

DACA: Current Status and Options

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Adapted from March 1, 2017 publication by Immigrant Legal Resource Center (www.ilrc.org)

The Deferred Action for Childhood Arrivals (DACA) program is still available and the government is still accepting and approving DACA initial and renewal applications. However, the program could be terminated at any time. As a result, the information in this document could change. We will do our best to update the information regularly.

Current DACA Recipients – Stay Calm and Avoid Arrest

DACA should continue to provide you the same benefits—protection from deportation, work authorization and more. However, even if you have DACA, immigration authorities may detain you and terminate your DACA if you, after receiving a DACA grant:

- are arrested or convicted for any criminal offense,
- admit to any criminal offense,
- are determined to pose a threat to public safety or national security,
- admit to fraud in connection with a government agency (such as use of a false social security number), or
- admit to gang affiliation.

If you have been arrested or convicted, have a prior removal order, failed to disclose any criminal history in your prior applications, or experience new criminal issues after receiving DACA, you should speak to an attorney as you may be at risk.

Initial DACA Applications – Recommended Only With Attorney Representation

Applying for DACA for the first time presents both benefits and risks. You should only apply after consulting with an attorney and considering the risks and benefits of your case. Be sure to have an attorney help you prepare your application.

Prior criminal, immigration, fraud or gang issues could be particularly risky. Be sure to consult an expert before applying if you have:

- previous criminal arrests or charges (even without a conviction);
- any type of criminal conviction (including either misdemeanors or felonies);

- any history of fraud related to a government agency (such as use of a false social security number);
or
- been deported or been ordered deported from the United States before.

Initial applications may take anywhere from a few weeks to several months to be processed. If a new application is not approved before the DACA program is changed or terminated, you may lose your application \$495 fee. Furthermore, you risk exposure to immigration authorities by sending them your personal data. If pending federal legislation (the BRIDGE Act) passes to replace DACA, you may be eligible for another, less risky opportunity to be protected from deportation and receive a work permit.

DACA Renewals – Recommended for Certain Applicants

If you currently have DACA and want to renew it, you should renew after consulting with an experienced immigration attorney.

DACA renewal applications are still being accepted and approved, which means you may receive a new work permit valid for another two years. The main risk is that the DACA program could be changed or terminated suddenly. If your renewal application is not approved before the program is terminated, you may lose the \$495 application fee.

If you have any prior or new immigration or criminal issues, do not apply to renew your DACA until you first consult with a trusted legal service provider to assess your case. Some past criminal or immigration issues could impact your renewal application now even if you were approved for DACA in the past.

For appointments call 206-774-8758 or email
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