

**IMMIGRATION CORNER**



**ATTY. MICHAEL GURFINKEL**

(Part 1)

**M**ANY people had relative petitions filed for them by family members (such as spouse, parent, brother, sister, etc.). After waiting anxiously for several years (sometimes over a decade), the priority date finally becomes current, and they are called by USCIS for their adjustment of status interview. They may think to themselves that because they filed the Petition on their own, they can handle the interview themselves and save money, by not having an attorney with them for their adjustment of status interview.

However, filing a petition and getting it approved is relatively simple, compared to an in-person interview. After all, with a petition, you fill out the form, include supporting documentation, and mail it away to the USCIS. You then receive an Approval Notice from the USCIS in the mail, without ever seeing any Immigration Officer in person.

An adjustment of status inter-

# Why it's a good idea to have an attorney for your interview or hearing

view puts you in an entirely different situation. This may now be the first time that you come face-to-face with an Immigration Officer. At your interview, you may be questioned in detail about your case or petition. This could include the facts about how you entered the US (i.e. under a different name or date of birth), what you have been doing in the US all these years (i.e. have you been working without authorization?), whether you ever applied for any other immigration benefit during that time (i.e. Political Asylum, CSS/LULAC, etc.)

The documents that you submitted when you first filed the petition, as well as the documents you bring to the interview, will be examined carefully by the Immigration Officer, who is highly trained to spot and detect fraudulent documents, such as fake birth certificates, employment letters, tax returns, etc.

Although Officers conducting interviews are courteous, professional, and fair, you could really mess up your case if you don't bring the proper or complete documentation, don't provide correct information, start con-

tradicting yourself, start giving evasive answers because you're confused, tired, or scared. Even if you're "innocent," it may look like you are trying to hide something or you are lying (even when you're telling the truth). This could create suspicion in the mind of the Officer. So, even though you may be legitimately entitled to the immigration benefit being sought, you could find yourself being put under investigation, or even having your case denied.

A lot of times people think to themselves, "I'll just go to the interview by myself, so I can save money, and if things get messed up, then I can always go to an attorney." But, if you messed up the case, it makes it all the more difficult and costly (and your case gets delayed), as more time is needed to repair the damage! And you may mess up the case so bad, by saying the wrong things that the case may be beyond repair, and be denied.

I know some people tell themselves, "If I bring along an attorney, the USCIS may think I have done something wrong, I have something to hide, or I am guilty." This is a myth. If



**THE UNSTOPPABLE POP PRINCESS SHINES ON CITIZEN PINOY THIS SUNDAY!** One of the biggest names in Philippine entertainment -- "Pop Princess" Sarah Geronimo (2nd from right) joins "attorney-to-the-stars" Michael J. Gurfinkel (right) for an entertaining and informative encore episode. Sarah's parents, Delfin (left) and Divina (2nd from left) also take part in the lively discussion as they talk about how they got their US visas. The most popular immigration program on television Citizen Pinoy - airs this Sunday, at 5:40 pm (PST) with a replay on Wednesday, at 12:15 am (PST) on TFC. Citizen Pinoy also airs on ANC-US every Sunday at 12 am with replays on Sunday at 8 am and Thursday at 7 pm, all PST; and on ANC- Philippines every Sunday at 4 pm with a replay at 12 am every Monday (Manila time).

you are legitimately entitled to the immigration benefit you are seeking, then having an attorney assist you in preparing your case in advance and accompanying you to the interview, increases the chances of your case being properly analyzed and properly presented to the Immigration Officer. It is not a sign of "guilt."

There are many good reasons for people to be accompanied by an attorney to an interview or hearing. These reasons become even more critical with

the expiration of Section 245(i). Now, there might be no "second chance" for most people, if the petition they waited for so many years is denied. What will they have to fall back on, if this happens?

In a future article, I will discuss some of the reasons why it is a good idea to have an attorney help and represent you.

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.

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## Citizen Pinoy: Live in the Bay Area on, May 31



**CITIZEN PINOY LIVE IN THE BAY AREA ON MAY 31!** Kapamilya from the San Francisco Bay Area are invited to be part of the live studio audience of Citizen Pinoy on Sunday, May 31st at the ABS-CBN Global Studios at 150 Shoreline Drive, Redwood City, CA 94065. Taping will be at 12:00 noon; 2:30 pm; and 4:30 pm. Leading US immigration attorney Michael J. Gurfinkel will be there to answer your immigration questions and provide relevant information that you will all find useful. As a public service from the TFC and the Law Offices of Michael J. Gurfinkel, seats are free, but you need to reserve now at [www.citizenpinoy.com](http://www.citizenpinoy.com) or you may call toll free 1-866-487-3465. (Citizen Pinoy - airs every Sunday, at 5:40 pm (PST) with a replay on Wednesday, at 12:15 am (PST) on TFC. Citizen Pinoy also airs on ANC-US every Sunday at 12 am with replays on Sunday at 8 am and Thursday at 7 pm, all PST; and on ANC- Philippines every Sunday at 4 pm with a replay at 12 am every Monday (Manila time).)

**REDWOOD CITY, CA.** - As ABS-CBN's The Filipino Channel (TFC) celebrates its 15th year of committed service to the global Filipino, *Citizen Pinoy* embarks on its eighth season of public service to Filipinos around North America and their families back in the Philippines - by giving them their valuable immigration information that could eventually help in reuniting them with their loved ones.

As it opens its new season, the most popular immigration program on television returns to the Bay Area to provide answers to your (immigration) questions. *Kapamilya* from cities surrounding the San Francisco Bay Area are invited to be there at any of the three scheduled live studio tapings on Sunday, May 31st at the ABS-CBN Global Studios at 150 Shoreline Drive, Redwood City, CA 94065. Tapings will be at 12:00 noon; 2:30 pm; and at 4:30 pm. Leading US immigration attorney Michael J. Gurfinkel will be there to listen to your immigration concerns & provide relevant information that you will all find useful. As a public service from the TFC and the Law Offices of Michael J. Gurfinkel, seats are free, but you need to reserve now at [www.citizenpinoy.com](http://www.citizenpinoy.com) or you may call toll free 1-866-487-3465.

*Citizen Pinoy's* new season is sure to provide more relevant immigration information to our *kapamilya* viewers. For several years now, the

program has constantly been a genuine commitment to public service on the part of ABS-CBN International's The Filipino Channel (TFC) and the Law Offices of Michael Gurfinkel. TFC subscribers and their families and loved ones around the world benefit from the helpful advice and counsel learned from the show.

*Citizen Pinoy* is made possible with the support of friends who are committed to giving back to the Filipino community: Asian Journal - with circulation in Northern and Southern California, Nevada, and in the East Coast and Arko Foods of Glendale. *Citizen Pinoy* is also supported by ABS-CBN Global's key product offerings: Star Kargo, Starry Starry Store, ABS-CBN Telecom and TFCDirect.

Informative. Entertaining. Inspiring. Tell your family and friends around Northern California who have immigration concerns to reserve their seats now and be there when *Citizen Pinoy* returns to the Bay Area on May 31st at the ABS-CBN Global Studios in Redwood City.

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# Filipino Fiesta 2009

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