AILA 2011 ANNUAL CONFERENCE

MANCHESTER GRAND HYATT
SAN DIEGO, CALIFORNIA

JUNE 15 - JUNE 18, 2011

CLE SESSIONS

***** Please note that CLE credit calculations are dependent on individual jurisdictions and not all jurisdictions approve all sessions. Please check your jurisdiction's CLE information at www.aila.org/cle for specific information on the total number of credits approved, the sessions approved for specialized credit (ethics, trial, etc.), and the sessions not approvable, if applicable. Additionally, the program has been updated since AILA applied for credit. Titles, sessions, and speakers may have changed.***

WEDNESDAY, JUNE 15, 2011

5:00 pm - 6:30 pm **Conference Opening**

5:00 pm - 8:30 pm **Registration and Exhibits**

5:45 pm - 6:30 pm **New Attendees Orientation**

Jeff Joseph, AILA Board of Governors, Aurora, CO
Eleanor Pelta, AILA President Elect, Washington, DC
John Richard Smith, AILA San Diego Chapter Chair, San Diego, CA
Bernadette McGuire, AILA Board of Governors, New Members Division Chair, Lakewood, CO
Crystal L. Williams, AILA Executive Director, Washington, DC
Grace Akers Woods, AILA Education Director, Washington, DC

PRACTICE ROUNDTABLES (EVENING)

2 Hour Practice Roundtables (6:30 PM - 8:30 PM)

6:30 pm - 8:30 pm **Mexican Asylum Cases**

120 minutes

As violence has reached epidemic proportions in Mexico, more Mexican nationals are seeking asylum in the U.S. than ever before. Many of these claims are based upon persecution on account of a particular social group, and present novel legal issues. This panel will discuss emerging trends and legal theories in representing Mexican asylum-seekers.

- The Mexican Landscape
- Defining the Protected Class
- Unable or Unwilling to Control—Drug Cartels
- Fear of Corrupt Police or Other Officials
- Victims of Domestic Violence
- Sexual Orientation and Transgender Cases

(DL) = Discussion Leaders
Q&A = Questions & Answers
** = Invited Speakers, Not Confirmed*

- Overcoming Internal Relocation Issues
- Asylum Claims Based on Political Opinion

Regina Germain (DL), Aurora, CO
Erin C. Cobb, Chicago, IL
Carlos Spector, El Paso, TX
Pamela Goldberg, Washington, DC

6:30 pm - 8:30 pm

120 minutes

Immigration 101: Key General Concepts and Terms

This fundamentals of immigration law primer will provide an overview of DHS and the agencies involved in the practice of immigration. The panel will also provide some of the general concepts, terms, language and rules that are key to any immigration practitioner and unique to the practice. The panel will explain basic concepts and terminology of the immigration law practice using a hypothetical that weaves together the various concepts.

- Who Are USCIS, ICE, CBP, EOIR, DOL?
- Immigrant vs. Nonimmigrant
- Visa vs. Status
- Visa Waiver or Visa Exempt
- Maintaining, Exchanging and Extending Status
- Consular Processing, Adjustment of Status, Change of Status
- Overstaying and Other Violations of Status
- Unlawful Presence and the 3- and 10- year Bars
- Waivers of Inadmissibility

Lisa Helen York (DL), Denver, CO
Timothy Fallon, Yonkers, NY
Lisa Ellen Seifert, Olympia, WA
Rex Velasquez, Las Vegas, NV

6:30 pm - 8:30 pm

120 minutes

Military Issues for the Immigration Practitioner and AILA MAP Program

The federal government increasingly recognizes that concerns about family members can affect the preparedness of military personnel. This panel will address the administrative and legal fixes for military families, especially of those deployed overseas. In addition, this panel will explore how military service can positively or negatively affect the immigration status of an individual, as well as inform immigration practitioners about AILA's successful Military Assistance Program (MAP).

- Forms of Military Discipline and their Immigration Consequences
- Current Standards and Memos on the Granting of Waivers, Humanitarian Paroles, Deferred Action and Other Forms of Relief
- When Can a Case for a Family Member Be Expedited?
- Surviving Spouses, Parents and Children
- Citizenship for Military Personnel and Dependents
- Skipping the Green Card—Current Status of MAVNI
- Bad Behavior—Can You Still Naturalize?
- §319(b) Option for Spouses
- AILA MAP program
- Parole in Place

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Q&A = Questions & Answers
** = Invited Speakers, Not Confirmed*

Margaret Deborah Stock (DL), Anchorage, AK
Susan Timmons, AILA Pro Bono Associate, Washington, DC
Craig R. Shagin, Harrisburg, PA
Peter Katson, Attorney Advisor, Client Services, Office of the Staff Judge Advocate, U.S. Army North & Fort Sam Houston, TX

1 Hour Practice Roundtables (6:30 PM - 7:30 PM)

6:30 pm - 7:30 pm

60 minutes

100 Years of Practice Advice in One Hour

Join our esteemed panel of AILA members as they share their best nuggets of practical, profitable, ethical, and applicable advice covering a myriad of topics in the successful practice of immigration law.

- What I Know Now that I Wish I Knew Then
- How to Smell a "Dog" Case
- How to Survive Growing Pains
- I Will Never Again . . .
- How to Care Without Caring Too Much

Gregory Howard Siskind (DL), AILA Board of Governors, Memphis, TN
Paul L. Zulkie, AILA Past President, Chicago, IL
Sarah Z. Brown, Dallas, TX
Gerard M. Chapman, Greensboro, NC

6:30 pm - 7:30 pm

60 minutes

Bs, ESTA, Co-Habiting Partners and Everything In Between: Issues in Visitor Visa Admissions

This broad-based panel will focus on all things related to B visas including the outer limits of what is acceptable under the B category, creative approaches to resolving denials, ample guidance and information related to CBP's most current programs that can affect a foreign national's ability to travel, and the issues surrounding cohabiting partners and domestic workers.

- Is This Really Appropriate B Related Activity?
- Visa Denials at the U.S. Consulate or upon Application for Admission by CBP
- What Is ESTA? The Trusted Traveler Program? SENTRI, NEXUS, Fast Driver? TWIC Card?
- What Is a Cohabiting Partner? What Options Are Available?

Kelly McCown (DL), San Francisco, CA
William L. Coffman, Boston, MA
Michael R. Jarecki, Chicago, IL

6:30 pm - 7:30 pm

60 minutes

Risk Management Best Practices for Immigration Lawyers

Lawyers have a 4% to 17% change of being sued for malpractice. Even if the suit is frivolous, and even if you carry malpractice insurance, defending yourself against such allegations can be disruptive to your practice and law office. Learn

how to avoid such lawsuits, and how to effectively defend malpractice allegations if they do occur.

- Risk Management – What is it and why does it matter?
- Common Malpractice Claims Against Lawyers – Statistics and Examples
- Risk Management Best Practices – What you can do to prevent and/or mitigate malpractice claims

6:30 pm - 7:30 pm **J-1 Waiver Workshop**

60 minutes

This panel will examine the different J-1 waiver options, including options available to physicians who commit to serving in medically underserved areas, and will provide practical "how to" advice for filing a waiver, timing issues, and post-waiver considerations.

- Initial Strategy Considerations—When Should the Waiver Process Begin?
- Filing for a DOS Case Number
- No Objection, IGA, Hardship Persecution, the "Conrad State 30" Program
- Pursuing More than One Waiver
- While the Waiver Is Pending (Travel/Status)
- What Happens After Waiver Approval

Elizabeth A. Quinn (DL), Washington, DC
Margaret A. Catillaz, AILA Past President, Rochester, NY
Robert D. Aronson, Minneapolis, MN
Bruce A. Hake, New Windsor, MD

6:30 pm - 7:30 pm **LGBT Latest News**

60 minutes

Not all families are treated equally by immigration law. This panel will discuss pending legislation and current case law affecting LGBT families.

- Status of Defense of Marriage Act (DOMA) and Interplay with Federal Immigration Law
- Impact of Legally Recognized Marriages and Civil Unions
- Strategies for Same-Sex Couples and Their Children
- Strategies for Transsexuals
- Asylum Issues for LGBT Individuals
- Are the Issues Ripe for Litigation?

Scott C. Titshaw (DL), Macon, GA
Luke Hall, Newport, PA
Noemi E. Masliah, New York, NY
Christopher Nugent, Takoma Park, MD

1 Hour Practice Roundtables (7:30 PM - 8:30 PM)

7:30 pm - 8:30 pm **Current Issues in Religious Worker Cases**

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Q&A = Questions & Answers
** = Invited Speakers, Not Confirmed*

60 minutes

This advanced panel will discuss recent developments for nonimmigrant and immigrant religious workers, and strategies for proving the case and dealing with fraud investigations.

- Nonimmigrant R Visa Issues and Strategizing for Future Permanent Residence
- Dealing with Ability to Pay, Volunteer Work and Compensation
- Can You Get Status for Vocational Religious and Occupational Workers?
- Dealing with Subtle Differences Between Denominations
- Current State of Litigation Regarding Concurrent Filings: *Ruiz-Diaz v. U.S.*
- Proactive Strategies for Dealing with On-site Visits and Investigations

Joel Pfeffer (DL), Pittsburgh, PA
Michelle L. Lazerow, Rockville, MD
Mary M. O'Leary, Evanston, IL
Elizabeth Rompf Bruen, Chicago, IL

7:30 pm - 8:30 pm **Developments in Medical Grounds of Inadmissibility**

60 minutes

The panel will address the different medical grounds of inadmissibility and recent developments with regard to the medical examination process and medical inadmissibility determinations, as well as strategies for overcoming inadmissibility. The panel will also discuss the waiver process.

- Updates to the Foreign Affairs Manual—Changes in Procedures
- Drug Abusers and Addicts—Must You Wait Three Years?
- Diseases of Public Health Significance
- Mental Illness—Is the Individual a Danger to Him/Herself or Others?
- Dealing with Clients who Have DUIs
- HIV Lingering Issues—Public Charge and Insurance
- Preemptive Strategies for Avoiding Negative Determinations
- Waiver Procedures and Timing/When Do You Need to Work with the CDC

Sana Loue (DL), Cleveland, OH
Philip Hornik, Portland, OR
Ronald E. Walker, Detroit, MI

7:30 pm - 8:30 pm **Retaining Your Clients and Law Practice Without Losing Your Mental Health**

60 minutes

Immigration practice can be very stressful. Too much stress takes its toll on our physical, mental and emotional well-being, which affects our personal lives and our ability to serve clients. This seminar offers practical tips to help you reduce your stress, avoid burn-out and enhance your performance in the practice of law.

- Improve Your Office Productivity and Improve Your Life
- Client Expectations and Communications—Under-promise and Over-deliver
- Practical Tips to Handle Stress in Immigration Practice
- Dealing with Difficult Clients, Employees and Officials—Relax it's Not About You
- Dealing with Losing and Regrouping After a Set-Back—Even Lawyers Can Learn This Skill
- Identifying and Handling Substance Abuse in the Workplace

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Kristina K. Rost (DL), Burlington, MA
Reid Trautz, AILA Director of Practice and Professionalism, Washington, DC
Lyn DeVorkin, President, Strategix Inc., Milwaukee, WI

7:30 pm - 8:30 pm **Women as a Social Group**

60 minutes

For years, courts have been reluctant to qualify women as a social group. This has resulted in a patchwork of "women who …" cases to narrow the social group. Yet, there can be no doubt that women are persecuted worldwide for being women. This panel will discuss the courts and decisions that have pushed the "women as social group" and offer advice and inspiration to protect women from persecution.

- The Definition of Social Group
- Early Attempts to Define "Women" as a Social Group
- The *Perdomo* Decision in the 9th Circuit
- Asylum Claims Based upon Domestic Violence
- Gender Selection and Forced Abortion
- Forced Marriage
- The Issue of "Femicide"
- FGM

Karen Musalo (DL), San Francisco, CA
Deborah Anker, Boston, MA
Nancy Kelly, Boston, MA

OTHER SESSIONS, WORKSHOPS, AND EVENTS

5:00 pm – 6:15 pm **Law Students and Recent Graduates Panel Discussion**

5:30 pm - 8:00 pm **Pro Bono Clinic**

THURSDAY, JUNE 16, 2011

7:30 am - 5:15 pm **Registration and Exhibits**

OPENING PLENARY SESSION

8:45 am - 9:45 am **President's Installation**

9:45 am - 9:55 am **Networking Break**

9:55 am - 12:00 pm **Hot Topics Strategy Session with AILA Superstars**

125 minutes

You can't miss this opportunity to hear from some of AILA's superstar attorneys who will strategize on the most current issues facing immigration practitioners. Come listen to cutting edge strategies for advocating and litigating on behalf of your clients. This session will go beyond the usual hot topics panel and will delve into actual strategy for how to address these issues.

