

Deportation & Removal Issues

Contributed by Administrator
Friday, 25 January 2008
Last Updated Friday, 25 January 2008

Caroline Labib Doss, located in Jersey City, New Jersey, handles all issues pertaining to deportation for clients in Hudson County. She also serves clients in the neighboring cities of Bayonne, Union City and West New York as well as people throughout the United States who need an Arabic speaking immigration attorney.

Immigration violations, as well as, criminal convictions can result in deportation, ineligibility for relief from removal, and being barred from naturalization, which is the process whereby United States citizenship is conferred on a foreign citizen or national after he or she has fulfilled certain requirements established by Congress. Deportation and exclusion proceedings have been combined into a single proceeding called a "removal" proceeding. There are five broad categories or grounds for deportation. They include:

- Entering the country without proper authority
- Status violators who violate the terms of their admission or work without permission
- Persons with a broad range of criminal convictions
- Persons who are members of certain prohibited organizations
- Certain people who become public charges within five years of entering the U.S.

Removal proceedings, whether based on inadmissibility or deportability, affect the ability of a person to remain in the United States. Deportation affects people who are already in the United States, either legally or illegally, by forcing them to leave. Grounds of inadmissibility, on the other hand, prohibit a person from entering the United States.

When an immigrant is detained, has an action pending before the Board of Immigration Appeals (BIA), and is in "danger" of being immediately deported or removed, the immigrant, their attorney, or their representative, may request a stay of deportation/removal from the BIA. Once the BIA has received a stay request, the BIA is faced with an emergency situation in which the stay request must be given immediate attention and priority over other work.

If the person is found to be removable, he or she, if eligible, may request one or more types of discretionary relief. The person has the burden of proving that he or she is eligible for relief under the law, and the granting of such relief is an exercise of discretion.

Withholding of Removal

Similar to asylum, Withholding of Removal allows you to temporarily stay in the United States if it is shown that it is "more likely than not" that you would be persecuted in your home country upon deportation or return. You can file for Withholding of Removal either in conjunction with asylum or separately if you are not eligible for asylum, for example if you have missed the one-year asylum filing deadline. Eligibility for Withholding of Removal is based on the same five grounds as asylum: race, religion, nationality, membership in a particular social group, or political opinion.

At the law firm of Caroline Labib Doss, we will do whatever possible to ensure that you are not removed from this county by providing you proper counsel and defense.

If you have questions or concerns regarding deportation issues, contact us today for a consultation.