

Hiring an Immigration Attorney

The International Office at North Park University is charged with helping international students on non-immigrant student visas and their dependents. We are not qualified to offer legal advice on other visa categories. If you would like information on immigration matters, we recommend that you speak with a reputable attorney or organization that has experience dealing with immigration to the United States. They will be able to give you the best advice.

Information about Immigration Attorneys

Why should you consider hiring an immigration attorney?

Hiring a competent immigration attorney can help you determine whether you qualify for an immigration benefit, avoid unnecessary processing delays and expenses, save many hours of work interpreting Department of Homeland Security procedures, and prepare paperwork and petitions. Immigration attorneys may be specialized within the field of immigration law with some focus on family-based immigration, asylum, deportation, or employment-based immigration or citizenship matters. Most of these matters require legal expertise, whether it is an asylum claim, a hearing before an immigration judge or seeking an H-1B or green card based on employment.

Some family-based immigration matters can be successfully pursued by an individual with guidance provided on the web site of U.S. Citizenship and Immigration Services (www.uscis.gov). A family-based permanent residency application (e.g., based on marriage to a U.S. citizen) may be prepared by the foreign national and her or his spouse. However, it is still best to consult with an attorney to have the applications reviewed before filing. You will need to become completely informed about the procedures and requirements of your particular petition type and be prepared to begin early to allow ample time for each step of the process.

You should be particularly cautious about obtaining advice or assistance solely online. You will find a bewildering array of advice, much of it inaccurate or conflicting, and there are also bad actors posing as knowledgeable lawyers. While some well-known attorneys maintain good general information on the web, it is no substitute for an actual consultation. Also be careful for web sites which appear to be official agency web sites, but are not (e.g., www.uscis.net). They may charge you for forms and filing instructions which are downloadable for free from government websites.

When should you hire an immigration attorney?

Attorneys are regularly involved in H-1B petitions for “special occupation workers,” O applications for “persons of extraordinary ability,” and for employment-based permanent residency (“green card”) applications. There are some situations in which a person can successfully file a petition with the U.S. Citizenship and Immigration Services (USCIS) without the help of an immigration attorney. A family-based permanent residency application (i.e. based on marriage to a U.S. citizen) is one such example. If you decide to file a petition on your own, you may want to pay for an initial consultation with a qualified lawyer to get you started. You must become completely informed about the procedures and requirements of your particular petition type and be prepared to begin early to allow ample time for each step of the process. Begin by visiting the USCIS website (www.uscis.gov) to find forms and general information.

Questions to Ask Before You Hire an Immigration Attorney:

- ***How long has the attorney been practicing immigration law?*** What percentage of her or his practice is immigration law? Find an attorney who does all or most of his/her work in immigration law.
- ***Is the attorney licensed to practice law in the state where you are located?*** While immigration law is a federal matter, it could be more difficult to seek redress against an attorney if he or she is not licensed in the state where you live.
- ***How much experience does the attorney have in your particular type of immigration case? What percentage of her or his practice is in the area of your application (e.g., employment-based immigration)?*** Don't ask for success rates or rate of approval since many factors influence such and most attorneys do not maintain such statistics.
- ***Can the attorney provide a reference?*** Membership in professional associations such as the American Immigration Lawyers Association may show a focus in the field but do not guarantee that the attorney is competent or specialized in the field relevant to your matter.
- ***Will the attorney offer an initial consultation before you hire him/her to take your case?*** If so, be sure to find out how much the consultation will cost, what it will cover, and how long it will be.

