



INTERNATIONAL NEWS MEDIA

An Exclusive Interview by **AWEE ABAYARI** WITH **ATTY. JACK GOLAN**

“A HIGHLY REGARDED AND MOST PRESTIGIOUS IMMIGRATION LAWYER”
WITH POPKIN, SHAMIR & GOLAN SERVING THE COMMUNITY FOR OVER 50 YEARS

For more of the interview: www.youtube.com/AweeAbayari • www.youtube.com/ANewsMedia

“What I enjoy most is the happiness of the client when the case ends successfully.”

* * *

“A comprehensive reform of Immigration Law is absolutely necessary IMMEDIATELY.”

- ATTY. JACK GOLAN

AWEE ABAYARI: What made you decide to practice immigration law?

ATTY. JACK GOLAN: Truthfully, I did not make the “decision” to practice immigration law. I simply “fell” into it, by getting an invitation to join an existing law office that had this practice. I am still with the same law office.

AWEE ABAYARI: What qualities do you have that make you one of the best immigration lawyers we know?

ATTY. JACK GOLAN: The main quality for this is CURIOSITY, or, in other words, INTEREST in the lives of clients: What are you doing? What have you done before you came here? How did you get in trouble with Immigration? What do you really want?

AWEE ABAYARI: What were the early challenges during your practice and how did you overcome them?

ATTY. JACK GOLAN: The early challenges were, and still are, with clients who already know, when they first come to see me, what “exactly” is their legal problem and what “exactly” should be done for them. The way to overcome this challenge is with PATIENCE and REPETITION of explanations.

AWEE ABAYARI: In a span of over 50 years, how many cases have you handled? How many were successful? How were you able to pursue cases that have been denied?

ATTY. JACK GOLAN: Our law office has been in the immigration practice since 1964, namely: 58 years. I joined it in 1976, namely: 46 years ago. The number of cases we have handled was in the thousands. Most of them were successful (of course, there were also some failures). Even a DENIAL is sometimes not a REAL failure. There is always an appeal and then another appeal. And the rule that my partner taught me right from the beginning: TIME IS ON THE SIDE OF THE ALIEN.

AWEE ABAYARI: Are there hopeless immigration cases? What are those and what advice would you give your client if you think there is no immediate solution to their case?

ATTY. JACK GOLAN: Yes, there are hopeless cases, and they are mainly cases involving DRUGS. The advice in such cases is: do nothing. Don't waste money on lawyers. Stay away from Immigration and WAIT FOR BETTER DAYS.

AWEE ABAYARI: What would you consider are the most important changes in immigration law that had a great impact?

ATTY. JACK GOLAN: The greatest change (after the major reform of 1965) was the creation of separate waiting lists (quotas) for FAMILY and EMPLOYMENT based cases.

AWEE ABAYARI: What is your biggest frustration with immigration law?

ATTY. JACK GOLAN: The biggest FRUSTRATION with the immigration system, including the consular system, is the slowness of processing and moving cases.

AWEE ABAYARI: What surprising results have you received from the Immigration office?

ATTY. JACK GOLAN: The surprises - or annoyances - I get from time to time is different, even contradicting decisions for exactly similar cases. For example: two petitions filed for two siblings, same father and same mother. One petition gets approved quickly and smoothly, while the other petition gets hung up with all kinds of irrelevant Requests for Evidence.

AWEE ABAYARI: Is there a need for a Comprehensive Immigration Reform? Why?

ATTY. JACK GOLAN: A comprehensive reform of Immigra-



tion Law is absolutely necessary IMMEDIATELY. Our present law is, basically, from 1965, namely: 57 years ago. It does not serve today's needs of our country.

AWEE ABAYARI: What do you think will be the future for immigration? Will there be an Amnesty?

ATTY. JACK GOLAN: One day, “right away soon”, there will be a Comprehensive Reform of Immigration Law. It will include a major AMNESTY, but not under this name. It will be called LEGALIZATION, or COMPROMISE, or REORDERING, or any other good sounding word, but never AMNESTY.

AWEE ABAYARI: Kindly relate the longest and most challenging case you ever handled that ended successfully.

