Good Moral Character

Proving good moral character is a required step for several immigration applications in the United States. However, U.S. law has not outlined what specifically enables someone to show good moral character. Instead, they have determined a list of actions or qualities that would prevent someone from proving good moral character. Ultimately, you need to present a case that you are an upstanding person, and you need to know how to defend any potential problems on your personal record.

When Do You Need to Prove Good Moral Character?

There are a number of immigration petitions and applications that require you to prove to Immigration that you have good moral character, including:

- Citizenship
- Deportation defense (cancellation of removal)
- VAWA self-petition

Potential Problems

The following issues can prevent you from demonstrating good moral character to Immigration:

- Being what Immigration calls a "habitual drunkard"
  - If you have a problem with drinking too much alcohol, Immigration might deny your citizenship application. They will look, for example, to see if you have drunk driving tickets.
- Drug use
- Criminal convictions for illegal gambling, or earning most of your income through illegal gambling

- Lying to Immigration
    - For example, if you have a criminal conviction and you don't include it on your application to become a U.S. citizen, that can stop you from having good moral character even if the actual conviction would not have kept you from becoming a citizen.
- Spending more than 180 days in jail
- Being convicted of certain crimes
    - Examples may include: selling drugs, controlled substance violations and aggravated felonies, such as theft and crimes of violence that would result in at least a year of jail time.

If You Have a Criminal Record

If you have any arrests or criminal convictions you need to get something called a certified court disposition. This is an official court document that simply states what you were charged with and the results of your case. You can usually get them from the same courthouse where your case proceedings took place.

You must tell Immigration about any arrests because they will know about them. When they took your fingerprints at your biometrics appointment, they gathered information that will most definitely lead them to records of any previous arrests. Again, do not lie about any arrest on any Immigration application. It will not work.

Sworn Statements from Family and Friends

Aside from defending any questionable items on your record, another way to prove good moral character is through sworn statements, or affidavits. These are written by family and friends who can vouch for you.

Make sure the affidavits include concrete facts about you that the author knows first hand. Ask them to mention how long they have known you and how you met. Also, the affidavit should include specific stories that demonstrate what kind of person you are. Vague and sweeping statements that could pertain to most people have almost no credibility. Lastly, if the letters are not in English, you must provide a certified translation. A lawyer can help you with formatting and help you determine whether or not the affidavit has the credibility it needs.

Rehabilitation

Usually, you must show that you have maintained good moral character during a certain timeframe, or statute. However, Immigration has the authority to consider anything that you have done before the timeframe of your case. In other words, at any given time of your personal history, you want to look like a good person. Therefore, as soon as you have a criminal conviction, you should do all that you can to show rehabilitation. Do this right away. Go to any court ordered drug counseling or alcohol assessment. If you've been told to see a therapist, make sure that you keep your appointments.

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