- **How will you contact the attorney if you hire her or him?** Is he/she accessible via cell phone, e-mail, or office phone?
- **Who will be handling the details of your case?** Will you contact the attorney or a paralegal with questions? What kind of training and experience does the paralegal have?
- **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.
- **Who will be the attorney’s “client” in employment-based immigration?** An employment-based petition will involve you, the employer and the attorney. In a green card case, the attorney may have ethical responsibilities to both the employer and you, even if only the employer is paying the costs. For example, if you were to tell the attorney you were leaving the employer, the attorney might be required to inform the employer. Be sure to have the attorney issue a written agreement covering fees and costs and which sets forth her or his ethical responsibilities to you and to the employer.
- **How much will it cost to hire the attorney for your case?** Rates vary significantly based on geographic location, your specific situation, and other factors. Again, a written agreement should be entered into.
- **Will you be charged a flat rate, or an hourly rate?** If it is flat rate, what services does the flat rate include? For example, a typical flat fee rate will not include an appeal of a petition which is denied.
- **Will you pay before (“up front”) or after services have been rendered?** Most attorneys will require a portion of all of the fees in advance for an individual client with whom they have not previously worked. Immigration attorneys will typically not take a case on the basis of a “contingent fee,” in which the attorney is paid by the client only if the case is approved. Many attorney agreements provide that the fee paid up front is “non-refundable,” even if you decide to cancel work on the case after the attorney is retained. You may wish to have this changed to say that if you cancel, you will pay only for services which have been provided on a *pro rata* basis.
- **What do I do if the attorney becomes unresponsive or is not following through on our agreement?** Do not be shy about asking questions and talking to the attorney about the progress and details of your petition. On the other hand, don’t needlessly hound the attorney for your case status if it is within the timeframe which was contemplated when you retained the attorney. You may be charged additionally for such behavior. Each state has an organization which monitors attorney conduct and will respond to complaints filed by clients about attorney conduct. In Illinois, this organization is the Attorney Registration and Disciplinary Commission. Before you would file such a complaint, you should make an effort to bring your concerns to the attention of the attorney in writing.
- **What is the difference between retaining an attorney and going to a non-profit agency?** An attorney is licensed to give legal advice and is fully responsible for such advice and conduct. An agency may or may not have an attorney on staff and may not assume such responsibility for your matter. While free advice or low cost services may be available from an agency, the agencies tend to be focused on family, asylum, deportation and citizenship matters as opposed to employment-based immigration. Be sure to ask to speak directly with the attorney on staff at the agency. Some agencies may only be able to provide service to you if you do not have a high income or other financial resources available to you.

How do I find an immigration attorney or non-profit organization that can help me?

1. **American Immigration Lawyers Association (AILA) Immigration Lawyer Referral Service:** AILA is a national bar association of over 11,000 attorneys who practice immigration law. To access the AILA referral service, use the web-based search on www.aila.com.
2. **American Bar Association (ABA):** For general information about the legal system and hiring an attorney, visit the ABA website at www.abanet.org.
3. **Illinois Coalition for Immigrant and Refugee Rights:** The ICIRR has a list of recommended lawyers in the state of Illinois on their website at <http://icirr.org/sites/default/files/attorney%20referral.pdf>.
4. **Non-Profit Organizations in Chicago:** Please see the attached chart for a list of non-profit organizations in the Chicago area that work on immigration issues. Some of these organizations have attorneys on staff.

Non-Profit Agencies in Chicago Providing Free or Low-Cost Assistance on Immigration Matters