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Q&A = Questions & Answers
** = Invited Speakers, Not Confirmed*

Jeff Joseph (DL), AILA Board of Governors, Aurora, CO
Crystal L. Williams, AILA Executive Director, Washington, DC
Laura Lichter, AILA First Vice President, Washington, DC
Daryl R. Buffenstein, AILA Past President, Atlanta, GA
Ira J. Kurzban, AILA Past President, Miami, FL
Palma R. Yanni, AILA Past President, Washington, DC
Stephen Manning, AILA Amicus Committee Chair, Portland, OR
Paul W. Virtue, Washington, DC

FAMILY FUNDAMENTALS TRACK

9:55 am - 10:45 am **Basics of Family Immigration**

60 minutes

This panel will provide an overview of family-based immigration including immigrant and nonimmigrant visa categories. The panel will discuss the basic procedures for family-based petitions, the requirements, and the basics of the processes.

- Who Are Immediate Relatives?
- Who Is in the Preference Categories?
- Can Everyone Come—Who in the Family Is Excluded?
- What Is the Visa Bulletin and How Does it Work?
- It Is Taking too Long—Is There a Faster Way: K-1s and K-3's?
- The Affidavit of Support
- Moving Between Family Categories

Q&A (10:45 am - 10:55 am)

Annaluisa Padilla (DL), La Habra, CA
Randall Caudle, San Francisco, CA
Aaron Hall, Aurora, CO

11:00 am - 11:50 am **Green Cards Part I: Adjustment of Status**

60 minutes

This panel will explain the basic concepts regarding a foreign national's eligibility to apply for lawful permanent residence through adjustment of status, which may be available to qualified persons who are physically present in the United States.

- What Is a "Priority Date" and How Does It Attach?
- Chargeability
- How to Read the Visa Bulletin
- Adjustment of Status/When Can You File?
- Look Out for §245(i)
- Ancillary Benefits and Travel Restrictions

Q&A (11:50 am - 12:00 pm)

Giselle Carson (DL), Jacksonville, FL
Matthew D. Stump, Oklahoma City, OK
Sandra M. Wagner, San Diego, CA

1:35 pm - 2:25 pm **Fundamentals of Waivers: A "How to" Guide**

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** = Invited Speakers, Not Confirmed*

60 minutes

If you have to file a waiver, do it well. The devil is the details. Successful waiver applications fully explore all the hardship possibilities. This interactive panel will brainstorm the many possible ways to prove extreme hardship.

- What Is Extreme Hardship?
- Client Interview—Questions to Ask and Information to Get Out of Client
- How to Make It All about the Qualifying Relative—Using Non-qualifying Relatives' Hardship to Support Your Case
- What Documentation You Need to Obtain to Support Your Case
- How Important Are the Psychological Evaluations?
- Procedural "How to"

Q&A (2:25 pm - 2:35 pm)

Jeremy L. McKinney (DL), Greensboro, NC
Raquel E. Hecht, Eugene, OR
Edward G. Shulman, Paterson, NJ

2:40 pm - 3:30 pm **The I-751 and Removal of Conditions on Residence**

60 minutes

This panel will provide an overview of the fundamentals of preparing and filing an I-751 application including required documentation. The panel will also discuss the basics of determining if your client needs and qualifies for a waiver of the joint filing requirement.

- Filing Procedures and Documents Needed for a Joint Petition
- What Waivers Are Available?
- Does My Client Need a Waiver?
- What to Do when the Honeymoon Is Over
- Consequences of Late Filing and Not Filing
- Seeking Review of the USCIS Denial in Removal Proceedings
- Separated But Not Divorced

Q&A (3:30 pm - 3:40 pm)

Bernadette McGuire (DL), AILA New Member Division Chair, Lakewood, CO
R. Mark Frey, St. Paul, MN
Heather L. Poole, Pasadena, CA

3:40 pm - 4:10 pm **Networking Break**

4:10 pm - 5:00 pm **Basic Issues in Naturalization and Derivative Citizenship**

60 minutes

This panel will provide an overview of the fundamentals of preparing and filing an N-400 application including eligibility requirements, required documentation, and representing client at the interview. The panel will also touch on what to ask your clients to identify potential derivative citizenship issues.

- Duration of Permanent Residency and Physical Presence
- Good Moral Character
- The English and Civic Requirements and Exceptions

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- Filing Based on Marriage
- Derivative Citizenship
- CCA

Q&A (5:00 pm - 5:10 pm)

Gloria A. Goldman (DL), Tucson, AZ
Amy Erlbacher-Anderson, Omaha, NE
Sheila T. Starkey Hahn, Potomac, MD

BROWN BAGS LUNCHES

12:30 pm - 1:30 pm **Family Fundamentals: Green Cards Part II—Consular Processing**

60 minutes

This family fundamentals panel will provide an overview of consular processing of family-based immigrant visas. The panel will discuss the basic procedures when dealing with the National Visa Center (NVC) and required documentation to be submitted.

- What Is the NVC Role in Consular Processing?
- What Documents Are Sent to the NVC?
- How Is the Immigrant Visa Appointment Scheduled?
- What Does Your Client Need to Bring to the Immigrant Visa Interview?
- Differences between K-1 and I-130 Processing

Yeu S. Hong (DL), AILA Board of Governors, Los Angeles, CA
Michelle Saenz Rodriguez, Dallas, TX
Bonnie Stern Wasser, Seattle, WA

12:30 pm - 1:30 pm **Coming to a State Near You: State Law Enforcement and What It Means for Your State**

60 minutes

This panel will examine efforts by states to follow Arizona's lead in seeking to enact their own immigration laws, and what immigration lawyers can do to stop bad legislation or executive actions and to promote good laws.

- The Latest with Arizona Legislation and Litigation
- What Are Other States Planning and Doing?
- The §287(g) Virus
- The Secure Communities Plague
- Dealing with Your Local Sheriff Joe
- Finding Unlikely Allies and Creating Partnerships to Fight State Efforts
- What Can Immigration Lawyers Do to Prevent Arizona-Type Laws in Other States?

Deborah S. Smith (DL), Helena, MT
Anthony E. Weigel, AILA Missouri/Kansas Chapter Chair, Kansas City, MO
Vikram K. Badrinath, Tucson, AZ
Paromita Shah, Boston, MA

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12:30 pm - 1:30 pm

60 minutes

H-2A Visas: Orienteering the Maze of a New Regulation

Petitioning for "unskilled" foreign-national labor on a temporary basis for agriculture has become quite onerous. Three-agency-involvement has greatly complicated the process and generally causes even the most expert practitioner significant anxiety. This panel will discuss the process for successfully petitioning the federal government to allow your client to supplement a permanent workforce with temporary foreign labor.

- Petitioning DOL for a Labor Certification—Isn't This Just Really Supervised Recruitment?
- Do I Really Need to Determine the Adverse Effect Wage Rate? (What Is That, Again?)
- Audits, Revocation, Debarment, and Penalties
- Consular Processing, the DS-160, and the Interview
- Great, Now What About Next Year—Impact of the New Rules and USCIS Processing

Jay C. Ruby (DL), Atlanta, GA
Vard R. Johnson, Boston, MA
Myron R. Morales, Austin, TX

12:30 pm - 1:30 pm

60 minutes

Is Everyone a Terrorist?: The Material Support Bar

The REAL ID Act expanded the ground of inadmissibility for providing material support to a "terrorist organization," and courts have construed the material support bar broadly. As a result, more applicants for asylum, adjustment of status, and other benefits are being found inadmissible for activity that does not fit within a normal definition of terrorism. This panel explores the substance of the statutory changes, judicial and administrative interpretations of the amendments, and strategies for representing clients who are accused of having provided material support to a terrorist organization.

- REAL ID Act's Amendments to the Material Support Ground
- Challenging a Material Support Determination
- Strategies for Dealing with a Case on Adjudicatory Hold
- Jurisdictional Issues in Federal Court
- Risks of Proceeding with the District Court Case—Initiation of Removal Proceedings
- Updates on Blanket and Individual Waivers

David Garfield (DL), Washington, DC
Anwen Hughes, New York, NY
Christopher Strawn, Seattle, WA
Stacy Tolchin, Los Angeles, CA

12:30 pm - 1:30 pm

60 minutes

Navigating the Visa Bulletin

This panel will explore the strategies for obtaining the earliest possible priority dates for your clients.

- Same Petitioner, Same Beneficiary—When You Can and Cannot Get the Old Priority Date
- Western Hemisphere Priority Dates—Not Just for Mexico

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- Automatic Conversions
- Cross-chargeability
- Retrogression
- *Matter of Wang*—Update on Federal Court Litigation

Kathrin S. Mautino (DL), San Diego, CA
Jerome G. Grzeca, AILA Board of Governors, Milwaukee, WI
Khorzad Adi Mehta, Washington, DC

12:30 pm - 1:30 pm **Speed Networking**

New to the Annual Conference? Looking to meet other AILA members? Then you can't miss AILA's speed networking event. Gain new professional contacts through brief face-to face interactions with people who share common business goals and interests. Open to all attendees.

12:30 pm - 1:30 pm **Using the New Social Media: Ethics Issues for the Immigration Attorney**

60 minutes

Sophisticated immigration attorneys have web pages, may blog or Twitter, and have a presence on Facebook, LinkedIn, or other social websites. This panel will address the parameters of what the attorney should and could be doing through this media.

- Blogs and Websites—Advertising and Legal Advice Issues
- Facebook, LinkedIn, and Other Such Sites—Privacy Issues
- Personal Sites, Company Sites, Client Sites—Conflicts of Interest
- Educating and Restraining Your Staff Regarding the Appropriate Use of Social Media

Alan B. Goldfarb (DL), Minneapolis, MN
Reid Trautz, AILA Director, Practice & Professionalism, Washington, DC
Carole Levitt, Internet for Lawyers, Rio Rancho, NM
Mark E. Rosch, Internet for Lawyers, Rio Rancho, NM

12:30 pm - 1:30 pm **Advocacy: A Tool that Works Better When It Is Shared by Many**

60 minutes

Many immigration practitioners think of advocacy as something that will not directly impact their cases and therefore do not look to current advocacy efforts to see if they might assist in resolving case problems. Nor do they bring problems to the attention of the advocacy community that might benefit from the efforts of the advocacy community at the national and grassroots level. This panel will highlight various current advocacy efforts at the national and State level and show how individual practitioners may participate in and use these efforts to impact recurring case problems. The panel will also solicit the audience for suggestions respecting areas where advocacy efforts are lacking and use the panel to initiate an on-going dialog on how to better connect case specific practice to advocacy efforts.

- Highlights of Current Advocacy Efforts by AILA and Coalition Partners
- Highlights of Current Grassroots Activities
- Lessons Learned from Past Efforts
- How to Use Real Cases to Move Issues Forward and Change Positions
- How to Connect to Advocacy Efforts as a Practitioner
- How to Involve and Energize Clients in Advocacy Efforts

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Matthew G. Holt (DL), San Diego, CA
Robert E. Juceam, AILA Past President, New York, NY
Jenny Werwa, AILA Manager of Outreach and Communications, Washington, DC

TRACK I—BUSINESS

1:35 pm - 2:25 pm

60 minutes

Calculate, Don't Speculate: Understanding the Four Levels of Prevailing Wage

This workshop will provide a step by step review of the DOL's "Worksheet for Use in Determining OES Wage Level," including a discussion of each of the factors that go into making a determination. The goal is to enhance familiarity and comfort with the system, provide strategies on using the system to the client's best advantage, and develop corporate and institutional policies. This session will tackle the ins and outs of iCERT procedures and will offer strategies for crafting job descriptions and requirements to most accurately reflect the proper DOL job level.

- Overview of the Current Prevailing Wage System
- Which Guidelines Are Currently in Effect?
- Independent Wage Sources and Collective Bargaining Agreements
- Strategies for Optimizing the Likelihood that the Correct Classification/Level Is Assigned
- Requesting Redeterminations

Q&A (2:25 pm - 2:35 pm)

Susan M. MacLean (DL), Chicago, IL
Angelica Grado-Wright, Houston, TX
Sharryn E. Ross, Boston, MA

1:35 pm - 2:25 pm

60 minutes

Recent Developments and Strategic Considerations in Dealing with Lawful Status and Unlawful Presence

This panel will discuss recent decisions and relevant USCIS guidance on lawful status, unlawful presence and other elusive concepts that can affect your client's right to remain in the United States. The panel will also provide practical suggestions on how to advise clients given the unsettled state of the law in these areas.

- Recent Federal Court Decisions—*El Badrawi, Bokhari, Samirah, Velasco*
- Relevant USCIS Guidance and the Development of Administrative Interpretation in this Area
- Period of Stay Authorized by the Attorney General (POSABAG)
- Does Employment Authorization Imply a Right to Remain?
- Violations of Status for No Fault and Technical Reasons
- The Perils of Stacking Applications
- What To Do If the Government Interprets the Law Too Narrowly

Melissa Crow (DL), Director, AIC Legal Action Center, Washington, DC
H. Ronald Klasko, AILA Past President, Philadelphia, PA
Palma R. Yanni, AILA Past President, Washington, DC
Scott D. Pollock, Chicago, IL

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2:40 pm - 3:30 pm **PERM Denials: Now What Do I Do?**

60 minutes

Challenging a labor certification denial or revocation requires filing an appeal with BALCA. This advanced panel goes beyond the regulations and will discuss advanced strategies and solutions when a client receives a PERM denial. This one-hour session will explain practice and procedure before BALCA, and will discuss best practices to avoid bar complaints when things go wrong in the PERM process.

