

Indiana Legal Services, Inc



Using the law to fight poverty, empower clients, and improve access to justice.

www.indianalegalservices.org

COVID-19: Immigration Update (English)

Please note these important announcements which may affect your immigration case. Indiana Legal Services will continue to provide updates as the situation unfolds.

Updated: April 2, 2020

The Immigrants' and Language Rights Center

The Immigrants' and Language Rights Center (ILRC) of Indiana Legal Services remains open and accessible to the public. To apply for legal assistance, please call our toll-free intake line at 1-866-964-2138 or online at www.indianalegalservices.org. For other immigration-related inquiries, contact ILRC.Hotline@ilsi.org.

Immigration Closures:

USCIS Indianapolis Field Office

On March 18, U.S. Citizenship and Immigration Services (USCIS) closed to in-person services at all of its domestic field offices (including Indianapolis), Asylum Offices and Application Support Centers (ASCs) to help slow the spread of Coronavirus Disease 2019 (COVID-19). The suspension of services will be in effect through June 4, 2020, unless the public closures are extended further. USCIS will continue to perform duties that do not involve contact with the public.

If you have an interview or biometrics appointment scheduled from March 18 – June 4, 2020, it will be automatically rescheduled. If you require emergency assistance, you can go www.uscis.gov/contactcenter.

Non-Detained Court Hearings in Chicago

The Immigrations Courts will be postponing all non-detained hearings nationwide in response to the coronavirus pandemic. These postponements are effective **March 18, 2020, through May 15, 2020**. Detained cases will be heard as scheduled, but attorneys may file continuances if appropriate. Necessary court filings should still be mailed to the Court if required, and deadlines must be followed. Visit www.justice.gov/EOIR for information on E-filing with the Court.

Case status and hearing date information on the automated case information hotline (1-800-898-

7180) may not be updated for those cases postponed. New hearing notices will be sent out. Following the issuance of a new hearing notice, such information will be updated.

If you are not in detention and have a court hearing March 18 – May 15, 2020, your hearing will be rescheduled. You do not need to travel to Chicago.

ICE Office in Indianapolis

The Immigration and Customs Enforcement (ICE) offices will be limiting operations. Individuals with check-in appointments scheduled should contact the local field office for additional guidance prior to their scheduled appointment. The ICE Indianapolis Field Office will still allow individuals to pay a bond for a detainee in custody, to fix a broken GPS ankle monitor, or to file legal documents. If the office is closed to visitors, a notice will be posted at the ICE office. The Intensive Supervision Appearance Program (ISAP) remains open at this time. Continue scheduled appointments with ISAP until instructed otherwise.

Contact the local ICE office regarding any scheduled check-in appointments. Continue to attend required appointments with ISAP.

Public Charge and COVID-19

USCIS encourages all individuals, including immigrants, with symptoms that resemble Coronavirus 2019 (COVID-19) **to seek necessary medical treatment** or preventative services. Such treatment and services will **NOT affect any immigrant as part of a future public charge analysis**. The Public Charge rule does not restrict access to testing, screening, treatment, or necessary vaccines for children or adults to prevent vaccine-preventable diseases or illnesses.

On February 24, 2020, USCIS implemented the Inadmissibility on Public Charge Grounds final rule. In making this determination, USCIS considers the receipt of public benefits as a consideration among a number of other factors in the totality of the immigrant's circumstances over a period of time with no single factor being outcome determinative. USCIS will not consider any COVID-19 related treatments in this analysis even if such treatment is provided or paid for by public benefits (such as Medicaid).

In addition, if the immigrant subject to the Public Charge rule lives or works in a jurisdiction subject to social distancing and quarantine, causing a loss in income, the immigrant may submit a statement with his or her application for benefit to explain how the practices temporarily limited or restricted access to income. USCIS will take such evidence into consideration in the totality of the immigrant's circumstances.

The CARES ACT and Accessibility for Immigrant Communities

The Coronavirus Aid, Relief, and Economic Security (CARES) Act was passed by Congress. Indiana Legal Services Staff are still reviewing the CARES Act to provide updated and accurate information on what portions of the stimulus package immigrants can access.

It appears that Resident Aliens, as defined by the Internal Revenue Services (IRS), can access benefit from the CARES Act. If an immigrant filed taxes with a valid social security number and as a resident for tax purposes, they should receive a \$1,200 rebate check. To receive the additional \$500 credit for a “qualified child,” the child must also have a social security number. Those immigrants that have filed with an ITIN number appear to be ineligible for access the fund. ILS will continue to review and update its guidance as more information becomes available.

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<http://www.indianalegalservices.org/node/1034/covid-19-immigration-update-english>

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