

CCR 96771 - Revise language in question #13 regarding legal separation and allow optional spouse entry

Current AES Form:

13. What is your current marital status?

- Unmarried
- Married and my spouse is NOT a U.S.citizen or U.S. Lawful Permanent Resident (LPR)
- Married and my spouse IS a U.S.citizen or U.S. Lawful Permanent Resident (LPR)
- Divorced
- Widowed
- Legally Separated

Legal separation is an arrangement when a couple remain married but live apart, following a court order. If you and your spouse are legally separated, your spouse will not be able to immigrate with you through the Diversity Visa program; however, you must include your spouse even if you plan to be divorced before you apply for the Diversity Visa. Failure to list your eligible spouse is grounds for disqualification. If your spouse is a U.S. citizen or Lawful Permanent Resident, do not list him/her in your entry.

Proposed Change:

13. What is your current marital status?

- Unmarried
- Married and my spouse is NOT a U.S.citizen or U.S. Lawful Permanent Resident (LPR)
- Married and my spouse IS a U.S.citizen or U.S. Lawful Permanent Resident (LPR)
- Divorced
- Widowed
- Legally Separated
 - Enter Spouse Information

Legal separation is an arrangement when a couple remain married but live apart, following a court order. If you and your spouse are legally separated, your spouse will not be able to immigrate with you through the Diversity Visa program. You will not be penalized if you choose to enter the name of a spouse from whom you are legally separated.

If you are not legally separated by a court order, you must include your spouse even if you plan to be divorced before you apply for the Diversity Visa. Failure to list your eligible spouse is grounds for disqualification.

If your spouse is a U.S. citizen or Lawful Permanent Resident, do not list him/her in your entry.