



BEACH - OSWALD
Immigration Law Associates, PC

Beach-Oswald Immigration Law Associates Newsletter

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Beach-Oswald is a full-service law firm, concentrating on immigration law. We have special expertise in work visas, family based visas, visa waivers, green cards through family and employment and asylum. We have staff members who speak many different languages to assist you.

We succeed when others don't!

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USCIS to Delay N-400 Direct Mail Program



In our October 1 Newsletter we provided you with the new addresses where N-400 were to be mailed under USCIS's new direct mail program, which was scheduled to begin on October 14, 2008. However, the USCIS has just announced that it is withdrawing its previously published notice, and will delay implementing the new filing procedure further notice. N-400 Applications should continue to be sent to a USCIS Service Center, as has been done in the past.

8th Circuit Says No Constitutional Right to Effective Assistance of Counsel

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8th Circuit Says No Constitutional Right to Effective Assistance of Counsel
In a case decided on August 6, 2008, the 8th Circuit ruled that there is no constitutional right under the Fifth Amendment to effective assistance of counsel in removal proceedings. The court reasoned that because removal proceedings are civil, an alien does not have a constitutional right to an attorney, and therefore, an asylum

applicant cannot claim that his/her right to effective assistance of counsel was constitutionally violated. For more info, see *Rafiyev v. Mukasey*, 536 F.3d 853 (8th Cir. 2008)

Military Citizenship Applications to be Processed Within 6 Months

Military Citizenship Application to be Processed Within 6 Months
On October 9, 2008 The President signed the Military Personnel Citizenship Processing Act into law. The Act requires USCIS to process and issue a citizenship decision for current or former members of the armed forces or their surviving dependents, within 6 months. If the USCIS does not make a decision in 6 months, it must explain the delay and provide a new target date for when a decision will be made



Diversity Visa Lottery Program Has Begun



The instructions for the 2010 Diversity Visa Lottery Program (DV-2010) have been posted on the State Department website. Russia and Kosovo, which were not eligible for the DV program last year, have been added to the DV-2010 list of eligible countries. Natives of eligible countries may submit their entry form online between October 2, 2008 and December 1, 2008 by going to www.dvlottery.state.gov.

J-1 Visa Waiver Program for Physicians Extended

The Conrad 30 Program is designed to provide each state with 30 waivers for J-1 physicians each year. The waiver allows a physician that is present in the US on a J-1 visa to remain in the US and practice medicine without having to return to his/her home country for two years, as required by law. The Conrad 30 Program was set to expire on June 1, 2008, but will now be extended until March 6, 2009.



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