

REPORT ON MEETING WITH CHARLOTTE, NC USCIS OFFICIAL

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by

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On January 28, 2005, I attended an American Immigration Lawyers Association meeting in Chapel Hill, NC. At the meeting, an immigration official from the Charlotte USCIS office indicated that processing times for family-based I-485 cases (green card cases) was currently about 12 months, but that the processing time would get significantly longer in the near future. It is expected that these family-based green card cases (e.g., marriage cases) would be taking about 18 months in the near future. One of the reasons for the expected increase in processing times is that the Charlotte USCIS office wants to concentrate on I-485 green card cases which have already been interviewed but were continued at the interview for some reason and are still pending at this time.

HELPFUL HINT: *Since an Employment Authorization Document (EAD or work permit) usually is only valid for 12 months at a time, the expected increase in green card processing times in Charlotte, NC means that an I-485 green card applicant may have to renew the EAD or work permit at least one time before his or her interview. If you need to renew your EAD, you should allow 90 days in order to obtain the renewal card.*

As you may be aware, when a case is “continued” at the interview, this means that the USCIS officer needs or wants additional information from the individuals involved, such as updated tax returns, letters of employment, further documentation of the relationship, a medical exam, copy of a criminal record, etc. When a case is continued and the requested information is sent back to Charlotte, it often takes the immigration officer several months to go back to the case to review the requested information. This is often frustrating to green card applicants who think they will be getting their green card quickly yet do not because of the time that it takes for the USCIS to go back to the case and make a decision.

HELPFUL HINT: *When attending an immigration interview, carefully review the Interview Notice to make sure you have all required information for the interview. The most common reason that a case is continued is for failure to provide updated information for the Affidavit of Support (copies of the Petitioner’s 3 most recent tax returns with W-2 forms, Petitioner’s and Beneficiary’s current letters of employment, and (if necessary) a Joint Sponsor’s tax information.) At Long, Chang & Associates, we often meet with individuals to go over their documentation prior to the interview to increase*

the likelihood that they have all the needed information at the interview so that a decision on the case can be made at that time instead of having the case continued.

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