

UnLocal

Community Immigration
Legal and Education Services

DACA UPDATES

Legal Challenges

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AGENDA

1. What is DACA? *Benefits & Drawbacks*
2. 2021 Texas Federal Court Ruling
3. Biden Administration
4. Ongoing Litigation
5. Questions

WHAT IS DACA?

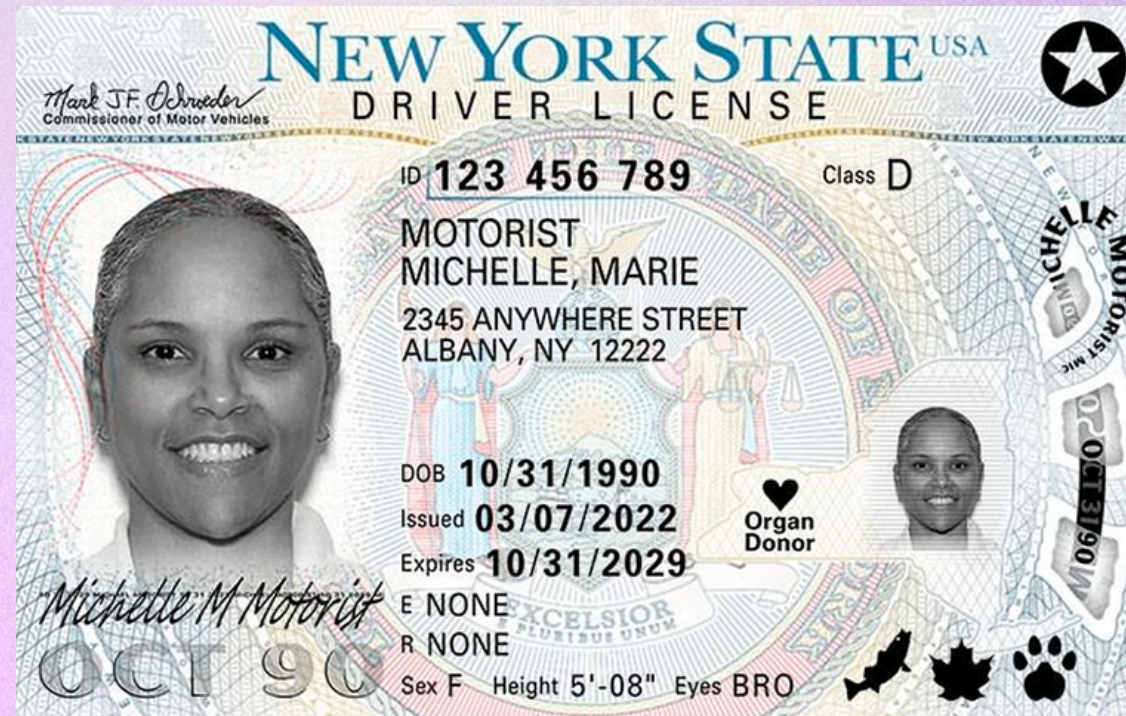
An executive action issued in 2012 by the Obama administration to help undocumented immigrants who came to the U.S. as young people receive **temporary protection from deportation and work authorization**

