

CHANGE OF STATUS

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A person's nonimmigrant status must match the purpose of his/her stay in the United States. A change of status is necessary when the objectives of the visit have changed. For example, if you are in the U.S. with an F-1 student visa, and then you decide to change to F-2 dependent status, you must change your visa status. You will be required to maintain your current visa status, until your new status is adjudicated or until you depart the U.S.

In general, you may apply to change your nonimmigrant status if you were lawfully admitted to the United States with a nonimmigrant visa, your nonimmigrant status remains valid, you have not violated the conditions of your status and you have not committed any crimes that would make you ineligible. Until you receive approval from USCIS, do not assume the status has been approved and do not change your activity in the United States.

OISS recommends that you apply as soon as you determine that you need to change to a different nonimmigrant category. If your application is denied, be prepared to leave the United States when your current status expires. OISS advisors are not immigration attorneys. We strongly advise you to consult an immigration attorney about your plans to apply for a change of status.

CHANGE OF STATUS OPTIONS

There are two different options for changing your status.

OPTION 1: TRAVEL AND REENTRY

Depart the United States., apply for a new visa at a U.S. consulate, and reenter the U.S. with the new visa and other relevant documents. You will gain your new status when you are admitted into the U.S. The new status must be detailed on your I-94. OISS recommends this option for faster processing.

STEPS: (F1, F2, J1 & J2)

1. Complete [I-20 or DS-2019 request form](#) for F1/J1 or [Dependent Request form](#) for F2/J2.
2. Prepare financial proof (bank statement, assistantship or sponsorship letter)
3. If you are being supported by a parent or relatives, they must complete [Affidavit of Support Form](#)
4. Submit steps 1-3 to OISS in-person. OISS will issue I-20/DS-2019 form within 7-14 days
5. Pay the SEVIS fee: <https://www.fmjfee.com> (F-1 or J-1 only)
6. Print proof of SEVIS fee payment (F-1 or J-1 only)
7. Schedule a U.S. visa appointment at your home country's U.S. Embassy or Consulate
8. Depart the U.S.
9. Apply for a visa stamp on your passport at a U.S. embassy or consulate services
10. Re-enter the U.S. in new visa status with I-20 or DS-2019
11. F-1 or J-1 visa holders must report to OISS to complete mandatory immigration check-in. Must provide proof of I-94 showing you departed the U.S. and re-entered with the new status.
12. Upon arrival, you will be required to enroll as a full-time student. This applies to summer semester too.

NOTE: Those changing visa to F-2 or J-2 do not need to report to OISS for immigration check-in

OPTION 2: CHANGE THE STATUS IN THE U.S. (Hire an Attorney)

This option allows you to change your nonimmigrant status while remaining in the U.S. With this option you may gain the new status but you will not receive a new visa; visas are only issued outside the U.S. OISS recommend you to begin this process at least 12-months prior to start of your new status.

Submit an application to the U.S. Citizenship and Immigration Services (USCIS) for a change of status. Fees and instructions are on the [USCIS I-539, Application To Change Nonimmigrant Status webpage](#).

USCIS has recently scrutinized this process. Adjudications are taking up to 12 months. OISS recommends OPTION 1 for change of status for faster processing. OISS advisors are not immigration attorneys. We strongly advise you to hire an immigration attorney to assist you with the change of status process.

ELIGIBILITY

You may be able to change status in the U.S. if:

- You were lawfully admitted to the United States with a nonimmigrant visa,
- You are maintaining your current status.
- You are eligible for the new status
- Your current status does not prohibit change of status in the U.S.
- You will maintain your current status until your new status is approved
- Your nonimmigrant status remains valid,
- You have not violated the conditions of your status, and
- You have not committed any crimes that would make you ineligible.

You generally cannot change status if:

- Your period of authorized stay has already expired.
- You have violated the conditions of your current status
- You are an exchange visitor and are required to meet the foreign residence requirement, unless you receive a waiver.

