

FAMILY PETITION **PLAYBOOK** MADE SIMPLE:

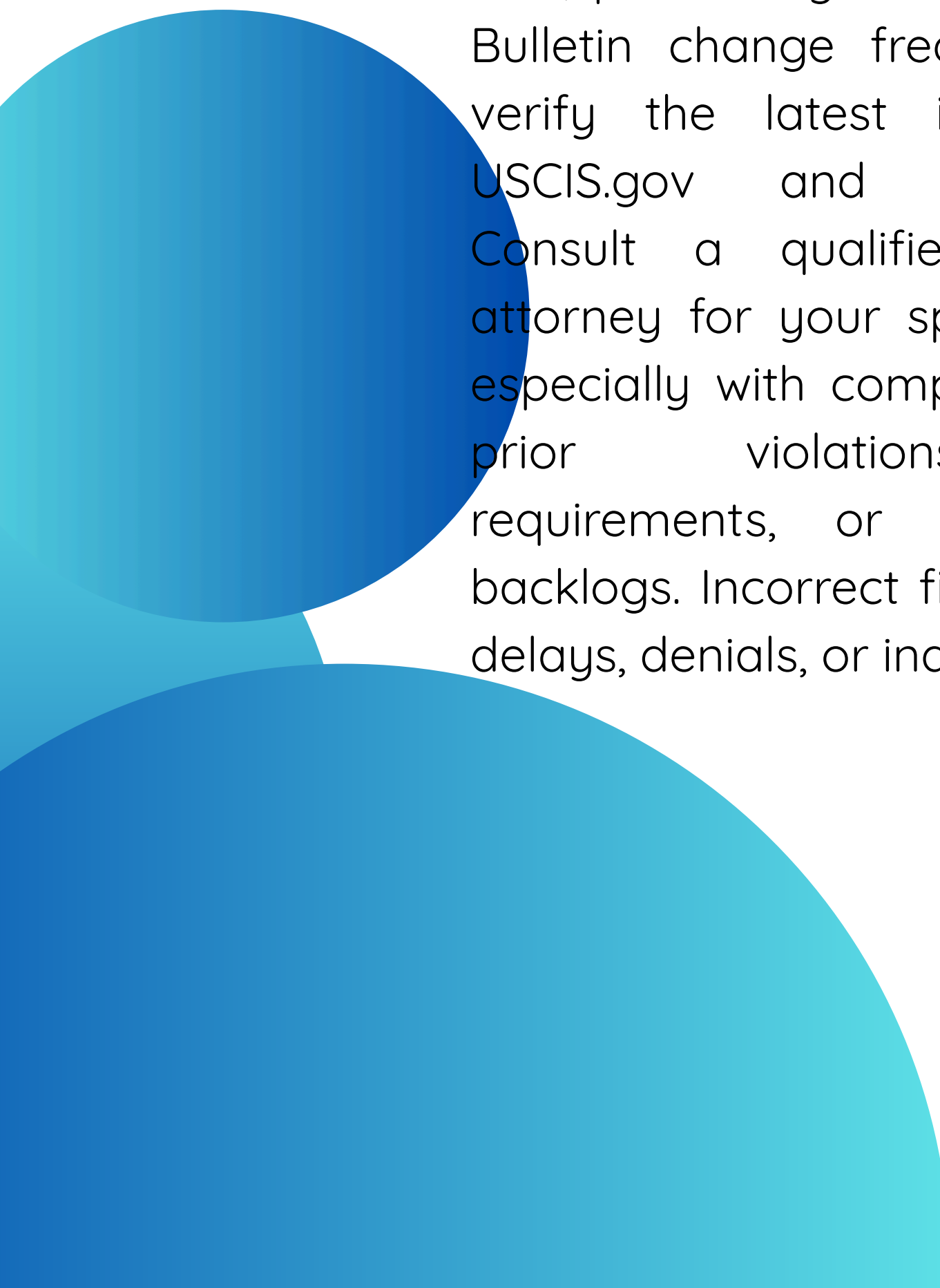
How to Bring Your Parents or Adult Children to the U.S. Legally: The Ultimate Family Petition Playbook



