



Legal Protections and Best Practices That Support Immigrant Survivors of Human Trafficking and Family Violence

2025 Maryland Human Trafficking Professionals Seminar

**Ocean City, Maryland
October 16, 2025**



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Faculty Introduction and NIWAP Resources

- **Leslye E. Orloff**, Adjunct Professor and Director, NIWAP, American University, Washington College of Law
- NIWAP Web library
 - Directory
 - Public Benefits Interactive Map & Demographics
 - Materials: Bench cards, toolkits, training tools, legal research, multi-lingual outreach materials
- Technical Assistance
 - Cases, policies, strategies
 - Email, phone, zoom
- Trainings and Webinars
 - On-line, virtual, in-person
 - Customized
- Communities of Practice
 - Victim advocates, family lawyers, National Judicial Network
 - Law enforcement/prosecutors



Technical Assistance Topics

- Legal immigration remedies
 - VAWA, U and T visas, Battered Spouse Waiver, Special Immigrant Juvenile Status, and Naturalization for Survivors
- U and T visa certification by government officials
- VAWA Confidentiality
- Issues that arise for immigrant survivors in family court cases
 - Including protection orders, custody, divorce, support
- Qualified immigrants and public benefits, services, and legal assistance
 - E.g. housing, healthcare, driver's licenses, food assistance, education
- Interpreters and translators for Limited English Proficient survivors
 - To help from law enforcement, prosecutors, courts, victim services
- Prosecution strategies
 - Discovery, Victim Disclosures, and Expert Witness
- Providing trauma informed assistance to immigrant survivors
- Serving survivors' cultural, religious, and immigration related needs

Join a NIWAP Community of Practice

- Roundtable for Law Enforcement, Prosecutors and System-based Advocates
<https://www.surveymonkey.com/r/LERoundtable>
- Victim Advocates COP
<https://www.surveymonkey.com/r/VictimAdvocateCOPApp>
- Family Law Attorneys COP
www.surveymonkey.com/r/FamCOP2023
- National Judicial Network: Forum on Human Trafficking and Immigrants in State Courts (Judicial Officials only)
<https://niwaplibrary.wcl.american.edu/pubs/njn-outreach-letter>

Learning Objectives

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

- Support immigrant survivors applying for victim-based forms of immigration relief
- Use tools that help ensure that immigrant survivors receive VAWA confidentiality protections including against removal
- Ensure that immigrant survivors and their children access all of the benefits and services they are legally eligible to receive
- Help immigrant survivors win protection orders and family court protections

Immigrant Victims of Human Trafficking and Co-occurring Domestic Violence, Child Abuse, and Sexual Assault Are Eligible for Legal Immigration Protections

Large Group Discussion

How do VAWA's and TVPA's legal immigration protections benefit law enforcement, prosecutors, immigrant victims, their children, and our communities ?

VAWA – Violence Against Women Act

TVPA – Trafficking Victim's Protection Act

Legislative Intent

Congress enacted VAWA self-petitioning (1994), the U and T visas (2000, 2005, 2008) & Special Immigrant Juvenile Status (SIJS) (1990,2008) to improve:

