

CLEMENZA LAW GROUP

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THE PRIVATE BRIEF · CHECKLIST

The O-1B Evidence Checklist

An O-1B petition is decided on paper. This is the paper, in the order a lawyer will ask for it. You need at least three of the six categories. Meeting more than three is not a requirement, but the officer looks at the whole record after checking the boxes, so a file that comfortably clears several categories is doing more work than one that scrapes three.

Each item says what counts and, underneath, the mistake that costs people the category. The reasoning behind all of it is in the Artist Visa Handbook on this shelf.

The six categories

Sort what you have into these. Three is the minimum. Aim for more.

☐ **1. Lead or starring roles in productions or events with a distinguished reputation**

Past and coming. The agency works from a list for this category: reviews, advertisements, publicity, programs, contracts, endorsements, and proof that the production or venue is itself well regarded. A recommendation letter does not satisfy this category on its own, though it can support others, and where a category does not fit your discipline the rules allow comparable evidence if you explain why.

Recommendation letters do not count for this category, however senior the signatory. And it asks what you will perform as well as what you have; the coming engagements belong here.

☐ **2. National or international recognition, shown by published material**

Reviews, features and articles by or about you in major newspapers, trade journals, magazines or comparable outlets, with the outlet's standing documented. You need not be the only subject; coverage of a production that discusses your work counts.

A page on a personal blog and a paragraph in a national paper are not equal, and the file has to say why. Undocumented outlets are discounted.

☐ **3. A lead, starring or critical role for organizations with a distinguished reputation**

Articles, testimonials and, here, detailed letters from people with personal knowledge, giving their credentials and how they know. Evidence that the organization is distinguished, not only that you worked there.

This is where letters help most. "She carried the second act" is useful. "He is very talented" is not.

☐ **4. A record of major commercial or critically acclaimed success**

Box office, sales, streams, ticket counts, chart positions, ratings, rankings, reported in trade or major press where possible. A production's success counts if the record shows how it was your success.

☐ **5. Significant recognition from organizations, critics, government agencies or experts**

Awards (regional and discipline-specific ones included), honors, and written recognition in a form that shows the author's authority and knowledge of your achievements.

☐ **6. High pay compared with others in the field**

Contracts and pay records, compared like for like: the same kind of work, in the market where the U.S. work will happen, on the same basis (fee against fee, day rate against day rate).

This category is lost on the comparison, not the pay: broad occupational surveys, foreign salaries converted to dollars, hourly benchmarks applied to project fees.

If a category does not fit your discipline, comparable evidence may be offered, but you must explain why the category does not apply and why the substitute is comparable, and you still need three categories.

The rest of the file

☐ **The consultation letter**

A written advisory opinion from the relevant union or peer organization, requested as soon as the file is substantially complete and filed with the petition. Watermarked copy where one exists.

The organization sets its own turnaround. Requesting it in week one rather than week five is free and often decisive.

☐ **The itinerary and the work ahead**

Contracts, offers and a described pattern of work for the period requested. A three-year request needs three years of plausible activity, not one booking.

☐ **Five to eight letters**

Specific, from people whose standing is documented, each stating who they are, how they know your work, and which category it supports.

☐ **Certified translations**

For everything not in English, attached to the originals.

☐ **The cover letter that argues the case**

Each piece of evidence tied to the category it proves, a line on why each outlet, venue and organization matters, and the whole-record case for distinction.

The most common weakness is not lack of evidence but lack of explanation. Organize it so an officer who has never heard of you can follow it without hunting.

☐ **The folder, kept going**

Every review, program, contract and pay record from now on, dated, where someone other than you can find it. Renewals and any later permanent residence case are built from it.

This is general information about how these instruments and obligations usually work, not legal advice about your situation, and reading it does not make you a client. Deadlines and requirements turn on facts particular to you: your fiscal year, your state, the agreement actually in front of you. Confirm your own before you rely on any of it.

THE ESSAYS BEHIND THIS

The O-1B Artist Visa: A Practical Guide for Performers and Creators

clemenزالaw.com/insights/o1b-artist-visa-practical-guide

Entertainment Contracts: Key Provisions Every Artist Should Understand

clemenزالaw.com/insights/entertainment-contracts-key-provisions

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The current version of this checklist is kept at clemenزالaw.com/reference/o1b-evidence-checklist