

# GETTING ASYLUM

## Protection in the United States

Are you afraid to return to your home country?  
Is your case in San Francisco Immigration Court?



**This guide can help you through the  
immigration court process.**

CLSEPA: (650) 326-6440 | Centro Legal: (510) 437-1554

This guide was created by the Immigrants' Rights Clinic at Stanford Law School on behalf of Centro Legal de la Raza in Oakland, California, and Community Legal Services in East Palo Alto, in East Palo Alto, California. We do not work for and are not funded by any divisions of the Department of Homeland Security, including ICE, USCIS, or CBP.  
Last Updated: May 2017



COMMUNITY  
LEGAL SERVICES IN  
EAST PALO ALTO

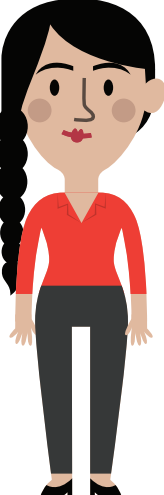


MillsLegalClinic  
StanfordLawSchool

**ASYLUM** is a special legal protection that lets people stay in the United States when they are afraid of going back to their home country.

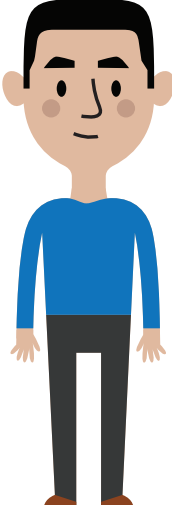
Meet Maria and Miguel. They are scared to return to their home country.

**Miguel and Maria's stories are only examples.** Your stories do not have to be the same as theirs to get protection. But their stories can help show you how to apply for asylum in the United States.



**Maria is a young woman who is afraid to return to her home country because she was in a bad relationship with her husband there. Her husband beat her and hurt her. Even though she reported her husband to the police in her home country, the police did not help her.**

**Miguel is a young man who is afraid to return to his home country because his family was threatened by gangs there. The gangs tried to recruit his older brother who refused to join them. The gang then threatened to kill Miguel and his entire family.**



This guide will explain all the steps Maria and Miguel go through as they seek protection in the United States. You can take the same steps. Here's what those will be:

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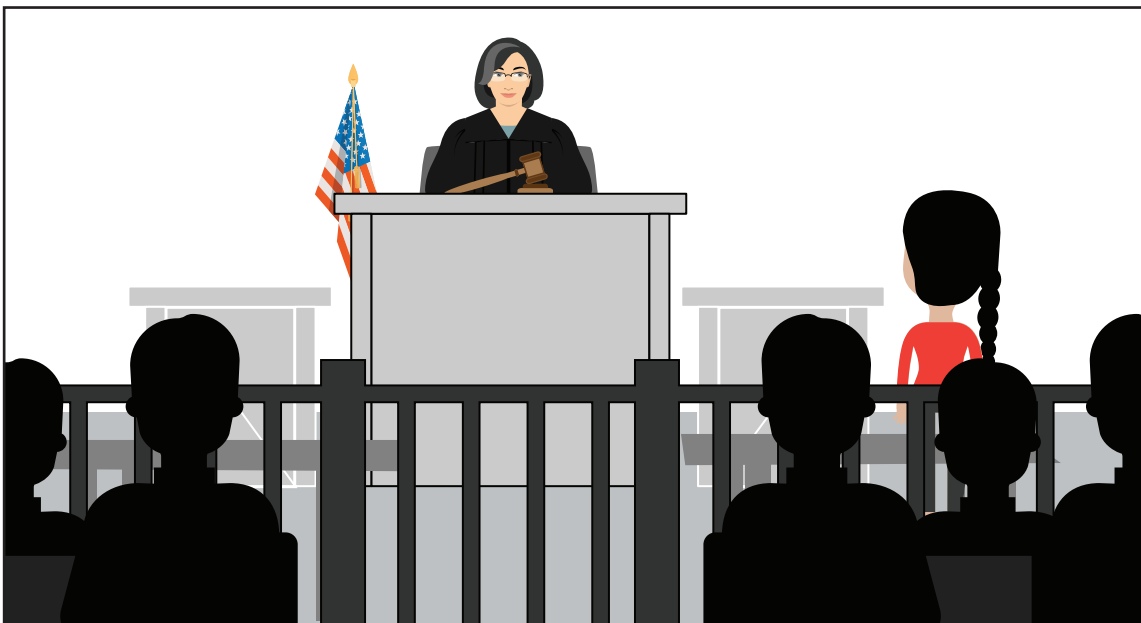
**You should turn in your asylum application as soon as possible. If you have not turned in your application within one year of entering the United States, please contact CLSEPA or Centro Legal as soon as possible.**

# Going to Immigration Court

The first few times that you go to immigration court, the Judge will ask you some basic questions about your name and address.

**Make sure you go to all of your hearings. The Judge can order that you be deported if you miss a court date.**

Your first few hearings are called **Master Calendar Hearings**. You will be in the courtroom with many other immigrants. You will only have to talk to the Judge for a few minutes at these hearings but you must attend any scheduled hearings to have a chance to apply for asylum and remain in the United States.



<p>U.S. Department of Homeland Security</p> <hr/> <p><b>In removal proceedings under section 240 of the Immigration and Nationality Act:</b> Subject ID: 987654321      FINS: 4567890123 DOB: 03/14/1990      File No: 123 456 789</p> <p>In the Matter of: Respondent: Maria Jones      currently residing at 999 Main Street, East Palo Alto, CA 94303      408-555-1433 (Number, street, city and ZIP code)      (Area code and phone number)</p> <p><input type="checkbox"/> 1. You are an arriving alien. <input checked="" type="checkbox"/> 2. You are an alien present in the United States who <input type="checkbox"/> 3. You have been admitted to the United States, but</p> <p>The Department of Homeland Security alleges that you: See Continuation Page Made a Part Here</p>	<p style="text-align: center;"><b>Notice to Appear</b></p> <p style="text-align: center;">!</p> <p>If you are not sure when your next court date is, you can call 1-800-898-7180. You will be asked to enter your A-number, which is a 9-digit ID number that you can find on your Notice to Appear or most other immigration documents. Press "2" to listen to the instructions in Spanish.</p>
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This is where you can find your A-Number.

