



# Oregon Law Center

We're here to help!

[www.oregonlawcenter.org](http://www.oregonlawcenter.org)



## Getting a court order to stop SPA violations

- The SPA has tools to make sure state and local agencies obey the SPA
- Anyone can report a violation or file in court or both
- A judge can order the state/local agency to stop its unlawful practice
- If you believe a state/local agency is violating the SPA, talk to an attorney
- The Oregon Law Center is interested in helping Oregonians enforce the SPA
  - 1-800-672-4919
  - <https://oregonlawcenter.org/>

The Facts about Immigrants,  
Public Benefits, and Public  
Charge

*and*

How we can help assure  
immigrants that public  
benefits are safe

# Immigrants can apply for Public Benefits with Confidence!

Benefit	Available Regardless of Immigration Status	Always Safe for Public Charge Test
<b>Rent and Utility Assistance</b>		
Oregon Rental Relief	✓	✓
Utility Assistance Programs	✓	✓
Section 8/Public Housing	Mixed-Status Families	✓
<b>Food Assistance</b>		
SNAP (Food Stamps)	Qualified Immigrants	✓
WIC (Women, Infants and Children)	✓	✓
School/Summer Meals	✓	✓
Meals on Wheels	✓	✓
Food Boxes/Food Pantries	✓	✓
<b>Education and Employment Assistance</b>		
ERDC (Employment-Related Day Care)	✓	✓
Federal Financial Aid (FAFSA)	Qualified Immigrants	✓
State Financial Aid (ORSA)	✓	✓
Workforce Development Programs	Work Permit Required	✓

Benefit	Available Regardless of Immigration Status	Always Safe for Public Charge Test
<b>Financial Assistance</b>		
Unemployment Insurance	Work Permit Required	✓
SSI (Supplemental Security Income)	Qualified Immigrants	Seek Advice
TANF (Temporary Assistance for Needy Families)	Mixed-Status Families	Seek Advice
TA-DVS (Temporary Assistance for Domestic Violence Survivors)	✓	✓
Oregon Worker Relief Fund	✓	✓
Paid Leave Oregon	✓	✓
<b>Medical Care</b>		
Oregon Health Plan	✓	✓
Nursing Home Care (paid for by gov't)	✓	Seek Advice
ACA Subsidies	Qualified Immigrants	✓
Charity Care	✓	✓
OPDP or Oregon Rx (Oregon Prescription Drug Program)	✓	✓

# No immigration status is needed for:

- WIC
- Food boxes
- School lunches and Summer EBT
- Oregon Health Plan
- Reproductive Health Care
- Medical charity care
- Rental Assistance
- Disaster relief and emergency assistance
- Low-income Energy Assistance Program
- And more!



# The Truth about Public Charge

This is one area in which things are much better than people think they are!



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Most people do not have to worry about public charge at all

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Most government programs do not count

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Benefits received by kids or other family members do not count

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Public benefits are good for immigration cases

## Community Fact Sheet: Public Charge

Some people worry that using public benefits could hurt their chance to get a green card. Knowing the facts about public charge can help people feel safe to get public assistance they need and have a right to. **The federal rules that make most public benefits safe for immigrants are still in place.** Check <https://pifcoalition.org/pc> for updated information, and remember the facts about public charge:

1

### MOST PEOPLE DO NOT HAVE TO WORRY ABOUT PUBLIC CHARGE AT ALL

Public charge does not apply to everyone. Only people applying for a green card (to become a lawful permanent resident or LPR) or who seek to enter the US from outside the country may need to answer public charge questions in their application.

People with the following immigration statuses do not have to worry about the public charge test:

- Asylees, Refugees, U or T visa applicants and holders (victims of crimes or human trafficking)
- VAWA self petitioners (Violence Against Women Act)
- People seeking or granted SIJS (Special Immigration Juvenile Status)
- People naturalizing to become US citizens
- People renewing their green card (LPR status)
- DACA, TPS, or DED initial applications and renewals.

### MOST GOVERNMENT PROGRAMS DO NOT COUNT

2

Only three public benefits are considered in a public charge test:

1. Monthly cash support from Temporary Assistance to Needy Families (TANF) or other state or local cash assistance programs.
2. Supplemental Security Income (SSI).
3. Care in a Nursing Home or Mental Health Institution paid for by the Government.

