

BEST PRACTICES TOOLKIT

Prescreening and Red Flag Review
A toolkit in the Group Processing Workshops Series

BEST PRACTICES DEFINED

Best practices are operating processes that produce consistently better results than other techniques. We glean best practices from the good practices of frontline organizations and leaders, and improve them through reflection, feedback, and experimentation. Best practices may be born through the efforts of one community and transformed when they are adopted by others in a new context, but the underlying understanding of their utility remains constant and is always measured against desired results.

ABOUT THIS SERIES

Identifying and spreading best practices requires a learning network for peer-to-peer exchange of ideas. This toolkit series serves as one mechanism for us to share and build on best practices.

ABOUT THIS TOOLKIT

The New Americans Campaign provides a significant percentage of naturalization services through group processing workshops – events serving 10-600+ lawful permanent residents (LPRs) within a single day. This group approach is critical to the Campaign’s goal of significantly increasing the number of lawful permanent residents who complete their naturalization applications. It also serves as a foundation for other immigration legal service delivery. This toolkit provides recommendations for organizations on how to screen LPRs before a workshop for their eligibility to naturalize, as well as how to review the suitability of their case for assistance in a workshop setting.

PRESCREENING AS TRIAGE

“Triage” is a concept we borrow from the medical field. Health care workers triage patients into the appropriate medical services based on their condition and need. Similarly, the New Americans Campaign uses prescreening to direct applicants to the appropriate level of care: a group processing workshop, a one-on-one appointment with a legal representative, or in some cases, advice against applying for naturalization. This ensures efficiency while not compromising quality of services, and is a key component of the workshop model’s efficacy.

PART 1: THE PROCESS OF PRESCREENING

What is prescreening?

We use the term “prescreening” to describe any type of review of a naturalization applicant’s case, whether in advance or on the same day, that occurs before the N-400 (naturalization application) completion portion of a naturalization workshop.

Why prescreen for a workshop?

Prescreening for workshops is necessary because not all LPRs have naturalization cases that are appropriate for workshops. Unlike one-on-one appointments, which are easily adaptable to complex naturalization cases, workshops are ideal for LPRs with straightforward, uncomplicated cases. Workshops’ efficiencies hinge on their ability to utilize volunteers, who work most effectively with a limited number of contingencies. Prescreening also prevents LPRs from spending time in a setting that is inappropriate for their case.

What critical information is learned through prescreening?

1. If the applicant is not eligible to naturalize (and why)
2. If the applicant’s case is too complicated to be completed at a workshop (and why)

This information will allow the LPR to be triaged into the correct level of service. Applicants who appear ineligible to naturalize, or whose case is not appropriate to be handled at a workshop, can be referred to a one-on-one appointment at a partner organization and to appropriate other resources, such as ESL classes.

TIP: In the New Americans Campaign, most partner organizations opt not to explain complex legal issues to LPRs during the commotion of a workshop. Instead, if a complex issue arises at a workshop, they refer applicants with any chance of ineligibility to a one-on-one appointment. This provides these applicants with access to full information in the one-on-one session, although it does mean the applicant will leave the workshop without detailed information about the risks inherent in his or her case. Most collaborations in the New Americans Campaign have decided that this approach is justified, so long as the applicant understands the reason for the referral, the basic issues in his or her case, and why a one-on-one approach is appropriate for a full consultation and information.

What other information can be learned through prescreening?

1. If the applicant is likely eligible for a fee waiver or reduced fee request, and under which qualification category
2. In what language the applicant should receive services

Advance language and fee waiver screening can help collaborations plan for which language volunteers and form translations are required, or how many fee waiver volunteers may be needed at an event.

How and where to prescreen:

New Americans Campaign partners conduct prescreening in many ways: via phone or in person, as a part of advance registration for an event, or as a first in-person step before the N-400 application is completed. The prescreening can be done on paper or through a computerized form, such as the comprehensive eligibility tool offered by Citizenshipworks in multiple languages. Prescreening can also happen at a prescreening event, designed only for that purpose, and most likely coupled with registration for an upcoming naturalization workshop.

TIP: One collaboration provides a short version of their prescreening questions online for LPRs to self-complete. Each LPR who submits the form online is then contacted by a legal representative, who reviews the answers and determines the appropriate next step for the applicant. The self-completion step cuts down on staff or volunteer time significantly.

