

## **NATURALIZATION**

### **WHAT IS NATURALIZATION?**

Naturalization is the process by which a lawful permanent resident in the United States becomes a U.S. citizen.

### **WHAT ARE THE REQUIREMENTS FOR NATURALIZATION?**

In order for a lawful permanent resident to be naturalized, he or she must have been a lawful permanent resident for at least five years, be at least 18 at the time of the application, and show good moral character. The applicant must have resided continuously in the United States for five years. In the case of a spouse of a United States Citizen the residency requirement is three years if: (1) USC spouse is a spouse for three years and (2) The parties were living in marital union for three years.

### **CAN I LEAVE THE COUNTRY AND STILL SHOW GOOD MORAL CHARACTER?**

Temporary absences from the country will not interrupt the period for determining residency but one must be cautioned against taking absences of more than one year.

### **WHAT IS GOOD MORAL CHARACTER?**

Generally, good moral character is established by an applicant's criminal record. If an applicant has no criminal record then good moral character is established. There are a list of crimes that Congress has stated will per se not establish good moral character. However, it is important to note that admissions other than criminal convictions can defeat a finding of good moral character. For example, a finding that an applicant made a false claim to citizenship (depending on the date), and any false testimony, will defeat good moral character.

### **WHAT ARE THE REQUIREMENTS FOR DERIVATIVE CITIZENSHIP?**

Under the Child Citizenship Act, a child derives citizenship from a parent when:

1. One parent is a citizen by birth or naturalization
2. The child is under 18 years of age and the child's birthday is after February 27, 1983.
3. The child is a lawful permanent resident.
4. The child is residing in the U.S. in the legal and physical custody of the citizen parent.