

## FOREWORD

*Professionals: A Matter of Degree* is a masterpiece in one of the most difficult areas of immigration law. Written by one of the country's leading business immigration law practitioners, Martin Lawler, it incorporates every significant aspect of immigration law pertaining to business professionals.

When I started practicing law more than 30 years ago, the law and practice regarding professionals was much simpler. Labor condition applications did not exist; nor did service centers, specialty occupations, EB-1s or "O," "P," or "Q" visas. All immigration practice was local, and most issues were no more complex than one's ability to persuade the local adjudication's officer who, more often than not, did not have detailed regulations to guide him or her. Today, we live in a far different world. Complex issues such as portability, mergers and acquisitions, the difference between illegal status and unlawful presence, and the trigger points for INA §222(g) and the three- and ten-year bars are now interwoven with the requirements for each visa petition. A myriad of intricate issues often seems to bog us down and confound even the most sophisticated practitioner.

In more recent times, one significant development emerged that also dramatically affected assistance to professionals seeking to enter the United States. First, the abolition of the Immigration and Naturalization Service (INS) and its replacement with several new agencies within the Department of Homeland Security (DHS) directly impacted the ability of professionals to enter the United States. We have been living with adjustments and readjustments to the newly created system, resulting in more funding for investigations and less for adjudications. It resulted in longer delays in adjudicating cases. It has surely resulted in confusion over certain roles within the bureaucracy and how professionals and others are treated.

In order to address the myriad problems that continue to plague employment-based immigration, we need guidance. Martin Lawler's book provides that guidance in detail. It informs the reader about the full range of issues that will arise for professionals—from completing applications to suing on wrongly decided cases. It teaches us how to respond to requests for evidence and how to administratively appeal cases. It not only addresses the "how to" questions, but also provides the framework for responding to difficult and intricate issues that may be raised by officers at the service centers. Because it is so thorough and so

complete, *Professionals: A Matter of Degree* appeals to both the advanced practitioner and those just entering the field.

One of the most unique aspects of this book is its author, Martin Lawler. I have had the good fortune to know Martin for as long as I have been practicing immigration law. His breadth of knowledge in immigration law is as impressive as this book. He is a serious business lawyer, litigator, and appellate lawyer all in one. If the book succeeds in covering all the bases in business immigration law, it is due to Martin's outstanding abilities in all aspects of immigration law and federal practice. As a giant in this field, the book reflects his shared knowledge over many years of practice, and we are all the better for it.

Despite the plethora of publications in the immigration field, this book is truly a jewel. It is extraordinarily complete, yet concise. It does not oversimplify; it clearly explains the field. Because the book accomplishes so much in such a condensed format, it is an essential tool for anyone practicing business immigration law. Whether you are beginning your practice or have many immigrations materials, this book is a must.

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