

# Sponsor a Parent for a Green Card: Guide

A comprehensive guide from EB5 Attorneys

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A U.S. citizen who is at least 21 years old can sponsor a parent for a green card as an immediate relative under INA section 201(b)(2)(A)(i). There is no annual visa limit for this category, so no priority date backlog exists. The process involves filing Form I 130 (\$535 as of April 2026), followed by adjustment of status (Form I 485, \$1,440 plus \$85 biometrics) if the parent is in the United States or consular processing (Form DS 260) if the parent is abroad. Processing typically takes 12 to 24 months.

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## Eligibility: Who Can Sponsor a Parent

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Only a U.S. citizen who is at least 21 years old can sponsor a parent for a green card. Lawful permanent residents cannot sponsor parents; only full U.S. citizens have this ability. The petitioner must demonstrate their citizenship through a U.S. passport, naturalization certificate, Certificate of Citizenship, or U.S. birth certificate.

The parent child relationship must be documented with a birth certificate showing the petitioner as the child and the beneficiary as the parent. For fathers, legitimation requirements may apply depending on the law of the relevant jurisdiction if the parents were not married at the time of the petitioner's birth. Adoptive parents qualify if the adoption was finalized before the child turned 16 (or 18 in certain sibling adoption situations) and the child lived with the adoptive parent for at least two years (INA section 101(b)(1)(E)).

Step parents qualify if the marriage creating the step relationship occurred before the stepchild turned 18 (INA section 101(b)(1)(B)). The petitioner does not need to have been adopted by the step parent; the legal marriage between the step parent and the biological parent is sufficient.

A U.S. citizen can sponsor both parents (mother and father) simultaneously by filing separate I 130 petitions for each parent. If the parents are married to each other, only one parent needs to be the principal beneficiary; the other can be included as a derivative. However, filing separate petitions for each parent is often cleaner procedurally.

## The I 130 Petition: Filing and Evidence

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The I 130 petition establishes the qualifying family relationship. Required evidence includes: the petitioner's proof of U.S. citizenship; the parent's birth certificate (or the petitioner's birth certificate showing the parent's name); marriage certificates establishing the relationship if the petition is for a step parent; adoption decree if applicable; and passport photos of both petitioner and beneficiary.

If the petitioner obtained citizenship through naturalization, they should include their naturalization certificate. If through birth abroad, a Consular Report of Birth Abroad (FS 240) or Certificate of Citizenship. Name changes should be documented with legal name change orders or marriage certificates.

USCIS processing time for immediate relative I 130 petitions typically ranges from 5 to 12 months. Premium processing is not available for I 130 petitions. During this period, USCIS may issue a Request for Evidence if the documentation is incomplete or if questions arise about the relationship.

For parents who are already in the United States in lawful status, the I 130 and I 485 may be filed concurrently, saving months of processing time. Concurrent filing also allows the parent to apply for work authorization (EAD) and travel permission (advance parole) while the case is pending.

## Adjustment of Status for Parents in the United States

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If the parent is physically present in the United States and was lawfully admitted or paroled, they may file Form I 485 for adjustment of status. The package includes: the I 485 form; Form I 693 (medical examination by a USCIS civil surgeon); Form I 864 (Affidavit of Support from the petitioning child); passport photos; civil documents (birth certificate, passport, marriage and divorce records); and the filing fee of \$1,440 plus \$85 biometrics.

The medical examination must be completed by a USCIS designated civil surgeon. The exam includes a physical examination, review of medical history, tuberculosis screening, and verification of required vaccinations. Parents over 65 may have additional considerations regarding vaccination requirements but are not exempt from the medical exam.

The Affidavit of Support (I 864) requires the petitioning child to demonstrate household income at or above 125% of the Federal Poverty Guidelines. If the petitioner's income is insufficient, other household members who agree to be joint sponsors, or assets meeting the threshold (assets worth at least three times the income shortfall), can supplement the requirement.

USCIS schedules an interview at the local field office, typically 8 to 14 months after filing. At the interview, the officer verifies identities, reviews documents, and may ask questions about the family relationship and the parent's immigration history. Approval may be granted at the interview or within weeks after.

## Consular Processing for Parents Abroad

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If the parent is outside the United States, the case proceeds through consular processing after I 130 approval. The approved petition transfers to the National Visa Center (NVC), which collects Form DS 260 (online immigrant visa application), Form I 864 (Affidavit of Support), civil documents, and the immigrant visa processing fee (\$325 per applicant).

The NVC review process takes approximately 2 to 6 months. Once the case is documentarily complete, the NVC schedules an interview at the U.S. embassy or consulate in the parent's country of residence. Wait times for interview scheduling vary by consulate, from a few weeks to several months.

At the consular interview, the officer reviews the application, examines documents, and makes an admissibility determination. If approved, the parent receives an immigrant visa packet to present at a U.S. port of entry. The parent must enter the United States before the visa expiration date (typically six months from issuance). Upon admission, the parent becomes a lawful permanent resident.

