

## Survey: Investment in Legal Services is Critical to DACA's Success

Since the Deferred Action for Childhood Arrivals (DACA) program launched in August 2012, thousands of Illinois residents have become more financially independent, gained access to educational and professional opportunities, and contributed more to their communities. While DACA does not grant recipients permanent lawful status, it does provide individuals who were brought to the United States at a young age temporary relief from the fear of deportation, access to work authorization, and a social security number for a renewable two-year period.

**Illinois has about 90,000 potentially DACA-eligible immigrants, the fifth-largest population in the country.<sup>1</sup> As of March 15, 2015, approximately 35,106 Illinoisans had received DACA protection.<sup>2</sup>**

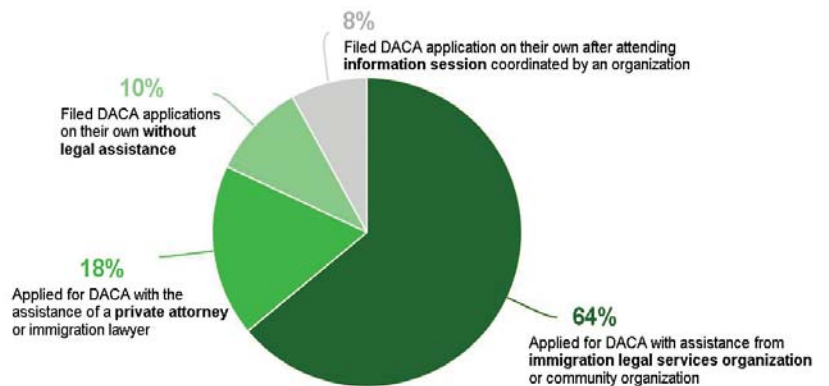
A survey of 200 DACA recipients in the Chicago area by the National Immigrant Justice Center (NIJC), with the assistance of Assistant Professor Tom K. Wong at the University of California, San Diego, demonstrates that providing legal status to undocumented immigrants has wide-ranging, positive impacts.

**Continued funding for legal services and application fee assistance is necessary to ensure that all eligible Illinoisans can apply for DACA.**

Despite the economic benefits of improving access to DACA services, Illinois has eliminated all funding for immigrant services for fiscal year 2016. These cuts make it particularly difficult for individuals to apply for or renew their DACA status without the assistance of free legal clinics. This policy brief demonstrates there are many national and statewide benefits to be gained from broadening relief for undocumented individuals, either through executive action or commonsense immigration reform.



DACAmented Youth & Legal Services



# DACA's Economic Benefits for Illinois

Consistent with other studies,<sup>3</sup> NIJC's findings demonstrate that DACA has allowed undocumented youth and young adults to more fully contribute to the state's economy. When undocumented individuals obtain legal status and can live and work in the United States without the threat of deportation, wages rise for all workers, the growing immigrant workforce becomes better educated to meet the needs of today's economy, and federal and state revenue increases.<sup>4</sup>

## EMPLOYMENT

**86%** of respondents are currently employed

*Of those who are employed:*

**72%**  
got their first job or moved to a new job after obtaining DACA relief

**68%** said  
*"I have been able to earn more money, which has helped me become financially independent."*

**76%** said  
*"I have been able to earn more money, which has helped my family financially."*

### Community leader

Chirayu was brought to the United States from India when he was 11 years old. He grew up in Chicago and completed his undergraduate degree in political science and economics at the University of Illinois at Chicago. Growing more passionate about social justice and democratic participation, he registered new citizens in the South Asian community to vote and coordinated a program that trained Asian American youth in leadership and community organizing skills. When DACA was announced in August 2012, community leaders encouraged Chirayu to apply. *"Since receiving DACA, the biggest thing is that I can actually apply my skill set,"* Chirayu says. Today, he helps home owners find alternatives to foreclosure and is pursuing his license as a Certified Public Accountant.

