

# IMMIGRATION

## HOW DOES PRESIDENT OBAMA'S EXECUTIVE ACTION APPLY TO MY FAMILY?

In November, President Obama announced executive actions that his administration will take to help some undocumented aliens to register with the USCIS, obtain legal work authorization, and be protected from deportation. These actions are referred to as "DAPA" (DEFERRED ACTION FOR PARENTAL ACCOUNTABILITY) and the expansion "DACA" (DEFERRED ACTION FOR CHILDHOOD ARRIVALS).

These actions could be extremely valuable to approximately 4.4 million undocumented aliens presently living in the U.S. The actions should help to keep families together, and to make access to valid work authorization and better jobs a reality to hundreds of thousands of undocumented residents living in New Jersey. However it is also important to know what these policies are not. These policies are not amnesty. They do not provide a present pathway to a green card, or to citizenship. The way the program is written right now, it is valid for 3 years. It might become permanent someday, but at present it is not permanent relief. Anyone who makes claims contrary to these statements is not knowledgeable about the program, or worse, is not being honest with you.

### WHO IS ELIGIBLE?

1. **DAPA:** Parents of U.S. citizen children who have been continuously present in the U.S. since at least January 1, 2010.
2. These parents must pass significant background checks for felony crimes or multiple misdemeanor crimes.
3. These parents must also be willing to prove payment of past taxes or be willing to pay back taxes, which could result in tax penalties. The
4. **DACA:** Children who entered the U.S. before their 16th birthday and have resided continuously in the U.S. since January 2010. This program has been changed so that it is now open regardless of current age if the above requirements are met.

### WHAT CAN I DO TO GET READY TO APPLY?

1. Obtain proof of who you are such as a passport from your home country or a birth certificate
2. Gather proof of your relationship to a U.S. citizen such as birth certificates, marriage certificates, or your spouse or U.S. citizen child's U.S. passport or naturalization certificate.
3. Gather any proof of your continuous residence in the U.S. Keep all school and medical records, utility bills, banking transactions, receipts, memberships and legal documents of any kind.
4. Obtain your criminal records. If you have none, you are in even better shape to apply!
5. Save money for the application fees and costs devoted to obtaining the documents that you will need to apply.
6. Be creative and exhaustive in thinking of records that might prove that you have been continuously present in the U.S. for as long as possible.
7. Consider hiring an experienced immigration attorney. Although the programs are new, the USCIS is not, and your attorney should have previous experience with them.
8. If you have prior convictions or deportation or removal orders, you need to tread very carefully!
9. Beware of promises, scams and notario fraud.

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