## DO I NEED AN ATTORNEY?

The Judge will probably ask you to try and find an attorney. There might be a volunteer attorney in Court to help you just for the day of the hearing. These volunteer attorneys are just helping for the day. Try your best to find an attorney after the hearing. If you cannot find an attorney, you can still ask the Judge for protection by yourself. This manual will help you get protection even if you don't find an attorney.

## SHOULD I ASK FOR MORE TIME TO FIND AN ATTORNEY?

Finding an attorney will help you win your case, but asking for more time might mean that you have to wait longer to get a work permit. Sometimes asking for more time means that you may not get a work permit until your case is over.

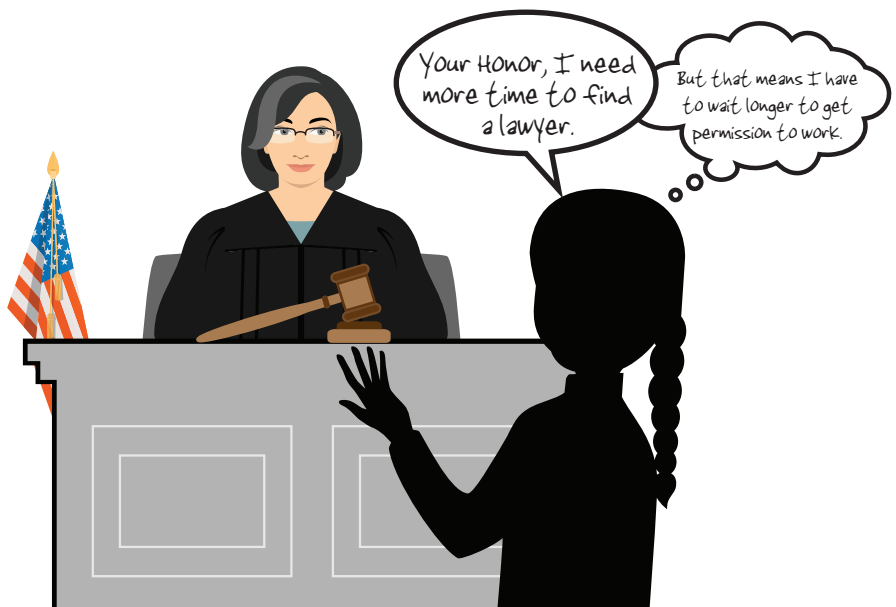
**?**

**WHAT SHOULD I SAY  
AT THE HEARING?**

If you don't know the answer to a question, it is fine to say that you don't know.

**★**

If you ask for more time to find an attorney and still can't find one in time for your next court date, **it is important that you still go to Court. Then, keep looking for an attorney after your hearing.**



# Turning in Your Asylum Form

If you have not turned in your form, you should do it as soon as possible.

If you have already turned in your form, you can skip this step and go to page 7.

The diagram shows a large black arrow pointing downwards from a box on the right towards the top of the I-589 form on the left. The box on the right contains the text: "This is your asylum form. It is called an I-589."

**I-589, Application for Asylum and for Withholding of Removal**

Department of Homeland Security  
U.S. Citizenship and Immigration Services  
U.S. Department of Justice  
Executive Office for Immigration Review

OMB No. 1615-0067; Expires 12/31/2016

**I-589, Application for Asylum and for Withholding of Removal**

START HERE - Type or print in black ink. See the instructions for information about eligibility and how to complete and file this application. There is NO filing fee for this application.

NOTE: Check this box if you also want to apply for withholding of removal under the Convention Against Torture.

**Part A.I. Information About You**

1. Alien Registration Number(s) (A-Number) (if any)		2. U.S. Social Security Number (if any)	
3. Complete Last Name	4. First Name	5. Middle Name	
6. What other names have you used (include maiden name and aliases)?			
7. Residence in the U.S. (where you physically reside)			
Street Number and Name		Apt. Number	
City	State	Zip Code	Telephone Number

**1.** Fill out the form. Answer all the questions in English as best as you can.

**2.** Make 3 copies of the form after you fill it out. You can make copies at a FedEx store or copy center.

**3.** Go to the Immigration Court at 100 Montgomery Street, Suite 800, San Francisco, CA 94104. **Bring the original that you filled out and all 3 copies.**

**Do not wait until your next court date to file your asylum form. You should take your application to the Court as soon as possible! The deadline for filing your asylum application is one year after you entered the United States.**

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**Immigration Court  
100 Montgomery Street  
Suite 800  
San Francisco, CA 94104**

# WHAT TO DO WITH YOUR ORIGINAL FORM AND THE THREE COPIES:

## THE ORIGINAL FORM

Turn in the original form to the window on the 8th floor of the Immigration Court building.

## COPY #1

Give one copy of your asylum form to the person at that same window on the 8th floor so that they can stamp it and give it back to you. **KEEP THIS FORM IN A SAFE PLACE. THIS WILL BE YOUR COPY. IT IS HELPFUL TO BRING YOUR COPY TO ALL OF YOUR COURT HEARINGS.**

Keep the stamped copy.



## COPY #2

Put your second copy in an envelope. Put a postage stamp on the envelope. Mail the envelope to:

**Office of the Chief Counsel, Immigration and Customs Enforcement,  
100 Montgomery Street, Suite 200, San Francisco, CA 94104.**

## COPY #3

Put your third copy in an envelope. Included in the envelope should be:

- 1) The letter on page 24 that you should fill out with your information (Place on top);
- 2) Copy # 3 of your asylum form; and
- 3) The document found on page 25 of this manual, called "Instructions for Submitting Certain Applications in Immigration Court and for Providing Biometric and Biographic Information to USCIS".

Mail the envelope to **USCIS Nebraska Service Center, Defensive Asylum Application With Immigration Court, P.O. Box 87589, Lincoln, NE 68501-7589.**



**The reason that you have to mail this copy is because anyone who is asking for asylum needs to get their fingerprints taken. About 1 month after putting Copy #3 in the mail, you should receive an appointment letter with a date for you to get your fingerprints taken. Make sure you attend this appointment!**

# Applying for a Work Permit

You can apply for a work permit 150 days after the day that you turned in your asylum application to the Court.

