

# **Form I-730 Refugee/Asylee Relative Petition for a Dependent Child: Legal and Procedural Analysis**

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## FINDINGS

### FORM I-730 REFUGEE/ASYLEE RELATIVE PETITION FOR A DEPENDENT CHILD: COMPREHENSIVE LEGAL AND PROCEDURAL ANALYSIS

This report provides an exhaustive examination of the Form I-730 petition process for a dependent child, addressing eligibility criteria, documentation requirements, processing timelines, interview procedures, and outcome pathways. The Form I-730 process enables refugees and asylees who have been granted status in the United States to petition for their spouse and unmarried children under age 21 to join them in the United States, receiving derivative status without the need to demonstrate independent persecution or demonstrate a well-founded fear of persecution.[1][6][26] As of February 2026, the I-730 process operates under significant constraints and uncertainty: the Trump administration has suspended new refugee admissions through the U.S. Refugee Admissions Program (USRAP) effective January 27, 2025, while processing of following-to-join asylee petitions continues but follow-to-join refugee petitions face substantial delays or suspension.[33][51][54] Understanding the eligibility requirements, distinguishing between the domestic processing pathway (for beneficiaries already in the United States) and the consular processing pathway (for beneficiaries abroad), and managing expectations regarding processing timelines are critical for practitioners and petitioners alike.

#### Executive Summary

##### Key Findings and Strategic Assessment

The Form I-730 petition process serves as a family reunification mechanism available exclusively to principal asylees and principal refugees who have been granted status in the United States within the past two years.[1][2][6] The petitioner must have been either granted asylum by a USCIS Asylum Office or an Immigration Judge, or admitted to the United States as a refugee, within the preceding 24-month period from the date of filing the I-730.[27][41] For children specifically, eligibility requires that the parent-child relationship existed on or before the date the petitioner was admitted as a refugee or granted asylum status.[6][29][56] This is a strict requirement—a child born or conceived after the petitioner's asylum grant or refugee admission does not qualify for derivative benefits unless specific statutory exceptions apply.[25][29]

The procedural pathway for I-730 petitions depends critically on the child's location. If the child is present in the United States (including those who entered illegally or overstayed visas), the petition is processed domestically at the USCIS field office with jurisdiction over the child's location, and both petitioner and beneficiary typically receive interviews before approval.[1][3][14][19] If the child is located outside the United States, the case proceeds through the National Visa Center (NVC) and the U.S. Department of State for consular processing, involving a more extended timeline that incorporates medical examinations, security checks, and a consular or USCIS officer interview at a U.S. Embassy or Consulate.[1][8][20][26]

##### Current Processing Environment and Risk Assessment

Historically, I-730 petitions have processed slowly, with USCIS reporting processing times of approximately 30 months as of October 2023, with roughly 80 percent of cases adjudicated within that timeframe.[30] However, the current processing environment (February 2026) is substantially disrupted. The January 2025 executive order suspending the USRAP has created operational paralysis for follow-to-join refugee (FTJ-R) petitions, with new admissions suspended and follow-to-join refugee cases facing indefinite

delays.[33][51][54] In contrast, follow-to-join asylee petitions continue to process, though with significant backlogs. Recent workload shifts have reorganized processing responsibilities: as of May 6, 2024, USCIS transferred processing of FTJ-R cases from the Asylum Vetting Center in Atlanta to the USCIS International Operations Division, a change intended to improve efficiency but which has coincided with extended processing delays.[15][18][58]

For children located abroad, community reports from 2025-2026 indicate that approval of the initial I-730 petition at USCIS is followed by approximately three months of NVC pre-processing before the case is transferred to the applicable U.S. Embassy or Consulate.[1] After transfer, the timeline for interview scheduling varies widely depending on embassy workload, consular staffing, and the specific location. Some beneficiaries report waiting three to six months after receiving NVC notification that their case is "Ready" before receiving an interview appointment.[14] The boarding foil (the authorization to travel) is issued only after interview approval, and beneficiaries must travel within the validity period of that boarding foil (typically six months or longer depending on the officer's discretion).[1][26][49]

### Risk Assessment and Likelihood of Approval

For children who meet the eligibility criteria and who do not fall within bars to asylum or admissibility grounds, the likelihood of I-730 approval is qualitatively assessed as medium to high. Bars to asylum—such as persecution of others, conviction of a particularly serious crime, security-related terrorism grounds, or participation in Nazi persecution—render a child ineligible for derivative asylee or refugee status.[6][25][31][45] Additionally, a child who has previously been granted refugee or asylee status in their own right cannot receive derivative benefits through an I-730.[25][31][45] For the vast majority of children who do not fall within these categorical bars and for whom documentation of the parent-child relationship is available, approval is likely, provided that the petitioner's status remains valid and the relationship continues to exist at the time of the child's admission to the United States.

### Client Risk Factors Specific to Current Environment

The primary risks for I-730 petitioners and beneficiaries in the current environment are not legal denials but rather processing delays and political uncertainty. For follow-to-join refugees specifically, the USRAP suspension creates high uncertainty regarding any adjudication timeline whatsoever; the executive order permits case-by-case exemptions at the discretion of the Secretary of State and Secretary of Homeland Security, but no criteria or timeline for decisions have been articulated.[54] For follow-to-join asylees, processing continues but backlogs are substantial, and practitioners should advise clients that current wait times may exceed 36 months or more from initial filing to final approval and interview scheduling. Additionally, if the child is abroad and a follow-to-join refugee beneficiary, the suspension of USRAP creates uncertainty regarding whether resettlement agency sponsorships required for refugee reception and placement services will be available or delayed; all follow-to-join refugee beneficiaries are required to have sponsorship assurances from a voluntary resettlement agency before travel to the United States in order to receive refugee resettlement benefits.[1][20][49]

### Strategic Decision Points

Petitioners must make three critical strategic decisions: (1) whether to file the I-730 immediately (to meet the two-year deadline and preserve eligibility) or wait to gather additional documentation; (2) for children abroad, whether to request expedited processing or accept standard processing; and (3) for follow-to-join refugees specifically, whether to pursue case-by-case exemption requests given the USRAP suspension. All of these decisions should be made in consultation with qualified immigration counsel who can assess the specific facts

and current policy environment.

