

DACA RENEWAL FACT SHEET MARCH 2018

On September 5th, 2017, the Trump Administration ended DACA. The National Immigration Law Center (NILC) and others sued over this in CA and NY. Judges on those cases ruled that USCIS must allow eligible recipients to renew their DACA. As of today, those rulings are the law of the land.

The United States Citizenship and Immigration Services (USCIS) is taking renewal applications for **some** DACA beneficiaries. It is not known how long they will do this or when someone's renewal will be reviewed. USCIS will not take applications from people who have not previously received DACA, nor are they issuing advance parole.

Who is eligible to renew?

Someone who currently has or previously received DACA, if s/he has:

- Not departed the US on or after August 15th, 2012 unless it was with advance parole.
- Resided continuously in the US since the very first DACA application up until now.
- Not been convicted of a felony, significant misdemeanor or 3 or more misdemeanors and not otherwise pose a threat to national security or public safety.

Is the renewal process the same?

The renewal process is the same if **or will expire after September 5th, 2016**. People in this renewal category must complete their application just like any other renewal application. USCIS has recommended that people renew 120 to 150 days before their DACA is set to expire.

The renewal process is different if **before September 5th, 2016**. Former DACA recipients will have to submit an **initial application**, not a renewal application. People in this situation will have to show they meet all the initial requirements again. These requirements include proof of education and being in the country continuously since June 15th, 2007. All the requirements for DACA are on USCIS website, [here](#).

What else do I need to know?

If someone has charges pending, was convicted of a crime, or is in removal proceedings they should speak to an experienced immigration attorney to find out how that will impact their renewal application. It is imperative to keep up to date on DACA renewal. Use only USCIS DACA forms and only the most recent. These are on USCIS's website at the link above. Follow all directions on all forms and include all required materials. When you mail your renewal paperwork, be sure to send the application so that you can track delivery. To find out more about the process, go to:

<https://www.uscis.gov/humanitarian/consideration-deferred-action-childhood-arrivals-daca>