

VERIFICATION OF ELIGIBLE IMMIGRANT STATUS

Name of Client: _____ Case Number: _____

Client's immigration status, with supporting documentation (as described for phone intake, or as reviewed in person) is as follows: (Check the appropriate box, add the A# (if any), write in document reviewed (if any--see Addendum for document list), date and sign the bottom.)

I. ELIGIBLE FOR LSC FUNDED SERVICES

- A. Lawful Permanent Resident
- B. Refugee
- C. Asylee
- D. Granted Withholding of Deportation, Exclusion or Removal
- E. Conditional Entrant
- F. Special Agricultural Worker Temporary Resident
- G. Alien Who Is Spouse, Parent Or Child (Unmarried And Under 21) Of A U.S. Citizen AND Has A Pending Application For Adjustment Of Status To Permanent Residency.
- H. Victims of Severe Forms of Human Trafficking and Family Members

*Client's A#: _____ Doc date: _____

Document Reviewed: _____ or Addendum box checked

II. ELIGIBLE FOR RELATED LEGAL SERVICES (KENNEDY AMENDMENT)

The legal assistance requested must be related to:

- A. Relief from Battery or Extreme Cruelty
- B. Relief to Victim of a Sexual Assault
- C. Relief to Person Who Qualifies For U Visa
- D. Relief to Victim of Trafficking

*Client's A#: _____ Doc date: _____

Document Reviewed: _____ or Addendum box checked

III. SPECIAL ELIGIBILITY CATEGORIES

- A. Canadian-born American Indian at least 50% Indian by blood.
- B. Member of the Texas Band of Kickapoo
- C. Hague Convention (International Child Abduction Cases)
- D. Agricultural Worker (H-2A Worker) or Forestry Worker (H-2B Worker)

*Client's A#: _____ Doc date: _____

Document Reviewed: _____ or Addendum box checked

*An A number is required for in-person verification if relying on an immigration document to establish eligibility

In Person Verification of eligible status completed:

Signature of Attorney/Legal Worker who reviewed document(s)

Dated: _____

ADDENDUM TO VERIFICATION OF ELIGIBLE IMMIGRANT STATUS FORM

Use this addendum as a guide to what documents can be used for page 1. You can either write in the document type in page 1, or check the box below.

I. ELIGIBLE FOR LSC FUNDED SERVICES

A. Lawful Permanent Resident

- I-551 *or* I-151 -Alien Registration Receipt Card or Permanent Resident Card (“Green Card”)
- I-181 (Memorandum of Creation of Record of Lawful Permanent Residence) with approval stamp
- Passport bearing immigrant visa *or* stamp indicating admission for lawful permanent residence
- Order granting residency, suspension of deportation, cancellation of removal, or adjustment of status
- I-327 Permit to Reenter the US
- I-94, with stamp indicating admission for lawful permanent residence
- Any verification from INS or DHS or other authoritative document, including online or email verification
(Specify): _____

B. Refugee

- I-94 or passport stamped “refugee” or §207
- I-688B *or* I-766 coded 8 CFR §274.a12(a)(3)(Refugee) or “A3” or 8CFR §274.a12(a)(4) (paroled asylees) or “A4”
- I-571 refugee travel document
- Any verification from INS or DHS or other authoritative document, including online or email verification
(Specify): _____

C. Asylee

- I-94 or passport stamped “asylee” or §208
- Order granting asylum from INS, DHS, immigration judge, BIA, or federal court
- I-571 refugee travel document
- I-688B *or* I-766 coded 8 CFR §274a.12(a)(5)(asylee) or “A5”
- Any verification from INS or DHS or other authoritative document, including online or email verification
(Specify): _____

D. Granted Withholding of Deportation, Exclusion or Removal

- I-94 stamped “§243(h)” or “§241(b)(3)” or order granting withholding of deportation/deferral of removal from DHS, ICE, immigration court, BIA, or federal court
- I-688B *or* I-766 coded 8 CFR §274a.12(a)(10)(withholding of deportation) or “A10”
- Any verification from INS or DHS or other authoritative document, including online or email verification
(Specify): _____

E. Conditional Entrant

- I-94 or passport stamped “conditional entrant” (Status under former INA § 203 (a)(7); 8 USC §1153 (a)(7) as in effect prior to April 1, 1980.)

