

Special Immigrant Juvenile Status (SIJS) FAQ

***** IMPORTANT:** This material is for informational purposes only and does not constitute legal advice. Please speak with a licensed immigration attorney about your specific situation. Avoid “notarios,” who are NOT qualified to represent individuals in their immigration cases.

What is SIJS?

Special Immigrant Juvenile Status (SIJS) is a form of protection for immigrant youth that provides a path to a green card (lawful permanent residence in the U.S.) for those that meet the requirements.

How do I know if I’m eligible for SIJS?

You may be eligible to apply for SIJS if...

- ☐ You are under the age of 21,
- ☐ You have never been married and remain unmarried until your SIJS petition is approved,
- ☐ You have been abused, abandoned, or neglected by one or both parents (the most common scenario is when you have been raised by only one parent), and
- ☐ It would not be in your best interest to permanently return to your country of birth.

What are the benefits of SIJS?

- You can apply for work authorization
- You can receive deferred action — i.e., protection from deportation
- You can apply for a Social Security Number
- You can apply for lawful permanent residence, which can allow you to:
 - Live and work permanently in the U.S.
 - Travel outside of the U.S.
 - Apply for certain public benefits (ex: CalFresh, CalWorks, Medi-Cal, etc.)
 - Apply for U.S. citizenship in the future

Are there downsides to SIJS?

You cannot later file an immigration petition for either parent — even for the parent who did not abuse, abandon, or neglect you.

What is the process for applying to SIJS?

First, a state juvenile court such as family court must make certain “findings” related to the eligibility requirements listed above. Second, you file the Form I-360 Petition for SIJS with United States Citizenship and Immigration Services (USCIS). Third, you apply for adjustment of status to lawful permanent resident using Form I-485. Some individuals can combine the second and third steps, depending on the country of birth. By law, USCIS is supposed to approve or deny the SIJS petition within 180 days, but it can take several years before lawful permanent residency is approved or denied. Please refer to the [SIJS Flowchart](#) and [California Courts: Information, Resources, & Forms](#) documents in our [TOOLKIT](#) for additional information.

I’m already 18 but I haven’t turned 21 yet. Can I apply for SIJS?

In California, yes; guardianships can be set up and extended past your 18th birthday in connection with petitions for Special Immigrant Juvenile findings. **[If you are 18 or older, it is important to get screened for SIJS as early as possible!](#)** Applying for SIJS is a multi-step process that can take months. If you think you might qualify, do not wait!

I’m not sure if how I was treated by my parent(s) counts as abuse, abandonment, or neglect. What should I do?

Abuse, abandonment, and neglect can take many forms. Practices or behaviors that may seem normal in some places, such as having a child work instead of going to school, or using physical force as punishment, are often seen differently under California law. For a pre-screening resource that can help guide you as you think about your childhood experiences, please refer to the [SIJS Elements Charts](#) in our [TOOLKIT](#).

Even if you are not sure, it is important to speak with an attorney. They will ask you detailed questions to help determine whether you meet the criteria for SIJS. When in doubt, get screened!

I don’t have a social security number, DACA, or any form of legal status. Can I apply for SIJS?

Yes. SIJS is a pathway to obtaining lawful immigration status in the form of legal permanent residence (a “green card”). It is a potential option for youth who don’t have any legal status.

I’ve already applied for DACA, asylum, a family petition, or another kind of immigration relief. Can I apply for SIJS?

Yes. You may apply for SIJS in addition to other forms of immigration relief. You should consult with an immigration attorney to determine if there are any potential conflicts or issues.

I think I or someone I know might be eligible to apply for SIJS. What do I do next?

The next step is to meet with a qualified attorney to discuss your individual case. Please refer to our [UC Campus Immigration Attorney List](#) and [Non-UC Immigration Attorney & Nonprofit Referral List](#) in our [TOOLKIT](#).