

# Green Cards

Green card status (also called lawful permanent residence, permanent resident, or resident alien) is sought by foreign nationals who would like to live in the US indefinitely. There are numerous benefits to being a green card holder including:

- Eligible to live in the US indefinitely without losing status at the time of retirement or in the event of unemployment, as long as certain requirements are met (i.e. maintaining US residency requirements, not committing crimes which make a person deportable, etc.);
- Generally, immediate family members (spouse and children under 21, stepchildren, and adopted children) receive green card status when applying with the main applicant;
- Eligible for US Citizenship five years after obtaining permanent resident status (three years if status was based on marriage to a US Citizen and still married to the same US Citizen);
- Facilitates international travel and reentry to the US.

## How Do I Get A Green Card?

There are a limited number of classifications available when applying for a green card. The six classifications to US green card status are:

1. **Family Sponsorship:** A foreign national may be sponsored by a US Citizen or Resident Alien ("green card" holder) family member. The qualifying relationship must be close (a brother/sister, child, parent or spouse), clearly documented, and there can be significant waiting times during which no US travel may be permitted. [See the Clark Hill website for more on this category.](#)
2. **Employment Sponsorship:** A foreign national may be sponsored by a US company offering permanent employment for a green card. [See the Clark Hill website for more on this category.](#)
3. **Diversity Lottery:** Commonly referred to as the "green card lottery", this program grants 55,000 green cards each year to high school graduates who meet certain requirements. Foreign nationals from certain countries that have large populations in the US are excluded from this program (i.e. China, Mexico, etc.).
4. **Asylum or Refugee Status:** Foreign nationals who have fled their home country due to persecution may obtain the ability to remain in the US and eventually obtain a green card by applying for asylee status. They must demonstrate that they will be persecuted by the government of their home country, or other factions not controlled by their government, based on their race, religion, ethnicity, social group, or political opinion, and that their government cannot or will not protect them.
5. **Self Sponsorship:** Foreign nationals who can demonstrate that they qualify under one of the following categories may obtain a green card through self-sponsorship: Amerasian: individual born between December 31, 1950, and October 22, 1982, in Korea, Vietnam, Cambodia, Laos, Kampuchea or Thailand, whose father was a US Citizen; Widow/Widower: individual married for at least two years to a US citizen who has died, where the foreign national and the US spouse were living together as a married couple at the time of the US Citizen's death; battered or abused spouse or child of a US Citizen or Permanent Resident.
6. **Self Sponsorship Based on Employment:** Certain foreign nationals may obtain a green card by demonstrating through extensive and specific documentation that they possess exceptional ability in the sciences, arts, education, business, or athletics, or that their work benefits will continue to benefit the US national interest. The immigrant investor category is also available to foreign nationals who can demonstrate that they will invest approximately \$1 million of personal funds into a new business that will create 10 or more new US jobs.



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## Immigration Law Areas of Practice

3 and 10 Year Bars to Entry  
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Commuter Green Cards  
EB-5 Immigrant Investor Program  
I-9 Audits & Compliance  
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