

## Scott R. Malyk

### Partner

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### Overview

#### Business Immigration Brochure

Scott R. Malyk is a Partner with the Firm's Immigration Law Group specializing in all aspects of corporate and business-related immigration law. Scott is an experienced, results-oriented attorney who represents a diverse group of domestic and multinational corporations and their employees, providing both short and long-term guidance in connection with the hiring, transfer and retention of foreign national employees worldwide. This includes counseling business clients in areas of worksite enforcement, including I-9 audits by ICE and USCIS Fraud Detection and National Security Directorate (FDNS) investigations, where timing, experience and knowledge in defending your business and its principals is critical to protecting you and your business against potential liability.

Scott also represents the interests of self-petitioning foreign nationals seeking investment opportunities in the U.S., including E-2 Nonimmigrant Treaty Investors and Immigrant Investors seeking U.S. permanent residence under the EB-5 program.

In addition, Scott represents outstanding scientific researchers, medical professionals, foreign legal consultants and a variety of other individuals of extraordinary ability in the sciences, arts, education, business, or athletics, who wish to come to the U.S. to work in their field of expertise. Such efforts include obtaining temporary and permanent visas for artists, fashion models, musicians, chefs, professional athletes and other entertainers.

Scott also has experience litigating immigration cases before the Board of Immigration Appeals within the U.S. Department of Justice, as well as before the U.S. District Courts.

Scott has been selected for inclusion by New Jersey Super Lawyers Magazine as a Super Lawyer (Immigration) 2017-2019 and prior to that, as Super Lawyer "Rising Star" from 2009-2016.

### Practice Areas

- Immigration

### Bar Admissions

- New Jersey

- New York
- U.S. District Court District of New Jersey

## Education

- **Seton Hall University School of Law, Newark, New Jersey**
  - J.D.
- **Lafayette College, Easton, Pennsylvania**
  - A.B.

## Professional Associations and Memberships

- American Immigration Lawyers Association, Member
- American Bar Association, Member
- New Jersey Bar Association, Member

## Published Works

*"Public Charge Inadmissibility Rule to be implemented by USCIS"* , By Scott R Malyk, Esq. and Lin Rose Walker, Esq., February 2020

*"Visa Reciprocity Changes for Australia"* , By Lin Rose Walker, Esq. and Scott R Malyk, Esq., January 2020

*"Thinking Outside the Box: U.S. Immigration Options for Cybersecurity Experts"* , By Lin Rose Walker, Esq. and Scott R. Malyk, Esq., New Jersey Law Journal, December 2019

*"Thinking Outside the Box: U.S. Immigration Options for Cybersecurity Experts"* , By Lin Rose Walker, Esq. and Scott R. Malyk, Esq., NRBP Blog, September 2019

*"A Glimpse Into the Immigration Crystal Ball"*, Stacey A. Simon and Scott R. Malyk, NRBP Blog, February 2019

*"The Evolving Definition of Workplace Diversity"*, Scott R. Malyk and Lin R. Walker, NJSBA Diversity Committee Newsletter, February 2019

*"Tips to Effectively Recruit, Retain and Terminate Foreign Workers"* , Scott R. Malyk and Anthony F. Siliato, New Jersey Lawyer, February 2017

*"Harsh Rulings Against H-1B Employers For LCA Violations"* , ABA Section of Litigation, Employment and Labor Relations Law Newsletter, Vol. 10, No. 3, September 2012.

*"Across the Pond: Key U.S. and U.K. Business Immigration Issues for Employers"* , International Association of Young Lawyers E-Zette, March 2010, republished with Corporate Counsel Online, June 2010

*" Innovation Through Immigration - Creative solutions to the challenges of recruitment, hiring and retention of foreign-born talent "* New Jersey Law Journal, Employment And Immigration Law Regional General Counsel Supplement, March 2010

Selected by ILW.com, the nation's leading immigration law publisher and news resource for immigration law professionals, as a regular contributor to ILW's Blog which focuses on the H-1B visa, entitled, " *The H-1B Visa Blog by Siliato and Malyk*"

