



PERMANENT RESIDENCY FOR BATTERED IMMIGRANT WOMEN

The Violence Against Women Act, passed by congress in 1994 and re-authorized in 2000, was a major step forward in addressing the needs of battered immigrant women. Some of the changes that this legislation includes are:

- battered immigrant women can now obtain lawful permanent residence without leaving the country
- immigrant domestic violence victims can now apply for residency, regardless of how they entered the country
- a new type of visa for victims of serious crimes will now allow some to attain lawful permanent residence

Who can apply?

A spouse or child(ren) who have been, or who are currently victims of domestic violence, including physical or emotional abuse, verbal or sexual.

How do I apply?

Proof must be provided for the following:

1. The existence of physical or mental abuse by a parent or spouse.
2. The spouse or child has lived with the abuser.
3. The spouse entered the marriage in good faith.
4. The spouse is married to the abuser. If there has been a divorce as a result of domestic violence, the application must be submitted within two years after the divorce.
5. The abusive spouse is an U.S. citizen or permanent resident. If the spouse is deceased or if the spouse lost his permanent resident status as a result of domestic violence, the application must be submitted before two years lapse since the spouse's death or loss of residency.
6. The abused spouse or child has not committed a criminal offense and is a person of "good moral character."

In Alameda County, contact the International Institute of the East Bay (510.451.2846) or Catholic Charities of the East Bay (510.768.3102) for legal assistance and information on how to apply for permanent residency.