

Practice Areas

BUSINESS

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H-1B

H-1B Transfers

Visas

TN Visas (NAFTA)

Special Visas for Other Countries:

- Australia
- Chile / SingaporeE-1

E-1 Visas

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PERM Labor Certification

HOSPITALS /HEALTHCARE

H-1C Visas

H-1B Visas for Doctors

FAMILY

Spouse / Fiancée Visas

Permanent Residence for Family
within U.S.

Naturalization /Citizenship

AMNESTY

Judge Enjoins Georgia Immigration Law

July 9th, 2011 by [admin](#)

Federal Judge Thomas Thrash has reportedly enjoined parts of a Georgia law that was due to take effect on July 1, 2011. In granting a temporary injunction to complainants, he ruled that they were likely to prevail at trial on the claim that federal law preempts Georgia's legislative action regarding police investigations.

The law, which was challenged by the Americans With Civil Liberties Union and other advocacy groups, authorized police to check the immigration status of criminal suspects and to hand over any undocumented individuals to federal immigration authorities for further action.

According to the Wall Street Journal, Judge Thrash concluded that this law could conflict with federal law and "convert many routine encounters with local law enforcement into lengthy and intrusive immigration status investigations."

But he declined to overturn the law's requirement that Georgia businesses must use some kind of screening system designed to ensure that newly hired employees are eligible to work in the U.S.

Thus far, there have been many legal challenges to a growing number of state laws imposing immigration enforcement burdens on police and employers. This ruling demonstrates that employers still need to be wary of such state regulatory actions, and it points to the need for some kind of legal resolution on federal preemption by the U.S. Supreme Court.

This blog will keep an eye out for those developments affecting employers, so stay tuned in for further details.

If you are an employer or an employer's representative and need more information about business immigration regulations, please check the

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