- Is BALCA an Option? Significant BALCA Decisions
- Cost Benefit Analysis of Starting Over
- Protecting Yourself—Ethical Issues and Professional Responsibility
- What Is the Impact on the Nonimmigrant Status of the Employee?
- Maintaining the Client's Confidence
- Motion to Reconsider and Requests for Review —What is the Difference?

Q&A (3:30 pm - 3:40 pm)

Michael P. Nowlan (DL), Detroit, MI
Deborah J. Notkin, AILA Past President, New York, NY
Robert H. Cohen, AILA NSC Liaison Committee Chair, Columbus, OH
Michelle Funk, McLean, VA

3:40 pm - 4:10 pm **Networking Break**

4:10 pm - 5:00 pm **Issues in PERM Audits**

60 minutes

This intermediate business panel will explore the various types of PERM audits being issued and what practitioners should include in the audit to avoid a denial and to position the case for appeal. This panel will discuss what issues arise when you discover a problem when responding to an audit request.

- The Various Types of Audits
- What Documents Should Be Included in an Audit Response to Ensure Inclusion in the Record in the Case of a Denial?
- What to Do if You Discover an Error in the PERM Filing During the Audit Process?
- What Should Be Done if You Need to Withdraw?

Q&A (5:00 pm - 5:10 pm)

Marketa Lindt (DL), Chicago, IL
Steven A. Clark, AILA Past President, Cambridge, MA
J. Ira Burkemper, AILA DOL Committee Member, Santa Clara, CA
Paige L. Taylor, Dallas, TX

TRACK II—FAMILY

1:35 pm - 2:25 pm **Strategic Choices in Marriage Petitions**

(DL) = Discussion Leaders
Q&A = Questions & Answers
** = Invited Speakers, Not Confirmed*

60 minutes

Options, options, options. It is wonderful when clients consult with us before walking down the aisle, often giving us an opportunity to strategize the most beneficial immigration path for the foreign national. This panel will discuss the ethical issues and options available when a USC plans to marry a foreign national, and the pros and cons of each option depending on the circumstances.

- Marriage After Visa Waiver Entry—Special Issues?
- B-2 Visa Entrants—Preconceived Intent vs. Fraud
- Marry in the U.S. or Abroad?
- Adjust vs. Consular Process
- The Versatile K-1
- Is the K-3 Dead?
- Pre-marriage Ethical Issues

Q&A (2:25 pm - 2:35 pm)

Robin D. O'Donoghue (DL), Cambridge, MA
Sharon Dulberg, San Francisco, CA
David A. Harston, Denver, CO
Marcia N. Needleman, New York, NY

2:40 pm - 3:30 pm **The Problematic Petitioner**

60 minutes

In celebration of those times when the petitioner is a bigger problem than the applicant, we'll take a look at the many ways the petitioner can liven up your case.

- Repeat Petitioners
- Affidavits of Support—"I Have to Pay Taxes?"
- Adam Walsh Act Provisions
- "I'm an American. It's None of Their Business."
- Can You Dump the Petitioner?
- Incarcerated Petitioners
- Age Differences and Language or Religious Barriers
- Underage Petitioners

Q&A (3:30 pm - 3:40 pm)

Steven C. Thal (DL), Minnetonka, MN
Ann Kanter, Sacramento, CA
Nancy T. Shivers, San Antonio, TX
Miko A. Tokuhama-Olsen, San Diego, CA

3:40 pm - 4:10 pm **Networking Break**

4:10 pm - 5:00 pm **Avoiding, Fighting, and Overcoming Erroneous Sham Marriage Determinations**

60 minutes

The government's increased focus on fraud has led to more and more erroneous sham marriage determinations. Explore the elements required for a sham finding and learn how to protect your clients from government overreaching.

- Elements Required for a Sham Determination

(DL) = Discussion Leaders
Q&A = Questions & Answers
** = Invited Speakers, Not Confirmed*

- Insufficient Evidence Does Not Equate to a "Sham"
- Preparing Yourself and the Clients for a Hard Interview
- Preparing for the 5 am FDNS Knock on the Door
- Responding to the NOID
- Overcoming Prior Sham Determinations
- Appellate Remedies

Q&A (5:00 pm - 5:10 pm)

James W. Austin (DL), Kansas City, MO
Leslie T. DiTrani, Cambridge, MA
Loan T. Huynh, Minneapolis, MN

TRACK III—CRIMINAL

1:35 pm - 2:25 pm

60 minutes

Analyzing the Immigration Consequences of Criminal Convictions

Instead of focusing on the elements of the underlying offense and the most minimal conduct punishable, many immigration attorneys make the mistake of focusing on the title of the offense or a client's actual conduct. This panel will explore the step-by-step methodology for determining the immigration consequences of a conviction.

- What Is the Categorical and Modified Categorical Approach?
- What Is a Divisible Offense?
- Comparing the State Offense to an Analogous Federal Offense
- The Minimal Conduct Standard
- The Impact of *Silva Trevino* and *Nijhawan*
- What Types of Cases Are Exempt from Categorical Analysis?

Q&A (2:25 pm - 2:35 pm)

Andres Benach (DL), Washington, DC
Benjamin Casper, West Saint Paul, MN
Kara Hartzler, Florence, AZ

2:40 pm - 3:30 pm

60 minutes

The Immigration Consequences of Sex Offenses

This panel will focus on the expanding definition of sexual abuse of a minor and will discuss the immigration consequences of other sexual offenses.

- Categorical Approach and *Nijhawan* v. Holder
- Applying *Estrada-Estrada v. Mukasey* beyond the Ninth Circuit
- Challenges at the Bond Hearing
- Using Habeas to Get into District Court
- BIA's Decision in *Velasquez-Herrera*
- Failure to Register
- Statutory Rape

Q&A (3:30 pm - 3:40 pm)

(DL) = Discussion Leaders
Q&A = Questions & Answers
** = Invited Speakers, Not Confirmed*

Maria T. Baldini-Potermin (DL), Chicago, IL
Dan Kesselbrenner, Boston, MA
Thomas K. Ragland, Washington, DC

3:40 pm - 4:10 pm **Networking Break**

4:10 pm - 5:00 pm **Crimmigration: Working with the Criminal Defense Bar and Post Conviction Motions after *Padilla vs. Kentucky***

60 minutes

After Padilla vs. Kentucky*, how can the immigration bar best cooperate with the criminal defense bar to ensure that pleas comply with the sixth amendment? How does* Padilla *help the client who faces removal and has already served the criminal sentence? This panel will discuss strategies for overcoming retroactivity and other jurisdictional challenges to* Padilla *post-conviction motions.*

- Working with the Criminal Defense Bar
- Successful Models for Delivering Immigration Advice to the Indigent
- Positioning Yourself as the Local Expert Regarding Immigration Consequences
- Is *Padilla* Retroactive? Is it Collateral?
- Challenges after the Exhaustion of Direct Appeal
- My Client Has Served the Sentence, Now What?
- Continuances in Immigration Courts
- The Next Step: Using *Padilla* to Push for the Right to Appointed Immigration Counsel in Criminal Cases

Q&A (5:00 pm - 5:10 pm)

Kerry W. Bretz, (DL), New York, NY
Rockne Cole, Iowa City, IA
Tova Indritz, Albuquerque, NM
Norton Tooby, Oakland, CA

TRACK IV—LAW PRACTICE MANAGEMENT

1:35 pm - 2:25 pm **What Your Client Hasn't Told You, But Is on Facebook: Gathering Information in the Internet Age**

60 minutes

Are you still only using an FBI rap sheet and FOIA to gather information on your client, when the government is using Facebook? This panel will provide a systematic way for you to gather the information you need to best represent your client in litigation.

- The Basics—FOIA and Criminal Record Checks
- FOIA Appeals—The Art of Justifying Disclosure with a Bunch of Blank Pages
- Commercial Investigative Databases Are Collecting Our Personal Information and Selling it to the Government.
- Ethics—How Much Do You Really Want to Know about Your Client?
- Information that Never Dies—What Kind of Information about Your Clients Found on Social Network Sites Could Be Mined by the Government?

Q&A (2:25 pm - 2:35 pm)

Cory Caouette (DL), San Diego, CA

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Q&A = Questions & Answers
** = Invited Speakers, Not Confirmed*

Reid Trautz, AILA Director, Practice & Professionalism, Washington, DC
Carole Levitt, Internet for Lawyers, Rio Rancho, NM
Mark E. Rosch, Internet for Lawyers, Rio Rancho, NM

2:40 pm - 3:30 pm **Straight Talk on How to Maximize Cash Flow in Uncertain Times**

60 minutes

This presentation will help attorneys calculate and understand critical financial information including turnover rates, liquidity ratios, overhead ratios, realization rates, and effective rates. This presentation will also help attorneys learn how to set their fees, how to get paid, personal habits that hurt the practice, and how to generate new business.

- How Well Do You Know Your Business?
- How to Calculate Your Financial Indicators
- How to Get Paid
- Tips on How to Create Opportunities for New Business
- Ethical Considerations in Fee Disputes, Fee Determinations and Flat Fee Cases

Q&A (3:30 pm - 3:40 pm)

John "Jack" L. Pinnix (DL), AILA Past President, Raleigh, NC
Allen E. Kaye, AILA Past President, New York, NY
Dale M. Schwartz, AILA Past President, Atlanta, GA

3:40 pm - 4:10 pm **Networking Break**

4:10 pm - 5:00 pm **The Business Side of Running a Law Practice**

60 minutes

"Lawyers make terrible business people." The purpose of this panel is to prove that adage wrong. Panelists will give real life practical tips and strategies to assist immigration lawyers to improve their systems, practices and procedures to run a more smooth and functional law office.

- Upgrading Your Systems—Improving Technology to Maximize Profitability
- When and Whether to Go Paperless—The Pros and Cons of Electronic Storage of Documents
- The Importance of Strategic Planning and Partnering with Professional Consultants
- Smart Growth—When and How to Grow
- Getting Married—Joining with Other Firms and Creating Partnerships with Other Attorneys

Q&A (5:00 pm - 5:10 pm)

David A. M. Ware (DL), Metairie, LA
Philip C. Curtis, Boston, MA
Denise C. Hammond, Rockville, MD
Kirby G. Joseph, Aurora, CO

OTHER SESSIONS, WORKSHOPS, AND EVENTS

7:30 am – 8:45 am **AILA Carolinas Chapter Meeting**

7:45 am-8:45 am **AILA Iowa/Nebraska Chapter Meeting**

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Q&A = Questions & Answers
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12:00 pm-1:30 pm	**AILA MidSouth Chapter Meeting**
12:00 pm-1:30 pm	**Gay, Lesbian, Bisexual and Transgender Interest Group Meeting**
1:00 pm Tee Time	**19th Annual Tony Cook Memorial Golf Tournament**
3:30 pm-4:30 pm	**AILA Missouri/Kansas Chapter Meeting**
4:00 pm – 5:00 pm	**AILA Canada Chapter Reception**
3:30 pm - 4:15 pm	**Practical Tips for the J Visa**
5:30 pm - 6:45 pm	**Membership Meeting**
5:30 pm – 7:00 pm	**AILA Oregon Chapter Happy Hour**
6:50 pm - 8:30 pm	**Awards Ceremony/Presidents Reception**
8:30 pm - 10:00 pm	**Taste of San Diego**
9:00 pm - 12:00 am	**Third Annual AILA Pro Bono/NMD Hospitality Suite**

FRIDAY, JUNE 17, 2011

PRACTICE ROUNDTABLES (MORNING)

7:30 am - 8:30 am **Better Brief Writing, Better Litigation Results**

60 minutes

Do you call your client an "alien" and DHS "the government" when you write a brief? Can you name 10 rules of statutory construction? Do you hide in footnotes instead of the text of the brief? Do you include an appendix to the brief? It's a fact that most Board appeals and petitions for review are decided on the briefs, without oral argument. This panel will address ways to maximize your chances of obtaining better litigation results through better brief writing.

- Watch Your Language!
- Preserving Arguments in the Opening Brief
- Arguing the Record
- Top 10 Rules of Statutory Construction
- Framing Due Process Claims
- Maximizing the Appendix

Philip Smith (DL), Portland, OR
Robert Bradford Jobe, San Francisco, CA
Rebecca Sharpless, Coral Gables, FL

7:30 am - 8:30 am **EB-1 or NIW: A Strategic Approach**

(DL) = Discussion Leaders
Q&A = Questions & Answers
** = Invited Speakers, Not Confirmed*

60 minutes

It is rare that an EB-1 or NIW case is clear cut. This panel will examine how to analyze the merits of the case, develop a strategy to apply the regulations, present the case, and how to prepare should an RFE ensue.