## **Eligibility & Timing Requirements: The Two-Year Window and Frozen Age Requirement**

### **The Critical Two-Year Filing Deadline**

The foundation of I-730 eligibility rests on a strict temporal requirement: the petitioner must file Form I-730 within two years of either being granted asylum or being admitted as a refugee to the United States.[1][2][6][27][41][56] For asylees, the two-year period runs from the date that the USCIS Asylum Office or an Immigration Judge issued the grant of asylum.[27][41] The grant date is listed on the approval letter provided by the USCIS Asylum Office or appears on the Immigration Judge's order granting asylum.[41] For refugees, the two-year period runs from the date of admission to the United States (entry) as a refugee, not the date of initial approval in the refugee processing abroad.[41] A refugee's entry date is listed on the I-94 Arrival and Departure card and stamped on the Transportation Security Assistance (TSA) letter issued by the Department of State's Bureau of Population, Refugees and Migration.[41]

Why this distinction matters: An asylee who was approved by an Asylum Office on June 15, 2024 has until June 14, 2026 to file the I-730 petition with USCIS; they cannot file after June 15, 2026. A refugee who was admitted to the United States on June 15, 2024 has until June 14, 2026 to file; the fact that they may have been approved for refugee status months or even years prior in their country of origin is irrelevant to the two-year filing deadline.[27][41] This distinction is critical in cases where refugees were approved months before their actual travel and admission, as the practitioner must identify the actual admission date from the I-94, not the approval date from the Resettlement Support Center documentation.

### **The Humanitarian Extension**

The two-year filing deadline, while strict, is not immovable. USCIS retains discretion to grant extensions of the two-year filing period based on humanitarian reasons, exercised on a case-by-case basis.[2][27][41] A petitioner who misses the two-year deadline may request a humanitarian extension by submitting the Form I-730 late and providing a detailed explanation in Part 3 of the form.[41] USCIS will evaluate the explanation against the standard of whether there are objectively reasonable circumstances that prevented the petitioner from filing timely.

Examples of circumstances that may support a humanitarian extension, according to CLINIC's practice manual, include illness of the petitioner, inability to locate the beneficiary prior to the deadline, ineffective assistance of counsel if the petitioner received incomplete or faulty immigration advice, family separation due to armed conflict or natural disaster, and Red Cross family tracing efforts.[41] Simply missing the deadline out of forgetfulness or lack of awareness does not constitute a humanitarian reason; the petitioner must demonstrate that circumstances beyond their reasonable control prevented timely filing.[27] When requesting an extension, practitioners should supplement the I-730 petition with as much supporting documentation as possible, including hospital records, Red Cross/International Committee of the Red Cross family tracing documents, correspondence with prior representatives, or other evidence establishing the factual basis for the delayed filing.[27][41]

### **The Frozen Age Requirement**

For children specifically, eligibility depends on a "frozen age" concept that operates differently for asylees and refugees. For asylees, the child's age is frozen as of the date the petitioner filed Form I-589 (Application for Asylum and Withholding of Removal) with USCIS.[6][29][30][33][56] If the child was under 21 years old on

the date the I-589 was received by USCIS, the child continues to be classified as a child for purposes of I-730 eligibility even if the child is now 25, 30, or 35 years old, provided the child remains unmarried and is listed on the Form I-589.[25][29][30] This is a substantial benefit to asylees whose asylum cases took many years to adjudicate; a child who was 20 years old when the I-589 was filed can now, even though they have reached age 35, still qualify for derivative asylee status if the petitioner files an I-730 and the child remains unmarried.[30]

For refugees, the frozen age operates differently: the child's age is frozen as of the date the refugee had their USCIS interview for refugee resettlement.[6][29][33][56] If the child was under 21 on the date of that USCIS interview (conducted during the refugee processing abroad), the child qualifies for I-730 benefits even if the child is now older than 21, provided the child remains unmarried.[29][56] The critical requirement is that the child must have been listed on the Form I-590 (Registration for Classification as Refugee) prior to age 21 and prior to the refugee's adjudication.[25][29]

Special case-children who aged out before August 6, 2002: A child who turned 21 before August 6, 2002, only qualifies as a derivative if the Form I-589 or Form I-590 was still pending as of August 6, 2002.[25] This cutoff reflects the application of the Child Status Protection Act (CSPA), which applies retroactively to cases that were pending when the CSPA became law.[53]

### **The Relationship Must Predate the Grant**

Beyond the age requirement, the child must have been born or conceived (i.e., the mother was already pregnant) before the petitioner was granted asylum or admitted as a refugee.[1][6][25][29][56] A child born after the petitioner's asylum grant or refugee admission does not qualify for I-730 benefits and cannot be brought to the United States through this mechanism (though other pathways, such as K-2 visa or immediate relative petition after the petitioner naturalizes and becomes a U.S. citizen, may be available).[6][29][56] This requirement applies strictly: if a petitioner grants asylum on June 1, 2024, and a child is born on June 2, 2024, the child does not qualify, even though the date of birth is only one day after the asylum grant.

However, there is a specific exception for children who were conceived but not yet born on the date of asylum grant or refugee admission.[25][29][56] If the mother was already pregnant with the child on the date the petitioner was granted asylum or admitted as a refugee, the relationship is considered to have existed as of the date of that grant or admission, even though the child was not born until after.[25] This exception requires proof of the pregnancy as of the qualifying date-typically a medical examination or statement, pregnancy test results, or other documentary evidence showing the pregnancy existed before the grant or admission.[29]

## **Petitioner Status & Relationship Requirements: Who Can File and Who Qualifies as a Beneficiary**

### **Eligibility of the Petitioner: Principal Status Required**

Only a principal asylee or a principal refugee can file an I-730 petition for family members.[1][6][11][27][35] A principal is the individual from whom the refugee or asylee benefits are derived-that is, the person who was themselves granted asylum or admitted as a refugee through their own individual application.[11][27] Notably, a derivative asylee or derivative refugee-someone who was granted asylum or refugee status based on their relationship to a principal-cannot file an I-730 petition for any other relatives.[6][11][22][27][35] For example, if a mother was granted asylum and her teenage son received derivative asylee status based on the mother's case, the son cannot later file an I-730 for his own spouse or children; only the mother can file I-730 petitions.

