

DEBT RELIEF



ATTY. LAWRENCE YANG

Downey Regional Medical Center files bankruptcy

as a financially viable entity in the future by allowing it to get rid of unwanted debt, unprofitable contracts, lawsuits and other legal claims while allowing the business or individual to continue operating and keeping assets that it needs to reorganize. Thus, GM and Chrysler are still doing business now after declaring bankruptcy earlier this year. Even K-mart and Orange County have gone through bankruptcy in the past to assure their profitability and survival today. Yes, even the companies of Donald Trump have gone through several bankruptcies as recently as 2004. When push comes to shove, bankruptcy is the best alternative that a business or individual can rely on to ensure it's financial survival and profitability. That's why even hospitals like DRMC resort to

bankruptcy to become profitable again. To ensure that a patient with clogged arteries survives, physicians must perform a coronary bypass. Otherwise doing nothing and continuing to live as if nothing was wrong would hasten the death of the patient. Hence, DRMC knows that it must get bankruptcy relief now if it wants to survive in the future.

Unbeknownst to DRMC until two years ago, it has been losing money at the rate of \$1.0 million a month for the last ten years. Its cash reserves has lost \$100 million in the last decade prompting new management to hit the panic button two years ago. The culprits are HMO contracts that are unprofitable for DRMC, and outdated financial systems. Insurance companies have gotten the better of DRMC by pinning

down the cost of insurance reimbursements for medical procedures done at the hospital. In addition, groups of physicians have sued the hospital to get paid for their fees for services performed that have not been paid. DRMC started in 1920 with 6 beds and 2 physicians. It now has more than 500 beds and serves Downey and surrounding communities. DRMC has serious liquidity problems due to continuing losses and ran out of cash reserves last year. Filing for bankruptcy allows the hospital to access new lending markets that have committed to providing it with much needed cash during the bankruptcy which the hospital expects to last a year. Without the unprofitable HMO contracts and with new financial systems in place, the hospital expects to emerge out of bank-

ruptcy next year without any liquidity problems and with sufficient cash generating potential to ensure a successful future for the hospital.

If you have too much debt and mortgage contracts that have now caused you to be unprofitable as an individual, you might consider getting rid of the debts and contracts with a bankruptcy. For instance, if you owe \$30,000 of credit card debt requiring \$1,000 of monthly minimum payments, own 2 houses that each have 2 trust deeds on them requiring you to pay combined mortgages that eat up all of your net household income, you certainly have no disposable income that you can save. If you qualify for a chapter 7 bankruptcy, you can wipe out the entire \$30,000 of credit card debt, choose to keep either or both

houses, while keeping most if not all of your other assets, and keeping all of your income. Just like DRMC, GM, Chrysler, K-Mart, and Orange County, you can become a productive citizen again. If you decide to abandon one house, you will owe nothing on the first, second trust deeds, or home equity line on the house that you abandon. Indeed, you will owe nothing on it.

If you need debt relief, contact my office. I will analyze your case personally.

Lawrence Bautista Yang specializes in bankruptcy, business, real estate and civil litigation and has successfully represented more than five thousand clients in California. Please call Angie, Barbara or Jess at (626) 284-1142 for an appointment at 1000 S. Fremont Ave., Bldg. A-1 Suite 1125 Unit 5B, Alhambra, CA 91803.

(Advertising Supplement)

PROBLEM SOLVED



ATTY. RICHARD WILNER

Immigration Service issues formal guidance for widows / widowers of US citizens

Able to immediately pursue benefits

receive work authorization and yes, travel authorization!

According to guidance issued on August 31, 2009, in order to be eligible for interim relief granted to surviving spouses, you must be physically present in the United States and not have remarried after the death of your petitioning spouse. Your children under 21 are eligible for relief also. In some cases, children who have turned 21 remain eligible if an I-130 petition was filed by your decedent spouse prior to the child turning 21. The decedent spouse need not be the biological parent of your child in order for your child to qualify.

