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rights

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INTRODUCTION

Do you have questions about immigration?

You are not alone!

Hundreds of young people in the New York City foster care system and guardianships need immigration assistance. This handbook should help you find out if you are one of them and how to get the assistance you need.

You will find information about:

- ★ getting a green card,
- ★ Special Immigrant Juvenile Status (SIJS) for young people in foster care or guardianships, and
- ★ who can help you get through the process of becoming “legal.”

As you are reading, if you find legal or immigration terms that you have never heard of, check the glossary in the back for help. Also keep in mind that this handbook is not legal advice, but is a resource on immigration issues that may apply to you. Most of all, this booklet should help you ask the right questions so that you can get the immigration assistance that you need.

Liberty
alien
rights
citizen

GETTING STARTED

Am I an “immigrant”?

If you were not born in the United States, but are living here now, you are an immigrant. An immigrant is a person who has come to live in the U.S. from another country. If you are an immigrant, you may have arrived in this country with or without the permission of the U.S. government. The type of permission granted by the U.S. government, or the lack of it, is what determines your immigration status.

Throughout history and today, immigrants have helped make the United States a diverse and rich culture, and have made contributions in all areas of society, including business, the arts, sciences, politics, and sports. If you are a young person born in another country, you are still an important member of U.S. society and your local community, and should have as many opportunities to succeed as possible. We hope that this handbook will assist you in getting all of the immigration benefits that are available to make your goals possible.

What is my immigration status?

It is important to understand your immigration status so that you are aware of any rights you might have, as well as any risks you might face, as a result of that status. If you are not sure about your status, you should speak to your law guardian, your caseworker, or an immigration lawyer to find out if you need immigration assistance.

note*

Immigration status is complicated and depends on your unique circumstances. This handbook cannot give you the answers to your exact immigration status. However, it will help you learn about some basic immigration laws that can get you started asking the right questions.

**There are many different types of immigration status.
As an immigrant, you might be one of the following:**

United States Citizen

If you were born in the United States, you are a U.S. citizen, even if you were raised in another country. You also may be a citizen if one of your parents was a U.S. citizen at the time you were born.

A United States citizen has the right to live, work and vote in the U.S. and is eligible for many federal benefits, such as educational loans and social services. U.S. citizens cannot be forced to leave the United States or be deported back to their home country.

Lawful Permanent Resident (LPR)

An LPR (someone with a “green card”) has permission to live and work in the United States, but is not eligible for certain benefits, such as voting and some social services. An LPR may travel in and out of the country, as long as he/she does not spend a long period abroad. An LPR may only be deported if he/she is convicted of certain crimes or violates an immigration law.

Temporary Visitor

A temporary visitor is someone who has permission from the government, usually in the form of a “visa,” to live in the United States for a limited period of time and for a specific purpose (such as studying, working, visiting family, or tourism). These types of visas generally have expiration dates and if the immigrant does not renew it before it expires, then he/she will no longer have legal immigration status.

Undocumented Immigrant

An undocumented immigrant does not have permission to live or work in the United States and is at risk of deportation. Anyone who is not a U.S. citizen, and does not have a green card or a current visa, is undocumented.

note*

Some people call this status “illegal” but the more appropriate term is “undocumented”.

If you are undocumented, you probably didn’t intend to break any laws by coming to the United States, and, as a young person, you may not have chosen your circumstances. But you do need a green card and should find immigration legal assistance as soon as possible!

If I need help with immigration, how do I get it?

If you are in foster care, you have a lawyer called a law guardian who can help you with immigration.

You are in foster care if you live in a: Foster home, group home, residential treatment center, residential treatment facility, diagnostic facility, or hospital. If you have a caseworker, you can ask that person if your current living arrangement is part of the foster care system.

If you are in a guardianship, (someone went to court to become your guardian) the family court may have appointed a law guardian for you when they were hearing your case.

