



February 16, 2012

Immigration Law Update

Current Developments in Employment-Based Immigration

IN THIS ISSUE:

[AILA Taking Action
on L-1Bs](#)

[H-1B Cap Count
Season Is Just
Around the Corner](#)

[March 2012 Visa
Bulletin](#)

[Join Our Mailing List!](#)

Greetings!

This is the latest installment in our efforts to keep you apprised of the rapidly changing U.S. immigration environment. Some of the most recent changes could have a serious impact on you or your employees, and we urge you to communicate these changes to interested parties.

AILA Taking Action on L-1Bs

Quick Links:

Our Website

[USCIS](#)
[USDOS](#)
[Embassy World](#)
[DOL-ETA](#)

Over the last year, US Consulates abroad, and the USCIS Service Centers here at home have internally narrowed the criteria for L-1B eligibility. While the changes in L-1B adjudications stem from the understandable concern of visa misuse and fraud, particularly in India, this new standard strays from decades of legal precedent and adjudication history. After months of frustration with this erroneous and more exacting standard of analysis, the American Immigration Lawyers Association (AILA) has taken action. Last week, AILA contacted Director Mayorkas of USCIS to detail the inconsistent application of this new standard, and to clarify the legal standard of specialized knowledge required of individuals seeking L-1B status. Rosner Partners is following this issue closely and will keep employers updated on furthering developments. Employers considering L-1B petitions for current employees should consult Rosner Partners to discuss this new standard of adjudication.

H-1B Cap Count Season Is Just Around the Corner

USCIS will begin to accept H-1B petitions for fiscal year 2013 starting April 1, 2012, for start dates of October 1, 2012 or later. H-1Bs are available on a fiscal year basis with an annual

limit of 65,000 with 20,000 extra H-1Bs available to individuals who have a U.S. Master's degrees. Employers with new hires who are impacted by the H-1B cap count should contact Rosner Partners early to begin the H-1B preparation process.

March 2012 Visa Bulletin

Employment-Based	All Chargeability Areas Except Those Listed	CHINA-mainland born	INDIA	MEXICO	PHILIPPINES
1st	C	C	C	C	C
2nd	C	01MAY10	01MAY10	C	C
3rd	15MAR06	01JAN05	22AUG02	15MAR06	15MAR06
Other Workers*	15MAR06	22APR03	22AUG02	15MAR06	15MAR06
4th	C	C	C	C	C
Certain Religious Workers	C	C	C	C	C
5th Targeted Employment Areas/Regional Centers and Pilot Programs	C	C	C	C	C

For additional information about any of the topics presented here, please contact us. If you would prefer not to receive future e-mails of this nature, please unsubscribe on the link below.

Sincerely,
Rosner Partners, L.L.C.

The Caxton Building
812 Huron Road, Suite 601
Cleveland, Ohio 44115

T: (216) 771-5588

F: (216) 771-5894

immigration@rosnerlaw.com

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution, forwarding or copying of this communication in error, please notify the sender immediately by e-mail, telephone or fax, and delete the original message immediately. Thank you.

[Forward email](#)