



**Immigration**  
*for Couples*™



How to Prove Your  
**Relationship** to  
**Immigration**

So your case doesn't get denied....

# Congratulations!

Whether you are married, engaged, or dating, we want to congratulate you on your relationship. It sure isn't easy these days to find the love of your life! We are really happy for you.

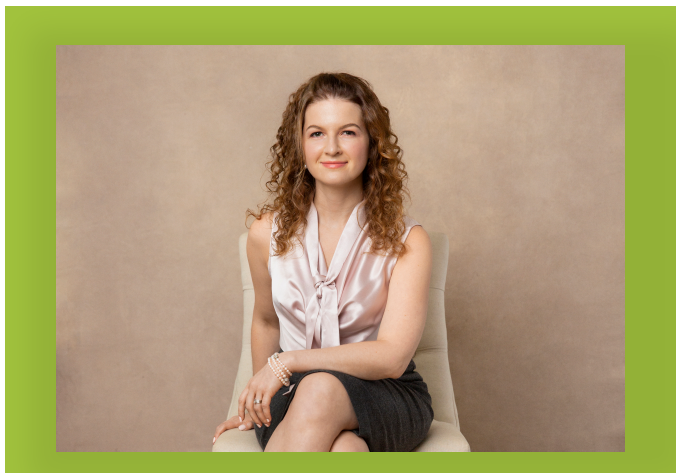
Once you've found someone you just "click" with, it's natural to want to begin planning out your future lives together. However, if you and your significant other aren't both already citizens of the United States, getting through the immigration process can unfortunately pose a major roadblock to your dreams.

Our law firm is unique among law firms nationally, in that we focus specifically on helping couples through the immigration process. Our firm has successfully assisted thousands of couples across the nation and across the world in navigating the United States' immigration process.

Perhaps the MOST common question we receive from couples as they begin to research the immigration process is, "How can we prove our relationship? What documents should we be collecting?" We've created this guide to answer these question!

\*Please NOTE that this guide is meant to provide general information and is not considered legal advice.

Sincerely,



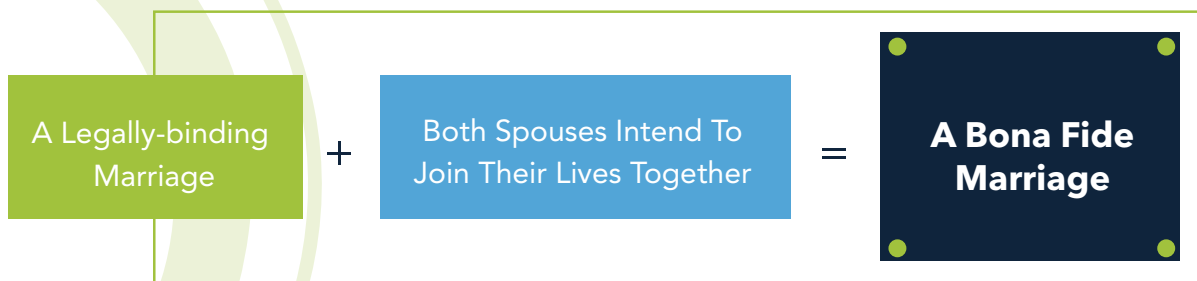
*Megan Pastrana*

**Megan Pastrana, J.D.**  
Managing Attorney & CEO  
Immigration for Couples

# What is a “Bona Fide” Relationship?

Sometimes the laws of the United States unfortunately tend to use old Latin phrases rather than just clear, modern English terms. We thought it would be best to start out this guide by clarifying that when the immigration laws refer to the concept of a “bona fide” relationship, they just mean whether the relationship is real or not.

If you are as big of nerds as we are, you might think of the definition of a bona fide marriage like an equation:



That means you’ve gotten the piece of paper from the courthouse AND you’re actually wanting to be together forever. Notice that it is NOT technically a requirement that you be “in love” with each other. The reason is because some cultures still have arranged marriages, and those are generally acceptable for immigration purposes.

