

WHEN IS SOMEONE UNDER 245(i)

	Spouse/child of <i>principal beneficiary at the time of filing of grandfathering I-130/LC</i>	Became spouse/child <i>after filing of the grandfathering I-130/LC, but before principal Adjusts</i>	Became child/ spouse <i>after Principal gets LPR</i>
<p>INDEPENDENTLY GRANDFATHERED?</p> <p>(Eligible for 245(i) AOS regardless of through what basis this person AOS)</p>	<p>YES. It doesn't matter if the relationship changes.</p> <p><i>*For I-130s filed after 1/14/98: If not accompanying or following to join principal beneficiary, must show the principal's physical presence on 12/21/00.</i></p>	<p>NO. This person is NOT Independently grandfathered.</p>	<p>NO. After the principal applicant is granted LPR status the 245(i) status is over and no one may use it.</p>
<p>ELIGIBLE FOR AOS:</p>	<p>YES.</p> <p>This person is independently grandfathered and can use 245(i) for AOS on any future petition.</p>	<p>YES. But only accompanying or FTJ.</p> <p>This person is not independently grandfathered but may Adjust Status if accompanying or FTJ the principal Beneficiary.</p>	<p>NO. After the principal applicant is granted LPR status the 245(i) status is over and no one may use it.</p>