DEPENDENTS

Every co-applicant included on the primary applicant's Form I-539 must submit and sign a separate Form I-539A, which will be available on the [Form I-539 webpage](#). Parents or guardians may sign on behalf of children under 14.

Every applicant and co-applicant must pay an \$85 biometric services fee.

Every applicant and co-applicant will receive a biometric services appointment notice, regardless of age, containing their individual receipt number. The biometric services appointments will be scheduled at the Application Support Center (ASC) closest to the primary applicant's address.

STEPS

1. Consult/hire an immigration attorney that can assist with the change of status process
2. Complete [I-20 or DS-2019 request form](#) for F1/J1 or [Dependent Request form](#) for F2/J2.
3. Prepare financial proof (bank statement, assistantship or sponsorship letter)
4. If you are being supported by a parent or relatives, they must complete [Affidavit of Support Form](#)
5. Submit steps 1-3 to OISS in-person. OISS will issue I-20/DS-2019 form within 7-14 days
6. Pay the SEVIS fee: <https://www.fmjfee.com> (F-1 or J-1 only)
7. Print proof of SEVIS fee payment (F-1 or J-1 only)
8. Complete Form G-1145, Request for e-Notification <https://www.uscis.gov/g-1145>
9. Complete Form I-539 application <http://www.uscis.gov/i-539>
10. Instructions for form I-539: <https://www.uscis.gov/i-539>
11. If you have dependents, you must complete Form I-539A, Supplemental Information for Application to Extend/Change Nonimmigrant Status available at <https://www.uscis.gov/i-539>
12. Make check payable to U.S. Department of Homeland Security in the amount of \$370
13. If you have a dependent, you must pay a biometric services fee. Make a second check payable to U.S. Department of Homeland Security in the amount of \$85
14. Prepare letter requesting the change of status and the reason for change addressed to U.S. Citizenship and Immigration Services (USCIS). (See change of status letter sample in this packet)
15. Make copies of passport identity page, I-94, visa page, & F1/F2 or J1/J2 documents (If applicable)
16. If applying for F2/J2/H4 status include Proof of dependent relationship (marriage [spouse] or birth [child] document)
17. Provide verification of source and amount of financial support (bank statement, assistantship or sponsorship letter)
18. See chart below for additional documents needed for change of status in the U.S. for various types of statuses

AFTER USCIS RECEIVES YOUR APPLICATION:

- You will receive a Receipt Notice from USCIS within 30 days of USCIS receiving your application
- USCIS may take up to 12 months to adjudicate your change of status application
- You must maintain your current status until your new status is approved
- USCIS may request more information from you; you must respond to the request in a timely manner. **This may delay your adjudication**
- If you travel outside of U.S., you abandon your change of status application. DO NOT travel until your change of status application is adjudicated
- If your application is denied, you will be required to depart the U.S. immediately
- If wish to travel after your change of status approval, you will need to apply for a visa stamp with the new status
- If you are approved for an F-1 status, If your application is approved, come to OISS immediately for required immigration check-in
- If you approved for an F-1 status, you must enroll as a full-time student upon approval. This is required even during summer semester. Failure to enroll full-time, may cause the termination of your visa status.
- OISS has no ability to expedite or give applicants information on the status of their change of status application

SAMPLE CHANGE OF STATUS LETTER

[Date]

[USCIS address]

NOTE: USCIS has many offices across the United States. Send your complete change of status application and to the address detailed in the Form I-539 instructions.

Dear Sir/Madam:

Name:

Date of Birth:

Nationality:

SEVIS ID: (If applying for F1/F2, J1/J2)

I am submitting this letter in support of my application for a change of status from [type of visa you currently have] to F-1 student status. I originally entered the United States in order to [state the reason for your initial entry]. Now, I have been offered the opportunity to study for my [degree or diploma program, including level and field of study] at Michigan State University starting in the [Spring, Summer, or Fall] [year] semester.

I have maintained my current status since my arrival to the United States. I assure you that if I am granted an F-1 student status, I will maintain my status and I will enroll as a full-time student throughout my studies.

