

MANAGING, ACCESSING AND CLOSING A BANK ACCOUNT

There are many ways to keep your hard-earned money if you are deported. There is no need to withdraw your full account and keep it at home or carry it with you. You may lose your money this way or it may be stolen. This section provides suggestions to address the following issues:

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You don't have to lose your money because you are being deported. Call your bank and make sure you know all of your options before making decisions about your bank account. Be sure to update your bank with all of your information, including any new addresses or contact details.

Each Chapter is intended to provide generalized information on a particular topic. In many cases, laws may differ from state to state. Therefore, this information is not intended to replace state-specific legal assistance. Nothing in this manual is intended to create an attorney-client or fiduciary relationship.

Keeping Your Account Open

You may want to keep your account open if you have ongoing financial obligations in the U.S. such as a mortgage, children or family to care for, or a pension. If you will be transferring money to your international accounts, be mindful of fees that you may be charged. For example, to transfer money between your U.S. account and international account, you may be charged fees for both sending and receiving the funds, which can get costly.

If you want to keep your account open you have a few options in how to manage the account from your home country. You can:

- *Manage the account yourself;*
- *Create a joint bank account; or*
- *Grant a financial or limited power of attorney so that the appointed person can manage the account on your behalf. (Note: A financial or limited power of attorney specifies the actions another person may take on your behalf. It differs from a custodial power of attorney that permits another person to care for*

your child; or a general power of attorney that allows another individual to handle all your personal business.)

Managing Your Account, Yourself

When you manage your account, the account stays in your complete control. To make this possible, banks often have local branches or ATMs abroad. You also may be able to manage your account via telephone, online banking, or third-party smartphone applications (e.g., digital wallets). Digital wallet apps may allow you to transfer your money between the U.S. and other countries more easily. Make sure to ask your bank what the best way is to manage your account abroad.

Be careful of:

- *Situations where you would have to come into a bank;*
- *Two-step verification processes that require access to your U.S. devices that you no longer have;*
- *Not being able to access your money using online banking if you do not have internet access;*
- *Using certain banks that may have limitations for you to access your account internationally;*
- *The account becoming inactive;*
- *Fees that can accrue when money exchanges happen from abroad. Foreign transaction fees can deplete an account;*
- *Fraudulent transactions that were not made or authorized by you;*
- *Scams and other criminal schemes that could be used to gain access to your account; and*
- *Banks possibly flagging your account for fraud or money laundering suspicion.*

Make sure to discuss all of these concerns with your bank in order to avoid any potential problems and reduce the likelihood of fraudulent activity.

Creating a Joint Bank Account

Adding someone to your account will give them the power to manage the account in full. They will also legally own everything in the account. For that reason, you should choose a person who is very close to you and whom you trust. You may either add someone to the account you already have open or open a new joint account. This can be done in-person or, in some cases, online. The person you choose to add to your account may be required to provide their personal information to the bank electronically or in-person.

Your bank may also allow you to add a trusted person to your account instead of a full joint owner. This person will likely have less power over your account and money and can only take limited actions. Contact your bank for additional details and to understand your options for giving other people access to your account.

Be aware that:

- *The other person has full access to your money and may be able to use or withdraw any of it;*
- *The account could be taken by the other person's creditors; and*
- *If you die, the other person may get all of the money.*

Granting a Financial or Limited Power of Attorney

You can choose a person you trust and give them a financial or limited power of attorney. This will allow the appointed person to manage the account on your behalf. You can learn more in the Power of Attorney section (Chapter 10).

Some banks do not allow for powers of attorney. Check with your bank.

Closing Your Bank Account

You may want to close your account if you don't have any financial obligations in the U.S. and you need easy access to the money in your home country. Even if you withdraw all the money in your account before leaving the U.S., you may still want to formally close your account so you are not charged any fees for keeping your account open.

To close your account, find out the procedures for your bank. Many banks will let you close your account in person at a branch location, on the phone, or by mail. A few banks will even let you close your account online. There may be special procedures if you have a joint account. If you are closing your account from abroad, you will have to write a letter with specific information to your local branch. Make sure all of your checks and automatic payments have cleared before closing the account. You may be prevented from closing your checking account if you have a negative balance.

To get your money you will have to choose between a check or transfer or having your money loaded onto a prepaid card (if permitted by the bank) that you can carry which may be safer than cash. If you choose a check, you will have to carry the check to your home country. When you are there, you can deposit it in your home country account, but it may take 40-60 days to clear.

For a bank draft and wire transfer you will already need an account in the home country.

Tip: Be extremely careful of security concerns like fraud or robbery when traveling with cash or a check, even if it is written in your name.

Safety Deposit Boxes

If you want to keep your safety deposit box open you will have to add another person to the account as a joint renter, or choose a deputy who can access the safety deposit box. Some banks will not allow you to use a general power of attorney to give another person access to your safety deposit box. If you want to close your box, make sure to do so before leaving for your home country.

CHECKLIST: MANAGING, ACCESSING AND CLOSING A BANK ACCOUNT

- Decide whether to close your bank account(s) or leave them open.

- **If you want to keep your bank account open**, decide whether it is best to manage your account from abroad or if it would be easier, open a joint account with someone you trust. You may also consider giving someone you trust a financial or limited power of attorney to manage your account on your behalf.
 - *If you want to manage your bank account yourself, find out if you can access your account abroad either through local branches, ATMs, telephone or Internet. Make sure you also ask what fees there may be, how to avoid being flagged for fraud, and how to avoid letting the account become inactive.*
 - *If you are going to open a joint account, pick someone you trust and go to the bank together and add that person to your account.*
 - *If you are going to grant a financial or limited power of attorney, ask the bank if it has special requirements for accepting a power of attorney.*

- **If you want to close your bank account**, contact the bank to find out the bank's procedures for closing an account. If you are closing your account from abroad, you will most likely have to send a signed letter with specific information.
 - *Before closing your account, it is best to open your new one if you can.*
 - *Make sure all checks and automatic payments have cleared the account.*
 - *Transfer any recurring payments to your new account if you have one.*
 - *Decide how you want the remaining balance in your bank account transferred to you. Most banks allow either check, bank draft or wire transfer to your home country. You can appoint a financial or limited power of attorney to help with this process.*
 - *Be extra cautious of fraud or robbery if traveling with physical cash or a check.*

- **If you rent a safety deposit box** at a bank and want to keep it open, consider either:
 - *Adding another person to the account as a joint renter; or*
 - *Appointing a deputy who can access the safety deposit box. Some banks will not recognize a power of attorney because of the confidential nature of safety deposit boxes. A power of attorney should specifically grant the*

right to access a safety deposit box (see Chapter 10 on Powers of Attorney).