Each prescreening method brings with it pros and cons:

PRESCREENING METHOD	PROS	CONS
In advance	<ul style="list-style-type: none"> ■ Fewer ineligible applicants attend workshops ■ Registration gives the collaboration a better idea of how many LPRs will come to the workshop; attendance can be capped without inconveniencing LPRs ■ LPRs can have questions about the process answered in advance, and often come better prepared and with necessary documents 	<ul style="list-style-type: none"> ■ Legal and non-legal volunteers or staff are required before the event ■ Prescreening time is spent on LPRs who may not attend the event, even though they appear eligible
At the workshop only	<ul style="list-style-type: none"> ■ Prescreening time is only spent on LPRs who attend the event and will receive application assistance (if eligible) ■ Prescreening volunteers are only required at the event, not on an ongoing basis 	<ul style="list-style-type: none"> ■ Size of attendance is less predictable ■ A higher percentage of LPRs may arrive without necessary documents ■ Prescreeners at the event will need to process more LPRs who are ineligible or whose case is inappropriate for a workshop setting

Most collaborations employ a combination of approaches, depending on the workshop setting and the preferences of participating organizations. Almost all partners employ prescreening in advance for their in-house workshops. For larger, off-site workshops, the New Americans Campaign recommends some form of contact with LPRs before the workshop. This can be either a minimal amount of advance prescreening, or some way for LPRs to speak with someone about the requirements and process.

TIP: Many Campaign organizations use technology to provide information to applicants on the information and documents they’ll need to bring to a workshop. Some organizations send a series of text messages to applicants with this information. Others provide multilingual electronic versions of their “bring lists” or describe the required documents and information on Google Voice mailboxes that applicants may call.

TIP: One organization provides prescreening in advance of events through a set of questions asked by hotline operators or interns. At events, legal representatives prescreen LPRs again through a longer set of questions that ask about issues in multiple ways. This collaboration feels the repetition is a necessary part of ensuring LPRs are eligible to naturalize, as it helps overcome cultural differences that can lead to differences in question interpretation. For example, asking “Have you ever been arrested before?” versus “Have you ever been in a police car or spent a night in jail?” can elicit different answers.

How long does prescreening by an advocate take?

As a best practice, prescreening should take between 10 and 30 minutes. If questioning takes longer than this, the prescriber may be asking unnecessary questions about a case that is too complicated to be handled at a workshop.

TIP: The “2 minute rule:” Occasionally, workshop legal captains may need to decide how to handle a legal issue in an applicant’s case. It is a best practice that if the decision takes the station captain longer than 2 minutes to make, the case is not appropriate for the workshop, and the applicant should be referred to a one-on-one appointment. This frees up time and space to serve other LPRs with more straightforward cases.

Should applicants do self-screening?

Giving applicants an opportunity to complete a prescreening form on their own (in their primary language if necessary), including the red flag screening described in Part 2 below, is fundamental to ensuring LPRs understand and own the legal process they are undertaking. This process adds time but the benefits to the applicant are significant. An advocate or volunteer can then review the self-screening form with the applicant.

Who should tell an applicant if (s)he is ineligible for workshop services?

In order to avoid the Unauthorized Practice of Immigration Law, it is essential that a lawyer, Department of Justice (DOJ) accredited representative, or someone closely supervised by a lawyer deliver the final message to the applicant that (s)he is either ineligible to naturalize or that (s)he is not able to be served at the workshop. This does not mean that volunteers should not be used in the prescreening process; rather, they should be trained to refer applicants to the appropriate lawyer or DOJ representative if there are any doubts as to the applicant’s case. For example, one partner allows non-legal hotline operators or interns to conduct phone prescreenings. They record the information in a GoogleDoc, which legal representatives review with the applicant if necessary to advise how (s)he should proceed.

Non-legal volunteers and staff should be trained to not make a determination of eligibility, either for naturalization, or for the workshop. Organizations that have experience working with volunteers know to repeat this guidance often during volunteer trainings, as well as in the orientation before the workshop. Legal captains, or roving lawyers, can also ensure that non-lawyer volunteers refrain from giving legal advice. It is also a good practice to have written guidelines or “cheat sheets” of instructions for those in the prescreening area, such as the one found at the end of this toolkit.

One collaboration’s talking points: “We’re doing free applications for citizenship today for LPRs with straightforward cases. If we can’t help you today, this does not mean you’re not eligible, but it means you can’t get help with your application today at this workshop. Instead, you can come to one of our partners’ offices so we can help you in a different setting.”



