

**Instructions for Form I-360, Petition for  
Amerasian, Widow(er) or Special Immigrant****Instructions**

Please read these instructions carefully to properly complete this form. If you need more space to complete an answer, use a separate sheet(s) of paper. Write your name and Alien Registration Number (A #), if any, at the top of each sheet of paper and indicate the part and number of the item to which the answer refers.

The filing addresses provided on this form reflect the most current information as of the date this form was last printed. If you are filing Form I-360 more than 30 days after the latest edition date shown in the lower right-hand corner, please visit our website at [www.uscis.gov](http://www.uscis.gov) before you file, and check the Immigration Forms page to confirm the correct filing address and version currently in use. Check the edition date located in the lower right-hand corner of the form. If the edition date on your Form I-360 matches the edition date listed for Form I-360 on the online Immigration Forms page, your version is current and will be accepted by USCIS. If the edition date on the online version is later, download a copy and use the online version. If you do not have internet access, call the National Customer Service Center at 1-800-375-5283 to verify the current filing address and edition date. **Improperly filed forms will be rejected, and the fee returned, with instructions to resubmit the entire filing using the current form instructions.**

**What Is the Purpose of This Form?**

This petition is used to classify an alien as:

1. An Amerasian;
2. A Widow or Widower,
3. A Battered or Abused Spouse or Child of a U.S. Citizen or Lawful Permanent Resident; or
4. A Special Immigrant. A special immigrant is defined as one of the following.
  - A. Religious Worker;
  - B. Panama Canal Company Employee, Canal Zone Government Employee, U.S. Government in the Canal Zone Employee;
  - C. Physician;
  - D. International Organization Employee or Family Member;
  - E. Juvenile Court Dependent;
  - F. Armed Forces Member; or
  - G. Afghanistan or Iraq national who supported the U.S. Armed Forces as a translator.

**Who May File This Form I-360?****Amerasian.**

Any person who is 18 or older, including the alien, or a U.S. corporation may file this petition for a beneficiary who was born in Korea, Vietnam, Laos, Kampuchea, or Thailand after December 31, 1950, and before October 22, 1982, and was fathered by a U.S. citizen.

The petition must be filed with:

1. Copies of evidence showing that the person this petition is for was born in one of the above countries between those dates. If he/she was born in Vietnam, you must also submit a copy of his/her Vietnamese I.D. card, or an affidavit explaining why it is not available;
2. Copies of evidence establishing the parentage of the person, and of evidence establishing that the biological father was a U.S. citizen. Examples of documents that may be submitted are birth or baptismal records or other religious documents; local civil records; an affidavit, correspondence or evidence of financial support from the father; photographs of the father (especially with the child); or, absent other documents, affidavits from knowledgeable witnesses which detail the parentage of the child and how they know such facts;
3. A photograph of the person;
4. If the person is married, submit a copy of the marriage certificate, and proof of the termination of any prior marriages; and

The sponsorship documents noted below are also required. You may file these documents with the petition, or wait until we review the petition and request them. However, not filing them with the petition will add to the overall processing time.

1. An Affidavit of Financial Support executed by the sponsor, with the evidence of financial ability required by that form. Please note that the original sponsor remains financially responsible for the Amerasian if any subsequent sponsor fails in this area;
2. Copies of evidence showing that the sponsor is at least 21 years old and is a U.S. citizen or permanent resident;
3. Fingerprints of the sponsor taken by USCIS as part of the required biometric services; and

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### **Widow/Widower of a U.S. Citizen.**

You may file this petition for yourself if:

1. You were married for at least two years to a U.S. citizen who is now deceased and who was a U.S. citizen at the time of death;
2. Your citizen spouse's death was less than two years ago;
3. You were not legally separated from your citizen spouse at the time of death; and
4. You have not remarried.

The petition must be filed with:

1. A copy of your marriage certificate to the U.S. citizen and proof of termination of any prior marriages of either of you;
2. Copies of evidence that your spouse was a U.S. citizen, such as a birth certificate if born in the United States, Naturalization Certificate or Certificate of Citizenship issued by USCIS, Form FS-240, Report of Birth Abroad of a Citizen of the United States; or a U.S. passport which was valid at the time of the citizen's death; and
3. A copy of the death certificate of your U.S. citizen spouse.

