

U Visa

Common Questions

1. What is the U Visa?

In 2000, Congress passed a law making a visa available to victims of certain crimes including domestic violence without having an intimate relationship with the accused. **To qualify for this visa, you must have had contact with the police or other law enforcement agency.**

2. What are the requirements?

1. You have to have been the victim of one of the crimes listed in the law. Some of them are: rape, kidnapping, domestic violence, and assault.
2. You have to have been helpful, or will be helpful in the future, with the police or District Attorney.
3. You have to have suffered substantial physical or mental abuse as a result of the crime.

4. Do I have to be married? Does the person who committed the crime have to be a citizen or resident?

No. The law does not require you to be married to the abuser nor that they have legal status.

5. How much does the process cost, and how long does it take?

The administrative rules, which determine the process for this new visa, have not been released yet. We don't know any details about the process including how much the application will cost. We hope that the rules for these visas will come out within 6 months to 1 year. However, applicants who feel they qualify may apply for a work permit while they wait to apply for the visa.

6. What do I do now?

If you do not qualify for legal status through any other means, (i.e., you don't have US citizen or lawful permanent resident parents, or you are not married, or your husband does not have legal status) **and you have been the victim of a crime**, you should contact our office for more information.

**If you believe that you qualify for this process call (503) 542-2855
Or outside the Portland area, call toll free 1-866-491-9232
for a free and confidential consultation.**

All materials were developed by Catholic Charities, supported by Grant No. 2005-WR-AX-0050 awarded by the Office of Violence Against Women, U.S. Department of Justice. Opinions, findings, conclusions, and recommendations expressed in this publication are those of the authors and do not necessarily reflect the views of the U.S. Department of Justice, Office on Violence Against Women.





VAWA

Violence Against Women Act Common Questions



1. What is VAWA?

In 1994, Congress passed a law to help victims of domestic violence apply for work authorization and eventually their permanent residency, without depending on their abuser. Women, children, and men may apply.

2. Who qualifies?

In order to qualify for VAWA a spouse has to be married or have been married to his or her abuser who is/was a US citizen or lawful permanent resident. For a child abused by his/her parent, the parent has to be US citizen or lawful permanent resident.

3. Does my spouse have to be involved? What happens if they find out?

The application for VAWA is based on the abuse that the victim suffered. The victim themselves applies and does not depend on the abuser. The process is confidential and the abuser cannot get any information about your case. The abuser cannot interfere, change, or withdraw the application.

4. If I qualify, can I apply for my kids?

Yes. The children may be included in your application, even if they aren't your spouse's children.

5. Do I have to get divorced? What happens if I get back together with my spouse?

The law allows the victim to apply even if he or she is still with the abuser, separated, or even divorced. If you apply while you are separated from the abuser, and then get back together, your application will not be affected.

6. Can I work?

An approved application allows you to request a work permit while you wait to adjust your status to lawful permanent resident.

7. How much does the process cost?

The application costs \$190, and the work permit costs \$180. If you cannot pay, it is possible that your fees may be waived.

8. How long does the process take?

The time it takes always depends on Immigration (USCIS) and your application, but in general, after gathering all the documents and sending the application, it usually takes 8 – 10 months to receive a decision.

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By Catholic Charities Immigration Legal Services