

# K 1 Fiance Visa: Process, Timeline, and Costs

A comprehensive guide from EB5 Attorneys

---

The K 1 fiance visa allows a U.S. citizen to bring a foreign national fiance to the United States for the purpose of marriage. The couple must marry within 90 days of the fiance's entry; failure to marry results in required departure. After marriage, the foreign national fiance may apply for adjustment of status to lawful permanent residence. Processing from I 129F filing through consular visa issuance currently takes 12 to 18 months in most cases. This guide covers every step, costs, evidence requirements, and how K 1 compares to the CR 1 spousal immigrant visa.

## Contents

---

1. I 129F Petition: Starting the K 1 Process
2. NVC Processing and Consular Assignment
3. Consular Interview: What to Expect
4. The 90 Day Marriage Requirement
5. Adjustment of Status After K 1 Marriage
6. K 2 Visas for Minor Children of the Fiance
7. K 1 vs CR 1 Spousal Immigrant Visa: Which Is Faster?
8. Bona Fide Relationship Evidence: What USCIS and Consulates Require
9. K 1 Costs: Government Fees and Attorney Fees Breakdown
10. Frequently Asked Questions

## I 129F Petition: Starting the K 1 Process

---

The K 1 process begins with the U.S. citizen petitioner filing Form I 129F (Petition for Alien Fiance) with USCIS under INA Section 214(d) and 8 CFR 214.2(k). The I 129F establishes three basic requirements: (1) the petitioner is a U.S. citizen; (2) both parties are legally free to marry, meaning all prior marriages have been legally terminated; (3) the couple has met in person within the two years immediately preceding the filing of the petition.

The in person meeting requirement has limited exceptions: meeting would violate strict and long established customs of either party's foreign culture or social practice, or meeting would result in extreme hardship to the petitioner. These exceptions are narrowly construed, and most couples must have met in person before filing.

Evidence supporting the I 129F includes: the U.S. citizen's proof of citizenship (passport, birth certificate, or naturalization certificate); documentation that all prior marriages have been terminated (divorce decrees, death certificates); proof of the in person meeting (photographs together, travel records, communications, hotel receipts, or affidavits from witnesses to the meeting); and evidence of the bona fide intent to marry (proof of ongoing relationship through communications, gifts, travel to visit each other, and meeting family members).

The I 129F is filed with the appropriate USCIS service center. As of 2025, standard processing times at USCIS for I 129F petitions range from 6 to 12 months. No premium processing option exists for I 129F petitions. Once approved, USCIS transfers the case to the National Visa Center (NVC) for routing to the appropriate U.S. consulate or embassy in the beneficiary's country of residence.

## NVC Processing and Consular Assignment

---

After USCIS approves the I 129F, the petition is transferred to the National Visa Center for processing and routing to the appropriate U.S. embassy or consulate. NVC processes the case administratively before forwarding it to the consular post for the interview.

NVC assigns a case number and notifies both the petitioner and the beneficiary. The beneficiary receives instructions on submitting the DS 160 nonimmigrant visa application online, scheduling a medical examination with an approved physician, gathering civil documents (birth certificate, police clearances, court and prison records if applicable, military records if applicable, divorce decrees for prior marriages), and paying the K 1 visa application fee (currently \$265 as of 2024 under the State Department's immigrant and nonimmigrant visa fee schedule).

Medical examinations for K 1 visas must be conducted by a State Department approved physician (called a panel physician) in the beneficiary's country. The medical exam includes a physical examination, review of vaccination records, chest x ray (for applicants over 15), blood tests, and a screening for certain communicable diseases. Results are sealed and submitted directly to the consulate by the panel physician; the beneficiary typically receives a copy of the vaccination history.

Police clearances must be obtained from every country where the beneficiary has lived for six months or more since age 16. For beneficiaries who have lived in multiple countries or had prior visa violations or criminal history, obtaining all required clearances can take weeks or months. NVC sets a deadline for document submission, and missed deadlines can delay the interview scheduling.