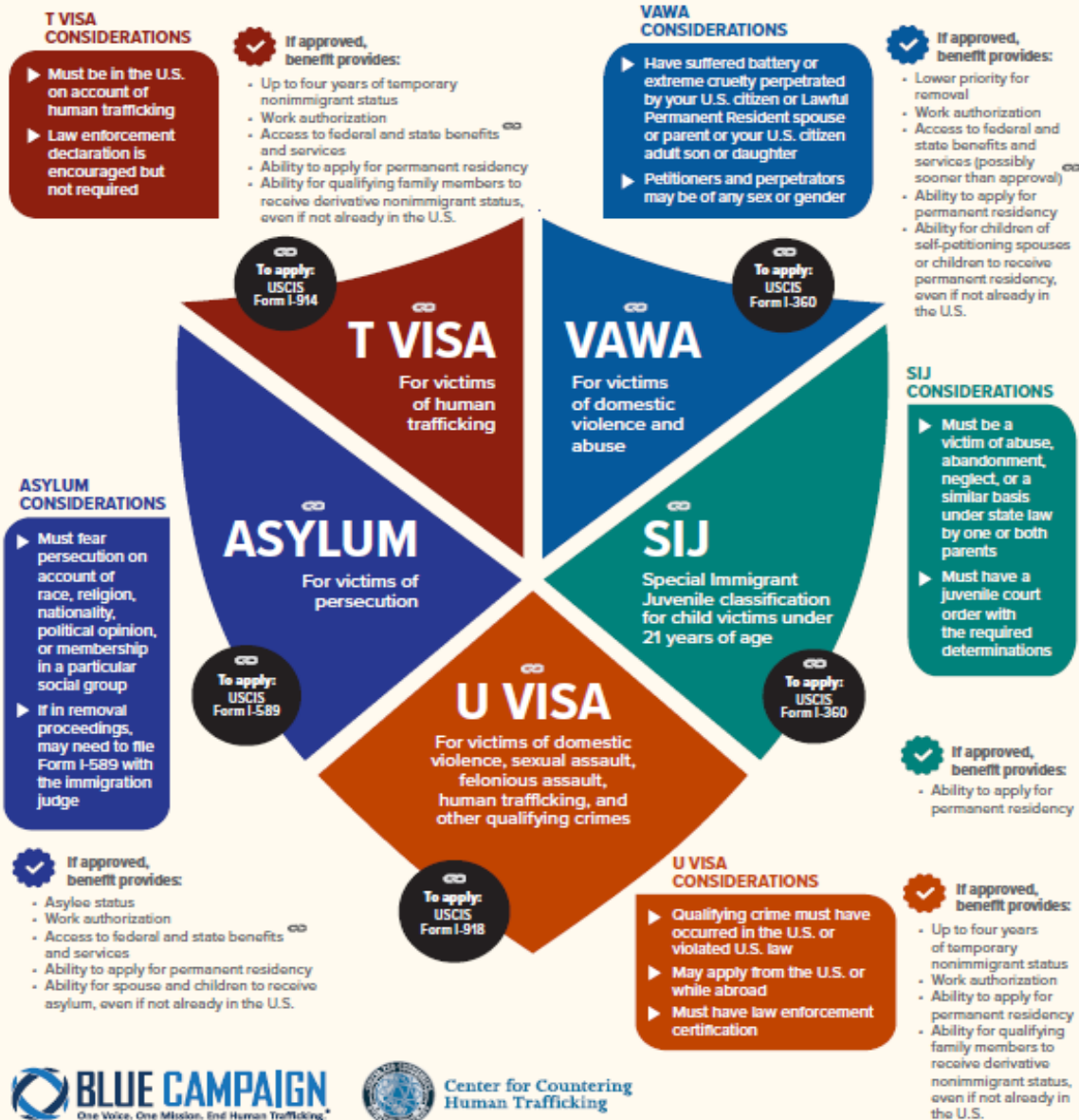




U.S. Legal Immigration Benefits for Noncitizen Victims of Crime and Abuse

NIWAP

U.S. Immigration Benefits for NONCITIZEN CRIME VICTIMS



Center for Countering
Human Trafficking

[DHS.GOV/BLUECAMPAIGN](https://dhs.gov/bluecampaign)

For victim support call 1-888-372-7888 or text INFO or HELP to BeFree (233732)
All U.S. Citizenship and Immigration Services (USCIS) forms can be found at: www.uscis.gov/forms/all-forms

Immigration Relief Available for Immigrants When *They or Their Children* Are Victims of ---

- Domestic violence
 - Child abuse
 - Elder abuse
 - Sexual assault
 - Rape
 - Incest
 - Prostitution
 - Torture
 - Felonious assault
 - Manslaughter
 - Murder
 - Female genital mutilation
 - Kidnapping
 - Abduction
 - Trafficking
 - Involuntary servitude
 - Slave trade
 - Being held hostage
 - Fraud Foreign Labor Contracting
 - Peonage
 - False Imprisonment
 - Blackmail
 - Extortion
 - Witness tampering
 - Obstruction of justice
 - Perjury
 - Stalking
 - Hate Crimes
 - Video voyeurism
 - **Parent perpetrated**
 - **Child abuse**
 - **Child neglect**
 - **Child abandonment**
- Attempt, conspiracy or solicitation to commit any of these crimes or any similar activity**

Access to Legal Immigration Status:

- Provides a path to economic security
 - Work authorization
 - Drivers licenses
 - Health care access
 - Financial aid to attend university
 - More access to the public benefits safety net in Maryland
- Promotes healing, safety, security, trust, and justice system participation
- Implications for law enforcement and community safety

VAWA Self-Petitioning Requirements

- Subjected to Battery or Extreme Cruelty
- By a U.S. Citizen or Permanent Resident
 - spouse; parent; or citizen adult son/daughter (over 21)
- With whom Self-Petitioner Resided
 - No time period required
- Good Moral Character
- Good Faith Marriage
- VAWA cancellation of removal has similar eligibility requirements
- *2025 time to work authorization ≈ 4-42 months*
- **Battered Spouse Waiver**
 - Same group of victims – cases where abuser filed for victim
 - Removes requirement that victim stay with abuser for 2 years
 - *2025 time to approval ≈ 24 to 29 months*

