

Friday, March 7, 2008

FINAL CALL FOR H-1B'S

If you are considering sponsoring someone for an H-1B visa, please let us know immediately. With the April 1, 2008 filing date rapidly approaching, we don't have much time left. This applies to both H-1B's for university graduates and even for those with U.S. Master's Degrees.

As mentioned in previous Updates, we are concerned that unlike last year when H-1B visa numbers remained available until April 20, 2007 for holders of U.S. Master's Degrees, there is a strong possibility that even for U.S. Master's Degree holders, the government will receive sufficient filings on April 1, 2008 to close the filings on April 1 and subject the filings to a random lottery selection.

DUI'S TRAVELLING TO CANADA

Although many think that DUI or DWI offenses are not serious enough to prevent

entry into Canada, recently there have been many instances to the contrary. This has applied not only to aliens with non-immigrant visas or permanent resident status but also to American citizens. This is due to Canadian law perception of these DUI or DWI offenses as being "hybrid" offenses and potentially resulting in their inadmissibility to Canada and the potential need to obtain a Temporary Resident Permit before attempting to enter Canada. If you are concerned about this issue, please contact us to request a copy of an excellent article that appears in the January/February issue of "Immigration Law Today."

RE-ENTRY PERMITS

Many permanent residents (green card holders) who spend significant amounts of time outside the U.S. obtain re-entry permits to facilitate their entries into the U.S. and in some situations, allow them to stay outside the U.S. for up

to two years without having to travel to the U.S.

A new USCIS rule now requires that in addition to the forms and fees previously required (which have to be filed while the alien is physically in the U.S.), these applicants must also be processed for biometrics (which require an additional fee of \$80). This additional step takes place after the application is filed and notification is made by the USCIS to schedule an appointment. The obvious problem this creates is for those who travel to the U.S. to apply for, or renew their re-entry permits. They may not have sufficient time to process their biometrics before they are required to return overseas. For those currently residing in the U.S., they should be sure to file their re-entry permits months in advance of their intended departure to allow sufficient time for the government to schedule their biometrics.