

PROVING A BONA FIDE MARRIAGE

A Comprehensive Guide for Immigration Purposes

PART ONE: WHY THIS MATTERS — THE LEGAL FOUNDATION

In every marriage-based green card case, U.S. Citizenship and Immigration Services (USCIS) is legally required to determine whether the marriage was entered into in good faith — meaning it was based on love, commitment, and a genuine shared life, and not entered into for the purpose of obtaining an immigration benefit.

A marriage certificate alone is never sufficient to prove a bona fide marriage. A marriage certificate only proves that a legal ceremony took place on a specific date. It does not prove:

- That you intended to build a life together
- That you combined finances or shared financial responsibilities
- That you lived together in a shared home
- That you presented yourselves to the world as a married couple
- That your relationship existed before and after the wedding
- That you were committed to each other through challenges and everyday life

The Legal Standard: Preponderance of the Evidence

Under U.S. immigration law and USCIS policy, the burden of proof is on you — the applicant — to establish eligibility by a preponderance of the evidence. This means USCIS must be persuaded that it is more likely than not that your marriage is real and ongoing.

If sufficient evidence is not provided, USCIS may:

- Issue a Request for Evidence (RFE)
- Schedule a more intensive interview (including a possible Stokes interview — where spouses are questioned separately)
- Refer the case for a fraud investigation
- Deny the case entirely

For this reason, documenting a bona fide marriage is one of the most important parts of your green card application — and one of our firm's highest priorities in representing you.

What USCIS Is Looking For

USCIS evaluates your marriage holistically. Officers are specifically trained to look for evidence that you have genuinely intertwined your lives in ways that are typical of married couples — not just on paper, but in reality. Evidence is evaluated for:

- Relevance — Does the evidence relate to your actual shared life?
- Probative value — How strongly does the evidence support the claim that your marriage is real?
- Credibility — Is the evidence genuine, consistent, and independently verifiable?
- Totality — Does the overall picture paint a convincing portrait of a real marriage?

Greater weight is always given to objective, third-party documentation — documents that were created in the ordinary course of life, not specifically for an immigration case. The strongest cases are those built on evidence that would exist whether or not you were applying for a green card.

Red Flags That USCIS Watches For

USCIS officers are trained to identify the following warning signs. If any apply to your situation, discuss them with our office — we can help address them proactively:

- Large age difference between spouses
- Different cultural, linguistic, or religious backgrounds (without explanation)
- Marriage shortly after meeting in person for the first time
- Inability to communicate in a common language
- No cohabitation — spouses living at different addresses
- No joint financial documents of any kind
- Little or no prior contact history before the application
- Prior immigration violation by the beneficiary
- Prior denied immigration petition involving the same beneficiary
- Filing the green card petition very shortly after the wedding
- Prior marriage fraud finding

None of these factors automatically disqualifies you, but each one may require additional evidence and a clear explanation.

PART TWO: CATEGORIES OF EVIDENCE

This section organizes all types of possible evidence into priority tiers. You are not required to have every type of evidence — gather what you can. A strong case is built on depth, consistency, and variety. Work across as many categories as possible.

TIER 1

Highest-Priority Evidence

These carry the greatest evidentiary weight and should be provided whenever available

1. Joint Financial Evidence

Evidence that you share financial responsibilities is one of the strongest possible indicators of a bona fide marriage. Financial records are difficult to fabricate and demonstrate that both spouses have made a genuine commitment to building a shared economic life. Provide records covering multiple months — a single snapshot is not as persuasive as a consistent pattern over time.