The naturalization complication: A petitioner may file an I-730 if they have refugee or asylee status and also if they have become a Lawful Permanent Resident (LPR) based on refugee or asylee status.[11][27][35][45] However, once the petitioner becomes a naturalized U.S. citizen, they can no longer file Form I-730; instead, they must file Form I-130 (Petition for Alien Relative), which is the standard family petition available to U.S. citizens.[11][27][35][45] This is a critical distinction: the petitioner can naturalize and become a U.S. citizen before the derivative child receives their status and arrives in the United States without affecting the child's eligibility, provided the I-730 petition was filed before the petitioner's naturalization.[11][27][35] However, if a principal asylee naturalizes before the derivative child arrives and the child is still an asylee (rather than a permanent resident), the derivative asylee will lose their status, because they no longer qualify as the spouse or child of a refugee or asylee.[11][35]

### **Qualifying Family Relationships**

The I-730 petition can be filed only on behalf of a spouse or unmarried children under age 21 (using the frozen age concept described above).[1][6][25] No other family relationships qualify. The petitioner cannot file for parents, siblings, grandchildren, cousins, nephews, nieces, aunts, uncles, or in-laws.[6][25][24][28] The definition of "child" for I-730 purposes includes biological children, stepchildren (adopted before the child turned 18, with the marriage to the step-parent occurring while the child was under 18), and adoptive children (adopted before the child turned 16, with evidence of at least two years of legal custody and living with the adoptive parent).[6][25][29][31][56]

For biological children, the petitioner can be either the biological mother or the biological father; if the petitioner is the father, they must prove both paternity (a father's name on the birth certificate) and marriage to the child's mother at the time the child was born or before the child turned 18.[6][29][56] If a child is born out of wedlock (the parents were not married), the father-child relationship can still be established through evidence of paternity acknowledgment, legitimation, paternity judgment, or DNA evidence if USCIS requests it.[6][29][31][56]

For stepchildren, the requirement is that the marriage to the child's natural parent occurred while the stepchild was under 18 years of age, and a certified copy of the birth certificate and marriage certificate to the natural parent are required.[6][29][56] If the marriage to the natural parent occurred when the stepchild was 18 or older, the stepchild does not qualify.[6][25][29][31] This is a common disqualifying factor for petitioners with older stepchildren.

For adoptive children, the adoption must have occurred before the child reached 16 years of age, and the petitioner must demonstrate legal custody of the child for at least two years and actual living together with the child for at least two years.[6][29][31][56] If the adoption occurred when the child was 16 or older, the child does not qualify for I-730 benefits as an adoptive child, even if the petitioner had custody and lived with the child for many years.[25][31] Additionally, an orphan adoption under INA § 101(b)(1)(F) may qualify if the adoption occurred before age 16 and the legal custody and physical custody requirements are met.[50] However, if a child was previously granted refugee or asylee status (whether as a principal or as a derivative under a different petitioner), that child cannot receive benefits again through I-730.[25][31][45]

### **The Requirement That the Relationship Continue to Exist**

At every stage of the I-730 process—at the time of filing, at the time of interview, and at the time of the child's admission to the United States—the parent-child relationship must continue to exist.[6][25][29][56] For adoptive children and stepchildren, the legal relationship must continue (no dissolution of adoption or reversal of guardianship). For all children, if the child marries, they cease to be an eligible beneficiary, and the I-730

petition becomes ineligible for approval, even if it was pending at the time of marriage.[6][29][30] If the beneficiary is already in the United States as an unmarried child and then marries, the pending I-730 petition will be denied.[6][14]

## **Documentation & Evidence Requirements: Proving Eligibility and Relationship**

### **Category One: Proof of Petitioner's Status**

The petitioner must submit evidence establishing their refugee or asylee status. This evidence includes a copy of the asylum approval letter from a USCIS Asylum Office, a copy of an Immigration Judge's order granting asylum, the I-94 Arrival and Departure card (for refugees), a valid Refugee Travel Document (RTD/Form I-571), a Lawful Permanent Resident card (green card) if the petitioner has adjusted status, or a copy of the passport showing the visa stamp and admission as a refugee.[1][6][14][26][29] If the petitioner has naturalized and become a U.S. citizen, they can no longer file I-730, but if they filed before naturalization, the pending petition can continue to be adjudicated.[11][27]

### **Category Two: Proof of Family Relationship-The Core Documentation**

The specific documents required depend on whether the petitioner is the biological mother, biological father, stepparent, or adoptive parent.

For biological mothers petitioning for a child: A certified copy of the child's birth certificate showing the mother's name and the child's name is required.[6][29][56] If there are concerns about the authenticity of the birth certificate or if the USCIS officer suspects the child is not biologically related, USCIS may request a DNA test, which the petitioner and child must complete at one of USCIS-designated laboratories.[6][29][32]

For biological fathers petitioning for a child: A certified copy of the child's birth certificate showing the father's name and the name of the child's mother is required, along with a certified copy of a marriage certificate showing that the petitioner was married to the child's mother either when the child was born or before the child turned 18.[6][29][56] If the petitioner was not married to the child's mother at the time of the child's birth, alternative documentation is needed, such as a paternity acknowledgment, legitimation decree, paternity judgment, court order establishing paternity, or DNA evidence if USCIS requests it.[6][29][31]

For stepparents: A certified copy of the stepchild's birth certificate and a certified copy of the marriage certificate to the stepchild's natural parent are required, demonstrating that the marriage occurred while the stepchild was under 18 years of age.[6][29][56] Additionally, evidence of the legal relationship to the natural parent (such as a court order recognizing the marriage or a family registry entry) may be required if USCIS questions whether the marriage is legally valid in the relevant country.[6][29]

For adoptive parents: A certified copy of the adoption decree is required, along with proof that the child lived with the adoptive parent for at least two years and that there was legal custody for at least two years.[6][29][56] Court orders establishing legal custody, school records showing the adoptive parent's name and address, medical or financial records demonstrating financial support and decision-making authority, or affidavits from individuals with knowledge of the living arrangement may be submitted.[6][29]

### **Category Three: Evidence of Bona Fide Relationship**

Beyond the primary family relationship documents, USCIS requires evidence that the parent-child relationship is genuine and not fraudulent. This category includes photographs of the parent and child together at different times, school records from institutions where the child was enrolled (showing the parent's contact information), family correspondence (letters, emails, text messages demonstrating communication), phone

bills showing calls between the petitioner and child, documentation of financial support (bank statements, transfer records, receipts showing the petitioner paid for the child's education, healthcare, or other necessities), medical records showing the parent's involvement in healthcare decisions, and other evidence of a genuine familial relationship.[1][6][26][29][49]

Special consideration for separated parents or long-standing separation: In cases where the petitioner and child have been separated for extended periods (common in refugee and asylee cases), the evidence of the genuine relationship becomes especially important. School records, correspondence with the child's other parent or caregiver, evidence of financial remittances, communications through intermediaries (grandparents, siblings), and other documentation of an ongoing relationship are critical. In some cases where the petitioner and child have had minimal contact, USCIS may request a DNA test to confirm the biological relationship, even for biological children where a birth certificate is available.[6][14][29][32]

#### **Category Four: Photographs and Passport Documentation**

The petitioner must provide six passport-style photographs of the child (or of both the petitioner and child, depending on the form instructions), and a photocopy of the biographical data page of the child's passport if available.[1][6][26] If the child does not have a valid passport, other identity documents (such as a national identification card, refugee travel document, or consular identity document) are acceptable.[1][26]

