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# Understanding and Supporting the Legal Needs of Recently Arrived Immigrants



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October 18, 2023



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# About MIRA



Mission: convene, serve, and organize together with our members, community leaders, and allies for the advancement of all immigrants across the Commonwealth and beyond. MIRA Coalition places immigrant and refugee voices at the forefront to advocate for the well-being of our communities.

Vision: a Commonwealth – and a nation – where *all* can thrive, no matter where they came from or how they got here, and *all* can fully participate in their community's social, economic, and civic life.

# MIRA Coalition

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- Advocacy (State & Federal)
- Citizenship Assistance
- IAS Program
- Organizing
- Civic Engagement
- Immigrant Inclusion
- National Networks: NPNA, FIRM



# Training Objectives

- Understand the main legal needs of recent arrivals
- Identify important immigration documents
- Support families in accessing documents and case information online





# Purpose of this training

- ✓ Make sure we all have some shared knowledge and vocabulary
- ✗ Make you an expert able to answer questions about immigration law

**Unauthorized Practice of Immigration Law is against the law  
and - even more importantly – can really hurt people!**

# Best Practices for Supporting Recent Arrivals

## Acknowledge and validate the reality that:

- The US immigration system is broken and often unfair.
- Many will not get legal status.
- Even those who do will wait years.

- Normalize - not alone
- Use welcoming language
- Assure of community support
- Use objective interpreters
- **Keep copies of everything!**
- Be clear about your role and how you can help
- **Refer all legal question to legal service professionals**



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# Legal Needs of New Arrivals

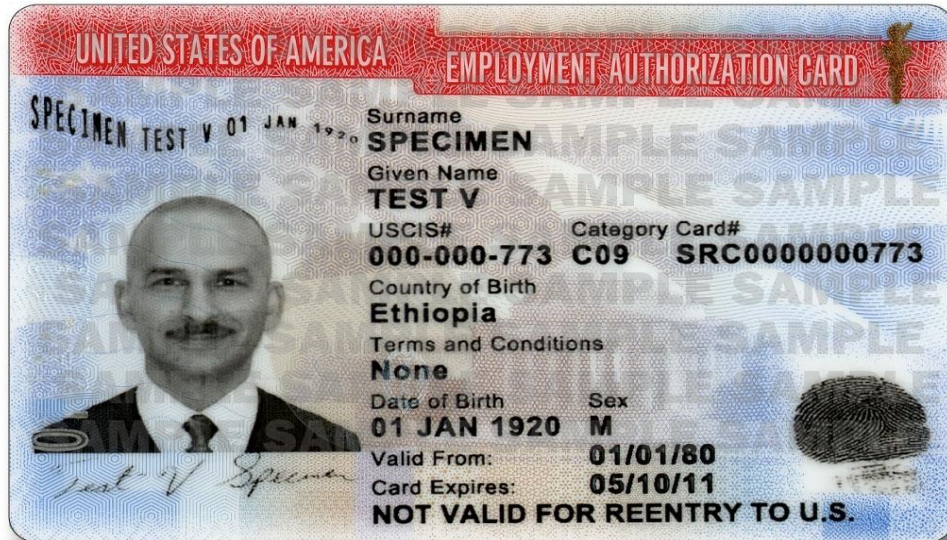
1. Work authorization
2. Removal proceedings (Immigration Court)
  - a. Short-term: avoid *in absentia* removal order
  - b. Long-term: find asylum attorney





# Immediate Need

## Apply for work permit if eligible



Employment  
Authorization  
Document (EAD)



## Request asylum at border

Granted parole for 1-2 yrs



Immediately eligible to  
apply for work permit



Released into  
US pending  
Immigration  
Court  
proceedings



## Enter without inspection

No status granted



Not eligible for work permit



# SAMPLE I-94 (ELECTRONIC)



U.S. Customs and Border Protection  
*Securing America's Borders*

## Most Recent I-94

Admission (I-94) Record Number : [REDACTED]

Most Recent Date of Entry: 2023 March 07

Class of Admission : DT

Admit Until Date : 03/05/2024

Details provided on the I-94 Information form:

Last/Surname : [REDACTED]

First (Given) Name : [REDACTED]

Birth Date : [REDACTED]

Document Number : [REDACTED]

Country of Citizenship : Haiti

[Get Travel History](#)