BENEFITS OF DACA

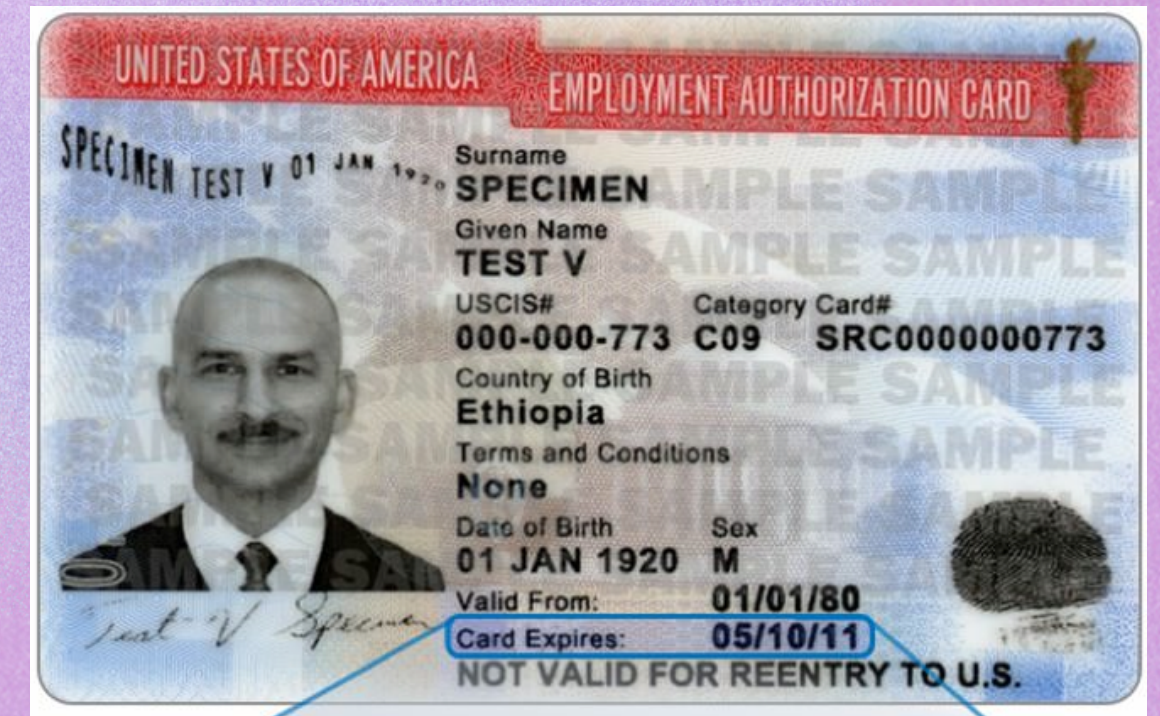
Social Security Card



State ID Cards/ Drivers License



Employment Authorization Card



DACA DRAWBACKS

- Does not provide a path to permanent residency
- Created via Executive Action and susceptible to legal challenges
- Sharing personal information with government

2021 TEXAS FEDERAL COURT RULING

On July 16, 2021, a judge in Texas issued a decision finding the DACA program unlawful.

Three DACA Categories

- Current DACA Recipient
- Renewal DACA Requestor
- Initial DACA Requestor

CURRENT DACA RECIPIENTS

HAD DACA BEFORE JULY 16, 2021, AND WORK AUTHORIZATION HAS NOT EXPIRED, ELIGIBLE TO REQUEST RENEWAL

- Can continue apply for advanced parole
- Confidential application information will not be shared with ICE or CPB
- Can continue to renew DACA

ADVANCED PAROLE

- \$575 filing fee
- Safe to travel abroad if you return before the document and DACA expires
- Only for humanitarian, education, and employment purposes

DACA RENEWALS

USCIS WILL CONTINUE TO PROCESS AND ISSUE A DECISION ON DACA RENEWAL REQUESTS

IMPORTANT TO RENEW DACA AS SOON AS POSSIBLE

Recommended to submit renewals between 120 - 150 days prior to the current DACA expiration date

USCIS CRITERIA FOR DACA RENEWAL REQUESTS

- Did not depart the U.S. on or after August 15, 2012 without advance parole
- Resided in the U.S. since submitting request
- Not convicted of a felony or significant misdemeanor

FACTORS THAT MIGHT DELAY DACA RENEWAL REQUESTS

- Biometrics Appointment no show
- Issues found in a background check
- Clarification on trips taken abroad
- Name / DOB discrepancies
- Incomplete application

INITIAL DACA REQUESTOR

- First-time request for DACA
- Previously granted DACA but did not renew within one year of expiration
- Previously DACA grant terminated and applying again

