



Immigration 101 and Referrals for Shelter Providers

April 2, 2024



Agenda

1. Immigration 101
2. Work Authorization
3. Referring Emergencies
4. Q&A

Immigration 101





Journey to the US

Asylum Seekers/Non-Resettled Refugees

Leave Home Country & Enter Mexico

Mexico City – many waiting

Smuggler influences all over the world now

Wait in Mexico for months

Assistance of Non-Profits

For example: Jewish Family Services, Catholic Charities

2-3 days respite

Differs w/Texas, AZ, NM, CA

Enter the US

Authorized Port of Entry

- CBP One App – Parole
- CHNV entrants
- Visas
- Humanitarian Parole

Irregular Port of Entry (Over the Border)

Fly to Boston

Arrive at Logan

Transport to Family Welcome Center

Join Waitlist to Enter Shelter

Shelter Placement



Best Practices for Supporting Recent Arrivals

Recent arrivals living in shelters will be facing a variety of long and complex immigration processes, so it is important that you know the basics of how to support them. However, you don't need to be an immigration expert! Your role is:

1. To provide an empathetic ear;
2. To recognize when to refer a family for more specialist support.

Acknowledge and validate their experience/reality (and yours!):

- The US immigration system is broken and often unfair.
- Many will not get legal status, and even those who do will wait years.
- There are few free asylum lawyers.

Normalize - they are not alone and they are not "aliens" or criminals

- Assure of community support
- Use objective interpreters
- Keep copies of everything!
- Be clear about your role and how you can help
- Refer all legal questions to legal professionals

Parole

Temporary permission to stay in the USA, usually obtained by entering using CBP One App.

New arrivals in the shelter system could have a variety of immigration statuses. Many in the shelter have “Parole”.



Parole does not imply any wrongdoing on the part of the family – it’s not like parole from prison!



Individuals who have been paroled into the US might be seeking a more permanent status, such as:

Asylum

Temporary Protected Status

Lawful Permanent Residency (Green Card)



Asylum

Many families will seek permanent asylum from their home country in the immigration court system.

To be granted asylum, asylum seekers must prove well-founded fear of persecution in home country based on:

- Race
- Religion
- National origin
- Political opinion
- Membership in particular social groups

Challenges for asylum seekers:

- One-year deadline to file for asylum
- The process can take 5 to 8 years to complete
- Enter US without legal status
- No work permit until asylum app has been pending for 150 days unless paroled
- Limited benefits eligibility until asylum is approved (can take years)



Temporary Protected Status

Temporary protection given to nationals of certain countries by the Federal Government.

Strict eligibility criteria based on date of entry/dates of residence.

Allows recipient to access:

- Work authorization
- Travel document
- Protection from removal

TPS is not granted automatically granted and recipients must apply to get this status. They must also re-register, usually every 18 months.

Countries with TPS Designation (as of Jul '23)

Afghanistan	Burma (Myanmar)	Cameroon	El Salvador
Ethiopia	Haiti	Honduras	Nepal
Nicaragua	Somalia	South Sudan	Sudan
Syria	Ukraine	Venezuela	Yemen

Why do families get a Notice to Appear?

- Given to anyone who crosses the border, regardless of how they cross (including CBP One app users).
- Court dates are sometimes years away, some as soon as this summer.
- Very important to have families follow their court date.
- A Notice to Appear in Immigration Court does not imply that the family has committed a crime or done anything wrong.



Why do families have to check in with Immigration and Customs Enforcement (ICE)?

There are a number of factors that determine whether a person or family is required to attend check-ins with ICE.

- When and where they entered (which Port of Entry).
- Availability of ICE beds.
- Immigration status, status as a member of a family versus individual.
- Availability of staff to conduct “credible fear” interviews at the border.



Work Authorization (Work Permits)

Work Authorization

If the family has any non-citizen adults, the Rehousing Assessment will ask you about whether the two primary adults in the family have a work permit or have applied for one.



An Employment Authorization Document (EAD) is sometimes referred to as a work permit — or, more officially, Form I-766.



U.S. employers must check to make sure all employees, regardless of citizenship or national origin, are authorized to work in the United States.



An EAD provides proof of the holder's authorization to work and is essential for new arrivals who are seeking employment.

Example EAD

Credit-Card Sized Plastic Card



Why are we asking this?

We know that getting a work permit is a key milestone in a newly arrived family's journey towards self-sufficiency.

The Commonwealth hopes to support as many new arrivals as possible to get their work permits.

