



Better Together: Working with Employers to Maximize International Student Success

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Overview: What we will cover

- Post LL.M. Program Training and Employment Options: Short Term Positions
- U.S. Work & Training Authorization for Short Term positions
- Post LL.M. Program Options: Long Term positions
- Post-OPT Employment Options for Lawyers and Law Clerks
- Educating employers about LL.M. students and OPT
- Educating Students About Employers
- Questions

Law Firms: Opportunities

Post LL.M. Program Training & Employment Options

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Law Firms: LL.M. Positions: Short Term

- Visiting Attorney Programs:
 - A firm established program to develop business opportunities
 - Candidates are typically recent LL.M. graduates or firm clients seeking to train in a U.S. office to gain Big Law experience for a short period of time
 - Duration of programs is typically 3-12 months
 - Candidates can apply:
 - Via law firm website (*rolling admission*)
 - At LL.M. job fairs hosted by law schools
 - By contacting the employers' recruitment department directly
- Application Deadlines
 - Rolling, often no set date, typically starting in the fall
- Factors to Consider
 - Programs are short term, with the expectation that candidates will return to their home country upon program completion

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Visa and Immigration Issues

U.S Work & Training Authorization Options for Short Term Positions

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Optional Practical Training (OPT)

What is OPT and how does it work?

- Temporary employment that is directly related to an F-1 student's major area of study issued by the United States Citizenship and Immigration Services (USCIS) through law school's international student office
- Eligible students can apply to receive up to 12 months of OPT employment authorization before or after completing their academic studies
- All periods of pre-completion OPT will be deducted from the available period of post-completion OPT

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OPT Continued

Application Process

- Must apply within 30 days of the Designated School Official (DSO) entering student's OPT recommendation into SEVIS
- May apply up to 90 days before completing degree, but no later than 60 days after degree completion
- Typically takes 3 – 5 months to adjudicate but processing times are subject to change

J-1 Visa Trainee/Intern Category

Trainee Category

- Professionals with a degree, professional certificate, or relevant one year work experience gain exposure to United States culture and receive training in U.S. business practices through a structured and guided training-based program
- Maximum of 18 months

Intern Category

- College and university students or recent graduates gain exposure to U.S. culture as they experience U.S. business practices in their chosen occupational field
- Maximum of 12 months

Requirements

- Requires sponsorship by a designated sponsor organization, which will issue an endorsed DS-2019, "Certificate of Eligibility for Exchange Visitor (J-1) Status"
- Must fulfill an English language requirement
- Must have insurance that meets program regulations
- Must attend appointment at U.S. consulate to apply for J-1 visa stamp
- May be subject to two year home residency requirement

H-3 Trainee Visa

- Maximum of 2 years
- Provides beneficiary with job-related training for work that will ultimately be performed outside the U.S.
- Requires detailed and established training program
- Not intended for U.S. employment
- Productive employment must be incidental and necessary to the training
- Must be filed through a USCIS Service Center
- H-3 visa holders remaining in the country for the maximum period of 2 years may not seek extensions, change of status, or readmission to the U.S. until a period of 6 months has lapsed from the time of visa expiration

LL.M. Positions: Long Term

Positions vary

- Skadden typically recruits LL.M. graduates in non US offices
- Asia positions: International Legal Project Managers (this is the market in Asia across Firms) with period of training before becoming associate
- Hiring conducted in January job fairs
- Application Deadlines
 - Hiring conducted in January for September start dates; students should start the process as early as the Fall
- Factors to Consider
 - Based on availability, U.S. work authorization cannot always be guaranteed
 - Work authorization differs by country

Post-OPT Employment Options for Lawyers and Law Clerks *(Long Term Employment)*

H-1B visa

- Specialty occupation
- Maximum of 6 years
- Allows for dual intent
- Subject to annual numerical “cap” of 58,200 visas each fiscal year
- 20,000 visas available for U.S. master’s degree or higher

H-1B1 visa

- Chilean and Singaporean nationals only
- 6,800 annual quota
- Can be renewed indefinitely in 2 year increments
- No dual intent
- Can apply at U.S. consulate or USCIS center

TN visa

- Citizens of Canada or Mexico
- No dual intent
- Can be renewed indefinitely in 3 year increments
- Bar admission not required

E-3 visa

- Citizens of Australia
- No dual intent
- Can be renewed indefinitely in 2 year increments
- Can apply at U.S. consulate or USCIS center

H-1B Cap Lottery Selection Results: Fiscal years 2015 - 2019

Year	Number of applications received by USCIS	Percentage Accepted*
FY 2019	190,098	34.19%
FY 2018	199,000	32.66%
FY 2017	236,000	27.54%
FY 2016	233,000	27.89%
FY 2015	172,500	37.68%

Mindset Shift for International Students and Career Advisors

- Working in U.S. versus working outside the U.S.: Times have changed in the past 10-12 years
 - Previous training models
 - Current training models
- LL.M. graduates may have a higher chance of success within “big law” by landing positions outside the U.S. than inside the U.S.

Law Schools: Educating LL.M. students about the shift

- LL.M. goal: work in U.S. “big law”
- Career Advisor goals:
 - Educate students about the purpose of foreign associate programs and market realities
 - Get students to focus on long-term goals and how to meet them
 - Manage expectations
 - During admissions process
 - During the LL.M. program

Law Schools: U.S. bar membership and employers

- U.S. bar membership - not a “magic bullet”
- Reality vs. expectations
- Benefits of U.S. bar membership in the LL.M. student’s home country
- Positive messages

Law Schools: Educating Students About Employers

- Career related programming
 - Lunching with Lawyers series
 - Alumni Profiles
 - Employer Information Sessions and Breakfasts
 - Walkarounds
- LL.M. Weekly Newsletter
- List of law firms that have foreign associate or foreign consultant programs
- Alumni Contact List
- Externships
- Websites

Law Schools: Educating employers about LL.M. students and OPT

- Marketing efforts and conducting employer outreach
 - Resume Books (practice area and country specific)
 - Individual meetings with alumni and employers
- Engaging alumni/employers in programming
 - Mock Interview Program
 - LL.M. Alumni Panels (Orientation and throughout the year)
 - Fall (D.C.) and Spring (NYC) Alumni Receptions
- Providing students with a sample cover letter containing language about their OPT status

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