

IMMIGRATION LAW

Matters involving immigration law can be extremely complex. Individuals seeking answers to immigration questions are strongly encouraged to consult an attorney who has expertise in immigration law. Additionally, it may be advantageous to locate an attorney who is familiar with the laws, treaties, and procedures that specifically apply to one's country of origin. This section will generally define and discuss a few key topics in immigration law, in order for you to be able to have a more fruitful conversation with an immigration attorney.

CITIZENSHIP

Individuals become United States citizens either by birth or by completion of the naturalization process. While there are some special exceptions and restrictions that apply to specific groups, naturalization usually requires that an applicant (1) live in the United States for a certain period of time, (2) have the ability communicate in English, (3) have an understanding of U.S. history and government, (4) be able to demonstrate good moral character, and (5) have "an attachment to the principles of the U.S. Constitution" and a "favorable disposition" toward the United States. (See the Comprehensive Immigration Reform Act of 2006.)

LAWFUL PERMANENT RESIDENCE

A person who holds a "green card" is a lawful permanent resident (LPR) of the United States. There are many directions a person may take to obtain LPR status. Which direction is best depends largely on the purpose for applying for LPR status. For specific information on the best course of action for you, contact an immigration attorney.

VISAS

A visa gives the holder the right to apply for entry into the United States. There are many different kinds of visas. Each visa has a distinct set of guidelines and restrictions depending upon the holder's purpose of entry into the United States. If you have a visa, you should make certain that you are fully aware of all restrictions placed on your visa, including whether you can work, how long you can stay, and what travel restrictions are imposed (*e.g.*, whether or not re-entry is permitted).

HUMANITARIAN PROGRAMS

The United States has special humanitarian programs which permit individuals to immigrate to the United States who have been persecuted or fear they will be persecuted in their country of origin. If upon arrival in the United States an individual meets the requirements for one of these programs, then he or she will be permitted to stay in the United States.

Typically, there are no quotas or ceilings for individuals permitted to remain in the United States under a special humanitarian program. Individuals who believe they may be eligible for asylum, temporary protected status, or protection under another humanitarian program should contact an immigration attorney, or see Student Legal Services for referrals to resources, including free and low-cost services.

Getting Help***General Legal***

Student Legal Services, 858.534.4734 or <http://sls.ucsd.edu>