

Myth versus Fact

IMMIGRATION ICE-BREAKER: *Choose 3-5 statements for discussion.*

The Myth versus Fact statements are in pairs. There are five pairs included in this worksheet. If you choose a myth from pair 1, you **MUST** provide participants the fact statement from pair 1. If you choose a fact from pair 4, you **MUST** provide participants the myth statement from pair 4.

Facilitator: We will devote about 15 minutes exploring and dispelling myths common in immigration law. I will read a statement from the flip chart and ask you to shout out if you think the statement is a myth or a fact. We will have a few minutes to discuss the statements.

Myth versus Fact?

- 1a. If you are undocumented, you can get your legal immigration papers in the United States if you marry a U.S. citizen and you can stay in the U.S. and “adjust your status.” **(MYTH)**.
- 1b. Marrying a U.S. citizen does not automatically entitle an immigrant to receive legal permanent residency. Many factors are considered in the application process, such as criminal history. A provision in the law called “245i” goes into effect occasionally which allows an undocumented immigrant to adjust status here in the U.S. Otherwise, an immigrant must return to his/her home country and wait for a visa to become available and complete the application process there before being allowed to return legally to the U.S. **(FACT)**
- 2a. I do not have legal immigration status in the U.S. but my child was born in the U.S. Therefore, my child can sponsor me for permanent residency **(MYTH)**.
- 2b. In order for a U.S. citizen to sponsor a parent, the U.S. citizen must be at least twenty-one years of age. Even if the petitioner is at least twenty-one years of age, the parent needs to prove eligibility for permanent residency on other grounds as well **(FACT)**.
- 3a. If you're applying for immigration benefits, It's not necessary to let immigration know about minor tickets or criminal charges you may have on your record—especially if they're more than five years old **(MYTH)**.
- 3b. It is your responsibility to tell immigration about any dealings with the police you may have had in the past—even if it happened a long time ago. There are many ways that immigration can find out about your history with "the law" and if you don't tell them something, they may accuse you of trying to hide information and that could cause serious problems **(FACT)**.

- 4a. If you do not know speak or write English very well, you can just ask to take the citizenship exam in Spanish (**MYTH**).
- 4b. You **MUST** take the citizenship exam in English unless you are over 55 years of age and have been an LPR for 15 years; over 50 years of age and have been an LPR for 20 years; unable to learn English because of a medically determinable physical or mental impairment. In each of these situations, you can take the exam in your native language (**FACT**).
- 5a. I have been convicted of a crime while in the U.S. Therefore, I will be ordered removed from the U.S. (**MYTH**).
- 5b. Convictions of crimes do not always render a person removable from the U.S. Many factors play a part in determining whether an alien will be at risk for being removed from the U.S. upon conviction of a crime. Such factors to be taken into account are the crime itself, the actual penalty if convicted, the potential penalty for the crime, when the crime was committed, and the criminal history of the person. Additionally, certain waivers and defenses may still be available to immigrants convicted of crimes to prevent being removed from the U.S. (**FACT**).

SOURCE: http://www.andrewslaw.net/immigration/myths_facts.shtml