

Law Firm Q&A on Immigration Law | Frequently Asked Questions

- [How do I extend my stay in the USA?](#)
- [I'm a permanent resident and would like to sponsor my parents. Is this possible?](#)
- [My daughter \(2 years old\) is U.S. citizen, but I am not. Can she sponsor my GreenCard?](#)
- [My spouse is U.S. citizen. Can she sponsor me?](#)
- [My boyfriend is Canadian. Can he move to Colorado with me and work there?](#)
- [How long does it take to obtain a K-Visa?](#)
- [Can my fiancée and I apply for a Fiancée Visa when she is already here?](#)
- [I have twice before filed for a Fiancée Visa for different partners. Unfortunately, I never got married. Can U.S. authorities deny future applications?](#)
- [Does the country of origin decide on the chances of obtaining a visa?](#)
- [I am from El Salvador. Does the fact that so many people from El Salvador apply each year reduce my chances?](#)

How do I extend my stay in the USA?

Many nonimmigrant visa categories allow for extensions of time in the U.S., but normally government permission to stay beyond the original time periods granted is discretionary, not automatic. To extend the amount of time a foreign national may remain in the U.S. on a nonimmigrant visa eligible for extension, he or she must apply with the U.S. Citizenship and Immigration Services (USCIS). The application should be filed well in advance of the foreign national's last authorized day in the U.S. to avoid falling "out of status." Normally, to be eligible for an extension, the foreign national may not have violated any of the terms of his or her nonimmigrant visa, and may not have committed any crime or otherwise broken the law while in the U.S.

I'm a permanent resident and would like to sponsor my parents. Is this possible?

No, you must be a citizen to sponsor a parent.

My daughter (2 years old) is U.S. citizen, but I am not. Can she sponsor my GreenCard?

No, your daughter must be at least 21 years old to file a sponsor petition.

My spouse is U.S. citizen. Can she sponsor me?

Yes, as long as you are married.

My boyfriend is Canadian. Can he move to Colorado with me and work there?

No. Despite the special relationship between the United States and Canada, your boyfriend must not work in the United States unless you are married to each other. He can, however, enter the United States as visitor without a visa.

How long does it take to obtain a K-Visa?

About six months, on average.

Can my fiancée and I apply for a Fiancée Visa when she is already here?

No, K-1 applications must be made from outside the United States.

I have twice before filed for a Fiancée Visa for different partners. Unfortunately, I never got married. Can U.S. authorities deny future applications?

Yes. A Fiancée Visa is a non-immigrant visa. It is not a green card visa. U.S. authorities can deny future applications and may also initiate criminal investigations against you for allegedly committing immigration fraud.

Does the country of origin decide on the chances of obtaining a visa?

No. U.S. immigration laws are meant to be neutral and officers are instructed to grant or deny applications regardless of the applicant's country of origin.

I am from El Salvador. Does the fact that so many people from El Salvador apply each year reduce my chances?

No, the quota per country is the same for all countries. Some exceptions apply for citizens of bordering Mexico and Canada.