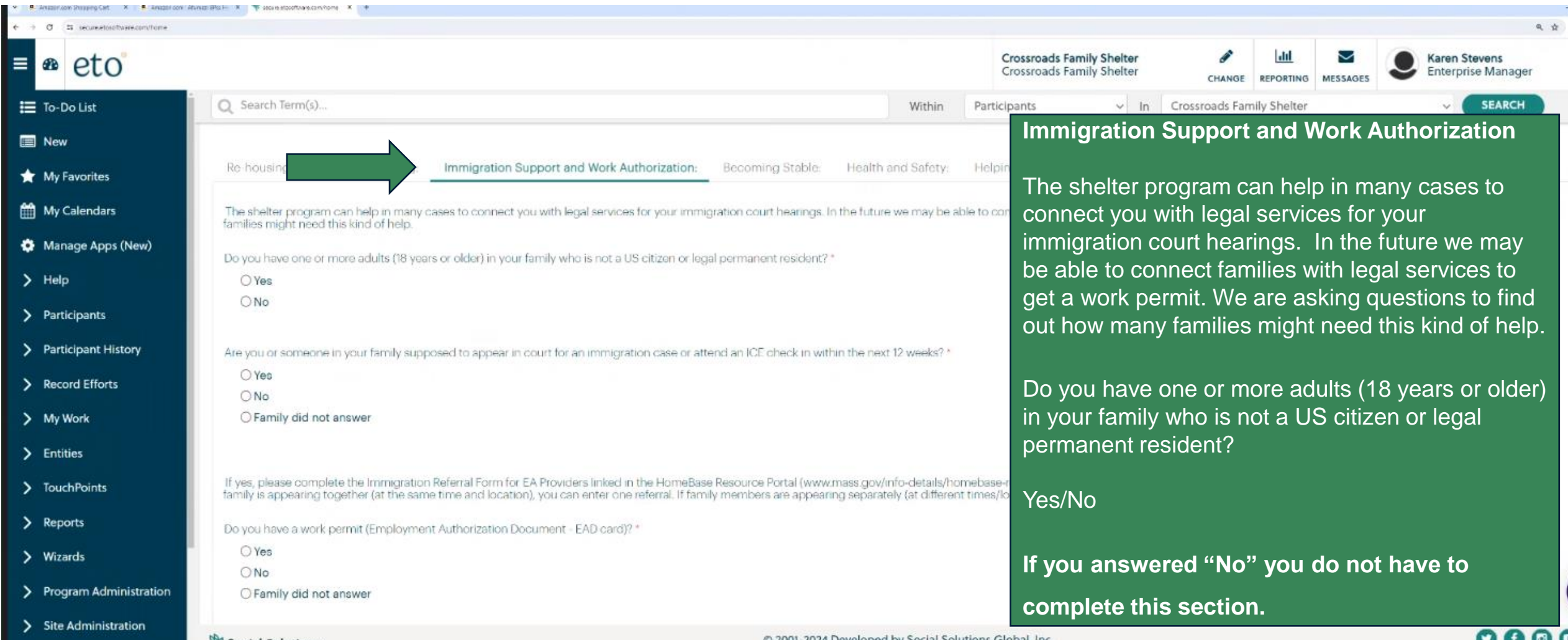
To achieve this, we are trying to map out the need for support with work permits so that we can direct legal assistance to where it is needed.



How and When to Fill Out the ORI Referral Form

How will I know if a family might need Immigration Support?

There is a new Immigration Support and Work Authorization Section in the quarterly Re-Housing Assessment – It will guide you!



The screenshot shows the ETO interface with a sidebar on the left containing navigation links: To-Do List, New, My Favorites, My Calendars, Manage Apps (New), Help, Participants, Participant History, Record Efforts, My Work, Entities, TouchPoints, Reports, Wizards, Program Administration, and Site Administration. The main content area displays the 'Immigration Support and Work Authorization' section, which is highlighted by a green arrow. The section includes a search bar, a filter dropdown set to 'Participants', and a 'SEARCH' button. The content area contains the following text and questions:

The shelter program can help in many cases to connect you with legal services for your immigration court hearings. In the future we may be able to connect families with legal services to get a work permit. We are asking questions to find out how many families might need this kind of help.

Do you have one or more adults (18 years or older) in your family who is not a US citizen or legal permanent resident? *

☐ Yes
☐ No

Are you or someone in your family supposed to appear in court for an immigration case or attend an ICE check in within the next 12 weeks? *

☐ Yes
☐ No
☐ Family did not answer

If yes, please complete the Immigration Referral Form for EA Providers linked in the HomeBase Resource Portal (www.mass.gov/info-details/homebase-resource-portal). If family members are appearing separately (at different times/locations), you can enter one referral. If family members are appearing together (at the same time and location), you can enter one referral.

Do you have a work permit (Employment Authorization Document - EAD card)? *

☐ Yes
☐ No
☐ Family did not answer

Yes/No

If you answered "No" you do not have to complete this section.

When should I refer immigration emergencies to ORI?

There are two main types of immigration emergencies that you need to escalate to the Office for Refugees and Immigrants (ORI).

1. The family has an immigration court date in the next 12 weeks.
2. The family has an ICE check-in in the next 12 weeks.

On the quarterly Re-Housing Assessment you will be asked these questions, so that you know if you should fill out the Immigration Referral Form. The Assessment will direct you if you need to complete the referral form or not.

You may encounter other immigration emergencies that need to be referred for urgent assistance through the referral form. As a general rule, emergencies are situations that might result in the family facing legal action or deportation.

Steps for Immigration Court Dates

01

Ask the resident for their A-number.

ORI needs this to assist the resident.

