

## Community of Practice for Family Law Attorney's Representing Immigrant Survivors of Domestic Violence and Sexual Assault

**Continued Discussion:  
Emerging Challenges for Family Law Attorneys  
due to the COVID-19**

**April 13, 2020**

# Next COP Calls

- **April 21, 2020 at 1pm EST**

Discussion: Helping Victims of Human Trafficking Courts Encounter in Juvenile Dependency, Child Welfare and Other Family Court Proceedings

- **May 19, 2020 at 1pm EST**



# Challenges for Attorneys

- Ensuring access to courts and legal aid for victims
- Custody challenges
- Rapidly changing court procedures
- Compliance with visitation agreements and/or the mutually agreed upon temporary modifications to court ordered agreements

# Challenges for Victims

- Tech issues
- No access to printers and scanners
- Childcare for victims that still need to work
- Non-custodial parents making threats regarding the visits, sometimes even if there is an agreement or communication between counsel to address COVID-19 concerns
- Being forced to compromise

# Social Distancing Strategies

- Online/Phone intake
- Email draft pleadings to clients
- Designate drop-off box for completed forms
- Virtual visitations
- Telephonic meetings with clients
  - Zoom (be aware of safety measures)
  - FaceTime; Skype; WhatsApp; Facebook

# Social Distancing Strategies: Courts

- Ability to file from home via email or phone
- Hearings via phone
- Obtain emergency protection orders via phone or video with judge remotely
- Email or call for protection order extensions

# Safeguard your Zoom Experience

1. Don't use Personal Meeting ID (PMI) for meetings
2. Use a password
3. Use the Waiting Room
4. Lock Meeting

Raise your hand: If you have had a virtual court hearing since our last call? Share your experience with us.





How can NIWAP and  
our technical assistance  
support you during this  
time?

**Raise your hand:** If you have been successful submitting agreed upon and non-evidentiary matters that do not require a record directly to the court.



# Importance of Safety Planning with Immigrant Victims of Domestic Violence, Sexual Assault, and Stalking in times of Stay at Home Orders

What are some new ways you are safety planning with clients?

# Immigration Advocacy Asks to USCIS

- Automatically extend survivor status and Employment Authorization
- Uniformly and Automatically Extend Deadlines for responding
  - Requests for Evidence (RFE)
  - Notices of Intent to Deny (NOID)
  - Notices of Intent to Revoke (NOIR)
- Suspend issuance of NTAs
- Suspend filing deadlines for Appeals and Motions to Reopen Reconsider
- Expedite all survivor-based applications for survivors who are detained
- Allow for the Submission of Digital Signatures (Certifications and handwritten software)

# Cont. Immigration Advocacy Asks

- Toll, as of March 11, all survivor Age-Out cases and derivatives of self-petitioners, U visa, U visa adjustment, and T visa
- Suspend the two-year deadlines for VAWA self-petitioners whose abusers die or from whom they divorce
- Allow Initial Evidence to be Submitted After Filing
- Suspend expiration of signed LEA Certifications
- Ensure acceptance of any credible evidence in support of Fee Waiver Applications

How might challenges  
presented by COVID-19  
impact your ability to meet  
grant deliverables?

# Announcement: Upcoming Webinar

## **VAWA Self-Petition: Protections for Immigrant Survivors of Domestic and Sexual Abuse by Abusive Spouses and Parents**

- Date: Wednesday, April 22, 2020 at 1:00 PM EST
- Registration link:  
<https://www.surveymonkey.com/r/FYXHK98>



# Next COP Calls

- **April 21, 2020 at 1pm EST**  
Discussion: Helping Victims of Human Trafficking Courts Encounter in Juvenile Dependency, Child Welfare and Other Family Court Proceedings
  - With judicial faculty
- **May 19, 2020 at 1pm EST**

