



Three-Part Telephone Seminar:

## Consular Processing For Experts

**Speakers: Michael Phulwani (Discussion Leader), David Nachman, Noah Klug, Alice Yardum-Hunter, and others to be announced**

**Available Online!**

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### SEMINAR OUTLINE

#### FIRST Phone Session on October 31 - Bureau of Consular Affairs

- The Visa Office
  - Function
  - Advisory Opinions Section
  - Other Sections of the Visa Office
- The National Visa Center
- The Kentucky Consular Center
  
- Non-Immigrant Visa Processing
  - Preparing the client for interview
  - Reasons for denial
  - Overcoming reasons for denial
  - Current problems
  - Current problem posts
  
- Communicating with Consuls in NIV Cases
  - Email, etc.
  - Legalnet
  - Other methods of communication

#### SECOND Phone Session on November 27 - Non-Immigrant Visa Processing

- Current problems - generally
- Special issues and concerns at different consular posts
- Administrative processing - what does it mean?
- L-1 visa problems - generally
- L-1 visa problems - India
- The "India disease"
- Consular Sections - How are they organized?
  - Anti-fraud
- Consular Tools
  - Foreign Affairs Manual
  - ALDACs
  - SIGs
- What do Consuls know?
- What is "consular culture"?
- INA § 221 (g) Visa Denials
- INA § 214 (b) denials
  - Home ties and immigrant intent
  - Nationality
  - Marital status
  - Gender
  - Family ties
  - Economic and Professional ties
- Effective interaction with Consular Officers
  - Generally



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- Telephone
- Email
- Legalnet
- Other methods of communications
- New Developments
  - Reissuing visas without a personal appointment

### **THIRD Phone Session on December 26 - Immigrant Visa Consular Processing**

- Validity of marriages, divorces, and adoptions in India
- Visa denials u/s 212(a)(6)(c)(i), 212(a)(6)(E)(i), 212(a)(9)(B), and consequences
- How to avoid denials in a timely manner
- Common mistakes done by the applicants which result in such denials
- The role of the NVC in IV processing
- Overseas filing of I-130's; when is it possible, and where?
- The IV interview - what takes place, what issues are involved? (medical clearances, inadmissibilities)
- Police certificates - how to obtain
- K visas - special status as NIVs processed like IVs' - pitfalls for unwary petitioners and beneficiaries
- Affidavit of support issues
- DVs - how are they processed differently from IVs - if at all
- Priority date pitfalls/aging out for family members - strategies
- IV waivers - statutory authority, limitations (which are available for NIVs but not IVs)

### **ABOUT THE SPEAKERS**

**Michael Phulwani (Discussion Leader)** is admitted to practice law in India, New York and New Jersey. He has been practicing law for about 39 years in the field of Immigration and Nationality Law. He is admitted to practice law in New Jersey, New York, and India. He maintains law office in Maywood New Jersey, and in Mumbai India.. He has successfully handled many complex immigration matters with the Immigration and Naturalization Service and consular processing cases at American Consulates abroad especially consular posts in India. Michael Phulwani is the author of 'Guide to U.S. Visas' and numerous articles published in various ethnic newspapers and other publications in the U.S. and abroad such as News India, India Tribune and Gujarat Times. He has also co-authored a series of articles on American Consulates in India, Pakistan and Bangladesh published in "The Visa Processing Guide" by American Immigration Lawyers Association.

**David Nachman** was born in New York and is a lifetime resident of New Jersey. Following his admission to practice, Mr. Nachman was employed for three years with one of New Jersey's largest law firms in Newark, New Jersey, in Corporate and Business Law Department. Here, Mr. Nachman engaged in the business immigration law practice and he assisted with general corporate compliance and commercial litigation. Mr. Nachman, along with other firm attorneys, worked on such cases as Berger vs. Berger (a landmark decision regarding the interpretation of what constitutes a minority shareholder pursuant to the New Jersey Business Corporation Act) and Wolley vs. Hoffman-LaRoche (a landmark decision in the employment law arena concerning the legal and contractual implications arising from an employment handbook). Mr. Nachman also successfully completed nonimmigrant and immigrant visa applications for national and international businesses of all sizes in many industries then joined another premier New Jersey law firm located Middletown.

**Noah Klug** is a Senior Lawyer practising in our Melbourne office. He is licensed to practise law both in the United States of America (NY) and Australia (VIC) and is a Registered Migration Agent. Before joining Nevett Ford, Noah worked as a Senior Associate at the world's largest global immigration law firm in both the Sydney and Melbourne offices, where he practised US and Australian immigration law. Prior to this, Noah was an Attorney-Advisor at a US government immigration agency in Washington, DC. Noah is the Chair of the Asia Chapter of the American Immigration Lawyers Association (AILA) and Vice-Chair of the American Bar Association (ABA) Immigration and Naturalization Committee.

**Alice Yardum-Hunter** Certified Specialist since inception of the Immigration and Nationality program in 1989, and Former Commissioner, Board of Legal Specialization, Immigration and Nationality Law, California State Bar from 1991 - 1994, has practiced immigration and nationality law for more than 30 years. Alice was the 2011-2012 Chair of the L.A. County Bar Association, Immigration Section and also served in all officer positions. She's been on the executive committee for more than six years. She's served also as the organization's Liaison with the Port of Los Angeles, U.S. Customs and Border Protection, U.S. Citizenship and Immigration Services California Service Center, and U.S. Department of Labor. She represents employers and aliens in employment

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based nonimmigrant and immigrant cases, with a focus on those who are extraordinary or in the U.S. national interest, specialty occupation, professional and skilled workers, family based immigration, citizenship by descent, and complex naturalization and removal matters including for criminal aliens. Her grandfather was an extraordinary immigrant inventor of 20 machines in the food manufacturing industry having invented, for example, the sugar cone for ice cream.

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#### Includes all Three Sessions:

October 31, 2013      November 27, 2013      December 26, 2013

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