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Lane Powell
attorneys Dustin
O'Quinn and
Jessica Yu
assist a client.



Piecing Together the Immigration Puzzle

Pacific Northwest startups are hungry for global talent. Here's how Lane Powell is helping them bring on the very best.

BY ERIN J. BERNARD

U.S. immigration law can be a mystery wrapped in an enigma, and most startups are bound to confront its puzzling configurations sooner or later.

Wrangling that endless procession of moving parts is a bit like playing Tetris: you're racing the clock to fit the right pieces into the right places, and one false move can result in a major pileup later in the game.

Your best allies in wresting order from the chaos? The team of immigration attorneys at Lane Powell, a Pacific Northwest law firm with a national — and international — reach.

In an era so global, immigration issues

are complex — and just about impossible for growing businesses to avoid, says Lane Powell Immigration Team Chair Dustin O'Quinn: "When you're trying to attract unique and high-quality talent today, your market isn't just local. It's the entire world."

Complex, time-consuming and essential

Potential immigration-related issues are always on the radar at Lane Powell, even when they're not of immediate concern for a startup, notes attorney Jessica Yu: "Because we provide comprehensive service, immigration is always

included. And if a client is not a U.S. citizen, we always consider immigration in advising a situation."

A few scenarios typically force the question to the fore for startups, the most common of which is a founder with an expiring student visa.

Many startups are born when the founder or developer is still in school, and if that person is here on an F-1 student visa, staying on past graduation will require selecting and applying for a new visa type.

That's no small feat, says O'Quinn: "You have an owner of a company who is 25 years old and suddenly needs to find a visa for themselves. What does that look like? What are your options? What's that going to cost? And how realistic is it?"

Startup founders aren't eligible for the H-1B specialty worker visas that large companies often procure for foreign-born employees,

although if an idea is amazing enough—think: a world-changing app—then that founder may be granted an O-1 alien of extraordinary ability visa, problem solved. But that’s a high bar to clear for many startups, no matter how great the concept or how solid the funding.

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Another common scenario? A new company staffing up its C-suite decides to cast its sights abroad in the search for the right mix of experience and talent. But it can be difficult for a startup without robust profits or a long history of tax returns to successfully obtain H-1Bs on behalf of employees.

Quotas run tight, and this means startups must think creatively when it comes to procuring the right visas for their people, says Yu: “The truth of the matter is, options [for startups] are pretty limited. You have to look at it case by case to determine what the best option is.”

Lane Powell’s Immigration Team increasingly steers clients toward the most secure visa types available for their situation, even when procuring one is initially more time- and labor-intensive.

There are options for getting into the U.S. very fast, but, as with Tetris, determining the best move means counterbalancing the immediate need with the longer ramifications, Yu adds: “Depending on where you put the pieces now, it may work for short-term immigration but not the long term. It really depends on your goal.”

Even after the visas are granted and the employees are here, a relationship with immigration attorneys brings value to a growing startup, especially in a political climate as uncertain as this one.

The current conversation around U.S. immigration indicates complicated and sometimes contradictory attitudes toward foreign-born workers, points out O’Quinn: our country relies on talent from abroad, yet the laws on the books don’t always feel particularly welcoming.

These days, the team spends more time keeping abreast of current events and more time helping nervous clients contextualize



Lane Powell attorneys Jessica Yu and Dustin O’Quinn consult together.

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those often-sensational news headlines.

The team has also been advising clients to naturalize (become a U.S. citizen) faster. Greencard holders regularly wait to natural-

ize, says Yu, sometimes putting off this next step for decades. Post-Trump, Lane Powell encourages clients to safeguard themselves and their immigration status by considering naturalization as soon as they become eligible.

Regardless of these challenges, the Pacific Northwest demonstrates a continued appetite for hiring from abroad.

Finding ways to get and keep that talent in the U. S. requires quick thinking in the face of all those unknowns and the ability to manage a whole lot of moving pieces.

Startups tend to be good at these things, and immigration lawyers are good at them, too, says O’Quinn: “We evaluate and determine our strategies based on new laws and policies, and then we look at how they may affect our clients ... We explore all the options.” ■