

FINDING AN IMMIGRATION ATTORNEY

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WHAT IS AN IMMIGRATION ATTORNEY?

An immigration attorney, or lawyer, is a professional person who is licensed to practice law in a state or territory of the United States and specializes in immigration law. A good immigration attorney should have a thorough understanding of the U.S. immigration laws and procedures. The attorney must be able to discuss all legal options available to you, as well as prepare and file the necessary immigration petitions.

Immigration law is complex and changes frequently. Locating a good immigration attorney is important. You will likely spend considerable time and money working with your immigration attorney. Do your research before choosing an attorney.

WHEN SHOULD YOU HIRE AN IMMIGRATION ATTORNEY?

Hiring a competent immigration attorney can help you avoid many hours of work interpreting U.S. immigration laws and procedures, preparing petitions and supporting documents, and unnecessary processing delays. Most immigration attorneys are familiar with handling H-1B petitions for specialty occupation workers, O applications for persons of extraordinary ability, and employment-based permanent residency (“green card”) applications. You should consult an immigration attorney if you have an immigration problem that is beyond the scope of your International Student/Scholar Advisor.

There are circumstances in which a person can successfully file a petition with the U.S. Citizenship and Immigration Services (“USCIS”) without the help of an immigration attorney. If you decide to file a petition on your own, you may want to pay for a one-time, initial consultation with a qualified immigration lawyer to review your case. Before filing a petition yourself, you should learn all of the procedures and requirements specific to your petition. It is also important to begin preparing the petition early to allow sufficient processing time. For general information on filing a petition and copies of required forms, please visit the USCIS website at www.uscis.gov.

HOW TO FIND AN IMMIGRATION ATTORNEY:

1. American Immigration Lawyers Association (“AILA”) Immigration Lawyer Referral Service

AILA is a national bar association of over 7,500 attorneys who practice immigration law. You can find an immigration attorney in your area using AILA’s online immigration lawyer search. To access the AILA referral service, you may visit www.aila.org, call (800) 954-0254, or email ilrs@aila.org. Give your name, location, and the reason you need an immigration lawyer. You will be given the contact information of a local lawyer who specializes in your area of need. When you contact the lawyer, mention that you used the AILA Immigration Lawyer Referral Service and ask about their initial consultation fee.

2. American Bar Association (“ABA”)

The ABA is a national association of more than 400,000 attorneys who practice in various areas of the law. The ABA website provides general information about the U.S. legal system and hiring an attorney. For low-cost legal service providers, visit www.abanet.org/public.html. Click on “Immigration” under the section labeled “Legal Topics.” On the left hand side of the screen, click on “Commission Links.” Then click on “Immigration Legal Services Provider Directory,” and select a state for a listing of the legal service providers in that state.

Alternatively, you can locate an immigration attorney by visiting www.abanet.org/public.html, and clicking on “Hire a Lawyer/Lawyer locator” under the “Get Legal Help” section.

3. U.S. Citizenship and Immigration Services (“USCIS”)

The USCIS website provides links to other resources that may help in finding an immigration attorney. Go to www.uscis.gov, and click on “Resources” from the tab bar at the top of the screen. Then select “Finding Legal Advice,” located on the left hand side. The “External Links” section on the right side of the screen provides links to other legal resources.

4. Friends and Colleagues

As an international student or scholar, you may know someone who previously used the services of an immigration attorney. Ask friends and colleagues for the attorney’s name and contact information, the type of immigration matter the attorney handled, and their level of satisfaction with the attorney’s work.

5. Yellow Pages

Check the yellow pages of the phone book, or go to www.yellowpages.com and search “immigration attorney.”

QUESTIONS TO ASK BEFORE YOU HIRE AN IMMIGRATION ATTORNEY:

1. How long has the attorney been practicing immigration law? How much of the attorney’s work is immigration related?

It is important to find an attorney who practices primarily immigration law.

2. How much experience does the attorney have in handling immigration matters similar to your case?
3. Does the attorney charge for an initial consultation before taking your case? If there is a charge, how much does it cost and how long is the initial consultation? Who will choose the attorney and pay the legal fees for an employment-based immigrant petition?

In employment-based immigration cases, the employer may select the attorney and pay the legal fees. The employer may have an attorney or an immigration specialist who works for the company prepare the petition. If the employer hires an outside attorney to handle it, ask the employer and the attorney for what fees you may be responsible.

4. How much will it cost to hire an attorney?

Attorney billing rates vary significantly based on geographic location and the type of immigration matter. You should ask about the attorney’s costs and filing fees before he/she begins work on your case. In the Lansing area, an H-1B petition may cost between \$1,500 and \$3,000, and a permanent residency (“green card”) petition can cost from \$5,000 to \$10,000.

5. Does the attorney charge a flat rate or an hourly rate? If a flat rate is charged, what services does the flat rate include?

For example, you should ask the attorney if the flat rate includes an appeal of a petition that has been denied.

6. Does the attorney require payment before or after services have been rendered?

If the attorney requires that you pay before the work is complete, you should ask what assurances the attorney can provide that your case will remain a priority.

LEGAL ISSUES FOR EMPLOYEES OF MICHIGAN STATE UNIVERSITY:

Foreign nationals who will be employed by Michigan State University (“MSU”) in a non-immigrant status should work with their hiring department and the Office for International Students and Scholars (“OISS”) to make sure all of the correct paperwork is completed prior to the first date of employment

Foreign national employees at MSU seeking permanent residency must consult with their departments and use an immigration attorney that has been approved by MSU. An MSU employee interested in becoming a permanent resident of the U.S. can contact OISS for general information about the application process. The department must be willing to offer the employee a full-time permanent position and be willing to pay certain expenses related to the filing of an immigrant petition, including legal fees.