Bank Accounts and Savings

- Joint checking account statements (3–6 months or more)
- Joint savings account statements
- Evidence that both spouses deposit income into or withdraw from the account
- Bank letters confirming joint account ownership
- Joint debit cards for a shared account
- Online banking screenshots showing both names
- Wire transfer records between spouses' accounts for household expenses
- Venmo, Zelle, CashApp, or PayPal transaction history between spouses

Credit and Debt

- Joint credit card statements (both names on account)
- Evidence that one spouse is an authorized user on the other's credit card
- Joint personal loans
- Joint auto loans or car financing documents
- Joint student loan documents or co-signer agreements
- Credit reports showing shared accounts (optional)

Property and Mortgage

- Mortgage statements showing both spouses as borrowers
- Deed to real property listing both spouses
- Home equity loan documents (both names)
- Property appraisal or assessment listing both parties
- Homeowner's association records showing joint membership

Investments and Retirement

- Joint brokerage account statements
- Joint investment account documents
- IRA or 401(k) beneficiary designation naming spouse

- Retirement account statements showing spouse as beneficiary
- Pension plan documents designating spouse

★ Best practice: Provide statements covering multiple months across different time periods, not just a single snapshot. Consistency over time is far more persuasive than a large volume of recent documents gathered for the application.

2. Joint Housing Evidence

USCIS places significant weight on proof that you live together in a shared home. This is one of the most fundamental indicators of a genuine marital life. If you currently live apart or lived apart for any period, this must be explained.

Lease and Rental

- Lease agreement listing both spouses as tenants
- Month-to-month rental agreement with both names
- Rent receipts or money orders made out jointly
- Letter from landlord confirming both spouses reside at the property
- Roommate or sublet agreement (if applicable)

Utilities and Services

- Electric bills in both names or at joint address
- Gas and heating bills
- Water and sewer bills
- Internet and cable/streaming service bills
- Phone bills showing the same address
- Garbage and recycling service accounts
- Alarm system accounts or monitoring service bills

Other Proof of Shared Residence

- Mail addressed to both spouses at the same address (over time)
- Home insurance (homeowner's or renter's) listing both spouses
- Property tax bills
- Voter registration records at same address
- Driver's licenses or state IDs showing same address
- Vehicle registration at shared address
- Neighbor declaration or affidavit confirming both live together
- Change of address confirmation showing spouse moved to shared home
- Furniture delivery receipts to joint address
- Package delivery or Amazon order history to shared address

3. Joint Tax Filings

Joint tax filings are among the most powerful pieces of evidence available. They are official government documents that are filed under penalty of perjury — making them highly credible evidence of a shared marital and financial life.

- Joint federal tax returns (IRS Form 1040) — provide the most recent available years

- IRS tax transcripts (preferred over copies — obtain at [irs.gov](https://www.irs.gov) or by calling the IRS)
- State income tax returns filed jointly
- Proof of filing status as “Married Filing Jointly”
- W-2 or 1099 forms showing the same address for both spouses
- Tax payment confirmation (proof of payment or refund) with both names
- Schedule A or other attachments showing shared deductions (mortgage interest, property taxes)
- IRS Identity Verification letters or correspondence addressed to both spouses

★ If you filed as “Married Filing Separately,” provide a brief explanation and any other available financial documentation to compensate.

4. Insurance and Benefits Enrollment

Insurance and benefits documents demonstrate long-term planning for each other’s wellbeing — a hallmark of a genuine marriage. These records are difficult to create after the fact and carry significant evidentiary value.

Health and Medical Insurance

- Health insurance policy listing spouse as covered dependent
- Employer Open Enrollment forms showing spouse was added
- Explanation of Benefits (EOB) documents showing both names
- COBRA continuation notices listing spouse
- Marketplace or ACA plan enrollment showing both spouses
- Dental and vision insurance enrollment showing spouse
- Insurance ID cards listing both spouses

Life Insurance

- Life insurance policy naming spouse as primary beneficiary
- Policy application showing spouse listed as beneficiary
- Annual statements confirming beneficiary designation

Other Benefits

- Employer benefits enrollment form designating spouse for any benefit
- Disability insurance policy listing spouse
- Long-term care insurance with spouse listed
- Flexible Spending Account (FSA) or Health Savings Account (HSA) showing spouse
- Employee emergency contact form listing spouse
- Workers’ compensation beneficiary designation

TIER
2

Strong Supporting Evidence

These documents significantly strengthen your case when combined with Tier 1 evidence

5. Children and Family Documentation

If you have children together — or are expecting — this is among the most powerful evidence available. Having and raising children together is a definitive indicator of a genuine marital life and shared future.

