



University of Colorado
Denver | Anschutz Medical Campus

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HIRING AN IMMIGRATION ATTORNEY

(Revised February 10, 2025)

Finding a good immigration attorney is important. You will likely spend considerable time and money working with your attorney. As with any important decision, research your options thoroughly and take the time to make an educated choice.

Immigration law is complex and changes frequently. Attorneys, also called “lawyers,” complete a professional degree and are licensed by states to practice law. Most attorneys select an area of specialization such as immigration, criminal law, family law, or trusts and estates. An attorney practicing immigration law should have a thorough understanding of laws and procedures that pertain to non-US citizens. A good immigration lawyer will be able to explain the legal options that are available, answer questions competently, and correctly prepare and file immigration petitions or represent clients before federal immigration agencies (such as US Citizenship & Immigration Services [USCIS] and the Immigration Courts).

PROTECT YOURSELF AGAINST FRAUD WHEN SEEKING OUT LEGAL ADVICE

Before consulting with or hiring an immigration attorney, it is important to confirm that they have a valid and current license to practice law in the United States. Those who claim to be able to help you with immigration matters, but do not have a law license, may be breaking the law or lack the proper training. Fraudulent or incomplete legal advice could result in the denial of an immigration benefit application, cause delays or make your position much more difficult or impossible to defend in immigration court. For more information on protecting yourself from fraud while seeking legal advice, please visit <https://stopnotariofraud.org>.

WHEN SHOULD YOU HIRE AN IMMIGRATION ATTORNEY?

Hiring a competent immigration attorney can save you many hours of work interpreting often complex immigration procedures and preparing paperwork and petitions and can help you avoid unnecessary processing delays. A lawyer should be consulted if you have a complicated situation that is beyond the scope of International Student & Scholar Services.

There may be situations where a person can successfully file a petition with immigration without the help of an immigration attorney, depending on the complexity of the case. If you decide to file an application or petition on your own, you may want to pay for an initial consultation with a qualified lawyer to get you started. To file successfully, you must learn in detail about the procedures and requirements of your particular petition type. We advise starting as early as possible to allow enough time for each step of the process. Begin by visiting the United States Citizenship and Immigration Services website at www.uscis.gov for forms, fees, and detailed instructions. We do not recommend calling the USCIS National Customer Service Center for advice.

Additional considerations: If you are not a U.S. citizen and: 1) you are undocumented; 2) you or your family receive (or are considering) certain public benefits, 3) you have a criminal history, 4) you or a member of your immediate family was the victim of a serious crime (ex. domestic violence, assault, sexual violence) or 5) you are currently in immigration proceedings before an immigration judge, it is a very good idea to consider consulting a qualified immigration lawyer to learn about the options available to you.

SPECIAL ISSUES FOR EMPLOYEES OF THE UNIVERSITY OF COLORADO DENVER

International Student and Scholar Services in the Office of International Affairs is the only office authorized by the Chancellors to oversee and sign immigration paperwork for the University of Colorado Denver | Anschutz Medical Campus. We handle most matters related to F and J visas and utilize specific law firms to prepare and file employment-based immigration cases based on employment with the university.

Students, faculty, or staff members may want to consult with an outside immigration attorney about their options or may need the services of an outside immigration attorney to handle personal immigration matters. For example, there are two types of immigrant visas based on employment in the United States that a foreign person could file on her or his own behalf: extraordinary ability first preference and national interest waiver second preference. There are also a variety of immigration options through close family members who are permanent residents or U.S. citizens. Even in cases where the university handles the initial stages of an employment-based case on behalf of an international employee, the University does not prepare applications for adjustment of status to permanent residence or for immigrant visas after the University's applications and petitions are approved.

We strongly recommend that those inquiring about general or personal immigration matters consult a reliable source of information. ISSS staff members do not have the experience or expertise to advise you on all legal matters that may arise during your stay in the U.S.

USEFUL WEBSITES

We recommend the websites below for those who want to research immigration topics because they contain accurate information about U.S. immigration laws and procedures. Be forewarned that applying the general information available on these sites to your own particular situation can be difficult and even dangerous.

- United States Citizen and Immigration Services: www.uscis.gov
- Immigration and Customs Enforcement Student and Exchange Visitor Program for information about F and J visas: www.ice.gov/sevis
- Department of State Visa Office: www.travel.state.gov
- U.S. Department of Labor: www.foreignlaborcert.doleta.gov
- American Immigration Lawyers Association: www.aila.org

FINDING A LOCAL IMMIGRATION ATTORNEY

The website of the American Immigration Lawyers Association includes an **Immigration Lawyer Search** tool that you can use to find a local immigration attorney who is a member of that organization. See www.ailalawyer.com

WEBSITES OF LAW FIRMS SPECIALIZING IN IMMIGRATION LAW

- Knudson & Associates: <https://knudsonandassociates.com/>
- Battan Alpert LLP: <https://www.battanalpert.com/>
- Ogletree Deakins: <https://ogletree.com/locations/denver/>
- Caplan & Earnest: <http://celaw.com/>
- Fredrikson & Byron: <https://www.fredlaw.com/>
- Elkind, Alterman & Harston PC: www.eahimmigration.com

- Curray York & Associates: <http://cyavisalaw.com/>
- Hanes and Bartels, LLC: <http://hanesandbartels.com/>
- Carl Shusterman & Associates: www.shusterman.com
- Latour & Lleras, P.A.: www.usvisanews.com
- Sheela Murthy, P.C.: www.murthy.com
- Siskind Susser: www.visalaw.com
- Maggio-Kattar: www.maggio-kattar.com
- David Ware & Associates: www.david-ware.com

