

NATIONAL IMMIGRANT JUSTICE CENTER

A HEARTLAND ALLIANCE PROGRAM

GUIDELINES FOR DOMESTIC VIOLENCE EXPERTS AND COUNSELORS WHO PROVIDE AFFIDAVITS IN SUPPORT OF IMMIGRANT SURVIVORS OF DOMESTIC VIOLENCE

If you have received this instruction letter you have probably come in contact with a battered immigrant who is seeking relief under the Victims of Trafficking and Violence Protection Act (VTVPA) or “U Visa.” A U Visa allows a battered immigrant and her or his children to file for lawful nonimmigrant status, and eventual legal permanent residence, in the United States without the help of his/her abuser. However, in order to petition successfully she/he needs to gather evidentiary documentation of the physical and psychological abuse she/he suffered at the hands of her/his spouse.

The following is a guide for individuals who have provided counseling and/or support services, and are willing to write a letter in support of our client. It is very important to provide as much information as possible about the applicant and her/his situation.

All affidavits in support of U Visa applicants should be signed and on letterhead of the organization or individual writing the affidavit, and should include the following:

- 1) Credentials of the individual(s) who write the affidavit(s), including:
 - a) educational degrees;
 - b) licenses;
 - c) length of experience working with domestic violence survivors;
 - d) number of clients expert has served; and
 - e) any other information relating to qualifications.
- 2) A detailed description of what the client told the expert about the domestic violence, including:
 - a) Emotional abuse;
 - b) Psychological abuse; and/or
 - c) Physical abuse
- 3) Any effects the client may still suffer from (i.e. cannot sleep or eat, depression, difficulty with daily tasks, etc.) due to the abuse he or she was subjected to.
- 4) An explanation as to why the individual’s abuse fits within the legally recognized definition of domestic violence.
- 5) Any information about how abuse involved threats about immigration status and/or deportation or other immigration-related matters.
- 6) An explanation as to why you find the individual’s story to be credible given your experience with domestic violence survivors.

The letter should be **addressed** as follows:

U.S. Citizenship and Immigration Services
Vermont Service Center
Attn: VAWA Unit
75 Lower Weldon Street
St. Albans, VT 05479-001

Thank you for your assistance. Please mail the letter to our offices at the address listed below. Your letter will contribute to helping a survivor of family violence leave an abusive situation and gain independence – your assistance is greatly appreciated.

**GUIDELINES FOR MENTAL HEALTH PROFESSIONALS AND COUNSELORS WHO PROVIDE AFFIDAVITS
IN SUPPORT OF IMMIGRANT SURVIVORS OF CRIME**

If you have received this instruction letter you have probably come in contact with an immigrant who is seeking relief under the Victims of Trafficking and Violence Protection Act (VTVPA) or “U Visa.” A U Visa allows an immigrant victim of crime and his/her children to file for lawful nonimmigrant status, and eventual legal permanent residence, in the United States. However, in order to petition successfully she/he needs to gather evidentiary documentation of the physical and psychological harm she/he suffered as a result of the criminal incident.

The following is a guide for individuals who have provided counseling and/or support services, and are willing to write a letter in support of our client. It is very important to provide as much information as possible about the applicant and her/his situation.

All affidavits in support of U Visa applicants should be signed and on letterhead of the organization. The individual writing the affidavit should include the following:

- 1) Credentials of the individual(s) who write the affidavit(s), including:
 - a) educational degrees;
 - b) licenses;
 - c) length of experience working with trauma survivors;
 - d) number of clients expert has served; and
 - e) any other information relating to qualifications.

- 2) A detailed description of what the client told the expert about the criminal incident that the individual reported to law enforcement, including:
 - a) Emotional harm;
 - b) Psychological harm; and/or
 - c) Physical harm

- 3) Any effects the client may still suffer from (i.e. cannot sleep or eat, depression, difficulty with daily tasks, etc.) due to the violence to which he or she was subjected.

- 4) An explanation as to why you find the individual’s story to be credible given your experience with trauma survivors.

The letter should be **addressed** as follows:

U.S. Citizenship and Immigration Services
Vermont Service Center
Attn: VAWA Unit
75 Lower Weldon Street
St. Albans, VT 05479-001

Thank you for your assistance. Please mail the letter to our offices at the address listed below. Your letter will contribute to helping a survivor of violence – your assistance is greatly appreciated.