

CHAPTER TWELVE

LEGAL AUTHORITY, LEGAL RESEARCH, AND CITATION TO AUTHORITY¹

I. AUTHORITY IN IMMIGRATION PRACTICE

Trang Nguyen, a Vietnamese woman who is a lawful permanent resident (LPR), comes to you for help. She has tried to file an immigrant visa petition for her adopted daughter, Mai. The U.S. Citizenship and Immigration Services (USCIS) denied the petition because Mai was not legally adopted here in the U.S. Trang brings you proof that the adoption was considered legal in Vietnam. How do you find some law to support Trang's position, and how do you present this argument to the USCIS?

A. What is Legal Authority?

One word that frequently pops up when doing legal work is the word "authority." This concept is very important, as authority can be a strong ally and can also help you clear up questions about the law. You should know what authority is and not be afraid to use it to support you in your cases.

After you have gathered the facts from the client about his or her legal problem, the next step is to search for the law that might apply to that set of facts. This may sound easier and more straightforward than it actually is, because there are a number of sources for "the law" for immigration problems.

The law can be written down in laws called "statutes" or "acts." It can be found in rules called "regulations" written by the agency involved (such as the USCIS, the Department of State, or the Department of Labor), or even in the agencies' own internal operating instructions. The law can also be found in written opinions of courts and agencies, known as "cases" or "decisions."

Any of these sources of the law is "legal authority." That means that these sources can be used ("cited") by you in support of your position in a legal argument. What makes a legal argument different from any other type of disagreement is that to win, one must persuade a decision-maker that your idea of what the law says is correct. To persuade him or her, you must not only tell him or her what you think the law is, but also what legal authorities back up your argument.

Example: Using the example of Trang's problem with the adoption, the argument is over whether Mai was adopted in a manner that USCIS will recognize as legal. You

¹ These materials are excerpted from Units 8 and 9 of A Guide for Immigration Advocates, by the Immigrant Legal Resource Center. CLINIC thanks the ILRC for allowing us to use these excellent materials.

position in the argument would be that USCIS should recognize it as a legal adoption. The next step is to locate some legal authority that supports this position. You search the statute and the regulations and find nothing that applies. But you find a case decided by the Board of Immigration Appeals that says that the adoption must conform to the laws of the place where the adoption occurred to be recognized by USCIS. You see that this supports Trang's position because she can prove that the adoption, which took place in Vietnam, was legal in that country. Your authority in support of this argument is the case decided by the Board of Immigration Appeals.

B. Distinguishing Primary Law Sources from Secondary Research Sources

The only sources that can be considered legal authority in support of arguments are those sources of law which have been created in some manner that our legal system has approved. This would include the Constitution, statutes, regulations, and cases published by the courts in order to be cited as law.

It does not include other books that may be very helpful for research, such as the *Immigration Law Sourcebook*, by Ira J. Kurzban, Gordon & Mailman's *Immigration Law and Procedure*, and books written by other authors or publishers. These other books that analyze or index statutes, regulations, and cases are considered "secondary" materials, which means that they are only the author's opinion about the law. These secondary materials are very helpful for researching the law, because they can tell you where to find the primary sources of law. So use secondary sources for your research, but do not cite to them in a legal argument.

C. Hierarchy in Legal Authority.

Among the different sources of law, there are some sources that are more powerful than other sources. You could think of it like a pyramid with the more powerful authorities on top. This is true in both the written rules and in cases. This hierarchy is most important where there are contradictory statements of law from different sources. Then you must decide which is the more powerful source.

In written rules, you have the following levels of authority, starting with the highest level:

- The Constitution of the United States
- Immigration Laws
- Regulations of the USCIS, DOS, and DOL
- Internal operating instructions (for example, the USCIS's Internal Operations Instructions and the Department of State's Foreign Affairs Manual).

D. Sources of Legal Authority - the Constitution

The Constitution is the "supreme law of the land." All the laws in the United States must conform to the Constitution. If a law goes against the Constitution, a court can strike down the

law as “unconstitutional.” The Constitution is a higher level of authority than statutes or regulations.

The Constitution gives virtually unlimited power to Congress to decide who is allowed to immigrate and who should be deported, and it is very difficult to get a court to declare that type of immigration law unconstitutional. As a consequence, any exception, classification, or arbitrary cut-off made in an immigration law, such as a law that makes citizens of one country wait longer for immigrant visas than other countries, will most probably not be found unconstitutional.

