

Spouse and Marriage Visas

If you are a U.S. citizen and you wish to bring your foreign spouse to the U.S. permanently, be aware that you have options. Each option has a specific process that must be followed as well as particular requirements that must be fulfilled. The immigration attorneys at NPZ Law Group can help determine what option is best for you and help you navigate the process so that your spouse can join you in the U.S. as soon as possible.

I am a U.S. Citizen. How Can I Bring My Foreign Spouse to the U.S. to Live?

A U.S. citizen looking to bring his or her foreign spouse to the U.S. to live has two options:

- **IR1 or CR1 Visa:** For your spouse to obtain an IR1 or a CR1 visa, you will effectively “sponsor” your spouse for immigrant visa entry into the country. You will need to complete an Immigrant Petition for Alien Relative (Form I-130). After USCIS processes your Petition, the National Visa Center and the U.S. Embassy will take care of the rest of the necessary administrative processing so your spouse can be granted the visa. Your spouse will complete his or her side of the visa process completely outside of the U.S. Once he or she arrives in the U.S., permanent residency status will be immediately granted.
- **K-3 visa:** A K-3 visa is a nonimmigrant visa for the U.S. The application for a K-3 visa must be filed and the visa must be issued in the country where the marriage took place. This means that the application is often completed outside of the U.S. If the marriage occurred within the U.S., then your spouse should file the application with the U.S. embassy in his or her country of residence. Two forms must be filed: the Petition for Alien Relative (Form I-130) and the Petition for Alien Fiancé (Form I-129F). It is confusing that Form I-129F is still called Petition for Alien Fiancé. The K-3 is a somewhat new visa category and the name has yet to be changed. It usually only takes a few months for a K-3 visa to be granted. Your spouse may travel to the U.S. once the visa has been issued.

Both visas require that you and your spouse are legally married. Simply living together, even for an extended amount of time, will not suffice. Unmarried partners are not able to sponsor visas to the U.S. Additionally, under most circumstances, you must be a U.S. residence to apply. Finally, you must be at least 18 years of age to sign the Affidavit of Support, a form required further on in the process.

Helping Spouses Reunite in the U.S.

If you are in the U.S and are looking for a way to bring your spouse to the U.S., the dedicated immigration attorneys at Nachman, Phulwani, Zimovcak Law Group, P.C. can help you. With our

extensive experience in this legal area, we can provide you with the answers you need. Our history of client satisfaction speaks for itself. Contact us today.