To check how many days have passed since you turned in your asylum application, **call 1-800-898-7180**. You will be asked to **enter your A-number**, which is a 9 digit ID number that you can find on your Notice to Appear or most other immigration documents. Select option “2” to find out how many days have passed.

If you call the phone number above and the number of days has not changed, it may be because the Court extended your waiting period.

U.S. Department of Homeland Security	Notice to Appear
<b>In removal proceedings under section 240 of the Immigration and Nationality Act:</b>	
Subject ID: 987654321	FINS: 4567890123
DOB: 03/14/1990	File No: 123 456 789
In the Matter of:	

This is where you can find your A-Number.

Once the 150 day waiting period has passed, here’s how you apply for a work permit:

- 1. Complete the work permit application** (Form I-765), in black ink. Turn to page 26-27 to find a sample of this form. The forms are available at [www.uscis.gov/i-765](http://www.uscis.gov/i-765).
- 2. Make photocopies of these papers:**
  - Your asylum form that was stamped at the Court window (copy #1 from page 6).
  - The letter from the court with the date of your next hearing.
  - Your passport or some other government-issued identity document, like a birth certificate, voter ID, or national identity document (cédula de identidad).
- 3. Find a place that takes passport style photos** and get 2 photos of yourself.
- 4. Place the copies of the papers and the photos** in an envelope. Mail the envelope to: USCIS, Attn: AOS, P.O. Box 21281, Phoenix, AZ 85036.
  - About 2-4 weeks after mailing your work permit application, you should receive a notice called “I-797 Notice of Action, Receipt Notice.” This means that your application was received.
  - About 1-2 months after mailing your work permit application, you should receive an appointment letter with a date for you to get your fingerprints taken. Make sure you attend this appointment!

It is important to know that the Immigration Judge is not the one who decides who can get a work permit. A different part of the government will review your application and make a decision. Do NOT turn in your work permit application to the Judge.

**If you need additional help applying for a work permit, please contact Community Legal Services of East Palo Alto (650) 326-6440, or Centro Legal (510) 437-1554!**

  
**It usually takes between 60 and 90 days for a work permit to be issued. The government will send you a letter to let you know if your application has been approved.**

# What to Do While You Are Waiting for Your Individual Hearing

You will probably have to wait a few years after your last master calendar hearing until your individual hearing.

NOTICE OF HEARING IN REMOVAL PROCEEDINGS  
IMMIGRATION COURT  
100 MONTGOMERY ST., SUITE 800  
SAN FRANCISCO, CA 94104

LEAD FILE: 2 [REDACTED]  
RE: 2 [REDACTED]  
2 [REDACTED]

DATE: OCTOBER 6, 2016

TO: Stanford Law School, Immigrants' Rights Clinic  
[REDACTED]  PRESENCE OF MINOR(S) WAIVED  
559 Nathan Abbott Way  
Stanford, CA 94305

Please take notice that the above captioned case has been scheduled for a  
Master / Individual hearing before the Immigration Court on  
May 26, 2017

100 MONTGOMERY ST., FLOOR, COURTROOM 13  
SAN FRANCISCO, CA 94104

You may be represented in these proceedings, at no expense to the  
Government, by an attorney or other individual who is authorized and qualified

This is where you can find the date of your hearing.

## WHAT IS YOUR INDIVIDUAL HEARING?

The Court will only decide whether to grant you asylum after giving you an individual opportunity to tell your story in a private hearing — called an “individual calendar hearing.”

Here are some other things you can do to prepare for your individual hearing:

### 1. Write down your story so that you can tell it to the Judge.

The next few pages will give you some examples of stories that people tell the Judge. Then, they will help you write down your own story.



It is normal to be nervous for this hearing. The most important thing is to tell the truth. Remember: you are the one who knows your story the best.





Miguel



Maria

**A young Christian man, who was attacked by gang members while he was handing out church pamphlets**

- **Who hurt you?** Members of MS-13, a powerful gang in my country threatened to hurt me and my family.
- **What are some of the things they did to hurt you?** They tried to recruit my brother, and when he said no, they sent us death threats. They showed him a picture of my mother dropping off my sister at school and said they'd kill them if he didn't join.
- **Are you afraid of people hurting you in the future?** Yes, we know that once gangs start coming for someone in a family, everybody is at risk.
- **What are you afraid those people would do to you?** If my brother turns the gang down, I am afraid that they will kill all of my family, including myself.
- **Why do you think they might hurt you?** They want to hurt us because we are my brother's family.
- **Why couldn't the police help you?** The police are scared of the gang, and many of them are corrupt.
- **Why wouldn't you have been safe somewhere else in your home country?** MS-13 has caught and killed other people who tried to run to another city.

- **Who hurt you?** My husband.
- **What are some of the things they did to hurt you?** My husband got drunk and hit me very frequently. He threatened to kill me if I ever left. Once, he threw me against a wall so hard he broke my arm.
- **Are you afraid of people hurting you in the future?** Yes, I'm afraid my husband will hurt me if I return.
- **What are you afraid those people would do to you?** I am afraid that he will beat me or worse.
- **Why do you think they hurt you?** My husband used to say he could do whatever he wanted to me because I was his wife, and I belonged to him.
- **Why couldn't the police help you?** After my husband broke my arm, I went to the police and I asked for help, but they never did anything. That's when I knew I had to leave.
- **Why wouldn't you be safe somewhere else in your home country?** My husband said he'd find me wherever I went. I once tried to run away to my sister's home in another village, and he came there and took me back.

- **Who hurt you?** Los Caballeros, a powerful cartel in my part of the country.
- **What are some of the things they did to hurt you?** I was handing out pamphlets telling people when worship services were at my church. Members of the Caballeros grabbed me, punched me, and threw my pamphlets in the sewer.
- **Are you afraid of people hurting you in the future?** Yes, the cartel.
- **What are you afraid those people would do to you?** I'm afraid the cartel will physically attack me or worse.
- **Why do you think they hurt you?** The cartels don't want people going to church, especially young men my age, because then they won't join the cartel.
- **Why couldn't the police help you?** The police are all in the pockets of the cartels. The few that aren't already working with the cartels are scared of them too. They told me to stop making trouble.
- **Why wouldn't you be safe somewhere else in your home country?** The cartels in other parts of the country hate church too, and I refuse to stop practicing my faith.

