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IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

FELICITY MARY NEWMAN; ET AL.)	Civ. No. 87-4757-WDK (CWx)
)	
Plaintiffs,)	ATTACHMENT 2
vs.)	
)	CLASS NOTICE
U.S. CITIZENSHIP AND)	
IMMIGRATION SERVICES, ET AL.,)	
)	
Defendants.)	
)	

IMPORTANT NEWMAN (LULAC) CLASS NOTICE

This Notice contains important information about your rights. Please read it carefully.

Who is a Newman (LULAC) Class Member?

You may be a Newman (LULAC) Class Member if —

1. You lived unlawfully in the United States from before January 1, 1982, until some time between May 5, 1987 and May 4, 1988 (the application period for the amnesty program) when you (or your parent or spouse) attempted to file a completed application and application fee with a representative of the Immigration and Naturalization Service ("INS") including a Qualified Designated Entity ("QDE"), but had the application and fee refused by that representative because you had traveled outside of the United States and returned with a visitor's visa, student visa, or any other type of visa or travel document, and you were otherwise eligible for legalization; or
2. You (or your parent or spouse) applied for a work permit under the *Newman /LULAC* case, and during the application period you had been informed by an INS officer or QDE employee that you were ineligible for legalization because you had traveled outside of the United States and returned with a visitor's visa, student visa, or any other type of visa or travel document, or were refused by the INS or its QDEs legalization forms on account of that travel, and that information, or inability to obtain the application forms, was a substantial cause of your failure to timely file or complete a written application, and you were otherwise eligible for legalization.

QDEs were usually community-based, non-profit organizations (such as Catholic Charities) which were authorized to accept amnesty applications for the INS.

Another common name for *Newman* class members is "LULAC" class members.

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What proof do I need of class membership?

You do not need a copy of your (or your spouse or parent's) original 1987-88 amnesty application to prove you are a class member. You must complete a CSS/Newman (LULAC) Class Membership Worksheet (Worksheet). You may also submit additional statements or evidence showing that you or your parent or spouse were turned away by the INS or a QDE between May 5, 1987 and May 4, 1988, such as statements from friends or relatives.

What are the benefits of Class Membership?

Persons whom U.S. Citizenship and Immigration Services (CIS) or the Court determines are class members may apply for temporary residence, employment authorization, advance parole, and Family Unity benefits. If granted temporary resident status, an individual may apply for permanent resident status under the 1986 amnesty law.

How do I apply for Newman Class Membership?

You may ask CIS or a community organization or lawyer for (1) a Worksheet and (2) Form I-687, Application for Status as a Temporary Resident Status Under Section 245A of the Immigration and Nationality Act. These documents are also available on the internet at www.centerforhumanrights.org and www.uscis.gov. You must submit a completed Worksheet together with a completed Form I-687, with fee, to CIS between May 24, 2004 and May 23, 2005.

You may contact the lawyers representing the class at (213) 388-8693, ext. 100, or by mail addressed to Center for Human Rights, 256 S. Occidental Blvd., Los Angeles, Ca. 90057, or by e-mail to amnestycoordinator@centerforhumanrights.org

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE CENTRAL DISTRICT OF CALIFORNIA
3

4 FELICITY MARY NEWMAN; ET AL.)

5 Plaintiffs,)

6 vs.)

7 U.S. CITIZENSHIP AND)
8 IMMIGRATION SERVICES, ET AL.,)

9 Defendants.)
10 _____)

Civ. No. 87-4757-WDK (CWx)

ATTACHMENT 3

CLASS MEMBERSHIP WORKSHEET
AND INSTRUCTIONS

11 INSTRUCTIONS

12 The attached CSS/Newman (LULAC) Class Membership Worksheet (Worksheet) must be
13 completed by all persons who believe they are *Newman (LULAC)* class members and wish to
14 apply to legalize their status under the 1986 Immigration Reform and Control Act. You may
consult with a community organization, church group or lawyer to help you fill out this form.

15 **Who is a Newman Class Member?**

16 You may be a *Newman (LULAC)* Class Member if you:

- 17 (1) lived continuously and illegally in the United States from *before* January 1, 1982, *until*
18 some time between May 4, 1987 and May 4, 1988, when you (or your parent or spouse)
19 visited the INS or a Qualified Designated Entity (QDE) to apply for the 1986 "amnesty"
20 program, *and*
21 (2) you (or your parent or spouse) were turned away by the INS or the QDE because you (or
22 your parent or spouse) had, or the INS thought that you had, traveled outside the U.S. after
23 January 1, 1982 and returned to the US using a tourist visa, student visa, or some other
24 INS-issued document.

