

THIRD-PARTY AFFIDAVIT

COMPLETE GUIDE FOR PROVING A BONA FIDE MARRIAGE

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A step-by-step resource for you and everyone who supports your case

A MESSAGE TO OUR CLIENTS

When USCIS reviews your family-based immigration petition, they must be convinced that your marriage is genuine — not entered into for immigration purposes. One of the most powerful ways to demonstrate this is through the voices of people who know you as a couple: family members, friends, and members of your community.

This guide will walk you through exactly what third-party affidavits are, why they matter, who should write them, and most importantly — give each person who will write one a detailed set of questions to answer so that we can turn their responses into a powerful, personalized affidavit on your behalf.

PART 1 — WHAT IS A THIRD-PARTY AFFIDAVIT AND WHY DOES IT MATTER?

Understanding the Legal Importance

A **third-party affidavit** is a sworn, written statement made by someone other than you or your spouse — someone who can speak from personal experience about your relationship. It is a legal document, signed under penalty of perjury, in which the person writing it (called the "*affiant*") describes what they have personally seen, experienced, and observed about your marriage.

Why USCIS Cares About Third-Party Affidavits

U.S. Citizenship and Immigration Services (USCIS) is required by law to determine whether a marriage is **bona fide** — meaning it was entered into in good faith, with the intent to build a life together, and not merely to obtain an immigration benefit. The immigration officer reviewing your case will look at the entire picture of your relationship, including:

- Financial documents showing joint accounts, shared expenses, and shared assets
- Lease agreements, utility bills, or mortgage documents listing both names
- Photographs from throughout the relationship
- Communication records such as messages, emails, and call logs
- Birth certificates of any children born to the marriage
- Third-party affidavits from people who know you as a couple

IMPORTANT: When Affidavits Become Essential

In many cases, third-party affidavits are not just helpful — they may be required. USCIS may issue a Request for Evidence (RFE) specifically asking for sworn statements from people who know you. Affidavits become especially critical when:

- ▶ You are early in your marriage and have limited joint financial records
- ▶ You and your spouse have lived in different locations (long-distance)
- ▶ There was a significant age difference or other factors an officer may question
- ▶ You have fewer traditional supporting documents (shared lease, joint accounts, etc.)
- ▶ Your case involves a second marriage and USCIS looks more closely at the genuineness of the relationship
- ▶ You received an RFE or Notice of Intent to Deny (NOID) asking for additional evidence

What Makes an Affidavit Effective?

STRONG AFFIDAVITS INCLUDE:

- ▶ Specific dates, locations, and events the affiant personally witnessed
- ▶ Personal stories and memories only a true witness would know
- ▶ Descriptions of how the couple interacts, communicates, and supports each other
- ▶ Observations over time — showing the relationship evolved naturally
- ▶ The affiant's personal opinion about the genuineness of the marriage
- ▶ Details about how the affiant knows both spouses
- ▶ References to shared life: home, finances, family, future plans

WEAK AFFIDAVITS INCLUDE:

- ▶ Generic statements like "They seem like a happy couple"
- ▶ No specific dates, locations, or real stories
- ▶ Information the affiant could not have personally witnessed
- ▶ Language copied word-for-word from other affidavits
- ▶ Very short statements with no meaningful detail
- ▶ Vague timeframes like "I've known them for a while"
- ▶ Second-hand information or rumors

PART 2 — WHO SHOULD WRITE AFFIDAVITS?

Choosing the Right People

Aim to gather affidavits from **2–4 people** who represent different areas of your life. Ideally, you want at least one person from each spouse's side. More is not always better — a few detailed, specific affidavits are far more valuable than many vague ones.

