

DACA: UPDATE AFTER SUPREME COURT DECISION

On June 18, 2020 the U.S. Supreme Court issued a ruling that will allow the Deferred Action for Childhood Arrivals (DACA) program to continue for now. Specifically, the Court decided that the way in which the Trump administration terminated the DACA program in 2017 violated federal law. While this is affirming news for DACA recipients and their communities, it is unclear how the Trump administration will respond to impact DACA's future.

Below are the **top 5 facts** to know about this decision and the current status of DACA:

1

DACA recipients can continue to renew their status and work authorization

Current DACA recipients remain protected from deportation, eligible for work authorization, and eligible to renew their DACA status.

If an individual's DACA status expired *one year ago or less*, they can renew their DACA status and employment authorization.

If an individual's DACA status expired *more than one year ago* or if an individual's DACA was *terminated*, they must file an initial DACA application.

2

New DACA applicants should be able to apply soon, but more information is needed

The Court's ruling should mean that new applications must be accepted by the Department of Homeland Security (DHS). However, the Trump administration and DHS may take steps to prevent this. Until DHS releases guidance, we cannot know for sure whether initial DACA applications will be accepted.

3

Advanced Parole requests may be accepted, but more information is needed

The Court's ruling means that Advanced Parole requests for DACA recipients who want to travel out of the country should be accepted. However, the Trump administration and DHS may attempt to limit Advanced Parole. COVID-19 restrictions may also impact Advanced Parole options. Until DHS releases guidance, Advanced Parole details remain unclear.

4

Seeking legal advice is critical

Individuals seeking to renew DACA, apply for DACA for the first time, or request Advanced Parole should consult with an attorney or an accredited representative. A legal expert can help applicants navigate the application or renewal process while there is a lack of clear guidance from DHS. In addition, legal experts can provide information on processing delays at USCIS and a potential upsurge in DACA filing fees.

These Rhode Island organizations offer DACA renewal/ application services: [Dorcas International Institute of Rhode Island](#) (401-784-8600), [Progreso Latino](#) (401-728-5920), and the [Diocese of Providence](#) (401-421-7833). Individuals should not take so-called "legal advice" from a Notary or anyone other than an accredited representative or immigration attorney.

5

Follow these national organizations to receive the most current DACA information

[Immigrants Rising](#), [Informed Immigrant](#), [United We Dream](#), [Immigrant Legal Resource Center](#), and [National Immigration Law Center](#).