

# WELCOME TO WASHINGTON STATE



## A RESOURCE GUIDE FOR ASYLEES

## **ACKNOWLEDGEMENTS**

The Washington Leadership Institute (“WLI”) Class of 2013 Fellows would like to express their deep gratitude to the following people and organizations for their enthusiastic support and encouragement in creating this resource guide and throughout the WLI program: University of Washington School of Law, Seattle University School of Law and its Access to Justice Institute, Northwest Immigrant Rights Project (NWIRP), Non Profit Assistance Center (NAC), Refugee Women’s Alliance (ReWA), Dolly Hunt, and the entire WLI Advisory Board, but especially the Honorable Mary I. Yu and James F. Williams.

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# I. INTRODUCTION

## *About the Resource Guide*

Congratulations on becoming a legal resident of the United States, and Welcome to the State of Washington!

This resource guide (“Guide”) contains basic information intended to help you adjust to everyday life in the State of Washington. The Guide covers such topics as finding a place to live; obtaining a social security number or driver’s license; childcare and education; obtaining medical care; understanding credit; finding job resources; travel within and outside the United States; ramifications of criminal charges or convictions; filing taxes; and more. Although the Guide was designed specifically for persons who have recently obtained asylum, its contents should also be helpful to refugee and other immigrant populations. Because some of the topics covered are complex or have legal implications, you should always consider contacting a lawyer or one of the many Washington-based organizations listed herein.

This Guide (along with any updates) will be available online on the Northwest Justice Project-run website [www.washingtonlawhelp.org](http://www.washingtonlawhelp.org) and on the Washington State Bar Association’s (“WSBA”) website [www.wsba.org](http://www.wsba.org).

## *About Us*

This Guide was a community service project of the WSBA’s Washington Leadership Institute (“WLI”) Class of 2013 Fellows. WLI’s mission is to recruit, train, and develop minority and traditionally underrepresented attorneys for future leadership positions in the Bar and community. The Class of 2013 Fellows are: Erica Buckley, Hozaiifa Cassubhai, Melissa Chin, Erin Culver, John Cummings, RaShelle Davis, Delian Deltchev, Nolan Lim, Felipe Mendez, Kripa Upadhyay, Jamal Whitehead, and Alma Zuniga.



## **II. ASYLUM Q&A**

### ***What is the difference between a “Refugee” and an “Asylee”?***

You may be granted refugee status or asylum if you have been persecuted or have a well-founded fear that you will be persecuted because of your race, religion, nationality, political opinion or membership in a particular social group. The main difference between the two is that, to apply for refugee status, an individual must be physically located outside the United States and typically be of special humanitarian concern to the United States. By contrast, asylees are already present in the United States when they seek relief. One may apply for asylum in the United States regardless of his or her country of origin or current immigration status.

### ***What is the difference among Asylum, Withholding of Removal, and protection under the Convention Against Torture?***

If granted asylum, you can remain lawfully in the United States indefinitely and apply for legal permanent residence after one year. Generally, you must file an asylum application within one year of your last entry into the United States. With asylum status, you can travel anywhere in the world (except your home country) and can later obtain citizenship in the United States, if so desired.

If granted withholding of removal, you can remain in the United States and work legally, but you cannot apply for legal permanent residence. Also, if you ever traveled outside the United States, then you would not be permitted to return. Moreover, your spouse and children cannot receive withholding derivatively through you.

Finally, if you fear that you will be tortured directly by, or with the acquiescence of, the government of your country of origin, then you may qualify for relief under the Convention against Torture (CAT) treaty. Unlike asylum and withholding, to qualify under CAT, you do not have to show that the “torture” will be on account of race, religion, nationality, political opinion, or membership in a particular social group.

For a better understanding of how to seek relief under each of the above, and the benefits and restrictions under each, you should consult a lawyer or contact one of the organizations listed below.

### ***What organizations in the State of Washington cater to asylum candidates or grantees?***

There are several organizations in the State of Washington that can help you and your family with information on asylum-related issues. They include:

### Northwest Immigrant Rights Project

If you live in Western Washington or Seattle, call the Western Washington Office: (serving individuals in Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, King, Kitsap, Lewis, Mason, Pacific, Pierce, San Juan, Skagit, Skamania, Snohomish, Thurston, Wahkiakum & Whatcom counties)

Phone: 206.587.4009

Toll Free: 1.800.445.5771

If you live in Eastern or Central Washington, call the office that serves your county:

Granger Office (serving individuals in Asotin, Benton, Columbia, Franklin, Garfield, Kittitas, Klickitat, Walla Walla Whitman & Yakima counties)

Phone: 509.854.2100

Toll Free: 1.888.756.3641

Wenatchee Office (serving individuals in Adams, Chelan, Douglas, Ferry, Grant, Lincoln, Okanogan, Pend Oreille, Spokane & Stevens counties)

Phone: 509.570.0054

Toll Free: 1.866.271.2084

### Tacoma Community House

1314 South L Street, P.O. Box 5107, Tacoma, WA 98405

Phone: 253.383.3951

### Chinese Information and Services Center

611 S Lane St., Seattle, WA 98104

Phone: 206.624.5633

### Catholic Community Services

100 23rd Ave. S, Seattle, WA 98144-2302

Phone: 206.328.5714 or 206.328.6314

320 Pacific Place, Mount Vernon, WA 98273

Phone: 360.416.7095, Ext. 226

If you are detained in the Northwest Detention Center, call 253.383.0519.

### ***Now that I have been granted asylum, how do I . . . ?***

**Obtain Permanent Resident Status (Green Card) and Naturalization.** You may apply for permanent residence status (i.e., a green card) after one year of being granted asylum. (Note: The rules are different for refugees.) To apply for permanent resident status, you and any qualified family members must each fill out Form I-485—Application to Register Permanent Residence or Adjust Status. Generally, a legal permanent resident can apply to naturalize, or become a U.S. citizen, five years after obtaining a “green card.” When

asylees get their “green card” it is backdated one year, meaning that they can apply to naturalize four years after obtaining permanent resident status.

**Work in the United States.** You are authorized to work in the United States regardless of whether you have an Employment Authorization Document (EAD). If you do not receive an EAD after being granted asylum, you should contact the asylum office that granted your case. You may use the EAD to present to an employer as a List A document on the Form I-9, Employment Eligibility Verification Form. You are eligible to use employment services from One-Stop Career Centers including: job search assistance, career counseling, or occupational skills training. For more information, call 1.877.872.5627

**Obtain a Social Security Card.** Once granted asylum, you may immediately apply for an unrestricted Social Security card at a Social Security office. You can get Social Security Card information by contacting the Social Security Administration. For more information, go to <http://www.ssa.gov/ssnumber/>.

**Seek Asylum for Family.** If your spouse and children did not or were not able to enter the United States with you, then you may request derivative asylum status for them so long as they were listed on your asylum application. If you were admitted to the United States as a refugee or were granted asylum less than two years ago, you may file an I-730 petition for your spouse or unmarried children who were under age 21 at the time you were granted asylum. You must file an I-730 petition within two years of being granted asylum. If it has been longer than two years since you were granted asylum, then you may want to get legal advice (see agencies listed above) to find out if there are other options for your family members.

**Obtain Select Services and Help.** You may be eligible to receive help from an organization in your area funded by the Office of Refugee Resettlement (ORR). Service may include financial assistance, medical assistance, employment preparation and job placement, and English language training. Many of these programs are available for a limited time once you are granted asylum. For more information, call 1.800.354.0365.

**Obtain Travel Documents.** As an asylee, you are subject to special rules for traveling outside the United States. If you plan to leave the U.S., you must receive permission before leaving by obtaining a refugee travel document. To apply for a refugee travel document, file Form I-131— Application for Travel Document. A refugee travel document is valid for up to one year. It is recommended that you apply for the refugee travel document at least 90 days before you plan to leave the U.S.

**Notify of Change of Address.** You must inform USCIS of your new address within 10 days of moving. You may do so by filing a Form AR-11; using the “Online Change of Address,” available at [www.uscis.gov](http://www.uscis.gov); or by calling the USCIS National Customer Service Center at 1.800.375.5283.



**Register for Selective Service.** All male asylees between the ages of 18 and 26 must register for the Selective Service. If you fail to register for the Selective Service, your ability to become a United States citizen or obtain other benefits in the United States may be negatively affected. For more information, go to <http://www.sss.gov/default.htm> or call 1.847.688.6888 or 1. 888.655.1825 (toll-free).

For more information about any of the above: go to [www.uscis.gov](http://www.uscis.gov) or call USCIS Customer Service: 1.800.375.5283; Hearing Impaired Customer Service: 1.800.767.1833.

***Can my asylee status be taken away from me?***

Yes, under certain circumstances, including, for example, where there is fraud in the application; or where you become “ineligible” under INA s208(c)(2) and meet one or more certain conditions described under INA s 208(c)(2). These conditions include: you no longer meet the definition of a refugee due to a fundamental change in circumstance, you commit certain types of crimes, or you voluntarily acquire a new nationality and enjoy the protection of that country. For a complete list and explanation of the circumstances under which your asylum status can be taken away, including its affects on those who acquired asylum derivatively through you, it is important that you consult a lawyer.

***What are the effects of a criminal conviction(s) on asylee status?***

An asylee can be deported if convicted of a “particularly serious crime.” Although there is no statutory definition, an aggravated felony conviction is a per se “particularly serious crime.” Additionally, an asylee who wishes at some point to file for permanent resident status (as discussed above) must avoid the crime-related grounds of inadmissibility, which include a variety of offenses such as domestic violence, child abuse and abuse of controlled substances. Other offenses, although not per se deportable, can still result in a denial of adjustment of status in the discretion of the immigration judge or officer.

## III. HOUSING

### A. Emergency and Temporary Shelter

If you find that you need emergency housing, there are a number of agencies that provide temporary shelter on a short-term basis until you are able to transition into more secure, long-term housing.

#### ***Who is eligible to stay at a shelter?***

Shelters have different requirements about who may stay in their facilities. Some shelters offer space to women and children, especially those who have been victims of family violence, but do not allow single men to reside there. Some shelters will allow married couples to stay together, while others will divide residents up into all-male or all-female groups. Typically, emergency shelters will not allow people to bring pets into the facility.

Generally speaking, immigration status will not be a factor in deciding whether a person may stay at an emergency shelter. Many shelters are operated by groups associated with religious organizations, although you don't have to be a member of that religion to request emergency housing.

Most shelters have an intake process where they will ask for some form of identification from you and they may conduct a criminal background check before admitting you.

#### ***How long can I stay at a shelter?***

Shelters come in many different types; some offer beds on a day-by-day basis (where you have to check out each morning and then return at night to find out if any beds are available), while others allow you to stay for a continuous period of days or weeks, as long as your need persists. Many shelters have waiting lists and it is always a good idea to call ahead, if possible, rather than just showing up at the shelter's address. A website called Homeless Shelter Directory has a list of resources listed by state, and then by cities within the state, that provides contact information for the emergency shelters in the area. For more information, go to <http://www.homelesshelterdirectory.org/washington.html>.