PART 2: THE COMPONENTS OF PRESCREENING

What elements comprise a complete prescreening?

Prescreening consists of three components: Basic Review, English Proficiency Review, and Red Flag Review. Red Flag Review assesses for serious risks that could affect an LPR’s status as well as his or her eligibility to naturalize, such as abandonment, good moral character, and other issues.

What are the Basic Review questions?

The following basic questions can quickly screen out individuals who are not currently eligible to naturalize. These questions include:

- Are you a green card holder?
- Are you 18 or older?
- Have you had your green card for at least 4 years and 9 months?
 - Or, have you had your green card for at least 2 years and 9 months and have been married to and lived with a US citizen for at least 3 years?
- Have you lived at your current address for at least the past 3 months? If not, have you lived in the state or USCIS district you are living in now for the past 3 months?
- Have you had continuous residence in the United States for at least 5 years?
- Have you been physically present in the United States for at least 30 months out of the last 5 years?

TIP: The Citizenshipworks mobile app has a physical presence calculator that LPRs can use in determining their eligibility. The app is available in English, Spanish, Chinese and Korean. Search for the app in the App Store or on Google Play.

Most collaborations in the New Americans Campaign do not screen out applicants on the basis of civics knowledge, because they assume the necessary civics knowledge can be learned within the time it takes USCIS to process the application. Also, most collaborations do not ask questions about the applicant's attachment to the principles of the US Constitution during prescreening, but rather cover these questions during the N-400 completion station.

How to determine English proficiency

All collaborations assess applicants' English proficiency during the prescreening process, and provide referrals to ESL classes for LPRs whose English is not strong enough to pass the English portion of the naturalization interview (if required). Some collaborations assess applicants' English formally, through standardized tests, while others allow prescreeners to judge English levels based on conversations with applicants during the prescreening.

NOTE: Some applicants may qualify for a waiver for the English portion of the test. The Citizenshipworks mobile app can help an LPR or advocate calculate if an applicant qualifies for the waiver. The app can also help an applicant prepare for the English and civics tests.

What questions comprise the Red Flag Review?

Most prescreenings include a series of yes or no questions gathering information about whether the applicant will face challenges with the good moral character requirements for naturalization, whether the applicant may have abandoned his or her lawful permanent residence, or whether other issues emerge that may make it risky for an LPR to apply for naturalization. If an applicant appears to have potential issues in any of these areas, that applicant can be triaged into a one-on-one appointment. Sample questions that partners use to screen for red flags can be found in the materials at the end of the toolkit. The New Americans Campaign also has many other sample documents on the New Americans Campaign Resource Portal, available to non-profit naturalization practitioners upon request at <https://www.newamericanscampaign.org/portal>.

When planning a workshop, each collaboration should decide collectively which types of cases the partners will handle at the workshop, and which should be triaged out. Affirmative answers to some red flag questions may not negatively affect the applicant's prospects of naturalizing. Collaborations may therefore decide that certain good moral character issues can be handled in a workshop setting.

For example, some set guidelines about allowable criminal activity, as long as applicants bring their court records and the crimes are minor enough.

Whatever policy a collaboration selects, everyone present needs to know it. Policies regarding which answers to prescreening questions automatically trigger a one-on-one referral should be written and incorporated into staff and volunteer trainings. Clear, agreed upon guidelines are essential.

The USCIS Notice to Appear Memo and increased scrutiny

On June 28, 2018, U.S. Citizenship and Immigration Services (USCIS) issued a memorandum expanding the circumstances in which it will issue a Notice to Appear (NTA) to applicants requesting immigration benefits¹. An NTA is the charging document that initiates removal proceedings. USCIS has always had the authority to issue NTAs to applicants who are removable. But this recent guidance represents a significant departure from prior USCIS practices in that it requires USCIS to issue an NTA in many circumstances, including certain cases involving fraud, criminal histories, and where the benefit is denied and the applicant is removable. The NTA Memo specifically mentions naturalization applications twice. First, it directs USCIS to issue an NTA “in all cases if the N-400 [naturalization application] has been denied on good moral character (GMC) grounds based on the underlying criminal offense and provided the [applicant] is removable.”² Second, it authorizes USCIS to issue an NTA pre-adjudication in certain circumstances when the applicant is deportable. This new guidance signals a dramatic expansion of the agency’s role in immigration enforcement, shifting away from its primary focus on determining eligibility for immigration benefits. In addition to this memo, Campaign organizations across the country have seen increased scrutiny during the naturalization application process, including during interviews.

