

Green-card marriages - AvvoStories

Thursday, March 29 2018, 9:15 AM



Green-card marriages

IMMIGRATION, RELATIONSHIPS

Mar 26, 2018

By [Gemma Alexander](#)

◀7

◀1

Hollywood loves a [green-card](#) marriage – typically depicted in film as marriage of convenience between a U.S. citizen and a foreigner who wants to become a permanent resident of the United States. But as any real-life couple will tell you, getting a [green card](#) – the official document of permanent residency – through marriage is anything but convenient.

In the movies

In the [movies](#), an American citizen meets a foreigner living illegally in the United States. The two wed and then exchange personal trivia to dupe Immigration and Naturalization Services (INS) during an interview. Although they usually plan a quick divorce once the [green card](#) is awarded the movie couple fall in love and find themselves conveniently already
https://www.evernote.com/Home.action?_sourcePage=qIXUTtATa6riMUD9T65RG_YvRLZ-1eYO3fqfRu0fynRL_1nukNa4gH1t86pc1SP&__fp=iq9cjAEGAA83yWPvu

married. Roll credits over upbeat music.

In real life

In real life, the person providing an avenue to the [green card](#) must be a U.S. citizen or a lawful permanent resident. In almost all cases, he or she submits [Form I-130 \(Petition for Alien Relative\)](#), which requests [green card](#) status for the foreign fiancé or spouse. After that step, the process varies depending on the couple's circumstances. A fiancé living abroad must remain outside the United States until obtaining a [K-1 fiancé visa](#). A fiancé or spouse already in the United States must be here legally – say on a student or work visa – to obtain an [adjustment of status](#).

If the spouse entered the country illegally, the path to a [green card](#) is risky and requires [legal assistance](#). Returning to the home country for [consular processing](#) may trigger a three- or ten-year bar against reentry; attempting to obtain legal status while remaining in the United States has recently led to the [arrest](#) of some married immigrants.

The interview

The immigration [interview](#), so critical in the movies, comes after all the paperwork is in order and is often the easiest step. However, a bad interview can result in referral to a second interview. Known as a Stokes, or fraud interview, it's every bit as serious as Hollywood depicts, since the immigrating spouse may be at risk of [deportation](#).

Usually, couples don't have trouble answering questions about their life together. After a successful interview, couples who have been married more than two years will receive a permanent [green card](#) for the immigrating spouse. Couples who have been married less than two years have more work to do. The immigrating spouse will receive a two-year conditional residence permit. Together, they must file a [Petition to Remove the Conditions of Residence](#) within the 90-day period before the expiration of the conditional resident [card](#).

The most accurate part of Hollywood's portrayal of obtaining a [green card](#) through marriage is that scrutiny of spousal immigration cases is intense. Even a small mistake can result in an applicant's denial. Most couples should obtain legal help to guide them through the process; even those who [submit their own](#) applications should consider having their documents [reviewed](#) by an attorney before submitting them to INS.

Tagged [green card](#), [immigration](#), [Immigration and Naturalization Services](#), [immigration interview](#), [marriage](#), [visa](#)

[Leave a comment](#)