



K-1 Fiance Visa Guide

This is perhaps the most simple and least complicated way to get your fiancé to the U.S. However, once your fiancé arrives in the U.S., there will be much more paperwork to do. If you choose this option, then you and your fiancé cannot legally marry in your fiancé's home country. You must get married in the U.S. within 90 days after your fiancé has entered the U.S. in K-1 status. After you get married, another set of paperwork must be filed with U.S. Citizenship and Immigration Services in order for your fiancé (spouse at this point) to become a "Lawful Permanent Resident" of the U.S.

Be sure to check www.uscis.gov for any updates.

Steps

1. The U.S. citizen files a fiance visa petition (Form I-129F) in the United States at the appropriate "US Citizenship and Immigration Services" office. This petition will take around 4 months to be approved. (Note that the U.S. citizen and the foreign national must have been in each other's physical presence within the 2 years prior to filing.)
2. Once the petition is approved, US Citizenship and Immigration Services sends the petition to the US Department of State's National Visa Center. Then the National Visa Center forwards the petition to the appropriate Embassy for interview scheduling. We estimate 2 months from the time the petition is approved to the time it arrives at the Embassy. This step can take longer than our estimate if the required security clearances don't go through promptly or if there is some other unexpected delay with Dept. of State's internal procedures.
3. Once the U.S. Embassy receives the petition from the National Visa Center, it will put your fiance's case in the queue for interview scheduling. We do not know how long it will take the Embassy to schedule your fiancé for an interview. It depends on the backlog at that particular Embassy. In some countries it only takes a couple of months to get an interview (England). The longest we've ever seen is 1 year (Dominican Republic).
4. If everything goes well at the interview, then your fiancé will receive the actual K-1 visa stamp in his or her passport within a week after the interview. Your fiancé will have up to six (6) months to enter the U.S. with the K-1 visa.
5. Once your fiance enters the US in K-1 status, he or she can apply for employment authorization through USCIS. This will take at least 3 months.

Timing

The bottom line on timing is that we've seen people get here on a K-1 visa in as short as 6 months and as long as 18 months. It varies, but we believe 10 months is a reasonable estimate for most cases.

As noted above, after your fiance enters the US in K-1 status and marries you, there is another set of paperwork that must be filed right away with USCIS in order to obtain Lawful Permanent Resident status.

Additional online resources:

<http://bashyamspiro.com/immigration-options/immigration-through-a-family-member.aspx>

http://travel.state.gov/visa/immigrants/types/types_2994.html

www.uscis.gov

Immigration Videos & Podcasts

Watch our video series on [how to sponsor your spouse/fiance](#)

All of our immigration videos & podcasts can be accessed by visiting our [Media Library](#).

**To speak with one of our immigration attorneys, please call 919-833-0840 or [schedule a consultation](#) online.*