Increased importance of screening naturalization applicants

As described in this toolkit, it has always been important to screen naturalization applicants thoroughly to ensure that they are, in fact, eligible for naturalization, and to assess any potential issues that could cause them to be denied or deported. The laws governing how and when someone is eligible to naturalize, and how and when someone is deportable have not changed. Thus, the issues organizations should look for when screening applicants are the same. But the importance of screening applicants has increased in light of the new NTA Memo. Instead of warning deportable applicants that they may be referred to removal proceedings, organizations now need to warn deportable applicants that they will likely be referred to removal proceedings.

¹ U.S. Citizenship & Immigration Serv., PM-602-0050.1, Updated Guidance for the Referral of Cases and Issuance of Notices to Appear (NTAs) in Cases Involving Inadmissible and Deportable Aliens (June 28, 2018) [hereinafter NTA Memo].

² NTA Memo, p. 7

Balancing efficiency and accuracy in questioning:

It is vital that applicants have an opportunity to complete a red flag screening sheet on their own so they become familiar with the red flags. Some collaborations favor asking prescreening questions in multiple formats – on the phone, and again in person, for example, or repeating the same question in slightly different ways. This promotes a more complete understanding of the applicant’s case, but requires more time. Collaborations need to find a balance between these two competing forces. Collaborations that have a more streamlined approach to prescreening note that the final legal review that takes place at the end of the workshop is a second chance to double-check questions.

Coupling final legal review with prescreening

After prescreening, there are typically several more steps to a naturalization workshop. They include N-400 application form completion, fee waiver or reduced fee application completion (if applicable), final legal review, and checkout/packaging. The final legal review step is another chance for an immigration attorney or DOJ accredited representative to go through the application with an eye for any issues that might affect the applicant’s eligibility for naturalization. It is just as important to have high quality legal review as it is to have good prescreening. For more resources on legal review, see the Tips for Final Legal Review at the end of this toolkit as well as the Immigrant Legal Resource Center’s “Naturalization Field Guide:” https://www.ilrc.org/sites/default/files/resources/naturalization_field_guide-20181221.pdf. Organizations should feel welcome to copy these documents and use them in their legal analysis of naturalization cases.

