

PASCHAL NWOKOCHA

LAW OFFICES, LLC.

Our Mission...

At Paschal Nwokocha Law Offices our mission is to provide the highest quality professional, client-driven legal services to businesses and individuals at reasonable rates.

We believe the Immigration and Nationality laws of the United States should work for our clients, *not* against them. We employ all available tools to seek the best possible solutions on their behalf.

Paschal Nwokocha Law Offices
Crown Roller Mill, 105 Fifth Avenue South, Suite 550, Minneapolis, MN 55401
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Crown Roller Mill at Mississippi River West



Services We Provide ...

☞ Employee Visas

- Visas for employees currently in the United States.
- Visas to bring an employee here from overseas.

☞ Corporate Liaison

- Serve as a liaison between a company, the employee, and the U.S. Citizenship and Immigration Service, U.S. Department of Labor, Department of State, and consulates.
- Work closely with in-house counsels, other attorneys, and human resource managers.
- Advise on corporate immigration compliance and enforcement measures, such as I-9 audits, Social Security Administration “no match” letters, DHS “cease and desist letters,” and defending ICE targeted worksite enforcement actions.

☞ Family Visas

- Visas for family members through a relatives employment based visa, and
- Marriage to a United States Citizen or Permanent Resident.

☞ Other Immigration

- Deportation and Removal Proceedings
- Naturalization Citizenship
- Student Visas
- Fiancé Visas
- Visitor Visas
- Temporary Protected Status
- Asylum
- Violence Against Women Act

Members of the Team

PASCHAL O. NWOKOCHA

Attorney at Law



Mr. Paschal Nwokocha is a (*Cum Laude*) graduate of William Mitchell College of Law. He was an Assistant Attorney General for the State of Minnesota before he left to start his immigration practice in 1999. Paschal Nwokocha has been involved in the immigrant community in Minnesota. An immigrant himself, Mr. Nwokocha represents individuals and businesses before the Office of Citizenship and Immigration Service, Immigration and Customs Enforcement, the Executive Office of Immigration Review, Department of Labor and the Federal Courts. He has successfully challenged the Immigration Service actions before the federal courts. Notably, he has been the counsel of record to some published decisions from the Federal Court of Appeals. Mr. Nwokocha has lectured other lawyers at Continuing Legal Education on immigration matters, written articles on immigration related subjects, spoken at community events, and appeared on Public

Television, Voice of America, and the BBC. He has served on the board of several immigrant organizations. Currently, he serves as the Chair of the Minnesota/Dakota chapter of the American Immigration Lawyers Association (AILA) and is a member of the AILA Board of Governors. He previously served as the AILA liaison with the Immigration and Customs Enforcement (ICE) and the DHS Office of Chief Counsel.

OBI E. CHUKWU

Attorney at Law



Mr. Chukwu received his Juris Doctor from the University of Saint Thomas School of Law in Minneapolis. He is a (*Dean's List*) graduate of the University of North Texas with a degree in Economics. He served with the Southern Minnesota Regional Legal Services and at the Fourth Judicial District Court as Law Clerk to the Honorable LaJune Lange working on both civil and criminal dockets. Mr. Chukwu has experience as a Legal Analyst for Wolters Kluwer Financial Services and the International Leadership Institute (ILI). With ILI, Mr. Chukwu worked on diverse international projects in Brazil and Morocco. In addition to English, Mr. Chukwu speaks, Portuguese, Spanish, Igbo, and West African Pidgin.

JITLA ARNER-MEYERHOFF

Paralegal



Ms. Jitla Arner-Meyerhoff received her Bachelor of Arts degree from Macalester College in 2005. With a background in International Studies and Political Science, she has studied in Barcelona, Spain; interned at the Fundación Pi Sunyer; interned at the Minneapolis Chapter of the American Red Cross; and worked in the Development Office of Macalester College. As a paralegal at Paschal Nwokocha Law Offices, she has developed in depth knowledge of both employment based and family based immigration proceedings through extensive casework and attendance of immigration CLEs. She is also conversational in the Spanish language.

MARIBEL BUENO

Paralegal



Ms. Maribel Bueno originally hails from Durango, Mexico. In 1997 she graduated in the top 10% of her class from Humboldt in West St. Paul, MN. She served as a Latina Ambassador, forging connections with other young women in the community from Latin American countries. Before coming to Paschal Nwokocha Law Offices, Ms. Bueno was a legal assistant at Kenneth Ubong Udoibok, PA Attorneys at Law. She also worked as the General Manager at a regional headquarters of a chain of restaurants and groceries. Ms. Bueno speaks English, Spanish, and French.

