

H-1B Visas still available!

PROTECTING RIGHT & \$



ATTY. JOEL R. BANDER

THE US Citizenship & Immigration Services (USCIS) announced on April 9, 2009 that it will continue to accept H-1B petitions for the fiscal year 2010. USCIS has only received approximately 42,000 petitions counting toward the general 65,000 cap and approximately 20,000 petitions for the 20,000 cap for aliens with advanced degrees.

This turnout contrasts with our experience in 2007 and 2008, when USCIS was immediately swamped with more petitions than visa numbers available on the first two days of the filing season beginning April 1. During those years, USCIS conducted lottery and rejected thousands of applications that were not fortunate enough to be selected in the lottery. While many still expect USCIS to reach its ceiling this year, the question is whether USCIS will still conduct lottery once the ceiling has been reached.

Last year, USCIS issued a regulation allowing a minimum window of five business days for USCIS to receive H-1B cap-subject cases and thereafter, run a random lottery selection to determine which cases filed within this window will be eligible for a cap number. This is due to the excessive number of petitions received. However, for this year, the general cap has not been met during the five-day window, giving rise to the speculation that no general lottery will be conducted. Some predict a "mini lottery" for cases filed after the five-day window if the number of additional filings exceeds the remainder of the cap. Until USCIS makes an announcement, it is not certain

how the selection will be made.

One thing is certain, though. Those who failed to beat the April 1 rush can still file their petition and hope to be selected for processing. They still have time, but must act NOW.

Contact Bander Law Firm now to know if H-1B is an appropriate visa petition for you. H-1B is a temporary work visa for individuals with a bachelor's or higher degree to be employed in a professional occupation. The petition must be filed by a US employer on behalf of a foreign beneficiary. If the beneficiary is presently in the United States as a nonimmigrant, he must be in valid status to apply for a change of status. The petition may also be filed for a beneficiary outside the United States, in which case, the visa will be applied for and issued in the US consulate in the beneficiary's home country.

Bander Law Firm, LLP has been providing immigration services for over 15 years and has multilingual staff who communicates effectively in Tagalog, Korean, Spanish, Sinhala, Farsi and Mandarin. Our firm provides free initial consultation on immigration matters, except criminal-related matters. Please feel free to call Bander Law Firm at 213-873-4333 regarding your legal concerns. Bander Law Firm provides a full range of legal services in the fields of Immigration, Mortgage Litigation, Personal Injury, Criminal and Removal Defense, Civil and Business Litigation, Wage and Hour Litigation and Class Action lawsuits.

Atty. Joel R. Bander is the partner of Bander Law Firm, LLP. With over 15 years of litigation and immigration experience, Mr. Bander is a leading litigator and accomplished trial strategist. He has successfully handled numerous cases before Federal, State, Civil, and Criminal Judges and has participated in hundreds of arbitrations and trials.

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BARRISTER'S CORNER



ATTY. KENNETH URSUA REYES

WHEN the marital relationship sours to the point where one or both spouses believe that the marriage cannot be salvaged, three remedies are available to terminate or alter the marital status: dissolution, nullity, and legal separation. Under Family Code Sec. 2300, dissolution of marriage can be attained and the "single" status of spouses restored by 1) death of one of the spouses 2) a judgment of dissolution or 3) a judgment of nullity of marriage.

With a dissolution action, there is no issue as to whether a valid marriage exists. The objective in a dissolution action is to ter-

I want out! Dissolution or legal separation?

minate the marital status. Conversely, with an action for nullity, the issue is whether or not the marital status ever existed (i.e. whether there was a valid marriage at all). With regard to dissolution, community property is divided equally. With an invalid marriage, although no community property rights exist per se, property acquired during the void or voidable marriage, which would have been community property if not for the impediment to a valid marriage, may be considered "quasi-community" property and divided under the same rules as community property. One has an interest in "quasi-community" property only if there existed a good faith belief that the marriage was valid. (Family Code Sec. 2251).

Alternatively, through legal separation, marital rights and financial responsibilities can be adjudicated without dissolving the marriage. A judgment of

legal separation does not terminate marital status. Legal separation may be a viable alternative for persons who, for some reason or another, would like to continue marital status, but would like adjudication of financial issues with his or her spouse. Typical reasons for choosing legal separation over dissolution include to retain eligibility for insurance benefits and to be in accordance with one's religious beliefs. Like dissolution, an action for legal separation conclusively determines each spouse's property rights and financial responsibilities to each other, including determination of support and division of the community estate. Once the judgment for legal separation is entered, the parties acquire no more community property and no obligations are imposed on either spouse except for those obligations as set forth in the judgment. Unlike dissolution, the marriage bond remains

intact and neither spouse can remarry until the existing marriage is dissolved either by death or judgment.