## Consular Interview: What to Expect

---

The consular interview is the final step before the K 1 visa is issued. Consular officers adjudicate K 1 visa applications under INA Section 212 (admissibility) and 8 CFR 214.2(k). The officer will review the approved I 129F petition, the beneficiary's civil documents, medical examination results, police clearances, and evidence of the bona fide relationship.

The interview itself typically lasts 15 to 45 minutes. The officer will ask questions about how the couple met, the nature of their relationship, future plans in the United States, the U.S. citizen petitioner's background, the beneficiary's family and ties abroad, and the couple's genuine intent to marry. Questions vary by consular post and officer.

Common reasons for K 1 visa refusal at the consular interview include: insufficient evidence of a genuine romantic relationship; prior visa violations (overstays, unauthorized employment, misrepresentation); grounds of inadmissibility under INA Section 212 (criminal history, certain health conditions, prior immigration violations); failure to demonstrate that the U.S. citizen petitioner can financially support the beneficiary; and failure of the in person meeting requirement.

When a K 1 visa is approved, the beneficiary receives a visa packet sealed for submission to U.S. Customs and Border Protection at the port of entry. The K 1 visa is single entry; the beneficiary must enter the U.S. within 6 months of visa issuance and then use the single entry; there is no ability to reenter on the same K 1 visa after departing. After entry, the 90 day marriage window begins.

Some consular posts experience significant backlogs for K 1 interview appointments. Interview scheduling at high volume posts (certain cities in Southeast Asia, South America, and West Africa) can add 2 to 6 months to the overall timeline beyond NVC processing.

## The 90 Day Marriage Requirement

---

One of the most time sensitive aspects of the K 1 visa process is the requirement that the couple marry within 90 days of the K 1 beneficiary's entry into the United States under 8 CFR 214.2(k)(2). The 90 day period begins on the date of entry as recorded on the I 94 arrival record, not the date of visa issuance.

The K 1 beneficiary may only marry the specific U.S. citizen petitioner listed on the approved I 129F. The K 1 beneficiary cannot use the K 1 visa to enter the U.S. and marry a different person. If the couple is unable or unwilling to marry each other within the 90 days, the K 1 beneficiary must depart the U.S. before the 90 day period expires.

Failure to either marry or depart within 90 days results in the beneficiary being unlawfully present in the United States. Unlawful presence accrued after 90 days triggers inadmissibility bars: more than 180 days of unlawful presence followed by departure triggers a three year bar under INA Section 212(a)(9)(B)(i)(I); more than one year of unlawful presence followed by departure triggers a ten year bar under INA Section 212(a)(9)(B)(i)(II). These bars can permanently impair the beneficiary's ability to obtain future immigration benefits.

Couples who marry within the 90 days do not need to marry in a formal ceremony. A civil marriage at a local courthouse satisfies the requirement. The marriage must be legally valid in the jurisdiction where it takes place. Ceremonial only or religious marriages without civil registration do not qualify unless the jurisdiction legally recognizes religious marriage ceremonies.

Couples who discover after entry that they cannot marry within the 90 days (for example, because of a family emergency, illness, or change of circumstances) should consult an immigration attorney immediately. There are no statutory extensions of the 90 day period, and the K 1 beneficiary must make a decision based on the actual legal options available.

## Adjustment of Status After K 1 Marriage

---

After marrying the U.S. citizen petitioner within the 90 day window, the K 1 beneficiary must file for adjustment of status (Form I 485) to become a lawful permanent resident. Because the beneficiary entered as a nonimmigrant K 1 visa holder, adjustment of status is the required pathway; the beneficiary cannot simply remain in the U.S. without adjusting status after the marriage.

The adjustment of status package filed by the married K 1 beneficiary includes: Form I 485 (Application to Register Permanent Residence), Form I 130 (Petition for Alien Relative, filed by the U.S. citizen spouse), Form I 864 (Affidavit of Support), Form I 765 (Application for Employment Authorization, if work authorization is sought during pending adjustment), Form I 131 (Application for Travel Document, if advance parole for travel is sought), and supporting civil documents including the marriage certificate.

