



Understanding a U Visa and the Eligibility for a U Visa

Written by [Lesley Irizarry-Hougan](#), Seattle Immigration Lawyer

This guide discusses a U Visa and the eligibility for a U Visa. Please consult an attorney for your particular situation.

1

What is a U Visa?

The U.S. has provided an incentive for immigrants to not be afraid of calling the police to report crime. The incentive is that if you or your family members have been a victim of a certain crime and meet other qualifications, you may be eligible to receive a U visa. The U visa will give you and immediate family members (unmarried children under 21 or spouse) U visa status for four years, and you can apply for your permanent residency (green card) after three years of having U visa status.

2

What is the Eligibility for a U Visa?

You may be eligible for a U nonimmigrant visa if:

- You are the victim of qualifying criminal activity. (See below for a link that lists qualifying crimes)
- You have suffered substantial physical or mental abuse as a result of having been a victim of criminal activity.
- You have information about the criminal activity. If you are under the age of 16 or unable to provide information due to a disability, a parent, guardian, or next friend may possess the information about the crime on your behalf
- You were helpful, are helpful, or are likely to be helpful to law enforcement in the investigation or prosecution of the crime. If you are under the age of 16 or unable to provide information due to a disability, a parent, guardian, or next friend may assist law enforcement on your behalf.
- The crime occurred in the United States or violated U.S. laws.

In order to obtain a U visa, you must first receive certification (on Form I-918B) from a law enforcement agency such as the police or Sheriff's office, signing that you qualify according to the above-listed criteria.

After the U visa certification is signed by law enforcement, you then have six months to submit the certification along with your complete application detailing the crime and how you have suffered because of it to USCIS. Even if the law enforcement agency signs the certification, you do not have U visa status until it is granted by USCIS. Law enforcement signing the certification does not guarantee in any way that USCIS will grant you U visa status.

Additional Resources

(a) USCIS – Qualifying Crimes – <http://www.uscis.gov/humanitarian/victims-human-trafficking-other-crimes/victims-criminal-activity-u-nonimmigrant-status/victims-criminal-activity-u-nonimmigrant-status#QualifyingCriminalActivities>



(b) [Immigration Law Blog - What is a U Visa? What is the Eligibility for a U Visa?](http://www.immigrationlawseattle.com/blog/2014/5/15/what-is-a-u-visa-what-is-the-eligibility-for-a-u-visa)
<http://www.immigrationlawseattle.com/blog/2014/5/15/what-is-a-u-visa-what-is-the-eligibility-for-a-u-visa>

(c) [Immigration Law Blog - Qué es una Visa U?Cuál es la Elegibilidad Para una Visa U?](http://www.immigrationlawseattle.com/blog/2014/5/16/qu-es-una-visa-u-cul-es-la-elegibilidad-para-una-visa-u)
<http://www.immigrationlawseattle.com/blog/2014/5/16/qu-es-una-visa-u-cul-es-la-elegibilidad-para-una-visa-u>