

**IMMIGRANT LIVING: 101 AND BEYOND**



**MONETTE ADEVA MAGLAYA**

(Part 1 of 7)  
**THINKING** of coming home for a visit, *kababayan*?

In the best scenarios, a 3 week-whirlwind trip to the Philippines is what most Filipino expatriates living and working in the US or elsewhere in the world can shoot for. Aside from putting together the somewhat hefty logistical requirements (translation: money, whether in cash, debit cards or "kaskas" meaning credit cards), one truly needs to be a proactive tactician in mapping out how a Philippine trip pans out. So move over, Marco Polo. This is the way it's done.

How do you make a Philippine trip memorable? For the jaded traveler who routinely goes back and forth several times a year, either for business purposes or as a jet setting lifestyle choice, the question is moot and academic. But for the majority of expatriates who can only go on rare occasions because of personal circumstances affecting finances, workloads or family responsibilities, an expensive transcontinental time-out such as this merits thought — lots of it. A Philippine trip should result in a treasure trove of feel-good experiences and ultimate-

# A case for coming home ...

*Travel makes one modest. You see what a tiny place you occupy in the world. — Gustave Flaubert*

ly, memories — that make the journey worth all the effort and time spent in excruciating detail, worth all of the expense and maybe, more importantly, worth every nanosecond of one's hurried and harried expatriate life. The trip must be so good that it must be worth doing all over again.

There's much to see and do, remembering all too well that we lose a day going there which we regain on the return trip. We have to make allowances for the effects of jet lag to settle in. How does one get the best homecoming experiences? In a word, PLANNING. Know that well-meaning friends and relatives already have first dibs on your limited time. So map out your itinerary (the places and experiences that you must see and do that are on the top rung of your priority list) and itemize your to-do list in detail, way in advance with the proviso that you must be open and flexible in your schedule. The fine art of travel is remembering that an itinerary is just a guide and not necessarily written in stone. If need be, you must be able to revise on the fly when the occasion calls for it.

Going on a trip is like any other project. It needs a blueprint. It involves the mind-body-spirit connection. You have to be

physically fit and mentally agile. Consult your doctor before going on a regular exercise and diet routine a month before leaving. Your immune system will be severely taxed, so a word to the wise — wash your hands often with a sanitizer you keep with you at all times in your travel purse and take Airborne effervescent tablets with you so your system can brace for the assault on your body particularly in self-contained, confined spaces like airplanes and waiting rooms where air is re-circulated. Some swear by it as I do; others swear at it claiming it to be no more than a placebo effect. Just do whatever works for you. No one is immune from the cold and flu virus so be on the defensive. If at all possible, stay away from the obviously afflicted and hydrate always. Well, maybe not on the plane itself to prevent frequent trips to the bathroom.

You estimate and gather the money required to pull it off. Fudge the figure twice as much and be warned. Your money will be as fluid as water gushing out of a broken water main. Have one or two credit cards with you for backup and call the 800 number and give them a heads-up to let them know that you will be in the country during a particular period. Fraud units of credit card

companies study your spending patterns and much to your dismay, may put a hold on your credit card transaction if it registers you are buying far away from your place of residence. You will end up calling their number to prove your identity, which is not an 800 number, and for which you will pay for the long distance call. Make sure you bring dollars in near-mint condition because the moneychangers will refuse old, tattered currency with cuts or writing. A lot of non-mall shopping transactions will be in cash, so be prepared to bring cash on your person or in a zippered, discrete purse you keep with you at all times. Vigilance is the key when out in public. Thieves have trained eyes and can home in on a victim who is not alert. Keep your purse on the side of your body where your shopping companion walks. Beware of distractions and scripted street dramas designed to keep you off guard.

*(To be continued)*

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# Home Refinancing for the able is opening up great opportunities!

## HOME BUYERS



**KENNETH GO**

WITH lessons learned, let's discuss why you should not refinance your loans

Going through the home refinance process may seem like a good idea to save money or to get money for home improvements or other purposes, but there are some instances when you should not refinance your home. By understanding the situations where getting a refinancing loan is not such a good idea, you can better understand when you should look into the home refinance process.

What are some of the reasons why you should not refinance your home?

**To pay for a vacation or other consumable purchase.**

If you are going to refinance your home to take a vacation or other purchase, this may not be such a good idea. When you refinance your home, you are taking out a loan for a time period of 15 to 30 years. If you use the money for a vacation or other purchase, then you are in es-

sence paying for it for the entire length of the loan. That is not a smart move, simply because it is throwing money down the drain, because it is a purchase that will not last.

Paying off a car is questionable, depending on what interest rates you are paying for both and your tax benefits.

**You will not break even with closing costs and interest rate.**

Make sure that you are going to stay in the home long enough to recoup your closing costs and refinancing fees that you have to pay. By considering the lower monthly payment and how long it will take to make up the closing costs that you are going to pay, you can make sure that you will stay in the home long enough to recoup the costs of refinancing. Evaluate this carefully to ensure that it will be worth the money that you will have to spend to refinance your home.

**To pay off credit card debt without addressing the spending problem.**

Refinancing your home to pay off your credit cards, only to rack up the debt again is not a reason to refinance. If you do not address the spending issues that you and/or your spouse have, you will not do any good in the long run. You are putting your home at risk and are possibly setting yourself up for bankruptcy in the future. You are

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## BARRISTER'S CORNER



**ATTY. KENNETH URSUA REYES**

RECENT changes in immigration legislation has made it more difficult to pursue certain traditional paths to obtaining permanent residency in the United States. Employment based immigration has been affected by retrogression. H-b visas has been affected by lower visa quotas. However, one traditional way of obtaining permanent residency which has remained unchanged is through a petition by a US citizen spouse.

