

# The Zoom Interface

The screenshot shows the Zoom Webinar interface with several key elements and annotations:

- Header:** "Zoom Webinar" title bar, "You are viewing David Terry's screen", and "View Options" dropdown.
- Session View:** "Click here to maximize your session view" and "Enter Full Screen" button.
- Content Area:** TTC Technology Transfer Centers logo, "Thank you for joining us today!", and "You will not be on video during today's session".
- Q&A Window:** "Question and Answer" window with "All questions (1)" and "My questions (1)" tabs. A test question "This is a test question!" is shown. Annotations explain that users can switch between questions and use the Q&A feature to ask questions of the host and presenters.
- Chat Window:** "Zoom Webinar Chat" window. Annotations explain that the chat feature allows users to talk with other people and that the "To" field indicates who will receive the message.
- Audio Settings:** "Select a Speaker" dropdown menu with options: "Speakers (Realtek(R) Audio)", "Same as System", "Test Speaker & Microphone...", "Leave Computer Audio", and "Audio Settings...".
- Bottom Bar:** "Audio Settings" button, "Click Here to adjust your audio settings", "Chat" button, "Raise Hand" button, "Q&A" button, "Click here to leave the session", and "Leave" button.

**All attendees are muted. Today's session will be recorded.**

Enhancing Mental Health Services for the Hispanic and  
Latinx Community  
Session 3:  
Intersection of Mental Health, Immigration Courts and the  
Hispanic and Latinx Community

Melissa Rivera Marano, Psy.D.  
Latino Mental Health Association of New Jersey  
May 10, 2022



# About Us

The Northeast and Caribbean MHTTC received 5 years (2018 – 2023) of funding to:

- Enhance capacity of behavioral health workforce to deliver evidence-based and promising practices to individuals with mental illnesses.
- Address full continuum of services spanning mental illness prevention, treatment, and recovery supports.
- Train related workforces (police/first responders, primary care providers, vocational services, etc.) to provide effective services to people with mental illnesses.

Supplemental funding to:

- Support schoolteachers and staff to address student mental health
- Support healthcare providers in wellness and self-care activities



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# We Want Your Feedback

Our funding comes from the Substance Abuse and Mental Health Services Administration (SAMHSA), which requires us to evaluate our services. We appreciate your honest, ANONYMOUS feedback about this event, which will provide information to SAMHSA, AND assist us in planning future meetings and programs.

Feedback about this training will assist us in developing future trainings that are relevant to your professional needs. Therefore, your feedback counts!



Northeast and Caribbean (HHS Region 2)

**MHTTC**

Mental Health Technology Transfer Center Network

Funded by Substance Abuse and Mental Health Services Administration

# Video Recording Information

## *Please Note:*

We will be recording this webinar and posting it to our website along with the presentation slides and any relevant resources.

# Disclaimer

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At the time of this presentation, Miriam Delphin-Rittmon served as Assistant Secretary for Mental Health and Substance Use at SAMHSA. The opinions expressed herein are the views of the speakers, and do not reflect the official position of the Department of Health and Human Services (DHHS), or SAMHSA. No official support or endorsement of DHHS, SAMHSA, for the opinions described in this presentation is intended or should be inferred.

This work is supported by grant H79SM081783 from the DHHS, SAMHSA.

# Your Interactions With Us

## Question and Answers

- Q & A will occur at the end of the call.
- Type your questions in the Q & A feature in Zoom located on the task bar (hover over task bar).
- Note: your question is visible to all participants.

## Chat and Polls

- Throughout the webinar, we will be asking for your input.
- Use the Chat or Poll features in Zoom located on the task bar.
- You can control who can see your chat comments.



