

FIVE OPTIONS TO ADDRESS THE BACKLOG IN YOUR ASYLUM CASE

PROS OF EXPEDITING YOUR CASE: 1) family reunification 2) access to benefits 3) emergency or medical condition, 4) asylum case becomes weaker over time (change in country conditions, witnesses no longer available) 5) end the uncertainty of waiting

CONS OF EXPEDITING YOUR CASE: 1) need more time to prepare/make your asylum case stronger (find an attorney, gather evidence, find witnesses, get medical treatment/record) 2) want to stay and work in the US for as long as possible while your case is pending

Keep track of every option you pursue and every step you take. You can pursue multiple options at the same time.

	OPTION 1	OPTION 2	OPTION 3	OPTION 4	OPTION 5
FOR PENDING AFFIRMATIVE CASES ONLY	CONTACT USCIS	PUT YOURSELF ON THE SHORT NOTICE LIST (a)	REQUEST AN EXPEDITED INTERVIEW	APPEAL TO YOUR CONGRESSPERSON	FILE A MANDAMUS LAWSUIT
What is it?	Regularly contact your USCIS asylum office to inquire about your case	When you put yourself on the short notice list of your USCIS asylum office you agree to be called for your interview by phone on very short notice	You can request your USCIS asylum office to expedite your interview if you suffer from hardship that could be remedied if your case was adjudicated sooner	Contact your congressperson (house representative or senator - one only) and ask for their help	A type a lawsuit you can file when the government is failing to provide you with the services you are legally entitled to - in this case, not scheduling you for your interview within a reasonable period of time
How to do it?	Use letters, emails, phone calls - followup regularly - keep track of all communication - show due diligence and good faith	Contact your asylum office via email - ask to be placed on the short notice list - be prepared to go to your interview on 24h notice	Write to your asylum office for specific instructions to request an expedited interview based on emergency situation such as 1) severe financial loss, 2) severe medical condition, or 3) family member abroad in grave danger - you will need to support your request with documentary evidence	Find out who your congressperson is - write to the staff person in charge of constituent affairs - explain your situation, why your case should be adjudicated faster - show your efforts in options 1, 2, and/or 3 (include all documentation showing due diligence and good faith), and ask for help with your case	Find an attorney who can file the lawsuit for you
Conditions/Eligibility	None	When you put yourself on the short notice list, find out if you need to bring an interpreter (at the Newark office, you have to)	Emergency circumstances	Do options 1 and/or 2 and/or 3 (depending on your circumstances) first - keep track of all communication	Wait 3+ years before filing
Work required?	yes, some	no	yes, lots	yes, lots	no
Need an attorney?	no	no (b)	yes/no	no	yes
Funds required?	no	no	yes if attorney	no	yes (f)
How long does it take?	3+ years	?	?	?	About 2 months
Impact on your case	None, but no guarantee your case will be approved	None, but no guarantee your asylum interview will be advanced and/or your case will be approved (c)	None, but no guarantee your request will be granted and/or your case will be approved	None, but no guarantee your asylum interview will be advanced and/or your case will be approved	None, but no guarantee your case will be approved
Success	?	?	usually no (d) (e)	?	usually yes
RIF videos		yes	yes	yes	

(a) The majority of USCIS asylum offices currently maintain short notice lists: Newark, Boston, Los Angeles (currently closed), Miami, New Orleans. Chicago n/a, San Francisco n/a

(b) If you have an attorney, he/she should make the request on your behalf, and he/she will be contacted for the interview.

(c) For example, the Boston asylum office currently has several hundred requests on their short notice list.

(d) Currently there is a very high volume of expedite requests, so it may take some time for a decision to be made on the request itself.

(e) Currently, applicants who filed in 2015 and 2016 may have a better chance of getting their expedite requests granted.

(f) Varies based on the attorney, but currently often around \$3,000 + government filing fee of \$402.

