



Immigration Practice Group

Caution: USCIS can now deny petitions WITHOUT first issuing a Request for Evidence

Syracuse, New York

November 2018

As of September 11, 2018, the US Citizenship & Immigration Services (USCIS) implemented a new policy which states an officer reviewing a recently filed petition has the discretion to outwardly deny the petition **without** first issuing a Request for Evidence or a Notice of Intent to Deny. This policy is intended to encourage petitioners to submit as comprehensive as a case as possible at the outset.

If the petition is missing any evidence that is important in establishing eligibility, there is now a strong likelihood that the case may be denied without giving the studio the benefit of providing additional evidence. This can become an extremely critical issue, especially in matters where the studio files a poorly documented change of status O-1 petition, the case is denied, and then the beneficiary has a status issue requiring them to leave the United States.

More than ever, it is important that studios work with competent immigration attorneys and firms that are experienced and proficient in this field. We attend many conferences throughout the year, have been invited to present on immigration matters, and receive daily alerts on policy changes that may affect our clients. As harsh as this new policy seems to be, experienced attorneys can help avoid difficulties resulting from the policy by preparing comprehensive, well-documented petitions.

SPECIAL NOTE: We now offer a **free 30-minute webinar** on the first Wednesday of each month at 12:00 noon EST discussing visa options for dancers. There will be an opportunity to ask us questions at the end of our presentation. **Please register for our next webinar which is scheduled for December 5, 2018** at the following link: <http://bhlawpllc.com/immigration-webinars/>
Looking forward to hearing from you!

Bousquet Holstein Immigration Practice Group

Our experienced immigration team provides comprehensive services to address our clients' needs regarding immigration benefits and compliance matters. We provide legal guidance and services to businesses, investors, developers, educational institutions, hospitals, individuals and families on a wide range of immigration law issues. We work closely with our clients' in-house counsel and human resources professionals to create comprehensive immigration strategies and conduct immigration compliance training. If we can provide you with additional insight and information regarding your immigration matters, please contact:



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