

ADJUSTMENT OF STATUS FREQUENTLY ASKED QUESTIONS

What does the Adjustment of Status Process entail?

An adjustment of status (AOS) application is submitted to US Citizenship & Immigration Services (USCIS) on Form I-485. When approved, this application will “adjust” your temporary (“nonimmigrant”) status to permanent resident (or “green card”) status. As an AOS applicant, you are eligible for two ancillary benefits: employment authorization and advance parole. Along with Form I-485, we will submit Form I-765 to request an employment authorization document (EAD) and Form I-131 to request an advance parole document (AP). These benefits are often approved in the form of a dual-purpose EAD/AP card that confers work authorization and permission to travel internationally while your AOS application is pending. The EAD/AP card is generally issued about 4-7 months after filing the AOS application.

Prior to approving your AOS application and issuing your green card, USCIS may schedule you for an in-person interview at your local USCIS field office. Interviews are discretionary and if there is an interview scheduled, our team will send detailed instructions to prepare you for your green card interview if we receive an interview notice for your application.

How long does the process take?

Please note that USCIS processing times are subject to change and are not guaranteed, as there are no expedited processing options for this process.

On average, it takes USCIS 4-7 months to issue EAD/AP documents and about 12-14 months to adjudicate AOS applications and schedule green card interviews.

Can I travel while my AOS application is pending?

IF YOU ARE IN H-1B/H-4 OR L-1/L-2 STATUS:

All AOS Applicants must be physically in the United States in order to submit their applications to USCIS. For those in H-1B/H-4 or L-1/L-2 status, you will not be subject to any additional international travel restrictions once your application has been filed. Please note that USCIS may deny your Advance Parole application if you travel while it is pending, but this will not impact your ability to continue to travel internationally using your valid H-1B/H-4 or L-1/L-2 status. Furthermore, denial of an Advance Parole application will not impact your pending AOS application or your pending EAD application. Please notify us of any upcoming international trips you have planned.

IF YOU ARE IN ANY OTHER STATUS:

All AOS Applicants must be physically in the United States in order to submit their applications to USCIS. **Once your application has been filed, you will be subject to international travel restrictions.** Specifically, you will be required to remain in the United States until your Advance Parole document is issued. Advance Parole is an ancillary benefit submitted along with your AOS application that will permit you to travel internationally while your AOS application is pending. USCIS is currently taking about 4-7 months to issue Advance Parole documents. **If you travel internationally before receiving Advance Parole, USCIS will consider you to have abandoned your AOS application.**

What if I change my address while my AOS application is pending?

As a visa holder residing in the United States, you must report a change in address to USCIS. USCIS launched an Enterprise Change of Address (E-COA) self-service tool that most individuals with a USCIS online account can update their mailing and physical address with USCIS for pending applications, petitions, or requests in a single place, eliminating the need to update the address in multiple places. E-COA will automate address changes for almost all form types (the exceptions are listed at uscis.gov/addresschange). Customers who do not have a USCIS online account may find the COA link available at the bottom of the page under the 'Related Resources' tab. Click on the drop down for more options, and then select "Online Change of Address." This will ensure that you continue to receive important notifications and documents related to your pending AOS application.

What if I change roles while my AOS application is pending?

Once your I-485 application has been pending for at least 180 days, you will be eligible for "AOS Portability," provided your new role is in the same or a similar occupation as the role for which you were sponsored on Form I-140. So long as these two requirements are met, you will be eligible to change geographic locations, employing entities, and positions while still preserving your pending AOS application.

How can I track the status of my case once it is filed and pending with USCIS?

You may track your case status by entering the receipt number here: <https://egov.uscis.gov/casestatus/landing.do>

NOTES ON SUPPORTING DOCUMENTS

Birth Certificates

You must submit the long form version of your birth certificate issued from the proper governing authority. A long form birth certificate will include your full name, your date of birth, your place of birth, and the names of both of your parents. Please review the US Department of State's reciprocity guidelines to determine the correct issuing agency for your birth certificate (click on your country of birth and scroll down for information on civil document requirements): <https://travel.state.gov/content/travel/en/us-visas/Visa-Reciprocity-and-Civil-Documents-by-Country.html>

If your long form birth certificate is unavailable, you may submit secondary evidence of birth such as affidavits. Please review Amazon's Special Alerts page for alternate forms of documentation, including sample affidavits of birth.

Marriage and Divorce Certificates

If applicable, you must submit marriage and divorce certificates for current and prior marriages. If issued outside the US, you will find guidelines on obtaining the correct documents here: <https://travel.state.gov/content/travel/en/us-visas/Visa-Reciprocity-and-Civil-Documents-by-Country.html>

I-94 Records

Please provide copies of your current I-94 record and your travel history, along with copies of any paper I-94 cards you were previously issued. You may obtain your most recent I-94 record and your travel history here:

<https://i94.cbp.dhs.gov/i94/#/recent-search>

Passport Photos

Each AOS Applicant is required to submit six (6) passport-style photographs with their application forms. Photos must be acquired within thirty (30) days of the filing date of your application. Failure to adhere to the USCIS passport style photo regulations may result in either the issuance of a Request for Evidence, thereby delaying the processing of your application(s), or the rejection of the applications upon filing.

We request that you mail the passport photographs to our office once your AOS application has been initiated. We have provided you with mailing instructions in our initiation email.

Medical Examination

USCIS requires that you and each member of your family who is applying for Adjustment of Status complete a Medical Examination. There are three permissible times to submit your Medical Examination: concurrently with the I-485 application, by mail in response to a Request for Evidence, or in person at an interview. Each applicant will obtain his or her individual exam results in a sealed envelope signed by USCIS-approved civil surgeon. Medical exams must be completed no more than 60 days prior to filing your AOS applications and exam results will be valid for two years. You will be responsible for scheduling an appointment to ensure that the medical exams are received prior to filing your application(s).

For your convenience please find links related to this step of the AOS application process below:

- The Civil Surgeon Locator, which will help you find a USCIS-approved civil surgeon in your area:

<https://egov.uscis.gov/office-locator/#/>

- The newest version of the medical examination form to be used by the USCIS-approved civil surgeon, Form I-693. We recommend that you take the Form with you to the examination in case the physician does not have updated Forms: <https://www.uscis.gov/sites/default/files/document/forms/i-693.pdf>

Criminal Records

If you or any of your dependents have ever had any encounters with the police in any country, please notify us and provide complete copies of any criminal records. Even seemingly minor incidents may impact your ability to file an AOS application, so it is critical that you bring any criminal issues to our attention.

J Waiver

If you ever held J-1 or J-2 status in the US and are subject to the two year home residence requirement, you will either need to fulfill this requirement or obtain a J waiver from USCIS prior to filing your AOS application. If you are unsure whether this requirement applies, you may request an advisory opinion directly from the US Dept. of State: <https://travel.state.gov/content/travel/en/us-visas/visa-information-resources/advisory-opinions.html>.