- First Things, First, Extraordinary Ability, Outstanding Researcher, Multinational Manager or NIW? Is the Client Really Qualified?
- Getting into the Service Mindset—The Regulations, the AFM and Other Sources
- How to Develop and Use Supporting Documentation
- Does *Kazarian* Help or Hurt?
- Tactics—Multiple Filings, Re-filings, and Appeals
- Distinguishing Your Applicant—The Theory of the Case

Amy R. Novick (DL), Washington, DC
Jeremy Fudge, Dallas, TX
Rita Sostrin, Encino, CA
Nathan A. Waxman, New York, NY

7:30 am - 8:30 am **In-House Counsel Networking Session**

This networking session is aimed at In-House Counsel and attendees who want to network with In-House Counsel. Open to all attendees.

7:30 am - 8:30 am **Securing NIV Waivers for Your Corporate Client's Employee**

60 minutes

Securing NIV waivers can be a long, cumbersome and convoluted process. This panel will guide you through the various ins and outs of securing an NIV waiver for your client's employee while addressing various issues and discussing common strategies.

- First Things First, Does Your Client Even Need a Waiver?
- Shh, Please Don't Tell My Boss I Have a Criminal Issue
  - Ethical Issues and Dual Representation
  - What, If Anything, Can You Reveal and When?
- Do I Really Need an Affidavit Attesting to Good Moral Character?
  - The Evidence Required
- The Waiver Process—Where to File? When to File? What to File?
- Differences in Procedures Based on Where You Are Filing
- Processing Times—What Your Client and Their Employer Should Really Expect
- What Is Waived and Does it Last Forever?

Avi Friedman (DL), Santa Monica, CA
Maria L. Celebi, Istanbul, Turkey
Leigh N. Ganchan, Houston, TX
Daniel J. Parisi, London, Great Britain

7:30 am - 8:30 am **Starting From Scratch: How to Launch Your Own Immigration Practice Brick by Brick**

60 minutes

The nuts and bolts of preparing and launching your own solo immigration firm—from choice of business entity to marketing, from office space to systems, from getting work to getting paid.

- Decisions in Corporate Formation—LLP, LP or PC?

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- Establish a Network and a Niche
- Building a Client Base
- Decision Making Regarding Case Management Systems
- Buying, Renting or Working From Home
- HR Compliance Requirements
- Outsourcing
- Advertising and Marketing

Matthew J. Maiona (DL), AILA New England Chapter Chair, Boston, MA
Nicole Lawrence Ezer, Houston, TX
Nita J. Itchhaporia, San Jose, CA

7:30 am - 8:30 am

60 minutes

Removal Fundamentals: ABCs of EOIR

Receiving a Notice to Appear is one of the most stressful moments your client can have. This panel will help you deal effectively with the Notice to Appear, understand the procedures and rules of the Executive Office for Immigration Review, and make the best possible case for your client.

- How and When Does a Case Move to EOIR
- What, if Any, Rules of Evidence Apply?
- From Master to Merits
- Testimony and the Role of the Court
- Using the Immigration Court Practice Manual
- The Art of Reading and Challenging the Notice to Appear

Magali S. Candler (DL), Houston, TX
Jeffrey A. Devore, AILA Board of Governors, Palm Beach Gardens, FL
Bryon M. Large, Denver, CO

7:30 am - 8:30 am

60 minutes

Strategies for Athletes, Artists, Entertainers and Other Extraordinary Individuals

This intermediate panel will explore the O and P category and the visa requirements, as well as strategies for successful processing.

- P1, P2, P3—What Is the Difference?
- Should You Apply for an O or a P?
- Can You Get Ps or Os for Coaches and Staff?
- Strategies for Expedited Processing for P Visas
- What Is the Definition of an "Event?" Can a Season Be an Event?
- Extension of Stay
- RFEs and Difficult Cases
- Strategizing for Permanent Residence

Steven M. Ladik (DL), AILA Past President, Dallas, TX
Jonathan Ginsburg, Fairfax, VA
Laya R. Kushner, Charlotte, NC

REMOVAL FUNDAMENTALS TRACK

(DL) = Discussion Leaders
Q&A = Questions & Answers
** = Invited Speakers, Not Confirmed*

8:35 am - 9:25 am **Inadmissibility and Deportability Grounds and How to Analyze Them**

60 minutes

This panel will address the basic grounds of inadmissibility and deportability and how you can assist a client whom the government is seeking to remove. The panel will also help you understand how to maximize and protect those rights your client has or may have.

- Grounds of Inadmissibility vs. Grounds of Removal
- Who Is an Admitted Alien?
- Dealing with the Shifting Burden of Proof
- Tips on Easily Detangling Grounds of Inadmissibility vs. Removal
- Is Relief Available?

Q&A (9:25 am - 9:35 am)

Douglas R. Penn (DL), AILA Connecticut Chapter Chair, Stamford, CT
B. John Ovink, AILA NBC Liaison Committee Chair, Tampa, FL
Holly S. Cooper, Davis, CA
David C. Koelsch, Detroit, MI

9:40 am - 10:30 am **Dealing with Criminal Issues in Immigration Court**

This panel will help the practitioner understand the definition of "conviction" for immigration purposes, assist the practitioner in reading and interpreting criminal records, and provide effective strategies for assisting clients with a history of criminal offenses.

60 minutes

- Knowing How and What to Ask Your Client
- Obtaining and Reading a Criminal Offense Record
- Mandatory Detention and Bond
- The World After *Padilla*

Q&A (10:30 am - 10:40 am)

Mark A. Davis (DL), Pasadena, CA
Vicky Dobrin, Seattle, WA
Hans Meyer, Denver, CO

10:40 am - 11:10 am **Networking Break**

11:10 am - 12:00 pm **Relief From Removal: What Relief Exists and How Does the Client Get It?**

60 minutes

This panel will provide a brief overview of the various types of relief from removal that exist in removal proceedings, and will discuss the eligibility requirements, procedures, case law and pitfalls related to each of the types of relief.

- Adjustment of Status in Proceedings
- Waivers
- Cancellation of Removal
- Miscellaneous Relief Including TPS, NACARA
- Voluntary Departure When All Else Fails

Q&A (12:00 pm - 12:10 pm)

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David N. Simmons (DL), Denver, CO
H. Raymond Fasano, New York, NY
Kathleen C. Gasparian, Metairie, LA
Joseph C. Hohenstein, Philadelphia, PA

1:45 pm - 2:35 pm **U's, T's and VAWA: Helping Victims Obtain Status**

60 minutes

This panel will discuss the fundamentals of various visa categories created specifically for victims of crime and abuse. The panel will discuss the basic requirements in each category as well as the nuts and bolts of how to apply.

- U Visas—How to Identify Potentially Qualified Beneficiaries, Obtain the Law Enforcement Certification and Get the Visa
- T Visas—Who Qualifies, What Are the Differences Between the U and T visa and How Do You Obtain the Visa
- VAWA—The Basics, the Standards of Proof and Procedures for Application
- Special Considerations Within Each Visa Category that Affect Eligibility

Q&A (2:35 pm - 2:45 pm)

Kelli Jo Stump (DL), Oklahoma City, OK
Richard Ginsburg, Hillsboro, OR
Siovhan Ann Sheridan-Ayala, Seattle, WA

2:45 pm - 3:15 pm **Networking Break**

3:15 pm - 4:15 pm **Mock Immigration Hearing Part I: From Arrest to Bond to NTA**

60 minutes

Every lawyer dreads that panicked phone call from the client's family when the client has been arrested. This panel will provide the tools to effectively assist clients in the immediate aftermath of an arrest, especially if the client is being detained, and will address how to get the case into the proper procedural posture for trial.

- How to Locate Your Client, Whom to Contact and Why?
- Is Bond Available and Where Do You Get the Funds?
- Bond from ICE Compared to Bond before the IJ
- Understanding the NTA, Pleadings and Objections

Noemi Ramirez (DL), Los Angeles, CA
Carlina Tapia-Ruano, AILA Past President, Chicago, IL
Melinda M. Basaran, Paterson, NJ
Jodi Goodwin, Harlingen, TX

4:20 pm - 5:20 pm **Mock Immigration Hearing Part II: Relief, Filing Applications and the Individual Merits Hearing**

60 minutes

The NTA has been sorted and you know the mountain your client has to climb—now what? This panel will show you where to file your applications for relief, what to file when, and how to develop your case. The panel will then move on to the big day—the merits hearing. Even experienced immigration lawyers get butterflies today but this panel will help you minimize those butterflies and teach you how to get through the hearing effectively.

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- NTA and Pleadings, Challenges
- ICE Submitting Criminal Court Documents, Challenges
- Categorical/Modified Categorical Approach to Conviction
- Dealing with *Silva Trevino*, ICE Introducing Evidence Outside Record of Conviction, Objections

Noemi Ramirez (DL), Los Angeles, CA
Karen T. Grisez, Washington, DC
Rekha Sharma-Crawford, Overland Park, KS

BROWN BAGS LUNCHES

12:40 pm - 1:40 pm **Advising Graduating Students on OPT, STEM, and Cap Gap**

60 minutes

This workshop will provide answers to common questions raised by graduating students who are seeking employment in the United States, including eligibility for STEM benefits and "cap gap" relief.

- SEVIS Requirements
- Working with the DSO—Serving as an Intermediary
- Falling Out of Status and Reinstatement
- CPT/OPT—What's the Difference?
- Eligibility for STEM Benefits Including a Discussion of STEM Fields and E-Verify Registration
- Cap Gap Eligibility
- Proving Completion of the Degree—The True Definition
- Travel Concerns for Students with Pending or Approved H-1B Cap Petitions

Dyann DelVecchio (DL), Boston, MA
Adam Green, Los Angeles, CA
Jennifer A. Salomon Houston, TX
Hamel Vyas, New York, NY

12:40 pm - 1:40 pm **Are You in Jeopardy? (Ethics Game Show—Version 2011)**

60 minutes

You didn't believe we could make an ethics program fun, but we did in 2008 presenting our Jeopardy, Ethics Game Show. The new and improved 2011 version will cover all the important ethics topics, including communicating with clients, dealing with conflicts and fraud from a real life prospective. An initial discussion will be followed by a rousing round of a Jeopardy-like game show with time allowed for questions and answers.

- Who Is the Client—Issues in Dual Representation
- Representation Agreements
- Who Pays the Fee in PERM, H-1B and Other Cases
- Duties of Disclosure
- How to Deal with Fraud
- When and How to Withdraw
- Confidentiality and Communication with Third Parties

Maurice H. Goldman (DL), AILA Board of Governors, Tucson, AZ

Leslie A. Holman, AILA Treasurer, Burlington, VT
Douglas D. Hauer, Boston, MA
Allen Orr, Washington, DC

12:40 pm - 1:40 pm **Informal Meeting with the CIS Ombudsman's Office**

60 minutes

Vic Goel (DL), CIS Ombudsman Liaison Committee Chair, Reston, VA
Catherine L. Haight, CIS Ombudsman Liaison Committee Member, Los Angeles, CA
**Ombudsman Office Representative*

12:40 pm - 1:40 pm **Beyond Litigation: Advocating for Your Client Outside the Courtroom**

60 minutes

In certain cases, litigation in immigration court or the federal courts might not be effective or otherwise appropriate. This panel examines alternatives to litigation, including effective advocacy with ICE and strategies for using media, politicians or community-based organizations to provide the extra push a case needs, or as an alternative to litigation.

- ICE and the Exercise of Prosecutorial Discretion and Parole
- When to Go Public—Effectively Using the Media
- Working with Congressional Officials and Other Politicians
- Teaming with Community-based Organizations
- Going Viral—Using Social Media
- Governor's Pardon
- Private Legislation
- Humanitarian Parole

Charles H. Kuck (DL), AILA Past President, Atlanta, GA
Gregory Chen, AILA Director, Advocacy, Washington, DC
Anna Marie Gallagher, Washington, DC
George Tzamaras, AILA Director of Communications, Washington, DC

12:40 pm - 1:40 pm **Asylum Fundamentals: Making Asylum Cases Manageable**

60 minutes

This panel will serve as an essential asylum primer, helping the attendee to identify the best strategy for the client, comply with the extensive procedural requirements, and present the best possible evidence. Let these asylum gurus teach you how to take and win asylum cases.

- Legal Requirements for Asylum Cases
- Procedural Guidelines for Filing Claims
- The Difference Between Affirmative and Defensive Cases
- Where to Find Evidence
- How to Find and Use Experts
- How to Get Your Client Benefits While Waiting
- When to Accept Withholding of Removal

Hiroko Kusuda (DL), New Orleans, LA
Sioban Albiol, Chicago, IL
Ginger E. Jacobs, San Diego, CA

12:40 pm - 1:40 pm **Export Control for Immigration Lawyers**

(DL) = Discussion Leaders
Q&A = Questions & Answers
** = Invited Speakers, Not Confirmed*

60 minutes

Violations of U.S. export control laws can subject companies to severe sanctions and subject their foreign national employees to grounds of inadmissibility and deportability. This panel will give an overview of the Commerce Department's export administration regulations, what to watch for, and how to protect your clients.

