

Take Affidavit of Support Seriously

Many U.S. citizens and permanent residents signed an affidavit of support for an immigrant. In many cases, people are asked to do a favor and they signed the affidavit of support without knowing what responsibilities they have had promised to take.

The Affidavit of Support (I-864) is an enforceable contract by the sponsored person, the local, state or federal government or any agency providing a means-tested public benefit. The sponsor and joint sponsor are jointly and severally liable once the immigrant becomes a public charge. Even when the immigrant divorces the sponsor, in addition to any alimony payment, the sponsor and/or joint sponsor may have a continuing responsibility to support the immigrant at 125% of poverty guideline. The contract is enforceable until the sponsored immigrant is (1) naturalized, (2) ceases to be an LPR (Lawful Permanent Resident) and departs the U.S. (3) obtains a new grant of AOS (adjustment of status) in a removal proceeding; (4) has earned or been credited with 40 qualifying quarters in social security; or (5) dies.

We once encountered a case where a sponsor in the past signed more than 6 affidavits of support for his friends and relatives. It is very important to take affidavits of support seriously and fully understand what you sign into.