#### ***Are there any government-run programs for emergency temporary shelter?***

In Washington State, if you qualify to receive medical care services (Medicaid), you may also be eligible for the "Housing and Essential Needs" program. This program helps individuals across the state avoid homelessness by providing rent and utility assistance in the form of payment directly to the landlord and service providers, although the program does not actually run any shelter locations. Homeless individuals can get help

with housing costs when they find a new home. For more information, go to <http://www.commerce.wa.gov/Programs/housing/Homeless/Pages/HousingandEssentialNeedsGrant.aspx>.

## **B. Public Housing**

### ***How to find a place to live?***

In the United States you choose where you want to live. When arriving for the first time, people stay with family or friends. After they have settled, they rent a place on their own.

### ***How to rent a place?***

- Look for signs on buildings that say, “Apartment available or For Rent”
- Read the Classified section in the newspaper and find the columns of Apartments or Homes for Rent which will include information as to location, number of rooms, and costs to rent
- Check the “For Rent” sections of bulletin boards in libraries, grocery stores, and community centers
- Look in the phone book yellow pages under “Property Management” and contact the companies
- Ask friends and family members if they know of any rental properties
- Look on Craig’s list at [www.craigslist.com](http://www.craigslist.com) which will include information of apartments or homes for rent around Washington State – you need to select the region where you want to search like Seattle/Tacoma or Yakima

### ***What to know before renting?***

Before you rent it is important that you do the following:

- Always read the rental agreement or lease before signing and if you have questions ask questions
- Find out who pays for water, heat, electricity, parking, snow removal and trash disposal
- If you will pay the electricity bill, contact the electric company and find out how much the unit was charged for the last twelve months
- Make sure that the utilities and appliances are working
- Make sure you can open and close/lock the screens, windows and doors
- Always keep your housing records including:

- Rental agreement or lease
- Security deposit receipt
- “Condition Check In List” – a list of things wrong with the place
- Rent receipts and cancelled checks
- Landlord’s address and telephone number

For more information about your rights as a tenant, go to [www.washingtonhelp.org](http://www.washingtonhelp.org).

### ***What is a Rental Agreement?***

A rental agreement sets forth the agreement between the landlord and tenant when a place is rented on a month-to-month basis. A rental agreement can be in writing or verbal. It has no expiration date and ends when either the landlord or the tenant gives proper notice to the other to end the rental agreement. The landlord can raise the rent or change the rules at any time but must give written notice at least 30 days before the end of a rental period.

Can a landlord put any rules s/he wants in a Rental Agreement?

A landlord cannot put a term in a rental agreement that is illegal under Washington law (RCW 59.18.230) including:

- Waiving tenant’s rights (RCW 59.18.230(2)(a)).
- Limiting landlord’s legal responsibilities (RCW 59.18.230(2)(d)).
- Shifting repair responsibility to the tenant (RCW 59.18.230(1)).

### ***What is a lease?***

A lease is a document that requires a tenant to rent a unit for a specific amount of time - for example, one year or longer. The lease must be in writing. The landlord cannot raise the rent or change the rules unless the tenant agrees.

### ***Can a landlord collect a deposit or other fees?***

A landlord can collect a screening fee, security deposit, damage deposit, cleaning fee, last month’s rent and an application or holding fee before renting to you.

- A screening fee is collected by a landlord in order to check your past rental history, eviction history, credit history, and criminal background before renting to you. The landlord checks your histories’ using a private company and the screening fee is used to pay this company for a report. See RCW 59.18.257.

- A security deposit is money that the landlord may require you pay when you move in and it can be used to cover unpaid rent or damages to the place. If the landlord requires a security deposit, you have a legal right to receive a receipt (RCW 59.18.270), a rental agreement (RCW 59.18.260), and a check-list or statement describing the condition of the place (you and the landlord have to sign it) (RCW 59.18.260).
- A damage deposit is money a landlord may collect to cover costs of damages caused by you or your guests to the rental property.
- A cleaning fee is money a landlord may collect to have the rental property cleaned after you move out and it can be nonrefundable (RCW 59.18.285).
- The last month's rent paid in advance is money a landlord may collect when you move in to cover your last month's rent.
- An application fee or holding fee is money a landlord may collect to ensure that the landlord will not rent to another person. If you change your mind and do not move in, the landlord keeps the fee. However, if you move in, then the fee must be applied to your security deposit or first month's rent.

***What is a condition check-in list?***

A condition check-in list describes the condition and cleanliness of the rental property. It is important for you to go over the list with the landlord and for both to sign it because you might need to use the list later if the landlord is trying to charge you for damages that were present when you moved in. Always save your condition check-in list for future reference.

***What utilities can I be responsible for?***

If you rent a house, you may be responsible for the electricity, garbage disposal, water and sewage. If you rent an apartment, you may be responsible for electricity or other utilities. Either way, you and the landlord have to agree and the terms must be written in the rental agreement or lease.

***Can I be evicted?***

Yes, the landlord can evict you if you have a month-to-month rental agreement for no reason; however, the landlord must give you a written notice (RCW 59.12). Verbal notices are not valid and an eviction requires a court process. If you have a lease, the landlord cannot evict you without a reason (review your lease). If you live in public housing/federally subsidized housing you have other rights. For more information, go to [www.washingtonlawhelp.org](http://www.washingtonlawhelp.org) (“Public Housing Evictions” and “HUD Housing Evictions”).

A landlord can give a notice of eviction for not paying rent, for not following the rental agreement, or for engaging in certain kinds of activities. If you do not move out, the landlord can file an unlawful detainer action against you in court. In this event, it is very important to speak with an attorney or for you to review the brochure “Eviction and Your Defense” at [www.washingtonlawhelp.org](http://www.washingtonlawhelp.org).

If a landlord locks you out or removes your belongings from the rental property without going to court you can call the police because the landlord did an illegal act (RCW 59.18.290). For more information, go to [www.washingtonlawhelp.org](http://www.washingtonlawhelp.org) (“Your Rights as a Tenant in Washington State” Northwest Justice Project) and [www.solid-ground.org](http://www.solid-ground.org) (Basic Information for Tenants).

### ***What is public or subsidized housing?***

Public or subsidized housing is safe and decent rental housing for eligible low-income families, the elderly, and persons with disabilities. The U.S. Department of Housing and Urban Development (HUD) administers federal aid to local public housing authorities (PHAs) that manages and operates the local public housing programs. The tenants generally pay 30% of their income toward rent. The United States Department of Agriculture also provides funds for low-income housing. For more information, go to [http://portal.hud.gov/hudportal/HUD?src=/topics/rental\\_assistance/phprog](http://portal.hud.gov/hudportal/HUD?src=/topics/rental_assistance/phprog) (HUD Public Housing Program, U.S. Department of Housing and Urban Development).

Section 8 project based subsidy is privately owned (by for-profit or non-profit) rental housing available for low-income people. The tenant receives a voucher and finds a private landlord willing to rent and accept the voucher. HUD or the PHA pays the rest of the rent. For more information, go to [www.socialserve.com/Types.html?ch=SEA](http://www.socialserve.com/Types.html?ch=SEA) (Learn About Housing at HousingSearchNW.org).

There is also low income tax credit housing that provides housing for low and moderate-income tenants. Tax credit housing is where the landlord received a tax break to develop the property and, in return, must offer a certain number of units below market rent. For more information, go to <http://www.tenantsunion.org/rights/low-income-housing-search> (Low Income Housing Search Tenants Union of Washington State).

### ***What are the eligibility criteria for public housing?***

A local public housing authority determines eligibility based on annual gross income, qualification as a family, elder person or disabled person, U.S. citizenship or eligible immigration status. For more information, go to [http://portal.hud.gov/hudportal/HUD?src=/topics/rental\\_assistance/phprog](http://portal.hud.gov/hudportal/HUD?src=/topics/rental_assistance/phprog) (HUD Public Housing Program, U.S. Department of Housing and Urban Development).

HUD's public housing program and housing choice (Section 8) vouchers are administered by the local public housing authorities and they have waiting lists of a few months to three years. Be sure to check with your local public housing authority for opportunities to get your name on the waiting lists. For more information, go to <http://www.tenantsunion.org/rights/low-income-housing-search> (Low Income Housing Search Tenants Union of Washington State).

### ***How can I get on a public housing waiting list?***

Contact the public housing authorities to get your name on the waiting list and inquire about all the options they might have:

- Bellingham Housing Authority: 360.676.6887
- Kennewick Housing Authority: 509.586.8576
- Thurston County Housing Authority: 360.753.8292
- Seattle Housing Authority: 206.615.3300
- Spokane Housing Authority: 509.328.2953
- Vancouver Housing Authority: 360.694.2501
- Yakima Housing Authority: 509.453.3106

For a complete listing, go to <http://www.hud.gov/offices/pih/pha/contacts/states/wa.cfm> (PHA Contact Information Washington, U.S. Department of Housing and Urban Development).

Also, check online to see what rentals are available for low and moderate-income tenants in Washington State at the following websites:

- Apartment Finder at <http://www.aptfinder.org/>
- Housing Search NW at <http://www.housingsearchnw.org/>
- Washington State 2-1-1 at <http://www.resourcehouse.info/Win211/>
- United States Department of Agriculture (USDA) listings by county at [http://rdmfhrentals.sc.egov.usda.gov/RDMFHRentals/selectcounty.jsp?st=WA&stte\\_na](http://rdmfhrentals.sc.egov.usda.gov/RDMFHRentals/selectcounty.jsp?st=WA&stte_na)
- U.S. Department of Housing and Urban Development PHAs list at <http://www.hud.gov/offices/pih/pha/contacts/states/wa.cfm>

### ***Can I file a complaint for discrimination?***

If you have been discriminated when trying to buy or rent an apartment or house

because of your race, color, national origin, religion, sex, familial status, or disability you can file a complaint with the following agencies:

- U.S. Department of Housing and Urban Development at [http://portal.hud.gov/hudportal/HUD?src=/topics/housing/housing\\_discrimination](http://portal.hud.gov/hudportal/HUD?src=/topics/housing/housing_discrimination)
- Washington State Human Rights Commission at 1.800.233.3247 or <http://www.hum.wa.gov/ComplaintProcess/Index.html>

### C. Purchasing a Home

***Before Purchasing a Home.*** Some work before purchasing a home will help make the process easier to navigate. It is important to request a copy of your credit report, check for errors, and dispute any mistakes. You can obtain a free credit report online at [www.annualcreditreport.com](http://www.annualcreditreport.com).

You can also attend free homebuyer seminars to familiarize yourself with the entire purchasing process. These seminars are conducted by the Washington State Housing Finance Commission and you can find a class schedule on its website at: <http://www.wshfc.org/buyers/education.htm>.

