



Lake County State's Attorney's Office

U-Visa Certification Policy

Effective: 4/29/2019

Purpose:

This order outlines the responsibilities, duties, and job tasks related to the State's Attorney's Office management of Petitions for U Nonimmigration Status Visa (U-Visas) and the certification process for the U-Visa Certification Form I-918 Supplement B.

Policy:

It is the policy of the Lake County State's Attorney's Office to follow the U-Visa certification guidelines set forth by the United States Citizenship and Immigration Services (USCIS), State of Illinois Voices of Immigrant Communities Empowering Survivors (VOICES) Act, and Federal Regulation "Alien Victims of Certifying Criminal Activity" 8 CFR 214.14.

Receiving U-Visa Petitions

- A. U-Visa petitions may be initiated by victims of qualifying criminal activity, attorneys representing them, or a reputable non-profit legal service agency. Petitions shall be submitted on Department of Homeland Security Form I-918, Petition for U Nonimmigrant Status.
- B. Certifications will be limited to cases that have occurred within the last **10 years**.
- C. Petitions containing inaccurate information or that do not include all required information may be returned to the petitioner for clarification or revision. Petitions containing false information are subject to denial.
- D. Petitions must be completed as much as possible before submitting and include a stamped return envelope.
- E. The following information does not have to be included with the application: Copies of police reports, USCIS guidelines, nor the VOICES act. Please include: Cover letter with agency name and contact person, the Defendant's name reflecting the criminal case and the case number.
- F. Local Law Enforcement agencies: If forwarding any U-Visa application to the Lake County State's Attorney's Office; please include a cover letter informing us of your request for our office to review, your department's contact person, the applicant's name, agency information representing the applicant, and the defendant's name. We ask that the police department notify the applicant or agency that you have forwarded the application to the Lake County State's Attorney's Office for review. Note: There needs to have been a criminal prosecution for the State's Attorney's Office to review the application on behalf of any law enforcement agency.
- G. Petitions shall be forwarded to Carrie Wings - Lake County State's Attorney's Office Victim Witness Advocate – either by mail: 123 O'Plaine Rd, Gurnee IL, 60031 (OR) emailed to cwings@lakecountyil.gov . The necessary steps will take place to verify that the petitioner is the victim or eligible party of a qualifying crime.
- H. Once all required information is gathered the application will be given to the Certifying Official, Jeffrey Pavletic Deputy Chief of the Lake County State's Attorney's Office, for review.

Documentation Procedure

A. For U-Visa petitions that are approved: The Deputy Chief, as the LCSAO designated Certifying Official, shall sign the certification form. The application will then be mailed to the sender. The sender or petitioner is responsible for submitting the certification to USCIS.

B. For those requests that are denied: Carrie Wings shall notify the petitioner, attorney, or agency representing the petitioner regarding the reason(s) for the denial.

C. If the petitioner fails to continue to cooperate with the criminal prosecution, a supplemental letter will be sent to USCIC informing them of such and requesting a denial of further processing.

D. An electronic log of all U-Visa applications will be kept and updated.