopt policies that reduce visa backlogs and delays](#)

- [USCIS is processing expedited EADs for healthcare workers](#)
- [California Health & Human Services Agency's Public Charge Guide](#)

As always, please do not hesitate to reach out with any questions.

Thank you,
The UC Immigrant Legal Services Center team

December 13, 2021



Immigrant
Legal Services
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Dear Coordinators & Directors,

Below you will find updates and information on the following topics: **I. Comments on proposed DACA regulation;** and **II. ICYMI: Explainer - Build Back Better Bill; Advocacy - Find Your Ally Campaign; Resource - Advance Parole for study abroad.**

I. Comments on proposed DACA regulation

In response to [DHS' Notice of Proposed Rulemaking](#), 16.36K individuals/organizations posted comments that can be viewed at [Regulations.gov](#). Below is a sampling of comments submitted by immigration organizations and the University of California.

- [UC Office of the President \("UCOP"\)](#)
- [Immigrants Rising](#)
- [National Immigration Law Center \("NILC"\)](#)
- [Immigrant Legal Resource Center \("ILRC"\)](#)
- [American Immigration Lawyers Association \("AILA"\) & American Immigration Counsel](#)

II. ICYMI

- **Explainer:** [What is the Immigration Proposal in the House Build Back Better Bill](#)
 - Discusses parole, work permits, and "Plan C," and outlines the bill's limitations.

- **Advocacy: [Find Your Ally Campaign](#)**
 - California recently invested \$20 million to support students enrolled in California Community Colleges ("CCC") with free immigration legal services. The CCC system is home to the largest pool of undocumented students attending higher education - an estimated 70,000. The Find Your Ally Campaign was created to reach as many of them as possible. This [campaign page](#) created by ILRC is a social media tool for spreading the word.

- **Resources: [Higher Ed Immigration Portal - Advance Parole for educational purposes](#)**
 - Student Guide that includes checklists and FAQs
 - Recorded info session for DACA students and university allies
 - Powerpoint presentation that provides an overview on traveling/studying abroad

As always, please do not hesitate to reach out with any questions.

UCImm wishes you all a great holiday and a happy new year!

Thank you,
The UC Immigrant Legal Services Center team

November 16, 2021



Immigrant
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Dear Coordinators & Directors,

Below you will find updates and information on the following topics: **I.** UCImm news - Fall Webinar; Advance parole case processing; **II.** DACA updates - litigation; NPRM; **III.** Update on the Federal Reconciliation Bill; **IV.** NLRB outreach; **V.** DHS Issues New Memo Restricting Enforcement Activities in 'Protected Areas'; **VI.** State policy updates; and **VII.** Reminders/ICYMI - Holiday travel; MAF DACA fee support; USCIS contact center tip sheet.

I. UCImm News

- **Fall UC-Wide Webinar - Immigration Updates**

This Wednesday, November 17, we will host our first UC-wide webinar of the academic year. We will discuss the DACA Notice of Proposed Rulemaking ("NPRM") and the Budget Reconciliation Bill, and will provide a very brief update on advance parole case processing. See flyer attached. Join by [Zoom](#) or live streaming on [Facebook](#).

- **Advance parole case processing**

You may recall that our Center has generally been limited to handling emergency advance parole cases only. Currently, we **may** be able to handle non-emergency advance parole cases as well; as with all other casework our center handles, the ability to take on non-emergency cases will depend on individual attorney/fellow capacity.

***Note on study abroad advance parole:** Students applying for study abroad programs should speak with a qualified attorney as early as possible. In addition, they should speak with their study abroad office as early as possible to determine what if any visa requirements they must meet.

II. DACA updates

- **DACA litigation**

On September 10, 2021, MALDEF and the Biden administration filed notices of appeal to indicate that they will challenge Judge Hanen's ruling before the Fifth Circuit Court of Appeals. On October 4, the Biden administration asked the Fifth Circuit to stay (i.e., pause) the proceedings while DHS moves through the NPRM process. On October 15, the Fifth Circuit denied the federal government's request to delay briefing. The appeal will move forward with briefing (i.e., written legal arguments), to be followed by oral argument. See [MALDEF's litigation timeline](#) for updates.

- **DACA - Notice of Proposed Rulemaking (NPRM)**

The DACA [NPRM "to preserve and fortify DACA"](#) is open for public comment through November 29, 2021.