<p><b>A woman who received death threats from the police because she refused to pay a bribe</b></p>	<p><b>A gay man who is called names because of how he dresses</b></p>	<p><b>An indigenous woman who was sexually assaulted by a non-indigenous man in her village</b></p>
<ul style="list-style-type: none"> <li>• <b>Who hurt you?</b> A policeman.</li> <li>• <b>What are some of the things they did to hurt you?</b> He came to my house and told me I had to pay a “tax” for my protection. I told him I didn’t think that was right. That night, he came back and put a gun to my head, and said if I knew what was good for me I’d pay him.</li> <li>• <b>Are you afraid of being hurt in the future?</b> Yes, I am afraid of the police.</li> <li>• <b>What do you fear might happen if you return?</b> I am afraid the police might beat me or worse.</li> <li>• <b>Why do you think they hurt you?</b> I think it’s wrong that the police are so corrupt, and I didn’t want to participate.</li> <li>• <b>Why couldn’t the police help you?</b> A policeman hurt me, and he said he had friends high up in the police force who would protect him.</li> <li>• <b>Why wouldn’t you be safe somewhere else in your home country?</b> I was afraid the policeman’s friends would find and punish me wherever I went.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Who hurt you?</b> No one has physically hurt me yet, but I have been verbally harassed.</li> <li>• <b>What are some of the things they did to hurt you?</b> They have harassed me, insulted me, and called me names.</li> <li>• <b>Are you afraid of people hurting you in the future?</b> Yes. Other gay men in my home country have been insulted and beaten. I have a friend who was beaten so badly that he was in the hospital for a month. And people sometimes yell slurs at me when they see me out at night.</li> <li>• <b>What are you afraid those people would do to you?</b> I am afraid they will verbally insult me and physically attack me like those other gay men.</li> <li>• <b>Why do you think they might hurt you?</b> The men who yell at me say things like “You’re not a real man.” People think that people like me are gross and wrong.</li> <li>• <b>Why couldn’t the police help you?</b> The police hate people like me. They would never have helped me.</li> <li>• <b>Why wouldn’t you be safe somewhere else in your home country?</b> Homophobia is everywhere in my country, and I wouldn’t feel safe anywhere.</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Who hurt you?</b> The man was a stranger.</li> <li>• <b>What are some of the things they did to hurt you?</b> He sexually assaulted me twice. I know it was him because he said he was glad to see me again. The first time, he just grabbed me when he saw me alone on the way to the market, and I screamed and ran. The second time, he showed up to my house with a knife, and forced me to have sex with him.</li> <li>• <b>Are you afraid of people hurting you in the future?</b> Yes, I am afraid of the stranger.</li> <li>• <b>What are you afraid those people would do to you?</b> I am afraid he may sexually assault me again.</li> <li>• <b>Why do you think they hurt you?</b> The man said no one would care what he did to me, because I speak Mam.</li> <li>• <b>Why couldn’t the police help you?</b> The police don’t take sex crimes seriously.</li> <li>• <b>Why wouldn’t you be safe somewhere else in your home country?</b> I don’t speak Spanish very well, and I worry people would mistreat me just as badly in other parts of the country.</li> </ul>

**The Judge wants to hear why YOU are afraid to return to your home country. We suggest writing down your story. If it is helpful, you can read this piece of paper at your individual hearing.**

**Me**

I was hurt in my home country by...

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I am afraid that in the future I might be hurt by...

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Some of the worst things they did to me include...

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Some of the worst things that I am afraid might happen to me in the future include...

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I think they hurt me, or might hurt me, because...

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I know the police or other authorities cannot protect me because...

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I would not be safe living in another part of my country because...

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## 2. Do your best to find PEOPLE and PAPERS that can support your story.

You should begin looking for PEOPLE and PAPERS that can support your story a few months before your hearing.

**PEOPLE:** If other people know about what happened to you, they can help support your story.



Maria has told her mother about the times that her husband has beaten her. She also went to her sister's house to hide from her husband, but he found her there and made her return home. Maria can ask her mother and her sister to write letters describing what they know about Maria's story.

**Who knows about what happened to you?** Write down a list of people who know your story. We recommend that you choose people who you are comfortable asking to write a letter for you.

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**What if no one else knows what happened to me?**

**Your own story, by itself, can still be enough. But the more people you can get to write letters for you, the better.**

They should sign and date the letters. If possible, they should either get the letters notarized or you should ask them for a copy of their identification (passport, cedula, driver's license, etc.). You can include the copy of their ID with their letter.

**PAPERS:** Do your best to find LETTERS and other papers that can support your story.

Any documents that help tell or support part of your story can be helpful. Let's look at Miguel and Maria's examples below.



Miguel's brother has received threatening text messages from gang members. The newspaper in Miguel's home town has recently published an article about how powerful the gangs are. Miguel can use a picture of the text messages and the newspaper article to support his story.


Maria once reported her husband to the police. The police wrote a report but didn't do anything to help her. Maria also went to the hospital once when her husband beat her so badly that he broke her arm.

Maria can use both the police report and her medical records from the hospital to support her story.



**What papers do you have to support your story?** You can use this checklist to think about the letters and other papers you can use for your case.

- Police reports
- Medical records
- Picture of text messages or emails or messages from Facebook or Whatsapp
- Letters
- Newspaper articles
- Other: \_\_\_\_\_



**What if I don't have any papers like these to support my story?**

**Your own story, by itself, can still be enough. But the more papers you can gather, the better.**

**Start collecting these papers a few months before the date of your Individual Hearing so that you can give them to the Judge before your hearing.**

### 3. Think about if there are people who know your story and can come to Court to talk to the Judge.

For example, Maria's sister knows about what happened to Maria. Maria can bring her sister to talk to the Judge about what happened to her.

#### Who should you bring to Court?

- Does the person know about what happened to you?
- Do you trust this person to tell the truth about what happened to you?
- Can the person come with you to San Francisco Immigration Court?
- Does the person have legal immigration status?
  1. Does the person have legal immigration status? If not, they should not come to Court.
  2. Does the person have their own immigration case? If so, they can come to your hearing even if they don't have legal immigration status. However, anything they say at Court might be mentioned at their hearing too.



