



F-1 TO F-2 CHANGE OF STATUS APPLICATION PACKET

Updated December 5, 2008

FREQUENTLY ASKED QUESTIONS

When do I need to apply to the USCIS to change to F-2 status?

You can apply to change to F-2 status at any time, but you **MUST** send in your application either before your F-1 program is completed, or before your Optional Practical Training is completed, or before the end of the 60-day grace period that follows completion. If the 60-day grace period ends and the USCIS has not yet received your change of status application, you will be considered to be out of legal status.

Do I need to make an appointment with an OISS adviser in order to apply to change to F-2 status?

Yes. The OISS keeps track of all individuals who change to F-2 status as this impacts the SEVIS record of the F-1 student. For this reason we will require you to use our address on your I-539 application form, and all correspondence from the USCIS regarding your application will be sent to our office. Please bring an email address to your appointment; we will use this email address to notify you whenever we receive correspondence or information regarding your application.

Other reasons you will need to make an appointment with an OISS adviser:

- you are (or might be) out of status for any reason.
- you prefer to obtain an F-2 visa outside the United States and then re-enter in F-2 status, thereby eliminating the need to apply to the USCIS to change status.

What documentation do I need to submit to the USCIS in order to change to F-2 status?

- Filing fee: \$300 (make personal check payable to "Department of Homeland Security")*
- Form I-539 (see instructions below)*
- A photocopy of your F-1 visa (if you obtained an F-1 visa from a U.S. Embassy or Consulate)*
- A photocopy of your Form I-94 (front and back)*
- A photocopy of your passport personal data page(s) (i.e., the page(s) with your photograph and the expiration date of your passport)*
- Photocopies of all I-20's you have held for F-1 status*
- Your new, original dependent I-20 (contains both your name and your spouse's name), signed by your spouse on page 1*

- A photocopy of your spouse's current I-20 (pages 1 and 3, only)*
- A photocopy of your spouse's former I-20 forms (do not copy instructions pages)*
- A photocopy of your spouse's Form I-94 (front and back)*
- A photocopy of your spouse's passport personal data page(s) (i.e., the page(s) with photograph and the expiration date of passport)*
- Evidence of financial support (e.g., letter from your spouse's department regarding the terms of his/her assistantship and/or a bank statement showing personal or family funds)*
- A copy of your marriage certificate, along with a certified English translation if it is in another language*

Where and how do I submit my application?

After making a photocopy of your entire application to keep, mail the original application to:

U.S. Citizenship and Immigration Services
 California Service Center
 P.O. Box 10539
 Laguna Niguel, CA 92607-1053

Send your application via "**certified mail, return receipt**," so that you have a record of the arrival of your application at the USCIS.

IMPORTANT: If there is a delay in the processing of your application, the OISS will not be able to help you without a photocopy of your application and your certified mail receipt.

What will happen when the USCIS receives my application? How long will it take the USCIS to approve my application?

If your application is incomplete, the USCIS will send you a "Request for Evidence." You will need to furnish whatever information or documentation is missing. If your application is complete, you should receive a Form I-797 Notice of Action/Receipt Notice from the USCIS within two to four weeks. Your Notice of Action is very important, both because it proves that you filed your application and because it provides the "WAC number" which you must use if you need to track your application's progress. **If you do not receive a Notice of Action within five weeks, please notify the OISS immediately.**

Your Notice of Action will provide an estimated processing time for your application—based on past experience, at least four-five months, and possibly much longer. For this reason, you may want to consider leaving the United States to obtain an F-2 visa (possibly in Canada or Mexico) and then using that F-2 visa to re-enter in F-2 status, thereby eliminating the need to apply to the USCIS to change status. Please see an OISS adviser for more details. *Please notify the OISS if you have not received a decision from the USCIS within the estimated processing time. You should also notify the OISS if you are planning to travel outside the US during the next few weeks and/or before your application is approved.*

SAMPLE I-539 Form – Follow these instructions carefully:

1. Go to <http://www.uscis.gov/files/form/i-539.pdf>
2. Fill out the form using OISS instructions below, **not** the instructions found on the USCIS website.
3. Print and bring the completed form to your meeting with an OISS adviser.

OMB No. 1615-0003; Expires 12/31/08

Department of Homeland Security
U.S. Citizenship and Immigration Services

I-539, Application to Extend/ Change Nonimmigrant Status

START HERE - Please type or print in black ink.

For USCIS Use Only

Part 1. Information about you

| | | | | |
|---|---|---------------------------------|---------------------------------|------------------|
| Family Name Seedorff | | Given Name Lee | | Middle Name M |
| Address - In care of - c/o OISS Adviser - University of Iowa | | | | |
| Street Number and Name 1111 University Capitol Centre | | | Apt. # | |
| City Iowa City | State IA | Zip Code 52242 | Daytime Phone # 319-335-0335 | |
| Country of Birth United Kingdom | | Country of Citizenship India | | |
| Date of Birth (mm/dd/yyyy) 07/27/1925 | U. S. Social Security # (if any) 123-45-6789 | | A # (if any) Leave Blank | |
| Date of Last Arrival Into the U.S. | Date from I-94 | I-94 # From I-94 card | | |
| Current Nonimmigrant Status F-1 | | Expires on (mm/dd/yyyy) D/S | | |

| | |
|--|--|
| Return Date | You must use the OISS address as shown here, not your own address. |
| Result Date | |
| Reloc sent Date | |
| Reloc Rec'd Date | |
| <input type="checkbox"/> Applicant Interviewed on _____ Date _____ | |

Part 2. Application type (See instructions for fee.)

1. I am applying for: (Check one.)

- An extension of stay in my current status.
- A change of status. The new status I am requesting is: F-2
- Reinstatement to student status

2. Number of people included in this application: (Check one.)

- I am the only applicant.
- Members of my family are filing this application with me. The total number of people (including me) in the application is: _____ (Complete the supplement for each co-applicant.)

Part 3. Processing information

1. I/We request that my/our current or requested status be extended until (mm/dd/yyyy): D/S
2. Is this application based on an extension or change of status already granted to your spouse, child, or parent?
 No Yes. USCIS Receipt # _____
3. Is this application based on a separate petition or application to give your spouse, child, or parent an extension or change of status?
 No Yes, filed with this I-539.
 Yes, filed previously and pending with USCIS. Receipt #: _____
4. If you answered "Yes" to Question 3, give the name of the petitioner or applicant:

If the petition or application is pending with USCIS, also give the following data:
Office filed at _____ Filed on (mm/dd/yyyy) _____

| |
|---|
| <input type="checkbox"/> Extension Granted to (Date): _____ Change of Status/Extension Granted New Class: From (Date): _____ To (Date): _____ |
| If Denied: <input type="checkbox"/> Still within period of stay <input type="checkbox"/> S/D to: _____ <input type="checkbox"/> Place under docket control |
| Remarks: |

Part 4. Additional information

1. For applicant #1, provide passport information:
Country of Issuance India Valid to: (mm/dd/yyyy) 01/01/2075
2. Foreign Address: Street Number and Name
7 Race Course Road Apt. # _____
City or Town New Delhi State or Province Uttar Pradesh
Country India Zip/Postal Code 123456

Be sure to fill out the remaining pages of the I-539, including employment information and/or financial support information. Ask an OISS adviser if you have any questions.

