

University of California Undocumented Legal Services Center (“Center”)  
Post-Election Frequently Asked Questions (FAQ)  
November 16, 2016

The information below is informational and does not constitute legal advice. Each individual case is different, and advice may vary depending on the situation. If you have any questions about your case, please contact a Center attorney for a consultation as soon as possible.

Deferred Action for Childhood Arrivals (“DACA”)

1. Will I still be able to work with my current, unexpired DACA EAD card after the Presidential Inauguration?

It depends on whether the new president repeals DACA. If and when DACA is repealed you will no longer be able to work with your EAD card even if it is unexpired. Many groups are asking that the new president not take back the unexpired cards but we do not know how he will respond to that request.

2. I currently have DACA but it expires next year. Should I file a DACA renewal application?

3. I have not yet applied for DACA. Should I apply now?

... aunt's health condition has been ongoing and did not arise unexpectedly. Please consult with a Center attorney.

8. I applied for Advance Parole and my application is pending. Should I withdraw the application?

No, it is not necessary to withdraw your application if they already cashed your check. Even if your Advance Parole application is approved before your travel date, you should not travel outside of the United States.

#### Marriage to a U.S. Citizen or Lawful Permanent Resident ("LPR" or "Greencard" Holder)

9. Is it a good idea to marry a U.S. Citizen or a lawful permanent resident so that I can get a green card/lawful permanent residency?

Maybe, but it depends on your specific situation and a variety of other factors. It is very important that your marriage is a "real" or "bona fide" marriage, which means that the marriage cannot be fraudulent. There are many factors that may preclude an applicant from gaining lawful permanent residency through marriage, such as the manner in which the applicant entered the United States and complex laws known as grounds of inadmissibility. Please see a Center attorney for a consultation to assess whether this is the right option for you and your partner.

#### Miscellaneous issues

10. California just legalized marijuana for recreational use. If I buy marijuana and am caught with it, can that affect my DACA renewal application or any future immigration applications?

Yes, it can. Immigration is governed by federal, not state law, and marijuana is still unlawful to possess under federal law. Furthermore, it is important not to post images on social media of you engaging in marijuana use. If you have an arrest, ci 14 >>BDC BT /TT2 1 Tf 10 (uf ( )-20(ons)-1