

ACADEMIC TRAINING FOR LSU LL.M. STUDENTS IN J-1 VISA STATUS

1. PURPOSE

LLM students on a J-1 visa may engage in *academic training* (with *prior authorization*) following completion of their LLM studies. The J-1 Exchange Visitor Program permits students to obtain employment, training, or practical experience related to their field of study for a period up to 18 months (12 months for F-1 visa holders).

Therefore, if you are able to obtain paid or unpaid employment, whether it be full-time or part-time work, you may be able to extend your J-1 visa for *academic training* purposes. The employment must be directly related to the law and it must begin within 30 days after the expiration of your J-1 visa (typically the day of the graduation ceremony).

However, make sure you obtain your visa extension before the expiration date of your original J-1 visa.

Academic training is a great opportunity for foreign jurists to gain some work experience in the U.S. Also, if you are interested in sitting for the New York or Louisiana state bar exams, but do not want to return to your country of origin in between your graduation and the exam date, you may want to extend your visa through academic training.

LSU Law Center's [Career Services Office](#) and our LLM Program Director ([Prof. Olivier Moréteau](#)) would be happy to help you find employment.

2. APPLICATION

Step 1: Identify a prospective employer and verify eligibility with your academic adviser (Prof. Moréteau).

- Employment must be law related;
- It may be fulltime or part time;
- It may be paid or unpaid;
- It may be in any area of the United States.

Step 2: Obtain from the prospective employer a letter that includes the following information:

- Full identification of the employer;
- Your job title;
- Goal and objectives or description of employment;
- Dates and location of the employment;
- Number of hours per week;
- Name and address of your training supervisor;
- Date and signature of the employer.

Step 3: Give a copy of your employer's letter to your academic adviser (Prof. Moréteau). He will write to your J-1 Responsible Officer (ISO) recommending the "Academic Training." According to the text of the regulation, your adviser's letter must set forth:

- Name and address of your training supervisor;
- The goals and objectives of the specific training program;
- A description of the training program, including its location, the name and address of the training supervisor, number of hours per week, and dates of the training;
- How the training relates to the student's major field of study; and
- Why is it an integral or critical part of the academic program of the exchange visitor student.

Step 4: When your academic adviser's recommendation is ready, you should deliver or send it to your J-1 Responsible Officer (ISO), with a copy of the employer's letter attached. We recommend you do this under the supervision of Ms. Ferris Peters who will monitor the process.

Your J-1 Responsible Officer must evaluate the "Academic Training" program and decide whether it is warranted and appropriate. If so, he or she will write you a letter of approval. To authorize "post-doctoral training" your J-1 Responsible Officer must also issue you a new Form DS-2019, for no more than 18 months, though it will reflect the duration of employment.

3. AUTHORIZATION TO WORK

A. Social Security Number

To put you on the payroll, your employer will need your Social Security *number*, which you can obtain by applying for a Social Security *card*. Take your passport (if you are Canadian you may use another form of photo-bearing identification), I-94 Departure Record card, the Form DS-2019, and your J-1 Responsible Officer's written work authorization to an office of the Social Security Administration. Your Social Security card may be stamped "Not Valid for Employment." That stamp will not make you ineligible to work; it means only that no funds will ever go into the Social Security account represented by that number.

B. Form I-9, "Employment Eligibility Verification"

When you begin work, you and your employer must complete Form I-9, which requires you to document your identity and work authorization according to directions on the back of the Form I-9. Of the various items acceptable as documentation, you may find that the most convenient combination is your passport (or other photo-bearing identification if you are Canadian), I-94 Departure Record card, the Form DS-2019, and your J-1 Responsible Officer's written work authorization. Your employer, who keeps Form I-9, will make copies of the documents you submit, and return the originals to you. Form I-9 must be updated any time that you receive a renewal of your permission for "Academic Training."

4. SOCIAL SECURITY AND TAXES

A. Social Security taxes

In general, as a J-1 student you will be exempt from Social Security (F.I.C.A.) taxes for your first five years in the United States, as long as you continue to declare non-resident status for tax purposes (see Internal Revenue Service Publication 519, "U.S. Tax Guide for Aliens.")

B. Federal, state and local taxes

Unless you qualify under a tax treaty between the United States and your home government, your earnings as a J-1 student will be subject to applicable federal, state and local taxes, and employers are required by law to withhold those taxes from your paychecks. By April 15 you must file a federal income tax return and a "Required Statement" covering the prior calendar year to determine whether you owe more taxes or have a refund coming.

5. FREQUENTLY ASKED QUESTIONS

Q. Do I need to get a new visa in my passport?

A. As long as you stay in the U.S. during your academic training, no new visa needs to be printed in your passport. Inside the U.S. your new DS-2019 serves as proof that your J-1 visa was prolonged. If however you exit the country and want to reenter to complete your academic training, you will have to make an appointment with U.S. consular authorities to get a new visa in your passport, just like you did before coming to LSU.

Q. What if I want to change employment or add another employment period?

A. You may do this provided you do not exceed the 18-month maximum period. Talk to your Academic Adviser first and redo the process explained above.

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