

## Community explainer:

### HB 667 (2026) - Special Immigrant Juvenile (SIJ) Status to 21

## OVERVIEW

Under federal immigration law, an unmarried noncitizen young person up to 21 years old who has been abused, abandoned, or neglected by a parent may seek protection in the form of Special Immigrant Juvenile (SIJ) status. Some examples would include, but are not limited to: a parent who did not provide any financial support for some period of time; a parent who has physically abused a child; or a parent who has not been able to provide adequate housing, safety, access to medical care, or nutrition. SIJ status provides a potential pathway to a green card.

For many years, the opportunity to petition the juvenile and domestic relations (JDR) court for custody and SIJ findings was generally only available to youth in Virginia up to 18 years of age. This year, after much advocacy, the General Assembly passed HB 667 that opens the process to youth up to 21 years of age - consistent with federal law.

## What this bill does:

This new law expands the definition of “child” for the limited purposes of custody petitions for unmarried noncitizen youth ages 18 to 21 years old who have been abused, abandoned, or neglected and clarifies that juvenile courts can hear these petitions up until a person reaches age 21. This new law allows unmarried noncitizen youth 18 to 21 years of age to petition for physical custody and the findings needed for Special Immigrant Juvenile Status.

## The nuts and bolts of the process are generally the same with only a few differences:

- The petition is for *physical custody only*, defined as “the physical care and supervision of a child.” Va. Code § 20-146.1.

## Community explainer:

### HB 667 (2026) - Special Immigrant Juvenile (SIJ) Status to 21

- The 18- to 21-year-old must petition the court for physical custody and ask the court for the Special Immigrant Juvenile Status findings.
- The youth must also have a parent or other adult who can be the “custodian” willing to be included in the petition.

### What does this mean for the person ordered to be the “custodian”?

The “custodian” is committing to provide “physical care and supervision.” Code § 20-146.1. This could include providing housing, food, transportation to medical appointments, assistance applying for school, and other support.

### When does this bill take effect?

July 1, 2026

### What should I do if I want to see if I am eligible?

Please consult an attorney if you think you believe you are eligible and would like to pursue a custody petition and ask for Special Immigrant Juvenile Status findings.