### **Special Immigrant Juvenile.**

Any person, including the alien, may file this petition for an alien who:

1. Is unmarried and less than 21 years old;
2. Has been declared dependent upon a juvenile court in the United States or who such a court has legally committed to, or placed under the custody of, an agency or department of a state and who has been found eligible for long-term foster care; and
3. Has been the subject of administrative or judicial proceedings in which it was determined that it would not be in the juvenile's best interests to be returned to the juvenile's or his/her parent's country of nationality or last habitual residence.

The petition must be filed with:

1. A copy of the juvenile's birth certificate or other evidence of his or her age;
2. Copies of the court or administrative document(s) upon which the claim to eligibility is based.

**NOTE:** After a special immigrant juvenile becomes a permanent resident, his or her parent(s) may not receive any immigration benefit based on the relationship to the juvenile.

### **Special Immigrant Religious Worker.**

Any person, including the alien, may file this petition for an alien who for the past two years has been a member of a religious denomination which has a bona fide nonprofit, religious organization in the United States, and who has been carrying on the vocation, professional work, or other work described below, continuously for the past two years; and seeks to enter the United States to work solely:

1. As a minister of that denomination; or in a professional capacity in a religious vocation or occupation for that organization; or
2. In a religious vocation or occupation for the organization or its nonprofit affiliate.

**NOTE:** All special immigrant religious workers, other than ministers, immigrating to the United States as special immigrant religious workers must immigrate (i.e. enter the United States) or adjust status to permanent residence (i.e. have their Form I-360 and Form I-485 approved) before **October 1, 2008.**

The petition must be filed with:

1. A letter from the authorized official of the religious organization establishing that the proposed services and alien qualify as above;
2. A letter from the authorized official of the religious organization attesting to the alien's membership in the religious denomination and explaining, in detail, the person's religious work and all employment during the past two years and the proposed employment; and
3. Evidence establishing that the religious organization, and any affiliate which will employ the person, is a bona fide nonprofit religious organization in the U.S. and is exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986.

### **Special immigrant based on employment with the Panama Canal Company, Canal Zone Government or U.S. Government in the Canal Zone.**

Any person may file this petition for an alien who, at the time the Panama Canal Treaty of 1977 entered into force, either:

1. Was resident in the Canal Zone and had been employed by the Panama Canal Company or Canal Zone Government for at least one year, or
2. Was a Panamanian national and either honorably retired from U.S. Government employment in the Canal Zone with a total of 15 or more years of faithful service, or

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3. Was employed for 15 years and since honorably retired; or was an employee of the Panama Canal Company or Canal Zone Government, had performed faithful service for five years or more as an employee, and whose personal safety, or the personal safety of his/her spouse or child, is in danger as a direct result of the special nature of his/her employment and as a direct result of the Treaty.

The petition must be filed with:

1. A letter from the Panama Canal Company, Canal Zone Government or U.S. Government agency employing the person in the Canal Zone, indicating the length and circumstances of employment and any retirement or termination; and
2. Copies of evidence to establish any claim of danger to personal safety.

### **Special Immigrant Physician.**

Any person may file this petition for an alien who:

1. Graduated from a medical school or qualified to practice medicine in a foreign state;
2. Was fully and permanently licensed to practice medicine in a State of the United States on January 9, 1978, and was practicing medicine in a State on that date;
3. Entered the United States as an "H" or "J" nonimmigrant before January 9, 1978; and
4. Has been continuously present in the United States and continuously engaged in the practice or study of medicine since the date of such entry.

The petition must be filed with:

1. Letters from the person's employers, detailing his/her employment since January 8, 1978, including the current employment; and
2. Copies of relevant documents that demonstrate that the person filed for meets all the above criteria.

### **Special Immigrant International Organization Employee or family member.**

Certain long-term "G" and "N" nonimmigrant employees of a qualifying international organization entitled to enjoy privileges, exemptions and immunities under the International Organizations Immunities Act, and certain relatives of such an employee, may be eligible to apply for classification as a Special Immigrant. To determine eligibility, contact the qualifying international organization or your local USCIS office.