## Classes/Seminars

- NJICLE Annual Immigration Conference: Webcast, April 28, 2021
- NJICLE Advanced Immigration Conference: "COVID-19 and The Future of Immigration" Webcast, November 18, 2020
- Immigration Law Seminar at New Jersey Institute of Technology | VentureLink, Newark, NJ, February 13, 2020
- New Jersey State Bar Association Annual Meeting and Convention: "Business Immigration and Compliance For Employers Under The Current Administration, Crimmigration Advice For Lawyers in the Current Age and Best Practices For Attorneys In The Immigration Courts", Atlantic City, NJ, May 15, 2019
- NJSBA/NJICLE Annual Immigration Conference: "Attorney Malyk Moderating The Panel Of USCIS District Office Management", Newark, NJ, April 2019
- NJICLE Advanced Immigration Conference; "Advanced strategies for intra-company transfers of executives, managers and other highly specialized employees of multinational corporations" Newark NJ, November 14, 2018
- The Changing Face Of Immigration Law Under The Trump Administration, Employers Should Prepare For Another Wave Of I-9 Audits, NJSBA General Council Annual Meeting, Atlantic City, NJ, May 16, 2018
- The ICE Man (and possibly the USCIS FDNS Man) Cometh - Business Immigration Compliance For Employers, Crimmigration Advice For Lawyers in the Current Age and Best Practices For Attorneys In The Immigration Courts, New Jersey State Bar Association Annual Meeting and Convention, Atlantic City, NJ, May 16, 2018
- NJSBA/NJICLE Immigration Conference: "Malyk Moderating A Panel Of USCIS District Office Management", Newark, NJ, April 2018
- Advanced Corporate Immigration: Don't Cross that Line! Ethics for Immigration Practitioners NJSBA/NJICLE, November 15, 2017
- Sworn Testimony Before New Jersey State Assembly Judiciary Committee relating to Increased Arrests By Immigration and Customs Enforcement In and Around NJ Courthouses, June 5, 2017
- Making Sense of Immigration Law - Getting Down to Business, Staying Out of Trouble, New Jersey State Bar Association Annual Meeting and Convention, Atlantic City, NJ, May 17, 2017 - May 19, 2017
- Tips to Effectively Recruit, Retain and Terminate Foreign Workers, Morris County SHRM, March, 2017
- Tips to Effectively Recruit, Retain and Terminate Foreign Workers, Gateway SHRM, March, 2017
- Tips to Effectively Recruit, Retain and Terminate Foreign Workers, North Jersey-Rockland chapter of SHRM, January 2017
- Opportunities and Challenges relating to Global Expansion, Talent Acquisition and Tax Issues (January 2017) NJ Technology Council, TechFest
- Tips to Effectively Recruit, Retain and Terminate Foreign Workers (January 2017) Society of Human Resource Management, NJ/RC Chapter

- Advanced Corporate Immigration Law (November 2016), NJSBA / NCLE
- Making Sense of Immigration Law - Getting Down to Business, Staying Out of Trouble, New Jersey State Bar Association Annual Meeting and Convention, Atlantic City, NJ, May 18, 2016 - May 20, 2016
- Making Sense of Immigration Law-Getting Down to Business, Staying Out of Trouble, New Jersey State Bar Association Annual Meeting and Convention, Atlantic City, NJ, May 13, 2015 - May 15, 2015
- Hot Topics In Immigration Law, New Jersey State Bar Association Annual Convention, Atlantic City, NJ, May 14, 2014 - May 16, 2014

## Honors and Awards

- Selected "Lawyer of the Year" by Best Lawyers® 2022 (Immigration)
- Selected for inclusion in Best Lawyers® (Immigration), 2020-2022
- Selected for inclusion by U.S. News - Best Lawyers/Law Firms (Immigration), 2015-2022
- Selected for inclusion in Chambers USA, 2021-2022
- Member, Board of Trustees, New Jersey State Bar Association, 2019-2021
- Selected as a Morris/Essex County New Jersey Top Lawyer for 2018
- Selected for inclusion by New Jersey Super Lawyers - Super Lawyer (Immigration), 2017-2021
- Chair, Immigration Law Section, NJSBA, 2017-2018
- Chair-Elect, Immigration Law Section, NJSBA, 2016-2017
- Selected for inclusion by New Jersey Super Lawyers - Rising Star (Immigration), 2009-2016
- Selected for inclusion in New Jersey Law Journal's 2013 "New Leaders of the Bar" (formerly "Top 40 Under 40") list
- Nominating Committee, Chair, NJSBA, YLD 2013
- Recipient of Professional Achievement Award 2012, NJSBA YLD
- Nominating Committee, Member, NJSBA YLD 2012
- District Representative for Corporate/In-House District, NJSBA YLD
- Affiliates Assistance Team, Member, ABA YLD
- Immigration Commission Liaison, ABA YLD
- Voting Member, Executive Committee of NJSBA YLD
- McKelvy Scholar