Most homebuyers use the help of a real estate agent. One good way to find one is by asking friends or acquaintances for recommendations. A real estate agent is licensed with the State to assist people buying or selling a home. He or she helps to locate available homes for sale, gives advice on home value, negotiates with the selling agent, helps the buyer secure a home loan, and provides many other services for a percentage of the purchase price of the home - a commission. The real estate agent should not charge you any fees to help you find a home.

***Securing a Home Loan.*** Unless you are purchasing your home with cash, you will need to secure a home loan from a financial institution. You are responsible for understanding the terms of your home loan agreement. Unfortunately, there are scams and high-risk loans offered by unscrupulous companies, so what should you do? Get recommendations for mortgage loan officers from friends and family members just as you get recommendations for real estate agents. Shop around comparing rates and terms before committing to a loan. Be honest on your loan application. Ask questions of any terms you do not understand. Do not sign anything you do not understand. Borrow within your means, do not commit to more than you can afford.

***Maintaining a Home.*** Once you've purchased a home, there may be maintenance or repairs for which you will need to hire a professional. On more substantial projects, you will want to make sure that anyone you hire to perform work on your home is licensed with the state and bonded and insured. A bond is a type of financial assurance that the job will be properly completed, which protects the homeowner in the case of faulty



work, damage, or theft. You can check with Washington State Labor and Industries to see if a potential contractor or tradesperson is licensed at:

<https://fortress.wa.gov/lni/bbip/Search.aspx>.

Most condominiums, many townhomes, and some houses are part of homeowner's associations. These associations require that each home pay yearly or monthly dues to be used toward maintenance of common areas.

**Foreclosure.** Foreclosure is the legal process the lender uses to seize your property after failure to pay your mortgage payments. There are steps you should take before getting to that point. If you are having trouble paying your mortgage, contact your lender. Your lender may be able to help you by modifying your loan, refinancing, or through a repayment plan. There are many national and local resources available for anyone facing foreclosure.

- Washington State Bar Association Home Foreclosure Legal Aid Project at:  
<http://www.wsba.org/Legal-Community/Volunteer-Opportunities/Public-Service-Opportunities/HFLAP-Portal/Home-Foreclosure-Legal-Aid-Project/Home-Foreclosure-Legal-Aid-Project-Homeowner-Information>
- Washington Homeownership Information Hotline at 1.877.894.HOME (4663).
- Northwest Justice Project Foreclosure Prevention Unit at: 1.800.606.4819
- The Foreclosure Prevention Unit at 1.800.606.4819.
- For a list of Washington state approved homeownership counselors see:  
<http://www.wshfc.org/buyers/counseling.htm>
- For help in modifying your loan, including self-assessment tools:  
<http://makinghomeaffordable.gov/>

## IV. WORK

### A. Obtaining Employment / Work Authorization

You are authorized to work in the United States for as long as you remain in asylum status. Your dependents are also authorized to work in the United States, so long as they retain derivative asylum status. To work in the United States, every employee must show a prospective employer certain documentation as proof of employment authorization. These are found on USCIS Form I-9 (Employment Eligibility Verification).

The I-9 requires asylee workers to submit either:

- ONE document that shows *both* identity and work authorization:
  - Employment Authorization Document that contains a photograph (Form I-765)

OR

- ONE document that shows identity *and* ONE document that shows work authorization.
  - Social Security Card and
  - State Driver's License or ID Card or Unexpired Foreign Passport

**Employment Authorization Document (EAD).** If you have been granted asylum by USCIS, the Asylum Office will begin processing your EAD automatically, and you do not need to file an application for work authorization. However, if you have been granted asylum by an immigration judge or the Board of Immigration Appeals (BIA), you will receive post-order instructions on how to obtain an EAD from USCIS, either as a separate handout or in your BIA decision. As indicated in those instructions, you may make an appointment through the InfoPass program on the USCIS website to visit your local USCIS office to be processed for your EAD, which will be mailed to you promptly. You may also submit an application for an EAD by mail if you do not wish to do visit a USCIS office. You must take your Immigration Court order or the BIA decision to your appointment, or provide it with your EAD application, if you are filing an application by mail. If you already received an EAD after you were granted asylum by either USCIS or an immigration judge and you want to renew your EAD, you must apply on USCIS Form I-765, Application for Employment Authorization.

**Social Security Card.** You may immediately apply for an unrestricted Social Security card at any Social Security office. To get an Application for a Social Security Card (Form SS-5) or to get more information about applying for a Social Security card use, go to <http://www.ssa.gov/ssnumber/> call 1.800.772.1213, or visit a local Social Security office. When you go to a Social Security office to apply for a Social Security card, you must show either: your original order from the immigration judge or Board of Immigration Appeals granting asylum; your I-94 card; or your EAD. If available, you should take some kind of photo-identity document, such as your passport. For directions to the Social Security office nearest to you, call the SSA toll-free number or visit the website listed

above.

Note: An employer CANNOT demand that a worker submit a particular document or refuse to hire a worker because the worker does not have a green card. Asylees who believe they may be victims of unlawful employment discrimination based on immigration status may call the Office of Special Counsel for Immigration Related Unfair Employment Practices (OSC) at 1.800.255.7688 or go to <http://www.usdoj.gov/crt/osc/>.

## **B. Job Resources**

You may be eligible to receive the help from an organization in your area funded by the Office of Refugee Resettlement (ORR) for Employment preparation and job placement. This service is available for a limited time once you are granted asylum. For more information, call the American Job Center Network at 1.800.354.0365 or go to <http://www.acf.hhs.gov/programs/orr> (Office of Refugee Resettlement).

As an asylee, you are also eligible to use employment services from One-Stop Career Centers including job search assistance, career counseling, or occupational skills training. For more information, call 1.877.872.5627.

## **C. Overtime Pay**

### ***What is overtime and when is overtime pay required?***

Most workers who are paid an hourly wage and work more than 40 hours in a seven-day workweek are entitled to premium pay called “overtime.” When paying overtime, a business must pay at least one and one-half times the worker’s regular hourly rate.

### ***When does a business NOT have to pay overtime?***

Most jobs require overtime pay, but there are several categories of workers who are not required to receive overtime pay, including, but not limited to the following:

- Certain workers employed on farms or ranches
- Casual (occasional) labor in private residences, such as babysitters
- Domestic service workers living in the employer’s residence
- Executive, administrative, professional, computer professional and outside sales; workers who are paid on a salary basis and meet specific duties requirements.

***What is a workweek?***

A workweek is a seven-day period of time that begins on the same day every week. Overtime is based on the number of hours worked in a seven-day workweek, not on the pay period. Some pay periods can be more than 80 hours long because of the number of workdays in the pay period. For purposes of overtime payment, each workweek stands alone; there can be no averaging of two or more workweeks.

***Is overtime pay required for working nights, weekends, or holidays?***

Overtime for working weekends or nights is a matter of agreement between the employer and the employee (or the employee’s representative). Generally, the law does not require extra pay for weekend, night, or holiday work or double time pay.

***Can an employer make working overtime mandatory?***

Yes. Employers may make overtime mandatory even if the workers do not want to do so, and even on a day that is normally a scheduled day off. Generally, there are no limits on the number of hours an employer can require their employees to work. There are limits, however, on the number of hours that teenagers can work.

***Are employers ever required to pay “double time” for any reason?***

Generally, the law does not require double time pay. Whether it is paid is a matter of agreement between an employer and employee (or the employee's representative).

For more information:

WASHINGTON STATE DEPARTMENT OF LABOR & INDUSTRIES

Employment Standards Office

P.O. Box 44000

Olympia, Wash. 98504-4000

Phone: 360.902.5316

Toll Free: 866.219.7321

U.S. DEPARTMENT OF LABOR

Seattle District Office

Wage & Hour Division

300 Fifth Avenue, Suite 1130

Seattle, WA 98104

Phone: 206.398.8039

Toll Free: 1.866.487.9243

## D. Unemployment Benefits

Unemployment benefits are a form of temporary financial assistance provided by the government when employees lose their jobs. Every worker in Washington State is entitled to unemployment benefits if they meet the following criteria:

You must have 680 hours of covered employment in your base year to meet the initial requirements to qualify for a claim. You must also have wages in Washington in order to file your unemployment claim against the state of Washington.

You need to give us the reason you became unemployed.

- You are probably eligible if your employer laid you off for lack of work.
- The Department of Labor and Industries will get information about your separation from both you and your employer. Both you and your employer have an opportunity to respond to each other's version of the separation. We will then issue a written decision based on the information we gathered.
- You must be physically able to work, available for work, and actively seeking suitable work.

In Washington State, the Employment Security Department administers the unemployment benefits for Washington residents. For more information on how to apply for benefits, go to

<http://www.esd.wa.gov/uibenefits/apply/eligibility/am-i-eligible.php>.

If you need assistance obtaining unemployment benefits, go to

<http://www.washingtonlawhelp.org/issues/employment-farm-worker-rights/unemployment-compensation>.

## E. Workers Compensation Insurance

Workers Compensation insurance is a state funded insurance plan that allows workers to collect financial benefits if they are injured on the job. In Washington, all employers are required to provide workers compensation insurance to eligible employees.

### ***How do I claim worker's compensation insurance benefits?***

The Department of Labor and Industries is responsible for processing worker's compensation claims. If you are injured on the job, then seek medical attention immediately. An injured worker should also notify the employer immediately that they have suffered a workplace injury.

When injured on the job, workers have many rights including:

- Right to choose or change the doctor;
- Right to receive medical care necessary for treatment at no cost;

- Right to receive time loss benefits if unable to work for more than three days;
- Right to decline an offer of light-duty work unless approved by your doctor;
- Right to receive permanent partial disability payment;
- Right to be free from retaliation for asserting rights under worker compensation law.

## F. Federal Taxes

Upon receiving your asylum status, the federal government will be issuing you a Social Security Number (SSN). The SSN allows you to legally work in the United States. The SSN also enables the government to collect taxes from your earned income.

**How Taxes Work.** Anytime you are legally employed to work in the United States, your employer will usually have taxes deducted from your paycheck. In Washington State, there is no state income tax so residents only have to pay federal income tax. U.S. workers are required to file taxes with the federal government on an annual basis.

You have until April 15 of a given year to file the previous year's taxes, unless you file for an extension.

**Tax Filing Assistance.** In Washington, there are resources to help low income earners file taxes for free:

- Volunteer Income Tax Assistance Program (VITA) offers free tax filing services for low-income people. For the nearest VITA site, call 1.877.211.9274.
- Tax Counseling for the Elderly has free tax help for people age 60 and older. For the nearest site, call 1.888.227.7669, or go to the AARP website: [www.aarp.org](http://www.aarp.org).
- You can file your taxes online free at [www.irs.gov](http://www.irs.gov) (using the free file program) or ICAN at [www.icanefile.org](http://www.icanefile.org). Your local library and Employment Security Office (WorkSource) have free internet.

