



T-VISA APPLICATION CHECKLIST

Before filing for the T visa, please be sure to review the T Visa regulations [8 CFR 214.11](#) and the T Visa Waiver regulations [8 CFR 212.16](#). For further guidance from Department of Homeland Security (DHS) on the T Visa, please see the DHS' [Preamble](#) of the release of the 2017 T Visa regulations.

PRINCIPAL

- USCIS Forms (Download most recent forms on www.USCIS.gov.)**
 - G-28 Notice of Entry of Appearance As Attorney
 - I-912 Application for Fee Waiver if applying for waiver of inadmissibility using Form I-192
 - Derivatives should be included in one fee waiver for derivative Form I-192 and derivative Form I-765
 - I-914 Application for T Nonimmigrant Status (Review [Instructions for Application for T Nonimmigrant Status](#))
 - Proof of Cooperation with Law Enforcement (One of the following):
 - Attorney Declaration documenting reporting and request for I-914 Supplement B (Review [Practice Advisory for LEA reporting](#))
 - I-914, Supplement B Law Enforcement Declaration (Not required)
 - Continued Presence (Not Required)
 - I-192 Application for Advance Permission to Enter as a Nonimmigrant for individuals who may be inadmissible (Waiver of Inadmissibility pursuant to [INA 212 \(d\)\(13 & \(d\)\(3\)\)](#))
 - [I-192 Attachment](#) (if needed)
 - See T nonimmigrant status waiver regulations at [8 CFR 212.16](#)
- Supporting Documentation**
 - [Cover Letter](#) Establishing the criteria for T Status:
 - The applicant is a victim of severe form of trafficking in persons
 - The applicant is physically present in the US on account of trafficking
 - The applicant would suffer extreme hardship involving unusual and severe harm if he or she were removed from the US
 - Address at least 3 factors listed at [8 CFR 214.11\(i\)\(2\)](#)
 - [Declaration of Applicant](#)
 - Passport (If none, request for waiver in Form I-192)
- Optional Evidence***
 - [Supporting Declaration from Case Manager](#)
 - [Trafficking in Persons Country Reports](#) (Department of State)
 - [Human Rights Reports](#) (Department of State)

*Not necessary to include additional evidence, but if included make sure all evidence is relevant and consistent with applicant's declaration.

This checklist is current as of May 2017, but should not be considered legal advice or a substitute for legal counsel.

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DERIVATIVES

USCIS Forms

- G-28 for each derivative
- I-914 Supplement A, Application for Family Member of T-1 Recipient
 - Relationship (Select one box in either Part A or Part B.)
- I-765 Employment Authorization (If derivative is currently present in the US)
 - File under category (c)(25)
 - Note: Derivatives outside the country must wait until they have been admitted into the U.S. before filing for their employment authorization.
- I-192 Application for Advance Permission to Enter as a Nonimmigrant for individuals who may be inadmissible (Waiver of Inadmissibility pursuant to [INA 212\(d\)\(3\)](#), if needed)

Supporting Documentation

- Evidence of relationship of each family member to the principal applicant (one of the following):
 - Birth Certificate
 - Translated into English and accompanied by translator's certification
 - Marriage Certificate
 - Translated into English and accompanied by translator's certification

ADDITIONAL QUESTIONS

If you have further questions, please contact CAST's Technical Assistance Hotline at technicalassistance@castla.org.

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