



Frequently Asked Questions: U Visas – Immigration Status for Crime Victims

October 2025

This FAQ is intended for those who may be eligible for a U visa.

If you are in the United States without legal immigration status and have been the victim of a crime, you and some of your family may be eligible for a U Visa (also called U Nonimmigrant Status) and, eventually, lawful permanent resident status (a green card).

Who is eligible for a U Visa?

Victims of certain crimes are eligible for U status if: (1) you have suffered physically or mentally as a result of being a crime victim in the United States; (2) you have information about the crime; and (3) you are, have been, or will be helpful to legal authorities investigating or prosecuting the crime.

What crimes make someone eligible for a U Visa?

If you are the victim of certain crimes that occurred in the United States, you may be eligible for U status. The law lists many qualifying crimes, including, but not limited to, domestic violence, rape, abusive sexual contact, abduction, blackmail, felony assault, and criminal restraint – or similar activities.

What if I don't know whether the crime that happened makes me eligible?

If you think that you have been the victim of a crime that occurred in the United States, a lawyer or legal worker can help you determine if the crime committed against you makes you eligible for a U Visa and to help you to report to law enforcement if you have not already.

What if I haven't reported the crime committed against me to law enforcement?

A lawyer or legal/case worker can help you report to law enforcement if you have not already.

Do I have to have law enforcement sign anything for my application?

Yes, law enforcement must sign a form saying that you have cooperated in an investigation of the crime that was committed against you before you can apply for immigration status. This signature is referred to as a Supplement B Certification. A lawyer or legal worker can help you ask law enforcement for this certification.

What are the benefits of a U Visa?

If your U Visa is approved, you can live legally in the United States in U status for four years; this period may be extended in some limited circumstances. During this period, you will receive authorization to work. After three years, you can apply for lawful permanent residence (a green card).

What about my family?

Your spouse and children (unmarried and under 21) are eligible to receive a U Visa as well. If you are under age 21, your parents and any unmarried siblings under age 18 may also be eligible for a U Visa.

What if my case is in immigration court?

You can still apply for U status while you are in removal proceedings. If your application is approved, your immigration court case can be terminated. Your removal (deportation) case may be able to be put on hold while your U status application is pending with USCIS. However, because of the very long wait time for U status, many judges will not place your case on hold. Even if you are removed, your U Visa application will continue, and if it is approved, you can then use it to return to the United States, although you may need to apply for a waiver.

Can I work while my application is pending?

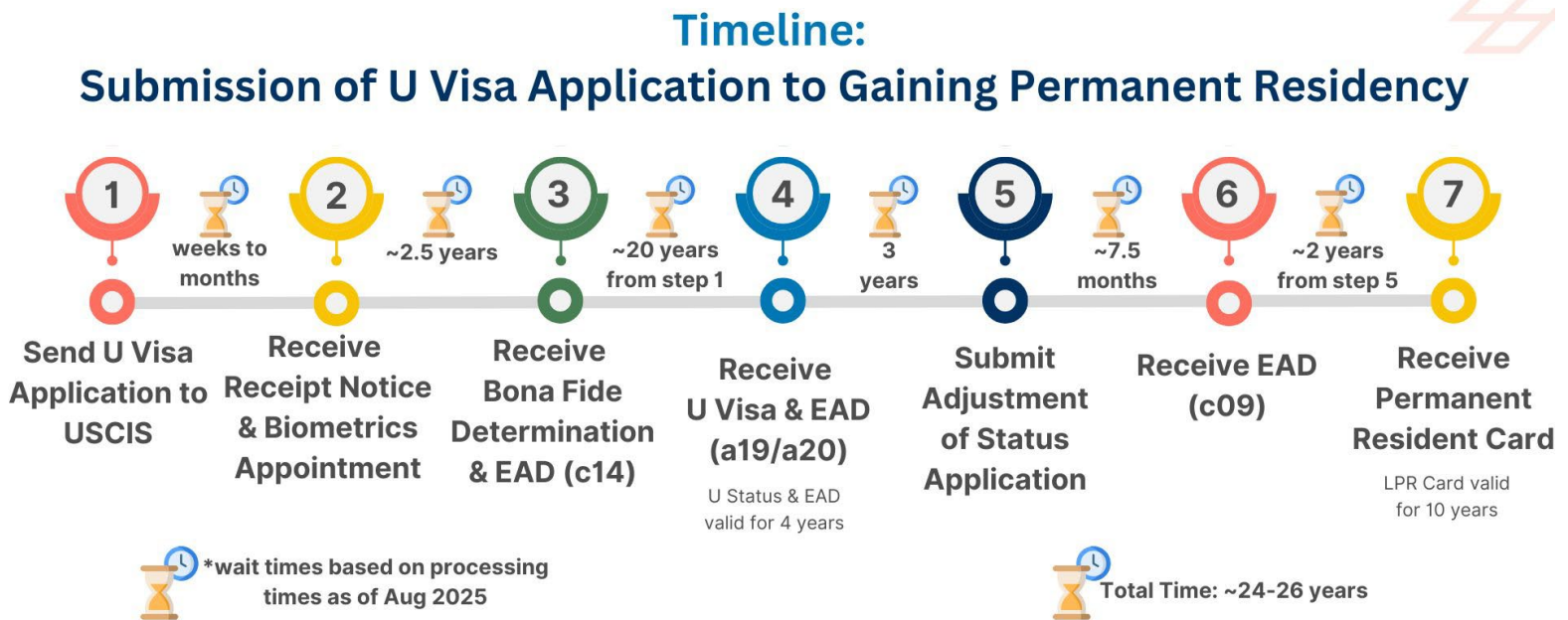
Unfortunately, there is a very long wait list for the U Visa, as explained below. Because of this, immigration may give you something called a “bona fide determination” or “BFD.” Bona fide determinations are currently being issued several years after the U Visa application is submitted to USCIS. If you are given a bona fide determination, it allows you to apply for a work permit (employment authorization document, or EAD) while your U Visa application is in process.

How long will this process take?

Unfortunately, there is a very long wait list for the U Visa. The law says that only 10,000 U Visas can be given each year, and there are now more than 200,000 applications pending. This means the time between submitting a U Visa application and getting a decision on that application could be more than 20 years. The picture below shows each step of the application process and approximately how long it will take for each step to be completed. Please note that “processing times” can change often, so you should check with an immigration practitioner to determine if this timeline is correct.

I heard from a neighbor that they received their U Visa three years after they submitted their application. Why will mine take so long?

With every passing year the number of pending applications has grown. Since only 10,000 U Visas can be issued each year, this means that the backlog and the waiting time has gotten longer each year. In fact, during the first several years of the existence of the U Visa, there was no backlog, and a person could receive their U Visa within a year of filing.



Remember that immigration law is complicated and applies differently to people in different situations. When you have an immigration law question, check with an immigration lawyer or DOJ-Accredited Representative.

Visit www.cliniclegal.org/affiliates/directory to find one near you.