



Fiancé Visa Guide

Introduction

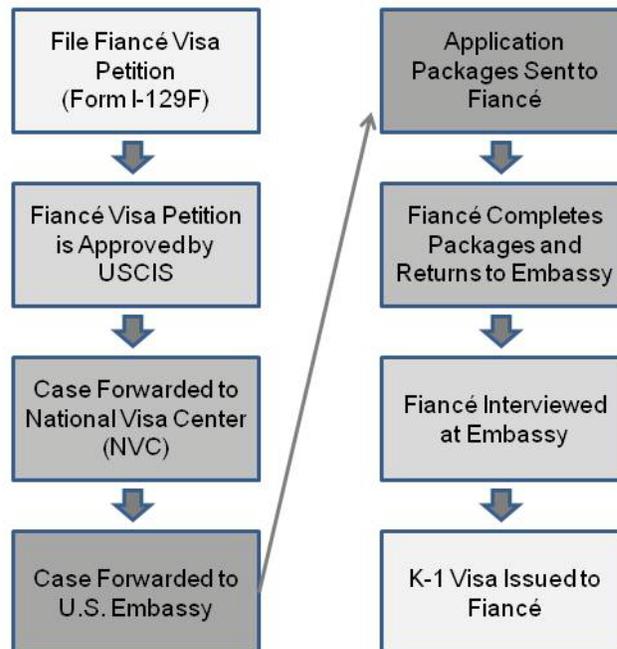
At last – you are newly engaged and planning to bring your foreign fiancé to the United States for marriage! It is a special, exciting time for both of you. Unfortunately, the elation of your engagement may be accompanied by the stress and anxiety of navigating the complex legal requirements. The purpose of this guide is to give you an overview of the fiancé visa process (it is not intended as legal advice specific to your situation). In order to ensure the fiancé visa process moves as quickly and smoothly as possible, you may wish to hire an experienced fiancé visa lawyer.

About The Whitt Firm

Based in Washington, DC, The Whitt Firm provides prompt, personalized and caring immigration assistance to individuals and businesses in the US and abroad. We understand the immigration process can be complicated and stressful, and we will guide you through each step. In addition to our DC metro area clients, we represent asylum seekers throughout the United States. Our state of the art case management system allows us to provide prompt, personalized and caring counsel to you, wherever you may be. You can access your case online 24 hours a day and consult with us through web meetings. You can consult with our fiancé visa attorney and receive a free case evaluation online at www.whittfirm.com or by calling 202.429.2026.

To bring your fiancé to the United States for marriage, you must apply for a fiancé visa (K-1 visa). Applying for a fiancé visa is a multi-step process. First, you must file the fiancé visa petition with the United States Citizenship and Immigration Services (USCIS) on Form I-129F.

Once the petition is approved, it will be forwarded to the U.S. embassy in your fiancé's country of residence. Your fiancé will be asked to provide documentation, undergo a medical exam and finally be interviewed at the U.S. embassy. After all steps are completed successfully, your fiancé will be issued a K-1 visa and may travel to the United States. This chart shows the major steps in the process:



The First Step: Filing the Fiancé Visa Petition

You, the U.S. citizen sponsor, must file Form I-129F, *Petition for Alien Fiancé(e)*, with the USCIS. You must submit documentation to prove: (1) you are a U.S. citizen; (2) you and your fiancé have met in person in the last two years; and (3) you and your fiancé can legally marry.



You will need the following documents to show that you are a U.S. citizen:

- If you were born in the United States, send a copy (front and back) of your birth certificate; or
- If you were naturalized, submit a copy, front and back, of your original Certificate of Naturalization; or
- In place of any of the above, you may send a copy of your valid, unexpired U.S. passport issued with a validity period of at least five years. You must submit copies of all pages in the passport.

Evidence that you and your fiancé have met in person in the last year should include the following:

- A statement describing your meeting.



- Evidence of your travel including boarding passes, passport stamps and hotel/restaurant receipts.
- Color photos of you and your fiancé together. Make sure you write your names, date, and location on the back of every photo. Provide two to five photos.