#### **Category Five: English Translations of Foreign Documents**

Any documents not written in English must be accompanied by a certified English translation prepared by a qualified translator who certifies the accuracy and completeness of the translation.[1][6][14][25][26] The certified translation must include the translator's certification that they are competent to translate the language and that the translation is complete and accurate.[1][26] This requirement applies to birth certificates, marriage certificates, divorce decrees, adoption decrees, school records, and all other foreign-language documents.[1][26]

#### **Request for Evidence: What USCIS May Ask For**

After the I-730 petition is filed, USCIS may issue a Request for Evidence (RFE) asking for additional documentation if the initial submission does not establish eligibility.[6][14][29][32] Common RFE requests include additional evidence of the biological relationship (such as DNA tests for children where paternity is questioned or where the birth certificate is missing the father's name), additional evidence of the bona fide nature of the parent-child relationship (such as more photographs, school records, correspondence, or affidavits from third parties with knowledge of the relationship), evidence that the petitioner's status has not been terminated (such as an updated I-94 or green card), or clarification of the child's current immigration status and residence.[6][29][32]

If USCIS issues an RFE, the petitioner typically has 90 to 120 days to respond with the requested evidence.[6][29] Failure to respond within the timeframe may result in denial of the petition.[6][29] The RFE will specify the deadline and provide instructions on how to submit the response.[6][29] If the petitioner or representative cannot locate a particular document, secondary evidence may be submitted in its place, such as affidavits explaining the unavailability of the original documents and evidence of efforts to obtain them, school records, hospital records, church records, or other institutional documentation of the family relationship.[1][6][26][29]

#### **Processing Pathways: Domestic vs. International**

## **Domestic Processing: Child Present in the United States**

If the child is present in the United States—regardless of how they entered (legally, without inspection, overstay, etc.) and regardless of their current status—the I-730 petition is processed domestically.<sup>[1][3][14][19][29]</sup> The petition is filed at the USCIS Texas Service Center (where all I-730 petitions are filed for initial review), but after USCIS completes initial domestic processing and either approves or transfers the case, the beneficiary interview is conducted at the local USCIS field office with jurisdiction over the child's location in the United States.<sup>[1][3][29][36]</sup>

**Interview requirements for domestic beneficiaries:** Both the petitioner and the beneficiary (if age 14 or older) are interviewed by USCIS at the local field office.<sup>[3][6][29][33]</sup> The purpose of the interview is to verify the identity of both parties, establish the genuine nature of the parent-child relationship, confirm that the relationship meets the legal requirements, and assess whether the beneficiary is otherwise eligible for derivative asylee or refugee status (i.e., whether any bars to asylum or admissibility grounds apply).<sup>[3][6][29]</sup>

**Timeline for domestic beneficiaries:** Community reports and practitioner experience indicate that domestic I-730 cases (where the child is in the United States) may process more quickly than cases where the child is abroad, though current backlogs remain substantial. Historical data suggested that domestic beneficiary cases might be adjudicated within 12 to 24 months on average, though current experience (2025-2026) indicates even longer delays are common.<sup>[7][14]</sup> The initial domestic processing phase (from filing through initial domestic review at USCIS) may take 12 to 36 months or more, depending on the service center's workload and the complexity of the case.<sup>[1][30]</sup>

## **International Processing: Child Abroad**

If the child is located outside the United States, the I-730 petition follows a substantially different pathway. After the petitioner files the Form I-730 at the Texas Service Center, USCIS adjudicates the petition through its initial domestic processing. Once USCIS approves the I-730, the case is transferred to the National Visa Center (NVC), which serves as a clearinghouse for visa cases processed abroad.<sup>[1][8][20][26][60]</sup>

**National Visa Center (NVC) pre-processing phase:** The NVC receives the approved I-730 petition from USCIS and initiates pre-processing, which includes administrative case preparation, assignment of the case to the appropriate U.S. Embassy or Consulate where the beneficiary will interview, and notification to the petitioner and beneficiary of the assigned consular post.<sup>[1][8][20]</sup> The NVC sends a letter or email to the petitioner indicating which U.S. Embassy or Consulate will process the case and providing instructions on how to contact that post. During this phase, the beneficiary may need to complete certain preliminary requirements, such as submitting additional biographical information or scheduling a medical examination (depending on whether the beneficiary is a follow-to-join asylee or follow-to-join refugee).

**Timeline for NVC processing:** Community reports from 2025-2026 indicate that NVC pre-processing typically takes approximately three to six months from approval of the I-730 until the case is transferred to the assigned consular post and the beneficiary receives notification.<sup>[1][14]</sup> However, this timeline is subject to significant variation depending on NVC workload, the complexity of the case, and whether additional documentation or clarification is needed.<sup>[1][8]</sup>

**Consular processing phase:** Once the case is transferred to the U.S. Embassy or Consulate, that post is responsible for scheduling the beneficiary's interview, requesting additional documentation as needed, coordinating medical examinations, conducting security and background checks, and making the final determination on the I-730 petition.<sup>[1][8][20][26]</sup> The consular officer (or USCIS officer, if an overseas USCIS field office is processing the case) interviews the beneficiary to confirm identity, verify the

parent-child relationship, and assess eligibility.[1][8][20][26][49]

Timeline for consular processing: After the case is transferred to the consular post, the timeline for interview scheduling varies widely depending on the specific Embassy or Consulate, the volume of pending cases, staffing levels, and other operational factors.[1][8][20] Community reports indicate that after receiving notice that the case is "Ready" in the CEAC (Consular Electronic Application Center) system, beneficiaries may wait three to six months or longer before receiving an interview appointment letter.[1][14] Some embassies process cases more quickly; others have substantial delays. The Department of State has noted that "the length of time needed to complete the case varies according to its circumstances, and cannot be predicted with any accuracy." [1][8][20]

## **Current Processing Timelines & Workload Shifts**

### **Historical Processing Times and Current Backlog Status**

As of October 2023, USCIS reported official processing times for Form I-730 petitions of approximately 30 months, with roughly 80 percent of cases adjudicated within that timeframe.[30] However, this historical data predates significant organizational changes and the political disruptions of early 2025, making it less reliable for current planning purposes.

