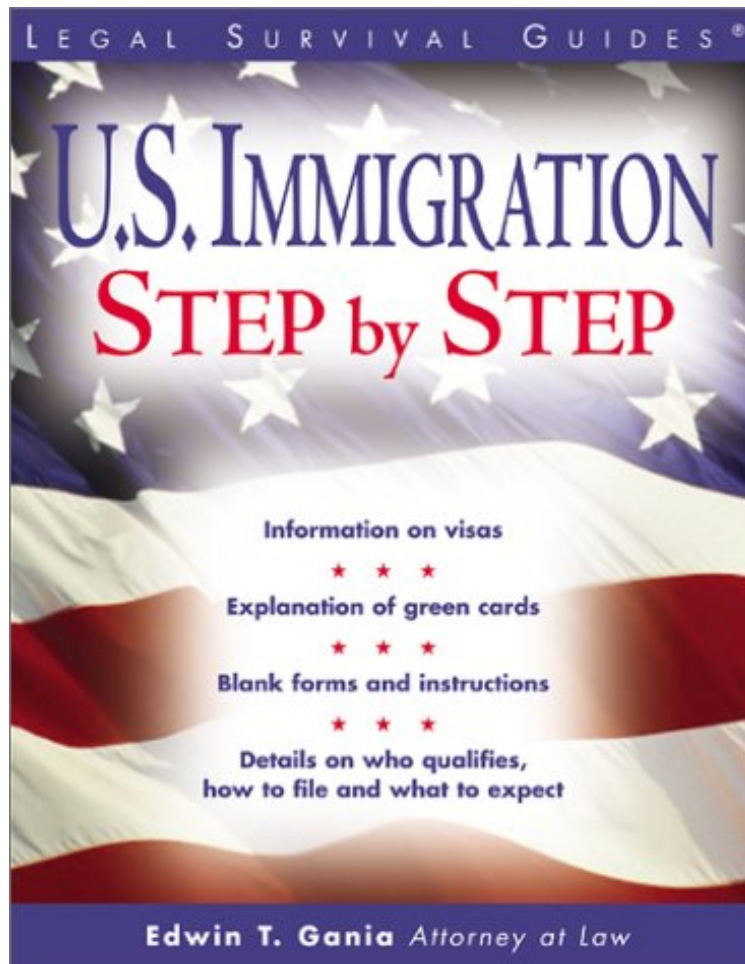


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U.S. Immigration Step by Step (Legal Survival Guides)

Edwin T. Gania

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Edwin T. Gania : U.S. Immigration Step by Step (Legal Survival Guides) before purchasing it in order to gage whether or not it would be worth my time, and all praised U.S. Immigration Step by Step (Legal Survival Guides):

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A step-by-step guide to visiting and immigrating to the United StatesVisiting and immigrating to the United States can be a complicated and confusing process. There are many rules and new procedures, and finding information you can trust that gets you the visa you need can seem overwhelming.Written by an immigration attorney, U.S. Immigration Step by Step walks you through the entire process, showing you each step of the way what needs to be done. Even though there are multiple options available, this guide helps you cut through the many choices and find the way most

suited for your needs. Learn what you need if you are simply coming for a holiday, trying to go to school, looking for work or attempting to stay in the U.S. indefinitely. There is no one way that is right for everyone, but there is sure to be a way that is right for you. U.S. Immigration Step by Step uses language and terms that everyone can understand, making it easy for you to:- Shift through all the different visa options- Reduce the amount of time it takes- Fill out all the necessary paperwork- Ease the background-check burden- Pass the USCIS interview - Take the next step to becoming a resident U.S. Immigration Step by Step gives you everything you need to do it all easily, quickly and legally!

