Public Charge
Legal Consultations & Education

CANAL ALLIANCE
Public Charge Refresher
Public Charge does not apply to many categories of immigrants:

- Refugees and asylees
- Special Immigrant Juvenile Status (SIJS)
- VAWA (Violence Against Women Act) self-petitioners
- U non-immigrant status (U visa)
- T non-immigrant status (T visa)
- Deferred Action for Childhood Arrivals*
- Temporary Protected Status (TPS)*
- Other humanitarian categories*
- The majority of Lawful Permanent Residents (LPR or “green card” holder)
- When applying for citizenship

*Public charge does apply if you adjust through a family petition.
PRIMARILY AFFECTS FAMILY-BASED IMMIGRATION
TOTALITY OF CIRCUMSTANCES TEST

- Affidavit of Support
- Household Size
- Education
- Income
- Health
- Age
- Receipt of Benefits
Benefits that were already part of analysis

- Long-term institutionalization
- Cash Assistance (i.e. SSI and CalWorks)

Newly-considered benefits

- Medi-Cal (with exceptions)
- Food stamps (CalFresh)
- Housing Assistance (i.e. Section 8 vouchers)
Benefits safe to use for all who are eligible without public charge consequences

MEDI-CAL

Children

Emergency

Pregnant Women
KEEP YOUR BENEFITS
An online screening tool to help clients determine whether or not the changes to public charge could affect their immigration process.
Public Charge Texting Tool

Developed by CommunityConnect Labs and community partners, this texting tool allows for clients to answer yes or no questions through back and forth texting to determine whether or not public charge may apply to that individual.

TEXT 650-376-8006 “BENEFITS” (ENGLISH) OR “LIBRE” (SPANISH) TO TRY!
Concerned client

Use online or texting tool

Unresolved questions

Do they have legal representation?

If yes, refer to their private attorney

If no, schedule an appointment on Calendly, come to a Thursday walk-in, or book in Novato
REQUEST A COMMUNITY-FACING PRESENTATION

(Using the Google Form)
Resources

- Marin HHS Public Charge Mini-Site
- Protecting Immigrant Families
- Immigrant Legal Resource Center