- What Is Export Control and What to Look For (Countries, Technologies, etc.)
- Export Administration Regulations (EAR)
- Transfer of Technology and Deemed Export under the EAR
- Determining Availability of Export Control License
- Criminal and Civil Penalties for Violations
- Inadmissibility/Deportability Grounds for Violations
- How to Advise Your Clients and Protect Them—Should You Utilize Outside Counsel?
- Antidiscrimination Issues—What if a Company Doesn't Want to Hire a Person Who Requires a License

Stephen D. Springer (DL), Washington, DC
Hector A. Chichoni, Miami, FL
Doreen Edelman, Washington, DC

12:40 pm - 1:40 pm **False Claims to U.S. Citizenship**

This panel will address the elements and impact of a false claim to U.S. citizenship.

60 minutes

- What Are the Elements of a False Claim?
- When Does a Timely Retraction Occur?
- What Other Defenses Are There?
- What about Pre-1996 False Claim
- When Is a False Claim Not Fatal? What Relief Remains?
- The Computer Says You Made a False Claim Five Years Ago, But There Are No Records—What Do You Do?
- Minors/Imputed False Claims
- What Is a “Purpose or Benefit”?

Tarik H. Sultan (DL), Tucson, AZ
John Patrick Pratt, AILA Southern Florida Chapter Chair, Miami, FL
Mark R. Barr, Denver, CO

12:40 pm - 1:40 pm **Got a Job/Need a Job Networking Event**

Join us for the "Got a Job/Need a Job" networking event. This session is aimed at both employers and job seekers looking to fill/find a position in the immigration field. Don't forget to bring your resume! Open to all attendees.

TRACK I—BUSINESS

8:35 am - 10:30 am **Dealing with Difficult RFEs: Appellate Remedies and Litigation**

(DL) = Discussion Leaders
Q&A = Questions & Answers
** = Invited Speakers, Not Confirmed*

60 minutes

Of course, we want to marshal our expertise to respond to those difficult RFEs with every expectation that they will be approved. However, if the case is denied and we are ready to proceed with an appeal to the AAO and/or litigation, then we must prepare and properly establish a record. This panel will focus on the sequence of responding to the RFE, dealing with a denial, should it come, and then on to litigation.

- Those Difficult I-140 RFEs—Functional Managers; PERM and EB-2/EB-3 Requirements
- L-1 and H-1 RFEs—When Reasonable Minds Differ, a Judge Gets to Decide
- Documenting Your Response to the RFE to Complete Your Record for Appeal
- Going to Federal Court—When, How and What to Do Before You Go
- Creating a Good Record for District Court
- Jurisdiction, Venue and Standing—Who Is the Proper Plaintiff, Where to Sue and on What Basis?
- Exhaustion—Do You Have to Go to the AAO First?
- Common Claims in Federal Court
- Negotiating with the Government, Settlement Offers and Remand

Q&A (10:30 am - 10:40 am)

David Grunblatt (DL), Newark, NJ
H. Ronald Klasko, AILA Past President, Philadelphia, PA
Denyse Sabagh, AILA Past President, Washington, DC
Scott D. Pollock, Chicago, IL

10:40 am - 11:10 am **Networking Break**

11:10 am - 12:00 pm **Big Issues Facing Small Employers**

60 minutes

This is an advanced panel to discuss issues facing small employers—best strategies and practice for companies that are not Fortune 500.

- NIV and NIV RFEs for Small Companies
- It's Specialized. You Just Don't Know It Yet—Understanding and Building a Strong Foundation for Specialized Knowledge with Small Start-up Companies
- Owner Employees—Can They Be Approved?
- Showing You the Money—Issues with Ability to Pay for Nonimmigrant and Immigrant Visas for Companies with Shallow Pockets and Start-ups
- Special Considerations when Small Employers Have to Prove a Fair Test of the Labor Market
- Difficulties in Client Management and Compliance with Small Employers

Q&A (12:00 pm - 12:10 pm)

Bennett Savitz (DL), Boston, MA
Helene N. Dang, Houston, TX
Cora Denise Tekach, Washington, DC

1:45 pm - 2:35 pm **Solving Problems and Issues Relating to AC21**

(DL) = Discussion Leaders
Q&A = Questions & Answers
** = Invited Speakers, Not Confirmed*

60 minutes

This is an advanced panel on AC21 issues for immigrant and nonimmigrant visas. This panel will focus on the practice and operation of complex issues arising from portability.

- Review of AC21 Guidance and What Has Changed Over the Years
- Application of AC21 in Nonimmigrant Cases
- Impact of Changing Positions for Green Card Sponsorship
- What to Do When the I-140 Is Denied, and Impact on H-1Bs and Permanent Portability
- Impact of Company Changes
- Whether to Maintain the Underlying NIV Status

Q&A (2:35 pm - 2:45 pm)

Robert C. Divine (DL), Chattanooga, TN
Adam J. Rosen, Owings Mills, MD
Naomi Schorr, New York, NY

2:45 pm - 3:15 pm **Networking Break**

3:15 pm - 4:05 pm **How Can I Ensure Success Post-Filing: Merger and Compliance Issues**

60 minutes

This advanced panel will discuss and provide insight on issues that arise when a company is acquired or dissolved during the PERM process. This panel will offer best practices for both small and large employers.

- Are There Different Strategies for Small Companies vs. Large Companies?
- Best Practices when the Merger Occurs while a PERM Is Pending
- Compliance—Whose Responsibility, the New or the Old Company?
- Successor in Interest
- Substantially the Same Position after Merger
- Merger and Compliance Issues from the Employee's Perspective

Q&A (4:05 pm - 4:15 pm)

Avram E. Morell (DL), Newark, NJ
Diana Vellos Coker, San Diego, CA
Teri A. Simmons, Atlanta, GA

4:20 pm - 5:10 pm **Dealing with the Neufeld Memo on the Employer/Employee Relationship**

60 minutes

The January 2010 Neufeld Memo significantly impacted when and how employers can place employees at a client site or other third party location, as well as the general relationship between the employer and employee when the employee has an ownership interest. This panel will explore recent trends in what is working and what is not at the service center level both in getting approvals without an RFE and in responding to RFEs on this issue. You will receive practical tips on how to guide your employer and/or employee in this complex area.

- What Industries Would the Neufeld Memo Like to Carve Out?
- Which Situations Work and Which Do Not
- Evidence Submitted with Initial Petitions—What's Required, What's Preferable, and What to Do if Your Client Refuses to Provide "Key" Documents

(DL) = Discussion Leaders
Q&A = Questions & Answers
** = Invited Speakers, Not Confirmed*

- RFEs—Do You Have to Respond to Every Point, and What Alternate Forms of Evidence Will Work?

Q&A (5:10 pm - 5:20 pm)

Alexis S. Axelrad (DL), AILA New York Chapter Chair, New York, NY
Eleanor Pelta, AILA President Elect, Washington, DC
Robert P. Deasy, AILA Director of Liaison and Information, Washington, DC
Lynden D. Melmed, Washington, DC

TRACK II—FAMILY

8:35 am - 10:30 am **Good Moral Character and Criminal Issues in Naturalization**

60 minutes

Your LPR client has a criminal record but is desperate to be a U.S. citizen. This intermediate panel will address strategies to consider in advising your client about the risk of filing.

- Disclosure of Criminal History on the N-400; Records Required by USCIS
- Statutory Ineligibility for Naturalization under INA §101(f)
- Unlawful Voting/False Claims to U.S. Citizenship
- Timing of the Application and Proving Good Moral Character to Avoid a Discretionary Denial
- Evaluating the Risks of Disclosure of Criminal History vs. Remaining an LPR—What if the LPR Needs to Travel?
- Options when a Criminal Conviction Exists
  - Ameliorating the Conviction
  - Simultaneous Waiver Application before USCIS
- Federal "Crimes" Which Are Legal Under State Law—Prostitution/Medical Marijuana

Q&A (10:30 am - 10:40 am)

C. Lynn Calder (DL), Raleigh, NC
Gus M. Shihab, AILA Ohio Chapter Chair, Columbus, OH
JoJo Annobil, New York, NY

10:40 am - 11:10 am **Networking Break**

11:10 am - 12:00 pm **Strategies in Derivative Citizenship and Acquisition of Citizenship**

60 minutes

This session will explore the statutory basis and eligibility requirements for deriving and acquiring U.S. citizenship.

- Citizenship Pre- and Post- Child Citizenship Act of 2000—Statute/Case Law
- Key Definitions, such as—Residence, Legal Custody, Child
- Eligibility—Requirements and Documentary Proof
- Ambiguous Conditions of Birth—Midwife Births, Late Birth Registration, Overseas Documents which Are Lost or Destroyed
- Provisions Pertaining to Children Born Out of Wedlock and Adopted Children
- Different Treatment of Derivation through Fathers and Mothers

(DL) = Discussion Leaders
Q&A = Questions & Answers
** = Invited Speakers, Not Confirmed*

- Documenting Citizenship Status—Certificate of Citizenship and/or Applying for Passport
- Applying within the U.S. vs. Applying Abroad

Q&A (12:00 pm - 12:10 pm)

Robert A. Mautino (DL), San Diego, CA
Stephen M. Bander, Miami, FL
Carmen A. DiPlacido, Arlington, VA

1:45 pm - 2:35 pm **Citizenship in Federal Court**

60 minutes

This panel will discuss federal court actions to challenge USCIS delay in adjudicating naturalization applications; to review denial of naturalization, certificates of citizenship and passports; and to request declaratory judgment of citizenship. Panelists will address federal court jurisdiction issues and explain what to file to have a federal court judge consider your client's claim to citizenship.

- Challenging Citizenship Denials at the Agency Level and the Interplay of Removal Proceedings
- Mandamus/APA Actions to Challenge Pre-interview Delay in Processing N-400
- INA §336(b) Action to Obtain an N-400 decision after an Interview Has Occurred
- Judicial Review of Denial of Naturalization Application
- Seeking Declaratory Judgment of U.S. Citizenship
- Exhaustion of Administrative Remedies
- Citizenship Claims Filed in Habeas Proceedings

Q&A (2:35 pm - 2:45 pm)

Robert Pauw (DL), Seattle, WA
Victor D. Nieblas Pradis, AILA Secretary, City of Industry, CA
Emily Creighton, Staff Attorney, AIC Legal Action Center, Washington, DC
Samuel Bettwy, Assistant U.S. Attorney, U.S. Attorney's Office, Southern District of California, San Diego, CA

2:45 pm - 3:15 pm **Networking Break**

3:15 pm - 4:05 pm **Issues in Abandonment of LPR Status**

60 minutes

This session will provide an overview of the legal and procedural issues to consider when your client faces abandonment, voluntary or not, of his or her permanent residency status.

- Burden of Proof—Admission Before and After IIRAIRA
- One Year Rule—Regulations vs. Case Law
- Intent Issues—Reentry Permits, NIV Entries, Tax Status
- Strategies—Returning Residents/Deferred Inspection/Refiling AOS/IV/Removal Proceedings
- Preparing Your Case for Presentation
- Tax Considerations—New Exit Taxes and LPR Expatriates IRC 2801 and 877A

Q&A (4:05 pm - 4:15 pm)

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Q&A = Questions & Answers
** = Invited Speakers, Not Confirmed*

Jonathan Willmoth (DL), Kansas City, MO
Gary E. Endelman, Houston, TX
Nita Nicole Upadhye, London, Great Britain

4:20 pm - 5:10 pm **Child Status Protection Act**

60 minutes

A step-by-step explanation of the various ways to analyze CSPA cases. This panel will focus on the various applications of the law using real-life examples. It will also provide an update on the law.

- Review of the Different Applications of CSPA
- Memos that Interpret the Law and Differences in the Agency Position
- Applications— Immediate Relatives, Preference Categories, Divorces, Asylum Seekers
- What Works All of the Time, What Might Work and What Never Works
- Litigation Update—*Matter of Wang*

Q&A (5:10 pm - 5:20 pm)

Carl M. Shusterman (DL), Los Angeles, CA
Mary Kenney, AIC Senior Staff Attorney, Washington, DC
Charles Wheeler, San Francisco, CA

TRACK III—FEDERAL COURT LITIGATION

8:35 am - 9:25 am **Can This or Should This Go to Federal Court?**

60 minutes

District court litigation, beyond the habeas corpus, is increasingly becoming a tool for the immigration practitioner but many have no idea of how to use it appropriately to advance the interests of their clients. This panel is designed to provide the fundamentals of filing and prosecuting a district court case and the strategic issues in deciding whether and when to file and how to use district court litigation strategically.

