



AMERICAN  
IMMIGRATION  
LAWYERS  
ASSOCIATION



**Great Networking Events in 2020:**

- Annual Awards—Now on Wednesday
- New Members Division Saturday Night Party
- Expanded Experts Bar
- Presidents Party – See Back for Details!

## Dear Members of the Immigration Law Community:

It is my pleasure to invite you to the 2020 AILA Annual Conference on Immigration Law (AC20) in San Diego! The annual conference, to be held June 17–20, has long been AILA's premier event for education, inspiration, and community building. This year, our annual gathering takes on a special significance as we look back on a year of extremely challenging immigration practice, while also looking ahead to an election year with its inevitable political turmoil and, potentially, political change. With the election year ahead—and immigration promising to continue to be a central focus of our tumultuous political and legal landscape—we not only must learn how to deal better with the current obstacles to fair policies, but also to prepare for the path forward. As immigration lawyers, between now and election day, we must take advantage of every opportunity to reaffirm a foundational principle upon which the United States was built—that immigrants are a fundamental aspect of the richness and successes of America.

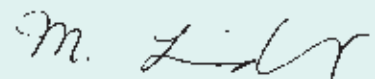
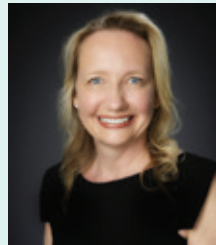
I can think of no better way to do this than to gather with all of you, my fellow immigration advocates, this summer in San Diego. In carrying out our mission, AILA works in many ways toward achieving just and reasonable immigration laws and policies that uphold the rights set forth in the Constitution. In addition to our longstanding goals of creating a legal immigration system that benefits the economy, provides protections for the undocumented, and ensures due process and access to counsel for all, AILA has identified three specific priorities for 2020: (1) holding USCIS accountable and ensuring that the agency remains true to its mission to provide prompt, consistent, and fair adjudications to all of its customers; (2) building upon our campaign for fairness in the removal process, particularly in the immigration court system; and (3) fighting to ensure that migrants are treated humanely at the border.

AC20 presents you with an outstanding opportunity to learn about AILA's efforts to achieve these priorities, to ask questions of the experts in D.C. and around the country leading the fight, and to understand how you can become involved in ways most meaningful to you. AC20 will, as always,

provide everything that you need to bolster your legal knowledge in more than 200 substantive sessions, find creative solutions to the often complex challenges you face in your practice, and develop new approaches to represent your clients most effectively. We will continue our focus on litigation to win cases and to push back the overreaching policies of the agencies. This year AC20 will incorporate new tools to help you care for your own well-being as well as that of your firm, with a new wellness mini-track, additional new law practice management sessions, and more resources for personalized assistance including an expanded experts bar and advanced and masters level workshops. But most importantly, in these challenging times, AC20 will provide you with an opportunity to refresh, recharge, and revitalize in your community of immigration advocates—to brainstorm and unwind over coffee or drinks with old colleagues, make new friends at fun and exciting events, and inspire each other to be the best and most effective lawyers that we can be, individually and together.

I urge you to join thousands of your fellow immigration advocates in San Diego this June to learn new strategies, strengthen professional relationships, and find strength and inspiration for the year ahead. In doing so, we will build on the incredible work we have accomplished together in the past year to ensure that immigration not only remains an indispensable part of our country, but also endures as a bright beacon of hope for those around the world who wish to contribute their talents, hard work, and values to further strengthen our diverse and rich American community.

I look forward to seeing you in San Diego this summer!

A handwritten signature in black ink that reads "M. Lindt".

Marketa Lindt  
AILA President





## Connect, Learn, and Recharge at the Premier Immigration Law Event of the Year!

The 2020 AILA Annual Conference (AC20) is your opportunity to step away from your desk, take a break from your daily tasks, and learn new solutions for today's most challenging immigration quandaries. During this largest gathering of immigration law professionals in the country, you'll hear the issues attorneys are encountering across the country and learn the strategies and tactics they're using to overcome these challenges.

Are you new (or relatively new) to immigration law? AC20 is the perfect place to expand your knowledge and take your career to the next level.

Join us in beautiful San Diego to connect with your colleagues, learn new solutions and best practices, and grow your network.

## Take Advantage of Great Learning and Networking Opportunities

- Get Late-Breaking Information from AILA National Officers at the Hot Topics Strategy Session
- Develop Your Skills in the Comprehensive Fundamentals Track
- Attend Unique Sessions, such as Building and Using Chatbots For Your Practice, Who Wants to Be a [Millionaire] Immigration Attorney?, and Diversity and Inclusion: Impact on Profitability
- Learn to Protect Your Most Valuable Asset in the New Wellness Mini Track
- Gain Insight into the Administration's Policies at the Government and Liaison Committee Open Forums
- Recharge and Rearm Your Inner Fearless Lawyer in the Immigration Justice Campaign's Fearless Lawyer Track
- Learn to Litigate in the #BreaktheBacklog: Litigation for Business Immigration Lawyers Session and the Litigation Skills for Non-Litigators Mini Track
- Sign-Up in the spring for **NEW** Workshops on Complex Removal Cases, Waivers, Tech Terms for Start-Ups, and Fee Agreements!

## Don't Miss These Featured Sessions!

### • Business

- o Battling the Invisible Wall, Parts I and II: Current Border Practices in North America and Admissibility Issues Around the Globe
- o Pardon the Interruption: Advanced Tips and Tricks to Tackle the Absurd Case Issues
- o H-1B Cap Season Redux: Looking Back and Moving Forward
- o The Skilled Worker Rule Three Years Later
- o Retrogression Prophylaxis

### • Family

- o Border Divide: Concrete Strategies When Families Are Separated
- o Identifying and Dealing with Complex Marriage-Based I-130 Issues
- o Consular Processing III: New Trends and Complications at Consulates
- o Preventing Removal of VAWA, U, and T Petitioners, Part I: Overview of Special Removal Defense Considerations for Survivors
- o Social Media: Harmful or Helpful in Family-Based Immigration?

### • Litigation

- o Hot Topics in District Court Litigation
- o Can You "Do Good" and "Do Well"? Tips for Pro Bono Success
- o Litigating in the New Age of Agency Deference
- o Offensive, Vile, and Base: What Makes a Crime a CIMT
- o In the ER: Expedited Removal, That Is

### • Special Sessions

- o What Is That Pressure in My Chest? Recognizing Burnout and Strategies for Healing
- o Managing the Cybersecurity Risks to Your Practice
- o Answering the Question, "Why Hire an Immigration Lawyer When I Can Google?"
- o Understanding the Intersections of LGBTQ+ and Immigration Issues
- o Marketing Essentials: Every Immigration Attorney Is Also an (Ethical) Salesperson



## Special Trainings

### Advanced Legal Research Using AILA Member Benefits and AILALink

AILA members have powerful research tools at their fingertips as part of their member benefits. Attend this CLE-eligible training to learn how best to use AILA.org and the Fastcase database to do advanced legal research to help you win your cases. Plus, discover how the AILALink subscription database can help you take your research to the next level.

### Case Resolution Strategies

Learn how to resolve the most common immigration case problems using AILA liaison tools and resources, including case liaison assistance, practice pointers and alerts, and government assistance options.

### Inform the Public About How Immigration Law Really Works: Advocacy, Media, and Social Media Training

Attend this session and get a crash course on how to use the right message and tools to champion your clients, engage with Congress and the press, and build a successful social media presence.

## AC20 Host Chapter



The AILA San Diego Chapter is excited to host AILA members for the 2020 AILA Annual Conference! The chapter has formed a Host Chapter Committee and has already begun planning to provide events and information showcasing the restaurants, attractions, and beautiful city of San Diego. Check the AC20 website for updates and more details as we get closer to the conference!

## Special Membership Events

### AILA Annual Membership Meeting

Get updates and reports on member benefits and activities, and hear the national election results for officers and the Board of Governors. The Annual Chapter Awards will also be presented during the meeting.

### Taste of San Diego Networking Events

Join fellow New Members Division (NMD) members for dining and discussion at unique San Diego restaurants. Get acquainted with your colleagues and learn more about immigration law and practice. Space is limited for these events, so register early. Look for registration information as we get closer to the conference.

### AILA Law Student Networking Session

Join us for a discussion of the ins and outs of immigration law. Attorneys from various practice settings will offer insight into the process of transitioning from law school to professional practice. Following the panel discussion, attendees will have the opportunity to ask questions and network with the panelists and fellow students in attendance.

### New Members Division Saturday Night Party

Join NMD Chair Tiffany Martinez, along with a few hundred of your new best friends, for an evening of food, fun, and networking. This is a great opportunity to meet other new members and learn about ways to get involved with AILA.

### Making the Most of Your Member Benefits

Join AILA's Member Experience team for this informal session on everything you need to know about using your AILA membership to improve your practice. The session is designed for members (and potential members!) unfamiliar with the wide variety of resources and benefits available as part of membership. Come learn how to maximize your benefits while networking with fellow AILA members. New and veteran members are encouraged to attend!

### AILA Needs You! Becoming an AILA Leader

Interested in learning more about volunteering at the local or national level? Be sure to join this interactive session featuring current AILA volunteer leaders who will share advice on the best ways to get more involved with your organization. From speaking and writing, to committee work, to elected leadership, there's a role for everyone to play!

