

John and Maya met while doing their Master's program at North Carolina State University. While it wasn't love at first sight, they both grew close over time and began dating.

After graduation, Maya, a foreign student on F-1 status, obtained her Optional Practical Training (OPT) and started working at a local engineering firm. John, who is originally from Missouri, received a job offer from a company in Kansas City. However, he was madly in love and didn't want to leave Maya alone in North Carolina.

John and Maya discussed their future.

She would be fine on OPT status for a few years, but they wanted to be together forever. John did some research on the internet, talked to a few friends, and learned that maybe getting married was the best way for them to be together.

About six months later, while Maya was still living in Raleigh, NC and John in Kansas City, MO, John visited Maya and they got married at the Courthouse.

**From an immigration standpoint, what should John do next and what should he and Maya expect during the immigration process?**

From here, John and Maya should set up a meeting with an immigration attorney to begin the process of filing form I-130, Petition for Alien Relative, and form I-485, Application to Adjust Status. Through this application process, Maya will be able to adjust her status from F-1 Student to Permanent Resident. When she adjusts status to a permanent resident, she will be able to live and work in the U.S. lawfully.

When they concurrently file forms I-130 and I-485, John and Maya will also file form I-765, Application for Employment Authorization, and form I-131, Application for Travel Document. These two items, once approved, will allow Maya to work and travel internationally while her form I-485 is pending, in the event she is not able to or chooses not to maintain F-1 status.

After the submittal of form I-130 and I-485, John and Maya will go through the following steps:

Receive a receipt notice for all forms. This is official notification from USCIS that they have received John and Maya's applications.



Receive biometrics receipt notice. This is an official notice from USCIS requesting that Maya attend a biometrics appointment at her local Appointment Service Center. During this appointment, a USCIS officer will take her fingerprints, signature, and her picture, which will be used to ensure a thorough background check.



Receive form I-765 and I-131 approval notices. Shortly thereafter, receive Employment Authorization and Travel Document Combo card allowing Maya to work inside of the U.S., while also be able to travel internationally without needing to maintain a valid visa stamp.





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Receive appointment notice for Adjustment of Status interview. Within this appointment notice will be a list of documentation that John and Maya should bring with them to the interview, along with when and where their interview will be located. Prior to the interview, John and Maya should set up a phone call with their family immigration attorney to go over what to expect at the interview, along with what they should bring with them.



**Green card interview:** The big day! John and Maya attend their interview at the local office. Everything goes well and they are able to answer thoroughly the questions posed by the officer. They are approved.



**Receive conditional residency card:** Maya will receive her conditional residency card\*\* within 14 days of when the officer stated that the application had been approved.

\*\*because John and Maya were married for less than two years at the time that Maya's residency was approved, she was granted *conditional residency* and not *permanent residency*. In this case, Maya's conditional residency card will be valid for two years from her approval date. Ninety (90) days prior to the expiration of her conditional residency card, Maya will have to apply for form I-751, Petition to Remove Conditions on Residence, where she will request to remove the conditions on her residency.

Once form I-751 is approved and the conditions are removed on her residency, she will be a permanent resident.