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HOW CAN A U.S. CITIZEN HELP A RELATIVE BECOME A PERMANENT RESIDENT?

As a citizen of the United States, you may help a relative become a lawful permanent resident of the United States by obtaining what is often referred to as a "green card." To do so, you need to sponsor your relative and be able to prove that you have enough income or assets to support your relative(s) when they come to the United States. As a U.S. citizen, you must file separate petitions for each of your direct relatives, including your own children who you intend on sponsoring.

WHAT RELATIVES MAY I PETITION FOR?

A U.S. citizen can file a petition for the following relatives:

- Husband or wife;
- Children, married or unmarried. (Immigration law provides different classifications for children depending on their age and whether they are married.)

A U.S. citizen who is at least 21 years or older may also petition for the following relatives:

- Parents
- Brothers or sister.

When you submit your petition you are required to provide evidence to prove your relationship to the person for whom you are filling.

WHAT DOES THE PETITION DO FOR MY RELATIVE?

It gives the relative a place in line with others waiting to immigrate from the same country or region based on the same type of relationship. Your relatives place and time will be based on the date you file your petition, so there is an advantage to file quickly.

WHAT ABOUT MY RELATIVE'S FAMILY?

When your relative reaches the front of the line, your relative's spouse and unmarried children under 21 years of age can join him or her by also applying for an immigrate visa.

HOW LONG WILL IT TAKE BEFORE MY RELATIVE CAN IMMIGRATE?

The law gives special consideration to immediate relatives of U.S. citizens, which includes a U.S. citizen's spouse, unmarried children under 21 years of age, and parents.

- There is no waiting list to immigrate these relatives.
- The U.S. Department of State will invite them to apply for an immigration visa once your I-130 petition is approved.

- If your petition has been approved, and your relatives are currently in the United States after making a legal entry, they may be able to file applications with USCIS to adjust to permanent resident status.

CAN MY RELATIVE WAIT IN THE UNITED STATES UNTIL BECOMING A PERMANENT RESIDENT?

No. If your relative is outside the United States, filing an I-130 does not allow your relative to live or work in the United States. Your relative should wait outside the United States to immigrate legally.

DOES FILING A RELATIVE PETITION COMMIT ME TO ANYTHING?

Yes. By filing a petition for you relative, when the time comes for your relative to immigrate, you must agree to be his or her financial sponsor. If you do not meet the financial qualifications, then other individuals will need to make the commitment.

HOW DO I FILE?

1. **If your relatives live in another country**, you will file an I-130 petition with USCIS. Make sure your petition is completed, signed, and submitted with correct fees. You will need to submit evidence of your U.S. citizenship, and evidence proving your relationship to each person for whom you are filing a petition.
2. If your relatives **are already in the United States and entered legally**, then they may be able to file an I-485 application to adjust their status to lawful permanent resident at the same time as you file the I-130 relative petition.

WHAT HAPPENS AFTER I FILE?

Since processing time depends on a number of factors, it is difficult to provide a time frame. If your petition is incomplete, it may be rejected.

WHAT IF I FILED A PETITION FOR A RELATIVE WHEN I WAS A PERMANENT RESIDENT, BUT I AM NOW A U.S. CITIZEN?

If you become a U.S. citizen while your relative is waiting for a visa, you can upgrade your relative's visa classification and advance the processing of that petition by notifying the appropriate agency of your naturalization. When you are a U.S. citizen, your husband or wife and any unmarried children under the age of 21 will have visas immediately available to them.

Are you interested in a consultation on the legal issues listed below? Then please check your choice(s) below and we will schedule a meeting with an attorney.

- Tax & Financial Planning For Individuals & Businesses
- Save Your Home From Foreclosure
- Estate Planning & Wills
- How to get a green card

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