Citizenship and Immigration Services has taken the peculiar but pleasing position that persons who entered on K-1 fiancée visas that did not marry the petitioner, but entered and married someone else (that died) are still eligible under this program. Previously, K-1 entrants were only eligible to adjust status through marriage to the petitioning fiancée.

The above-mentioned benefits are also available to those presently in removal (deportation) proceedings, however, the application would not be made to

CIS. Instead, the request would be made directly to Immigration and Customs Enforcement. If you were already ordered deported but remained in the United States, it is possible that a motion to reopen could be filed on your behalf to pursue this relief that was unavailable to you at the time.

Wilner & O'Reilly, APLC is pleased with these positive developments and guidance issued by Citizenship and Immigration Services and strongly recommends that competent counsel be retained to assist you in pursuing relief that is now available to you.

Richard M. Wilner is a principal in the firm of Wilner & O'Reilly, APLC. He is Board Certified as a Specialist in Immigration and Nationality Law by the State Bar of California's Bureau of Legal Specialization. He is a former Commissioner for the State Bar's Immigration and Nationality Law Advisory Commission. He holds a Master of Laws (LL.M.) Degree from the University of the Pacific, McGeorge School of Law in International Business Practices and a Juris Doctor from McGeorge as well. Additionally, he was granted a Certificate in International Law by the National University of Singapore. Mr. Wilner may be reached directly via email at rmwilner@wilnereilly.com or by telephone at 562.207.6789

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INSIDE IMMIGRATION



ATTY. DARREN SILVER

ON September 18 Darren Silver & Associates in conjunction with CSI Professionals conducted a seminar on Canada immigration at CSI's offices in Glendale, CA. The seminar received rave reviews and offered a very comprehensive "infomercial" on all things Canadian. On September 26 DSA will again be conducting the same seminar at CSI's Glendale offices. In addition, in late October DSA will be travelling to the Philippines to conduct seminars on Canada immigration and will also be appearing on a live worldwide telecast to millions of Filipino viewers discussing various Canadian immigration options. Be sure to tell your relatives abroad to catch the show!

For many aspiring immigrants, the negative effects of the world wide economic meltdown towards their ability to be able to work and or immigrate to greener pastures abroad has been devastating. For example, in the United States, there are scores of temporary H-1B workers that are in danger of running afoul of their status as more and more employers are facing a cash crunch and are forced to let them go. For these displaced workers the only options are either to quickly find another employer or go back home.

However, there is a 3rd relatively unknown option for these and other aspiring skilled workers to be able to realize their dream of a better life. That option is Canada. Canada has been ranked as one of the best places to live by the United Nations numerous times within the past 10 years. Other than its historically lower rates of gun crime and other violence compared to the United States, Canada mirrors its neighbor to the south in almost every other aspect. In fact upon visiting Canada, one will note that

How about Canada?

it looks like just like any other part of the United States with wide open highways, shopping malls, movie theaters, restaurants, etc. The only real palpable differences is that they use kilometers as opposed to miles, their currency is multi colored, they have a parliamentary system as opposed to our federal system of government and their head of state is the Queen of England as opposed to our President.

Geographically Canada is truly a breath taking wonder of nature. Second only to Russia, Canada is the largest country in the world with mountains in the western region to low lying plains in the eastern part of the country with fresh water lakes (Canada has the largest supply of fresh water in the world) and some of the most spectacular forested regions one has ever seen in between the two coasts. A majority of the estimated 33,000,000 people of Canada live within 150 miles of the border Canada shares with the United States with a majority of them living in the corridor between Windsor, Ontario (bordering Detroit, Michigan) and Montreal, Canada, i.e. the "401 corridor."

Economically, Canada is one of the trillion dollar class economies. Historically in order to fill the labor shortages that a country of its size encounters, the Canadian government has had to rely on a large influx of new immigrants each year. In 2007, Canada admitted approximately 250,000 new immigrants with similar figures for 2008 and expected for 2009. The majority of those new immigrants arrived in Canada in one of the following categories; family, refugee and asylum, investment and skilled workers. The latter is the focus of the remainder of this article.