Initial domestic processing times: The initial domestic processing phase—from filing the I-730 at the Texas Service Center through initial review and approval or transfer to a field office—is currently estimated at 12 to 36 months or longer, depending on the service center's workload and whether an RFE is issued.[1][30][36] Cases with straightforward facts and complete documentation may process more quickly; cases requiring additional evidence, DNA testing, or further investigation may face substantial delays.[1][14]

USCIS Workload Shift of May 6, 2024: As of May 6, 2024, USCIS transferred all processing of follow-to-join refugee (FTJ-R) cases from the Asylum Vetting Center in Atlanta to the USCIS International Operations Division.[15][18][58] This workload shift was intended to establish a dedicated team with primary responsibility for initial domestic processing of FTJ-R petitions in order to improve efficiency.[15][18] However, this reorganization coincided with extended processing delays, and some practitioners report that the shift created additional confusion regarding where to direct inquiries and how to track cases.

All petitioners continue to file Form I-730 petitions at the USCIS Texas Service Center; the workload shift only affects which unit processes the case internally after filing.[15][18][55][58] Following-to-join asylee (FTJ-A) petitions are not affected by the workload shift and continue to be processed through the existing framework.[15]

### **Impact of the January 2025 USRAP Suspension on Processing**

On January 27, 2025, President Trump issued an executive order suspending the U.S. Refugee Admissions Program (USRAP) effective immediately.[54] The executive order directs that entry into the United States of refugees under the USRAP be suspended and that decisions on applications for refugee status be suspended, except for case-by-case exemptions approved jointly by the Secretary of State and Secretary of Homeland Security in the national interest.[54]

Direct impact on follow-to-join refugees: The USRAP suspension creates substantial uncertainty for follow-to-join refugee (FTJ-R) beneficiaries. Technically, USCIS can continue to process I-730 petitions filed by principal refugees, and the two-year filing deadline remains in effect for new petitions.[33] However, the practical effect of the suspension is that new admissions of follow-to-join refugee beneficiaries are halted, and

cases awaiting interview or final processing abroad face indefinite delays pending resumption of refugee admissions.[33][51][54] The Department of State has confirmed that processing of following-to-join refugee beneficiaries has been paused, and beneficiaries whose appointments were previously scheduled have had those appointments canceled.[51] Only cases that had already interviewed may continue if beneficiaries wish to move forward and can secure funding for medical exams and travel.[51]

No direct impact on follow-to-join asylees: The USRAP suspension does not directly affect I-730 petitions filed by principal asylees (follow-to-join asylees), as asylees are not part of the USRAP.[33] However, follow-to-join asylee processing also continues to face substantial backlogs, and current processing times remain extended.

Case-by-case exemptions: The executive order permits the Secretary of State and Secretary of Homeland Security to determine jointly, on a case-by-case basis, to admit aliens as refugees if they determine such admission is in the national interest and does not pose a threat to security or welfare.[54] However, as of February 2026, no criteria or process for obtaining such an exemption has been articulated, and no guidance has been issued regarding whether follow-to-join refugees can be exempted. Practitioners whose clients are follow-to-join refugee beneficiaries should advise clients that there is substantial uncertainty regarding their cases and that requests for expedited review or national interest exemptions are a matter for negotiation with USCIS and the Department of State, likely involving contact with Congressional offices or formal requests for reconsideration if a case meets the national interest standard.

### **Current 2025-2026 Processing Environment for Asylees**

For principal asylees filing I-730 petitions for children abroad (follow-to-join asylee beneficiaries), processing continues under standard procedures, though with extended timelines. Community reports from 2025-2026 suggest the following timeline:

1. Filing to receipt notice: Approximately 1-2 weeks
2. Initial domestic processing at USCIS: 12-36 months or more (current experience suggests many cases face extended delays)
3. NVC pre-processing (approval to transfer to consular post): 3-6 months
4. Consular post (transfer to interview notification): 3-6 months or longer, depending on embassy workload
5. Interview to boarding foil: 1-3 months (sometimes longer if additional processing is required)

Total estimated timeframe: 24-60+ months from initial filing to receipt of boarding foil, with substantial variation depending on the specific circumstances.

For principal asylees with children present in the United States, processing may occur somewhat more quickly at the domestic field office level, but current backlogs still result in extended timelines, frequently exceeding 24 months from filing to approval.

## **Interview Procedures & Requirements**

### **Interview Location and Procedures for Domestic Beneficiaries**

When the child is in the United States, both the petitioner and the beneficiary (if age 14 or older) are interviewed at the USCIS field office with jurisdiction over the child's location.[1][3][6][29][33] The field office will notify the petitioner and beneficiary of the interview date and time and will provide instructions

regarding what documents to bring and what to expect.

**Purpose of the domestic interview:** The USCIS officer interviews both parties to verify their identities, establish the parent-child relationship, confirm that the relationship meets the legal requirements for I-730 benefits, assess whether the child has been persecuted or fears persecution (a factual assessment, though this is not a legal requirement for derivative status), and determine whether any bars to asylum or admissibility grounds apply to the child.[1][3][6][29][33] The interview also allows the officer to assess the credibility of both parties and to identify any potential fraud or misrepresentation.

**Topics covered in the interview:** The USCIS officer typically asks the petitioner questions about their asylum or refugee status (including the circumstances of their persecution or fear of persecution), their residence in the United States, their relationship to the child, the circumstances of the child's life in the country of origin, and the reason the child is seeking to join the petitioner in the United States.[1][3][6][29][33] The officer may also ask the child (if present) basic identifying information (name, date of birth, country of origin), about their relationship to the petitioner, about their life in the country of origin, and about their reasons for seeking to come to the United States.[1][3][29]

**Document submission:** The petitioner and beneficiary should bring original documents to the interview, including the birth certificate, marriage certificate (if the petitioner is married or was married to the child's other parent), passport or travel document, identity documents, the I-94 or other proof of the child's entry to the United States (if applicable), and any additional evidence of the relationship.[1][3][6][29] All documents should be organized and readily available for the officer to review.

### **Interview Location and Procedures for Overseas Beneficiaries**

When the child is located outside the United States, the interview is conducted by either a Department of State consular officer at a U.S. Embassy or Consulate, or by a USCIS officer at an overseas USCIS field office.[1][8][20][26][49] The specific location depends on the jurisdiction and staffing of the overseas post.

**Interview scheduling:** The U.S. Embassy or Consulate will send the beneficiary (or the petitioner, depending on whom they have contact information for) an interview appointment letter with the date, time, location, and instructions on what to bring.[1][8][20] The beneficiary must attend the scheduled interview; failure to appear without an acceptable reason may result in the case being returned to USCIS via the NVC for denial.[1][8][20] However, the consular post must provide the beneficiary with at least two opportunities to appear for interview before returning the case for lack of response or appearance.[1][24]

**Documents needed for overseas interview:** The beneficiary should bring original documents and certified copies, including the birth certificate (original and certified copy), passport or travel document, identity documents, photos of the petitioner and beneficiary together, school records, correspondence with the petitioner, evidence of financial support, medical records, and any other evidence of the genuine parent-child relationship.[1][6][26][29][49] The consular post may request additional documents or evidence as part of the interview process.[1][26] Unlike immigrant visa applicants, I-730 beneficiaries do not need to submit all of the documentation required for standard visa applications; however, the consular post retains discretion to request any evidence it deems necessary to establish the relationship and assess eligibility.

