

# IPN

## Immigration Practice News

Vol. 5 Issue 2  
American Immigration  
Lawyers Association  
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## Market Your Practice by Following the Headlines

The topic of immigration is regular front page news in any newspaper, or covered at least every week on the radio/television news. Whether or not immigration reform passes, immigration is a hot topic throughout the United States. This article discusses techniques to market your practice by following the current buzz about immigration.

### How can you convert media coverage of immigration into increased visibility of your practice?

The fact that the press is frequently covering the topic of immigration means that it is important to our nation and people are interested in reading and hearing more about it. As an experienced immigration lawyer, you can inform the public by writing an op-ed piece in your local paper. Obviously getting



your op-ed piece published in a nationally read paper like the New York Times, Los Angeles Times, or Washington Post is great. But even if it's your local, county or town paper or business journal it is still worth the effort. First of all you are adding an informed voice to the discussion. Secondly, it puts your name in front of potential local clients who you are hoping to attract to your practice. You want people in your local community (individuals, civic leaders, business owners) to know and recognize you as an authority on immigration law.

It is also a good practice to develop a relationship with journalists in your area who cover immigration issues. These journalists can call on you for comments, or clarification on current immigration law as well as proposed legislative and administrative changes.

### How can you increase the visibility of your practice through your community involvement?

As lawyers, many of us are

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involved with our local bar association, Chamber of Commerce, or with non-profit organizations (community-based organizations). So let's discuss how we can translate that community involvement into increased visibility for your practice. In your circle of influence or community of contacts, you should become known as the authority on immigration law and the go-to person for immigration issues and problems. You may not be experienced or knowledgeable in all areas of immigration. That's fine. You can refer cases out to other immigration lawyers who can better handle the specific issues. Nevertheless, you want to become the name that comes to mind and the person who is contacted when someone in your circle of contacts needs immigration help.

Local business owners and people working with community groups want to know how any proposed immigration law changes may affect

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### FOR MORE MARKETING TIPS:

Read Jonelle's full article on [Marketing Your Immigration Practice by Following the Headlines](#).

them. They will also be looking to someone they know and trust to answer their questions about the current immigration law or the current Senate bill or House proposals. Make sure you are keeping up with changes in the current law, proposals in Congress, and other issues of immigration that affect these groups with which you are affiliated.

A good place to stay current on potential changes is AILA's [Immigration Politics](#) page.



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### How can you best help your former and existing immigration clients through your understanding of current events?

It goes without saying that you must continue to provide your clients with knowledge and reliable advice on our country's current immigration laws. Nevertheless, with the increased interest in immigration, you will find that you also will need to be prepared to answer questions about potential changes to the law and how those might affect your clients. Another way to help is to review the cases of existing

and former clients, and then educate them when it becomes clear that certain existing relief under current immigration law may be eliminated. For example, the family-based fourth and third preference categories may end if the bill passed by the Senate becomes law. Now may be a good time for your US citizen clients to file petitions for their brothers and sisters as well as married sons and daughters.

Your existing and former clients are not only interested in potential changes, but their families and/or businesses are directly affected by the provisions of any immigration legislation that passes Congress. That makes them key stakeholders as well as advocates in the push for immigration reform. As stated above, use your regular newsletters, website, and social media to keep them informed about the immigration debate. But also, use those avenues to encourage your clients to themselves speak out and advocate for immigration reform. The pro-immigrant advocates need all the help and support we can get. Your clients can contact their members of Congress, their local media outlets, their friends, family and business

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associates to advocate for passage of a just and compassionate immigration reform bill that is good for families, businesses, and our nation as a whole. You can use your relationship with existing and former clients to keep them informed and fired up about immigration reform.

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**AILA'S PRACTICE AND PROFESSIONALISM CENTER** offers 24/7 assistance to members. Find timely resources that offer insight, advice, and opinions on developing your practice, improving firm management, and addressing practical ethics issues such as [When a Client Lies: Balancing Candor and Confidentiality](#).

# 6 Keys for the Effective Use of Social Media

by *Nathan R. Bogart*

**W**ith the estimated number of social media users in the billions, it is only natural for business owners to wonder how this relatively new medium of communication can be used for marketing purposes.

Harnessing technology, such as social media, to market legal services can be a tremendous benefit, not only in terms of reaching clients, but also in cost efficiency. Even better, social media and related technology allow a high degree of creativity and connection with prospective clients, something traditional forms of advertising fail to achieve.

Even so, as with any mode of communication, social media has challenges and pitfalls. While there may not be a one-size-fits-all approach, there are some basic rules that can help create an enjoyable, safe and effective social media experience.

**DO YOUR RESEARCH FIRST.** Social media is far from an exact science, a fact made more complicated by the new and ever evolving nature of technology. There are a number of factors to take into

consideration. Check with the rules of professional conduct in every state in which you are licensed. Even if your state has not moved to address social media marketing, any communication can be subject to the rules.

Also, think about the social media sites on which you want to focus. Do not spread yourself too thin. Which social media sites do your potential clients use most frequently? Give one or two sites a try and then expand accordingly.