Table of Contents

Introduction	02
1. Overview of Family-Based Immigration Pathways	04
2. Bringing Your Parents: I-130 for IR-5 (Immediate Relative)	06
3. Bringing Adult Children: Preference Categories F1 and F2 (and F3)	10
4. Derivative Beneficiaries: Including Spouses and Children	14
5. Aging-Out Risks and CSPA Protection	16
6. 2026 Priority-Date Strategies for Long Backlogs	21
7. Full Step-by-Step Roadmap & Checklists	23
8. Common Pitfalls & Tips for Success	27
9. Resources	29

This comprehensive 2026 guide provides a clear, step-by-step roadmap for U.S. citizens and lawful permanent residents (LPRs/green card holders) seeking to sponsor parents or adult children for lawful permanent residence (green cards) through family-based immigration. It focuses on Form I-130 petitions, the key family preference categories (F1 and F2), derivative beneficiaries, aging-out risks under the Child Status Protection Act (CSPA), and practical 2026 priority-date strategies to navigate backlogs. It also covers bridge options like F-1/F-2 nonimmigrant student visas for adult children facing long waits.



“

Important Disclaimer: This is for informational purposes only and is not legal advice. Immigration laws, fees, processing times, and the Visa Bulletin change frequently. Always verify the latest information on [USCIS.gov](https://uscis.gov) and travel.state.gov. Consult a qualified immigration attorney for your specific situation, especially with complex factors like prior violations, income requirements, or country-specific backlogs. Incorrect filings can cause delays, denials, or inadmissibility.

”

A diverse group of people, including an elderly man, two women, two men, and two children, are walking together on a city sidewalk. They are dressed in casual business attire. The background shows a dense urban skyline with tall buildings under a bright, hazy sky. The overall mood is positive and forward-moving.

CHAPTER 1

OVERVIEW OF FAMILY- BASED IMMIGRATION PATHWAYS



*Family immigration starts with **Form I-130, Petition for Alien Relative**, filed by a qualifying U.S. citizen or LPR to establish a relationship. Once approved, it creates a priority date (usually the I-130 filing date) that determines when a visa number becomes available.*

- Immediate Relatives (IR): Unlimited visas, no quota or backlog. Includes parents of U.S. citizens (IR-5), spouses, and unmarried children under 21 of U.S. citizens.
- Preference Categories (subject to annual limits and backlogs): F1, F2A, F2B, F3, and F4. These have wait times that can span years or decades depending on the beneficiary's country of chargeability (e.g., longer for Mexico, Philippines, India, China).

✔ *Adult children (21+) fall into preference categories unless they qualify as immediate relatives (unmarried under 21 at petition time).*

Who Can Petition Whom (2026 Rules):

- U.S. Citizens (age 21+): Can petition parents (IR-5), unmarried adult children (F1), married adult children (F3), and siblings (F4).
- LPRs: Can petition only unmarried children under 21 and their spouse (F2A) or unmarried adult children (F2B). LPRs cannot petition parents or married children.

A diverse group of people, including an elderly man, two women, two men, and two children, are walking together on a paved rooftop or walkway. In the background, a dense city skyline with various skyscrapers is visible under a bright, slightly hazy sky. The group is dressed in casual to business-casual attire. The text 'CHAPTER 2' is overlaid in large, bold, black capital letters in the center of the image.

CHAPTER 2

BRINGING YOUR
PARENTS: I-130 FOR IR-
5 (IMMEDIATE
RELATIVE)

ONLY U.S. CITIZENS AGE 21 OR OLDER CAN SPONSOR PARENTS. PARENTS RECEIVE IMMEDIATE VISA AVAILABILITY—NO PRIORITY DATE BACKLOG.

STEP-BY-STEP PROCESS:

01

File Form I-130 (online or by mail) with USCIS.
Include:

- Proof of your U.S. citizenship (birth certificate, naturalization certificate, or passport).
- Proof of parent-child relationship (your birth certificate listing the parent; for fathers, additional evidence like marriage records or DNA if needed).
- Filing fee (approximately \$625 online or \$675 paper in 2026—confirm current amount on USCIS.gov).

02

USCIS Approval: Processing typically 12-20+ months (varies by service center). You receive Form I-797 approval notice.

03

Next Steps for Beneficiary:

- If in the U.S. legally: File Form I-485 (Adjustment of Status) concurrently or after approval, plus Form I-864 (Affidavit of Support).
- If abroad: National Visa Center (NVC) processing → DS-260 immigrant visa application → consular interview at U.S. embassy.

04

Affidavit of Support (I-864):

- You (or joint sponsor) must prove income/assets at 125% of federal poverty guidelines for your household size (including the parent and any dependents).

