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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

E-1 Visas

E-2 Visas

PERM Labor Certification

### HOSPITALS /HEALTHCARE

H-1C Visas

H-1B Visas for Doctors

### FAMILY

Spouse / Fiancee Visas

Permanent Residence for Family  
Within U.S.

Naturalization / Citizenship

### AMNESTY

THURSDAY, JANUARY 21 2010

## E-Newsletter

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## How to Attain US Citizenship

US citizenship can be acquired in one of four ways: birth, naturalization, marriage or adoption. For more information on each one of these categories, see below.

### Birth

A person can gain US citizenship through birth by:

- Being born in the US
- Being born abroad to two US citizen parents, one of which lived in the US at some time in his or her lifetime
- Being born abroad to one US citizen parent, who was a citizen at the time of the child's birth, lived for at least five years in the US prior to the child's birth and two of those five years occurred after the parent's 14th birthday
- Being born to naturalized US citizen parents

### Naturalization

Naturalization is the process of acquiring US citizenship for those who were not born US citizens. In order to become a naturalized citizen, a person must:

- Be at least 18 years old



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- Lived in the US as a legal permanent resident (green card holder) for the last five years (the requirement is dropped to three years if you are married to a US citizen)

- Maintained continuous residency in the US for the last 30 months prior to applying for naturalization (the requirement is dropped to 18 months if you are married to a US citizen) — meaning you have been physically present in the US and have not left the country for the required time period

- Maintained physical presence in the US, generally meaning you have not left the country for periods longer than one year

- Lived in the USCIS district where you applied for citizenship for at least the last three months

- Exhibited good moral character, which means you have not violated the terms of your legal resident status and have not been charged or found guilty of committing certain crimes. It is important to note that conviction for murder and aggravated felonies will prevent you from becoming a US citizen and bar your naturalization application

- Pass the English and civics exams, which includes speaking, reading and writing in English and exhibiting a working knowledge of US history and government

- Take an oath of allegiance showing your attachment to the US Constitution

## Marriage

A person can gain US citizenship through marriage by applying for legal permanent resident status after the marriage takes place. The spouse can either enter the US on a fiancé(e) visa to marry in the US, or if the couple is married overseas, the US citizen can sponsor the foreign-born spouse by filing a Petition for Alien Relative (Form I-130). Once the foreign-born spouse has maintained legal permanent resident status for three years and meets the requirements for naturalization, the spouse can apply to become a naturalized citizen.



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## Adoption

Foreign-born children adopted by American parents usually receive American citizenship automatically once the adoption is complete. If the adoption was completed overseas and the adopted parents saw the child in-person before or during the adoption, an adopted child will automatically become a US citizen once the visa is issued and the child is admitted to the US. If the adoptive parents want to complete the adoption in the US, the child will acquire US citizenship once the adoption is complete and the parents file for a Certificate of Citizenship. Parents must complete this process before the child turns 16. If the parents do not, the child cannot become a US citizen until he or she turns 18 and completes the naturalization process.

## 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](#)

**DISCLAIMER:** This site and any information contained herein are intended for informational purposes only and should not be construed as legal advice. Seek competent counsel for advice on any legal matter.