

FREQUENTLY ASKED QUESTIONS

How does the immigration court process work?

Immigration law is one of the most complex areas of law. Immigrants have no right to government-appointed counsel and many, including children, struggle to navigate the system alone. Only 37 percent of all immigrants, and only 14 percent of detained immigrants, secure legal counsel. Among detained men and women, only 11 percent succeed in their cases without attorneys whereas those with counsel avoid deportation in 33 percent of cases. 74 percent of non-detained immigrants with counsel avoid deportation; only 13 percent of non-detained immigrants without counsel have successful outcomes.

What is DACA?

Since 2012, the Deferred Action for Childhood Arrivals program (DACA) has provided temporary immigration relief and benefits for immigrant youth who qualify. DACA recipients receive employment authorization, which allows them to work legally and usually enables them to obtain drivers' licenses. DACA is not a law. It was created by an Executive Action and can be revoked at any time.

Why don't undocumented immigrants apply for green cards or U.S. citizenship?

Because our immigrant laws are very broken and have been for a very long time, many undocumented immigrants do not qualify for any immigration status. Immigration to the United States on a temporary or permanent basis is generally limited to three different routes: employment, family reunification, or humanitarian protection. Even those who have qualifying family relationships must wait decades and/or may be prevented from using visas available to them because the immigration laws severely punish anyone who has been in the U.S. without status – even for a relatively short amount of time. To make matters worse, some people who qualify for status must wait three or more years between immigration court hearings in order to resolve their cases. And without attorneys, many people who are eligible for immigration benefits are unaware that they qualify.

Who are the 11 million undocumented immigrants in the United States?

Undocumented immigrants are interwoven into our communities. Many live in mixed-status families and at least one in every 15 children in the United States has an undocumented parent. Nearly 60 percent of undocumented immigrants have lived in the United States for more than 10 years.