

WALNUT CREEK OFFICE
1990 N. CALIFORNIA BLVD.
SUITE 800
WALNUT CREEK, CA. 94596
TELEPHONE: (925) 222-5074

UKIAH OFFICE
308 S. SCHOOL STREET
UKIAH, CA. 95482
TELEPHONE: (707) 376-1010

SAN JOSE OFFICE
111 N. MARKET ST., STE. 300
SAN JOSE, CA. 95113
TELEPHONE: (408) 963-0355

KEROSKY PURVES & BOGUE LLP
ATTORNEYS AT LAW

SAN FRANCISCO OFFICE
785 MARKET STREET, 15TH FLOOR,
SAN FRANCISCO, CA. 94103
TELEPHONE: (415) 777 4445

LOS ANGELES OFFICE
8484 WILSHIRE BLVD., SUITE 745
BEVERLY HILLS, CA. 90211
TELEPHONE: (323) 782-3877

SANTA ROSA OFFICE
131 A STONY CIRCLE
SUITE 500
SANTA ROSA, CA. 95401
(707) 433-2060

NAPA OFFICE
1041 JEFFERSON STREET, STE 3
NAPA, CA. 94559
TELEPHONE: (707) 224-2722

SACRAMENTO OFFICE
770 L ST., SUITE 950,
SACRAMENTO, CA. 95814
TELEPHONE: (916) 349-2900

www.KPBimmigrationlawfirm.com

NEW IMMIGRATION LAWS TAKE EFFECT IN CALIFORNIA

By Christopher Kerosky

This month, a number of laws enacted by the California state government take effect that will help undocumented immigrants in various ways. Among the measures Brown approved was the TRUST Act, which limits who state and local police can hold for possible deportation.

The Trust Act law, AB 4, forbids a law enforcement official from detaining an individual on the basis of a United States Immigration and Customs Enforcement (ICE) hold after that individual becomes eligible for release from custody, unless the individual is charged with a serious crime;

There are a host of laws intended to protect immigrants. AB 35, states that only immigration consultants, attorneys, notaries public, and organizations accredited by the United States Board of Immigration Appeals are authorized to charge a fee for providing services associated with filing an application under the U.S. Department of Homeland Security's deferred action program. Likewise, AB 1159 imposes various restrictions and obligations on persons who offer services related to comprehensive immigration reform.

AB 1024 allows undocumented immigrants to be admitted as an attorney at law. SB 150 authorizes a community college district to exempt pupils attending community colleges as a special part-time student from paying nonresident tuition.

Several laws punish those who attempt to use a person's undocumented status against them. AB 524 makes it a crime to threaten to report the immigration status or suspected immigration status of an individual or the individual's family; SB 666 provides for a suspension or revocation of an employer's business license for retaliation against employees and others on the basis of citizenship and immigration status, and establishes a civil penalty up to \$10,000 per violation.

Finally and perhaps most importantly, the California legislature passed a law to allow undocumented a right to a drivers license. AB 60 authorizes drivers licenses to authorize operation of motor vehicles for the undocumented. These licenses may not be accepted to establish eligibility for employment, voter registration, or public benefits. Applicants will have to pass a driving test and provide a proof of identity and California residency to the Department of Motor Vehicles (DMV). Pursuant to the bill, the California DMV will be accepting consular identification cards, passports, birth certificates and other documents to establish the applicant's identity. Income tax returns, school transcripts, utility bills, and other documentation will be acceptable to prove California residency.

Unfortunately, this drivers license law does not take effect until January 2015.

These laws are a huge step forward for our state. It means that undocumented immigrants will now be able to drive legally. It means that they will not automatically be put in deportation proceedings if they do have a traffic stop or some other minor criminal charge. It means that they can no longer be the victims of extortion or threats from employers or colleagues based upon their immigration status. It means that they will now be better protected from persons engaging in the unauthorized practice of law such as notaries and others exploiting the immigrant population.

CHRISTOPHER A. KEROSKY of the law firm of KEROSKY PURVES & BOGUE has practiced law since 1984 and has been recognized as one of the top immigration lawyers in Northern California for the last seven years by San Francisco Magazine "Super Lawyers" edition (2006-2012). He graduated from University of California, Berkeley Law School and was a former counsel for the U.S. Department of Justice in Washington D.C.

WARNING: The foregoing is an article discussing legal issues. It is not intended to be a substitute for legal advice. We recommend that you get competent legal advice specific to your case. If you would like such advice from our office, call (415) 777-4445 (San Francisco); (916) 349-2900 (Sacramento) or (707) 433-2060 (Santa Rosa or (707)244-2272 (Ukiah).