**Earned Income Tax Credit.** The Earned Income Tax Credit (EITC) is a federal income tax credit for low-income working individuals and families. To qualify, you and any children you claim must have valid Social Security numbers and have lived in the U.S. for at least six months in 2012. To claim the EITC, you must file a tax return.

You may be eligible for the EITC if your income in 2012 was less than:

- \$46,227 (\$51,567 married filing jointly) with three or more qualifying children
- \$43,038 (\$48,378 married filing jointly) with two qualifying children
- \$37,870 (\$43,210 married filing jointly) with one qualifying child
- \$14,340 (\$19,680 married filing jointly) with no qualifying children
- 

Also, your investment income must be \$3,300 or less for the year. EITC varies from \$487 to \$6,044, depending on income and family size. If you are eligible for the EITC and it is

more than the amount of taxes you owe, you will get a tax refund after you file a tax return.

## **G. Employment Discrimination Laws in Washington**

Under federal and Washington state law, it is illegal to discriminate against job applicants, and current and former employees, for an unlawful reason. Unlawful discrimination occurs when an employer or co-worker treats some people less favorably than others because of that person's race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability, or genetic information. In Washington, it is also illegal for employers to discriminate against job applicants and employees because of their sexual orientation or gender identity. Lastly, it is illegal for employers to retaliate against a person because he or she complained about discrimination in the workplace. These laws protect all workers in the United States, regardless of their immigration status.

### ***Federal and Washington state laws protect you in the following situations:***

**Job Advertisements.** It is illegal for an employer to publish a job advertisement that shows a preference for or discourages someone from applying for a job because of his or her race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability, genetic information, or sexual orientation. For example, a help-wanted ad that seeks "females" or "recent college graduates" may discourage men and people over 40 from applying and may violate the law.

**Application & Hiring.** It is illegal for an employer to discriminate against a job applicant because of his or her race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability, genetic information, or sexual orientation. For example, an employer may not refuse to give employment applications to people of a certain race. An employer may not base hiring decisions on stereotypes and assumptions about a person's race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability, genetic information, or sexual orientation. If a job applicant with a disability needs an accommodation (such as a sign language interpreter) to apply for a job, the employer is required to provide the accommodation, so long as the accommodation does not cause the employer significant difficulty or expense.

**Pay & Benefits.** It is illegal for an employer to discriminate against an employee in the payment of wages or employee benefits on the bases of race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability, genetic information, or sexual orientation. Employee benefits include sick and vacation leave, insurance, access to overtime as well as overtime pay, and retirement programs. For example, an

employer may not pay Hispanic workers less than African-American workers because of their national origin, and men and women in the same workplace must be given equal pay for equal work.

**Discipline & Discharge.** An employer may not take into account a person's race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability, genetic information, or sexual orientation when making decisions about discipline or discharge. For example, if two employees commit a similar offense, an employer may not discipline them differently because of their race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability, genetic information, or sexual orientation. When deciding which employees will be laid off, an employer may not choose the oldest workers because of their age. Employers also may not discriminate when deciding which workers to recall after a layoff.

**Reasonable Accommodation & Disability.** The law requires that an employer provide reasonable accommodation to an employee or job applicant with a disability, unless doing so would cause significant difficulty or expense for the employer. A reasonable accommodation is any change in the workplace (or in the ways things are usually done) to help a person with a disability apply for a job, perform the duties of a job, or enjoy the benefits and privileges of employment. Reasonable accommodation might include, for example, providing a ramp for a wheelchair user or providing a reader or interpreter for a blind or deaf employee or applicant.

**Reasonable Accommodation & Religion.** The law requires an employer to reasonably accommodate an employee's religious beliefs or practices, unless doing so would cause difficulty or expense for the employer. This means an employer may have to make reasonable adjustments at work that will allow the employee to practice his or her religion, such as allowing an employee to voluntarily swap shifts with a co-worker so that he or she can attend religious services.

**Harassment.** It is illegal to harass an employee because of race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability, genetic information, or sexual orientation. It is also illegal to harass someone because they have complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit. Harassment can take the form of slurs, graffiti, offensive or derogatory comments, or other verbal or physical conduct. Sexual harassment (including unwelcome sexual advances, requests for sexual favors, and other conduct of a sexual nature) is also unlawful. Although the law does not prohibit simple teasing, offhand comments, or isolated incidents that are not very serious, harassment is illegal if it is so frequent or severe that it creates a hostile or offensive work environment or if it results in an adverse employment decision (such as the victim being fired or demoted). The harasser can be the victim's supervisor, a supervisor in another area, a co-worker, or someone who is not an employee of the employer, such as a client or customer. The law prohibits harassment even when the victim and the harasser are the



same sex, race, color, or of the same religion or national origin. Harassment outside of the workplace may also be illegal if there is a link with the workplace. For example, if a supervisor harasses an employee while driving the employee to a meeting.

**Dress Code.** In general, an employer may establish a dress code, which applies to all employees or employees within certain job categories. However, there are a few possible exceptions. While an employer may require all workers to follow a uniform dress code even if the dress code conflicts with some workers' ethnic beliefs or practices, a dress code must not treat some employees less favorably because of their national origin. For example, a dress code that prohibits certain kinds of ethnic dress, such as traditional African or East Indian attire, but otherwise permits casual dress would treat some employees less favorably because of their national origin. Moreover, if the dress code conflicts with an employee's religious practices and the employee requests an accommodation, the employer must modify the dress code or permit an exception to the dress code unless doing so would result in undue hardship. Similarly, if an employee requests an accommodation to the dress code because of his disability, the employer must modify the dress code or permit an exception to the dress code, unless doing so would result in undue hardship.

### ***Resources for further help and information***

There are time limits for reporting employment discrimination, so it is important that you report discrimination or harassment as soon as possible. To report employment discrimination, you may contact the following federal, state, and local agencies:

#### **U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

Seattle Field Office  
909 First Avenue, Suite 400  
Seattle, WA 98104  
Phone: 1.800.669.4000  
TTY: 1.800.669.6820  
[www.eeoc.gov](http://www.eeoc.gov)

#### **WASHINGTON STATE HUMAN RIGHTS COMMISSION**

711 South Capitol Way, Suite 402  
Olympia, WA 98504-2490  
Phone: 360.753.6770  
Fax: 360.586/.2282  
Toll Free: 1.800.233.3247  
TTY: 1.800.300.7525  
[www.hum.wa.gov](http://www.hum.wa.gov)

### KING COUNTY OFFICE OF CIVIL RIGHTS

Chinook Building  
401 Fifth Avenue, Suite 215  
Seattle, WA 98104  
Phone: 206.263.2446  
TTY Relay: 711  
Fax: 206.296.4329  
[www.kingcounty.gov/exec/CivilRights.aspx](http://www.kingcounty.gov/exec/CivilRights.aspx)

### SEATTLE OFFICE FOR CIVIL RIGHTS

Central Building  
810 3rd Avenue Suite 750  
Seattle, WA 98104-1627  
Phone: 206.684.4500  
Fax: 206.684.0332  
TTY: 206.684.4503  
[www.seattle.gov/civilrights](http://www.seattle.gov/civilrights)

## **H. Starting a Business**

There are many steps to starting your own business, so it is important to contact an attorney or business consultant before starting. If you have questions about starting a business, you should contact the Washington State Department of Labor and Industries or the Washington State Department of Licensing. Both agencies have people who can help you.

You can find details on the State and Local business license requirements at <http://bls.dor.wa.gov/blg/>

There are many types of businesses:

- Sole proprietorship
- General Partnership
- Profit Corporation
- Limited Liability Company (LLC)
- Limited Partnership (LP)
- Limited Liability Partnership (LLP)
- Limited Liability Limited Partnership (LLLLP)

Your business must be licensed by the State of Washington. Your business may also be required to be licensed under the city your business will be located in. You will be assigned a Unified Business Identifier number, which you will use for identification with all Washington State agencies. If your business is not licensed, you may face legal issues in the future.

If you plan on being a Sole-Proprietorship or General Partnership:

- 1) Apply for your Washington State Business License
  - a. Online: <http://bls.dor.wa.gov> or
  - b. In-person: At L&I, Dept. of Revenue or Employment Security office.  
Locations: [www.Offices.Lni.wa.gov](http://www.Offices.Lni.wa.gov);
- 2) Complete the Application and pay the Fee for your WA State Business License;
- 3) Check if your City requires a City Business License;
- 4) Make sure you have all other requirements for starting a business (insurance, financing, specialty licenses, liquor licenses, bank account, etc.).

If you plan on being a profit corporation, limited liability company (LLC):

- 1) Get an application from the Washington Secretary of State's Office for the business structure you have chosen
  - a. Online: [www.sos.wa.gov](http://www.sos.wa.gov) or
  - b. Download forms from [www.sos.wa.gov/corps/registration\\_forms.aspx](http://www.sos.wa.gov/corps/registration_forms.aspx);
- 2) Complete your Secretary of State's Office application and send payment;
- 3) Apply for your Washington State Business License
  - a. Online: <http://bls.dor.wa.gov> or
  - b. In-person: At L&I, Dept. of Revenue or Employment Security office.  
Locations: [www.Offices.Lni.wa.gov](http://www.Offices.Lni.wa.gov);
- 4) Check if your City requires a City Business license;
- 5) Make sure you have all other requirements for starting a business (insurance, financing, specialty licenses, liquor licenses, bank account, etc.).

Your business will need to meet other government requirements. Learn what those are by reading the Washington Small Business Guide: [www.BizGuide.wa.gov](http://www.BizGuide.wa.gov). You can also get a customized Business Licensing Guide for your business by going to <http://bls.dor.wa.gov/licensing.aspx> or calling 1.800.451.7985.

***For more information:***

- Office of Regulatory Assistance: [www.ora.wa.gov](http://www.ora.wa.gov), 1.800.917.0043
- Small Business Guide, [www.BizGuide.wa.gov](http://www.BizGuide.wa.gov)
- Business Licensing Service: [www.bls.dor.wa.gov](http://www.bls.dor.wa.gov), 1.800.451.7985
- Washington's Website for Businesses: [www.Business.wa.gov](http://www.Business.wa.gov)
- Department of Labor & Industries: [www.Lni.wa.gov](http://www.Lni.wa.gov)
- Small business liaison, 1.800.987.0145
- Agency information and assistance, 1.800.547.8367
- Contractor registration, 1.800.647.0982
- Prevailing wage requirements, 360.902.5335
- Employment standards/workplace rights/hiring minors, 1.866.219.7321

- Workplace safety and health, 1.800.423.7233
- Workers' compensation insurance, 360.902.4817
- Employment Security Department: [www.esd.wa.gov](http://www.esd.wa.gov)
- Small business liaison, 360.902.9298
- Employer helpline (24 hours), 1.888.836.1900
- Employer benefit adjudication, 1.877.504.5607
- Shared Work Program, 1.800.752.2500
- Labor market information, 1.800.215.1617

Internal Revenue Service: [www.irs.gov](http://www.irs.gov), 1.800.829.4933

The Internal Revenue Service (IRS) is a federal, not a Washington state, agency. If you hire workers, the IRS will require you to have an Employer Identification Number (EIN). Most business structures need an EIN even if they don't have employees.

