

Froman Law Firm

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Vol. 4, No. 2

A Newsletter for Clients

December 2003

SEASONS GREETINGS and a JOYOUS NEW YEAR TO ALL!

Important Issues and New Developments in Immigration Law

Froman Law Firm Update

As of October 1, 2003, Froman & Wagner LLP ceased operations and **Froman Law Firm** began. FLF will remain in the same offices and with the same phone numbers as Froman & Wagner through the end of February. We expect to finalize our new lease soon, so our new address and numbers will appear in our next newsletter. Meanwhile, we will continue to receive mail and phone calls through 2004 at our current address and numbers.

Bureau of Citizenship and Immigration Services (BCIS), Department of Homeland Security Processing Time Reports

The BCIS has just put processing times on line so that everyone can see how long it is taking to process cases. The page appears on the BCIS website just before you check the automated case status page for progress on your specific case. Here is the web address for the page:

<https://egov.immigration.gov/graphics/cris/jsps/index.jsp?textFlag=N>

This is a lot to type into your browser window, so go to our website, www.getvisas.com and click on the Resources page to find a direct link to the case status report page.

H-1B Processing: Watch Out for Backlogs Again!

Since October 1, 2003, the number of available H-1B's per year has dropped to 65,000, a decrease of almost two-thirds from the 195,000 available the past few years. This may mean that H-1B numbers may run out before the end of Fiscal Year 2004. Congress has still not re-authorized the \$1000 employer surcharge. Therefore, all who apply soon will not have to pay the \$1000 employer surcharge.

Employers, Are You Completing Form I-9 For Each Employee?

Since 1986, every employer has been required to complete INS Form I-9 for each employee and to keep records on file. Form I-9 records the type of identification and work authorization each employee presents to show that they are authorized to work in this United States. As we tighten national security regarding illegal immigration, it is likely more employers will be asked to produce documentation concerning their workforce. If you are an employer and do not know about Form I-9, or are uncertain of the procedures you should follow, contact us for information and assistance concerning the regulations for completing this form and the penalties that employers may face for not complying with the regulations.

Secretary Ridge Calls for Legal Status for Illegal Immigrants

Signaling a change of Administration attitude toward illegal immigrants, Secretary Tom Ridge of the Department of Homeland Security recently stated that he believes the vast majority of illegal immigrants in the United States are not a threat to national security and should be given "some kind of legal status." The *Miami Herald* reported that Ridge's comments came during a town hall meeting at Miami Dade College in response to a question from the audience about whether offering amnesty to illegal immigrants might make them easier to track and make the country safer.

While saying any changes in immigration laws would have to be approved by Congress, Ridge said he believed there was growing momentum to change the way the nation dealt with illegal immigrants.

Have You Moved?

It is now more important than ever to keep the BCIS informed of your moves. Federal Regulations require that you inform the BCIS within 10 days after you have moved to a new address. Before 9/11/2001, this rule was not heavily enforced. Now, it is a different story. The BCIS is now enforcing this rule in an effort to identify and locate all aliens within our country. Therefore, it is important to keep the BCIS informed of any changes of address you have. The Form AR-11, used to report address changes, can be downloaded from the BCIS website. If you have questions about the forms or procedures, call me.

San Diego Wildfire Causes Delay in Processing

Recent events have caused some unanticipated delays in processing cases in our office. Three weeks after changing the law firm from the partnership to Froman

Law Firm, wildfires swarmed through Southern California, destroying more than 2500 houses, including 350 in the Scripps Ranch section of San Diego, where we live. Only one of 40 houses on our street was left standing. We were fortunate to get out without injury but had very little time to save anything before we had to evacuate. Digging out, preparing insurance property inventory lists, and making plans to rebuild has been a second full-time job in addition to working on your cases. As you may imagine, this has caused some actions to take longer than I expected or predicted. I have added staff to help get caught up with processing and expect to be back to normal operations shortly after the first of the year. Thanks for your patience.

This Newsletter is prepared as a service to our clients. It is not intended as a substitute for professional advice in a given case. We welcome feedback concerning the Newsletter or suggestions for future topics to discuss. Please contact us with your specific questions.

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