

PREFACE

When I started dabbling in immigration law four decades ago, times were simpler. Family-based immigration was not a major component of any AILA member's law practice. Some immigration attorneys even steered their clients to local nonprofit agencies and self-help guides rather than charging them a separate fee to complete the paperwork necessary to immigrate the client's family members.

Those were the days before conditional residents, employment authorization documents, widow petitions, relief for survivors of domestic violence, humanitarian reinstatement, unlawful presence, reinstatement of removal, permanent bars, grandfathering under INA §245(i), binding affidavits of support, adjusted age determinations to preserve child status, service centers, and the National Visa Center—to name just a few of the intervening changes.

Back then we had local district offices staffed by employees of the Immigration and Naturalization Service who would receive and adjudicate petitions, interview our clients, and grant or deny them benefits. When problems arose in a case, we called the agents up and usually straightened them out. Times have changed.

The impetus for this book was to address the complexities of family-based immigration in a straightforward and step-by-step approach—to boil them down to their fundamentals and offer practical advice for those representing clients in this process.

It was not my intention that this book serve as an in-depth legal reference tool. Rather, it was meant to summarize the law in this area and steer the practitioner to a successful outcome. Included in this book are sample motions and waivers, as well as useful recommendations for problem solving. Use it as an economical guide to the process for immigrating family members and a quick resource for answers to the most common questions.

This area of immigration law has evolved over time into a serious subspecialty; this book is meant to help illustrate and justify the respect it now deserves.

Charles Wheeler

August 2020