

# IMMIGRATION AND COVID-19

IMMIGRANT  
LAW CENTER  
— of MINNESOTA —



- This presentation accompanies a Facebook live video which can be found on our Facebook page:

<https://www.facebook.com/immigrantlawcenterMN/>

# About ILCM

- [Immigrant Law Center of Minnesota](https://www.ilcm.org) (ILCM) is a nonprofit agency that provides immigration legal assistance to low-income immigrants and refugees in Minnesota. ILCM also works to educate Minnesota communities and professionals about immigration matters, and advocates for state and federal policies which respect the universal human rights of immigrants. [www.ilcm.org](https://www.ilcm.org)
- We are still here to help, even though our offices are closed. Our phone lines remain open, and we continue to provide services remotely. Please call 651-641-1011 for assistance.
- Please call our client line at 1-800-223-1368 during intake hours to schedule an appointment to speak to a legal staff member.

# Intake Scheduling Continued

- **GENERAL INTAKE:**  
Mondays, Tuesdays, and Wednesdays: 12-1:30 p.m.  
Thursdays: 6-7:30 p.m.
- **DETENTION INTAKE:**  
If you are detained by Immigration and Customs Enforcement (ICE) or calling on behalf of someone in the custody of ICE, please call 651-641-1011 during the following hours to receive assistance:  
Mondays: 2-4 p.m.  
Thursdays: 10 a.m.-12 p.m.
- **PRIORITY INTAKE**  
Mondays, Tuesdays, and Wednesdays: 9-11 a.m. and 2-4 p.m.  
Thursdays: 1-4 p.m.  
For priority cases, call 651-641-1011 during these hours.  
(For listing of priority cases, go to <https://www.ilcm.org/immigration-help/>)
- **DACA RENEWALS:** We urge those eligible to renew to do so as soon as possible. No one knows how long the current court injunction will last. Persons living anywhere in Minnesota whose DACA expires as far out as 8 months from the present can call 651-641-1011 or 1-800-223-1368 to schedule an appointment.

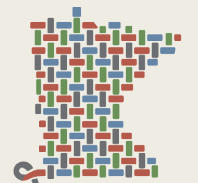


# USCIS Closures

## ■ United States Citizenship & Immigration Services

(Agency that deals with citizenship, green cards, DACA, employment authorization)

- *All offices are closed through April 7<sup>th</sup>. We expect them to be closed longer, and will provide continuing updates.*
- *Asylum Interviews: USCIS will automatically reschedule all asylum interviews*
- *Green Card & citizenship interviews will be rescheduled*
- *Biometrics Appointments: USCIS will automatically reschedule if this is your first work permit application. **If you had an appointment on or after March 18, USCIS will use your previous biometrics (applies to renewals only)***
- *Infopass/Field Office Appointments: Go online to reschedule once the USCIS field office reopens*



# USCIS Pending Applications

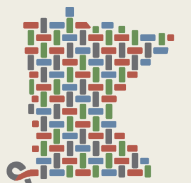
- Expect delays, things will take longer because all USCIS (United States Citizenship & Immigration) offices are closed
- Requests for Evidence and Notice of Intent to Deny:
  - *If you get one of these between March 1 and May 1, you have an additional 60 days to send the evidence that USCIS is requesting.*
  - *If you have an attorney, they should be aware of this new deadline*

# Other Deadlines

- **Be Aware: No other deadlines have been extended**
  - *1 year deadline to apply for asylum remains*
  - *Certain immigration protections available to your children before they turn 21 (children both inside and outside the US), so if they are approaching age 21 speak with an attorney immediately.*
  - *Unaccompanied minors must still apply for asylum before they turn 18*

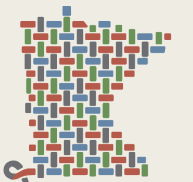
# Immigration Court in Minnesota

- Court has been closed since Friday
- Court appears to be taking things on a day to day basis, we will provide updates on our website.
- Court is hearing only detained cases
  - *If your family detained you can request bond, our website has some materials on applying for bond*
  - *MN Freedom Fund: can apply for funds if you or your family can't afford to pay the bond.*
  - *Can call our detention hotline: [651-641-1011](tel:651-641-1011)*
- All non-detained court hearings through May 1st will be rescheduled automatically. You or your attorney will receive a new hearing notice in the mail
  - *As you may know, before you go before an immigration judge, you can and should submit evidence in your case to the court. The deadline to submit evidence in your case **is not changing.***
  - *You or your attorney can mail your documents to the immigration court.*



# Immigrations and Customs Enforcement (ICE) & Intensive Supervision Appearance Program (ISAP) Check Ins

- If you have a check-in scheduled you need to call ICE/ISAP immediately to request a telephonic check in. **Do not just now show up, as you could be detained if you miss your appointment without calling.**
- Phone Number for Local ICE Office: 612-843-8600



