

COURT GRANTS FINAL APPROVAL TO LONG-RUNNING AMNESTY
LITIGATION -- from bibdaily.com

"A federal district court judge at Seattle today granted final approval to settlement of a national class action begun over twenty years ago. The litigation, formerly known as Immigrant Assistance Project v. INS, is now known as Northwest Immigrant Rights Project v. USCIS, No. 88-379 (W.D. Wash.). The lawsuit challenged the policy of USCIS, formerly INS, to deny legalization applications for failure to meet the "known to the Government" requirement. The class includes individuals who entered the United States on a nonimmigrant visa prior to January 1, 1982 and who are otherwise eligible for legalization under INA §245A, 8 U.S.C. §1255a. The class includes both those who timely filed applications for legalization in 1987-88 (including individuals whose applications were denied, and also individuals whose applications are still pending) and those who were "frontdesked" (individuals whose applications were not accepted during the legalization applications period). CSS, LULAC (Newman), LIFE Act class members are also protected by the settlement; CIS must adjudicate any "known to the government" issues in their applications pursuant to the procedures in the settlement. There will be a one year application period for class members who were "frontdesked" during the legalization application period, starting sometime prior to February 6, 2009. In addition, CIS must reopen and readjudicate legalization applications that were denied for failure to meet the "known to the Government" requirement." Gibbs Houston Pauw press release, Sept. 9, 2008. **Note that this significantly expands the class of aliens eligible for legalization and will result in a new decision in many denied cases**