Battered Spouse Waivers

- For domestic violence survivors, provides for waiver of the “condition” placed on the status of immigrant spouses of marriages less than two years old
- Waives both the joint filing requirement and two year wait for full lawful permanent resident status
- Requires proof that:
 - Marriage to a U.S. citizen or permanent resident entered into in good faith and
 - Spouse or child was battered or subjected to extreme cruelty
 - Child can include step-child
 - Immigration and Nationality Act § 216(c)(4)
- *2025 time to approval 25.5 to 29 months*



Special Immigrant Juvenile Status (SIJS)

- Immigration legal remedy for unmarried children
- Under the age of majority under state law
- Victims of abuse, abandonment, neglect, or dependency
 - By at least one parent
- To apply must submit the required judicial determinations with findings from a state court with jurisdiction over
 - the care, custody, or dependency of the child
- *2025 time to work authorization ≈ 5 years*

U Visa Requirements

- Victim of a qualifying criminal activity
- Has been, is being, or is likely to be helpful in
 - Detection, investigation, prosecution, conviction or sentencing
- Suffered substantial physical or mental abuse as a result of the victimization
- Possesses information about the crime
- Crime occurred in the U.S. or violated U.S. law
- *2025 time to work authorization $\approx$ 39.2 months*

Maryland U-visa Certification Law

Criminal Procedure §11-930 (Enacted April 22, 2025)

- Certifying agencies:
 - State or local law enforcement agency;
 - State's Attorney or deputy or assistant State's Attorney;
 - any other authority that has responsibility for the detection, investigation, or prosecution of a qualifying crime or criminal activity; or
 - Child protective services, Adult protective services, the Commission on Civil Rights, and the Maryland Department of Labor, etc.

Maryland U-visa Certification Law

Criminal Procedure §11-930 (Enacted April 22, 2025)

- Who can request certification:
 - The victim, or
 - The victim's parent, guardian, next friend (if victim was under 16 years or incapacitated or incompetent and the parent, guardian or next friend has been helpful), or
 - Attorney, Victim Advocate, or other representative

Maryland U-visa Certification Law

Criminal Procedure §11-930 (Enacted April 22, 2025)

- Determining helpfulness:
 - “an individual shall be considered helpful if, since the initiation of helpfulness, the individual has not unreasonably refused to cooperate or unreasonably failed to provide information and assistance reasonably requested by a certifying entity”
- Written explanation required if the evidence does not support issuance of certification.

Maryland U-visa Certification Law

Criminal Procedure §11-930 (Enacted April 22, 2025)

- Established time limit to respond: 45 days or 7 days (if in removal proceedings)
- Maryland statute adopts and follows federal guidelines
 - Authorize judicial certifications
- No statute of limitation
- NOT required: Current investigation, filing of charges, prosecution or conviction

T Visa for Trafficking Victims

- A victim of a severe form of trafficking in persons
 - Sex or labor trafficking involving victim under 18 or and adult subject to force, fraud or coercion
 - Victim is physically present in the U.S. on account of trafficking
 - Victim must comply with reasonable requests for helpfulness in investigating or prosecuting trafficking.
- Exceptions
- Under age 18
 - Physical or psychological trauma impedes helpfulness/cooperation
- Removal from the U.S. would cause extreme hardship
 - *2025 time to work authorization ≈ 6 months*

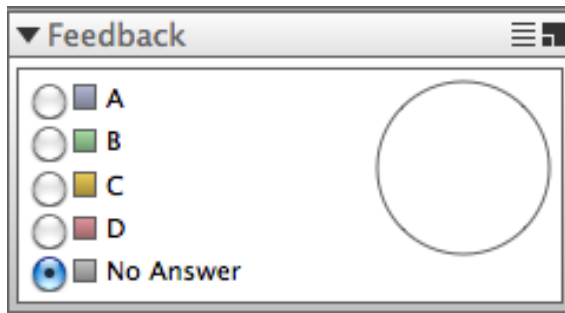
Definition Includes “Attempted Trafficking”

- The preamble to the 2024 T Visa Rule includes protections for victims of attempted trafficking
 - Cases where the applicant has not performed labor or services or a commercial sex act
 - When the victim can prove they are otherwise eligible for a T visa and
 - But/for some intervention or victim’s escape the perpetrator would have trafficked them

2016 Preamble: 81 Fed. Reg. 92266, at 92271

Poll: True or False?

