**UCIMM UPDATES**

**Hiring for UC Merced & UC Santa Cruz**
We are currently in search of recent law graduates to join as our Post-Bar Immigration Law Fellows, starting in August 2023, serving UCM and UCSC. These are one-year fellowship positions with the possibility of extension to two years. See job post on our website for details.

**Hiring for UCLA**
The UCLA Bruin Resource Center is still recruiting for a new UCLA UCIMM staff attorney. For details, visit this website and search for Requisition Number: 37870.

**UCIMM Fall Welcome Webinar recording**
UCIMM's fall webinar featuring Center introductions and DACA policy updates can be accessed on our website legal resources page.

**STATE POLICY UPDATES**

**Confidentiality of Juvenile Records in California**
The Immigrant Legal Resource Center ("ILRC") recently published a guide intended for attorneys, however, we are sharing it here because it is important to highlight that “California has strict confidentiality laws that govern when and to whom records from dependency and youth justice (delinquency) proceedings may be released.”
FEDERAL POLICY UPDATES

Advocacy during the “lame duck” Congress
Many immigration advocates are pushing democrats during this lame duck session (when Congress is in session after the November election and before the beginning of the newly-elected Congress) to pass immigration provisions by including them in a “must-pass” bill—i.e., bills that must pass to prevent government shut-down (e.g., an appropriations [spending] bill; see also the definition of rider bill.) The deadline is December 16. They include:

- Provisions of the HR6 American Dream and Promise Act of 2021, which outlines a pathway to citizenship for DACA, TPS, and DED recipients.
- Provisions of H.R. 8433 Registry Bill, which would allow immigrants who have lived continuously in the U.S. for seven+ years to apply for a green card. The bill would accomplish this by updating the immigration “registry.”

DACA
Recap
The Department of Homeland Security (“DHS”) published on August 30, 2022, a Final Rule codifying as a federal regulation the DACA policy that began in 2012. On October 5, the Fifth Circuit Court of Appeals issued a decision in the case of Texas v. United States, in which it agreed with Texas and other states that have challenged the validity of DACA and concluded that DACA is unlawful. The Court sent the case back to Judge Hanen, the judge that originally ruled that DACA is unlawful, to decide whether the DACA regulation that the Biden Administration recently issued is legal. On October 14, Judge Hanen ruled that while the case proceeds, the prohibition on initial applications and renewals that have lapsed for a year or more will continue, and that the prohibition would extend to the new regulation. On October 31, some provisions of the Final Rule took effect and this week, USCIS updated its FAQ to clarify what portions of the Rule—those related to renewals, took effect. For quick reference:

- Information sharing protections: Q20-Q21
- Notices of Intent to Terminate: Q28, Q74
- Clarification that certain convictions/interactions with the criminal justice system do not disqualify an applicant: Q72-Q73

See also UCIMM's FAQ regarding the new DACA Rule.

Estimated/sample timeline in Texas litigation (provided by the National Immigrant Law Center "NILC")

- Until Nov. 28: Parties can appeal the Fifth Circuit's decision to the Supreme Court, or seek rehearing before all judges on the Fifth Circuit
- Late Nov. or early Dec.: Parties propose a briefing (written legal arguments) schedule to Texas district court
- Dec. – Feb.: Parties submit their briefs on the DACA Rule to Texas district court
- Spring 2023: Texas district court hears oral arguments
- Summer or Fall 2023: Texas district court issues ruling on DACA Rule
- Fall or Winter 2023: Parties appeal district court ruling to Fifth Circuit Court of Appeals.

**Title 42**

Last week, a federal judge issued a decision that will end Title 42. This law allowed the U.S. to expel migrants at the border without letting them seek asylum, in violation of international human rights law on non-refoulement, citing COVID-19 public health concerns as the reason. This fact sheet explains more about Title 42.

**Temporary Protected Status ("TPS")**

This month, USCIS published a notice of automatic extension for TPS beneficiaries from El Salvador, Haiti, Nicaragua, Sudan, Honduras, and Nepal through 06/30/2024. Individuals with TPS do not need to pay a fee or file any application to maintain their TPS. The automatic extension applies to Employment Authorization Documents ("EADs"), however if TPS beneficiaries want a new EAD with the expiration date of 06/30/2024, they must file Form I-765, Application for Employment Authorization with the filing fee or a fee waiver.
This American Immigration Lawyers Association ("AILA") Quicktake video discusses the implications of this year’s midterm elections on immigration issues.

AILA Flyer: Immigration Options for Afghans in the U.S.

Arizona voters approve in-state tuition for all qualifying students, regardless of immigration status

The Presidents’ Alliance on Higher Education and Immigration and the UCLA Center for Immigration Law & Policy are "conducting a survey that will identify undocumented student needs, evaluate the kinds of campus resources currently available and useful to students, and put together recommendations and resources for institutions so that they can better recruit, enroll, and support undocumented graduate/professional students on their campuses."

Recommendations and resources will be available on the Higher Ed Immigration Portal.

As always, please do not hesitate to contact us with any questions.

Thank you,

The UC Immigrant Legal Services Center team