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PRACTICE AREAS

BUSINESS

L-1 Visas

H-1B

H-1B Transfers

Visas

TN Visas (NAFTA)

Special Visas for Other Countries

Australia

Chile / Singapore E-1

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HOSPITALS /HEALTHCARE

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Naturalization / Citizenship

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MONDAY, JANUARY 25 2010

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Naturalization and Citizenship

Naturalization is the process of acquiring US citizenship for those who did not acquire it from birth or through adoption. The US Citizenship and Immigration Services (USCIS) processes applications for naturalization. Certain requirements must be met to successfully complete the naturalization process. Those requirements are outlined below.

- The applicant must be at least 18 years old
- The applicant must have maintained legal permanent resident status in the US for the last five years (the requirement is dropped to 3 years if the applicant has been and continues to be married to a US citizen)
- The applicant must meet continuous residence requirements, which generally requires that the applicant cannot have left the US for six months or longer at one time
- The applicant must meet the physical presence requirements, which generally requires that the applicant has spent the last 30 months in the US without leaving the country
- The applicant must have resided in the USCIS district where he or she submitted the naturalization application for the last three months

Good Moral Character

•The applicant also must possess good moral character. One of the ways this is measured is by assessing the applicant's criminal record. Certain crimes, such as murder and aggravated felonies, will prevent an applicant



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from ever becoming a US citizen. Committing these crimes also may lead to the applicant being deported.

- Other crimes can result in an applicant being denied citizenship temporarily, with the ability to reapply at a later time. These may include charges related to drunk driving, for example. Also, failing to pay child or spousal support can negatively impact the USCIS's assessment of an applicant's good moral character.

- It is important for applicants to be forthcoming about their criminal backgrounds, including crimes that they were merely charged with, crimes that have been expunged from their records or crimes that occurred while they were juveniles. If the USCIS discovers information that is absent from a naturalization application, it may assume this was done intentionally. Providing false or misleading information or failing to provide complete information on the application can have serious consequences, including removal from the country.

English and Civics Exams

- To become a US citizen, the applicant must be able to demonstrate a working knowledge of basic English and US history and government. Unless an exception applies, the applicant must be able to read, write and speak English. This ability will be tested during the applicant's interview with a USCIS officer. The civics exam may be given orally or may consist of a short, multiple choice test.

- Applicants meeting certain age and residency thresholds may not be required to take the English exam. They also may be able to use an interpreter to answer the civics questions. Those with documented mental and/or physical disabilities may not be required to take the English or civics exam. For more information on these exceptions, consult the USCIS Web site at <http://www.uscis.gov>.

Attachment to the Constitution

Lastly, to complete the process of acquiring citizenship, the applicant must renounce any foreign allegiances and pledge to protect and uphold the laws of the United States. This portion of the process will be carried out during



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the Oath of Allegiance. Once the Oath is completed, the applicant becomes a naturalized US citizen and receives a Certificate of Naturalization. Some applicants may be exempt from the Oath requirements, based on religious beliefs, or physical or mental disabilities.

For more information on the requirements for naturalization, contact an experienced immigration attorney in your area.

Getting Ready To Apply for a Visa

To read and print out a copy of the checklist, please follow the link below.

[Getting Ready to Apply for a Visa](#)

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