Should your career path include immigration law, a growing and important subset of administrative law?

In immigration law, it is all about people on the move. People are on the move all over the globe for a variety of reasons. A brilliant research scientist developing a cancer cure may want to work for a pharmaceutical company in another country. Or perhaps an individual fears for his life and desperately needs to relocate. The need to move could even be the product of love. An individual may meet someone from a different country and decide to move to be with that person. The motivations for wanting to move are practically endless. It is the work of an immigration attorney to know the laws that govern these desires to move. Because the decision to move is such a personal one and is almost always life changing, the work of an immigration attorney can be immensely rewarding.

The varieties of motivations to move reveal an unexpected aspect of immigration law. It really is not as narrow a field as it may seem. Digging a little deeper, one
discovers the practice of immigration law is quite diverse. To begin, there are private immigration attorneys representing those who wish to move and immigration attorneys who represent the government’s interests in either granting or denying permission to relocate. But even those differing labels do not fully represent the diverse ways to practice immigration law. Here are just some of the ways that attorneys practice immigration law.

Some represent corporate clients who need to move employees around the globe. In the United States, these attorneys need to be experts at applying the categories and quotas of business-related immigration permitted by Congress through the Immigration and Nationality Act. To assist their clients, these attorneys must work their way through a challenging application process administered by the government. Along the way, the attorney has the chance to learn all about the fascinating work of his clients. This is necessary because, to advocate for the client, the attorney must be an expert not only on the law but also on the work of the client. For example, if a client is developing a revolutionary new type of computer screen, the attorney must be able to translate the concept to the government adjudicators. The government adjudicators need to understand why the technology is so revolutionary and why it is so important to allow the client to relocate. An effective immigration attorney can make the difference between a corporation that achieves its personnel goals essential to its operations and one that does not.

Other immigration attorneys focus on those who have moved and want to stay, but the government seeks their removal. These attorneys find themselves litigating in immigration court in the United States, with potential appeals in the federal courts. In these cases, private attorneys and government attorneys argue whether an individual has done something that renders them deportable. Making these arguments requires strong statutory reading skills and often involves the ability to expertly analyze the U.S. Constitution.

A strong motivation to move is a fear of harm in one’s home country. Some immigration attorneys represent individuals in asylum cases, where such fear-based claims are adjudicated. Take Maria, for example. Maria’s father was killed in her native Colombia for refusing to help rebels fight against the government. After her father’s funeral, Maria received a note in her home that said, “You are next.” Is Maria entitled to refuge in the United States? An immigration attorney would
represent her through the application process, whose outcome, literally, could mean the difference between life and death.

Yet other immigration attorneys represent individuals who wish to join their loved ones. These attorneys facilitate happy reunions that allow people to live their lives as they wish. The reunion could be the result of new love, an adoption, or unifying a family after the immigration of one family member. As with all immigration categories, these clients need expert guidance through the application labyrinth established by the Immigration and Nationality Act.

The potential workplaces of the immigration attorney are also quite varied. Private immigration attorneys work in big firms, small firms, are solo practitioners, and work for nonprofit organizations. Immigration attorneys who work for the government work for various executive agencies, including the Department of Homeland Security, the DOJ, and the Department of State. Within the Department of Homeland Security, attorneys work for U.S. Citizenship and Immigration Services (USCIS), U.S. Immigration and Customs Enforcement, and U.S. Customs and Border Protection. For example, within Immigration and Customs Enforcement is a corps of trial attorneys who represent the government in immigration court proceedings. Lawyers working for USCIS advise on the adjudication of benefit applications, like those seeking family reunification or the right to work. Within the DOJ, immigration attorneys make up the Office of Immigration Litigation (which handles immigration litigation in the federal courts) and also work for the Executive Office for Immigration Review (which runs the immigration courts and the Board of Immigration Appeals). Immigration lawyers working for the Department of State handle complex issues affecting U.S. consulates abroad.

Students interested in immigration law should begin by taking an immigration or refugee law course. With that background, students should look for any kind of opportunity to begin to work in the field. That opportunity could be through a law school clinic or an internship with a nonprofit organization. Or, a student may find a government internship, such as an internship at a local immigration court. A student may also find temporary employment with a private immigration attorney. The Internet resources listed on the following page will help to begin the search for a first immigration law job.

No matter the type of immigration law practice, all immigration lawyers know that their field is all about people. The constant
interaction with people on the move from all corners of the globe makes it an inspiring area of practice that offers many opportunities for professional fulfillment.

INTERNET RESOURCES

American Immigration Lawyers Association
http://www.aila.org/

Department of Homeland Security, U.S. Citizenship and Immigration Services
http://www.uscis.gov/

Department of Homeland Security, U.S. Customs and Border Protection
http://www.cbp.gov/

Department of Homeland Security, U.S. Immigration and Customs Enforcement
http://www.ice.gov/

Department of Justice, Executive Office for Immigration Review
http://www.usdoj.gov/eoir/

Department of Justice, Office of Immigration Litigation
http://www.usdoj.gov/civil/oil/index.htm

Department of State, Bureau of Consular Affairs
http://travel.state.gov/

ImmigrationProf Blog (which posts news and has gathered links to many other immigration blogs and other immigration resources)
http://lawprofessors.typepad.com/immigration/

Jill E. Family is an internationally-known expert in immigration law. Her scholarship focuses on the procedures used to adjudicate immigration issues. She brings her expertise into the classroom in courses on civil procedure, administrative law, and immigration law…As the director of the Law and Government Institute at Widener, Professor Family works with students, government officials, legislators, judges, attorneys, and the public to explore legislation, the intersection of law and policy, and the work of administrative agencies…Professor Family served as a member of the governing council of the American Bar Association’s Section on Administrative Law, and she is a Fellow of the American Bar Association’s American Bar Foundation.