

## IMMIGRATION STATUS AVENUES

### ASYLUM: FOR ADULTS AND CHILDREN

- Children: If the child did not enter the United States with a parent, then s/he can apply for Asylum on their own.
- Adults: Must file for Asylum within one year of their entry into the United States
  - Both have to prove that they have fear of returning to their home country due to “persecution” (severe pain, abuse, oppression, death threats, etc.) that they suffered in the past or have fear of suffering in the future
  - Must include a written declaration about the persecution
  - Should be included with supporting evidence: declarations from family members, Friends and/or neighbors. And police/medical reports

### SPECIAL IMMIGRANT JUVENILE VISA: ONLY FOR CHILDREN

- Children who have been abused, abandoned or neglected by one or both parents are eligible. The child has to be younger than 18 years old. (However, in other states, a child can be older than 18).
- A state court has to order that the child cannot return to their home country nor can they return to their parent who abused, neglected or abandoned them. You have to have the state court order in order to apply for SIJS.
- If the SIJS application is approved, then the child can apply for permanent residency in the United States.
- **Important to note: the child cannot petition for either parent in the future.**

### U-VISA: FOR ADULTS AND CHILDREN

- If you have been the victim/witness of a crime in the United States then you can qualify for the U-Visa. The crime has to be one enumerated by the US government in the U-Visa application.
- You have to have cooperated with the police investigation and/or prosecution of the case.
- An official has to certify that you were a victim/witness and cooperated with the investigation (some counties/cities have rules about what they’ll certify)
- Parents of US Citizen siblings can apply for the U-Visa if the child has been the victim of a crime.

## KNOW YOUR RIGHTS!



### DO NOT OPEN THE DOOR!

You have the right to not answer the door for any agent without a warrant.



### STAY SILENT!

You can say: "I have the right to remain silent".



### DO NOT SIGN ANY DOCUMENTS!

You have the right to not sign any document that you do not understand or without an attorney present.



### MAKE A FAMILY PLAN

Always have the name and number of your attorney on you.

Assign a person to take care of your kids.



### ASK TO SEE THE WARRANT

A warrant is a court order that should have the name of the person that they are looking for and the reason why



### DO NOT USE A NOTARY!

A notary can hurt your case.

Look for an attorney who has a license to practice in the United States.