## AILA'S Practice and Professionalism Center

AILA's Practice and Professionalism Center (PPC) is focused on advancing the practice of immigration law by leading in the areas of legal ethics, practice management, wellness, pro bono commitment, and mentoring opportunities. The PPC supports AILA members throughout the year including via these annual conference events:

### Cut the Chaos and Be Your Best Self

As the government makes the practice of immigration law increasingly complex and unpredictable, how do you "... augment profitability while also keeping your stress in check?" Get practical answers to this crucial question by attending the wellness, ethics, and practice management sessions spread throughout the conference. Experts will discuss practice automation tools, overcoming ethical hurdles, the connection between wellness and ethics, and how to find your way back to the ultimate purpose of it all. Maximize your professional success and personal happiness by taking the time to prepare yourself and your practice for this ever-evolving marketplace.

### 12th Annual Pro Bono/NMD Hospitality Suite

The Annual Pro Bono/New Members Division Hospitality Suite returns this year to celebrate our amazing Chapter Pro Bono Champions, Military Assistance Program volunteers, Immigration Justice Campaign volunteers, and all AILA pro bono heroes for their dedication to immigrant communities.

### Have an Ethics or Practice Management Question? Talk to Reid or Charity.

AILA's resident practice management and ethics advisors, Reid Trautz and Charity Anastasio, will share their wealth of knowledge and answer your most difficult questions. Whether you need guidance on an ethical dilemma, want to improve your firm's efficiency, are wondering how to go paperless, price your services, hire or retain star staff, change technologies, or any other business issue, be sure to schedule a consult. Reid and Charity will offer free 30-minute, one-on-one consultations during the conference. Registrants should look for an email in early June with instructions on signing up.

## The American Immigration Council



The American Immigration Council is the nonprofit organization formed by AILA leaders in 1987. The Council works to strengthen America by shaping how America thinks about and acts towards immigrants and immigration, and by working toward a more fair and just immigration system that opens its doors to those in need of protection and unleashes the energy and skills that immigrants bring.

Join the American Immigration Council during their events scheduled throughout the conference, including:

### American Heritage Awards

Join us on Friday evening for the Council's annual gala, where conference attendees get dressed up and treated to an evening of camaraderie, inspiration, and entertainment. More details about this special evening, including sponsorship levels and tickets, to come.

### J-1 Exchange: Trainings and Trainees

Let us help you manage and grow your J-1 visa and Exchange Visitor Program case portfolio. Earn CLE credit at our J-1 visa sponsorship trainings for companies, firms, and non-profits. Then meet with our in-house experts to learn about how our trainee program can support you and your clients.

### Immigration Justice Campaign's Fearless Lawyering Track

Come to the Immigration Justice Campaign's Fearless Lawyering sessions for lively, interactive panel discussions with expert practitioners who will answer questions and share tactics, tools, and strategies to help you fight fearlessly for due process for your clients in immigration court.



AILA

AC20 SAN DIEGO



# AC20 PROGRAM

8:00 am–7:30 pm

## Registration

## FUNDAMENTALS

9:45 am–10:45 am

### New Attendee Orientation

*Is this your first time attending the annual conference? If so, this session was designed especially for you! Attend this orientation to learn all you need to know about making the most out of your conference experience.*

10:45 am–11:00 am

### Networking Break

11:00 am–12:00 pm

### Essential Immigration Terms and Concepts

*Panelists on this fundamentals session will provide an overview of the general concepts, terms, language, and rules that are essential to the practice of immigration law.*

- Nonimmigrant vs. Immigrant, Visa vs. Status, Visa Waiver vs. Visa Exempt
- Differences Between Visa Expiration, Petition Expiration Date, and Period of Admission
- Changing or Extending Status, Violations of Status, Overstays, Unlawful Presence
- Adjustment of Status vs. Consular Processing, Permanent Residence vs. Citizenship
- Definitions: Petition, Beneficiary, Applicant, Respondent

12:00 pm–1:00 pm

### Lunch Break

1:00 pm–2:00 pm

### Overview of Immigration Agencies

*Panelists on this fundamentals session will provide an overview of the different government agencies and sub-agencies and their roles in the immigration process.*

- U.S. Department of Homeland Security (DHS): U.S. Citizenship and Immigration Services (USCIS), U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP)
- U.S. Department of State (DOS): Consular Posts, National Visa Center (NVC), Kentucky Consular Center (KCC)

- U.S. Department of Labor (DOL): Office of Foreign Labor Certification (OFLC), Employment and Training Administration (ETA), Board of Alien Labor Certification Appeals (BALCA)
- U.S. Department of Justice (DOJ): Executive Office for Immigration Review (EOIR), Board of Immigration Appeals (BIA), Immigrant and Employee Rights Section (IER)

2:00 pm–2:20 pm

### Networking Break

2:20 pm–3:20 pm

### What Every New Immigration Lawyer Should Know

*If you're new to immigration law and currently struggling to establish your law practice, rest assured: you're not alone. Virtually every other immigration lawyer out there, no matter how long they've been practicing, has gone through the same thing at some point. Panelists will share wisdom from years of practice and experiences as once-fledgling lawyers, provide expert guidance to help build your confidence and grow your practice, and offer up tricks of the trade to help turn you into a rock star immigration attorney.*

- Legal Resource Essentials: INA and CFR, AILA.org and AILALink, Kurzban's *Immigration Law Sourcebook*
- Case Management Tools, Online Subscription Services
- The Importance of Establishing Mentor Relationships
- The Perfect Retainer Agreement and Consultation: Everything You Should Cover
- Valuing Your Work and Expertise: What Should You Charge? When Should You Look for Help?

3:20 pm–3:40 pm

### Networking Break

3:40 pm–4:40 pm

### Nonimmigrant Visa Overview, Part I

*The objective of this panel is to give new practitioners a basic overview of the nonimmigrant visa categories. Panelists in Part I of this two-part session will cover all nonimmigrant visa categories, from visitors to temporary workers, and will address when each is appropriate for clients. The information in this panel is intended to serve as a basis for a more detailed analysis of these visas offered in other sessions.*

- F, J, and M: Students and Exchange Visitors
- E-1 and E-2: Treaty Traders and Investors
- H-1B, H-1B1, H-3, and E-3: Temporary Workers
- H-2A and H-2B: Seasonal Workers
- TN: Canadian and Mexican Professionals
- L-1A and L-1B: Intracompany Transferees
- O: Extraordinary Individuals

- P: Athletes, Artists, and Entertainers

4:40 pm–5:00 pm

### Networking Break

5:00 pm–6:00 pm

### Nonimmigrant Visa Overview, Part II

*In Part II of this two-part introductory session, panelists will complete the basic overview of the nonimmigrant visa categories begun in Part I. All nonimmigrant visa categories, from diplomats to victims of crime, will be discussed, and panelists will address when each is appropriate for clients. The information in this panel is intended to serve as a basis for a more detailed analysis of these visas offered in other sessions.*

- A, G, and NATO: Diplomats and Government Representatives
- B-1 and B-2: Visitors
- C and D: Aliens in Transit, Alien Vessel and Aircraft Crew
- I: Foreign Media
- K-1 and K-3: Fiancées and Family Members
- Q: The Cultural Visa
- R: Religious Workers
- S: Informants
- T: Victims of Human Trafficking
- U: Victims of Crimes

6:00 pm–7:00 pm

### Networking Break

7:00 pm–8:00 pm

### Nonimmigrant Visa Consular Processing 101

*Panelists will address the basics of nonimmigrant visa consular practice at U.S. consulates and embassies abroad. They will discuss the overall process and identify common challenges faced by clients when they apply for nonimmigrant visas.*

- “Don’t I Just Pick Up My Visa at the Consulate?” Difference Between Petition Approval and Visa Issuance
- The Visa Application Process: Step-by-Step Instructions, Tips on Dealing with the Nonimmigrant Visa Unit, Common Issues in Completing Form DS-160
- “When Will the Visa Be Issued?” Understanding Extreme Vetting and Administrative Processing Challenges
- What About Canadians? Does the Foreign National Need a Visa?
- Inadmissibility and Waiver Issues, Dealing with Visa Denials

## HUMANITARIAN MINI TRACK

1:00 pm–2:00 pm

### Preventing Removal of VAWA, U, and T Petitioners, Part I: Overview of Special Removal Defense Considerations for Survivors

*Panelists on this intermediate session will discuss survivor-specific challenges to removability and strategies for keeping a case alive while U or T visa petitions are pending.*

- Overview of Suppression
- Strategies for Pleading, Ensuring Compliance with 8 USC §1367 and INA §239(e)
- VAWA Exception to INA §212(a)(6)(A)(i)
- Continuances and Termination (*Sanchez-Sosa* Arguments for Pending U Visas)
  - Getting ICE to Request Prima Facie Determinations
  - Requests to USCIS to Expedite U Petition Adjudication
- Status Dockets, Administrative Closure, and Termination: What Is Viable and When?

