

- You have provided USCIS with a copy of XXX Description of Documents Submitted XXX from the State of XXX STATE XXX. This document is insufficient because it does not show XXX list specific ground—i.e.: would not be in the child's best interest to be returned to the child's or their parent's country of nationality or last habitual residence XXX.

Please provide a copy of a juvenile court order declaring that: 1) you are dependent on the court or under custody of an agency or department of the state, or an individual entity appointed by the court; 2) reunification with one or both of your parents is not viable due to abuse, neglect, abandonment, or a similar basis under state law; and 3) it would not be in your best interest to be returned to your or your parent's country of nationality or last habitual residence

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- You have provided USCIS with a copy of XXX Description of Submitted Documents XXX from the State of XXX STATE XXX. A review of this court order and the documentation provided finds that there is insufficient evidence to show the factual basis of the court order.

Per the USCIS Policy Manual:

*If a petitioner does not submit a court order that includes facts that establish a factual basis for all of the required findings, USCIS may request evidence of the factual basis for the court's findings. USCIS does not require specific documents to establish the factual basis or the entire record considered by the court. However, the burden is on the petitioner to provide the factual basis for the court's findings.*

Please provide USCIS with documentation to establish a reasonable factual basis for the court's findings. Examples of acceptable documentation include, but are not limited to:

- Any supporting documents submitted to the juvenile court, if available;
  - The petition for dependency or complaint for custody or other documents which initiated the juvenile court proceedings;
  - Affidavits summarizing the evidence presented to the court or records from the judicial proceedings; and
  - Affidavits or records that were not presented to the court but are consistent with the findings made by the court.
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- You have provided USCIS with a copy of XXXORDERXXX dated XXXDATEXXX, from the State of XXXSTATEXXX.

Per 101(a)(27)(J), 8 CFR 204.11(a), 8 CFR 204.11(d)(2) and the USCIS Policy Manual Volume 6 Part J Chapter 2D:

*A juvenile court is defined as a U.S. court having jurisdiction under state law to make judicial determinations about the custody and care of juveniles. The juvenile court order must have been properly issued under state law to be valid for the purposes of establishing eligibility for SIJ classification. This includes the need for the juvenile court to follow their state laws on jurisdiction.*

Please provide evidence that the court order you submitted was issued by a juvenile court with jurisdiction over your care and custody as a juvenile under the state law of XXXstate order was issuedinXXX.

#### DOB Discrepancy –old version

- USCIS records indicate that you were born on XXX USCIS\_DOB XXX. You indicated on XXX DocumentWhereNewDOBClaimed XXX that you were born on XXX ClaimedDOB XXX. Please submit documentary evidence to establish your true date of birth. Such evidence may include a acceptable birth certificate issued by the appropriate civil authorities, passport, government-issued identification card showing name and date of birth, and/or secondary evidence such as baptismal certificate or school records, which in the discretion of USCIS establishes your age.

#### Name Change –old version

- Submit documentary evidence showing that XXX Name One XXX and XXX Name Two XXX are the same person. Documentary evidence of a name change may include, but is not limited to, a birth certificate, adoption decree, marriage certificate, divorce decree, death certificate (of the spouse whose name you used), court-ordered legal name change petition, or other legal document. Acceptable evidence must show that the event was registered with the appropriate civil authority.

#### Proof of age- old version

- Please provide evidence of your age. Such evidence can include: an acceptable birth certificate/record issued by the appropriate civil authorities, passport, government-issued identification card showing name and date of birth, or secondary evidence such as a baptismal certificate or school records, which in the discretion of USCIS establishes your age.
- Information on acceptable birth records for people born outside of the United States can be found at <http://travel.state.gov/content/visas/en/fees/reciprocity-by-country.html>.

Proof of Age Insuf – Old version

Please provide evidence of your age. Such evidence can include: an acceptable birth certificate/record issued by the appropriate civil authorities, passport, government-issued identification card showing name and date of birth, or secondary evidence such as a baptismal certificate or school records, which in the discretion of USCIS establishes your age.

Information on acceptable birth records for people born outside of the United States can be found at <http://travel.state.gov/content/visas/en/fees/reciprocity-by-country.html>.

Signature Unacceptable - Old version

- The Form I-360, Petition for Amerasian, Widow(er), or Special Immigrant, you provided is unacceptable because it was not properly signed by the petitioner. The petitioner must sign the Form I-360. USCIS policy also requires petitioners to sign Form I-360 based on age:
  - If **age 14 or older**, the petitioner must sign their own Form I-360. A parent, legal guardian or other party may not sign for the petitioner. However, a legal guardian may sign for a mentally incompetent person.
  - If **under age 14**, the petitioner or their parent or legal guardian may sign Form I-360.

Please sign and return the enclosed signature page of Form I-360.

The Petitioner is ineligible for Special Immigrant Juvenile (SIJ) classification because he was 21 years old at the time of filing, the juvenile court order lacks a valid non-viability determination under state law and USCIS consent is not warranted for lack of a reasonable factual basis for the juvenile court's best

interest determination. In visa petition proceedings, it is the Petitioner's burden to establish eligibility for the immigration benefit sought. Here, that burden has not been met.