

Getting a green card through marriage – Separating Fact from Fiction

Part ONE: Avoid sham marriages. Look before you leap.

This article is Part ONE of a multi-part series of articles regarding the benefits and pitfalls of obtaining lawful permanent residence (a green card) through marriage to a US citizen.

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In these very uncertain and often scary times surrounding immigration, it is a common belief among the general public that the easiest way to obtain Lawful Permanent Residence in the United States or to get a “green card” is through marriage. This belief is popularized through the media in movies, television and disseminated to the public at large. While it is true that marriage does provide a way to achieve the American Dream, one must be careful before deciding to tie the knot if immigration benefits and a green card are your ultimate goal.

First off, if your primary goal is to get a green card through marriage and the marriage itself is just one of convenience, you stand the chance of being charged and convicted with marriage fraud. Simply marrying a US citizen will not automatically grant you permanent residence. If that is the sole basis for your entering into a marriage, you are committing marriage fraud and if convicted, you and your spouse can face up to 10 years in prison and face a fine of \$ 300,000.00. Too many eager people come to my office with a “friend who is willing to help” or even worse with someone they have made an agreement with to pay for immigration benefits. I have seen too many cases where people have entered into marriages for convenience and in order to get a green card only to find that the person marrying for the green card is victimized by his or her US citizen spouse and blackmailed or even worse abused because the US citizen spouse feels like he or she is entitled to extract as much money or sex from the immigrant because of his or her status.

These days, immigration officers are being told by the current administration to scrutinize all immigration applications much more carefully than ever in the past. Immigration officers are trained to be able to ferret out fraudulent marriages and in my experience are able to determine right away if the couple who is at the interview before the officer a legitimate couple or simply going through the motions in order to obtain a green card for the intending immigrant. United State Citizenship and Immigration Services has also begun employing social media such as Facebook and Instagram in order to do a background check of sorts to determine whether a couple is indeed *bona fide*. Unannounced visits to a couple’s home is also a common practice.

This is not to say that unconventional relationships will automatically be denied. Age differences, cultural differences, different races between the couples will not be an automatic case for denial. In my experience even cases involving the most unconventional relationships for so long as they are *bona fide* (entered in good faith) are winnable and the truth will always come out.

If you are here in the US and want to obtain your green card through marriage, it is best to get the advice of a competent and experienced immigration attorney. Too much is at stake for you and your spouse without obtaining wise counsel. If you do choose this route, my advice is to take your time in finding a life partner because your relationship and the validity of it is what is most important if you are attempting to get your green card in this manner.

If you are curious about how this may apply to you specifically, please feel free to contact our office at (480) 355-4245 and make an appointment for a consultation or visit our website at azcarloslaw.com We look forward to hearing from you!