2:00 pm–2:20 pm

### Networking Break

2:20 pm–3:20 pm

### Preventing Removal of VAWA, U, and T Petitioners, Part II: Requesting Relief or Continuing Proceedings to Keep the Case Alive

*Panelists on this intermediate session will address different forms of relief for victims and survivors of abuse, crimes, and trafficking. They also will provide insightful strategies that can be employed in the process of keeping your clients safe from removal and future harm.*

- Potential Applications for Relief from Removal for VAWA, U, and T Petitioners
- VAWA Cancellation vs. VAWA Adjustment
- I-751 Waivers
- INA §212(d)(3) Waivers for U Petitioners
- What If Relief Is Denied? VAWA and Sua Sponte Motions to Reopen for Survivors

3:20 pm–3:40 pm

### Networking Break

3:40 pm–4:40 pm

### Advanced and Emerging T Visa Issues

*The experts on this advanced panel will cover emerging T visa considerations for victims of human trafficking and their immediate family members.*

- T Visas for Adults and Minors: Best Practices for Eligibility Screening, Avoiding Conflicts, and Protecting Confidentiality
- Responding to Ever-Growing RFEs for Long-Pending Cases

- Strategies for RFE Avoidance
- Overcoming Agency Delays While Managing Client Needs and Expectations
- Advising on Possible NTAs

4:40 pm–5:00 pm

### Networking Break

5:00 pm–6:00 pm

### Dealing with Denials of U Petitions, T Petitions, and VAWA Cases

*As avenues for success in VAWA, U visa, or T visa petitions continue to narrow, practitioners must become familiar with the administrative appeals process. The experts on this intermediate-to-advanced panel will provide tips and best practices for appealing the ever-increasing number of denials.*

- When and How to Lodge an Administrative Appeal of a VAWA, U, or T Petition
- Dealing with USCIS Processing Errors That Result in Denials
- Filing Fee vs. Fee Waiver
- AAO Appeal vs. USCIS Motion to Reopen or Reconsider

6:00 pm–7:00 pm

### Networking Break

7:00 pm–8:00 pm

### Border Divide: Concrete Strategies When Families Are Separated

*So close, yet so far away. Experts in this intermediate session will focus on what to do when your client's family is split on either side of the border. They will address everything from practical issues to larger legal challenges and immigration strategies.*

- Ethical Issues
  - What Can You Advise Your Client to Do?
  - Talking to Your Client's Family and Friends in the United States When Your Client Is Hard to Reach
- Advising Clients Who Are Transgender or a Member of Another Vulnerable Group
- Advising Clients on Smuggling/Trafficking Issues If They Have Children
- Contending with Government Tracking and Data Mining

## LITIGATION

1:00 pm–2:00 pm

### Just the Facts, Please: Nuts and Bolts of Habeas Corpus Litigation

*Have you seen all the cool litigation happening on the border or in your hometown and want to take part, but just don't know enough about the process to begin? What is this electronic filing of which you speak? Whom do I serve if I want to file in federal*

*court? This intermediate panel is for practitioners with court experience, but new to habeas litigation. It will help you move up into the powerful world of federal litigation, and do so with confidence!*

- Essential Elements of a Habeas
- Whom to Name as a Defendant; Whom, When, Where, and How (Electronic or Registered Mail?) to Serve
- What Is Pacer and How Do I Use It?
- What Needs to Be Redacted? What Is a Civil Action Cover Sheet?
- Deadlines for the Government to Respond to You, and for You to Respond to the Government

2:00 pm–2:20 pm

### Networking Break

2:20 pm–3:20 pm

### Successfully Challenging USCIS in Federal Court

*Going to federal court can be intimidating. Panelists on this intermediate panel will provide an overview of different types of federal court actions used by immigration practitioners, and will address what to expect in response from the government.*

- Mandamus, Review Under the Administrative Procedure Act
- Declaratory Judgment
- Jurisdiction and Standard of Review
- The Inevitable Motion to Dismiss, Injunctions and Discovery
- Appellate Options

3:20 pm–3:40 pm

### Networking Break

3:40 pm–4:40 pm

### Perfecting Your Trial Skills: Top Tips for the Immigration Litigator

*In the wild, wild west of immigration court, creating and controlling the record can be a challenge. Speakers at this intermediate panel will discuss evidentiary objections and documenting misconduct and bias.*

- Federal Rules of Civil Procedure, Federal Rules of Evidence, the Immigration Court Practice Manual, and Other Useful Guidance for Immigration Litigation
- Attacking the Government's Evidence: Foundation, Authentication, and Relevance
- The Art of Making Objections (Oral and Written), Proper Technique for Examining Witnesses
- Motions to Recuse, Complaints to EOIR and OCC, State Bar Complaints Against IJs and DHS Attorneys, and Other Creative Ways to Protect Your Client's Rights
- Preparing Yourself and Your Client for a Hostile Judge

4:40 pm–5:00 pm

**Networking Break**

5:00 pm–6:00 pm

**Who Wants to Be a [Millionaire] Immigration Attorney?**

*Audience members will be selected to play a fast-paced and educational game answering easy to hard questions on litigation and removal defense. Contestants will “risk it all” by moving up the financial game ladder. Don’t know the answer? Poll the audience! Use a lifeline! Call the expert! There is fun to be had by all.*

6:00 pm–7:00 pm

**Networking Break**

7:00 pm–8:00 pm

**Can You “Do Good” and “Do Well”? Tips for Pro Bono Success**

*Is it possible to represent low-income clients and still pay the bills and make a good living? This is a question immigration practitioners representing clients pro bono often ask themselves. Panelists will discuss strategies attorneys can employ to balance financial responsibilities with the desire to do pro bono work.*

- What Pro Bono Work Is Right for You? What Is the Optimal Case-Mix and Office Philosophy for Accepting Cases?
- Is High-Volume, Low Fee, and Many Staff Members the Only Way to Go?
- Options for Funding Litigation Other Than Charging Clients Directly
- How to Establish the Cost for Cases and Get Paid in a Timely Manner
- Ethical Considerations in Making Business Plans and Choosing Cases

**BUSINESS**

1:00 pm–2:00 pm

**“Ch-Ch-Changes”: Regulatory, Policy, and Adjudications**

*The current administration has us all “Under Pressure.” Panelists on this all-levels session will discuss recent regulatory and policy changes. They also will provide strategies for advising clients in this time of rapidly changing regulations and policies. “Let’s Dance” (and be “Heroes” for our clients)!*

- Current Regulations and Agency Memoranda
- Adjudication Trends at USCIS, CBP, and Consulates
- Trends in RFEs

2:00 pm–2:20 pm

**Networking Break**

2:20 pm–3:20 pm

**The Immigration Life Cycle of an Entrepreneur (Dorm Room to Boardroom)**

*Many foreign national students choose to start their own businesses rather than seek traditional employment. However, these entrepreneurs face limited options due to the lack of an entrepreneur visa and limitations on self-employment. The experts on this advanced panel will analyze how to advise entrepreneurs at different stages of the entrepreneurship life cycle.*

- Structuring the Business: Employment Authorization, Liability and Tax Concerns, Other Considerations
- Permissible Business Activities During the Student Life Cycle
- Planning for Visa Sponsorship Post-Graduation
- Growing from Start-Up to Established Enterprise: The Role of Immigration Counsel

3:20 pm–3:40 pm

**Networking Break**

3:40 pm–4:40 pm

**Battling the Invisible Wall, Part I: Current Border Practices in North America—Preclearance, Global Entry, E-Safe, and More**

*This intermediate to advanced session is designed for attendees who work with Canadians and Mexicans to meet the business needs of employers. Panelists will provide updates on U.S. Customs and Border Protection’s (CBP’s) current practices, including an update on the e-SAFE waiver process. In addition, they will address current trends in inadmissibility challenges being faced for those using legacy NAFTA regulations, and provide an update on the USMCA.*

- Implementation of e-SAFE
- Transition of Subsequent L Applications and the Intermittent Exception
- USCIS Pilot Program Extension
- Trade NAFTA Occupation Interpretations: CBP vs. DOS
- Use of the Southern Border for Canadians
- Update on USMCA Implementation

4:40 pm–5:00 pm

**Networking Break**

5:00 pm–6:00 pm

**Battling the Invisible Wall, Part II: Admissibility Issues Around the Globe**

*CBP has stated that it will make border security its primary mission from 2020–25. One of the 17 initiatives CBP will focus on translates into the implementation of programs and processes at air, land, and sea ports of entry (POEs) that may limit or restrict entry to the United States. Panelists in*

*this intermediate- to advanced session will provide up-to-date information regarding current issues at the borders, and how best to advise clients given the constant changes in CBP operations and policies.*

- Preparing Business Visitors for POE Procedures, Advising on the 90-Day Rule
- Knowing the POE or Preflight Inspection Facility When Applying for Admission
- Resolving CBP Issues Before, During, and After a Client’s Entry
- Increased Border Scrutiny: Searches of Electronic Devices and Impact of Social Media
- Practical Tips: Checking the I-94 Document, Effect of Passport Expiration, Advising Clients About Travel in Blanket L Status

6:00 pm–7:00 pm

**Networking Break**

7:00 pm–8:00 pm

**Has the Ship Finally Sailed? The Current State of EB-5**

*Panelists will review and analyze recent regulatory, legislative, and policy changes impacting the EB-5 program. They also will examine recent changes to the EB-5 Policy Manual and discuss how these changes may affect pending and future applications.*

- Overview of Changes to the EB-5 Program: Legislative, Regulatory, Policy
- Interpreting Recent Changes to the EB-5 Policy Manual
- Advising Clients on EB-5 Strategies
- Late-Breaking Developments