Contacting your law guardian: Your law guardian is a lawyer who works for YOU, not for your foster care agency or your family. If you do not know the name of your law guardian, you can contact Lawyers For Children or the Legal Aid Society, which are organizations that provide law guardians for young people in foster care.

Lawyers For Children 212-966-6420 or 1-800-244-2540
Online at <http://www.lawyersforchildren.org>

Legal Aid Society 212-577-3300

If you still can't find your law guardian, call Lawyers For Children and ask to speak to the attorney in the Immigration Project for Youth in Foster Care at 212-966-6420 or 1-800-244-2540.

If you are under age 21 and not in foster care or in a guardianship, you should contact an immigration lawyer or an organization that provides assistance for immigrants.

Contacting an immigration attorney:

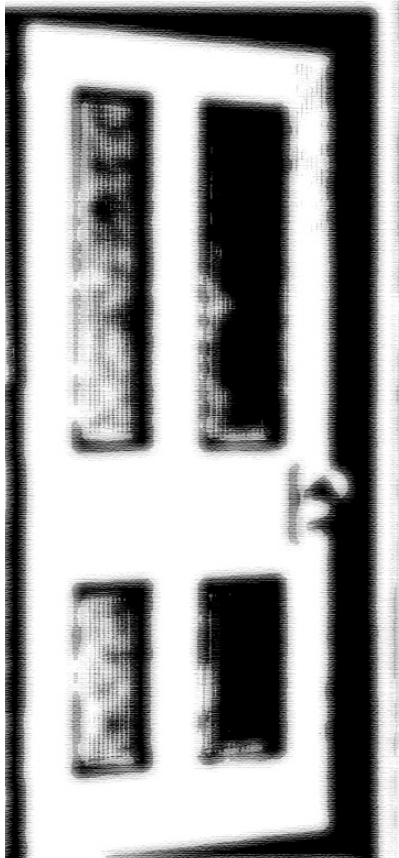
The following organizations provide immigration legal assistance to young people:

The Door Legal Services: 212-941-9090

Legal Aid Society, Immigration Unit: 212-577-3300

Safe Horizon Immigrant Law Project: 718-899-1233

Catholic Charities Immigrant and Refugee Services: 212-371-1000



note*

It is very important that you DO NOT go to the U.S. immigration offices by yourself or try to file any papers without your law guardian or another lawyer's assistance. The immigration agency is NOT a place to ask general questions. If you apply on your own and are denied, then you could become at risk of deportation. To be safe, it's best to talk to your law guardian or an immigration lawyer first and get connected with the assistance that's right for you!

IF I AM AN IMMIGRANT, WHAT DO I NEED TO KNOW?

Could I be forced to leave the U.S.?

Yes. If you are not a United States citizen, you may be forced to return to the country where you were born, or last resided, *regardless of how long you have lived here in the U.S.* The process of being sent away from the U.S. is called “deportation” or “removal.”

If you are undocumented you are *always* at risk of deportation.

If you have an application pending with the U.S. Citizenship and Immigration Services, you should be safe from being deported until a decision about your application has been made.

If you have legal immigration status, such as a green card, you are not generally at risk of removal, but you *may* be removed if you are convicted of certain crimes, or violate an immigration law.

What is a “green card”?

A “green card” is a Permanent Resident Card, which is an I.D. card issued by the United States government. (The card is not actually green; “green card” is just a commonly-used nickname). If you have a green card, you are a Lawful Permanent Resident, which means that you are an immigrant who is legally allowed to work and live in the United States. Even with a green card, however, you do not have all of the same protections and access to benefits as a U.S. citizen.

Do I need a green card?

Yes. If you are not a U.S. citizen, you need a green card.

The most important reason to become a lawful resident of the U.S. is so that you may remain in the country. Without a green card, you may be forced to leave the United States. People who are deported are sent to their home country and cannot return to the U.S. for at least 10 years.



YES

What can I do with a green card?

