



Naturalization 411

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Myths/Misconceptions

- Myth: I receive public benefits. I am a public charge and do not qualify to become a US citizen
 - Reality: Public charge is not a consideration for naturalization. Receiving public benefits does not disqualify you from becoming a citizen.

- Myth: Only the wealthy can afford to become US citizens.
 - Reality: The cost of naturalization may be more affordable than commonly perceived. The “reduced fee” income guidelines allow for more flexibility. Moreover, fee waivers and legal assistance programs are available for those facing financial hardship.

Myths/Misconceptions Cont.

➤ Myth: Speaking English perfectly is required.

- Reality: while it is a requirement to demonstrate proficiency in English for naturalization, perfect fluency is not mandatory. Basic competency in speaking, understanding, reading, and writing English is considered adequate for applicants. Additionally, there are English language exceptions depending on age and time as a Lawful Permanent Resident. (50/20, 55/15/65/20)

Myth: marriage guarantees citizenship.

- Reality: while marriage to a U.S. citizen can expedite the citizenship process, it does not guarantee automatic citizenship. A person still needs to meet eligibility criteria.

➤ Misconception: it is impossible to get citizenship if you have a criminal record.

- Reality: even if you have a criminal record, you MAY still be eligible for citizenship. It depends on the crime. An experienced immigration attorney can help you determine if you are eligible to apply for citizenship.

General Requirements For Naturalization

- Be a Lawful Permanent Resident.
- Not be a United States Citizen.
- At least 18 years of age.
- Continuous and Physical Presence – at least 5 years OR at least 3 years if a person is married and living with a U.S. citizen.
- Residency – this requirement is different from the continuous and physical presence requirements above. To satisfy the residency requirement, a person must have been a resident of the state or USCIS district where you plan to apply for citizenship for at least three months immediately prior to applying for naturalization.
- Attachment to the principles of the U.S. Constitution.

General Qualifications For Naturalization

- Completion of security and criminal background checks.
- Review of the applicant's complete immigration record.
- In-person interview[s] with oral and written testimony.
- Testing for English and civic requirements. [if needed]
- Qualifications for disability exemption.

General Qualifications Cont.

- Swear allegiance to the United States.
- Males and Selective Service.
- Any other topic pertinent to the eligibility determination.
- Absences from the United States after becoming a Lawful Permanent Resident. [LPR]

New fee structure including reduced fees & fee waivers as of April 1, 2024:

➤ **Fee for the N-400/Application for Naturalization**

- \$760 on paper OR \$710 if filed online
- \$380 Reduced fee if your household income is lower than the 400% poverty guidelines
- \$0 if applicant is receiving a means tested benefit, is below the 150% poverty guideline or has financial hardship
- Examples of scenarios where you do not have to pay full fee:
 - * Receives Medi-Cal
 - * A household of 1 makes less than \$60,240 (400%)
 - * A household of 4 makes less than \$46,800 (150%)

General Process

- 1) File your N-400 application (mail or on-line)
- 2) Begin to receive correspondence from USCIS such as receipt, invitation to create on-line account, biometrics appointment, extension of LPR card and appointment for interview.
- 3) Attend interview and meet with officer.
- 4) If case is approved, attend an oath ceremony.

Processing times can vary. Could be as little as six months.

Things you can do to prepare to file

- Get your immigration record by filing Form G-639/Freedom of Information Act [FOIA]
- CAL DOJ Record Request Form with biometrics using live scan form. This will provide you with California arrests.
- FBI Records: For a fee of \$18, the FBI can provide individuals with an Identity History Summary, often referred to as a criminal history. It can also list apprehensions by immigration officials.
- List your entries/exits for the past five years

Where to Get Help

- Many community organizations and social service providers offer citizenship classes and assistance with the naturalization process. Classes are often held in the evenings and on weekends. In many cases, these programs provide additional support and referral services as well.

<https://www.uscis.gov/citizenship/apply-for-citizenship/find-help-in-your-community>

- Local non-profit Legal Services Organizations such as CARECEN, CHIRLA, NALEO, LAFLA, NLS to name a few
- LACBA Immigration Legal Assistance Project

Assistance from a Private Attorney

Resources for finding an attorney:

- 1) LACBA referral service through SmartLaw.org
- 2) AILA.org
- 3) Local Bar Associations

When it may be a good idea to have an attorney represent you:

- You feel nervous about being at the interview on your own.
- You have a complicated immigration history.
- You have criminal arrest(s)/conviction(s).
- You are filing a medical waiver.



thank you

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M-TH 8:00 AM TO 12:00 PM

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