# Permanent Residency through marriage to US Citizen spouse

As a spouse of a US Citizen, an alien is considered an immediate relative and entitled to immediately apply for a green card inside the United States. This is usually done by simultaneously filing an I-130 Petition for Alien Relative and an I-485 Application to adjust status. However in order to do this, the alien spouse must have been inspected when the alien entered the United States or if not inspected must be grandfathered by section 245(i) of the immigration and nationality act. Being inspected means that the alien entered using a valid visa, paroled inside the United States, entered using the visa waiver program. The alien is grandfathered by section 245(i) if a family petition or a labor certification has been filed

for the benefit of that alien prior to April 30, 2001. If the alien was not inspected nor grandfathered under section 245(i), such as if the alien crossed the border illegally, the alien cannot obtain his or her green card inside the United States. Along with the application and petition, the alien is also required to take a medical examination by a physician designated by the USCIS. The result of that physical examination is reported in a USCIS form and sealed in an envelope submitted with the Petition and Adjustment Application.

The alien spouse may also apply for a work authorization card with the Petition and Adjustment application. The work authorization card will allow the alien spouse to work legally in the United

States, obtain a social security card, and a driver's license while that person is waiting for his or her green card interview. Work Authorization card are usually issued in about 2 to 4 months from filing the application.

The green card interview is usually set in about 8 to 9 months from the time the Petition and Application is filed. The green card interview is the most important step in the process. It is through this process that the USCIS officer usually determines whether the marriage, which forms the basis of the Petition, was entered in good faith. The adjudicating officer usually asks detailed questions about the marriage relationship between the US Citizen spouse and alien spouse. If the

couple do not have children, the marriage are usually subject to closer scrutiny. Along with this inquiry process, the USCIS would usually request for certain documents that proves a bonafide marriage. Some of these documents may be in the form of pictures, joint utility bills, health insurance documents, and many more. If everything goes well, the USCIS officer will approve the case and a green card will be mailed to the alien's address within a reasonable time period. If the couple has been married for 2 years or more, the alien spouse will receive a permanent green card. If the couple has been married for less than 2 years, the alien will receive a conditional green card. The alien spouse will have to file a petition

to remove the condition 3 months prior to the expiration of the conditional green card which is good for 2 years.

Obtaining legal status in the United States is a one shot deal. People should seek the assistance of an experienced Attorney to guide them through this important and and once in a lifetime process.

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Attorney 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](mailto:kureyeslaw@aol.com). Website [kenreyeslaw.com](http://kenreyeslaw.com)

(Advertising Supplement)

## MINDING YOUR FINANCES



**ATTY. RAYMOND BULAON**

MOST people are unaware that credit card companies will negotiate with you if they believe that it is in their best interests to do so. Many times you can negotiate a reduction of your interest rate and elimination of late charges and annual membership fees. When you are several months behind in payments, they may even agree to take less than what you owe them. The fact that the account is already in collections and/or a lawsuit has been filed doesn't even matter.

# Bankruptcy or debt settlement?

repossession deficiencies, etc. Debt settlement works best in situations where the debtor has sufficient settlement funds, typically 40-60 percent of the total debts owed. In some cases, it may be possible to borrow the funds from a relative, a 401K plan or perhaps sell certain assets in order to produce the cash needed. If, on the other hand, cash is not immediately available, do not lose hope. If you are employed or have some source of income, it may be possible to raise the money that you need although it may take time. Creditors may still agree to some type of payment plan where you can make interest-free payments

after having paid thousands of dollars to the debt settlement company. This can be a terrible waste of time and money.

If no other viable solutions exist, filing bankruptcy may make more sense than debt settlement especially where assets are exempt and beyond the reach of the bankruptcy trustee and creditors. If you are eligible, Chapter 7 bankruptcy allows you to wipe out debts you can no longer afford to pay so that you can start fresh immediately. Chapter 13 allows you to consolidate debts into one affordable monthly payment so you are not stressing out every month with not having enough income to pay

*It is a known fact in the collection business that as time goes on, the ability to collect on a debt diminishes. Thus, the longer your accounts have been in collections, the better your chance of settling your debts for a significantly reduced amount.*

over a period of time as opposed to paying a lump-sum settlement. CAUTION: Beware of debt settlement companies who promise to protect you 100 percent from creditors while you are enrolled in their debt settlement program! The truth is that these companies cannot legally protect you from lawsuits, judgments and wage garnishments if creditors refuse settlement and decide to sue. If you are in a type of program where you pay into a trust account every month to save funds needed for settlement, be aware that it may take several years before all your debts are settled. More often than not, one or a few creditors will not wait that long. They will take legal action and take you to court before a settlement is reached. If that happens, you may end up filing for bankruptcy anyway

living expenses and debts at the same time.

Debt settlement, Chapter 7 or Chapter 13- are the usual options. If you are experiencing debt problems and don't know what to do, seek legal help and find out what is appropriate for your situation. For a free consultation, call toll-free 1 (866) 477-7772. Let us evaluate your situation and recommend possible options. We have offices in Glendale, Cerritos and West Covina.

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None of the information herein is intended to give legal advice for any specific situation. Atty. Ray Bulaon has successfully helped over 4,000 clients in getting out of debt. For a free attorney evaluation of your situation, please call Ray Bulaon Law Offices at TOLL FREE 1-866-477-7772.

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