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L A W Y E R S



SPECIAL IMMIGRANT JUVENILE STATUS (SIJ)

Protection and Pathway to Permanent Residency



WHAT IS SPECIAL IMMIGRANT JUVENILE STATUS (SIJ)?

Special Immigrant Juvenile Status (SIJ) is a form of immigration relief in the United States for minors who have been abused, abandoned, or neglected by one or both parents, and for whom family reunification is not viable. This status provides a pathway to lawful permanent residency (green card) for undocumented youth who meet the legal requirements. The SIJS program is designed to protect vulnerable minors by offering stability and the opportunity to regularize their immigration status in the U.S.

"Minors" in this case includes any unmarried person under the age of 21.

HOW CAN SIJ HELP?

If granted, SIJ allows you to apply for lawful permanent residence (a “green card” or LPR status). With permanent residency:

- You can live and work legally in the United States and are protected from deportation.
- You can travel outside the United States (contact Noyes & Associates for more information).
- You may be eligible for certain types of public assistance.
- You can apply for U.S. citizenship after turning 18 and having held residency for 5 years.

HOW DO I APPLY FOR SIJ?

Before applying for any immigration status, you should consult with an immigration attorney to confirm your eligibility.

Before applying for SIJ, you will need a special order called a "predicate order" from a court that handles children's cases.

The predicate order must:

- Place you under the custody or legal guardianship of a trusted adult or agency.
- Declare that you cannot reunify with one or both parents due to abuse, neglect, or abandonment—or a similar reason under the law.
- Declare that it is not in your best interest to return to your country of origin.

Once you have this order with all the required language, an immigration attorney can help you file the SIJ application. At Noyes & Associates, we are ready to help you.

ELIGIBILITY REQUIREMENTS FOR SIJ

To qualify for SIJS status, a minor must meet several criteria, including:

1. Age: The applicant must be under 21 years old at the time of filing the application.

2. Marital Status: The minor must be unmarried.

3. Judicial Determination: A juvenile court in the U.S. must issue an order stating:

-The minor has been abandoned, abused, or neglected by one or both parents.

-Reunification with the parent(s) is not possible due to this mistreatment.

-It is not in the minor's best interest to return to their country of origin or where their parents reside.

Additionally, the court order must be valid at the time of filing the SIJ petition. It's important to note that the minor cannot apply for SIJ status on their own; they need the assistance of an attorney or responsible representative to help with the legal process.











REQUIRED DOCUMENTATION

The SIJ petition requires submission of several documents to the U.S. Citizenship and Immigration Services (USCIS). Key documents include:

- 1. Form I-360:** The main petition to request Special Immigrant Juvenile Status. This must include proof that the minor meets the required criteria.
- 2. Copy of the court order:** The juvenile court order, which must meet all legal SIJS requirements.
- 3. Identification documents:** Such as the minor's passport or birth certificate, if available.
- 4. Proof of age:** The applicant must demonstrate that they are under 21 years old at the time of filing. A passport or birth certificate can serve this purpose.

PROTECTION FOR MINORS (SIJ)

Protección legal para menores de 21 años que han sido abusados, abandonados o descuidados por uno o ambos padres

-  Obtain the Predicate Order from a state court.
-  File the SIJ petition with USCIS.
-  Consult with a licensed attorney or a BIA-accredited representative.
-  Complete and file the Adjustment of Status application.
-  Receive a receipt notice (no action required).
-  Attend biometric (fingerprint) appointment.
-  Receive a work permit.
-  Attend an interview at a local immigration office.
-  Receive your green card.
-  Apply for U.S. citizenship after 3 years (if eligible).

BENEFITS AND PROTECTION

Once approved, SIJS provides multiple benefits, including:

Protection from deportation: Minors in the SIJS process are protected from removal.

Access to permanent residence: After SIJS approval, beneficiaries can apply for a green card, allowing them to live and work legally in the U.S.

Employment authorization: Minors can apply for work permits while waiting for green card approval, enabling them to work legally.

Special Immigrant Juvenile Status is a vital resource for undocumented minors who have suffered abuse, abandonment, or neglect by their parents. Although the process can be long and complex, it provides a secure pathway to permanent residency, helping these youth achieve stability and safety in the United States. With the proper support and required documentation, minors can navigate this system and secure a safer, more protected future in the country.

*For more info, please
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