

U Visa Case Screening Guidelines



- Is the substantive U visa case winnable? Factors include
 - Qualifying crime?
 - 273.5 or 243(e) strongest DV. ADW, attempted murder, murder
 - Police report for definitely qualifying crime
 - Victim helpful?
 - Police report indicates victim cooperation
 - Police report indicates arrest of perpetrator (not necessary, but stronger)
 - Victim followed up with investigation
 - Perpetrator charged by District Attorney
 - Victim cooperated with District Attorney
 - Victim suffered "substantial abuse"
 - Visible (i.e. arrest required) physical injury
 - Documented or documentable pattern of abuse OR
 - Documented or documentable suffering as result of this crime
 - Severe emotional trauma (Psychosocial Assessment)?
 - No huge inadmissibility grounds or other negative factors
- Is there a reason to take the case earlier (or later) than normal waiting list place?
 - Is s/he in removal proceedings (with a good attorney)?
 - Compelling other circumstances
 - Victim needs immediate free help
 - Referred by another agency such as a domestic violence provider or victim advocacy group
 - Conversely, is client unreasonably demanding or unforthcoming?
 - Do we need to learn more about U Visa adjudications before moving forward?
e.g. weaker crime, equivocal helpfulness, major inadmissibility factor.
- Is this a 10 hour case or a 30 hour case?
 - Substantial abuse documentation hard to gather?
 - Does the principal applicant have a simple I-192?
 - Do derivative applicants have simple I-192s?