## **V. PUBLIC ASSISTANCE**

Once asylum is granted, you may be eligible to receive benefits from a number of federal and state social service programs to make sure that your basic physical and material well-being needs are met.

### ***What benefits am I eligible for right away?***

The Refugee Assistance Program offers cash assistance through the Refugee Cash Assistance (RCA) Program and medical assistance through the Refugee Medical Assistance (RMA) Program during an asylee's first eight months in the U.S.

### ***Are there other programs for which I may be eligible?***

For the first seven years after being granted asylum, you may also be eligible for the following benefits:

- Supplemental Nutrition Assistance Program (SNAP), also called Basic Food, helps low income people make ends meet by providing monthly benefits to buy food
- Temporary Assistance for Needy Families (TANF) provides temporary cash and medical help for families in need.
- Supplemental Security Income (SSI) and the State Supplemental Payment (SSP) are programs that provide cash and medical benefits to people in need who meet certain disability requirements.
- Medicaid offers complete major medical coverage, including services for maternity care, medical emergencies, limited dental and vision care, and prescription medications.
- Children's Health Insurance Program (CHIP) offers medical coverage to children for services such as dentist visits, eye exams, and regular doctor checkups.
- Aged, Blind or Disabled Cash Assistance Program (ABD) provides additional support to the aged, blind, and disabled.

These programs provide support for people in need, but are not intended to be permanent solutions. You should make it your goal to become self-sufficient as soon as possible.

### ***How do I apply for these services?***

To apply for these services, visit your local Community Services Office, complete an application online at [www.washingtonconnection.org](http://www.washingtonconnection.org), or call 1.877.501.2233. The Community Services Office will provide you with a free interpreter to apply for services

and you may check a box at the top of the application for benefits if you need help filling out the application. Also, the Community Services Office has applications in many different languages and will send you translated notices about your benefits so you can understand your rights and responsibilities.

***Will accepting public benefits prevent me from becoming a citizen?***

No, asylees may receive public benefits, including cash, food, and medical care, and still be eligible for citizenship.

***What if I'm denied benefits?***

The Community Services Office may have denied your application because you are ineligible for some reason. However, the eligibility rules are complicated and the welfare office sometimes makes mistakes. If you believe you are eligible or would like another person to review your case, you should either tell your worker that you want a Fair Hearing or ask for a copy of the Hearing Request form to fill out. There is no fee or penalty for requesting a fair hearing. You can always withdraw your request later if you believe the welfare office was right. You should also contact a legal services office for advice.

## **VI. CHILD CARE AND EDUCATION**

### **A. Early Learning Services**

#### ***Child Care Subsidies – Working Connections Child Care***

Working Connections Child Care (WCCC) helps families with low incomes pay for childcare while they work or meet WorkFirst participation requirements.

When a family qualifies for childcare subsidy benefits and chooses an eligible provider, the state pays a portion of the cost of childcare. The parent is also responsible to pay a copayment to the provider each month.

#### ***What are the basic eligibility requirements for WCCC?***

- The child who needs subsidized care must be a U.S. citizen or legal resident.
- The family must live in Washington State.
- Family income must be at or below 200% FPL.
- The parent must be employed or self-employed in legal, income-generating, taxable activities; or the parent must meet all TANF/WorkFirst requirements if participating in that program. Note: Child care subsidy benefits can only be approved for work or other approved activities outside of the family's home.
- The parent must complete the WCCC application and verification process through DSHS.

#### ***How do families apply for WCCC?***

Contact the DSHS Customer Service Call Center at 1.877.501.2233 or apply online through Washington Connection. You will need to give DSHS the following information for yourself and the other parent if she/he lives in the home with you and the child:

- Name and phone number of your employer
- Days and hours you work.
- Your hourly wage
- Your gross income for the last three months or your tax return for the previous calendar year
- Amount of any unearned income you receive, such as child support or SSI benefits
- Current child support order for the child who needs care, if any
- Proof of your child's citizenship or legal residency
- The name and phone number of the child care provider
- Your phone number

## ***ECEAP and HEAD START***

ECEAP (Early Childhood Education and Assistance Program) and Head Start are comprehensive preschool programs that provide free services and support to eligible children and their families. The goal of both programs is to help ensure all Washington children enter kindergarten ready to succeed. The program includes:

- Early learning preschool
- Family support and parent involvement
- Child health coordination and nutrition

Children are accepted into ECEAP and Head Start based on their age, family income, or other reasons they would benefit from education, family support and health services. Please contact your local ECEAP or Head Start program to find out if your child is eligible to enroll.

**Age:** ECEAP and Head Start preschool programs prioritize children who are 4 years old by August 31, and accept children who are 3 years old by August 31 when space is available. In some communities, Early Head Start is available for pregnant mothers and children birth to age 3.

**Income:** ECEAP accepts families at or below 110 percent of the federal poverty level. For Head Start, at least 90 percent of enrolled families must be at or below 130 percent of the federal poverty level. Priority is given to families at or below 100 percent of the federal poverty level; maximum 35 percent can be between 100 and 130 percent of the federal poverty level.

Up to 10 percent of ECEAP and Head Start children can be from families who are above the income limits. They are accepted into the program because of:

- Developmental factors, such as developmental delay, disability, or other special needs
- Environmental factors, such as family violence, chemical dependency, child protective services involvement or incarcerated parents

Other: Children are eligible for ECEAP or Head Start, when space is available, if they are:

- In foster care or involved with the child welfare system.
- Homeless.
- Have a Temporary Assistance for Needy Families (TANF) cash grant.

### ***How do I enroll a child?***

Contact the ECEAP or Head Start agency in your community directly.



Head Start: <http://eclkc.ohs.acf.hhs.gov/hslc/HeadStartOffices>

ECEAP: [http://del.wa.gov/publications/eceap/docs/ECEAP\\_Sites.pdf](http://del.wa.gov/publications/eceap/docs/ECEAP_Sites.pdf)

## **B. Public Education (K-12)**

To make sure all children are prepared to succeed, the State of Washington provides a general and uniform system of public schools for the education of all children residing within its borders, without distinction or preference because of race, color, caste, or sex. Supporting your child's education is the most important contribution you can make to his or her success in school and in life.

### ***Common Characteristics of Public Schools:***

- **School Districts.** Washington public education is made up of 295 school districts, these are government agencies responsible for operating local public schools. School districts generally have three types of public schools: elementary schools (kindergarten through fifth grade), middle schools (sixth through eighth grades), and high schools (ninth through twelfth grades). The largest school district in Washington State is the Seattle School District (SSD), which enrolls more than 46,000 students. Children have the right to attend public school in the district where they live, even if they are homeless, have just moved to the area, or will live in the area for only a short time.
- **Communication with Schools.** School Principals and school teachers respect families who are actively involved in their children's education. School principals manage the day-to-day operations of the school. Teachers report to the principal and provide instruction to students. Inform the school of your child's needs and any changes in family circumstances. Establish a communication system with your child's teacher and use it frequently. Respond to all messages from the school. Attend school meetings, events, and parent-teacher conferences.
- **Discipline.** Schools should provide students and families with a copy of the school rules so that families know what behavior is expected while a student is at school. If a student misbehaves at school, teachers and principals can use a variety of methods to correct the inappropriate behavior. However, corporal (physical) punishment is against the law in public schools. If a student is disciplined at school, families and the student have a right to know what the student is accused of doing wrong, which rules were broken and what the consequences will be. Schools must notify families when a student is expelled or suspended for more than one school day. Students and families have the right to challenge a school's discipline, but must do so quickly, usually within three days.

- **Enrollment.** To enroll your child in school you should contact the school district office or local school to pick up an “enrolment packet” which contains the necessary forms. For first-time enrollment, school districts may request the child’s birth certificate. Proof of immunization is required before beginning school. Immunization means shots or vaccinations that children get to prevent illnesses. Most public schools have girls and boys attended classes together. Students may be eligible for special programs or services.
- **Equal Rights.** Students cannot be denied an equal educational opportunity because of their race, national origin, disability, pregnancy, or juvenile court involvement. A student’s right to an equal educational opportunity cannot be taken away on the basis of unlawful discrimination or without due process of law. Due process of law means that when a student faces losing the opportunity to go to school, he or she must be given notice of that decision and must be provided with a chance to dispute the loss of the opportunity to go to school.
- **Family Support.** Teachers need and appreciate family support. Teachers like to meet with families of their students, and formal parent-teacher conferences occur during the school year. These conferences are extremely important because they provide families with an opportunity to talk about what their student is learning, what the teacher will teach the rest of the year, and whether their student is meeting grade level expectations. Grade level expectations define the knowledge and skills that students should gain from kindergarten through the 10<sup>th</sup> grade. There are specific learning expectations for students for each of these grades.
- **Programs for English Language Learners.** When a family speaks a language other than English at home, schools generally test the student’s English abilities to ensure appropriate placement in a school program for English language learners. Students who need help with written or spoken English have a right to be taught in a transitional bilingual education program. The purpose of a bilingual education program is to teach students English and to make sure they do not fall behind in other school subjects while learning the language. Parents have a right to choose not to enroll their student in a bilingual education program.
- **School Attendance.** Washington State also has a compulsory school attendance law which requires all children ages 6 through 17 who are enrolled in public schools to attend school Monday through Friday, unless there is a good reason for being absent. When students stop going to school, or have unexcused absences, school staff must take steps to address the reasons why they are not in school before suspending students or taking them to court for being truant under the compulsory attendance law. Truancy means being absent from school or from the majority of a student’s classes without a valid excuse.

- **School Calendar.** Schools publish a school year calendar that shows when vacations and holidays occur, when schools will have late starts or early dismissals, when events are scheduled that families should attend, and when sports and other activities occur.

***Making a Complaint:***

- If a school district or school official is not following a law or policy, a family or student can make a formal complaint to the school district office. Most school districts have a formal system to receive complaints, which usually must be in writing. Ask your school district central office or school for a description of the complaint process and any forms that are required. Parents or students who believe they were harassed or discriminated against have a right to file a complaint with the Washington State Human Rights Commission or the U.S. Department of Education Office for Civil Rights.