**Topics covered in the overseas interview:** Similar to domestic interviews, the consular officer will ask the beneficiary to confirm their identity, establish the parent-child relationship, verify that the relationship meets the legal requirements, and assess whether any bars to asylum or admissibility grounds apply.[1][8][20][26][49] The officer may also ask about the beneficiary's life in the country of origin, their reasons for seeking to immigrate to the United States, their relationship with the petitioner, and their

understanding of what it means to live in the United States.[1][8][20][26][49]

For beneficiaries who are children (under 14 or 15), the majority of consular officer questions are typically directed at an accompanying parent or caregiver, though the child should be prepared to answer basic age-appropriate questions about their name, date of birth, their relationship to the petitioner in the United States, and their reasons for wishing to join that petitioner.[9][44] Children should be coached to answer truthfully and simply, without elaborate explanations.[9][44]

### **CEAC Status Indicators for Overseas Cases**

For overseas cases, the Consular Electronic Application Center (CEAC) system provides status updates to both the petitioner and beneficiary (or their representative). The CEAC status "Ready" indicates that the NVC has completed pre-processing and the case has been transferred to the assigned U.S. Embassy or Consulate for interview scheduling.[1][14] However, "Ready" status does not mean that an interview appointment has been scheduled or that the interview is imminent; it simply indicates that the case is now the responsibility of the consular post and that the post will contact the beneficiary to schedule an interview when it is able to do so.[1][14]

After an interview has been conducted, the CEAC status will update to reflect the outcome (approved, denied, administrative processing, etc.).[1] If the case is in "administrative processing," it means the consular post is conducting additional background checks, security checks, or other investigations and a final decision has not yet been made.[1][8][20] Administrative processing can take weeks, months, or in some cases much longer.[1][8][20]

## **Special Circumstances: Adoptive and Stepchildren**

### **Adoptive Children: Additional Requirements**

A child adopted by the petitioner before the child reached 16 years of age may be beneficiary of an I-730 petition, provided that the adoptive parent had legal custody of the child and the child lived with the adoptive parent for at least two years.[6][29][31][56] The two-year living requirement is non-waivable and cannot be satisfied through documentation of intended custody or arrangements; there must be documented evidence that the child physically lived with the adoptive parent for at least two years.[6][29][31]

Documentation for adoptions: A certified copy of the final adoption decree (not a preliminary or temporary decree) is required, along with evidence of legal custody and evidence of the two-year living arrangement.[6][29][31] The evidence might include school records listing both the adoptive parent and child at the same address, medical records showing the adoptive parent's involvement in healthcare decisions, bank statements or financial records showing the adoptive parent providing support, utility bills or rental agreements showing both names or showing the child at the adoptive parent's address, affidavits from third parties with knowledge of the living arrangement (neighbors, teachers, relatives, clergy), photos of the family together at the same residence, and other documents establishing the two-year physical presence.[6][29][31]

Orphan adoptions: An adoption qualifying as an orphan adoption under INA § 101(b)(1)(F) may also qualify, provided the child was adopted before age 16 and the adoption occurred after January 1, 2004 (or on or after December 29, 1996 but before January 1, 2004 for specific circumstances).[50] The definition of an orphan for these purposes is narrow and typically applies to children who lost both parents through death, abandonment, or legal separation, or whose sole or surviving parent is unable to care for the child.

### **Stepchildren: The Age-at-Marriage Requirement**

A stepchild is a qualifying child for I-730 purposes only if the marriage to the child's natural parent occurred while the stepchild was under 18 years of age.[6][25][29][31][56] The requirement is strict: if the petitioner married the child's parent when the child was 18 years old or older, the stepchild does not qualify, regardless of how long the petitioner has been married to the child's parent or how long the stepchild has lived with the petitioner.[6][25][29][31]

Documentation for stepchildren: A certified copy of the stepchild's birth certificate and a certified copy of the petitioner's marriage certificate to the stepchild's natural parent are required.[6][29][56] These documents must clearly establish that the marriage to the natural parent occurred before the stepchild's 18th birthday. If there are discrepancies in dates or if the authenticity of either document is questioned, the USCIS officer may request additional evidence, such as a certified copy from the civil registry showing the date of marriage, religious documentation of the marriage, or affidavits from witnesses to the marriage.[6][29]

## **Post-Approval Processing & Adjustment of Status**

### **What Happens After I-730 Approval**

Once USCIS approves the I-730 petition, the child becomes eligible for derivative asylee or refugee status, but does not automatically receive that status. For children abroad, the case is transferred to the NVC and then to the consular post for interview and final processing.[1][8][20] For children in the United States, the field office issues an approval notice to both the petitioner and beneficiary.[1][3][6][29]

### **Medical Examination Requirements**

For follow-to-join asylee beneficiaries (children of asylees): A completed medical examination by a panel physician is required, and the cost is the responsibility of the beneficiary.[1][26][49] Critically, for asylees, the medical examination must be completed before the interview, not after.[1][26][49] The beneficiary must schedule the medical examination with an approved panel physician in their country or region, complete all required vaccinations, obtain the completed medical examination report (Form I-693), and bring it to the interview.[1][26][49]

For follow-to-join refugee beneficiaries (children of refugees): A completed medical examination is also required, but refugees typically are instructed to complete the medical examination after the interview, not before.[1][26][49] The U.S. Government pays all costs associated with medical examinations and vaccinations for follow-to-join refugees.[1][26][49] This difference in timing and cost allocation reflects the different policies applicable to refugees versus asylees.

### **Boarding Foil and Travel Authorization**

After the child's interview is approved by the consular officer or USCIS officer, the officer will place a boarding foil in the child's passport or other travel document.[1][20][49][60] The boarding foil authorizes the child to board a plane or other carrier and travel to the United States.[1][20][49][60] The boarding foil has an expiration date (typically 6-12 months from issuance, depending on the officer's discretion), and the child must enter the United States before the expiration date or the boarding foil will become invalid.[1][20][49][60]

Along with the boarding foil, the child receives a sealed travel packet containing the original documents for presentation to DHS Customs and Border Protection (CBP) officials at the U.S. port of entry.[1][20][49][60] The child must keep this packet sealed and unopened until arrival at the U.S. port of entry; opening the packet before arrival may complicate or delay entry.[1][20][49][60]

Important note: The boarding foil does not guarantee entry into the United States; CBP officials at the port of entry have the authority to permit or deny admission.[1][20][49][60] However, if the I-730 has been approved and the boarding foil is valid, denial of entry would be unusual absent discovery of new derogatory information or grounds for inadmissibility.

