

Green Card Steps for Employees: How to Prepare Before Filing



By Eileen M. Martin

January 6, 2026 | **IMMIGRATION**

Filing for a green card is an important step when planning to work in the U.S., and engaging in preparation in advance will help the process progress smoothly and minimize the stress of it. A key step in preparation is to speak with a tax professional who understands cross-border tax issues. Gaining U.S. lawful permanent resident status, also known as having a “green card,” often results in a change in tax filing status, possibly in both the United States and in a country of prior residence. In addition, if the employee has retirement accounts abroad, there may be required changes based on the permanent move to the U.S. Speaking with a financial advisor who is qualified in both countries can assist with this transition.

It is also important to consider the employee’s dependents in the process. The decision of how to file — either from within the U.S. or via a process that culminates in an interview at a foreign consular post — may be driven by the need for travel, or the need for employment authorization while the green card is adjudicated (which can take significant time). It is important to consider whether the employee should get his or her green card first before his or her family members, and whether that may leave dependents (i.e., spouse and/or children) without status and

vulnerable or unable to live with the employee until their green cards are issued.

Travel for the employee is an important consideration as well. If the employee is not in H or L status, part of the process may result in the employee being unable to travel in and out of the U.S. during the process. If the employee is currently working for a U.S. employer, it is important to consider whether he or she will be able to continue to work in non-immigrant status throughout the process, or if an Employment Authorization Document (separately linked to the green card process itself) will be required.

The employee and all dependent members of the family must be prepared to provide original or certified copies of documentation during the process, some of which may be challenging to obtain. Long-form birth certificates are required, showing both parents' names. Marriage certificates and divorce/death certificates ending prior marriages are required. Custody documents and parental permissions are required for children from prior relationships and marriages. Police certificates from every country in which the individuals have resided must be presented. If the individuals have been arrested before, they will have to provide evidence of the charges and disposition and possibly file an application to waive their criminal inadmissibility. Prior U.S. immigration violations may also need to be addressed and possibly waived. Waiver applications must be filed before a deadline, so preparation in advance will help ensure timely immigrant visa issuance or adjustment-of-status adjudication.

Every applicant must undergo a medical examination by a “panel physician” or “civil surgeon” specifically approved by the U.S. government to give the proper medical exam. Applicants should bring evidence of immunizations to that appointment. If they do not have every required vaccination already, the panel physician’s office will run tests to determine what immunizations are required, if any. If the applicants need vaccinations that are part of a series, the doctor will begin the series and provide instructions for completing it upon entry to the U.S. The requirement for the additional parts of the series will be waived.

There are many places where that process can go awry based on different policies of the various agencies involved. For example, if the employee is processing an immigrant visa to permit them to enter the U.S. as a permanent resident, one stage of the process is to upload their required civil documents and information to the National Visa Center, which pre-processes the documents to confirm their validity for the purpose of the immigrant visa application. However, at some U.S. consular posts, applicants will never make it to their interviews unless they can satisfy a consular employee who is manning the door that they have all the required documents.

If the checklist of specific documents is not satisfied, even though the documents may have already been found to be acceptable by the National Visa Center, the individual may be turned away until all required documents in acceptable form can be produced. In some offices, the interview may proceed, but the finalization of the application will be held in abeyance until the required document or documents have been presented. In most instances, U.S. permanent residence applicants can find their specific form of acceptable document(s) based on the country where the document originated in the U.S. Department of State’s “Visa Reciprocity Table” online.

The process for an employee to obtain a green card can be a long and exacting effort. Preparation of documentation and ensuring a complete understanding of the process to prevent tax, financial, travel, employment or family unification surprises will make the challenging green card process smoother. Any questions about the process can be directed to Eileen M. Martin (emartin@lippes.com), Elizabeth M. Klarin (eklarin@lippes.com) or other immigration counsel at Lippes Mathias LLP, who have extensive experience navigating these challenges on behalf of employee applicants.

This article was originally published by [Law360 Canada](#), part of LexisNexis Canada Inc.

The opinions expressed are those of the author(s) and do not necessarily reflect the views of the author's firm, its clients, LexisNexis Canada, Law360 Canada or any of its or their respective affiliates. This article is for general information purposes and is not intended to be and should not be taken as legal advice.

Related Team



Eileen M. Martin

Partner | Team Co-
Leader - Immigration
| Team Leader -
Canada-U.S. Cross
Border

Elizabeth M. Klarin

Partner

Disclaimer: The information in this post is provided for general informational purposes only, and may not reflect the current law in your jurisdiction. No information contained in this post should be construed as legal advice from our firm or the individual author, nor is it intended to be a substitute for legal counsel on any subject matter. No reader of this post should act or refrain from acting on the basis of any information included in, or accessible through, this post without seeking the appropriate legal or other professional advice on the particular facts and circumstances at issue from a lawyer licensed in the recipient's state, country or other appropriate licensing jurisdiction.