

Born Out of Wedlock: For immigration purposes, the term "born out of wedlock" means a child's natural parents were not legally married at the time the child was born.

If the child was born out of wedlock and he/she was not legitimated before his/her 18th birthday, the child may still qualify for the benefit sought as a "child born out of wedlock." To qualify, it must be shown that a bona fide father-child relationship was established while the child was unmarried and under twenty-one years of age. Such a relationship will be deemed to have existed where the father demonstrates or has demonstrated an active concern for the child's support, instruction, and general welfare.

Evidence relevant to establishing a bona fide father-child relationship is varied and widespread in nature and may include, but is not limited to the following:

Photographs: Old family group photographs covering an extended period of time taken with person(s) for whom you need to establish the relationship. Each photo must be identified with the time, date, and place taken.

Military Records: Records that name members of the family you are claiming, such as military pay allotments, Selective Service registration forms.

Insurance Policies: These documents should indicate beneficiary(ies) named, and relationship to the policyholder.

Miscellaneous: Government identification papers, passports, deeds, medical records, school records, business records, income tax returns, social security records, census reports, family bible entries, records of family events, money order receipts or cancelled checks showing the father's financial support for the child.

Documentary evidence for establishing a bona fide father-child relationship must originate from the period of time when the child was unmarried and under twenty-one years of age. The most persuasive evidence for establishing a bona fide father-child relationship will be documentary evidence that originated from the period of time when the beneficiary was an infant and young child.

*** IMPORTANT: If the father and child have ever resided in the same house, it must be indicated when (the specific month/years) and where.**

DNA Test: The petitioner has the option of having a comparison test performed with the alien relative. However, only AABB-accredited labs are authorized by USCIS to perform such tests. Please go to www.aabb.org to locate an authorized lab. Tests performed by non-AABB labs will not be acknowledged.

If the petitioner chooses to have the DNA test done and is unable to comply with the testing procedures within 84 days, (s)he must respond to this notice within the time allotted and: 1) explain why (s)he was unable to comply, 2) submit evidence that shows when the testing was initiated, and 3) submit any correspondence received from the facility.

NOTE: Any document containing a language other than English must be submitted with a full English language translation. The translator must certify that the translation is complete and accurate and that he or she is competent to translate. All English translations must be accompanied by the foreign language documents.