## EDUCATION

**51%** of respondents are currently in school

*Of those who are in school:*

**70%** said as a result of DACA they have *"pursued educational opportunities that I previously could not."*

### Pursuing her dreams

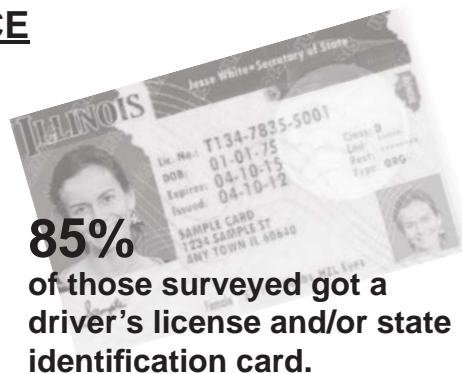
Fano's parents came to the United States from Madagascar to pursue their education. They brought Fano to the United States when she was 10 years old. With the help of DACA, Fano is earning a degree in computer science from Concordia University and working as a library assistant. After she graduates, Fano hopes to do technology research. *"Having DACA allows me to work at the library which helps me pay my tuition and contribute to my family financially. If I didn't have DACA, going to school would be very hard since I wouldn't be able to work."*



## FINANCIAL INDEPENDENCE

**57%**

of those surveyed got their first credit card

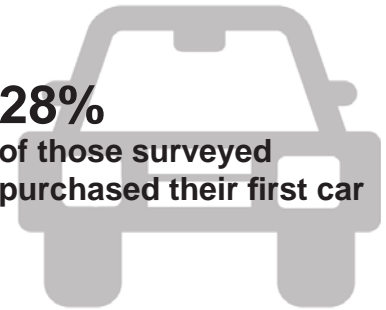


**85%**

of those surveyed got a driver's license and/or state identification card.

**28%**

of those surveyed purchased their first car



### Opened up opportunities

“I was able to get a better job in a suburb of Chicago and can independently drive to and from work. Having this job has opened up professional opportunities and I’ve recently received a big promotion within my company. *It has greatly improved the quality of my life and mental health.*”

### More independent now

“I am a single mom of a four-year-old son. Having a car is more like a necessity. I was so happy I was able to get my license and a month later bought my own car. *I am more independent now and I am able to go to work, school, and my son’s doctor’s appointments without having to ask anyone else.*”

## The critical role of legal service providers

The U.S. immigration system is complex and difficult to navigate. Legal service providers:

- Help families understand their rights so they do not fall victim to fraudulent immigration practitioners, also known as “*notario fraud*”
- Help applicants assess their eligibility and apply for DACA
- Evaluate individuals for other forms of relief

*According to a 2014 Center for Migration Studies survey of immigration legal service providers, 14.3% of potential DACA applicants were found to be eligible for more permanent forms of relief, including paths to lawful permanent residence and citizenship.<sup>5</sup>*



### Legal aid to the rescue

Araceli (pseudonym) submitted her DACA application on her own. The government requested additional evidence and, shortly thereafter, sent her a Notice of Intent to Deny because she was missing documentation to demonstrate continuous presence in the United States. With the help of an NIJC *pro bono* attorney, she was able to provide affidavits accounting for this additional information and her application ultimately was approved.

# Recommendations

NIJC makes the following five recommendations to ensure that all aspiring Americans are able to achieve their full potential:

- 1. Pass commonsense immigration reform with a roadmap to citizenship.** DACA is a temporary solution that only covers a small segment of the 11 million undocumented individuals in the United States. Congress should pass commonsense immigration reform that will allow all undocumented immigrants to fully contribute to our society.
- 2. Fund immigration legal services.** State government support for legal services is critical to ensure that people are able to apply for DACA and other forms of immigration status that ultimately benefit local economies.
- 3. Crack down on *notario* fraud.** Federal, state, and local governments must increase investigations and prosecutions of fraudulent legal service providers and create a system to collect and act on complaints about *notario* fraud.
- 4. Improve undocumented immigrants' access to driver's licenses and educational opportunities.** State governments should pass legislation to integrate undocumented immigrants into our societies.
- 5. Establish mini grant programs and low-interest loan programs to assist low-income individuals to apply for legal status for which they are eligible.** State and local governments should facilitate grant or loan programs to help individuals overcome the initial hurdle of obtaining DACA application assistance and paying the \$465 application fee.