FAMILY MEMBERS	FRIENDS	PROFESSIONALS
▶ Parents of either spouse ▶ Siblings (brothers, sisters)	▶ Close friends who see you regularly ▶ Friends who attended the wedding	▶ Neighbors who see you at home ▶ Coworkers who know your spouse

▶ Adult children from prior relationships ▶ Grandparents ▶ Aunts, uncles, cousins ▶ In-laws who have spent time with the couple	▶ Mutual friends who know you both ▶ Friends from different stages of life ▶ Friends who have visited your home ▶ Friends who have met both families	▶ Religious leaders / clergy ▶ Community organization leaders ▶ Doctors or healthcare providers ▶ Teachers or school officials
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Who Should NOT Write an Affidavit

Avoid asking the following people — their affidavits may actually hurt your case:

- ✗ People who have never personally met both spouses
- ✗ People with prior immigration violations or unresolved criminal records
- ✗ Paid immigration consultants, notarios, or preparers — this is a conflict of interest
- ✗ Anyone who cannot provide specific, firsthand details about your relationship
- ✗ People who are not credible witnesses (financially unstable, history of fraud, etc.)
- ✗ People who only know one spouse and have never seen you together as a couple

PART 3 — HOW TO USE THIS QUESTIONNAIRE GUIDE

HOW THIS PROCESS WORKS — READ THIS FIRST

Instead of asking your witnesses to write a full affidavit from scratch (which can be overwhelming and often produces weak, generic results), we have created detailed question sets for each type of witness. Here is all you need to do:

- ▶ **STEP 1: Find the right questionnaire section for each person (Family, Friend, or Professional).**
- ▶ **STEP 2: Give or email that questionnaire to your witness and ask them to answer each question in writing, as completely as possible.**
- ▶ **STEP 3: Collect their written answers and send them to us.**
- ▶ **STEP 4: We will use their answers to draft a professional, detailed, personalized affidavit on their behalf.**
- ▶ **STEP 5: The witness reviews the draft, makes any corrections, signs, and has it notarized.**

The witness should answer every question they are able to — even partial answers are helpful. They do not need to write perfectly. We will do the writing for them.

SECTION A QUESTIONNAIRE FOR FAMILY MEMBERS

To be completed by parents, siblings, relatives, or in-laws of either spouse

INSTRUCTIONS FOR FAMILY MEMBERS

Thank you for agreeing to help support this immigration case. Your relationship with this couple gives you a unique and valuable perspective that USCIS wants to hear. Please answer each question below as completely as you can, in your own words. There are no wrong answers — we just need to know what you personally observed, experienced, and felt. Even small details matter.

ABOUT YOU — Your Background & Relationship to the Couple

Your Full Name: _____	Date of Birth: _____
Your Address: _____	Phone / Email: _____
Occupation: _____	Citizenship / Country of Birth: _____

1. What is your relationship to the couple? (Example: I am the mother of [Spouse A], I am the brother of [Spouse B], I am [Spouse A]'s aunt on their father's side, etc.)

2. How long have you known [Spouse A]? How did you meet or come to know them? Describe that relationship — have you always been close?

3. When did you first meet [Spouse B]? Who introduced you, and what were the circumstances? What was your first impression?

4. When did you first learn that [Spouse A] and [Spouse B] were in a romantic relationship? How did you find out — did someone tell you, or did you see it yourself?

5. When did you first see them together as a couple? Where were you, and what did you observe?

THEIR RELATIONSHIP — What You Have Seen and Experienced

6. How many times would you estimate you have seen the couple together in person? Over what period of time?

7. Describe the settings in which you have most often seen them together. (Family dinners? Holidays? Visits to their home? Vacations? Events?) List as many as you can remember.

8. Did you attend their wedding or any pre-wedding event (engagement party, bridal shower, rehearsal dinner)? If so, describe what you saw, experienced, and felt.

9. Have you visited their home or seen where they live together? If so, describe what their home is like — what did you notice that showed it was a shared home for two people?

10. Describe how [Spouse A] and [Spouse B] interact with each other when you are present. How do they communicate? How do they treat each other? Give specific examples.

11. Have you observed how they handle disagreements or stressful situations together? What did you see?

12. Have you observed them supporting each other through a difficult time (illness, job loss, family crisis, grief, pregnancy, etc.)? Please describe what happened and what you observed.

13. How has [Spouse A]'s relationship with your family changed since they married [Spouse B]? Has [Spouse B] become part of the family? Give examples.

14. Does [Spouse B] have a relationship with other members of your family (grandparents, cousins, siblings, etc.)? Describe those relationships.

MEMORABLE MOMENTS — Specific Stories and Events

15. Describe the single most memorable moment or event where you saw the couple together. What happened? Where were you? What did you observe about their relationship?

