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**Do Your Employees Need H-1B Visas?
Its Time to File Petitions for Fiscal Year 2012**

By Andrew S. Koerner, Counsel

On April 1, 2011, 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, 2011. 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 2011 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 2012, 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.

About Andrew S. Koerner

Andrew Koerner recently joined Tarter Krinsky & Drogin as Counsel in the Immigration Practice Group. He was previously a Partner with Koerner & Associates, LLC in Coral Gables, Florida, and Leaf Koerner, LLC in Miami. A member of the American Immigration Lawyers Association, he has extensive experience helping companies expand into the United States by attaining and keeping a competitive workforce. He represents individuals, small business owners and large multinational corporations.

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New York Office: 1350 Broadway, New York, NY 10018 • Tel: 212. 216. 8000 • Fax: 212. 216. 8001
New Jersey Office: 475 Wall Street, Princeton, NJ 08540 • Tel: 609. 683. 9494 • Fax: 609. 683. 7490
www.tarterkrinsky.com