**SPECIAL SESSIONS / WELLNESS MINI TRACK**

1:00 pm–2:00 pm

**Practicing Client-Centered Lawyering for the Benefit of You and Your Clients**

*Client-centered lawyering is not just about being good at lawyering. It also involves working well with clients, providing value-added service, listening, having empathy, giving respect, and sometimes even talking about the ethical aspects of choices to be made. Panelists on this all-levels session will discuss the benefits of client-centered lawyering and address ways to implement it at all stages of representation, from the initial consultation through the closure of the case.*

- What Is Client-Centered Lawyering?
- Basic Philosophical Approaches to Practicing Law
- Attorney Decision-Making Benefits of Client-Centered Lawyering
- Benefits of Using Client-Centered Lawyering with Trauma-Infused Clients, Resources for Traumatized Attorneys and Clients



## Wednesday, June 17, 2020

- How to Maintain Professional Boundaries While Practicing Client-Centered Lawyering

2:00 pm–2:20 pm

### Networking Break

2:20 pm–3:20 pm

### Taking Care of Yourself While Taking Care of Others

*One of the greatest challenges immigration attorneys face is caring for themselves when working under pressure from clients, colleagues, and the government. Panelists will discuss best practices to avoid secondary trauma and how to manage a healthy work-life balance.*

- How Client Relationships and Case Overload Can Mirror Abusive Relationships
- Setting Expectations from the First Consultation and Beyond
- Strategies to Disengage Clients
- Self-Care Techniques Beyond Mindfulness
- Leaving Guilt Behind: How to Set Boundaries and Enjoy Life Outside of the Office

3:20 pm–3:40 pm

### Lunch Break

3:40 pm–4:40 pm

### What Is That Pressure in My Chest? Recognizing Burnout and Strategies for Healing

*If you manage to eat healthy and exercise regularly but still feel overwhelmed, anxious, angry, and exhausted, you're not alone! There is ample scientific neurological evidence regarding the deleterious effects of stress and depression, effects that hinder not only you, but also those around you, including your staff. In light of these findings, panelists will provide guidance on proven methods to combat the effects of burnout through methods that change brain activity—e.g., relaxation techniques, physical activity, mindfulness, meditation, engaging in creative endeavors, social activities, etc.*

- How Depression and Stress Take a Physical as Well as Emotional Toll
- Recognizing the Symptoms of Burnout
- PTSD and Secondary Trauma
- The Science of Brain Plasticity: How to Build Better Brain Pathways and Take Care of Yourself to Fend Off Burnout
- Protecting the Wellness of Your Staff to Protect Yourself in the Long Run

## WEDNESDAY SPECIAL EVENTS

6:00 pm–8:00 pm

### Exhibit Hall Grand Opening

6:00 pm–8:00 pm

### AILA Annual Awards Ceremony

## Thursday, June 18, 2020

7:00 am–4:15 pm

### Registration

## PLENARY

8:00 am–8:30 am

### Conference Kick-Off

8:30 am–10:00 am

### President's Installation

10:00 am–10:30 am

### Keynote Address

10:30 am–11:50 am

### Hot Topics Strategy Session with the AILA National Officers

## FUNDAMENTALS

7:00 am–8:00 am

### Mock Adjustment Interviews

*Have you ever wanted to be a fly on the wall in an adjustment interview? If so, this panel is for you. Panelists will conduct mock family- and employment-based adjustment interviews, and provide tips on how to prepare your clients for the interview.*

- Preparing for the Interview
- Role of the Attorney in the Interview
- Warning Signs of When the Interview Is Going Badly and How to Recover
- How a Separated (“Stokes”) Interview Is Conducted
- Post-Interview Debriefing with Client

9:45 am–10:45 am

### Adjustment of Status and Immigrant Visa Processing

*Panelists will provide an overview of adjustment of status (AOS) and consular processing in family- and employment-based contexts. They also will discuss initial requirements for AOS and consular processing, the forms and supporting documentation required, and red-flag issues that may complicate or slow the process.*

- The AOS Package and Ancillary Applications: I-485, I-485 Supplement J, I-765, I-864, I-131, I-693, and Supporting Documentation
- Potential Problems: Entry Without Inspection, Intent at Entry, Unauthorized Employment
- Adjustment Under INA §245(i)

## Thursday, June 18, 2020

- Working with the National Visa Center (NVC), Visa Reciprocity Pages
- Consular Processing and Supporting Documentation

10:50 am–11:50 am

### Naturalization 101

*Panelists will cover who is eligible to become a naturalized U.S. citizen, the basic requirements, and the process for naturalization. They also will discuss the impact longer processing times and USCIS policy changes can have for clients. Finally, panelists will identify circumstances when filing an N-400 is not in the best interests of the client.*

- Overview of Eligibility Requirements for Naturalization
- Continuous Residence, Physical Presence, and Good Moral Character Requirements
- English Language and Civics Testing, Exemptions, and Waivers
- Timing Issues
- “What Do You Mean I’ll Never Be a U.S. Citizen?” When Not to File for Naturalization

11:50 am–1:50 pm

### Lunch and Networking Break

1:50 pm–2:50 pm

### Family-Based Immigration 101

*Panelists will provide a general overview of what is essentially the core of our immigration system. New practitioners should attend this session to gain an understanding of family-based immigration law and establish the foundation needed when attending more in-depth fundamentals panels.*

- Overview of Family Categories: Immediate Relatives and Preference Category Relatives
- Understanding the Quota System and Visa Bulletin
- The I-130 Petition (Invitation to the Party)
- Adjustment of Status/Consular Processing (the R.S.V.P.)
- Marriage-Based Cases and Establishing the Bona Fides of the Relationship
- Changes in Family Status/Relationships: Death, Divorce, Marriage, Aging-Out

2:50 pm–3:05 pm

### Networking Break

3:05 pm–4:05 pm

### I-751 Petitions to Remove the Conditions on Residence

*Panelists will discuss the nuts and bolts of preparing and filing an I-751 petition. Additionally, they will address, in detail, aspects of the process, including best practices for documenting a good faith marriage, remedies for late filing, and waivers of the joint filing requirement.*

- Who Must File an I-751 Petition, and When?

- Preparing Clients in Advance of the Petition
- Basics of Preparing an I-751 Petition, the Impact of Failing to File, Remedies for Late Filing
- Waiver Cases: Divorce, Abuse, or Death
- What Happens When the Petition Is Denied?

4:05 pm–4:20 pm

#### Networking Break

4:20 pm–5:20 pm

#### VAWA, T Visas, and U Visas

*Panelists in this fundamentals session will provide an overview of remedies for victims of mental and physical abuse, crimes, and human trafficking.*

- Applying for VAWA: What Constitutes Abuse and Proof of Eligibility?
- U Visas: Qualifying Crimes and Victims, Obtaining Certification, Backlogs
- T Visas: Identifying Qualifying Victims of Labor or Sex Trafficking
- The Path to Permanent Residence Through VAWA, U Visas, and T Visas

## FAMILY / CONSULAR PROCESSING MINI TRACK

7:00 am–8:00 am

#### Special Immigrant Juveniles: Fighting for Their Rights

*Immigrant youth today face continual challenges, and the process of legalizing their status becomes more difficult by the week. This intermediate panel will examine current events relating to Special Immigrant Juvenile Status (SIJS) procedures in both the affirmative and defensive avenues. Panelists will offer practice tips and litigation updates related to our most vulnerable clients.*

- Ethical Issues When Representing Children
- Representing Children in Juvenile Court
- Affirmative I-360 Filings and RFEs
- SIJS as a Form of Relief in Immigration Court
- Updates on SIJS Litigation and Post-18th Birthday Difficulties

11:50 am–1:50 pm

#### Lunch Break and Networking Break

1:50 pm–2:50 pm

#### Consular Processing I: U.S. Citizen Filings from Consular Posts

*Panelists will cover a variety of applications filed abroad at the U.S. Citizen Services Unit at consular posts. This all-levels session will offer guidance on how U.S. citizens residing abroad can make the best use of these services.*

- Renewal of U.S. Passports When There Are Issues or Problems
- Filing Consular Report of Birth Abroad

- Consular Notarial Services: When You Can Use This Service, and for What Documents
- Consular Assistance with In-Country Issues—*e.g.*, Certificate of Marriageability, Documents to Assist in Various Local Issues
- Emergency Assistance, and When It Is Most Useful

2:50 pm–3:05 pm

#### Networking Break

3:05 pm–4:05 pm

#### Consular Processing II: The Dark Side of the FAM

*The Foreign Affairs Manual (FAM) is not law, but it is treated that way. Panelists on this intermediate session will advise on how to use the FAM proactively to your client's advantage, and what to do when consular posts inappropriately apply the FAM to your case.*

- Understanding the History of the FAM
- Using the FAM to Prepare a Case and a Client for the Interview
- Practical Strategies to Resolve Consular Errors
- Advocacy and Litigation Options: Do Any Exist?

