
 **NIWAP** 

Access to Public Benefits and Publically Funded Services for Immigrant Victims and Immigrant Children

Multi-State Training
New Orleans, Louisiana
April 6, 2019

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Faculty


Judge Lora Livingston


Judge Mary Weir


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Learning Objectives

By the end of this workshop you will be better able to:

- Identify the range of creative protection order remedies courts can order that are helpful particularly for immigrant victims and their children.
- Know the role that no unlawful contact protection orders play for immigrant victims
- Improve your ability to determine who is the primary aggressor any time a protection order is being sought against a victim or both parties.

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Large Group Discussion




Why is information about what public benefits immigrant victims and children can access in your state is important for judges to know?

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Materials to Use for Exercise

- You will need to use one or more computers to access NIWAP's public benefits map
-<http://map.niwap.org/>
- Public benefits bench card
- Your state's public benefits chart
 - You each have a version without footnotes

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State Team Exercise

Identify which public benefits and publicly funded services immigrant children and immigrant victims qualify your states for each of the following groups:

- VAWA self-petitioners with a prima facie determination included the applicant and eligible family members (e.g. applicant mother includes child or applicant child can include their mother in their application)
- U visa victim who has received wait list approval
- T visa applicant with bona fide determination
- SIJS applicant child

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DEBRIEF

- Michigan
- Missouri
- Mississippi
- Louisiana
- New Mexico
- Florida

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What remedies would Ana have and how would benefits access differ?

- Ana was born on April 5, 2004 in Guatemala. Her parents made her stop school at age 12 to work to help support them and her younger siblings. Ana liked school and did not want to quit, but her father, Fernando, frequently beat her mother, Celia, and occasionally beat Ana. She was afraid to disobey. Ana was sent on a bus from her village to Guatemala City to work for a woman named Beatrice. She worked as live-in help. Ana's work consisted of taking care of the children, cleaning their home, doing laundry and helping with cooking. She was told that she earned the equivalent of \$50 per month and that this money was sent to her parents.
- Last year, Celia came and took Ana away from her employer after Celia had suffered a particularly harsh beating by Fernando. They came to the United States and moved in with Celia's brother, who is a lawful permanent resident married to a US citizen with two US citizen children. **Fernando has arrived in the United States, found Celia and Ana and attempted to sexually assault both of them.**

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http://niwaplibrary.wcl.american.edu/all-state-public-benefits-charts/

The screenshot shows a webpage titled "All State Public Benefits Charts" with a list of links for each state: Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming. There is also a "DONATE HERE" button and a search bar.

Flash Drive Materials

- Public Benefits Access of Immigrant Victims
 - > Access to Legal Services
 - Access to public legal services for immigrant survivors
 - > Bench Cards
 - T Visa eligibility, U Visa eligibility, VAWA eligibility
 - > Benefits Open to all Immigrants
 - > Privacy Protections & Public Charge
 - Immigrant crime victims and public charge
 - Privacy protections for immigrants applying for public benefits
 - > State Benefits Charts



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Technical Assistance and Materials

- Power Point presentations and materials for this conference at
 - <http://niwaplibrary.wcl.american.edu/jtn-nola-2019/>
- Judicial Training Manual at
 - <http://niwaplibrary.wcl.american.edu/sji-materials/>
 - **NIWAP Technical Assistance:**
 - Call (202) 274-4457
 - E-mail info@niwap.org
- Web Library: www.niwaplibrary.wcl.american.edu

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