



An International Student's Guide to Working with an Immigration Lawyer

Increasing global mobility is an integral part of our modern world. Students, researchers, business people, national and international civil servants, and many others find that their activities require them to travel, work and sometimes to stay in countries other than their own. For most purposes, people can apply for and receive the necessary visas and permissions to achieve their goals without the assistance of a legal professional. However, some situations raise more complex issues, and there are times, for example, when you need to know whether you will be able to accept a really good career opportunity, or whether you can keep your family together in the location of your choice, where the risks involved in the do-it-yourself approach outweigh the benefits.

As an international student in Hawaii, you may decide to stay in the United States after graduation for work or family reasons, and may decide to seek the assistance of an immigration lawyer to help you work through the process. Here are some tips to make finding the help you need a little easier.

Don't hire a lawyer unless, and until, you need one

All of Hawaii's colleges and universities have good resources and professional staff who can assist with school-related immigration issues. They can provide sound advice, assist with applications for such things as travel, curricular and post-graduation training, and generally help you stay in compliance with immigration regulations during your academic career.

The international student services staff have their own professional association, the National Association of Foreign Student Advisors, or NAFSA, which provides very detailed guidance and up-to-date information to support their work on your behalf. You should get to know what services are available from your school's ISS team for two reasons: first, they can answer most of your questions, and second, their advice is free of charge.

Private attorneys make their living by providing services for fees paid. As an intelligent consumer, you should not be paying for services that are available to you for free. Therefore, it is important to become familiar with what resources you have access to, and to be able to identify when your needs are no longer within that domain. In general, your school will help you get positioned for your post-graduation pursuits, but soon after you graduate you will need to make our own way. This leads to the corollary to our first tip, which is that you cannot wait to hire professional help until it is too late to be of any good.

Know your transition timeline, and find the help you need *before* you need it

An intelligent driver does not wait until his car has exhausted all of its fuel to start thinking about finding a gasoline station, and an international student who would like to stay in the U.S. after graduation should not wait until all options are exhausted to start planning. The pieces of the migration puzzle take time to put into place, and you will want to start assembling these pieces in advance of your need. Along with becoming familiar with the job market in your field and learning the basics of the visa process, you can start investigating the availability of professional assistance now.

The goal here is to know where to find the help you need at the time you need it. You don't want to *hire* a lawyer before you need to, but when the time comes, you should already know where to find one, how much it will cost, and what you need to bring to the table to get moving forward with your plan without delay. The window of opportunity for making the transition from international student to a U.S. career path is surprisingly short, and has a number of complex requirements, so you will need to be careful not to lose valuable time.

Knowing *how* to find a lawyer is as important as knowing *when* to find one

For many international students, hiring an immigration lawyer will be the first time they will have the experience of retaining professional services on their own, and the U.S. system may not be the one they are most familiar with. A few simple ideas will help make sense of this, and should provide some level of comfort with the process.

Knowledge and experience count

Immigration law is a very specialized area of legal practice, and changes are occurring at a rapid rate. Look for a lawyer who concentrates on immigration law, and has demonstrable experience serving international students' needs. Like the international student services professionals and NAFSA, immigration lawyers have their own professional association, the American Immigration Lawyers Association, or AILA, which provides key knowledge support and continuing professional education. If the lawyer you speak with is not a member of AILA, they are probably not as focused on this area of law as you need them to be. And even within AILA, some lawyers may have different levels of commitment to service the community of international students and scholars.

Accessibility and ease of communication matter

If you can't reach your lawyer with questions or concerns, you may not be getting what you need out of the relationship. Some lawyers charge consulting fees just to talk to them for a few minutes. While it is important to remember that lawyers need to use their time carefully to remain viable as a business enterprise, look to see if they have committed to making basic information and communications opportunities available. If it's hard to get an opportunity to talk to a lawyer now, it may not be any easier once you've hired them to work on your future plans.

Information technology competence.

Related to communications and accessibility, look to see if the lawyer you are considering works like you do, linked to Web 2.0 tools and comfortable with online networking and email, able to utilize technology to expedite research, collaboration and efficient production of service outputs. As a quick check, find their website and look around. Did you learn anything useful? If not, maybe the lawyer is not using technology in a way that benefits you. In the contemporary information economy, this may be a problem.

Fees and costs

Private lawyers cost money, and you will need to figure out how to evaluate the financial commitments you will need to make in advance of making a hiring decision. You should be able to find out what to expect, with some degree of certainty, before you commit. The range of fees is fairly wide even for what looks like the same process, so you will want to know what you get for your money. As in any purchase, you need to balance your desire to reach a comfortable threshold of value within a price range you can manage. Some people shop at WalMart, others at Nordstrom, and that is a choice you are free to make. But you should know what you are getting for what you are paying.

For example, will the cheapest lawyer do your work in a timely fashion and still find time to respond your inquiries? Will the most expensive lawyer achieve a result that is substantially superior to merit the difference in fees? Or is there a middle ground? Make sure you are comfortable with the value-for-cost ratio you are being offered.

Our approach

At MigrationCounsel.com we operate on a simple idea: if we concentrate on providing a very specific range of services, aggressively invest in information technology to continuously improve efficiency, and commit to effective information-sharing with our clients, we can deliver better legal services, reduce the uncertainty of the immigration process and bring top quality legal service into an affordable price framework.

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