- ★ Work legally;
- ★ Receive financial aid for college;
- ★ Access certain types of government benefits;
- ★ Obtain a driver's license or identification card in New York and many other states;
- ★ Travel outside the country;
- ★ Apply for U.S. citizenship after five years.

When you have a green card, you can feel more secure in living, working or getting an education in the United States!

If I am undocumented, do I have any rights while I am living in the United States?

Yes. You still have rights to fair treatment and many services. If you feel that your rights have been violated, or if you have questions about your rights, contact your law guardian, who can help you. Some of your rights include:

YES

- ★ The right to be in foster care and to receive all related services and benefits. Your rights include adequate food, clothing, medical services, safe and sanitary conditions, counseling, and therapy.
- ★ The right to go to family court and be represented by a law guardian to protect your rights.
- ★ The right to free public education through high school.
- ★ The right to attend college (but not to receive financial aid).
- ★ The right to be free from discrimination. You should not be treated differently based on your national origin, race/ethnicity, gender, disability, or sexual orientation.
- ★ A fair workplace. You have the right to be treated according to the labor laws, including a minimum wage and compensation for overtime hours.
- ★ If you are arrested, you have the right to remain silent and ask for a lawyer. You also have the right to remain silent when speaking to an immigration officer. DO NOT give false information or false documents.

Is it possible for me to visit my home country?

No, not if you are undocumented. If you don't have legal immigration status and you leave the country, you may be prevented from entering again and could even be prevented from returning to the United States for up to 10 years. This means that if you are unsure of your immigration status, you should not travel outside the country without first talking to an immigration attorney.



WHAT IS SPECIAL IMMIGRATION JUVENILE STATUS OR "SIJS"?



If you are in foster care, you may qualify for Special Immigrant Juvenile Status ("SIJS"), a kind of immigration status that helps you get a green card. To qualify for SIJS, you must be under 21 years old and not married. A judge must find that you cannot return to live with your parents because you have experienced abuse, abandonment, or neglect. A judge must also decide that it is

in your best interest to stay in the United States and not return to your home country.

Act FAST for SIJS!

It is especially important to find out about applying for SIJS as early as possible because all the steps in the court system can take a long time and they must be completed before you reach the age of 21. If you don't apply for SIJS early, it's possible you could lose your only chance of getting a green card!

What do I have to do for SIJS?

SIJS requires a two-step process: step one is in family court and step two is at the immigration agency.

What happens at family court?

Your law guardian will ask the family court judge to make several “special findings.” The judge must find that you are: under 21, unmarried, unable to return to live with your biological parents due to abuse, abandonment or neglect, and that it is in your best interest to remain in the United States and not be returned to your home country. (See page 15.)

What happens at the immigration agency?

Connecting with an immigration attorney:

If the family court judge finds the required facts, your law guardian should then find you an experienced immigration attorney who will work on your case. An immigration attorney specializes in working in the immigration system, while a law guardian is most experienced in the family court system.

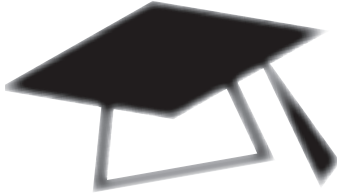
Your immigration attorney will prepare and submit a SIJS application to the U.S. Citizenship and Immigration Services (USCIS), which is the agency in charge of immigration benefits. USCIS will then schedule an interview for you to meet with an immigration officer, which could take place many months later.

Your immigration interview:

Your attorney will go with you to the interview.



At the interview, an immigration officer will ask you some questions about your application. The officer will look to see if you have “good moral character” by considering any criminal convictions or other unfavorable factors. Some of the factors they can look at include evidence of drug abuse, prostitution, submitting false documents, or criminal charges, even if you were not convicted. You will not need to prove good moral character,



beyond showing that you are working or in school, and explaining any negative factors that are present. Your attorney will work with you to prepare for any questions you may be asked and to submit documents that will help your application.

