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NIWAP addresses the needs of immigrant women, immigrant children and immigrant victims of domestic violence, sexual assault, dating violence, stalking, human trafficking and other crimes by advocating for reforms in law, policy and practice.

NIWAP is a national provider of training, legal and social science research, policy development, and technical assistance to advocates, attorneys, pro bono law firms, law schools, universities, law enforcement, prosecutors, social service and health care providers, justice system personnel, and other professionals who work with immigrant women, children and crime victims. Our work supports those in the field and in government who work to improve laws, regulations, policies, and practices to enhance legal options and opportunities for immigrant women and children.

NIWAP provides training and technical assistance on a broad range of issues of importance to immigrant women and children, including VAWA immigration and confidentiality, family law, protection orders, public benefits, language access, cultural competency, and access to services, including shelter, transitional housing, health care, and education.

Unaccompanied Minors: State Demographics

From October 2013 through September 30, 2014 there was a 77% increase in the number of unaccompanied minors that have **crossed the border** into the United States.

Most of the children crossing the border turn themselves over to U.S. customs and border patrol officials. Once in the United States, immigrant children who are unaccompanied minors are **processed by the U.S. Department of Homeland Security** (DHS) and turned over to the Department of Health and Human Services' (HHS) Office of Refugee Resettlement (ORR) for care, custody and placement in a temporary facility while efforts are made to place each child with suitable family members or other sponsors in the United States. Children who are unable to find sponsors, or children without qualifying sponsors, remain in ORR

Resources:

For More Information on NIWAP see our [brochure!](#)

Latest Developments at NIWAP

Webinars

["And Legal Services for All: New 2014 Legal Services Corporation Regulations Implementing VAWA 2005's Immigrant Crime Survivors' Access to Legal Services."](#) - This

custody and are housed in longer term custodial facilities under contracts with HHS.

There is at least one unaccompanied minor that has been placed in all 50 states and the District of Columbia. The states receiving the greatest numbers of unaccompanied immigrant minors are: California, Florida, Georgia, Louisiana, Maryland, New Jersey, New York, North Carolina, Tennessee, Texas, and Virginia. Each of these states has received over 1,000 immigrant children. **Find out** how many children have been placed in your state.

Legal Services Corporation recently released a new regulation and policy regarding eligibility for legal services. Unaccompanied minors who have been victims of domestic violence, sexual assault, and trafficking may qualify under the anti-abuse regulations (See 45 C.F.R. § 1626.2).

In light of this development, we extended registration for our webinar scheduled for Monday, November 3, on the expansion of access to legal services. [View the legislative and regulatory materials](#), and [NIWAP's analysis](#).

The unaccompanied immigrant children crossing the U.S. border are fleeing violence such as **[homicide, rape, sexual assault, and human trafficking](#)**. This migration of unaccompanied children fleeing violence in Central America accounts for a **77% rise** in the numbers of immigrant girls arriving as unaccompanied minors over the numbers of girls arriving in 2013. Although the journey from their home countries, through Mexico and across the U.S. border is dangerous for all children, girls face the added risks of rape and sexual assault, which explains why **unaccompanied girls** arrive in the U.S. pregnant or having taken, or are traveling with, contraceptives.

Additionally, as immigrant children are placed with sponsoring families, advocates, attorneys, health care providers, schools and other professionals who assist these children need be aware that recently

webinar discussed the expansion of legal services. It was presented by NIWAP in partnership with US Department of Justice, Office of Violence Against Women and the National Legal Aid and Defender Association (NLADA) This free webinar took place on **November 3, 2014**.

Educational Equity Beyond Access: Institutional Support for DACAmented and Undocumented

Students, presented with the National Forum on Higher Education for the Public Good and the National Center for Institutional Diversity at the University of Michigan. This webinar addressed how DACA has evolved with regards to the newly instated renewal process. Further, the webinar discussed the forms of immigration relief that include a path to lawful permanent residency that DACAmented and undocumented students may qualify for. It is crucial that professionals

immigrated children, particularly girls, are at heightened risk of suffering sexual assault and child abuse in the United States. Immigrant girls in the United States are **twice as likely** to have suffered sexual assault by the time they reach high school as U.S. born girls.

