

Elise A. Fialkowski

Partner

☎ 215-825-8647

✉ efialkowski@klaskolaw.com



Elise Fialkowski is co-chair of the firm's Corporate Immigration Practice and has practiced immigration law for over twenty-five years. She handles all aspects of employment-based immigration. Her clients run the gamut from multinational corporations and their employees to universities, startups, entrepreneurs, and private individuals.

In addition to employment-based immigration work, Elise has particular experience in working with venture capital and startup companies through all phases of growth. She has obtained all types of visas for startup clients including for example, J-1 visas, temporary work visas, and immigrant visas/green cards for startup clients. She also regularly presents at conferences and other forums regarding effective immigration options and programs for startups and entrepreneurs.

Elise also has a particular expertise in worksite enforcement and leads our worksite compliance group. Elise regularly counsels clients regarding I-9 compliance, E-Verify and H-1B Labor Condition Application (LCA) compliance. Prior to joining the Firm, Ms. Fialkowski's practice also included advising employers in traditional employment and labor law matters, including litigation as well as advice regarding proactive action to avoid and minimize claims. With her immigration clients, she has provided counseling, training and policy development services to employers in a diversity of industries including, for example, pharmaceutical, financial, university, food and beverage, manufacturing, healthcare, e commerce, and technology.

EDUCATION

University of North Carolina at Chapel Hill, B.A. (*Phi Beta Kappa*) 1987

Villanova University School of Law, J.D. (*magna cum laude*) 1991

ADMISSIONS

Pennsylvania

New Jersey

PRACTICE AREAS

Corporate Immigration

EB-1 Immigration

Global Immigration

Worksite Compliance



Her practice focuses on:

- The representation of multinational and domestic corporations, their employees and private individuals in business immigration matters before U.S. Citizenship and Immigration Services, the U.S. Department of Labor, and at U.S. Consulates.
- Assisting individuals of extraordinary ability, academic researchers, professors, international medical graduates and physicians, as well as individuals whose immigration is in the national interest in obtaining immigration benefits.
- Immigration advice and assistance to entrepreneurs, investors, and startups.
- Advice to employers regarding the Immigration Reform and Control Act including I-9 employment eligibility verification and worksite enforcement issues.
- Development of proactive compliance programs and immigration policies.
- Assistance with internal audits and training to ensure I-9, H-1B LCA, E-Verify and Social Security no-match compliance.
- Representation of companies facing I-9 and H-1B LCA audits and investigations.
- Matters involving: Adjustment of Status, Exchange Visitors, Treaty Trader and Investors, Immigrant Visas, Temporary Work Visas and Naturalization.
- Representation of universities and research centers as well as students and faculty.

Elise has long been active in the American Immigration Lawyers Association (AILA) and currently serves on AILA's National Online Course Committee, AILA's 2023 Annual Conference Committee, AILA's 2021 Annual Conference Committee, AILA's Verification and Documentation Liaison Committee, the Philadelphia Customs and Border Protection Liaison Committee, Nationalities Service Center's Nominating and Governance Committee, Women Owned Law Steering Committee, and is a Board Member of John F. Peto Studio Museum. She has served on many other committees at the local and national levels.

Elise was named 2022 "Lawyer of the Year" by *The Best Lawyers in America*®, has been listed in *Best Lawyers in America*® since 2018, included annually in *The International Who's Who of Corporate Immigration Lawyers* and the *International Who's Who of Business Lawyers*, and named to the *Pennsylvania Super Lawyer* list in 2010.

A *Phi Beta Kappa* graduate of the University of North Carolina at Chapel Hill, (B.A.1987),



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she received her law degree from the Villanova University School of Law (J.D., *magna cum laude*, 1991).

ASSOCIATIONS

2021 Annual Conference Committee, American Immigration Lawyers Association (2021 – present)

Verification and Documentation Liaison Committee, American Immigration Lawyers Association (2019–present)

Philadelphia CPB Liaison Committee (2017–present)

Nominating and Governance Committee, Nationalities Service Center (2017–present)

Employer Compliance and Worksite Conference Committee, American Immigration Lawyers Association (2018–2019)

Steering Committee, Global Migration Section of American Immigration Lawyers Association (2017–2018)

Vice-Chair, Global Migration Section of American Immigration Lawyers Association (2016–2017)

Conference Co-Chair, Global Migration Section of American Immigration Lawyers Association (2015–2016)

Delaware Valley Relocation Council Conference Committee (2014–present)



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VSC Liaison Committee, American Immigration Lawyers Association (2013)