Because the K 1 beneficiary married a U.S. citizen, the beneficiary qualifies as an immediate relative, meaning no visa number wait is required. As long as the beneficiary is not otherwise inadmissible and the adjustment application is complete, approval is generally straightforward, though processing takes 12 to 24 months in most service center districts.

The I 485 triggers biometrics, an adjustment interview (required for most K 1 adjustment cases, unlike some employment based adjustments), and a separate medical examination (Form I 693) conducted by a USCIS approved civil surgeon. The I 693 medical exam must be sealed and submitted with the I 485 or presented at the interview.

Marriages of K 1 beneficiaries who have been married for less than two years at the time of green card approval result in conditional permanent residence (a two year conditional green card) under INA Section 216. To remove conditions, the couple must file Form I 751 (Petition to Remove Conditions on Residence) within the 90 day window preceding the card's expiration, jointly demonstrating that the marriage is bona fide. If the couple is no longer together, the conditional resident may file a waiver of the joint filing requirement.

## K 2 Visas for Minor Children of the Fiance

---

Minor unmarried children under 21 of the K 1 fiance beneficiary may accompany or follow to join the K 1 principal under K 2 classification pursuant to INA Section 214(d) and 8 CFR 214.2(k)(1). K 2 status is derivative of the K 1 and requires no separate I 129F petition.

K 2 children are included in the I 129F petition at the time of filing. Each K 2 child undergoes their own consular processing, including a medical examination (with age appropriate requirements), police clearances (for those over 16), and submission of the child's civil documents (birth certificate, custody documents if applicable). K 2 children attend the consular interview with the K 1 principal or in a separate appointment at some consular posts.

After the K 1 principal enters the U.S. and marries the U.S. citizen petitioner, K 2 children who have entered on K 2 status may also adjust status on Form I 485 as derivative beneficiaries of the K 1 to I 130 pathway. One critical timing rule: K 2 children must enter the U.S. on their K 2 visas before the K 1 principal's I 485 adjustment of status is approved; K 2 children cannot enter after the K 1 has been approved for adjustment.

Custody issues complicate K 2 cases when the K 1 beneficiary shares custody of a child with a former partner. Consular officers may require evidence of sole custody, consent from the non custodial parent, or a custody order from a competent court. Absent proper custody documentation, the K 2 child's visa may be refused. Couples expecting K 2 complications should address custody documentation before filing the I 129F.

## K 1 vs CR 1 Spousal Immigrant Visa: Which Is Faster?

---

U.S. citizens who intend to marry a foreign national face a choice between two main pathways: the K 1 fiance visa (filing first, marrying in the U.S.) or the CR 1 immigrant spousal visa (marrying abroad first, then filing for the green card). Each has distinct timelines, costs, and practical considerations.

**K 1 pathway:** File I 129F, wait 6 to 12 months for USCIS approval, wait additional months for NVC processing and consular interview, fiance enters on K 1 and marries within 90 days, then files I 485 for adjustment of status. Total time from I 129F filing to adjustment approval: 18 to 36 months in most cases. The K 1 beneficiary may receive an EAD and advance parole while the I 485 is pending, allowing work and limited travel during the adjustment period.

**CR 1 pathway:** Marry abroad, file I 130, wait for NVC processing and consular interview, spouse enters the U.S. directly as a permanent resident. Total time from I 130 filing to entry as a permanent resident: 12 to 24 months in most cases. The CR 1 visa holder enters as an immediate permanent resident (or conditional permanent resident if married less than two years at time of entry) and does not need to file I 485.

