



Suppose you are attempting to obtain a visa or green card in the United States but are being denied due to inadmissibility. In that case, you may be entitled to request a waiver of certain grounds based on the extraordinary hardship your qualified family will face if you are denied admission.

According to a POLICY adopted by U.S. Citizenship and Immigration Services (USCIS), your waiver will be approved if you can provide strong evidence that your relative will experience either:

- extreme hardship either in the U.S. (if you were not allowed to come to or stay in the U.S.), or
- in your home country (if your relative follows you there).
- My reports cover the psychological, emotional, financial, and family hardships my client will experience.

What is an Extreme Hardship Visa (I 601 A)?

The official name for the **extreme hardship visa** is an I-601A provisional waiver of inadmissibility. This waiver is for certain immediate relatives of U.S. citizens who are living in the United States and wish to remain in the country but cannot do so because they are considered inadmissible.

The term “extreme hardship” is not defined in the law, but USCIS (U.S. Citizenship and Immigration Services) has interpreted it to mean “significant difficulties” that are more than what a person typically experiences when leaving their home country.

These difficulties include, but are not limited to:

- health problems
- financial problems
- family ties in the United States
- fear of persecution or torture

To be eligible for an extreme hardship waiver, you must prove that your spouse or parent would experience extreme hardship if you were not allowed to remain in the United States.

It is important to note that USCIS will only consider your spouse's or parent's hardships – they will not take into account your hardships.

Who is eligible for an I 601 A visa?

The eligibility criteria for an extreme hardship waiver are as follows:

- You must be the spouse or child of a U.S. citizen
- You must be inadmissible to the United States
- You must have an immigrant visa interview scheduled
- You must prove that your spouse or parent would experience extreme hardship if you were not allowed to remain in the United States

How long does it take to get an I 601 A visa approved?

The processing time for an extreme hardship waiver can vary depending on the individual case. However, it generally takes 4 and 6 months for USCIS to decide on the waiver.

This is because USCIS needs to carefully review each case to ensure that the applicant meets all the eligibility requirements and that there is a legitimate reason for the waiver.

How much does it cost to apply for an I 601 A visa?

There is a filing fee of \$601 (check prices on the USCIS website) for the I-601A provisional waiver application. Depending on the country of origin, there are also costs associated with the immigrant visa application. Other costs to consider include the cost of any supporting documentation, such as birth certificates or medical records, and the cost of travel to and from the immigrant visa interview. Your lawyer fees will also need to be considered.

What are the benefits of an I 601 A visa?

If you are approved for an extreme hardship waiver, you can remain in the United States with your family while your immigrant visa is being processed. This can take several months, but it allows you to avoid the separation of your family during this time.

Another benefit of the I-601A waiver is that it allows you to apply for a work permit while waiting for your immigrant visa to be processed. This can be extremely helpful if you need to support your family financially during this time.

What is the process for obtaining an I 601 A visa in the United States?

The first step in applying for an extreme hardship waiver is to file an I-601A provisional waiver application with USCIS. You will need to provide evidence of your relationship with a U.S. citizen and prove your inadmissibility to the United States. You will also need to confirm that your spouse or parent would experience extreme hardship if you were not allowed to remain in the United States. Once your application has been filed, you will be scheduled for an immigrant visa interview at a U.S. consulate or embassy. You will need to provide evidence of your extreme hardship waiver in this interview. At the interview, a consular officer will review your case and decide whether or not to approve your waiver. Your consular officer will take into account all of the evidence you have provided and any other relevant factors. If your waiver is approved, you will be able to proceed with your immigrant visa application and be on your way to living in the United States with your family.

What happens after my I 601 A visa is approved?

Once your extreme hardship waiver is approved, you will be able to schedule your immigrant visa interview at a U.S. consulate or embassy. This interview involves a review of your waiver by a consular officer and a consultation to confirm your identity and eligibility for an immigrant visa. You will need to present all the required documentation at the interview, including your I-601A approval notice, and undergo a medical examination. This examination ensures that you are not inadmissible to the United States on health-related grounds.

Once you have completed your interview and medical examination, you will be issued an immigrant visa. This visa allows you to enter the United States as a lawful permanent resident. You will then be able to live and work in the United States with your family and eventually apply for U.S. citizenship.

Applying for an extreme hardship waiver can be a complex and confusing process, but it is possible to navigate the process with the help of an experienced immigration lawyer. Claudia Ribas has worked in immigration for over 20 years and understands the hardship waiver process well. She can write Psychological Reports to help increase your chances of possible success. Contact us today if you or a loved one is facing separation from your family due to inadmissibility. We'll review your case and advise you on the best course of action.

Give us a call on (914) 261 0596 or send an email to claudiaribaslcsw@gmail.com to get started with your case.