David P. McCauley

Director

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Practice

Immigration & Naturalization

Education

University of Hawaii, William S. Richardson School of Law (J.D. 1993)

University of Hawaii, Manoa - English as a Second Language/Linguistics (M.A. 1977)

University of Hawaii, Manoa - Fine Arts/Ceramics and Art History (B.F.A. 1975)

University of Hawaii, Manoa- Chinese and Asian Studies (B.A. 1963)

Blog

www.hawaii-immigrationlawyer.com

Before his law career, David was a linguistic analyst for Malayo-Polynesian languages and a staff linguist for several Peace Corps projects. He was a member of the first group of East-West Center Grantees, and has studied Mandarin Chinese and other Asian and Pacific languages. After his graduate studies, he studied Dutch and French in Europe. David taught English as a Second Language, English Composition, and Public Speaking for several years in University and Adult Education programs, and aboard U.S. Navy ships at sea. Prior to law school, he operated a successful landscaping business in Hawaii.

While completing law school, he was a summer clerk for Judge Marie N. Milks of the First Circuit and a volunteer in Hawaii Lawyers Care. He was also Captain of the University of Hawaii Law School's 1993 Jessup International Law Moot Court team which won the U.S. National Championship and was Runner-up in the International Competition. David won the International First Place in the individual oralist awards. He has continued to coach subsequent UH Jessup Moot Court teams to successive regional championships and international awards for legal briefs and oral advocacy.

A former litigator, David is now the head of the firm's Immigration Law Section. His practice includes Immigrant and Nonimmigrant Visas and Consular Practice, U.S. Citizenship, Family-based and Business-based Lawful Permanent Residence ("Green Cards"), Deportation Defense, Asylum, and Administrative Appeals (BIA, AAO and BALCA) and Federal Court litigation.

He has prosecuted several successful federal court immigration appeals and petitions for review, including the published decision in Tan v. INS, 931 F. Supp. 725 (D. Hawaii 1996). That case held that where provisions of the Immigration and Nationality Act require a person to show good moral character during a statutorily prescribed minimum period in order to obtain immigration benefits or relief (in Mr. Tan's case, naturalization), the INS cannot rely on events which occurred prior to that minimum period to establish a lack of good moral character. His most recent such case is Cacho v. INS, 325 F.Supp.2d 1140 (D. Hawaii 2004). He has published articles in U.S. Immigration law in, among others, The Construction Lawyer and the American Immigration Lawyers Association Immigration & Nationality Handbook.

Professional and Community Affiliations

- American Bar Association (International Law Section)
- American Immigration Lawyers Association
- East-West Center Association
- Hawaii State Bar Association (International Law Section)
- Hawaii Super Lawyers – Immigration
- Hawaiian Kennel Club
- Lyon Arboretum Association
- Pacific and Asian Affairs Council

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