Historically, the K 1 pathway was faster because I 129F processing was faster than I 130 processing. In recent years, USCIS processing times have converged, and the CR 1 pathway is now often faster for immediate relatives of U.S. citizens. The main practical advantage of K 1 is that the couple marries in the U.S., which some couples prefer. The CR 1 advantage is that the spouse enters already with permanent resident status and does not need to go through the additional I 485 step.

Costs also differ. K 1 requires both the I 129F filing fee (\$675 as of April 2024) and later the I 485 filing fee (\$1,440 for most applicants), totaling over \$2,100 in government fees before attorney costs. CR 1 requires only the I 130 filing fee (\$675) and the immigrant visa processing fee (\$325). However, medical examinations, translation costs, and attorney fees for both pathways are roughly comparable.

## Bona Fide Relationship Evidence: What USCIS and Consulates Require

---

Demonstrating that the K 1 relationship is bona fide and not entered into for the purpose of obtaining immigration benefits is fundamental to K 1 adjudication at both USCIS (I 129F review) and the consular interview. Under INA Section 214(d), USCIS must be satisfied that the parties have met and that the intended marriage will be genuine.

Strong bona fide relationship evidence typically includes: photographs of the couple together at various times and locations, showing the relationship over time; travel records (passport stamps, airline itineraries, hotel bookings) documenting visits between the parties; communication records (text messages, emails, call logs from messaging apps such as WhatsApp or WeChat, especially showing frequency and continuity); financial records showing gifts, money transfers, or joint purchases; letters or statements from family members and friends who know the couple and can attest to the relationship; evidence of meeting each other's families; and engagement photographs if applicable.

Consular officers are trained to identify fraudulent K 1 relationships, which are common targets for immigration fraud. Officers may ask detailed questions about the couple's history, where they first met, what activities they did together, the other partner's family members' names and occupations, the petitioner's address and employment, and the couple's future plans in the United States. Inconsistent answers between the U.S. citizen petitioner's statements and the beneficiary's interview answers are a significant red flag.

For couples who met online and have primarily maintained a long distance relationship, additional documentation of the online communication history (chat logs, video call records, evidence of the platform where they met) is important. Online only relationships with limited in person contact receive additional scrutiny, and the in person meeting record must be clearly documented.

Fraud prevention in K 1 adjudication has increased since the USCIS Fraud Detection and National Security Directorate expanded its site visit programs. In some cases, USCIS conducts unannounced visits to the U.S. petitioner's residence to verify the petitioner's circumstances and the genuineness of the relationship.

## K 1 Costs: Government Fees and Attorney Fees Breakdown

---

The K 1 process involves government fees at multiple stages and typically requires legal assistance for the best outcome. Understanding the full cost picture helps couples budget realistically.

Government fees charged by USCIS and the State Department include: I 129F filing fee (\$675 as of April 2024 under the revised USCIS fee schedule); K 1 visa application fee at the consulate (\$265 per applicant, including K 2 children); medical examination fees (vary by country and panel physician, typically \$150 to \$350 per applicant); document translation fees (variable, typically \$50 to \$150 per page for certified translations); I 485 adjustment of status filing fee (\$1,440 for applicants between 14 and 78 years of age as of April 2024); biometric services fee (\$85, though currently included in the I 485 fee package under the updated fee schedule).

Attempting the K 1 process without an attorney is possible but carries significant risk given the complexity of the evidence requirements, consular interview preparation, and adjustment of status filing. Attorney fees for K 1 cases (from I 129F through I 485 approval) typically range from \$3,000 to \$8,000 depending on the firm and the complexity of the case. Cases involving prior marriages, criminal history, significant overseas travel, or children from prior relationships are at the higher end of the range.

Total government fees from I 129F through I 485 approval, excluding medical exam and translations, currently total approximately \$2,500 to \$3,000. Adding medical exams, translations, and attorney fees, most couples should budget \$6,000 to \$15,000 for the complete K 1 process.

Unexpected costs can arise from RFEs (USCIS requests for additional evidence), consular refusals requiring additional documentation or appeal, waiver applications for grounds of inadmissibility, or additional attorney work to address complicated facts. Couples with complex circumstances should discuss potential additional costs with their attorney at the outset.

