

During a trip to Paris a few years ago, Andrew, a U.S. citizen, met who he thought was the most interesting girl in the world, a Parisian beauty named Sophie. They were both into art, music and travel.

Andrew had a great job on Wall Street while Sophie was finishing her Master's in Arts. She wanted to be a painter and started applying for jobs at art galleries in Paris.

Andrew, on the other hand, had a stable job and wanted to be with Sophie instead of having a long-distance relationship. They were long-distance for two years, visiting each other every few months and chatting daily via WhatsApp, FaceTime, and Facebook Messenger. The travel was wearing on both of them, but it was necessary given the circumstances.

Andrew went to visit Sophie one summer. In front of the Eiffel Tower, Andrew asked Sophie to marry him. She replied "Oui".

They didn't know what lie ahead, but the decision felt right for the both of them. They were happy.

What should Andrew and Sophie do regarding Sophie's status and immigration?

Upon returning the U.S., John should set up a meeting with an immigration attorney to begin the process of preparing and filing Form I-129F, Petition for Alien Fiancé(e), also known as a K-1 Fiancé(e) visa. Through this application, Sophie will be able to come to the U.S. As part of the application, Andrew and Sophie have attested that they will get married within ninety (90) days of Sophie's entry in the U.S. as a K-1 nonimmigrant. After they have wed, Sophie and Andrew can file form I-130, Petition for Alien Relative, and form I-485, Application to Adjust Status for Sophie, a process which we have discussed previously.

For Andrew to be eligible to bring Sophie to the U.S., he must:

- Be a U.S. Citizen (by birth or naturalization);
- Intend to marry Sophie within the 90 day period after her entry into the U.S. as a K-1 nonimmigrant;
- Both he and Sophie must be legally free to marry one another within the U.S., as in they are not currently married and all previous marriages have been legally terminated by divorce, annulment, or death;
- Have met Sophie in person **at least once** within the 2-year period prior to filing the K-1 application.
 - You may request a waiver of this requirement if the following apply:
 - Doing so would violate strict and long-established customs/societal norms of your fiancé(e)'s foreign culture
 - Result in extreme hardship to U.S. citizen petitioner

After submitting form I-129F, Petition for Alien Fiancé(e) along with supplementary documentation to prove the validity and bona-fide relationship, Andrew and Sophie will go through the following steps:

Receive a receipt notice for form I-129F. This is official notification from USCIS that they have received Andrew and Sophie's petition.





Await notice from USCIS on the status of the petition.



The petition was properly filled out and filed, and Andrew and Sophie demonstrated the necessary portions of the I-129F petition to the satisfaction of the USCIS officer. They receive the I-129F approval notice for Sophie.



Visa application: Once Sophie received the approval for the K-1 petition, she still needs apply for the K-1 visa stamp at her local consulate/embassy, Paris, to be able to enter the U.S.

USCIS will notify the National Visa Center of the approval, and then the NVC will notify the U.S. embassy in Paris.



The U.S. embassy in Paris, once notified of the approval, sends a notice to Sophie of her need to schedule an interview and to obtain a medical exam to obtain the K-1 visa stamp. Sophie speaks with her attorney who assists Sophie in scheduling the interview and medical exam. Prior to her visa stamping interview, Sophie attends a biometrics appointment where she gives her fingerprints, signature, and her picture, which will be used to ensure a thorough background check.



Visa interview: The big day! Sophie attends her interview at the local embassy. She brings all documentation with her. Everything goes well and she is able to answer thoroughly the questions posed by the officer. She is approved for the K1- visa stamp.



Receive visa stamp: After the visa interview, Sophie is informed by the officer that she has been approved for the K-1 visa stamp. She must leave her passport with the embassy, who will put the visa stamp in her passport, and mail the passport via DHL to the closest DHL location for secure pick-up. DHL e-mails Sophie, based on the e-mail address provided to them by the embassy, that she has a package for pick up.



Entry into the U.S.: Once Sophie has entered the U.S., she and Andrew get married within the ninety (90) days.

After Sophie and Andrew get married, they will then need to file form I-485, Application to Adjust Status. Through this application process, Sophie will be able to adjust her status from K-1 Nonimmigrant to Permanent Resident. When she adjusts status to a permanent resident, she will be able to live and work in the U.S. lawfully.