



HAWKS VILAFRANCA LAW
U.S. IMMIGRATION
You Belong Here - We Can Help

512-675-2945
help@hawksvillafrancalaw.com
www.HawksVillafrancaLaw.com

DACA
Citizenship - Ciudadanía
Family Visas - Visas de Familia

10 Key Tips to Make Your Immigration Case a Success

1. Have an Attorney!

Immigrants with attorneys are more successful at every stage in the immigration process, according to a study done by the American Immigration Council. Immigrants who have never been in deportation proceedings are nearly **five times** more likely to win their case than immigrants without an attorney.

2. Avoid Notarios

The wrong kind of help can hurt. *Notarios* in the United States are **not attorneys**, they have no training or knowledge in U.S. immigration law, and they can easily ruin your case and harm your chances of getting your papers. It is illegal for a *notario* to handle your immigration case, but many continue to do so. It can be tempting to hire a *notario*, because they are often cheaper than real attorneys. Don't do it. Learn more about notario fraud at StopNotarioFraud.Org

Always ask your attorney 1) *Where are you licensed to practice law?* and 2) *What is your law license number?* Then go find your attorney's information on the website for the state where they are licensed and confirm that they are really an attorney. For example, here is my [State Bar of Texas lawyer profile](#). It has my license number, my contact information, and shows that I practice immigration law. Your attorney should be able to show you a similar page to prove they are authorized to practice law.

3. Pick an Attorney Who Knows Immigration

You want an attorney who practices **only** immigration law, because it is very complicated and changes frequently. Your case will be more successful if you hire an attorney who handles immigration cases every day and is dedicated to being an immigration law expert.

Non-profit organizations offer free or low-cost services to people below a certain household income level. If you think you might qualify for low-cost legal services, you can find a reputable non-profit immigration attorney in the [The National Immigration Service Directory](#).

If you hire a private attorney, make sure you find a lawyer who is a member of *AILA: The American Immigration Lawyers Association*. AILA members focus their law practice on immigration cases and make a commitment to staying up to date with rapid changes in immigration law and policy.

4. Find Your Documents

Your documents are your best evidence. Instead of trying to remember dates and facts from long ago, gather every document you can and let your documents tell your story. Your attorney will give you a list of all the documents they need to make your case a success. These documents are not optional.

Do everything you can to find every document your attorney asks for, and make sure you follow the instructions for each type of document. Sometimes you need the original. Other times a copy is ok. Birth, death, and marriage certificates come in many formats and only some are accepted by the government.

Sending the wrong document can cost you time and money. If you don't already keep important documents, start doing so immediately. It could make a huge difference in your case.

5. Tell the truth. Always.

Don't ever lie to immigration in an application, in court, or in an interview. If you lie to immigration you could ruin your chances of ever getting your papers. Leaving out details about anything, including your immigration history, work history, or criminal history, is the same as lying to the government.

It can be scary to tell the government that you entered illegally or worked without permission. Tell your attorney what you're scared about, and she can help you find a solution. The consequence may not be as bad as you think, and there could be a way to ask for forgiveness for your problems.

An important note about criminal history: *your criminal record is never hidden from immigration*. Even if your record was sealed or expunged, you are still required to tell immigration about it. Leaving out information about any criminal arrest or charge, even if it was later sealed or expunged, is the same as lying to immigration. Always tell your immigration attorney about ALL criminal history so she can advise you on any risks to your case.

6. Understand Your Immigration File

You need to know what the government knows. Every time you apply for a new type of immigration benefit (DACA, green card, citizenship, etc.), the government will review your entire immigration file. Your immigration file includes any application you've ever submitted, anything someone else submitted with your name on it, and any contact you've ever had with immigration court or police. Any errors or mistakes, even those that are very old, could hurt you when you file a new application.

The good news is that you can get a copy of your file and review it with your attorney before filing your case. When you review your file with your attorney you may find mistakes or errors, which will need to be corrected or explained so they don't cause problems for your case. Knowing your immigration file will allow you to submit the best possible application today and will set you up for success on your immigration journey.

7. Analyze your criminal history

If you've ever had contact with law enforcement, even if you were never charged with a crime, it is very important that you know exactly what is in your criminal file. It is also very important to review your criminal history with a knowledgeable, trusted immigration attorney who can help you determine how your criminal history may impact your immigration journey in the United States. If you have certain types of criminal history you may be ineligible for DACA or citizenship, or you may need a waiver before receiving a visa.

Even if your criminal history is minor, you will still be required to provide clear and accurate information to immigration about all prior criminal arrests or charges. When you clearly understand how your criminal history might impact your case, you can work with

your attorney to put together a strong case showing that this criminal history is just a small part of your past and does not define who you are.

8. Review your FBI background check

Just like you need to know your state criminal history, you must review your federal criminal history, which is done by requesting an FBI background check. Federal crimes can be risky for your immigration case and your attorney needs to have all the information about your federal criminal records to properly advise you.

Even if you've never had any contact with law enforcement, it is important to review your criminal record to make sure someone else's criminal history doesn't show up under your name. This happens sometimes and can cause delays and problems when you apply for an immigration benefit.

9. Respond Fully to a Request for Evidence

After you file your case, you might get a letter from the government called a *Request for Evidence*. This is a letter from the government asking you to send in more information before they will make a decision about your case. A Request for Evidence is very serious and you **MUST** respond by the deadline written in the letter. If you respond too late or you don't send all the right information, the government will deny your case and keep your money. It is very important to work with your attorney to collect all the evidence you possibly can and to respond to the government's letter as quickly as possible.

A *Request for Evidence* can feel scary, but if you've hired an experienced immigration attorney who you trust you won't have to worry about navigating this stressful time alone. Immigration attorneys handle *Requests for Evidence* all the time and your attorney will guide you through the process of collecting documents and information and will put together a clear, compelling response for your case.

10. Prepare For Every Interview

You may be required to attend an interview with an immigration officer before they will make a decision on your case. An immigration interview is a test and you must prepare for it like any other important test you have ever taken. You might think that you don't need to prepare, and that you can just show up and honestly answer the questions asked. Wrong! You will be nervous during your interview and when you're nervous it's

very hard to remember anything and even harder to give a complete and accurate answer.

Before your interview the immigration officer will review your application, your entire immigration file, and may even investigate your personal life through Facebook or other social media platforms. The immigration officer is trying to make sure you can prove your case and that you are a good person who is worthy of the visa, greencard, or citizenship you're asking for. You need to be prepared to respond with full and accurate information about anything the officer wants to talk about.

Your attorney will meet with you to explain the interview process and prepare you for the many types of questions you could be asked. Make sure you tell your attorney if you are nervous about anything, so she can help you prepare for those questions. Attorneys are allowed in the interview room, but we can not answer the questions for you. Having your attorney in the room is a huge advantage, because the immigration officer will be nicer to you when your attorney is with you. Your attorney will also be able to clarify any questions that aren't clear or stop the interview and ask for a supervisor if the officer asks you any questions that aren't allowed.

You should ask your attorney if she will be in the interview with you. Some attorneys attend interviews with their clients, but others don't. It's important for you to know this before you hire an attorney for your case.

You belong here. You've worked hard to get where you are today and your future in the U.S. matters. Using these 10 key tips will set you up for success with your case today and on your U.S. immigration journey in the future.

Have questions about your case? Call or email me to schedule a time to talk. I'd love to hear from you!

-Abogada Kalani

Kalani Hawks Villafranca

Managing Attorney

Hawks Villafranca Law

512-675-2945

help@hawksvillafrancalaw.com