



Three Tips To Avoid Screwing Up Your H-1B Application

News

3.02.15

Kim Thompson was quoted in *Law360* on March 2, 2015. In the article “Three Tips To Avoid Screwing Up Your H-1B Application,” attorneys offered up three guidelines to avoid messing up your H-1B applications.

Kim was quoted on the importance of starting preparation early.

A stronger economy this year means that even more petitioners could be seeking the visas, according to Kim.

It’s imperative the application package arrives at the USCIS center on April 1, the opening day of the weeklong acceptance period for visas for people looking to begin working in the U.S. on Oct. 1, Kim said.

“The best thing an immigration practitioner and employer can do is to make sure it’s done as early as possible,” Kim said.

Some required components of the H-1B application package might take time to get, such as a labor certification application from the U.S. Department of Labor. Sending a visa petition to the USCIS without an LCA is a “fatal” mistake, Kim said.

More breathing room makes the LCA certification process less stressful and allows for consideration of options for maximizing opportunities.

For instance, an applicant with an advanced degree effectively can get two bites at the apple. First, there are the 20,000 H-1B visas allotted for people with U.S. master’s degrees from not-for-profit universities. If an applicant doesn’t make it in that round, he or she can compete with those with bachelor’s degrees for one of 65,000 H-1B visas in the general pool, according to Kim.

Kim also recommended being as clear as possible about for which pool the visa petition is intended. She clearly marks in red ink on the first page of the petition whether the petition is intended for the master’s cap or the bachelor’s cap pool.

“It can be a nervous time for the applicant,” Kim said. “They need to determine if they are to stay or leave the country ... possibly forgoing a job they were hoping to get.”

To read the full article, please visit [Law360](#).

Please reach out to our [Media team](#) for any news inquiries.