

I Do (Want My Green Card): Permanent Residency Based on Marriage to a US Citizen

Every year, over 400,000 U.S. citizens marry citizens of other countries.

This article discusses immigration options if you get married in the United States and your foreign spouse entered legally. You can call us with questions if your situation is different than the one covered here.

Visa Availability

Spouses of U.S. citizens are considered "immediate relatives." Immediate relatives are exempt from the numerical quotas that limit other types of family petitions. However, there may be long delays in processing your petition. You and your fiancé can avoid problems, such as periods of time living apart, if you plan ahead and speak to an immigration attorney well before you make your wedding plans.

Filing for Your Spouse's Green Card

Once you are married, the US citizen spouse should file an I-130 visa petition with the US Citizen and Immigration Service ("USCIS"). If the foreign spouse entered the United States legally, you can also file an application for permanent residency at the same time

Supporting Documents

Your application should include proof that you married because you and your spouse intend to live your lives together, and not solely for immigration benefits.

The permanent residency application must also include proof that you or a co-sponsor are able to support your spouse financially.

The foreign spouse must get a medical exam from a doctor approved by the USCIS.

With the I-485 application, your spouse may also request authorization to work and travel internationally while the permanent residency application is pending.

USCIS Processing

Processing times for these applications vary greatly in different cities. The average time for a permanent residency application based on marriage is between 6 and 10 months.

Interview: How well do you know your spouse?

Finally, the USCIS will send a notice of the date for your adjustment interview. The interview involves questions to each spouse to prove that the marriage is bona fide or legitimate, not just to obtain immigration benefits.

Approval of the Green Card

The USCIS officer may approve the application directly at the interview and stamp the foreign spouse's passport. In some situations, your application could be decided at a later date.

Your green card will be sent several weeks after approval of your application.

Validity of Green Card

The permanent resident card, known as the “green card,” will be valid for two years, if the marriage is less than two years old at the time of approval. After two years, you must petition to remove the conditions on your green card by filing the I-751 Petition to Remove Conditions.

How we can help you

Filing for permanent residency based on marriage to a US citizen can be complicated and time-consuming. [Global Justice Law Group](#) can help you with this process, and help you and your spouse live happily ever after — in the United States. Call 206-787-1406 or email kbrown@globaljusticelawgroup.com.