



The Johns Hopkins Medical Institutions  
*Office of International Services*

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**March 15, 2006 (updated February 2008)**

**To: International JHMI students, faculty and staff  
and other interested parties**

**From: Jennifer Kerilla, Director**

**Re: The Filing of H-1B1 Petitions for Beneficiaries with Pending I-485s.**

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At The Johns Hopkins Medical Institutions (JHMI), there are numerous individuals in the middle of the green card filing process. They have filed I-140 or I-130 petitions and, consequently, they may have also filed an adjustment of status application called an I-485. Depending on the type of permanent residency case and the numerical availability of green cards per country, these petitions may be filed concurrently.

Any person who files an I-485 adjustment of status application is encouraged by university policy to also request simultaneously a work authorization document (EAD) under an I-765 application. The service centers generally approve work authorization cards in 90-120 days. The card then allows the beneficiary to work on a year-to-year basis until the Department of Homeland Security (DHS) approves I-485 adjustment of status application and issues the green card.

In instances where the I-140 has not yet been approved, the JHMI Office of International Services (OIS) will process H-1B1 extensions or renewals. In such cases, extending the H-1B1 provides an important safety net in the event DHS denies the I-140.

However, in cases where the I-140 has been approved and the I-485 is pending and the person has enough time to apply for and receive an EAD, the JHMI OIS will not file H-1B1 extensions. In those instances, the individual will continue to work under the approved EAD card.

This policy has been established in consultation with legal counsel and the Deans' offices of the School of Medicine and the School of Public Health. It takes into account the work load such additional H-1B1 filings bring to OIS's staff as well as the low risk for I-485 denials when one has an approved I-140.

**Note:** *It is critical that any individual who files an I-485 also file an I-765 in order to receive valid work authorization documents (EAD). Further, it is the responsibility of the individual to file renewals of the EAD annually, in a timely manner, in order to remain on payroll while the I-485 is pending. It is also critical that any individual in the middle of the green card process remain in close contact with DHS regarding any required biometric updates.*