Immigrant children and youth who have suffered crime victimization either in their home countries or in the United States may qualify to apply for legal immigration status that will allow them to remain in the United States. It is important for programs serving immigrants, children, and victims of domestic violence, sexual assault, dating violence, stalking and human trafficking to conduct screening to determine whether youth and children you are helping are immigrants and whether they have suffered crime victimization. Early screening is important because it may help immigrant children that have been **placed in removal proceedings** stay in the country. Additionally, certain forms of immigration relief that these children qualify for require that applications be submitted before the child reaches a specific age, or they become ineligible.

The various forms of immigration relief for which immigrant children may qualify include:

- Special Immigrant Juvenile Status (SIJS) available to immigrant children under the age of majority in the state that the child resides or has been placed, who obtains a state court order that includes findings that they have been subjected to abuse, neglect or abandonment by one or both of their parents. State law definitions of abuse, abandonment or neglect apply. Unaccompanied minors should be screened for eligibility. **See more** information on SIJS eligibility requirements.
- T visa and continued presence for victims of human trafficking. Unaccompanied minors who have experienced human trafficking in the United States may qualify. **See more**

throughout the network of student support understand the multiple avenues that lead to legal immigration status, work authorization, lawful permanent residency and ultimately citizenship for students or their family members. This webinar took place **November 12, 2014.**

Understanding the Intersection of Immigration Law in State Court Proceedings

Presented with the Pennsylvania Coalition Against Domestic Violence: This webinar will discuss the importance of state court's having legally accurate information regarding immigration law and immigrant litigants in court. It is intended for Pennsylvania judges, law clerks, and court staff. It will take place **November 5, 2014**, if interested in viewing this past webinar, click [here](#).

Recent Publications

NIWAP Benefits Map: This interactive map allows you to click on your state and see a comprehensive list of public benefits available to immigrant clients in your area. Please call us at 202-

information on the T visa and continued presence.

- U visa immigration protection for immigrants who have suffered domestic violence (battering or extreme cruelty, includes child abuse) sexual assault, stalking, extortion, kidnapping, felonious assault and other criminal activities perpetrated in the U.S. or in violation of U.S. laws. Unaccompanied minors who experience criminal activity in the United States may qualify. [See more](#) information on the [U visa](#).
- VAWA self-petitioning and VAWA cancellation of removal for immigrant victims of child abuse perpetrated by the child's U.S. citizen or lawful permanent resident parent or step-parent. The child must have suffered battering or extreme cruelty before turning 21 and has up to the age of 25 to file. Married youth and adults abused by their citizen or lawful permanent resident spouses also qualify. Relatively few unaccompanied minors will qualify for this form of immigration relief as recent immigrants. However, immigrant children placed with parents and step-parents who are U.S. citizens or lawful permanent residents could qualify based on abuse that occurs after the children arrived in the United States. Advocates, attorneys and other professionals working with recent immigrant children should remain aware that immigrant children joining or being reunited with families in the United States are vulnerable to child abuse and incest. [See more](#) information on VAWA immigration relief.
- Deferred Action for Childhood Arrivals (DACA): It is important to note that newly arriving unaccompanied minors do not qualify for DACA. DACA is available to help undocumented immigrant children who were under age 31 and in the United States on June 15, 2012, who had arrived in the U.S.

274-4457 with any questions.

Comparison Charts:

NIWAP provides you with a nuts-and-bolts overview of similar forms of immigration relief. Our charts explain who is eligible, what the process looks like, what benefits successful applicants receive, and the necessary relationship between applicant and perpetrator.



SPRING 2015 COURSE OFFERING

NIWAP welcomes student to register for Legislative and Administrative Advocacy: Immigrant Women Law and Policy. This course, taught by Professor Leslye Orloff, Director, NIWAP and Ronald LeGrand, Counsel, House Committee on the Judiciary will be offered Mondays this Spring 2015. Students will gain experience with legislative history research, drafting regulations, writing policy and legal reform

when they were under the age of 16 and who have continually resided in the United States since June 15, 2007. DACA offers protection from deportation and work authorization but does not include a path to permanent legal immigration status. Children receiving DACA should be screened and receive information about the SIJS and crime victim related immigration remedies to identify those who qualify for forms of immigration relief that include a path to lawful permanent residency and citizenship. **See more** information on DACA.

