

## **Immigration**

Our Immigration attorneys specialize in representing employers and individuals in employment-related immigration sponsorship matters and in issues relating to employer compliance with U.S. immigration laws.

### **Employment-Related Immigration Matters**

We assist clients with employment-related immigration sponsorship, which is generally divided into two categories: non-immigrant, which permits a foreign national to work in the United States for a specified period of time, and immigrant/permanent residence matters, which permit a foreign national to stay and work in the United States indefinitely.

#### **Non-Immigrant Matters**

There are numerous visa classifications in which a foreign national can enter, remain and work in the United States, primarily for individuals who have at least a bachelor's level degree and will work in a position requiring such a degree. Generally speaking, options to employ someone in a lesser-skilled or unskilled position are more limited.

#### **Immigrant Matters**

Similar to non-immigrant visa options, there are a number of immigrant visa preference categories that a foreign national can utilize to obtain permanent residence status. The primary categories generally range from those for individuals who have at least a bachelor's level degree and will work in a position requiring such a degree, to those set aside for extraordinary individuals, such as Nobel Prize winners. There are fewer options to obtain permanent residence status for someone in a lesser-skilled or unskilled position based upon employment.

### **Employer Compliance with U.S. Immigration Laws**

We are focused on providing services in the areas of I-9 compliance, managing immigration issues in the normal course of business, and in the context of mergers and acquisitions.

#### **I-9 Compliance**

We assist employers in complying with the wide spectrum of laws and regulations requiring that they only employ those who are authorized to work in the United States. Since November 7, 1986, federal law has required that all U.S. employers verify that every newly hired employee is eligible for employment by the completion and retention of Form I-9. Employment eligibility verification has become more complicated in recent years due to the availability of additional verification tools, shifts in federal enforcement efforts, and a growing patchwork of state and local immigration laws.

Specifically, we assist employers by identifying relevant legal requirements; reviewing and advising on corporate compliance programs to satisfy those requirements; and assisting with periodic, internal I-9 audits. Our Immigration attorneys work closely with firm attorneys who specialize in labor and employment law in order to provide compliance solutions that are consistent with other aspects of the law. Furthermore, we work in conjunction with firm attorneys specializing in government investigations and litigation and are able to represent employers with serious civil or criminal immigration compliance matters.

#### **Immigration Issue Management**

Employers that have sponsored foreign nationals for non-immigrant work visas or for employment-based permanent residence are subject to additional regulations and record-keeping requirements. Employers that sponsor must take immigration-related considerations into account when recruiting, conducting promotion/compensation reviews, or making

decisions regarding terminations or layoffs. Our attorneys have extensive experience in advising employers on how to effectively manage these issues.

### **Mergers & Acquisitions**

Immigration rules must also be considered whenever an employer is considering a merger or acquisition transaction. All parties to such a transaction should conduct adequate due diligence regarding I-9 compliance. Also, in some cases, sponsored foreign nationals may fill key roles within a target company and the continuation of work authorization and possibly any efforts to continue permanent residence cases may be in play. Our attorneys advise employers in these types of immigration issues in the context of mergers and acquisitions and can help maximize the benefits of a prior employer's sponsorship efforts, while minimizing legal and financial liabilities.

### **Expertise**

We believe that advance planning is critical to successful outcomes in immigration sponsorship and avoiding problems with compliance matters. Consequently, our Immigration attorneys routinely counsel clients on the long-range effects of today's immigration-related decisions and help develop practical strategies. Working closely with firm attorneys in other specialized practice areas, we deliver comprehensive counsel and service to employers and individuals with immigration sponsorship matters and with issues relating to employer compliance with U.S. immigration laws.