RED FLAG SCREENING FORM

Formulario para el asesoramiento de asuntos cuestionables | 問答篩查表

Yes	No	
<input type="checkbox"/>	<input type="checkbox"/>	<p>1. Are either of your parents U.S. citizens? ¿Es alguno de sus padres ciudadano estadounidense? 你的父母至少一方是美國公民嗎？</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p>2. Is the following true about you? "You want to apply early because you married a U.S. citizen, but your spouse naturalized less than three years ago." ¿Es verdad esta frase sobre usted? "Quiere hacerse ciudadano/a porque su pareja se hizo ciudadano/a hace menos de tres años." 以下關於你個人的說法正確嗎？“你想提早申請，因為你與一位美國公民結婚，但你的配偶入籍少於3年。”</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p>3. Have you ever had contact with the police (charged, arrested, imprisoned, and even if charges were dropped or the record no longer exists)? <u>Details:</u> ¿Alguna vez ha tenido contacto con la policía? (Ha sido acusado, arrestado, encarcelado, aunque los cargos hayan sido retirados o el expediente ya no exista.) <u>Detalles:</u> 曾與警官有過接觸(控訴、逮捕、監禁、包括已經撤銷或紀錄不再存在的控訴)? 詳情：</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p>4. Were you ever a habitual alcoholic, involved with drugs, etc.? ¿Es usted un alcohólico habitual o se ha involucrado en drogas, etc.? 你是否慣性酗酒者，包括藥物等。</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p>5. Have you ever been employed by a medical marijuana dispensary or possessed a medical marijuana card? <u>OR</u> are you interested in receiving additional information on how marijuana use may affect your naturalization case? ¿Ha sido contratado alguna vez por un dispensario de marihuana o ha dispuesto de una tarjeta de marihuana medicinal? O, ¿le interesa recibir más información sobre cómo la marihuana podría afectar su caso de naturalización? 你是否曾受僱在醫用大麻藥房工作或曾持有醫用大麻卡？<u>或者</u>是否感興趣獲取更多有關使用大麻會如何影響到你的入籍案件的資訊？</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p>6. Have you ever received money from illegal gambling? ¿Ha recibido dinero de juegos de azar ilegales? 你是否曾收受過非法賭博的錢財？</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p>7. Have you ever been in a domestic violence situation and police were involved? ¿Ha estado en alguna situación de violencia doméstica donde se haya involucrado la policía? 你是否曾因家庭暴力的緣故而遭到警官的介入？</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p>8. Have you ever had negative contact with, were stopped, or detained by an immigration officer? ¿Alguna vez ha estado en contacto o detenido por un oficial de inmigración? 你是否曾與移民局官員有過負面接觸、被攔截或被拘留過？</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p>9. Have you ever helped anyone enter or try to enter the United States illegally? ¿Alguna vez le ha ayudado a alguien a entrar ilegalmente a los Estados Unidos? 你是否曾協助他人非法入境或試圖入境美國？</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p>10. Have you or your spouse ever been married to more than one person at the same time? ¿Usted o su esposo/a ha estado casado con más de una persona al mismo tiempo? 你或你的配偶一方是否曾同時與兩人以上結婚？</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p>11. Have you failed to support children or pay alimony, even if your children live outside the U.S.? ¿Ha fallado en mantener a sus hijos/as menores de edad o pagar la pensión alimenticia a su ex-cónyuge, aunque sus hijos/as vivan fuera de los Estados Unidos? 你是否無法撫養子女或支付其贍養費，包括在海外居住的子女？</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p>12. Have you ever gained legal permanent residence status through asylum and you traveled back to your home country? ¿Obtuvo su residencia permanente por medio de asilo y usted es el/la asilado/a principal y viaja a su país de origen? 你是否曾透過庇護得到永久居民身分並返回過你的母國嗎？</p>
<input type="checkbox"/>	<input type="checkbox"/>	<p>13. Have you ever been ordered deported, removed or excluded from the U.S., or had removal, exclusion, rescission or deportation proceedings pending against you at any time? ¿Alguna vez ha recibido una orden para ser deportado/a, removido/a o expulsado/a de los Estados Unidos o alguna vez hubo un procedimiento de deportación contra de usted? 你曾否被勒令逐離、驅逐或遞解出美國，或曾一度進入待審議的逐離、驅逐、撤銷或遞解離境程序？</p>

