**Immigration Law**

Immigration law is comprised of a series of complex laws and regulations, primarily on the federal level. It comes into play when family members move to the United States, when individuals marry and wish to reside in the United States, and when immigrants would like to obtain employment. There are many different facets of immigration law, but they generally fall under three major categories:

• family-based immigration

• employment-based immigration

• humanitarian immigration

**Family-Based Immigration**

Family-based immigration allows U.S. citizens and lawful permanent residents to petition the government to allow specific family members to migrate to the United States where they are located. There is no specific number of spouses, minor children or parents that citizens can petition for. However, there is a limit of 480,000 family-based visas issued each year for *other* family members. This includes adult children and siblings of U.S. citizens and spouses and unmarried children of lawful permanent residents.

In order to qualify for a visa, the United States citizen or lawful permanent resident must:

• petition for the relative

• prove the nature of the relationship between them

• agree to support the relative upon his or her arrival

Once a family member is brought into the country, he or she may petition for lawful permanent resident status. This can also be done through consular processing.

The process involves a background check, fingerprinting, and having the U.S. citizen or lawful permanent resident complete an application. If the individual receives lawful permanent resident status, he or she can later petition to become a citizen. This usually requires the relative to have lived in the country for at least three years, pass a background check and pass a civics test.

**Employment-Based Immigration**

The world is becoming increasingly global, and employers are able to recognize the importance of diversity and skill sets offered by individuals of different cultures. U.S. immigration law allows for both permanent and temporary placements for workers. There are different visas available depending on the type of work that the individual performs and other factors. For example, there is a visa specific for athletes and skilled performers and a different one for religious workers. Immigrants who receive a work visa are often sponsored by a specific employer.

Under current immigration law, there are 140,000 visas per year for permanent employment-based immigration. Additionally, U.S. immigration law imposes specific ceilings on the number of immigrants that can be admitted based on their nationality. Given the complexity of immigration law, many companies retain the services of an immigration attorney to assist with employment-based immigration.

**Humanitarian Immigration**

U.S. immigration law provides for a number of immigration statuses and protections for individuals who are immigrating for humanitarian reasons. For example, refugees are permitted at times in the United States if their homeland is too unstable to return to based on a reasonable fear of persecution due to specific enumerated factors. This type of immigration petition is usually filed in another country.

Asylum is similar to refugee status, but asylum is sought from individuals who are already in the United States. Immigration law requires such individuals to petition for asylum within 12 months of arriving in the United States; otherwise, their petition can be automatically dismissed. A lawyer may assist with drafting a petition for asylum or refugee status.

The Violence Against Women Act and U Visa are two tools available to victims of domestic violence and other crimes. In order to receive such protection, an individual must usually have been a victim of a crime and cooperated with law enforcement. There are additional forms of humanitarian immigration that are provided under U.S. immigration law. An immigration lawyer can explain whether any of these protections are available in a specific case.