The only time a couple wouldn’t have an intention to join their lives together would be if they were marrying only for immigration purposes and planning to break up later.

# Why Does It Matter

## If Your Relationship is Bona Fide or Not?



It seems a little strange that the government actually has an interest in the details and status of your personal romantic relationships, doesn't it? Many of our clients say that they think it's weird and can be somewhat uncomfortable to provide evidence of a bona fide relationship.

We completely understand where you're coming from, but you have to remember WHY the United States government is looking into this issue at all. Basically, marrying a United States citizen provides some great immigration options that immigrants otherwise might not have available to them (although it's not a guarantee that they will be able to get a green card in all situations). This could create an incentive for people to get married only for immigration purposes to people they don't really love.

If you think about it, that could potentially create some problems. There are over 300 million adult citizens of the United States. If everyone started getting married to foreigners who wanted to immigrate to the United States, it could in theory increase our population faster than our social structures can actually handle. Who knows if this would actually happen, but this was the concern that led Congress to create the requirement that marriage-based immigration processes to require a bona fide marriage.

So whether you agree with this logic or not, unfortunately, this is a hoop you're going to have to jump through in order to successfully complete the marriage green card process.



## How Does the Government Know If a Relationship is Bona Fide?

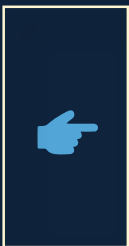
The next logical question that follows about bona fide relationships is, "Okay, but how will they KNOW what our intentions are?" Realistically, they can't look inside your minds and hearts to find out what your secret intentions are. So instead, the government officials depend on a process that examines the circumstantial evidence about your intentions.



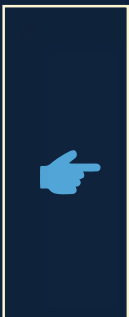
They ask for documentary evidence to be filed with the paperwork.



A trained interviewer assesses your demeanor and testimony given in a live interview.



They Google you and check out your social media (Come on, you would do it too if you had their job! Social media made this process a lot easier for them.)



They have a fraud team that performs other types of traditional detective work if necessary, such as investigating the accuracy of the documents you provided and what you said at your interview.

## Wait, they have Fraud Investigators?!

**FRAUD ALERT**

Yes, many of our clients are surprised to learn that this is true. However, the fraud team is not involved in all cases (at least as far as the public currently knows). The government officers at U.S. Citizenship and Immigration Services can flag cases that seem suspicious and refer them to the fraud team for further investigation.

Fraud investigators have been known to show up randomly and talk with neighbors and family members of the immigrant and the United States citizen spouse, as well as to confirm details of bank statements and lease documentation submitted with an application.

As they say, "The best defense is a good offense." That's why it's important to have solid documentation of your relationship to submit with your case. Our goal is for the government officer to take one look at your well-supported case and think, "This looks legit," and stamp you through to the next step in the process without needing to investigate further.



# The Stereotypical Bona Fide Relationship

When government officers are assessing whether your relationship is bona fide, they tend to rely on their idea of what a true relationship would look like. Unfortunately, sometimes it feels like this is an old-fashioned stereotype from the 1950s! Some of the common factors they look for include:

- ✓ You are of similar age and personal background to each other
- ✓ You live together
- ✓ You join your bank accounts into one joint checking account that you use to pay all of your bills
- ✓ You sign up for all of your household bills under both of your names
- ✓ You hold joint insurance policies together
- ✓ You take photos at important family occasions
- ✓ Your relationship is public to the world, not hidden from anyone such as your employer or parents



We would love to get the chance to help you in this process that will be the foundation of your lives together!