The MHTTC Network uses affirming, respectful and recovery-oriented language in all activities. That language is:

STRENGTHS-BASED  
AND HOPEFUL

INCLUSIVE AND  
ACCEPTING OF  
DIVERSE CULTURES,  
GENDERS,  
PERSPECTIVES,  
AND EXPERIENCES

HEALING-CENTERED AND  
TRAUMA-RESPONSIVE

INVITING TO INDIVIDUALS  
PARTICIPATING IN THEIR  
OWN JOURNEYS

PERSON-FIRST AND  
FREE OF LABELS

NON-JUDGMENTAL AND  
AVOIDING ASSUMPTIONS

RESPECTFUL, CLEAR  
AND UNDERSTANDABLE

CONSISTENT WITH  
OUR ACTIONS,  
POLICIES, AND PRODUCTS

# Reminder:



All participants will receive a certificate of completion, a link to access the Zoom recording and presenter's slides, within 7 days of this webinar broadcast.

# Latino Mental Health Association *of New Jersey*

**Founded in 1999, the Latino Mental Health Association of New Jersey is committed to addressing the mental health needs and wellbeing of Latina/o/x communities by supporting mental health professionals across all disciplines through the advancement of training, treatment, research, mentorship, and advocacy. To this end, the Association will promote, provide, and participate in ongoing interprofessional competence, inter-agency collaboration, and community engagement.**



## Social Media Handles

Instagram: @lmha.nj

Twitter: @lmhanj

YouTube

<https://www.youtube.com/channel/UCRuWAKYr83B3LaHoi5vQK4w>

Facebook & LinkedIn: Latino Mental Health Association of New Jersey

Not yet a member? Hurry up and join!

Perks of membership include:

- Access to our listserv
- Discounted rate to programs and annual conference
- Networking opportunities
- Sense of community