- Standard of Review
- Communications with the Government—Pre- and Post- Filing
- When Is the Right Time to Go to Federal Court?
- Have Administrative Remedies Been Exhausted?
- Jurisdictional Arguments
- Case Selection—Analyzing the Facts
- When and How to Get Help from Amicus Brief Writer

Q&A (9:25 am - 9:35 am)

Hilary A. Han (DL), Seattle, WA
David W. Leopold, AILA President, Cleveland, OH
Raed Gonzalez, Bellaire, TX
Matthew L. Guadagno, Brooklyn, NY

9:40 am - 10:30 am **Advanced Litigation Strategy Issues**

(DL) = Discussion Leaders
Q&A = Questions & Answers
** = Invited Speakers, Not Confirmed*

60 minutes

For anyone who has ever had a federal court case that was not a straightforward petition for review, this panel will address some of the more complicated issues involving when, where and how to get federal court review and what to do when the administrative record is inadequate.

- Finality for Purposes of Judicial Review
- Late-filed Petitions for Review Litigation
- Transfer under 28 USC §1631
- Supplementing and Striking Portions of the Administrative Record
- Fugitive Disentitlement Doctrine
- Reissuance of the BIA Decision when You Miss the 30 day Deadline
- Re-calendaring and IAC at the Circuit Court Level
- Interplay between Motions to Reopen and BIA Appeals

Q&A (10:30 am - 10:40 am)

Trina Realmuto (DL), Boston, MA
Matt Adams, Seattle, WA
Lee Gelernt, New York, NY
Zachary Nightingale, San Francisco, CA

10:40 am - 11:10 am **Networking Break**

11:10 am - 12:00 pm **Advanced Bond/Detention Issues: What You Need to Know when ICE Catches Up with Your Client**

60 minutes

Your client's first priority—get me out of custody, now! Your problem—mandatory detention. This panel will focus on how to give your client the best chance to get out of detention given the extremely challenging parameters of mandatory detention.

- Jail and Prison Detainers—What to Do after 48 Hours
- How to Locate Your Client and Negotiate Bond with ICE DRO
- Mandatory Detention, When It Applies and How to Challenge It
- Bond Appeals/Habeas Petitions
- Ameliorating Conditions of Bond
- What Constitutes Custody

Q&A (12:00 pm - 12:10 pm)

Russell Abrutyn (DL), Troy, MI
Eric W. Schultz, AILA Upstate New York Chapter Chair, Buffalo, NY
Rebecca Kitson, Albuquerque, NM
Rockne Cole, Iowa City, IA

1:45 pm - 2:35 pm **Take Back the Power: Challenging Government Misconduct and Abuse**

60 minutes

This panel will cover challenging government misconduct and abuse in the immigration context, ranging from filing administrative grievances to federal court actions.

- Administrative Grievances—When, Where and How to File Grievances against DHS and EOIR
- *Bivens v. Six Unknown Named Agents*

(DL) = Discussion Leaders
Q&A = Questions & Answers
** = Invited Speakers, Not Confirmed*

- The Federal Tort Claims Act
- Other Damages Actions

Q&A (2:35 pm - 2:45 pm)

Philip Hwang (DL), San Francisco, CA
David Anton Armendariz, San Antonio, TX

2:45 pm - 3:15 pm **Networking Break**

3:15 pm - 4:05 pm **Ins and Outs of Motions for Rehearing and Petitions for Certiorari**

60 minutes

The court ruled against your client. Should you seek rehearing, rehearing en banc or certiorari to the Supreme Court? What's the difference? Are the chances of a rehearing or cert grant worth your time and the client's money? How does a rehearing brief differ from an opening or reply brief? What should you expect if rehearing is granted?

- When Is It Warranted?
- Factors that Influence Chances of a Rehearing Grant or Cert
- How to Write a Rehearing Brief
- Oral Argument after Rehearing Is Granted
- Post-rehearing Options
- Mechanics of Cert Petitions

Q&A (4:05 pm - 4:15 pm)

Linton Joaquin(DL), Los Angeles, CA
Beth Werlin, Deputy Director, AIC Legal Action Center, Washington, DC
Cecillia D. Wang, San Francisco, CA

4:20 pm - 5:10 pm **Litigation Masters: How Did You Think of That?**

60 minutes

Have you ever wondered how the top immigration litigators came up with their most creative ideas? Are they mad geniuses, or is there a systematic way that they reached their biggest victories?. Listen to a panel of some of the bar's best litigators giving you the secrets to their success.

- Pick an Important Victory, and Explain the Most Critical Strategic Decision You Made to Achieve It
- What Mistake Did You Make that Had the Greatest Impact on the Way You Practice?
- What Is the One Thing that Everyone Who Works with You Knows Never to Do?
- What Is the Single Greatest Change in the Practice of Law Since You Graduated from Law School?
- If You Could Only Give One Piece of Advice to a New Attorney, What Would It Be?

Q&A (5:10 pm - 5:20 pm)

Erich C. Straub (DL), Milwaukee, WI
Ira J. Kurzban, AILA Past President, Miami, FL
Lisa S. Brodyaga, San Benito, TX

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Q&A = Questions & Answers
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Lucas Guttentag, San Francisco, CA

TRACK IV—GOVERNMENT OPEN FORUMS

8:35 am - 9:35 am **Department of State (DOS) Open Forum**

60 minutes

Liam Schwartz (DL), AILA DOS Liaison Committee, Ramat Gan, Israel
Kehrela Hodkinson, AILA DOS Liaison Committee, London, Great Britain
**DOS Representatives*

9:40 am - 10:40 am **Executive Office for Immigration Review (EOIR) Open Forum**

60 minutes

Cheryl David (DL), AILA EOIR Liaison Committee Chair, New York, NY
Anthony Drago Jr., AILA EOIR Liaison Committee, Boston, MA
**EOIR Representatives*

10:40 am - 11:10 am **Networking Break**

11:10 am - 12:10 pm **Immigration and Customs Enforcement (ICE) Open Forum**

60 minutes

Mary E. Kramer, AILA ICE Liaison Committee Chair, Miami, FL
Howard Silverman, AILA ICE Liaison Committee Vice-Chair, Boston, MA
**ICE Representatives*

1:45 pm - 2:45 pm **Department of Labor (DOL) Open Forum**

60 minutes

Frances C. Berger (DL), AILA DOL Liaison Committee Chair, New York, NY
Grace Hoppin, AILA DOL Liaison Committee Vice-Chair, San Francisco, CA
**DOL Representatives*

2:45 pm - 3:15 pm **Networking Break**

3:15 pm - 4:15 pm **U.S. Citizenship and Immigration Services (USCIS) Open Forum**

60 minutes

Suzanne B. Seltzer (DL), AILA USCIS Liaison Committee Chair, New York, NY
Stephen J. Navarre, AILA USCIS Liaison Committee Member, Des Plaines, IL
**USCIS Representatives*

4:20 pm - 5:20 pm **Customs and Border Protection (CBP) Open Forum**

60 minutes

Reginald Pacis (DL), AILA CBP Liaison Committee Chair, Detroit, MI
Kenneth J. Harder, AILA CBP Liaison Committee Vice-Chair, Houston, TX
**CBP Representatives*

OTHER SESSIONS, WORKSHOPS, AND EVENTS

7:30 am **Silver Circle Brainstorming Session**

7:30 am – 8:30 am **AILA Ohio Chapter Meeting**

9:00am – 12:00 pm **Tour of the Otay Mesa Port of Entry**

(DL) = Discussion Leaders
Q&A = Questions & Answers
** = Invited Speakers, Not Confirmed*

9:00am – 12:00 pm	**Customs and Border Protection (CBP) Border Tour**
10:30 am – 11:15 am	**Including the J-1 Client in Your Practice**
11:00 am – 12:00 pm	**AILA Arizona Chapter Meeting**
12:10 pm– 1:30 pm	**AILA Texas Chapter Meeting**
1:30 pm – 4:00 pm	**Silver Circle Presentation and Business Meeting**
3:00 pm – 4:00 pm	**Ask the Author** *Members Lounge* Stop by the Members Lounge for a very special question and answer session with well known AILA members. You determine the discussion points during this unique learning event. Past guests have included *Ronald Wada, Regina Germain, A. James Vazquez-Azpiri, Anna Gallagher, Richard Boswell, and Ira Kurzban.*
5:00 pm – 6:00 pm	**Hispanic Latino Interest Group Meeting**
6:00 pm – 7:30 pm	**New Members Division Reception**
6:30 pm – 10:00 pm	**American Immigration Council Reception & Dinner**

SATURDAY, JUNE 18, 2011

PRACTICE ROUNDTABLES (MORNING)

7:30 am - 8:30 am **Going Global: Delving into Outbound Immigration Matters**

60 minutes

This roundtable will discuss business practices for dealing with global issues. Speakers will be U.S. attorneys who handle global matters either in-house or by outsourcing.

- Main Issues to Consider when Going Global
- Are There Any Jurisdictions More User Friendly than Others?
- Fielding and Sourcing Local Experts
- Keeping Abreast of Changes and Updates—Sources No Global Practitioner Should Be Without
- Unauthorized Practice of Law—What You Can, Can't and Shouldn't Do
- Ethics

Shawn A. Orme (DL), Dallas, TX
Scott M. Borene, Minneapolis, MN
Jane Skelley Carroll, Chicago, IL
Roland Lechner, Phoenix, AZ
Lois Gimpel Shaukat, New York, NY

7:30 am - 8:30 am **Advanced Issues in EB-5**

In the last couple of years there have been a number of new developments or clarifications from USCIS through the issuance of memoranda and at stakeholder meetings including:

(DL) = Discussion Leaders
Q&A = Questions & Answers
** = Invited Speakers, Not Confirmed*

60 minutes

- Individual Investor Visa Issues
- Funding Issues—Source of Funds, Gifts and Inherited Money
- Restructuring and Acquisition of an Existing Company—Special Issues
- Understanding I-829 Removal of Conditions Issues
- Representing U.S. Business Seeking EB-5 Center Designation

Lincoln Stone (DL), Los Angeles, CA
Tammy Fox-Isicoff, AILA Board of Governors, Miami, FL
Linda W. Lau, Los Angeles, CA
Stephen Yale-Loehr, Ithaca, NY

7:30 am - 8:30 am **Current Issues in Cancellation of Removal**

60 minutes

As if getting a positive exercise of discretion is not enough of a challenge, the eligibility requirements for cancellation of removal are often your client's greatest obstacle to relief. This panel will explore new case law and cutting edge strategies for getting your client past the eligibility hurdle.

- Distinctions between LPR and Non LPR Cancellation
- Continuous Residence, Convictions and the Stop-time Rule
- *Matter of Cortez* and the Petty Offense Exception
- "Admitted in Any Status" and *Matter of Reza*
- The Notice to Appear and "Repapering"

Ilana E. Greenstein (DL), Boston, MA
R. Linus Chan, Chicago, IL
Melanie K. Corrin, Aurora, CO

7:30 am - 8:30 am **Paralegal Networking Session**

This networking session is aimed at Paralegals who want an opportunity to connect with other paralegals who share common business goals and interests. Open to all attendees.

BUSINESS FUNDAMENTALS TRACK

7:30 am - 9:25 am **Business Fundamentals: NIV Mega Session—NIVs 101**

125 minutes

This comprehensive mega-session starts during the morning and continues during the main track. It will provide a succinct and fundamental overview, over a two-hour period of time, of the employment based nonimmigrant visa categories that are common for most immigration law practitioners.

- B-1/B-2 Temporary Visitors—Visa Waiver and Border Crossing Cards
- J-1 Exchange Visitors and H-3 Trainees
- F-1/M-1 Academic and Vocational Students
- H-1B Professionals
- TN Canadian/Mexican Professionals
- E-3 Australian Professionals
- H-2A/H-2B Agricultural and Temporary Workers

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Q&A = Questions & Answers
** = Invited Speakers, Not Confirmed*

- L-1A/L-1B Intracompany Managers and Executives/Specialized Knowledge
- E-1/E-2 Traders, Investors and Essential Employees
- and P Extraordinary Ability Individuals/Performers and Athletes
- Other Visas

Q&A (9:25 am - 9:35 am)

Dagmar Butte (DL), AILA Board of Governors, Portland, OR
Roberto D. Caballero, AILA Texas Chapter Chair, Houston, TX
Gayle Oshrin, AILA Board of Governors, New York, NY
Marcine Seid, AILA Board of Governors, San Jose, CA
Aimee Clark Todd, Atlanta, GA

9:35 am - 10:05 am **Networking Break**

10:05 am - 12:00 pm **The Shorter Path to Permanent Residency: Who Is First in Line? Persons of Extraordinary Ability, and Outstanding Professors and Researchers**

125 minutes

Who needs a PERM labor certification application when you can be first in line and skip recruiting. How to recognize when a client is special and what makes him or her special. This panel of experts will review and discuss the eligibility criteria for the first preference (EB-1) priority worker category including multinational executives and managers as well as the EB-2. This panel will allow you to assess whether or not your client can qualify in one of these categories.

- An Alternative to PERM Labor Certification
- Who Is an Multinational Manager or Executive
- Who Is an Individual of Extraordinary Ability—The WOW Factor
- Who Is an Outstanding Professor or Researcher—Beyond Your Favorite Teacher
- What Is an NIW and Why Am I Getting a Sense of Déjà Vu?
- Representing Your Clients and Setting the Proper Expectations—What if USCIS Does Not Think Your Client Qualifies?

