



U.S. Citizenship
and Immigration
Services

Interoffice Memorandum

To: Field Office Directors
Section Managers
Supervisory Immigration Services Officers
District 23

Jane E. Arellano

From: Jane E. Arellano
District Director
District 23

Date: June 29, 2011

Re: Standard Operating Procedure (SOP) for Processing VAWA Cases

The purpose of this memorandum is to establish a Standard Operating Procedure (SOP) for handling and processing VAWA cases in District 23. I established this SOP after consulting with members of the VAWA Working Group, i.e. Nancy Reyes-Rubi, and after reviewing proposals from Field Office Directors in D23.

Each Field Office has designated a VAWA point of contact (POC), who will be responsible for overseeing the processing of all VAWA cases at his/her respective field office. This VAWA POC will also be responsible for handling any inquiries from our stakeholders about VAWA cases. The contact information for the VAWA POCs at each field office is provided on the attached list. The Chief of Staff for D23 will be responsible for maintaining the accuracy of this list and for providing the updated list to the VAWA Working Group.

Each month the VAWA POC will coordinate with the first-line supervisors for the VAWA-trained ISOs to generate pre-scheduled appointment notices for the 3rd Tuesday of the month. Each VAWA officer will be expected to conduct no more than 6 I-751 and/or I-485 VAWA interviews each day. These pre-scheduled appointment notices will be used according to the procedures described below.

Every effort will be made to ensure that a VAWA applicant is scheduled for an interview with a VAWA officer within 45 calendar days of the file arriving at the Field Office¹.

Processing I-751 Cases

All I-751 cases that are referred to the field office from the California Service Center must be reviewed and triaged to determine whether an interview needs to be scheduled. The ISO assigned to triaging these files will check to see which box is checked under Part 2 (Basis for Petition) on the I-751. If box "e" or "f" is checked, the ISO will refer the case to one of the VAWA-trained officers or to the VAWA POC for the field office. The VAWA POC or the VAWA-trained officer will determine whether an interview needs to be scheduled. If an interview is necessary, the VAWA ISO will obtain a pre-scheduled appointment from the VAWA POC or his/her first-line supervisor, and mail the appointment notice to the applicant. If there are less than 14 calendar days until the next available VAWA appointment, the first-line supervisor will issue a VAWA appointment notice for the succeeding month. The VAWA POC will need to maintain a log to keep track of the I-751 VAWA appointments that are scheduled each month.

Occasionally, neither box "e" nor "f" on the I-751 petition will be checked, and the VAWA concerns may not come to our attention until an ISO is conducting an interview on the case. If the interview is not being conducted by one of our VAWA officers, the ISO will terminate the interview and refer the case to the VAWA POC or to the first-line supervisor for a VAWA-trained officer. The first-line supervisor (SISO) will determine whether a VAWA officer is available to complete the interview the same day, or whether the case needs to be rescheduled at a later date. If the I-751 needs to be rescheduled, the first-line supervisor will hand-deliver a pre-printed appointment notice to the applicant before he/she leaves the office.

For VAWA-trained officers adjudicating I-751 petitions, they must address all eligibility grounds checked on the I-751 when they are rendering their final decision. This will prevent any unnecessary delays that may occur when the petitioner appears in Immigration Court and the Immigration Judge confirms that all eligibility issues have been addressed by USCIS.

Processing I-485 Cases

Attorneys from the VAWA Working Group have agreed to contact the VAWA POC at the appropriate Field Office when they receive an appointment notice for an interview from the National Benefits Center. The VAWA POC for the field office will work with the first-line supervisor to determine whether the VAWA-trained officers are available to conduct the I-485 interview on the date and time on the appointment notice. If the appointment needs to be rescheduled, the VAWA POC will provide the attorney of record with a new appointment notice for his/her client. These appointments will be scheduled on the 3rd Tuesday of the each month (as described above).

In other circumstances, an I-485 VAWA case may not be identified until an ISO has been assigned the case and begins to conduct the interview. The moment an ISO realizes that he/she is handling an

¹ Either more appointments will be scheduled for the 2nd Tuesday of the month, or additional qualified ISOs will be trained to handle VAWA cases on the 3rd Tuesday of the month.

I-485 case with VAWA concerns; he/she will immediately refer the case to the VAWA POC or to the first-line supervisor for the VAWA-trained officers. The first-line supervisor will determine whether a VAWA ISO is available to complete the interview the same day. If the case needs to be rescheduled, the first-line supervisor will provide the applicant with a pre-printed appointment notice to return to the field office for another appointment (see above).

I would like the Field Offices to begin implementing this SOP no later than Monday, August 1, 2011. If you have any questions or concerns about this SOP, please contact Martha Flores at (213) 830-5400.