

CHAPTER 7

RELATIONSHIP EVIDENCE



We've discussed the Four Paths to Success, but now we are moving on to an important topic common to all of the paths: how to prove to the U.S. government that your relationship is legitimate. This is a critical requirement for every single type of marriage-based immigration case. All government officers making case-related decisions want to verify whether your relationship is "bona fide."

How does the government know if your relationship is bona fide?

So, how does the government know if a relationship is legitimate? Realistically, they can't look inside your mind and heart to discover your secret intentions. Instead, 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 also 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 during your interview.

Wait, they have fraud investigators?

Many of our clients are surprised to learn that this is true. However, the fraud team is not involved in all cases (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.

In recent years, fraud investigators have even been on the ground in foreign countries, investigating things such as the legitimacy of court records supposedly issued by foreign judges.

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. My goal with my clients is always for the government officer to take one look at their well-supported case and think, “This looks legit,” and stamp them through to the next step in the process without needing to investigate further.

Types of Evidence the Government Looks For

There are a few categories of evidence that historically USCIS and the U.S. Department of State have found to be the most

convincing in proving that a relationship is bona fide. This includes things like:

- Proof that you live together
- Proof that you have joined your finances together
- Proof that you are in regular communication with each other
- Proof that your relationship is publicly known (not a secret)
- Proof that you spend time together and make joint decisions

Obviously, not all of these categories apply to every single couple. For example, your spouse may be living abroad until they receive their spouse visa, so you may need to rely more heavily on other evidence since you don't live together yet.

Examples of Classic Relationship Evidence

Now that you understand what main categories are most helpful to prove, I'd like to give you some specific examples of types of documents that you may have that could help you prove these categories. Keep in mind that these are simply some examples of commonly used documents. Every couple is different, and when I represent them, I help them make a customized strategy for the most convincing evidence to use in their specific situation.

However, it can be helpful to understand ahead of time what types of documents are commonly used so that you can begin saving items that could potentially be useful evidence for your case.

Proof You Live Together (or Visit Each Other)

- Current joint apartment lease

- Past joint 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

Proof of Ongoing Communication

- Printouts of text messages by phone
- Cell phone call logs or bills showing regular calls
- Screenshots of you video-chatting 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 seasons or holidays, or look younger, etc.), show you with friends and family, show you celebrating holidays or important events, and show the wedding and reception or engagement parties, etc.
- Wedding-related evidence such as ring purchases, vendors' receipts, etc.

Hopefully, this list will give you a better idea of the documents that can be useful as evidence that your relationship is bona fide!