

## Special Immigrant Juvenile Status for 18 to 21-Year-Olds in Illinois

### What is Special Immigrant Juvenile Status (SIJS)?

SIJS is a legal protection for immigrant children who have been abused, abandoned or neglected by one or both of their parents. “Children” in this case includes anyone who is **unmarried and under 21 years old**.

### How can SIJS help me?

If granted, SIJS allows you to apply for a lawful permanent residence (a “green card” or “LPR status”). With a green card:

- ✓ You can live and work legally in the United States, and are protected from deportation
- ✓ You can travel outside of the United States (always talk to a lawyer first!)
- ✓ You can receive some forms of public aid
- ✓ You can apply for citizenship after turning age 18 and after having your green card for 5 years.

### How do I apply for SIJS?

Before applying for any immigration status, you should consult with an immigration lawyer to make sure you are eligible. Before applying for SIJS, you will need a special order called a **predicate order** from a court that specializes in children. The order must:

- ✓ Place you in the **legal custody or guardianship of a trusted adult or an agency**;
- ✓ State that you cannot go back to one or both of your parents because of abuse, neglect, or abandonment, or a similar reason; and
- ✓ State that it is not in your best interest to go back to your home country

Once you have this order with all of the required language, an immigration attorney can help you apply for SIJS.

### What do I do if I’m already 18 or older?

Usually you must get an SIJS predicate order before you turn 18, because once you are legally an adult, you cannot be placed under anyone’s custody. However, under an Illinois law called **Public Act 102-0259**, you can now get this order up until you turn 21. To get an SIJS predicate order:

- ✓ An adult over 21 must go to a probate court and ask to be appointed your legal guardian. This adult can be your parent, your relative, or someone not related to you;
- ✓ **Having someone appointed your legal guardian means they are responsible for taking care of you and making certain decisions on your behalf until you turn 21.**
- ✓ **Usually this means you will need to live with this person until you turn 21.**
- ✓ You must agree in writing for this person to be appointed as your guardian.

You will need a lawyer to help you and your guardian through this process in probate court. If you get an SIJS predicate order, your case is not over! You have to fill out a special form and submit it to the immigration authorities along with a copy of your predicate order to apply for SIJS. You **MUST** do this before your 21<sup>st</sup> birthday.