In 2008, the Minister of Citizenship and Immigration issued ministerial instructions to completely revamp how Canada immigration accepts and processes applications for the Federal Skilled Workers class and also put FSW applications into a Fast Track processing stream. According to the new instructions, all FSW applications will

now be limited to a new list of 38 occupations that are considered to be in high demand in the Canadian economy. All that is required is that the applicant have 1 year of experience in the listed occupation acquired from anywhere in the world and they can have Permanent Resident or Landed Status status (aka Green Card) in Canada within 6-12 months! No job offer is required. Previously FSW applications to Canada were taking approximately 3-5 years to be processed. In addition to the 1 year of experience, the applicant will have to garner at least 67 points out of 100 on the assessment scale. Factors include age, education, language ability, existing ties to Canada, arranged etc. Most of the occupations relate to health, skilled trades and finance. Please see below for a complete list:

- Financial Managers
- Computer and Information Systems Managers
- Managers in Health Care
- Restaurant and Food Service Managers
- Accommodation Service Managers
- Construction Managers
- Financial Auditors and Accountants
- Geologists, Geochemists and Geophysicists
- Mining Engineers
- Geological Engineers
- Petroleum Engineers
- Specialist Physicians
- General Practitioners and Family Physicians
- Audiologists and Speech Language Pathologists
- Occupational Therapists
- Physiotherapists
- Head Nurses and Supervisors
- Registered Nurses
- Medical Radiation Technologists
- Licensed Practical Nurses
- University Professors
- College and Other Vocational Instructors
- Chefs
- Cooks
- Contractors and Supervisors, Pipefitting Trades
- Contractors and Supervisors, Carpentry Trades
- Contractors and Supervisors, Heavy Construction Equipment

► PAGE C5

TAPAT SA BATAS



ATTY. RHEA V. SAMSON

NOONG aking mga huling artikulo ay aking tinalakay ang 245(i) at 245 (k) na maaaring gamitin ng isang dayuhan sa kanyang adjustment of status o green card application kung siya ay nawalan na ng status. Marami ang nag-aakala na kung sila ay nawalan na ng status, mahigit na sampung taon na silang nasa US, at may labor certification o immigrant petition na nai-file sa kanila bago ang April 30, 2001, maaari na silang mag-apply ng green card sa ilalim ng 245(i). Ito ang aking tatalakayin ngayon.

Bago mag-apply ng green card application ang isang dayuhan sa ilalim ng 245(i), kailangan munang sundin niya ang green card process sa pamamagitan ng family-based petition o employment-based petition.

Para sa family-based petition, kailangan ng immigrant petition mula sa relative na US citizen o green card holder. Kapag current na ang priority date nito, maaari nang mag-apply ng green card application.

Para naman sa employment-based green card, may tatlong hakbang sa pagkuha nito: (1) Ang PERM Labor Certification Application; (2) Immigrant Petition; at (3) Green Card Application.

Ang PERM Labor Certification

Ang green card process

(PERM) ay kinukuha mula sa US Department of Labor (DOL). Ang US employer ay kailangang mag-conduct ng recruitment para sa isang permanent position na kanyang inalok sa dayuhang empleyado. Kabilang sa recruitment methods ang Sunday advertisements, internet posting, advertisement sa local at ethnic newspapers, at radio at television advertisements. Ang certified PERM application ay nagpapahiwatig na ang US employer ay maaaring kumuha ng dayuhang empleyado para sa permanent employment dahil walang US workers na makuha ang US employer, o walang US workers na may kalidad para sa posisyon na kailangan ng US employer.

Kapag natanggap na ang certified PERM Application, ang pangalawang hakbang ang Immigrant Petition ay maaari nang i-file sa USCIS. Ang US employer ay kailangang mag-submit ng mga dokumento na magpapakita na mayroon itong financial ability to pay prevailing wage sa dayuhan. Ang dayuhan ay magbibigay rin ng mga dokumento na magpapakita na siya ay qualified para sa minimum requirements na naka-lista sa PERM labor certification application.