05

Green Card:

- Issued after approval and entry/ adjustment.

TIMELINE:

*Often 1-3 years total from filing to green card,
depending on consular processing or adjustment.*

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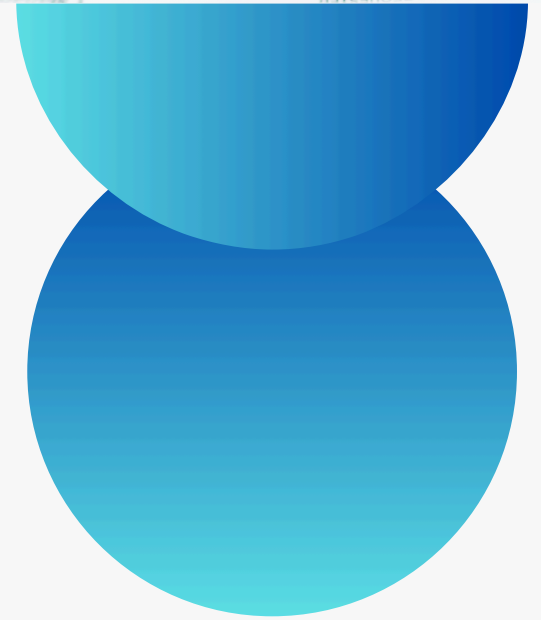
CHAPTER 3

BRINGING ADULT
CHILDREN:
PREFERENCE
CATEGORIES F1 AND F2
(AND F3)

ADULT CHILDREN (21+) OF U.S.
CITIZENS OR LPRS FALL UNDER
PREFERENCE CATEGORIES
WITH QUOTAS AND
BACKLOGS.



- F1: Unmarried sons/daughters (21+) of U.S. citizens.
- F2A: Spouses and unmarried children under 21 of LPRs (often near-current or current in 2026).
- F2B: Unmarried sons/daughters (21+) of LPRs.
- F3: Married sons/daughters of any age of U.S. citizens (spouse and children included as derivatives).



MAY 2026 VISA BULLETIN EXAMPLES (APPROXIMATE; ALWAYS CHECK CURRENT BULLETIN):

- F1 Final Action: ~September 2017 (most countries); earlier for Mexico/Philippines.
- F2A: Often current or advancing quickly (~August 2024).
- F2B: ~May 2017 (most countries).
- F3: ~February 2012.

Long waits are common for F1, F2B, and F3 (especially Mexico/Philippines). File the I-130 immediately to lock in the earliest possible priority date.¹⁵²⁵

Process: Same I-130 filing as parents, but with category-specific evidence (e.g., child's birth certificate, proof of unmarried/married status). After approval, wait for priority date to become current per the Visa Bulletin, then proceed to NVC/consular processing or I-485 adjustment.

A diverse group of people, including an older man, a woman, a young boy, a woman, a young girl, and a man, are walking together on a city sidewalk. They are all smiling and looking in the same direction. The background shows a city skyline with tall buildings under a bright sky.

CHAPTER 4

DERIVATIVE
BENEFICIARIES:
INCLUDING SPOUSES
AND CHILDREN

In preference categories (F1/F2/F3/F4), the principal beneficiary's spouse and unmarried children under 21 can immigrate automatically with the same priority date—no separate I-130 needed. They are listed on the principal's petition.

-
- Derivatives must remain unmarried and under 21 (subject to CSPA—see below).
 - F1 (unmarried adult child) has no derivatives.
 - F3 (married adult child) allows the spouse and children of the adult child as derivatives.

List all derivatives on the original I-130. Each will need their own visa application later.



A diverse group of people, including an older man, a woman with a folder, a young boy, a woman with a folder, a young girl, and a man, are walking together on a city sidewalk. They are all smiling and looking in the same direction. The background shows a city skyline with tall buildings under a bright sky.

CHAPTER 5

AGING-OUT RISKS AND
CSPA PROTECTION

“AGING OUT”

Occurs when a derivative child turns 21 before a visa becomes available, losing derivative status.

The Child Status Protection Act (CSPA) protects against this by freezing the child's age:

CSPA Age Formula (for most family preference cases):

CSPA age = Child's age on the date a visa becomes available -
Number of days the I-130 was pending with USCIS.

01

If CSPA age is under 21 and the child remains unmarried, they keep derivative/child status.