**All the other public benefits are safe! Getting public assistance to help with food, medical care, housing, education and more is safe for immigrants.** You are safe if you are getting or applying for:



Oregon health plan benefits for kids and adults (including Healthier Oregon, Cover all kids), Medicare, reproductive health care, health care subsidies, emergency care, charity care, Medicare, and more



Food benefits, SNAP food stamps, food banks, food boxes, school lunches, WIC nutrition program, Summer EBT, and more



Rent assistance, Section 8, Public housing, disaster or emergency benefits, and more



Social security retirement, tax credits, veterans benefits, non cash assistance, child care subsidies, Head Start, and more

► Remember that public benefits received by an immigrant's kids, family members, or household members do not count in the immigrant's public charge test.



3

### PUBLIC CHARGE IS NOT JUST ABOUT GOVERNMENT SERVICES

Immigration officials look at more than an immigrant's past use of public benefits in the public charge test. Sometimes an immigrant's use of public benefits in the past can be outweighed by positive factors like health, employment, current finances, and an immigrant's affidavit of support.



**Have questions? You're not alone. There's help.**

- Call the Oregon Law Center and Legal Aid Services of Oregon Public Benefits Hotline at 1-800-520-5292.
- Stay informed and up to date by visiting <https://pifcoalition.org/pc> and [protectingimmigrantfamilies.org](https://protectingimmigrantfamilies.org)
- Search the [National Immigration Legal Services Directory](#) for free or low-cost legal services.
- [Search](#) for a private immigration lawyer in your area.
- Some Oregon residents may qualify for free representation at Portland Immigration Court through Equity Corps of Oregon. Learn more and seek assistance here <https://equitycorps.org/> or by calling 1-888-274-7292.
- Find help with other legal issues such as housing, custody, divorce, employment, victim's rights, and more with [Oregon Law Help's directory of nonprofit legal services](#) or [the Oregon State Bar's Lawyer Referral Service](#).



# Questions? There's help!



Public Benefits Hotline: 1-800-520-5292  
Monday – Thursday



Oregon Law Help:

<https://oregonlawhelp.org/topics/government-benefits/government-help-immigrants>





# Low-Income Taxpayer Clinic

Phone: (800) 672-4919

Email: [LITC@oregonlawcenter.org](mailto:LITC@oregonlawcenter.org)

# Why file taxes?



- ✓ Get a refund/Get credits
- ✓ Eligibility for other public benefits
- ✓ Get an ITIN
- ✓ Future status
- ✓ Filing is easier now
- ✓ Good citizenship

## Filing taxes is safe



- Taxpayer information protected by Internal Revenue Code 6103
- Taxpayer Bill of Rights – right to privacy, confidentiality, and fair and just tax system
- In the past, the government had a greater interest in receiving the revenue than using the information for other purposes

### ▲ BUT

- ▲ DOGE access
- ▲ Union lawsuit

# How to file?

- File or request extension by 4/15
- Electronic or standard mail
- Must have a SSN or an ITIN for yourself and all dependents
- Must file a paper return if you are applying for an ITIN for yourself or a dependent
  - 1040 tax return
  - Form W-7
  - Supporting identity and affiliation documents (recommend going to a certified acceptance agent)
- Can request an extension even if you don't have an ITIN

# Where to get help?

- IRS Direct File
  - [IRS Direct File for free | Internal Revenue Service](#)
  - There is a citizenship question – it is used for tax residency purposes
- VITA Sites
  - CASH Oregon – Impuestos Comunitarios
  - IRCO
  - Latino Community Association
  - Universities
- AARP (not just for AARP members)
  - Hood River
  - Bend
- Licensed tax preparers in Oregon
  - [OBTPPublic - Public Record Search](#)

# Taxes – Free Filing help – DOR & CASH

February 4	Crook County Library	March 13	Cornelius Public Library
February 5	Blue Mountain Community College Library	March 13	Seaside Public Library
February 6	The Dalles Wasco County Library	March 14	Seaside Public Library
February 10	McMinnville Public Library	March 17	Curry Public Library
February 12	Klamath County Library	March 18	Coquille Public Library
February 20	Salem Public Library	March 19	Bandon Public Library
February 28	Umpqua Community College Library	March 19	Tualatin Public Library
March 3	McMinnville Public Library	March 20	North Bend Public Library
March 4	Sweet Home Public Library	March 21	Coquille Public Library
March 5	Lebanon Public Library	April 2	Harney County Library
March 11	Toledo Public Library	April 3	Salem Public Library
		April 7	McMinnville Public Library





**DELEGATION OF PARENTAL/GUARDIAN POWERS**

I certify that I am the parent or legal guardian of:

____ (FULL NAME OF MINOR CHILD)	____ (DATE OF BIRTH)
____ (FULL NAME OF MINOR CHILD)	____ (DATE OF BIRTH)
____ (FULL NAME OF MINOR CHILD)	____ (DATE OF BIRTH)

(Minor child(ren)), I designate \_\_\_\_\_ (FULL NAME OF ATTORNEY-IN-FACT)

\_\_\_\_ (STREET ADDRESS, CITY, STATE AND ZIP CODE OF ATTORNEY-IN-FACT)

\_\_\_\_ (PHONE PHONE OF ATTORNEY-IN-FACT)    (WORK PHONE OF ATTORNEY-IN-FACT)

as the undersigned's attorney-in-fact with respect to the minor child(ren) under ORS 98.006.

☐ I delegate to the attorney-in-fact all of my power and authority regarding the care, custody and property of the minor child(ren), including but not limited to the right to enroll the minor child(ren) in school, inspect and obtain copies of education records and other records concerning the minor child(ren), the right to attend school activities and other functions concerning the minor child(ren), and the right to give or withhold any consent or waiver with respect to school activities, medical and dental treatment, and any other activity, function or treatment that may concern the minor child(ren). OR

☐ I delegate to the attorney-in-fact the following specific powers and responsibilities (write in):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**IV. IMPORTANT CHILDREN'S INFORMATION**

Write the information for each child in this section. Do not leave any blank space.

Child's Name	Child's Date of Birth	Child's School	Child's Teacher	Child's Address	Child's Phone	Child's Email



**KNOW YOUR RIGHTS**

**Everyone - both documented and undocumented persons - has rights in this country.**

You have the right to deny consent to immigration officials or law enforcement to perform a search on you, your car, or your home.

- Do not open the door for ICE or any police officer without a warrant signed by a judge.
- If you do not want to talk to an ICE agent, you should say this using a loud voice and you have the right to remain silent and not answer any questions.
- If you are not an American citizen, you have the right to call the consulate from your native country. The ICE agents and law enforcement must let the consulate visit or speak to you.
- You have the right to speak to an attorney before answering any questions. You can say, "I will remain silent until I can talk to an attorney."
- You do not have to sign anything that you do not understand.
- You have the right to copies of all of your immigration documents.

• Remain calm and do not try to run away. If you do, ICE or the police may use that against you.



**Find Legal Help**


If you have a hearing date scheduled in immigration court, or if you have been ordered to present yourself before ICE authorities, you should:

1. Not go to immigration court alone.
2. Get immediate advice from an immigration attorney who has a good reputation or find a non-profit agency.
3. Contact ECO at 1-888-374-7292 or click here: <https://oregonlawcenter.org/attorney-directory/>

You can also contact one of the following non-profit agencies:

- Catholic Charities Immigration Legal Services: (503) 231-4866
- Immigration Counseling Service (ICS): (503) 221-1689
- SOAR: (503) 384-0443
- Lutheran Community Services: (503) 225-7480



**PROTECT YOUR FAMILY**

Information for Families in Oregon:  
A guide to plan in case of an unexpected event

Available in English and Spanish at:  
<https://oregonlawcenter.org/>


# Family Preparedness Packets

**I. GENERAL INFORMATION FOR PARENTS AND GUARDIANS**

Every family should be prepared in case of an unexpected event. Parents should plan for their minor child's care in the event that they are detained, deported, incapacitated, or otherwise unavailable for any period of time. This guide is not legal advice and is for educational purposes only, to provide options. The recommendations and forms in this packet may not be appropriate for your situation. We recommend that you consult with an attorney to ensure that your legal documents are appropriate for your individual circumstances. We do not guarantee that these forms will be legally binding. If you are reading the Spanish translation of this document, make sure to fill out the English version of the forms.

**Gather these documents now and keep them in a safe place:**

- Child's updated school emergency contact information.
- Child's immigration records.
- Child's birth certificate (birth ID or another identity).
- Delegation of Parental/Guardian Powers for Minor Child (template in this packet).
- Child's travel documents.
- Child's passport (check expiration date - keep records).
- Child's government records and other contact information.
- Sample Emergency Affidavit (template in this packet).



# Why fill out a family preparedness packet?



Everyone with children should have a plan



Knowing that you have prepared can give peace of mind



ICE sometimes uses worry about care for kids to coerce parents into signing away their rights

# Tips and Tricks

- You do not need a lawyer to fill out the packets
- Documents do not need to be notarized
- If someone has more than three kids – fill out two packets
- You can fill out two originals, one for you and one for the guardian