25 You may be a Newman/LULAC class member *whether or not* at the time you (or your parent or
26 spouse) visited an INS or QDE office to apply for amnesty between May 4, 1987 and May 5,
27 1988, you had a complete written application and fee ready to be filed.

28 QDEs were usually community-based non-profit organizations (such as Catholic Charities) which
were authorized to accept amnesty applications for the INS.

**Must I have presented a complete application to the INS during the amnesty application period
to be a class member?**

1 No, but class members (or their parents or spouse) must have visited an INS or QDE office during
2 the amnesty application period (May 5, 1987 to May 4, 1988), advised an INS or QDE official
3 that they wished to apply for amnesty, advised the INS or QDE (or the INS or QDE believed) that
4 they had traveled outside the United States after January 1, 1982, and returned using a student
5 visa, a tourist visa, or some other INS-issued document, and been told that they were ineligible to
6 apply for amnesty.

7 You may also be a class member if you attempted to file a complete amnesty application and fee
8 with the INS or a QDE during the amnesty application period (May 5, 1987 to May 4, 1988), or
9 your parent or spouse tried to do so, and the application was rejected because you or your parent
10 or spouse had traveled outside the United States after January 1, 1982, and returned using a
11 student visa, a tourist visa, or some other INS-issue document.

12 **What proof do I need that I was turned away by the INS during the application period?**

13 You do not need a copy of the amnesty application you or your parent or spouse may have filled
14 out or presented to the INS during the 1987-88 application period.

15 Complete the Worksheet, including as much information as you remember about the visit to an
16 INS or QDE office when you were turned away between May 5, 1987 and May 4, 1988.

17 While it is not required, you may strengthen your claim if you attach statements from any relatives
18 or friends who know that you were turned away by the INS or a QDE when trying to apply for
19 amnesty during the application period (May 5, 1987 to May 4, 1988). For example, if you are still
20 in contact with someone who went with you to the INS or a QDE when you were turned away, or
21 who helped you fill out an application that was rejected, that person can provide you with a
22 statement explaining what they remember.

23 **What are the benefits of Class Membership?**

24 Persons whom U.S. Citizenship and Immigration Services (CIS) or the Court determines are class
25 members may apply for temporary residence, employment authorization, advance parole, and
26 Family Unity benefits. If granted temporary resident status, an individual may apply for
27 permanent resident status under the 1986 amnesty law.

28 **How do I obtain the forms to apply for Newman class membership and legalization?**

You may obtain the forms from your local CIS office. Local community groups or an
immigration lawyer's office may also have the forms available. You may also obtain the forms
from the CIS web site, www.uscis.gov, or class counsels' web page,
www.centerforhumanrights.org.

When must I file my application?

You must submit the applications to CIS between May 24, 2004, and May 23, 2005.
Applications must be postmarked no later than May 23, 2005.

How do I file my application?

1 You must *mail* your completed Worksheet together with a completed Form I-687, Application for
2 Status as a Temporary Resident Under Section 245A of the Immigration and Nationality Act, with
3 fee, to the following address: By regular mail: U.S. Citizenship and Immigration Services, P.O.
4 Box 805876 Chicago IL, 60680-4120. By any other means (e.g. UPS or FedEx): U.S. Citizenship
5 and Immigration Services, 427 S. LaSalle, 3rd Floor, Chicago IL, 60605. CIS will normally
6 respond within 90 days by sending you a receipt notice for your Form I-687. CIS will proceed to
7 decide your Form I-687 legalization application, which it should normally do within 180 days of
8 approving the Class Membership Worksheet.

9 If the CIS decides that you are *not* a class member, your Form I-687 application fee will be
10 refunded. Your refund will be delayed if you appeal the decision that you are not a class member.
11 If the appeal decides that you are a class member, CIS will then process your legalization
12 application. If the appeal decides that you are not a class member, your application fee will be
13 refunded.

14 [Note that if you did not apply for a work permit under *Newman*, your filing fee is not refundable.]

15 **Be sure to keep a copy of everything that you submit to the CIS and if possible obtain proof
16 of mailing from the U.S. Post Office. You may also send a copy of your application to class
17 counsel at the Center for Human Rights and Constitutional Law, address below.**

18 **What if CIS intends to deny my applications?**

19 Applicants whose Form I-687 or Worksheet the CIS intends to deny will be sent a notice of
20 intended denial and you will have at least 30 days to correct whatever problems the CIS identifies.

21 **What if CIS denies my applications?**

22 If CIS denies your Worksheet you may appeal to a Special Master—someone appointed by the
23 Court—to reconsider your Worksheet.