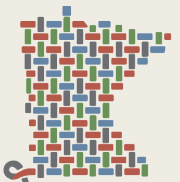


# Deferred Action for Childhood Arrivals (DACA)

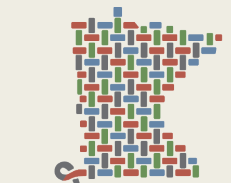
- No new applications are currently being accepted (this may change)
- Supreme Court Decision regarding the fate of DACA expected by June, could be sooner.
- If your DACA expires this year, contact an attorney ASAP to apply for a renewal
  - *ILCM is still doing intakes. Visit our website for the dates and times for telephone intakes*

# Work Permit Renewals

- 180 day automatic extension is available for certain categories
  - *Eligible Categories:*
    - Refugee (a)(3)
    - Asylee (a)(5)
    - Withholding of Removal/Deportation Granted (a)(10)
    - TPS Granted (a)(12)
    - Pending Asylum Application (c)(8)
    - Pending AOS under Section 245 (c)(9)
    - Pending initial application for TPS where USCIS (immigration agency) has determined applicant appears on the face of the application to be eligible for TPS and applicant can receive work authorization as a “temporary benefit” (c)(19)
    - VAWA (violence against women act) self-petitioners (c)(31)

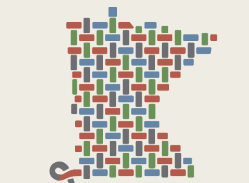


# Where to Find Your Category



# Somali Temporary Protected Status (TPS)

- TPS for Somali nationals has been extended through September 2021
  - *Re-registration period is Mar 11, 2020 to May 11, 2020*
  - *Speak to an attorney ASAP to begin the renewal process*



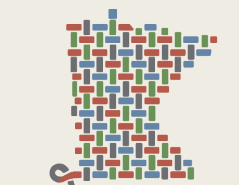
# Liberian Deferred Enforcement Departure

- If you are a Liberian DED recipient and you meet certain criteria, you can apply for a green card through December 20, 2020
- Work authorization extended to January 10, 2021
  - *You can still renew your work permit until then.*
  - *Speak to an attorney ASAP for more info*

# Visa Processing Times

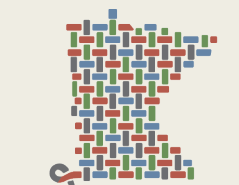
Getting status outside the country: You may have had plans to travel to an embassy for an interview, or perhaps you are sponsoring a family member outside the United States and they are waiting for an interview. Unfortunately those interviews are being delayed.

- *There are no extensions on any deadlines for information related to the visa application process.*
- *We have no information, we are working with our partners and other legal professionals*
- *No visa interviews are currently taking place at any U.S. embassies, so expect delays in consular processing times*



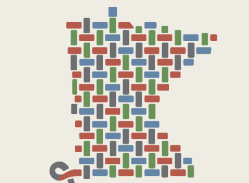
# Public Charge

- What is Public Charge?
  - *Ground of “inadmissibility”*
  - *Public charge is a test used by immigration officials to decide whether a person can enter the United States, get a green card, or extend or change a visa.*
  - *The test is used to identify someone who may depend on the government for their basic needs and will not be self-sufficient.*
  - *Immigration looks at all of the applicant’s circumstances and considers age, health, family and financial status, as well as education and skills*



# Public Charge Continued

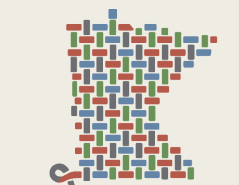
- Benefits Considered:
  - *Federal/state/local/tribal cash assistance (includes supplemental social security income)*
  - *Food Stamps*
  - *Section 8 Housing/Section 8 Project Based Rental Assistance*
  - *Medicaid (unless under 21)*





# Public Charge Continued

- Benefits Not Considered:
  - *Medicaid for Emergency Medical Conditions*
  - *Disability Education Act (Medicaid funded)*
  - *School-based services (provided the individual is at or below lowest eligible age)*
  - *Medicaid benefits to non-citizens under 21*
  - *Medicaid benefits received by a woman during pregnancy or 60 days after she gives birth*
  - *Unemployment Benefits*

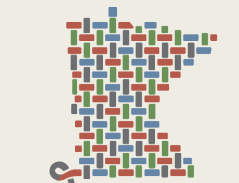


# Many Benefits Are Safe to Use

| Cash   | Food                            | Healthcare                                 | Other                                    |
|--|---------------------------------|--|--|
| Social Security, disability or retirement benefits | WIC (women, infants & children) | Minnesota care                             | Disaster Relief                          |
| Foster Care  | School lunches                  | Children's Health Insurance Program (CHIP) | Emergency assistance                     |
| Adoption Assistance                                | School breakfast                | Medicare                                   | Earned Income Tax Credit                 |
| VA Benefits  | Food shelves                    | Emergency MA                               | Childcare assistance                     |
| Worker's Compensation                              | Soup kitchens                   | Obamacare subsidies and tax credits        | Head Start                               |
| Unemployment Benefits                              | Shelters                        | MA for children under 21 & pregnant women  | Pell grants, student loans, scholarships |