The Constitution does protect people from unfair procedures in immigration law. For this reason, removal proceedings must be fair. You can often trust your own reaction to a particular regulation or procedure. If it seems unfair or wrong to you, you should contact an immigrants’ rights resource center, such as CLINIC, to investigate its legality.

E. Sources of Legal Authority - Statutes (The INA)

The next level down of authority after the Constitution are the laws or statutes passed by Congress that control immigration. Almost all of the laws controlling immigration and naturalization are collected in one place in the Immigration and Nationality Act (or “INA”). The same laws are also indexed in Title 8 of the United States Code.

All advocates should have an up-to-date copy of the Immigration and Nationality Act and get into the habit of checking it regularly.

Other federal laws that are somewhat related to immigration are found in other locations in the United States Code.

F. Sources of Legal Authority - Regulations

Regulations are rules devised by the government agency involved to interpret the laws. Their purpose is to clarify the laws and set the procedures. While the INA tells you what the law is, the regulations fill in details and tell you how the USCIS is going to apply the laws.

We spend most of our time working with the regulations issued by USCIS and the EOIR (both are parts of the Department of Justice) that deal with applying and enforcing the INA. These regulations are found at Title 8 of the Code of Federal Regulations. We also consult regulations issued by the Department of State (which issues visas abroad) and the Department of Labor (which issues labor certifications and labor attestations for employment-related visas).

At times, a regulation may conflict with the statute or the Constitution. In this case, a court can strike down the regulation since statutes and the Constitution are higher authority than a regulation.

Advocates should have a current copy of Title 8 of the Code of Federal Regulations.

G. Sources of Legal Authority - Internal Agency Operating Instructions

At the bottom of the authority levels are the operating instructions of the various agencies that deal with immigrants (the USCIS, the Department of State, and the Department of Labor). These are internal instructions to the employees of the agency. Their purpose is to instruct the employees on agency protocol and practice. Some are numbered and put out in a collection in books, for example, the Foreign Affairs Manual of the Department of State and the Adjudicator's Field Manual of the USCIS. They may also be issued in policy memoranda by the government agency.

As with the regulations, internal operating instructions must conform to the law. However, they have not always been held by courts to be enforceable in court on the government agency.

H. Sources of Legal Authority - Cases

The basic outline of our immigration law is written up in the form of statutes and regulations. But, in addition to these rules, the law is also found in a system of case decisions written by various courts, from the Board of Immigration Appeals to the United States Supreme Court. To be able to advise clients, even if you never write a legal "brief," you need to know how and why case decisions (also known as "case law") become part of the law.

The law in our court system is to a large extent based on similar cases that were brought before. That is, ideally the judges want all decisions with similar facts to have the same outcome. To keep track of how similar cases were decided, the judges publish certain decisions which legal workers can research. In theory, only the decisions that raise new issues will be published. These decisions then become "precedent," which means decisions that other judges must follow in a similar case. Thus, although many cases end with a written decision, not all of these decisions get published and become the law.

Example: The Board of Immigration Appeals decides thousands of cases per year. They choose only about thirty per year to publish as precedent decisions. You have a case on appeal to the Board. One of the Board's decisions that was not published has almost exactly the same facts as your case and was decided in favor of the appellant. Can you use the unpublished BIA case in your argument? Can you make the Board follow the decision in the case?

The rule is that you cannot cite unpublished cases because only published decisions are the ones that must be followed. You may still attach a copy of the unpublished decision, telling the Board that you realize it is not precedent, but that the Board should refer to it as "guidance."

Case decisions are often used to interpret the statutes and regulations. For example, the INA states that a person must demonstrate that his or her removal would cause “exceptional and extremely unusual hardship” to qualify for cancellation of removal. INA § 240A(b)(1). But what facts might be considered “extremely unusual hardship”? To determine this, one looks at published case decisions that found that a person with similar facts did show extremely unusual hardship. With each case they decide, the courts further define the meaning of the statute or the regulations.

II. THE COURTS SYSTEM

In this part of this chapter, we will discuss the different types of courts that make decisions on cases involving immigration; the difference between judicial and administrative courts, and how some courts can overrule others. This is critical information for understanding how decisions in case affect immigration law as well as how to appeal negative decisions made against our clients. When we appeal a decision, we ask a higher court or body to review a decision that we think was incorrect.