16. Describe a holiday, birthday, or family celebration you shared with the couple. What role did each of them play? What stood out to you?

17. Have you ever had a personal conversation with [Spouse B] (without [Spouse A] present)? What did you talk about? Did they ever mention [Spouse A], their relationship, or their future?

18. Have you had a conversation with [Spouse A] about their relationship with [Spouse B]? What has [Spouse A] told you about their life together, their plans, or how they feel about their spouse?

19. Is there anything else you have personally witnessed that shows this is a genuine, loving marriage? Please describe it.

20. In your own words, why do you personally believe this marriage is real and genuine? What convinces you of that?

FAMILY MEMBER — Signature Block

I certify that the information provided above is true and accurate to the best of my knowledge and that I have personal knowledge of the facts described.

Signature: _____ Date: _____ Printed Name: _____

SECTION B QUESTIONNAIRE FOR FRIENDS

To be completed by close friends, mutual friends, or social acquaintances of the couple

INSTRUCTIONS FOR FRIENDS

Friends are some of the most valuable witnesses in an immigration case because you see the couple in casual, everyday settings — not just formal family events. Your honest perspective about how they act around each other, what they say about each other, and the life they share carries tremendous weight. Please be as specific and detailed as possible in your answers.

ABOUT YOU — Your Background & Connection to the Couple

Your Full Name: _____	Date of Birth: _____
Your Address: _____	Phone / Email: _____
Occupation: _____	Citizenship / Country of Birth: _____

1. How do you know the couple? Did you know one of them before you knew the other? Tell us how all of these connections formed.

2. How long have you known [Spouse A]? How did you originally meet, and how would you describe your friendship?

3. When did you first meet [Spouse B], and what were the circumstances? What was your first impression of them?

4. How did you first learn that [Spouse A] and [Spouse B] were in a relationship? Did you meet [Spouse B] early in the relationship or later?

5. Would you describe yourself as a mutual friend (close to both), or are you primarily a friend of one spouse who has come to know the other through them?

SOCIALIZING AND SHARED TIME — What You Have Witnessed

6. Roughly how many times have you spent time with the couple together? In what kinds of settings? (Dinners, parties, trips, casual hangouts, their home, etc.)

7. Describe a specific time you spent with them socially that stands out in your memory. Where were you? What happened? What did you observe about how they were together?

8. Have you been to their home? Describe what you observed. Did it feel like a home that two people share and live in together?

9. Have you traveled, vacationed, or taken trips with the couple? If so, describe the trip and what you observed about their relationship during that time.

10. Did you attend their wedding or any wedding-related events? What do you remember about that day or those events? How did the couple seem to you?

11. Describe how [Spouse A] and [Spouse B] typically interact with each other when you are around. How do they talk to each other? How do they act around others?

12. Have you ever seen them disagree or argue? How did they handle it? What did that tell you about their relationship?

WHAT THEY SAY — Conversations About Their Relationship

13. Has [Spouse A] ever talked to you about [Spouse B] — about their relationship, their feelings, or their plans together? What did they say?

14. Has [Spouse B] ever talked to you about [Spouse A] or about their relationship? What have they said?

15. Have you had conversations with either spouse about their plans for the future — where they want to live, children, career plans, family goals? What was discussed?

16. Have you seen them make decisions together as a couple? Give an example — where they consulted each other, compromised, or planned something jointly.

17. Has the relationship between [Spouse A] and [Spouse B] changed or grown over time from your perspective? How so?

18. Is there a specific story or moment that, in your mind, perfectly captures who they are as a couple? Please describe it.

19. In your personal opinion as their friend, is this a genuine, real marriage? What makes you believe that?

FRIEND — Signature Block

I certify that the information provided above is true and accurate to the best of my knowledge and that I have personal knowledge of the facts described.

Signature: _____ Date: _____ Printed Name: _____

SECTION C QUESTIONNAIRE FOR PROFESSIONALS & COMMUNITY CONNECTIONS

To be completed by coworkers, neighbors, clergy, community leaders, or other professional connections

INSTRUCTIONS FOR PROFESSIONAL AND COMMUNITY WITNESSES

You may know this couple through work, your neighborhood, a place of worship, a community organization, or another professional setting. While you may not know them as personally as a close friend or family member, your observations carry significant weight precisely because you have no personal interest in the outcome of this case. Please answer every question that applies to your experience with the couple.