**HAVE A PLAN AND EXECUTE IT.** As with anything, jumping into social media when you really have no idea why you are getting into it or what you want to get out of it will not do much for you in the end. Set specific goals, figure out how to measure those goals and have a plan in place for how to achieve them.

**BE CONSISTENT.** Social media accounts require time and effort, which come at a premium when you may already be busy with clients or running a business. Still, if you fail to consistently use your social media sites, the benefits may elude you. Unless you can afford to pay someone to do your social media, you need to make it a routine. Schedule time every day or every

week to address your social media responsibilities or risk falling behind.

**GET EVERYONE INVOLVED.** If there is more than one attorney or staff person in your firm, you need to have everyone participate in your social media strategy. By dividing the labor between everyone in the office, you can help reduce the difficulty of frequent and regular social media content.

**ENGAGE YOUR FOLLOWERS.** As in any other form of marketing, engaging your audience is key. In social media, this is a two-fold strategy. First, you want to engage your followers by posting interesting, original content. Second, when your followers express interest in your content, respond to their comments. This shows that you value their opinions and are keen to engage in a dialogue. Your response also gives them a preview of what can be expected if you are engaged in the real world.

**CROSS PROMOTE FOR INCREASED VISIBILITY.** The main goal of social media marketing is visibility. Simply put, by engaging in a multitude of platforms, you are casting a wider net. Look for technology tools that allow you to cross-post your blog articles on your

Facebook, Twitter, and other sites.

Social media also plays a pivotal role in search engine optimization (SEO) and branding. If your website and blog are your home base, your social networking sites serve as outposts guiding prospective clients home. Place social media icons on your blog, website, e-mail signature lines, or even in your office. Link your social media sites back to your website and blogs. Promote content from your website and blog on your social media sites.

In doing this, you are creating a much stronger, farther reaching presence on the internet. This increases your chances of being found. In the end, this is what marketing is all about.

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# Developing a New Aspect of Your Immigration Practice

by Ginger McGuire

For many of us when we started practicing immigration law we landed in the practice area which allowed for the fastest employment opportunity. Whether you found yourself in the corporate world, or the family and removal defense world, it was easy to develop tunnel vision in that one specific area. From there you gained the necessary experience to become an expert in the field. However, it's not uncommon to feel the need to open new opportunities in other areas of immigration law. How easy or difficult is it to switch gears and add to your niche? Here are just a few tips to consider:

## Expanding Your Knowledge Base:

Learning a new discipline takes time and money. It can be difficult to take time away from income generating activities to attend a CLE, or research a new area of law. You may end up asking yourself whether it's worth your time to entertain branching out into a new area.

Not every investment creates a return, so make certain that you want to start practicing in a new area prior to getting too involved. Ask yourself, why do I want to practice in this area of law? Do you have a passion for the legal substance of the cases? Do you need a challenge or variety in your current practice? Are you interested in the potential monetary return? Whatever the reason, be sure that it's one that you can live with and that could result in an ideal work-life balance. After answering these questions for yourself, you will gain

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a better perspective on whether or not it's worth your time and effort to invest in a new practice area.

## Developing Marketing Strategies:

Starting anew may seem cumbersome, especially when trying to define the ideal client. An important point to remember is that your description of the ideal client is not set in stone and can be fine-tuned and modified as you learn more about the new practice area.

Good places to start marketing include your firm's website, your LinkedIn account, and on your firm's Facebook page. You can also make a formal announcement through a client based newsletter and/or start writing articles about your new area in a blog. These are low risk and low cost ways to kick start your marketing efforts.

Once you start getting potential client inquiries in the new area, you may consider reducing fees or accepting the first case free of charge. If the case is successful, request a referral or a testimonial. Be sure to review your state's ethical rules on posting testimonials.

*\*In preparing this article and speaking with other immigration attorneys, it has become evident that cold calling potential clients is not only ineffective, but*

*may also have ethical repercussions depending on the jurisdiction in which you live.*

## Building Capacity:

A discussion about whether you are prepared to handle new cases in an area you may not be incredibly familiar with naturally follows as the goal should be to represent your new clients and your old clients competently.

Consider confiding in an expert in the area of law you wish to learn about. If you have the resources, you should also consider hiring a contract attorney experienced in the field to help with client consultations. Another consideration could be to look internally to staff members, do you have an associate or paralegal who is also interested in this new area? Would they want to take on this workload?

AILA has many resources to help immigration attorneys with capacity issues as they grow their practice areas. There are mentors available through the [AILA Mentor Directory](#) and through local [AILA chapters](#).

In immigration law there are real opportunities for professional and business growth. Identify a new niche that you have an interest in and use AILA resources to help foster and grow your practice and clientele.

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# Data Privacy Tips for Small and Medium-Sized Practices

by Becki Young

Online privacy has emerged as an important compliance issue for companies that collect and use “personal data” about employees and customers. The Federal Trade Commission’s recent consent decrees against Facebook and Google, arising out of the agency’s “[Section 5” authority](#), state that companies of all sizes should be transparent about how personal data is collected, used and shared. In addition, companies should take adequate steps to secure all personal data collected.