Do I have to pay for a green card?

If you are in foster care, the Administration for Children’s Services (ACS) and your agency are responsible for paying all of the application fees. Your law guardian or immigration attorney will work with ACS and the foster care agency to be sure that the fees are paid in full and on time. If you are not in foster care, there are fee waivers available, but you should first talk to your immigration attorney about whether applying for such a waiver will delay or risk a denial of your case.

AM I ELIGIBLE FOR SIJS?

Can I get SIJS if I am adopted or about to be adopted?

You may still be eligible for SIJS if you are adopted. You may also be eligible to apply for a green card through your adoptive parents. You should speak to your law guardian or immigration attorney if you are in this situation.

alien?

**YES****I am not in foster care. Can I still get a green card through SIJS?**

Yes, SIJS is also available if you are in a guardianship. Guardianship means that a court has named someone other than your parent to be your legal guardian. The same SIJS requirements will apply: You must be under 21 years old and not married. A family court judge must decide that you cannot return to live with your parents because you experienced abuse, abandonment, or neglect, and that it is in your best interest to stay in the United States.

Also, if you are living *on your own* or with an adult who is not your parent or guardian, and you are *under 18*, then you could still try to apply for SIJS. You should talk to an immigration attorney to help you file for SIJS by bringing a case in family court.

Contacting an Immigration Attorney

The following organizations provide immigration legal assistance to young people:

The Door Legal Services: 212-941-9090

Legal Aid Society, Immigration Unit: 212-577-3300

Safe Horizon Immigrant Law Project: 718-899-1233

Catholic Charities Immigrant and Refugee Services: 212-371-1000

What if I came into the country “illegally,” can I still safely apply for SIJS?

If you entered the country without permission, you can still apply for a green card through SIJS. While some people call undocumented status “illegal,” it does not mean you are a criminal, it just means that you are at risk of deportation and need immigration assistance. Your immigration attorney can talk to you about whether you will also be able to safely apply for other types of immigration applications.

I am over 21. Am I eligible for SIJS?

No. SIJS is only available to you if you are under 21 years of age. The application process must be completed and approved before you turn 21. However, you should still talk to an immigration attorney about other ways to get a green card.



NO

What if I have been arrested or was convicted of a crime?

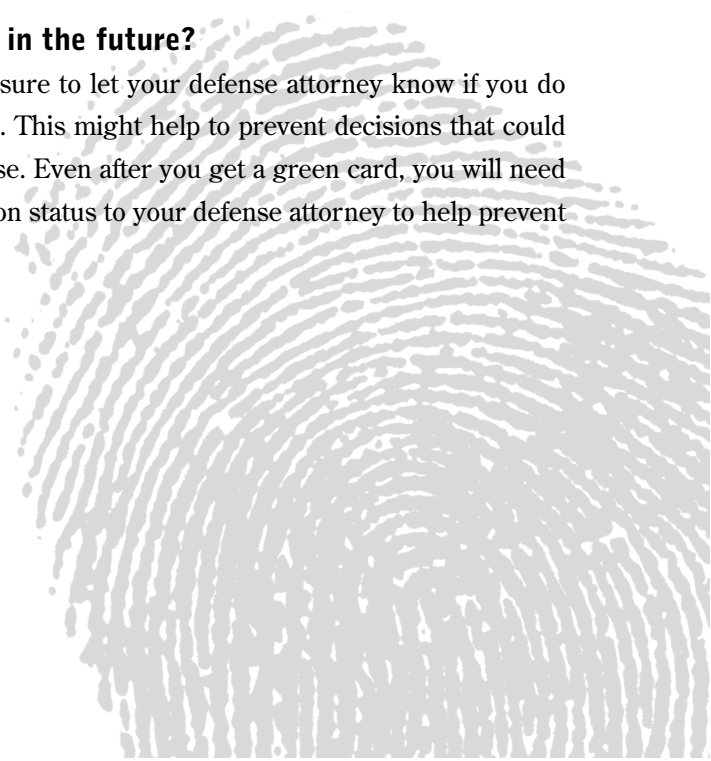
If you apply for SIJS, the immigration agency will look at arrests and criminal convictions. If they are found to be serious cases, your application could be denied. The immigration agency will ask you to take a fingerprinting test and will be able to see all of your records. A youthful offender adjudication (“YO”) is not treated the same way as a criminal conviction, but the immigration officer can still ask you about it.