## **UPCOMING EVENTS**

- **Networking Event**
- **Annual Conference February 2023**  
**and**

**Additional webinars to be announced!**

# Our Presenter

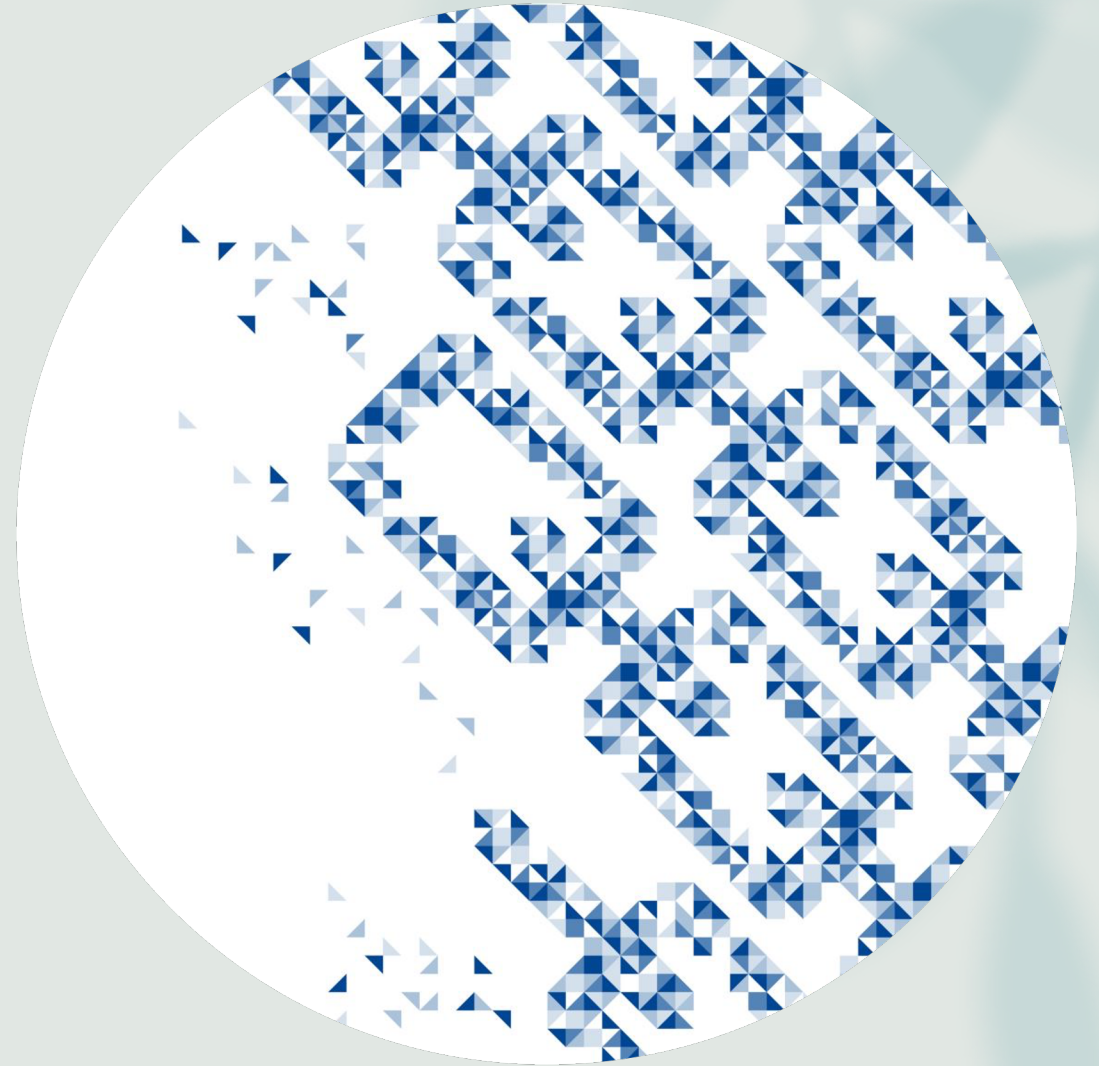


Melissa Rivera Marano, Psy.D.



# Intersection of Mental Health, Immigration Courts and the Hispanic and Latinx Community

Melissa Rivera Marano, Psy.D.



Coming to  
America

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**Poverty**

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**Political Instability**

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**Financial Crises**

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**Result of Foreign Policy  
Decisions**



# Obama Administration Policy/Hx

- **With the establishment of a new deportation program in 2014, the Obama administration sought to prioritize deporting undocumented immigrants who broke the law over those who did not. That year, the Department of Homeland Security created the Priority Enforcement Program, which focused on undocumented immigrants who posed a threat to “national security, border security, and public safety.” There was however also simultaneous push for a path towards legalization.**



# DACA

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Deferred Action for Childhood Arrivals (DACA), is an American Immigration policy launched in 2012 by the Obama administration calling for [deferred action](#) for certain undocumented young people who came to the U.S. as children. DACA allows young people who were brought illegally to the United States as children, and who meet several key criteria to be considered for temporary relief from deportation or from being placed in removal proceedings.

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DACA does not provide lawful status. Once granted, DACA is valid for two (2) years and may be renewed. Individuals granted deferred action will also be eligible to request [employment authorization \(EAD\)](#). DACA applicants go through extensive background checks, and it is granted on a case-by-case basis. [USCIS](#) began accepting applications for the program on 15 August 2012.

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To be eligible for DACA, applicants must meet several eligibility requirements such as: have entered the United States before their 16th birthday, be currently in school, a high school graduate or be honorably discharged from the military, be under 31 years of age, and not have been convicted of a felony, significant misdemeanor, or otherwise pose a threat to national security.

# DACA during Trump Administration

**The Trump Administration terminated DACA in Sept. 2017, but the Supreme Court ruled in June 2020 that the government had not followed proper procedure to end the program, forcing the government to keep DACA alive and returning the program to what it was before Sept. 2017. In July 2020, Chad Wolf, Acting Secretary of the Department of Homeland Security (DHS), reinstated the program through a memorandum, but only for those who had already received DACA, without opening up applications to new potential recipients. It also limited the protections to one year with the option to renew.**

# DACA under the new Administration

On his first day in office, President Joseph R. Biden **signed a memorandum** for the Attorney General and the Secretary of Homeland Security ordering them to preserve and fortify the Deferred Action for Childhood Arrivals policy (DACA).

