

## **PREFACE**

This book emerged from a series of articles I wrote on an area of the law that continues to confound and annoy practitioners and government officials, in addition to those attempting to seek immigration benefits for their family members. It didn't have to be this way. Had Congress chosen to employ a consistent method for defining the term "child" with respect to age calculation, and then chosen to describe that in clear and intelligible language, we wouldn't have needed this book and most of the agency memos, articles, and listserves that have resulted. Had the federal agencies that implemented the Child Status Protection Act (CSPA) elected to interpret the law in the magnanimous manner that Congress intended, rather than in the overly narrow and restrictive one they chose, we wouldn't have needed the resulting litigation and agency backpedaling. More than six years after the law was implemented, we are still experiencing major changes in interpretation and numerous unanswered questions. This state of flux will obviously remain until the agencies or the courts resolve all of the unsettled issues.

I have tried to compile the collective wisdom of other practitioners who have examined, written, and litigated in this area. I have also tried to share the advice and practical tips I have received from those who have succeeded in convincing local agents that their client qualifies for CSPA relief, even when that decision is at odds with the agency's official position. In addition to explaining the law, my intent is to encourage readers to challenge those government interpretations that are still susceptible to a different and more generous construction. I dedicate this book to all of you who have called or e-mailed—which has amounted to an almost daily exchange—seeking my advice or sharing information on the CSPA.

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