

LEGAL RIGHTS



ATTY. JOHNSON LAZARO

Immigration of an adopted child

today and parental control. The documents that can be used to prove the two-year residing with requirement can include school records, medical records, dental records, and tax returns listing the child as a dependent (in order to list the child on a United States tax return, a tax payer identification number should be obtained for the child). Get a camera with digital date and take lots of pictures. Only when the legal and physical custody requirements have been can the adoptive parents file a visa petition.

The other category of adoption is orphan adoption. An orphan is a child whose parents died, disappeared, or deserted the child. A child is also considered an orphan if the sole or surviving parent is incapable of providing the proper care and has, in writing, irrevocably released the child for emigration and adoption.

A US citizen and spouse jointly, or by an unmarried United States citizen at least twenty-five years of age, who personally saw and observed the child prior to or during the adoption proceedings may be eligible to adopt the orphan. If it is not possible to adopt the child in the Philippines, it may possible for the child to immigrate and be adopted in the US. This is a special situation that is used sparingly.

The four agencies that play a part in international adoption process are: the local child welfare agency, the government adoption board, a home study organization, and the immigration service. In the Philippines for example, the Inter-country Adoption Board (ICAB) will investi-

gate whether in fact the child is an orphan. The agency will look into the background and history of the child and the whereabouts of the parents. Once the ICAB is fully satisfied that the child comes within the legal definition of orphan, it will prepare a report to the US Immigration. These reports are usually accepted and the cases go forward. The next steps will be preparation of applications for visa and the subsequent entry of the child to the US.

Since last year however, countries that are party to the Hague Convention must observe certain procedures. This is a global convention aiming to protect and respect the rights of children as they are adopted by foreign families. If a country is a party to the Hague Convention, the adoptive parents must first obtain a home study, obtain approval from the US consul, work with the Central Authority of the foreign country on adoption, and complete all necessary consulate forms. An attorney can help in this process to insure that all legal steps are followed, represent the adoptive family, and work with the US consul in moving the case forward.

*** This article should not be taken as legal advice for any individual case or situation. The information is intended to be general and should not be relied upon for any specific situation. This is not meant to create a lawyer-client relationship. ***

Lazaro and Associates is a Filipino-owned law firm that handles civil litigation. The firm's offices are located in San Francisco, Fremont/Newark/Union City California, Makati City (Philippines). Telephone (415)278-9577. E-mail: Law@LazaroLaw.com. Website: www.LazaroLaw.com. (Advertising Supplement)

IMMIGRATION HIGHLIGHTS



ATTY. CRISPIN LOZANO

QUESTION: What is a loan modification?

Answer: Loan modification is a legal process whereby the terms of the mortgage contract are permanently changed to make payments more affordable to the borrower. Loan modification may include reducing the interest rate, extending the term of the loan from 30 to 40 years, or adding missed payments to loan balance. Modification may also involve reducing the principal balance of your mortgage by canceling or forgiving a portion of the mortgage debt.

Question: Is the portion of mortgage principal reduced through loan modification taxable as income?

Answer: Under the Mortgage Forgiveness Debt Relief Act of 2007, the forgiven debt may be excluded from income in calculating the federal tax you owe, but it still must be reported on your federal tax return.

Question: What should a borrower have to show to qualify for loan modification?

Answer: Lenders are not obligated to modify a loan. The lender's motivation in modifying a loan is that this is a better alternative to foreclosure. The borrower must show hardship in making payment as a result of long-term reduction in income or increased payment under ARM. Borrower should also be able to show good-faith effort to pay the mortgage.

Question: Why is some loan modification applications denied?

Answer: Some applicants

Loan modification is best option to stop foreclosure

are denied because they cannot prove that there is sufficient income to pay the mortgage after it is modified. Others were denied because they could not show any hardship in their income and expense worksheet.

Question: Will negotiating loan modification through an attorney give more favorable terms?

Answer: Attorneys are trained in negotiation and are likely to get more favorable terms. Loan modification is a legal process. Lenders will pay special attention to attorneys' modification proposals because of the threat of court litigation if negotiation

You are having hardship in making payments or currently in default.

Question: What are the possible changes in the terms of the loan if modified?

Answer: The purpose of loan modification is to avoid foreclosure. Both the lender and the borrower want of avoid foreclosure. Depending on the bank and your particular situation the following are the possible but not guaranteed changes:

- Reduction in interest rate from 3 percent to 5.5 percent
- Extended life of the loan from 30 to 40 years.
- Conversion to fixed rate loan.
- Reduction in principal amount.
- Lowering of monthly payments.

Note: This is not a legal advice. We offer free consultation on loan modification only.

Immigration tips of the week

We again have successfully obtained a waiver of fraud or misrepresentation in Immigration Court for a green card holder who entered as single but is actually married.

