



Joseph Law Firm, P.C.

Immigration Law Specialists

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NEWSLETTER

July/August 2010

To read more up-to-date news on immigration issues and Joseph Law Firm, P.C. visit our Blogs at:

josephlawfirm.blogspot.com

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Denver Metro Location:

12203 E. Second Avenue

Aurora, CO 80011

(303) 297-9171

Colorado Springs Location:

963 E. Colorado Avenue

Colorado Springs, CO 80903

(719) 434-5660

JOSEPH LAW FIRM, P.C. NEW WEBSITE DEDICATED TO BUSINESS IMMIGRATION

In June, Joseph Law Firm, P.C. launched a new website dedicated to business immigration. The new website is located at www.businessimmigrationissues.com. Be sure to check out our Blog on the new site, too! The firm will continue to maintain its original website dedicated to family, removal, and individual related immigration issues located at www.immigrationissues.com.

COLORADO SPRINGS OFFICE

If you or someone you know lives south of the Denver Metro area, Joseph Law Firm, P.C. now has an office in Colorado Springs, located at: **963 East Colorado Avenue, Colorado Springs, CO 80903**. To schedule an appointment at the Colorado Springs office please call **719-434-5660**.

JLF Attorneys Speak at 2010 AILA Annual Conference

In June Joseph Law Firm, P.C. (JLF) attorneys Jeff Joseph, Kirby Gamblin Joseph, Melanie Corrin, and Emily White spoke at the American Immigration Lawyers Association (AILA) 2010 Annual Conference in Washington D.C. Jeff presented on the litigation of I-9 issues in employer sanctions cases. His presentation covered what happens when the I-9 audit goes to the litigation stage, and different strategies for successful litigation before the Office of the Chief Administrative Hearing Officer (OCAHO). Kirby spoke about law practice management. She was the discussion leader of her panel specifically dealing with attracting, retaining and promoting legal support staff and associates. Melanie's presentation covered fraud accusations in marriage-based permanent resident applications, and the ways in which attorneys can assist clients in responding. She also spoke about how to ethically withdraw if attorneys feel their professional responsibilities require them to do so. Emily presented on a panel regarding criminal waivers of inadmissibility and removal. Specifically, her presentation covered the waiver formerly available at section 212(c) of the Immigration and Nationality Act. Although that section was repealed with the Illegal Immigration Reform and Immigration Responsibility Act of 1996 (IIRAIRA), it remains a form of relief from inadmissibility and removal for certain legal permanent residents with criminal convictions prior to 1996. Her presentation covered threshold eligibility requirements for the 212(c) waiver, when and how it can be used, the split between the U.S. Circuit Courts on the availability of the relief, and recent Petitions for Certiorari to the U.S. Supreme Court. JLF attends the annual AILA conference each year. At the conferences, JLF attorneys are able to share their wealth of knowledge with other immigration practitioners while gaining new insight and perspective from colleagues from around the country.

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Immigration News Updates!

Temporary Protected Status Designation for El Salvador Extended

The Department of Homeland Security (DHS) has extended Temporary Protected Status (TPS) for eligible nationals of El Salvador. The previous expiration was September 9, 2010, but now has a new expiration date of March 9, 2012. DHS and the Department of State reviewed the conditions in El Salvador and found that the conditions that prompted the 2001 TPS designation persist and temporarily prevent El Salvador from adequately handling the return of its nationals. Individuals who have been granted TPS are eligible to register and maintain their status for an additional 18 months. Approximately 217,000 nationals of El Salvador (and those having no nationality who last habitually resided in El Salvador) may be eligible for re-registration (TPS does not apply to Salvadoran nationals who first entered the United States after February 13, 2001).

TPS beneficiaries must re-register during the re-registration period from July 9 until September 7, 2010. It is important to re-register as soon as possible to allow sufficient time for U.S. Citizenship and Immigration Services (USCIS) to complete the routine background checks and further application processing. USCIS will issue new Employment Authorization Documents (EADs) to eligible TPS beneficiaries who timely re-register and apply for EADs; however, USCIS will automatically extend the validity of existing EADs held by Salvadoran TPS beneficiaries for six months, through March 9, 2011. This automatic extension will allow sufficient time for eligible TPS beneficiaries to re-register and receive an EAD without a lapse in employment authorization.

TPS beneficiaries must submit Form I-821, Application for Temporary Protected Status, to re-register. Those seeking an extension of employment authorization must file Form I-765, Application for Employment Authorization, with the required fee. If an individual is seeking to only re-register for TPS, the applicant must still file Form I-765 for data-gathering purposes; the filing fee is not required. Re-registrants age 14 and older must submit the biometric fee. Applicants who are able to demonstrate an inability to pay may request a fee waiver for the application, biometric service fees, or both. Failure to submit the required application and biometric fees or a properly documented fee waiver request will result in the rejection of the re-registration application.

If you would like additional information about TPS applications procedures and requirements, or if you have any questions, please contact JLF at the Denver Metro location (303-297-9171) or the Colorado Springs location (719-434-5660), or visit us online at www.immigrationissues.com.

ICE Announces Launch of Online Detainee Locator System

On July 23, 2010, U.S. Immigration and Customs Enforcement (ICE) announced the launch of its Online Detainee Locator System (ODLS), a public, Internet-based tool. ODLS is designed to assist family members, attorneys, and other interested parties in locating detained aliens in ICE custody. ODLS is located on ICE's public website www.ice.gov, and provides information on the location of the detention facility where a particular individual is being held, a phone number to the facility, and the contact information for the ICE Enforcement and Removal Office in the region where the facility is located. A brochure explaining ODLS is also available on the website in English, Spanish, French, Mandarin, Vietnamese, Portuguese, Russian, Arabic, and Somali.

ODLS users will be able to locate detained aliens by either entering the individual's alien registration number (also known as "A" number) and the country of birth, or by entering the individual's first and last name, country of birth, and date of birth. The agency is committed to detainee privacy; therefore, responses to ODLS queries are only generated if the information entered is an exact match to the data in the system. ICE limits the availability of data within the ODLS to ensure users cannot phish the system for information. For example, ODLS will not provide additional biographical information about an individual detainee other than what the user has already entered (if a user searches by first and last name and country of birth, the system will not provide the detainee's "A" number, vice versa). The creation of ODLS is said to be a concrete example of ICE's commitment to detention reform.

OUR SERVICES

Joseph Law Firm, P.C. —

A full service Immigration law firm for over ten years. We use our knowledge, teamwork, professionalism and expertise to provide the highest quality legal services and results to individuals and businesses, one client at a time.

Our attorneys are all members of the American Immigration Lawyers Association, the national association of Immigration attorneys.

We have successfully represented clients before the Citizenship and Immigration Service, the Immigration Courts, the Board of Immigration Appeals, and the Federal Courts.

Visit our websites at:

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