

Immigration Status Questionnaire

Questions to determine if client is a U.S. citizen:

- Were you born in the U.S.?
- Did you ever apply for citizenship and were issued a certificate of citizenship?

If yes to either of these questions, client is a U.S. Citizen and not subject to deportation/removal.

If no, client may have automatically acquired citizenship by operation of law through a parent where certain conditions are met. The following questions are designed to determine this.

- Are either of your parents a U.S. citizen?

If no, then client is not a U.S. citizen.

If yes, then continue with these questions. Be sure to consult with competent immigration counsel with the information to determine if your client automatically acquired citizenship. For information on acquired and derived citizenship please see the citizenship sections under Chapter Seven in the publication "Immigration and Washington State Criminal Law".

- How old were you when your parent(s) became U.S. citizens?
- Were you living with your parent(s) in the U.S. when they became a U.S. citizen?
- Are you a lawful permanent resident (greencard holder)?
- When did you get your greencard/LPR status?

Questions to Determine Immigration Status of Noncitizens:

- Entry into the U.S.
 - Did you come to the U.S. by illegally crossing the border at some place other than a U.S. checkpoint?
- Visa
 - Did you come to the U.S. on some type of visa?
 - What kind of visa (i.e. student, tourist, employment)
 - Is your visa still current or is it expired?
- Greencard
 - Do you have lawful permanent resident status (aka: a greencard)?
 - If not, have you or any of your relatives ever filed petitions for you to get a greencard?
 - If so, when were they filed?
 - Who filed these petitions? (i.e. parent? Spouse?)
 - Are they still in process with the immigration authorities?
- Work Permit
 - Were you given a work permit?
- Marriage

- Are you married to a U.S. citizen or lawful permanent resident?

Marriage per se, does not confer any lawful immigration status on the noncitizen spouse. Where the noncitizen marries a US citizen or LPR, this entitles the noncitizen to begin the process of applying for lawful status based upon a valid marriage.

- Refugee
 - Did you come to the U.S. after having been given refugee status?
 - Have you ever applied for asylum since you arrived in the U.S.?
 - Was your application granted?
 - If so, when?
 - If so, are you still in asylee status or have you applied for your greencard?
 - If not granted, is your application still pending?
 - If your application was denied, have you had a hearing with an immigration judge?