

HOW TO BE A PREPARED IMMIGRANT IN THE UNITED STATES



By Otis Landerholm, founding attorney at
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Current levels of immigration enforcement are **serious and scary**. As such, I want all my clients and all immigrants to be prepared so that you don't let fear run your life and so that you can be prepared and rest with ease, knowing that you have things under control.

Knowledge and preparation is the antidote to fear! We have developed this guide to help you get the knowledge you need and to help think through the key questions so that you prepare yourself so that you are aware of what could happen, and what to do if it does happen. There is no need to live in fear, instead, make the most of your life! These 4 steps are designed to allow you to do just that!



Otis Landerholm
Founding Attorney

One of the missions of our firm, aside from winning cases, is to empower our clients so they can be educated and informed about each step of their immigration process as well as the rights they have as they fight their case. It is in this spirit that we have created this guide to help our clients feel prepared for whatever life may bring them.

STEP 1: KNOW YOUR OPTIONS

Please see the videos that we have done regarding all of the immigration options available to undocumented people – available on YouTube or on our website at www.LanderholmImmigration.com.

The key options are as follows:

ASYLUM, WITHHOLDING OF REMOVAL AND RELIEF UNDER THE CONVENTION AGAINST TORTURE:

For those who are afraid for their lives to return to their country. If this is your situation, it is especially urgent for you to seek a lawyer's help, because asylum has a one-year filing deadline;

MARRIAGE / FAMILY BASED CASES:

For those who have US citizen or permanent resident spouses (or children who are over 21) – you may be eligible to get a green card through your family relationship – this depends on how you entered the US, and whether or not you have triggered any grounds of inadmissibility – if so, you might need a waiver.

U-VISAS:

For those who have been the victims of crimes in the US and have cooperated with law enforcement in the investigation or prosecution of the crimes. There is a specific set of crimes that qualify for the U-visa, so speak to a lawyer to see if you qualify;

CANCELLATION OF REMOVAL:

For those who are already in removal proceedings, you might be eligible for cancellation of removal if you have 10 years of continuous physical presence and good moral character, and if you have a US citizen spouse, parent or child who would suffer a very high level of harm without you. If so, you may have a way to apply for a green card before the immigration judge.

OTHER:

If you are in removal proceedings, there are other options available too. For example, Motions to Suppress, Prosecutorial Discretion, other waivers in court and more. I recommend having a consultation so that you are sure of all the options available to you.

STEP 2: KNOW YOUR RIGHTS!

Even if you don't have any options, or the options for you might not be very strong, you still have rights!

FIRST

if ICE knocks on your door, you do not have to open it, and I recommend that you don't! Under the US constitution, all people have the right to be free from unreasonable searches and seizures. This means that, ICE either needs a warrant, or for example, if you are inside your home you do not need to open the door if ICE knocks.

SECOND

If ICE or the police arrest you, you can remain completely silent! In the US, we have the freedom of speech. The reverse of this is the freedom to not speak. Be aware that even saying your name or where you were born to an ICE officer can end up being used against you. So I recommend staying completely silent.

THIRD

you have the right to an attorney. If you are arrested, please call your lawyer and let them fight for you.

STEP THREE: GATHER YOUR DOCUMENTS!

To best prepare for immigration enforcement, I strongly recommend that you gather each of the following documents.



Identity Documents including your birth certificate and passport and any other official document you have.



Identity documents of any spouse or children you have.



Proof of your years of physical presence in the US (at least have two years of proof, but ten years is better).



Proof of any medical condition you, your spouse or your kids have.



Letters of good moral character from those who know you.

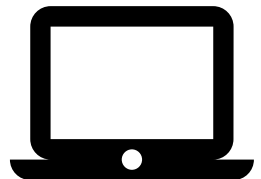


Proof of a pending legal immigration case (if relevant)



Proof of eligibility for a legal option (if relevant).

Obtain your complete immigration record –through FOIAs.



STEP FOUR: DEVELOP A PLAN!

Ask yourself "If I were detained by Immigration, what would I do? Who do I want to pay my bond? Who do I want to be my lawyer? Who do I want to take care of my kids? What do I want to do? How long would I be willing to fight my case while detained?"



Next ask yourself: "If I lost my immigration case, and if I actually got deported, what would I do? Where would I go? Who could I reach out to? What would I want to do with the rest of my life?"

Finally ask yourself: "If this doesn't happen, what do I want to do with my life here now? How can I maximize my potential to improve my immigration status? How can I maximize my health, my wealth, my love, and my happiness?" So many people end up living among fear and negativity without realizing that there are options or strategies to help them maximize their chances of success looking forward.

CONSULTATIONS:

I recommend that everyone at least go through the process of contacting a law firm and having an evaluation or a consultation about your situation, just so you are aware of your legal situation.