It is very important that you are truthful about your criminal history with your immigration attorney. If you have ever been arrested, even if you weren’t convicted, then you should tell your law guardian and immigration attorney right away. Your attorney can help you complete the application correctly, explain your arrests or convictions, and ask the immigration officer to make an exception in your case.

What if I am arrested in the future?

If you are arrested, be sure to let your defense attorney know if you do not yet have a green card. This might help to prevent decisions that could hurt your immigration case. Even after you get a green card, you will need to explain your immigration status to your defense attorney to help prevent deportation.

Immigration



I APPLIED FOR SIJS AND I AM STILL WAITING

How long will it take to get my green card?

Every case is different, but since SIJS requires several steps, you can plan on the process taking one to two years before the immigration agency reaches a decision. There also may be some delays after you are approved and before your green card is issued. However, once you have an application pending with the U.S. Citizenship and Immigration Services, you should be safe from being deported until a decision about your application has been made.

I applied for SIJS and am waiting for my green card.

Is there anything I need to know while I wait?

Yes. Until you have your actual green card in hand you **MUST**:

- ★ Remain in foster care, be adopted, or be appointed a legal guardian. You cannot “sign out” of foster care before getting your green card because your application could be denied
- ★ Not get arrested, because it could seriously hurt your chances for obtaining SIJS. Getting arrested can also be a problem for future immigration benefits.
- ★ Not get married.
- ★ Not travel outside of the country.



YES

I applied for SIJS, but it's taking a very long time.

Can I leave foster care while I'm waiting?

No. Even if you feel that it is time for you to be on your own, while your application is pending, you **MUST** remain in foster care. If you are very unhappy in your current foster care situation, speak to your law guardian to see if something can be done. Do **NOT**, however, go “AWOL” (leave foster care without permission) or sign yourself out of care. Doing so will jeopardize your application and you almost certainly will be denied a green card.



NO

Am I allowed to work at a job while I am waiting for my SIJS application to be approved?

After the SIJS application is filed, you will be eligible for an Employment Authorization Document, a card that will allow you to work legally while the application is being processed. You will also be able to get a temporary social security number. It is important to remember that the Employment Authorization Document only authorizes you to work, and it has an expiration date. It will not help you get financial aid or public benefits.

If I get a green card through SIJS, can I also get green cards for my family members?

If you get a green card through SIJS, you will become an LPR (Lawful Permanent Resident), but this only applies to you. You will NOT be able to help your parents get a green card.

It may be possible to sponsor other family members (like your brothers or sisters), but it is not guaranteed. Speak to your immigration attorney if this is something you are hoping to do, and you can learn about other options.



ARE THERE ANY OTHER WAYS TO GET A GREEN CARD?

I don't think I can meet the SIJS requirements, are there any other ways to get a green card?



You may still be eligible to apply for a green card, depending on your individual circumstances. Your attorney can explain the best way for you to apply for a green card.

Here are some of the other ways to apply for a green card:

Family-Based

If you have a family member (parent, child, sibling) who is a United States citizen or has a green card, then that relative may apply for a green card on your behalf. You will then be put on a waiting list before the immigration agency considers your application.

Adoption-Based

An adoptive parent who is a U.S. citizen or Lawful Permanent Resident may apply for a green card for you if the adoption was completed before you turned 16 and you have lived with your adoptive parent for at least two years.