4:05 pm–4:20 pm

#### Networking Break

4:20 pm–5:20 pm

#### Consular Processing III: New Trends and Complications at Consulates

*Consular processing has increasingly become a minefield that attorneys need to help their clients navigate through. The experts on this intermediate panel will discuss recent trends and complications that people are experiencing at immigrant interviews abroad. Other topics to be covered include:*

- I-864 and Public Charge Issues
- Officer Re-Examination of the Entire Case (I-130 Petition)
- Common Inadmissibility Problems After the I-601A Is Granted
- Denials at the Consular Post, the Revocation Process with DHS
- Seeking Help from LegalNet and Other Sources

## LITIGATION

7:00 am–8:00 am

#### Ask the Litigation Experts

*Once you have overcome your fear of filing federal cases, how do you move to the next step? How do you spot issues, determine if the record is adequate, win cases, and avoid making bad law? Panelists will address litigating direct appeals for asylum, complex removal cases, business cases, and post-order reinstatements and motions to reopen.*

- What Makes a Good Record for Federal Litigation,

- Analyzing the Record You Have
- How and Whether to Supplement the Record for Appeal
- How to Evaluate a Case for Federal Litigation: Applying the Relevant Law
- Considering Whether to File for a Case? A Walk Through Case Evaluation
- How to Ask for Help: Making Contact with Local Firms and Nonprofits to Support Your Case

11:50 am–1:50 pm

#### Lunch and Networking Break

1:50 pm–2:50 pm

#### Hot Topics in District Court Litigation

*What are the hottest topics circulating through the district courts right now? What new policies and agency adjudication trends should you be challenging in district court? The litigation experts on this advanced panel will discuss what is ripe for federal challenge.*

- Recent Trends in District Court Litigation: What's Been Challenged, Types of Outcomes Practitioners Have Received
- How to Be the Groundbreaking Litigator You're Meant to Be: Trends and Decisions That Are Ripe for Challenge
- Best Cause(s) of Action for Bringing Novel Challenges: APA Only, Habeas and APA, TRO
- Why You Shouldn't Be Afraid to Bring a Novel Legal Challenge in District Court

2:50 pm–3:05 pm

#### Networking Break

3:05 pm–4:05 pm

#### Litigating in the New Age of Agency Deference

*The U.S. Supreme Court's 2019 decision in *Kisor v. Wilkie* sheds light on when agency decisions should receive deference, and could provide valuable arguments for combating bad USCIS, AAO, and BIA decisions that could affect clients. Panelists in this advanced session will address the potentially wide-reaching impact of the *Kisor* decision, and will discuss how to incorporate it into ongoing litigation.*

- What Tools Must a Judge Use Before Determining That a Statute or Regulation Is Ambiguous?
- When Does an Agency Truly Have More Expertise Than a Judge?
- What to Do When an Agency Abruptly Changes Its Interpretation of a Statute or Regulation
- Preserving Deference Challenges Before the Agency for Federal Review
- Hot Topics: Agency Trends That Are Subject to Challenge in Light of *Kisor*

4:05 pm–4:20 pm  
**Networking Break**

4:20 pm–5:20 pm  
**Federal Court Challenges to Reinstatement of Removal, Administrative Removal, and Visa Waiver Removal**

*DHS uses multiple methods of removal outside of the immigration courts. Panelists in this advanced panel will discuss the legal and evidentiary requirements for each of these non-court methods for obtaining a removal order. They also will discuss the limited options for relief from removal associated with these forms of removal, and will advise on strategies for keeping clients in the country when facing these summary methods of removal.*

- Requesting Credible Fear (CFIs) or Reasonable Fear (RFIs) Interviews for Clients Subject to Summary Orders
- Federal Court Challenges to Negative CFI/RFIs
- Federal Court Challenges to Reinstatement Orders: Challenging the Prior Removal Order and Reinstatement Order
- Negotiations with DOJ's Office of Immigration Litigation (OIL): Getting an NTA
- Collateral Relief While You Litigate (U Visas, T Visas, I-212/I-601A, Motions to Reopen, etc.)

## BUSINESS

7:00 am–8:00 am  
**Utilizing the H-2B Temporary Visa Program: A Practical Guide to Navigating the Process**

*The H-2B visa category is one of the most precarious visa categories that an immigration practitioner can utilize to obtain temporary, nonagricultural labor. While not a cure-all, the H-2B visa can be utilized to resolve a variety of your client's immigration needs—from bringing in supplemental workers to fill a temporary non-professional position, to getting highly specialized foreign national professionals to oversee a temporary project—when many other visa categories may not be available or even appropriate. While the H-2B visa category is useful, however, it is also fraught with complications and has been the focal point of numerous regulatory changes and litigation as a result. In this intermediate panel, our experts will provide guidance on successfully navigating the H-2B process.*

- The H-2B Process: General Outline, Approximate Time Frames, Prevailing Wage, Establishing a "Temporary Need"
- DOL Phase: Temporary Labor Certification, Job Order, and Recruitment
- USCIS Phase: I-129 and Accompanying Evidence
- Consular Processing and the H-2B Country List
- Post-Approval Notification Requirements

11:50 am–12:30 pm  
**Lunch Break**

12:30 pm–1:30 pm  
**Lunch Session—The Show Must Go On: Strategies for Jumping Through the Hoops of an O-1 Extraordinary Ability Petition**

*Filing extraordinary ability petitions for artists and entertainers can feel like a three-ring circus. Unlike other types of cases, artists and entertainers always seem to need a visa in an extremely short time frame, causing your heart to race as you scramble to prepare the petition. Is it only the extraordinary attorney that can pull off this high wire act? No, it is not! Panelists in this intermediate panel will identify the challenges unique to filing extraordinary ability petitions, and provide everything a practitioner needs to know to accomplish this major feat.*

- Identifying the Petitioner, Agency Issues
- Strategies for Drafting Initial Support Letters and Letters in Response to RFEs
- Service Center/Consulate Communication: Requesting Expedites from USCIS and the Consulate for Urgent Cases
- Managing Unexpected Changes in Travel Schedules and Itineraries
- Pros and Cons of Engaging Third-Party Vendors for Consular Appointments

1:30 pm–1:50 pm  
**Networking Break**

1:50 pm–2:50 pm  
**Pardon the Interruption: Advanced Tips and Tricks to Tackle Absurd Case Issues**

*Who has not had a client's nonimmigrant or immigrant visa stuck in processing, or erroneously cancelled or denied? The experts in this interactive advanced panel will provide members with tips, tricks, and practice strategies to overcome different roadblocks across a variety of case types. Topics will include:*

- Grey Areas in Law, Regulations, and Policies
- Challenging Issues with Different NIV Case Types: H-1B, L-1, TN
- Challenging Issues with the Immigrant Visa Process: PERM, I-140, I-485
- Hot Topics

2:50 pm–3:05 pm  
**Networking Break**

3:05 pm–4:05 pm  
**H-1B Cap Season Redux: Looking Back and Moving Forward**

*The quota on H-1B visas is a reality that every employer must face each year, with each cap season coming with its own trials and tribulations. Panelists will discuss what (if anything) was learned from this*

*year's cap season, identify other options that may be open to employers hoping to employ professional foreign workers, and address late-breaking H-1B issues.*

- H-1B Pre-Registration, Lessons from FY 21
- Exemptions from the Cap: Is an H-1B Still Possible?
- Other NIV Options, or Straight to Permanent Residence
- Cap-Gap Issues: Work, Travel, and Other Complications
- To Premium Process or Not to Premium Process: Strategies, Risks, and Other Annoyances to Consider

4:05 pm–4:20 pm  
**Networking Break**

4:20 pm–5:20 pm  
**An Expert's Guide to Avoiding and Responding to H-1B RFEs**

*Our panel of experts on this intermediate session will focus on current H-1B RFE trends, and will provide strategies, tips, and tricks for successfully overcoming these RFEs. Panelists also will advise on best practices for avoiding common RFEs.*

- Tips and Tricks for Addressing Common Specialty Occupation Issues
- When Multiple Degrees Are Acceptable for a Position, or Where the Beneficiary's Degree Is Different than Those Listed in the Occupational Outlook Handbook
- Problematic Occupational Categories
- Third-Party Placement, Offsite Placement, Multiple Worksites, and Nontraditional Work
- Responding to RFEs That Focus on Curricular (CPT) and Optional Practical Training (OPT)

## SPECIAL SESSIONS/ IMMIGRATION JUSTICE CAMPAIGN

7:00 am–8:00 am  
**The General Data Protection Regulation (GDPR): Two Years In**

*The EU's General Data Protection Regulation (GDPR) went into effect in May 2018. International rules on privacy issues continue to impact U.S. immigration lawyers. Compliance with U.S. federal and state laws is not enough. Immigration practitioners also must be compliant on a global basis and ensure that client information is securely maintained.*

- Overview of Key Data Privacy Rules, Including Basic Terms and Concepts
- Are Practitioners Subject to GDPR If They Don't Have an Office in the EU? What Sanctions Can U.S. Immigration Attorneys Face at Home and Abroad in Connection with GDPR?



