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For love... and citizenship? ^[1]

Hi Alice,

I recently started dating someone who is living in my country for school. They are here on a student visa which expires in a few months. To be honest, I am having very strong feelings for this person and although it hasn't come up in conversation, I was curious to know more about "green card marriages." Could I get in trouble if we decide to get married so they can stay? What type of consequences might that have? How long would we have to be married for in order for them to get a green card? What would happen if things fell through and we got divorced — would they be sent back? Any information would be helpful!

Thanks :)

Answer

Dear Reader,

Studying abroad can be an incredibly enriching experience, especially when romance is involved. Assuming you're in the United States, there are many ways for your love interest to remain here legally for various periods of time, and marriage is one of them. However, if you choose to get married for the sole purpose of extending your sweetie's stay, you may face serious legal consequences — including up to five years in prison and a \$10,000 fine.

Before you initiate a conversation about marriage with your partner, spend a good amount of time thinking about some questions. Are you serious about sharing a future with each other? Would wedding bells be on either of your minds if your partner could stay in the country without getting married? If your answers to either of these questions is "no," you and your partner may want to take a step back and think about some other options — have you considered a long-distance relationship ^[2]? Is it possible for you to visit your sweetheart in his or her country after his or her visa expires? Marriage is a serious commitment, and the decision to wed should be mutual and well thought out by both partners.

Should you and your partner come to the decision that you do want to get married "in good faith" (meaning for purposes other than obtaining citizenship), there are several steps you'll need to take. To get the ball rolling, there are many forms that you'll need to submit to the United States Citizenship and Immigration Services (USCIS)

[3], most of which cost money. If the person you're dating is already in the United States on a student visa, no initial paperwork will need to be filed — you'll simply need to get married. Once you're wed, your partner will be eligible to apply for a Green Card. Three years after your partner's Green Card is obtained, she or he may file for United States citizenship. For more details on this process, take a gander at USCIS' website or [find a USCIS office near you](#) [4].

What happens if you get married only to discover that you aren't compatible and want to separate or divorce? While couples typically have to file for permanent residency status together before their second wedding anniversary, that requirement can be waived if you can prove that the marriage was entered in good faith but ended in divorce or annulment, or that domestic abuse ended the relationship. If the marriage ends after the foreign spouse obtains a Green Card or United States passport, the card or citizenship won't be taken away unless s/he commits a crime or leaves the country for more than a year. As for the emotional intricacies of your relationship, it might be a good idea to meet with a counselor to address some of your concerns.

Marriage is a big step forward in a loving relationship and you're in a unique situation in terms of potential legal issues. Don't hesitate to reach out for guidance and support. Good luck!

Alice!

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