ORGANIZATIONS THAT ADVOCATE FOR IMMIGRANTS & IMMIGRATION

- American Civil Liberties Union: www.aclu.org/immigrants-rights
- American Immigration Council: www.americanimmigrationcouncil.org
- Center for Human Rights & Constitutional Law: www.centerforhumanrights.org
- Immigration Advocates Network: www.immigrationadvocates.org
- International Trial Attorneys Association: www.ita.org
- National Immigration Law Center: www.nilc.org
- National Immigration Law Project of the National Lawyers Guild: www.nationalimmigrationproject.org
- The Denver Office of Immigrant & Refugee Affairs:
www.denvergov.org/content/denvergov/en/human-rights-and-community-partnerships/our-offices/immigrant-and-refugee-affairs.html

LOW COST/NO COST LEGAL ASSISTANCE FOR THOSE WITH LIMITED FINANCIAL MEANS

Please note, the University does not endorse any of the following entities, and does not guarantee any specific results. Contacting these entities and/or paying for their services is the sole responsibility of the individual seeking such services.

- **U.S. Department of Justice** – Executive Office for Immigration Review (EOIR) website includes a list of Pro Bono legal service providers for individuals in removal proceedings and other resources. <https://www.justice.gov/eoir/find-legal-representation>
- **Colorado Legal Services:** Helps qualifying low-income individuals solve legal problems. Does not assist with criminal matters. <https://www.coloradolegalservices.org/>
- **CU Boulder Law Clinic** - <https://www.colorado.edu/law/academics/clinics/immigration-clinic>
- **Legal Night at Mi Casa Resource Center:** Offer free legal information from volunteer attorneys in the following areas: credits, employment, family, immigration, housing, and landlord/tenant issues. www.micasaresourcecenter.org/supportive-services/legal-night
- **Metro Volunteer Lawyers:** Providing free and low-cost civil legal services to those in need in the Denver Metro area. www.metrovolunteerlawyers.org
- **Catholic Charities Immigration Services:** Provide representation in family visa processing, naturalization/citizenship, deportation defense. Offer translation, outreach services and educational materials. www.ccdenver.org/services/immigration-services

- **Center for Trauma & Resilience:** Provide legal assistance to immigrant spouses, children and parents who have suffered abuse from a U.S. Citizen or Legal Permanent Resident. <http://traumahealth.org>
- **City of Littleton Immigrant Resource Center:** Provide English as a Second Language services as well as assisting Legal Permanent Residents to become U.S. Citizens. www.littletonimmigrants.org
- **Colorado Immigrant Rights Coalition – Denver:** Provide application support in naturalization/citizenship. <https://coloradoimmigrant.org/>
- **Ecumenical Refugee and Immigration Services:** Provide assistance for refugees and asylee individuals and families. www.mvarga.weebly.com
- **Lutheran Family Services Rocky Mountains – Immigration Legal Services:** Serve low-income immigrant newcomers. Provide legal counseling in family based immigration and naturalization law. www.lfsm.org
- **Rocky Mountain Immigrant Advocacy Network (RMIAN):** Work to ensure justice for adults in immigration detention in the DHS Colorado Detention Facility in Aurora and for immigrant children who have suffered from abuse, neglect, or violence. www.rmian.org
 - **To contact RMIAN on behalf of someone who is detained, call (303) 866-9308.**
- **Spring Institute for Intercultural Learning:** Provide representation for naturalization/citizenship. Offer translation, outreach services and educational classes. <https://springinstitute.org>

QUESTIONS TO ASK BEFORE YOU HIRE AN IMMIGRATION ATTORNEY

How long have you been practicing immigration law? How much of your work is immigration related? How much experience do you have in _____ (your particular issue)?

We recommend that you look for an attorney who does all or most of their work in immigration law.

Will you provide an initial consultation before I hire you to take my case?

If so, be sure to find out how much the consultation will cost and how long it will be.

What is the best way for me to contact you?

Is the attorney accessible via cell phone voice and text, email, and/or office phone?

Who will be handling the details of my case?

Will you contact the attorney or a paralegal with questions? What is the training and experience of the paralegal?

Who will choose the attorney and pay the legal fees for an employment-based petition?

In employment-based cases, the employer may make the choice about which attorney will be used. The employer may designate either an “in house” attorney or immigration specialist who works for the company or an outside attorney who will be paid a fee by the employer. In some cases, the employer pays and in some cases the fee is split between employee and employer. An employment-based petition will involve you, the employer, and the attorney. Even if the employer pays the fees, you are also the attorney’s client. You can and should ask questions and talk to the attorney directly about the progress and details of your petition.

How much will it cost to hire you to handle my case?

Rates vary significantly based on geographic location, the specifics of your situation, and other factors. Be sure to ask *before* the work begins what the legal fees and other costs will be. Be sure that you understand exactly what services the fees will include.

Will I be charged a flat rate, or an hourly rate? If it is a flat rate, what services does the flat rate include?

If the attorney charges an hourly rate, ask how they handle phone calls and emails. If the attorney charges a flat rate and if an initial petition requires additional evidence or is denied, will the response or an appeal cost more?

Will I have to pay before the work starts (“up front”) or after services have been provided?

Some attorneys will ask to be paid a “retainer,” which is a partial fee paid in advance for his/her professional services. Many attorneys who charge a flat fee will require all or part of the fees and costs before starting the work. However, the attorney has to complete work (often in stages) to earn the fee and must be able to explain how the fee is used.