

Publications

Immigration Alert: USCIS Makes Major Change in Delivery of I-797 Receipt and Approval Notices

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On September 12, 2011, the United States Citizenship and Immigration Services (USCIS) implemented a new policy of delivering the original I-797 receipt and approval notices directly to employers and beneficiaries, rather than to the attorneys of record. While the USCIS advises that attorneys of record will receive courtesy copies of the I-797 receipt and approval notices, this is not a guarantee. The USCIS made this change in procedure without notice to the public or the opportunity for public input. The new policy has not been well-received by the immigration law community and challenges to the policy are expected.

The impact of the USCIS's new policy is widespread and potentially places a substantial burden on employers. The major concerns resulting from this new practice involve document security and timeliness. The new procedures increase the risk that important immigration documents will be misrouted, delayed, or lost. These risks are greatest for large-scale employers. As a result, employers must make every effort to recognize immigration mailings and documents and to alert its Immigration attorney as soon as possible upon receipt of all mailings from the USCIS. Early notification is imperative to ensure that filing and response deadlines are met and key information is recorded.

As always, please contact your Vorys attorney if you have any questions or if you would like additional information on this new procedure.

This Client Alert is for general information purposes and should not be regarded as legal advice.