- Any verification from INS or DHS or other authoritative document, including online or email verification
(Specify): _____

F. Special Agricultural Worker Temporary Resident

- I-688, 688A, 688B or 766 indicating issuance under § 210 (or under 8 CFR §274a.12 (a)(2) or coded “A2” with other evidence indicating eligibility under INA §210)
- Any verification from INS or DHS or other authoritative document, including online or email verification
(Specify): _____

G. Alien Who Is Spouse, Parent Or Child (Unmarried And Under 21) Of A U.S. Citizen AND Has A Pending Application For Adjustment Of Status To Permanent Residency.

In order to qualify for LSC-funded services the non-citizen must have: 1) a qualifying relationship (from G -1); and 2) a pending qualifying application (from G -2) and 3) proof of filing.*.

1. Qualifying Familial Relationship

- married to U.S. citizen
- parent of U.S. citizen
- unmarried child (under 21) of U.S. citizen parent

LAFLA ADVOCATE: Ask to see proof of relationship to qualifying U.S. citizen AND verify that there is a pending qualifying application for adjustment of status to permanent residency.

Proof of relationship to U.S. citizen may include a copy of the alien's marriage certificate accompanied by proof of the spouse's U.S. citizenship; a copy of the birth certificate, baptismal certificate, adoption decree or other documents demonstrating that the alien is the parent of a U.S. citizen under the age of 21; a copy of the alien's birth certificate, baptismal certificate, adoption decree, or other documents demonstrating that the alien is a child under the age of 21, accompanied by proof that the alien's parent is a U.S. citizen; or in lieu of the above, a copy of Form I-130 (Petition for Alien Relative); or Form I-360 (Petition for Amerasian, Widow(er) or Special Immigrant) containing information that demonstrates that the person is related to such a U.S. citizen, accompanied by proof of filing.

2. Qualifying Application for Adjustment of Status to Permanent Residency

- Application to Register Permanent Residence or Adjust Status: Form I-485
- Adjustment of Status Under Section 245(i): Supplement A to Form I-485
- Advance Parole: Form I-512, indicating applicant has applied for adjustment of status
- Application for Suspension of Deportation: Form I-256A (for persons in proceedings initiated before April 1, 1997) or EOIR-40
- Application for Cancellation of Removal and Adjustment of Status for Certain Nonpermanent Residents: Form EOIR-42B
- Petition for Amerasian, Widow(er), or Special Immigrant: Form I-360 indicating petition filed as widow(er) or battered or abused spouse or child of a U.S. citizen or lawful permanent resident
- Petition for Alien Relative: Form I-130
- Application for Immigrant Visa and Alien Registration: Form DS-230
- Petition for Alien Fiance(e): Form I-129F (for spouses and children of U.S. citizens under the LIFE Act, as amended)
- Application to Extend/Change Nonimmigrant Status: Form I-539, indicating application for V

