



589 intake - C was caught at the border and DOES NOT have a hearing scheduled

_____ Collect PC's A# _____

_____ Call the 800 # confirm that the NTA has not been filed yet. If there is a hearing, See H165

Form 589

_____ Advise of requirement to file within one year of entry to preserve Asylum rights.

One year from entry date is _____. Minors do not have a one-year deadline.

_____ Should the 589 be sent to USCIS? Yes if:

PC is close to passing up the one year deadline and has not been scheduled a hearing.

Attorneys can help you determine when and where (eoir/uscis) is the best time/place to file.

Change of Address

_____ When the client is finally scheduled for a hearing, it will be mailed to them. Give PC (H20) so that they can track their hearing notice by calling the automated system. If PC's NTA has not been filed with the immigration court, they must report their change of address to any "5th floor reporting/ISAP" agency.

Hiring an attorney:

_____ Discuss the importance of retaining an attorney when a hearing is scheduled or at least 30 days before the one year deadline is up.

_____ Give a proposal for court representation for when C does get a hearing.

_____ Give list of low-cost free legal services providers if C is unsure if he/she can retain our firm. Remind them that this is a free consultation with no obligation to retain. We are here to inform our community.

_____ For \$1000, PC can retain our firm to submit change of addresses on their behalf. We can continuously monitor the 800# for them and inform them when the court schedules a hearing. We can also begin obtaining a foia and doing a background check. Once a hearing is scheduled, the 1k can be applied as a deposit and monthly payments can begin.

_____ **Optional:** Give PC a list of documents needed to strengthen the claim. it's on the Google drive (H216)

Clo employee intake notes: (attach to intake after the consultation)

Things to know:

- Price for court representation is **\$8,000** for the first applicant. **\$1,000** for each derivative also listed on the hearing notice. Regardless of what office they retain at.
- Asylum applicants must file within 1 year of entering the US (unless they are minors; minors are not subject to the one-year rule but it is still highly recommended)
- When we monitor the case, waiting on a hearing to be scheduled, It is very important that you put "1/1/1" in the NCD field in order for the monitoring to take place.
- Having a credible fear interview or a credible fear finding is not the same as applying for asylum. They are two separate things.
- An asylum grant is not easy to obtain. It is not a guaranteed benefit just because you applied.
- A judge issues the decision, not an attorney so we can't guarantee that their case will be approved.
- PC is only eligible for EAD in specific circumstances so we should never promise a work card. Often it is best to advise clients to ask regarding the work permit after the first master. That is when we can be sure if there is a clock running or if a clock will begin to run at the first master.
- **COV "only" cost is \$1000** (but highly discouraged since we become attorney of record and if the new hearing in san Francisco is scheduled out more than six months, we spend a good chunk of that time trying to get C to retain for continued court rep)
- Minors do not have a one year deadline but should still file as a UAC if applicable ASAP (UAC is a minor who entered under the age of 18 and was unaccompanied by a parent when he/she entered the U.S.
- In some cases, when the minor has a non-parent, willing to assume legal guardianship, it is best they speak with a family law attorney, as the minor may be eligible for UAC app and Special Juvenile status.