***Family Resources:***

- Special Education
  - Protecting the Educational Rights of students with Disabilities in Public Schools: A Handbook for Parents with Children in Elementary and Secondary Public Schools in Washington State. Available at: [http://www.governor.wa.gov/oeo/publications/manual\\_students\\_with\\_disabilities.pdf](http://www.governor.wa.gov/oeo/publications/manual_students_with_disabilities.pdf)
- Before and After School Programs
  - Find Youth Info. Connecting after-school providers to resources that support children and youth during out-of-school hours. Available at: <http://findyouthinfo.gov/>
  - Washington State Alliance of Boys and Girls Clubs. Providing youth facilities, activities and programs in communities statewide. Available at: <http://www.waabgc.org/>
- Services for People with disabilities
  - Arc of Washington State. Available at: <http://www.arcwa.org/>
  - Washington PAVE. Available at: <http://www.washingtonpave.org/>
- Health Services
  - Community Health Line. Available at: <http://www.crisisclinic.org/>

- Sea Mar Community Health Centers. Available at:  
<http://www.seamar.org/>
- Legal Services
  - American Civil Liberties Union (ACLU). Available at: <http://www.aclu-wa.org/>
  - Washington Law Help. Available at: <http://www.washingtonlawhelp.org/>
- Parent & Family Support Services
  - Catholic Community Services of Western Washington. Available at:  
<http://www.washingtonlawhelp.org/>
  - Department of Social & Health Services. Available at:  
<http://www.dshs.wa.gov/>
- Government Agencies
  - Office of the Education Ombudsman:  
<http://www.governor.wa.gov/oeo/resources/default.asp>
  - Office of the Superintendent of Public Instruction:  
<http://www.k12.wa.us/>
  - U.S. Department of Education: <http://www.ed.gov/>

## **VII. TRAVEL & TRANSPORTATION**

### **A. Driving in Washington State**

#### ***Do I need a Driver's License to operate a vehicle in Washington State?***

Yes. Washington State requires that you have a valid driver's license when operating a motor vehicle in Washington State (car, motorcycle, etc.). If you have a Social Security number, you can obtain a driver's license by passing written and driving tests, paying the required fees, and providing a valid picture ID. If you do not have a Social Security number, you will need to provide documentation of residency in Washington State.

If you have questions about how to obtain your driver's license or a Washington State Identification Card, you may call:

CLEAR: 1.888.201.1014 or you can contact:

NORTHWEST JUSTICE PROJECT

Wenatchee: 1.888.201.1021

Yakima: 1.888.201.1018

COLUMBIA LEGAL SERVICES

Wenatchee: 1.800.572.9615

Yakima: 1.800.631.1323

Kennewick: 1.888.201.9735

Or you may also go to: <http://www.dol.wa.gov/driverslicense/>

#### ***Do I have to have insurance when operating a motor vehicle in Washington State?***

Yes for Cars; No for Motorcycles. If you drive a car that is required to be registered in Washington State, you must have insurance, as required by Washington law. When you drive a car in Washington that is required to be registered in another state, you must have the type of insurance required by that state. You must be able to provide proof of this insurance to law enforcement if requested. Operating a vehicle without the required coverage is a traffic infraction punishable by a fine of at least \$450, at the time of this publication.

Safety Tip: Please be aware that all car passengers in Washington State must wear a seatbelt when the car is in operation.

There is an exception for motorcycles. Washington does not require insurance for motorcycles. However, if you are involved in an accident, and it is determined that the accident is your responsibility, you may have to pay any resulting damages to property or persons because of the accident.

Safety Tip: Please be aware that it is illegal to operate or ride a motorcycle in Washington State without a helmet.

For more information, go to <http://www.dol.wa.gov/driverslicense/insurance.html>

## **B. Travel Between States**

### ***Can I travel to another State while residing in Washington State?***

Yes. Travel within the United States is permitted and easy. To travel by air to another state, you will need to present a valid picture ID, typically your driver's license, Passport, or Washington State issued Identification Card. To travel by car, you will need to have a valid driver's license and proof of insurance. You may be able to purchase a bus or train ticket without a picture ID, but it is always a good idea to have some form of picture ID on you at all times. Federal law requires that you carry proof of your lawful presence in the United State at all times.

Safety Tip: Please be aware that traffic laws may vary between states. You should always familiarize yourself with the traffic regulations of a state that you are driving to or through.

## **C. International Travel**

### ***Can I travel outside the United States if I was granted Asylee status?***

Yes. However, once granted asylum, you should be aware that you should NOT travel back to your home country as your grant of asylum may be terminated if, among other things, it is determined that you voluntarily availed yourself of the protection of your country of nationality, you have acquired a new nationality, or you are no longer eligible for asylum due to a fundamental change in circumstances. Similarly, your asylum status may be terminated if there was fraud in your application such that you were not eligible for asylum. Therefore, if your travel suggests that you may have re-availed yourself of the protection of your country, you should be prepared to explain how you were able to return to the country from which you fled.

## **VIII. MONEY AND CREDIT**

### **A. Banking**

#### ***What do I need to open a bank account in the United States?***

Having a bank account in the United States makes it easier to manage your money. Most banks can issue you a “debit card” linked to your bank account, which you can use in stores, online, or to withdraw money from ATM machines. You can also use your bank account to send money home.

You will need to go in-person to the bank of your choice to open a bank account. It is always a good idea to call the bank ahead of time to ask what documents you will need to bring with you, as different banks may require different documents. Typically, you will need a current picture identification (driver’s license, passport, etc.), and some proof of your current address, such as a bill in your name.

#### ***Does it cost me anything to have a bank account in the United States?***

Banks often require a minimum amount of money to deposit into your account upon opening the account. Call the bank in advance to find out if there is such a requirement. Some banks do not charge a monthly fee for checking accounts, provided that you use their “direct deposit” service, or if you maintain a certain balance, or under other conditions. Again, make sure to ask first. Some banks charge a minimum monthly fee. There are also fees and penalties you will be asked to pay if you overdraw your bank account. Often, if you use your debit card in ATMs not belonging to your bank, you will also be asked to pay a fee.

### **B. Credit & Lending**

#### ***What is credit and credit history?***

Credit is money you borrow to pay for things. It is usually referred to as a loan. You make a promise to pay back the money you borrowed plus some extra.

In the United States, a credit history shows your past record of paying bills, loans, etc., and it is used to verify that you are financially responsible. Your Social Security Number (SSN) is used to check your personal credit history. If you use credit carefully, it can be useful to you. If you are not careful in the way you use credit, it can cause you problems.

### ***Why do I need credit?***

Credit can affect your ability to obtain employment, housing, insurance, or open credit card or bank accounts, among other things. Employers, banks, and landlords may use your SSN to request a credit history report.

If you do not have credit history or have bad credit, you may have to pay higher security deposits for housing and services or be restricted in the type of bank accounts you can open.

Credit can also be useful in times of emergencies. It allows you to make a large purchase, such as a car or house, and pay for it over time, and it is sometimes more convenient than carrying large amounts of cash.

### ***What is the cost of credit?***

When you get a loan, there are generally two costs you must pay: fees and interest. Fees are charged by financial institutions for activities such as reviewing your loan application and servicing the account. Interest is the amount of money a financial institution charges for letting you use its money. The rate of interest can be either fixed or variable. A fixed rate means the interest rate stays the same throughout the term of the loan. A variable rate means the interest rate might change during the loan term. The Federal Truth in Lending law requires banks to state these charges in a clear and uniform manner so consumers can easily compare the actual cost of borrowing.

### ***How can I establish a credit history?***

One way to build “credit” is to obtain a U.S. credit card and pay all bills in full and on time. The use or misuse of credit cards becomes a key part of the credit history. If you are fiscally responsible over time, you will develop a good credit history in the United States, which will be useful in obtaining better rates or lower deposits on loans, services, etc. However, missed payments or bills sent to a collection agency may result in difficulty in renting, getting financial assistance or obtaining loans/credit in the future.

### ***How do I obtain a credit report?***

You have a right to a free credit report every 12 months from each of the three nationwide credit-reporting agencies. You should stagger your requests so that you order one report every four months. Once received, read your credit report carefully and check whether the information recorded is complete and accurate. To order your credit report you can go to [www.annualcreditreport.com](http://www.annualcreditreport.com) or call 1.877.322.8228. For more information, go to <http://www.consumer.ftc.gov/articles/pdf-0009-taking-charge.pdf> (“Taking Charge: What To Do If Your Identity Is Stolen,” Federal Trade Commission).

Opt Out. Contact the three major credit reporting agencies and ask to “Opt Out” of the pre-approved credit lists they sell to companies. Call 1.888.567.8688 or make the



request online at [www.optoutprescreen.com](http://www.optoutprescreen.com). For more information, go to <http://www.atg.wa.gov/page.aspx?id=27636> (“Protecting Personal Information,” Washington Attorney’s General).

***What types of loan can I get?***

There are generally three types of traditional loans: (1) consumer installment loans; (2) credit cards; and (3) home loans.

A consumer installment loan is used to pay for personal expenses for you and your family, such as auto loans or unsecured loans for short-term needs, such as for buying a computer. A credit card gives you the ongoing ability to borrow money for household, family, and other personal expenses. And a home loan is related to, and secured by, your home.

***Are there alternative financial services besides the traditional loans?***

Yes—but the alternatives are generally more expensive than getting the traditional loans listed above. Three examples of the alternatives include: (1) rent-to-own services; (2) pay-day loan services; and (3) refund anticipation loan services.

Rent-to-own services let you use an item for a period of time by making monthly or weekly payments. If you want to purchase the item, the store will set up a plan for you to rent it until you pay enough to own it.

Payday loans are usually made to people who need money right away and plan to pay it back with their next paycheck. Payday loans should be used only for emergencies. If you cannot fully repay the loan within a few pay periods, you should consider a longer-term loan from a financial institution. If you do not have the money to pay the loan within the agreed-upon time, the lender will renew the loan and charge you additional fees.

Refund anticipation loans are short-term loans secured by your income tax refund. Because you do not have to pay any fees associated with obtaining a refund anticipation loan at the time you receive the money, you may not realize how much this loan is really costing you.

***Where can I find more information about credit?***

Federal Trade Commission website at [www.ftc.gov](http://www.ftc.gov)  
Washington Law Help at [www.washingtonlawhelp.org](http://www.washingtonlawhelp.org).  
FDIC Financial Education Curriculum at  
<http://www.fdic.gov/consumers/consumer/moneysmart/>

## **C. Identity Theft**

### ***What is identity theft?***

Identity theft happens someone steals your personal information and uses it without permission to open new credit card accounts, use your credit card accounts, get medical treatment, get a job, or get arrested using your personal information. Identity theft causes damage to your finances, credit history and reputation. It can cost you time, money and patience to repair. For more information, go to <http://www.consumer.ftc.gov/articles/pdf-0009-taking-charge.pdf> (“Taking Charge: What To Do If Your Identity Is Stolen,” Federal Trade Commission).

### ***How do you know if your identity was stolen?***

There are different ways you can know if someone has used your personal information without your permission for example:

- If you see mistakes on accounts or your explanation of medical benefits
- If your regular bills (electricity, credit cards if you have a balance) go missing
- If you receive calls from debt collectors for debts that are not yours
- If you receive a notice from the IRS
- If you receive calls or mail about accounts in your minor child’s name

### ***How does identity theft happen?***

Identity theft can happen in many different ways including:

- By stealing personal information from the trash or from a business
- By tricking you into revealing personal information via telephone, internet or in person
- By taking your wallet or purse
- By pretending to offer you a job, a loan, or an apartment to get your personal information
- By hacking or data breach
- By placing a device on an ATM machine at a gas station or business credit card machine and collection your debit or credit card information

### ***How do I reduce the risk to identity theft?***

Even if your identity has not been stolen, you can do things to reduce your risk. You need to make it a habit to monitor your accounts including your credit reports, bank and credit card accounts etc.