**If the person that you want to bring to court with you has their own immigration case, they should consult with their lawyers first. If they do not have a lawyer, make sure that they are aware that anything they say in your hearing might be mentioned at their hearing too.**

## 4. Give all of your LETTERS and PAPERS to the Court 30 DAYS before your individual hearing.

Here's how you give your letters and other papers to the Court:

- Gather all of your letters and papers together in a group.
- Take all of these papers that are not in English to get translated into English.
- Tear page 28 out of this manual, fill in the blank spaces, and put it on top of these papers.
- Tear page 29 out of this manual, fill in the blank spaces, and put it at the very end of these papers.
- Take your letters and these papers to a copy store and make **two copies** of the group of papers. Staple each group. Now you have three groups of paper—the original and two copies. You will do something different with each group.



### ORIGINAL STACK

Take your original group of letters and papers to the Immigration Court at 100 Montgomery Street, San Francisco, CA 94104. You should take it to the 8th Floor window and give it to the person at the window.

### COPY #1

Give Copy #1 to the same person at the 8th Floor window of the San Francisco Immigration Court and ask them to stamp it. **KEEP THIS COPY FOR YOURSELF.**



### COPY #2

Put your second copy in an envelope. Put a postage stamp on the envelope. Mail the envelope to:

**Office of the Chief Counsel, Immigration and Customs Enforcement,  
100 Montgomery Street, Suite 200, San Francisco, CA 94104.**



**You should try and complete these steps 30 days before your individual hearing. If you can't do it then, you should do it as soon as possible.**

# Going to Your Individual Hearing

Your individual hearing will be very different from your other hearings. It will be longer, so you should make plans to be free the entire morning or afternoon near your scheduled hearing time.

At this hearing, the Judge and government attorney will ask you questions and you will get your chance to tell the Judge who you are afraid of, why you are afraid to go back to your home country, and why you don't think you could be safe living in another part of your home country.

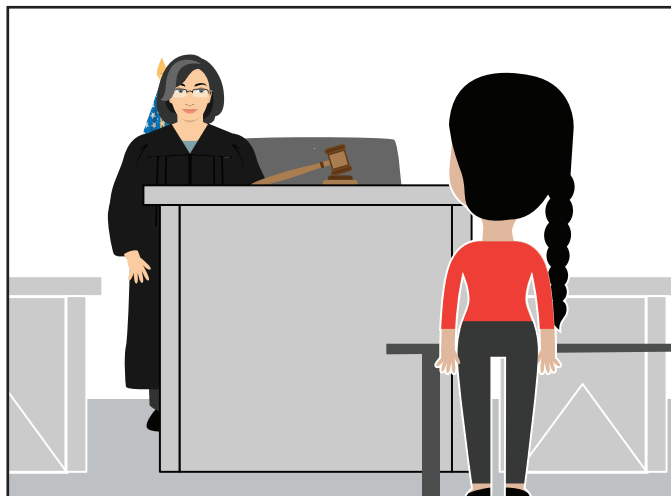
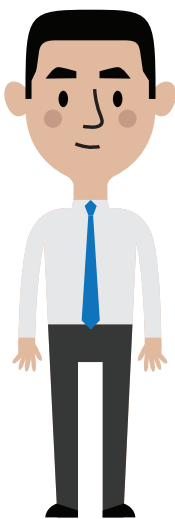


**You can bring an attorney to your individual hearing even if you haven't used one before! You can hire an attorney at any time, but the more time you have working with the attorney before your individual hearing the better.**

## HELPFUL REMINDERS ABOUT YOUR INDIVIDUAL HEARING:

- Your individual hearing is private and confidential.
- If you can, wear something nice to Court to show the Judge that you understand that your hearing is a serious occasion.
- If your children are included in your case, you must bring them unless the Judge says that they don't have to come. If your children are not included in your case, you can bring your children, but you don't have to unless the Judge says so.
- It is a sign of respect to the Judge to stand up whenever the Judge stands up. For example, when she walks into the courtroom, you should stand. Once the Judge takes her seat, you may also sit down.

The next pages will help you know what to expect at your individual hearing.





## STEP-BY-STEP DESCRIPTION OF WHAT HAPPENS AT YOUR INDIVIDUAL HEARING:

### 1. Arrive at immigration court and find your courtroom.

San Francisco Immigration court is located at:  
100 Montgomery Street, San Francisco, CA 94104

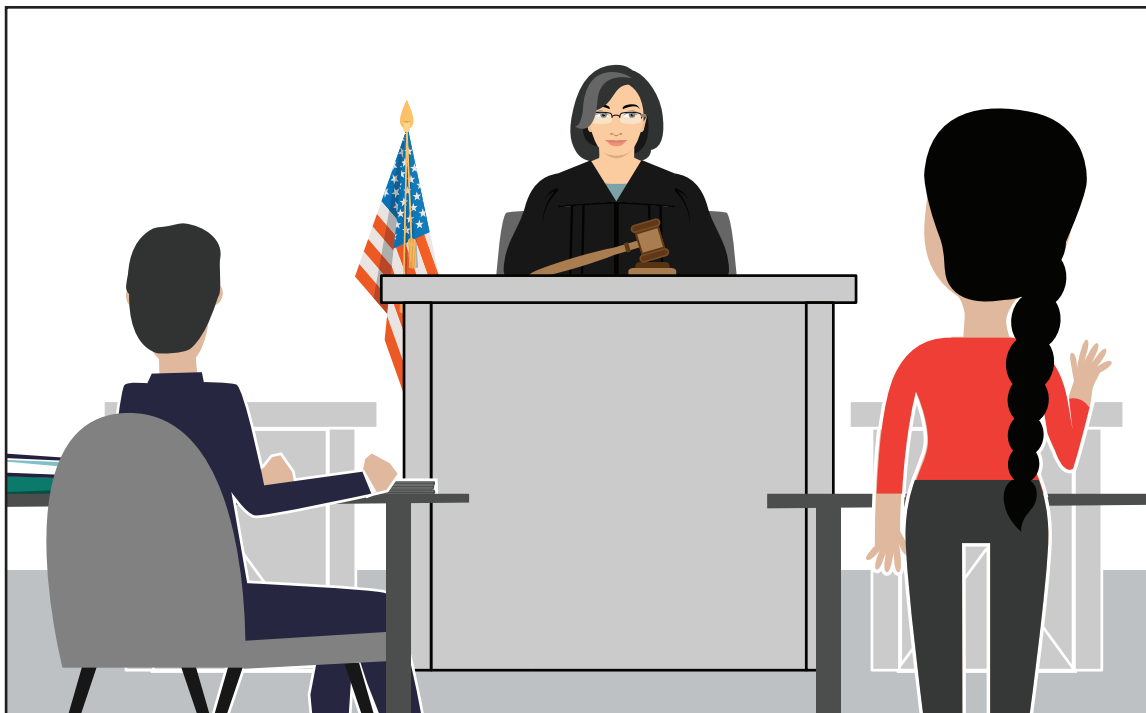
### 2. Wait while the Judge takes care of a few tasks.