FOIAs:

One service that I often recommend is requesting all of your immigration record. This is especially important for people who have been caught at the border, who have submitted a previous immigration application, or for people who have ever been in immigration court.

THE BINDER PROJECT:

One of the services that my firm offers (many other firms do not offer this!) is a preparation binder to help think through all of these issues and to be your attorney of record just in case of an immigration related emergency.

COACHING PROGRAMS:

One of the services that my firm offers (many other firms do not offer this!) is a preparation binder to help think through all of these issues and to be your attorney of record just in case of an immigration related emergency.

LIST OF PREPARATION DOCUMENTS



RECOMMENDED EVIDENCE

Identity Documents of the Immigrant, his/her spouse, and children.



Copy of birth certificates with translations (if in other language)



Copy of passport (or explanation if you don't have a passport)



Copy of other government issued ID

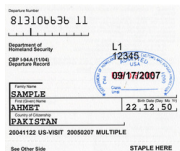


Copy of any US driver's license or social security card if legal.

Proof of current immigration status if any.



Copy of any approval or receipt notices.



Copy of form I-94 arrival or departure record



Copy of any other immigration documentation.

CRIMINAL HISTORY



Original Official Statement by the Arresting Agency Confirming No Charges were Filed.



Court-certified copy of the complete arrest record.

Convicted and/or sentenced to rehab:



Court-certified copy of the sentencing record for each incident.



Letter from rehab program confirming completion.

If your record has been sealed/expunged:



Court-certified copy of the court order vacating/sealing the arrest or conviction.



An original statement from the court that no record exists of your arrest or conviction.

EVIDENCE OF CONTINUED PHYSICAL PRESENCE FOR THE LAST 10 YEARS:



Government issued documents.



Documentation regarding ANY
departure from the
United States.



College transcripts, and/or
school records.



Income tax returns.



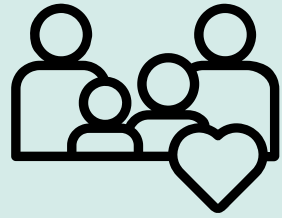
Employment records, Medical
records, Military
records, Insurance Records,
Bank Statements,
Others.



Declaration or record of
participation in a
community/church/other
organization.

Evidence of your physical presence can help a lot in deportation defense and many other immigration applications. The more evidence you have, the stronger your case.

EVIDENCE OF FAMILY RELATIONSHIPS IF THEIR FAMILY MEMBERS ARE/WERE USC OR LPR'S



Evidence of marriage in good faith to a USC



Bank Accounts showing the two people



Leases, Auto insurance, credit card statements



Wedding invitations, wedding photos



Divorce Certificates, Death Certificates

Immigration questions?
I'll answer them.

Join our **live** sessions on Tuesdays and Thursdays at 10:00 a.m. PST at:

DEPORTATION DEFENSE LIVE

EMPOWERED IMMIGRANT LIVE

Available on:    

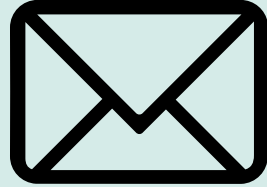


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EVIDENCE OF GOOD MORAL CHARACTER



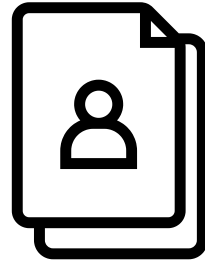
Affidavits of Support Letter from friends, family, employers or co-workers (see attached examples)



Volunteer Program involvement letters or certificates



Educational background



Employment letters from supervisors or co-workers

Evidence of eligibility for any other immigration option (e.g. Asylum or a U-visa).



**IMMIGRANTS
MAKE AMERICA
GREAT.**

CALL FOR YOUR FREE EVALUATION NOW!
510-574-7377



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Attorney

Catherine Brady
Attorney

MY IMMIGRATION PLAN

Name: _____

Date: _____

My Current Immigration Status (e.g.
Undocumented
or TPS):

Options that I might have with
immigration: _____

If I am Detained by ICE:

- Who I want to pay my bond (must have lawful documentation):

Who I want to take care of my family, my
business, my things.

- Who I want to be my Attorney. Do I want
him or her to already be retained to
prepare?
-
-

What if I am Deported:

- Where would I go?
-
-

- What family members could I reach out
to?
-
-

What would I do? For income? For
housing?

What if Nothing Happens?

- What can I do today to be even more
happy / content with my life?
-
-

- What steps can I take to feel healthier, be
friendlier and to be a better version of
myself?
-
-
-
-



Landerholm Immigration, A.P.C.
¡Where we fight for your American Dream!

Listen to our Podcast:
The Empowered Immigrant
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