ABOUT YOU — Your Background & Professional Connection

Your Full Name:	Date of Birth:
Your Address:	Phone / Email:
Occupation:	Citizenship / Country of Birth:

1. What is your professional role or position, and what organization or employer are you associated with? (Example: I am a registered nurse at [Hospital Name], I am the pastor of [Church Name], I am a neighbor at [Address], I am the supervisor of [Spouse A] at [Company Name])

2. How did you come to know [Spouse A] and/or [Spouse B]? In what context or setting did you first meet them?

3. How long have you known them? Is your relationship primarily professional, community-based, or a mix of both?

4. Do you know one spouse primarily, or do you know both of them well? How did you come to know the other spouse?

YOUR OBSERVATIONS — What You Have Personally Seen

5. In what settings or circumstances have you personally seen [Spouse A] and [Spouse B] together? Describe these interactions as specifically as possible.

6. How many times would you estimate you have observed them together as a couple? Over what time period?

7. How do they behave toward each other when you see them together? What strikes you about the way they interact?

8. Have you had any conversations with either spouse about their relationship, their home life, their spouse, or their plans as a couple? Describe what was discussed.

9. Has either spouse ever mentioned their spouse or their family life in conversations with you? What did they say?

10. Have you observed them together at any events, gatherings, ceremonies, or functions (religious services, community events, work events, neighborhood gatherings, etc.)? Describe what you saw.

11. Have you visited or been invited to their home? If so, what did you observe? Did it appear to be a home shared by a married couple?

12. Has either spouse ever confided in you about a personal challenge, hardship, or family situation? Without sharing confidential information, can you describe how they handled it and whether you observed their spouse being supportive?

13. If you are a clergy member or religious leader: Did you perform their wedding ceremony, or were you involved in pre-marital counseling or preparation? What can you share about their preparation for marriage and your observations?

14. If you are a neighbor: What do you regularly observe in your day-to-day life that demonstrates they are a couple who lives and shares a life together?

15. If you are a coworker: Does [Spouse A] talk about [Spouse B] at work? How do they speak about their spouse and their home life?

16. In your professional opinion and based on your personal observations, do you believe this marriage is genuine? What leads you to that conclusion?

17. Is there anything else about this couple or their relationship that you believe USCIS should know, based on your personal observation and experience?

PROFESSIONAL/COMMUNITY WITNESS — Signature Block

I certify that the information provided above is true and accurate to the best of my knowledge and that I have personal knowledge of the facts described.

Signature: _____ Date: _____ Printed Name: _____

PART 4 — OFFICIAL AFFIDAVIT TEMPLATE

NOTE ABOUT THE AFFIDAVIT TEMPLATE

The template below is the formal affidavit document that will be signed by the witness. If you have completed a questionnaire above, your attorney will draft this affidavit for you using your answers. If a witness prefers to write their own affidavit, they should use this template as a guide and fill in their own specific details.

AFFIDAVIT IN SUPPORT OF MARRIAGE PETITION

(Family-Based Immigration Petition — Bona Fide Marriage)

STATE OF: _____

COUNTY OF: _____

I, _____, being duly sworn, depose and state as follows:

SECTION 1: AFFIANT IDENTIFICATION

1. My full legal name is _____.
2. My date of birth is _____.
3. My current address is _____,
_____ (City, State, ZIP).
4. My telephone number is _____.
5. My email address is _____.
6. My occupation is _____.
7. I am a citizen / lawful permanent resident / resident of
_____.
8. My place of birth is _____ (City,
State/Province, Country).

SECTION 2: RELATIONSHIP TO THE COUPLE

9. I am the _____ (relationship, e.g., mother,
brother, close friend, coworker) of _____
(name of spouse).
10. I have known _____ since
_____ (month/year).
11. I have known _____ (other spouse) since
_____ (month/year).
12. I first met them as a couple on or about
_____ (month/year).
13. I came to know them as a couple through:
_____.

SECTION 3: OBSERVATIONS OF THE RELATIONSHIP

14. I have personally observed _____ and
_____ together on approximately _____
occasions.
15. The circumstances under which I have observed them together include:
_____.