Denied adjustment of status and Naturalization applications are now being sent to the Immigration Court.

Income tax filing is required in the proposed legalization. Individual Tax Identification Number (ITIN) can be used for filing tax returns and is required before bank accounts can be opened. Our office assists clients in obtaining ITIN.

*** Crispin Caday Lozano is an active member of the State Bar of California and he practices real estate and immigration law. He earned his Juris Doctor at Western State University in Fullerton, California. He is also a CPA and a licensed Real Estate Broker. His offices are located at 17057 Bellflower Blvd, Suite 205, Bellflower, CA 90706 and 1290 B Street, Suite 205, Hayward, California 94541 and at 777 N. First St., Suite 333, San Jose, CA 95112. You can contact him at telephone (562) 461-1355 and (510) 538-7188. (Advertising Supplement)

“Filing bankruptcy is generally considered as the option of last resort. A bankruptcy stays in your credit report for 10 years. It can make difficult to get credit to buy another home, get life insurance or sometimes get a job.”

fails. Court litigation is expensive to lenders and they do not want to waste time on litigation.

Question: Will filing of bankruptcy stop foreclosure?

Answer: Yes. Filing bankruptcy is generally considered as the option of last resort. A bankruptcy stays in your credit report for 10 years. It can make difficult to get credit to buy another home, get life insurance or sometimes get a job.

Question: Who may qualify to loan modification?

Answer: You may qualify if you have any of the following:

Your Mortgage Loan is substantially more than the value of your home.

Your loan is an Adjustable rate mortgage (ARM)

Your interest rate is too high.

You are in foreclosure or a Notice of Default has been filed.

What is a smile design?

convey warmth. A sexy smile design also draws the eye to the center of the face, emphasizing the nose and chin. It is good for people with prominent, attractive lips. Example: Christy Brinkley.

The sophisticated smile

Teeth in the sophisticated smile make a straight horizontal line. A sophisticated smile conveys maturity and intelligence. It tends to emphasize the width of the lower face. When teeth first erupt, the lengths tend to be more uneven. As we age, they wear to even lengths. Therefore, we associate teeth of even lengths with maturity, wisdom, and “sophistication.” Example: Farrah Fawcett, Julia Roberts.

The sporty smile

A sporty smile is between sophisticated and sexy. The central incisors are a little longer than the laterals. A sporty smile design conveys casualness and informality, and can also convey warmth. It's not quite as serious as the sophisticated smile nor as young as the sexy smile. Example: Joey Albert

Factors that influence the smile design are:

1. Your facial shape. For example, a long face may need to accentuate width to appear more oval. Someone with attractive

features in the center of the face may need bold central incisors to draw attention to that center.

2. Your image aspirations. How do you want to appear to others? A sophisticated smile gives the appearance of more intelligence, maturity and judgment. A sexy smile gives the appearance of more warmth, energy and boldness.

3. Your age, or how old you want to appear. Longer central incisors make you appear younger. Also, whiter teeth make you appear younger. Conversely, a flatter smile or a more subdued color to the teeth make you appear more mature.

With your smile design consultation, a cosmetic dentist will go over all of these factors. He or she may have you pick a smile from a book of photographs of smiles. A good cosmetic dentist may disagree with your pick and will tell you, but the final decision is still yours. Ultimately, you have to be the one who is happy with your smile.

*** To find out if you would benefit from denture relines or new dentures, call Dr. De Leon for a free consultation at 650-697-9000. Dr. de Leon is with Millbrae Smile Center located at 15 El Camino Real, Millbrae CA. She is a member of American Academy of Cosmetic Dentistry, Academy of Laser Dentistry, ADA, CDA, SMCDS And AGD. (Advertising Supplement)

Log off...

PAGE B3 ◀ hot chocolate.

When they all had a cup of hot chocolate in hand, the professor said: ‘Notice that all the nice looking; expensive cups were taken, leaving behind the plain and cheap ones. While it is normal for you to want only the best for yourselves, that is the source of your problems and stress. The cup that you’re drinking from adds nothing to the quality of the hot chocolate. In most cases it is just more expensive and in some cases even hides what we drink. What all of you really wanted was hot chocolate, not the cup; but you consciously went for the best cups... And then you began eyeing each other’s cups.

Now consider this: Life is the hot chocolate; your job, money and position in society are the cups. They are just tools to hold and contain life. The cup you have does not define, nor change the quality of life you have. Sometimes, by concentrating only on the cup, we fail to enjoy the hot chocolate we have. The happiest people don’t have the best of everything... They just make the best of everything that they have.

Live simply. Love generously. Care deeply. Speak kindly. And enjoy your hot chocolate! But first, LOG OFF.

