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## KNOW YOUR RIGHTS – DACA UPDATE (DEC. 2020)

On Friday December 4, 2020, a Federal Judge in New York issued an order restoring the Deferred Action for Childhood Arrivals (“DACA”) program to its status before the Trump administration attempted to end it in 2017.

This means that the government now must accept first-time requests for DACA from individuals eligible to enroll into the program, accept applications for advance parole, and restore the two-year renewal period for DACA protection and work permits.

### WHAT DOES THIS MEAN FOR ME?

#### Current DACA Recipients

- Current DACA Recipients can continue to apply to renew their DACA. It is recommended that you submit your renewal **between 150 and 120 days of the expiration date of your current DACA.**
- DACA protections and benefits continue (e.g. deportation protection and work permits)
- Renewal period has been restored from one to two years
- Renewal fee remains \$495

#### New DACA Applicants

USCIS will accept initial applications for individuals who meet the following eligibility criteria:

- Were under the age of 31 as of June 15, 2012;
- Came to the United States before reaching their 16th birthday;
- Have continuously resided in the United States since June 15, 2007, up to the present time;
- Were physically present in the United States on June 15, 2012, and at the time of making their request for consideration of deferred action with USCIS;
- Had no lawful immigration status on June 15, 2012;
- Are currently in school, have graduated or obtained a certificate of completion from high school, have obtained a general education development (GED) certificate (or other State-authorized exam in the United States), or are an honorably discharged veteran of the Coast Guard or Armed Forces of the United States; and
- Have not been convicted of a felony, significant misdemeanor, three or more other misdemeanors, and do not otherwise pose a threat to national security or public safety.

#### Advance Parole

- Advance Parole applications for humanitarian or education travel outside of the United States will be accepted.

- **IMPORTANT:** Being granted Advance Parole does not guarantee that you will be allowed to re-enter the U.S. It is important that you speak with an immigration attorney or Department of Justice Accredited Representative to understand your situation BEFORE traveling outside of the U.S.

### FREE LEGAL HELP MAY BE AVAILABLE

All DACA eligible individuals should consult with a legal service provider for information about applying for DACA, renewing their existing DACA and/or getting screened for eligibility for other, more permanent immigration benefits. To make an appointment with Catholic Migration Services for free legal assistance, please call our office Monday through Friday between 9:00 a.m. and 5:00 p.m. at (718) 236-3000 (Brooklyn office) or (347) 472-3500 (Queens office). For additional information, visit our website at [www.catholicmigration.org](http://www.catholicmigration.org) and follow us on social media via Facebook, Twitter, and Instagram @CMSBQ. You can also obtain free legal advice by calling 311 and asking for “Action NYC.”