

DENVER DISTRICT ATTORNEY'S OFFICE
U VISA CERTIFICATION PROTOCOL
As of 05.02.2024

The Denver District Attorney's Office recognizes the importance of the U Visa certification process to our community and the individuals and families involved. This office is committed to conducting U Visa certification reviews in an efficient manner that provides a timely and accurate answer to the question of U Visa certification eligibility for each applicant. The following information is provided to assist with this process.

1. Prior to sending a U Visa certification request to the Denver District Attorney's Office, the person requesting a U Visa certification for themselves or someone else ("petitioner"), or petitioner's counsel (if petitioner has counsel), will try to obtain as much of the following information as possible:
 - Full names and spellings of the victim and any known aliases or other names used by this person
 - Date of birth for the victim
 - Court case number
 - Summary of injury sustained by petitioner with accompanying documentation
2. If it appears that the petitioner may meet the U Visa certification requirements of a qualifying criminal activity and cooperation with law enforcement, the petitioner, or petitioner's counsel, will send a letter with the above information to the Denver District Attorney's Office, to the attention of Angela Padilla, 370 Seventeenth St., Suite 5300, Denver, CO 80202 or email Angela.Padilla@Denverda.org.

The letter should include the following documentation:

- The Court case number of the qualifying activity if such exist.
- A formal request for U Visa Certification
- Mailing address where the signed U visa Certification or denial of certification request should be sent
- A description of how the petitioner meets the eligibility requirements of a U Visa Certification from the Denver District Attorney's Office, to include but not limited to:
 - o In cases where the victim is under the age of 21, or is incapacitated or incompetent, please submit evidence of the petitioner's (family member's)



- qualifying relationship to the victim and supporting evidence establishing the age, incapacity, or incompetence of the victim.
 - o If the criminal activity is not specifically enumerated in 8 U.S.C. 1101(a)(15)(U)(iii) then explain why it is “qualifying criminal activity,” understanding that the activity must be substantially similar to those enumerated qualifying criminal activities.
3. All U Visa certification requests received are presumptively discoverable to the defense in a pending criminal case. The prosecutor assigned to any open criminal case will be notified by Angela Padilla of the existence of the U Visa certification request. The case prosecutor will then provide notification of the request for U Visa certification to the defense as criminal case discovery. This applies even if the request is withdrawn.
 4. U Visa certification decisions can take up to 90 days. Please note if the petitioner is in federal immigration proceedings or if children, parents, or siblings of the petitioner would become ineligible for U nonimmigrant status by virtue of age within 60 days. These requests will be expedited.

Please contact Angela Padilla with any questions about this process.

Angela Padilla, Executive Assistant
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Denver District Attorney's Office
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Denver DA

JOHN WALSH District Attorney
