

# SPECIAL IMMIGRANT JUVENILE STATUS (SIJS)

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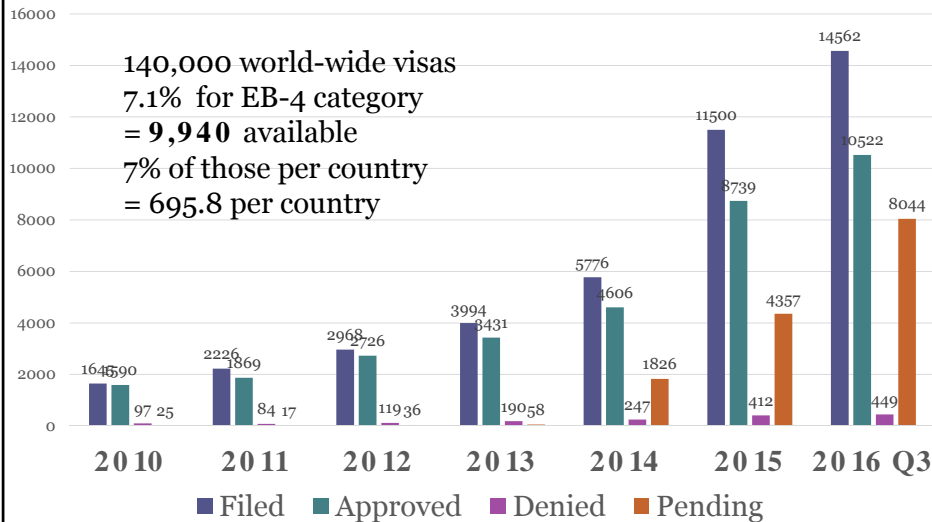
## What is SIJS?

Special Immigrant Juvenile Status

Immigration relief for child victims of parental abuse, abandonment, or neglect

Leads to IPR status; pathway to U.S. citizenship

## SJS Petition Statistics



www.uscis.gov

## Legal Authority

- INA §§ 101(a)(27)(J); 245(a), (h)
- 8 C.F.R. §§204.11; 205.1(a)(3)(iv); 245.1.

## Significant USCIS Memoranda

- Yates Memorandum (May 27, 2004)
- Neufeld Memorandum (Mar. 24, 2009)
- Sciallaba Memorandum (Jul. 13, 2011)
- *Perz-Olano* Settlement Agreement Memorandum (Jun. 25, 2015)
- USCIS Policy Manual, Ch. 6 and 7 (Oct. 26, 2016)

## Who is eligible for SIJS?

- Present in the United States
- Under 21 years old
- Unmarried
- Declared dependent on a juvenile court OR placed under the custody of an individual or state agency/department
- Reunification with 1 or both parents is not viable due to abuse, neglect, abandonment, or a similar basis found under State law; and
- Administrative or judicial determination - not in best interest to be returned to his (or his parent's) previous country of nationality or country of last habitual residence

INA § 101(a)(27)(J); 8 U.S.C. § 1101(a)(27)(J)

## Consent Requirements

- Consent – DHS must consent to grant of SIJS
- Specific Consent – ORR must grant specific consent to state court jurisdiction where proceedings are sought to change the child's custody status

INA § 101(a)(27)(J); 8 U.S.C. § 1101(a)(27)(J)

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