



What You Need to Know When Choosing an Immigration Trial Lawyer

“Do I need an immigration trial lawyer?”

At our first meeting, many of my clients ask me this question. Since they have a hearing coming up at Immigration Court in a few weeks, their decision could make the difference – the difference between winning a green card and being deported.

My answer: "Yes and No."

- **NO** because the law is supposed to be based on common sense, reason, and fairness.
- **YES** because the way law is actually written today, it is nearly impossible for most college graduates to understand what many immigration rules mean.

. . . And when it comes to immigration appeals, well, we're talking about a maze within a maze. Going it alone, in many situations, is taking a big risk. The harder the case, the more you need an immigration trial attorney.

Immigration Law is Not User Friendly

Today, more than ever before, immigration law can seem heartless to immigrants trying to enter the United States. When it comes to deportation defense and immigration court, the circumstances are dimmer.

Even if you have a case that looks simple, the law forces you to fill out form after form after form . . . and then battles with a callous bureaucracy begin. This is one of those situations where having an immigration trial attorney comes in handy.

The New York Times recently described the ordeal of a Mexican attorney seeking to become a permanent resident of the United States. His wife is a member of the U.S. Coast Guard. They filed seven different applications, and had to pay several thousand dollars in filing fees. Two years later, he still lacked a green card – and remained miles apart from his wife and child.

For many immigrants, immigration law appears to ignore their needs. Over and over again, hard-working and deserving immigrants wait years for their green card or U.S. citizenship papers to be processed.



Some cases seem to disappear. Some cases run in technical snags. Others are denied based on government mistakes.

Immigration Cases Require Compassionate Advocates

The law demands that your immigration trial lawyer learn as much as possible about your life. Many times an obscure fact in your background will be the tie-breaker between victory and defeat – between moving your case forward quickly or taking a slow and cautious approach. You may have to retrieve information which you thought would never be needed again. You may have to search for evidence you would never have dreamed was important.

Everyone has some information that is not easy to share. For example, you may have been abused by your spouse or parent for many years. Perhaps you have been arrested for a juvenile prank or even a serious crime. It may be painful, but it must be shared. Your lawyer needs to know the good and the bad to protect you if an immigration appeal becomes necessary.

The adage, "It is better to be safe than sorry," has special meaning when it comes to preparing immigration cases.

Of course, it's not enough to have an attorney who cares – especially when it comes to court hearings. An immigration trial lawyer must also have the courage to stand up for you under any circumstances . . . to challenge authorities by offering fresh interpretations of little known rules and court decisions. A judge's ruling, made last week in a state 2000 miles away, may help your case – but only if your lawyer knows about it.

The Bottom Line

Do you need an immigration trial attorney?

Only you can answer this question. If you decide to hire an immigration lawyer, two things should stand out: (1) You must feel very comfortable with the person selected. (2) You must feel confident in that lawyer's ability to make a positive difference in your case.