**Getting a Waiver of the Requirements to File a Joint Petition**

If you are unable to file a joint petition with your U.S. spouse to remove the condition of your residency after getting your green card through adjustment; either because of divorce or because he or she died or refuses to cooperate, you must then file for a waiver of the requirement to file the joint petition. This waiver will be granted in only three circumstances:

* You entered into a good faith marriage but the marriage is legally terminated (death or divorce)
* Your deportation will cause you extreme hardship and the marriage was originally entered into in good faith, or
* You were battered or subjected to extreme cruelty by your U.S. spouse and the marriage was originally entered into good faith

Like the joint petition, an application for a waiver must ordinarily be filed before tour two-year conditional residency expires. However, if you are forced to file late because you were abused, or for another good reason-especially a reason connected to your waiver request-USCIS may excuse the delay.

These types of cases are extremely difficult to establish, it is strongly recommended one consult with an immigration attorney to assist with this difficult process. Studies have shown that an applicant in these waiver cases has an extremely higher success rate when they retain a qualified immigration attorney to handle their waiver case. Jesse S. Atwal, Esq. can discuss the waiver procedure with you and tell you whether this is a viable option for your family.