

PRESENTED AT**2021 Conference on Immigration and Nationality Law**

October 28-29, 2021

Austin, TX

Recent Developments in Representing Vulnerable Populations**Speakers:****Elise Harriger, Casa Marianella, Austin, TX****Amy Cheung, ASISTA, Suffield, CT**

Author Contact Information:

Elise Harriger

eharriger@utlschooloflaw.edu

\$

Eq }\$liyrk\$

eharriger@utlschooloflaw.edu

Table of Contents:

1. **Medina Tovar v. Zuchowski**

- a. Medina Tovar v. Zuchowski, 982 F.3d 631 (9th Cir. 2020)
- b. ILRC, ASISTA, and CLINIC: Updated Practice Alert: U Visa and T Visa “After-acquired Spouse” Cases (June 11, 2021)
- c. USCIS Policy Manual, Vol. 3, Part C., Chp. 2, “Eligibility Requirements for U Nonimmigrant Status”

2. **Bona Fide Determination Policy**

- a. USCIS Policy Alert and Guidance Documents
- b. USCIS Frequently Asked Questions about the Bona Fide Determination policy
- c. Notes from ASISTA and ILRC’s August 18, 2021 webinar on Bona Fide Determination Policy with Q&A from USCIS
- d. Sample waitlist and bona fide determination letters

3. **Removal proceedings**

- a. ICE Memorandum, “Prosecutorial Discretion: Certain Victims, Witnesses, and Plaintiffs (June 17, 2011)
- b. ICE Memorandum, “Interim Guidance to OPLA Attorneys Regarding Civil Immigration Enforcement and Removal Policies and Priorities (May 27, 2021)
- c. Prosecutorial Discretion and the ICE Office of the Principal Legal Advisor (OPLA)
- d. ICE Directive 11005.3, “Using a Victim-Centered Approach with Noncitizen Crime Victims” (August 10, 2021)
- e. ASISTA Policy Alert: Q&A on ICE Directive: Using a Victim-Centered Approach with Noncitizen Crime Victims (August 23, 2021)
- f. Sample prosecutorial discretion requests to ICE Office of Chief Counsel
- g. NIPNLG, Explainer: Fifth Circuit Stays Lower Court Order, Interim Enforcement Guidelines Remain in Effect (September 16, 2021)
- h. ASISTA Practice Advisory: The Impact of Matter of L-N-Y-, 27 I&N Dec. 755, (BIA 2020)
- i. Amicus brief in *Granados Benitez v. Wilkinson*, 987 F.3d 46 (1st Cir. 2021)
- j. *Granados Benitez v Wilkinson*, 987 F.3d 46 (1st Cir. 2021)

FOR PUBLICATION

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

MARIA DEL CARMEN MEDINA
TOVAR; ADRIAN JOVAN ALONSO
MARTINEZ,
Plaintiffs-Appellants,

v.

LAURA B. ZUCHOWSKI, Director,
Vermont Service Center, United
States Citizenship and
Immigration Services; CHAD F.
WOLF, Acting Secretary,
Department of Homeland
Security; WILLIAM P. BARR,
Attorney General,
Defendants-Appellees.

No. 18-35072

D.C. No.
3:17-cv-00719-BR

OPINION

Appeal from the United States District Court
for the District of Oregon
Anna J. A. Brown, District Judge, Presiding

Argued and Submitted En Banc September 23, 2020
San Francisco, California

Filed December 3, 2020

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: Recent Developments in Representing Vulnerable Populations

Also available as part of the eCourse

[2021 eConference on Immigration and Nationality Law](#)

First appeared as part of the conference materials for the 45th Annual Conference on Immigration and Nationality Law session "Recent Developments in Representing Vulnerable Populations"