



589 intake - C was caught at the border and HAS a hearing scheduled

Hearing Notice:

- ___ Collect PC's A# _____
- ___ For contract purposes, identify how many names are listed on the Hearing Notice
- ___ Call the 800 # confirm date of hearing _____ (if no hearing yet, see H166)
- ___ Confirm that the scheduled hearing is a MASTER and not an INDIVIDUAL
If it is an INDIVIDUAL we will need to file a Motion to Continue ASAP. Skype the attorneys immediately to see if its' okay to sign a contract.
- ___ Does client have a current attorney? (see the hearing notice to see who the notice was mailed to) If the address is someone other than the client, most likely we will need a motion for substitution and that could cause delays since we can't file any applications until we are attorney of record.
- ___ Confirm if hearing is in San Francisco or other venue. A change of venue may be required.
- ___ Is the client's most recent address listed on the notice? Advise them of the importance of notifying the EOIR of any change of address.

Form I-589

- ___ Advise of requirement to file within one year of entry to preserve Asylum rights.
One year from entry date is _____.
- ___ Should the 589 be filed/Lodged ASAP? Yes if:
 - PC is close to passing up the one year deadline OR
 - PC has already passed the one year deadline due to the court being scheduled too far out OR
 - If there is more than 6 months before PC's hearing, he/she may become eligible for an EAD. Attorneys can help you determine when is the best time to file.

Proposal:

- ___ Give a proposal (include Rider pricing)
- ___ Discuss the importance of retaining an attorney at least two weeks prior to the hearing date or before the one year asylum deadline is up.
- ___ Offer a 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.
- ___ **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.