Here are some things that might happen at the beginning of the hearing:

1. The Judge might talk to the government attorneys about the case. This part is often in English and not translated. When the Judge is ready to talk to you, she will talk to you directly and use the translator.
2. Near the beginning of the hearing, the Judge will ask you to promise that you will tell the truth at your hearing. You will stand up, raise your right hand and promise to tell the truth.



**You MUST be in your actual courtroom at the time your hearing is scheduled. If you are not, the Judge might make a decision about your case without you having an opportunity to tell your story. Make sure to leave plenty of time for traffic, parking, and security.**



### 3. Answer questions from the Judge and the government attorney.

Next, the Judge will ask you to tell your story, and will ask you questions about your story. This is your chance to tell the Judge about why you are afraid to return home and explain to her why you need protection in the United States.

If you wrote down your story on page 11, you can tell the Judge you'd like to start by reading your story out loud. After you read your story, the Judge and government attorney will ask you questions.

#### How to answer questions:



- If you start to feel nervous, it's ok to ask the interpreter to repeat the question, or to ask for a moment before answering the question.
- It's ok if you can't remember the exact details about your story. Say that you can't remember.
- If you don't know the answer to a question, it is okay to say that you don't know.



**If you do not speak English, the Judge will provide you with an interpreter. If you do not understand the interpreter, you should tell the Judge this as quickly as possible.**



This is a chart that you can use to prepare for the questions. Your story might not fit perfectly into the chart, and that's ok. But you should be prepared to talk about the parts of your story that fit into this chart with the Judge and the government attorney.

	 <b>Maria's Answers</b>	 <b>Miguel's Answers</b>	<b>My Answers</b>
<p><b>Who hurt you?</b></p> <p><b>How did they hurt you?</b></p>	<p>My husband often got drunk and hit me. On one occasion, when I let the tortillas get cold before dinner, he threw me against the wall and broke my arm. He was very jealous and controlling and would try to keep me away from my friends and family. He would yell at me if I can home later than he expected me to be home and accuse me of being with other men.</p>	<p>Members of MS-13 tried to recruit my brother. They roughed him up a little bit, but we really were scared of what they would do if he turned them down.</p>	
<p><b>Are you afraid of people hurting you in the future?</b></p> <p><b>What are you afraid those people might do to you?</b></p>	<p>Yes. My husband frequently threatened to kill me if I ever left him. I am afraid that he will kill me if I return.</p>	<p>Yes. Members of MS-13 tried to recruit my brother, and told him he had to sell drugs in his school. They said they knew who his mother, father, and brother were. We know that once gangs start coming after someone in a family, everybody is at risk, and that if my brother turned them down, they would kill us all.</p>	
<p><b>Why did these people hurt you?</b></p>	<p>My husband said he could do whatever he wanted to me because I was his wife, I was his property, and he owned me.</p>	<p>Gang members told my brother that they'd have to make an example of him he didn't fall in line. And I know they targeted my brother because he was a young man who wasn't yet in a gang.</p>	
<p><b>Did the police help you? If not, why didn't they help?</b></p>	<p>The police don't take claims of family violence seriously. I asked them for help, but they never opened a file or did any investigation. I have a friend that did get a restraining order, but the paper didn't mean anything and her partner kept hitting her.</p>	<p>We did not go to the police because it is common knowledge that the police are scared of the gangs too, and many of them are corrupt.</p>	
<p><b>Why can't you move to another part of your country to avoid danger?</b></p>	<p>My husband said he'd find me wherever I went. I once tried to run away to my sister's home in another village, and he came there and took me back.</p>	<p>The gangs are everywhere in my country. Two boys I went to school with tried to run away to another city when MS-13 came after him, and the gang found them and killed them.</p>	

#### 4. If you brought people to the hearing to help tell your story, the Judge and government attorney will ask them questions.

It is common for the Judge to ask any people that you brought to wait outside of the courtroom until it is their turn to talk.

##### **Do not worry if you are nervous.**

It's normal to be nervous about answering questions in Court. Remember, you know your story better than anyone. The most important thing you can do is tell the truth.



★

The judge knows that some of the things you might have to talk about at your hearing are difficult or painful. If you get emotional during your hearing, it is always ok to ask for a break so that you can compose yourself, get water, or even tissues.

#### 5. After the Judge is done asking you questions, you must wait for the Judge's decision.

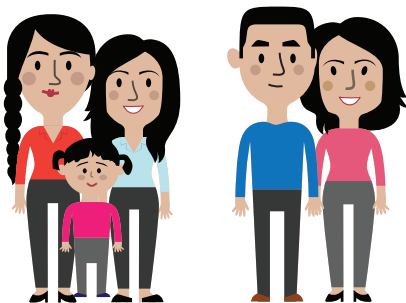
The Judge might make a decision about your case at the end of this hearing. If this happens, she will tell you her decision that very same day before you leave the courtroom.

It is also normal for judges to make a decision in writing several days or weeks after your hearing. If this happens, you will receive a letter in the mail that tells you what the Judge has decided.

##### **You cannot be deported while you are waiting for the Judge's decision.**

# Next Steps After Your Hearing

If the Judge decides that you can stay in the United States, then congratulations! The Judge will give you a form with instructions on it and will describe to you what you should do next.



You will be able to apply for a work permit and Form I-94 which will be proof that you have asylum. One year after being granted asylum, you will be able to apply for a green card.

