

Siam Legal International Reports Rising Delays and Heightened Scrutiny in US Marriage Visa Cases for Thai-American Couples

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Siam Legal International, a full-service law firm with more than 22 years of experience assisting foreign nationals in Thailand, reports that Thai-American couples are facing significantly longer processing times and heightened scrutiny when applying for US spousal and fiancé(e) visas in 2026. According to the firm, the trend reflects a tightening of family-based immigration adjudication standards that is affecting applicants globally.

Current processing data highlights these challenges. As of March 2026, K-1 fiancé(e) visa petitions (Form I-129F) at Service Center Operations (SCOPS) are averaging approximately 9 to 11 months at the USCIS stage alone. This follows a period in 2024 when I-129F processing times had temporarily improved to roughly 6 to 8 months. Now, the full K-1 process from filing the K-1 petition to visa issuance is taking around 12 to 16 months.

For spousal visas, CR-1 and IR-1 applicants are facing Form I-130 processing times ranging from approximately 16 to 18 months. From the initial petition filing, many couples are waiting between 18 and 24 months to receive a spousal visa.

Siam Legal reports that requests for additional evidence (RFEs) and extended administrative processing have become increasingly frequent in relationship-based visa cases. This commonly occurs when applicants have not supplied sufficient financial sponsorship documentation, proof of the required in-person meeting (for K-1), or relationship evidence, as well as cases where the petitioner or beneficiary has a criminal history and additional records are required to prove their eligibility. Immigration officers are also placing greater emphasis on consistency between submitted forms, supporting evidence, and interview responses.

?The current US immigration environment requires significantly more precision and preparation than many applicants expect,? said Rex Baay, Operations Manager and Senior Immigration Consultant at Siam Legal International. ?We are seeing avoidable delays tied to weak proof of the petitioner's financial ability to sponsor a visa, insufficient relationship evidence, inconsistent or inaccurate evidence, and cases where either party has a criminal record. Early legal review before filing can substantially reduce the risk of requests for evidence and prolonged processing.?

The heightened scrutiny extends beyond processing times alone. Siam Legal notes that, for K-1 applicants, engagements occurring shortly after an initial in-person meeting, substantial age differences between the petitioner and beneficiary, and relationship narratives that do not align with documented evidence may be subject to additional review during adjudication. Additionally, inconsistencies and conflicting information across submitted forms remain among the most common causes of avoidable delays.

Government filing costs have also increased substantially following the USCIS Fee Rule implemented in April 2024. According to Siam Legal, the cumulative government filing fees for K-1 applicants pursuing adjustment of status after arrival in the United States now exceed USD 3,200, compared to approximately USD 1,680 under the previous fee structure.

For couples evaluating their immigration options, the firm notes that the CR-1/IR-1 spousal visa pathway currently costs approximately USD 1,500 to USD 1,700 less in overall government fees than the K-1 route, when including the AOS process. CR-1/IR-1 applicants also enter the United States as lawful permanent residents with immediate work authorization upon arrival. This eliminates the need for separate travel and employment authorization applications, which K-1 holders must file at additional cost if they wish to work or travel internationally while awaiting their green card.

To address these evolving challenges, the firm has expanded its immigration advisory support for Thai-American couples applying for CR-1, IR-1, and K-1 visas. The firm provides legal review of relationship

evidence, sponsorship documentation, and civil documents, as well as interview preparation strategies. Their US visa services are designed to reduce procedural risks and avoid unnecessary delays.

Siam Legal International is a full-service law firm with offices in Bangkok, Chiang Mai, Phuket, and Pattaya. For more than 22 years, Siam Legal?s US Visa Team has provided legal and immigration services for clients in Thailand and internationally. The team includes professionals with experience in both Thai and US immigration matters and assists clients with a broad range of US visa and immigration applications while actively monitoring policy developments and regulatory changes to ensure clients receive current and accurate guidance.

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Siam Legal International

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