

# Frequently Asked Questions:

## **VAWA: Status For Victims Of Domestic Violence**

Have you been physically or emotionally harmed by your U.S. citizen or lawful permanent resident spouse or parent, or your adult U.S. citizen son or daughter? If so, you may be eligible to apply for lawful immigration status under the Violence Against Women Act (VAWA).

### **What is “VAWA”? Who qualifies for VAWA protection?**

VAWA, the Violence Against Women Act, is a law passed by Congress. Among other things, it protects immigrant victims of domestic violence and some of their family members by allowing them to self-petition for lawful immigration status in the U.S. without the abuser’s knowledge, permission or help. Despite the name, the law does not just protect women: girls, boys, and men are protected too.

You may qualify to file a VAWA self-petition if you were subjected to actual or threatened violence (including hitting, beating, and sexual abuse) or mental or psychological injury (including intimidation, economic abuse, humiliation, social isolation) by your:

- USC or LPR spouse or former spouse
- USC or LPR parent
- USC adult son or daughter

You may also qualify to self-petition if your child was abused by your USC or LPR spouse even if you were not abused.

### **What Happens If I Qualify For VAWA?**

If you qualify to self-petition under VAWA and your application is approved, you will be eligible for work authorization. In many states, you may also qualify for certain forms of public benefits. Most self-petitioners also qualify to seek lawful permanent residence status – a “green card” - at some point after the self-petition is approved; the time it takes to qualify to apply for this status depends on whether the abusive family member is a U.S. citizen or lawful permanent resident.

### **What If I Am No Longer Living With My Spouse?**

You do not have to be living with your spouse at the time you apply. You can even self-petition under VAWA up to two years after a divorce. If your abusive spouse was a USC, you may also self-petition up to two years after the death of your spouse.

### **What If My Abusive Spouse, Parent, Or Usc Adult Son Or Daughter Has Been Deported And Is No Longer An LPR?**

If your abusive family member was an LPR or USC at the time of the abuse, you may still qualify to self-petition under VAWA.

**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 BIA accredited representative.**

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