- DHS recognizes that human trafficking can occur in domestic violence relationships?
 - A. True
 - B. False



DHS Involuntary Servitude Definition

- A condition of servitude
 - Induced by means of any scheme, plan, or pattern
 - Intended to cause a person to believe or to fear that
 - If the person did not enter into or continue in such condition or undertake the forced work
 - That person or another person would Suffer serious harm, physical injury, physical restraint, or legal coercion.
- A condition of servitude induced by the abuse or threatened abuse of the law or legal process.

8 C.F.R. § 214.201

Involuntary Servitude in Domestic Violence Relationships

3 USCSIS-PM B.2(B)(4)]

- “An expectation that the victim’s life fulfills the orders of the trafficker (such as a demand from the trafficker to perform domestic labor at an unreasonable level, including unreasonable working hours, and constant availability to labor regardless of health or energy);
- Lack of control over the victim’s own wages despite laboring under the trafficker’s demands; or
- The imposition of unequal living arrangements as part of the campaign of force, fraud, and coercion (for example, unequal sleeping arrangements, living arrangements, or access to nourishment).”

Familial Trafficking

- 2 in 5 trafficking cases reported annually to federal trafficking taskforces involve child sex trafficking
- Over 62.7% of sex trafficked children their trafficker is a family member
 - Parent, grandparent, aunt, uncle, cousin, sibling
 - With 45.8% parent or guardian
- 65% of sex trafficked children come from unstable homes or compromised parenting
 - Almost 20% have a history of child abuse or neglect
- Up to 34% of sex trafficked children are trafficked by an intimate partner
- Cole, J., & Sprang, G. Sex trafficking of minors in metropolitan, micropolitan, and rural communities. Child Abuse & Neglect (2014), <http://dx.doi.org/10.1016/j.chiabu.2014.07.015>

Continued Presence (CP)

- Temporary immigration status for any victim of human trafficking who may be a potential witness in an investigation or prosecution
 - Sex and/or labor trafficking
- Victim (and certain family) remain lawfully in the United States during investigation or prosecution into human trafficking
- Granted for two years, can be renewed
 - Receive work authorization, public benefits, and services
 - Does not guarantee long-term immigration legal remedies
 - T visa application typically filed while the victim has CP

CP—Law Enforcement Role

- Only federal law enforcement can apply for Continued Presence
- Local and state law enforcement should partner with Homeland Security Investigations (HSI) or other federal law enforcement agencies
- Application should be prepared immediately after identifying the human trafficking victim; cooperation is not required
- Can be revoked

Federal Sponsors

- Homeland Security Investigations
- Federal Bureau of Investigations
- State Department Diplomatic Security Services
- DOJ – U.S. Attorneys Offices, Civil Rights Division, Criminal Section
- U.S. Marshall's Services
- U.S. Department of Labor
- Equal Employment Opportunity Commission

Clara and Eduardo Case Scenario

Clara met Eduardo, a lawful permanent resident, when he came back to his hometown to visit his family in El Salvador. Eduardo started dating Clara who was raising her 9 year old son Miguel. After Clara became pregnant and gave birth to a baby girl Lupe, Eduardo decided to bring Clara, Miguel, and Lupe to the U.S. to live with him. When they arrived in the U.S., Eduardo took Clara, Miguel, and Lupe's passports and became physically and sexually abusive of Clara and abusive of Miguel who tried to protect his mother from Eduardo's abuse. Eduardo also physically beat Lupe when he said she "misbehaved". Within a year following their arrival in the U.S., Eduardo forced both Clara and Miguel to work for his family's business and never paid them for their labor. One night when Miguel was 13 and Lupe was 5, Eduardo's rage led to severe beatings with a belt of Miguel and of Lupe. When Clara intervened to protect the children, Eduardo strangled her until she passed out. The neighbors called the police for help, and Clara talked to the police when they arrived. The police arrested Eduardo for attempted murder and child abuse, took Clara to the hospital, and placed the children in the care of the state.

What forms of immigration legal remedies would Clara qualify for?

What forms of immigration
legal remedies would Miguel
qualify for?

What forms of immigration legal remedies would Lupe qualify for?

Deferred Action and Work Authorization

- VAWA self-petition (requires marriage)
 - Eduardo U.S. Citizen
 - 3 months work authorization
 - 43 months deferred action
 - Eduardo Lawful Permanent Resident – 43 months
- T Visa – 6 months through bona fide determination
- U visa – 30.5 months
- SIJS – 5 years
 - For Lupe as a victim of child abuse by Eduardo
 - For Miguel if abandoned by his natural father

Large Group Discussion

How do VAWA's legal immigration protections benefit immigrant victims and their children ?