<input type="checkbox"/>	<input type="checkbox"/>	14. Have you ever committed fraud or misrepresentation or lied to obtain an immigrant benefit, even if you did not obtain the benefit? ¿Ha cometido fraude, engaño o le ha mentado a algún funcionario de inmigración para obtener un beneficio migratorio?, sin importar si recibió este beneficio o no. 你是否曾通過欺詐、誤導或說謊以獲取移民福利，即使你並無取得福利？
<input type="checkbox"/>	<input type="checkbox"/>	15. Have you ever committed fraud or misrepresentation to obtain welfare benefits or public assistance? ¿Ha cometido fraude o engaño para obtener beneficios de “welfare” o asistencia pública? 你是否曾通過欺詐或誤導以獲取各項福利或公共援助？
<input type="checkbox"/>	<input type="checkbox"/>	16. Have you ever left the country for 30 days or more while you were receiving public benefits? ¿Ha estado fuera del país por 30 días o más, mientras que estaba recibiendo beneficios públicos? 你是否曾在接收公共福利期間出（美）國超過 30 天以上？
<input type="checkbox"/>	<input type="checkbox"/>	17. Have you ever filed a previous citizenship application and there was a problem of fraud or misinformation? ¿Presentó una solicitud de ciudadanía anteriormente y tuvo problemas de fraude o desinformación? 你是否曾提交過公民入籍申請並且存在欺詐或誤導的情況？
<input type="checkbox"/>	<input type="checkbox"/>	18. Have you ever left the U.S. while you were a legal permanent resident for a period of more than 6 months during one trip? ¿Después de haber obtenido la residencia permanente ha viajado fuera de los Estados Unidos por más de 6 meses? 身為合法永久居民身分期間，你是否曾有一次出（美）國旅行超過 6 個月？
<input type="checkbox"/>	<input type="checkbox"/>	19. Have you ever lived more time outside than inside the U.S. while under legal permanent resident status? ¿Ha vivido más tiempo fuera que dentro de los Estados Unidos desde que se hizo residente? 身為合法永久居民身分期間，你是否曾在（美）國外比在（美）國內居住的時間長？
<input type="checkbox"/>	<input type="checkbox"/>	20. Do you owe any Federal, State, or local taxes or failed to file taxes since becoming a lawful permanent resident? ¿Debe impuestos federales, estatales o locales o ha fallado en presentar su declaración de impuestos (“income tax”) desde que le dieron su residencia permanente? 成為合法永久居民後，你是否曾欠任何聯邦、州或地方的稅款或無報稅？
<input type="checkbox"/>	<input type="checkbox"/>	21. Have you failed to register for U.S. Selective Service? [Applies only to males who resided in the U.S. while they were ages 18-26, regardless of whether they had legal status or not?] (Go to www.sss.gov) ¿Falló en registrarse para el Servicio Selectivo de los Estados Unidos? Esto aplica solamente a los hombres que vivieron o viven en los Estados Unidos entre las edades de 18-26, aunque no hayan estado legalmente. (Visite a www.sss.gov) 你是否無登記美國的選徵兵役？[僅限年齡介乎 18-26 歲在美國居住的男性，不論其是否有合法的身分?](登記請上網 www.sss.gov)
<input type="checkbox"/>	<input type="checkbox"/>	22. Have you ever claimed to be a U.S. citizen, have voted, or registered to vote in the U.S.? ¿Se ha hecho pasar por ciudadano de los Estados Unidos, ha votado o se ha registrado para votar en los Estados Unidos? 你是否曾聲稱為美國公民，在美國國內進行投票或登記投票？
<input type="checkbox"/>	<input type="checkbox"/>	23. Have you ever been associated in any way with terrorist organizations? (Some gangs and communist parties and communist parties are considered terrorist organizations; you must see Legal) ¿Ha estado asociado de alguna manera con organizaciones terroristas? (Algunas pandillas y partidos comunistas son considerados organizaciones terroristas). 你是否曾以任何形式與恐怖組織有關聯？(某些幫派或共產黨和被認為恐怖組織的共產黨；你須參見「法律」)。
<input type="checkbox"/>	<input type="checkbox"/>	24. Do you have difficulty learning and passing a test on U.S. history and civics? ¿Tiene alguna dificultad para aprender y pasar el examen de historia y cívica de EE.UU.? 你是否對學習並通過美國歷史與公民入籍考試有困難？
<input type="checkbox"/>	<input type="checkbox"/>	25. Do you have difficulty learning, reading, speaking, or writing basic English? ¿Tiene dificultades para aprender, leer, hablar o escribir Inglés básico? 你是否對學習、閱讀、會話或書寫基礎英文有困難？
<input type="checkbox"/>	<input type="checkbox"/>	26. Do you have a disability, or other diagnosed physical or mental health condition that affects your ability to learn or retain information? (e.g. alzheimers, dementia, depression, stroke, etc.) List your disability or condition here: ¿Tiene alguna discapacidad u otra condición de salud física o mental diagnosticada que afecta su capacidad para aprender o retener información? (Por ejemplo, Alzheimer, demencia, depresión, apoplejía, etc.) Escriba su discapacidad o condición aquí: 你是否有殘障的健康狀況，或被診斷出其他身體或精神健康問題而影響你的學習或記憶能力。（如阿茲海默症、老年癡呆症、抑鬱症、中風等）列出你的殘障或其它健康狀況。

By signing below, I certify that the information above is true and correct to the best of my knowledge.

Al firmar a continuación certifico que la información anterior es verdadera y correcta en la medida de mi conocimiento.

本人在下方簽名，聲明上述的資訊據我所知真確無訛。

Applicant's Signature

Firma del solicitante / 申請人簽名： _____

Date | Fecha | 日期：

___ / ___ / _____

RED FLAG PROBLEM SITUATIONS

IF ANY OF THESE THINGS ARE TRUE ABOUT YOU, YOU MUST SEE AN EXPERT IN IMMIGRATION LAW BEFORE APPLYING FOR NATURALIZATION. BE HONEST AND TRY TO REMEMBER IF YOU HAD ANY PROBLEMS IN THE PAST. These things don't necessarily mean you can't apply for naturalization, but you should talk to an expert before you apply so you'll know whether you have a problem, and how you can best explain the problem to the Immigration Service.

