

MARRIAGE GREEN CARD

The I-751 Removal of Conditions Checklist

Turning a two-year conditional green card into a ten-year card: the filing window, how you file, and the evidence that carries the case.



Prepared by the Ellis Porter content team. This checklist has not been reviewed by an attorney for your specific situation. It is general information, not legal advice; current USCIS form instructions control what your case requires.

TIMING

Who files, and when

If your marriage was less than two years old when your green card was approved, you received a conditional green card valid for two years. Form I-751, Petition to Remove Conditions on Residence, is how you remove those conditions and obtain a ten-year card. Two things matter most: timing, and evidence that the marriage is genuine.

The joint-filing window. Filing jointly with your spouse, you file within the 90 days immediately before the second anniversary of the date you became a permanent resident, which is the date your conditional card expires (8 CFR 216.4(a)(1)). Missing it can end your conditional status and lead to removal proceedings.

CARD EXPIRATION DATE

WINDOW OPENS (90 DAYS
BEFORE)

DATE WE WILL FILE

Filing together, or on your own

1 Joint filing (the default).

You file together with the spouse through whom you got the green card, in the window above.

2 Filing with a waiver.

The conditional resident files alone, with evidence supporting the specific ground, and can file at other times since there is no spouse to file with in the standard window. A waiver can be requested if:

- ☐ The marriage ended in divorce or annulment (a good-faith marriage that ended)
- ☐ Your spouse died
- ☐ You or your child experienced battery or extreme cruelty
- ☐ Ending your residence would cause extreme hardship

Divorce does not automatically end your ability to become a permanent resident if the marriage was bona fide. Waiver cases, especially after divorce or abuse, are more complex and benefit from careful handling.

THE EVIDENCE

Proof the marriage was entered in good faith

Whether you file jointly or with a waiver, the core of the case is evidence that the marriage was genuine. You likely have more of this than you think, gathered in the ordinary course of a life built together. The evidence should cover the period of the marriage; quality and continuity matter more than volume.

FINANCES

- ☐ Joint financial documents: shared accounts, taxes, credit
- ☐ Joint insurance and beneficiary designations

HOME

- ☐ A shared lease or mortgage
- ☐ Joint bills

FAMILY AND LIFE TOGETHER

- ☐ Children's birth certificates (if any)
- ☐ Photos over time, across the period of the marriage
- ☐ Affidavits from people who know the couple

WAIVER FILINGS ONLY

- ☐ Evidence supporting your specific waiver ground (for example, a divorce decree)

IF SOMETHING GOES WRONG

If you miss the deadline

Missing the joint-filing window can cause your conditional status to end and place you in removal proceedings, a serious situation. Late filing may be accepted with a good explanation, but do not rely on it. If you are late or approaching the deadline, get advice promptly; your permanent residence can be at stake.

What you still need

List the documents you cannot check off yet and where they will come from.

Removing conditions on your green card?

See how Ellis Porter helps couples through every stage of a marriage green card:

ip.ellisporter.com/marriage-green-card

Prepared by the Ellis Porter content team. This document is general information, not legal advice, and reading it does not create an attorney-client relationship. Requirements and deadlines depend on your specific facts; confirm current details with USCIS. Joint-filing window: 8 CFR 216.4(a)(1).