

Dear Client,

I started my practice two months prior to the destruction of the Twin Towers on 9/11. At that time, I experienced how harsh an immigration system can be. I am afraid that we are currently entering a similar time. Many of you are experiencing the same emotions after last night's unexpected election results as I am. Understandably, you are looking to your attorney for reassurance about your future and your family's future. I want to communicate with all of you individually as much as you need me to, though I would like to ask for some patience in light of the fact that so many of you seek a few moments of my time all at the same time. I am here for you and will respond to your questions as quickly as I can.

I cannot explain why Donald Trump has won. If your question is "why", I'm afraid I am at a loss. I can only talk about what happens now.

I do not expect any major immigration relief during the next four years. If anything, the laws will get stricter. It will not happen overnight. It will take time for Congress to create new, more restrictive laws. While theoretically, if Congress is very motivated to act quickly on this issue, a new law could pass in a few months, it is more likely that it will be a year or more simply because there are so many pressing issues before Congress, most notably healthcare reform and the vacant Supreme Court seat. There is a possibility that the Immigration and Nationality Act (INA) will stay as it is.

It is possible that the way cases are handled by the various immigration agencies will become stricter, but that also will not happen overnight. The President cannot fire all civil servants en masse. There are laws preventing him from doing that. He can replace the top positions only. All the people working on immigration cases day-to-day will stay the same. They will keep doing what they've been doing. Some programs, such as the Provisional Waiver Program, cannot be eliminated overnight because they are essentially procedures for carrying out the law as it is clearly described in the INA. Changing those programs would require going through an official rule-making process, which could take six months or more. Other programs, such as DACA, could be eliminated very quickly because their basis in the INA was always the subject of controversy.

For business-related cases, it is difficult to say whether the laws, policies and procedures will become more restrictive, less restrictive or stay the same. A Trump Administration is expected to be anti-immigrant, but pro-business, so it could go either way for business-related cases. I don't know. Adjudicators will not instantly start deciding cases differently from how they are doing it now. A case that would be approved today will be approved in the first few months of Trump's presidency. There could be rapid change in specific types of cases due to a policy change – DACA is the most likely target of such a policy change – but the majority of cases will be decided the same as before. New administrations can change how things are done, but there are laws preventing that from happening too quickly. The United States is 200 years old and the government has learned from experience that when a new administration changes things too quickly, chaos ensues, so there are safeguards in place to ensure that substantial, sweeping change takes years, not weeks.

Since I am already working on your case now, I expect we will be able to finish before substantial, sweeping change takes place. I cannot promise that a sudden policy change won't affect your case, but I believe it is unlikely. The best thing to do is carry on and try to finish as quickly as possible. You can help me in that regard by providing me with requested information and documentation as quickly as possible when I request it. The sooner we finish your case, the better.

You will have questions that I will be unable to answer because I do not know the future. My promise to you is that I will do the best possible job on your case. Do not despair. Keep moving forward.

If after reading this you still have questions, please send them and I will respond as soon as I can. I am expecting a lot of questions, so it might take longer for me to respond than usual.