VAWA SELF-PETITIONS, U VISAS AND T VISAS OVERVIEW
VAWA Self-Petitions

- Spouse or child of USC or LPR or parent of adult USC son or daughter
- Must reside in the United States
- For petitions based on marriage: must show good faith in marriage
- Joint residency with abuser
- Suffered battery or extreme cruelty AND
- Must have good moral character
U Visas

• Must have suffered substantial physical or mental abuse as a result of having been a victim of a Qualifying Crime - INA 101(a)(15)(u)(iii)

• Must possess credible and reliable information about the crime

• Was, is or will be helpful with the investigation or prosecution of the crime AND

• Crime must have occurred in the United States or violated U.S. Law

• The victim must be admissible or eligible for a waiver under INA 212(d)(14) “national or public interest”.
T Visas

• Victim of a severe form of trafficking:
  • Sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act is 18 or younger; or
  • The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

• Physically present in the United States on account of trafficking

• Has complied with any reasonable request for assistance in the investigation or prosecution of trafficking (if 18 or older) AND

• Would suffer extreme hardship upon removal
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