

Intake Form for Labor-Based Deferred Action & Employment Authorization¹

Date: _____ Interviewer Name: _____

Last Name(s), First Name: _____

Preferred Language: _____

Date of Birth: _____

Best Contact: _____ Alternative Contact: _____

BIOGRAPHICAL INFORMATION

➔ *Fill out Form G-325 and save a PDF*

EMPLOYMENT INFORMATION

Where do you work currently?

Industry:

Dates of employment at [Employer(s) listed in Statement of Interest]

Did you use your real name with this employer? Yes No

How did they pay you?

IMMIGRATION HISTORY

Do you have an immigration lawyer working on your case? Yes No

If so, who?

Do you give permission to contact your attorney? Yes No

Country/Countries of Origin, Nationality, or Citizenship:² _____

Current Immigration Status (*on work visa? expired work visa? no status?*)

If work visa expired, when?

¹ This intake form is part of the Labor-Based Deferred Action Practice Manual created by the Tulane Immigrant Rights Clinic, Unemployed Workers United, the National Immigration Project (NIPNLG), and the National Immigration Law Center.

² Check the current list of designations and redesignations for Temporary Protected Status for the worker's country of origin: <https://www.uscis.gov/humanitarian/temporary-protected-status>.

Prior Entries & Exits

Date of Entry	Place of Entry	Status at Entry and Manner of Entry (<i>EWI, inspection and parole, inspection and admission</i>)	CPB/ICE Interaction at the border?	Date of Exit	Method of Exit (<i>travel via ground transportation or flight, voluntary departure, removal, etc.</i>)

For those who have received a visa: Have you ever stayed in the United States after your visa expired? Yes No

If so, when?

Have you ever left the United States after your visa expired? Yes No

If so, when?

Have you ever been arrested or detained by ICE or DHS? Yes No

If yes, explain (dates, applications, resolutions):

Have you ever had any hearings in front of an Immigration Judge? Yes No

If yes, explain (dates, applications, resolutions):

Have you ever been ordered removed by an immigration judge? Yes No

If yes, explain (dates, applications, resolutions):

Have you ever been deported? Yes No

If yes, explain:

Has any family member filed an immigration petition on your behalf? Yes No

If so, when? Was it approved? Where is it at now?

Have you ever applied for any immigration benefit yourself? Yes No

If so, when?

Was it approved? Yes No

Family Ties to the United States

Name	DOB	Relationship ³	Health Issues ⁴ (if any, what are you doing to support them?)	Immigration Status	Permission to Contact?

Are you a member of any community organizations? (churches, clubs, unions etc.) Yes No

If yes, which?

Do you have any health conditions for which you're receiving treatment? Yes No

If so, explain and get contact info for treating medical professional:

³ Workers with certain qualifying relatives (including parents, siblings, and children over 21) may be able to adjust status and obtain permanent status. If the worker has never been admitted or paroled into the U.S, practitioners evaluate the worker's eligibility for parole in place.

⁴ Workers who support relatives with serious health issues may be eligible for Cancellation of Removal if they meet other requirements.

CRIMINAL HISTORY

Have you ever been arrested or had trouble with the police in the U.S. or any other country?
 Yes No

Charge	Date	Location and Arresting Agency	Court Location and Case Result	Penalty

Have you ever missed any court dates? Yes No

If yes, explain why:

If any criminal convictions: Have you completed any programming related to these offenses (treatment for substance abuse driver's education and alcohol abuse for DUI, any counseling or therapy?)

LABOR-BASED RELIEF

Labor-Based U and T Visa⁵

Have you ever worked somewhere where you wanted to leave the job but you felt forced or tricked to keep working? Yes No

What happened?

Has any employer (or someone who worked for them) ever threatened you? Yes No

What did they say?

⁵ These questions are designed to flag issues that may require further investigation: they are not exhaustive and will not conclusively establish whether the worker may be eligible for a U or T visa based on trafficking or other qualifying crimes.

Has any employer (or someone who worked for them) ever threatened to deport you or commented on your immigration status? Yes No
What did they say?

Has any employer (or someone who worked for them) ever tried to harm you by hitting you, threatening you with anything that could be a weapon, or touching you inappropriately? Yes No

Did the police or any other government agents ever come to your workplace? Yes No
If so, when and do you know why?

Have you ever been recruited for a job in the U.S. in your home country? Yes No
If so, were you told anything about the job that turned out to be not true, such as your pay, housing conditions, or immigration status?

OTHER RELIEF

U Visa

Have you been the victim of a crime in the US? Yes No
If yes, explain where, when, what happened:

If yes, did anyone call the police? Yes No

If yes, were you physically or emotionally harmed? Yes No

VAWA

If the person has a US Citizen or permanent resident spouse or parent

Have you been physically, sexually, verbally, or emotionally abused, assaulted, or otherwise hurt or mistreated by your US citizen or permanent resident spouse or parent? Yes No
If yes, explain.

