

Immigration Update in View of Upcoming of Presidential Elections

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The U.S. Immigration laws were supposed to change considerably during the summer of 2007. Much debated legislation proposals were supposed to have been reconciled under an umbrella-version known as "Comprehensive Immigration Reform".

These proposed changes, which were highly debated and seen by many as controversial, were supposed to expand the available range of legalization mechanisms, offer temporary work programs, increase options of alien children to attend institutions of higher learning, streamline and expand enforcement efforts by U.S. agencies, increase inter-agency communication, step up work-site enforcement, and enhance border security, and implement fixes to what were generally seen as 'broken aspects' of the current immigration system.

So what happened to

this proposed "Comprehensive Immigration Reform"? Where does that leave us today? Well, the short answer is that this Reform has been put on hold and Washington, or rather the U.S. Congress, has decided to hold off on passing any portion of the Reform until the still undecided aspects of the Reform have been resolved.

So what does an unfinished Reform mean for the millions of aliens presently in the United States, and the millions of aliens living abroad who are considering their move to the U.S.? Currently, an unfinished Reform is one that has no legal effect at all, since it has not been passed into law by the U.S. legislative body.

This year, 2008, is a crucial election year, which will decide who will assume control of the White House in January 2009. Constitutionally, President George W. Bush is barred from

seeking a third term of office, and considering that the U.S. Congress has recently been taken under control by the Democratic Party, the decision to vote for the President's (currently a Republican) successor, is promising to be very interesting.

Since this year is an election year, and the fate of the Presidential office is undecided, there is little to no incentive by the legislators in Congress to move any further on the Comprehensive Immigration Reform. Democrats and Republicans alike have their own agendas to pursue with regard to Immigration. Not knowing who will become the next U.S. President, is essentially forcing a stalemate between both political parties, for now.

In practical terms, for the moment, there is no Immigration Reform, and the public at large has to contend with the current Immigration laws and regulations as they are. It is highly probable that, once the

question of the presidential office has been decided by the American voters, the focus of the new administration, whether Democratic or Republican, will have to re-address the pressing, and long overdue issue of Immigration Reform.

So what can one do until the U.S. Government is able and ready to address the issues of fixing its currently defunct and broken immigration system? First, one needs to remember that the question of Immigration Reform is no longer one of "IF" but rather now one of "WHEN". Knowing that the Reform will eventually take place, some analysts in the field think it will be sooner rather than later, should be somewhat of a source of some comfort.

The logical next step would be for those who stand to profit personally from an Immigration Reform, to start preparing for the eventuality when the U.S. Government will announce when and how the sought-after changes are to be implemented. This

means preparing documentation, assembling files and information, saving money for inevitable government fees, and other likely fees.

Before one begins the task of preparing for upcoming law changes, it is of absolute importance to first seek the advice of an Immigration Lawyer, who is fully licensed to practice law in a U.S. jurisdiction, to determine, based on each person's individual circumstances, what the appropriate course of action will be. Only a lawyer familiar with U.S. Immigration Law will be able to adequately advise on how to prepare for the upcoming Reform and what documents and information to start assembling.

Once the Reform will take place, whatever changes of the Reform will become new law, the Reform is certain to impact the lives of millions of people. It is very likely that any legalization program will result in a race to file one's papers with the U.S. Immigration Service (USCIS), and the line of filings will

be numbering in the millions before long. One does not want to be unprepared or otherwise taken by surprise, or else one will end up near the back of the line, while others have prepared.

A word of advice to those who will seek the advice and counsel of others: Be careful from whom you accept advice or assistance. As the reality of the Reform will draw nearer, many individuals, of varying skill, expertise, ethics and scrupels will be more than willing to assist potentially millions of would-be applicants, but are they really 'able'?

Seek only the advice from competent, licensed attorneys who focus their practice on U.S. immigration law. Many immigration lawyers are also members of the American Immigration Lawyers Association (AILA), which is also a good source to find competent, reputable legal representation.

Applications filed with the U.S. Government are time-consuming and costly. Do not waste your time or

hard-earned money by allowing unqualified persons to assist you, or worse, prepare papers on your behalf. Do not fall into the temptation of seeking the advice or assistance of so-called "Notarios". "Notarios" in the United States, generally, are NOT licensed to practice law by virtue of being a "Notario" (or Notary Public in English). Notary Publics in the United States are not lawyers, unless they possess a law degree recognized by a U.S. State, and have been licensed by a State to practice law.

Ask among family members, friends, and colleagues, chances are that someone has used the services of an immigration lawyer in the past. Ask around for referrals. When you have found a possible lawyer, ask about his or her experience, ask about his or her professional credentials. You have to build a relationship with an immigration attorney that you can respect and trust.

Once you have located an attorney, contact the attorney to schedule a confidential consultation with the attorney. During this consultation you will be able to freely discuss your situation and get reliable, trustworthy answers to your questions. It is very important to give the lawyer as much information as possible, and always be truthful and honest.

Like a doctor, the lawyer is working FOR you and has your best interest in mind. The lawyer's job is to HELP you. In order to give you the best advice possible, the lawyer needs to fully understand and be aware of your situation. Even if there are things in your past, that you may not be proud of, or things that you have done, that might be less than legal, it is far better to disclose those to your lawyer, than to have Immigration find out about and disclose it later in the application process. Whether or not something in your past

is in fact negative or harmful to a future application, is a question for the lawyer to decide. Help your lawyer help you.

Knowing that the Immigration Reform will eventually happen, although it is not known when exactly, or how exactly, is it important to start preparing now. Start by locating a trustworthy attorney who can assist you with your immigration issues. Schedule a consultation to assess your individual situation properly. Then, based on the lawyer's advice to you, start gathering certain documentation and information. And finally, start saving money for the fees and expenses that will become necessary when it is your time to file your future application.

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