**Account Statements.** Read your bank, credit account statements and explanation of medical benefits. Look for charges you did not make. Be on the alert for bill that does not arrive when you expect them. Follow up if you get account statements you do not expect.

**Internal Revenue Service (IRS).** Respond quickly to notices from the Internal Revenue Service (IRS). If you know someone has used your social security number on a tax return, contact the IRS's Specialized Identity Theft Protection Unit at 1.800.908.4490.

**Social Security Number (SSN).** Make sure you secure your social security number. Do not carry your social security card on your wallet or purse. If someone asks for your social security number, ask the following questions before giving it out: why they need it? how will they use it? and how will they protect it?

### ***Personal Information***

**Protect your personal information.** Keep your important papers secure. Lock up your financial document and records in a safe place at home – and lock up your wallet or purse at work. Limit what you carry with you. Take only your identification card, one credit card and your debit card. Do not carry PIN numbers, birth certificates, social security cards or passports in your wallet or purse.

Do not give your social security number, mother's maiden name or account numbers to strangers who contact you by telephone, Internet or mail.

Don't over share. If you post too much information about yourself on social networking sites, an identity thief can find out information about your life, use it to answer challenge questions on your accounts and get access to your money and personal information. Never post your full name, Social Security number, address, phone number or account numbers in publicly accessible places. Consider limiting access to your networking page to a small group of people.

**Mail.** Be careful with your mail. Take outgoing mail to the post office collection boxes or the post office. Remember to remove mail that arrives in your mailbox promptly. If you're going to be away for several days, ask for a vacation hold on your mail. To do that, go to your local post office or visit [www.usps.com/holdmail](http://www.usps.com/holdmail) or call 1.800.275.8777.

**Shred and shred.** Shred receipts, credit offers or applications, insurance forms, physician statements, check or bank statements and other similar documents. Destroy labels on prescription bottles before you throw them out.

**Remove your address from marketing lists.** Make a request to the Direct Marketing Association's Mail Preference Service online at [www.dmchoice.org](http://www.dmchoice.org). For more

information, go to <http://www.atg.wa.gov/page.aspx?id=27636> (“Protecting Personal Information,” Washington’s Attorney General).

### ***Be Aware of Impersonators***

Be alert to online impersonators. Be sure you know who is getting your personal or financial information online. If a company that claims to have an account with you sends an email asking for personal information, don’t click on the link in the email. Instead, type the company name into your web browser, go to their site, and contact them through customer service. Or call the customer service number listed on your account statement. Ask whether the company really sent a request.

### ***Ways to Protect Your Computer***

**Protect your computer.** Create strong passwords that mix 10 or more letters, numbers and special characters. Don’t use the same password for more than one account. Do not use your maiden name, your mother’s name, your birthday, the last four digits of your social security number, your phone number, or an easy series of numbers such as 12345 as your password.

**Use anti-virus software, anti-spyware software, and a firewall on your computer.** Protect against intrusions and infections that can compromise your computer files or passwords by installing security patches for your operating system and other software. Set your computer’s operating system, web browser, and security system to update automatically. Encrypt your data. Keep your browser secure. Use encryption software that scramble information you send over the Internet. A “lock” icon on your browser’s status bar means your information will be safe when it’s transmitted.

**Be wise about Wi-Fi.** Public wireless networks are in a coffee shop, library, hotel or other public place. Before you use a public Wi-Fi network, see if your information will be protected. If you use an encrypted website, it protects only the information you send to and from that site. If you use a secure wireless network, all the information you send on that network is protected.

**Keep your laptop safe.** Keep financial information on your laptop only when necessary. Don’t use an automatic login feature that saves your user name and password, and always log off when you’re finished. If your laptop is stolen, it’ll make it harder for the thief to get your personal information. Read privacy policies. Yes, they’re long and complex but they tell you how the site maintains accuracy, access, security, and control of the personal information it collects, how it uses the information, and whether it provides it to third parties. If you don’t see a privacy policy, consider doing business elsewhere.

## ***Do Not Call List***

**Register for Do Not Call.** You can register a personal phone number online at [www.donotcall.gov](http://www.donotcall.gov) if you have an email account or call (888) 382-1222, from the telephone or cell phone number you want to register. Registration is free.

## ***What to do if someone has stolen your Identity?***

You need to act fast to limit the damages and take the following steps to protect yourself.

**STEP 1:** Place an initial fraud alert on your credit report by contacting any one of the three nationwide credit reporting companies at:

- *Equifax 1.800.525-.6285 or [www.equifax.com](http://www.equifax.com)*
- *Experian 1.888.397.3742 or [www.experian.com](http://www.experian.com)*
- *TransUnion 1.800.680.7289 or [www.transunion.com](http://www.transunion.com)*

If your identity is stolen, flag your Credit Reports by placing an initial fraud alert. Call one of the nationwide credit reporting agencies, and ask for a fraud alert on your credit report. The company you call must contact the other two so they can put fraud alerts on your files. An initial fraud alert is good for 90 days.

**STEP 2:** Order your credit reports. Contact each of the three credit reporting agencies. Identity theft victims get a copy of their reports for free. Read your reports carefully and correct any errors.

Each company's credit report about you is slightly different, so order a report from each company. When you order, you must answer some questions to prove your identity. Read your reports carefully to see if the information is correct. If you see mistakes or signs of fraud, contact the credit-reporting agency.

**STEP 3:** Create an Identity Theft Report. An Identity Theft Report can help you get fraudulent information removed from your credit report, stop a company from collecting debts caused by identity theft, and get information about accounts a thief opened in your name. To create an Identity Theft Report you must do the following:

- File a complaint with the FTC at [www.ftc.gov/complaint](http://www.ftc.gov/complaint) or 1-877-438-4338; TTY: 1-866-653-4261. Your completed complaint is called an FTC Affidavit.
- Take your FTC Affidavit to your local police, or to the police where the theft occurred, and file a police report. Get a copy of the police report.

The two documents comprise an Identity Theft Report. Send a copy of your Identity Theft Report to the three credit reporting agencies with a letter explaining what

information you want to be deleted from your credit reports because the information is a result of identity theft.

### ***INTERNET PURCHASES***

#### ***Is it safe to buy things on the Internet while in the United States?***

Internet retailers such as Amazon and EBay make it convenient for you to buy goods online and pay with a credit or debit card. There are many legitimate companies and sellers that sell their goods online. However, you always have to be careful and verify that the website you are on is a legitimate website, and that the person you are buying from is a legitimate seller. For example, you should NEVER be required to give your social security number, date of birth, or bank account/credit account password to purchase something online.

## IX. HEALTHCARE

The United States generally requires that all individuals have a right to emergency medical care even if they do not have the resources to afford it. You can visit local emergency rooms for emergency care. The link below provides links to all of the major hospital in Washington State: <http://health.usnews.com/best-hospitals/area/wa>

**Interpreter Services** . Most large hospitals provide interpreter services free of charge. If you ever have to seek medical care at a hospital, please make a request to the hospital staff for an interpreter. The hospitals should have access to contract interpreter services. The following local hospitals provide more information on the interpreter services they provide.

University of Washington Medical Center

<http://www.uwmedicine.org/patient-care/locations/hmc/patient-family-resources/pages/interpreter-services.aspx>

Community House Calls Program (Harborview Medical Center)

<http://ethnomed.org/about/related-programs/community-house-calls-program/chc>

Swedish Hospital

<http://www.swedish.org/Patient-Visitor-Info/Accessibility/Interpreter-Services#axzz2ZMCvWuWE>

**Low Income Health Care Resources**. In Washington State, individuals who are considered low income have access to basic health insurance. Information about these insurance options can be found at:

**Washington State Basic Health Care Authority**

[www.basichealth.hca.wa.gov](http://www.basichealth.hca.wa.gov)

**Affordable Care Act (ACA)**. In 2010, the United States passed the Affordable Care Act. The ACA will ultimately require that every legal US resident be required to carry some form of health insurance by January 1, 2014. To find out more about how the ACA will affect you please refer to the information below: <http://www.insurance.wa.gov/current-issues-reform/health-care-reform/documents/affordable-care-act.pdf>

**Low Cost Clinics**. There are several free clinics for medical needs across Washington State. The link below provides the contact information for these clinics in Washington State

[http://www.needymeds.org/free\\_clinics.taf?\\_function=list&state=wa](http://www.needymeds.org/free_clinics.taf?_function=list&state=wa)

## **X. THE JUSTICE SYSTEM**

### ***Judicial System Basics***

The U.S. legal system is in part inherited from English common law and depends on an adversarial system of justice. In an adversarial system, litigants present their cases before a neutral party. The arguments expressed by each litigant (usually represented by lawyers) are supposed to allow the judge or jury to determine the truth about the conflict. Besides presenting written or oral arguments, evidence and testimony are collected by litigants and their lawyers and presented to the court.

Litigants usually pay their own attorney's fees in addition to a fee for filing a civil case in federal court. (Plaintiffs who can't afford the fee can ask to proceed without paying.) For criminal cases, the government provides a court-appointed attorney for anyone who can't afford one.

Many rules exist regarding how evidence and testimony are presented, trial procedure, courtroom behavior and, etiquette and how evidence and testimony are presented. These rules are designed to promote fairness and allow each side an opportunity to adequately present its case. For federal courts, the rules are determined by committees composed of judges, professors and lawyers appointed by the Chief Justice of the United States. The rules are then approved by the Judicial Conference of the United States and become law unless Congress votes to reject or modify them. State courts and local courts have their own committees and procedural rules, sometimes adapted from the rules for the federal courts. Many judges also have their own rules guiding conduct in their courtrooms.

The majority of legal disputes in the U.S. are settled in state courts, but federal courts have considerable power. Many of their rulings become precedent, or a principle, law or interpretation of a law established by a court ruling. Precedent is generally respected by other courts when dealing with a case or situation similar to past precedent. This policy is known as *stare decisis* or "let the decision stand." Precedent is sometimes overturned or disregarded by a court, but the policy generally provides continuity in courts' interpretations of the law.

### ***The Role and Structure of Courts***

Law won't work without independent courts. That means courts that aren't under the thumb of the political powers-that-be. An independent judge can assure that your case will be decided according to the law and the facts—not the vagaries of shifting political currents.