What Visa Can I Use?

Employment Based Temporary, Non-Immigrant Visas

H-1B

The H-1B visa is perhaps the most popular tool for obtaining employment authorization for key foreign national employees. To qualify, the foreign national must have a bachelor's degree (or the equivalent) in the field of specialty of the offered position. H-1B visas are valid for up to 6 years, which can be granted in 3 year increments. Currently, there is a cap on the number of H-1B visas given out annually. There are 65,000 visas available, with an additional 20,000 for applicants with a master's degree or higher. H-1B visa applications are usually filed on April 1st, for a job start date of October 1st. Unfortunately, the practicality of the H-1B cap is that in recent years the quota has been filled within days of the filing date. However, some petitions are exempt from the cap, such as petitions for certain non-profit organizations and for people already on H-1B status changing employers.

F-1 Optional Practical Training (OPT)

F-1 status is for foreign students pursuing a full-time curriculum. Post-completion OPT allows a student to work full-time for an organization for up to 1 year. Curricular Practical Training (CPT) allows the student to work for a company that is integral to their studies. Students with a degree in the math, science, and engineering fields are eligible for a 17 month extension of their OPT.

TN Trade NAFTA

Professionals from Canada or Mexico can apply for a TN visa to enter and be employed in the United States. Applicants must have the specified qualifications, usually a bachelor's degree, for one of the 65 categories of professionals listed by NAFTA. TN status is valid for 1 year, with no limit on the number of extensions.

R-1 Religious Worker

The R-1 visa is available to those who will be carrying on a religious vocation in the United States; or ministers of religion who are authorized by a recognized denomination to conduct religious worship. It is valid for 3 years with a 2-year extension.

L-1 Intracompany Transferees

The L-1 visa is commonly used by multinational companies who are temporarily transferring an employee to the United States. The person abroad must have worked for one full year within the past 3 years for a foreign branch, subsidiary, or affiliate of the organization. They must also be coming to the United States to work in an executive, managerial (L-1A status), or specialized knowledge (L-1B status) capacity. Employees may work in L-1A status for up to 7 years, and in L-1B status for up to 5 years.

O-1 Extraordinary Ability

Foreign nationals who have demonstrated extraordinary ability in business, medicine, arts, entertainment, athletics, or other fields may be qualified for an O-1 visa. O-1 visas are good for 3 years and can be extended in 1-year increments. The standard when applying for an O-1 visa is high. The person must prove the achievement of national or international acclaim by providing extensive documentation of past achievements in their field.

J-1 Exchange Visitors

J-1 visas are given to certain students, scholars, trainees, teachers, researchers, or other visitors participating in a cultural or educational exchange program. They may be authorized to teach, research, consult, train, or observe. J-1 exchange visitors must be sponsored by certain organizations, and are often subject to a two-year home residency requirement when they complete their stay in the United States.

E-1 Treaty Traders / Investors

The E-1 visa is available to people who seek to enter the United States to oversee or work in a business that is engaged in trade between the United States and certain foreign countries. There are currently more than 40 countries the United States has such treaties with. Similarly, an E-2 visa may be obtained by someone making a major investment in a business in the United States, along with certain employees who will work with that executive. E-1 and E-2 status will be granted for 2 year periods, renewable for 2 years for as long as the foreign national continues to work in connection with the foreign trade or investment.

¹ Please note that this is meant to be an overview of visa categories available to employers and employees. It is not an exhaustive list, and does not include many details and exceptions. Consult an immigration attorney for further information and before applying for a visa.

Employment Based Immigrant Visas / Permanent Residence

²Employers may file a petition with the U.S. Citizenship and Immigration Service (USCIS) to obtain Legal Permanent Resident, or “Green Card” status for an employee. These immigrant visas are, as they sound, permanent, and the individual may live and work in the United States for an indefinite period. The basic steps for most employment based immigrant visas are:

1. A **PERM Labor Certification** is filed electronically with the Department of Labor (DOL). As part of the Labor Certification, an employer must show that a) they have done a test of the labor market through advertising and other recruitment efforts and there are not enough U.S. workers who are qualified, available, and willing to fill the particular position; b) that the wage they are offering for the position meets or exceeds the prevailing wage; and c) the job requirements match the intending immigrant’s qualifications. Approval of the PERM Labor Certification usually only takes a matter of weeks.
2. Next, the employer files Form **I-140** Petition for Alien Worker with supporting documents such as the job offer letter and proof there are funds available for the position’s compensation, with the USCIS. This petition takes approximately six to eight months to be approved.
3. Finally, the foreign national may proceed to the processing of his **permanent residence**, or “Green Card.” This application can only be made when there is an immigrant visa available to them. A certain number of visas are available per month, and they are published in the Visa Bulletin on the Department of State’s website. If the foreign national is already in the United States and in legal status, they may file Form I-485 to adjust their status to that of Permanent Resident. Applications for employment authorization and a travel document are made concurrently with the Form I-485. If the Foreign national is abroad, they will file Form DS-230 and apply for their immigrant visa at a U.S. Consulate.

