Maria grew up in El Salvador with both parents. Maria’s dad had problems with alcohol, which made him unable to give Maria the financial support or love of a father that she deserved. Maria’s mom worked two jobs in order to support the family, which also meant that Maria’s mom was never present. Maria migrated by herself to the U.S. when she was 15 years old to be reunited with her uncle, who was always like a father to her. Maria attended high school and began learning English. At the age of 18, she searched for an organization that could help her find a solution to being undocumented. She was able to find an immigration legal center that helped to have her uncle appointed as her legal guardian because, although she was still in touch with her biological parents, they provided her with no financial or emotional support—whereas her uncle, on the other hand, provided all the love and support that a parent should. SIJS gave Maria the opportunity to continue achieving her academic and professional goals in the U.S.

SPECIAL IMMIGRANT JUVENILE STATUS (SIJS)

What is SIJS?
Special Immigrant Juvenile Status (SIJS) is a form of protection for immigrant youth that provides employment authorization and a pathway to a green card (lawful permanent residence in the U.S.) for individuals who have certain life experiences.

How do I know if I’m eligible for SIJS?
You may be eligible for SIJS if:
- You are under the age of 21,
- You are unmarried 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 is the process for applying?
First, a state juvenile court such as a family court must make certain “findings” related to the eligibility requirements listed above. Second, you file the SIJS petition with U.S. Citizenship and Immigration Services (USCIS). Third, you apply for adjustment of status to lawful permanent resident.

Here are some examples of young people who qualified for SIJS:

Maria grew up in El Salvador with both parents. Maria’s dad had problems with alcohol, which made him unable to give Maria the financial support or love of a father that she deserved. Maria’s mom worked two jobs in order to support the family, which also meant that Maria’s mom was never present. Maria migrated by herself to the U.S. when she was 15 years old to be reunited with her uncle, who was always like a father to her. Maria attended high school and began learning English. At the age of 18, she searched for an organization that could help her find a solution to being undocumented. She was able to find an immigration legal center that helped to have her uncle appointed as her legal guardian because, although she was still in touch with her biological parents, they provided her with no financial or emotional support—whereas her uncle, on the other hand, provided all the love and support that a parent should. SIJS gave Maria the opportunity to continue achieving her academic and professional goals in the U.S.

Ming was born in China and sadly, their dad died when they were a baby. Their mother remarried and shortly after, Ming’s little brother was born. The family came to the U.S. when Ming was just 5 years old, and they have little memory of China and have limited knowledge of the language. Several years later, Ming’s mother and stepfather divorced, and their stepfather returned to China. Ming’s mother was given full custody of Ming’s little brother. When Ming began college in California at age 17, they consulted with a campus immigration attorney about their undocumented status. Ming and their little brother were able to obtain SIJ findings from a family court.

When Zubayda was 12 years old, she and her mom came to the U.S. from Afghanistan because her mom was escaping domestic violence from Zubayda’s dad. Although Zubayda’s dad never physically abused Zubayda, she never felt safe around him and she suffered emotional stress due to his manner and harsh language directed toward her. Sadly, neither Zubayda nor her mom were able to receive asylum status in the U.S. When Zubayda was 20 years old, she began working with an immigration attorney, who had to work quickly because Zubayda was close to turning 21 years old. Because Zubayda continued to rely greatly on her mom for financial, emotional, and practical support while she attended college, she was able to have her mom appointed as her legal guardian until the age of 21. The court provided necessary SIJ findings, and determined that it was not in Zubayda’s best interest to return to Afghanistan due to fact that she was thriving here in the U.S.

For more information about SIJS please visit our SIJS Toolkit by scanning the QR code:

This resource is informational only and is not intended as legal advice.