

IMMIGRATION LAW PARALEGAL

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ALL OF THE BELOW DUTIES ARE ASSUMED TO, AND MUST BE, UNDER THE DIRECTION AND SUPERVISION OF A LICENSED ATTORNEY.

A. INITIAL ANALYSIS AND GENERAL DUTIES

1. Assist with initial client interview to obtain relevant case information.
2. Assist attorney with determining case issues and planning case strategy.
3. Investigate, compile and digest facts of the case:
 - a. Arrange for outside interpreter if necessary.
 - b. Locate, obtain, and preserve client documentation.
 - c. Review and organize client documentation.
 - d. Analyze and summarize all data.
4. Research and analyze legal sources:
 - a. Locate and summarize applicable statutory, regulatory and case law.
 - b. Draft motions and legal memoranda for attorney review.
5. Prepare appropriate forms regarding client matters before the Departments of Homeland Security, State, Justice and Labor.
6. Draft correspondence to clients, courts, attorneys, *etc.*
7. Coordinate with client to assemble documentation, complete questionnaires and forms, review case status, *etc.*
8. Develop, maintain and administer tickler system, database, master docket and calendars.

9. Review file on a regular basis, consult with attorney and prepare regular status reports to client.

B. NONIMMIGRANT VISAS

1. Consular Applications:

- a. Prepare Form DS-156 (and DS-157, if applicable).
- b. Draft supporting letter for Nonimmigrant Visa Application.
- c. Prepare procedural information for client regarding submission of the visa application to the U.S. Consulate.
- d. Prepare procedural information and required documentation for client regarding visa interview and entrance into the U.S. at the Port of Entry.

2. Initial Petition/Extension of Stay/Change of Status:

- a. Prepare Forms I-129, I-539 and applicable supplementary forms regarding application for attorney review and client signature.
- b. Gather necessary supporting documentation to demonstrate eligibility for benefit sought.
- c. Submit application to the service center having jurisdiction over the petitioner/applicant's place of residence.
- d. Monitor progress of case.
- e. Draft advisement letter to client on how to maintain nonimmigrant status for attorney review and signature.
- f. Maintain tickler system to identify date for extension of nonimmigrant status.

C. IMMIGRANT VISAS

1. Labor Certification:

- a. Prepare appropriate job description and minimum regulatory requirements, for attorney review.
- b. Do prevailing wage research and requests for prevailing wage determination.

- c. Research occupational information and job zones and research NAICS codes for industry classification of employer.
 - d. Arrange for publication of job advertisement in appropriate newspapers, journals, magazines, *etc.*
 - e. Prepare summary of recruitment results and submit application to the Department of Labor, upon completion of recruitment.
 - f. Compile rebuttal evidence for attorney review, if an audit is issued.
2. Family Based I-130 Petitions:
 - a. Determine, under attorney supervision, eligibility in one of the family-based preference categories.
 - b. Obtain documentation to demonstrate family relationship or bona fide marriage.
 - c. Prepare visa petition with supporting evidence and supplementary forms for attorney review and filing with USCIS.
3. Employment Based I-140 Petitions:
 - a. Determine, under attorney supervision, eligibility in one of the employment-based preference categories.
 - b. Prepare petition with supporting evidence and supplementary forms for attorney review and filing with USCIS.
4. DV green card lottery:
 - a. Submit application to National Visa Center on behalf of client.
 - b. Monitor green card lottery and client application for acceptance or rejection.
 - c. Draft letter to client explaining entry requirements.
5. I-485 Application for Adjustment of Status to Permanent Residence:
 - a. Consult with attorney to establish that the client is eligible to adjust based on an approved or approvable I-130, I-140 or I-360, and that the visa priority date is current.

b. Assemble and organize all forms and supporting documents for attorney review and filing with USCIS.

c. Notify client of interview date and prepare information on maintaining lawful permanent residence and the responsibilities of having such status.

d. Tickle file to notify client to file Form I-751, Petition to Remove the Conditions of Residence, if applicable.

e. Tickle file to notify client of eligibility for naturalization.

6. Consular Processing:

a. Following approval of an I-130, I-140 or I-360 petition, begin preparation of Packet 3 from the National Visa Center.

b. File Packet 3 with appropriate consular post with requests for Packet 4 and an interview.

c. Obtain and assemble documents for immigrant visa interview.

d. Prepare client for immigrant visa interview.

e. Upon receipt of Packet 4, notify client of date and assist client with travel arrangements, as needed.

f. Finalize application for client to present to the consular officer.

g. Follow up with client to ensure receipt of immigrant visa and prepare information on maintaining lawful permanent residence and the responsibilities of having such status.

h. Tickle file to notify client to file Form I-751, Petition to Remove the Conditions of Residence, if applicable.

i. Tickle file to notify client of eligibility for naturalization.

D. ASYLUM

1. Interviewing the client:

a. Research and prepare a list of statutory and regulatory requirements for attorney to determine asylum claim.

b. Consult with attorney to establish client has a legitimate claim for asylum and meets all criteria.

2. Assembling and filing the application:
 - a. Prepare Form I-589, Application for Asylum and Withholding of Removal, for attorney review.
 - b. Research client's country conditions.
 - c. Obtain and organize supporting documentation.
 - d. File the application and supporting documentation to USCIS or the Immigration Court if client is in removal proceedings.
 - e. Prepare client for interview and/or merits hearing.
 - f. Tickle date for filing Form I-765, Application for Employment Authorization.
 - g. If asylum is granted, tickle file to notify client to file Form I-485, Application for Adjustment of Status to Permanent Residence, one year from grant.

E. RELIEF IN REMOVAL PROCEEDINGS

1. Consult with attorney to determine whether client is eligible for relief from removal.
2. Assist client in obtaining necessary documentation for application.
3. Prepare forms and supporting documentation for attorney review.
4. File or "fee-in" application with USCIS, if required.
5. File application with Immigration Court and serve on Immigration and Customs Enforcement Chief Counsel.
6. Help attorney prepare for hearing.
7. Other paralegal duties for clients who are in removal proceedings:
 - a. May be required to visit client at the detention center.
 - b. May assist attorney at motions or bond hearings.
 - c. May travel to USCIS district office on behalf of or with a client or to hand-file an application or motion.

F. NATURALIZATION AND CITIZENSHIP

1. N-400 Application for Naturalization:
 - a. Consult with attorney to determine if client is eligible to naturalize.
 - b. Assist client in obtaining necessary documentation for application.
 - c. Prepare and file application with USCIS.
 - d. Prepare client for interview.

2. Derivative citizenship claims (passport application/N-600):
 - a. Consult with attorney to determine if client is eligible for citizenship.
 - b. Obtain client's family history, including relatives' dates and places of birth.
 - c. Research law in effect at the time of derivative citizenship candidate's birth.
 - d. Obtain birth and marriage certificates, if retention requirements apply, obtain public records demonstrating these were met.
 - e. Prepare a passport application or N-600 application and submit to the appropriate government agency.