

Summary of Upcoming Substantive Changes to the Form I-360: Changes Related to Special Immigrant Juvenile Petitions

This document is an attachment to the 2016 Special Immigrant Juvenile (SIJ) training for the NBC. It summarizes substantive changes to the Form I-360 (version 03/14/16) for SIJ petitioners. These changes are part of the revised I-360 Form (version 03/14/16) that published on August 27, 2016.

The I-360 Form (version 03/05/13) will continue to be accepted until 10/30/16. Starting 10/31/16 USCIS will only accept the 03/14/16 edition.

This summary is intended to be used as a training tool only for officers who will be adjudicating Form I-360 petitions for SIJ classification. This document should not be relied upon when adjudicating Form I-360 petitions. Any questions should be directed to Eileen Matuszak (OPS) or Laurie Goudge (FOD). This document is intended **for internal use only**.

Form I-360

Dependency or Custody Finding

- Must indicate where specifically they are placed (the name of the state agency, or individual or entity with whom they are placed)

Parental Reunification Finding

- Must indicate which of the basis applies (abuse, neglect, abandonment or similar basis)
- If it is a “similar basis” finding, need to indicate what the specific basis is
- If it is a one parent finding, must indicate which parent the finding is based on

Court Order Validity

- Must indicate if they are still under jurisdiction of the court, and if not, the reason why (to see if meets one of the two exceptions to this requirement)
- Must indicate if they are still residing in the court-ordered placement

Health and Human Services (HHS) Consent

- Must indicate if has ever been in HHS custody (a UAC), and if so, are they still in HHS custody and if their order alters their HHS custody status or placement (to determine if HHS consent is needed)

Form I-360 Instructions

Required Evidence

- Clarifies that the documents that establish eligibility must include the specific findings of fact or other relevant evidence, which establishes the (factual basis for the) findings
- Incorporates (TVPR 2008) requirement for written consent from the U.S. Department of Health and Human Services (HHS) if the juvenile is in the custody of HHS and the juvenile court order altered the juvenile’s HHS custody status or placement.