## I-94 Record

- What is an I-94?
  - Record of arrival to the US
  - Contains key info:
    - Current status and work permit eligibility
    - When status/work authorization expires
    - Deadline to apply for asylum (one year post-entry)
  - Copy needed for most benefits and immigration applications
- If possible, make sure clients have **both** a printout and a digital copy

# How to look up an I-94

**Step 1:**  
Go to [i94.cbp.dhs.gov](https://i94.cbp.dhs.gov)

**Step 2:**  
Select “Get most recent I-94”

The screenshot shows the homepage of the I-94 website with four main navigation options, each with an icon and a button:

- Visiting the U.S. & Arriving via a Land Border?** (Car icon) - Button: **APPLY FOR NEW I-94** (Land Border Travelers Only)
- Already Visiting & Need Proof of Visitor Status?** (I-94 document icon) - Button: **GET MOST RECENT I-94**
- Need A History Of Your Arrivals & Departures?** (Calendar icon) - Button: **VIEW TRAVEL HISTORY**
- How Much Longer May I Remain in the U.S.?** (Globe icon) - Button: **VIEW COMPLIANCE**

This screenshot shows the content of the 'Already Visiting & Need Proof of Visitor Status?' page. It includes an I-94 icon, a title, a paragraph of text, and a button:

**Already Visiting & Need Proof of Visitor Status?**

A traveler lawfully admitted (or paroled) into the U.S. may look up their most recent Form I-94 going back to 1983 for most classes of admission (or parole), and indefinitely for certain classes, such as diplomats and those admitted under the Compacts of Free Association. The corresponding Form I-94 may then be printed here. This is considered your lawful record of admission.

If someone requests your admission information, this is the form you would provide.

**GET MOST RECENT I-94**

# Step 3:

## Complete all fields EXACTLY as they appear on individual's passport

### Enter Your Traveler Info

**Note:** The info returned may not reflect applications submitted to or benefits received by U.S. Citizenship and Immigration Services or Immigration and Customs Enforcement.

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**\* First (Given) Name :**  **\* Last (Family) Name/Surname :**


**\* Birth Date :**

**\* Document Number :**

**\* Country Of Citizenship :**

[Cancel](#) [NEXT >](#)

### Sample Passport



**Enter all information exactly as it appears on your travel documentation you used to enter the U.S.**

Enlarge the image to see more detail.

### Privacy Notice

CBP will retain the information you submit when attempting to access your records through this website for 3 months...

[Read Full Privacy Notice](#)





# SAMPLE I-94 (ELECTRONIC)



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Last/Surname : [REDACTED]

First (Given) Name : [REDACTED]

Birth Date : [REDACTED]

Document Number : [REDACTED]

Country of Citizenship : Haiti

[Get Travel History](#)

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# Work Permit Applications

- Filed with USCIS (Citizenship & Immigration Services) using form I-765
- Application looks simple but can be tricky - requires support from knowledgeable legal professionals
- Costs \$410 but many families eligible to file I-912, Request for Fee Waiver
- Can check status of pending applications at:  
<https://egov.uscis.gov/>




**THIS NOTICE DOES NOT GRANT ANY IMMIGRATION STATUS OR BENEFIT.**

<b>ASC Appointment Notice</b>		<b>APPLICATION/PETITION/REQUEST NUMBER</b> LIN333333333	<b>NOTICE DATE</b> 09/02/2014
<b>CASE TYPE</b> 1131 - APPLICATION FOR TRAVEL DOCUMENT	<b>SOCIAL SECURITY NUMBER</b>	<b>USCIS A#</b> A333333333	<b>CODE</b> 3
<b>ACCOUNT NUMBER</b>	<b>TCB</b>	<b>SERVICE CENTER</b> NSC	<b>PAGE</b> 1 of 1

**BIOMETRICS PROCESSING STAMP**

ASC SITE CODE: XHF  
BIOMETRICS QA REVIEW BY:  
33333 ON SEP 10 2014  
TENPRINTS QA REVIEW BY:  
33333 ON SEP 10 2014



Stamp received at appointment - keep as proof of attendance

To process your application, petition, or request, USCIS must capture your biometrics. PLEASE APPEAR AT THE BELOW APPLICATION SUPPORT CENTER AT THE DATE AND TIME SPECIFIED. IF YOU FAIL TO APPEAR AS SCHEDULED, YOUR APPLICATION, PETITION, OR REQUEST WILL BE CONSIDERED ABANDONED.

