

DACA FAQ

UC Immigrant Legal Services Center

1. I THOUGHT DACA WAS RESCINDED. WHAT HAPPENED?



Due to several injunctions by judges in CA, NY and D.C., **DACA renewals are currently being accepted. For more information, see *DACA Litigation Timeline*.**

2. CAN I RENEW MY DACA IF I'M ELIGIBLE?



- Yes. You will need:
- Form I-821D
 - Form I-765
 - Form I-765WS
- A front and back copy of your current Employment Authorization Document (EAD)
- Check or money order for \$495 made to "US Department of Homeland Security"
- 2 passport-style photos
- Any other documents as required by the instructions on each form

3. WHEN SHOULD I RENEW MY DACA?

You can renew your DACA as long as USCIS is accepting DACA renewals, and you continue to remain eligible. **You do not have to wait** until 150 days (5 months) before your DACA expiration date to submit your request to renew DACA.

4. CAN I APPLY FOR DACA IF I'VE NEVER APPLIED BEFORE?

No. USCIS is currently not accepting initial DACA applications.

5. CAN I RENEW IF MY DACA EXPIRED MORE THAN A YEAR AGO?



Yes. If you received DACA before September 5, 2016 and you didn't renew, you may renew your expired DACA by submitting an initial DACA application and supporting documents. If your DACA expired on or after September 5, 2016, then you may renew your expired DACA by filing a DACA renewal application.

6. HAVE THE DACA ELIGIBILITY REQUIREMENTS CHANGED?

No, the eligibility requirements for DACA have **not** changed.
Please speak with a qualified attorney before renewing your DACA if you have had any contact with police or immigration authorities, or if you have changed your address.

7. CAN I APPLY FOR ADVANCED PAROLE?

No, USCIS is not accepting Advance Parole applications at this time.

8. CAN I GET HELP WITH MY DACA RENEWAL?

Yes! Our services are free for current UC students and immediate family members. Please contact your campus attorney for help.

9. CAN I GET HELP WITH MY \$495 DACA FEE?

If your campus is unable to cover the filing fee, check out this [list](#) of many organizations in CA that have resources to cover the \$495 DACA fee.

10. WHAT WILL HAPPEN TO THE INFORMATION ON MY DACA APPLICATION?

Even though the original DACA program promised that information would not be shared with ICE, we do not know if the current administration will maintain that promise. We will provide information as soon as we learn more.

DACA LITIGATION TIMELINE

JANUARY 9, 2018

A San Francisco federal judge ordered USCIS to resume accepting DACA renewals.

This *temporarily* blocks the US government from terminating the DACA program nationwide.

FEBRUARY 13, 2018

A New York federal judge also ordered the US government to temporarily continue accepting DACA renewal applications.



FEBRUARY 26, 2018

The US Supreme Court denied the US government's request to make an early decision on the legality of the CA and NY rulings.

USCIS will continue accepting DACA renewals until a court decides to lift these injunctions.

MARCH 5, 2018

A Maryland federal judge ruled that the Trump Administration has the authority to terminate DACA.

However, USCIS will continue accepting DACA renewals because the CA and NY cases remain in effect nationwide.

APRIL 25, 2018

A D.C. federal judge ordered the US government to also resume accepting initial DACA applications.

However, **this decision will not go into effect for 90 days.** USCIS **may** accept initial DACA applications on or after July 23, 2018.

MAY 1, 2018

Texas and 6 other states filed a lawsuit to order the government to stop DACA renewals and initial applications.

If the TX federal judge orders USCIS to stop accepting DACA applications, this would conflict with decisions in CA, NY, and D.C.

MAY 15, 2018

The 9th Circuit Court of Appeals heard the argument over the CA DACA case. **No decision has been made yet.**

Even if the 9th Circuit decides to stop DACA renewals, the NY decision that applies nationwide should stay in effect and allow USCIS to continue accepting renewals.