

KNOW YOUR RIGHTS

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COMMON FORMS OF IMMIGRATION RELIEF FOR DOMESTIC VIOLENCE SURVIVORS

VAWA SELF-PETITION

This allows you to “self-petition” for legal status without the cooperation and knowledge of your abuser. The abuser must be a spouse (or former spouse), parent, or child. The abuser must be a U.S. Citizen or Lawful Permanent Resident. If your self-petition is approved and you meet other eligibility requirements, you may be eligible to apply to become a lawful permanent resident (get a green card).

BATTERED SPOUSE WAIVER

This waiver may be available if you have a conditional green card and have been subject to domestic violence by your U.S. Citizen or Lawful Permanent Resident spouse. This allows you to remove the conditions on your 2-year green card and apply for a permanent green card.

U NONIMMIGRANT STATUS (“U-VISA”)

This application is available even if your abuser was not a U.S. Citizen or Lawful Permanent Resident. The abuser does not have to be a spouse (or former spouse), parent, or child. The crime must be reported to a law enforcement agency and you must cooperate or be likely to cooperate throughout the investigation. The U Visa gives the approved applicant temporary legal status and employment authorization for 4 years that can lead to permanent residency.

All applications are confidential, and your abuser will not be notified that you are petitioning for immigration relief.

You will need to gather a substantial amount of evidence for the applications, so it is best to consult an attorney.

Please let your attorney know of any immigration violations or criminal convictions.

This information is intended as guidance for use by the general public. For legal advice about your own situation, consult the Legal Advocacy Project or a licensed attorney or authorized immigration representative in your area.