

CLIENT ALERTS

New Information Pertaining to Attorney Representation at the U.S. Land Ports of Entry Along the Land Border Shared with Canada

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This E-news alert is to make the public aware that there has been a change in the processing of applications for immigration benefits at the U.S. borders. The change has to do with attorney representation of the company or an individual. While there has never been a right to attorney representation at a U.S. Port of Entry, the U.S. Customs and Border Protection (CBP) historically extended the privilege of attorneys representing their individual or corporate clients, particularly when seeking immigration benefits to classify the clients' prospective or current employees in L-1 or TN classification under the NAFTA (North American Free Trade Agreement).

Beginning October 1, 2017 a nationwide policy commences providing that attorneys will no longer be permitted to meet clients or client employees at land U.S. Port of Entry locations when seeking immigration benefits for themselves or their employees under NAFTA, securing appropriate immigration work authorized documents or seeking waivers of inadmissibility immigration benefits.

Employers should expect an increase in the amount of supporting documentation needed to support petitions or applications for immigration benefits in order to fill the attorney presence void as well as observed processing trends given new CBP personnel at our Ports of Entry. We recommend that employers and individuals consult with immigration attorneys to review their matters before appearing before at a U.S. Port of Entry when seeking U.S. immigration benefits.

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Immigration

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