

PRACTICE ALERT: Significant Changes to Forms Used to Extend/Change Nonimmigrant Status from within the U.S.

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On February 11, 2019, the U.S. Citizenship and Immigration Services (USCIS) published an [announcement](#) that it will update its [Form I-539](#) and publish a new Form I-539 Supplement A, which are used to extend or change one's nonimmigrant status by certain applicants who are in the U.S. at the time of filing and whose status has not expired. The new and revised forms will be required as of March 11, 2019, and no prior version of the forms will be accepted on and after that date.

As noted in the USCIS announcement, the revised Form I-539 will have significant changes, including:

- 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 on March 11. Parents or guardians may sign on behalf of children under 14 or any co-applicant who is not mentally competent to sign.
- Every applicant and co-applicant must pay an \$85 biometric services fee, except certain A, G, and NATO nonimmigrants as noted in the new Form I-539 Instructions to be published on March 11.
- 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. Co-applicants who wish to be scheduled at a different ASC location should file a separate Form I-539.

The USCIS has stated that it will reject any Form I-539 that is missing any of the required signatures or biometrics fees, including those required for Form I-539A.

Please contact one of the experienced [immigration attorneys at LMWF](#) with any questions regarding this practice alert.

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