

SELECTING AN IMMIGRATION ATTORNEY

Attached is a list of attorneys who handle immigration law matters. This list is provided as a convenience to assist you in identifying lawyers who may have expertise in immigration matters. The Office of International Services is not in a position to evaluate the professional competence or experience of these individuals. However, to assist you in selecting an attorney, we have prepared the following suggestions.

Select an attorney early in the process

Immigration procedures can be very slow and time consuming. Therefore, we recommend that you select your legal advisor early in the process. Do not wait until a few weeks before your deadline. In order to present your application in the best possible manner, you should allow sufficient time for your lawyer to do a thorough job of researching your case.

Consult others concerning the immigration process

Before you contact an attorney on our list, consult family members, friends or associates who have been involved with the immigration process. They may be able to share with you their experiences with the Immigration and Naturalization Service (INS), their legal costs, and recommendations concerning attorneys they have worked with.

Begin your evaluation of the attorney when you make your initial call

Once you have selected a prospective attorney, you should call to make an appointment to discuss your case. This call should be an important part of your evaluation of the attorney.

You should begin the call with a short description of your situation and the immigration problem you wish to address. You do not have to give all the details at this time. You should merely describe in general terms the nature of the issue and you should include deadlines you are facing.

You should ask the following questions:

- Do you handle these types of cases?
- How long have you been doing this type of work? (It is best to hire a lawyer who has a lot of experience)
- How many cases similar to mine have you handled?
- What percentage of your practice is devoted to immigration law? (Some attorneys have a general practice and immigration is only a small part of their work. It is best to hire a specialist who devotes a major percentage of his or her time to this area.)
- Do you charge an initial consultation fee? (Some lawyers will charge a fee for your first meeting.)

- How do you set your fees for these types of cases?

You may wish to contact several attorneys to compare their answers to these questions. Once you have identified a lawyer who you may wish to hire, you should schedule a meeting to discuss your case in greater detail.

The first meeting

It is important to remember that at this meeting, you are still evaluating the lawyer. If you are not confident that this person can do the best job for you, you may decide to seek another legal advisor.

You should be prepared to give a concise statement of your situation and the goals you would like to achieve. You may save time by writing a short chronology of your experiences and contacts with the U.S. Immigration and Naturalization Service. Be sure to bring with you your passport (including visa stamps), copies of correspondence with government agencies and other immigration documents.

Questions you should ask the lawyer during the initial meeting

- What are the INS procedures for handling my case?
- How long might it take to resolve my case? (Every case is different and more complex cases will take longer to resolve. The attorney should be able to give you an approximate amount of time it may take to get an INS decision in cases such as yours.)
- What are my prospects for success? (The lawyer cannot guarantee a successful outcome. However, based on his or her experience, the attorney should be able to give you a preliminary evaluation of the strengths and weaknesses of your case.)
- What is the fee that you will charge for my case? (It is important that you understand how you will be charged for the attorney's services and when you will be required to make payments.)

Questions you should ask yourself during the initial meeting

- Does the lawyer demonstrate an understanding of immigration law and procedures?
- Does the lawyer communicate ideas to you in a clear and effective manner?
- Does he or she seem to care about your problem?
- Are you confident that this person has the ability to handle your case competently and honestly?
- Do you understand the fee arrangement, and can you afford it?

If the answers to these questions are affirmative, you may proceed to retain the attorney to handle your case.

As the case proceeds, you should remember that you are paying the lawyer to provide a service to you. You should feel free to give explicit instructions on the way you would like your case to be handled. If, at any time, you have concerns about the level of service you are receiving, you should be comfortable discussing this with the attorney.

Taken with permission from the handout prepared by the Office of International Education at Ohio State University.