

ELLIS PORTER

MARRIAGE GREEN CARD

The Marriage Green Card Checklist

The path from I-130 to green card, and the documents that prove a genuine marriage at every step.



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; your interview notice and USCIS instructions control what your case requires.

Three steps, one question

Every marriage green card case is ultimately about one question: is the marriage genuine? The steps below are where you answer it.

1 The I-130 petition.

The US spouse files Form I-130, Petition for Alien Relative, to establish the qualifying relationship. This is where you document that the marriage is genuine: joint finances, a shared life, and the marriage certificate. A US citizen or a permanent resident can file, but the category (and timing) differs.

2 Green card by AOS or consular processing.

If the spouse is already in the US and eligible: adjustment of status (Form I-485), processed inside the country, often with work and travel authorization while pending. If the spouse is abroad: consular processing through the National Visa Center and a US consulate for an immigrant visa (CR-1/IR-1). Which applies turns on the spouse's location and immigration history.

3 The affidavit of support.

The petitioning spouse is the primary sponsor and files Form I-864, generally showing income at or above 125 percent of the federal poverty guidelines for the household size. If that income is not enough, a joint sponsor files a separate I-864, or a household member adds income with Form I-864A.

Conditional vs ten-year card. Married less than two years at approval: the spouse gets a conditional two-year green card, and the couple must jointly file Form I-751 before it expires to remove the conditions. Married two years or more at approval: a regular ten-year card.

THE DOCUMENTS

What to gather

THE RELATIONSHIP RECORD (I-130)

- ☐ Marriage certificate
- ☐ Evidence of joint finances (shared accounts, shared obligations)
- ☐ Evidence of a shared life together (cohabitation, shared responsibilities)

THE SPONSOR'S FILE (I-864)

- ☐ Proof of income at or above 125 percent of the federal poverty guidelines for your household size (check the current year's Form I-864P figures; they update annually)
- ☐ Household size worked out: the sponsor, dependents, the sponsored immigrant, and anyone the sponsor is already obligated to support
- ☐ If income falls short: asset documentation, a joint sponsor's separate I-864, or a household member's I-864A

THE INTERVIEW

- ☐ Most marriage cases include an interview; the officer is assessing whether the marriage is bona fide
- ☐ The strongest cases show a genuine shared life: joint finances, cohabitation, shared responsibilities, and consistent testimony, rather than a stack of paper
- ☐ Review your filings together beforehand so your answers are consistent with the record

YOUR NOTES

What you still need

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

A word on the path itself

Which route applies (adjustment of status or consular processing, citizen or resident petitioner, conditional or ten-year card) turns on facts specific to your case: where the spouse is, their immigration history, and the timing of the marriage. The checklist tells you what to gather; getting the path right is the judgment call.

Applying for a marriage green card?

See the steps, the documents, and how Ellis Porter can help with your case:

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. USCIS form instructions and your interview notice control what your specific case requires.