Residency requirements vary for dissolution, nullity, and legal separation. The foregoing is merely an overview of the various options for terminating or altering marital status, and accordingly, it is advised that you consult with an experienced attorney to further explore which of the above options is best to pursue.

Atty. Kenneth Ursua Reyes was President of the Philippine American Bar Association. He is a member of both the Family law section and Immigration law section of the Los Angeles County Bar Association. He has extensive CPA experience prior to law practice. LAW OFFICES OF KENNETH REYES, P.C. is located at 3699 Wilshire Blvd., Suite 700, Los Angeles, CA, 90010. Tel. (213) 388-1611 or e-mail kureyeslaw@aol.com. Visit website Kenreyeslaw.com.

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HOME BUYERS



KENNETH GO

IWROTE about timing the market sometime in August of 08', because I thought that properties were at a very low price and very available. Now, if you are going to buy in a decent area at pretty much the same prices as about 3-6 months ago, you have COMPETITION. Am I right? I feel that our market has shown signs of HOPE and whom-ever can buy now also can get a \$8,000 tax credit and for buyers of new homes, an additional \$10K tax credit.

If you are in a position to purchase a new home, now is the time to start shopping. Qualified buyers with good credit and

Timing is everything in buying real estate

money for a down payment can make the most of this buyers market and cash in on some really great deals!

It will take some time to the market to even out, but there should be no fear in the market that we are coming up on.

Some homes have been sitting on the market for several months now, not because someone doesn't want them, but perhaps because they haven't adapted to the new market conditions.

In my opinion, buyers who can put a downpayment is a good position to buy now, a lot of investment owners are selling now and the market is looking for new breed of investment or homeowners. When I talk about investment properties I am talking about multi-unit properties or Single Family Rentals that can generate rental income to cover your mortgage payments and bring you some positive cash flow.

For homeowners, first time or move up buyers you should be like a Kid in the candy store with all the selections out there in the market for you to choose from. Not only that, you also can name your price, right? Look into short sales too, they might be a little struggle to get but it will be worth your while.

Here are my 5 Top Reasons why you should buy real estate now and how to buy them.

You have plenty choices and so you should take your time and make smart choices, don't buy the first few homes because you think they are cheap. Look around find something you can buy for the price where you don't have to fix anything. Also find all you can about the history of the property and the seller, why they are selling and how long they have owned it.

Find desperate sellers who have baits out for a couple of months and who will be ready to negotiate with you. I would offer 20-25% below listing price just to get a feel. Work with a Realtor that will listen to you and push you to buy. Don't be in a hurry.

If you notice, you hardly here agents talking about multiple offers, that is to your advantage. Because now you are the "King" you dictate your price, if there are multiple offers, the tendency is the for the price to jack up.

Rates are at its all time low, a range for conventional loans (loan amounts under \$417,000) are around 5.875% to 6.125% and that will allow you to buy more for your money. Over \$417,000 loans and under \$729,450 the rates are only about .125% high-

er which is a great deal.

Why leave your hardearned money in stocks that you don't know how to manage. Forget about leaving them in a money market account earning a measly 3.5% rate. Take them out of your home, make your money work for you. With this market trying correct itself, within 3-5 years we should see real estate starting to rise again.

No money loans are coming back thru government funded agencies, but you have to qualify for them. Call us for more details.

My advice about a year ago that cash is King, now take that cash and make it work for you. For those who have properties that are in declining market or who is upside down with the value. Try everything you can to buy and unload your current property. Stop paying for mortgage that you will loose anyways, if you have to sell or short sell your property do it now.

For my honest opinion, call me direct be prepared to listen to my truthful and very direct advice. Call Ken Go at 1st Innovative Finance (888) 822- 5363 or write to: kennethgo@verizon.net

Please be understanding to yourself, mistake can be made to better yourself in the future.

(Advertising Supplement)

First 5 California

Autism: How parents and caregivers can put the pieces together

SACRAMENTO – The statistics on autism are worrisome. One in every 150 children is diagnosed with the disability, according to the Centers for Disease Control and Prevention. That means 1.5 million Americans have some form of autism, and that number is on the rise.

Autism is a developmental disability that occurs when the brain has trouble functioning properly. It affects a child's ability to speak, learn and communicate with others. Doctors don't know exactly what causes it, but symptoms are often noticeable by the time a child is three years old.

Right now, there is no cure for autism, but early intervention can help. Children who are diagnosed at a young age and visit a doctor regularly for treatment show improvements in learning and communication skills. While some parents may be concerned about the safety of vaccines and whether there is a link to autism, the American Association of Pediatrics continues to recommend that children receive their immunizations to protect them against childhood diseases.

In recognition of Autism Awareness Month, First 5 California offers the following information to help parents understand autism and connect them to the resources they need.