02

Important 2026 Update: Effective August 15, 2025, USCIS uses only the Final Action Dates chart (not the more favorable Dates for Filing chart) for CSPA calculations on pending I-485s. This increases aging-out risk in backlogged categories—calculate carefully and file early.⁴³

Strategies to Minimize Risk:

- 01** • File the I-130 as soon as the child is born or eligible.
- 02** • Monitor the Visa Bulletin monthly.
- 03** • For LPR petitioners: Naturalize to U.S. citizen (upgrades F2A/F2B to better categories and CSPA treatment).

Example:

A derivative child is 19 when the I-130 is filed and pending 2 years. When the visa becomes available, the child is 22. CSPA age = $22 - 2 \text{ years} = 20 \rightarrow$ still eligible.

A diverse group of people, including an older man, a woman, a young boy, a woman, a young girl, and a man, are walking together on a rooftop or elevated walkway. They are all smiling and looking towards the right. The background features a dense urban skyline with various skyscrapers under a bright, hazy sky. The overall tone is positive and forward-looking.

CHAPTER 6

2026 PRIORITY-DATE
STRATEGIES FOR LONG
BACKLOGS

Backlogs frustrate many families. Here are proven 2026 tactics:

Bridge with Nonimmigrant Visas (F-1/F-2 Strategy): For adult children facing decade-long waits:

- Enroll in a U.S. SEVP-approved school on F-1 student visa (full-time study required).
- Their spouse and minor unmarried children can join on F-2 dependent visas.
- This provides lawful presence, limited work (on-campus or OPT/STEM), and a legal bridge while the I-130 processes. Parents generally cannot use F-2 (not dependents of F-1). Note: F-1/F-2 is nonimmigrant (intent to return home required), so coordinate with the immigrant petition carefully to avoid violating status.
- B-2 visitor visas can sometimes be used short-term for parents during processing.

- Lock in an Early Priority Date: File I-130 ASAP—even if not yet “current.” The filing date is your place in line.
- Use the Dates for Filing Chart: In May 2026, USCIS allows family-sponsored applicants to file Form I-485 (and get EAD/work permit + advance parole) using the more favorable Dates for Filing chart. This provides legal status and work authorization while waiting.²¹
- Category Upgrades: If you are an LPR petitioning an adult child (F2B), naturalize to citizen → automatic upgrade to F1 (often faster).
- Keep Status Unmarried: Marriage shifts F1 to F3 (worse backlog).
- CSPA Timing: File before the child turns 21. Recalculate CSPA age precisely using the Visa Bulletin’s Final Action date.
- Concurrent Filing Where Possible: For immediate relatives or when dates are current, file I-130 + I-485 together.
- Monitor & Plan Retrogression: Visa Bulletin moves forward but can retrogress. Subscribe to alerts at travel.state.gov.

WARNING:
MISUSE OF NONIMMIGRANT VISAS (E.G., STUDYING SOLELY TO IMMIGRATE) CAN LEAD TO DENIAL OR FRAUD FINDINGS.

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CHAPTER 7

FULL STEP-BY-STEP
ROADMAP &
CHECKLISTS

01 Petition (I-130)

- Gather evidence (relationship docs, citizenship/LPR proof).
- File online (preferred) or mail.
- Pay fee and track case.

