

IMMIGRATION JUSTICE CAMPAIGN

Guidance for Clients with Pending Asylum Applications

As a follow-up to our communication with guidance in the wake of recent executive actions taken by the administration, here we further advise regarding clients who have pending asylum applications with the Immigration Courts or USCIS Asylum Office. In an attempt to provide an added layer of protection from detention should your client encounter ICE officers, we recommend the following:

- Any client who has an I-589 asylum application pending affirmatively with the USCIS Asylum Office, or defensively with an Immigration Court should be:
 - (1) provided with and carry on their person, either a copy of their I-589 Receipt Notice from USCIS, received after filing their affirmative application; or a copy of the first page of their court-stamped I-589 application that was filed in Immigration Court
 - For cases with an electronic record of proceeding, this can be downloaded by the attorney from the ECAS portal
 - For cases with a paper record of proceeding (including if you submitted with application under an E-61 or just prepared it and had the client submit it), and you did not seek a conformed date-stamped copy of the filed I-589 application from the immigration court at the time of filing, you can call the court clerk and request a date-stamped copy be emailed to you.
 - Please reach out to your IJC mentor if you encounter an issue with obtaining a copy of your client's filed asylum application. It is critical that the client has proof of a pending asylum application.
 - (2) provided with and carry on their person a short letter that can be presented to ICE officials, that states they have a pending I-589 application for asylum, the date on which it was filed, and if representation is ongoing, that they are represented and include the attorney's contact information. A sample of such letter can be found in the Know Your Rights section of our 2025 Practice Updates page; and
 - (3) be provided a copy of their complete asylum application for their records and safekeeping.

As always, please don't hesitate to reach out to your IJC mentors or attend their weekly office hours, should you have any questions about this guidance or wish to discuss your client's matter.

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