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Removal of Conditions on Green Card

→ When can I apply to remove the conditions on my Permanent Resident Card (CR-1)?

Within the 90-day period before your conditional Permanent Resident Card expires. You cannot file early; it will be returned.

→ What happens if I don't file or forget to file?

You will be put in deportation proceedings.

→ What do I need to prove when I file?

You MUST be in a "Marital Union" until your unconditioned Permanent Resident Card is approved. You will break your "Marital Union" if:

- (a) you and your spouse are living separately
- (b) you or your spouse filed for divorce or annulment
- (c) you or your spouse filed for legal separation
- (d) you don't care for each other.

*You cannot just file a joint petition and opt to separation or divorce. Your petition will likely be denied at the interview, or will cause you trouble when you file for Naturalization.

→ If I still have a conditional green card but my spouse and I divorced/separated, how can I save my status and keep my green card?

If you are no longer in a "Marital Union," you will need to file with a "Waiver" under one of the following bases:

- 1- Good faith marriage that ended in a divorce
- 2- Death of a spouse, provide a copy of death certificate
- 3- Extreme hardship to you if you returned to your country because of events in your country in the last 2-years.
(for example: (a) War, (b) Medical condition for which you are seeking treatment that's unavailable in your home country)
- 4- You were abused/battered by your US Citizen spouse – provide credible evidence, including police reports, court records, pictures, etc...

→ What is my status after I file the application?

When you file to remove the conditions on your green card, USCIS will send you a receipt of acknowledgement and will extend your status by 12- to 18-months. The ORIGINAL receipt will allow you to travel and work until you receive your Permanent Resident Card.

If you end up completing 2 years and 9 months from the date of your marriage and your petition is extended/pending, you may file for naturalization without having to wait for your Permanent Resident Card.