Visit:  
<http://immigrationforcouples.com/>

# Your Actual Bona Fide Relationship

Oh no! So what if your real-life relationship doesn't quite look traditional on paper? There are tons of couples out there who:

- ✓ **Keep their finances separated for various reasons**
- ✓ **Are temporarily living apart due to education or career issues**
- ✓ **Have different backgrounds or a large age gap**

Modern relationships can be complicated and don't always work the same way. (Hey, variety is the spice of life. We get it!) The most important thing to keep in mind is whether your relationship looks legit considering the "totality of the circumstances." This is a fancy legal term that basically just means:

## Does This Story Fundamentally **MAKE SENSE?**



If you don't live together, why? If you have your finances set up differently, is there a good reason in your case? And do you have a lot of other evidence to support the relationship in other areas if some types of evidence are lacking?

Think about which elements of the traditional relationship DO exist in your case, and find a lot of good evidence of those to strengthen your case.

Our attorneys have helped thousands of clients with their immigration cases so we have a lot of experience in spotting red flags and figuring out how to fill in the "holes" in the evidence that could lead an officer to think your relationship is suspicious.



# Burden of Proof

We've thrown a few legal terms at you so far, and you're still reading, so here's one more important one to keep in mind: the Burden of Proof. You may have heard this one bandied about in courtroom sitcoms or cop shows... or we've all got that one friend who seems to know way too much about their legal rights and it sort of makes you wonder what they're up to...

Anyway, burden of proof is an important concept to understand when trying to prove your bona fide relationship. In the United States legal system, the person whose responsibility it is to prove something important is the one who carried the burden of proof. And the burden of proof can be different for different types of cases and different parts of the legal process.



For example, if you're accused of a crime in the United States, the government (the prosecutors and police) have the burden of proof to show that you actually committed the crime. They can't say, "This dude is really suspicious and we think he did it." They have to prove the case. The government also is not allowed to say, "Well, if you DIDN'T do this, then PROVE you didn't do it." That's because the burden of proof is the on the government for a criminal case.

Unfortunately, immigration cases are very different. It is the immigrant and their spouse who have the burden of proof to show that the relationship is bona fide. That means they don't need any proof that you're lying in order to deny your case. They can say, "Meh, we're not convinced," and YOU are the one forced to come up with the evidence. Don't get too worried – we're going to teach you how to meet your burden of proof so you can submit a strong case!

# Classic List of “Red Flags”



Before we explain what items you need to gather to meet your burden of proof, we want to give you the heads up about some specific situations in which the government will decide you need EVEN MORE evidence than usual to prove your case.

Some of these “Red Flag” situations make the list because they are specifically mentioned in the written immigration laws. Others are taken from internal government documents that have been leaked to the public. Our real-life experience as attorneys representing clients in marriage immigration cases definitely confirms the validity of this list because they are the types of issues we come confront (and overcome) in our day-to-day work. Your case is likely to face additional scrutiny if:

- ❗ **The immigrant spouse is in an immigration court proceeding**
- ❗ **The petitioning spouse has previously petitioned for fiancés or spouses**
- ❗ **You have a large age gap**
- ❗ **Your relationship timeline is considered to be unusual in any way, such as a short time knowing each other before getting engaged or married, or getting married shortly after getting divorced from your prior relationship**
- ❗ **You married close to the time that your visa was running out**
- ❗ **Your educational, socio-economic, or religious backgrounds are very different**
- ❗ **Either of the spouses has multiple prior marriages**
- ❗ **You don't submit enough evidence with your application**
- ❗ **Any details in your case seem inconsistent with each other**

Keep in mind that having any of these factors doesn't mean you're facing insurmountable odds, but simply that it will usually take more evidence to meet your burden of proof.

# A Word on "Oversubmissions"

Sometimes when we tell couples this information, they understandably get freaked out and get a very excessive amount of evidence together.

There is, ironically enough, something else on the red flags list that the government calls an "oversubmission." This means that they find you suspicious because you sent them too much evidence and it looks like you're trying too hard.



## Our So-Called "Goldilocks" Standard

The U.S. citizens reading this guide will be very familiar with a traditional childhood story told to kids in the United States that is called "Goldilocks and the Three Bears." If you're an immigrant and haven't heard of this before, Google it or ask your partner to tell you the story because it's something you'll probably hear referenced on occasion once you live in the U.S.