nonimmigrant status

- Application for Asylum: Form I-589
- Application to Adjust Status from Temporary to Permanent Resident (Under Section 245A of the INA): Form I-698
- Refugee/Asylee Relative Petition: Form I-730
- Application for Suspension of Deportation or Special Rule Cancellation of Removal (NACARA): Form I-881
- Employment Authorization Document: Form I-688B or I-766, coded “8 C.F.R. § 274.a.12(c)(9) *or* “C9” *or* marked “Serves as I-512 Advance Parole”
- Employment Authorization Form: I-688B or Employment Authorization Document: I-766 coded “8 C.F.R. 274a.12(a)(9)” or “(a)(9)”; “(a)(13)” or “A13”; “(a)(14)” or “A14”; “(a)(15)” or “A15”; “(c)(16)” or “C16”; “(c)(8)” or “C8”; (c)(10)” or “C10”; “(c)(21)” or “C21”; “(c)(24)” or “C24”
- Notice of Action: Letter or Form I-797 issued by DHS or INS acknowledging receipt or approval of any of the above-listed applications or petitions
- I-94 (arrival/departure record) with stamp indicating entry under advance parole (INA § 212(d)(5) to pursue an above-listed application or petition
- Any verification or authoritative document issued by DHS or INS, including online or email verification.
(Specify): _____

*Proof of filing may include a fee receipt or an online or email printout showing that the application was filed with USCIS or DHS (formerly INS prior to March 1, 2003) or the immigration court; OR a filing stamp showing that the application was filed; OR a grant of a fee waiver for such application, a biometrics appointment notice indicating such pending application, a printout from the USCIS online service, OR a copy of the application accompanied by a notarized statement signed by the alien that such form was filed.

H. Victims of Severe Forms of Human Trafficking and Family Members

(LSC funded services may be provided to victims of severe forms of human trafficking and their eligible family members without regard to their immigration status. For victims of trafficking who are under the age of 21, the victim’s spouse, children, unmarried siblings under age 18 and parents are eligible family members. For victims who are 21 years of age or older, only the victim’s spouse and children are eligible family members. Representation and legal services on behalf of the trafficking victim and eligible family members may include assistance in obtaining certification and/or a visa as well as providing assistance with any other legal matters.)

1. Victims of Severe Forms of Human Trafficking

- Adult (18 and over) trafficking victim eligible for and seeking assistance with certification plus a written statement made by the person or others, or summary of a statement, including LAFLA staff, concerning the facts that establish the person is a victim of a severe form of human trafficking
- Child (under 18) trafficking victim plus a written statement made by the person or others, or summary of a statement, including LAFLA staff, concerning the facts that establish the person is a victim of a severe form of human trafficking
- HHS certification
- HHS eligibility letter or HHS interim eligibility letter
- Certification status verified through the HHS Trafficking Verification Line: (202)-401-5510 or (866) 401-5510
- I-914 (T Nonimmigrant Status application);
- I-94 or passport stamped “T-1”
- I-766 (employment authorization document) coded “(a)(16” or “A16”
- Form I-797 Notice of Action indicating approval of T-1 status
- Any computerized verification from HHS, INS, USCIS, DHS or other authoritative document

(Specify): _____

2. Family Member of Trafficking Victim

- Spouse or child of a Trafficking Victim seeking assistance with application for derivative T status with evidence (from H-1) that the principal is a victim of a severe form of human trafficking
- Unmarried Sibling under age 18 of the Trafficking Victim, the Trafficking Victim is under age 21, and the Unmarried Sibling is seeking assistance with application for derivative T status with evidence (from H-1) that the principal is a victim of a severe form of human trafficking;
- Parent of a Trafficking Victim, the Trafficking Victim is under age 21, and the Parent is seeking assistance with application for derivative T status with evidence (from H-1) that the principal is a victim of a severe form of human trafficking
- I-914, Supplement A (Application for Immediate Family Member of T-1 Recipient)
- I-94 or passport stamped T-2, T-3, T-4, T-5 or T-6
- Form I-797 Notice of Action indicating approval of T-2, T-3, T-4, T-5 or T-6
- I-766 (employment authorization document) coded “(c)(25)” or “C25”
- Any computerized verification from HHS, INS, USCIS, DHS or other authoritative document
(Specify): _____

**II. ELIGIBLE FOR RELATED LEGAL SERVICES UNDER ANTI-ABUSE PROVISIONS OF THE KENNEDY AMENDMENT (“VAWA 2006”)*
(Violence Against Women Act, Public Law 109-162, 119 Stat. 2960, January 5, 2006)**

