Being a small firm that practices immigration law we deal with foreign clients on a daily basis. Regardless, of what type of practice you have you most likely will or already have represented a foreign client. In 2012, the US immigrant population stood at almost 40.8 million or 13% of the total U.S. population. With the U.S. immigration growing at such a high rate it is important that even small firms are equipped to overcome any cultural differences you might run into. The main area I see attorneys and foreign clients run into problems with is communication.

Communication

If you have the opportunity, it can be extremely beneficial to do some light research on the client’s home country so that you can better understand their frame of mind and possibly gain some insight into what type of hurdles you may run into.

With all foreign clients, it's important to explain exactly what the attorney-client privilege is and how it can protect them. Many other countries do not provide this type of privilege and it is important to explain that they can speak freely and that it is very important that they do. Also, a simple explanation of your fee structure can help avoid later confusion.

Obviously, language is the biggest hurdle to communicating with the foreign client. Depending on the number of foreign client’s you have you may want to hire a bi-lingual receptionist that can translate phone messages, client letters, birth certificates, etc… Sending a letter to your client that has been translated to their native language always seems like the best way to communicate, but this usually does not work. My client’s always want to hear the information directly from me and will call and show up at the office asking for the letter to be explained so be prepared for surprise visits.

When using an interpreter, the client’s emotions and feelings can get lost in translation. Ask the client directly how they feel about what happened so that you don't miss anything. You can also run into problems when the words you use may mean something different in the foreign client’s native language. For example, I have had many foreign clients come to me after having been ripped off by Notary Public’s that advertised themselves as “Notarios”. The literal translation of Notary in Spanish is Notario, however, a Notario in Mexico means something very different. A Notario is a type of legal representative that can be a mediator, issue judicial opinions, review deeds and powers of attorney, etc… Where as you know a Notary in the United States can only administer oaths, certify documents, and verify signatures. These foreign clients’ belief that the Notary was a legal representative is understandable once you realize that in their country that is exactly what Notario means.

Make sure you spend plenty of time with your foreign client’s explaining their legal issues in several different ways to insure that you are on the same page. Ask them what their expectations are and explain whether or not you will be able to meet those expectations. If they do not speak English you may not be able to take their calls or speak to them when they come by your office, so make sure they understand that your appointments may have to be scheduled far in advance.

If you are a female attorney you may find that some nationalities have a harder time believing that you can help them. Try not to be discouraged or take offense, this is a cultural difference that may take time to overcome. We have found that as long as you are confident and assured of your actions they will open up.

Finally, make sure you know your client’s immigration status before you give them advice. A naturalized U.S. Citizen can vote in elections, but a Permanent Resident cannot vote. A naturalized citizen can plead to shoplifting charge, but an undocumented alien may become inadmissible in the future if you plead to even a misdemeanor shoplifting charge. Also, crimes of domestic violence and DUI can carry heavy penalties and prevent clients from qualifying for or keeping their immigrant or nonimmigrant visas. A Permanent Resident can also become deportable if he pleads to certain crimes. If you are representing an undocumented alien or a Permanent Resident in criminal proceedings, then please have him or her talk to an immigration attorney prior to pleading on any criminal matter. The consequences can be devastating on the alien and his or her family.

Also, in our office, a rainy day is a good day. When it rains, the construction workers and the landscaping workers cannot work, so they all come see me without appointments. I just laugh and greet them with smiles because I rely on their business to keep me going. Remember, don’t bite the hand that feeds you.

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