**Accept first-time requests for deferred action**

**Accept renewal requests for deferred action**

**Accept applications for advance parole documents**

**Extend one-year grants of deferred action to two years**

**Extend one-year employment authorization documents to two years**

# Trump Administration Policy

- **The executive order signed by Trump, "Enhancing Public Safety in the Interior of the United States," adopted a priority system that is far broader than the previous administration.**
- **Trump's order specifically names "aliens who have been convicted of any criminal offense; have been charged with any criminal offense, where such charge has not been resolved; have committed acts that constitute a chargeable criminal offense; have engaged in fraud or willful misrepresentation in connection with any official matter or application before a governmental agency; have abused any program related to receipt of public benefits; are subject to a final order of removal, but who have not complied with their legal obligation to depart the United States; or in the judgment of an immigration officer, otherwise pose a risk to public safety or national security."**

# Impact

- **“The unauthorized immigrants to be looking over their shoulders, [and] knowing that work is not a safe space,”**
- **The enforcement environment makes many immigrants feel “very vulnerable, very persecuted,” and oftentimes afraid to go to local authorities to report abuse or crimes over fears that it could lead to their deportation, said Maureen Meyer, of the Washington Office on Latin America, a human rights advocacy group.**
- **Financial**
- **Familial**
- **Psychological**

# Border Separations

- <https://youtu.be/srnyPzVKO5w>



- **“Any forced separation is highly stressful for children and can cause lifelong trauma, as well as an increased risk of other mental illnesses, such as depression, anxiety, and post-traumatic stress disorder,” said the American Psychiatric Association’s Dr. Altha Stewart.**
- **It can also cause physical symptoms, said Dr. Ana María López, president of the American College of Physicians...The lifetime impacts range from behavioral problems and mental health trauma to a person’s physiology...It can raise the risk of chronic illness – cardiovascular disease and even cancer. Lopez added- “From a health perspective this approach is really hurtful and damaging to families.”**



# Recent Policy

- **The Biden administration's proposed Asylum Office Rule, set to take effect May 31, is meant to reduce the average wait time for asylum-seekers to receive a decision in their case from years to months, according to Homeland Security Secretary Alejandro Mayorkas.**
- **As of March, immigration judges had nearly 1.7 million pending cases. About a quarter of the 106 state and multistate lawsuits against the Biden administration have been over immigration, according to Stateline research.**

# Department of Homeland Security

Three agencies belonging to the Department of Homeland Security (DHS) now perform the former INS functions:

[U.S. Citizenship and Immigration Services \(USCIS\)](#)

**U.S. Immigration and Customs Enforcement (ICE)**

**U.S. Customs and Border Protection (CBP)**

Immigration services, including [permanent residence](#), [naturalization](#), asylum, and other functions became the responsibility of U.S. Citizenship and Immigration Services (USCIS). The U.S. Immigration and Customs Enforcement (ICE) is responsible for the investigative and enforcement functions (including investigations, deportation, and intelligence). Border functions, which included the Border Patrol and INS Inspectors, were combined with U.S. Customs Inspectors to create U.S. Customs and Border Protection (CBP).

# Types of Applications

**T-Visa**

**U-Visa**

**Spousal Abuse (VAWA)**

**Asylum Cases**

**Extreme Hardship Cases**

**N-648- Medical**

**Certification for Disability**

**Exceptions**

# T-Visa

- **T nonimmigrant status is a temporary immigration benefit that enables certain victims of a severe form of trafficking in persons & immediate family members) to remain in the United States for an initial period of up to 4 years if they have complied with any reasonable request for assistance from law enforcement in the detection, investigation, or prosecution of human trafficking or qualify for an exemption or exception.**
- **T nonimmigrants are eligible for employment authorization and certain federal and state benefits and services. T nonimmigrants who qualify may also be able to adjust their status and become lawful permanent residents (obtain a Green Card).**

# History of the T Visa

**Congress created this nonimmigrant status (commonly referred to as a T visa) in October 2000 as part of the Victims of Trafficking and Violence Protection Act. Human trafficking, also known as trafficking in persons, is a form of modern-day slavery in which traffickers use force, fraud, or coercion to compel individuals to provide labor or services, including commercial sex. Traffickers often take advantage of vulnerable individuals, including those lacking lawful immigration status. T visas offer protection to victims and strengthen the ability of law enforcement agencies to detect, investigate and prosecute human trafficking.**