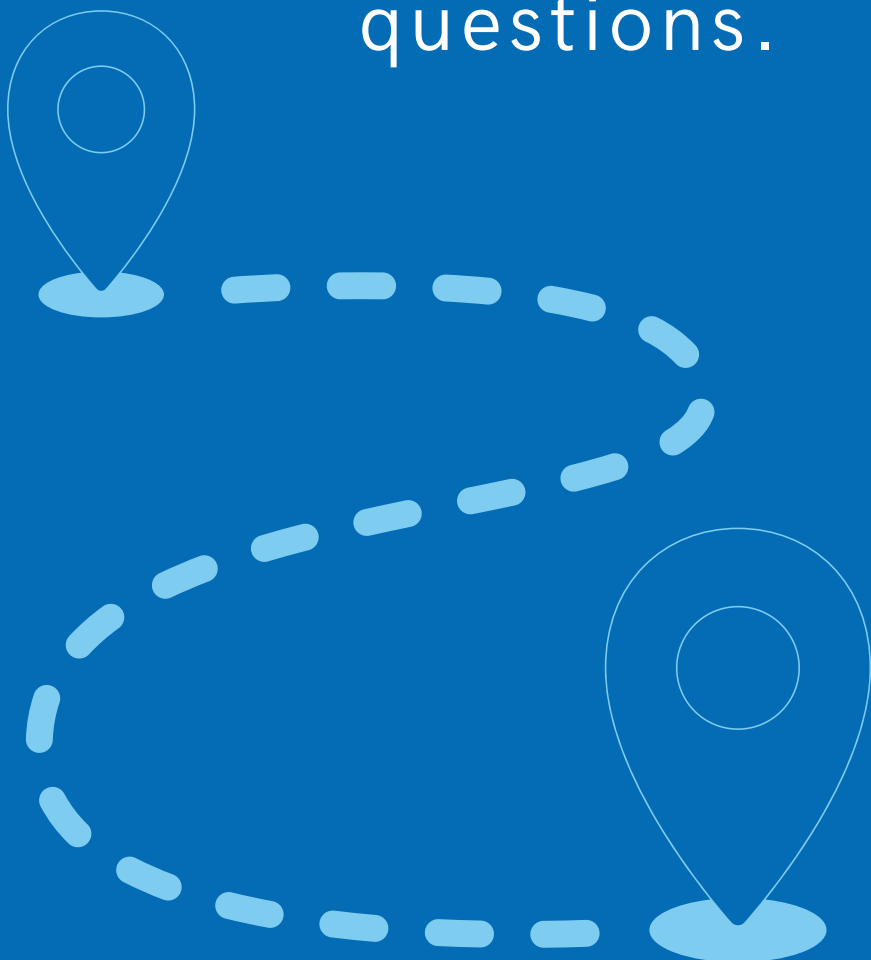
02 Approval & Visa Availability

- Receive I-797.
- Check Visa Bulletin monthly (Final Action vs. Dates for Filing).
- Submit I-864 Affidavit of Support (tax returns, W-2s, employment letter).

03 Final Processing

- NVC (DS-260, fees, medical exam, police certificates).
- Consular interview or U.S. adjustment of status (I-485, biometrics, interview).
- Entry as permanent resident.

1. Required Forms (Common):
I-130, I-864, I-485 (if
adjusting), DS-260
(consular).
2. Medical Exam: Required
(Form I-693 or overseas
panel physician).
3. Interview: Often required;
prepare for relationship
questions.



Roadmap



*Costs (Approximate 2026):
I-130 (\$625-\$675), I-485
(\$1,225+), I-864 filing,
medical (~\$500+), travel,
attorney fees if used. Total
often \$2,000-\$5,000+ per
person.*

A diverse group of people, including an older man, two women, two men, and two children, are walking together on a city sidewalk. They are all smiling and looking in the same direction. The background shows a city skyline with tall buildings under a bright sky. The text 'CHAPTER 8' is overlaid in the center.

CHAPTER 8

COMMON PITFALLS &
TIPS FOR SUCCESS

Backlogs: Expect multi-year waits in F1/F2B/F3—plan finances and interim status.

Income for I-864: Must meet 125% poverty guidelines; use joint sponsors if needed.

Relationship Proof: Incomplete birth/marriage records cause RFEs (Requests for Evidence).

Aging Out: Recalculate CSPA with every bulletin.

Status Maintenance: Keep lawful status during waits; overstays create bars.

Country Chargeability: Usually the beneficiary's country of birth (not citizenship).

A diverse group of people, including an elderly man, two women, two men, and two children, are walking together on a paved rooftop or walkway. They are all smiling and looking in the same direction. The background features a dense urban skyline with various skyscrapers under a clear sky. The overall tone is bright and positive.

CHAPTER 9

RESOURCES

- Sapochnick law at www.h1B.biz
- Visa Bulletin: travel.state.gov
(check monthly)
- NVC:
travel.state.gov/content/travel/en/us-visas/immigrate/national-visa-center.html

File early, stay informed, and consult an attorney experienced in family petitions—especially for derivatives, CSPA calculations, or 2026 policy nuances. With a solid plan, you can successfully bring your parents or adult children home legally. Success depends on preparation and patience.

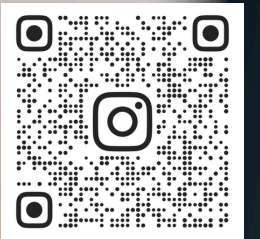




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