

— **FREE CHECKLIST**

I-751 Evidence Checklist

Evidence spanning the two conditional years, the 90-day window calculation, waiver additions, and handling the 48-month extension letter.

Free

Print-ready

Current as of July 2026

Visa4Love · a service of Usher Law Group, P.C. · (718) 484-7510 · visa4love.com · I-751 Evidence Checklist · July 2026 edition

If your green card was issued within two years of the marriage, it is conditional (CR) and expires after two years. Form I-751 (fee \$750, electronic payment) removes the conditions — and the evidence must span the entire two-year conditional period, not just the months before filing. This checklist covers the standard joint filing, the additions for waiver filings, the filing-window math, and how to handle the 48-month extension letter.

The 90-day window — calculate it first

- ☐ Find the "Card Expires" date on the front of the 2-year green card
- ☐ Count back 90 days — the joint I-751 must be FILED (received) within that 90-day window, not before and not after
- ☐ Calendar both dates now: window-opens date and card-expiration date; aim to file in the first half of the window
- ☐ Filing early (before the window opens) gets the petition rejected; filing late requires a written good-cause explanation and puts status at risk
- ☐ Waiver filings (divorce, abuse, extreme hardship, deceased spouse) can be filed ANY time — before the window, during it, or after the card expires
- ☐ If you will be abroad during the window, plan the filing around your travel — the receipt notice matters (see the extension section)

Core filing set

- ☐ Form I-751, signed by the conditional resident AND the petitioning spouse (joint filing) — fee \$750, electronic payment only
- ☐ Copy of the 2-year green card, front and back — for the conditional resident and every conditional dependent child included
- ☐ Include conditional children who got status within 90 days of the parent on the same form; children with different dates file their own I-751
- ☐ Certified court dispositions for any arrest/charge during the conditional period
- ☐ Cover letter with an evidence index, organized by category and date

Joint-filing evidence — spanning the FULL 2-year period

- ☐ Joint federal and state tax returns for both years of the conditional period (returns or IRS transcripts, filed as married)
- ☐ Joint bank statements — a statement from every 2–3 months across the whole period, showing activity by both spouses
- ☐ Joint credit card statements sampled across the period
- ☐ Lease(s), renewal(s), or mortgage statements covering the two years with both names — plus a landlord letter if names are missing
- ☐ Utility bills across the period at the shared address (mix of months and providers)
- ☐ Health, auto, renter's/homeowner's, and life insurance documents covering the period — declarations pages and beneficiary designations naming each other
- ☐ 401(k)/pension beneficiary confirmations dated within the period
- ☐ Children born during the period — birth certificates naming both spouses; pregnancy records if expecting
- ☐ Joint major purchases and debts — car title/loan, furniture financing, joint memberships
- ☐ Travel together during the period — itineraries, boarding passes, passport stamps, hotel folios with both names

- ☐ Photos with dates across the whole two years — captioned with place and people; include family events from both sides
- ☐ 3-5 affidavits from relatives, friends, landlord, or clergy — signed, dated, contact info, describing specific interactions with the couple during the conditional period
- ☐ Mail addressed to each spouse at the joint address in different months (keep the envelopes)
- ☐ Cell phone family plan or call records between spouses across the period

Waiver filings — additions and substitutions

- ☐ Divorce waiver: final divorce decree (if the divorce isn't final at filing, discuss timing with counsel — USCIS typically RFEs for the final decree)
- ☐ Divorce waiver: all the good-faith evidence above from the period the marriage was intact, plus a personal declaration explaining how the marriage began in good faith and why it ended
- ☐ Abuse/battery waiver (filed jointly not required): protective orders, police reports, medical records, therapist/counselor letters, shelter records, photos of injuries, witness affidavits — plus good-faith marriage evidence
- ☐ Extreme hardship waiver: evidence conditions arose during the conditional period that would make removal an extreme hardship — country conditions, medical, family ties documentation
- ☐ Deceased spouse: death certificate plus good-faith marriage evidence for the period before death
- ☐ Waiver cases should include a detailed sworn personal statement — chronology of the relationship, specific facts, no embellishment
- ☐ Multiple waiver grounds can be checked together — include evidence for each ground claimed

After filing — the 48-month extension letter

- ☐ The I-797 receipt notice automatically extends conditional resident status and work/travel authorization for 48 months past the card's expiration — read the

notice to confirm the extension language

- ☐ Carry the expired 2-year card TOGETHER WITH the original receipt notice — the combination is your proof of status for work (I-9), travel, and reentry
- ☐ Make several copies and photograph the receipt notice; store the original safely — replacing it takes months
- ☐ For international travel: carry the unexpired-combination documents and expect secondary inspection questions; renew the foreign passport if needed
- ☐ If a driver's license or job needs proof beyond the letter, book an in-person USCIS appointment for an I-551 (ADIT) stamp or endorsed extension
- ☐ Attend biometrics when noticed; respond to any RFE by its printed deadline; update your address within 10 days of any move
- ☐ Calendar a status check at the 12- and 24-month marks — I-751 processing commonly runs about 32–39 months as of mid-2026, which is why the extension is 48 months
- ☐ Naturalization note: many conditional residents become eligible to file N-400 (3-year rule for spouses of citizens) while the I-751 is still pending — filing the N-400 can consolidate and speed both; ask before assuming you must wait

Notes: Missing the deadline is the critical failure: an unfiled I-751 after card expiration terminates status automatically and can start removal proceedings — calendar the 90-day window the day the 2-year card arrives. Evidence must cover the entire two years; a stack of documents from the last three months reads as filed-for-the-deadline, not as a marriage. Do not discard the receipt notice — it IS your status document for up to 48 months. If the marriage is in trouble, call before the window opens rather than filing jointly on paper and separating in fact. Usher Law Group, P.C., (718) 484-7510.

This checklist is general information, not legal advice, and doesn't cover every situation. Fees and rules change — confirm current amounts at [our fee table](#) or [uscis.gov](#) before filing. © Usher Law Group, P.C.