24 If your Form I-687 is denied, you will be sent instructions on how you may appeal that decision
25 administratively.

26 **Will CIS use the information in my Worksheet or legalization application to deport me?**

27 No. Unless you commit fraud, all information you submit in connection with a Worksheet or
28 Form I-687 may be used only to decide those applications and not to obtain a deportation order
against you.

Will I receive permission to work and travel abroad while my applications are being decided?

Yes, so long as it appears from your applications that you probably meet the requirements of class
membership and eligibility for legalization. Individuals to whom the INS previously granted a
Newman work permit (whether or not you still have that work permit) are entitled to renew their
work authorizations for one year without a fee. You may also apply for advance parole to travel
abroad. After that, you may apply to renew work permits or obtain travel documents with a fee
until your legalization application has been finally administratively decided.

1 If you were never issued a *Newman/LULAC* work permit and you now want a work permit, you
2 must file a Worksheet, Form I-687, and Form I-765 application for employment authorization
with all appropriate fees.

3 ***Do not contact the Court for information. For assistance, you may contact the lawyers***
4 ***representing the class at (213) 388-8693 ext. 100, or by mail at Center for Human Rights, 256***
5 ***S. Occidental Blvd., Los Angeles, Ca. 90057, or e-mail***
amnestycoordinator@centerforhumanrights.org

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CSS/Newman (LULAC) Class Membership Worksheet

LEGALIZATION APPLICANTS: Please complete this Class Membership Worksheet if you are applying for legalization under the Immigration Reform and Control Act of 1986 (IRCS), 8 U.S.C. 1255a, pursuant to the settlement agreements reached in Catholic Social Services v. Ridge et al. (CSS) or Newman v. USCIS. (Newman/LULAC).

Applications for CSS Class Membership may be filed for a period of one year from May 24, 2004 through May 23, 2005.

In order to apply, answer every question on this Class Membership Worksheet, which is a supplement to your application for temporary resident status. Provide your complete name and Alien Registration Number (A#) and mark your responses in the boxes provided below.

Family Name (in capital letters)	Given Name	Middle Name	A Number
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

- | | Yes | No |
|--|--------------------------|--------------------------|
| 1. During the period between May 5, 1987 and May 4, 1988, did you (or a parent or spouse) visit an office of the former Immigration and Naturalization Service (INS) to apply for legalization, but were turned away because the INS or the Qualified Designated Entity (QDE) believed that (1) you had traveled outside the United States after November 6, 1986, without advance parole, OR (2) you had traveled outside the United States and returned after January 1, 1982, with a visitor's visa, student visa or any other type of visa or travel document? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Did you enter the United States before January 1, 1982, and then reside in a continuous unlawful status, except for brief absences, from before 1982 until the date you (or your parent or spouse) were turned away by the INS when you (or your parent or spouse) tried to apply for legalization during 1987 to 1988? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Were you continuously physically present in the United States, except for brief, casual and innocent departures from November 6, 1986, until the date you (or your parent or spouse) were turned away by the INS when you (or your parent or spouse) tried to apply for legalization? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Have you ever been convicted of a felony or three or more misdemeanors, or have you ever been convicted of crimes, or committed acts which make you inadmissible pursuant to any provision of the Immigration and Nationality Act including but not limited to: section 212(a)(2)(A)(i)(I) (crime involving moral turpitude); section 212(a)(2)(B) (multiple criminal convictions); section 212(a)(2)(C) (controlled substance traffickers); Section 212(a)(2)(A)(i)(II) (controlled substances); section 212(a)(3) (security and related grounds)? | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Did you (or your parent or spouse) apply for a work permit or otherwise register for class membership under <u>CSS</u> or <u>Newman/LULAC</u> before October 1, 2000. If "Yes," attach copies of any available proof (for example, your <u>CSS</u> or <u>Newman</u> work permit). | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. When you (or your parent or spouse) visited the INS or a QDE during the legalization application period, did you (or your parent or spouse) bring with you a completed legalization application and fee? | <input type="checkbox"/> | <input type="checkbox"/> |

NOTE: If you answered "Yes" to Questions 1, 2 and 3 and "No" to Question 4, and "Yes" to either Question 5 or 6, your answers indicate that you may be eligible for legalization under the settlement agreements.

APPLICANT'S CERTIFICATION:

I certify, under the penalty of perjury under the laws of the United States of America, that this worksheet and the evidence submitted with it are all true and correct. I authorize the release of any information from the records that the U.S. Department of Homeland Security needs to determine eligibility for the benefit I am seeking.

I understand that information I provide in connection with this Class Membership Worksheet is confidential and may not be used to arrest, remove or deport me or for any purpose unrelated to the adjudication of this Class Membership Worksheet, except as provided in 8 U.S.C. 1255a(c)(5).

Signature

Date