****Pending DACA requests****

BIDEN ADMINISTRATION

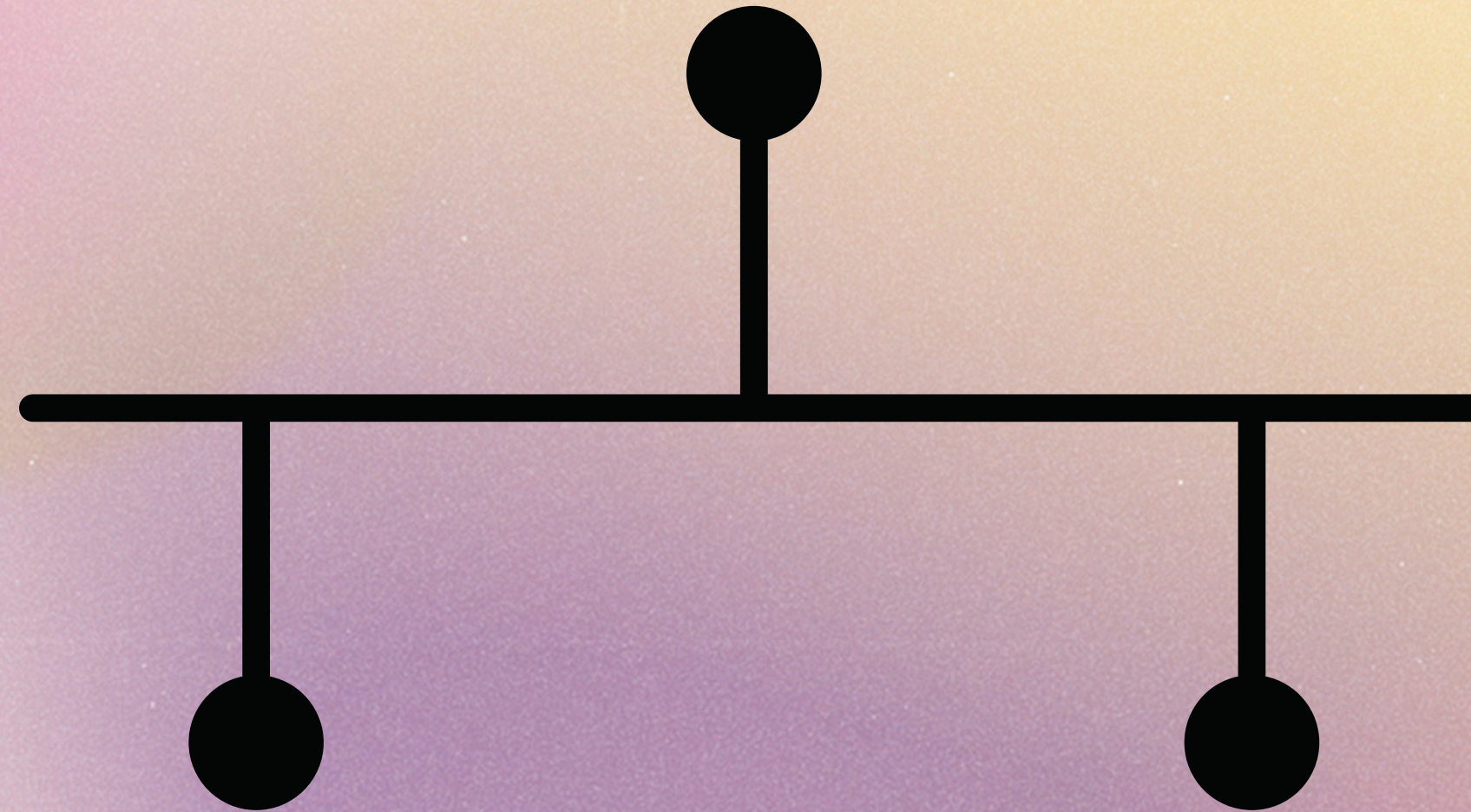


Biden appealed the Texas decision to the U.S. Court of Appeals for the Fifth Circuit where the appeal and ruling remains pending.