As Cynthia Dávalos informed everyone earlier this month, UCOP has drafted a systemwide comment letter in response to the NPRM, and we were pleased that UCOP sought UCImm's insight. In addition to UCOP, UCImm discussed our ideas with other immigration organizations; although orgs are taking different approaches to specific policy recommendations, everyone seems to agree that the DACA program, in its original form, is problematic due to:

- a. The 2007 and 2012 date requirements (physical presence, age cap, etc.)
- b. The high filing fee of \$495, paid every 2 years
- c. Criminal bars

Regarding the decoupling of deferred action from employment authorization, both sides have been argued. Some organizations believe this will have negative consequences--for example, people who cannot afford the employment authorization will be tempted to sacrifice the important benefit of work authorization. Others recognize positive aspects, for example younger

individuals in high school may not need to seek employment and could save over \$400 while still having deferred action.

ILRC and UWD have created comment templates to guide individuals who wish to submit their own comments. [ILRC's template](#) is detailed and largely covers the criminal provisions in the proposed DACA rule. [UWD's template](#) is much more general.

III. Update on the Federal Reconciliation Bill

In their latest attempt to include immigration provisions within the Budget Reconciliation Bill, Democrats have drafted new language that they hope will be able to move past the Senate Parliamentarian, who has twice ruled that the previously proposed pathways to legal immigration status were incompatible with the [rules of budget reconciliation](#). The newest proposal includes the following:

- Undocumented immigrants who arrived in the U.S. prior to January 1, 2011 (an estimated [7.1 million individuals](#)) would be eligible for temporary protection from deportation along with employment authorization through "parole" for a period of five years plus an additional five year extension.
- Recapture of unused immigrant visas.
- DACA and TPS recipients would [qualify for federal financial aid](#).
- Increased [fees for international students](#), to be paid for by institutions. These fee increases exist in order to pay for the proposed parole program.

The proposal [does not provide a pathway to citizenship](#). Democrats [believe this plan is their best option](#) for Parliamentarian approval.

See also the [Presidents' Alliance on Higher Education and Immigration letter to the House of Representatives](#).

Note: for more information and previous UCIImm updates on budget reconciliation, you may refer to our previous newsletters.

IV. National Labor Relations Board ("NLRB") outreach

In effort to ensure that immigrants feel safe coming forward and filing labor complaints with the Federal Government, the Office of General Counsel at NLRB has released a memo that "lay[s] out the policies and procedures related to effectively serving the particularized needs of immigrant communities and to ensuring that the NLRB is not only accessible to all workers who seek our assistance, but is also a safe place where they are treated with dignity, without regard to immigration status or work authorization." See memo attached.

V. [DHS Issues New Memo Restricting Enforcement Activities in 'Protected Areas'](#)

"While the memo does not contain an exhaustive list of such areas, it does give several examples, such as:

- Schools and other places where children congregate.
- Medical and mental health facilities (including places for vaccines and testing).
- Places of worship or religious study (regardless of whether it is a structure dedicated to those activities or temporarily in use for them).
- Community centers.
- Place where funerals, weddings, rosaries, or other religious or civil ceremony occur.
- Places where there is an ongoing parade, demonstration, or rally.

While all these general categories of locations were included in some form in the prior memos, the new policy provides more examples of what kind of locations should fall within those categories. For example, the new memo greatly expands the category of 'community centers' to include sites like domestic violence shelters, food pantries, community-based organizations, and homeless shelters."

In addition, the [Biden administration has halted mass worksite raids by ICE](#).

VI. State policy updates

Last month, Governor Newsom signed the following bills that aim to increase student success:

- *AB 928 and AB 1111 - transfer reform legislation*
- *AB 469 - California Student Aid Commission and California Department of Education required to facilitate FAFSA and CADA application completion activities*
- *SB416 & AB417 - expand college access for formerly and currently incarcerated students*

VII. Reminders/ICYMI

- **Holiday travel:** *With the holidays approaching, individuals traveling may want to review Immigrants Rising's [Guide for Undocumented Individuals Traveling in the U.S.](#) Your campus attorneys can also take questions regarding travel.*
- **DACA fee support:** *Mission Asset Fund's [DACA Fee Assistance Program](#) is still offering a \$247.50 loan with a matching \$247.50 grant that covers the \$495 filing fee to renew DACA.*
- *The USCIS Ombudsman has published a [Tip Sheet](#) on how to communicate effectively with the USCIS Contact Center.*

As always, please do not hesitate to reach out with any questions.

