

## ABOUT US

At BorderLaw® we are, first and foremost, immigration law experts. Our exclusive focus means that we are able to provide expert advice and comprehensive services in an increasingly complex area of law.

## PERSONAL SERVICES

When you contact us, you deal with a qualified and experienced lawyer who will take the time to identify and address your specific immigration issues.

## FLEXIBILITY

We can help with a specific immigration problem or develop your business immigration plan. We provide services on a fixed fee basis or bill hourly, in US or Canadian currency, as per our clients' request.

## REFERRALS

We value referral relationships. Because of our restricted practice area, we regularly assist Canadian, US & international law firms. We work hard to support you and your clients.

## ACCOUNTABILITY

Qualified and licensed in Canada and the US, at Borderlaw® we adhere to stringent regulatory requirements applicable to practice, accounting and ethical conduct, in both countries.

## BEREZOWSKI'S BORDERLAW®

\*\*\* UPDATE \*\*\*

### US-Canada Border Closed

**To: Berezowski Business Immigration Law Clients**  
**From: Nan Berezowski,**  
**Barrister & Solicitor & Attorney-at Law**  
**Date: March 20, 2020**

---

To prevent the further spread of COVID19, Canada and the United States have agreed to close their shared border to "non-essential travel". The closure of the world's longest undefended border will be in effect by **Saturday, March 21, 2020** (11:59 pm EDT on March 20). The closure will be in place for 30 days, and then be reviewed by both countries.

Hundreds of thousands of people, as well as more than 2 billion in goods and services, normally cross the 8,891 kilometre-long border between the U.S. and Canada daily. The joint agreement is designed to allow commercial traffic to continue in order to keep critical supply chains intact and minimize trade disruption. Prime Minister Trudeau has assured Canadians that trade between the countries will not be impacted. I expect that, at least for the time being, those (commercially) importing essential goods such as food, fuel, medicines and other essential products and services, will be admitted into either country.

The border will be closed to all 'non-essential' travel. What does this mean? It is clear that for both countries "non-essential" travel includes travel that is considered tourism or recreational in nature. What about family members and business visitors? Will those studying or working in either country temporarily be readmitted? This is what we know:

- ❖ From a Government of Canada Stakeholder Advisory ~ travel for the purpose of obtaining immigration services is non-essential;
- ❖ According to 2 Canadian Orders in Council ~ Non-Canadian 'immediate family members' of Canadian citizens or permanent residents are exempt from entry restrictions; 'immediate family members' are: a spouse or common-law partner; a dependent child of the person or of the person's spouse or common-law partner; or the dependent child of a dependent child previously referred to;
- ❖ From Public Safety Canada ~ Truckers will not be impacted, nor will travel for 'urgent or essential reasons';
- ❖ The Prime Minister's Office has also indicated that Americans and Canadians may cross the land border for other 'urgent or essential reasons'. However, we have no further detail;
- ❖ Deputy Prime Minister, Chrystia Freeland announced late Friday afternoon at a video conference that foreign workers and students with valid "visas" will be permitted to return to Canada via the US/Canada border and from overseas but she provided no further detail;
- ❖ From the US Department of Homeland Security Federal Registrar (yet unpublished), the following travel to the US will be considered 'essential travel': for 'medical purposes', to 'attend educational

**NAN BEREZOWSKI**  
**BA, LL.B. LL.M**

Barrister & Solicitor  
(Ontario); Attorney-At-  
Law (New York)

The principal lawyer at  
Berezowski Business  
Immigration Law, I am  
an internationally  
recognized Canadian  
lawyer (Ontario) and a  
licensed US Attorney-at-  
Law (New York) who has  
been featured in Who's  
Who Corporate  
Immigration for over a  
decade.

institutions', to work (*the example is limited to farming and agriculture*), and for 'emergency'. This list is not complete as travel for 'humanitarian reasons', or "in the national interest' and 'in furtherance of economic stability' and social order' will also be considered;

- ❖ Prime Minister Justin Trudeau announced on Friday March 20, that Canada will now turn back asylum-seekers attempting to enter the country outside of official border points.

These statements leave many gaps and, as a result, your ability to enter either country may be uncertain. To avoid confusion at the Port of Entry, we will need more information. For the time being, I offer the following observations:

1. Expect to encounter difficulty crossing the border after the joint measures take effect, given the unprecedented circumstances, I urge you to re-assess all upcoming cross border travel;
2. Business visits, that involve representatives from either country meeting in person, are **not** routinely exempt by either country; expect that specific requests will be vetted but that entries will be limited;
3. If you are in Canada, do not travel to the border in order to make an application for a Work Permit or Study Permit as the Canadian government specifically advises: "Do not travel to the border for these services until the further notice". Instead, if you are currently in Canada as a visitor, student or worker, see if we can assist you in extending your temporary resident status. In doing so, you will be able to stay, study or work in Canada while your application is being processed. It is important that you apply **before** your current status document expires; and
4. Immigration authorities in both countries have closed some offices and restrict some services, but not all. For instance, if you have an upcoming appointment with either a Canadian or U.S. Consulate you should anticipate a cancellation. On the other hand, as government closures and leniencies are not uniform, you can not expect that an appointment or deadline missed will be forgiven. Instead, be proactive in informing authorities where appointments or deadlines can not be met due to Covid19 related restrictions.

Our office will remain open and staffed on a limited basis, with social distancing and heightened hygienic protocols in place. We will remain available to address your needs, including those related to COVID19 as long as possible, we will continue to conduct meetings by phone or videoconference to best ensure everyone's health and safety. We offer our best wishes for your continued health and that of your loved ones at this difficult time.

Nan Berezowski (BA. LL.B, LL.M) compiled this Update with the latest available information for the general information of Berezowski Business Immigration Law clients and other interested parties. This Update is not comprehensive and should not be relied upon without appropriate legal advice.