Example: USCIS denied the visa petition that Trang Nguyen filed on behalf of her daughter Mai. You are convinced that USCIS made the wrong decision. In this type of case, you would file an appeal to the Board of Immigration Appeals (BIA). The BIA is a higher authority than the USCIS. You are asking the BIA to reverse (eliminate) USCIS’ decision and grant the visa petition.

There are actually two systems of courts, a state court system that handles most cases based on state laws and the federal system that handles cases involving national (federal) laws. Immigration cases are almost always in the federal court system because the immigration laws are federal laws.

A. Overview of Administrative and Judicial Review

Within the federal courts system, there are two types of courts: administrative courts or administrative review bodies, and judicial courts.

Administrative courts are courts set up by an administrative agency, like the Department of Justice or Department of Labor. Administrative courts are not as formal as judicial courts. They have their own rules and procedures, and most administrative courts permit accredited representatives to practice before them.

The Immigration Courts are administrative courts that are part of the Department of Justice, under the supervision of the Attorney General. The “Executive Office for Immigration Review,” or EOIR, includes the immigration courts, which hear the cases, and the Board of Immigration Appeals, which decides cases that have been appealed.

Administrative review bodies are offices within an administrative agency that decided appeals from decisions of the front-line agency staff. The administrative review body within the USCIS is called the AAU (Administrative Appeals Unit). 8 CFR §§ 103.3(a)(1)(iv), 103.3(a)(2).

The administrative review body within the Department of State dealing with visa decisions is the Visa Office, which can review some decisions to deny visas made by the U.S. consulates. 22 CFR Part 41.121(c) and 42.81(c).

The federal judicial courts consist of the United States District Courts, which are the local trial courts in the federal system, the United States Circuit Courts of Appeals, which hear appeals from the District courts and some administrative agencies, and the United States Supreme Court. The decisions of the Supreme Court apply to the entire United States, but the decisions of the District Courts and Courts of Appeals usually apply only in their own geographic district

The judicial courts are more formal than the administrative courts. Only attorneys who have been admitted to practice before those courts may represent clients in those courts.

ADMINISTRATIVE COURTS AND JUDICIAL COURTS REVIEW BODIES

Immigration Court	U.S. District Courts
Board of Immigration Appeals	U.S. Circuit Courts of Appeals
USCIS Administrative Appeals Unit	U.S. Supreme Court

B. Administrative Appeals of Immigration Cases

It used to be that almost all decisions to deny immigration benefits could be reviewed at both an administrative level and in the federal judicial court system. In the past few years, and especially with the passage of IIRAIRA in 1996, Congress has eliminated review entirely for some types of cases and limited review for others. Most of the serious limits to immigrants' rights to review of their cases came in the area of judicial review, but the area of administrative review has also been affected.

It appears that one group not provided any administrative appeal and extremely limited judicial review are persons who are removed under the expedited removal proceedings permitted in INA Section 235(b). The statute states that an USCIS officer can remove these persons without further hearing or review, except for persons applying for asylum who demonstrate a credible fear of persecution. Even these persons are provided only limited review.

Administrative decisions by the Immigration Courts, outside the area of expedited removal, are appealed to the Board of Immigration Appeals. Some administrative decisions by the USCIS are appealed to the Board of Immigration Appeals, while others are appealed to the USCIS' Administrative Appeals Unit.

C. Types of cases reviewed by Administrative Bodies.

Board of Immigration Appeals. The BIA has appellate jurisdiction for the following types of cases:

- Immigration Judge decisions in removal proceedings;

- Relative visa petition (I-130) denials and revocations of approval;
- District Director decisions on nonimmigrant visa waivers under INA § 212(d)(3);
- Bond, parole, or detention decisions by the Immigration Judge;
- District Director decisions on fines and penalties to transportation lines;
- Immigration Judge decisions on rescission of adjustment of status;
- Immigration Judge decisions on asylum applications filed by certain persons not entitled to full removal proceedings;
- Decisions of Immigration Judges relating to temporary protected status;
- Decisions on applications from organizations or attorneys requesting to be included on a list of free legal services providers and decisions on removals from the list; and
- Decisions of the Immigration Judge on applications for NACARA Section 202 or HRIFA adjustment of status.

