

Federal Judge Revives Pro Bono Lawsuit Against the Department of Homeland Security

JANUARY 2, 2025

On January 2, 2025, a federal judge in Michigan reversed her dismissal of a lawsuit alleging unreasonable and needless delays in processing immigrants' applications for work authorizations. The decision allows a proposed class of 170,000 U visa seekers to move forward with their lawsuit.

Winston and the National Immigrant Justice Center filed the lawsuit in 2023 on behalf of immigrants who applied for green cards through the U visa program. These visas are for crime victims who have suffered mental or physical abuse and assist law enforcement with criminal investigations and prosecutions. Congress created the program in 2000 to allow noncitizens to seek help from law enforcement without fear of deportation.

The lawsuit's nine named plaintiffs filed U visa applications more than three years ago and are still waiting for U.S. Citizenship and Immigration Services to make an initial determination whether they have submitted a "bona fide" petition. Such a determination, which can be made in minutes, would provide them with work authorization and protection from deportation while their petition is adjudicated.

"We look forward to litigating plaintiffs' claims on their merits and helping U visa applicants avoid needless delays in obtaining the benefits they deserve," said Chicago partner Kurt Mathas.

In addition to Kurt, the Winston team includes **Liz Grden**, **Greer Harrison**, and **Tom Scheper**.

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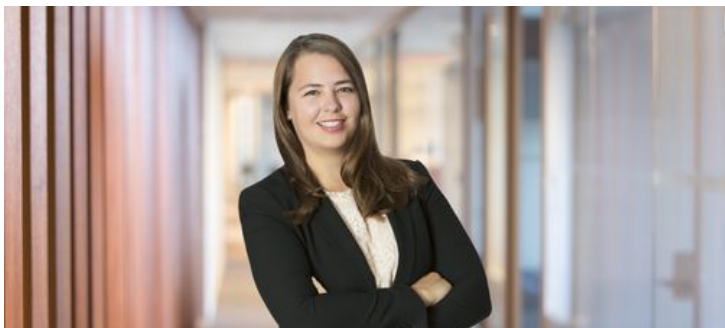
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