Q&A (12:00 pm - 12:10 pm)

Maria Isabel Casablanca (DL), Miami, FL
Humberto R. Gray (DL), Los Angeles, CA
Elaine M. Kumpula, Minneapolis, MN
George S. Newman, St. Louis, MO

1:50 pm - 2:40 pm **Drafting Requirements for PERM—Part I: Education**

60 minutes

Drafting requirements is the most critical piece of a PERM application. It determines whether it will be approved, it sets the criteria against which resumes will be evaluated, and it sets the requirements that the employee will have to meet on the I-140. This two-part panel will get you on the right track from the beginning.

- Working with the Company
- Primary vs. Alternate Requirements
- Combinations of Degrees
- 3-year Degree Programs and EDGE

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- What to Do if the Company Pays for Education
- How to Reflect the Requirements on the 9089 so that DOL Understands
- *Kellogg*

Q&A (2:40 pm - 2:50 pm)

Pamela P. Mick (DL), Chicago, IL
Bradley D. Maier, AILA Oregon Chapter Chair, Portland, OR
Sarah K. Peterson Stensrud, AILA Minnesota/Dakotas Chapter Chair, Minneapolis, MN
Vincent W. Lau, Cambridge, MA

2:50 pm - 3:20 pm **Networking Break**

3:20 pm - 4:10 pm **Drafting Requirements for PERM—Part II: Experience**

60 minutes

Drafting job requirements is the most critical piece of a PERM application. It determines whether it will be approved, it sets the criteria against which resumes will be evaluated, and it sets the requirements that the employee will have to meet on the I-140. This two-part panel will get you on the right track from the beginning.

- Strategies—Specific vs. General, Mass vs. Individual, Standard Company Description vs. Specific Role Description
- Experience Equivalent to a Degree
- Which Experience Counts?
- Handling Certification Requirements
- Getting Employment Verification Letters Early and What to Do if the Company No Longer Exists
- *Kellogg*

Q&A (4:10 pm - 4:20 pm)

Tifani M. Parrilli (DL), Portland, OR
Ian David Wagreich, AILA VSC Liaison Committee Chair, Chicago, IL
Carla Tarazi, San Francisco, CA

BROWN BAGS LUNCHES

12:45 pm - 1:45 pm **Exit Strategies: Legal and Ethical Issues Involved in Leaving or Dissolving a Practice**

60 minutes

This panel will explore the issues involved when an attorney leaves an immigration law practice.

- What Type of Employment Is It? Employment at Will vs. Termination for Cause and All Things in Between
- What Happens to the Clients?
- What Happens to the Money?
- Don't Burn Your Bridges—Best Practices when Dealing with Law Firm Break-ups and Departures
- Mergers and Acquisitions

William A. Stock (DL), AILA Board of Governors, Philadelphia, PA

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Reid Trautz, AILA Director, Practice & Professionalism, Washington, DC
Roberta Freedman, Washington, DC
Kirby G. Joseph, Aurora, CO

12:45 pm - 1:45 pm **Growing the Family: Adopting Orphans and Other Children**

60 minutes

Immigration procedures for adopting a child depend on whether the child is an orphan and whether the Hague Convention applies. This panel is for the immigration practitioner who wants an update on the latest requirements and strategies for obtaining legal residence for adopted children and orphans.

- Hague Convention Requirements vs. Requirements for Adopted Children and Orphans Not Subject to the Convention
- Special Issues in Adopting Family Members Including Sibling Adoptions
- How to Accomplish Two Years of Residence and What Is "Legal Custody?"
- What if the Child Is Already in the U.S. —Will the Process Be Easier?
- Travel to the U.S. Prior to Meeting All Requirements—Is It Possible?
- How Adopted Children Become U.S. Citizens
- Special Issues—Adoption by LPRs and Nonimmigrants, Adopted Child as Derivative, Homosexual Adoptions, Customary Adoptions

Nancy B. Elkind (DL), Denver, CO
Tifany E. Markee, San Diego, CA
Irene A. Steffas, Marietta, GA

12:45 pm - 1:45 pm **Issues and Ethics in FDNS Fraud Investigations**

60 minutes

Defensive lawyering—the rise of the Office of Fraud Detection and National Security (FDNS) enforcement activity should cause quite a bit of anxiety for immigration practitioners. The next application we file may have unintended consequences for our clients. This panel will discuss the increased effort by the FDNS to examine the more common applications for benefits for potential fraud and misrepresentation.

- Attorney Representation in On-site Investigations
- H, L and R Site Investigations from the USCIS Fraud Unit
- Trends to Be Aware of and Items to Avoid
- Notice of Revocation, Invalidation, and Other Government Action
- Federal Court Remedy—You Bet
- Ethical Concerns—Really, I Represent Them Now, Too . . .

Brad Hendrick (DL), Boulder, CO
Daniel C. Horne, San Francisco, CA
Andrew W. Shackelford, Atlanta, GA

12:45 pm - 1:45 pm **Solo Networking Session**

Solo no more! Join us at the solo networking session aimed at helping solos connect with each other to discuss issues common to being a solo practitioner. Open to all attendees.

12:45 pm - 1:45 pm **Unaccompanied Foreign National (Alien) Children**

60 minutes

The prospect of being alone in America is a frightening one for anyone new to this country's shores, even more so for children. What recourse do children have after their arrival? Do they have any rights? Any available forms of relief? How can they, as minors, know their best interests? Are children treated the same as adults in the removal proceedings system? Attend this session and hear more about children making a new home for themselves in this country.

- What Is an Unaccompanied Foreign National (Alien) Child?
- Changes Resulting from William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA)
- Special Immigrant Juvenile Status (SIJS)
- Asylum Applications (and Other Forms of Relief) for Unaccompanied Foreign National Children
- Juvenile Docket
- Custody Matters

Deborah Lee (DL), Miami, FL
Kathleen Moccio, Minneapolis, MN
Kristin Ann Petri, Westminster, CO

12:45 pm - 1:45 pm **PERM Labor Certification: The Long and Winding Road to "PERM"anent Residency and How to Get There**

60 minutes

PERM labor certification is the most travelled road to permanent residency. This panel will provide an overview of PERM, and will identify and emphasize special issues at each stage of the process. The experts will also touch upon an attorney's role compared to an employer's role in the preparation and filing of a PERM application.

- The Attorney's Role in the Process
- Who Pays the Fees?
- Basic Process to Labor Certification—The Roadmap
- Terms and Conditions of Employment
- Obtaining Prevailing Wage Determinations
- Pre-filing Recruitment Process to Test the Labor Market
- How to Document a Shortage of Qualified, Willing and Available U.S. Workers
- Roadblocks—Are We There Yet and Can We File?

Kevin W. Miner (DL), Atlanta, GA
Sharon R. Mehlman, San Diego, CA
Punam Singh Rogers, Boston, MA
Cletus M. Weber, Mercer Island, WA

12:45 pm - 1:45 pm **Hot Topics and Current Issues in the Admission of Business Travelers**

60 minutes

This panel will discuss the current pitfalls in the admission of business travelers. Admission is a whole new ballgame and getting an approval from USCIS is only half the battle.

- H-1Bs with Concurrent Advance Parole, Can They Choose? Do Derivatives Need to Enter on Parallel Documents?
- Elimination of paper Form I-94s

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- WHITI Limit of Entry to Passport Expiration
- Revalidation Rule
- Failure to admit for validity period or period provided by regulation (such as E-2) vs. Visa Expiration

Leslie K. Dellon (DL), Rockville, MD
Eli Maroko, AILA Michigan Chapter Chair, Southfield, MI
Susan R. Fortino-Brown, Chicago, IL
Donald K. Sheppard, San Diego, CA

TRACK I—BUSINESS

8:35 am - 9:25 am **EB-5 for Beginners**

60 minutes

As the value of the dollar continues to decline the EB-5 immigrant visa has become an option for many foreign nationals. This beginner's panel will discuss the basics of the EB-5 including:

- The Black Letter Law—Examining INA §203(b)(5); §216A; 8 CFR §204.6 and §216.6 and the Four Precedent Decisions—*Matter of Izummi, Matter of Ho, Matter of Soffici* and *Matter of Hsiung*
- A Look at USCIS Interpretation of EB-5—The Adjudicator's Field Manual, Relevant EB-5 Memos, and Stakeholders Meetings
- Regional Center EB-5s vs. Individual EB-5s
- "Indirect Employment Creation"
- Choosing a Regional Center
- I-526 Alien Entrepreneur and I-829 Condition Removal Adjudications

Q&A (9:25 am - 9:35 am)

Elsie Hui Arias (DL), Los Angeles, CA
Boyd F. Campbell, Montgomery, AL
Edward J. Carroll, Burlington, VT

9:35 am - 10:05 am **Networking Break**

10:05 am - 10:55 am **ICE Worksite Investigations Part I: From Service to OCAHO**

60 minutes

The rise in worksite enforcement activity has generated a slew of questions. This panel of experts, including government representatives will discuss the current worksite investigation process, the guidance to field officers, the assessment of administrative fines, and the process for litigating the assessment before an administrative tribunal.

- From Service of the NOI through the Fine Assessment
- How Does the Special Agent and Auditor Assign a Fine?
- What Are Substantive vs. Technical Violations and Why Does that Matter?
- How Does an Employer Prepare for Litigation?
- Preparing for OCAHO

Q&A (10:55 am - 11:05 am)

Josie Gonzalez (DL), AILA Board of Governors, Pasadena, CA

Richard A. Gump Jr., Dallas, TX
Amy Marmer Nice, Washington, DC
Eileen M.G. Scofield, Atlanta, GA

11:10 am - 12:00 pm

60 minutes

ICE Worksite Investigations Part II: Advanced Employer Sanctions, Private Contracts & Crimmigration

The federal government isn't the only party interested in enforcing employment verification provisions. Interestingly, the marketplace is full of examples of large businesses and contractors privatizing the verification and E-Verify process—sometimes with grave consequences for compliance failure. This panel for advanced practitioners will address common contractual provisions related to verification and E-Verify, will outline strategies to address them, and will discuss the more significant criminal consequences of compliance failure.

- The WalMart Example—Analyzing the Settlement Agreement and the Impact on Companies
- FAR Flowdown—Impact on Subcontractors
- Criminal Implications of Harboring, RICO, and Continuing to Employ
- How Am I Going to Get My Client to Do That?
- The Consequences of Non-Compliance

Q&A (12:00 pm - 12:10 pm)

Kevin Robert Lashus (DL), Austin, TX
Amy L. Peck, AILA Board of Governors, Omaha, NE
Daniel Brown, Washington, DC
Bonnie K. Gibson, Phoenix, AZ

1:50 pm - 2:40 pm

60 minutes

Advanced E Visa Issues

This advanced panel will articulate and explore the complex issues that occur when preparing cases for E visa classification. Come learn the tricks of the trade from senior practitioners as they help you overcome and successfully maneuver the murky waters of the E category.

- What Is a "Substantial Investment"?
- Showing Trace and/or Path of Funds
- Funds Must Be at Risk—Tips for Helping Investors with this Requirement
- What Constitutes "Substantial Trade" for E-1?
- Tips on Documenting Your Client's Application/Petition
- Denials—Legalnet or AAO
- E to LPR—Labor Certification, EB-13, EB-5

Q&A (2:40 pm - 2:50 pm)

Henry J. Chang (DL), Toronto, Canada
Bernard P. Wolfsdorf, AILA Immediate Past President, Santa Monica, CA

2:50 pm - 3:20 pm **Networking Break**

3:20 pm - 4:10 pm **Advanced Issues in L-1 Case Preparation**

(DL) = Discussion Leaders
Q&A = Questions & Answers
** = Invited Speakers, Not Confirmed*

60 minutes

The L-1 visa is a significant tool for multinational entities, but adjudications are often unpredictable. This advanced panel will discuss preparation of executive, managerial, and specialized knowledge cases and offer strategies for overcoming RFEs. Additional discussion will focus on qualifying corporate relationships and special considerations when L-1 status serves as a bridge to an immigrant visa.

- What Does "Doing Business" Mean?
- Qualifying Relationships and Changes in Corporate Structure
- Executive or Manager, But Not a Hybrid
- Reconciling RFEs with Agency Guidance
- Individual L-1 Petition or Blanket L—When and Why Each Is Preferred
- Timing and Other Considerations When Moving from L-1 to Permanent Residence

Q&A (4:10 pm - 4:20 pm)

David Z. Izakowitz (DL), Charlottesville, VA
Kortney H. Klein, Dallas, TX
Timothy G. Payne, Chicago, IL

TRACK II—FAMILY

8:35 am - 9:25 am **Advise and Advocate Without Crossing the Line**

60 minutes

As the attorney, you want to provide accurate information to help those with immigration issues while avoiding giving advice that could be considered improper or unethical. This panel will discuss how to best advise and advocate without crossing the line.

