

CASE STUDY:

How a proactive approach and zealous advocacy for our clients resulted in a higher approval rate for H-1B filings.

Unigo

OVERVIEW

After two USCIS policies were struck down, the fate of previously rejected visa applications was uncertain. Our client's cases were reopened and approved a year before USCIS formally announced it would review affected cases. ILBSG clients' claims were among the first to receive relief thanks to our innovative approach.

BACKGROUND

H-1B denial rates soared 19% from 2017 to 2019. Clients were unable to fulfill their staffing needs.

In March 2020, the U.S. District Court of Washington DC struck down two USCIS policy memos in *ITServe Alliance, Inc. v. USCIS*. USCIS had to rescind the memos and reconsider affected H-1B applications. But what did the decision mean for previously denied cases not a party to the lawsuit?

OUR APPROACH

ILBSG proactively used the ITServe ruling to seek reversal of previously denied visa filings. Just two months after the ruling, ILBSG began challenging cases, although USCIS had not released a formal directive on how cases would be treated.

After receiving approval on the first case filed, ILBSG used the same approach for other affected clients. However, older cases decided prior to the ITServe decision were ignored by USCIS. This did not deter ILBSG, although remaining options were limited.

Unprompted, ILBSG filed Motions to Reopen/Reconsider (MTRs) for clients denied in 2018-2019, despite being past the deadline. ILBSG rigorously defended our clients, armed with a legal brief outlining why the ITServe decision must be retroactively applied and the MTR filing deadline excused.

RESULTS

ILBSG was a year ahead of the curve. We received approval for the untimely MTRs we filed in the Fall of 2020, months before USCIS would eventually announce in March 2021 that they would offer relief for cases affected by the ITServe lawsuit.

Due to the proactive and zealous advocacy of our experienced attorneys, ILBSG's clients had their cases reopened and approved without delay.



"ILBSG's innovative strategies have helped us get approvals in even the most complex cases. ILBSG puts client advocacy at the forefront, and our business has benefitted greatly from this approach."

- Unigo, Inc.

Contact us to see how we can help your company achieve your immigration goals.