VAWA Sensitive Location Prohibitions

- Enforcement actions are not to be taken unless the action specific procedures designed to protect victims are followed (8 USC § 1367 & 1229(e))
 - A shelter
 - Rape crisis center
 - Supervised visitation center
 - Family justice center
 - Victim services program or provider
 - Community based organization
 - Courthouse in connection with any
 - Protection order case, child custody case, civil, or criminal case involving or related to domestic violence, sexual assault, trafficking, or stalking



New Tools Demonstration

- Letters for law enforcement and prosecutors and their agency staff to provide to victims
- Letters that advocates and attorneys can provide to victims
- Letters that advocates and attorneys at protected locations can provide should they encounter ICE
- Letters that judges, court staff, CPS, prosecutors can provide to ICE if they seek a victim at a court



Protections for Survivors' Children and Family Members

- T and U visa applicant = Victim or parent of an abused child can apply for family:
 - Applicant is over 21: spouse and unmarried children/stepchildren
 - Applicant is under 21: spouse, unmarried children/stepchildren, parents, stepparents, unmarried siblings under age 18
- VAWA self-petitioner = Abused child, stepchild, parent or parent of an abused child can apply for the family:
 - Over 21: applicants' unmarried children/stepchildren
 - Under 21: Can include their parent and their unmarried children/stepchildren
- Special Immigrant Juvenile Status = child victim
 - Family included: None

After VAWA Self-Petitioners and U Visa Victims Receive Work Authorization and Deferred Action

- Increased justice system involvement
 - 114% increase in willingness to trust the police
 - 36% make police reports regarding future crimes
 - 60% seek protection orders and/or custody
 - 22% help other victims report abuse and seek help/justice
- Mental Health, Education and Economic Benefits at Work Authorization
 - It being easier to make decisions 432%
 - Sleeping better & being calmer– 300%
 - Standing up for themselves 225%
 - Secure jobs: paying minimum wage+ 300%; that deduct taxes 542%; & 43% benefits vacation, sick leave, health insurance
 - ESL 226%; GEDs 35%; AAs & BAs 38%; Advanced degrees 19%

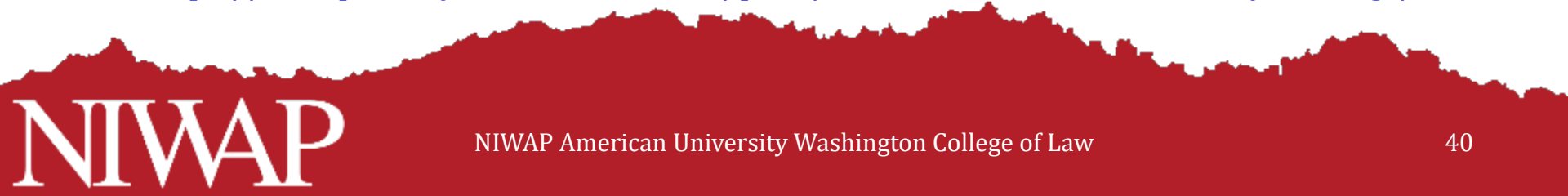
Orloff, Magwood, Campos-Mendez, & Hass, Transforming Lives: How the VAWA Self-petition and U Visa Change the Lives of Victims and their Children After Work-Authorization and Legal Immigration Status (June 2021); Krisztina E. Szabo, David Stauffer, Benish Anver, *Authorization For VAWA Self-Petitioners and U Visa Applicants*, NIWAP (Feb. 12, 2014) and Rodrigues et al. Promoting Access to Justice for Immigrant and Limited English Proficient Crime Victims in an Age of Increased Immigration Enforcement: Initial Report from a 2017 National Survey (May 3, 2018); Leslye Orloff, et. al., *U Visa Victims and Lawful Permanent Residency 5* (September 6, 2012)

Evidence Based Research Has Found Increased Access to Justice

- Courts that issue U/T visa certifications and SIJS judicial determinations
 - See greater numbers of immigrant victims seeking protection orders & custody, and participating in criminal, civil, and family cases
 - Even in times of increased anti-immigrant sentiment and immigration enforcement

Rodrigues, Orloff, Couture-Carron, and Ammar, Promoting Access to Justice for Immigrant Crime Victims and Children: Findings of a National Judicial Survey and Recommendations, **National Center for State Courts, Trends in State Courts** (2018)

<https://niwaplibrary.wcl.american.edu/pubs/trends-in-state-courts-survey-findings/>



ISSUES THAT ARISE FOR IMMIGRANT SURVIVORS IN FAMILY LAW CASES

Immigrants and Protection Orders

- All persons are eligible to receive civil protection orders without regard to the immigration status of any party or child
- Protection order issuance = no effect on immigration status
- Findings of protection order violation = a deportable offense
- Dangers of issuing protection order against victims
- Courts should
 - Routinely issue Padilla warnings
 - Appoint counsel for victims when abuser is represented

Protection Orders and Immigration Considerations

- Violation of a protection order is a deportable offense
 - Can lead to loss of lawful permanent residency and other immigration consequences for the perpetrator
 - Victims should not consent to issuance of a protection order against them
 - Victims should not be charged with violation of orders issued for their own protection
 - Best Practice – Padilla advisals in all CPO cases

Raise Your Hands: Which the following are deportable offenses?