- Birth certificates of children born to the marriage listing both parents
- Hospital birth records and delivery discharge papers (both parents listed)
- Prenatal care records or OB/GYN visit documentation
- Ultrasound photos and reports
- Baby shower invitations and registry printouts (both names)
- Baby purchase receipts and records of nursery preparation
- Pediatrician records listing both parents
- School enrollment records listing both parents as guardians
- Daycare enrollment with both parents listed
- Child health insurance covering both parents and children
- Child support arrangements (if children from prior relationships are involved)
- Adoption records or foster care documents
- Custody agreements referencing the marriage
- Parenting class enrollment or completion certificates

6. Photographs — Telling Your Story Visually

Photographs provide powerful, visual evidence of your relationship across time and context. While USCIS cannot approve a case based on photos alone, a well-organized photo collection tells a compelling story of a genuine life shared together. Photos should span your entire relationship — from early dating through the present.

Relationship History Photos

- Early dating or courtship photos
- First trip together photos
- Engagement photos (professional or casual)
- Proposal photos or videos

Wedding and Ceremony

- Wedding ceremony photos showing the processional, vows, and rings
- Reception photos (guests, dancing, toasts, cake cutting)
- Photos with each other's families at the wedding
- Photos with the wedding party
- Honeymoon photos
- Photos of the wedding venue, table settings, or decorations

Family and Social Life

- Photos at holidays: Thanksgiving, Christmas, New Year's, Fourth of July, etc.
- Photos with each other's parents, siblings, and extended family
- Birthday celebrations (yours, your spouse's, family members')
- Family reunions or large family gatherings
- Religious observances or ceremonies together
- Photos with mutual friends at social events

Everyday Life

- Photos at your shared home (cooking together, in the living room, yard, etc.)
- Photos of the home you share (both of you in the space)

- Grocery shopping, running errands together
- Watching a game or movie together
- Working on home improvement projects

Travel

- Vacation photos at destinations (domestic and international)
- Weekend trips or day trips together
- Road trip photos
- Photos with landmarks or location identifiers

Milestones and Special Moments

- Pregnancy announcements
- Baby shower photos
- Photos with newborn children
- Graduation or professional ceremony photos
- New home purchase or move-in photos
- Photos at work events or company parties

★ Photo Submission Best Practices

- Organize photos chronologically to show the arc of your relationship
- Label each photo or photo page: names, date, location, and occasion
- Include a mix of formal and candid photos
- Include photos with BOTH families, not just one side
- Show photos from different time periods and different locations
- A representative set of 20–40 captioned photos is more effective than 200 unlabeled ones
- Print in color if possible; 4x6 or larger prints are easier to review
- Avoid submitting duplicate or very similar photos

7. Travel Documentation

Travel records are some of the most objective evidence available because they are created by third parties (airlines, hotels, border control) and are difficult to fabricate. Travel together demonstrates a shared life, and trips to meet each other before the wedding demonstrate the authenticity of the relationship's development.

Joint Travel

- Airline tickets or e-ticket confirmations listing both spouses
- Boarding passes (save all)
- Hotel reservations in both names
- Hotel receipts/folios showing both guests
- Rental car agreements
- Cruise booking confirmations
- Train, bus, or ferry tickets
- Passport copies showing entry and exit stamps from shared travel
- Travel insurance policy covering both spouses
- Vacation activity receipts (tours, attractions, restaurants)
- Airbnb or vacation rental booking confirmations

Pre-Marriage Travel (Meeting Each Other)

Especially important for couples who met online, internationally, or long-distance — showing you traveled specifically to be together proves the relationship developed organically.

