



**U.S. Citizenship
and Immigration
Services**

USCIS Seeks Public Comment on Proposal to Amend Special Immigrant Juvenile Regulations

Released Sept. 6, 2011

WASHINGTON—U.S. Citizenship and Immigration Services (USCIS) is seeking public comment on a proposed rule governing the Special Immigrant Juvenile (SIJ) classification.

Currently, certain children present in the United States may be eligible for SIJ status if they are:

- Declared dependents of a juvenile court located in the United States; or
- Legally committed to, or placed in the custody of, an agency or department of the state in which the child is residing.

A child granted SIJ classification is immediately eligible to apply for permanent resident status.

The proposed rule, if promulgated as a final rule, would allow USCIS to grant SIJ classification to petitioners whose reunification with one or both parents is not possible because of abuse, neglect, abandonment or a similar basis found under state law. A final rule would implement statutorily mandated changes by:

- Revising the existing eligibility requirements to comport with the statute
- Revising consent requirements
- Further exempting SIJ adjustment-of-status applicants from several grounds of inadmissibility.

The proposed rule includes protections against aging-out, meaning that petitioners would still be eligible for SIJ status even if they reach the age of 21 while the petition is pending. Also, petitioners would be required to have a valid juvenile court order that is in effect at the time of filing. While this court order would be required to remain in effect through the time of adjudication, the proposed rule would exempt that requirement for individuals if their court order is no longer in effect at the time of adjudication because the petitioner's age prevents continued dependency.

USCIS will accept public comments until Nov. 7, 2011, following today's publication of the proposed rule in the [Federal Register](#). Comments from individuals and agencies with direct experience handling special immigrant juvenile cases are particularly welcomed.

For more information on USCIS and its programs, please visit www.uscis.gov or follow us on Twitter ([@uscis](#)), YouTube ([/uscis](#)) and the USCIS blog [The Beacon](#).

AILA InfoNet Doc. No. 11090665. (Posted 09/06/11)

Last updated:09/06/2011

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