If you are granted asylum, some of your family members, like your legal spouse or your children, may also get the same protections. If you think that this applies to you, you should contact Community Legal Services of East Palo Alto (650) 326-6440 or Centro Legal de la Raza (510) 437-1554, who may be able to help your family through this process.

## **WHAT SHOULD I DO IF THE JUDGE DECIDES NOT TO GIVE ME ASYLUM?**

If you disagree with a Judge's decision, you have the right to ask for it to be changed. This is called an appeal. The Judge will give you the form and instructions that you need to follow if you want to appeal.

Fill out the form and mail it to the address listed on the form within 30 days of the Judge's decision.

If you did not win your case and you want to talk about continuing to fight your case, you should contact Community Legal Services of East Palo Alto (650) 326-6440 or Centro Legal de la Raza (510) 437-1554 immediately to see if they can help you with your case.



**If the Judge decides that you cannot stay in the United States, you can decide to appeal her decision.**

**As long as your case is on appeal, you CANNOT be deported.**

# Steps in Your Asylum Process

We encourage you to keep track of the important dates in your case by filling out this form as you learn dates and as you complete the steps. This is just for your own use.

## DATE

1. I crossed the border into the United States on:

\_\_\_\_\_

2. My next hearing date is on:

\_\_\_\_\_

3. I turned in my asylum form on:

\_\_\_\_\_

You must turn in your asylum application no later than one year after you arrived in the US. This is the date in line 1. If you missed this deadline, file your application as soon as possible.

4. I got my fingerprints taken on:

\_\_\_\_\_

5. I applied for a work permit on:

\_\_\_\_\_

You can usually do this 150 days after you turned in your asylum form

6. I started to prepare for my private hearing:

\_\_\_\_\_

I wrote out my story on:

\_\_\_\_\_

I finished collecting documents that might help my case on:

\_\_\_\_\_

I got my papers translated and ready to give to the Court on:

\_\_\_\_\_

7. (If I have any,) I turned in my letters and papers to the Court on:

\_\_\_\_\_

15-30 days before individual hearing

8. My individual hearing is scheduled for:

\_\_\_\_\_

# Forms for You to Use

Some of the steps in the process of getting protection require filling out and using special government forms — for example, a work permit application.

If you're at a step in the process where you need to use one of those forms, you can get it here. If you're not at one of these steps, then there isn't anything you need to do with these papers right now.

## **Turning In Your Asylum Form**

Letter to Mail to the Government, Page 24

"Instructions" Form to Mail to the Government, Page 25

## **Applying for a Work Permit**

Work Permit Application Form, Pages 26-27

## **Give All Your Letters and Other Papers to the Court 30 Days Before the Hearing**

Form to Put On Top of Papers to Give to the Court, Page 28

Form to Put on the Bottom of Papers to Give to the Court, Page 29





USCIS Nebraska Service Center  
Defensive Asylum Application With Immigration Court  
P.O.Box 87589  
Lincoln, NE 68501-7589

In the Matter of: \_\_\_\_\_  
(write your name here/escribe su nombre)

Alien Number: A \_\_\_\_\_  
(write your A-Number here/escribe su número A)

Dear Sir or Madam:

Please find enclosed the following biographic and biometric information in support of the Applicant's application for Asylum, Withholding of Removal, and Relief pursuant to the Convention Against Torture (Form I-589):

1. Copy of the first three pages of Form I-589 (for Asylum, Withholding of Removal, and Relief pursuant to the Convention Against Torture); and
2. Copy of the Pre-Filing Instructions.

Thank you very much for your attention to this matter.

Sincerely,

\_\_\_\_\_  
Name/Nombre

\_\_\_\_\_  
Date/Fecha



**INSTRUCTIONS FOR SUBMITTING CERTAIN APPLICATIONS IN  
IMMIGRATION COURT AND FOR PROVIDING BIOMETRIC AND BIOGRAPHIC  
INFORMATION TO U. S. CITIZENSHIP AND IMMIGRATION SERVICES**

**A. Instructions for Form I-589 (Asylum and for Withholding of Removal)\***

**In addition to filing your application and supporting documents with the Immigration Court and serving a complete copy of your application on the appropriate Immigration and Customs Enforcement (ICE) Office of Chief Counsel, you must also complete the following requirements before the Immigration Judge can grant relief or protection in your case:**

**SEND these 3 items to the address below:**

- (1) A clear copy of the **first three pages** of your completed Form I-589 (Application for Asylum and for Withholding of Removal) that you will be filing or have filed with the Immigration Court, which must include your **full name, your current mailing address, and your alien number (A-number)**. (Do Not submit any documents other than the first three pages of the completed I-589),
- (2) A copy of Form G-28 (Notice of Entry of Appearance as Attorney or Accredited Representative) if you are represented, and
- (3) A copy of these instructions.

**USCIS Nebraska Service Center  
Defensive Asylum Application With Immigration Court  
P.O. Box 87589  
Lincoln, NE 68501-7589**

Please note that there is **no filing fee required** for your asylum application.

After the 3 items are received at the USCIS Nebraska Service Center, **you will receive:**

- A **USCIS receipt notice** in the mail indicating that USCIS has received your asylum application, and
- An **ASC notice** for you, and separate Application Support Center (ASC) notices for each dependent included in your application. Each ASC notice will indicate the individual's unique receipt number and **will provide instructions for each person to appear** for an appointment **at a nearby ASC for collection of biometrics** (such as your photograph, fingerprints, and signature). If you do not receive this notice in 3 weeks, call (800) 375-5283. If you also mail applications under Instructions B, you will receive 2 notices with different receipt numbers. You must wait for and take both scheduling notices to your ASC appointment.

**You (and your dependents) must then:**

- **Attend** the biometrics appointment at the ASC, and obtain a **biometrics confirmation** document before leaving the ASC, and
- **Retain** your **ASC biometrics confirmation** as proof that your biometrics were taken, and bring it to your future Immigration Court hearings.