Ang huling hakbang para makakuha ng employment-based green card ay ang green card application. Ito ay maaaring i-file kapag ang priority date ng dayuhan ay current na. Ang US employer ay kailangang mag-verify na ang offered employment sa dayuhan ay tuloy

pa rin. Ang dayuhan naman ay magbibigay ng mga dokumento na magpapakita ng eligibility niya para sa green card, katu-lad ng birth certificate, marriage certificate, proof of lawful entry (o 245i), at medical certificate.

Para sa family-based o employment-based green card, kailangang current muna ang priority date para sa immigrant petition na basis ng green card application, bago mag-apply ang 245(i). Kung ang employer na nag-file ng immigrant petition ay nag-sarado na o kung ang relative na nag-file ng immigrant petition ay namatay na, ang green card application ay hindi maaaring i-file kahit may 245(i) dahil ang immigrant petition ay automatically voided. Para sa green card application, kailangan ng valid ang immigrant petition na basis nito.

Si Attorney Rhea V. Samson ay abogado dito sa California at sa Pilipinas. Siya ay nagturo sa Ateneo De Manila University ng Essentials of Philippine Business Law, Obligations and Contracts, Corporation Law, Partnership Law at Labor Laws and Social Legislation. Siya rin ay nagkatha ng librong, "Working With Labor Laws, A Comprehensive Guide on Conditions of Employment, Employee Benefits Under Special Laws, Termination and Retirement" na inilathala ng Ateneo de Manila University Press at University of Hawaii Press. Itong libro niya ay kasalukuyang textbook sa kursong Labor Laws and Social Legislation ng Ateneo de Manila University.

Nagbibigay si Attorney Samson ng free initial consultation sa kanyang opisina, Samson Law Corporation, 3550 Wilshire Boulevard, Suite 1765, Los Angeles, CA 90010; telephone no: (213)249-1605; fax no: (213)637-5637; email address: samson@samsonlawcorp.com; website: www.samsonlawcorp.com.

(Advertising Supplement)

tuloy po kayo... please come through...

Kahapon, Ngayon at Bukas
ng Historic Filipinotown

Historic Filipinotown:
yesterday, today + tomorrow

pdub productions
mobile hi fi tour launch +
pwc fundraiser

Saturday, September 26, 2009 @ Pilipino Workers' Center [PWC]
153 Glendale blvd. 2nd. Floor, Los Angeles, CA 90026

Saturday, September 26, 2009

12:30 pm - 1:00 pm
Official Unveiling +
Blessing of PWC Jeepney +
Press Conference
Be one of the first to ride on the tour!

1:00 pm - 6:00 pm
Mobile Hi Fi Walking +
Jeepney Tours of Historic Filipinotown
Travel Across Time!
Experience Historic Filipinotown's
past + present on the Mobile Hi Fi Tour

6:30 pm - 9:30 pm
Under the Stars:
Backyard Barrio Fiesta +
Outdoor PDUB Screening +
Food + Live Musical Entertainment

Individual Tickets for the Barrio Fiesta Fundraiser to benefit PWC are \$50
(including food + screening + guaranteed spot on Walking Tour) **Jeepney Tours are \$20** (reservations required).

Ticket prices for Celebrity Jeepney Tours vary. **Mobile Hi Fi Walking Tours are FREE**, but space is limited and reservations are required.

Tickets and Information:
www.hypercities.com/pdub
213.250.4353 angelique@pwcsc.org
Make checks payable to Pilipino Workers' Center, a non-profit 501(c)3 organization.

The Pilipino Workers' Center (PWC) is a nonprofit resource and information center committed to helping low-income families with employment, healthcare, affordable housing, and immigration issues since 1997. PDUB Productions is an innovative digital youth media and civic engagement program at PWC that engages neighborhood youth in the creation of content about Historic Filipinotown's history and significance, and aims to increase the neighborhood's visibility and foot-traffic. PDUB Partners include: Public Matters, UCLA's Center for Remap and HyperCities.