

Frequently Asked Questions:

U Visa: Immigration Status For Crime Victims

If you are in the U.S. without legal immigration status, and have been the victim of a crime, you and your family members may be eligible for temporary legal status—the U Visa—and, eventually, lawful permanent resident status (a “green card”).

Who is eligible for U status?

Victims of certain crimes are eligible for U status if (1) they have suffered physically or mentally as a result of being a crime victim in the U.S.; (2) they have information about the crime; and (3) they are, have been, or will be helpful to legal authorities investigating or prosecuting the crime. The law lists many qualifying crimes, including but not limited to: domestic violence, rape, abusive sexual contact, abduction, blackmail, felony assault, and criminal restraint – or similar activities. A lawyer or legal worker can help you determine if you qualify.

What are the benefits of U status? What about my family?

Persons who are approved for U status will receive authorization to work. They can live legally in the U.S. in U status for four years, and this time period may be extended in some limited circumstances. After three years, U status recipients may apply for lawful permanent residence (a “green card”). The spouse and children (under 21) of U status applicants are eligible to receive U status as well. If the U status applicant is under age 21, his or her spouse, children, parents and any unmarried siblings under age 18 at the time of application, also are eligible to receive U status.

How much does it cost?

There is no fee for the U status application itself. There are other fees, but people who cannot afford the fees may apply for a fee waiver.

Can I apply for U status now?

Yes. There are special application forms to use to apply for U status for the crime victim and for his or her qualifying family members. There is also a special form to use to obtain the required certification from a law enforcement agency to support the application.

What if my case is in immigration court?

Your removal (deportation) case can be put on hold while your U status application is pending. You will not be deported if your U status application is approved.

Remember that immigration law is complicated and applies differently to people in different situations. When you have an immigration law question, check with an immigration lawyer or BIA accredited representative.

Visit www.cliniclegal.org/affiliates/directory to find one near you.