- How U.S. Immigration Attorneys May Unknowingly Become “Data Controllers” Under GDPR
- Best Practices for Maximizing Compliance, Communication Between Parties
- Using Vendors (Practice Management Tools, Translators, and Other Specialists)

8:00 am–1:30 pm

### Immigration Justice Campaign Sessions

1:30 pm–1:50 pm

### Networking Break

1:50 pm–2:50 pm

### Ethics Updates for the Business Practitioner (Ethics)

*The nature of business immigration practice leads to many unique situations. Experts on this advanced panel will examine issues that arise in business practice, and advise on how to address and prevent ethical quandaries.*

- When to Refer: Wrongful Denials, Cases Outside Your Comfort Zone, Breakdown of Attorney-Client Relationship, and Conflicts of Interest
- Dual Representation: When It Is Required, When a Dual Representation Waiver Goes Too Far, and What to Do When the Beneficiary Gets in Trouble
- Online Marketing: Keeping Posts Up to Date, Handling Reviews, and Avoiding the Accidental Client Relationship

2:50 pm–3:05 pm

### Networking Break

3:05 pm–4:05 pm

### Managing the Cybersecurity Risks to Your Practice (Ethics)

*You’ve probably never thought about it, but your firm is likely at risk of a data breach. And as an immigration lawyer, you have a lot of private data stored about your clients—e.g., addresses and employment history, financial information, social security numbers, and other sensitive personal information. Panelists will focus on the steps you need to take to ensure your clients’ information is protected.*

- The Ethical Duty of Technology Competence, Understanding Today’s Cybersecurity Risks
- Training Staff on Cybersecurity Issues
- Security Solutions for Immigration Firms
- What to Do When There Has Been a Data Breach: Ethical Requirements and Practical Obligations
- Is It Time for Cyber Liability Insurance?

4:05 pm–4:20 pm

### Networking Break

4:20 pm–5:20 pm

### Understanding the Intersections of LGBTQ+ and Immigration Issues

#### (Diversity/Elimination of Bias Credit)

*Despite LGBTQ+ human rights around the world continuing to improve, there is still a long way to go and much work to be done. Panelists will discuss the LGBTQ issues that frequently arise in the immigration context.*

- Representing LGBTQ+ Clients: Treating Clients with Respect and Removing Outdated or Hurtful Language from Your Vocabulary and Work Product
- Representing LGBTQ+ Clients Before the Government: Ensuring Agencies and Officers Treat Clients with Respect, Ending Improper Inquiries and Actions
- Understanding the Spectrum of Sexuality and Preparing Cases Accordingly
- Gender Identity and Gender Markers on Filings and Identity Documents
- LGBTQ+ Asylum, Including Overcoming the One-Year Filing Deadline for LGBTQ Asylum Claims

## THURSDAY SPECIAL EVENTS

5:30 pm–6:45 pm

### AILA Annual Membership Meeting

8:00 pm

### Presidents Party

## Friday, June 19, 2020

7:00 am–4:15 pm

### Registration

## FUNDAMENTALS

7:00 am–8:00 am

### E-1/E-2 Visas 101

*The Treaty Trader (E-1) and Treaty Investor (E-2) visa categories allow nationals of countries with which the United States maintains a treaty of commerce and navigation to be admitted to the United States when investing in a U.S. entity or engaging in international trade. As other visa categories grow increasingly restrictive, the E-1/E-2 can be a great option for those that qualify. Panelists will provide a basic overview of the E-1 and E-2 visa categories, and will discuss general qualifications and the application process.*

- Who Can Apply for an E-1/E-2: Nationality and Existing Treaties
- General Qualifications of the Treaty Trader (E-1) and Treaty Investor (E-2)
- Qualifying Positions
- Overview of the Visa Application Process and Consular Adjudications

8:00 am–8:15 am

### Networking Break

8:15 am–9:15 am

### Business Immigration 101: What to Know Before You Take a Business Immigration Case

*Our experienced panelists will provide an overview of business immigration issues and procedures. This panel is designed for new lawyers and practitioners new to this practice area. Panelists will provide a useful introduction to understanding the steps and timelines involved in business nonimmigrant visa and immigrant visa cases. They also will give tips on what practitioners need to know before taking on a business case.*

- General Overview of the Life Cycle of Nonimmigrant and Immigrant Business Cases
- Roles of the Various Stakeholders: Immigration Lawyer, Human Resources Director, and Foreign National
- Identifying Information to Be Provided Initially, Setting Client Expectations
- Advice for New Business Immigration Practitioners: Tips on Pricing, Costs, and Communication

9:15 am–9:30 am

### Networking Break

9:30 am–10:30 am

### Professional Visas: Overview of the H-1B and Alternatives

*The H-1B visa has been called the workhorse of the nonimmigrant work visas. It is the most common work visa, and the most versatile. However, it also comes with many restrictions and traps for new practitioners. Panelists in this fundamentals session will provide an overview of the H-1B visa category, as well as other, similar work visa categories.*

- H-1B: The Workhorse
- H-1B1: What Singapore and Chile Have in Common
- E-3: Australians on Their Own
- Drafting the Job Description and Minimum Requirements
- Determining the Prevailing Wage and Drafting the Labor Condition Application
- The Special Category: TN for Mexicans and Canadians

10:30 am–10:45 am

### Networking Break

10:45 am–11:45 am

### Employment-Based Immigration Preference Categories

*Panelists will provide a basic overview of the immigrant visa preference categories, numerical*

*limitations, the Visa Bulletin, and other key concepts relating to the employment-based (EB) immigration process.*

- EB-1: Multinational Executives and Managers, Extraordinary Ability Aliens, and Outstanding Researchers/Professors
- EB-2: National Interest Waivers, Aliens of Exceptional Ability, Professionals Holding Advanced Degrees
- EB-3: Professionals, Skilled, Unskilled, and Other Workers
- EB-4: Special Immigrants
- EB-5: Investors

11:45 am–1:50 pm

### Lunch and Networking Break

1:50 pm–2:50 pm

### Labor Certification 101

*The employment-based permanent residence process generally requires the U.S. employer to first obtain a certification from DOL that it has been unable to find willing, qualified, and available U.S. workers for the position to be offered to the sponsored foreign national. Panelists on Part I of this two-part session will discuss the basic concepts and steps associated with DOL's PERM process for preparing and filing applications for labor certification.*

- The Steps and Timeframes of the Labor Certification Application Process
- The Job Description and Identification of "Actual Minimum Requirements"
- Prevailing Wage: What It Is, How and When to Obtain It
- ETA Form 9089: Employer Registration, Attorney Registration, and Preparing and Filing the Form
- Roles of the Various Stakeholders: Immigration Lawyer, Company Contact, Foreign National's Manager, and Foreign National

2:50 pm–3:05 pm

### Networking Break

3:05 pm–4:05 pm

### Labor Certification 102

*Recruitment is a key component of the labor certification process and must be conducted with scrupulous attention to the regulations and FAQs. Panelists on Part II of this two-part session will offer guidance on DOL-mandated recruitment and post-recruitment documentation to help practitioners successfully navigate the PERM recruitment process.*

- Recruitment Timeline and Deadlines, Required Content for Recruitment Steps
- Mandatory Recruitment: Newspaper of General Circulation, State Job Order, and Notice of Filing
- Supplemental Recruitment: Websites, Career

Centers, Employee Referral Programs (ERPs), Local Papers, and Other Alternatives

- Reviewing Resumes and Documenting the Employer's Effective Analysis of Applicants' Qualifications
- Maintaining Evidence of Recruitment, Recruitment Report, the Audit File, and Document Retention

4:05 pm–4:20 pm

### Networking Break

4:20 pm–5:20 pm

### Form I-9 Audits and Enforcement Actions

*Employer compliance and enforcement issues have grown dramatically under the current administration, with a four- to five-fold increase in audits and site visits alone. As a result, staying informed on the latest information regarding these issues is more important than ever. This panel of experts will review the latest developments in I-9 audits and enforcement actions, discuss best practices for dealing with them, and identify strategies to mitigate fines and penalties.*

- Anatomy of an I-9 Audit
- Anatomy of an I-9 Raid: How to Protect the Employer
- Conflicts of Interest
- Overview of DOJ's Immigrant and Employee Rights Section (IER) and Its Jurisdiction
- Best Practices for Employers in the I-9 Context: Complying with DOJ's Immigration Discrimination and Document Abuse Issues

## FAMILY

7:00 am–8:00 am

### Social Media: Harmful or Helpful in Family-Based Immigration?

*Social media has made the world smaller and helped to generate new avenues for us to meet and socialize, often creating lasting memories, not to mention a place to embarrass our friends. But beware! It is also being used by the government to look at your client's lives and make discretionary judgments in all forms of immigration benefits. Panelists on this all-levels session will provide an overview of the new policies related to social media monitoring, and advise on best practices for how to best address them with your clients.*

- Big Brother Is Watching: New DHS and DOS Policies for Social Media Monitoring
- USCIS Use of Fake Social Media Accounts to Monitor Your Clients
- How Can Your Clients Protect Their Privacy?
- What Must Be Disclosed and What Doesn't Have to Be?
- Using Social Media as Evidence for Your Client's Applications

8:00 am–8:15 am

### Networking Break

8:15 am–9:15 am

### "You're Not Paranoid, They Really Are Out to Get You!": Due Diligence on Immigration Cases in the Current Climate (Ethics)

*When agreeing to represent a new client, prudent attorneys understand the importance of being as thorough as possible in gathering information from that client. In the current climate, there are ample reasons for performing due diligence before and during legal representation beyond ensuring that no conflicts of interest exist. Panelists on this session will explore practical and ethical considerations from the first client meeting to the end of representation in family-based cases.*

- Who Is the Client?
- Confidentiality, Conflicts of Interest, and Privilege; Representing Underage Clients
- "Know When to Hold 'Em and Know When to Fold 'Em": How to Screen Clients, Identify Red Flags, Avoid Surprises, and When to Walk Away
- Due Diligence vs. Investigation, Boundary of Zealous Advocacy
- Duty of Candor to the Tribunal: When Does It Start and When It Does It End?

