I-131: Advance Parole During Green Card Process

1. In general (certain exceptions apply), a green card applicant with pending I-485 green card cases should not travel internationally without an I-131 advance parole to prevent jeopardizing the pending green card case.

2. Depending on the criteria, the green card applicant may also be eligible to file the I-485 Adjustment Application concurrently with the I-130 Immigration Relativce Petition. The filing of a non-frivolous I-485 case confers the eligibility to the green card applicant to apply for an I-131 advance parole and I-765 employment

authorization document (EAD) for him/herself and also applicable derivative family members.

3. PLEASE NOTE, an applicant with a pending I-485 case must not travel internationally without consulting a competent immigration attorney because:

c) In general (certain exceptions apply), an I-131 advance parole is required before the foreign national with a pending I-485 green card case travels internationally.

d) Moreover, certain green card applicants should not travel internationally even if they have been issued, or may not require an I-131 advance parole, to prevent jeopardizing his/her pending green card case.

4. All Rights Reserved.

This article is intended for informational purposes only, and should not be relied on as a legal advice or an attorney-client relationship. For more information, please contact Aik Wan Kok, Immigration Attorney at Tiya PLC, at koka@tiyalaw.com , tiyalaw@yahoo.com , 703-772-8224

or www.tiyaimmigration.com .
Tiya PLC is a U.S. professional law practice specializing in U.S. immigration law. Ms. Kok and Tiya PLC provide legal representation to foreign nationals, individuals and their families, employers and companies in all stages and aspects of green card and work visa matters.