

## **Visa Policy for Lawyers**

*Gibson Dunn believes that diversity among lawyers is essential. In an increasingly global world, we understand that it is crucial that we incorporate diverse competencies, experiences and viewpoints into our workforce. Lawyers holding non-U.S. passports face particular challenges in obtaining the appropriate U.S. work authorization when hired into one of the Firm's offices in the U.S. The information below outlines our policies and practices in relation to Firm lawyers in good standing and prospective lawyers who hold non-U.S. passports, and their responsibilities as well as the type of support in obtaining the appropriate U.S. work authorization our lawyers can expect from the Firm.*

### **U.S. Visa Stamp**

*A valid U.S. visa stamp in a current (non-expired) passport serves as the necessary authorization for entry to the United States in nonimmigrant visa status. The Firm expects that each nonimmigrant visa holder will maintain a valid visa stamp and take action for visa issuance or renewal when needed. This includes being aware of expiration dates and processing times for obtaining a visa stamp from a U.S. consulate abroad.*

*The Firm will financially support obtaining a U.S. visa stamp at a U.S. consulate abroad if international travel is required for business reasons.*

### **F-1 Status with CPT and/or OPT**

*The F-1 visa (academic student) is a commonly used nonimmigrant student visa which allows full time students at an accredited university to lawfully enter the U.S. Law students participating in the Firm's Summer Program will be expected to work with the designated school official at their university for authorization of their Curricular Practical Training (CPT) on Form I-20, Certificate of Eligibility for Nonimmigrant Student Status, prior to the start of the program.*

*Individuals joining the Firm as lawyers after graduation may be authorized to work for up to 12 months of Optional Practical Training (OPT). OPT provides practical training experience that is directly related to a major area of study. It is the individual's responsibility to work with the designated school official, prior to graduating, to obtain an Employment Authorization Document (EAD) from United States Citizenship and Immigration Services (USCIS) before their anticipated start date. Please note that individuals on OPT must commence their employment with the firm within 90 days of OPT being authorized.*

### **TN Status**

*TN status is a nonimmigrant visa status unique to citizens of Canada and Mexico. The TN status granted by the Department of Homeland Security is valid for a three-year period and will be reflected as such on the I-94 Arrival/Departure record. (Note: Procedures vary from Canada to Mexico.)*

### **[gibsondunn.com](http://gibsondunn.com)**

Abu Dhabi	Dallas	Hong Kong	Munich	Paris
Beijing	Denver	Houston	New York	San Francisco
Brussels	Dubai	London	Orange County	Singapore
Century City	Frankfurt	Los Angeles	Palo Alto	Washington, D.C.

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*The Firm will work with our immigration counsel to prepare the TN documents necessary for the TN application. TN status is temporary, but is renewable in three year increments indefinitely. An individual on TN status must maintain nonimmigrant intent and demonstrate that their stay has a reasonable, finite end that does not equate with permanent residence.*

*The Firm will financially support TN visa status .*

## **H-1B Status**

*H-1B visas are subject to an annual congressionally mandated cap that commences with the government's fiscal year on October 1<sup>st</sup>. The Firm will work with our immigration counsel to secure the H-1B visa status for eligible lawyers in advance of the October 1<sup>st</sup> effective date, but due to the congressional mandated cap and possible constraints outside of the Firm's control it may not be possible to secure H-1B visa status on behalf of each lawyer who applies.*

*If the Firm is unable to secure H-1B visa status for an eligible lawyer, the Firm may consider a request to temporarily transfer to a non-U.S. office. However, approval for office transfers will be subject to Firm approval taking into consideration individual performance and productivity, and the needs of the Firm, including business needs in the relevant office and practice, and is subject to satisfying applicable ethical rules and work authorization requirements of the transferring office. Any relocation costs, housing, etc., will be at the personal expense of the lawyer.*

*A lawyer who is not selected in the H-1B lottery, but is otherwise able to satisfy work authorization within the U.S. through another means, may be eligible to remain working in a U.S. office of Gibson Dunn.*

*If the Firm is able to secure a change of visa status to the H-1B classification from another classification, the lawyer can work in the U.S. in H status as of the date on the approval notice (Form I-797) and the period of admission will be reflected on the I-94 Arrival/Departure record.*

*Lawyers who are currently on, or eligible for, a valid nonimmigrant visa will only be considered for a change of visa status to the H-1B classification once the Firm has considered and approved their request for green card sponsorship. Once a lawyer has been approved for green card sponsorship, and selected in the H-1B lottery, the Firm will activate the H-1B at the first opportunity and will no longer renew the prior nonimmigrant visa. If a lawyer decides that they no longer wish to pursue the H-1B or green card, they may be asked to reimburse the Firm for related legal fees.*

## **Green Cards**

*The Firm may, in its discretion, sponsor its lawyers working in the United States for lawful permanent resident status, also known as "green card" status. The Firm will consider requests for green card sponsorship made by lawyers in good standing and who are in their second or subsequent year with the Firm. If the Firm decides to sponsor a lawyer for a green card, the lawyer will be required to confirm in writing their "at will" employment status and acknowledge that termination of employment for any reason prior to obtaining a green card could result in the termination of the green card process, with the consequence that the lawyer may be required to leave the United States upon expiration of their nonimmigrant visa.*

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*Additionally, lawyers who are terminated during the green card process may be asked to reimburse the Firm for a portion of the related costs already paid on behalf of the lawyer; except for fees, advertising costs, and other related expenses associated with the labor certification (“PERM”) component of the process, which is the Firm’s sole responsibility.*

## **USCIS’ Premium Processing Service (PPS)**

*A Premium Processing request may be attached to certain immigration benefit requests. The Firm will pay for Premium Processing only in those situations where the Firm deems it necessary for business or legal reasons.*

## **Dependent Family Members**

*In the event that assistance is needed obtaining family-based nonimmigrant visa status, including lawful permanent residence status, the lawyer is encouraged to work with the Firm’s immigration counsel, but should note that visa related expenses for their family members will be their responsibility.*

## **Contacts**

*Questions related to the Firm’s visa policies and practices should be directed to the Firm’s Legal Recruiting Department via email. Office specific contacts can be found [here](#).*