- Flights taken to visit each other before marriage
- Evidence of where you stayed during visits
- Visa stamps or I-94 records from visits
- Border crossing records (CBP Entry/Exit records available at cbp.gov)

Trips to Meet Each Other's Families

- Travel records for trips to meet the other spouse's family
- Affidavits from family members confirming your visit
- Photos from those visits

8. Communication Records

Communication records are especially important if you and your spouse lived apart for any period — during a long-distance relationship, while awaiting visa processing, or due to work or family obligations. They show an ongoing and continuous connection.

Text and Messaging Apps

- SMS/text message screenshots (show names and dates)
- WhatsApp message exports or screenshots
- iMessage conversations
- Facebook Messenger conversations
- Instagram Direct Messages
- Telegram, Signal, or other messaging app records
- Google Chat or Hangouts history
- Snapchat conversation screenshots

Phone and Video Calls

- Phone bills showing calls to/from your spouse's number (highlight them)
- Call logs from your phone (screenshots)
- FaceTime call history screenshots
- WhatsApp video call history
- Zoom, Skype, Google Meet call logs
- International calling card records
- Calling app records (Vonage, MagicJack, etc.)

Email and Digital Communication

- Emails between spouses (select representative samples across time)
- Shared Google Calendar or iCloud Calendar invitations
- Joint online account activity (shopping, streaming, cloud storage)
- Letters sent via postal mail
- Online greeting cards sent

Social Media Evidence

- Facebook relationship status publicly showing you are married
- Facebook posts and tagged photos showing you together over time
- Instagram posts featuring your spouse (with dates)
- TikTok videos together or shared
- Twitter/X posts referencing your spouse or marriage
- LinkedIn profiles listing married status or spouse's employer
- Dating app conversation history (for couples who met online — this shows how and when your relationship began)

TIER 3

Additional Supporting Evidence

Use these to round out your application and fill any gaps in other categories

9. Wedding and Ceremony Documentation

Wedding planning documents and vendor records confirm that the wedding was a real event with real planning and real guests — not a staged event for immigration purposes.

- Wedding invitations (save originals if possible)
- Wedding program
- Guest list
- Ceremony officiant's letter or statement confirming the marriage was performed
- Church, courthouse, or venue records of the ceremony
- Venue contract and receipt
- Catering contract and receipt
- Wedding photographer contract and receipt
- DJ or band contract
- Florist receipt
- Wedding cake receipt
- Limousine or transportation receipt
- Rehearsal dinner receipt or reservation
- Makeup artist or hair stylist receipt
- Wedding dress or suit receipt
- Wedding announcement in a newspaper or online publication
- Gift registry printout (Bed Bath & Beyond, Target, Amazon, etc.)
- Thank-you card list sent to guests
- Honeymoon booking confirmation

10. Cards, Letters, and Personal Correspondence

Physical cards and letters show emotional investment and ongoing communication. The postmark on envelopes provides independent date verification.

- Birthday cards to and from your spouse
- Anniversary cards
- Valentine's Day cards
- Holiday cards (Christmas, Hanukkah, Eid, Diwali, etc.)
- Love letters or handwritten notes

- Cards from your families addressed to you both as a couple
- Thank you cards received after the wedding
- Postcards sent from trips
- Greeting cards for milestones (new home, new job, pregnancy, etc.)

★ Tip: Scan or photocopy both the front and inside of cards. Include the envelope if postmarked, as this independently verifies the date.

11. Legal, Estate, and Emergency Planning Documents

Legal documents reflect long-term commitment and planning for each other's future. These are especially meaningful because they involve legal consequences and are not created lightly.

- Wills or joint estate plans naming spouse as beneficiary
- Durable Power of Attorney naming spouse
- Healthcare Proxy or Medical Power of Attorney naming spouse
- Advance Directive or Living Will designating spouse
- Trust documents naming spouse as trustee or beneficiary
- Emergency contact designations at doctor's offices, hospitals, or employers listing spouse
- Social Security beneficiary designation
- Payable-on-Death (POD) or Transfer-on-Death (TOD) accounts listing spouse
- Safe deposit box access authorization for spouse

12. Shared Memberships, Subscriptions, and Accounts

Shared accounts and memberships demonstrate an integrated household and shared daily life.

