

Greetings,

FOD Division 1 is pleased to announce that we have received OCC guidance on a number of topics relating to Special Immigrant Juvenile Petition adjudication.

In particular, OCC has clarified USCIS interpretation of reunification with one or both parents for the purposes of establishing eligibility for SIJ Classification. OCC has determined that a court must be able to legally require that a child be placed back in the custody of his/her parent in order for the court to make a finding that reunification is not viable. Since most courts cannot place a child back in the custody of his/her parent once they reach the age of majority, they do not have competent jurisdiction to make the reunification finding.

In addition, OCC has provided some state specific guidance for court orders received from New York, California, and Texas.

We have posted this information as Frequently Asked Questions in the [CHAP, Volume 6: Petitions, Part D: Special Immigrant Juveniles \(SIJs\), Chapter 2: Eligibility](#).

Please note we will not be revoking any previously approved petitions based on new this guidance.

If you have additional questions or concerns, please contact FOD Division [1@uscis.dhs.gov](mailto:1@uscis.dhs.gov).

Sincerely,

Valerie Tobias  
FOD Division 1