

The Legal Intelligencer

THE OLDEST LAW JOURNAL IN THE UNITED STATES 1843-2014

PHILADELPHIA, THURSDAY, AUGUST 21, 2014

VOL 250 • NO. 37

An **ALM** Publication

P A R A L E G A L S P A G E

Using Immigration Technology Resources Effectively

BY VICTOR F. PANIECZKO

Special to the Legal

The observations of immigration specialist Natalia Teper of the Law Office of Natalia Teper underscore the importance for paralegals of making effective use of technology: "In today's work environment technological awareness is not only beneficial but downright required. To work in any modern office, a paralegal must be proficient in the standard office software programs and must know how to operate basic office equipment. As more offices are moving toward virtual practice and cloud storage, faxes and paper files are becoming a thing of the past, and modern paralegals must know how to scan, email, download, upload and back up files. A good software can make a paralegal's job easier and more efficient, but even the best software is only as good as a person using it."

Knowing what technology is available and how to use it helps paralegals streamline processes of immigration practice and makes them more valuable and successful in the firms where they practice. When paralegals are equipped with the information and technology skills necessary to manage cases, attorneys increase their productivity, enhance the quality of representation, provide top-tier immigration services, and attract better and more sophisticated clients. Paralegals' understanding of



VICTOR F. PANIECZKO

is a paralegal with Flaster Greenberg. He is currently serving as a board member of The Philadelphia Association of Paralegals. He can be contacted at 215-587-5674 or victor.panieczko@flastergreenberg.com.

immigration technology and technical awareness is extremely beneficial and valuable to attorneys who practice in the field of immigration law.

This article provides an overview of a number of important technology resources available. If you want to advance your career, you can start by looking into these products further and deciding which are best suited for you to use in your practice.

U.S. immigration law has been completely regulated by the federal government. Practice in this field is data- and document-driven, featuring sophisticated laws, rules, forms and regulations. In addition, some states are beginning to impose their own immigration-related laws and are regulating related issues in areas such as employment, education, and access to state funding. Practitioners in immigration law, both attorneys and paralegals, may specialize in areas such as: family-based immigration, employment, representing corporate clients in business and investing; representing individuals in deportation, asylum proceedings

and other protections within the United States; and naturalization proceedings.

It is essential that you become familiar with, and use, current technology. Gone are the days when a copy machine was a device used only to make copies; today it serves multiple functions, serving as a photocopier, printer, scanner and fax machine with the ability to forward documents via email. Modern legal technology is considered to have started in 1973, when Mead Data Central introduced Lexis. I suspect few of us are old enough to remember, but back then you needed to know the library and file names of the sources you wanted to search (for example, GENFED or 5CIR). You also had to be familiar with command functions such as ".ci" that display results in Cite view or ".kw" that display results in KWIC view. But with the recent release of Lexis Advance, a new research engine, you can now search by topic, jurisdiction and practice area. Lexis Advance allows you to enter terms in a search box and then provides you with filtered results.

Similarly, in 1975, West Publishing launched Westlaw for legal professionals as a dial-up service with dedicated terminals. Westlaw also used command functions such as "LOCATE" and "FIND." Westlaw's switch from dial-up services to Internet access enabled more efficient and productive research. The current introduction of WestlawNext has advanced research features that allow users to start a search without having to first select a database, and allow

searches to be executed across multiple database content types.

As with copy machines, Lexis and Westlaw have transformed the practice of law in general, and can be particularly helpful to immigration paralegals. In addition, specialized technology advances such as those mentioned below have similarly reconfigured immigration practice. The labyrinth of immigration practice for paralegals is indeed challenging. A paralegal employed in an immigration practice should have knowledge of appropriate immigration offices and agencies, their rules and regulations, and the appropriate forms to file with each office or agency. Paralegals also will frequently interact with numerous departments, agencies and offices, such as the Departments of Homeland Security (DHS), State (DOS) and Labor (DOL), the Executive Office for Immigration Review (EOIR), the U.S. Citizenship and Immigration Services (USCIS), Immigration and Customs Enforcement (ICE), and Customs and Border Protection (CBP).

Each level of immigration practice includes challenging cases that require creative solutions, knowledge of the U.S. legal system, and familiarity with immigration visa categories. Paralegals' work encompasses numerous tasks and particular problem-solving skills, including tracking deadlines for timely completion of matters by using electronic resources that provide comprehensive immigration practice platforms.

In 2009, the USCIS developed an electronic filing (e-filing) system to provide a mechanism to directly submit and then track the processing of certain USCIS applications and petitions. This e-filing system enabled I-9, I-129, I-131, I-140, I-539, I-765, I-821 and I-907 applications to be filed electronically. Paralegals provide information they collect from clients and then file the applications electronically. Not only has USCIS developed this software, but private companies have created their own software. Among the commercially available software applications are:

- INSZoom, which offers immigration case management, I-9 compliance,

immigration practice website services and E-Verify solutions for employers. Paralegals can also use INSZoom to analyze client files and summarize case histories, to prepare documentation for immigration and non-immigration visa petitions, and to complete immigration applications.

- EImmigration is a comprehensive immigration case management system that provides updated immigration forms, online client questionnaires, contact management, expiration date and deadline reminders, free form notes for telephone calls and research findings, and automated document/email templates. EImmigration can be used by paralegals to investigate and gather facts to support immigration petitions and applications.

Arming yourself to use the right technology efficiently will give you the power to become a better and more valuable paralegal.

- LawLogix case management software enables lawyers and paralegals to manage cases from inception to conclusion. LawLogix features include: an address book, integrated forms and calendar, data entry, management of deadlines and reminders, document templates, status updates, visa priority dates tracking, as well as many other links related to immigration practice.

- Trackitt is another useful tool for paralegals for tracking the progress of immigration applications by sharing and discussing their progress with other applicants. When users are able to share their case information, it reduces the uncertainty involved in the processing of their applications, and makes it easier to estimate when their applications will be processed.

- Program Electronic Review Management (PERM) is another

technology tool that paralegals use to obtain labor certifications from DOL, which are required for employment-based preference categories for EB-2 and EB-3 petitions.

Paralegals may also obtain immigration information from the American Immigration Lawyers Association (AILA) website. The site provides its subscribers with resources relating to immigration-related statutes, regulations, cases and forms, and features other AILA publications.

Maria Isabel Casablanca of Casablanca Legal Group, co-author of "Immigration Law for Paralegals," explained that "most of the paralegals' time is consumed by filling out forms online and following up with government agencies." When questioned about the risks and/or benefits of using technology in immigration practice, Casablanca said: "The benefits would outweigh the risks. Unless, however, the applicants will be subject to a backlash for typos such as what occurred with the Department of Labor and the labor certification process through the ETA 9089 electronic filing. Cases would get a denial for a typo several months later and the applicant lost up to seven months on their case."

James Madison wrote: "A popular government, without popular information, or the means of acquiring it, is but a prologue to a farce or a tragedy; or perhaps both. Knowledge will forever govern ignorance; and a people who mean to be their own governors must arm themselves with the power which knowledge gives." He recognized that knowing how to access the right information is the bedrock of knowledge. Arming yourself to use the right technology efficiently will give you the power to become a better and more valuable paralegal. •