- Joint gym membership (family plan)
- Costco or Sam's Club card (both listed)
- Amazon Household account
- Netflix, Hulu, Disney+ (family plan)
- Spotify Family plan
- Apple Family Sharing account
- Google Family account
- Library cards at same address
- Warehouse club membership (BJ's, etc.)
- Country club or social club (joint membership)
- Season tickets (sports, theater) in both names
- Religious organization membership
- Community organization records
- Museum or zoo memberships
- Loyalty program accounts (airlines, hotels)
- Car wash membership (family account)
- AAA membership listing both spouses
- Newspaper or magazine subscriptions

13. Shared Purchases and Receipts

Records of purchases made together — especially major purchases — demonstrate a shared household economy.

Major Joint Purchases

- Vehicle title or registration in both names
- Auto insurance policy listing both spouses
- Furniture purchase receipts and delivery records
- Appliance receipts (refrigerator, washer/dryer, dishwasher)
- Electronics receipts (television, computers, home audio)
- Home improvement contracts and receipts

- Landscaping or lawn service contracts

Everyday Evidence

- Grocery receipts from shared shopping
- Restaurant and dining receipts
- Entertainment receipts (concerts, movies, sports events)
- Gas station receipts or shared gas card
- Pharmacy receipts (prescription pickups for family members)
- Veterinarian records for jointly owned pets
- Pet registration or adoption records listing both owners

★ Note: A few representative receipts across time are sufficient. You do not need to submit every receipt. Select ones that show joint participation and a pattern over time.

14. Gifts, Special Occasions, and Relationship Milestones

- Engagement ring purchase receipt or appraisal
- Wedding band or ring receipts
- Gift receipts from birthdays, holidays, or anniversaries
- Flower delivery confirmations
- Jewelry receipts
- Special occasion dinner or experience receipts
- Anniversary trip or experience booking
- Spa, concert, or event tickets given as gifts

15. Professional, Employment, and Community Records

- Employment records listing spouse as emergency contact
- HR benefit forms or enrollment documents listing spouse
- Work event photos showing both spouses
- Employer confirmation letter that spouse is covered under benefits
- Company directory or email profile listing spouse's name
- Union membership documents with spousal coverage
- Spouse's employer confirmation of family health coverage
- Business ownership documents showing both spouses
- Joint professional licenses or certifications
- Community volunteer records (church, charity, civic organizations)
- School records listing both parents as emergency contacts

16. Religious and Cultural Documentation

For couples whose faith or culture plays a significant role in their relationship, religious documentation can be powerful supporting evidence.

- Church, mosque, synagogue, or temple records of both spouses as members
- Religious marriage ceremony certificate (in addition to civil certificate)
- Letter from religious leader confirming the couple's participation in the faith community
- Records of religious counseling or pre-marital counseling
- Religious event attendance records

- Community religious organization membership showing both spouses
- Cultural ceremony documentation (quinceanera, mehendi, or other cultural events attended together)

17. Medical and Health Records

- Doctor or specialist records listing spouse as emergency contact or next of kin
- Hospital admission records identifying spouse as family member
- Medical power of attorney records designating spouse
- Dental or vision care enrollment showing spouse
- Couples counseling or therapy records (with consent to disclose)
- Joint participation in health or wellness programs
- Pharmacy records showing spouse listed for prescription access

PART THREE: THIRD-PARTY AFFIDAVITS — A CRITICAL COMPONENT

Third-party affidavits are sworn written statements from people who know you and your spouse and can testify to the genuineness of your marriage. While affidavits are supporting evidence — not a substitute for objective documentary evidence — a strong, detailed, well-written affidavit from a credible person can be one of the most powerful elements of your case.

Why Affidavits Matter

Affidavits give a human voice to your relationship. While documents prove facts (you share an account, you live together, you filed taxes jointly), affidavits explain what those facts mean — what your relationship actually looks like from the outside. A credible third party who can describe observing your daily life together, your love for each other, and the reality of your shared home can fill in gaps that no document can.