United States Citizenship and Immigration Services released a **brochure** explaining the various eligibility requirements for these different forms of immigration relief. A version of this brochure to which NIWAP has added SIJS and DACA is on NIWAP's website in English, Spanish, Russian, Korean, and Chinese.

In order to help advocates, attorneys, judges, law enforcement agencies, and other professionals assess which form of immigration relief immigrant children and immigrant crime victims qualify for, NIWAP has developed a series of comparison charts that will be helpful for immigrant crime victims that could qualify for more than one form of immigration relief. The groups that could qualify for multiple are identified:

- **VAWA and the U Visa** (domestic violence, child abuse, elder abuse victims)
- **VAWA and SIJS** (abused and some abandoned children)
- **T and U Visas** (human trafficking victims)
- **U, SIJS, and Deferred Action for Childhood Arrivals (DACA)** (children who qualify for DACA but may also qualify for more permanent forms of immigration relief)

NIWAP has also developed **screening tools** to help advocates, attorneys, and police identify immigrant crime victims and children who are eligible for immigration relief.

recommendations, and working with government agencies. Sign up for both the seminar LAW 795T-001B and the practicum LAW795T-001A.

Speaker Series

NIWAP's second speaker series was October 7 at Washington College of Law. Leslye Orloff, Ronald LeGrand and Tom Jawetz, both from the U.S. House of Representatives, Committee on the Judiciary met to discuss legislative approaches to vulnerable populations with law students. Each speaker shared their experiences with legislation relating to vulnerable populations on Capitol Hill. The speakers discussed the important role advocates play in facilitating conversations amongst members of Congress as well as how the political atmosphere can influence lawmaking. To learn more about upcoming events in our speakers series, follow us on **Twitter**. For opportunities to volunteer to help out at NIWAP, email us at **info@niwap.org**.

Commented [LO1]:

These nuances among the various forms of immigration relief designed to help immigrant children and immigrant victims can be very challenging. If you have any questions about the difference between one type of immigration relief and another or questions regarding legal rights and options for immigrant crime victims, women and/or children, please feel free to call or email our technical assistance lines at info@niwap.org or (202) 274 4557.

Screening Clients for Immigration Relief and the Importance of Trauma Informed Care.

Screening clients for immigration relief is a vital first step in identifying whether or not they may qualify. A client who has been the victim of a crime, especially an immigrant victim of crime, may not initially provide the type of information that will signal their attorney or advocate that they are eligible for immigration relief. Often times, especially when they have experienced trauma, immigrant victims of crime struggle to reveal intimate details of their history. In other cases, the client may just not be aware that the information is relevant and therefore not disclose it to their attorney or advocate. In order to best serve clients, NIWAP has developed several screening tools and intake questionnaires that may draw out facts and stories that flag potential immigration relief.

This comprehensive [screening checklist](#) will help attorneys and advocates evaluate a client's eligibility for VAWA, U and T visas, Battered Spouse Waivers, work authorization, and more. Additionally, this screening checklist will help evaluate juvenile clients for SIJS.

When filing for immigration relief, writing the most compelling story is often vital to a successful application. In cases where the client has been a

Our Web Library

For advocates, attorneys, judges, court staff, law enforcement, other professionals, and students assisting immigrant crime victims, women, and children.

niwaplibrary.wcl.american.edu

NIWAP
National Immigrant Women's
Advocacy Project



We're on Youtube & Twitter:

NIWAP has its own [youtube channel](#). New to an issue? Access NIWAP training videos 24-7. We have posted our recent webinars covering topics that include "Training for Advocates and Attorneys on Trauma-Informed Work with Immigrant Women," "Obtaining U Visa Certification from Judges," "An Introduction of Law Enforcement to the U Visa," and "Law Enforcement and Advocates Partnering to Serve Immigrant Crime Victims." These videos are

victim of trauma, getting them to tell their story in a way that makes them feel comfortable can be extraordinarily difficult. Cultural, language, and emotional barriers all play an important role in why a client may not be able to effectively communicate all the details of their abuse. Our [Trauma Informed Structured Interview Questionnaire for Immigration Cases](#) will help attorneys and advocates develop victim affidavits for VAWA, T visa, U visa, and other victim based immigration cases using an approach that at the same time helps victims heal from trauma. The method for using this trauma informed tool is [described here](#). NIWAP worked with trauma experts to develop these tools as well as [webinars](#) and [training videos](#) to help attorneys and advocates work with victims who are in trauma and working through trauma.