*Thank you,
The UC Immigrant Legal Services Center team*

October 6, 2021



Immigrant Legal Services Center

Dear Coordinators & Directors,

*Below you will find updates and information on the following topics: **I.** DACA - Notice of Proposed Rulemaking (NPRM); **II.** Update on the Federal Reconciliation Bill; **III.** New Immigration Enforcement Priorities Memo; **IV.** UCIImm UC-Wide webinars for Academic Year 2021-2022; and **V.** ICYMI: United We Dream's 2021 DACA Survey; Immigrants Rising's Advance Parole Travel Guide; UTSA DACA study; and USCIS DACA renewal tips.*

I. DACA - Notice of Proposed Rulemaking (NPRM)

As you likely know, last week DHS published the [NPRM "to preserve and fortify DACA"](#), and the proposed rule is now open for public comment through November 29, 2021. After that date, DHS will analyze the comments and develop a final rule. [Click here](#) to learn more about the rulemaking process.

Two key elements of the proposed rule include: 1. maintaining the same DACA eligibility guidelines that have existed since 2012, and 2. disconnecting deferred action and employment authorization. We invite individuals to: 1. consider how the original eligibility requirements exclude or adversely impact immigrants, and 2. note that many organizations are concerned that disconnecting the DACA program could leave DACA work authorization in a precarious position.

We invite you all to encourage students and others to participate in the rulemaking process. Please contact your campus attorney if you are interested in receiving support or partnership on a NPRM public comment workshop.

Additional resources:

- *The Presidents' Alliance, TheDream.US, Center for Immigrants' Rights Clinic at Penn State Law, Center for Immigration Law and Policy at UCLA, and Curran, Berger & Kludt, are hosting a one-hour [Rapid Response Briefing: Proposed Rule to Fortify DACA and Higher Ed Engagement](#) on **Thursday, October 7th at 11 a.m.** [Factsheet available here.](#)*
- *ILRC and NILC also created a [factsheet available here.](#)*

II. Update on the Federal Reconciliation Bill

Last month, the [Senate Parliamentarian twice ruled](#) that the proposed pathways to legal immigration status included in the Reconciliation Bill were incompatible with the [rules of budget reconciliation](#)--

specifically, the Byrd rule. Many immigration advocates continue to call on Democratic leadership to overrule the Parliamentarian, while [a group of scholars are calling on the Senate to issue a ruling contrary to her advice](#) because her rulings are non-binding. Democrats have generally indicated that they wish to receive a favorable ruling from the Parliamentarian before advancing the Bill.

Note: for more information on budget reconciliation, you may refer to our previous newsletters.

III. New Immigration Enforcement Priorities Memo

On September 30, DHS Secretary Mayorkas issued "[Guidelines for the Enforcement of Civil Immigration Law](#)." This Memo replaces two earlier [prosecutorial discretion](#) memos, and will go into effect on November 29, 2021. The Mayorkas Memo retains three categories of people who are considered enforcement priorities: people whom DHS believes pose a threat to national security, public safety, or border security. The Memo does not identify groups of people to prioritize for protection, [as many advocates have called for](#). The National Lawyers Guild has created a [helpful FAQ here](#).

IV. UCImm UC-Wide webinars for Academic Year 2021-2022

Thank you to all who responded to Rosa Salamanca's poll requesting this year's UC-wide webinar topics. UCImm will do our best to present on the topics requested. Because several of the topics selected do not narrowly fit within the scope of immigration law practice, we may need to work to identify guest speakers who can support these efforts. We appreciate your patience.

Please note, your top selection was: "H1-B/Green Card sponsored through employment"; we invite folks who selected this topic to review our [Resources page](#) to access the recording of our March, 2021 webinar, "Employment-Based Immigration: Solutions for Undocumented Students and their Allies."

