

felony (see page 12). 8 U.S.C. §1229c(a)(1). If you request it at the beginning, you do not need to show good moral character. This means that even if you have a criminal conviction, you may still be able to get voluntary departure.

At the **end** of your case (after you have presented any other defenses to deportation), you may receive voluntary departure if you: (1) show physical presence in the U.S. for at least one year before the Notice to Appear; (2) have good moral character for at least the previous 5 years; (3) are not removable for an aggravated felony or terrorism; (4) can pay your way back to your country; (5) post a voluntary departure bond; and (6) have not received voluntary departure before after being in the U.S. without admission or parole. 8 U.S.C. §1229c(b).

(8) Refugee Waiver

Refugees who have a criminal conviction and never applied for adjustment of status to get a green card may apply for a refugee waiver. You apply for the waiver on Form I-602 and for adjustment of status on Form I-485. You must show humanitarian reasons why you should not be deported. 8 U.S.C. §1159(c). You should include a declaration about why you fled your country and the harm you face if deported, human rights reports that support your declaration, and declarations from family and others who know the situation. This waiver does not apply if the government has a reason to believe you are or have been a drug trafficker, or a security or terrorist threat. Arrests on suspicion of drug distribution can be a problem even if charges were dismissed. If you think you can apply for a refugee waiver, be sure to tell the Immigration Judge.

IMMIGRATION ADDRESSES

To file applications and other papers, send or deliver them to the Immigration Court at the following address unless the Judge tells you to file them at another address:

Immigration Judge
Executive Office for Immigration Review
John F. Kennedy Federal Building, Third Floor
15 New Sudbury Street – Room 320
Boston, MA 02203
Telephone: 617-565-3080



When you send anything to the Immigration Court, **you must send a copy to the government.** You must also send a Certificate of Service to the Immigration Court showing that you sent a copy to the government's lawyers. See sample Certificate of Service below. You mail the copies to:

District Counsel – Trial Attorney Unit
Department of Homeland Security
John F. Kennedy Federal Building, Room 425
15 New Sudbury Street
Boston, MA 02203
Telephone: 617-565-3140