*** Nota Bene: To ask questions, send feedback and requests as well as to inquire about advertising in any or all of the 6 print editions of Asian Journal in California, Nevada and New York/New Jersey and/or advertising in the Print Edition Online of Asian Journal, e-mail monette.maglaya@asianjournalinc.com THANK YOU TO ALL WHO HAVE SENT FEEDBACK.

DR. VAL'S DENTAL VIEWS



DR. VALERIE DE LEON

COSMETIC dentists understand that communication with the patient over what they expect, what they want their teeth to look like, is critical to their success. In order for you to be happy with the result, you need to have strong input into the artistic planning of your smile. To help you accomplish that, I'd like to give you an idea of the three smile designs.

The sexy smile

A sexy smile has variation in the lengths of the teeth. Since the central incisors tend to be longer than the other front teeth when they first come in and then wear down over time to an even length, we associate longer, more prominent central incisors with youth and “sexiness.”

Therefore, in this smile design, the central incisors are significantly longer than the lateral incisors. This smile design conveys youth and boldness, or it can also



Frank Gajunia of Star Pacific Travel (left) paid a visit to his good friend, deputy National Security Adviser Luis “Chavit” Singson (center) at his Corinthian Gardens residence in Metro Manila last March. Gajunia and Singson have been friends for 21 years. With Gajunia and Singson in photo is businesswoman Borgie Mirasol. Frank, who was active in the airlines reservations business for many years, has recently re-established his contacts in the industry. His company, Star Pacific Travel, is offering competitive air fares to many destinations, including the Philippines. If you are in need of airline tickets to the Philippines or other prime destinations, call Frank at (650) 271-669 or (415) 251-6726. (Advertising Supplement)

Old asylum cases being...

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thought that the case was long closed and forgotten, and that no further consequences would result because of the asylum application. However, we see that USCIS appears to now be dusting off and opening up old asylum cases and going after people who had applied for political asylum but did not attend their asylum interviews.

If you had ever applied for political asylum, I would suggest that you seek the advice of a reputable attorney, who can evaluate your situation, and could perhaps guide you towards legitimate ways to legalize your status before you are scheduled for an asylum interview and/or removal proceedings as a result of that long-forgotten asylum ap-

plication.

*** Michael J. Gurfinkel is licensed, and an active member of the State Bar of California and New York. All immigration services are provided by, or under the supervision of, an active member of the State Bar of California. Each case is different. The information contained herein (including testimonials, “Success Stories”, endorsements and re-enactments) is of a general nature, and is not intended to apply to any particular case, and does not constitute a prediction, warranty, guarantee or legal advice regarding the outcome of your legal matter. No attorney-client relationship is, or shall be, established with any reader. WEBSITE: www.gurfinkel.com Call Toll free to schedule a consultation for anywhere in the US: (866) - GURFINKEL

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LBC USA gives its costumers the ‘Power of Choice’

Lowers money remittance service fees to as low as \$3

“We understand what our customers are going through. We know that it has not been easy for them to send money with the many problems caused by our weak economy,” notes Hugo Bonilla, LBC USA’s president and CEO.



SOUTH SAN FRANCISCO - Everyday the numbers rise - jobs lost, foreclosed homes in almost every block, prices of goods and services. Plus, more and more companies close and

Power of Choice Lowers money remittance service fees to as low as \$3

“We understand what our customers are going through. We know that it has not been easy for them to send money with the many problems caused by our weak economy,” notes Hugo Bonilla, LBC USA’s president and CEO.

New pricing Through the new tiered pricing plan, LBC customers can now enjoy lower service fees for the company’s money remittance services.

Beginning May 1, LBC USA customers in the US can send money to anywhere in the Philippines for as low as \$3 per transaction. The \$3 transaction fee applies only to remittance \$100 and below. For bigger amounts, the sender can choose from the various levels available from LBC.

Below are the service fees and the corresponding amount of money remittance

AMOUNT	SERVICE FEE
\$ 00.01 to \$100.99	\$3.00
\$ 101.00 to \$ 200.99	\$6.00
\$201.00 to \$500.00	\$8.00
\$501.00 to \$3,000.00	\$10.00

\$3,000.00 and UP \$5.00 for every fraction of \$1,000

Hugo Bonilla, LBC USA’s president and CEO explains that the lower fees and new tiered pricing are aimed to make sending money home less of a strain.

“We understand what our customers are going through. We know that it has not been easy for them to send money with the many problems caused by our weak economy,” notes Hugo Bonilla, LBC USA Mundial’s president and CEO. “Filipinos in the US will continue to send money to their family and loved ones in the Philippines regardless of their own money woes. We hope that by lowering our fees, LBC USA is helping them in helping their families,” Mr. Bonilla further explains.

The new tiered pricing and lower fees for money remittance are now available in most LBC USA branches in the US.

For details on the new pricing, please call LBC USA at 1-800-3385424 or visit www.teamlbc.com for the location of LBC USA’s 60 branches in the US.



(Advertising Supplement)