The petition must be filed with:

1. A letter from the international organization demonstrating that it is a qualifying organization and explaining the circumstances of qualifying employment and the immigration status held by the person the petition is for; and
2. Copies of evidence documenting the relationship between the person this petition is for and the employee.

### **Armed Forces Member.**

You may file this petition for yourself, if:

1. You have served honorably on active duty in the Armed Forces of the United States after October 15, 1978;
2. You originally lawfully enlisted outside the United States under a treaty or agreement in effect on October 1, 1991, for a period or periods aggregating:
  - A. Twelve years, and were never separated from such service except under honorable conditions; or
  - B. Six years, are now on active duty, and have reenlisted to incur a total active duty service obligation of at least twelve years;
3. You are a national of an independent state which maintains a treaty or agreement allowing nationals of that state to enlist in the U.S. Armed Forces each year; and
4. The executive department under which you have served or are serving has recommended you for this special immigrant status.

The petition must be filed with:

1. Certified proof issued by the authorizing official of the executive department in which you are serving or have served which certifies that you have the required honorable active duty service and/or commitment; and
2. Your birth certificate.

### **Afghanistan or Iraq National Supporting U.S. Armed Forces as a Translator.**

You may file this petition for yourself if:

1. You are a national of Afghanistan or Iraq;
2. You worked directly with the U.S. Armed Forces as a translator for a period of at least 12 months;
3. You have obtained a favorable written recommendation from a general or flag officer in the chain of command of the U.S. Armed Forces unit that you supported; and

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4. Before filing this petition, you were cleared by a background check and screening, as determined by a general or flag officer in the chain of command of the U.S. Armed Forces unit that you supported.

The petition must be filed with:

1. A copy of your passport or birth certificate, showing that you are a national of Afghanistan or Iraq;
2. A favorable written recommendation from a general or flag officer in the chain of command of the U.S. Armed Forces unit that you supported;
3. Documentation establishing that you have worked as a translator directly for the U.S. Armed Forces for a period of at least 12 months;
4. Evidence of having cleared a background check and screening by the U.S. Armed Forces. This can be in the form of a written letter attesting to the clearance signed by a member of the U.S. Armed Forces unit that you supported; and
5. A properly signed Form I-360 in **Part 9, Signature**, by the petitioner.

If you are physically present in the United States you must also submit a copy of the front and back of your Form I-94, Arrival/Departure Document. This is the document you received upon arrival in the United States.

### **Self-Petitioning Battered or Abused Spouse or Child of a U.S. Citizen or Lawful Permanent Resident.**

You may self-petition for immediate relative or family-sponsored immigrant classification if you:

1. Are now the spouse or child of an abusive U.S. citizen or lawful permanent resident;
2. Are eligible for immigrant classification based on that relationship;
3. Are now residing in the United States; have resided in the United States with the U.S. citizen or lawful permanent resident abuser in the past;
4. Have been battered by, or have been the subject of extreme cruelty perpetrated by:
  - A. Your U.S. citizen or lawful permanent resident spouse during the marriage; or are the parent of a child who has been battered by or has been the subject of extreme cruelty perpetrated by your abusive citizen or lawful permanent resident spouse during your marriage; or you

- B. Your citizen or lawful permanent resident parent while residing with that parent;
5. Are a person of good moral character;
6. Are a person whose removal or deportation would result in extreme hardship to yourself, or to your child if you are a spouse; and if you
7. Are a spouse who entered into the marriage to the citizen or lawful permanent resident abuser in good faith.

**NOTE:** Divorce or other legal termination of the marriage to the abuser **after** the self-petition is properly filed with USCIS will not be the sole basis for denial or revocation of an approved self-petition. If you remarry before you become a lawful permanent resident, however, your self-petition will be denied or the approval revoked.