Anyway, part of the basic story involves the concept of finding the perfect middle ground. The girl in the story keeps testing things out and finding some things to be to both ends of the extremes (like "too hot" and "too cold"), but then she finds the thing that is perfect, or "just right." You're going to want to keep this idea in mind when getting together relationship evidence. We don't want to file too little evidence OR too much... we need the amount that is JUST RIGHT.

Finding the balance is something that we can help you do. Keep in mind that you can collect lots of evidence and then we can help you decide how much and which types of evidence you are actually going to file. One of the main reasons it is helpful to have an attorney involved in your case, even if you only hire us for a quick review of your self-prepared application before submitting, is that we have an excellent sense of what is "just right" for an individual case and what would be overkill or just raise more questions and make your case take longer.

# Focus on Forward Motion!



So now that you have all of the background information you need to understand what a bona relationship is and the legal standards related to proving it, let's get started with the nitty-gritty list of types of documents you should start collecting.

We recommend you immediately begin to collect whatever items on the list that you can get, even if you aren't yet ready to file your application. And if you don't yet have an overall immigration strategy figured out, then we recommend you set up a strategy session with one of our attorneys to make sure you're on the right path. You can get 24/7 access to our consultation calendar to schedule yourself on our website at

[www.immigrationforcouples.com](http://www.immigrationforcouples.com).

We look forward to speaking with you soon!

But now on to the list of evidence...



# Relationship Evidence List

**Remember** that you don't need to have ALL of these items, but we do recommend you gather as much as possible in order to be prepared for your case. You'll need a bare minimum of at least 8-10 different pieces of evidence; try to get some from each category.

## **Proof You Live Together (Or Visit Each Other):**

- ✓ Current apartment lease
- ✓ Past apartment leases
- ✓ Deed to home
- ✓ Mortgage statement in both names
- ✓ Household bills in both of your names together
- ✓ Household bills in your separate names but showing the same address
- ✓ Plane tickets, car rentals, hotel receipts, or toll road payments from visits back and forth to each other
- ✓ Copy of passport stamps or visas showing you've visited each other's countries



## **Proof Of Kids Or Pets (If Applicable):**

- ✓ Birth certificates of any children you have together
- ✓ Pet adoption records
- ✓ Photos of you with kids and/or pets

# Relationship Evidence List

## **Proof Of Ongoing Communication:**

Evidence of ongoing communication is most commonly used for fiancé visa applications or for cases in which a married couple isn't living together. This evidence is most effective if you show communication over time, such as with several monthly phone logs or by printing off a selection of text messages each month throughout your courtship.

- ✓ Printouts of text messages by phone
- ✓ Cell phone records or bills showing regular calls
- ✓ Screenshots of you videochatting together
- ✓ WhatsApp or Facebook Messenger printouts

## **Proof Of Joint Finances:**

- ✓ Bank statements from joint accounts
- ✓ Statements from shared credit card accounts
- ✓ Insurance documents with both names (health, dental, vision, home, auto)
- ✓ Life insurance policy listing spouse as beneficiary
- ✓ Joint car title
- ✓ Loan documents if you've ever borrowed money together or co-signed a loan

## **Testimonials From People You Know:**

- ✓ Notarized letters from friends and family, describing your relationship. They should include their contact information and describe specific instances when they have seen you interact.

## **The "Mushy" Stuff:**

- ✓ Love letters or cards to and from each other
- ✓ Photos together. Try to select photos that:
  - Show time passing (you have different hairstyles, different season, or holidays, or look younger, etc.)
  - Show you with friends and family
  - Show you celebrating holidays or important events
  - Show the wedding and reception or engagement parties, etc.
- ✓ Wedding related evidence – ring purchases, vendors' receipts, etc.

Keep in mind that you are **NOT Limited** to these specific categories of evidence. Collect and save any other documents that you think might be **Proof Of Your Relationship**.