V. ICYMI

- [United We Dream's 2021 DACA Survey is now open](#): "We have once again joined with NILC and CAP in surveying DACA recipients and DACA eligible folks on the impact the DACA program has had on their lives. The survey is not only important because it allows us to create a record of ourselves and the victories of our communities, but the data collected in previous years has been used to fight to defend the program. The anonymous survey will ask questions around strides in financial and social well being and attitudes towards civil engagement, social justice and health care. Because of the partial ending of the DACA program and the backlog in applications, we encourage folks who have not been granted DACA, but would have been eligible to participate."
- [Immigrants Rising's Advance Parole Travel Guide](#) is now live.
- A new University of Texas at San Antonio ("UTSA") study shows that [DACA protection leads to sizeable economic gains](#).
- USCIS Ombudsman's Office released a [short list of tips](#) for renewing DACA.

As always, please do not hesitate to reach out with any questions.

Thank you,
The UC Immigrant Legal Services Center team

September 17, 2021



Immigrant
Legal Services
Center

Dear Coordinators & Directors,

Below you will find updates and information on the following topics: **I.** Update on the Federal Reconciliation Bill; **II.** COVID-19 vaccinations now required for immigration medical examinations; **III.** DHS continues Temporary Protected Status (TPS) designations for El Salvador, Haiti, Honduras, Nepal, Nicaragua, and Sudan through December 31, 2022 ; and **IV. ICYMI:** American Immigration Council Fact Sheets on potential legislative pathways to legalization; Updated ILRC Practice Advisory on DACA Advance Parole; Immigrants Rising Law School Resource Guide for Undocumented Students: Getting Into Law School.

I. Update on the [Federal Reconciliation Bill](#)

On August 9th, Democrats introduced a Budget Resolution that allocates over \$100 billion to provide legal status to eligible immigrants. Congressional committees were then tasked with writing legislation to fulfill the budget spending targets (in technical terms, committees received "reconciliation instructions" for drafting sections of the "reconciliation bill").

Earlier this week, the [House Judiciary Committee approved immigration language](#) for the reconciliation bill. The language passed on party lines, and no Republican amendments were included. Once all sections of the bill are drafted, it will go to the House floor for a vote. After that, the bill will move to the Senate.

Note: for more information on budget reconciliation, you may refer to our May and August 2021 newsletters.

II. COVID-19 vaccinations now required for immigration medical examinations

[USCIS announced this week](#): "[E]ffective Oct. 1, 2021, applicants subject to the immigration medical examination must be fully vaccinated against COVID-19 before the civil surgeon can complete an immigration medical examination and sign [Form I-693](#), Report of Medical Examination and Vaccination Record." In general, this will impact individuals applying to become lawful permanent residents, whose I-

693s are signed by civil surgeons on or after October 1, 2021. USCIS will soon update Form I-693 to reflect the new requirement.

USCIS may grant a waiver if the vaccine is: not age-appropriate; contraindicated due to a medical condition; not routinely available where the civil surgeon practices; or limited in supply and would cause significant delay for the applicant to receive the vaccination.

III. DHS continues Temporary Protected Status (TPS) designations for El Salvador, Haiti, Honduras, Nepal, Nicaragua, and Sudan through December 31, 2022

This week, DHS automatically extended TPS for recipients from El Salvador, Haiti,* Honduras, Nepal, Nicaragua, and Sudan. Current recipients do not need to pay a fee or file any application to maintain their status and have their TPS-related documentation automatically extended--including Employment Authorization Documents (EADs). Recipients who would like to receive a new EAD showing the expiration date of December 31, 2022 can file a renewal Application for Employment Authorization ([Form I-765](#)).

*Note: TPS recipients from Haiti are encouraged to apply under Haiti's new TPS designation. Please contact your campus attorney if you have additional questions regarding TPS extensions or designations.

IV. ICYMI

- American Immigration Council [Fact Sheets](#) on potential legislative pathways to legalization
 - [The Dream Act and H.R.6](#)
 - [Farm Workforce Modernization Act of 2021](#)
 - [Legalization Through 245\(i\)](#)
 - [Legalization Through "Registry"](#)
 - [Documented Dreamers: An Overview](#)
- [Updated ILRC Practice Advisory on DACA Advance Parole](#)
- [UCImm FAQ: U Visas for Survivors of Crimes](#)
- [Immigrants Rising Law School Resource Guide for Undocumented Students: Getting Into Law School](#)

As always, please do not hesitate to reach out with any questions.