# Exemptions

- Some individuals may be exempt from public charge, so you need to speak to an attorney to determine if public charge applies to you
- Some exemptions include:
  - *Asylees/Refugees*
  - *VAWA (Violence Against Women Act) self-petitioners*
  - *T & U visa applicants*



# Mixed-Status Households

- If you are a non-citizen but your child or spouse is a citizen, lawful permanent resident, or otherwise exempt from the public charge rule, they can apply for a means-tested benefit and it **will not** affect your public charge determination.
- In other words only the person receiving the benefit is affected for purposes of public charge



# Public Charge Continued

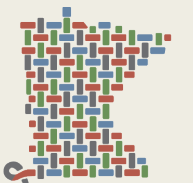
- If you need to apply for a means-tested benefit, you can include an explanation when you apply for an immigrant visa, and USCIS will take the reason(s) you applied for a means-tested benefit into consideration.
- Ex: “I lost my job because of the COVID-19 quarantine and I needed to apply for food stamps”
- Mid-Minnesota Legal Aid has a public charge hotline you can call for more information: **1-800-292-4150**.
- Southern Minnesota Legal Services: **1-888-575-2954**

# Unemployment Benefits

- Non-citizens who **are legally authorized to work in the U.S. are eligible** if they otherwise meet the unemployment guidelines in Minnesota
- **Will not affect public charge determination**
  - Visit [www.lawhelpmn.org](http://www.lawhelpmn.org) for legal advice related to unemployment
  - To view eligibility criteria and apply for unemployment assistance visit [www.uimn.org](http://www.uimn.org)

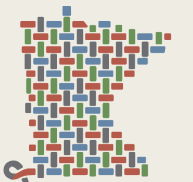
# Stimulus Checks

- Non-citizens are eligible if they have a valid social security number issued by the government
- If you have an ITIN you will not qualify, even though you pay taxes
- If you are claimed as a dependent on someone else's tax return, you are not eligible
- If you have a valid social security number, but your spouse does not, and you file taxes together, then you are not eligible



# Stay at Home Order

- If you are able to work from home, you should do so
- Individuals whose work is essential and cannot work from home will be allowed to continue work
- Evictions have been halted by Gov. Waltz
- Police cannot stop you just for being outside or in a public place
- For frequently asked questions about the order see: <https://mn.gov/governor/covid-19/faq/>
- Gatherings in large crowds will not be permitted
  - *The length of the order (subject to change): 3/27 @ 11:59 pm to 4/10 @ 5:00 pm*





# Wrap-Up

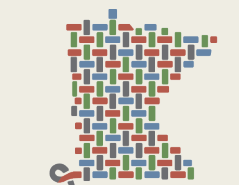
- Thank you for joining us for this update, we hope it has been helpful! Our team will be doing more FB live events, so please be sure to follow our [Facebook page](#) so you won't miss them. Again, a reminder to consult an attorney if you have any questions regarding your specific situation.
- <https://www.facebook.com/immigrantlawcenterMN/>

# Intake Scheduling

- We are still here to help, even though our offices are closed. Our phone lines remain open, and we continue to provide services remotely. Please call 651-641-1011 for assistance.
- Please call our client line at 1-800-223-1368 during intake hours to schedule an appointment to speak to a legal staff member.

# Intake Scheduling Continued

- **GENERAL INTAKE:**  
Mondays, Tuesdays, and Wednesdays: 12-1:30 p.m.  
Thursdays: 6-7:30 p.m.
- **DETENTION INTAKE:**  
If you are detained by Immigration and Customs Enforcement (ICE) or calling on behalf of someone in the custody of ICE, please call 651-641-1011 during the following hours to receive assistance:  
Mondays: 2-4 p.m.  
Thursdays: 10 a.m.-12 p.m.
- **PRIORITY INTAKE**  
Mondays, Tuesdays, and Wednesdays: 9-11 a.m. and 2-4 p.m.  
Thursdays: 1-4 p.m.  
For priority cases, call 651-641-1011 during these hours.  
(For listing of priority cases, go to <https://www.ilcm.org/immigration-help/>)
- **DACA RENEWALS:** We urge those eligible to renew to do so as soon as possible. No one knows how long the current court injunction will last. Persons living anywhere in Minnesota whose DACA expires as far out as 8 months from the present can call 651-641-1011 or 1-800-223-1368 to schedule an appointment.



# More Resources

- Immigration Court Information:
  - <https://www.justice.gov/eoir/bloomington-immigration-court>
- United States Citizenship and Immigration Services (USCIS) Information:
  - <https://www.uscis.gov/about-us/uscis-response-coronavirus-2019-covid-19>

