

In The News

Maria Casablanca Co-Authors Article Analyzing DHS Final Rule for American Immigration Lawyers Association's *Practice Pointer*

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Maria Casablanca, Immigration Planning and Compliance Practice Chair, wrote an article for the American Immigration Lawyers Association's *Practice Pointer*, analyzing a final rule under INA 212(a)(4) issued by the Department of Homeland Security. The rule affects foreign nationals seeking immigrant and nonimmigrant visas abroad, admission to the United States on immigrant and nonimmigrant visas, and those seeking to adjust status to lawful permanent residence.

“The regulations define a public charge as a foreign national who receives one or more public benefits, for more than 12 months in the aggregate within any 36-month period (such that, for instance, receipt of two benefits in one month counts as two months). The rule may make foreign nationals who have received these public benefits inadmissible and nonimmigrants may be ineligible for a change of status or extension of stay. However, because a public charge inadmissibility determination is prospective in nature, any duration (and amount) of public benefits received may be considered in the totality of circumstances, as well as in view of factors such as: age, health, family status, assets, resources, financial status, and education and skills.”

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