**APPLICATION SUPPORT CENTER**  
USCIS HONOLULU  
500 ALA MOANA BOULEVARD #2-403  
HONOLULU HI 96813

**PLEASE READ THIS ENTIRE NOTICE CAREFULLY.**  
**DATE AND TIME OF APPOINTMENT**  
09/10/2014  
09:00AM

**WHEN YOU GO TO THE APPLICATION SUPPORT CENTER TO HAVE YOUR BIOMETRICS TAKEN, YOU MUST BRING:**  
1. **THIS APPOINTMENT NOTICE** and  
2. **PHOTO IDENTIFICATION.** Naturalization applicants must bring their Alien Resident Card. All other applicants must bring a passport, driver's license, national ID, military ID, or State-issued photo ID. If you appear without proper identification, you will not be fingerprinted.

CELL PHONES, CAMERAS, OR OTHER RECORDING DEVICES ARE NOT PERMITTED.

**REQUEST FOR RESCHEDULING**

**Please reschedule my appointment.** Once USCIS receives your request, you will be sent a new appointment notice. Make a copy of this notice for your records, then mail the original with your request to BPU, Alexandria ASC, Suite 100, 8850 Richmond Hwy, Alexandria, VA 22309-1586

- Fingerprints/photo
- If missed, case can be denied
- Reschedules ok but will delay process
- Many in MA will get appts in Revere, others in NH or RI





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# Immigration Court

Formally known as “Executive Office for Immigration Review” (EOIR)

# Removal (Deportation) Proceedings



- Department of Homeland Security/ Immigration and Customs Enforcement (DHS/ICE) = prosecutor
- Charge is usually being present in US without valid visa
- No right to appointed counsel, but can ask for time to find one
- Civil proceedings, but individuals can be detained
- Significant backlogs in processing BUT some cases are fast-tracked
- Loss in court = removal (deportation) order



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# Immediate Need:

## *Avoid in absentia* removal order

1. Confirm date, time and location of next hearing
2. Update address with EOIR & DHS (if needed)
3. File motion to change venue (if needed and advised by attorney)

# Notice to Appear in Immigration Court

- Charging document that starts removal proceedings
- Issued by DHS, then filed with the Immigration Court; hearing date not always accurate
- Address on NTA should match current mailing address; if not, client required to change address with DHS/EOIR
- Client is responsible for keeping address updated and checking for upcoming hearing dates

U.S. Department of Homeland Security

**Your A number** → **Notice to Appear**

**In removal proceedings under section 240 of the Immigration and Nationality Act:**

Subject ID: [REDACTED] FINS #: [REDACTED] File #: [REDACTED]  
DOB: [REDACTED] Event No: [REDACTED]

In the Matter of:  
Respondent: [REDACTED] currently residing at:  
[REDACTED] (Number, street, city and ZIP code) [REDACTED] (Area code and phone number)

**Address on file with DHS & EOIR**

1. You are an arriving alien.  
 2. You are an alien present in the United States who has not been admitted or paroled.  
 3. You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:  
1. You are not a citizen or national of the United States;  
2. You are a native of HONDURAS and a citizen of HONDURAS;  
3. You arrived in the United States at or near [REDACTED], on or about [REDACTED];  
4. You were not then admitted or paroled after inspection by an Immigration Officer.

**The immigration court where your hearing will be scheduled**

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:  
212(a)(6)(A)(i) of the Immigration and Nationality Act, as amended, in that you are an alien present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General.

This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.  
 Section 235(b)(1) order was vacated pursuant to:  8CFR 208.30(f)(2)  8CFR 235.3(b)(5)(iv)

**You are hereby ordered to appear before an immigration judge of the United States Department of Justice at:**  
5701 Executive Center Drive Suite 400 Charlotte NC US 28212

(Complete Address of Immigration Court, including Room Number, if any)

on a date to be set at a time to be set to show why you should not be removed from the United States based on the charge(s) set forth above.

