

Will I be able to get a work permit?

If the government takes more than 150 days to decide your case, you can apply for a temporary work permit. You may need to wait up to 30 more days before you receive the temporary work permit. If you caused any delays (for example, you asked the Asylum Office to reschedule your interview), you may have to wait longer before you can apply for a temporary work permit. If you win asylum, you are allowed to work legally and to apply for a Social Security card.

What should I do if I am arrested by immigration officials?

Call your lawyer right away. If you will be harmed in your country, tell the immigration officer that you are afraid to go back and you want “asylum.” Do NOT let the government deport you. You have a right to a hearing. If you do not have a lawyer, the judge will give you time to find help. Do NOT give up your rights.

Years ago, I was caught at the border and forced to return to my country. Can I still win asylum?

If you were caught at the border or ordered deported, you should talk to a lawyer. Tell your lawyer everything you remember – for example, did the U.S. government take your fingerprints or photo? Did anyone force you to sign any papers? Were you warned not to return to the U.S.? You may still be able to qualify for asylum, but talk to a lawyer.

Is asylum my only option?

Even if you can't get asylum, there may be other ways for you to stay in the U.S. if you fear harm in your home country. Ask a lawyer about “Withholding of Removal” & “The Convention Against Torture.” These other options may allow you to stay in the U.S. legally and get a work permit. You will not get all of the benefits of asylum, but both are good back-up plans if you cannot qualify for asylum.

ASYLUM

Published by

**Lawyers' Committee
for Civil Rights of the
San Francisco Bay Area**



(415) 543-9444

www.lccr.com

Call a lawyer for legal advice. Do NOT rely on this brochure alone. Since the law may have changed, you should always talk to a lawyer before making any decisions.

What is asylum?

If you apply for “asylum,” you are asking for permission to stay in the United States because it is too dangerous to return to your home country.

Who can apply for asylum?

You need to show:

- (1) You are afraid to return to your country AND
- (2) Your government is trying to harm you or your government will not protect you AND
- (3) You are in danger because of your political beliefs, your religious faith, your ethnic identity or race, your nationality, or your gender or sexual orientation. If you are in danger for a reason that is not listed here, talk to a lawyer to see if you can apply for asylum.

There are more things you will need to show. Talk to a lawyer or call us for more information.

How do I get help with asylum?

The Lawyers’ Committee offers free legal help and can be reached at (415) 543-9444. The Lawyers’ Committee is **NOT** the government or Immigration Court. Everything you say to Lawyers’ Committee is **confidential** and is not shared with anyone without your permission. The Lawyers’ Committee may be able to meet with you to talk about your case or give you a list of lawyers in your area.

If possible, talk to a lawyer before you make any decisions. If you win asylum, you will be able to stay in the United States, get a work permit, and apply for a green card after one year. You may also be able to bring your children to the United States. But, if you do not win asylum you might be ordered to return to your country. For some people, it is better if they do not apply. You should make this decision ***only after*** you talk to a lawyer.

Should I get help from a “notario” or immigration “consultant”?

Many immigration “consultants” or “notarios” are NOT experts and may not even be lawyers. Be careful before you pay anyone to help you with your immigration case. Make sure that: (1) the person is a lawyer; (2) the person has a law degree; and (3) the person is an asylum expert.

If you have been harmed by a “notario” or immigration “consultant,” call the Immigrant Legal Resource Center at (415) 255-9499.

How do I apply for asylum?

You will need to fill out forms from the government. Make sure to get help from a lawyer! You will also need to get documents to support your case. You should talk to a lawyer before sending anything to the government or the Immigration Court.

When should I apply?

You must apply for asylum within 1 year of your last arrival in the United States. For example, if you last arrived in the United States on January 15, 2001, your deadline was January 14, 2002. The one-year deadline may be different for every person. So, talk to a lawyer right away for help!

If you have already been in the U.S. for more than 1 year, you may still be able to apply for asylum. But, you should talk to a lawyer first. Tell your lawyer why you did not apply within the 1-year deadline.

What happens after I apply?

In some cases, you will get a notice from the Asylum Office, which will tell you when and where to go for an interview. At the interview, you will meet an Asylum Officer who will listen to your story and ask you questions. In some cases, people get their decision 2 weeks later. In other cases, people wait much longer. The Asylum Office will grant you asylum or it will send your case to an immigration judge to decide.

If your case is sent to a judge, make sure to go to court and bring a lawyer, if possible. You will have a chance to tell your story to the judge. If the judge does not grant you asylum, you can still appeal the judge’s decision, and you are allowed to stay in the U.S. while you wait for a decision.

What can I do to help my lawyer?

It is important to trust your lawyer. Everything you tell your lawyer is confidential. Your lawyer cannot share this information without your permission. If you are worried or embarrassed about something, talk to your lawyer about this.

You can also help get documents for your case. Your lawyer may need your birth certificate or identity card & letters from relatives/friends to prove your case. If you don’t have any of these documents, don’t worry. You can still win your case without them. But, if you can get these documents safely, get them.