



Community Asylum Seekers Project



## **FILING FOR ASYLUM: Legal Resources for Afghan Parolees and Cosponsorship Teams In Vermont**

Welcome! In this document you will find information about the process of filing for asylum as a Humanitarian Parolee living in the state of Vermont. Legal resources for those filing other kinds of immigration paperwork are available [here](#).

If you plan to file for asylum, federal regulations require you to do so within two (2) years of your arrival to the United States as a Humanitarian Parolee. While asylum cases prepared with the help of an attorney have a stronger chance of success, it may be necessary for you to file your claim “pro se” - meaning without the support of an attorney. Finding an attorney can take up to 12 months if one is available at all.

These resources are designed to equip you and the volunteers who support you with as much information as possible so that you can begin that process. Even if you are able to be represented by an attorney at a later date, there are many things that you can and should do to begin to organize your asylum claim.

It is not necessarily advisable to file your asylum claim as quickly as you can complete it. Asylum claims are difficult to file, and it is a good idea to try to find an attorney or a Department of Justice Accredited Representative to check it for you before sending it in. Errors on an asylum claim can cost many hours of work and hassle to correct or appeal.

These resources are also aimed at support or co-sponsorship teams who want to assist Afghan parolees in preparing their asylum claims with as much information as possible.

### **Expectations and Timelines**

Evacuees who have been granted Humanitarian Parole officially have two years to file an asylum claim, or to re-apply for Humanitarian Parole status. Because it takes time for a

completed asylum claim to be accepted by USCIS, it is a good idea to aim for those claims to be filed within one year of arrival, but it is worth taking ample time to file them with legal assistance of some kind instead of rushing to get them submitted.

Once an asylum claim is filed, the Department of Homeland Security has committed to conduct the initial asylum interview no later than 45 days after the asylum application has been accepted, and issue a final asylum decision within 150 days of when the application is filed.

**Note that this is a promise**, not a guarantee. The asylum system in the U.S. is very backlogged and it is realistic to assume that there will be delays. For asylum seekers coming from other countries, the wait time for an asylum interview is up to three years.

If asylum is granted, the asylee may file for reunification with their spouse and unmarried children under the age of 18 by filing an I-730. That process is expected to take two and a half years or more. Pangea Legal has a guide to family reunification [here](#).

Once asylum is granted, the asylee may also file for Legal Permanent Residency (a green card) one year later. Once *that* application is filed, the expected wait time to receive residency is another three years.

In sum, although parolees from Afghanistan have been guaranteed expedited processing, there is no reason to believe any step of the process will go quickly, particularly those steps not directly related to the processing of asylum claims. Nonetheless, filing the asylum claim is the essential first step, and below are some resources to help asylum seekers and their supporters file the best claims they can.

### **Legal Resources for Those Preparing to File Asylum Claims for Themselves:**

- All asylum seekers should be immediately registered as members of the Asylum Seeker Advocacy Project ([ASAP](#)), especially if there is a chance they will be filing pro se. ASAP offers legal advice and resources for those without lawyers, in addition to connecting you with thousands of other asylum seekers across the country and offering several benefits (like a waiver of various fees, and faster processing of certain documents).
- ASAP also has a series of very helpful instructional videos and legal updates [here](#). They are only available in English and Spanish at this time, but they are very specific and can help applicants understand the legal process.
- The State Department has a video summary of the asylum process in [English](#), [Dari](#), and [Pashto](#).

- A written self-help asylum guide in English is [here](#).
- The International Refugee Assistance Project (IRAP) also has self-help pages in [Pashto](#) and [Dari](#).
- Please note that the USCRI has a [hotline](#) for legal aid for Afghans, but they are **not assisting** with asylum claims. SIV applicants may use this hotline.

#### **Legal Resources for Allies, Case Managers, and Co-Sponsorship and Support Teams:**

- The Hebrew Immigrant Aid Society (HIAS) and the American Bar Association (ABA) have offered legal webinars [here](#) (upcoming, **March 4th**) and [here](#) (upcoming, **March 15th**) that cosponsorship teams should watch to become familiar with the asylum process.
- HIAS has an hour-long recording on Afghan asylum [here](#).
- HIAS' recording on preparing an affidavit is [here](#).
- The Catholic Legal Immigration Network, Inc. (CLINIC)'s practice advisory for assisting Afghans is [here](#) and has resources on other kinds of processes besides asylum, as well.
- IRAP has a similar guide [here](#).
- The 2022 Annual New York Asylum & Immigration Conference, coming up on **Feb. 25 and 26**, is open for registration [here](#)
- The U.S. Committee for Refugees and Immigrants (USCRI)'s Common Legal Issues training when filing Afghan asylum cases is [here](#)

#### **Other Resources:**

- The ABA is offering a [webinar](#) on **February 9th** aimed at cultural competency for allies in this process.