NICHOLAS E. MUNOZ ACTING PATROL AGENT IN CHARGE  
(Signature and Title of Issuing Officer)

Date: April 18, 2018 McAllen, Texas  
(City and State)

See reverse for important information

Form I-862 (Rev. 08/01/07) N

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# Notice of Hearing in Immigration Court

- Official notice from court that hearing is taking place
- **Attendance mandatory!** Missed hearing = automatic removal order
- Hearing type:
  - Master Calendar - can ask for more time to find lawyer
  - Individual - need lawyer
- To change location of hearing, must file motion to change venue

NOTICE OF HEARING IN REMOVAL PROCEEDINGS  
IMMIGRATION COURT  
201 VARICK ST., 5TH FL RM 507  
NEW YORK, NY 10014

RE: [REDACTED]  
FILE: [REDACTED] DATE: Sep 22, 2020

TO: [REDACTED] Your A number

Please take notice that the above captioned case has been scheduled for a **INDIVIDUAL** hearing before the Immigration Court on [REDACTED] at [REDACTED] at

201 VARICK ST., Courtroom 5  
NEW YORK, NY 10014

Location  
of hearing

Date and time  
of your hearing

The type  
of hearing

You may be represented in these proceedings, at no expense to the Government, by an attorney or other individual who is authorized and qualified to represent persons before an Immigration Court. Your hearing date has not been scheduled earlier than 10 days from the date of service of the Notice to Appear in order to permit you the opportunity to obtain an attorney or representative. If you wish to be represented, your attorney or representative must appear with you at the hearing prepared to proceed. You can request an earlier hearing in writing.

Failure to appear at your hearing except for exceptional circumstances may result in one or more of the following actions: (1) You may be taken into custody by the Department of Homeland Security and held for further action. OR (2) Your hearing may be held in your absence under section 240(b)(5) of the Immigration and Nationality Act. An order of removal will be entered against you if the Department of Homeland Security established by clear, unequivocal and convincing evidence that a) you or your attorney has been provided this notice and b) you are removable.

IF YOUR ADDRESS IS NOT LISTED ON THE NOTICE TO APPEAR, OR IF IT IS NOT CORRECT, WITHIN FIVE DAYS OF THIS NOTICE YOU MUST PROVIDE TO THE IMMIGRATION COURT NEW YORK, NY THE ATTACHED FORM EOIR-33 WITH YOUR ADDRESS AND/OR TELEPHONE NUMBER AT WHICH YOU CAN BE CONTACTED REGARDING THESE PROCEEDINGS. EVERYTIME YOU CHANGE YOUR ADDRESS AND/OR TELEPHONE NUMBER, YOU MUST INFORM THE COURT OF YOUR NEW ADDRESS AND/OR TELEPHONE NUMBER WITHIN 5 DAYS OF THE CHANGE ON THE ATTACHED FORM EOIR-33. ADDITIONAL FORMS EOIR-33 CAN BE OBTAINED FROM THE COURT WHERE YOU ARE SCHEDULED TO APPEAR. IN THE EVENT YOU ARE UNABLE TO OBTAIN A FORM EOIR-33, YOU MAY PROVIDE THE COURT IN WRITING WITH YOUR NEW ADDRESS AND/OR TELEPHONE NUMBER BUT YOU MUST CLEARLY MARK THE ENVELOPE "CHANGE OF ADDRESS." CORRESPONDENCE FROM THE COURT, INCLUDING HEARING NOTICES, WILL BE SENT TO THE MOST RECENT ADDRESS YOU HAVE PROVIDED, AND WILL BE CONSIDERED SUFFICIENT NOTICE TO YOU AND THESE PROCEEDINGS CAN GO FORWARD IN YOUR ABSENCE.

A list of free legal service providers has been given to you. For information regarding the status of your case, call toll free 1-800-898-7180 or 240-314-1500. For information on Immigration Court procedures, please consult the Immigration Court Practice Manual, available at [www.usdoj.gov/eoir](http://www.usdoj.gov/eoir).

CERTIFICATE OF SERVICE

THIS DOCUMENT WAS SERVED BY: MAIL (M) PERSONAL SERVICE (P) ELECTRONIC SERVICE (E)  
TO: [ ] ASST. CLERK [ ] Custodial Officer [ ] ADJ. CLERK [ ] DHS  
DATE: 9/22/2020 BY: COURT STAFF [ ] V3  
Attachments: [ ] EOIR-33 [ ] EOIR-28 [ ] Legal Services List [ ] Other

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# How to check case status in Immigration Court

Step One: Go to

<https://acis.eoir.justice.gov/en/>

Step Two: Enter A#

Step Three: Print results

→ If you see this:

***No case found for this A-Number.***

The NTA has not yet been filed with the Court. Client should (1) make sure address is up-to-date and (2) check back regularly.