Access to Public Benefits Depends on Type of Immigration Status

Public benefits can be extremely useful tools for immigrant women and children, especially those escaping abuse.

An individual's ability to access public benefits programs (e.g. TANF, health care, drivers' licenses) depends both on their immigration status and their state of residence. Some forms of immigration status come with more access to federally and state funded public benefits than others. For example, T visa holders are able to access post-secondary education and public and assisted housing while U visa holders are not.

For an analysis of the types of federal benefits each immigration status provides and whether that individual may also receive state benefits, see our [Public benefits flow charts](#).

There are some [benefits and services available to all persons without regard to immigration status](#), including undocumented immigrants. An

helpful for new and seasoned immigrant advocates, attorneys, law enforcement, judges, court staff, and students. To view other materials from these webinars, visit the [NIWAP library for training materials](#). You can also use our [Twitter](#) feed to receive interesting and relevant updates.

Have questions on Immigrant Survivors' Legal Rights?

NIWAP offers [technical assistance](#) to advocates, attorneys, social services and health care providers, justice system personnel, and others working with immigrant victims of domestic violence, sexual assault, stalking, and human trafficking. To submit your questions, email info@niwap.org or you can call NIWAP at 202-274-4457. Be sure to provide a description of the issue so we can better assist you. Examples of questions we've addressed in the past:

- How does VAWA confidentiality operate in a family court context?
- Are courts required to have interpreters for limited English proficiency (LEP)?

overview of the federal public benefits available to immigrant crime victims is [available here](#).

For an in depth analysis on what specific benefits your state offers, please view our [interactive public benefits map](#). Click on your state to see the immigrant demographics in your area and choose from the list of benefits to the right to see if your state offers child care, food stamps, TANF, in-state tuition options, and many more.

Trainings

NIWAP is pleased to announce that we can [bring training to your state!](#) We provide training for police, prosecutors, judges, advocates and/or attorneys. Thanks to a State Justice Institute (SJI) grant, NIWAP is delivering workshops, half day and full day trainings around the country for judges and court staff! Trainers include NIWAP's own Leslye Orloff in addition to a team of judges experienced in immigration law cases and staff from the Center for Public Policy Studies. [Visit our website for materials from past trainings.](#)

Upcoming and Recent Trainings (recent trainings include a link to materials):

- [Anchorage, Alaska](#) – Oct. 8, 2014
Magistrate Judges, Judges and Court Staff
- [Bloomington, Minnesota](#) – Oct. 22, 2014
Praxis for OVW grantees - Rural law enforcement agencies, their advocates and partners
- [Albuquerque, New Mexico](#) – Oct. 24, 2014
Albuquerque Police Department, Enlace Comunitario – Language Access Training for police who are first responders at crime scenes
- [Salt Lake City, Utah](#) – Nov. 20, 2014
State court Judges and court staff - "State Courts and the Protection of Immigrant Crime Victims and Children"

speakers and deaf persons?

- What do the new Legal Services Corporation (LSC) regulations mean for crime victims' access to justice?
- What public benefits are available to VAWA self-petitioners, U-Visa, and T-Visa applicants? What is the impact of the Affordable Care Act on immigrant access to healthcare?
- What are battered immigrants' and immigrant crime victims' options to attain legal immigration status and protection from deportation?
- What vital documents should my agency translate and in what language?

[Find Professional Resources in your Area via our Directory](#)

NIWAP's [web directory](#) offers a nationwide list of programs in your state and community that have expertise working with

- **Rehoboth, Delaware** – Dec. 5, 2014
State court Commissioners "State Courts and the Protection of Immigrant Crime Victims and Children"

immigrant victims, women and children. Use our directory to make referrals and find assistance for immigrant crime victims. You can search by location, language, and organization type. Be sure to check that your organization is listed and all of your information is accurate. With your assistance, we can create a comprehensive list of programs where immigrant victims can turn to for help when in need.

Our Directory:

For immigrants looking to be connected to advocates, attorneys, and organizations.

NIWAP.ORG/DIRECTORY

Know anyone interested in learning more about NIWAP? Forward this email or tell them to visit www.niwap.org

material was reprinted from the National Immigrant Women's Advocacy Project, American University, Washington College of Law.

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