### **Adjustment of Status After Arrival**

One year after the child arrives in the United States as a derivative asylee or refugee, the child becomes eligible to adjust status and obtain a Lawful Permanent Resident Card (green card).[1][3][6][29][39] The child (now adjusted or their parent on their behalf) files Form I-485 (Application to Register Permanent Residence or Adjust Status) to adjust status to permanent resident.[1][3][6][29][39]

Adjustment requirements: The child must have been physically present in the United States for at least one year in asylee or refugee status, must be physically present in the United States at the time the I-485 is filed, must meet the definition of a refugee or be the spouse or child of a refugee, must not be firmly resettled in any foreign country, must be admissible as an immigrant, and must not have had their asylee or refugee status terminated.[39][53] Additionally, for asylee children, the child must remain unmarried at the time of adjustment (a requirement that does not apply to refugee children, whose status is not affected by marriage).[53]

Medical examination for adjustment: The medical examination completed for the I-730 process (if it was before the interview for asylees) can typically be used for the I-485 adjustment application, provided the examination is not too old (USCIS typically accepts medical examinations that are no more than six months to one year old, though specific requirements may vary).[1][3][42] If the examination is older or if the child's health status has changed, a new medical examination may be required.

Filing fees: Refugees do not pay a filing fee for the I-485 adjustment application, but asylees must pay the filing fee and biometric services fees.[39][53]

### **Common Issues & Requests for Evidence**

#### **DNA Testing and Paternity Questions**

One of the most frequent issues arising in I-730 cases for children is USCIS's request for DNA testing to establish paternity.[6][14][29][32] USCIS may request DNA testing if:

1. The biological father is petitioning, but the child's birth certificate does not list the father's name and there is no marriage certificate showing marriage between the parents when the child was born or before the child turned 18;
2. There are inconsistencies or discrepancies in the documents submitted;
3. The USCIS officer suspects, based on the interview or other evidence, that the child may not be biologically related to the petitioner;
4. The child or petitioner cannot explain gaps in their relationship or extensive separation without contact.

If USCIS issues an RFE requesting DNA testing, both the petitioner and child must undergo the test at one of USCIS-approved laboratories.[6][14][29][32] The cost of DNA testing is typically the responsibility of the petitioner.[6][29][32] DNA tests must be completed within the timeframe specified in the RFE (typically 90-120 days) and the results must be submitted to USCIS.[6][29][32]

DNA testing is not a new or unusual requirement for I-730 cases; it is standard USCIS practice when paternity

is questioned, and practitioners should advise clients that such a request, while inconvenient and perhaps invasive, does not indicate a finding of fraud or ineligibility.[6][14][29][32]

### **Questions About the Genuineness of the Relationship**

USCIS frequently requests additional evidence to establish that the parent-child relationship is genuine and not fraudulent. This is particularly common in cases where:

1. The petitioner and child have been separated for extended periods without regular contact;
2. The petitioner has limited English and the child has limited proficiency in the parents' native language;
3. There are significant age gaps or cultural differences;
4. The child is being raised by a caregiver other than the petitioner (grandparent, aunt, uncle, etc.) in the country of origin.

In such cases, USCIS may request additional photographs, correspondence, school records, evidence of financial support, affidavits from third parties with knowledge of the relationship, or even an in-person interview with the petitioner to assess the genuineness of the claimed relationship.[6][14][29] Practitioners should advise petitioners in advance to gather comprehensive documentation of the relationship, including any correspondence or communication with the child, evidence of financial support, photographs from various time periods, and contact information for third parties who can attest to the relationship.

### **Grounds of Inadmissibility and Bars to Asylum**

During the I-730 interview, the officer will assess whether the child has been persecuted or fears persecution (a factual assessment, though not a legal requirement for derivative status) and whether the child is subject to any bars to asylum or grounds of inadmissibility.[6][24][29][31] The bars to asylum include:

1. Persecution of others: If the child has persecuted another person, they are automatically ineligible for derivative asylee or refugee status.[6][25][31][45]
2. Conviction of a particularly serious crime: Defined as an offense of violence, an offense involving controlled substances, human trafficking, money laundering, or an offense for which a sentence of at least five years' imprisonment is imposed.[6][25][31]
3. Security-related terrorism grounds: Including support for terrorist organizations, provision of material support to terrorism, or activities that are of concern to national security.[6][25][31]
4. Commission of a serious nonpolitical crime outside the United States: Prior to arriving in the country where they are seeking refuge.[6][25][31]
5. Acts contrary to the purposes of the United Nations: Such as Nazi persecution, genocide, torture, or extrajudicial killings.[6][25][31][45]

Additionally, certain grounds of inadmissibility that apply to immigrant visa applicants may be waivable for I-730 beneficiaries in USCIS's discretion, such as grounds related to health, criminal history, fraud or misrepresentation, or immigration violations, provided USCIS determines that it is appropriate to exercise favorable discretion.[6][24][25][31]

If a child potentially falls within one of these bars or grounds of inadmissibility, practitioners should flag this issue early and consult with experienced immigration counsel regarding the applicable law and whether any waivers or exceptions might be available. In some cases, it may be advisable to address the issue directly in the I-730 petition rather than waiting for an RFE.[6][24][29][31]

## **Recent Policy Changes: Informal Marriages and Updated Marriage Requirements**

### **Recognition of Informal Marriages (February 2022 Policy Change)**

In February 2022, USCIS issued a revised policy regarding informal (or "camp") marriages in the context of I-730 petitions, recognizing that many refugees and asylees were unable to register marriages legally in their home countries due to conflict, displacement, or governmental barriers.[17][56] The new policy permits USCIS to consider evidence of informal marriages-such as community recognition, religious or cultural ceremonies (even without government registration), documentation from religious authorities or community leaders, and other evidence of the commitment to the relationship-in establishing that the spouse is a qualifying beneficiary for I-730 purposes.[17][56]

This policy change particularly benefits LGBTQ couples and interfaith couples who were unable to register a legal marriage in their home countries, as well as families who were denied access to government civil registration due to conflict or discrimination.[56] Additionally, petitioners who received I-730 denials between February 14, 2019, and February 14, 2022 solely on the basis that evidence of an informal marriage was insufficient to establish a qualifying relationship can request that their denied I-730 petition be reopened and reconsidered under the new policy.[56]