## Enter your A-Number

A-Number *\*Required*

[? What's an A-Number?](#)

SUBMIT

*ⓘ Case information from this automated resource is provided for convenience only. Documents the immigration court or Board of Immigration Appeals issue to you or your representative are the only official determinations related to your case.*

# Automated Case Information

Name: [REDACTED] | A-Number: [REDACTED] | Docket Date: 9/23/2022

## Next Hearing Information

Your upcoming **MASTER** hearing is **IN PERSON** on **April 16, 2024** at **8:30 AM**

**JUDGE**

Kahan, Michelle

**COURT ADDRESS**

JFK BLDG, 15 NEW SUDBURY, #320  
BOSTON, MA 02203

## Decision and Motion Information



*This case is pending.*

## Case Appeal Information

No appeal was received for this case.

## Court Contact Information

If you require further information regarding your case, or wish to file additional documents, please contact the immigration court.

**COURT ADDRESS**

JFK FEDERAL BLDG., ROOM 320  
BOSTON, MA 02203

**PHONE NUMBER**

(617) 565-3080

# Accessing Internet-Based Hearings

- Immigration Court uses Webex platform; requires stable Internet connection and computer with microphone/camera
- Links for individual courtrooms can be found at:  
<https://www.justice.gov/eoir/find-immigration-court-and-access-internet-based-hearings>
- Each courtroom has dedicated tech support for online hearings; contact information can be found at:  
<https://www.justice.gov/eoir/internet-based-hearings-technical-support>



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Short-term Need:

File asylum application prior to  
one-year deadline

# ASYLUM & REFUGEE STATUS

- Must prove well-founded fear of persecution in home country based on:
  - Race
  - Religion
  - National origin
  - Political opinion
  - Membership in particular social groups
- Challenges specific to asylees:
  - **One year deadline**
  - Enter US without legal status or with temporary legal status
  - No work permit until asylum app has been pending for 150 days
  - Limited benefits eligibility until asylum is approved (can take years)





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“The Boston asylum office for U.S. Citizenship and Immigration Services **granted only about 11% of applications** last year, less than half the national average.”

WGBH News, [“Boston asylum office has second lowest grant rate for asylum seekers in the country.”](#) Sarah Betancourt, March 23, 2022

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# Long Term Need: Asylum representation



# Legal Services

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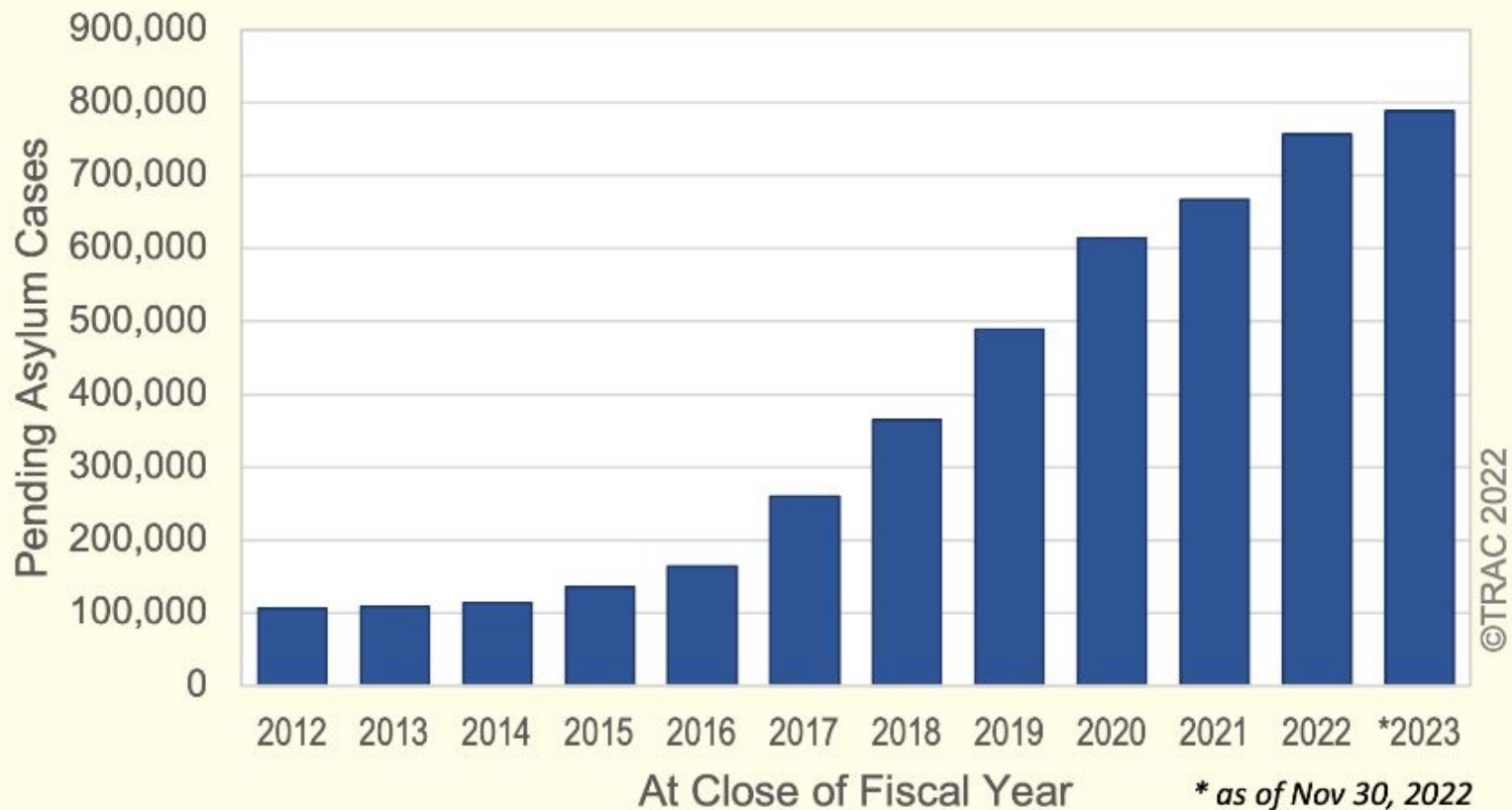
- There simply are not enough immigration lawyers to represent everyone in need
- Private attorneys are costly because cases are complex and often last many years
- Nonprofit legal services:
  - Stretched to capacity, most not taking new cases
  - Limited in who they can serve
  - Sometimes offer *pro se* asylum assistance to meet deadline

