

10 Questions to Ask Any Lawyer Who Takes Over Your Immigration File

A printable checklist from Novo Legal Group

Before You Sit Down

A first meeting with a new lawyer goes much better when you walk in with a folder. You do not need to understand what is inside — a careful lawyer will help you make sense of it.

Bring with you:

- Every USCIS receipt number you can find — in the mail, in your email, in old text messages.
- Every letter from USCIS, the immigration court (EOIR), or your prior law office.
- Your USCIS online account login, if you ever set one up.
- Any page you remember signing, even if you do not have a copy.
- A safe mailing address — somewhere it is OK for the government to send your immigration mail.

If you do not have all of this, bring what you have. The job of a careful takeover lawyer is to rebuild your file from the pieces — not to make you do it alone.

Ten Questions to Ask Any Takeover Lawyer

Use these questions with any lawyer who proposes to take over your immigration file. Their answers will tell you a lot — about how careful they are, how clearly they explain things, and whether they treat you as a partner in your own case.

- **1. Will you file a new G-28 for every one of my pending cases — including ones I might have forgotten? Why this matters:** A G-28 is the form that tells USCIS who your lawyer is. Until a new one is filed for each of your pending cases — separately — your old office may keep getting your notices, and you may keep missing them. USCIS requires a separate paper G-28 for every pending matter, sent to the office where that case is pending. A careful lawyer treats this as the first thing they do, not the last.
- **2. Will you get my full file — by FOIA if necessary — and read every page before filing anything new? Why this matters:** If something in your existing file is wrong, filing on top of it without reading it first can make the problem worse. A careful lawyer rebuilds the file before deciding what to do next: requesting your full record from USCIS (including by

FOIA if needed), getting any immigration-court Record of Proceedings, and pulling your USCIS online-account history.

- **3. Will you go through my declaration with me, line by line, before any new filing? Why this matters:** Your declaration is the story your file tells about you. You have a right to know what your prior firm said in your name, a right to correct anything that is not true, and a right to refuse to adopt a story you did not tell — understanding that refusing is itself a choice that changes what your lawyer can do next.
- **4. If you find a signature on a form I never actually signed, what will you do? Why this matters:** A signature image lifted from one document and pasted onto another is generally not a valid signature under USCIS rules, even if USCIS accepted the form at the time. Beginning July 10, 2026, USCIS may reject or deny a request later found to lack a valid signature. The actual consequences in your case depend on the form, the posture (pending, under RFE, or already approved), and what evidence exists about how the signature was obtained. A careful lawyer will walk you through the available responses — supplementing, withdrawing and refiling, answering a notice from USCIS, or something else — and explain what each one means for your specific case before acting. These responses are not the same in weight: some carry consequences for your work permit or your immigration status, and a careful lawyer will name those before either of you decides.
- **5. If you find something in my file that is not true, will you tell me — and walk me through my choices before you act? Why this matters:** When a prior filing has a problem, there is usually more than one path forward. The choice — and the consequences of each option — belong to you. Some of those choices can affect your work permit, your current status, or whether your case moves into immigration court. A careful lawyer explains those consequences clearly, in your language, before doing anything that cannot be undone.
-
-
-
-
-
-
- **6. Are you licensed in the state where my case is being decided? Why this matters:** Immigration is federal law, so an immigration lawyer admitted in any state can usually represent you on a federal immigration case no matter where you live. But every lawyer is licensed by a state bar, and the rules differ by state — and certain pieces of an immigration case (for example, a request to a state law-enforcement agency, or a state-court order) may need a lawyer admitted in that state. It is fair to ask which state bars license your lawyer — and to confirm they are in good standing.
- **7. Will you screen what relief I actually qualify for before quoting me a fee? Why this matters:** The right first question is what can this person realistically apply for — not what will it cost. A careful lawyer looks at eligibility first and price second, and explains clearly which options exist before asking you to sign anything.
-
-
-
-

- **8. If my case is VAWA, T-visa, or U-visa, do you know how the § 1367 confidentiality rules apply to me? Why this matters:** Federal law (8 U.S.C. § 1367) protects survivors of abuse, trafficking, and crime by limiting how information from a VAWA, T-visa, or U-visa case can be disclosed — including, in many situations, to the person who hurt you. The rules have specific limits and specific exceptions. A careful lawyer knows them and can explain how they apply to your case. Ask them to walk you through what is and is not protected.
- **9. Who at your office will actually do the work on my case — and is that person a licensed lawyer? Why this matters:** People who are not licensed lawyers cannot give you legal advice or promise you outcomes. It is fair to ask who will prepare your forms, who will sign them, and who will answer your questions. A careful lawyer answers this directly, by name.
- **10. If you cannot help me, will you tell me — and refer me to someone who can? Why this matters:** No single lawyer is right for every case. An honest no with a real referral is more valuable than a yes that will not work. A careful lawyer knows the limits of their own practice and is willing to send you somewhere else when you are better served there.