- A. Domestic violence criminal conviction
- B. Finding in a custody case that a protection order was violated by further abuse of the victim
- C. Criminal conviction for violating a protection order
- D. Agreeing to diversion in a protection order enforcement case where upon violation diversion turns into a conviction

Tools for Courts, Attorneys, and Advocates on Protection Orders for Human Trafficking Victims

- Overview:
 - State Laws on Civil Protection Orders for Victims of Human Trafficking
<https://niwaplibrary.wcl.american.edu/pubs/ht-cpo-overview-report/>
- Table:
 - Access to Civil Protection Order (CPO) for Victims of Human Trafficking: State-By-State CPO Tables
 - <https://niwaplibrary.wcl.american.edu/pubs/ht-protection-orders-table/>
- Chart:
 - Types of Civil Protection Orders (CPOs) Available By State – Chart
 - <https://niwaplibrary.wcl.american.edu/pubs/ht-cpo-state-chart/>



Use Creative Remedies to...

- Stop immigration related abuse
- Protect victims still living with their abusers
- Obtain documents the victim needs for an immigration case or for care of child
- Deter parental kidnapping
- Child/Spousal support
- Enforce Affidavits of Support
- Remedies for human trafficking victims

Is Immigration Status Relevant to Custody?

- Relevant to: Immigrant crime victim presents evidence of immigration-related abuse, power and control suffered
 - Either not filing or withdrawing immigration papers
 - Threats to turn victim in for deportation
 - Part of history of violence
- Not relevant to:
 - Core primary caretaker determination
 - Evaluation of parenting skills
 - Best interests of the child determination
 - Requirements regarding custody awards to non-abusive parent



Myth vs. Fact:

Parents without Legal Immigration Status

Myth

1. Deportation is imminent
2. Parent is likely to flee U.S. with child
3. The parent has no livelihood
4. Legally present parent must have custody in order to file for benefits for child

Fact

1. Less risk for victims with pending victim-based immigration cases and over 2 years in the US
2. US citizens and lawful permanent residents are more likely to flee with children, especially when
 - There have been threats of kidnapping children
 - They are dual nationals
 - They travel freely to and from U.S.
3. Abused immigrant parents in family court can receive child support & have a path to immigration relief, work authorization & some benefits
4. Custody does not affect parent's ability to file for or gain immigration benefits for their children.

Public Benefits and Services for Qualified Immigrant Survivors

Clara and Eduardo Case Scenario

Clara met Eduardo a lawful permanent resident when he came back to his hometown to visit his family in El Salvador. Eduardo started dating Clara who was raising her 9-year-old son Miguel. After Clara became pregnant and gave birth to a baby girl Lupe, Eduardo decided to bring Clara, Miguel and Lupe to the U.S. to live with him. When they arrived in the U.S. Eduardo took Clara, Miguel and Lupe's passports and became physically and sexually abusive of Clara and abusive of Miguel who tried to protect his mother from Eduardo's abuse. Eduardo also physically beat Lupe when he said she "misbehaved". Within a year following their arrival in the U.S. Eduardo forced both Clara and Miguel to work for his family's business and never paid them for their labor. One night when Miguel was 13 and Lupe was 5, Eduardo's rage led to severe beatings with a belt of Miguel and of Lupe. When Clara intervened to protect the children, Eduardo strangled her until she passed out. The neighbors call the police for help, Clara talked to police when they arrived. The police arrested Eduardo for attempted murder and child abuse, took Clara to the hospital and placed the children in the care of the state.



What help is available to Clara,
Miguel and Lupe meet basic
needs?

Open to All Immigrant Victims of Crime/Abuse/Neglect Including Children

- Legal Services
- Family Court (Divorce, custody, economic relief, protection orders)
- Interpreters/Translators
- Police Assistance
- Perpetrators Can Be Criminally Prosecuted
- Public Benefits for Their Eligible Children
- SANE Exams
- VOCA
- Assistance for Crime Victims
- Shelter/Transitional Housing
- WIC/school lunch & breakfast
- Primary/Secondary education/Headstart/GEDs
- Immunizations, testing, treatment communicable diseases
- Emergency medical care
- Healthcare from federally qualified health centers and Hill Burton hospitals

In-Kind Services Necessary to Protect Life and Safety, Open to All Immigrants

- Child and adult protection services
- Crisis counseling and intervention
- Violence and abuse prevention
- Victim assistance
- Help during adverse weather conditions
- Soup kitchens
- Community food banks
- Shelter & transitional housing assistance



8 U.S.C. Section
1611(b)(1)(D)

How might Clara's and the children's legal immigration options impact their economic security?