Your self-petition may be filed with any credible relevant evidence of eligibility. The determination of what evidence is credible and the weight to be given that evidence is within the sole discretion of USCIS; therefore, you are encouraged to provide the following documentation:

1. Evidence of the abuser's U.S. citizenship or lawful permanent resident status;
2. Marriage and divorce decrees, birth certificates, or other evidence of your legal relationship to the abuser;
3. One or more documents showing that you and the abuser have resided together in the United States in the past, such as employment records, utility receipts, school records, hospital or medical records, birth certificates of children, mortgages, rental records, insurance policies, or affidavits;
4. One or more documents showing that you are now residing in the United States, such as the documents listed above;
5. Evidence of the abuse, such as reports and affidavits from police, judges and other court officials, medical personnel, school officials, clergy, social workers, and other social service agency personnel. If you have an order of protection or have taken other legal steps to end the abuse, you should submit copies of those court documents;
6. If you are more than 14 years of age, your affidavit of good moral character accompanied by a local police clearance, state-issued criminal background check, or similar report from each locality or state in the United States or abroad in which you have resided for six or more months during the three year period immediately preceding the filing of your self-petition;
7. Affidavits, birth certificates of children, medical reports and other relevant credible evidence of the extreme hardship that would result if you were to be removed or deported; and

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8. If you are a spouse, proof that one spouse has been listed as the other's spouse on insurance policies, property leases, income tax forms, or bank accounts; and testimony or other evidence regarding your courtship, wedding ceremony, shared residence and experiences showing that your marriage was entered in good faith.

**NOTE:** A self-petitioning battered or abused spouse or child of a U.S. citizen or lawful permanent resident may submit any relevant credible evidence in place of the suggested evidence.

### **Public Service Information.**

The National Domestic Violence Hotline provides information, crisis intervention and referrals to local service providers, including legal assistance organizations, to victims of domestic violence or anyone calling on their behalf at 1-800-799-7233 or TDD at 1-800-787-3244 TTD.

The hotline services are available 24 hours a day seven (7) days a week, toll-free from anywhere in the United States, Puerto Rico or the U.S. Virgin Islands. The staff and volunteers speak both English and Spanish and have access to translators in 139 languages.

### **General Instructions.**

#### **Step 1. Fill Out the Form I-360**

1. Type or print legibly in black ink.
2. If extra space is needed to complete any item, attach a continuation sheet, indicate the item number, and date and sign each sheet.
3. Answer all questions fully and accurately. State that an item is not applicable with "N/A." If the answer is none, write "none."
4. Every petition must be properly signed, and accompanied by the proper fee. If you are under 14 years of age, your parent or guardian may sign the petition.

#### **Step 2. General requirements**

**Translations.** Any document containing foreign language submitted to the Service shall be accompanied by a full English language translation which the translator has certified as complete and accurate, and by the translator's certification that he or she is competent to translate from the foreign language into English.

**Copies.** Unless specifically required that an original document be filed with an application or petition, an ordinary legible photocopy may be submitted. Original documents submitted when not required will remain a part of the record, even if the submission was not required.

### **Where To File?**

Where the Form I-360 is submitted depends on where you live and/or the category you are filing under. See the following instructions to determine where to file the petition. For Service Center and Lockbox mailing addresses, go to "**Mailing Addresses**" at the end of this section.

#### **Amerasian:**

1. If the beneficiary lives outside the United States, Form I-360 may be filed at the USCIS office overseas or at the U.S. consulate or embassy having jurisdiction over the beneficiary's current place of residence.
2. Form I-360 may also be filed at the USCIS office having jurisdiction over the beneficiary's intended place of residence in the United States, by submitting this petition to the USCIS Lockbox.

#### **Widow or Widower:**

1. If you are filing only Form I-360, it must be filed at the Vermont Service Center.
2. Form I-360 may also be filed concurrently with Form I-485. Concurrent Form I-360/I-485 widow/widower filings must be filed with the USCIS Lockbox.
3. If you live outside the United States you may file Form I-360 at the USCIS office or U.S. consulate or embassy that has jurisdiction over the area where you live.

#### **Special Immigrant Juvenile Court Dependent:**

Form I-360 may be filed alone or concurrently with Form I-485 at the USCIS Lockbox.

