

What To Expect At Your Marriage Based Immigration Interview

YOU SAID “I DO” – NOW WHAT? MARRIAGE BASED GREEN CARD INTERVIEW

An alien (no not the kind from outer space) and a U.S. citizen have fallen in love and gotten married. The desire to obtain permanent residency in the United States is followed by filing a marriage based immigration petition. After all the paperwork is accepted, an interview date is set by USCIS to take place at a local USCIS office.

Horrors! As you can imagine, horror stories about the interview are everywhere – spoken by other people, written on the web, and even immortalized by Hollywood in the film “Green Card”. The reality is that most marriage based interviews are conducted in a civil manner without extraordinary action on the part of the immigration officer. As you are aware, the sincerity of the marriage is the issue. It is the officer’s duty to make that determination.

Now, for the reality of the interview – it is a typical scene at USCIS. Upon arrival, you go through security and go to the floor where your interview will take place. Hand in your interview notice at the window and wait for your name to be called. Don’t be surprised if you see people from all around the world preparing for their different interviews.

After your name is called, the officer will bring you back to the interview area. You will remain standing while you are sworn in. Many officers will make small talk with you. This is to put you at ease. Do make an effort to participate in the conversation. If you don’t understand something, ask the officer to repeat it.

Interviews usually take about 20-30 minutes. The officer will go through your application forms to make sure that the information you provided is still up-to-date. You will be asked to verify your information listed in the form I-325A, I-130 and you may be asked questions listed on the form I-485. It may be a good idea to go through those forms before you attend the interview.

The officer will ask questions about your relationships. For example, how do you know each other? When did the relationship become serious? Who proposed? How was your wedding? The officer can get into details of your marriage relationship. I have voted the following question the most difficult question to answer: what you two have in common? The rule of thumb, you should be honest and truthful in answering questions.

When an immigration officer develops suspicions about true nature of a marriage, he will often conduct a "separation interview." A separation interview is an intense interrogation of both the husband and the wife, conducted by separating each spouse and asking them the same questions. Usually the officer will spend about 45 minutes to an hour questioning each spouse separately. Sometimes the questioning can last much longer.

At the end of the interview, the officer often asks, do you bring anything new to support the petition? This is a good time to submit new documents, for example, newly filed tax return, utility bills received after the petition is filed, new photos taken together, and etc. You should never waste this chance to further support your petition.

At the conclusion of this business, the officer will typically either tell you that your case is approved, that your case will be recommended for approval, or that you need to submit additional documentation before a decision is made (you will be given a letter and 2-3 months to submit the missing items). In that case, you should follow the instruction carefully.