USCIS specifically expects affidavits when primary evidence is unavailable. But even when objective evidence is strong, affidavits from a variety of sources add another dimension that significantly strengthens the overall case.

Who Should Write an Affidavit

The ideal affiant is someone who has had personal, direct contact with you as a couple — someone who can describe specific moments, conversations, and observations from their own experience. Here is a comprehensive list of possible affiants, organized by relationship type:

Family Members (Highest Credibility)

- Parents of either spouse — parents have long and intimate knowledge of their child's relationship history and are best positioned to describe how the relationship changed their child and how the couple interacts
- Siblings — brothers and sisters who see the couple at family events and in informal settings
- Adult children from prior relationships — especially valuable if they live with or regularly visit the couple
- Grandparents who have met the spouse and can describe family integration
- Aunts and uncles who have observed the couple at family gatherings
- Cousins who have spent time with the couple
- In-laws (the other spouse's parents or siblings) — especially powerful because they have no incentive to fabricate

Friends (Strong Credibility)

- Close friends who have spent significant time with the couple — especially those who knew both spouses before the marriage
- Mutual friends who know both spouses independently and can speak to how the relationship developed
- Friends who attended the wedding or engagement party
- Friends who have shared vacations, road trips, or regular social activities with the couple
- College or childhood friends who have watched the relationship grow over time
- Friends who have visited the couple's home and can describe the shared living environment

Neighbors

- Neighbors in the same building or street who regularly see the couple together
- Neighbors who can describe seeing both spouses come and go from the shared home
- Neighbors who have socialized with the couple (cookouts, shared spaces, etc.)

- Building superintendent or property manager who interacts with both spouses

Coworkers and Employers

- Coworkers who know the spouse through workplace visits, company events, or photos/conversations at work
- Supervisors or managers who are aware of the marriage and have met or interacted with the spouse
- Business partners who have socialized with the couple
- HR personnel who have witnessed benefits enrollment or emergency contact changes

Religious and Community Leaders

- Pastor, priest, deacon, rabbi, imam, or other religious figure who knows the couple personally
- Religious leader who officiated the wedding — especially if they can describe the ceremony preparation and the sincerity of the vows
- Sunday school teachers or religious educators who interact with the family
- Community organization leaders (PTA, neighborhood association, civic group, nonprofit)
- Volunteer coordinators who have worked with the couple together

Professional Contacts

- Family doctor or healthcare provider who has treated both spouses (within privacy limits)
- Pediatrician who can confirm both parents' involvement in children's care
- Real estate agent who helped the couple buy a home together
- Landlord who has rented to both spouses as joint tenants
- Accountant or tax preparer who has prepared joint tax returns
- Attorney who has handled joint legal matters (will, estate, property purchase)
- Financial advisor who works with the couple's joint finances

Other Relationship Contacts

- Wedding vendors who interacted with both spouses during planning — photographers, caterers, florists, venue coordinators
- Teachers or professors who have met the spouse at school events
- Babysitters or nannies who work in the shared home and see both spouses daily
- Personal trainers, fitness instructors, or coaches who have worked with the couple
- Coaches of children's teams where both parents regularly attend

What Each Affidavit Must Include

Every affidavit submitted must contain the following elements. An affidavit that is missing key components will be given significantly less weight. Our firm will review all affidavits before submission.

Required Elements of Every Affidavit

1. Full legal name of the affiant
2. Date and place of birth
3. Current home address
4. Phone number and email address
5. Occupation
6. U.S. citizenship or immigration status

7. Relationship to each spouse (how the affiant knows each person)
8. How long the affiant has known each spouse
9. How the affiant came to know them as a married couple
10. How many times and in what circumstances the affiant has observed the couple together
11. Specific examples (at least 2–3 described events with dates and locations)
12. What the affiant observed about the couple's relationship, home, finances, or family
13. The affiant's personal impressions and belief that the marriage is genuine
14. A statement that the affidavit is true and correct under penalty of perjury
15. Signature and date
16. Notarization (strongly recommended and adds significant credibility)