8 CFR § 3.1(b)(1-12).

USCIS Administrative Appeals Unit. The AAU has jurisdiction over appeals for 38 types of applications. 8 CFR 103.1(f)(3)(iii). Among the most common types are:

- Bond breach;
- Adjustment of status of Indochinese refugees;
- Permission to reapply for admission after removal;
- Waivers under INA § 212(h) or (i);
- Applications for reentry permits;
- Applications for refugee travel documents;
- Applications for certificates of citizenship, naturalization, or repatriation;
- Applications by organizations to be listed on the free legal services list;
- Orphan petitions and advance processing of orphan petitions;
- Applications for temporary and permanent status under the legalization programs of the Immigration Reform and Control Act.

III. CASE CITATION

A. Understanding the Code - the Case Citation System

The decisions in cases constitute an important source of the law in immigration. Citation to cases in legal argument must conform to a certain pattern or “code.” This code is actually very easy to learn.

Example: An immigration case decided by the Board of Immigration Appeals is cited as: Matter of Frentescu, 18 I & N Dec. 244 (BIA 1982).

Every case citation starts with the name of the person or persons involved in the lawsuit.

In administrative immigration cases such as the example above, only the respondent or applicant's name is used. The cases are usually referred to as "Matter of [the person's name]." Most cases in judicial courts include the names of both parties, such as "Smith v. Wright." This part of the case citation is underlined.

The first set of numbers in a citation refers you to the number of the volume in the set of books, or "reporters," in which you will find the decision. In the Frentescu example above, 18" is the number of the volume of BIA decisions that contains the decision.

The abbreviated letters that appear after the first number tell you which set of books you should look in to find the case. There are a number of agreed-upon abbreviations for different sets of decisions, some of which are listed below.

For example, the abbreviation in the Frentescu example above is "I & N Dec." This is an abbreviation of Immigration and Nationality Decisions," an official set of books containing the precedent decisions of the BIA, the AAU, and the USCIS Regional Commissioner (forerunner to the AAU).

Following the abbreviation that tells you the set of books is another number. This number is the page number in the volume where the decision starts. In our example, you would turn to page 244 of volume 18 of the Immigration and Nationality Decisions to find the Frentescu decision.

Finally, you will find in parentheses an abbreviation which tells you what body issued the decision you are reading and in what year the decision was issued. In our example, "(BIA 1982)" tells you that the Frentescu decision was issued by the Board of Immigration Appeals in 1982.

The same basic information appears in a citation of a federal court case.

[name of party/parties]

National Center for Immigrants' Rights v. INS

[volume number] [set of books] [page number] [who decided case] [year decided]

743 F.2d 1365 (9th Cir. 1984)

B. Guide to Citations in Administrative Decisions

The major source of administrative decisions is the I & N Decision, discussed above. While we concentrate on decisions by the Board of Immigration Appeals (BIA), the I & N Decisions include decisions made by several administrative bodies. The citations may say, for example, "(Reg. Commr. 1964)" or "(LAU 1988)," meaning that those decisions were made by the Regional Commissioner and the Legalization Appeals Unit.

New volumes of the I & N Decisions come out only once every few years. Therefore, there must be a method for citing the cases decided before they appear in a new volume. All

precedent decisions, before a new volume appears, are known as “Interim Decisions” and they are each given a number. This does not mean that they are not final decisions. Interim Decisions have the same legal weight as all other decisions in the I & N Decisions.

Interim Decisions are cited as follows: Matter of Ozkok, Int. Dec. No. 3044 (BIA 1988).

Once an Interim Decision is published in a new volume of the I & N Decisions, you cite it by its volume and page number in the I & N Decisions and not by its former Interim Decision number.

The system of interim decisions for the BIA will change in the near future, because the Board of Immigration Appeals has announced that it will soon begin issuing all decisions, even ones that are not yet included in an I & N Decisions volume, with the final I & N Decision volume and page number.

C. Guide to Citations in Judicial Decisions

The citation form for cases decided by the federal courts is similar to that for BIA decisions.

1. U.S. District Courts

The decisions of these local federal trial courts are collected in a set of books called the Federal Supplement. It is abbreviated F. Supp. in a citation. Because it includes decisions from U.S. District Courts all across the United States, it is necessary to include in the citation the abbreviated name of the court that decided the case. For example, in Varga v. Rosenberg, 237 F. Supp. 282 (S.D. Cal. 1964), the “S.D. Cal.” tells you that the case was issued by the United States District Court for the Southern District of California.