Saira Nayak, director of policy for TRUSTe, helps companies to safely and strategically collect and use personal data to power their businesses. She recommends small and medium-sized law firms consider implementing the following three approaches to address data privacy concerns in their practice:

## Map Your Data and Disclose In a Privacy Policy

Identify the types of data you collect, how long you retain the data, what you do with the data and with which



vendors and third parties you will share the data. You should also have a privacy policy that notifies the user about these specifics.

## Secure Your Data Assets

Create and institute a data security management policy to cover how personal data is used and shared (e.g. encrypting sensitive information during transmission, prescribing employee access to databases, making sure third parties have similar privacy and security policies, etc.). Some

**“Identify the types of data you collect, how long you retain the data, what you do with the data and with which vendors and third parties you will share the data”**

companies may also consider getting certified under [ISO standards](#) for information security management.

## Institute a BYOD and Social Media Policy

Personal data concerns can also arise from actions by employees—especially those who use their own devices for work purposes. It’s important to have a bring your own device or “BYOD” policy for employees who use their own devices to access the firm’s network, including the firm’s email, calendar and contact systems. Such a policy should include which devices are allowed, define required security and service policies as well as the ownership of apps and data, specify which apps are allowed or banned, and outline what happens when an employee leaves the firm. Similarly, it’s also good to have an employee policy that outlines the firm’s

position for communicating via social media (Facebook, LinkedIn, Twitter, YouTube, and blogs). Some good examples of social media guidelines from various companies can be found on the [Social Media Governance website](#).

Having privacy and security policies that govern personal data collection are valuable ways for small and medium-sized law firms to address and ensure the privacy concerns of their clients. In addition, implementing a BYOD and social media policy will help manage the expectations of employees and clients by establishing clear guidelines for the use, storage, and dissemination of data. In other words, by taking these steps you are demonstrating that you run a well-managed, tech-savvy firm!

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# Tips For Providing a Great Client Service

by Kristina Rost

**T**he topic of providing great client service has been, perhaps, one of the most vibrant topics in the field of practice management. There are many outstanding practitioners and practices, and the theories behind the great practices are as numerous as there are human personalities. This article summarizes some of the most widely identified tips for providing great client service.

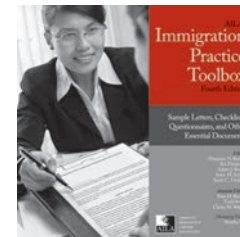
No one would disagree that it starts with the basics, your Letter of Engagement or Fee Agreement. Be sure to have one and use it as your utility toolbox. There are numerous reminders that you can include in these initial agreements, such as notification(s) regarding your actions in case of a H1-B quota exhaustion, what happens when a client does not cooperate, mechanism for reimbursing unearned fees, etc. The Letter of Engagement, however, should not be one-sided, it should also explain your terms of representation and billing practices so that the client clearly understands what to expect when working with you. Avoid offering guarantees, unless it's a guarantee you will return a call within 24 hours or something similar.

The next tier in building great service is adhering to the basic principle of, well, providing high quality

legal service. In immigration practice, this includes calendaring numerous and important deadlines, being familiar with case details such as aged out children, keeping clients updated, returning phone calls (all-time favorite!), following up on case progress, owning up to mistakes (no hiding!), and of course, remaining competent—following the developments in the law.

Interestingly, a perk of practicing (immigration) law is understanding the human psychology. In addition to being a lawyer, a successful practice will require you to also be a “therapist”. Emotional intelligence can be developed, and if you are open to learning how to “read” people, you will be amazed about what your practice can teach you about human behavior. By remaining an eager student of human condition, you will find that with time, it becomes easier and more enjoyable navigating the different cultures and personalities. To start on this road, first, you need to learn to leave your problems at home—your clients should not be on the receiving end of your frustration(s) that are caused by third parties or outside circumstances. You should never snap at your client! However, do not behave like a doormat either; your actions, competence, demeanor and even appearance must command respect. It is said that sometimes female attorneys encounter difficulties when working with male clients from the make-

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Be sure to download [AILA's Immigration Practice Toolbox](#).



dominant cultures. For those women, remember you are running your practice; you are a trained professional and are as capable of providing the same stellar legal guidance as your male colleagues. Thus, you must find ways to command respect from your clients, and if they don't, they should be referred out elsewhere. Incurable damaged prospective clients will ultimately lead to a broken, unhappy relationship.

Another widely popular tip on running a successful practice is not taking cases that you are not comfortable with. If you must, pair up with a more experienced attorney or secure a mentor's assistance. If you do decide to take on such a case, reveal to the client your true standing. Clients appreciate honesty and will respect you for your sense of responsibility.

Finally, compete on service, not on price—someone will always be cheaper. Periodically ask for client feedback (how are you doing vs. how you have done). Set your fees as an indicator of your value and believe in it, your value will reflect how you provide your service. Be proud of what you do and how you do it.

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