Benefits in Maryland- TANF, Child Care, Food

- TANF
 - At filing - SIJS & VAWAs
 - T visas/asylees (6 mos); U visas (2.9 yrs); SIJS (5 yrs)
- Childcare
 - TANF same as above
 - Child Care Development Fund – no restrictions
- SNAP (Food stamps)
 - “Qualified Immigrants” who are lawful permanent residents
 - Children: visas (2.9 years); VAWA (4.5 years); SIJS (5 years); U visa (18+ years)
 - Adults – 5 years longer
- WIC – open to all no restrictions

Miguel and Lupe need eye exams, glasses, and regular health care check ups and when Clara was at the hospital she learned she was pregnant what are they eligible for in Maryland?

Lawfully Present Immigrants Can *Purchase* on Exchange Under Federal Law

- Qualified immigrants
 - VAWAs, T visa bona fide, T visas, refugees, asylees, LPRs
- SIJS applicant children
- Visa holders who have not violated the terms of their visas
- Parolees, Temporary protected status
- Deferred action (Continued Presence, U visa bona fide; DACA)
- Immigrants with pending applications for lawful permanent residency
- Asylum/Convention Against Torture applicants with work authorization
- Full list: Health Care Access for Lawfully Present Immigrants – Definitions (May 27, 2024)
<https://niwaplibrary.wcl.american.edu/pubs/lawfully-present-healthcare/>

Benefits in Maryland - Health

- **CHIP:** Until 21 – lawfully present children eligible for medical assistance
 - SIJS applicants, VAWAs (3 mons)
 - T visa bona fides (6 mos), U visa bona fide (3 yrs)
- **All pregnant persons with incomes up to 259% Federal poverty level –**
 - Prenatal care, full healthcare and 1 year post partum care
- **Adults Medicaid after 10/1/26:**
 - When granted lawful permanent residency (LPR) = T visa (3.9 yrs)
 - LPR + 5 yrs: VAWAs (9.5 yrs); SIJS (10 yrs); U visa (23+ yrs)
 - VAWAs and U visas if entered the US before 8/22/96 the wait to subsidized health care is 5 years less

Interactive Public Benefits Map State-By-State

Hide fields Filter Group Sort ...

☐	Ben...	STATE & TERRITORY	Benefit Name	VAWA Self-Petitioner
1	309	Florida Public Benefits	Child Care - TANF Funded	Eligible for TANF funded child care if receiving TANF.
2	308	Florida Public Benefits	Child Care: Child Care Development Fund (CCDF)	Eligible for CCDF
3	310	Florida Public Benefits	Children's Health Insurance Program (CHIP)	Eligible up to age 19 upon prima facie determination. ...
4	311	Florida Public Benefits	Earned Income Tax Credits (EITC)	Eligible with conditions upon receipt of work ...
5	313	Florida Public Benefits	Emergency Medicaid	Eligible.
6	315	Florida Public Benefits	Family Medical Leave Act - State Law	No state law, federal law applies.
7	316	Florida Public Benefits	Federal Education Student Aid, Grants, and Loans	Eligible upon prima facie determination.

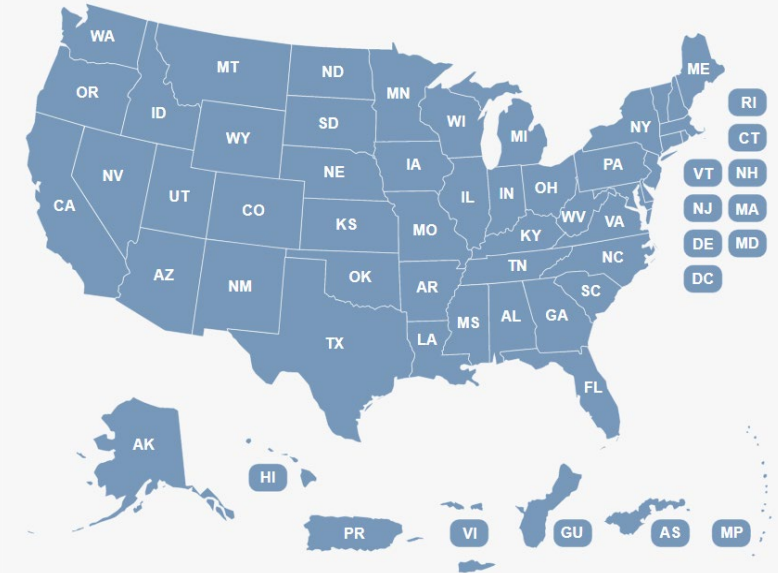
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BENEFITS MAP