Check the appropriate box if you have had any of the following problems:

- You made trips out of the U.S. for more than six (6) months
- You moved to another country since getting your green card
- You gained legal permanent residence status through asylum and you traveled back to your home country
- You are in deportation or removal proceedings - or - have you ever been deported
- You have helped or provided support (including financial) to a group that attacked others or attempted to overthrow another country's government
- You ever failed to file federal, state or local taxes or you owe taxes
- You haven't supported your children or you owe child support
- You are male and did not register for the Selective Service between the ages of 18 and 26
- You are on probation or parole for a criminal conviction
- You have contradictory information on your application
- You lied or committed fraud to get your green card or you weren't originally eligible for your green card when you got it
- You left the country for 30 days or more while you were receiving public benefits.
- You have been arrested or convicted of a crime or you have committed a crime
- You lied or committed fraud to receive or to continue to receive public benefits
- You helped someone enter the U.S. illegally, even if it was a relative
- You ever claimed to be a U.S. citizen but weren't
- You have been charged with committing domestic violence, child abuse, or child neglect
- You have voted illegally in the U.S. or registered to vote in the U.S. and weren't eligible to
- You have made a living by illegal gambling
- You have been involved in prostitution
- You have been a habitual drunkard, a drug abuser or a drug addict
- You have been associated in any way with terrorist organizations or the communist party
- You have been involved in genocide, torture, killing or hurting someone, forcing them to have sex or not letting them practice a religion
- You have ever served in a military or police unit, or rebel group, or a group that fights against the government
- You ever worked in a prison or detention camp
- You have been a part of a group that used weapons against other people
- You have sold or provided weapons to anyone
- You have ever received military or weapons training
- You have ever recruited minors under age 15 to fight in combat
- You have ever been court-martialed or disciplined while serving in the military
- You have ever been discharged from the military service because you were an immigrant alien

IF YOU CHECKED ANY OF THE ABOVE BOXES, YOU MUST CONSULT WITH AN IMMIGRATION EXPERT!

Prepared by the Immigrant Legal Resource Center - July 2019

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TIPS FOR FINAL LEGAL REVIEW

Basic Eligibility Screen Includes

- Over 18
- Permanent Resident
 - for 5 years
 - for three years, if married to a USC and living with spouse
- Has not taken a trip of more than a year in last 5/3 years, investigate trips of more than 6 months
- Has lived here more than half of the last five years (or more than half of last three if married and living with USC spouse)
- Good moral character—check for arrests, refer to complex case attorney if issues arise. (Good moral character needed for the 5 years or 3 years period just before application.)

Areas to Explore in Final Review

Family

- Review marriage history for potential marriage fraud
- Review marriage history to make sure final divorce date is before any later marriage date
- Make sure all children listed—ask if they listed all children on other immigration forms
- If minor children are not living with applicant, has applicant ever failed to make child support payments (if applicable)?

Criminal History

- Ask again about criminal arrests or contact with immigration. Confirm all arrests have been discussed. Confirm they have included convictions that were vacated or “erased.”
- Has the applicant ever been fingerprinted, gone before a judge, been in jail even for an hour, had an attorney, had any incidents with police, in any country, at any age?

Language Ability

If applicant does not qualify for an exception to the English exam, explore language ability

Confirm Valid Residency

How did the applicant become permanent resident?

Check code on card and confirm it aligns with applicant’s immigration history. See attached list of codes to confirm how the person became a permanent resident.

- For marriage-based LPRs, check whether any fraud issues may arise. Inquire about length of marriage and bona fides.

- For those that came as unmarried children, confirm that listed marriages do not pre-date LPR resident date
- Conditional residents must have filed to remove the condition
 - Review dates on LPR card. (Date of admission or adjustment may be on back of card if older card.) If card only valid for two years, they were likely a Conditional Permanent Resident. If the two-year card has expired, find out whether I-751 petition was filed.
- LPRs after asylum status
 - Double check that they marked “yes” to questions about arrests and detentions where an arrest or detention was part of the asylum claim
 - Double check no travel back to home country immediately following LPR grant
 - Confirm no issues related to persecution of others or terrorist bars (older claims might not have been vetted)
- LPR status through NACARA or Prior TPS status
 - Double check no persecution of others or terrorism bars based on old asylum application

Any inadmissibility issues at time the person adjusted/became permanent resident?

If so, was it properly waived?

- Confirm applicant never helped someone enter illegally. If undocumented spouse or children, find out if they entered after applicant and whether applicant helped. Confirm if disclosed at time of adjustment.
- Double check for prior court proceedings or removal orders
 - If prior court, check whether court or USCIS granted adjustment. Confirm jurisdiction okay.
 - If prior order that needed waived, confirm waived
 - Double check any 245i application was proper—did USCIS grant 245i, in a case where the court had jurisdiction?—did applicant pay fee?