LEGAL TIMELINE

TEXAS FEDERAL COURT RULING

JULY 16, 2021



BATALLA VIDAL

APRIL 4, 2022 - AUGUST 3, 2022

**GARLAND V.
GONZALEZ**

JUNE 2022

TEXAS V. UNITED STATES

Possible Outcomes:

- Ruling DACA legal
- Ruling states cannot bring lawsuits in federal court on DACA
- Rule Texas decision premature
- Agree with Texas ruling

BATALLA VIDAL V. MAYORKAS

**DACA RECIPIENTS, FIRST-TIME APPLICANTS, AND
SUPPORTING ORGANIZATIONS REQUEST FINALIZED
DECISION ON 78,000 PENDING APPLICATIONS**

THIS IS STILL ONGOING LITIGATION

**THE OUTCOME WILL NOT CHANGE THE 2021 TEXAS
DECISION**

GARLAND V. GERMAN GONZALEZ

INITIAL RULING

Two federal appeals courts rejected the federal government's policy of endless detention without bail

CHALLENGE

In June 2022, the Supreme Court overturned the lower courts' rulings arguing immigrants cannot seek injunctions

OUTCOME

- Denies bond hearings
- Challenge policy on constitutional grounds
- Denies class action lawsuits

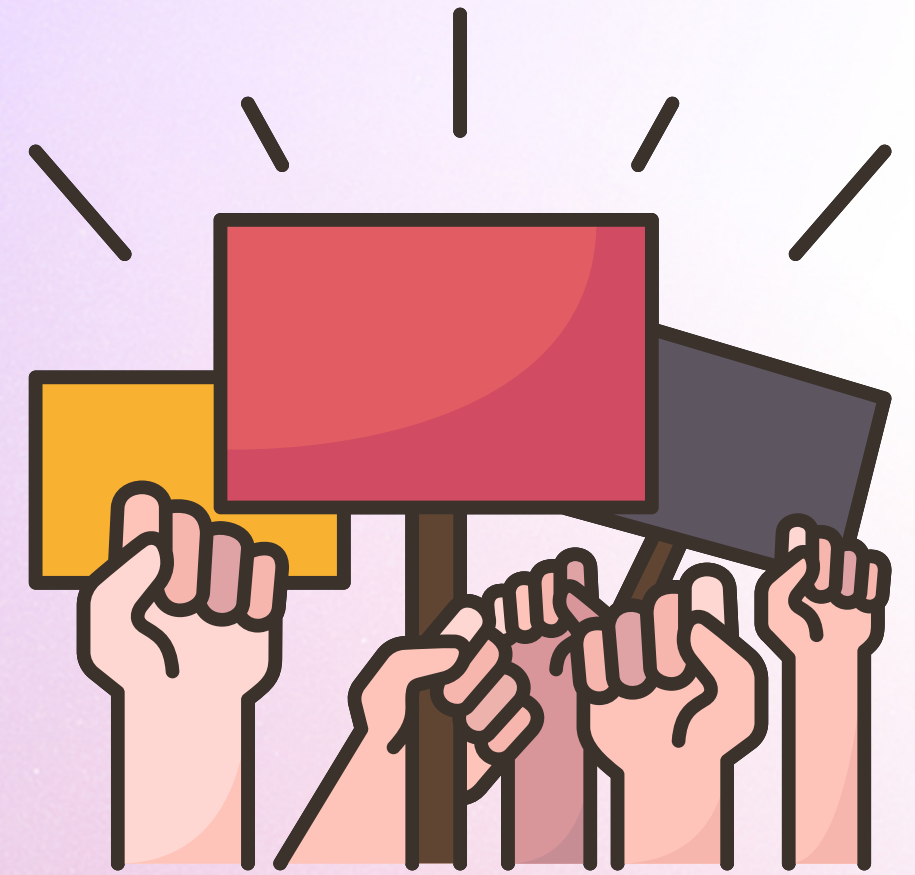
"ACTIVISM LEADS, THE LAW FOLLOWS"



Call your
representatives



Advocate for
immigration reforms on
the state level



Join
demonstrations

RESUMEN

- **The status of DACA is always changing, important to stay up to date with ongoing litigation**
- **Ultimately, it's up to Congress to create a pathway to citizenship for DACA recipients and Dreamers.**

**DACA RENEWALS CAN NOW BE
DONE ONLINE**

**UNLOCAL CAN HELP PAY
RENEWAL FEES**

***OFFICE HOTLINE NUMBER:
(646) 216 - 8210***



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