



Joseph Law Firm^{PC}

Immigration Law Specialists

Newsletter

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Immigration News

UNDOCUMENTED IMMIGRANTS PAY SUBSTANTIAL STATE AND LOCAL TAXES

Contributed by Courtney Butler, Associate Attorney

On February 24, 2016, the Institute on Taxation and Economic Policy released a 50-state study titled "Undocumented Immigrants' State and Local Tax Contributions." The study found that the 11 million undocumented immigrants currently living in the United States pay \$11.64 billion in state and local taxes per year. This is an average of approximately 8% of the immigrants' incomes, while the top 1% of United States taxpayers pay an average of just 5.4% of their incomes. In Colorado, undocumented immigrants pay almost \$135 million in state and local taxes.

Undocumented immigrants pay taxes in a variety of ways. More than 50% of undocumented households currently file income tax returns using Individual Tax Identification Numbers (ITINs). Many who do not file tax returns still have taxes deducted from their paychecks. Undocumented immigrants also pay sales and excise taxes when they purchase goods and services, and they pay taxes on their homes, either directly as owners or indirectly as renters.

The state and local tax contributions of undocumented immigrants would increase by \$805 million if President Obama's 2012 and 2014 executive actions are fully implemented. The tax contributions would increase by \$2.1 billion under comprehensive immigration reform, if all undocumented immigrants in the United States were permitted to work legally. In Colorado, the tax contributions with implementation of President Obama's executive actions would increase over \$16 million, while comprehensive immigration reform would increase tax contributions by almost \$36 million.

Creating a pathway to citizenship for the 11 million undocumented immigrants currently in the United States would boost tax revenue significantly, resulting in a substantial benefit to the United States.



DHS FINAL RULE FOR STEM STUDENTS AND CAP-GAP RELIEF

Contributed by Koby Polaski, Senior Attorney

Following much anticipation, the Department of Homeland Security (DHS) is issuing a final rule that will allow certain foreign students with science, technology, math, or engineering (STEM) degrees to extend their optional practical training or "OPT" period by two years. The rule will take effect May 10, 2016.

As previously reported on our blog, agency regulations from 2008 were the subject of litigation because DHS failed to follow established procedures for their implementation. Per an order from a district court judge overseeing the case, DHS had to implement regulations, following the proper procedure, by a certain date, or STEM OPT would expire. This, of course, left many students panicking about their futures.

Fortunately, DHS properly implemented a new rule by the court-imposed deadline. The final rule will give STEM graduates a total of three years of OPT – an increase from the 29 months they are afforded under current regulations. The rule also imposes strict new requirements on students and employers to ensure integrity and compliance. These include, among other things, a requirement for individualized training plans developed by the employer and student; requiring the student to regularly report to the university's designated school official; and allowing extensions only to students with degrees from accredited schools.

We are relieved to know that talented and motivated students have the option to stay in the United States in STEM OPT status for up to three years after graduation.

THE WRONG HELP IS NO HELP

Contributed by Linda Shindler, Paralegal

U.S. Citizenship & Immigration Services (USCIS) warns foreign nationals in need of immigration assistance to be wary of whom they trust with their cases. While there are many individuals and businesses who offer help – for a fee – not all are qualified to do so. Some are sincere and truly want the best for you, but they do not have the knowledge or qualifications to ensure your case is properly prepared, leaving you open to having your application denied and possibly finding yourself in removal proceedings or unable to enter the United States. Sadly, others run scams, knowing that they do not have the ability to help you and wanting only to take your money. Whether sincere or dishonest, the end result is that you could be trusting your future to someone who may cause more harm than good.

USCIS reminds you that only an attorney or accredited representative is authorized to give legal advice. Remember, the wrong help is no help at all. For your own protection or that of your family members, be sure that your immigration help comes from an attorney or other authorized person. It will not only save you money, it could save you much time and heartache.



FIRM NEWS



JEFF JOSEPH AND AARON HALL RECOGNIZED BY SUPER LAWYERS

Super Lawyers recognizes attorneys who have distinguished themselves in their legal practice. Their patented selection process is rigorous and results in third-party validation of the attorneys professional accomplishments. Please congratulate Jeff and Aaron on this outstanding achievement!



ASSOCIATE ATTORNEY, ALEX MCSHIRAS, JOINS JLF TEAM

Alexander McShiras has a passion for representing clients and for solving complex immigration issues. He is a graduate of the University of Denver Sturm College of Law. He earned his undergraduate degree in International Studies and Hispanic Studies from Boston College. He also has a Masters of Arts degree in International Relations from Marquette University. While at Boston College, Alex studied abroad at the Universidad de San Francisco in Quito, Ecuador.

Prior to attending law school, Alex was a paralegal at Joseph Law Firm (JLF) from 2008-2009. He also has worked as a paralegal for the Florence Immigrant and Refugee Rights Project in Florence, AZ. After graduating from law school, Alex worked for another local immigration law firm before recently rejoining JLF. Alex will represent clients in both our Aurora and Colorado Springs offices. He is bilingual in English and Spanish.



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