About the Author Edwin T. Gania is a graduate of the George Washington University Law School and a member of the Illinois and New York state bars. An American Immigration Lawyers Association (AILA) member, he currently practices immigration law at the law firm of Mark Jacob Thomas Associates in downtown Chicago. Since 1979, the firm has handled thousands of immigration cases before the USCIS and immigration courts in numerous jurisdictions across the U.S. Excerpt. Reprinted by permission. All rights reserved. Steps to Take to Become a U.S. Citizen Excerpted from U.S. Immigration Step by Step by Edwin T. Gania 2002 It is a good idea to file for citizenship as soon as you are eligible. There are a few criteria for eligibility. ?Residency and age. You must be a lawful permanent resident and at least 18 years of age. ?Time as permanent resident. A person who has been a permanent resident for a minimum of five years (really four years and nine months) may apply for citizenship. Those that obtained their green card through marriage to a U.S. citizen, can apply three years (or two years and nine months) if they are still married and residing with the U.S. citizen spouse. There are several other exceptions to the five-year rule. ?Continuous residence in the U.S. The time as permanent resident described above may be broken by an absence from the U.S. of six months or longer. If the absence is more than six months but less than one year, it may be possible to argue that the continuous residence was not broken. ?Physical presence in the U.S. One must spend thirty months of the sixty months prior to the filing of the naturalization application actually living in the U.S. This is only eighteen months where the green card was obtained through marriage to a U.S. citizen. ?Good moral character. One must have been a person of good moral character during the period of five years prior to filing and through the time the application is pending. Good moral character has been interpreted to mean character that measures up to the standards of average citizens of the community in which the applicant resides. Not every criminal conviction breaks the good moral character requirement. A lawyer should be consulted if this is an issue. On the other hand, any person with an aggravated felony under Section 101(a)(43) must not apply for citizenship as they are deportable with no possible relief in immigration court. Grounds such as failure to pay child support, failure to file income tax returns, or false testimony on the application or at the interview may be found to constitute lack of good moral character. Failure to register with the Selective Service may be a ground, but only if the applicant knowingly failed to register-if a person did not know to register, then it is not a ground. ?English and civic knowledge. The applicant must be able to speak, read, and write English as well as pass a test of U.S. history and government. The applicant must answer eight out of twelve multiple choice questions correctly out of a list of questions. Those who have been a permanent resident for more than fifteen years and are over fifty-five years of age or have been a permanent resident for more than twenty years and are over fifty may take the civics test and conduct the interview with the assistance of a translator. NOTE: A medical waiver on form N-648 may be submitted to waive this requirement. This form must be completed in detail by your physician. ?State residence. You must have resided for at least three months in the state in which the petition was filed. ?Dual citizenship issues. For most countries, acquiring U.S. citizenship does not renounce the previous citizenship. The naturalized U.S. citizen simply becomes a dual citizen. However, there are numerous countries where this is not the case, for example, Germany, Japan and Australia. If there is any doubt, simply contact your country's embassy. Application The naturalization application is filed with the service center having jurisdiction over the person's residence. An application consists of the following: ?Form N-400 application for naturalization; ?filing fee of \$260; ?fingerprint fee of \$50; ?copy of green card; ?two green card style photos; and, ?if the applicant has been arrested or even just fingerprinted, original certified record of disposition from the court's criminal clerk's office. The above listing consists of the few items to be filed along with the N-400 application. Simply attach one check or money order in the amount of \$310 (\$260+\$50), a copy of the green card, and two green card style photos. If one has a criminal record, then original court dispositions obtained from the criminal clerk's office must be obtained. If the court is out of town, it is possible to simply call the court and mail in payment. This application packet is mailed to the appropriate service center. The service center will process the application and then forward it to the appropriate local office for interview. To change one's address prior to interview scheduling, call the National Customer Service line (800-375-5283). The Interview The following documents should be brought to the interview, if applicable: ?green card; ?driver's license; ?passport; ?reentry permit or refugee travel document; ?original court dispositions; ?original police records; ?proof of spouse's citizenship; ?proof of child support payments; ?tax forms or tax summary IRS Form 1722; ?proof of name change; and, ?proof of residence with spouse if received green card through spouse and applying after three years. If the application is approved by the USCIS officer, a swear-in date will be received in the mail. Typically, the swear-in ceremony is held four to six weeks after the interview. At that time, the naturalization is official and a naturalization

certificate will be issued. Only then may the individual apply for another as a U.S. citizen.