Welcome to NIWAP's Interactive Public Benefits Map (October 24, 2022)



NIWAP

NIWAP American University Washington College of Law

Maps by Benefit

- Cash Assistance (TANF)
- Child Care
- Children's Health Insurance Program
- Driver's License, IDs, & Professional Licenses
- Earned Income Tax Credit
- Emergency & Transitional Housing & Safety Programs
- Emergency Medicaid
- Family Medical Leave
- Federal Education Benefits
- FEMA Assistance & Restricted Programs
- Food Stamps
- Health Insurance Exchanges
- Income Tax Credits
- Legal Services
- Medicaid
- Prenatal Care
- State Education Benefits
- Supplemental Security Income
- VOCA
- Weatherization & Energy Assistance
- WIC
- Unemployment Insurance

Benefits in Maryland Part 1

TANF and TANF funded Child Care:

- **No wait** for state-funded TANF: VAWA, T visa, T bona fide, OTIP, CP, SIJS applicants, asylees, refugees, DACA, U visa bona fide
- Child Care Development Fund: **No restrictions**

SSI

- **Eligible 1st 7 years:** T visas, OTIP, Continued Presence, Refugees, asylees
- **Wait times:** VAWAs (10 yrs); SIJS (14 yrs); U visa (31 yrs)

SNAP (Federal)

- **Children / Elderly / Disabled (LPRs):**
 - **Wait times:** VAWAs (4.5yrs), T visas (2.9 yrs), SIJS (5 yrs), U visa (21 yrs)
- **Adults LPR**
 - **Eligible:** T-visas, T bona-fide
 - **Wait times:** LPR + 40 quarters work credit (10 yrs); VAWAs (10.3 yrs); SIJS adults (15 yrs); U visa (33+ years)

Health Care in Maryland

Health Care Exchanges:

- **Eligible:** VAWA, T visa, T bona fide, *OTIP*, CP, asylee, refugees, U visa bona fide/waitlist, SIJS applicants

Health care for pregnant persons

- **Eligible for:** prenatal care, full-scope health care including 12 months post partum care - regardless of *immigration status*

Health Care for Children (up to 21) - CHIP:

- **Eligible:** VAWA s, T visa/T bona fide, U visa bona fide/waitlist, SIJS applicants , *OTIP*, CP, refugees, asylees
- Montgomery – Under 250% FLP *without regard to immigration status*
- Prince Georges – Under 300% FLP *without regard to immigration status*

Health care for non-pregnant adults:

- **Eligible** When LPRs without 5-year bar: T visa, T bona fide, *OTIP*, CP, asylee, refugees (VAWAs, LPRs, SIJS, Us = LPR & have 5-year bar *measured from qualified immigrant date*)
- Montgomery County – Under 259% FLP *without regard to immigration status*

Education

- **Post Secondary Educational Grants and Loans (Federal)**
 - **Eligible:** VAWAs, T visas, T bona fide, OTIP, CP, LPRs
- **Maryland in-state tuition, state financial aid, and scholarships**
 - **Available regardless of immigration status** if:
 - Graduated/GED MD High School, and
 - 3 years Maryland tax filings (student/parent/guardian, SSN or ITIN)

Drivers' licenses

- **REAL ID - federally recognized - Eligible at work authorization**
 - VAWA approved (LPR abusers), prima facie (USC abusers), T visa bona fide, T visas, CP, U visas bona fide, DACA, , SIJS –LPRs
- **MD State Driver's License:**
 - Requires Maryland residence + 2 years of Maryland tax returns filings

Family Medical Leave Act

- Effective July 1, 2026 – **No immigrant restrictions**

LIHEAP and Weatherization

- **Eligible:** VAWAs, refugees, asylees, T visa bona fide, T visas and LPRs (e.g. SIJS (5 yrs) and U visas (21+ yrs) if income eligible
- **Eligible:** Weatherization – no immigrant restrictions if at or under 200% poverty



Evaluation, Technical Assistance and Materials

- Evaluation
- Training Materials –
<https://niwaplibrary.wcl.american.edu/OceanCityHT25/>
- NIWAP Technical Assistance
 - Call (202) 274-4457
 - E-mail info@niwap.org
- Web Library:
www.niwaplibrary.wcl.american.edu

