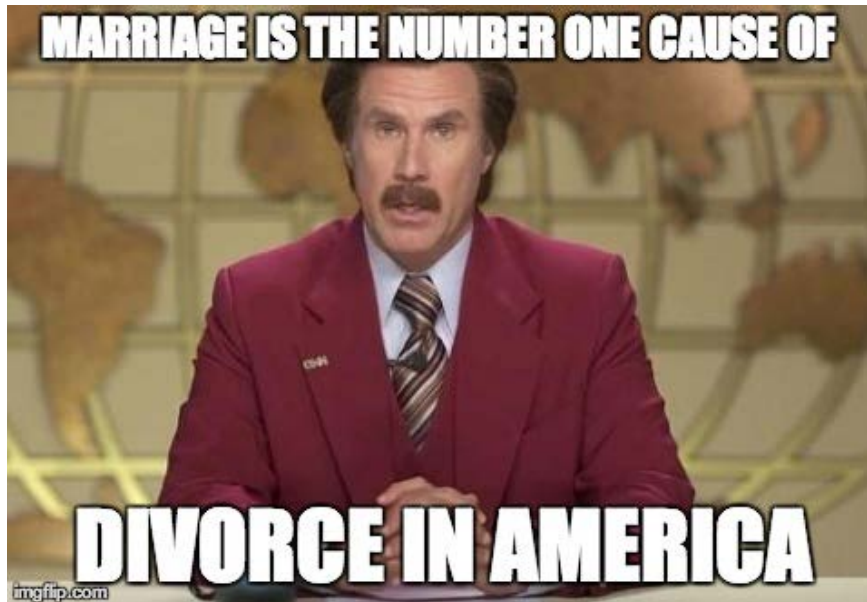


# HAPPILY NEVER AFTER: EFFECTS OF DIVORCE ON SPOUSAL-BASED IMMIGRATION CASES



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## The Basics

- Spousal-based immigration case begins with the Petition for Alien Relative (Form I-130).
- Must prove the Petitioner's immigration status and a bona fide relationship.
- Bona fide relationship: did the couple intend to establish a life together at the time of marriage?

## Viable or Not? Does it Matter?

- A nonviable marriage may be valid for immigration purposes, so long as not legally terminated and not a sham.
- Burden on applicant to prove by *preponderance of the evidence* that marriage genuine at *inception*.
- Caution: Informal separation can raise suspicion as to validity of marriage.

- Ask questions. There IS fraud out there. Don't be a part of it.
- Your reputation with USCIS matters!



But...



- Every marriage is different. Just because it doesn't look like *your* marriage, or your parents' marriage, or your dream marriage, doesn't mean it's a sham.



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## Title search: Happily Never After: Effects of Divorce on Spousal-Based Immigration Cases

Also available as part of the eCourse

[Developments in Naturalization, Military, Marriage and Intercountry Adoption Immigration Issues](#)

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