EB-1 Employment Based 1st Preference Category

Foreign nationals who have an **extraordinary ability** in the sciences, arts, education, business, or athletics may qualify in the 1st preference category. They must present evidence of sustained national or international acclaim, but do not need a job offer and may file a petition on their own behalf. Applicants in this category do not have to do the PERM

Labor Certification, and can skip directly to step two. They can also file their Adjustment of Status, step 3, concurrently.

EB-2 Employment Based 2nd Preference Category

The second preference category is for professionals holding **advanced degrees** (a master’s degree or a bachelor’s degree plus 5 years of experience) or foreign nationals with **exceptional ability** in the sciences, arts, athletics, or business. Currently, there are visas immediately available to people in this category. This means that steps 2 and 3 above may be done at the same time.

EB-3 Employment Based 3rd Preference Category

Professionals (employees with a Bachelor’s degree), **skilled workers** (with at least 2 years of training or experience), and certain **other workers** (with less than 2 years of higher education, training, or experience) are in the 3rd Preference Category in the Visa Bulletin. Currently, there is approximately a 2 year wait for visas available to professionals and skilled workers, and about a 5 year wait for other workers. Applicants in EB-3 must complete all 3 steps above, with the exception of Nurses, who need not do PERM and at given times have visas immediately available.

EB-4 Employment Based 4th Preference Category

Special Immigrant Religious Worker

Certain **religious workers** fall under the 4th preference category. They must carry on a religious vocation, and must have been a member of that religious denomination for at least 2 years. Religious workers do not do PERM, and in step 2 they file Form I-360 Special Immigrant Religious Worker in place of the Form I-140. Adjustment of status applications may not be done concurrently.

EB-5 Employment Based 5th Preference Category

The 5th preference category is for **immigrant investors**. A foreign investor who invests \$1 million in an enterprise (or \$500,000 in a high unemployment or rural area) and creates at least 10 full-time jobs, may petition for an investor visa. Here also they do not need to do the PERM Labor Certification, and instead of filing Form I-140 in step 2, they would file Form I-526 Immigrant Petition by Alien Entrepreneur. An Adjustment of Status Application may be done at the same time.

² Is your employee married to a U.S. Citizen or have parents/relatives that are U.S. Citizens? A family based petition may be the fastest and easiest route to getting them a Green Card.

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Directions: Driving

From the East

From westbound I-94, take Exit 234-B (the S. 5th Street exit) and turn right onto 11th Avenue. Turn left onto Washington Avenue. Turn right onto S. 5th Avenue. Proceed one block to the corner of S. 5th Avenue and S. 2nd Street.

From the West

From eastbound I-394, take Exit 9-C (the Washington Avenue exit) and turn right onto Washington Avenue. Turn left onto S. 5th Avenue. Proceed one block to the corner of S. 5th Avenue and S. 2nd Street.

From the Northwest

From eastbound I-94, take Exit 230 (the 4th Street exit). Proceed into and partially through downtown. Turn left onto S. 5th Avenue and proceed three blocks to the corner of S. 5th Avenue and S. 2nd Street.

From the Northeast

From southbound I-35W, take Exit 18 (the SE 4th Street/University Avenue exit). Turn right on SE 4th Street. Turn left onto Central Avenue and cross over the river. Turn left onto S. 2nd Street and proceed two blocks to the corner of S. 5th Avenue and S. 2nd Street.

From the South

As you approach downtown on northbound I-35W, bear left toward the Downtown Exits. Take the Fifth Avenue South exit straight ahead to the Crown Roller Mill bldg. at the corner of S. 5th Avenue and S. 2nd Street.

Parking

OPTION 1: Metered street parking near the Crown Roller Mill (up to \$1/hr.)

OPTION 2: The Depot Parking Ramp (credit card and cash) on S. 5th Avenue, ½ block south of the Crown Roller Mill Bldg. between Washington Avenue and S 2nd Street.

OPTION 3: The Mill Ruins Parking Lot (credit card and cash). Access from West River Pkwy just west of Portland Avenue South. Pay at the bright yellow meter (see graphic). Then walk around to the main building entrance.

