

**URGENT DEADLINE APPROACHING FOR NON-MINISTER
RELIGIOUS WORKERS!!**

Congress has temporarily extended the nonminister immigrant visa category, but only *until* October 31, 2009. Pub. L. 111-68 (Oct. 1, 2009). Therefore, nonminister religious workers can presently file, or have adjudicated, their I-485 applications for permanent resident, but only for the next two weeks. Congress will consider a further extension, but when, or if that happens is uncertain.

1. **Consider filing for adjustment by October 30, 2009, if you did not already do so:** Because of the impending cutoff date, this means that the I-485 application for non-ministers must be filed and received at the relevant CIS Service Center, **not later than Friday, October 30, 2009.** If you are a non-minister, or represent a nonminister, who remains otherwise eligible to adjust status under INA 245, but did not file in September when no visas were available due to the sunset of the category, you should consider submitting the adjustment of status application now. **Note that pursuant to [Ruiz-Diaz](#), an I-360 and I-485 can be filed concurrently.** You must still meet the other eligibility requirements relating to qualifications, available job at a qualifying religious organization, and without having in excess of 180 days of unlawful presence/employment.

Filing the application for adjustment of status should cut off any unlawful presence /unauthorized employment that is accruing or will begin to accrue against the applicant after expiration of R-1 status. If you do not accomplish this for a nonminister whose R-1 runs out while a further extension by Congress is in limbo, your client could run past the 180 **day** grace period of INA 245k and be ineligible to adjust.

Please refer to CIS instructions in the June 25, 2009 Neufeld memo regarding filing locations and how to mark the envelope for submission, at http://www.uscis.gov/files/nativedocuments/Ruiz-Diaz_Implementation_25jun09.pdf. Obviously, you will want to file the application at the correct office to avoid rejection.

2. **SEEK EXPEDITES OF PENDING NONMINISTER I-485 APPLICATIONS:** Likewise, if your nonminister religious worker I-485 is pending adjudication, you should promptly request an expedited decision so the approval issues on or before October 30, 2009. We are presently trying to confirm the best procedure to obtain such an expedite and will post this as soon as possible. If the application is not approved by October 30, adjudication cannot occur until Congress again extends the program.

For information on the Ruiz-Diaz litigation, please visit the "Class Action" page at <http://www.ghp-immigration.com/>