Violence Against Women Act Petition (VAWA)

If you were abused by your parent or stepparent you may be able to "self-petition" for a green card if your abusive parent is an LPR or a U.S. citizen. Also, if your parent was abused by their husband or by their wife, and the abusive husband or wife is an LPR or U.S. citizen, then you and your parent may both be eligible for a green card. Your immigration attorney can explain the other detailed requirements of VAWA.



Asylum

You may be eligible for asylum if you are afraid that you will be persecuted or harmed if you return to the country where you were born. The persecution must be based on race, religion, political opinion, nationality or social group. The deadline to apply for asylum is one year after you arrive in the United States but it can be extended for minors. The requirements for asylum are very difficult and it is very important to have the assistance of an immigration attorney.

“U” or “T” Visa for a Victim of a Serious Crime

If you are the victim of a serious crime that occurred within the United States, such as physical or sexual abuse, you may be able to obtain a U visa by helping the police with the case against your abuser. A U visa is temporary but can lead to a green card after three years.

You may be eligible for a T visa if you came to the United States as the victim of a severe form of trafficking. A severe form of trafficking could mean that you were brought into the country and then forced to pay off a debt, work, or perform sexual acts against your will. You will also need to help the police with the case against the trafficker in order to be eligible for a visa. A T visa is also temporary but can lead to a green card after three years.

I THINK I ALREADY HAVE (OR HAD) A GREEN CARD

I think I had a green card, but I lost it and I think it's expired anyway. Can I be deported?

No. You may not be deported solely because your green card is lost or expired, but you could be prevented from getting certain benefits since you cannot prove your immigration status. You should speak to your law guardian and caseworker or contact an immigration organization for assistance in having it renewed.



NO

**I have a green card and I want to become a U.S. citizen.
What should I do?**

If you were born outside of the United States and wish to become a citizen, you must first obtain your Lawful Permanent Residency, or “green card”. Then, after you have lived in the U.S. as a permanent resident for five years, you may apply for citizenship. This process is called “naturalization” and includes a moral character interview and a basic language and history exam. An immigration attorney can help you with the process.

WHERE DO I BEGIN?

How do I know if I should talk to my law guardian?

You should talk to your law guardian if this handbook caused you to have ANY questions about your immigration status. Even if you think you are a U.S. citizen, it doesn't hurt to check with your law guardian just be sure!

Lawyers For Children: 212-966-6420 or 1-800-244-2540 or online at

<http://www.lawyersforchildren.org>

Legal Aid Society: 212-577-3300

contact



IS THERE ANYTHING I CAN DO NOW TO BETTER UNDERSTAND MY OWN IMMIGRATION STATUS?

Yes. You can gather as much information as you have for your law guardian to review. Start with any immigration documents that you already have. These documents may include:

- ★ Your birth certificate, either prepared in the United States or a foreign country.
- ★ Any other official identification documents from another country, like a passport or national ID card.
- ★ Any other documents that have U.S. immigration or U.S. customs written or stamped on them.

Also, talk to your family members or your caseworker to find out where you were born and where your parents were born.



YES

Can my caseworker help me with my immigration status?

There are many ways in which your agency or ACS caseworker can help you obtain legal immigration status. The two most important things your caseworker can do are:

- ★ Help you to collect the documents (such as your birth certificate, passport, and other official identification papers) you will need to submit with your application for a green card; and
- ★ Supply the fees required for the application.
- ★ Your caseworker can also help you contact your law guardian.

What if I don't have any information about where I was born?

It's okay. If you don't have any official documents now, your law guardian can help you get copies of documents in your ACS file or obtain new copies from your home country.

YOUR ARE YOUR OWN BEST ADVOCATE!

