



## **DEFERRED ACTION FOR PARENTS (DAPA)**

On November 20, 2014, President Obama announced that he would be granting deferred action to certain parents of U.S. citizens or lawful permanent residents. Deferred action is the same benefit that was offered to childhood arrivals (DACA) that has essentially been extended to another, larger group of people.

### **DO I QUALIFY?**

- You must have a U.S. citizen child or lawful permanent resident child on this date. Children born after 11/20/2014 will not make you eligible.
- You must have lived continuously in the U.S. since before January 1, 2014.
- You must be physically in the U.S. on November 20, 2014 and the date you apply for DAPA.
- You must not be in lawful status as of November 20, 2014.
- You must not be an enforcement priority to ICE because of criminal issues. This means you cannot have a felony conviction or a serious misdemeanor. If you have a question about whether a conviction is considered serious, contact us soon to discuss.

### **WHEN CAN I APPLY?**

President Obama has instructed immigration to be ready to accept applications for DAPA within 180 days, so the estimated start date for receiving application will be approximately May, 2015.

**YOU ARE NOT ABLE TO APPLY NOW.** This is important. Though we know, more or less what the forms will be and the documentation that will be required, if you file your application before time you risk losing your filing fee and your case will be denied or rejected. There will be notaries and unethical attorneys taking money now and promising to file cases now. Don't be fooled!

### **WHAT CAN I DO TO GET READY NOW?**

- You should save money, if you have not done so already. The filing fees will be around \$465 (just as with DACA), and we anticipate that attorney fees will be around \$1,500.
- Schedule an appointment ASAP if you have any criminal issues to help determine if they will affect your DAPA application.

- Visit an attorney to review the specific facts of your case and get information so that you are ready to file when applications are ready to be accepted.
- Get your passport! You will need this at various stages of the application process. Do this now, as there will likely be a wait time with your consulate.
- See an accountant. Make sure that your taxes are in order for the last several years. Immigration will be requesting these as part of the application process. We can provide you the contact information for some trusted and fair accountants who can assist.
- Gather documents. You will need to file documents with your application to show that you are eligible for DAPA. The following list is a good starting point of documents you will need to provide:
  1. Two Passport size photographs;
  2. Copy of passport biographical page of passport, visas and forms I-94;
  3. Copy of birth certificates for you and your children;
  4. Copy of marriage certificate or divorce, if applicable;
  5. Copy of every court case on record, specifically any criminal convictions, and copies of all police reports, and proof and that all traffic tickets have been paid;
  6. Copies of any immigration documents you may have;
  7. Copy of college transcripts, degree, and other evidence of you attending post high-school courses, if any;
  8. Proof of presence before and since January 1, 2010:
    - ✓ Past leases, receipts, records dating to before that date which show living in the United States;
    - ✓ Affidavits from relatives, friends, teachers, employers, neighbors attesting to your presence in the United States;
    - ✓ Photographs placing you in the US before 2010; and
    - ✓ School records if you attended school in the U.S.

### **What else should I know?**

At the end of the day, DAPA is a temporary process. The work permit that comes with it is valid for three years. We do not know what will happen with a new president, or if Congress will try to change it (unsuccessfully without the signature of the President). Then it will be important to keep looking for other options and ways to immigrate. For example, through an older child, a resident or citizen spouse or through their work.

The DAPA will give you the option to ask for permission to travel to be called "Advance Parole." There is no GUARANTEE they approve , but if you do , you can travel to their country without fear of returning , and maybe use this legal entry to immigrate legally to the country.

There are some people with criminal convictions, If you are one of these people , talk to an attorney immediately to determine if you qualify for DAPA and if perhaps the condemnation can be arranged.

In addition, it is important to remember that this benefit is one that is based on discretion. It would be good to have information confirming you are a person of good character.

Letters from family members, pastors , employers, and friends confirming this would be useful in the application.

Even some with deportation orders can qualify for DAPA. It is important to talk to a lawyer and get a copy of your immigration file so they can make sure everything is in order . Even those who were physically deported if they returned before January 1 , 2010 may apply if there are no convictions that make ineligible.

In the end our advice is to take this opportunity, It is not known when will the option again. Even if for a short time a work permit can change your life . Take this chance.

Many ask if the program is terminated, "can they come and arrest me?" The answer is obviously not if they cannot capture all the people that they know have deportation orders now and they know where they live, how are they going to arrest 4 million more?

If you have further questions , or we can help if DAPA , please call us today at 404-816-8611 .