**\* NOTE: IF YOU ARE FILING A FORM I-589 AND/OR ANOTHER APPLICATION, SEE THE REVERSE OF THIS FORM FOR ADDITIONAL INSTRUCTIONS.**

***Important: Failure to complete these actions and to follow any additional instructions that the Immigration Judge has given you could result in delay in deciding your application or in your application being deemed abandoned and dismissed by the court. Revised 9/5/13***





# Application For Employment Authorization

Department of Homeland Security  
U.S. Citizenship and Immigration Services

USCIS  
Form I-765  
OMB No. 1615-0040  
Expires 02/28/2018

<b>For USCIS Use Only</b>	Fee Stamp	Action Block	Initial Receipt	Resubmitted
			Relocated	
			Received	Sent
			Completed	
<input type="checkbox"/> Application Approved <input type="checkbox"/> Authorization/Extension Valid From _____ <input type="checkbox"/> Authorization/Extension Valid To _____ Subject to the following conditions: _____		<input type="checkbox"/> Application Denied - Failed to establish: <input type="checkbox"/> Eligibility under 8 CFR 274a.12 (a) or (c) <input type="checkbox"/> Economic necessity under 8 CFR 274a.12(c)(14), (18) and 8 CFR 214.2(f)		<input type="checkbox"/> Approved <input type="checkbox"/> Denied A# _____
		<input type="checkbox"/> Applicant is filing under section 274a.12 _____		

▶ **START HERE - Type or print in black ink.**

**I am applying for:**

- Permission to accept employment.
- Replacement (of lost employment authorization document).
- Renewal of my permission to accept employment (attach a copy of your previous employment authorization document).

**1. Full Name**

Family Name	First Name	Middle Name

**2. Other Names Used (include Maiden Name)**

Family Name	First Name	Middle Name

**3. U.S. Mailing Address**

Street Number and Name	Apt. Number	
Town or City	State	ZIP Code

**4. Country of Citizenship or Nationality**

**5. Place of Birth**

Town or City	State/Province	Country

**6. Date of Birth (mm/dd/yyyy)**

**7. Gender**  Male  Female

**8. Marital Status**

- Single     Married     Divorced     Widowed

**9. Social Security Number (Include all numbers you have ever used, if any)**

**10. Alien Registration Number (A-Number) or Form I-94 Number (if any)**

**11. Have you ever before applied for employment authorization from USCIS?**

- Yes (Complete the following questions.)

Which USCIS Office?	Dates

Results (Granted or Denied - attach all documentation)

- No (Proceed to **Question 12.**)

**12. Date of Last Entry into the U.S., on or about (mm/dd/yyyy)**

**13. Place of Last Entry into the U.S.**

**14. Status at Last Entry (B-2 Visitor, F-1 Student, No Lawful Status, etc.)**

**15. Current Immigration Status (Visitor, Student, etc.)**

**16. Eligibility Category.** Go to the "Who May File Form I-765?" section of the Instructions. In the space below, place the letter and number of the eligibility category you selected from the instructions. For example, (a)(8), (c)(17)(iii), etc.

(  ) (  ) (  )



17. **(c)(3)(C) Eligibility Category.** If you entered the eligibility category (c)(3)(C) in **Question 16** above, list your degree, your employer's name as listed in E-Verify, and your employer's E-Verify Company Identification Number or a valid E-Verify Client Company Identification Number in the space below.

Degree                      Employer's Name as listed in E-Verify

--	--

Employer's E-Verify Company Identification Number or a Valid E-Verify Client Company Identification Number

--

18. **(c)(26) Eligibility Category.** If you entered the eligibility category (c)(26) in **Question 16** above, please provide the receipt number of your H-1B principal spouse's most recent Form I-797 Notice of Approval for Form I-129.

--

19. **(c)(35) and (c)(36) Eligibility Category**

a. If you entered the eligibility category (c)(35) or (c)(36) in **Question 16** above, please provide the receipt number of the Form I-140 beneficiary's Form I-797 Notice of Approval for Form I-140.

--

b. Have you **EVER** been arrested for and/or convicted of any crime?                       Yes    No

**NOTE:** If you answered "Yes" to **Item Numbers 19.b.**, refer to **Item Number 5.**, **Item H.** or **Item I.** in the **Who May File Form I-765** section of these Instructions for information about providing court dispositions.

**Certification**

I certify, under penalty of perjury, that the foregoing is true and correct. Furthermore, I authorize the release of any information that U.S. Citizenship and Immigration Services needs to determine eligibility for the benefit I am seeking. I have read the **"Who May File Form I-765?"** section of the instructions and have identified the appropriate eligibility category in **Question 16.**

**Applicant's Signature**

--

**Date of Signature** (mm/dd/yyyy)

--

**Telephone Number**

--

**Signature of Person Preparing Form, If Other Than Applicant**

I declare that this document was prepared by me at the request of the applicant and is based on all information of which I have any knowledge.

**Preparer's Signature**

--

**Date of Signature** (mm/dd/yyyy)

--

**Printed Name**

--

**Address**

--





Office of the Immigration Judge  
Executive Office for Immigration Review  
100 Montgomery Street, Suite 800  
San Francisco, California 94104

In the Matter of: \_\_\_\_\_  
(write your name here/escriba su nombre)

Alien Number: A \_\_\_\_\_  
(write your A-Number here/escriba su número A)

Date of Hearing: \_\_\_\_\_  
(write your individual hearing date here/escriba la fecha de su audiencia individual)

Dear Sir or Madam:

Enclosed for filing please find evidentiary filings in the above-mentioned matter. In addition, you may find country condition information relevant to that matter at <https://www.state.gov/j/drl/rls/hrrpt/>.

My country of origin is \_\_\_\_\_.  
(write your home country here/escriba su país de origen aquí)

Please also find attached proof of service for this filing.

Sincerely,

\_\_\_\_\_  
Name/Nombre

\_\_\_\_\_  
Date/Fecha



**CERTIFICATE OF SERVICE**

I, \_\_\_\_\_, am over the age of 18 and certify that  
Print your full name/Escriba su nombre legal completo

on \_\_\_\_\_, I served a true copy of the foregoing  
Write the date that you are bringing your papers to Court/  
Escriba la fecha en que va a llevar los papeles a la corte

documents in support of my application for asylum on the U.S. Department of Homeland Security, Office of the Chief Counsel, located at 100 Montgomery Street, Suite 200, San Francisco, CA 94104,

\_\_\_\_\_  
Signature (firma)

\_\_\_\_\_  
Date (fecha)