Early warning signs

Autism is complex and can be difficult to diagnose because it affects each child differently, but there are signs that parents should look out for – like the ones below. As soon as you notice symptoms you should take your child to a doctor or health care provider.

Eye Contact. Autistic children make little or no eye contact.

Speech. Look for late speaking or no speaking at all. Some autistic children have trouble expressing needs or do not respond to verbal communication.

Relationships. Sometimes autistic children have difficulty relating to other people, prefer to be alone or don't like to cuddle.

Play. Children are active and creative, so take note if your child doesn't play. Also keep in mind that autistic behavior sometimes includes unusual play patterns like spinning objects over and over again.

Extreme Behaviors: Watch for extreme behavior like too much laughing or crying for no reason, tantrums and sensitivity to pain (or lack of it). Sometimes autistic kids don't have a natural fear of danger, and are fixated on certain objects for a long time. Repetitive movements like hand-flapping also can be an early sign of autism.

The sooner, the better

Since there are no specific medical tests for au-

tism, it's important that parents, caretakers, teachers and health care providers pay close attention to a child's communication, behavior and development. Screenings for autism can take time, so it's a good idea to get started as soon as symptoms are noticed.

Early Intervention. Research shows that early intervention reduces the effects of autism. By starting treatment at an early age (0 to 3) when the brain is developing, children can make great progress by the time they start kindergarten.

Treatment. Autistic children benefit from programs that help develop their communication, social and mental skills. According to the National Institute of Child Health and Human Development, some of the most common treatment options include speech therapy, diet and treatments that focus on improving relationships.

Resources available to help

If you have concerns about your child's development, don't wait – talk to your doctor or health care provider about getting an autism screening. The following services can also help:

California Department of Developmental Services. For children under age 3, call 1-800-515-BABY (2229) and select the "Early Start" extension number. For children between ages 3 and 5, call First 5 California at 1-800-KIDS-025 for screening services and information on whether your child can receive free special needs assessments.

The Autism Society of America (ASA). The Autism Society of America has chapters throughout California and provides information on symptoms and treatments. For more information, visit www.autism-society.org.

Kit for New Parents. This free resource, a \$75 value, includes educational DVDs, guide books and brochures with parenting information, advice and useful tips including developmental milestones from ages 0 to 5, and warning signs that your child might need to be tested. To order a Kit, call 1-800-KIDS-025 or contact First 5 California.

Local Programs. First 5 programs in many counties offer services and programs to families with autistic children, including family resource centers, referral services and opportunities to meet other parents with similar experiences.

First 5 California encourages all parents to be aware of their child's development and share any concerns with a health care professional. For more information on parenting resources or other First 5 California programs, please call 1-800-KIDS-025 for English assistance, 1-800-597-9366 for Chinese assistance, 1-800-597-9511 for Korean assistance or 1-800-597-9855 for Vietnamese assistance. They can also visit first5california.com. ■

Turning the corner: comprehensive...

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endorsed a proposal for such a reform.

Over the past year, immigrants and their families have seen hard times – both economically and by the way of an increase in immigration raids in their communities. Yet in the past, politicians have failed to deliver promised reform. As such, the American electorate embraced change, and they voted for change. If recent reports are any indication of times ahead, then immigrants and their families can also expect much needed change, but first we must get through this year of hard economic times. Reeves & Associates continues its commitment to providing its clients with accurate and reliable immigration

advice not only during the difficult times, but also during the changing times ahead.

Atty. Reeves has represented clients in numerous landmark immigration cases that have set new policies regarding INS action and immigrants' rights. His offices are located in Pasadena, San Francisco, Las Vegas and Makati City.

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The analysis and suggestions offered in this column do not create a lawyer-client relationship and are not a substitute for the personalized representation that is essential to every case.

(Advertising Supplement)

Insurance Companies and Employers have their own attorneys to protect them.

WHO WILL PROTECT YOU?

Benefits under your insurance policies - Homeowners, Auto, Life, Disability, Annuity or Health. Claims for Serious Personal Injuries and Wrongful Death.

You need an attorney on your side.

Employee's claims for overtime and meal break compensation, employee's rights against disability discrimination and retaliation. Consumers damaged by unlawful business practices.

You need an attorney to fight for you.

With more than 21 years of skilled advocacy and experienced representation, the firm has obtained significant million dollar recoveries for injured consumers, policyholders and employees.

Backed by a solid track record, the law firm has consistently fought for the rights of Filipinos and their families seeking justice against big businesses, insurance companies and employers.

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Our attorneys' accomplishments have been recognized by The Los Angeles Daily Journal, Million Dollar Advocates Forum, and various community organizations.

Your inquiries are welcome and at no cost to you.