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LEGAL ALERT

Do Your Employees Need H-1B Visas? It's Time to File Petitions for Fiscal Year 2013

On April 1, 2012, the filing period will begin for new H-1B petitions to be counted against the annual H-1B quota (H-1B cap) for the fiscal year beginning October 1, 2012. We strongly encourage employers to begin determining which of their current or future employees will require H-1B status.

In years past, annual limits on H-1B visas have created a surge of petitions filed on the first day they become available. There are 65,000 visas available per fiscal year, with an additional 20,000 set aside for those who have graduated from master's degree programs in the United States. In fiscal years 2008 and 2009, the annual limit was exceeded within the first days of filing. This resulted in a computer-generated lottery for available visa numbers. Although the limit was not immediately reached for fiscal year 2012 because of the state of the economy, much greater demand is anticipated this year.

If you are contemplating sponsorship of a foreign national for an H-1B visa for fiscal year 2013, it is in your best interest to begin preparing immediately since the visas may not be available for very long. To begin the application process, please contact the attorney at Tarter Krinsky & Drogin with whom you work most closely.

The Immigration Practice Group is committed to a client-centered approach that involves guiding each client through the consular and immigration maze and vigorously advocating on the client's behalf. We counsel individuals, small business owners and large multinational corporations and banks in all aspects of immigration law, with a focus on employment-based immigration, non-immigrant visas, family-based immigration and citizenship.

For more information on the Immigration Group, [click here](#).

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