What Affiants Should Describe

Different affiants, based on their relationship with the couple, can speak to different aspects of the marriage. Here are examples of what each type of affiant might meaningfully describe:

Parents and Siblings

- How the relationship changed the spouse they know — “My son has never been happier”
- How the other spouse has been integrated into family life and events
- How the couple interacts, makes decisions together, and handles disagreements
- What the couple's home looks like and feels like when visited
- How both spouses are involved in family gatherings, celebrations, and traditions
- How the couple communicates with each other during visits

Friends

- How the couple met and how the relationship developed over time
- Specific social events attended together
- How the couple interacts in social settings — signs of affection, teamwork, shared humor
- Conversations about their life together — plans, home, children, future
- How both spouses speak about each other when the other is not present
- What the affiant has observed at the couple's home during visits

Neighbors

- Seeing both spouses leave and return home together
- Both cars in the driveway; lights on together at night
- Both spouses doing yard work, bringing in groceries, or participating in neighborhood life
- Conversations with both spouses as a household
- Invitations to neighborhood events or block parties where the couple attended

Religious Leaders

- How long the couple has been part of the faith community
- Joint participation in worship services, religious education, or community events
- Pre-marital counseling — what was discussed and observed
- The ceremony itself — the sincerity of the couple's commitment during the ceremony
- Involvement in church or religious community as a family unit

The Difference Between a Strong and Weak Affidavit

☒ WEAK — Will Be Given Little Weight	☒ STRONG — Will Be Given Significant Weight
<i>"I have known John and Maria for several years. They seem very happy together. I believe their marriage is real."</i>	<i>"I have been John's close friend since college. I first met Maria in June 2022 when John brought her to my birthday dinner. Since then, I have seen them together at least once a month. At Thanksgiving 2023, I was at their apartment when Maria cooked dinner while John set the table. Their refrigerator had a shared calendar and a chore chart. When John got a job offer in Boston, he called me that night and said he wouldn't take it without Maria's agreement because her nursing program is in Fall River. Their apartment clearly belongs to two people building a life together."</i>
Why it's weak: Generic, vague, no specific dates or events, no observations, easily fabricated	Why it's strong: Specific dates and events, firsthand observations, details only someone present would know, shows shared decision-making

Quality over quantity: Two or three detailed, credible affidavits are far more effective than ten vague ones. USCIS has stated that affidavits from different contexts (family, friends, community) are preferred over multiple affidavits all saying the same thing.

How Our Office Works With Affidavits

Our Process for Affidavits
You do not need to finalize affidavits on your own. Here is how we work with you: Step 1: Gather the materials. Ask your chosen affiants to complete the affidavit template we provide. They should write in their own words, describe specific events, and be as detailed as possible. Step 2: Send the drafts to us. Once your affiants have completed their drafts, send them to our office. We will review each one for completeness, legal sufficiency, and consistency with the rest of your case. Step 3: We finalize. Our office will make any necessary adjustments to ensure the affidavit meets USCIS standards, and we will return the final version for the affiant to sign and notarize. Step 4: Notarize and submit. The affiant signs the finalized affidavit before a notary public. We will then include it in your evidence package. You provide the materials — we handle the legal work. Do not submit any affidavit to USCIS before our office has reviewed it.

PART FOUR: SPECIAL SITUATIONS AND HOW TO ADDRESS THEM

Every couple's situation is unique. Not every couple will have the same types of evidence, and some circumstances require special attention. Here is guidance for some of the most common special situations.

Long-Distance Marriages

If you and your spouse have lived in different locations at any time during the marriage (for example, because of pending visa processing, work assignments, or family obligations), you must proactively explain this and provide evidence demonstrating that the marriage remained genuine despite the distance.

