



WHAT IF A REQUIRED DOCUMENT IS NOT AVAILABLE?

To immigrate to the USA whether temporarily or permanently, you may be required to submit one or more of the following:

- 1) Certified copy of birth certificate with translation.
- 2) Certified copy of all divorce decrees with translation.
- 3) Certified copy of all death certificates with translation of spouses or related family members depending upon the immigration category involved.
- 4) Certified copy of marriage certificate with translation.
- 5) Certified copies of military records (with translation).
- 6) Certified copies of court or police records (with translation).

To determine where to get these documents abroad, see the US State Department's "Reciprocity" tables at "[Reciprocity by Country.](#)" Also, check for special instructions on the [US embassy or consulate website](#) where you plan to apply for a visa, or if applying for a green card, through the National Visa Center's website at "[Review Embassy/Consulate Instructions.](#)" (Scroll down)

If you need a U.S. document, check with your state to determine if the state has the record, or counties or courts maintain the records (as in divorcee decrees.). Another great place to look is on [VitalChek](#).

What if you are told the records do not exist?

1. First, determine if the clerk is telling you that because the records are archived and just not easily accessible. If they are archived, you need to request the records from archives.
2. Second, if the records are truly unavailable, i.e., they don't exist – either they never existed, they are lost or destroyed, then you absolutely must get a letter on letterhead with original signature from the registrar or other entity that normally keeps the records stating specifically that they searched for your records or that they don't exist because [reason – e.g., destroyed in a fire on XYZ date]. This is required if you need to prove your status through secondary evidence.
3. Permissible secondary evidence includes:
 - a. The letter in #2 above – REQUIRED!

- b. Church records: A copy of a document bearing the seal of the church, showing the baptism, dedication or comparable rite occurred within two months after birth, and showing the date and place of the child's birth, date of the religious ceremony, and the name of the child's parents;
- c. School records: A letter from the authority (preferably the first school attended) showing the date of admission to the school, the child's date of birth or age at that time, place of birth, and names of the parents.
- d. Census record: State or federal census records showing the names, place of birth, date of birth, or the age of the person(s) listed.
- e. Affidavits: Written statements sworn to or affirmed by TWO persons who were living at the time and who have personal knowledge of the event you are trying to prove. For example, the date and place of birth, marriage or death. The person making the affidavit does not have to be a U.S. citizen. Each affidavit should contain the following information regarding the person making the affidavit:
 - full name
 - address
 - date and place of birth
 - relationship to the person trying to prove an event
 - full information concerning the event (what happened when, where, how)
 - complete details explaining how the writer acquired knowledge of the event. (Personal knowledge, viewing, seeing, etc. is better v. hearing from third persons.)
- f. Finally, in some parts of the world where any of the above is inherently unreliable, the parties may be required to have DNA tests to prove qualifying relationships. However, very specific procedures and vendors are required, so it is often best to wait until requested or to consult with counsel first.