



Bernstein Osberg-Braun, LLC
immigration attorneys

TEMPORARY WORKER VISA

**(ARTS: Fine Arts, Visual Arts,
Culinary Arts, Performing Arts)**

O-1 VISA

O-1 Temporary Worker Visa (Arts).

In order to properly document your petition, it is necessary for you to obtain the following items:

I. Provide us with required information and INS documents

- a. Please complete O-1 questionnaire
- b. Original Arrival/Departure card (I-94)
- c. Original Form I-20 ID (for F-1 or M-1 student)

II. Documentation of Alien's Extraordinary Ability

- a. Resume or Curriculum Vitae and photographs, videos, music, CD's, etc. (include a scrapbook of the alien/artist's rise to fame if one exists)
- b. Evidence that the alien has been nominated or the recipient of any significant national/international awards, such as an Academy Award, Grammy, Emmy or a Director's Guild Award, or:
- c. At least *three* of the following forms of documentation that the alien:
 1. Has or will perform a lead or starring role in productions or events which have a distinguished reputation (as evidenced by critical reviews, advertisements, publicity releases, publications

contracts, or endorsements);

2. Has achieved national or international recognition for achievements (evidenced by critical reviews or other published materials by or about the individual in major newspapers, trade journals, magazines, or other publications);
3. Has performed a lead, starring or critical role for organizations and establishments that have a distinguished reputation (evidenced by articles in newspapers, trade journals, publications, or testimonials)
4. Has a record of major commercial or critically acclaimed successes (as evidenced by such indicators as title, rating, standing in the filed, box office receipts, motion picture or television ratings, and other occupational achievements reported in trade journals, major newspapers, or other publications)
5. Has received significant recognition for achievements from organizations, critics, government agencies, or other recognized experts in the filed in which the alien is engaged (such testimonials must

clearly indicate the author's authority, expertise, and knowledge of the alien's achievements)

6. Evidence that the alien has commanded and now commands a high salary or other remuneration for services, evidenced by contracts or other reliable evidence.

- c. Copies of any written contracts between the petitioner and the alien beneficiary or, if there is no written contract, a summary of the terms of the oral agreement under which the alien will be employed.
- d. An explanation of the nature of the events or activities, the beginning and ending dates for the events or activities, and a copy of any itinerary for the events or activities.

III. Documentation regarding petitioning employer.

- a. Brochures or other promotional materials about the company, its products or services.
- b. Prospectus or annual report.
- c. Newspaper or magazine articles about company or its products, services, artists.

IV. Evidence for establishing that a position requires the services of an alien of extraordinary ability of achievement.

- a. The position or services to be performed involve an event(s), production(s), or activity(ies) which has a distinguished reputation.
- b. The services to be performed are in a lead, starring, or critical role in an activity for an organization or establishment that has a distinguished reputation or record of employing extraordinary persons;

**Checklist for O-1 Visa for Aliens of Extraordinary Ability in
the Arts (includes visual, culinary, fine arts, performance
arts, music, design, etc)**

ARTIST DOCUMENTATION

- Resume or CV of the artist;
- Photographs of artists work;
- Videos or CD's of artists work;
- (if available) Copies of any scrapbook of the artist's rise to fame if one exists;
- Copies of any books, playbills, pamphlets, etc. of the artists work
- Copies of invitations for any gallery, presentations, exhibits of the artists work;
- Copy of Passport and I-94 (if artist is in the US)
- Evidence that the alien has been nominated or the recipient of any significant national and/or international awards, such as an Academy Award, Grammy, Emmy or a Director's Guild Award (if any)

- At least three of the following forms of documentation that the alien:
 1. Has or will perform a lead or starring role in productions or events which have a distinguished reputation (as evidenced by critical reviews, advertisements, publicity releases, publications contracts, or endorsements);
 2. Has achieved national or international recognition for achievements (evidenced by critical reviews or other published materials by or about the individual in major newspapers, trade journals, magazines, or other publications);
 3. Has performed a lead, starring or critical role for organizations and establishments that have a distinguished reputation (evidenced by articles in newspapers, trade journals, publications, or testimonials);
 4. Has a record of major commercial or critically acclaimed successes (as evidenced by such indicators as title, rating, standing in the field, box office receipts, motion picture or television ratings, and other occupational achievements reported in trade journals, major newspapers, or other publications);

5. Has received significant recognition for achievements from organizations, critics, government agencies, or other recognized experts in the filed in which the alien is engaged (such testimonials must clearly indicate the author's authority, expertise, and knowledge of the alien's achievements) *The attorney will assist in the preparation of letters of support and identify persons to write the letters of support;*
6. Evidence that the alien has commanded and now commands a high salary or other remuneration for services, evidenced by contracts or other reliable evidence.

US COMPANY

- Corporate documents, including articles of incorporation, bylaws, and fictitious name registration (if any)
- Copy of business lease and/or photos of the gallery, theater, etc.
- Copies of marketing material, website, brochures, etc.
- Position for the artist, salary, and description of duties to be performed.
- ***If it is a new company, please provide a comprehensive business plan.***

All foreign documents, including newspaper and magazine articles, must have a certified English translation.

Please note that books and large volume documents may have summary translations as determined by the attorney.