2. U.S. Circuit Courts of Appeals

The decisions of these appellate courts are collected in a set of books called the Federal 2nd or Federal 3rd. It is abbreviated F.2d or F.3d in a citation. The set of books called “F.2d” or “F.3d” includes cases from all the Circuit Courts of Appeals in the United States. To designate which of those decided the case, the citation includes an abbreviation for the number of the Circuit Court that issued the decision. For example, in Mashi v. INS, 585 F.2d 1309 (5th Cir. 1978), the “5th Cir.” tells you that the case was decided by the United States Court of Appeals for the Fifth Circuit.

3. United States Supreme Court

The official set of books for decisions of the Supreme Court are called United States Reports. It is abbreviated U.S. in a citation. If a case is cited as being in the “U.S.,” you know that the Supreme Court decided the case. For example, Taylor v. Alabama, 335 U.S. 252 (1947). While the official citation for the Supreme Court decisions is the “U.S.” one, there are two other sets of books which also publish Supreme Court decisions. These are the Supreme Court

Reporter (“S.C.”) and the Lawyer’s Edition (“L.Ed.”). You should use the official “U.S.” cite rather than the Supreme Court. The Supreme Court Reporter and the Lawyer’s Edition will indicate the corresponding U.S. citation for Supreme Court decisions.

IV. CITATION TO STATUTORY AND REGULATORY AUTHORITY

8 CFR § 245.5(b)(2) - If this is just a lot of numbers and letters to you, the next part can help unravel the mystery of finding and citing the law.

A. Citing the Immigration and Nationality Act

The Immigration and Nationality Act (INA) contains all the basic laws on immigration. It can be located either in a booklet that contains only the Act or in a volume called Title 8 of the United States Code (U.S.C.). The United States Code is a compilation of all the laws, and most of the immigration-related provisions are covered in Title 8.

The citations for the INA and Title 8 are different. For example, the citation for the section on adjustment of status would be cited “INA § 235,” but “8 U.S.C. § 1255.” Most copies of the INA will also give you the parallel cite to Title 8.

Most work done by accredited representatives is in the administrative courts, where the INA citation is used more commonly than the USC citation. For cases in the federal courts, the USC citation must be used. When you cite to a section of the statute in written legal argument, you must specify whether you are using the INA or the USC cite.

In the citation “8 USC § 1255,” the first number (“8”) is the number of the volume, the next part - “USC” - tells you what book it is (here, the United States Code), and the last number (“1255”) is the section number of the title.

B. Citing the Code of Federal Regulations

The immigration-related regulations are found in various “titles,” or books, of the Code of Federal Regulations (“CFR”). Most of the immigration regulations are found in Title 8 of the Code of Federal Regulations, but regulations governing the Department of Labor are found in Title 20, and regulations relating to the Department of State are found in Title 22.

The citation form for the regulations is similar to that used for Title 8 of the USC. For example, the citation to the regulation governing who is authorized to represent people before USCIS and the EOIR is “8 CFR § 292.4.” The first number is again the “title,” or volume; the “CFR” is the abbreviation for Code of Federal Regulations; and the “292.4” is the section number.

When an agency wishes to change its regulations, it is first required to publish the proposed change in a government publication called the “Federal Register.” Usually before a proposed regulation becomes law, the agency must allow a certain amount of time to pass for the public to comment on the proposed regulation. It must then consider any comments received,

and then can publish the regulation again in the Federal Register as a “final rule.” Copies of the Federal Register are available in most county or law school libraries, and the Federal Registers from 1995 to current are on the Internet at www.access.gpo.gov.

WARNING! The regulations change much more frequently than the Act, so be sure that you get a new book of regulations every year and subscribe to a service that updates your regulations more frequently. A listserv distributed by Charles Wheeler of CLINIC advises its recipients of updates to the CFR.

C. Other Primary Sources - Internal Operating Instructions

The internal instructions to USCIS personnel are contained in the “Operations Instructions.” They are cited as, for example, O.I. § 241.2b. The Operations Instructions can be downloaded from the USCIS website. That address is included in the attached list of internet resources, at Appendix A to this chapter. The O.I.s are also found in the Appendix to the treatise Immigration Law and Procedure, by Gordon and Mailman, which is found in some law libraries and many private immigration law offices.

The internal rules for granting visas for the U.S. consulates abroad are contained in the “Foreign Affairs Manual.” An example of the citation form for it is: F.A.M. § 41.31, N9. You can download the Foreign Affairs Manual from the USCIS website, at the address in Appendix A. The appendices to the Immigration Law and Procedure treatise also contain a copy.