- Communication records are critical — provide phone bills, call logs, and messaging records
- Travel records showing visits to each other during the long-distance period
- Affidavits from people who can confirm your continued relationship during this period
- Evidence of ongoing joint financial arrangements (bank transfers, shared accounts)
- Evidence of planning to reunite (pending visa applications, job searches, housing applications)

Newly Married Couples With Limited Joint Documents

If you were recently married and have not yet accumulated extensive joint documentation, focus on what you have and use narrative to explain the trajectory of your relationship.

- Emphasize your courtship and relationship history before the wedding
- Provide communication records spanning your entire relationship
- Prioritize the strongest available evidence: joint bank account, lease or mortgage, insurance
- Gather strong affidavits from people who observed the relationship develop
- Document your plans for a shared future (joint lease signed, home purchase in progress, etc.)

Couples Where One Spouse Was Abroad

In K-1 or immigrant visa cases where one spouse came from abroad, additional attention should be given to the pre-immigration period.

- Communication records from before and during the marriage process
- Records of visits to each other's country before immigration
- Evidence of the beneficiary's integration into life in the U.S. (new address, new school, new job)
- Documentation of shared decisions made about the move (conversations, planning records)
- Affidavits from family members in both countries who observed the relationship

Couples From Different Cultural Backgrounds

Cultural or linguistic differences may draw additional scrutiny. Address them proactively.

- Provide translations of relevant documents
- Include affidavits explaining cultural context (e.g., how couples in a given culture typically demonstrate commitment)
- Document cross-cultural family events and integration
- Highlight language learning efforts (language classes, apps, family communication)
- Show that both families have met and accepted the marriage

When Key Documents Are Unavailable

If you cannot provide certain types of evidence, document why — and compensate with alternative evidence.

- File the taxes jointly as soon as possible if you have not done so yet
- Open a joint bank account immediately if you do not have one
- Obtain an amended lease or letter from your landlord if only one name is on the lease
- Prepare a sworn explanation letter for any significant gap in documentation
- Use affidavits to compensate for missing categories of documentary evidence
- Contact our office before assuming evidence is unavailable — there are often alternatives

PART FIVE: COMMON MISTAKES TO AVOID

⚠ These Mistakes Can Seriously Damage Your Case

- Submitting only a marriage certificate and nothing else
- Relying solely on photographs without supporting documentary evidence
- Submitting evidence covering only a very short time period (e.g., only recent months)
- Submitting inconsistent dates, addresses, or information across documents
- Failing to explain gaps (long-distance periods, separate finances, different addresses)
- Submitting affidavits that all sound identical — suggests coaching or coordination
- Submitting vague affidavits without specific events or observations
- Not labeling photographs with names, dates, and locations
- Omitting evidence of the beneficiary's presence in your life before the wedding
- Sending documents not in English without certified translations
- Submitting an overwhelming volume of repetitive, low-quality evidence
- Submitting any affidavit without having our office review it first
- Omitting an explanation for a prior denied petition

PART SIX: FINAL GUIDANCE FROM OUR OFFICE

USCIS reviews marriage-based petitions carefully and thoroughly. Officers are trained specifically to evaluate the authenticity of marriages and to identify inconsistencies or weaknesses. A strong case is not built on any single document or affidavit. It is built through:

- Depth — Evidence that covers multiple aspects of your shared life
- Breadth — Evidence from multiple categories
- Consistency — Evidence that is consistent across all documents and statements
- Timeline — Evidence that spans the full arc of your relationship
- Third-Party Corroboration — Evidence created by others, not just by you

Our Commitment to You

We at Botelho Law Group take the documentation of your marriage seriously because we know how much is at stake. Every case we handle receives individual attention and a strategic approach based on your specific circumstances.

If you are unsure what evidence applies to your case, if you are missing certain documents, or if you have questions about any aspect of what is described in this handout, please contact our office before submitting anything.

We are here to help you build the strongest possible case.

QUESTIONS? BOTELHO LAW GROUP IS HERE TO HELP.

If you or your affiant has any questions about this process, please do not hesitate to contact our office. We are committed to building the strongest possible case for your family.

901 Eastern Ave., Suite 2, Fall River, MA 02723 | 508-500-1551

DISCLAIMER

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