9:15 am–9:30 am

### Networking Break

9:30 am–10:30 am

### To Err Is Human; To Forgive, Divine: Strategies for Correcting Improper USCIS/DOS Approvals

*Immigration law can be unforgiving. An erroneous green card approval because of agency error or based on fraud by an applicant can result in a disastrous set of circumstances. The experts on this advanced panel will provide examples of when this may occur, offer possible remedies that are permissible by law, and discuss how to take control of the matter before it spirals out of control.*

- Analyzing and Spotting Erroneously Issued Benefits
- Fraud Findings: When Should the Client File for Naturalization?
- INA §237(a)(1)(H) Waiver: The Secret Weapon
- Place My Client in Removal Proceedings
- Rescission vs. Removal Proceedings: When Can the Government Institute These Procedures, How to Combat Them
- When It Makes Sense to Be Issued an NTA and Strategies on How to Get It

10:30 am–10:45 am

### Networking Break

10:45 am–11:45 am

### **Anatomy of the USCIS System and Processes: Service Centers, Field Offices, and Lockboxes**

*An immigration lawyer's understanding of the complex network of USCIS is essential. Panelists on this all-levels session will provide an overview of the often confusing USCIS system with regards to family-based processing. They also will offer strategies on how to deal with common difficult issues that arise at lockboxes, service centers, field offices, and the National Benefits Center (NBC).*

- Lockbox Rejections: How to Clear the First Hurdle
- Initial Review of the Evidence: Common Filing Errors and Tips to Avoid RFEs from NBC
- How to Address an Adam Walsh Act Notice of Intent to Deny (NOID) or RFE, Other Security Delay Issues
- InfoNightmare—When InfoPass Becomes InfoMod: Strategies for Contacting USCIS Offices, Options When Everything Else Fails

11:45 am–12:30 pm

### **Lunch Break**

12:30 pm–1:30 pm

### **Lunch Session—Using Immigration History as a Tool to Address Today's Challenges and Plan for Intergalactic Immigration**

*As the current administration tries to remake, and even dismantle the immigration system as we know it, both lawyers and clients find themselves struggling to survive. What lessons can be learned from our predecessors, who persevered through similarly restrictive periods in our nation's immigration history? Panelists in this intermediate panel will survey difficult periods from the past and identify what successful actions and strategies immigration practitioners employed then can be used to help clients now. They also will advise on how to advocate for change and develop a post-administration system to quickly remedy recently implemented bad rules, policies, and procedures. Finally, panelists will explain how we can use history as a guide for establishing a future intergalactic immigration system.*

- Review of Challenging Periods in Immigration History: Chinese Exclusion Act, Immigration Act of 1917, AEDPA and IIRAIRA
- Applying Lessons Learned from the Past to Today's Challenges
- Post-Administration Changes: How to Undo the Damage and Implement Systemic Changes Quickly
- "Lost in Space" No More: Considerations for a Future Intergalactic Immigration System

1:30 pm–1:50 pm

### **Networking Break**

1:50 pm–2:50 pm

### **Lengthy Absences and the Struggle of Maintaining Residence**

*So, your client wants to naturalize, but they've spent too much time abroad. What can be done? Panelists on this intermediate session will provide an overview of the legal and procedural issues to consider when your client faces abandonment (voluntary or not) of their permanent residency status.*

- How to Advise Clients Before They Leave and While They Are Abroad
- Filing and Proper Usage of Re-Entry Permits
- SB-1 Visas for Returning Residents
- When All Else Fails: I-407s and Refiling Adjustments vs. Consular Processing
- Naturalization-Specific Concerns

2:50 pm–3:05 pm

### **Networking Break**

3:05 pm–4:05 pm

### **Strategies for Those with Final Orders: Using I-212s and I-601As**

*Is your client married to a USC, but also subject to a final order of removal? If so, the expert panelists on this advanced session can help. They will discuss the demise of administrative closure for purposes of processing an I-601A, and identify the options that still exist for those in removal proceedings needing this waiver.*

- When I-601As Can and Can't Be Used
- I-212 Waivers, Legal Standards, and Evidentiary Similarities/Differences with I-601/I-601As
- I-601A Possibilities Once the I-212 Is Granted for Those with Final, Executed Orders of Removal
- Strategies in Filing an I-601A During Removal Proceedings

## **LITIGATION**

7:00 am–8:00 am

### **'Pleas' Please Me: Immigration Considerations for Criminal Pleas**

*Clients can present to you at various stages of the criminal process. Therefore, you must protect them from harmful immigration consequences by ensuring criminal counsel gets them the best plea for their immigration status. The experts on this intermediate panel will discuss the roles an immigration attorney can play at the pre-plea, plea, and post-conviction stages of a client's criminal proceedings.*

- How to Work with Criminal Counsel on Immigration-Neutral Pleas and Sentences
- Immigration Counsel's Role in Post-Conviction Relief: Expert Declarations, Crafting New Pleas
- Crafting Non-Conviction Dispositions—i.e., Deferred Prosecutions

8:00 am–8:15 am

### **Networking Break**

8:15 am–9:15 am

### **Criminal Grounds of Removability: Categorical, Modified Categorical, and Circumstance Specific Approach**

*While DHS wants to consider every document related to your client's conviction, the Board of Immigration Appeals (BIA) and federal courts rarely permit this. The speakers on this advanced panel will discuss divisibility, the realistic probability test, and the circumstance-specific approach.*

- When to Apply the Categorical Approach: Overbroad and Indivisible and HARD STOP There!
- Divisibility: When to Move on to the Modified Categorical Approach, Documents That Then Come into Play
- Circumstance-Specific Approach Doesn't Mean That Everything Goes: How to Analyze and Limit the Use of This Approach, the Relevant Criminal Records
- Mental Gymnastics and Improbable Hypotheticals: How to Satisfy the Realistic Probability Test, When It Applies

9:15 am–9:30 am

### **Networking Break**

9:30 am–10:30 am

### **Offensive, Vile, and Base: What Makes a Crime a CIMT**

*The BIA and the circuit courts are all over the map when it comes to defining a crime involving moral turpitude (CIMT). What conduct is so deplorable that it rises to the level of moral turpitude? What level of intent is sufficient? How can we challenge these seemingly arbitrary classifications? The experts on this advanced panel will cover the current CIMT case law and discuss best practices for challenging arbitrary adjudications of CIMT issues.*

- Updates on CIMT Case Law
- Strategies for Challenging CIMT Designations
- Vagueness Challenges to CIMT Designations
- New Challenges to the BIA's CIMT Case Law in Light of *Kisor v. Wilkie* and Its Impact on Agency Deference

10:30 am–10:45 am

### **Networking Break**

10:45 am–11:45 am

### **Post-Conviction Relief: Matter of Thomas Updates**

*When a client has a criminal issue and is not otherwise eligible for relief from removal, making the criminal conviction "go away" can be the best option. The experts on this intermediate to advanced panel will identify options for vacating*



*criminal convictions, and discuss the effects of post-conviction relief on immigration status.*

- When Is There a Conviction for Immigration Purposes?
- Are *Matter of Pickering* and *Matter of Cota-Vargas* Still Good Law?
- Vacating, Sealing, or Expunging a Conviction: Does State Post-Conviction Relief Help?
- Federal Pardons, Habeas, Writs of Coram Nobis, and Private Bills

11:45 am–12:30 pm

#### Lunch Break

12:30 pm–1:30 pm

#### Lunch Session—#BreaktheBacklog:

#### Litigation for Business Immigration Lawyers

*USCIS is constantly looking for new reasons to deny cases, whether it be slowing down the pace of adjudications to making up “new and improved” reasons of ineligibility. Going to federal court may be the best response to this. Business practitioners already have the subject matter expertise to successfully litigate these cases; now it’s time to learn the procedures for a federal court action by attending this intermediate panel!*

- Know Your Actions: Mandamus, Declaratory Judgment, APA, etc.
- Ethical Considerations, Including Dual Representation
- Making a Good Administrative Record
- Exhaustion of Administrative Remedies: Do I Have to File a Motion to Reopen or Appeal to the AAO?
- Government Defenses: Jurisdiction, Burden of Proof, “We’re Too Busy!”