V. LEGAL RESEARCH

Subject indexes are one useful way to start your legal research. The Immigration and Nationality Act and the Code of Federal Regulations published by the Government Printing Office do not contain subject indexes. This makes it very difficult to find the section of the law or regulations on a specific subject. Commercially published editions of the Act and regulations, such as the pamphlets published by Bender’s, do contain subject indexes and are easy to use. The entire United States Code also has a volume containing a subject index for the entire set of books.

A much easier research method is to first use secondary authority to find the correct section number. These secondary source books are often the fastest way to find where an issue is covered in the primary sources - statutes, regulations, cases, and internal operating instructions. They can also give you a summary of the law on any point that is sometimes easier to understand than just reading the statute or regulations. An excellent book for this purpose is the Immigration Law Sourcebook, by Ira J. Kurzban, which gives an overview of immigration law, including citations to cases, statutes, regulations, and agency policy and also contains a good subject index. Using secondary research books with a good index is much more efficient than searching through regulations and statutes without an index.

Almost all good secondary research materials have a subject index. The index is usually found in the back of the book, but may be in the front or even in a separate volume. Some research books will also contain an index listing all the references to sections of a statute or regulation. This is useful if you know the section of the regulation or statute and you want more

information on what it means or names of cases that have interpreted it. Some books also have a Case Index that lists all the cases referred to in the book.

The EOIR maintains a “Virtual Law Library” on its website. This “library” contains the BIA precedent decisions, including a subject index. It also contains new legislation regulations.

The USCIS website contains the entire Code of Federal Regulations and the entire Immigration and Nationality Act. The addresses for these websites are included in Appendix A to this chapter.

Computer-based materials, whether on-line like Lexis and Westlaw or on CD-Rom, have the distinct advantage of enabling you to do quick and thorough searches using key words. The on-line services may be priced prohibitively for many advocates, but the CD-Rom versions of statutes and regulations, often with other secondary source books thrown into the bargain, are more affordable.

Many books will also have a system for updating when changes in the law occur. You should always check the date of the materials that you are using. If the book is out of date and it does not contain an update, you should either use another book or be sure to double-check any information that you take from that source. Even books that are updated regularly cannot stay completely up to date because the updates are generally published once a year or every six months, but changes in the rules or practice can occur in the meantime. To keep current, every office should subscribe to Interpreter Releases, a weekly publication discussed below, and read and file the newsletter and any information sent out by organizations like the Catholic Legal Immigration Network, the National Immigration Law Center, or other legal centers.

Practical Tips for Legal Research

- Always check the backs of the books to see if there is an index.
- If there is no index, check the front for a table of contents.
- Learning the language used by legal workers will help you find what you need. For example, “immigrant visa,” “non-immigrant visa,” and “adjustment of status.”
- Learn how to find the most recent materials in the Update or Revision materials, if they are updated.
- Once you find the information that you seek, make notes of where you found it for later reference.

VI. GAINING ACCESS TO LIBRARY MATERIALS

Most nonprofit organizations are unable to afford a full library of legal materials. Accredited representatives should have current copies of the INA and Title 8 of the Code of Federal Regulations. There are several ways to gain access to other materials.

The first and often most convenient way to access immigration materials is through the Internet. Two particularly good websites are those maintained by the Executive Office for

Immigration Review and the USCIS. The EOIR website contains or has links to the BIA precedent decisions, information about new legislation, regulations, and programs, the INA, and the Department of State Country Reports on Human Rights Practices. The BIA precedent decision information on this website is particularly helpful, because it contains both a subject index and a list of those precedent decisions which have been affirmed, reversed, or remanded by federal courts. This last allows you to check to see whether a BIA precedent decision is still good law in the circuit in which your client's case arises.

Second, most counties have a law library in the county courthouse, open to the public. Some contain a good deal of material on immigration, others may have just the federal statutes, codes, and regulations. You may also be able to get access to law school libraries. Often law librarians are friendly and willing to help you find materials in the library.

In addition, attorneys in private practice handling immigration cases might also have most of the materials that you need. It is useful for nonprofit organizations to locate immigration attorneys who are willing to assist you. Establishing good relations with these practitioners will prove helpful for other reasons as well, such as for general advice, financial support, and developing attorney referral lists to which to refer clients whose cases your office is unable to assist.