



H-1B PETITION PROCESSING PROCEDURES

I. Free Evaluation

1. Initial Evaluation
 - a. Complete the H-1B Petition Evaluation Questionnaire;
 - b. E-mail the above Questionnaire and resume to Attorney for a free evaluation; and
 - c. Attorney e-mails an evaluation of the case.
2. Follow-Up Communications
 - a. Send follow-up questions to Attorney via e-mail or phone; and
 - b. Attorney answers follow-up questions and makes necessary clarifications.

II. Establishing Attorney-Client Relationship

1. Obtain the Attorney-Client Agreement (“Agreement”)
 - a. If you are interested in retaining Attorney to handle your case, notify the Attorney to get an Agreement;
 - b. Attorney e-mails you an Agreement; and
 - c. Review the Agreement and ask any questions arising from the Agreement.
2. Important Things You Need to Know Before Signing the Agreement
 - a. Whether your employer will sponsor and pay for the mandatory training fee, and, depending on your offered wage, the fraud investigation fee, filing fee, and attorney’s fee for your H-1B Petition;
 - b. The specific services covered by the agreement;
 - c. Whether the legal services listed include answering Request for Evidence (RFE);
 - d. Whether extra fees will be charged for a service you need but not listed in the Agreement;
 - e. Whether you fully understand what Attorney has explained to you regarding the chance and the risk your case bears; and
 - f. If necessary, revisit the previous communications you had with Attorney and make sure each of your concerns is clarified.
3. Sign the Agreement and Pay the Initial Legal Fee
 - a. Sign the Agreement by an authorized representative of the employer; and
 - b. Mail the signed agreement along with a check payment of the initial fees.

4. Attorney-Client Relationship
 - a. Attorney receives the Agreement and payment of the initial legal fee;
 - b. Attorney signs the Agreement and the attorney-client relationship is established;
 - c. Both the employer and the beneficiary are clients;
 - d. Attorney mails a photocopy of the signed Agreement to the beneficiary; and
 - e. Under Attorney-Client relationship, Attorney is bound by professional rules and other pertinent laws, and owes a fiduciary duty to client.

III. Processing the Case

1. Draft Job Description
 - a. Attorney e-mails a set of Questionnaires and instructions to the employer and beneficiary;
 - b. Employer and beneficiary complete and e-mail the Questionnaire to the Attorney;
 - c. Attorney drafts the job description and designs the qualifications according to the information provided; and
 - d. Attorney will work with the employer and the beneficiary to revise the job description and qualification requirements.
2. Obtain Prevailing Wage and Labor Condition Application
 - a. Once the job description is finalized, Attorney will obtain a prevailing wage from the Department of Labor; and
 - b. Attorney will complete a Labor Condition Application from the Department of Labor.
3. Supporting Documents
 - a. Attorney drafts a model petition letter for the employer;
 - b. Attorney prepares the necessary forms for the employer;
 - c. Attorney prepares a draft of the notice of filing and certification of posting for the employer; and
 - d. Attorney e-mails the above documents to the employer.
4. Posting of Notice of Filing
 - a. Employer modifies the notice of filing, if necessary, and posts the notice of filing; and
 - b. Employer completes the posting requirements and signs certification of posting.
5. Return Documents
 - a. Employer reviews and signs the Labor Condition Application, the petition letter, forms, and certification of posting;
 - b. Employer mails the above documents to Attorney; and
 - c. Beneficiary mails copy of diploma, transcript, and other required information requested to Attorney.
6. Filing H-1B Petition

- a. Attorney makes final review of the accuracy and completeness of the documents to be submitted to the USCIS;
- b. Attorney signs relevant documents and finalizes the H-1B petition;
- c. H-1B petition is shipped to USCIS via FedEx;
- d. Attorney e-mails the beneficiary the Fedex tracking number for the shipment; and
- e. This step will take approximately 1 week.

IV. After H-1B Petition is Filed

1. USCIS Receipt
 - a. Attorney receives USCIS receipt (usually within 2 weeks after case is filed);
 - b. Attorney e-mails beneficiary a scanned copy of the USCIS receipt notice; and
 - c. Beneficiary may check the online case status with the USCIS receipt number.
2. Approval of the Case
 - a. Attorney receives approval notice from USCIS;
 - b. Attorney notifies beneficiary of the approval;
 - c. Employer or beneficiary mails the payment due for legal fees upon approval;
 - d. Attorney mails the beneficiary the approval notice and copy of H-1B petition package; and
 - e. Attorney closes the file.

V. Request for Evidence (RFE)

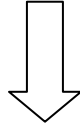
1. USCIS issues RFE;
2. Attorney notifies the beneficiary and employer regarding the contents of the RFE and e-mails a scanned copy of the RFE;
3. Attorney advises beneficiary and employer of the additional documents to be prepared;
4. Beneficiary and employer prepares and mails the additional documents to Attorney;
5. Attorney drafts the response letter to RFE;
6. Attorney mails the response letter and additional documents to USCIS; and
7. See Section IV. (2) above after case is approved.

VI. Erroneous Denial

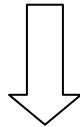
1. Upon receipt of the USCIS denial notice, Attorney notifies client of the denial and USCIS reason for the denial;
2. Attorney advises beneficiary and employer of appeal or other available relief and options;
3. Employer determines whether to appeal or pursue other options; and
4. Attorney takes further action to appeal or pursue other options.

VII. Flowchart for H-1B Petition

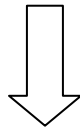
Employer and Beneficiary Prepares
Information Requested by Attorney
Processing Time: 1-2 weeks



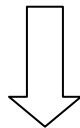
Attorney Prepares Supporting Information
Processing Time: 3-5 days



Employer and Beneficiary Review, Sign, and
Mail Supporting Documents to Attorney
Processing Time: 1-2 weeks



Attorney Reviews and Files H-1B Petition
Processing Time: 3-5 days



H-1B Petition
Filed by Employer
USCIS Processing Time: 2-3 months
(Premium Processing: 15 days)