Name	Address	Phone	Website
Assyrian Universal Alliance Foundation	7055 N. Clark St, Chicago, IL 60626	773-274-9262	http://aua.net
Cambodian Association of Illinois	2831 W. Lawrence Ave, Chicago, IL 60625	773-878-7090	www.cambodian-association.org
Catholic Charities Immigration & Naturalization Services	651 W. Lake St, Chicago, IL 60661	312-427-7078	www.catholiccharities.net/services/immigration
Centro Romero*	6216 N. Clark St, Chicago, IL 60660	773-508-5300	www.centroromero.org
Chicago Irish Immigrant Support	3525 S. Lake Park Ave, Chicago, IL, 60653	1-888-353-CIIS	http://ci-is.com/
Chicago Legal Clinic, Inc.*	2938 E. 91 st St, Chicago, IL 60617	773-731-1762	www.clclaw.org
Chinese American Service League	2141 S. Tan Court, Chicago, IL 60616	312-791-0418	www.caslservice.org
Chinese Mutual Aid Association	1016 W. Argyle St, Chicago, IL 60640	773-784-2900	http://chinesemutualaid.org
Coalicion Internacional de Mexicanos en el Exterior (CIME)	2700 W 59th St, Chicago, IL 60629	773- 925-8945	
Counseling Center of Lakeview	3225 N. Sheffield Ave, Chicago, IL 60657	773-549-5886	www.cclakeview.org
Ethiopian Community Association of Chicago	1730 W. Greenleaf Ave, Chicago, IL 60626	773-728-0303	http://ecachicago.org
Frida Kahlo Community Organization	1244 W. 18th St, Chicago, IL	312-421-7599	
Hanul Family Alliance	5008 N. Kedzie Ave, Chicago, IL 60625	773-478-8851	www.hanulusa.org
Hebrew Immigrant Aid Society	216 W. Jackson St, Ste 700, Chicago, IL 60606	312-357-4666	www.jfcschicago.org
Hellenic Family and Community Services	6251 W. Touhy Ave, Chicago, IL 60646	773-631-5222	
IIT Kent College of Law*	565 W. Adams, Chicago, IL 60661	312-906-5047	www.kentlaw.edu/academics/clinic/immigration
Indo-American Center	6328 N. California Ave, Chicago, IL 60659	773-973-4444	www.indoamerican.org
Instituto del Progresando Latino	2570 S. Blue Island Ave, Chicago, IL 60608	773-521-0055	www.idpl.org
Korean American Community Services	4300 N. California Ave, Chicago, IL 60618	773-583-5501	www.kacschicago.org
Lao American Community Services	4750 N. Sheridan Rd, Ste 369, Chicago, IL 60640	773-271-0004	www.lacschicago.org
Latinos Progresando	3047 W. Cermak Rd, Chicago, IL 60623	773-542-7077	www.latinospro.org
Legal Assistance Foundation of Metropolitan Chicago*	111 W. Jackson Blvd, 3 rd Flr, Chicago, IL 60604	312-341-9617	www.lafchicago.org
Life Span Center for Legal Services*	20 E. Jackson Blvd, Ste 500, Chicago, IL 60604	312-408-1210	www.life-span.org/legal
Lithuanian Human Services Council	2711 W. 71 st St, Chicago, IL 60629	773-476-2655	http://javlb.org/humansvc
National Immigrant Justice Center*	208 S. LaSalle St, Ste 2000, Chicago	312-660-1370	www.immigrantjustice.org
Northwestern University School of Law Bluhm Clinic	375 E. Chicago Ave, Chicago, IL 60611-3069	312-503-8576	www.law.northwestern.edu/legalclinic
Office of U.S. Representative Luis Gutierrez	2201 W. North Ave, Chicago, IL 60647	773-342-0774	www.gutierrez.house.gov
Polish American Association	3834 N. Cicero Ave, Chicago, IL 60641	773-282-8206	www.polish.org
Refugee One (Interfaith Refugee & Immigration Ministries)	4753 N. Broadway, Ste 401, Chicago, IL 60640	773-989-5647	www.refugeeone.org
Sin Fronteras Law Program*	2716 W. Division St, Chicago, IL 60622	312-445-8860	www.psf-law.com
South East Asia Center	5120 N. Broadway St, Chicago, IL 60640	773-989-6927	www.se-asiacenter.org
United Neighborhood Organization (UNO)	954 W. Washington Blvd, 3 rd Flr, Chicago, IL 60607	312-432-6301	http://uno-online.org
United Network for Immigrant and Refugee Rights (Chicago)	1620 18 th St, Chicago, IL 60608	312-563-0002	www.nnirr.org/immigration/immigration_map
Urhai Community Service Center	2945 W. Peterson Ave, Ste 204, Chicago, IL 60659	773-275-2688	http://urhaicenter.org
Vietnamese Association	5110 N. Broadway St, Chicago, IL 60640	773-728-3700	www.hnvi.org
World Relief (Chicago)	3507 W. Lawrence Ave, Ste 208, Chicago, IL 60625	773-583-9191	http://worldrelief.org

* These organizations have attorneys on staff.