



## **What Should US Immigration Attorneys Need To Know About The Seoul Consulate To Help Their Client? By Young H. Noh**

Note that most consuls do not allow attorneys to stand beside their clients during interview or interject during the interviews. So any communications by attorneys have to take place AFTER the interview, by approaching them at the window or via email or fax. Therefore, in my opinion, it's crucial to make sure the clients are well prepared. I see many cases where immigration attorneys just put together good E-2 Packets and expect the case to be approved without any problems. That's just not the case. A similar situation arises with even petition-based NIVs, such as H-1B cases. Immigration practitioners should take care to prepare the NIV petitions with an eye towards the ultimate NIV interview, not to just get the petition approved by putting in some untrue facts, such as the beneficiary being fluent in English, etc.

Therefore, I cannot stress enough to thoroughly prepare the clients for E-2 or H-1B interviews and how they should behave at the interviews, and to prepare any petitions, such as H-1B or L-1 petitions, with an eye towards the ultimate verification at the interviews.

Many times, where the PA does not speak English, their spouses or dependent children are asked to interpret. Therefore, their spouses and dependent should also be aware of the facts. In addition, some consuls now speak Korean and can ask questions in Korean.

Watch out for any DUI records, because it can take 2 weeks or more to get a medical opinion as to the alcohol addiction.

As to IV cases, I observed personally several instances where the beneficiaries did not have Police Clearances from third countries and were denied. Also, note Korea got added to the list of countries for which NVC will schedule IV interviews. Therefore, NVC is now in the process of changing their IV processing procedures for Korean cases. NVC often is not aware of localized problems and appear to be relying on outdated information when they ask for some documents. AILA should really pressure NVC to catch up quickly before NVC starts to schedule IV interviews.

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