# WARNING RE: NOTARIO FRAUD & UNAUTHORIZED PRACTICE OF LAW

- Only licensed attorneys and Department of Justice Accredited Representatives can give you immigration advice and represent you in Immigration Court
- “Notarios,” visa consultants, and immigration consultants are NOT attorneys or accredited representatives
- Do not pay ANY agency or person money unless you have confirmed they are licensed attorneys or accredited representatives
- Can report notarios to Mass. Attorney General’s Office



## Growth in the Immigration Court Asylum Backlog



# Legal service providers

- **Massachusetts:**  
Massachusetts Legal Resource  
Finder: <https://masslrf.org/en/home>
- **Outside of Massachusetts:**  
Immigration Advocates Network  
Legal Directory:  
<https://www.immigrationadvocates.org/legaldirectory/>





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# Frequently Asked Questions

# What is Temporary Protected Status, or TPS?

- Temporary status given to nationals of certain countries
- Strict eligibility criteria based on date of entry/dates of residence
- Allows recipient to access:
  - Work authorization
  - Travel document
  - Protection from removal
- Must re-register, usually every 18 months

# DESIGNATED TPS COUNTRIES (as of July 2023)

<https://www.uscis.gov/humanitarian/temporary-protected-status>

- Afghanistan
- Burma (Myanmar)
- Cameroon
- El Salvador
- Ethiopia
- Haiti (entry before 11/6/22)
- Honduras
- Nepal
- Nicaragua
- Somalia
- South Sudan
- Sudan
- Syria
- Ukraine
- Venezuela
- Yemen



# Which recent arrivals are eligible for benefits?

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- Cubans or Haitians who are in removal proceedings, have been paroled, or have a pending asylum application (also known as “Cuban Haitian entrants”)
- Benefits category only - not an immigration status
- Eligible for:
  - MassHealth Standard
  - SNAP
  - TAFDC (families with children or pregnant women) or Refugee Cash Assistance
  - Refugee benefits



# How can I get involved?



1. Keep doing what you're doing
2. [Sign up to volunteer](#) for upcoming IAS Legal Clinics 
3. Donate to MIRA to support this work
4. Contribute to an organization on the ground
5. Follow the MIRA Coalition on social media for up to date information:



Twitter and Facebook: @MiraCoalition

Instagram: @MIRA\_Coalition