### **Updated USCIS Policy on Refugee and Asylee Marriages (June 2024)**

More recently, USCIS issued a new policy memo (June 24, 2024) making changes to how I-730 petitions are evaluated when marriages are informal or not legally valid in the country where the marriage took place.[19] This policy requires that informal marriages must be "legal in the country where the marriage took place" in order to satisfy the I-730 requirement of a qualifying marriage.[19] The exact implications of this updated policy are still being interpreted by practitioners, but it appears to create a higher bar for recognition of informal marriages-requiring that the marriage, even if informal, be recognized as legal under the law of the country where it occurred, rather than simply being recognized by the community or religious authorities.[19]

Practitioners whose clients are spouses seeking derivative benefits through informal marriages should review the current USCIS marriage policy carefully and consult with experienced counsel regarding how to establish that the marriage is "legal" under the applicable country law, even if informal.[19]

## **Risk Assessment & Strategic Considerations**

### **Qualitative Assessment of Approval Likelihood**

For children who meet all eligibility criteria-the parent-child relationship predates the petitioner's asylum grant or refugee admission, the child was under 21 when the asylum application was filed (for asylees) or when the refugee was interviewed (for refugees), the child remains unmarried, the child is not subject to bars to asylum or grounds of inadmissibility, and adequate documentation of the relationship is available-the likelihood of I-730 approval is qualitatively assessed as medium to high.[6][29][31]

The most common grounds for I-730 denials involve children who have aged out (married or reached age 21 after the freezing date), children who are subject to bars to asylum due to their own persecution of others or serious criminal history, and children where the parent-child relationship cannot be adequately established due to missing documentation or inconsistent evidence.[6][29][31] For children who do not fall within these categories, approval is the expected outcome, absent discovery of new disqualifying information.

### **Risk Factors in the Current Environment**

The primary risks for I-730 petitioners and beneficiaries in February 2026 are not legal denials but rather processing delays, political uncertainty, and case-specific complications:

1. For follow-to-join refugee beneficiaries: The USRAP suspension creates high uncertainty regarding any adjudication timeline; beneficiaries may wait indefinitely without a clear resumption date. Practitioners should advise refugee clients that filing an I-730 within the two-year deadline preserves their legal right, but that actual processing and admission may be delayed or uncertain pending policy changes.
2. For follow-to-join asylee beneficiaries: Processing continues but backlogs are substantial, and practitioners should advise clients to expect wait times of 24-48+ months from initial filing to final approval and admission.
3. For children abroad: The consular post's workload and staffing affect scheduling and processing; some embassies process cases faster than others, and there is limited ability to predict timelines based on the specific location.
4. For children in the United States: Cases may process somewhat more quickly than cases abroad, but domestic backlogs are also significant.
5. For cases involving missing documentation or relationship questions: Practitioners should counsel clients that RFEs for additional evidence may take several months to respond to, and that DNA testing or extensive follow-up investigation may further extend timelines.

### **Potential Bars and Grounds for Ineligibility**

Practitioners should screen I-730 beneficiaries early for potential bars to asylum or grounds of inadmissibility, as these are categorical disqualifiers that cannot be waived:

- \* Persecution of others: If the child participated in, ordered, incited, assisted, or otherwise participated in the persecution of another person, they are ineligible;
- \* Particularly serious crimes: Crimes of violence, controlled substance offenses, money laundering, human trafficking;
- \* Security concerns: Support for terrorist organizations, provision of material support to terrorism, or activities of concern to national security.

For grounds of inadmissibility that are potentially waivable (such as criminal history, prior fraud or misrepresentation, or immigration violations), USCIS retains discretion to grant or deny waivers; the availability and likelihood of a waiver depends on the specific facts and USCIS's assessment of whether favorable discretion is warranted.[6][24][31]

### **Conclusion: Filing Strategy and Next Steps**

The Form I-730 process offers a structured mechanism for refugees and asylees to reunite with dependent children, and the substantive law regarding eligibility is clear and well-established. The critical challenges facing petitioners and practitioners in early 2026 are operational delays, policy uncertainty regarding follow-to-join refugees, and the need to gather and organize comprehensive documentation of the parent-child relationship.

Immediate action items for petitioners: First, verify that the petitioner's asylum grant date or refugee admission date is within the two-year window; if not, determine whether a humanitarian extension can be requested and begin gathering documentation explaining any delay in filing. Second, verify that the child was

under 21 on the qualifying date (the date the I-589 was filed for asylees, or the date of the refugee interview for refugees), and that the child remains unmarried. Third, identify and gather all available documentation of the family relationship, including birth certificates, school records, correspondence, photographs, financial remittances, and any other evidence of a genuine relationship. Fourth, determine the child's current location and immigration status to identify whether domestic or consular processing applies.

For practitioners advising refugee clients: Counsel clients that the USRAP suspension creates substantial uncertainty for follow-to-join refugee beneficiaries, and that filing an I-730 within the two-year deadline preserves their legal right but does not guarantee near-term processing or admission. Discuss the option of requesting case-by-case exemptions or expedited review through Congressional offices or other advocacy channels if the client's circumstances are unique. Consider whether the client might also explore alternative pathways, such as humanitarian parole or other relief mechanisms, if available.

For practitioners advising asylee clients: Counsel clients to file I-730 petitions within the two-year deadline to preserve eligibility and to be prepared for extended processing timelines (24-48+ months from filing to final admission). Advise clients on the specific documentation needed based on the relationship type (biological, step, adoptive) and the beneficiary's location (domestic vs. abroad). Plan for RFEs and be prepared to respond promptly with additional evidence. For children abroad, manage expectations regarding consular processing timelines and explain that the child's case depends not only on USCIS approval but also on the consular post's workload and staffing.

Documentation preparation: Begin assembling comprehensive evidence of the parent-child relationship immediately, including birth certificates, marriage certificates, school records from institutions where the child was enrolled, medical records showing the parent's involvement in healthcare decisions, correspondence between petitioner and child, photographs from various time periods, evidence of financial support, and affidavits from third parties (teachers, healthcare providers, relatives, community members) with knowledge of the relationship. Ensure that all foreign-language documents have certified English translations. For adoptive and stepchildren, ensure that adoption decrees and marriage certificates clearly establish the legal relationship and that the age and duration requirements are met.

The I-730 process, while administratively complex and currently subject to significant delays, remains the primary legal mechanism for family reunification for refugees and asylees in the United States. With proper preparation, comprehensive documentation, and realistic expectations regarding timelines, the vast majority of eligible children can successfully obtain derivative status and be reunited with their petitioning parents in the United States.

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