



# MEYER LAW OFFICE, PC

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## FREQUENTLY ASKED QUESTIONS ABOUT DACA RENEWAL

### WHAT ARE THE REQUIREMENTS TO RENEW DACA?

- You were eligible for and granted DACA;
- Have not departed from the U.S. on or after August 15, 2012 without advance parole;
- Have continuously resided in the United States since you submitted your initial DACA request
- Have not been convicted of a felony, significant misdemeanor, three or more other misdemeanors, and do not otherwise pose a threat to national security or public safety.

### WHEN DO I APPLY FOR DACA RENEWAL?

You may apply for DACA renewal five months before your current DACA expires. The expiration date is printed on the front of the Employment Authorization Document (EAD), Form I-766. You should submit your renewal application no less than 4 months before your DACA expires.

### WILL MY DACA BE RENEWED BEFORE IT EXPIRES?

If you file at least 4 months before your DACA expires, USCIS expects to adjudicate your renewal in time so there is not a gap in your DACA and work authorization. If USCIS is unexpectedly delayed in processing your renewal request, they may provide deferred action and employment authorization for a short period of time until your renewal is adjudicated. However, it is critical that you file for renewal at least 4 months early, because if your previous period of DACA expires before you receive a renewal, you will accrue unlawful presence and will not be authorized to work until your DACA renewal is approved.

### WHAT DO I NEED TO SUBMIT?

- File the June 5, 2014 **revised** version of Form I-821D, Consideration of Deferred Action for Childhood Arrivals. This new version is to be used for both renewals and initial applications.
- File Form I-765, Application for Employment Authorization and I-765WS, Worksheet.
- Include filing fee of \$465.
- You only need to submit new documents pertaining to removal proceedings or criminal history that you have not already submitted to USCIS. You do not need to re-submit documents you already submitted with your previous DACA request that was approved. However, you should keep copies of all documents that support how you meet the DACA guidelines so you can provide them if they are requested by USCIS.

### RECOMMENDATIONS TO PREPARE FOR DACA RENEWAL

**Six months** before your DACA expires, contact a trusted immigration attorney to assess your case. Gather court-certified documents related to any **new** contact with law enforcement.

### A NOTE REGARDING ADVANCE PAROLE:

DACA recipients can receive permission to leave the U.S. for humanitarian, employment, or educational reasons through a process called “advance parole” where USCIS makes a determination before you leave authorizing you to enter the U.S. when you return. Not only does advance parole allow you to leave the US to visit a sick relative, attend a funeral, or study abroad, *it may help you become eligible for adjustment of status*. An individual who has been “paroled” into the U.S., including returning under a grant of advance parole, is likely to be eligible to adjust to lawful permanent residency through an immediate relative who is a U.S. Citizen. As always, the risks and benefits of seeking advance parole depend on each person’s individual circumstances – *you should consult with a trusted immigration attorney before applying for advance parole*.