- Conducting the Ethical Intake—Scope of Proper Advice and Maintaining Confidentiality when the Whole Family Wants to Be in the Room and to Be Your Client
- Crystal Ball Gazing vs. Creating False Hopes
- Advising on How Clients Might Get Ready in Case of Immigration Reform
- Addressing Questions about Travel Within or Outside the U.S.
- Preparing for Possible Removal—Power-of-Attorney, Disposal of Property, etc.
- Disengagement Letters
- "Know Your Rights" Advice

Q&A (9:25 am - 9:35 am)

Kathleen Campbell Walker (DL), AILA Past President, El Paso, TX
Howard Sam Myers III, AILA Past President, Minneapolis, MN
Cyrus D. Mehta, AILA Pro Bono Committee Chair, New York, NY

9:35 am - 10:05 am **Networking Break**

10:05 am - 12:00 pm **Waivers: Tips from the Experts**

125 minutes

This advanced panel will brainstorm various strategies to present winning waivers.

- Use of Government and Private Publications and Statistical Data to Establish Your Case

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- Effective Use of Experts
- §212(c) Strategies—Getting Around the Comparable Grounds Problem
- When Can You Stack Waivers?
- Using Non-qualifying Relatives' Hardship to Support Your Case
- How Much Hardship Is Hardship—Delineating and Crystallizing the Different Degrees of Hardship—Extreme Hardship vs. Exceptional and Extremely Unusual Hardship
- The "Discretionary" Factor

Q&A (12:00 pm - 12:10 pm)

Olsi Vrapi (DL), AILA Board of Publications Chair, Albuquerque, NM
T. Douglas Stump, AILA 2nd Vice President, Oklahoma City, OK
Farshad Owji, San Francisco, CA

1:50 pm - 2:40 pm

60 minutes

Continuing a Petition After the Petitioner or Beneficiary Dies

In a generous expansion of the old widower provisions, §204(l) resurrects many petitions automatically revoked under prior statutes. Survivor benefits can now apply under a variety of scenarios with both family and employment-based petitions.

- Death of the Spouse Petitioner
- Death of Other Petitioners
- Death of the Beneficiary and Effect on Derivatives
- Who Are Still Not Covered by the New Provisions?
- Humanitarian Relief under Prior Regulations
- Substitute Sponsor on the I-864
- How Does this Interplay with CSPA?
- What to Do after a Denial
- Consular Processing v. AOS

Q&A (2:40 pm - 2:50 pm)

Barbara Bower (DL), Pittsburgh, PA
Brent W. Renison, Immigration Reform Advocacy Committee Chair, Portland, OR
Christine Popp, Bloomington, IN

2:50 pm - 3:20 pm

Networking Break

3:20 pm - 4:10 pm

60 minutes

Appeal, Reopen or Refile: The Best Option When a Family-Based Petition or Application Is Denied

Your family petition or application has been denied; what options are available for your client? You know that an appeal to the AAO or BIA will take many months for a decision; if you file a motion to reopen, you might receive a much earlier decision. When can you forgo either choice and simply refile? This panel will discuss options, the possible consequences and best strategy when you've received a denial.

- When to Appeal, Reopen, or Refile a Denied I-130

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- Where to File? What if There Is a Finding of a Fraudulent Marriage?
- RFEs and NOIDs
- I-485 Denials without Notices to Appear
- I-601 Denials
- Appeal—BIA, AAO or Federal Court
- Federal Court—When Is Exhaustion Required

Q&A (4:10 pm - 4:20 pm)

Jonathan D. Montag (DL), San Diego, CA
Jessica Boell, Portland, OR
Gregory Romanovsky, Boston, MA

TRACK III—IMMIGRATION COURT/VULNERABLE POPULATIONS

8:35 am - 9:25 am

60 minutes

Fraud and Misrepresentation, Really?

Just because the government claims it was fraud or misrepresentation doesn't make it so. This panel will discuss the actual elements of both fraud and misrepresentation and the truth behind the 30/60- day myth.

- Fraud vs. Misrepresentation
- 30/60 Day Myth
- Government's Burdens of Proof
- Are Omissions Misrepresentations?
- Timely Retractions
- Practice Pointers
- Rebutting a Fraud or Misrepresentation Finding

Q&A (9:25 am - 9:35 am)

James Alexander (DL), Washington, DC
Socheat Chea, Duluth, GA

9:35 am - 10:05 am **Networking Break**

10:05 am - 10:55 am

60 minutes

Can We Try That Again? Motions to Reopen

Wouldn't it be great if every client hired you before a removal order? Motions to reopen are a common reality in immigration litigation, and frequently are the only option for a client to avoid removal. This panel will cover the best techniques to give your client a second bite at the apple.

- Possible "Do-Overs" before USCIS, the Immigration Court, or the BIA
- Obstacles in Securing Motions to Reopen
- Exceptions to the 90 Day limit—VAWA, In Absentia Orders, Joint Motions, Certain Asylum Claims, Ineffective Assistance of Counsel
- Newly Available Relief *Matter of Coehlo*
- Joint Motions to Reopen and Appealing to Prosecutorial Discretion
- Appealing Denials of Motions to Reopen

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- Motion to Reopen vs. Motion to Reconsider to USCIS

Q&A (10:55 am - 11:05 am)

Cynthia A. Aziz (DL), Charlotte, NC
Raul E. Godinez, Los Angeles, CA
Gerald P. Seipp, Oldsmar, FL

11:10 am - 12:00 pm

60 minutes

Suppression Motions: Challenging *Lopez-Mendoza*

In 1984, the Supreme Court required a higher standard for suppression in immigration proceedings, finding that Fourth Amendment violations were not widespread. In the era of SB 1070, how can litigators win suppression motions and challenge this basic assumption?

- The Nuts and Bolts
- The Fourth Amendment in Immigration Proceedings
- What Is the Remedy? Do You Really Want the Case Terminated?
- Meeting the "Egregious" Violation Standard
- Is Racial Profiling the Only Basis for Suppression?
- Getting the Evidence You Need to Win
- Can You Prove that Violations Are Widespread?

Q&A (12:00 pm - 12:10 pm)

Maria E. Andrade (DL), Boise, ID
Ahilan Arulanantham, Los Angeles, CA
Melissa Crow, Director, AIC Legal Action Center, Washington, DC
Charles Roth, Chicago, IL

1:50 pm - 2:40 pm

60 minutes

Advanced VAWA: Battered Spouses and Children

Domestic violence has taken a dramatic toll on our society emotionally, physically, and economically. VAWA (Violence Against Women Act) seeks to rectify some of the damage by providing immigrants an avenue for regaining their self-dignity. They can now normalize their status without depending on the abuser. But, what does that mean? What are the eligibility requirements for reaching permanent residence? Any issues associated with inadmissibility? What about abused children who have aged out? Learn more about the process and how it has helped many immigrants piece their lives back together.

- Privacy Protections for VAWA Applicants—Benefits and Remedies
- VAWA Exceptions to Inadmissibility and Waivers
- VAWA and Reinstatement
- VAWA Provisions under NACARA
- Adverse Credibility Determinations
- Improper Use of Burden of Proof

Q&A (2:40 pm - 2:50 pm)

Gail L. Pendleton (DL), Plymouth, MA
John Richard Smith, AILA San Diego Chapter Chair, San Diego, CA
Julie Dinnerstein, Bronx, NY

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2:50 pm - 3:20 pm **Networking Break**

3:20 pm - 4:10 pm **Advanced U & T Visas: Victims of Crimes and Trafficking**

60 minutes

Victims of certain crimes and human trafficking now have recourse to immigration relief with the availability of U and T visas. This panel will focus on advanced issues in U and T visa processing.

- Ethical Issues in Recognizing Victimization—What Are the Signs?
- U visas—Broadening the Interpretation of "Criminal Activity"
- Creative Approaches to Getting LEA Certifications
- T and U visas for Victims of Employment Related Abuse—Partnering with DOL
- Inadmissibility Issues—What Is Waivable?
- Travel and Obtaining the Visa Abroad

Q&A (4:10 pm - 4:20 pm)

Elizabeth R. Edwards (DL), Charlotte, NC
Karl W. Krooth, San Francisco, CA
Sheila Neville, Los Angeles, CA
Sheila Stuhlman, St. Paul, MN

TRACK IV—GLOBAL MIGRATION/CONSULAR PROCESSING

8:35 am - 9:25 am **Outbound Immigration—Part I: Europe, Middle East and Africa**

60 minutes

This panel will focus on non U.S. immigration issues for U.S. immigration lawyers who deal with local counsel vs. other service providers when advising clients with global visa issues in Europe, the Middle East and Asia.

- Local Regulations Applicable to Business Visitors, Trainers of Local Staff, Expatriates
- Important Issues to Consider
- Business Visitors
- What Are the Main Employment Options?
- Any Special Exceptions?
- Timing Considerations
- Visa Compliance and Work Permits
- Resources—How Can I Keep Up with Changes?

Q&A (9:25 am - 9:35 am)

Laura Devine (DL), London, Great Britain
Matthew Amoils, Sydney, Australia
David P. Berry, San Francisco, CA
Tsvi Kan-Tor, Ramat Gan, Israel
Marco Mazzeschi, Milan, Italy

9:35 am - 10:05 am **Networking Break**

10:05 am - 10:55 am **Outbound Immigration—Part II: Asia Pacific**

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60 minutes

This panel will focus on non U.S. immigration issues for U.S. immigration lawyers who deal with (either directly or indirectly) outbound immigration to the Asia-Pacific region.

- Local Regulations Applicable to Business Visitors, Trainers of Local Staff, Expatriates
- Important Issues to Consider
- Business Visitors
- What Are the Main Employment Options?
- Any Special Exceptions?
- Timing Considerations
- Visa Compliance and Work Permits
- Resources—How Can I Keep Up with Changes?

Q&A (10:55 am - 11:05 am)

Eugene Chow (DL), Wanchai, Hong Kong
Ka Cheung Li, Hong Kong SAR, China
Ranjit Malhotra, Chandigarh, India
Jet Stigter, Atlanta, GA

11:10 am - 12:00 pm **Outbound Immigration—Part III: Americas**

60 minutes

Using the U.S. system as a point of reference, the panel will compare the Canadian and Mexican immigration systems. In particular, the panel will discuss the possibility of coming to Canada and Mexico as a visitor or permanent resident and explore some of the stumbling blocks that individuals may encounter. Finally, the panel will touch on immigration to other Central and South American countries.

- Who Needs a Visa?
- Recent Developments Affecting the Ease of Obtaining a Visa
- When Do You Need a Work Permit and When Can You Enter as a Business Visitor?
- Is There an H-1B Type Work Permit?
- What Factors are Necessary to Obtain Permanent Residence
- Under What Circumstances is a Foreign National Inadmissible and Have These Laws Changed in Recent Years?
- Special Border Issues to Consider

Q&A (12:00 pm - 12:10 pm)

Heather N. Segal (DL), AILA Board of Governors, Toronto, Canada
Enrique Arellano, Mexico City, Mexico
Daniela Lima, Sao Paulo, Brazil
Deborah A. Marlowe, Atlanta, GA

1:50 pm - 2:40 pm **Consular Processing Part I: Worldwide Hot Spots**

60 minutes

This panel will focus on visa applications made at consular post "hot-spots" around the world including those with high refusal rates such as particular posts in India and China as well as high volume posts including London. This panel will also deal with the

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particular documentary requirements for immigrant and nonimmigrant applications at these posts.

- AILA's Top 10
- Preparing the Application and Your Client
- Local Resources
- Laundry List Denials
- Overcoming §214(b)
- Nonimmigrant and Immigrant Waivers

Q&A (2:40 pm - 2:50 pm)

Edward Rios (DL), El Paso, TX
Poorvi Rohit Chothani, Mumbai, India
Kehrela M. Hodkinson, London, Great Britain
Liam Schwartz, Ramat Gan, Israel
Anastasia Tonello, London, Great Britain

2:50 pm - 3:20 pm **Networking Break**

3:20 pm - 4:10 pm **Consular Processing Part II: Border Posts**

This panel will focus on the nuances of consular processing in Canada and Mexico.

60 minutes

- Who Can Apply vs. Who Should Apply
- Special Considerations for Third Country Nationals
- How Do I Get an Appointment?
- Attorney Involvement, Before, During and After the Application
- Strategic Issues with Particular Posts

Q&A (4:10 pm - 4:20 pm)

Andrew Stevenson (DL), Seattle, WA
Fausta Maria Albi, San Diego, CA
Jan M. Pederson, Washington, DC
Laurie Snider, Dallas, TX

OTHER SESSIONS, WORKSHOPS, AND EVENTS

9:25 am - 10:10 am **J-1 Visa - The Advanced Class**

10:05 am - 12:10 pm **IPC Immigration Policy Roundtable**
Mary Giovagnoli (DL), IPC Director, Washington, DC

1:30 pm - 5:00 pm **Surf Clinic and Exhibition**
(sponsored by San Diego Surfing School and AILA San Diego Chapter)

7:00 pm - 10:00 pm **Saturday Night Events**

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