For parents with prior immigration violations (overstays, prior removal orders, unlawful presence), consular processing requires careful analysis. Departing the United States after accruing unlawful presence may trigger 3 or 10 year bars under INA section 212(a)(9)(B). A provisional unlawful presence waiver (Form I 601A) may be available before departure.

## Special Considerations for Parent Sponsorship

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Several practical issues arise frequently in parent sponsorship cases:

Parents who overstayed a visa: if the parent entered lawfully (with a valid visa or under the Visa Waiver Program) but overstayed, they may still be eligible for adjustment of status as an immediate relative of a U.S. citizen under INA section 245(a), provided they were inspected and admitted. Overstay alone does not bar AOS for immediate relatives, though it does for preference category applicants.

Parents who entered without inspection: parents who crossed the border without inspection are generally ineligible for AOS under INA section 245(a). Unless they qualify under INA section 245(i) (based on a petition filed before April 30, 2001), they typically must pursue consular processing, which triggers unlawful presence bars upon departure. The I 601A provisional waiver may be available.

Public charge concerns: elderly parents who will not be working may raise public charge questions under INA section 212(a)(4). The Affidavit of Support from the petitioning child is the primary mechanism for addressing this concern. The child commits to financial support until the parent naturalizes or meets the other termination conditions.

Health insurance: while not a legal requirement for the green card application, planning for the parent's health care needs is practical advice. Medicare eligibility typically requires 10 years (40 quarters) of work history, which most newly arriving parents will not have. Marketplace insurance, Medicaid (varies by state), and private insurance options should be explored.

## Timeline and Costs Summary

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For a parent in the United States (concurrent I 130 + I 485 filing): total government fees are approximately \$2,060 (\$535 I 130 + \$1,440 I 485 + \$85 biometrics). Medical exam costs \$200 to \$500. Attorney fees typically range from \$1,500 to \$4,000. Total timeline: 12 to 18 months from filing to green card.

For a parent abroad (I 130 then consular processing): government fees are approximately \$1,080 (\$535 I 130 + \$325 immigrant visa fee + \$220 USCIS immigrant fee). Medical exam abroad is typically \$100 to \$300. Attorney fees typically range from \$2,000 to \$5,000. Total timeline: 12 to 24 months from I 130 filing to entry as LPR.

Both scenarios assume no complicating factors. Cases involving inadmissibility waivers, prior immigration violations, or complex documentation can add months to years and significantly increase legal fees. All fee amounts are as of April 2026.

## Frequently Asked Questions

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### 1. Can I sponsor both my mother and father at the same time?

Yes. File a separate I 130 petition for each parent with a separate \$535 filing fee for each. If both parents are adjusting status, file a separate I 485 for each as well. Each parent is an independent immediate relative case. There is no limit on how many immediate relative petitions a U.S. citizen can file simultaneously.

### 2. Can my parent work after getting the green card?

Yes. A lawful permanent resident may work for any employer in any job without restriction. If the parent filed for adjustment of status, they can apply for an Employment Authorization Document (EAD) while the I 485 is pending, allowing work before the green card is actually issued. The EAD typically arrives within 2 to 5 months of filing.

### 3. Can my parent apply for citizenship after getting a green card?

Yes, after five years of continuous permanent residence under INA section 316(a). The parent must also meet physical presence requirements (at least 30 months physically in the U.S. during the five year period), demonstrate good moral character, and pass the English and civics tests. The civics test may be taken through an interpreter if the parent qualifies for the age and residence exemption (age 50 with 20 years as LPR, or age 55 with 15 years as LPR).

### 4. My parent overstayed their visa. Can I still sponsor them?

If your parent was lawfully admitted (entered with a valid visa or visa waiver) and is currently in the United States, they are likely eligible for adjustment of status as an immediate relative of a U.S. citizen, even with the overstay. The immediate relative category is exempt from many of the bars that apply to preference category applicants. However, if your parent departed the U.S. after the overstay and is now abroad, the unlawful presence bars (3 or 10 years) may apply, potentially requiring a waiver.

### 5. What income do I need to sponsor my parent?

The I 864 Affidavit of Support requires household income at or above 125% of the Federal Poverty Guidelines for your household size (which includes you, your dependents, and the parent you are sponsoring). For a household of three (you, one dependent, and your parent) in 2026, the threshold is approximately \$31,000. If your income falls short, you can use assets, a joint sponsor, or household member income to meet the requirement.

## 6. Can a lawful permanent resident sponsor their parent?

No. Only U.S. citizens can sponsor parents for green cards. If you are an LPR, you must first naturalize as a U.S. citizen (which generally requires five years as an LPR), and then you can file the I 130 for your parent. This is one of the most significant practical benefits of naturalization for LPRs with elderly parents abroad.

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