



Immigration Law

Globalization is dramatically impacting the way we do business as well as the way we live and work in the United States. Chances are that at least one of your employees, friends or colleagues is facing immigration-related needs or challenges. For a foreign national, the ability to live and work in the United States is more complicated than ever before.

Clients retain Foster Swift immigration attorneys because they have experience with these challenges and are able to assist with solutions. We advise and represent domestic and foreign clients in both business and personal immigration matters, providing representation to domestic corporations, employers of foreign national employees, executives, institutions of higher education and individuals. Immigration benefits are most commonly sought in the following broad categories:

EMPLOYMENT-BASED BENEFITS

An employer may wish to sponsor a foreign national for employment, or a individual may wish to visit or work in the U.S., on one of the following visa types:

- B-1 Business Visitor
- E-1 Treaty Trader
- Green Cards
- H-1B Person in a Specialty Occupation
- H-2A Agricultural Worker
- H-2B Seasonal Worker (non-agricultural)
- H-3 Nonimmigrant Trainee (seeking on-the-job training)
- J-1 Exchange Visitor
- J-1 Waiver of Physical Presence Requirement
- Labor Certification
- L-1 Intracompany Transferees
- O-1 Persons of Extraordinary Ability in the arts, athletics, business, education or science
- P-1 Athletes, entertainment groups and their support personnel
- Q-1 Participants in International Cultural Exchange Programs

ATTORNEYS

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RELATED PRACTICES

Business Law
International Business & Trade



- R-1 Religious Workers
- Schedule A (Nurses or Physical Therapists)
- TN Professionals (NAFTA)

Foster Swift immigration attorneys prepare and review many of these applications. Foster Swift also provides legal services to individuals with ancillary legal issues that may arise from pending applications.

FAMILY-BASED BENEFITS

Foster Swift attorneys regularly assist applicants seeking immigration benefits based upon the petition and support of family members, specifically:

- K-1 Fiancé or Fiancée of U.S. Citizen
- Green Cards, based upon:
 - Marriage to a U.S. Citizen
 - Siblings of U.S. Citizens
 - Parents or Children of U.S. Citizens
 - Spouses or Children of Legal Permanent Residents (Green Card Holders)
- International adoption
- Removal of conditions (for conditional Green Cards)

INVESTOR BENEFITS

Foster Swift has the expertise to assist an applicant seeking immigration benefits based upon investment in a U.S. enterprise, such as:

- EB-5 Investor Visas (resulting in Green Card)
 - Regional Center Pilot Program
- E-2 Treaty Investor Visas

Visit invest2usa.com to learn more about how Foster Swift and International Michigan Investment can assist you.

I-9 COMPLIANCE & EMPLOYER SANCTIONS

Since 1986, the U.S. has placed upon employers the burden of acting as gate-keepers in the enforcement of immigration employment authorizations, via the intake and management of Form I-9 for all new hires. At the same time, employers must be very careful not to discriminate against authorized employees or candidates for employment based on citizenship or national origin. The result is a very fine line that employers are required to walk, with steep pitfalls (business disruption, substantial fines, negative publicity, discrimination lawsuits, and criminal penalties) awaiting any missteps.



Foster Swift assists businesses in taking a proactive approach to their I-9 compliance obligations, and in responding to allegations of breach and employer sanctions, including:

- Employer Sanctions Defense
- I-9 Program Counseling for Businesses
- Preparation of comprehensive internal I-9 Compliance Policy
- Response and Defenses to Immigration and Customs Enforcement ("ICE") Audits or Raids

PUBLICATIONS & ALERTS

I-9 Compliance & E-Verify – A Potentially Useful Tool, But Not A Substitute For A Comprehensive Compliance Policy, *Foster Swift Agricultural Law Update*, January 2012

I-9 Compliance is a "Hot" Area - How to Avoid Getting Burned, *Foster Swift Employment, Labor & Benefits Quarterly*, Fall 2011

I-9 Compliance is a "Hot" Area - How to Avoid Getting Burned, *Foster Swift Agricultural Law Update*, July 2011

H-1B VISAS REMAIN AVAILABLE!, *Foster Swift Business & Corporate Law Report*, Spring 2011

The Basics of H-2A Visas For Temporary Agricultural Workers, *Foster Swift Agricultural Law Update*, May 2011

An E-2 Visa is an Attractive Option for Foreign Investors, *Foster Swift Business & Corporate Law Report*, Winter 2011

H-1B VISA REMAINS AVAILABLE!

The U.S.'s "Greatest" Utility Business Visa, Typically Oversubscribed and the Subject of Scarcity, Remains Available, *Foster Swift Employment, Labor & Benefits Quarterly*, Fall 2010

H-1B Visas are Available!, *Foster Swift Business & Corporate Law Report*, August 2010

New Green Cards Issued by USCIS, *Business & Corporate E-News*, June 17, 2010

Federal Government Targets Employers: Increasing I-9 Audits, *Foster Swift Employment, Labor & Benefits E-News*, July 16, 2009

Employers Required to use New I-9 Form Effective April 2, 2009, *Foster Swift Employment, Labor & Benefits E-News*, March 20, 2009

EVENTS

Practical Steps to Acquiring International Interns & New Hires, *Global Business Club of Mid-Michigan*, January 25, 2012