No one will be able to do as good as job as you can at making sure you get what you need. This includes getting a green card! You can become your own advocate by bringing your questions to your law guardian. Even if your law guardian does not ask you about it, you may still need help with immigration. Don't wait to talk to your law guardian, because a green card will be very important once you are ready to work or go to college. For SIJS, the earlier you get started, the better.



citizen

GLOSSARY OF IMMIGRATION TERMS

ASYLUM:

Asylum is a protected immigration status given to a person who has proved a fear of persecution or harm if returned to his/her country. A person who is granted this status is called an asylee. After living one year with asylum status, an asylee may apply to become a Lawful Permanent Resident.

DEPORTATION:

The process used by a judge to order an immigrant to return to the country where they were born or the country where they last lived. An immigrant may be "removed" or "deported" if he/she does not have lawful immigration status, or has committed a serious crime or immigration law violation. If an immigrant is removed, he/she could be barred from returning to the United States for up to ten years.

EMPLOYMENT AUTHORIZATION DOCUMENT (EAD):

An EAD is a work permit card given by the immigration agency. You are eligible for this card after you submit an application for SIJS, and certain other types of applications. The card allows you to work in the United States legally until the expiration date.

EXECUTIVE OFFICE OF IMMIGRATION REVIEW (EOIR):

The EOIR is an office within the Department of Justice that controls the immigration courts where judges hear cases to decide if an immigrant should be deported.

GREEN CARD:

A green card is officially called a Permanent Resident Card. A person receives a green card after he/she becomes a Lawful Permanent Resident. A green card allows a person who is not a U.S. citizen to live and work legally in the United States. The card is not actually green, and it has an expiration date. After the expiration date, the green card must be renewed.

IMMIGRANT:

An immigrant is a person who is not a United States citizen, but intends to live permanently in the U.S.



IMMIGRANT VISA:

A visa is a document or stamp on a passport that is given to non-U.S. citizens to allow them to travel to the United States. An immigrant visa is given to people who intend to permanently live in the United States. A green card is a type of immigrant visa.

IMMIGRATION ATTORNEY:

An immigration attorney is a lawyer who specializes in immigration law, helps clients prepare immigration applications and interviews, and advocates for clients before the immigration courts.

IMMIGRATION AND NATURALIZATION SERVICE (INS):

The INS is the old name for the immigration agency that existed before 2003. Now the Department of Homeland Security controls immigration and it is divided into three different agencies. These agencies are the United States Citizenship and Immigration Services (USCIS); United States Customs and Border Protection; and United States Immigration and Customs Enforcement (ICE). The USCIS is the agency that handles SIJS applications submitted by youth in foster care.

IMMIGRATION STATUS:

Immigration status is the type of permission that the United States government gives a person who is living in the United States. Types of lawful immigrant status are: U.S. citizen, Lawful Permanent Resident, temporary visitor, and others. An undocumented immigrant is a person who does not have permission from the government to be present in the U.S., and therefore does not have lawful immigration status.

LAWFUL PERMANENT RESIDENT (LPR):

A Lawful Permanent Resident is a person who has received a green card and has permission to live and work permanently in the United States. A LPR may be deported if he/she commits a certain crime or violates an immigration law. An LPR may apply for U.S. citizenship after five years.

LAW GUARDIAN:

A law guardian is a lawyer that advocates on behalf of young people in family court.

lawful permanent resident
deportation
asylum INS

NATURALIZATION:

Naturalization is the process through which an immigrant becomes a United States Citizen. Generally, an immigrant must first be a Lawful Permanent Resident for five years before applying for naturalization. The process includes a moral character interview, English language exam, and a civics exam, which tests knowledge of history and government. After a person is naturalized, he/she is awarded the same rights and privileges as any other U.S. citizen.

NON-IMMIGRANT VISA:

A visa is a document or stamp on a passport that is given to non-U.S. citizens to allow them to travel to the United States. A non-immigrant visa is a temporary visa that gives a person permission to travel to the United States for a specific reason and time period. These types of visas may be granted for tourism, study, and certain employment.

