

The Two Sides of Ciudad Juarez

By Tracie Klinke

I am always torn when I send clients to Ciudad Juarez for consular processing and I-601 and I-212 waiver adjudication. There is a 75% waiver approval rate, and the waiver can be approved within a matter of weeks. However, over 6,500 people have been killed in Ciudad Juarez since the beginning of 2008. Every weekend, the news is rife with stories of a birthday party massacre, U.S. Consulate workers being gunned down, or some other atrocious event. When I was given the opportunity to tour the U.S. Consulate in Ciudad Juarez, though, I did not have to think twice about going. If I send clients there on a regular basis for consular processing and waiver adjudication, I ought to be able to handle it myself.

Ciudad Juarez is an oasis in the world of waivers. In other jurisdictions, a waiver decision can take anywhere between six and 18 months. However, in Ciudad Juarez, the process can take as little as six weeks—just the gap between the visa interview and the waiver interview.¹ The waiver interview itself is a mere 15 minutes and half will be approved at the interview's conclusion. The other half will be sent to a backlog for further review. The backlog is taking ten months, and of those waivers approximately half of those are approved.

The question is, then, how do you convince the interviewing officer, in just 15 minutes, to approve a waiver? A USCIS official gave me a few tricks and tidbits of information. First, have a detailed Table of Contents as your first page. Paginate and tab, preferably along the bottom, the waiver package. Be sure to highlight key information—

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especially on medical records. The interviewing officer will not have time to review a cover letter, but will instead go straight to the qualifying relative's affidavit. From there, the evidence needs to support the statements made by the qualifying relative. In regards to country conditions, the officer is well aware of the dangerous situation in Mexico. Submitting Country and Human Rights Reports from the Department of State are enough to document the violence in Mexico. Put yourself in the adjudicator's shoes and present the waiver in a clear, concise manner.

It would be foolish not to write a cover letter, though. If the case is referred to the backlog, the cover letter will serve as your client's voice. Also, if the case is eventually appealed to the AAO, the cover letter helps to preserve the record.

When I tell clients about the benefits of going to Ciudad Juarez, I still see the look of fear and mistrust in their eyes. With an average of seven murders per day, who could blame them? Yet, Ciudad Juarez is still home to 1.4 million, and while the streets may be deserted at night, it is a bustling city during the day.

Fortunately, the U.S. Consulate is located in a clean and bright area of the city. Popular hotel chains and medical clinics are mere steps away from the U.S. Consulate. Once settled in, there is no need to venture out of this one- or two-block area.

The U.S. Consulate and Ciudad Juarez have taken many steps to ensure everyone's safety around the Consulate itself. A waiting area, the Sala de Espera, adjoins the Consulate building. Here, people can escape



the elements and notarios lurking outside. Escorts are even provided between the Sala de Espera and the U.S. Consulate. Beginning in late November, all individuals appearing at the U.S. Consulate will need to begin the process at the Sala de Espera.

Finally, part of the fear is simply not knowing what to expect. The U.S. Consulate has put together an [informational video on YouTube](#) which details the process. It is a great overview of everything your client should expect for the interview. One other thing to note is that some of the waiting areas are sheltered benches outside. Another tip to tell your clients is to dress in layers, or at least to dress for the weather.

There are certainly two sides to Ciudad Juarez. Calling it a dangerous city is a gross understatement. The weekend after I was there, 20 people were killed in cartel-related violence. Still, though, sending your clients to Ciudad Juarez is not sending them to their certain demise. Clients need to be fully aware of the benefits and the risks associated with consular processing through Ciudad Juarez. Would they rather go where the approval rates are high and the waiting times are short, but in an infamous city? Or is it better to wait longer for an uncertain outcome, but to be able to rest easier? It is not an easy decision, but by discussing the two sides of Ciudad Juarez, our clients can make the best decision for themselves and their families.

¹In cases where the qualifying relative is an active U.S. service member or there is a dire medical condition, you can request expedited processing by contacting cdjlegal@state.gov or cdjinfo@state.gov before the interview. Expedited waiver processing currently takes about one week.