



**DOCUMENT CHECKLIST
FOR UNDOCUMENTED YOUTH APPLYING FOR DEFERRED ACTION**

Updated August 15, 2012

In order to be eligible for deferred action, you must present verifiable documentation that you meet the criteria for deferred action. This checklist can help you gather the necessary documents you will need to prepare and submit for a deferred action application. This is only a guide and not an exclusive list of documents needed.

- ❑ **Identification and Age Documents** - In order to qualify for deferred action you will need to provide proof of your identity and age. Examples include:
 - (1) Valid or Expired Passports
 - (2) Birth Certificate accompanied by photo identification
 - (3) Valid consular IDs or national identity document with your name and photograph
 - (4) Previous Photo ID documents issued by USCIS (e.g. Employment Authorization Documents (EADs))
 - (5) Any school-issued form of identification with photo
 - (6) Military identification with photo
 - (7) Any other official photo ID (for example, a Veteran's ID, other government-issued ID, or other forms of ID from home country)

- ❑ **Entry to the United States while under the age of 16** - Collect any documents that can prove the date you entered the United States. These include:
 - (1) Valid or Expired Passports with entry stamps, including I-94 (if available)
 - (2) School Records (e.g. transcripts, report cards, etc.) documenting dates of attendance and name of schools
 - (3) Travel Records (e.g. transportation tickets showing your dates of travel to the United States)
 - (4) Immunization Cards
 - (5) Hospital and Medical Records
 - (6) Church Records
 - (7) Financial Records
 - (8) Lease Agreements

- ❑ **Continuous residence in the United States since June 15, 2007**
 - (1) School Records
 - (2) Internship Records
 - (3) Immunization Cards
 - (4) Hospital and Medical Records
 - (5) Financial Records (e.g. money order receipts for money sent in and out of the United States)

- (6) Lease Agreements or Rent Receipts
- (7) Employment Records
- (8) Military Records
- (9) Utility Bills
- (10) Previous correspondence between you and another person or organization
- (11) Names of people and organizations who can provide affidavits to support your residence

○ **Complete residential history since entry into United States**

You will need to list your current and to the best of your knowledge, all the addresses where you resided since your initial entry into the United States.

○ **List of Absences from the U.S. since June 15, 2007 (if applicable)**

You will need the dates of departure, dates of return, and the reason for the departure.

○ **Translations**

Any document containing foreign language must be accompanied by a full English language translation which the interpreter has certified as complete and accurate, and by the interpreter’s certification that he or she is competent to translate from the foreign language into English.

□ **Current enrollment in school, or high school (H.S.) diploma, General Education Development (G.E.D.) certificate, or honorably discharged veteran of the Coast Guard or Armed Forces of the U.S.**

- (1) Copy of H.S. Diploma
- (2) Copy of school transcripts or records to show current enrollment
- (3) Copy of G.E.D. certificate
- (4) Military Records (if applicable, e.g. Form DD-14 Certificate of Release or Discharge from Active Duty, NGB Form 22, National Guard Report of Separation and Record of Service or any other military personnel records)

□ **Complete criminal records, court dispositions, arrest records.**

***If you have a previous criminal record, you must consult with an experienced immigration attorney prior to filing your application for deferred action.**

A. FBI CRIMINAL BACKGROUND CHECK: The instructions to complete and submit the form can be found at <http://www.fbi.gov/about-us/cjis/background-checks/submitting-an-identification-record-request-to-the-fbi>.

*The purpose of requesting the background check would be “to review your own record.” The process is called a “Criminal Background Check.” **Do not use the word "immigration" as part of the reason for seeking the record check.**

You will need to send the following items to the address listed below:

1. Signed applicant information form
2. Fingerprint card
3. Payment of \$18 U.S. dollars (payable with a cashier’s check; money order; or credit card form that you must download which is available at <https://forms.fbi.gov/departamental-order-website-questionnaire>)

**FBI CJIS Division – Record Request
1000 Custer Hollow Road
Clarksburg, WV 26306**

- The fingerprint card, which is a requirement, can be found at <http://www.fbi.gov/about-us/cjis/background-checks/standard-fingerprint-form-fd-258>

B. LIVE SCAN CHECK IN CALIFORNIA

The easiest and most efficient way to obtain one’s criminal background check for a person living in California who is *certain that he/she has not had any arrests or contact with law enforcement in any state other than California* is by completing a “live scan,” which is electronic fingerprinting. The easiest way to do a live scan is to go to a certified organization (usually a private business such as a UPS office), which for a nominal charge, will take your fingerprints electronically and submit them to the state’s Department of Justice. The URL below has complete information on the process including answers to frequently asked questions (FAQs) and locations for certified live scan operators. We suggest not going to a police or sheriff department to obtain your live scan.

<http://oag.ca.gov/fingerprints>

C. OBTAINING COURT DISPOSITIONS

Go to the court where you received your conviction to obtain a certified copy of the court disposition. There may be fees involved in obtaining these copies. Check the court where you received your decision to find out about fees and copies.

Copies of documentation related to removal proceedings (if applicable)

If you have ever been in removal proceedings or are currently in removal proceedings, you will need to submit a copy of the removal order or any document issued by the immigration judge or the final decision of the Board of Immigration Appeals (BIA).

Budget of Current Expense and Resources (for Employment Authorization Application I-765 and I-765 Worksheet)

You will need to demonstrate economic necessity for employment authorization. This is captured on the I-765 Worksheet. You will need to list your income, expenses, and assets. This budget breakdown can assist you.

My monthly expenses are approximately as follows:

Food:	\$
Rent:	\$
Electricity:	\$
School:	\$
Phone:	\$
Transportation:	\$
Miscellaneous	\$
Support of Family Members	\$
TOTAL:	\$

My resources include:

Income	\$
Assets	\$
Family Support	\$
Private scholarships and grants	\$
TOTAL:	\$

Start Saving Money for Fees

USCIS will charge \$465 to process the applications for deferred action and employment authorization. There is a fee exemption available for individuals who can provide documentary evidence in the following limited circumstances:

- You are under 18 years of age, homeless, in foster care, or otherwise lacking any parental or familial support, and your income is less than 150% of the federal poverty level;

- You cannot care for yourself because you suffer from a serious, chronic disability and your income is less than 150% of the federal poverty level;
- You have, at the time of the request, accumulated \$25,000 or more in debt in the past 12 months as a result of unreimbursed medical expenses for yourself or an immediate family member, and your income is less than 150% of the federal poverty level.

You will need to be approved for a fee exemption prior to filing for deferred action.

To support a fee exemption you will need to gather:

- (1) Affidavits from community-based or religious organizations to establish homelessness or lack of parental or other familial support
- (2) Copies of tax returns, bank statements, or pay stubs to establish level of income (can also include affidavit from you or third party attesting that you do not file tax returns, have no bank accounts, or income).
- (3) Medical records, insurance records, medical bills

To find out if your income is less or above the 2012 federal poverty level, see this chart here:

<http://www.dhs.gov/Portals/0/Uploads/Documents/Public/General%20DHS/FPL.pdf>

This checklist is a work in progress and we will update as soon as additional information is made available. For further questions and/or resources, please contact APALC's language hotline for assistance:

- Chinese (Mandarin and Cantonese) - 800.520.2356
- Khmer - 800.867.3126
- Korean - 800.867.3640
- Thai - 800.914.9583
- Vietnamese - 800.267.7395
- English/Tagalog/Spanish – 888.349.9695

Or email: info@apalc.org; and visit our website: www.apalc.org