

Select Humanitarian and Family-Based Immigration Options

U VISA

Available to survivors of particular types of crimes who have suffered substantial physical or psychological abuse as a result and are helpful to officials in the investigation/prosecution of a crime or criminal activity.

Allows for the ability to submit petitions for certain family members.

- Applicant 21+: petition for spouse and/or children
- Applicant Under 21: Spouse, children, parents, and/or unmarried siblings under 18

Waivers to inadmissibility available

Once visa is granted:

- Nonimmigrant visa
- Valid for four years
- Provides work authorization
- Potential to access benefits
- Is a path to a green card

But currently a very lengthy wait time for decisions on U visa applications.

Cap of 10,000 U visas per year, creating a sizable backlog.

VAWA

For certain abused spouses, children, and parents of U.S. citizens and certain spouses and children of permanent residents who have suffered physical, sexual, economic, and/or psychological abuse by that U.S. citizen or permanent resident family member.

- Immigrant visa (path to a green card)
- No police report necessary
- VAWA provisions apply equally to women and men

T Visa

Available to survivors of labor or sex trafficking who are helpful to officials in the investigation/prosecution of such human trafficking.

Allows for the ability to submit petitions for certain family members.

- Applicant 21+: spouse and/or unmarried children under 21
- Applicant under 21: Spouse, unmarried children under 21 parents, and/or unmarried siblings under 18

Generous waivers available if caused by/incident to trafficking.

Cap of 5,000 T visas per year, but yearly cap not reached.

Once granted:

- Nonimmigrant visa
- Valid for four years
- Provides work authorization
- Potential to access benefits
- Is a path to a green card

SIJS

Available to young people under the age of 21 who have been abused, abandoned, and/or neglected by one or both of their parents where reunification with one or both parents isn't viable and it is not in the young person's interest to be returned to their country of nationality or last habitual residence.

- Must first seek SIJ court findings and orders through a state court
- Waivers to inadmissibility available.
- Currently a backlog of several years for most SIJ-based applicants for green cards.

Once granted:

- Is a path to a green card (but precludes the young person from submitting an immigration petition for either parent in the future)

Family Based Options

U.S. Citizens or Lawful Permanent Residents ("green-card holders") may be able to submit petitions for certain types of relatives to become lawful immigrants in the U.S.

The process depends on:

- The status of the petitioner
- The qualifying relationship
- The applicant's immigration history

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