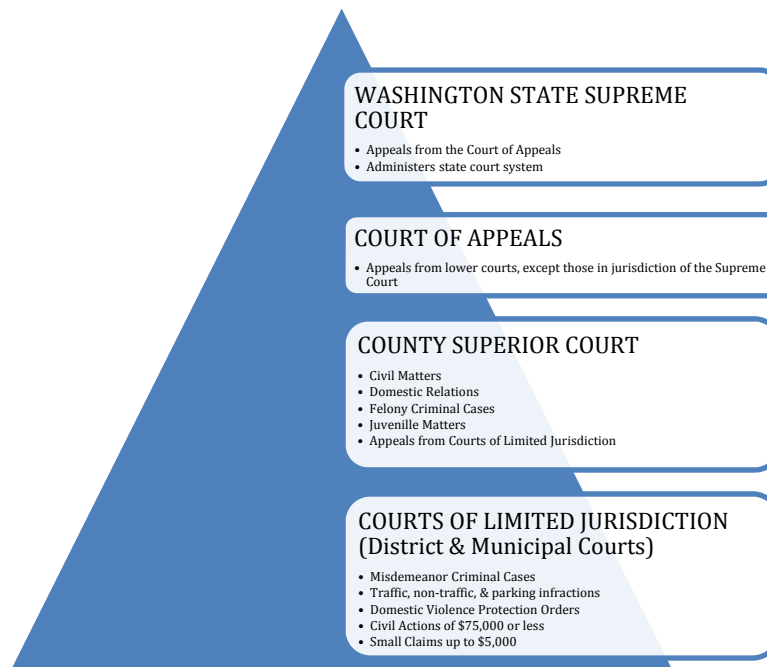
We need courts to interpret and apply the law when parties dispute. In that way, courts take law out of dry and dusty law books, and make it part of the living fabric of our lives. Courts apply the law to specific controversies brought before them. They resolve disputes between people, companies and units of government.

Often, courts are called on to uphold limitations on the government. They protect against abuses by all branches of government. They protect minorities of all types from the majority, and protect the rights of people who can't protect themselves. They also embody notions of equal treatment and fair play. The courts and the protections of the law are open to everybody.

In any state, there are not one but two distinct court systems: state courts and federal courts. The vast majority of cases—over 95%—are handled by the state courts. The great bulk of legal business—traffic offenses, divorce, wills and estates, buying and selling property—is handled by the state courts, because all these areas are governed primarily by state laws. Basically, the courts of this country are divided into three layers:

- trial courts, where cases start;
- intermediate (appellate) courts, where most appeals are first heard; and
- courts of last resort (usually called supreme courts), which hear further appeals and have final authority in the cases they hear.

This division is generally true of both state courts and federal courts. In the State of Washington, the state courts are depicted as follows:



### ***The Role of Judges***

What does a judge do? Maybe it's best to start with what he or she doesn't do. Even though he or she works for the state, a judge is not a law enforcement officer. A judge is not a prosecutor. Judges don't arrest people or try to prove them guilty.

Judges are like umpires in baseball or referees in football or basketball. Their role is to see that the rules of court procedures are followed. Like the umpire, they call 'em as they see 'em, according to the facts and law—without regard to which side is popular (no home field advantage), without regard to who is "favored," without regard for what the spectators want, and without regard to whether the judge agrees with the law.

### ***The Role of Juries***

A jury is a group of people summoned and sworn to decide on the facts in issue at a trial. The jury is composed of people who represent a cross-section of the community.

The jury listens to the evidence during a trial, decides what facts the evidence has established, and draws inferences from those facts to form the basis for their decision. The jury decides whether a defendant is "guilty" or "not guilty" in criminal cases, and "liable" or "not liable" in civil cases.

When cases are tried before a jury, the judge still has a major role in determining which evidence may be considered by the jury. The jury is the fact-finder, but it is left to "find" facts only from the evidence which is legally admissible. The judge instructs the jury on the legal principles or rules that must be followed in weighing the facts. If the jury finds the accused guilty or liable, it is up to the judge to sentence the defendant.

### ***Immigration Courts***

Please note: U.S. Immigration Courts and District Offices are NOT a part of the Washington State Judicial System. Immigration Courts and Immigration Offices are part of the United States Department of Justice. You will NOT find an Immigration Court or U.S. Department of Homeland Security office in every county in the State.

**Immigration Courts:** The Immigration Courts in the State of Washington are responsible for ALL cases currently in Removal or Deportation proceedings. If you are NOT detained, your case will be handled by the Immigration Court in Seattle, WA. If you are ARE in detention, your case will be handled by the Immigration Court in Tacoma, WA. If you WERE previously detained but have since been released from a detention facility, your case will be handled in the Immigration Court closest to the City where you reside. For more information regarding the location, date and time of your hearing, call 1.800.898. 7180.

**ICE Counsel:** Immigration and Customs Enforcement counsel are the attorneys for the Government.

**USCIS Office:** The United States Citizenship and Immigration Office is responsible for the processing and adjudication of a variety of applications. If you are the sponsor or receipt of an application with Immigration AND you reside in the State of Washington, your case is most likely to be processed at the local USCIS office. You can also post bond payment for the release of a loved one at the USCIS office.

### **RESOURCES**

- Public Resources from the Washington State Bar Association:  
<http://www.wsba.org/The%20Public>
- Access Washington Online Phone Directory:  
<http://dial.wa.gov/EmployeeDirectory/LocalFrames.asp>
- County Website Directory: <http://www.mrsc.org/byndmrsc/counties.aspx>
- Washington Courts Guide: Legal Aid and Lawyer Referral:  
<http://www.courtreference.com/Washington-Courts-Legal-Aid.htm>
- Find a lawyer: <http://www.wsba.org/Resources-and-Services/Find-Legal-Help>
- Consumer's Guide to Legal Help:  
<http://apps.americanbar.org/legalservices/findlegalhelp/home.cfm>
- Find an Interpreter: [http://www.courts.wa.gov/programs\\_orgs/pos\\_interpret/](http://www.courts.wa.gov/programs_orgs/pos_interpret/)

# **XI. EMERGENCIES AND CRIMES**

## **A. Emergencies**

The general rule is to call 9-1-1 whenever you need emergency help from police, fire, or medical personnel. Information about your call to 9-1-1 is considered personal and is used only to direct emergency response. Do not assume that someone else is going to call 9-1-1, even if you think other people have witnessed the emergency. If multiple people have called 9-1-1 about a single event, the operator will know that and tell you. If you do not speak English well, tell the operator your language. For example, say, “I need help; I speak [say the name of the language you speak.]” Be prepared to tell the operator where you are and the nature of your emergency. Do not hang up the phone until the operator tells you to.

After an emergency has been handled by police, fire or emergency medical personnel:

- Sit down and write out what happened on a piece of paper to keep for your own records. The police, fire or emergency medical personnel may want to follow up with you later, and this will help you remember what happened.
- If you have additional information to provide, call the police, fire or emergency medical personnel and tell them the additional information. Be sure to use the case number, cause number, or incident number they provided when you speak to them.
- Save every document the police, fire or emergency medical personnel give you. If they gave you a case number, cause number, or incident number, be sure to save it so you can refer to it later.
- Seek medical attention if you need it, even if the police, fire or emergency medical personnel have left the scene. Sometimes you won’t realize you need medical attention until after things calm down.
- The police, fire or emergency medical personnel may have given you a pamphlet or other document directing you to community resources that can help you deal with issues after an emergency. If that is the case, make use of those resources. Calling those resources can help you put a safety plan in place. If possible, go somewhere safe to call those resources.
- You may receive a call from a victim advocate or similar community partner. These professionals are here to help direct you to resources that can help you. Be sure to keep in good contact with them and update your contact information if it changes.

## **B. Crimes**

***What actions are crimes in Washington?***

- Some crimes in Washington State include:
  - Murder

- Harassment
- Assault (with or without a weapon)
- Kidnapping
- Promoting Prostitution
- Rape (forcing another person to have sex against their will. Rape is a crime even if one spouse forces another to have sex against their will)
- Using and/or selling drugs
- Damaging and/or destroying property
- Theft and/or Robbery
- Burglary (breaking into someone's home)
- Arson
- Identity Theft (forging checks and making false credit cards, for example)
- Driving under the influence of drugs and/or alcohol
- Hit and Run (getting into an accident and leaving without calling the police, leaving a note, or exchanging contact information with the other driver)
- Perjury (lying while testifying in a court of law)
- Interfering with someone else's call for police assistance
- Trespass (entering or staying on someone's property without their permission)
- Resisting a lawful arrest by a police officer
- Helping someone else commit a crime
- Attempting to commit a crime, even if you fail to complete it
- Remember, these crimes are still illegal even if a family member, husband, or wife commits them. No one, including your husband or wife, is permitted to assault you, rape you, or commit any other crime against you.

***What to do if you are a crime victim:***

- **If you are the victim of a crime, call 9-1-1.**
- If you do not speak English well, remember to tell the operator that. Tell the police that when they arrive, also. Say, "Please, I speak [tell them the language you speak]."
- When the police arrive, try to be as calm as possible and give them as many details as you can about the crime that has happened. They may ask you for the following information:
  - Your contact information
  - Information about who you believe committed the crime
  - Whether you know the person who committed the crime
  - Whether anyone was hurt
  - Whether anyone witnessed the crime besides you
  - Whether you need medical attention
  - Whether this has happened before

- Whether there are any court issued protection orders in place
- Whether any property was taken or damaged
- Other necessary information
- If you think you need medical attention, tell the police. Tell them even if they forget to ask. If you are hurt, they may not realize it unless you tell them.
- The police may give you documents, including the case number that will be attached to their report. Save all the documents they give you; put them in a safe place.
- If you are not sure whether to report that you were the victim of a crime, call 9-1-1 and report the crime anyway. The operator will tell you if the action is not a crime.

***What to do if you are accused of a crime and the police respond:***

- Know Your Rights
  - You have the right to remain silent. If you wish to exercise that right, say so out loud.
  - You have the right to refuse to consent (agree to) to a search of yourself, your car or your home/residence.
  - If you are not under arrest, you have the right to calmly leave the immediate area.
    - If you are arrested, you have the right to a lawyer and should state that you want a lawyer immediately.
  - You have both State and federal Constitutional Rights, regardless of your immigration or citizenship status.
- Know Your Responsibilities
  - Do stay calm and be polite.
  - Do not interfere with or obstruct the police.
  - Do not lie or provide the police with false documents.
  - Do remember the details of the encounter.
  - Do file a written complaint if you feel your rights have been violated.

***Resources for Crime victims:***

- General Crimes. Washington State Office of Crime Victims Advocacy. Phone: 1.800.822.1067. Website: <http://www.commerce.wa.gov/Programs/PublicSafety/OCVA/Pages/default.aspx>
- Domestic Violence. Washington State Domestic Violence Hotline: 1.800.562.6025
  - Additional Resources: <http://www.wscadv.org/resourcesPublications.cfm>
- Sexual Assault. Washington State Coalition of Sexual Assault Programs: Phone: 360-754-7583. Website: <http://www.wcsap.org/>
- Human Trafficking. Washington Anti-Trafficking Response Network: 206.245.0782.

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