**Pre-Marriage Checklist**

If you are NOT YET married, and about to get married soon, please ensure you do the following:

* 1. A. If your spouse has entered the U.S. on a tourist visa or a similar ono-immigrant intent status, it may be advisable in most cases to wait until 90 days have passed since the entry into the U.S. before getting married or even applying for your marriage license. In such cases, please discuss this matter with us before you make preparations for the marriage. B. If the potential applicant has previously applied for a green card (e.g. through a prior marriage, through asylum, or through an employer), please discuss this matter with us before you make preparations for the marriage. C. If the immigrant spouse has entered the U.S. without inspection (e.g. crossed the U.S. border illegally), then the immigrant spouse may not be eligible for Adjust of Status within the U.S. and may need a waiver, please discuss this matter with us before you make preparations for the marriage.
  2. Ensure you check on the local process (e.g. you may need a marriage license or preregistration) and timeline to get married and to get your marriage certificate, and make sure the marriage certificate will be issued from the appropriate authority in the jurisdiction where you are married. Remember that if there are delays in your local area for getting a marriage appointment, you may be able to get one in another county close by faster – for example, if you are in the New York area, you may be able to get an appointment for civil marriage faster in Nassau or Suffolk county than in New York City or you may have the option to go to a licensed private marriage chapel for a fee (you can usually find them online – ensure they are licensed to perform marriages).
  3. Ensure the marriage license and other legal requirements are completed, and the marriage is legally performed.
  4. A. If either of you have been married previously, ensure a divorce decree issued or an annulment has been issued by an appropriate court of law prior to the date of your currently planned marriage – you will require a copy of this divorcee decree or annulment when filing for the green card. B. Generally, an immigrant who obtained lawful permanent resident status through marriage, who divorce and remarry, must wait five years from the date their green card status was granted before an I-130 for a new spouse will be approved. The purpose of this rule is to prevent marriage fraud for green cards. The exception to this rule is if the prior spouse passed away within the 5-year period. Lawful permanent residents can file for their new spouses within the five-year period if they can demonstrate by “clear and convincing evidence” that their prior marriage was not the product of immigration fraud, and that their current marriage is bona fide.
  5. Ensure to dress well for your wedding (especially if this is a civil ceremony);
  6. Try to have a few (at least two) of your friends / family (who will continue to have a relationship with you after the marriage) attend your wedding ceremony (even if this is a civil ceremony) who can provide an affidavit stating they attended.
  7. Ensure you take a many pictures of the wedding ceremony and after:
     1. Take pictures showing the venue;
     2. Take pictures of the wedding;
     3. Take pictures of the wedding rings (if any);
     4. Take pictures with the wedding guests/witnesses;
     5. Take pictures after the wedding if you are having a party, reception, lunch after the wedding with the guests, etc.;
     6. If you have a wedding invitation (whether e-invite or paper) retain a copy of it; and
     7. If culturally acceptable, ensure your social media has information about your engagement/wedding, post pictures online; ensure your social media is updated with your relationship status, and take date/time stamped screenshots shows this information – engaged before marriage and married after marriage , if friends and family have sent you congratulation messages on social media, print those out too.
  8. If you will take a honeymoon, then collect evidence from the honeymoon – receipts, pictures (take selfies together if no one else is available to take your picture), travel itinerary, boarding pass, hotel reservations, etc.; Depending on your immigration status, be cautious and consult us before you book a honeymoon trip outside the U.S., as you may not be able to travel outside the U.S. and may have to go for a honeymoon within the U.S. If you go to a border region (such as Niagara Falls), be cautions not to crossover to Canada or Mexico. Please make sure you discuss any potential travel with us before booking such.
  9. If you will live apart from each other for a short while right after the wedding, for example while one spouse wraps up work or school in another location, or while you lease a new apartment suitable for both, please ensure you collect the appropriate evidence for this item listed in the Post-Marriage Evidence Checklist.
  10. Collect evidence of pre-wedding relationship, such as:
      1. Evidence of dates you have been on together as a couple – receipts, pictures (take selfies together if no one else is available to take your picture);
      2. Evidence of trips you have been on together as a couple – receipts, pictures, travel itinerary, boarding pass, hotel reservations;
      3. Pictures together with friends and family, e.g. at parties, events, holidays, etc.;
      4. Evidence of phone calls, text messages (please ensure they are appropriate in nature); and
      5. Evidence of any gifts given to each other – receipts, pictures.