Special Immigrant Juvenile Status, usually shortened to **SIJS** (or “SIJ classification”), is a humanitarian protection built into U.S. immigration law for certain young people in the United States who need **juvenile court protection** because a parent has abused, abandoned, or neglected them.

A lot of confusion comes from the fact that SIJS is part juvenile court, part immigration. The juvenile court does not grant immigration benefits. USCIS does. The juvenile court’s role is to make specific child welfare findings under state law. Those findings are then used to support the SIJ petition with USCIS.

SIJS in plain terms (without oversimplifying it)

SIJS exists for one basic reason: some children and young adults are in the United States and **cannot safely reunify with one or both parents** due to maltreatment. The law allows them to ask a state juvenile court for protection and, if the required findings are made, to then ask USCIS for SIJ classification.

This is why SIJS cases are very document heavy and timing sensitive. A strong case usually lines up three things cleanly:

1. **The right state court order**, with the right findings, made under the right state law.
2. **A clear factual record** showing why the court made those findings.
3. **A properly prepared SIJ petition** filed with USCIS before age deadlines, with the supporting evidence USCIS expects

to see.

Who qualifies for SIJS (the core requirements)

USCIS will approve SIJ classification only when **all statutory and regulatory requirements** are met. The eligibility rules are specific, and it is not enough to have a difficult family situation. The case must meet the legal test.

Below are the main SIJS requirements that typically control eligibility.

- Must be under 21 at the time Form I-360 is filed
- Must be living in the United States (and cannot apply from abroad)
- Must be unmarried at filing and at the time of decision
- Must have a valid juvenile court order with the required findings
- Court jurisdiction can end in certain situations without destroying eligibility
- Must be eligible for USCIS consent (the “bona fide” purpose requirement)
- HHS/ORR consent may be required in some cases

What SIJS does and does not do

SIJS can be life changing, but it is not a blanket fix for every immigration issue.

What SIJS can do

- Provide a path to **lawful permanent residence** (Green Card) for eligible applicants, once SIJ classification is approved and other requirements are met.
- Allow a young person to stabilize in the U.S. with a recognized humanitarian basis tied to a state court's child welfare findings.

What SIJS does not do

- The juvenile court does **not** grant immigration status. Only USCIS can approve SIJ classification and a Green Card.
- SIJS is not something a person "just applies for" without a court case. The court order is central.
- SIJS does not require contacting an abusive or neglectful parent. USCIS has made clear that when applying for SIJ classification or a Green Card based on SIJ classification, there is **no requirement** to contact the person who abused, abandoned, or neglected the child.

What USCIS looks for in the court order and the evidence

USCIS focuses on whether the order is valid, whether the court had jurisdiction, whether the findings were made under state law, and whether there is a reasonable factual basis.

A few points that often matter:

- The court order or the evidence should show the court had authority to make judicial determinations about the petitioner's dependency/custody/care as a juvenile under the relevant state laws.
- The findings must not be conclusory. USCIS expects a factual story underneath them. Not necessarily pages and pages, but something real.
- The case should reflect genuine child welfare relief, not a paper order created only for immigration. This ties back to USCIS consent.

Common SIJS pitfalls (the stuff that derails good cases)

Even when the underlying facts are strong, SIJS cases can be denied or delayed for avoidable reasons.

Age and state court jurisdiction issues

Federal law allows I-360 filing under 21. Many state courts cut off juvenile jurisdiction earlier. This mismatch is one of the biggest SIJS problems nationwide.

Orders missing required findings

A custody or guardianship order that does not include the reunification and best interests findings usually will not work for SIJS. Sometimes an amended order or supplemental findings are possible, sometimes not. It depends.

Weak factual basis

An order that copies statutory words without describing the underlying facts can trigger RFEs or denials. USCIS wants to see that the judge had a real reason to make those determinations.

Confusion about “one parent” versus “both parents”

SIJS can be based on non reunification with **one** parent. Some cases involve only one parent as the source of abandonment or abuse. The court findings and evidence need to match the facts and the relief requested.

Marriage during the process

Because SIJS requires being unmarried at filing and at decision, marriage can create a serious problem even late in the case.

Closing thought

SIJS is one of the most important humanitarian pathways available to young people in the United States who have been harmed by a parent and need the protection of a juvenile court. The qualifications are strict, the timing can be unforgiving, and the court order must be done correctly. But when the case is built the right way, SIJ classification can be the bridge to long term stability and lawful permanent residence.