

5 things to consider before applying for a marriage-based green card



We get green cards for you and your loved ones



CAMBRIDGE
Immigration Law

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Hello!

I am excited to provide this workbook to help you on your marriage-based green card journey. I am eager to share the knowledge and experience that I have gained in 18 years of immigration practice. In my career as an immigration attorney, I have worked with individuals and families from countless countries, races, educational and socioeconomic backgrounds, sexual orientations, gender identities, religions, and family statuses. I strive to help them achieve their life goals and to provide an excellent client experience in our work together.

-Ellen

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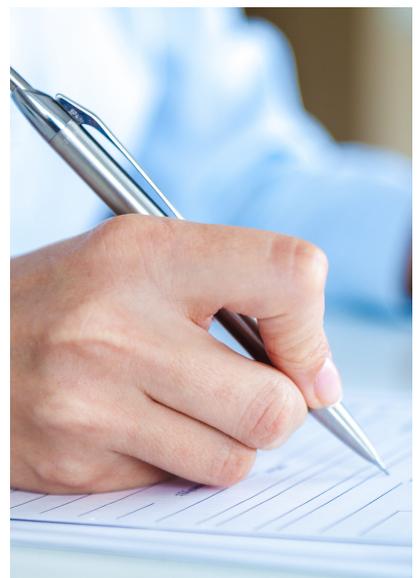
How to use this workbook

At Cambridge Immigration Law, we have represented many types of couples and families. We know that every situation can be different. However, we know the questions that USCIS asks and the assumptions USCIS might make based on how you present your case. This workbook will help you prepare to address USCIS's possible concerns before USCIS has a chance to send you a denial or a request for evidence.

QUESTIONS?

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Have you ever been to the US or tried to come to the US?

If you have ever been to the United States, have you violated your visa at all, even for issues as small as babysitting when you were an F-1 student or switching jobs internally without your H1B employer filing an H1B amendment? Were you denied a tourist visa because you did not have enough money in the bank? Have you not completed your J-visa two-year home residency requirement?

Before submitting any application to the US government, write out a full history of all your trips to the US, all visas used, any violations of your visa, and any problems applying for, being approved for, or maintaining any US immigration status.

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	<i>Dates of Travel</i>	<i>Visa Used</i>	<i>Any Issues/Violations?</i>
1.			
2.			
3.			
4.			
5.			
6.			

Have you ever purposefully or mistakenly given incorrect information to the US government?

US immigration laws harshly punish anyone who purposefully misrepresents information to US immigration officials. US immigration officials often treat innocent or inadvertent mistakes as purposeful mistakes that can result in a charge of immigration misrepresentation or fraud. If the US government believes you misrepresented anything, you could be barred for life (without a special waiver or forgiveness) to get any US immigration benefits. Later, the punishment can include USCIS attempting to take away your "green card" status if any part of your immigration journey included misrepresentation and even US citizenship.

IF YOU HAVE EVER MADE A MISTAKE—BY ACCIDENT OR ON PURPOSE—ON US IMMIGRATION APPLICATIONS OR IN CONVERSATIONS WITH US IMMIGRATION OFFICIALS, DO NOT SUBMIT ANY APPLICATION OR ATTEND ANY INTERVIEW WITH THE US GOVERNMENT WITHOUT FIRST CONSULTING WITH AN EXPERIENCED IMMIGRATION ATTORNEY.

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Have you had any interaction with law enforcement in the US or in other countries?

In almost all situations, you are required to disclose any and all issues relating to you and law enforcement. You must disclose any arrest, even if you were a minor. You must disclose citations, even if you were not arrested and even if you did not go to court. You must disclose all court dockets, even if the docket has been dismissed, sealed, expunged, pardoned, or otherwise cleared from your record. There are criminal issues that will make you ineligible for a green card. At the same time, there are many criminal issues that will not be a problem as long as you disclose, document, and explain them. If you don't disclose a criminal issue, it may become a "misrepresentation" problem when it would not have been a criminal problem if you had just disclosed it. It is a good idea to go through your history of speeding tickets because even though they are not relevant to your green card application. Our attorneys have sat in many interviews with USCIS officials asking detailed questions about speeding tickets. If you have ever had any contact with law enforcement, do not submit any application or attend any interview with the US government without first consulting with an experienced immigration attorney.

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Do you have proof that you are in a “real” relationship?

You need to prove to USCIS that you did not get married just to get a green card. You need to show that you and your spouse have a real romantic relationship and that you share your life as a married couple. You prove your “real” romantic relationship with paperwork...lots of it. Your proof will include paperwork relating to shared financial accounts, vacations with your spouse, children or pets with your spouse, photos of you and your spouse in different locations taken over the span of your relationship, social media postings, and letters from family and friends. You should submit all of your “proof” when you file your green-card application. Do not wait for an interview or a request for evidence. Submit an approvable case at the start.



What are marriage "bonafides"?

"Marriage bonafides" refers to evidence or documentation that proves the validity of a marriage.

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Does your case have any of these “red flags”?

THE US GOVERNMENT TREATS SOME ISSUES AS “RED FLAGS” WHEN YOU APPLY FOR A MARRIAGE-BASED GREEN CARD. TIME AND TIME AGAIN WE SEE DISCRIMINATION BASED ON RACE, NATIONALITY, CLASS, SEX, AND LANGUAGE ABILITIES. BEFORE SUBMITTING ANY APPLICATION TO THE US GOVERNMENT, CONSIDER THESE POTENTIAL RED FLAGS IN YOUR SITUATION.

- Have you or your spouse ever been married before?
- Has anyone tried to get you a marriage-based or engagement-based green card before, or has your spouse applied for those for someone else before?
- Do you and your spouse speak a common language?
- Do you and your spouse live together?
- Did you get married very shortly after meeting each other?
- Are you a woman who is much older than a male spouse? (Notice that an older male spouse with a young female spouse does not—in our experience—seem to raise a red flag.)
- Are you and your spouse of the same race?
- Are you or your spouse not white?
- Are you or your spouse not highly educated, not employed, or not highly paid in your employment?

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Congratulations

YOU ARE ONE STEP CLOSER TO ACHIEVING
YOUR IMMIGRATION GOALS!

I hope this workbook helped you understand some of the issues that often get in the way of getting approved for a marriage-based green card.

We know it can be a stressful and time-consuming to work on immigration applications. Let us handle the work. You get your green card.

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