



AMERICAN IMMIGRATION LAW FOUNDATION

UPDATED PRACTICE ADVISORY ON THE CHILD STATUS PROTECTION ACT

Practice Advisory¹

By Mary A. Kenney²
March 8, 2004

The Child Status Protection Act (CSPA), Pub. L. 107-208 (Aug. 6, 2002), was enacted to provide relief to children who “age-out” as a result of delays by the Citizenship and Immigration Services (CIS) in processing visa petitions and asylum and refugee applications. The Immigration and Nationality Act (INA) defines a “child” as an unmarried individual under 21 years of age. 8 U.S.C. § 1101(b)(1). The CSPA does not change this definition, but instead changes the point at which the child’s age is calculated.

Prior to the CSPA, an application for permanent residency as a direct or derivative beneficiary child would be approved only if adjudicated prior to the child turning 21.³ Upon turning 21, a child would “age out” and lose the preferential status of a child. As the result of agency backlogs and delays, many children aged out before their cases were complete. For cases to which it pertains, the CSPA now locks in the age of the child at an earlier date in the process, and in this way will preserve the status of “child” for many individuals who otherwise would age out.

¹ Copyright (c) 2004, 2008 American Immigration Law Foundation. See www.ailef.org/copyrights for information on reprinting this practice advisory. This Practice Advisory was originally published in December 2003. It has been updated to include recent developments in the law.

² AILF Legal Action Center would like to thank AILF Board of Trustee member Cyrus D. Mehta for his help with this practice advisory.

³ The individual also must be unmarried to be considered a “child.” 8 USC § 1101(b)(1). The CSPA did not change this requirement.

Sample Letter For Child Status Protection Act

**Charles Gordon, Stanley
Mailman, Stephen Yale-Loehr, Ronald Y.
Wada**

Sample Letter For Child Status Protection Act:

Whispering the Strategies of Language: An Mental Quest through **Sample Letter For Child Status Protection Act**

In a digitally-driven earth wherever displays reign great and instant transmission drowns out the subtleties of language, the profound strategies and emotional subtleties concealed within phrases usually get unheard. However, nestled within the pages of **Sample Letter For Child Status Protection Act** a captivating fictional prize blinking with raw emotions, lies a fantastic journey waiting to be undertaken. Written by a skilled wordsmith, that enchanting opus invites readers on an introspective journey, gently unraveling the veiled truths and profound influence resonating within the fabric of every word. Within the psychological depths of this moving evaluation, we will embark upon a heartfelt exploration of the book is key styles, dissect its interesting publishing style, and succumb to the strong resonance it evokes heavy within the recesses of readers hearts.

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