#### **Religious Worker or Minister:**

Form I-360 must be filed at the California Service Center, regardless of where you live or work. It cannot be filed concurrently with Form I-485.

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**Special Immigrant International Organization Employee or Family Member:**

Form I-360 must be filed with the Nebraska Service Center regardless of where you live. It may be filed alone or concurrently with Form I-485.

**Armed Forces Member:**

1. If you live outside the United States, file Form I-360 at the USCIS office or U.S. consulate or embassy abroad that has jurisdiction over the area where you live.
2. If you live in the United States, file Form I-360 with the Vermont or California Service Center depending on the place where you live or you may file it concurrently with Form I-485 at the USCIS Lockbox.

**Afghan and Iraqi Translators:**

Form I-360 must be filed at the Nebraska Service Center regardless of where you live. It cannot be filed concurrently with Form I-485.

**International Broadcasters:**

Form I-360 must be filed at the Vermont Service Center regardless of where you live or work. It cannot be filed concurrently with Form I-485.

**Self Petitioning Battered or Abused Spouse or Child:**

Form I-360 must be filed at the Vermont Service Center, regardless of where you live. In some cases it may be filed concurrently with Form I-485 (see note below).

**NOTE:** Form I-485 may be filed concurrently with Form I-360 if the abusive spouse or parent is a U.S. Citizen. Otherwise, an immigrant visa number must be immediately available to file the I-485 concurrently.

**For other categories including:**

1. Panama Canal Company Employment;
2. Canal Zone Government Employment;
3. U.S. Government in Canal Zone Employment; or
4. Special Immigrant Physician.

File Form I-360 with the California Service Center or the Vermont Service Center depending on where you live:

If you live in Alabama, Arkansas, Connecticut, Delaware, the District of Columbia, Florida, Georgia, Kentucky,

Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New Mexico, New York, North Carolina, South Carolina, Oklahoma, Pennsylvania, Puerto Rico, Rhode Island, Tennessee, Texas, Vermont, Virginia, U.S. Virgin Islands, or West Virginia, file this petition with the **Vermont Service Center**.

If you live in Alaska, Arizona, California, Colorado, Guam, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, North Dakota, Ohio, Oregon, South Dakota, Utah, Washington, Wisconsin or Wyoming, file this petition with the **California Service Center**.

**Mailing Addresses**

**Service Center Addresses:**

**California Service Center:**

USCIS  
California Service Center  
P.O. Box 10360  
Laguna Niguel, CA 92607-0360

**Nebraska Service Center:**

USCIS  
Nebraska Service Center  
P.O. Box 87360  
Lincoln, NE 68501-7360

**Vermont Service Center:**

USCIS  
Vermont Service Center  
75 Lower Welden Street  
St. Albans, VT 05479-0001

**USCIS Lockbox Addresses:**

USCIS  
P.O. Box 805887  
Chicago, IL 60680-4120

## What Is the Filing Fee?

The filing fee for a Form I-360 is **\$375.00**, except there is no fee if filing for an Amerasian, a Special Immigrant Juvenile or as a self-petitioning battered or abused spouse, parent or child of a U.S. citizen or lawful permanent resident.

An additional biometric fee of **\$80.00** is required when filing this Form I-360 on behalf of an Amerasian. After you submit Form I-360, USCIS will notify you about when and where to go for biometric services.

You may submit one check or money order for both the application and biometric fees, for a total of **\$455.00**.

Use the following guidelines when you prepare your check or money order for the Form I-360 and the biometric service fee, if applicable:

1. The check or money order must be drawn on a bank or other financial institution located in the United States and must be payable in U.S. currency; and
2. Make the check or money order payable to **U.S. Department of Homeland Security**, unless:
  - A. If you live in Guam and are filing your petition there, make it payable to **Treasurer, Guam**.
  - B. If you live in the U.S. Virgin Islands and are filing your petition there, make it payable to **Commissioner of Finance of the Virgin Islands**.

**NOTE:** Please spell out U.S. Department of Homeland Security; do not use the initials "USDHS" or "DHS."

**Notice to Those Making Payment by Check.** If you send us a check, it will be converted into an electronic funds transfer (EFT). This means we will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will usually take 24 hours, and will be shown on your regular account statement.