Generally, if the immigration court issued an order, only the court would have jurisdiction over the adjustment, unless 1) the person left the U.S. and came back or 2) the person was an arriving alien.

Abandonment

- Investigate if many trips, even if short, or any trips over 6 months. Ask about any lengthy absences outside the 5/3 year period. Confirm person still had residence in U.S./ intent to return.

Continuous Residence

- 6 months to under a year, usually okay if not frequent, and can explain nature of trip. But must be able show didn't break residence.
- 1 year trip in 5/3 year period breaks residence

Already a USC?

- If permanent residence was obtained before the age of 18, assess whether client is already a USC through derivation

LPR “CATEGORY” OR CLASS CODE LIST

Asylum and Related Relief

- AS1 Approved primary asylee.
- AS2 Spouse of asylee.
- AS3 Child of asylee.
- AS6 AS1 adjustment to LPR.
- AS7 AS2 adjustment to LPR.
- AS8 AS3 adjustment to LPR.
- RE1 Refugee.
- RE2 Spouse of Refugee RE1.
- RE3 Child of Refugee RE1.
- RE5 Haitians Refugees admitted to U.S. on or after 6-1-94.
- RE6 RE1 adjustment to LPR.
- RE7 RE2 adjustment to LPR.
- RE8 RE3 adjustment to LPR.
- RE86 Refugee Parolee
- SY6 Syrian Asylee.
- SY7 Spouse of Syrian Asylee.
- SY8 Child of Syrian Asylee.
- CH Humanitarian parolee Cuba or Haiti.
- CH6 Cuban/Haitian entrant adjustment to LPR.
- CP Cuban/ Haitian parolee processed at Guantanamo or other public interest parolee.
- CU6 Cuban refugee adjusted under Cuban Adjustment Act.
- CU7 Spouse or child of CU6 (not Cuban).
- GA6 Iraqi asylee (processed in Guam) adjusted to LPR.
- GA7 Spouse of GA6 adjusted to LPR
- GA8 Child of GA6 adjusted to LPR.
- HA6 Adjusted Cuban/Haitian Entrant (Haitian asylum applicant).
- HB6 Adjusted Cuban/Haitian Entrant (Haitian parolee)
- NC6 NACARA principal.
- NC7 Spouse of NC6.
- NC8 Child of NC6.
- NC9 Unmarried son/daughter of NC6.

Diversity Lottery

- DV1 Diversity principal, new arrival.
- DV2 Spouse of DV1 or DV6, new arrival.
- DV3 Child of DV1 or DV6, new arrival.
- DV6 Diversity principal, adjustment.
- DV7 Spouse of DV1 or DV6, adjustment.
- DV8 Child of DV1 or DV6, adjustment.

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Family-Based

- IR0 Parent of adult U.S. citizen, adjustment.
- IR5 Parent of adult U.S. citizen, new arrival.
- IR1 Spouse of U.S. citizen.
- IR6 Spouse of U.S. citizen, adjustment.
- IR2 Child of U.S. citizen.
- IR3 Orphan adopted abroad by U.S. citizen.
- IF1 Spouse, entered as a fiancé(e), adjustment.
- IF2 Child of IF1, adjustment.
- CR1 Spouse of U.S. citizen (conditional).
- CR2 Child of U.S. citizen (conditional).
- F11 Unmarried child of U.S. citizen.
- F12 Child of non-citizen classified F11.
- F16 Unmarried son/daughter of U.S. citizen, adjustment.
- F17 Child of F11 and F16.
- F21 Spouse of LPR.
- F22 Child of LPR.
- F23 Child of F21 or F22.
- F24 Unmarried child of LPR.
- F26 Spouse of LPR, adjustment.
- F27 Child of LPR, adjustment.
- FX1 Spouse of LPR, new arrival.
- FX2 Child of LPR, new arrival.
- F31 Married child of U.S. citizen.
- F32 Spouse of F31.
- F33 Child of F31.
- F36 Married son/daughter of U.S. citizen, adjustment.
- F37 Spouse of married son/daughter of U.S. citizen, Adjustment.
- F41 Brother/sister of U.S. citizen, new arrival.
- F42 Spouse of F41.
- F43 Child of F41.
- F46 Brother/sister of U.S. citizen, adjustment.

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