Five Warning Signs

A lawyer may not be the right lawyer for your case if any of the following happens. You can stop. You can take your file with you. You can choose someone else.

- **You cannot get a clear answer about who will actually prepare your forms. If the question is brushed aside, ask again. If it is brushed aside again, that is your answer.**
- **You are asked to sign blank forms, or to sign declarations that someone else typed for you without going through them with you. Your signature is a certification that the contents are true and that you reviewed them. A careful lawyer treats your signature with that weight.**
- **A flat fee is quoted before anyone has read your file. A real number requires a real look at what you are actually eligible to apply for.**
- **You are promised an outcome. You will get approved. We always win. No honest immigration lawyer can guarantee a result. Anyone who does is selling something other than careful representation.**
- **You are told not to read your own declaration before you sign it. This is the single clearest warning sign in the whole checklist. Your declaration is yours. Read it. Question it. Correct it. Then sign it.**
-
- **If any of these happen, you can ask for your file back, get a second opinion, or report what happened to the state bar.**

Your Rights With Any Lawyer

Whatever lawyer you choose — and whatever your immigration status is — these rights belong to you:

- You own your file. You can ask for a copy at any time, even after a lawyer-client relationship ends. State bar rules require lawyers to give you your file when you ask. There should be no charge for documents that are already yours.
- You can read every form before it is signed. Take your time. Bring it home if you need to. Ask for a translation if you need one.
- You can ask who prepared this, and what version is this, before signing anything. A careful office can answer in a sentence.
- You can fire a lawyer and hire a different one for a second opinion at any point. Doing so does not punish you with the government.
- You can report a lawyer to the state bar if you believe they broke the rules — and you can ask about state-bar funds that may reimburse fees if a lawyer took your money and did not do the work.
- These rights do not change because your prior firm closed, because you are afraid, or because of your immigration status. They belong to you.

Free and Low-Cost Resources

You do not have to start by hiring a lawyer. The following agencies and nonprofits can help you check your case, get your file, update your address, find a vetted referral, or seek a refund — at no cost.

Check your case and update your information (USCIS):

- **Set up or sign in to your free USCIS online account (myUSCIS)**
- **Request a copy of your full immigration file (FOIA) — note: for VAWA, T-visa, and U-visa cases, FOIA returns are heavily redacted by federal law — your lawyer can request additional records on your behalf**
- **Update your address with USCIS (Form AR-11)**
- **Help if your prior immigration firm closed (Washington State): Northwest Immigrant Rights Project (NWIRP) maintains a resource page for community members affected by recent firm closures in Washington.**
- **State-bar client-protection funds (if a prior lawyer took fees and did not do the work): Washington State Bar — Lawyers Fund for Client Protection. Colorado Supreme Court — Attorneys Fund for Client Protection.**
- **Free legal orientation in Spanish (most Mexican consulates): Ventanilla de Asesoría Legal — most Mexican consulates host a free legal-information window staffed by community organizations. Ventanilla services provide general legal orientation in Spanish, not representation in your case. Ask at your nearest Mexican consulate or check the consulate's website.**

American Immigration Lawyers Association (AILA) Lawyer Referral Service — search for an AILA-member immigration lawyer in your area at ailalawyer.com.

If you would like to talk through your situation with someone, you can call Novo Legal Group for a free 15-minute phone screen in Spanish or English. No documents needed to call.

(888) 746-5245 · novo-legal.com

Disclaimer

Aaron Elinoff, Managing Partner, Novo Legal Group · Admitted in Colorado (#46468, 2013) and Washington (#58949, 2022) · (888) 746-5245 · novo-legal.com

Attorney advertising. This checklist is general legal information about how to evaluate any lawyer who takes over an immigration file. It is not legal advice and does not create a lawyer-client relationship. For advice about your specific case, talk to a licensed immigration lawyer in your state.