

DACA

FREQUENTLY ASKED QUESTIONS

On June 18, 2020, the United States Supreme Court ruled that the Trump Administration failed to provide a reasoned explanation for its decision to terminate the DACA program in 2017, as the law requires. This means that the DACA program remains in place for now.

Q: HOW DOES THE DECISION BENEFIT PEOPLE WHO ALREADY HAVE DACA OR WHOSE DACA WORK PERMIT EXPIRED?

- The decision means that people who already have DACA status remain protected from deportation and may continue to renew their work permits under the rules established in 2012. DACA beneficiaries whose work permits have expired may renew them at this time. Note that the requirements for renewing DACA may vary if your work permit has been expired for over one year. Persons whose work permits have expired for over a year are encouraged to get advice from a licensed attorney or authorized nonprofit legal service provider.
- **“Advance Parole” (travel permission):** Because the original DACA program allowed recipients to request travel permission (known as “advance parole”) under certain circumstances, the U.S. Citizenship and Immigration Services (USCIS) should begin processing those applications as well. However, USCIS has not yet issued guidance regarding advance parole for persons who have DACA. COVID-19 restrictions may also impact the ability to travel. DACA beneficiaries who wish to request advance parole are encouraged to seek legal advice before applying.

Q: DOES THE COURT DECISION ALLOW NEW DACA APPLICATIONS?

- Yes. The Court’s decision leaves the DACA program in place as it was created in 2012. This means that persons who meet the original eligibility criteria but never applied for the program may apply for DACA. However, USCIS has not yet issued guidance regarding the filing of new applications so it is unknown when they will accept them.

Q: DOES THE DECISION PERMANENTLY PROTECT THE DACA PROGRAM?

- No. While the U.S. Supreme Court decision leaves the DACA program in place for the time being, the Trump Administration could attempt to terminate the program in the future. However, any future attempt to end the DACA program would have to comply with federal law. Any further attempts to end the DACA program will be likely challenged in the courts.

WARNING: This information is not legal advice. Persons seeking to apply for DACA should use the services of authorized nonprofit organizations or licensed immigration attorneys. **Avoid getting legal advice from non-attorneys, including *notarios*, immigration consultants or paralegals.** Certain nonprofit organizations offer free legal services to DACA beneficiaries. For a referral to a nonprofit service provider, contact the [Office of Immigrant Affairs](#) at: **800-593-8222** or [oia.lacounty.gov](#).