

Law Offices of Eugene Goldstein & Associates

150 Broadway Suite 1115, New York, NY 10038

(212) 374-1544 F: (212) 374-1435

eglaw@aol.com

www.eglaw-group.com

Lawrence Goldstein, Esq.

Lucy G. Cheung, Esq.

Michael J. Goldstein, Esq.

Jacqueline Singh

Ana Peña

Legal Assistants

Re: O Nonimmigrants: Individuals of Extraordinary Ability or Achievement in the Arts

In order to obtain an O-1 visa, the petitioner (company) has the burden of establishing the beneficiary's (the artist) extraordinary ability or achievement. This standard means that the beneficiary must be recognized as being prominent in his or her field of endeavor as demonstrated by extensive documentation. The evidence the petitioner/beneficiary must show is:

- That the beneficiary will continue their work in the area of extraordinary ability or achievement if granted an O-visa. (Ex: Copies of written contracts or itinerary of performances/events)
- Consultation/advisory opinion(s) by a peer group in the area of the beneficiary's ability, or a person or persons with expertise in the area of the beneficiary's ability.
- Nomination or receipt of a significant national or international award or prize, such as an "Academy Award, an Emmy, a Grammy, or a Director's Guild Award", or at least *three* of the following:
 - Has performed/will perform services as a lead/starring participant in productions/events with distinguished reputations as shown by critical reviews, ads, publicity releases, publications, contracts, or endorsements;
 - National/international recognition for achievement through critical reviews, other published materials by or about the beneficiary in major newspapers, trade journals/magazines, etc.;
 - Has performed in a lead, starring, or critical role for organizations and establishments that have a distinguished reputation evidenced by media articles, testimonials, etc.;
 - Has a record of major commercial or critically acclaimed success;
 - Has achieved significant recognition from organizations, critics, government agencies, recognized experts; or
 - Has commanded or will command a high salary/other remuneration in relation to others in the field.
- If the criteria above do not apply to the beneficiary's occupation, the petitioner may submit comparable evidence to establish eligibility.