Philadelphia USCIS Liaison Committee (2012–2016)

TSC Liaison Committee, American Immigration Lawyers Association (2011–2012)

E-Verify Liaison Committee, American Immigration Lawyers Association (2008–2009)

Chair, Philadelphia USCIS Liaison Committee, American Immigration Lawyers Association (2008–2012)

Chair, Philadelphia Chapter of the American Immigration Lawyers Association (2009–2011)

Vice-Chair, Philadelphia Chapter of the American Immigration Lawyers Association (2008–Present)

Treasurer, Philadelphia Chapter of the American Immigration Lawyers Association (2007–2008)

Secretary, Philadelphia Chapter of the American Immigration Lawyers Association (2006–2007)

Member, American Immigration Lawyers Association (1994–Present)

Member, Delaware Valley Relocation Council

Member, American Bar Association

Member, Philadelphia Bar Association



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SPEAKING ENGAGEMENTS

Workshop: Deep Dive into Responding to L-1 RFEs, 2023 AILA Annual Conference, Orlando, FL, June 23, 2023

Hot Topics in Advanced Employment-Based Immigration, 2023 NAFSA Annual Conference & Expo, Webinar, May 30, 2023

Hot Hot Hot: Corporate Immigration Updates, 2023 Klasko Webinar Series, May 25, 2023

Hot Topics for International Students, 2023 AAU Immigration Task Force, Webinar, April 17, 2023

Customs and Border Protection (CBP), AILA PHL Conference, Philadelphia, PA, April 14, 2023

Hot Topics for International Students, Washington International Education Conference, Washington, D.C., March 16, 2023

Immigration Insights: 2023 H-1B Cap for Startups, KILP Webinar, February 2, 2023

Beyond the Cap: Creative Solutions to the Capped Out H-1B, Beyond Borders: Conquering Immigration Challenges KILP Seminar, October 25, 2022

Hot Topics for International Students, Beyond Borders: Conquering Immigration Challenges KILP Seminar, October 25, 2022

The Overture and the Final Act: Hiring and Firing, 2022 AILA Annual Conference on Immigration Law, June 15, 2022

Working in the New World: USCIS vs. Consular Processing, KILP Spring Webinar Series,



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April 6, 2022

Visiting the United States for Work or Pleasure: What Are the Rules, and How Can I effectively Counsel My Clients?, AILA 2022 Border Issues Virtual Conference, March 8, 2022

Oh, Where Are the Good Old Times? Trying to Be an L-1 Intracompany Transferee, 2021 AILA Annual Conference, June 12, 2021

A New Era: Green Card Strategies, KILP Webinar, April 22, 2021

2021 H-1B Lottery: Preparing for a New Administration, KILP Webinar, January 27, 2021

Immigration Law Information, St. Joe's University, Webinar, February 4, 2021

2021 H-1B Lottery: Preparing for a New Administration, KILP Webinar, January 27, 2021

Lone Voyager: The Effect of the Pandemic-Redesigned Workplace on Global Immigration Practice, 2020 AILA/GMS Virtual Annual Global Immigration Forum, Webinar, December 2, 2020

Update From Washington: Employer's Preview of Immigration Restrictions From The Administration, KILP Webinar, June 24, 2020

Hot Topics in Advanced Employment Based Immigration, 2020 NAFSA Annual Conference & Expo, St. Louis, MI, May 24, 2020

Worksite Compliance in the Time of COVID-19, KILP Webinar, May 19, 2020

After Graduation: Visa and Permanent Residence Options for International Students and Exchange Visitors, University of Delaware, Webinar, March 11, 2020



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Avoiding an ICE Storm – How to Prepare for Audits and Inspections in the Trump Era,
17th Annual AILA New England Immigration Conference, Boston, MA, February 28, 2020

AWARDS

2022 “Lawyer of the Year” by *The Best Lawyers in America*®

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The International Who’s Who of Corporate Immigration Lawyers and the *International Who’s Who of Business Lawyers*

Named to the *Pennsylvania Super Lawyer* list (2010)

Selected as one of 7 lawyers to be featured in Aspatore Books Inside the Minds series regarding employment law. The book highlighted her expertise in employer counseling including IRCA and I-9 compliance as well as her expertise in employment based immigration (2006).

Clerkship, Honorable Stanley S. Brotman, U.S. District of New Jersey and Acting Chief Judge for the District of the Virgin Islands.

Articles Editor, *Villanova Law Review*

Order of the Coif, Villanova University School of Law



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