# Severe Form of Trafficking

Under federal law, a “severe form of trafficking in persons” is:

- **Sex trafficking:** When someone recruits, harbors, transports, provides, solicits, patronizes, or obtains a person for the purpose of a commercial sex act, where the commercial sex act is induced by force, fraud, or coercion, or the person being induced to perform such act is under 18 years of age; or
- **Labor trafficking:** When someone recruits, harbors, transports, provides, or obtains a person for labor or services through the use of force, fraud, or coercion for the purpose of involuntary servitude, peonage, debt bondage, or slavery.

# Eligibility for T-Visa

- **Are or were a victim of a severe form of trafficking in persons as defined by Federal Law**
- **Are physically present in the United States, American Samoa, the Commonwealth of the Northern Mariana Islands, or at a port of entry due to trafficking;**
- **Have complied with any reasonable request from a law enforcement agency for assistance in the investigation or prosecution of human trafficking (unless you were under the age of 18 at the time at least one of the acts of trafficking occurred or you are unable to cooperate due to physical or psychological trauma; if either case applies, you may not need to show that you complied with reasonable requests from law enforcement);**
- **Demonstrate that you would suffer extreme hardship involving unusual and severe harm if you were removed from the United States; and**
- **Are admissible to the United States (If you are not admissible, you may be eligible for a waiver of certain grounds of inadmissibility)**

# U-visa

**Immigrant suffered substantial mental or physical abuse as a result of having been a victim of certain criminal activity**

**Immigrant (or in the case of a child under 16, the parent or guardian) possesses information concerning that criminal activity**

**The criminal activity violated U.S. law or occurred in the U.S.**

**The immigrant has been helpful, is being helpful, or is likely to be helpful to a Federal, State or local authority investigating or prosecuting the crime**



# **Violence Against Woman Act**

**As a battered spouse, child or parent, an immigrant visa petition may be filed under the Immigration and Nationality Act (INA), as amended by the Violence Against Women Act (VAWA).**

**The VAWA provisions in the INA allow certain spouses, children, and parents of U.S. citizens and certain spouses and children of permanent residents (Green Card holders) to file a petition for themselves, without the abuser's knowledge. This allows victims to seek both safety and independence from their abuser, who is not notified about the filing.**

# ASYLUM

**Definition: The legal definition of asylum is a legal protection from deportation sought by non-U.S. citizens who enter the U.S., either legally or illegally, asking for refuge based on claims of persecution or fear of persecution in their home country.**

# ASYLUM TYPES

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**Political Persecution**

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**Exposure to Criminal Activity**

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**Religious Persecutions**

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**Persecution based on Sexual Orientation**

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**Racial Persecution**

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**Other Forms of Persecution**

# Questions

**Is the applicant afraid for his/her life should s/he be forced to return to country of origin?**

**Is the asylum applicant suffering from a psychotic process (which could explain the fears of being returned as based on a paranoid delusion, rather than based on a threatening reality)?**

# ASYLUM: THE DIAGNOSTIC PROFILE

**Most persons seeking asylum have been psychologically traumatized by persecution, which may have included exposure to or experiences of one or more of the following: torture, intimidation, physical and/or sexual violation, unlawful incarceration, harassment, assault and/or battery, rape, disfigurement, severe deprivation, intense fear, etc.**

**Consequently, the most common psychological configuration in asylum seekers is Trauma in all its manifestations (Acute Stress Disorder, Posttraumatic Stress Disorder, Panic Disorder, Generalized Anxiety Disorder, Severe Major Depressive Disorder, etc.).**

<https://youtu.be/km5Yc9LuRsg>



# Extreme Hardship Evaluations

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**Examine the potential impact(s) of the immigrant's deportation on a lawfully-resident parent, spouse or child.**

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**Although only extreme hardship to the lawfully-resident relative is relevant, under the law, potential psychological dysfunction in the immigrant is still important, because it may be an additional stressor for the lawfully-resident relative.**

