Change of Status to J-2 Dependent

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Overview

To qualify for J-2 status, you must be a spouse or an unmarried child under age 21 of a J-1. To apply for J-2 status, the J-1 needs to request an J-2 DS-2019. Please see Request to Add J-2 Dependent(s) Form [1].

A person of any non-immigrant status except C, D, K, or M (and in some cases J), those who entered the United States under the terms of the Visa Waiver Program, can apply for a change to J-2 status if he/she has maintained lawful non-immigrant status up to the time of application. Those with J status who are subject to 212(e) two-year home country physical requirement may not change status in the U.S. unless a waiver has been granted. Non-immigrants in A, G, or NATO status must first complete Form I-566, and have it properly endorsed by the foreign mission to the U.S. and the Department of State.

Documentation Needed

- G-1145, E-Notification of Application/Petition Acceptance [2]
- A cover letter (one page) requesting the change of status from your current status to J-2. This letter should include a brief explanation as why you wish to change to J-2 status. You should also provide a checklist of the documentation you are including in your application.
- USCIS Form I-539 Application to Extend/Change Nonimmigrant Status [3], including application fee.
- Evidence of financial support (i.e., bank statement, J-1’s employment letter, etc.).
- Copy of your entire J-2 DS-2019 (spouses and children 14 years of age and older sign at the bottom of the form before making a copy; J-1 exchange visitor must sign the form for children younger than 14). Do NOT send your original DS-2019. USCIS does not require the original and will not return it.
- Copies of all of the immigration documents (e.g. DS-2019, I-20, I-797, paper or print-out of electronic Form I-94 [4], valid passport, visa stamp, EAD card, etc.) showing that you are currently in lawful non-immigrant status.
- Copy of the waiver (if you were previously subject to the 212(e) Two-Year Foreign Residency Requirement while in J status), if applicable.
- Copies of all of your J-1 spouse’s/parent’s immigration documents (e.g., DS-2019, I-797, paper or print-out of electronic Form I-94 [4], valid passport, visa stamp, EAD card, etc.) showing that he/she is
the U.S. If you select this strategy, make sure to include the name of your friend or relative on the line of the I-539 form that says “In care of.” Be sure to verify that their name is on their mail box.

The address that you use on your I-539 will dictate to which USCIS Service Center you should mail your application. If the address you use is in Michigan, you should mail your application to one of the following:

For U.S. Postal Service (including US Postal Service Express mail):

    USCIS
    P.O. Box 660166
    Dallas, TX 75266

The U.S. Postal Service is the only service that delivers to a P.O. Box address. We recommend that you use a trackable mailing method so that you have delivery confirmation of your application. If you send your application with a method that requires a signature upon delivery, use the express mail and courier deliveries address below.

For express mail and courier deliveries (e.g., UPS, FedEx, DHL, etc):

    USCIS
    ATTN: I-539
    2501 S. State Highway 121 Business
    Suite 400
    Lewisville, TX 75067

If you are using a non-Michigan address on the I-539 form, please refer to the USCIS Form I-539 instructions for the correct USCIS mailing address.

We do not recommend using USCIS Electronic Immigration System (ELIS).

If your change of status is pending with USCIS and you later decide to leave the U.S., your change of status is considered to have been abandoned.
Important Things to Remember

- If your change of status is pending with USCIS and you later decide to leave the U.S., your change of status application is deemed to be abandoned.
- Your current status must be valid until at least 30 days prior to the program start date of the DS-2019. There cannot be a gap of more than 30 days between the Form I-94 [4] expiration date or the end of your grace period (if you are currently in J-1 or F status) and the program start date on your J-2 DS-2019.

Traveling and Reentering the U.S.

The alternative method of changing to J-2 status is through travel and re-entry, which may be preferred over the in-country change of status in certain situations. In this case, you would depart the U.S. and then apply for a J-2 visa at a U.S. embassy or consulate abroad, preferably the local consulate in your home country. If the J-2 visa application is approved and the J-2 visa is issued, then you can re-enter the U.S. using your J-2 DS-2019 form and J-2 visa, getting a new I-94 record at the Port of Entry that confirms J-2 status (“J-2 D/S” is the required notation on the I-94).

Please note that Canadian citizens are exempt from the requirement of having a J-2 visa to re-enter the U.S. in J-2 status.

For further information about travel and re-entry and/or visa applications, refer to the U.S. Department of State [5] web site and Travel Outside the U.S. and Reentry [6].

If you would like to discuss the risks and benefits of your strategy for change of status, or have questions about your options, please call the U-M International Center to schedule an appointment with an advisor.

Source URL: https://internationalcenter.umich.edu/change-status-j2-dependent

Links