# Frequently Asked Questions

---

## 1. How long does the K 1 fiance visa take in 2025?

As of early 2025, USCIS processing of the I 129F petition takes 6 to 12 months. After USCIS approval, NVC processing and routing to the consulate adds 1 to 3 months. Consular interview scheduling adds another 1 to 4 months depending on the specific consular post. Total time from I 129F filing to K 1 visa issuance is currently 12 to 18 months for most cases, though posts with high volume or limited interview capacity can extend this timeline. After entry, adjustment of status takes an additional 12 to 24 months, meaning the full process from filing to green card approval can span 2 to 3 years.

## 2. What happens if we do not marry within 90 days?

The K 1 beneficiary must depart the United States before the 90 day period expires. There is no statutory extension of the 90 day window. If the beneficiary does not marry and does not depart within 90 days, they begin accruing unlawful presence, which triggers three year and ten year bars to reentry under INA Section 212(a)(9)(B) once the beneficiary departs. Couples who decide not to marry should consult an immigration attorney immediately to understand the consequences and ensure a timely, orderly departure.

## 3. Can the K 1 beneficiary work in the United States before marriage?

No. K 1 status does not grant work authorization. The K 1 beneficiary is admitted solely to marry the petitioner and must apply for employment authorization after marrying and filing the I 485 adjustment of status application. Once the I 765 EAD application within the I 485 package is processed (typically 3 to 6 months after filing), the beneficiary receives work authorization. Working without an EAD before the I 485 EAD is issued constitutes unauthorized employment, which can affect the beneficiary's immigration history.

## 4. Is K 1 better or worse than marrying abroad and applying for a CR 1 visa?

Neither pathway is universally better; the right choice depends on the couple's circumstances. The CR 1 pathway (marrying abroad first, then filing I 130 for an immigrant visa) currently often results in comparable or faster overall timelines to U.S. permanent residence. The CR 1 beneficiary enters the U.S. directly as a permanent resident, avoiding the second adjustment of status step. K 1 allows the couple to marry in the U.S., which some couples strongly prefer, and provides the K 1 beneficiary with access to work authorization and advance parole sooner than a CR 1 visa holder who has not yet entered. An immigration attorney can compare processing times for both pathways at the specific consular post applicable to the beneficiary.

## 5. What are the most common reasons K 1 petitions are denied?

USCIS denies I 129F petitions most frequently for: failure to meet in person within the two years before filing (absent a qualifying exception); failure to document the in person meeting adequately; prior criminal history of the U.S. citizen petitioner that triggers bars to sponsoring a K 1 (particularly for sex offenses under the Adam Walsh Child Protection Act, which requires a prior determination of no risk before filing); and insufficient evidence that the relationship is bona fide. At the consular stage, refusals occur most commonly due to grounds of inadmissibility (prior visa violations, criminal records, health grounds) or failure to demonstrate a genuine relationship with credible, specific evidence.

## 6. What evidence should I bring to the K 1 consular interview?

Bring all documents submitted to NVC plus originals and copies of: photographs with the U.S. citizen petitioner (printed, organized chronologically if possible); communication records such as printed chat logs or call histories showing frequency of contact; travel records documenting visits; evidence of meeting each other's families; proof of the petitioner's financial support capacity (recent tax returns, pay stubs, bank statements); the petitioner's U.S. citizen identification; and any prior divorce or death certificates if either party has been previously married. The sealed medical examination results will be submitted by the panel physician directly. Do not open the sealed medical packet; the consular officer opens it at the interview.

---

**Disclaimer:** This guide is provided for general informational purposes only and does not constitute legal advice. Every immigration case is unique. Consult a qualified immigration attorney for advice specific to your circumstances.

© 2026 EB5 Attorneys. All rights reserved.

Source: <https://eb5attorneys.com/guides/k1-fiance-visa-guide>