PERMANENT RESIDENT CARD:

A Permanent Resident Card is the official name for a "green card". A Permanent Resident Card or a "green card" is what you receive after you become a Lawful Permanent Resident. A green card allows a person who is not a U.S. citizen to live and work legally in the United States. The card is not actually green, and it has an expiration date. After the expiration date, the card must be renewed.

REMOVAL:

The process used by a judge to order an immigrant to return to the country where they were born or the country where they last lived. An immigrant may be "removed" or "deported" if he/she does not have lawful immigration status, or has committed a serious crime or immigration law violation. If an immigrant is removed, he/she could be barred from returning to the United States for up to ten years.

SPECIAL IMMIGRANT JUVENILE STATUS (SIJS):

SIJS status is granted to young people who are: under 21, unmarried, eligible for long term foster care, unable to reunify with their parents because of abuse, abandonment or neglect. A court must also find that it is not in the young person's best interest to return to their home country. SIJS may be available to young people in foster care, guardianships, and sometimes, adoptions. A young person that applies for SIJS status is able to apply for a green card at the same time.

T VISA:

A T visa may be available to a person who came to the United States as the victim of a severe form of trafficking. A severe form of trafficking could mean that the person was brought into the country and then forced to pay off a debt, work, or perform sexual acts against their will. The applicant will need to help the police with the case against the trafficker in order to be eligible. A T visa is temporary but can lead to a green card after three years.

TEMPORARY VISITOR:

A temporary visitor is someone who has permission from the government, usually in the form of a visa, to live in the United States for a limited period of time and for a specific purpose (such as studying, working, visiting family, or tourism). These types of visas generally have expiration dates and if the immigrant does not renew it after it expires, then he/she will no longer have lawful immigration status.

U VISA:

A U visa may be available to a person who is a victim of a serious crime that occurred within in the United States, such as physical or sexual abuse, if the person helps the police with the case against the abuser. A U visa is temporary but can lead to a green card after three years.

UNDOCUMENTED IMMIGRANT:

An undocumented immigrant is someone that entered the United States unlawfully or whose lawful immigration status has expired or been cancelled. An undocumented immigrant does not have permission to live or work in the United States and is at risk of deportation. Anyone who is not a U.S. citizen, and does not have a green card or a current visa, is undocumented and needs legal assistance. Many young people in foster care who were not born in the United States are undocumented immigrants.

UNITED STATES CITIZEN:

A United States citizen is someone who was either born in the U.S, born to U.S. citizen parents, or has been naturalized. A U.S. citizen has the right to live, work and vote in the United States and is eligible for many federal benefits, such as educational loans and social services. U.S. citizens cannot be deported back to another country.

immigration status
permanent resident card



UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES (USCIS):

USCIS is the agency where immigrants apply for many different benefits like SIJS, green cards, green card renewals, and naturalization. There are many different USCIS field offices located throughout the country where attorneys file applications for young people and where interviews are held for SIJS and other benefits.

UNITED STATES CUSTOMS AND BORDER PROTECTION (CBP):

This agency oversees the entry of immigrants and citizens into the United States, over borders, and through airports and seaports.

UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE):

ICE is the agency that investigates and enforces the immigration laws and customs laws inside the United States. In certain circumstances, ICE will hold a person in custody while his/her immigration court case is pending.

VIOLENCE AGAINST WOMEN ACT (VAWA):

VAWA allows an abused spouse or child of a United States Citizen or Lawful Permanent Resident to "self-petition" for a green card. A child who has not been abused may also be able to apply for VAWA if his/her parent qualifies for VAWA.

VISA:

A visa is a document or stamp on a passport given to non-U.S. citizens to allow them to travel to the United States. An immigrant visa is given to people who intend to permanently live in the United States. A green card is a type of immigrant visa. A non-immigrant visa is a temporary visa that gives a person permission to travel to the United States for a specific reason and time period. These types of visas may be granted for tourism, study, and certain employment.