Thank you,
The UC Immigrant Legal Services Center team



August 17, 2021



Immigrant Legal Services Center

Dear Coordinators & Directors,

*Below you will find updates and information on the following topics: **I.** New UCImm staff members; **II.** UCImm first-time DACA application stats; **III.** Status of the new proposed rule for DACA; **IV.** U.S. Democrats' federal budget resolution package includes a pathway to citizenship for undocumented immigrants; **V.** California policy updates; and **VI. ICYMI:** ICE directed to protect vulnerable immigrants; TPS registration updates; ILRC How to Avoid Fraud; ILRC DACA Toolbox; The Biden Administration Blueprint for a Fair, Orderly and Humane Immigration System.*

I. New UCImm staff members

UCImm has welcomed three new staff members to the team! Our new legal fellows are Sarah Domenick, who will serve UC Santa Cruz, and Sergio Giro, who will serve UC Merced. Ignacio Figueroa joins our support staff as a paralegal. While we are still considered small (but mighty) with a staff of just 16, we are immensely grateful for the ability to strategically grow. Welcome Ignacio, Sarah, and Sergio!

II. UCImm first-time DACA application stats

*Since DACA initial applications re-opened in December 2020, our center has filed 198 client applications. Due to high demand, we have also received legal services support from pro bono attorneys outside of our organization on 32 applications, in addition to our 198. **Of these 230 total applications filed, 37 were approved and none were denied.** We currently have approximately 36 open cases that have not yet been filed.*

III. Status of the new proposed rule for DACA

Currently, the new proposed rule (i.e., proposed regulation) for DACA is under review at the Executive [Office of Management and Budget \(OMB\)](#) of the Office of Information and Regulatory Affairs (OIRA). DHS' next step will be to publish the Notice of Proposed Rulemaking (NPRM) to the [Federal Register](#); the published NPRM will contain details explaining how the new DACA program would work. At that time, individuals and institutions will have the opportunity to comment on the NPRM. DHS will then analyze the comments and develop a final rule. [Click here](#) to learn more about the rulemaking process.

[IV. U.S. Democrats' federal budget resolution package includes a pathway to citizenship for undocumented immigrants](#)

On August 9, [Senate Democrats introduced a \\$3.5 trillion Budget Resolution](#). Committees are now tasked with writing legislation to fulfill the budget spending targets by September 15. The plan instructs the Judiciary Committee to address "lawful permanent status for qualified immigrants", though it is not clear which groups or how many individuals will be affected.

The budget also includes instructions to develop legislation for combating climate change--which disproportionately impacts more vulnerable groups such as immigrant communities, creating universal pre-K for 3- and 4-year-olds, providing tuition-free community college, and funding historically black colleges and universities.

As previously explained in our UCImm May newsletter, utilizing [budget reconciliation](#) to push progressive plans forward allows the legislation to be put to a simple majority vote (51 to 49), avoiding [filibuster](#) and the super majority vote (60 to 40) that is typically required to pass immigration legislation. Passing any legislation under budget reconciliation will require unanimous support from Democrats, as Republicans broadly reject the plan.

V. California policy updates

- The California Dream Act Service Incentive Grant Program (DSIG) is now up and running on a first-come, first-served basis. Up to 2,500 CADAA students with Cal Grant B can perform community or volunteer service to receive awards up to \$3,000 per academic year. CSAC has published guidance materials for [students](#) and [institutions](#).
- Last month, Governor Newsom signed [AB 132](#), which includes a 2-year extension to existing law authorizing the UC to, "provide as scholarship . . . from nonstate [i.e. private] funds received for that purpose, to any of its enrolled students who meet eligibility requirements for that scholarship . . ." Notably, this includes undocumented non-AB540 students. The extension runs through June 30, 2023.
- Beginning May 1, 2022, [low-income Californians 50 and older will be eligible for Medi-Cal coverage regardless of immigration status](#).

VI. ICYMI

- [ICE directed to protect vulnerable immigrants, not to deport them](#): Here is the [ICE announcement](#) and [updated policy](#).
- [TPS registration periods have been extended for several countries](#): Venezuela, Syria, Burma, Somalia, Yemen, and Haiti.
- [ILRC How to Avoid Fraud videos and flyers](#)
- [ILRC DACA Toolbox](#)
- [The Biden Administration Blueprint for a Fair, Orderly and Humane Immigration System](#)

As always, please do not hesitate to reach out with any questions.

*Thank you,
The UC Immigrant Legal Services Center team*