ATTY. JACK GOLAN: The biggest case (as far as I remember) was of a woman who came to us after she had a final order of removal, as a result of a marriage case that failed, and all in another city, but then she got married again, and this time it was a same sex marriage. We were able to: (a) obtain an approved petition for her by her new spouse, then (b) cancel her deportation order, then (c) transfer her deportation case to the Immigration Court in our city, then (d) terminate her deportation case, then (e) apply for her Adjustment of Status at the Immigration Service, then (f) get her a Green Card.

AWEE ABAYARI: Do some cases end up in court? Why? Is that a good solution?

ATTY. JACK GOLAN: Some cases end up in Immigration Court, but this is not our decision. Only the Immigration Service has the authority to transfer a case to Court. Sometimes this solves a problem, but it is never pleasant to be in court in front of a Judge, because you can never be sure how a Judge will decide.

AWEE ABAYARI: Do you think the use of technology helped improve the processing of immigration cases? In what way?

ATTY. JACK GOLAN: Technology helps. It makes the work of the lawyer and of the Immigration Service easier. But not always faster, (Also, it makes it easier for the Immigration Service to increase the “paperwork”).

AWEE ABAYARI: Have you encountered errors in immigration decisions? How did you resolve such cases? Please cite examples.

ATTY. JACK GOLAN: Errors in the decision making of the Immigration Service are many. The solution is in Motions to Reopen and Reconsider, Appeals to Administrative or Federal Courts, or - sometimes - simply re-filing the case. Unfortunately, errors in consular decisions are much more difficult to correct.

AWEE ABAYARI: What makes for a successful case?

ATTY. JACK GOLAN: A successful case requires - first of all - Honesty between the client and the lawyer. The client should never mislead the lawyer with lying about facts of the case, and the lawyer should never mislead the client by making impossible promises.

AWEE ABAYARI: Please describe briefly your most unforgettable/dramatic immigration cases: Dramatic case that literally made you cry?

ATTY. JACK GOLAN: Most dramatic case was many years ago, when we handled the Applications for Naturalization of large groups of Filipino veterans of World War II. At first the Government opposed their naturalization, and we sued the government in Federal



Court on behalf of more than 100 veterans. Then, in a surprise reversal, the government changed its position and consented - and we had a swearing in ceremony for one hundred of our clients in one day. We had a big party in the office on that day.

AWEE ABAYARI: How does the use of technology help improve the way immigration cases are processed?

ATTY. JACK GOLAN: Technology improves the processing of immigration cases in 3 ways, at least: (a) communication and transfer of documents between lawyer and client, and lawyer and the Immigration Service; (b) filling out FORMS on computer, correcting forms, assembling packages; (c) storing and access to Forms and materials by computer, digitally and not by hard copy.

AWEE ABAYARI: What errors are committed by the Immigration office that you had been able to resolve without going to court?

ATTY. JACK GOLAN: For example, at this moment, we deal with a case where an applicant for Adjustment of Status who had entered the U.S. with inspection on a “C-1” visa, got denied a Green Card on a ground that he was a SEAMAN, whose adjustment is barred by law. This is an error, because a seaman's visa is designated “C1/D”, while C-1” is a TRANSIT visa, whose adjustment is not barred. We filed a Motion to Reopen and Reconsider and hope to resolve the issue without having to go to court.

AWEE ABAYARI: What immigration law do you think is antiquated and what future changes do you want to be implemented to make immigration more in keeping with the times? Any important latest news you would like to share?

ATTY. JACK GOLAN: Antiquated is the PREFERENCE system which was enacted in 1965 and gives preference to Family-based petition over EMPLOYMENT-based petitions. Unfortunately, due to the present politicization of the subject of immigration, I don't see much chance for improvement in the near future.

AWEE ABAYARI: What do you advise your future clients to prepare before they meet with you for an initial consultation?

ATTY. JACK GOLAN: (a) Passport and I-94 (if available) to prove their entry to the U.S.;
(b) Copies of any previous filings to, or decisions by, the Immigration Service;
(c) A resume, if we are going to talk about an employment-based case.

AWEE ABAYARI: Why are you passionate about your job? What is it in your practice of immigration law that you enjoy most?

ATTY. JACK GOLAN: What I enjoy most is the happiness of the client when the case ends successfully.

AWEE ABAYARI: Please give your message of hope to our global audience.

ATTY. JACK GOLAN: With all its flaws, frustrations and slowness, the SYSTEM still produces Green Cards and Immigrant visas. Therefore, if you are eligible for some benefit, don't hesitate - FILE IT.

AWEE ABAYARI: Thank you very much!