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# Global JD Admissions and Law Firm Growth v. H-1B Visa Cap: Strategies for Hiring and Advising JD Students in this Landscape

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# Who are the International JD Students?

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- US Educated
  - Some US international JD students graduated from US undergraduate institutions
  - These students typically have fewer language and cultural adjustments to make as they approach the legal job market
- Foreign Educated
  - Some international students were entirely educated abroad
  - For these JD students, the JD program is a new educational and cultural experience
  - Some have degrees from their home countries that demonstrate transferable skills, but many do not

# What are the Major Issues they Face on the Market?

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- Visa Uncertainty
- Language and Cultural Competencies
- Market Perception

# The Visa Process

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- 1L Year
  - *Fall* – International student matriculates as a 1L with an F-1 visa
  - *Spring* – Student finalizes summer plans and decides whether to use OPT or CPT
  - *Summer* – Student works in US, or completes (unpaid) internship that doesn't trigger OPT or CPT
- 2L Year
  - *Fall*–
    - Rising 2L student participates in OCI
    - If successful at OCI, student receives offer for summer associate position at US law firm for 2L summer

# The Visa Process (Cont.)

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- 2L Year
  - *Summer* - Rising 3L student works as summer associate at US law firm and receives offer of permanent employment. Student uses CPT or OPT.
- 3L Year
  - *May* - Student graduates and academic portion of F-1 visa ends, triggering a 60 day grace period
- Post-Graduation
  - *July* –
    - Student takes bar exam
    - 60 day grace period ends
    - 12 month OPT begins (or whatever time remains for OPT)

# The Visa Process (Cont.)

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- Post-Graduation (cont.)
  - *September* – Student begins work at US law firm using remaining OPT
  - *April* – US law firm applies for H-1B visa for student
    - Student has a roughly 33% chance to win the H-1B visa lottery
  - *Late April/Early May* – Results of H-1B lottery are received
  - *July* –
    - Student's 12-months of OPT run out.
    - If no H-1B visa, leave the US

# CPT & OPT

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- CPT – Some schools offer CPT which leaves 100% of the 12 month F-1 visa OPT for post graduation
- OPT – If students do not have the full 12 months of OPT post-graduation, they must ensure that they reserve enough time to carry them through when H-1B visa results are received

# How will Visa Reform impact the Visa Process?

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- Will uncertainty make employers less inclined to hire international students?
- Will changes impact the odds of winning the lottery?
- Students must cast a wide net

# Pros and Cons for International Students in the Marketplace

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- Foreign Language Skills = Positive
  - Corporate, finance or other transactional work that is internationally focused; international arbitration and FCPA
  - Not particularly helpful for US litigation
- Cultural Competencies = Positive
  - Helpful for cross-border deals
- Need for a Visa = Negative
- Written and Spoken English Skills = Extremely Important
  - Can be a con if spoken English skills aren't honed

# Employment Realities for Internal Students

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- Practice Area Limitations
  - Typically need to focus on corporate/transactional practice areas
- Public Sector Limitations
  - Almost all government and clerkship options are closed to international students
- Working Abroad
  - Paid law firm work abroad is often the best option for international 1Ls who have visa limitations
  - US based law firm is ideal
  - Local firms may less pay, more hours, less international work

# What can Law School Career Offices do for International Students?

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- Programming
  - Networking for OCI and for outside of OCI job search
  - Mock interviews/receptions
  - Professional dress workshops
  - Mentoring
  - International student approach to OCI
- Resources
  - Special concerns FAQs, webcasts, podcasts
  - Market pages
  - Recruiter reports
  - Web-based Resources: [Goin Global](#)
  - Identify and advertise international legal opportunities
- One-on-one counseling
  - Application materials review
  - Strategy development
  - Making sure 1L summer job dovetails with desired transactional practice area
  - Advise re: importance of practicing English skills
- Collaborating with Student Groups

# How can careers offices collaborate with other administrative departments?

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- Dean of Students
  - Highlighting students of concern
  - Collaborating regarding mental health resources
- International Office
  - Maintaining relationship with those who provide individual visa counseling
  - Regular OCS counselor training re: visa issues
- Financial Services
  - OCS training regarding the financial implications for international students
- Graduate Program
  - Cross programming on topics relevant to international students
  - Linking LLMs and JDs
- Admissions
  - Engage with Admissions regarding the marketing in international materials
  - Educate Admissions regarding the H-1B and how it impacts students
  - Volunteer to participate in marketing trips
  - Get educated on broad global education goals and other reasons for increased international admissions
- Student Services

# What should law firms consider with regard to international students?

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- On-Campus Recruiting
  - Increase schedules for opportunities abroad
  - Asia schedules
- Anti-Discrimination Policies
  - Ensure compliance
  - Understand practical factors at work

# Contact Information

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# International JD Student Work Options



## Full-time work in US at International Law Firm or NGO

- International firms often have offices where international employees can transfer if they are not successful in the H-1B visa lottery
- Leverage [GoInGlobal](#) to help identify firms that routinely sponsor
- Employees of World Bank, IFC, IMF, UN, ADB, IDB are eligible for G4 visa

## Full-time work in Home Country

- Actively network to identify opportunities before graduation
- Opportunities in the largest firms will be competitive, so don't wait until after graduation to apply
- Utilize JD/LLM mentoring program
- Engage with alumni "clubs" and associations in home country

## Full-time work with US International firm in home country with training in US

- Identify firms in home country with headquarters in US
- Obtain full-time offer in home country but participate in training programs in the US

## Full-time work in Third Country

- Identify Target country and potential employers
- Leverage GoInGlobal
- Network with alumni
- Identify countries with cultural and language fit

## International Entrepreneur Parole Program (Least Likely)

- Legal entry into the US
  - Not a visa
  - No direct path to Permanent Residence
- Applicant Must:
- Have established a US start-up business within three years of the application for parole
  - Hold an ownership interest in the startup of at least 15%
  - Play active and central role in the operations of the business Show Proof of Funding