SECTION 4: SPECIFIC EXAMPLES AND EVENTS

16. I would like to describe the following specific occasions when I observed the couple together:

Event/Occasion #1:

Date (approximate): _____

Location: _____

What occurred: _____

What I observed about their relationship: _____

Event/Occasion #2:

Date (approximate): _____

Location: _____

What occurred: _____

What I observed about their relationship: _____

Event/Occasion #3:

Date (approximate): _____

Location: _____

What occurred: _____

What I observed about their relationship: _____

SECTION 5: PERSONAL IMPRESSIONS AND OPINIONS

17. Based on my personal observations and interactions with the couple, I believe their marriage is genuine because: _____

18. Additional observations (how they interact, how they speak about each other, how they plan for their future, how they support each other, etc.): _____

SECTION 6: DECLARATION

19. I have not received any payment or promise of payment in exchange for providing this affidavit.

20. I am providing this affidavit voluntarily in support of the immigration petition of _____ and _____.

21. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge, information, and belief.

22. I am not a party to this petition.

23. The statements in this affidavit are based solely on my direct personal knowledge and observations.

Signature: _____

Printed Name: _____

Date: _____

NOTARIZATION (Recommended)

State of: _____

County of: _____

Subscribed and sworn to before me this ____ day of _____, 20____.

Notary Public: _____

My commission expires: _____

PART 5 — CHECKLIST AND SUBMISSION INSTRUCTIONS

Affidavit Preparation Checklist

Use this checklist to make sure everything is in order before submitting your affidavits:

- ✓ Identified 2–4 potential affiants representing different areas of your life
- ✓ Included at least one affiant from each spouse's side of the family or social circle
- ✓ Given each affiant their appropriate questionnaire (Family, Friends, or Professional)
- ✓ Collected completed questionnaires and delivered them to your attorney for drafting
- ✓ Reviewed each drafted affidavit to ensure accuracy of personal details
- ✓ Ensured each affiant signs their affidavit in front of a notary (recommended)
- ✓ Attached a copy of each affiant's government-issued photo ID (driver's license or passport)
- ✓ Ensured all dates, names, and locations in the affidavit are correct
- ✓ Organized final affidavits in a clean folder for your evidence package
- ✓ Confirmed with your attorney that the affidavit package is complete

Instructions for Notarization

Notarization is strongly recommended for all affidavits submitted to USCIS. Here is how to get notarized:

Where to Go	Banks, credit unions, UPS Stores, FedEx Office, public libraries, law offices, and many AAA locations offer notary services. Most charge \$5–\$15 per signature.
What to Bring	The completed, unsigned affidavit AND a government-issued photo ID. Do NOT sign the affidavit before you appear before the notary — the notary must witness your signature.
Mobile Notaries	You can hire a mobile notary to come to your home or workplace if that is easier. Search online for 'mobile notary near me.'
Online Notarization	Many states now allow Remote Online Notarization (RON). Services like Notarize.com allow you to get notarized via video call.

Frequently Asked Questions

Q: Can the affiant write the affidavit in a language other than English?

A: The affidavit must be submitted in English. If the affiant writes in another language, a certified translation must accompany it. Our office can assist with translation referrals.

Q: Does the affiant need to be a U.S. citizen?

A: No. An affiant does not need to be a U.S. citizen or permanent resident. Anyone with firsthand knowledge of the relationship may provide an affidavit, regardless of immigration status.

Q: What if our affiant cannot attend an in-person appointment?

A: Affidavits can be completed and notarized remotely. Online notarization services are available in most states. Contact our office for guidance.

Q: How many affidavits do we need?

A: USCIS guidelines generally suggest at least two affidavits from individuals with direct personal knowledge. 2–4 detailed affidavits are typically sufficient when combined with other supporting evidence. Your attorney will advise based on your specific case.

Q: Could our affiant be called to testify?

A: In rare circumstances, USCIS could request to interview an affiant. While uncommon, all affiants should be prepared to truthfully confirm the information in their affidavit.

Q: Is it okay if the affiant does not know both spouses well?

A: Ideally, affiants should have observed both spouses together as a couple. However, an affiant who primarily knows one spouse but has meaningful interactions with the couple together can still provide valuable testimony.

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.

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