You will not receive your original check back. We will destroy your original check, but we will keep a copy of it. If the EFT cannot be processed for technical reasons, you authorize us to process the copy in place of your original check. If the EFT cannot be completed because of insufficient funds, we may try to make the transfer up to two times.

## How to Check If the Fees Are Correct.

The form and biometric fees on this form are current as of the edition date appearing in the lower right corner of this page. However, because USCIS fees change periodically, you can verify if the fees are correct by following one of the steps below:

1. Visit our website at **www.uscis.gov**, select "Immigration Forms" and check the appropriate fee;
2. Review the Fee Schedule included in your form package, if you called us to request the form or
3. Telephone our National Customer Service Center at **1-800-375-5283** and ask for the fee information.

**NOTE:** If your Form I-360 requires payment of a biometric service fee for USCIS to take your fingerprints, photograph or signature, you can use the same procedure to obtain the correct biometric fee.

## Address Changes.

If you change your address and you have an application or petition pending with USCIS, you may change your address on-line at **www.uscis.gov**, click on "Change your address with USCIS" and follow the prompts or by completing and mailing Form AR-11, Alien's Change of Address Card, to:

**U.S. Citizenship and Immigration Services  
Change of Address  
P.O. Box 7134  
London, KY 40742-7134**

For commercial overnight or fast freight services only, mail to:

**U.S. Citizenship and Immigration Services  
Change of Address  
1084-I South Laurel Road  
London, KY 40744**

## Processing Information.

**Any Form I-360 that is not signed or accompanied by the correct fee, will be rejected with a notice that the Form I-360 is deficient.** You may correct the deficiency and resubmit the Form I-360. An application or petition is not considered properly filed until accepted by USCIS.

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**Initial processing.** Once a Form I-360 has been accepted, it will be checked for completeness, including submission of the required initial evidence. If you do not completely fill out the form, or file it without required initial evidence, you will not establish a basis for eligibility and we may deny your petition.

**Requests for more information or interview.** We may request more information or evidence, or we may request that you appear at a USCIS office for an interview. We may also request that you submit the originals of any copy. We will return these originals when they are no longer required.

**Decision.** If you establish that the person this petition is for is eligible for the requested classification, we will approve the petition. We will send it to the U.S. embassy or consulate for visa issuance, unless he or she is in the United States and appears eligible and intends to apply for adjustment to permanent resident status while here. If you do not establish eligibility, we will deny the petition. We will notify you in writing of our decision.

### USCIS Forms and Information.

To order USCIS forms, call our toll-free number at **1-800-870-3676**. You can also get USCIS forms and information on immigration laws, regulations and procedures by telephoning our National Customer Service Center at **1-800-375-5283** or visiting our internet website at **www.uscis.gov**.

As an alternative to waiting in line for assistance at a USCIS office, you can now schedule an appointment through our internet-based system. To access the system, visit our website. Use the **InfoPass** appointment scheduler and follow the screen prompts to set up your appointment. **InfoPass** generates an electronic appointment notice that appears on the screen.

### Penalties.

If you knowingly and willfully falsify or conceal a material fact or submit a false document with this Form I-360, we will deny the Form I-360 and may deny any other immigration benefit.

In addition, you will face severe penalties provided by law and may be subject to criminal prosecution.

### Privacy Act Notice.

We ask for the information on this form, and associated evidence, to determine if you have established eligibility for the immigration benefit for which you are filing. Our legal right to ask for this information can be found in the Immigration and Nationality Act, as amended. We may provide this information to other government agencies. Failure to provide this information, and any requested evidence, may delay a final decision or result in denial of your Form I-360.

### Paperwork Reduction Act.

An agency may not conduct or sponsor an information collection and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The public reporting burden for this collection of information is estimated at 2 hours per response, including the time for reviewing instructions, completing and submitting the form. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Regulatory Management Division, 111 Massachusetts Avenue, N.W., 3rd Floor, Suite 3008, Washington, DC 20529. OMB No. 1615-0020. **Do not mail your application to this address.**