## Who is eligible for DACA?

DACA is a discretionary decision by the government. Applicants must pay a \$465 filing fee to U.S. Citizenship and Immigration Services and demonstrate that they meet the following criteria. Consequently, the application cost is one of the most commonly cited reasons why individuals are unable to apply.<sup>6</sup>

1. Arrived in the United States before the age of 16
2. Continuously resided in the United States from June 15, 2007 to the present, and were physically present on June 15, 2012 and at the time of application
3. Currently in school, have graduated from high school or earned a General Educational Development (GED) certificate, or are honorably discharged veterans of the U.S. Coast Guard or Armed Forces
4. Have not been convicted of a felony, significant misdemeanor, or multiple misdemeanor offenses, or do not otherwise pose a threat to public safety or national security
5. Are at least 15 years old (or younger if the individuals is in removal proceedings)
6. Were under 31 years old on June 15, 2012

## Endnotes

1. Batalova, Jeanne & Michelle Mittelstadt. 2012. *Relief from Deportation: Demographic Profile of the DREAMers Potentially Eligible under the Deferred Action Policy*. Washington, DC: Migration Policy Institute.
2. U.S. Citizenship and Immigration Services, "Number of I-821D, Consideration of Deferred Action for Childhood Arrivals by Fiscal Year, Quarter, Intake, Biometrics and Case Status: 2012-2015 (March 31).
3. See Gonzalez, Roberto G., Veronica Terriquez & Stephen P. Ruszczyk. 2014. "Becoming Dacamented: Assessing the Short-Term Benefits of Deferred Action for Childhood Arrivals (DACA)." *American Behavioral Scientist* 58(14): 1852-72; Peri, Giovanni. 2013. "The Economic Benefits of Immigration." *Berkeley Review of Latin American Studies*; Sumption, Madeleine & Sarah Flamm. 2012. *The Economic Value of Citizenship for Immigrants in the United States*. Washington, DC: Migration Policy Institute; Wong, Tom K. & Carolina Valdivia. 2014. *In Their Own Words: A Nationwide Survey of Undocumented Millennials*. Washington, DC and New York, NY: United We Dream Network and Unbound Philanthropy; and Kossoudji, Sherrie & Deborah Cobb-Clark. 2002. "Coming Out of the Shadows: Learning About Legal Status and Wages from the Legalized Population." *Journal of Labor Economics* 20(3).
4. Lynch, Robert & Patrick Oakford. 2013. *The Economic Effects of Granting Legal Status and Citizenship to Undocumented Immigrants*. Washington, DC: Center for American Progress.
5. Wong, Tom K., Donald Kerwin, Jeanne M. Atkinson & Mary Meg McCarthy. 2014. "Paths to Lawful Immigration Status: Results and Implications from the PERSON Survey." *Journal on Migration and Human Security* 2(4): 287-304.
6. Batalova, Jeanne, Sarah Hooker & Randy Capps with James D. Bachmeier. 2014. *DACA at the Two-Year Mark: A National and State Profile of Youth Eligible and Applying for Deferred Action*. Washington, DC: Migration Policy Institute.



With offices in Chicago, Indiana, and Washington, D.C., Heartland Alliance's National Immigrant Justice Center is a nongovernmental organization dedicated to ensuring human rights protections and access to justice for all immigrants, refugees, and asylum seekers through a unique combination of direct services, policy reform, impact litigation and public education.

**For questions about NIJC's DACA survey findings and this policy brief, contact NIJC Associate Director of Policy Jennifer Chan at (312) 660-1363 or [jchan@heartlandalliance.org](mailto:jchan@heartlandalliance.org). To schedule a legal consultation with NIJC, call 312-660-1370 or email [immigrantlegaldefense@heartlandalliance.org](mailto:immigrantlegaldefense@heartlandalliance.org). For more information on NIJC's legal services and policy work, visit [immigrantjustice.org](http://immigrantjustice.org).**