# Common Consequences

- **The common consequences of denying admission, in and of themselves, do not warrant a finding of extreme hardship. Looked at cumulatively.**
- **Family separation**
- **Economic detriment**
- **Difficulties of readjusting to life in the new country**
- **The quality and availability of educational opportunities abroad**
- **Inferior quality of medical services and facilities**
- **Ability to pursue a chosen employment abroad**



# USCIS Accepted Evidence

- **Expert opinions: Medical or mental health documentation and evaluations by licensed professionals**
- **Official documents, such as birth certificates, marriage certificates, adoption papers, paternity orders, orders of child support, and other court or official documents;**
- **Photographs**
- **Evidence of employment or business ties, such as payroll records or tax statements**
- **Bank records and other financial records**
- **Membership records in community organizations, confirmation of volunteer activities, or records related to cultural affiliations**
- **Newspaper articles and reports**
- **Country reports from official and private organizations**
- **Personal oral testimony**
- **Affidavits**

# Considerations- Family Ties and Impact

**Extent to which the qualifying relative would have difficulty integrating into the country of relocation, including understanding and adopting social norms and established customs, including gender roles and ethical or moral codes.**

**Difficulty and expense of travel/communication to maintain ties between qualifying relative and applicant, if the qualifying relative does not relocate.**

**Qualifying relative's present inability to communicate in the language of the country of relocation, as well as the time and difficulty that learning that language would entail.**

**Availability and quality of educational opportunities for qualifying relative (and children, if any) in the country of relocation.**

**Availability and quality of job training, including technical or vocational opportunities, for qualifying relative (and children, if any) in the country of relocation.**

# Social and Cultural Impact

- **Social ostracism or stigma based on characteristics such as gender, gender identity, sexual orientation, religion, race, national origin, ethnicity, citizenship, age, political opinion, marital status, or disability.**[\[6\]](#)
- **Qualifying relative's community ties in the United States and in the country of relocation.**
- **Extent to which the qualifying relative has integrated into U.S. culture, including language, skills, and acculturation.**

# Social and Cultural Impact

**Loss of access to the U.S. courts and the criminal justice system, including the loss of opportunity to request or provide testimony in criminal investigations or prosecutions; to participate in proceedings to enforce labor, employment, or civil rights laws; to participate in family law proceedings, victim's compensation proceedings, or other civil proceedings; or to obtain court orders regarding protection, child support, maintenance, child custody, or visitation.**

**Fear of persecution or societal discrimination.**

**Prior grant of U nonimmigrant status.**

**Existence of laws and social practices in the country of relocation that would punish the qualifying relative because he or she has been in the United States or is perceived to have Western values.**

**Access or lack of access to social institutions and structures (official and unofficial) for support, guidance, or protection.**

# Social & Cultural Context

**Extent to which the qualifying relative would have difficulty integrating into the country of relocation, including understanding and adopting social norms and established customs, including gender roles and ethical or moral codes.**

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**Availability and quality of job training, including technical or vocational opportunities, for qualifying relative (and children, if any) in the country of relocation.**

# Economic Impact

**Economic impact of applicant's departure on the qualifying relative, including the applicant's or qualifying relative's ability to obtain employment in the country of relocation.**

**Economic impact resulting from the sale of a home, business, or other asset.**

**Economic impact resulting from the termination of a professional practice.**

**Decline in the standard of living, including due to significant unemployment, underemployment, or other lack of economic opportunity in the country of relocation.**

**Ability to recoup losses, or repay student loan debt.**

**Cost of extraordinary needs, such as special education or training for children.**

**Cost of care for family members, including children and elderly, sick, or disabled parents.**

# Country Conditions <sup>[7]</sup>

Conditions in the country of relocation, including civil unrest or generalized levels of violence, current U.S. military operations in the country, active U.S. economic sanctions against the country, ability of country to address significant crime, environmental catastrophes like flooding or earthquakes, and other socio-economic or political conditions that jeopardize safe repatriation or lead to reasonable fear of physical harm.

