

What is Public Charge?

“Public charge” is a rule that immigration can use to deny an application for permanent residence (“Green card”) OR certain other visas to enter the USA from abroad.

Public charge DOES NOT APPLY TO

- U.S. citizens or applicants
- Asylees or refugees
- Special Immigrant Juvenile Status
- TPS or DACA
- VAWA, U or T visas or green cards based on these visas.
- Green card renewals

The public charge rule considers all of the applicants circumstances such as income, employment, health, education or skills, family situation and the family/sponsor income, and whether a person (not a family member) has used certain public benefit programs.

On October 15, 2019 the way the government applies the public charge rule will change. The old rule applies to applications submitted before then.

GET INFORMED

FREE MINNESOTA CONTACTS:

For free legal advice about public benefits or public charge:

- ◆ Mid-Minnesota Legal Aid — 1-800-292-4150
- ◆ Southern Minnesota Regional Legal Services — 1-888-575-2954 (for persons living in Southern Minnesota counties)

For free immigration questions and help:*

- ◆ Volunteer Lawyers Network — 612-752-6677
- ◆ Immigrant Law Center of MN — 1-800-223-1368
- ◆ Mid-Minnesota Legal Aid — 612-332-1441
- ◆ Southern Minnesota Regional Legal Services — 1-888-575-2954 (for persons living in Southern Minnesota counties)



VOLUNTEER LAWYERS NETWORK
Phone: 612-752-6655
immigration@vlnmn.org
www.vlnmn.org

* Persons will need to qualify for free legal help.
Adapted and reprinted with permission from the Legal Aid Society of San Mateo County **August 2019.**



Does Public Charge Affect You?

**MINNESOTA:
Information and Help
on the new
public charge rule
that starts
October 15, 2019***

*The start of the new rule may change if the courts decide to stop or delay it.

www.vlnmn.org

Does Public Charge Affect You?

Do you already have a green card?

Public charge does **not** apply. But, if you plan to leave the country for more than 6 months, it is a good idea to talk with an immigration attorney. The public charge test is **not** part of the U.S. citizenship application.

Are you applying for:

- Citizenship
- Green Card renewal
- DACA renewal
- U or T Visa
- Asylum or Refugee status
- TPS
- VAWA
- Special Immigrant Juvenile Status
- Green Card based on U/T/SIJ, VAWA

Public charge does **not** apply to you for these applications. You may use any benefits for which you qualify, now or in the future.

Do you or your family plan to apply for a green card or visa from **inside** the U.S.?

The new public charge test **may** apply. You should talk with a qualified immigration lawyer who understands the new rule to see if it applies to you or your family. There are many benefits' programs that will not affect applications.

Does your family plan to apply for a green card or visa from **outside** the U.S? States?

U.S. consular offices in other countries use different rules. Before making a decision about your case or about public benefit, talk to a qualified attorney about this.

**AS OF
OCTOBER 15, 2019:**

Receipt of these benefits **will be considered:**

- Cash benefits (SSI, MFIP, General Assistance)
- SNAP/Food stamps/EBT
- Medicaid with some exceptions
- Federal public housing/Section 8

AND

Immigration officials will more closely look at your other circumstances listed on the front of the brochure.

The New Rule DOES NOT apply to these programs:*

- WIC
- CHIP
- MinnesotaCare
- Medicare
- Emergency Medical Assistance (EMA)
- Medicaid for children under 21, pregnant women
- Child care
- Head Start
- Food banks
- Shelters
- Energy Assistance
- Unemployment
- Workers' Compensation
- Veterans benefits
- Adoption
- Foster care
- School meals
- EITC
- Immunizations
- Public health testing/treatment for communicable diseases

*These programs are safe to get if eligible.