

HOW TO CHOOSE AN IMMIGRATION ATTORNEY

Where to start looking:

Referrals from friends and family

<https://www.aialawyer.com/>

<https://www.immigrationadvocates.org/nonprofit/legaldirectory/>

How do make sure you have a real attorney?

Verify that they are licensed and in good standing.

(an immigration attorney may be licensed in any state but they MUST BE licensed in the US).

Check their disciplinary record with their state bar.

Check their disciplinary record with EOIR.

(<https://www.justice.gov/eoir/attorney-discipline-program>)

Warning signs that someone may not be a real attorney:

- they refer to themselves as a “consultant,” or “notario,”
- they refuse to provide their credentials or state bar number.

You should leave the 1st meeting knowing:

- What relief the attorney suggests you apply for.
- What the eligibility requirements are.
- How the application process works.
- What your deadlines are.
- The consequences of missing those deadlines.
- What the attorney’s timeline is.
- What part of the process YOU are responsible for.
- What evidence will you need to get/create.
- How often you will have to come in to the office.
- What the cost is and how costs are determined. (Some attorneys do flat fees and some do hourly rate – neither is inherently abusive).

When to get a second opinion:

Before you chose an attorney

When you’re having doubts about the attorney you chose

When NOT to get a second opinion:

When it’s really a fourth opinion and you’re just unhappy with the identical answer you got from the first three attorneys

What to look for:

Someone you feel comfortable talking to.

Someone who explains things clearly, in a way that you understand.

Someone you trust.

At the first meeting:

BRING your relevant documents

DO NOT LIE – if the attorney is asking questions you don’t know the answer to or don’t feel comfortable answering, say that

ASK QUESTIONS – make sure you understand the plan

TAKE NOTES – make sure you will remember the plan

Things to discuss with the attorney (in addition to their plan):

Any other immigration statuses you thought you were eligible for.

You should leave knowing why you are or aren’t eligible for an immigration status. If you are eligible, but the attorney recommends against it, you should know why.

Things to discuss with the attorney (in addition to the law):

- Confidentiality and Duty of Candor.
- How often each of you expects to be in contact.
- How often that contact will be with the attorney v. support staff.
- Each of your preferred methods of contact.
- The role of support staff and paralegals in your case.

Signs of a bad attorney / non-attorney:

- Doesn’t sign the forms they prepare.
- *Promises* a certain outcome.
- Is not honest with you about their fees, or does not explain fees.
- Suggests applying for a work card without explaining why/how you are eligible.
- Encourages you to lie.