Temporary Protected Status (TPS) designation. <sup>[8]</sup>

Withdrawal of Peace Corps from the country of nationality for security reasons.

DOS Travel Warnings or Alerts, whether or not they constitute a particularly significant factor, as set forth in Part E below.

# Health Conditions & Care

**Health conditions and the availability and quality of any required medical treatment in the country to which the applicant would be returned, including length and cost of treatment.**

**Psychological impact on the qualifying relative due to either separation from the applicant or departure from the United States, including separation from other family members living in the United States.**

**Psychological impact on the qualifying relative due to the suffering of the applicant.**

**Prior trauma suffered by the qualifying relative that may aggravate the psychological impact of separation or relocation, including trauma evidenced by prior grants of asylum, refugee status, or other forms of humanitarian protection.**



# **EXTREME HARDSHIP: WHAT DO WE NEED TO KNOW**

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**Would deportation of the immigrant pose an extreme hardship to the relative in question?**

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**Would it be an extreme hardship for the lawfully-resident relative to accompany the immigrant back to his or her home country?**

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**In analyzing these questions, financial, educational, health care, psychological and other factors are considered.**

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**Families present a complex web of interdependencies.**

- <https://www.youtube.com/watch?v=hVEoJlI8-s8&feature=youtu.be>

# MEDICAL EXCEPTION REQUIREMENTS

In 1994, Congress enacted legislation providing an exception to the naturalization educational requirements for applicants who cannot meet the educational requirements because of a physical or developmental disability or mental impairment. [\[1\]](#)

The English and civics requirements do not apply to naturalization applicants who are unable to comply due to a “medically determinable” physical or developmental disability or mental impairment that has lasted, or is expected to last, at least 12 months.

The applicant must demonstrate a disability or impairment that affects the functioning of the individual such that, even with reasonable accommodations, he or she is unable to demonstrate the educational requirements for naturalization.

# Mental Health Treatment for Latino Immigrants

## The Clinical Interview:

### Life in their native country

- - **Family**
- - **Education**
- - **Work**
- - **Health/Mental Health**

### Reason for immigrating

- - **The Journey**

# Life In America

**Acculturation**

**Family  
Reconnections/Losses**

**Emotional Functioning**

- **Symptoms**
- **Addictions**
- **Physical Symptoms**
- **Help Seeking**

**"They have no idea what it is like to lose home at the risk of never finding home again, have your entire life split between two lands and become the bridge between two countries."**

**– Rupi Kaur, *Milk & Honey***

**"so, here you are  
too foreign for home  
too foreign for here.  
never enough for both."**

**–Ijeoma Umebinyuo, "diaspora blues"**

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# Question and Answer



# Evaluation Information

The MHTTC Network is funded through SAMHSA to provide this training. As part of receiving this funding we are required to submit data related to the quality of this event.

At the end of today's training please take a moment to complete a **brief** survey about today's training.



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Northeast and Caribbean (HHS Region 2)

**MHTTC**

Mental Health Technology Transfer Center Network

Funded by Substance Abuse and Mental Health Services Administration

# Connect With Our Center

Phone: (908) 889-2552

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<https://mhttcnetwork.org/centers/northeast-caribbean-mhttc/home>

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- LinkedIn: @Northeast and Caribbean MHTTC



# MHTTC

Mental Health Technology Transfer Center Network  
Funded by Substance Abuse and Mental Health Services Administration

The purpose of the MHTTC Network is technology transfer - disseminating and implementing evidence-based practices for mental disorders into the field.

Funded by the Substance Abuse and Mental Health Services Administration (SAMHSA), the MHTTC Network includes 10 Regional Centers, a National American Indian and Alaska Native Center, a National Hispanic and Latino Center, and a Network Coordinating Office.

Our collaborative network supports resource development and dissemination, training and technical assistance, and workforce development for the mental health field. We work with systems, organizations, and treatment practitioners involved in the delivery of mental health services to strengthen their capacity to deliver effective evidence-based practices to individuals. Our services cover the full continuum spanning mental illness prevention, treatment, and recovery support.

## CONNECT WITH US



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