Related legal assistance is being provided to a non-citizen who qualifies under the Kennedy Amendment because:

A. Relief from Battery or Extreme Cruelty

- The client has been battered or subjected to extreme cruelty in violation of a US law (regardless of where the activity occurred)
- The client is the parent of a child who has been battered or subjected to extreme cruelty (without the active participation of the alien parent in the battery or extreme cruelty) in violation of a US law (regardless of where the activity occurred)

B. Relief to Victim of a Sexual Assault

- The client has been the victim of sexual assault in violation of a US law (regardless of where the activity occurred)
- The client is the parent of a child who has been the victim of sexual assault. (without the active participation of the alien parent in the sexual assault) in violation of a US law (regardless of where the activity occurred)

C. Relief to Person Who Qualifies For U Visa

- The client has been the victim of a crime listed in 101(a)(15)(U)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101 (a)(15)(U)(iii))
- The client is the parent of a child who has been the victim of a crime listed in 101(a)(15)(U)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101 (a)(15)(U)(iii)).
(without the active participation of the alien parent in the crime)
- The client is the derivative family member of the principal who has been the victim of a crime listed in 101(a)(15)(U)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101 (a)(15)(U)(iii)).
(Derivative family members are: Spouse and unmarried children (under 21) of a principal crime victim over age 21; OR Spouse, children, parents and unmarried siblings (under 18) of a principal crime victim under age 21)

D. Relief to Victim of Trafficking (See Section I H, which provides broader eligibility to victims of severe forms of human trafficking.)

- The client has been the victim of trafficking and is physically present in the US when services are initiated in the United States
- The client is the parent of a child who has been the victim of trafficking in the U.S. (without the active participation of the alien parent in the trafficking) and is physically present in the US when services are initiated

*A non-citizen qualifies under the Kennedy Amendment for “related legal assistance” if s/he has been battered or subjected to extreme cruelty or a victim of sexual assault or trafficking in the US, or qualifies for relief under 101 (a)(15)(U) of the Immigration and Nationality Act (8 USC 1101(a)(15)(U)); or to an alien whose child, without the active participation of the alien, has been battered or subjected to extreme cruelty or a victim of sexual assault or trafficking in the US, or qualifies for relief under 101 (a)(15)(U) of the Immigration and Nationality Act (8 USC 1101(a)(15)(U)). Related legal assistance is such assistance that is directly related to the prevention of, or obtaining relief from, the battery or cruelty the sexual assault, the trafficking or the crime listed in 101(a)(15)(U)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101 (a)(15)(U)(iii)). Such representation may include immigration law matters and domestic or poverty law matters (such as obtaining civil protective orders, divorce, paternity, child custody, child and spousal support, housing, public benefits, employment, abuse and neglect, juvenile proceedings and contempt actions.

III. SPECIAL ELIGIBILITY CATEGORIES

- Canadian-born American Indian at least 50% Indian by blood.**
- Member of the Texas Band of Kickapoo**
- Hague Convention (International Child Abduction Cases)**

Legal assistance is for an indigent foreign national seeking assistance under the Hague Convention on the Civil Aspects of International Child Abduction and the federal implementing statute, the International Child Abduction Remedies Act, 42 U.S.C. 11607 (b).

- Agricultural Worker (H-2A Worker) or Forestry Worker (H-2B Worker)**

Nonimmigrant agricultural workers, commonly called “H-2A workers” or forestry workers, commonly called H-2B workers, receiving limited legal assistance in matters arising under the provisions of the specific employment contract concerning: (1) wages, (2) housing, (3) transportation, and (4) other employment rights as provided in the worker’s specific contract.

- I-94 or passport stamped “H-2A” or “H-2B”
- Any verification from INS or DHS or other authoritative document, including online or email verification
(Specify): _____