Thank you in advance for your consideration of my application to change to F-1 student status.

Sincerely,

[Your signature]

[Your name (printed)]

[Your U.S. address]

DOCUMENTS NEEDED FOR CHANGE OF THE STATUS IN THE U.S.



F-1 to F-2

- Copy of the F-2 I-20
- Copies of the applicant's documents
- Copy of spouse's I-20, passport, visa & I-94



F-2 to F-1

- Copy of applicant's new F-1 I-20
- Copy of F-1 passport, visa and I-94
- Copy of the current F-2 I-20



J-2 to F-1

- Copy of current J-2 DS-2019
- Copy of J-1 DS-2019
- Copy of J-1 passport, visa & I-94
- Proof of not subject to 212(e) requirement



H-1 to F-1

- Copy of H-1 I-797 approval
- Copy of H-1 current proof of employment (employment letter or pay statement)



E to F-1

- Copy of current principal E Documents
- Copy of principal E's current proof of employment (employment letter or pay earning statement)



TN to F-1

- Copy of current TN passport & I-94
- Copy of TN's proof of employment (Employment letter or pay statement)



L-2 to F-1

- Copy of L-2 I-797 Approval
- Copy of L-1 I-797 Approval
- Copy of L-1 proof of employment (Employment letter or pay statement)



H-4 to F-1

- Copy of current I-797 H-4 approval, if applicable
- Copy of H-1 I-797 approval
- Copy of H-1 passport, visa, and I-94
- Copy of H-1 current proof of employment (employment letter or pay statement)



J-1 to F-1

- Copy of current J-1 DS-2019
- Proof of not subject to 212(e) requirement



J-1 to J-2

- Copy of current J-1 DS-2019
- Copy of your spouse's J-1 documents
- Proof of not subject to 212(e) requirement



F-1 to J-1

- Letter to USCIS stating your awareness that you might be subject to 212(e) requirement
- Copy of your current F-1 I-20



B to any visa

- OISS recommends option 1 [Travel outside of U.S. and re-enter with new visa]

ASSEMBLE YOUR APPLICATION PACKET

- G-1145 Form
- I-539 Form
- If you have dependents: I-539A Form
- Change of Status Letter
- Copy of I-20/DS-2019 for the status being applied for (if applicable)
- Copy of proof of SEVIS fee payment (F-1 or J-1 only)
- Copy of the applicant's passport bio page, copy of I-94 and copy of visa (if applicable)
- Copy of I-20/DS-2019 for the current status (if applicable)
- If applying to F-2/J-2: include F-1/J-1's I-20/DS-2019, copy of passport bio page, visa & I-94
- If applying to F-2/J-2: include proof of dependent relationship (marriage or birth certificate)
 - * Must be translated if it is not in English
- If applying for change of status to/from H, E, TN, L; include proof of employment
- If applying for change of status from J-1 or J-2; include proof that you are not subject to 212 (e) requirement
- If applying for change of status to J-1: include a letter to USCIS stating your awareness that you might be subject to 212(e) requirements
- If applying for change of status from TN, H or L status: include I-797 approval notice (if applicable)
- Evidence of your ability to pay for your studies and support yourself and your dependents. Provide verification of source and amount of financial support (bank statement, assistantship or sponsorship letter)
- U.S. bank issued check or Money Order for \$370.00 made payable to: US Department of Homeland Security. If the address on your check is not current, cross out the old address and write your present address. The check must have your name preprinted.
- If you have dependents: U.S. bank issued check or Money Order for \$85.00 (for each dependent included as a co-applicant) made payable to: US Department of Homeland Security. If the address on your check is not current, cross out the old address and write your present address. The check must have your name preprinted.

MAILING YOUR CHANGE OF STATUS PACKET TO USCIS

For the most accurate address to mail your change of status application, consult with your attorney.

Filing Addresses for Form I-539, Application to Extend/Change Nonimmigrant Status can be found at:

<https://www.uscis.gov/i-539-addresses>.

The address will be listed on the bottom of the page under: All other Forms I-539