02

Look up their court date in the EOIR system.

03

Enter the details into the Immigration Referral Form for EA Providers.

You will find the link on the HomeBASE portal.

04

You should receive a response within 3 working days.

Step 1: Ask the resident for their A-number.

The A number is an identification number given to the individual for federal immigration purposes.

Places you can find it:

- ICE Check-in Log
- Notice to Appear in Immigration Court
- Notice of Hearing in Immigration Court
- Biometrics Appointment Notice
- EAD Card

Your A number

Notice to Appear

U.S. Department of Homeland Security

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

Subject ID: [REDACTED] FINS #: [REDACTED] File No: [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 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
 (Date) (Time)

NICHOLAS E. MINOR ACTING PATROL AGENT IN CHARGE

Notice to Appear

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]
[REDACTED]
[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 [REDACTED]

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.

CERTIFICATE OF SERVICE

THIS DOCUMENT WAS SERVED BY: MAIL [M] PERSONAL SERVICE [P] ELECTRONIC SERVICE [E]

TO: [] ALLEN [] ALLEN's Custodial Officer [] ALLEN's ATT/REP [] DHS

DATE: [REDACTED] BY: COURT STAFF V3

Attachments: [] EOIR-33 [] EOIR-28 [] Legal Services List [] Other

CONFIDENTIAL AND PROPRIETARY. ANY USE OF THIS MATERIAL WITHOUT THE SPECIFIC PERMISSION OF THE OWNER IS STRICTLY FORBIDDEN.

Notice of Hearing in Immigration Court

[illegible]

MUST attend these appointments
or risk being detained.

Step 2a: Look up their court date.

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.

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

Results of A-number Search

Next Hearing Information

Your upcoming **MASTER** hearing is **IN PERSON** on **March 4, 2025 at 1:00 PM**

JUDGE

Visiting Judge 4

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

Step 2b: Chelmsford Court Dates

There is a new immigration court opening in a Chelmsford, Massachusetts. This is often referred to as the “Lowell Immigration Court.”

Clients will soon have to discern whether their in-state court dates are in Chelmsford or Boston.

For now, please transport the clients to the locations on the hearing notices (see right) the clients receive. If none is available, please transport them to the Boston Immigration court until we obtain clearer guidance from the court.

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

RE: [REDACTED]
FILE: [REDACTED]
TO: [REDACTED]

DATE: Sep 22, 2020

Your A number [REDACTED]

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

The type of hearing [REDACTED] Location of hearing [REDACTED] Date and time of your hearing [REDACTED]

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

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TO: [] ADJUDICATOR [] Custodial Officer [] ADJUDICATOR'S ATT/REP [] DHS
DATE: 9/22/2020 BY: COURT STAFF
Attachments: [] EOIR-33 [] EOIR-28 [] Legal Services List [] Other

Step 3: Fill in the Immigration Referral Form for EA Providers.



Input the details you found at the EOIR website into the ORI Referral Form. You will need any adults whose information is being submitted to provide their consent for data-sharing.



[You can find the form on the HomeBASE portal.](#)

Step 4: You should receive a response within 3 working days.

You will receive a confirmation email upon submitting the form.

Depending on the details of the case, ORI may:

- Recommend that you support the family with transport (within MA) to attend court.
- Provide information about organizations who can help the family.
- Refer the family to a lawyer who can assist them with changing their court date or venue and/or explain how to get on Webex to appear virtually in court.
- In rare circumstances, ask you to help the client access the Webex link for court.

ORI cannot provide legal advice and will only provide information or referrals to legal providers.

If you do not hear back within 3 working days, you should follow the instructions provided in the confirmation email.

ICE Check-Ins

01

Ask the resident for their A-number.

ORI needs this to assist the resident.

02

Gather information about the ICE Check-in.

03

Enter the details into the Immigration Referral Form for EA Providers.

You will find the link on the HomeBASE portal.

04

You should receive a response within 3 working days.

Step 1: Ask the resident for their A-number.

The A number is an identification number given to the individual for federal immigration purposes.

Places you can find it:

- ICE Check-in Log
- Notice to Appear in Immigration Court
- Notice of Hearing in Immigration Court
- Biometrics Appointment Notice
- EAD Card

Step 2: Gather details about the ICE check-in.

- Check for the date and time on the form
- See if client has checked in with ICE before
- Check for the location
- Check to see if client has a bracelet (those can generally be removed at a check in)
- Report that into the referral form

Step 3: Fill in the Immigration Referral Form for EA Providers.



Input the details into the referral form. You will need any adults whose information is being submitted to provide their consent for data-sharing.



[You can find the form on the HomeBASE portal.](#)

Step 4: You should receive a response within 3 working days.

You will receive a confirmation email upon submitting the form.

Depending on the details of the case, ORI may:

- Recommend that you support the family with transport (within MA) to attend the check-in.
- Connect the family with a lawyer who can assist them.

ORI cannot provide legal advice and will only provide information or referrals to legal providers.

If you do not hear back within 3 working days, you should follow the instructions provided in the confirmation email.



Q & A

