DACA Frequently Asked Questions

On February 26, 2018, the U.S. Supreme Court unanimously denied the Trump administration’s request to review the legality of the Deferred Action for Childhood Arrivals (DACA) program, which provides temporary relief from deportation for some immigrants who arrived in the United States as children. The Supreme Court decision, along with two federal court injunctions that currently allow DACA recipients to continue to renew their relief, affirms the DACA program will continue and the lawsuit will be reviewed by the U.S. Court of Appeals. Individuals who have had DACA in the past or currently have DACA are encouraged to seek immediate legal assistance and, if eligible, immediately renew their DACA status. Unfortunately, no new DACA applications will be accepted. To sign up for a DACA renewal clinic in Chicago through the Legal Protection Fund (LPF), visit immigrantjustice.org/DACA.

1) What does the March 5th date mean for me?
   March 5th is the original deadline set by the administration on which the DACA program would begin to phase out. Because of the federal court injunctions, DACA renewals will continue to be accepted until the injunctions are reversed.

2) Who is eligible to apply?
   Anyone who has DACA or who has previously been granted DACA is eligible to apply. Please note that USCIS is not accepting new DACA applications.

3) When will U.S. Citizenship and Immigration Services (USCIS) stop accepting DACA renewal applications?
   USCIS must continue to accept applications until the current federal court injunctions are reversed, but this date is unknown. We encourage individuals to seek trusted legal service providers to review their eligibility for renewal and/or other forms of immigration relief.

4) What if my DACA expires in the next 150 days
   You should renew your DACA ASAP! Through the Legal Protection Fund, Chicago residents will not be charged attorney fees for their DACA application. Visit immigrantjustice.org/DACA to make a DACA renewal appointment.

5) What if my DACA expires in MORE than 150 days
   USCIS has been accepting applications for renewal applications even for Dreamers whose DACA expires in 2019. Accepting early applications is at the discretion of USCIS.

6) What if my DACA is EXPIRED?
   a) If your DACA expired ON OR AFTER Sept 5th, 2016, you can submit a DACA Renewal application
   b) If your DACA expired BEFORE September 5, 2016, you must submit an INITIAL DACA application:
      • Include the date your DACA expired on Part 1 of the Form I-821D, and complete all sections of the I-821D (including those indicated as “for initial applications only”).
• Include the supporting documentation necessary for an initial application (including proof that you meet the education requirement, proof of entry before age 16, proof of continuous presence since June 2007 and related documents).

7) Where can I get assistance to apply?
Through the Legal Protection Fund, Chicago residents will not be charged attorney fees for their DACA renewal applications. Visit immigrantjustice.org/DACA to make a DACA renewal appointment. Always visit a trusted legal service provider to file any immigration application!

8) What do I need to bring to a DACA legal consultation or clinic?
   - A copy of your previous DACA application
   - Current and previous work permits
   - Passport, state ID, driver’s license or consular ID
   - 2 passport-size pictures
   - Any criminal or traffic records you have had in the United States
   - $495 money order made payable to “Department of Homeland Security.” (Do not let fees hold you back from applying; scholarships are available.)

9) What are the risks of applying?
   a. The Trump administration is appealing the federal court injunctions and a higher court could allow USCIS to stop processing these applications.
   b. You may lose your $495 application fee.
   c. Any new information you submit to USCIS, including personal information such as your address and criminal history, may be shared with immigration enforcement agents. Although USCIS says it is only sharing this information in certain limited circumstances right now, it could change in the future.

10) What can I do if I’m detained by U.S. Immigration and Customs Enforcement (ICE) or the police?
    Remember, if you encounter an ICE agent or police officer, you have the right to:
    1. REMAIN SILENT
    2. SPEAK WITH AND BE REPRESENTED BY AN ATTORNEY
    3. NOT SIGN ANYTHING
    4. DENY ENTRY TO YOUR HOME

The Chicago Legal Protection Fund is a city initiative that supports organizations to expand access to protect undocumented immigrants in Chicago. The Fund was created in December 2016 to protect more than 180,000 undocumented immigrants in Chicago following the election of President Donald Trump. The National Immigrant Justice Center is a nongovernmental organization dedicated to ensuring human rights protections and access to justice for all immigrants, refugees, and asylum seekers through a unique combination of direct services, policy reform, impact litigation and public education. Visit immigrantjustice.org and follow @NIJC. The Resurrection Project is a multifaceted organization that seamlessly blends community development, community organizing, human service delivery, and advocacy to build healthier and engaged communities. For more information on TRP’s immigration services please go to www.resurrectionproject.org.