

How can I become a U.S. citizen?

A legal resident may become a U.S. citizen through a process called naturalization.

If I am a legal resident of the United States, how can I become a U.S. citizen?

Generally, you must have been a legal resident for five years. Also, you must have knowledge of English and U.S. history and have good moral character. *It is VERY important to speak to an immigration attorney if you ever have been arrested or convicted of any crime, no matter how minor. Certain offenses not only will result in a denial of naturalization but could lead to deportation.*

Must I speak English perfectly to be able to become a citizen?

No. You must be able to read, write, and speak basic English. Some schools have classes to help people get ready for the test. You do not have to take the English test if any of the following apply to you:

- If you are over 50 and have lived in the U.S. as a legal resident for at least 20 years.
- If you are over 55 and lived in the U.S. as a legal resident for at least 15 years.
- If you have a physical or mental disability that prevents you from learning. You must fill out a form and have a doctor sign the form too. It is best to talk to an attorney if you think this applies to you.

What is the history/civics test like?

You must understand basic U.S. history and government. Sample questions are, “Who was the first President of the U.S.?” “Name the senators from your state.” and “What are the

colors of our flag?” Many schools help people prepare for this test. If you do not pass the civics test, you may take it again within 90 days. You do not have to take the civics test if:

- You obtained legal residence through the amnesty process and passed the English and U.S. history test at that time; or
- You have a physical or mental disability that prevents you from learning.

How long must I have lived in the U.S. as a legal resident to apply for naturalization?

The general rule is you must be a legal resident for five years before you may file for naturalization. If you are married to a U.S. citizen, you need to have been a legal resident for only three years, but you must have lived with your spouse during the entire period.

How is my case affected if I travel outside the U.S.?

If you left the U.S. for less than six months, your residency is not affected. If you left the U.S. for more than six months but less than one year, it might affect your residency. If you left the U.S. for more than one year, the time you were not in the U.S. probably will not count toward your U.S. residency requirement.

You also must have been actually present in the U.S. for at least half of the required period of residence. The INS will look at the TOTAL number of days you were outside the U.S. Therefore, if you took many short trips or some long trips outside the U.S., it could affect your eligibility for naturalization. In extreme cases, the INS even could say that you abandoned your legal residence. Consult with an immigration attorney if you spent a substantial period of time outside the U.S.

What is “good moral character”?

You must be of good moral character to become a naturalized citizen. If you committed certain crimes the INS may decide you lack good moral character. It is VERY important to speak to an immigration attorney if you ever have been arrested or convicted of any crime, no matter how minor. Certain offenses not only will result in a denial of naturalization, but also could lead to deportation. In addition, other types of conduct also could prevent you from showing that you have good moral character, including: failing to pay child support, failing to pay taxes or file tax returns, helping people enter the U.S. illegally, and failing to register for Selective Service if you are a male born after 1959. You should consult with an immigration attorney before applying for naturalization if any of these grounds apply to you. NOTE: If you do not tell the truth during your interview the INS may deny your application. If the INS approves your application but finds out later you did not tell the truth, your citizenship may even be revoked.

Who can apply for naturalization?

Any mentally competent adult 18 or older may file for naturalization. In addition, in certain circumstances a U.S. citizen also may petition for the naturalization of a child younger than 18, even if the child is outside the U.S.

If I apply for naturalization, do my children also become citizens?

Yes. A child automatically becomes naturalized with a parent if all of the following exist:

- At least one parent is a U.S. citizen;
- The child is under 18 years of age; and

- The child is a legal resident and is living in the U.S. in the custody of the citizen parent.

How do I apply for naturalization?

You must submit form N-400 application for naturalization, two photographs, a copy of your Green Card, and the filing fee. As of February 19, 2002, the filing fee is \$260 plus \$50 for fingerprinting. Be sure to verify this amount because the filing fee changes frequently. Residents of Indiana must file these items with the INS office in Lincoln, Nebraska.

Nebraska Service Center Immigration and Naturalization Service
P.O. Box 87400
Lincoln, NE 68501-7400

What happens when I apply?

First, you will be called for an appointment to get your fingerprints taken. Next, you will be called for an interview and the test. If your application is approved, a date will be set for the oath ceremony. In this ceremony, you will swear to support the Constitution, to renounce loyalty to any other country, and to defend the U.S. If you can show that your religion does not allow you to serve in the military, you may get an exception from that requirement.

What are the benefits of naturalization?

- You have the right to vote.
- It is easier to petition for your relative and you may petition for more relatives.
- You cannot be deported.
- You can travel outside the U.S. for extended periods of time without having to worry about losing your residence.

- There are more jobs available to U.S. citizens. For example, there are many government jobs that require employees to be U.S. citizens.
- A legal resident must always have his residence card in his possession. Also, when a legal resident moves, he must report the change in address to INS or he can be deported. A U.S. citizen does not have to carry an identification card nor tell the INS when he moves.
- You are eligible for various government benefit programs.

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TO SUBMIT AN APPLICATION FOR LEGAL ASSISTANCE, CALL ILS INTAKE:

Anderson:
1-877-323-6260

Bloomington:
1-877-323-6260

Evansville:
1-877-323-6260

Fort Wayne:
1-877-323-6260

Gary:
1-219-886-3161

Hammond:
1-219-853-2360

Indianapolis:
1-317-631-9410 or
1-800-869-0212

Lafayette:
1-765-423-5327 or
1-800-382-7581

New Albany:
1-812-945-4123 or
1-800-892-2776

South Bend:
1-574-234-8121 or
1-800-288-8121

Español 1-877-323-6260

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Information Available on the web
www.indianajustice.org