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VAWA Self-Petitioning Flow Chart for Adults

Is the client/applicant currently being abused or has she been abused?

Y

Does the client/applicant have citizen or non-citizen children or step-children, under age 21, who are being abused?

N

Is her child's abuser her spouse, former spouse (divorced or died within the last 2 years), or someone she thought she was married to but wasn't because of his bigamy?

Y

Is her child's abuser currently a citizen or lawful permanent resident or was he a citizen or lawful permanent resident in the past 2 years?

N

Is the abuser her spouse, former spouse (divorced or died within the last 2 years), or someone she thought she was married to but wasn't because of his bigamy?

Y

Is the abuser a parent, step-parent, or daughter or son over 21 years?

N

Is the abuser currently a citizen or lawful permanent resident or was he a citizen or lawful permanent resident in the past 2 years?

Y

If a child of hers has been abused, check the other column of this chart for her eligibility to self-petition through children's abuse. She is eligible to self-petition for VAWA. Any children of hers, even if not abused, can also be included in the petition.

N

She is eligible to self-petition even if her child being abused is a citizen or lawful permanent resident or is her step-child. See VAWA Self-Petitioning Eligibility for Abused Children chart for child's eligibility to self-petition. Any other children of hers, even if not abused, can also be included in the petition.

If the abuser is a parent, step-parent, or daughter or son over 21 years, she may be eligible for a U visa if her child is under 16. Any other children of hers, even if not abused, are also eligible for U visas. See VAWA Self-Petitioning Eligibility for Abused Children chart for the abused children's options.

* See VAWA Self-Petitioning Eligibility for Abused Children chart if abuse occurred while under 21 years.

Abused = battered or suffering from extreme cruelty

Y = yes

N = no

Since statistically most victims are female and most abusers male, this chart uses the feminine to refer to the victim and the masculine to refer to the abuser.

No VAWA-related remedy. Explore other immigration options.

Is the abuser the child's other parent who is or ever was a citizen or lawful permanent resident?

Y

Is the abuser her spouse, former spouse (divorced or died within the last 2 years), or someone she thought she was married to but wasn't because of his bigamy?

N

Is her child's abuser her spouse, former spouse (divorced or died within the last 2 years), or someone she thought she was married to but wasn't because of his bigamy?

Y

Is her child's abuser currently a citizen or lawful permanent resident or was he a citizen or lawful permanent resident in the past 2 years?

N

Is the abuser her spouse, former spouse (divorced or died within the last 2 years), or someone she thought she was married to but wasn't because of his bigamy?

Y

Is the abuser a parent, step-parent, or daughter or son over 21 years?

N

Is the abuser currently a citizen or lawful permanent resident or was he a citizen or lawful permanent resident in the past 2 years?

Y

If a child of hers has been abused, check the other column of this chart for her eligibility to self-petition through children's abuse. She is eligible to self-petition for VAWA. Any children of hers, even if not abused, can also be included in the petition.

N

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