

**Q and A with Carl Kreuger, immigration lawyer,
January 11, 2023 at Westerly Library, 6 pm
Literacy Volunteers of Washington County**

Mary Carol Kendzia, Executive Director of LVWC, welcomed everyone and introduced Carl Kreuger. A 1983 graduate of Boston University law school, he is in his 35th year as an immigration lawyer. He is with Dorcas International in the Johnston Office, west of Providence. Dorcas International Institute of RI was formed in 2013 when the International Institute of Rhode Island merged with the Dorcas Place Adult and Family Literacy Center.

Carl described his office: 2 other lawyers, 6 staff licensed by Dept of Justice. Their traditional mission is to help the underserved. Approximately 23,000 people a year served, thousands more every year. He mentioned that the time frame for citizenship is now usually 6 months, with swearing-in 2 weeks after successful interview.

Telephone (401-784-8607) consultations are available Monday, Wednesday, and Friday. There is no charge for consultation/questions. If their services are hired, Dorcas tries to determine how much time each case will take in assessing fees. If citizenship application is straightforward, no need to hire them. If a client does want to use Dorcas for the citizenship process, the fee is \$250 to do application, prep, and going to interview with you. They will go to CT or MA if appropriate for an additional \$300 fee.

Questions

Q: Can I file taxes separately from spouse?

A: Better financially if you file as a couple. If you file separately, usually burdened with extra taxes. You will not pay as much if filing as a couple. Recommend running numbers with tax advisors. Immigration sees red flag if filing separately.

Q: Do I have to report cash gift from daughter? Does it become community property?

A: Consult with family lawyer.

Q: If filing jointly, can it be kept confidential?

A: Citizenship office doesn't usually ask about taxes, unless they are overdue. If overdue, but you're on a payment plan, you are OK.

Green card holders can apply for citizenship after 3 years, rather than 5 years, if married to an American citizen. A fiancé immigrant can get a K1 Visa good for 90 days. If married to an American within 90 days, can then apply to adjust status. If not married to the same US citizen/sponsor within 90 days, spouse has to petition (1-31) for new adjustment status (\$535). If not married to a US citizen, cannot get green card. If marry different sponsor, have to return to own country and file anew.

Latest news: People from 5 countries: Cuba, Haiti, Ukraine, Venezuela and Nicaragua are allowed into US with legal "parole" status. Applying must be done in an orderly manner and before actually being in US. Carl explained that this parole status (not at all same meaning as out of jail) was a weird immigration concept, that allowed "a body" already in US certain rights, for a discretionary length of time. Parole can be granted for compelling humanitarian reasons.

Q: Re: Citizenship application (N 400) question about belonging to any clubs?

A: Overriding rule on Citizenship application: TELL TRUTH...DO NOT LIE.

e.g. often misunderstood question is "Have you ever claimed to be a US citizen?"

Citizenship office is more interested in your belonging to a political or religious group at odds with US values, i.e. communist party, etc. Put any political affiliations ahead of any athletic, social clubs.

Q: I gambled online and reported it on my tax return. Am I in trouble?

A: IRS/government is mostly interested in illegal gambling house runners, the operators, not the those who participate. Dominicans were running an illegal gambling operation and not reporting it. This is an evolving deal.

Q: How about reporting speeding tickets, even in my own country?

A: If all fines for speeding are paid off, you are OK. If incidents involved drugs, alcohol or you were arrested (booked at police station), different story.

International license holders have 5 year limit driving anywhere to report.

Carl again stressed importance of honesty: If immigration finds out that you did not reveal something to get your green card, they "will have no problem going after green card/citizenship fraud."

Q: I was returning to US, but did not have all of my legal documentation with me. I was directed to another desk. I eventually/quickly passed through immigration, but is this considered "detained by an immigration official" on the N400?

A: That question on the N400 wants to know more about you because/if you are not a resident. Explain, but you were not "detained."

Q: This question has to do with claiming a disability to get through citizenship interview without knowing English.

A: Carl explained the age and residency requirements to have an interpreter and be exempt from parts of the citizenship interview.

Disability waivers must be validated by a medical or OD or clinical psychologist who must make a very good case for the applicant. They recognize certain doctors who sign off on the form, N-14.

Immigration officials are very skeptical of these claims. A life long disability would have been picked up at the green card stage.

Q: Are certain sections of the N400 weighted more heavily than others?

A: First half of citizenship application is factual, 2nd is interpretation. Officials, if not convinced you know/understand English will ask follow-up questions, unrelated to those on N400, e.g. How did you get here today? or what does it mean to claim to be a citizen? You have to know English! (Note: We at LVWC emphasize to those going to the citizenship interview, that the officials (whom Carl says are all fair and conscientious) are testing your understanding of English the minute you enter the room.)