Has your child been physically, sexually, verbally or emotionally abused, assaulted, or otherwise hurt or mistreated by your US citizen or permanent resident spouse or parent? Yes No
a. If yes, explain.

SIJS

If the person is under 21

Where are your parents now?

If either parent is absent, when was the last time you heard from them?

Does your mother care for you, provide housing, food and clothing, and talk to you a lot?
If no, explain. Yes No

Does your father care for you, provide housing, food and clothing, and talk to you a lot?
If no, explain. Yes No

Have you ever been harmed or neglected by either of them? Yes No
What happened?

Asylum/Withholding

Do you have fear of returning to your home country? Yes No
If so, why?

Have you ever requested asylum in any way before (at the border, in immigration court, with USCIS etc.) Yes No

If so, when and has there been a decision?

Military PIP

Do you have any family members serving the US military? Yes No
If yes, who and how are you related to them?

ASSESSING FOR I-765 WORKSHEET AND/OR I-912 FEE WAIVER FOR EAD

What do you do for work?

How often are you paid?

What is your typical paycheck?

Are you currently working right now? Yes No

If not, are you receiving unemployment benefits? Yes No

Are you the primary financial support for your household? Yes No

How many people live in your house?

How much money do the other people living in your house make each year?

What are your expenses during the year? How much do you spend on:

Rent/Mortgage:	
Food:	
Utilities:	
Childcare/care for your parents:	
Insurance:	
Loans/credit cards:	
Car payment:	
Commuting Costs:	
Medical Expenses:	
School Expenses:	
Anything else?	

Do you own property? Yes No

If yes, what? (home, land, car, truck, etc)

Approximate value of each asset:

IF NOT REQUESTING I-912 FEE WAIVER, STOP HERE.

Have you or anyone in your family ever received one of these benefits?

- Medicaid Supplemental Nutrition Assistance Program (SNAP, formerly called Food Stamps)
- Temporary Assistance to Needy Families (TANF), Supplemental Security Income (SSI)

Do you receive money from any of these sources?

- Money from your parents Money from your ex-spouse (Alimony) Child Support
- Educational stipends Pensions Unemployment benefits
- Social Security Benefits Veteran's Benefits
- Money from other people living in your household

Have you filed taxes? Yes No

Has anything significant changed in your life since you filed your tax returns (loss of job, significant expenses, promotion, etc.)? Yes No

Have you had any situations recently that have caused you to spend more money (ex: eviction, family emergency, medical expenses)? Yes No

Do you have the following documents (review and make a plan to gather documents relevant to eligibility)?

- If eligible based on income → Income Tax Forms (1040/1040EZ) or Other Proof of Income (Pay Stubs/W-2/Receipts from Check Cashing)
- If eligible based on means-tested benefit → proof of means-tested benefit
- If eligible based on financial hardship → Proof of Rent or Mortgage Payment (Lease, Rent Receipt); Proof of Utility Bills (Receipts or Bills); Other significant expenses (Receipts for food, gas, car payment, insurance, etc.); Proof of Income

LABOR-BASED DEFERRED ACTION WORKSHEET

Records to request from worker in all cases:

- ✓ Birth certificate and passport
- ✓ Any prior immigration documents
- ✓ Marriage certificate
- ✓ Birth certificate, green card or passport of any LPR or USC family members
- ✓ Any criminal records
- ✓ Proof of employment

Case-Specific Records & Next Steps

- Worker has prior immigration history
 - Worker can still apply, but case will be adjudicated by ICE if in proceedings/has removal order
 - Consider requesting PD from OPLA
 - FOIA needed: _____

- Worker has prior criminal history
 - Agency records _____
 - Gather additional mitigation evidence/positive equities

- Worker used other name/identity at worksite.
 - Avoid submitting documents that show false name or other PII
 - Seek alternative proof of employment such as declaration or proof of labor agency cooperation

- Worker appears eligible for labor-based T or U.
 - Additional eligibility screening
 - Assist worker with reporting/requesting cert from labor agency
 - Worker can apply for deferred action for short-term protection and EAD

- Worker may be eligible to adjust status.
 - Additional screening on bars
 - Consider parole in place if worker was never admitted or paroled

- Worker may be eligible/wishes to explore other forms of relief before applying.
 - Additional eligibility screening
 - Consider still apply for DA if other relief has long processing time.

IF NO BOXES CHECKED, WORKER CAN PROCEED WITH APPLYING FOR DEFERRED ACTION ONCE THEY ARE ADVISED OF RISKS AND BENEFITS.

