

Finding the Right Attorney

Immigration law is huge. No one knows it all. Most immigration lawyers concentrate on one of the following areas: business immigration, family immigration, deportation defense, or non-profit sector. Things like asylum, VAWA, juvenile cases, and the U/T visas are usually the domain of nonprofits. Immigration through employment is handled by business immigration firms. If you are taken into custody by ICE, you call a deportation defense attorney. At Scott and Associates, we handle family immigration cases, with a focus on the waiver of inadmissibility.

If you have an especially difficult case – for example, one that requires a waiver of inadmissibility – you want to find an attorney with experience handling the particular type of complexity that you have. Don't presume that an attorney who is good at one type of case will be good at another. An attorney who writes wonderful administrative briefs may be lousy in person in front of a judge, and vice versa. Over time, the attorney will probably gravitate toward the type of cases where he/she excels. Play to his/her strengths and hire the attorney for what he/she is good at. It will be helpful if your attorney is familiar with the individual government officials who will be handling your case. For example, if you are in deportation proceedings, you want a local attorney who has previously appeared before your judge and against the opposing attorney on your case.

You will also want an attorney whose communication style suits you. Some attorneys hate email, while others hate every method of communication except email. If you don't have access to a computer, you will be happier with the former attorney, rather than the latter. It is surprising how rarely people ask the attorney about communication style during the consultation, considering that probably the majority of the complaints that clients have about attorneys is not in regard to the quality of the work performed, but rather, is in regard to communication issues. While the attorney's ability to get the job done well is your primary concern, the personal dynamics between you and the attorney should not be ignored. The immigration process is already very stressful. If your attorney is not a good fit for you on a personal level, that could make matters even more stressful than they need to be.

Attorneys are expensive and vary significantly in competence, experience and personal style. Consult with more than one attorney before deciding which one will take your case. While it's fine to let the attorney know that you are consulting with more than one person, it might be best to resist the temptation to make the attorney feel like he/she must work to convince you to hire him/her. You'll get a better idea of what it's really like to work with the person if the consultation is more relaxed. In the consultation, you are not only trying to find out what your legal options are and what it will cost, you are also making sure that this attorney is the right one for you.