You will need the following documents to prove that you and your fiancé can legally marry:

- If either you or your fiancé were married before, give copies of documents showing that each prior marriage was legally terminated.
- Original statements (from **both** yourself and foreign fiancé) stating an intent to marry within 90 days of the fiancé entering the US. You can find a template statement of intent at the end of this guide.

You also need to submit the following with your Form I-129F:

- A passport-style photograph of yourself;
- A passport-style photograph of your fiancé;
- A completed and signed Form G-325A (Biographic Information) for yourself;

- A completed and signed Form G-325A for your fiancé; and
- The USCIS filing fee (currently \$455).

After USCIS approves your petition, it is sent to the National Visa Center (NVC) for processing. NVC will send the petition to the U.S. Embassy or consulate where your fiancé will apply for the K-1 visa.



The Second Step: Applying for a K-1 Visa

Once the U.S. Embassy or Consulate receives the petition from BVC, it will provide your fiancé with specific instructions, including where to go for the required medical examination. The Consular Officer may ask for additional information, such as photographs and other proof that your relationship is genuine. Documents in foreign languages should be translated.

During the visa interview, your fiancé will be required to present evidence to the Consular Officer that they will not become a public charge in the U.S. You may present evidence that you are able to financially support your fiancé, and the Consular Officer may request that a Form I-134, *Affidavit of Support*, be submitted.

Your fiancé should bring the following documents to the interview:

- Two Nonimmigrant Visa Applications, Form DS-156 (prepared in duplicate);
- One (1) Nonimmigrant Fiancé(e) Visa Application, Form DS-156K;
- A passport valid for travel to the United States;
- Birth certificate;
- Divorce or death certificate(s) of any previous spouse(s) for both you and your fiancé;
- Police certificates from your fiancé's present country of residence and all countries where he or she has lived for 6 months or more since age 16 (Police certificates are also required for accompanying children age 16 or older);
- Medical examination;
- Evidence of financial support;
- Two passport size photos of your fiancé;
- Evidence of your relationship; and
- Payment of fees

Once the K-1 visa is approved, the Consular Officer will give your fiancé his or her passport containing the K-1 visa and a sealed packet containing the civil documents you provided, plus other documents prepared by the U.S. Embassy or Consulate. It is important that your fiancé **does not open the sealed packet**. Only the DHS immigration official should open this packet when your fiancé enters the United States.

The K-1 visa will allow your fiancé to travel to a U.S. port of entry one time within a maximum of six months after issuance. A K-1 visa does not guarantee entry into the United States.

The Final Step: Arrival in the US and Marriage

After admission, your fiancé may immediately apply for permission to work by filing a Form I-765, *Application for Employment Authorization*. Once your fiancé enters the United States, you must marry within 90 days. Fiancé status automatically expires after 90 days. It cannot be extended. Your fiancé should



leave the United States at the end of the 90 days if you do not marry. After the marriage, your fiancé must apply for an Adjustment of Status to become a permanent resident and receive a permanent resident card (“green card”).

How a Fiancé Visa Lawyer Can Help You

Many fiancé visa cases are delayed because the applicant fails to include necessary information and documentation. Our fiancé visa lawyer provides assistance with fiancé visas nationwide. Don’t risk delays in bringing your fiancé to the United States – request a free consultation from our fiancé visa lawyer today at www.whittfirm.com or call us at 202.429.2026.

Fiancé Statement of Intent

[Today's Date]

[Petitioner's/Beneficiary's Address, phone number and email address]

U.S. Citizenship and Immigration Services
Vermont Service Center
Attn: I-129F
2501 South State Highway 121 Business Suite 400 Lewisville, TX 75067
RE: Statement of Intent

Dear Sir or Madam:

I became engaged to marry [Fiancé's name] on [date]. I hereby state that I am legally able and willing to marry [Fiancé] and intend to do so within 90 days of [his/her] arrival into the United States using the K-1 Visa. Please contact me at [phone number and email] if you have any questions.

Very Respectfully,

[Signature]



Notice

This information is not intended to provide legal advice and is for general education purposes only. Each case and its circumstances are unique, and it is not possible to provide specific advice about your case in this guide. Therefore, no attorney-client relationship may be established in the offering of this guide.