

A FLOWCHART FOR PROCESSING O-1 PETITION

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I. Free Evaluation

1. Initial Evaluation:

- a. E-mail Resume to Lawyer for Free Evaluation;
- b. Lawyer reviews resume and e-mail back with evaluation that analyzes whether your credentials meet the minimum O-1 requirements; whether your case has a reasonable chance to be approved; whether Lawyer can take your case; and if, in Lawyer's best judgment, you are not qualified for O-1, what other options you have to obtain an employment visa.

2. Follow-Up Communications:

- a. Send follow-up questions to Lawyer via e-mail or phone;
- b. Lawyer answers follow-up questions & makes necessary clarifications.

3. Choose a Service Package:

- a. If you are interested in retaining Lawyer to handle your case, notify lawyer of the specific service package you choose;
- b. Lawyer e-mails you a retainer agreement according to the service package you choose;
- c. Communicate with Lawyer if a question or concern arises from the retainer agreement.

II. Establishing Attorney-Client Relationship

4. Important Things You Need to Know Before Signing the Retainer Agreement:

- a. The specific services covered by the agreement;
- b. Whether the legal fees listed in the agreement include answering Request for Evidence (RFE);
- c. Whether extra fees will be charged for a service you need but not listed in the agreement;
- d. Whether you fully understand what Lawyer has explained to you regarding the chance and the risk your case bears;
- e. If necessary, revisit the previous communications you had with Lawyer and make sure each of your concerns is clarified.

5. Sign the Retainer Agreement & Pay the Initial Legal Fee:

- a. Both the petitioning employer and the beneficiary need to sign the agreement;
- b. Mail the signed agreement along with payment check of the initial legal fee.

6. Attorney-Client Relationship:

- a. Lawyer receives the retainer agreement and payment of initial legal fee;
- b. Lawyer signs the agreement and attorney-client relationship is established;
- c. Both the petitioning employer and the beneficiary are clients for the application;
- d. Lawyer mails a photocopy of the signed agreement to client;
- e. Lawyer e-mails a set of documents and questionnaires to client;
- f. Under Attorney-Client relationship, lawyer is bound by professional rules and other pertinent laws, and owes a fiduciary duty to client.

III. Processing the Case

7. Contacting Recommenders or References:

- a. Lawyer e-mails client a sample email requesting assistance from potential recommenders or references;
- b. Client contacts potential recommenders or referees using the modified sample email;
- c. Lawyer answers questions regarding choice of recommenders.

8. Preparing Letters of Recommendation:

Client has two options:

Option One: Premium Service Package:

- a. Client provides lawyer with a list of recommenders and a summary of client's work;
- b. Lawyer drafts model letters of recommendation under authorization of each recommender;
- c. Lawyer completes the letter drafts within approximately two weeks after receiving list of recommenders and summary of client's work;
- d. Lawyer revises the letter drafts per recommenders' and client's feedback;
- e. Lawyer finalizes the model letters of recommendation and emails them to client;
- f. Client forwards the model letters to recommenders for final review and signature.

Option Two: Regular Package:

- a. Lawyer e-mails client instructions and sample letters of recommendation;
- b. Lawyer reviews and provides comments on letters of recommendation prepared by recommenders and client;
- c. Client forwards the letter drafts to recommenders for final review and signature.

9. Drafting Petition Letter & Preparing Forms:

- a. Client mails to lawyer all supporting documents including the signed letters of recommendation;
- b. Lawyer drafts the O-1 petition letter to be reviewed and signed by the Petitioning Employer;

- c. Lawyer e-mails the Petitioning Employer the petition letter draft within approximately two weeks after receiving all supporting documents;
- d. Lawyer e-mails the Petitioning Employer the completed CIS forms to review and sign;
- e. The Petitioning Employer signs and mails the CIS forms and the petition letter to lawyer;

10. Filing the Case:

- a. Lawyer makes final review of the accuracy and completeness of the documents to be submitted to CIS;
- b. Lawyer signs all the documents and finalizes the petition package to be submitted to CIS;
- c. Petition package is shipped to CIS via FedEx;
- d. Lawyer e-mails client the FedEx tracking number for the shipment.

IV. After Case is Filed

11. USCIS Receipt

- a. Lawyer receives CIS receipt (usually within two weeks after case is filed);
- b. Lawyer e-mails to client a scanned copy of the CIS receipt;
- c. Client may check the online case status with the CIS receipt number.

12. Approval of the Case

- a. Lawyer receives Approval Notice from CIS;
- b. Lawyer notifies client of the approval;
- c. Client mails the payment due for legal fees upon approval;
- d. Lawyer mails client the CIS Approval Notice;
- e. Lawyer e-mails to client a sample “Thank You Letter” addressed to the recommenders;
- f. Client e-mails or mails to the recommenders a modified “Thank You Letter” to them for their support.
- g. Lawyer closes the case file.

V. In Case of Receiving Request for Evidence (RFE)

13. Preparing the Response to RFE

- a. Lawyer immediately notifies client regarding the content of the RFE and email client a scanned copy of the RFE;
- b. Lawyer advises client of the documents to be prepared in response to the RFE;
- c. Lawyer drafts the Response Letter to RFE;
- d. Lawyer files the Response Letter to RFE;
- e. See Item 12 if case is approved;

VI: In Case of Receiving Erroneous Denial

14. Preparing Appeal or Pursuing Other Relief

- a. Upon receiving the CIS denial notice, Lawyer immediately notifies client of the denial and the CIS reasoning for the denial;
- b. Lawyer evaluates whether appeal is in client's best interest;
- c. Lawyer advises client of appeal or other available relief and options;
- d. Client determines whether to appeal or to pursue other options;
- e. Lawyer takes further action to appeal or to pursue other relief.

*Note: The processing of each individual case may be slightly different according to the specific situation.