1:30 pm–1:50 pm

#### Networking Break

1:50 pm–2:50 pm

#### Hot Topics in Removal: Case Law Updates

*Panelists in this intermediate session will discuss the latest case law developments, upcoming battles in the courts, and new arguments to make to preserve the issues. Topics will include developments in crimmigration, false claims to U.S. citizenship, and termination of proceedings.*

- Important Immigration Cases Pending in the Circuit Courts and U.S. Supreme Court
- Burdens of Proof and Eligibility for Relief
- Realistic Probability and Controlled Substance Offenses
- Cancellation and the I-589: To Withdraw or Not to Withdraw the Asylum Claim?
- Unwitting False Claims to U.S. Citizenship

2:50 pm–3:05 pm

#### Networking Break

3:05 pm–4:05 pm

#### The Progeny of *Pereira*

*Stop-time rule, jurisdiction, claims processing challenges: the U.S. Supreme Court’s decision in *Pereira v. Sessions* has taken on a life of its own. In this intermediate panel, speakers will discuss where all of these issues stand currently, and what we should be prepared for next.*

- State of the “Two-Step” Stop-Time Rule (*Matter of Mendoza-Hernandez* and Related Circuit Court Case Law)
- *Ortiz-Santiago v. Barr*: What Is a Claim Processing Rule, How Is It Different from the Jurisdictional Issues Addressed by the BIA?
- Jurisdictional Challenges to NTAs Lacking the Address of the Immigration Court
- *In Absentia* Orders and Deficient NTAs
- New Case Law Involving *Pereira*

4:05 pm–4:20 pm

#### Networking Break

4:20 pm–5:20 pm

#### Never Give Up, Never Surrender! Motions to Reopen in Immigration Court

*When it’s over, it’s over . . . unless it’s not over. Panelists will discuss advanced issues in reopening removal proceedings, including equitable tolling and reopening reinstated orders.*

- Statutory Motions to Reopen (MTRs) vs. Sua Sponte MTRs (or Both!), Crafting a Stellar Sua Sponte MTR
- Equitable Tolling: When It Is Necessary and When Is It Available (Updates on the U.S. Supreme Court Case)
- Reopening Reinstated Orders
- Successive MTRs: When Is a Second or Third MTR Available? (*i.e.*, *Lozada* or *VAWA*)
- Litigating Motions in Circuit Courts

## BUSINESS

7:00 am–8:00 am

#### The Rise (and Fall?) of Trusted Traveler Programs for the U.S. Multinational Executive

*Since the beginning of Global Entry as a pilot program in 2008, trusted traveler programs have expanded both inside and outside the United States. Yet, in recent years, some countries have expanded the use of e-gates to all travelers from certain partner countries. Panelists will examine the current benefits and transactional costs of non-U.S. trusted traveler programs (such as APEC) for the U.S. multinational executive, in the context of the long-term sustainability of such programs.*

- Greased Lightning: How Fast Is Fast?
- Worth the Hassle? Balancing Program Requirements for the Itinerant Executive

- Short Shrift? Does Quick Entry Impair Local Country Compliance?
- No Value for the Money? The Opening of E-Gates to the Masses

8:00 am–8:15 am

#### Networking Break

8:15 am–9:15 am

#### Diversity and Inclusion Within Your Firm: Impact on Profitability (Diversity/Elimination of Bias)

*While the societal benefits of achieving a diverse and inclusive workforce is clear, awareness of the business case for diversity and inclusion is also now on the rise. Companies and law firms have increasingly begun to regard diversity and inclusion as a source of competitive advantage, and specifically, as a key enabler of growth. This panel will include in-house counsel, law firm leaders, and other experts discussing the benefits of diversity and inclusion and its impact on profitability. Hear practical advice on how small and large organizations successfully incorporate diversity, inclusion, and the elimination of bias into their respective cultures and how your firm can too.*

- Tangible Benefits of Diversity for Your Firm
- Obstacles Legal Professionals Encounter as They Seek to Eliminate Implicit Bias and Solutions
- How Your Firm Can Develop Sustainable Diversity and Inclusion Practices
- How Adopting These Initiatives Could Make Your Firm More Attractive to Corporate Clients
- Marketing Your Diversity and Inclusion Initiative

9:15 am–9:30 am

#### Networking Break

9:30 am–10:30 am

#### Drafting Strategies for PERM: A Practical Workshop

*DOL’s ETA 9089 is one of the most difficult of all immigration forms, presenting a number of drafting challenges and obstacles for practitioners. Drafting a successful ETA 9089 begins with a sound ETA 9141. The experts on this basic-to-intermediate panel will provide members with best practice recommendations addressing a variety of strategic drafting issues for these two forms. These recommendations range from how to interpret basic questions on the ETA 9089 and ETA 9141, to successfully navigating the complex nuances inherent in these forms.*

- Form ETA-9141: How It Relates to the 9089
- Form ETA-9089: Application for Permanent Employment Certification Filed with DOL
- Section H Conundrums in Drafting H.4 to H.15
- J.18 to J.20: Is There a Right or Wrong Answer?
- Section K Disclosures

10:30 am–10:45 am

**Networking Break**

10:45 am–11:45 am

**I Didn't Know I Could Do That! Creative and Cautionary Uses of the B Visa**

*Scrutiny of the H-1B and L-1 visas are at an all-time high. Never fear, however, because the B-1 is here! Panelists on this intermediate session will examine some uncommon uses of the B-1 visa, many of which are provided for by the FAM. They also will identify the pros and cons of using B visas, discuss the extent to which CBP or USCIS agree with creative uses of them, and help you determine whether these visas are right for your clients.*

- Beyond Business Meetings: FAM Endorsed Uses of the B-1 Visa Category
- Know Your Agencies: Differing Interpretations Between DOS, CBP, and USCIS
- Know Your Four-Letter Words: "Work," "Live," and "Paid"
- Appropriate Preparation of Your Client for B-1 Travel
- Weighing the Risks and Benefits of Using ESTA vs. the B-1 Visa

11:45 am–12:30 pm

**Lunch Break**

12:30 pm–1:30 pm

**Lunch Session—Managing the Physicality Requirement in Business Immigration (Masters)**

*Where are your employees and who are they supervising? The experts on this masters panel will engage in a granular discussion of the requirement of physicality of duties in meeting a variety of nonimmigrant work-related visa standards.*

- What Duties Must Physically Be Performed in the United States to Obtain a Nonimmigrant Work Visa?
- Is a Foreign Employer Always Acceptable? Can You Supervise Employees Abroad?
- Is There a Difference in the Physical Performance of Duties Between Nonimmigrant and Immigrant Visa Options?
- When Is a Commuter Arrangement Acceptable for a Nonimmigrant Living Outside of the United States?
- Can the Supervision of Contract Employees Be Used to Meet Managerial/Supervisor Requirements?

1:30 pm–1:50 pm

**Networking Break**

1:50 pm–2:50 pm

**Crimmigration for Business Practitioners: What You May Not Want to Know, But Need to Know**

*For employment-based immigration attorneys, the immigration consequences of criminal convictions are not a daily concern. However, when they do arise, criminal matters can present unique and challenging issues. Panelists on this introductory session will help employment-based immigration attorneys identify and address these issues and provide a fundamental understanding of crimmigration. They also will address instances in which the criminal history of their corporate client employees may arise in the course of representation of their employer.*

- What to Do When a Business-Client's Employee or Officer Has Been Arrested: Who Is Your Client? Who Should You Be Advising, and How Should You Advise Them?
- The Impact of an Arrest, Admission, or Criminal Conviction
- Impact of a DUI: Revocations, Visa Waiver Program
- What Are Crimes Involving Moral Turpitude (CIMTs)? What Is the Impact of a CIMT Conviction?
- When Does a Marijuana Infraction Create an Immigration Issue? Reconciling State Law with Federal Law

2:50 pm–3:05 pm

**Networking Break**

3:05 pm–4:05 pm

**Consular Nuances in Processing E-1 and E-2 Visa Applications in the Era of BAHA**

*In the wake of increasing limitations imposed by USCIS on visa options for investors and entrepreneurs as a result of the "Buy American and Hire American" (BAHA) executive order, the consular-issued E visa has taken on new importance. Panelists on this intermediate panel will highlight some of the procedural nuances of various U.S. embassies and discuss strategies for increasing the chances of visa approval abroad.*

- Is It Too Early to Be Considered Active?
- Executive, Supervisory, and Essential Employees
- Intent to Depart in the Face of a Pending Immigrant Visa Petition
- Documenting E-1 Exchange of Goods or Services and E-2 Investment
- Demystifying Special Consular Programs: Company Registration and "Secret" Lists
- How to Successfully Navigate Document and Page Requirements/Limitations

4:05 pm–4:20 pm

**Networking Break**

4:20 pm–5:20 pm

**The Skilled Worker Rule Three Years Later**

*The 2017 Skilled Worker Rule codified many of the AC21 practices and guidance and addressed multiple related issues, including employment authorization, grace periods for nonimmigrant visa holders who lost employment, cap exemptions, and more. In many, but not all, respects, the rule was a parting gift for U.S. employers and the skilled foreign nationals working for them. The experts on this intermediate panel will examine the rule and its application, with emphasis on the new aspects it added or changed.*

- NIV Grace Periods: Who and How
- Enhancements of H-1B Portability: Successive Petitions
- Employment Authorization Document Issues: Processing Times, Automatic Extensions, Special Cases
- Cap Exemption: Relaxing the Criteria for Affiliation
- INA §204(j) Portability

**GOVERNMENT & LIAISON COMMITTEE OPEN FORUMS**

7:00 am–8:00 am

**The DHS Office for Civil Rights and Civil Liberties (CRCL) Open Forum**

8:00 am–8:15 am

**Networking Break**

8:15 am–9:15 am

**U.S. Department of State (DOS) Open Forum**

9:15 am–9:30 am

**Networking Break**

9:30 am–10:30 am

**U.S. Customs and Border Protection (CBP) Open Forum**

10:30 am–10:45 am

**Networking Break**

10:45 am–11:45 am

**U.S. Department of Labor (DOL) Open Forum**

11:45 am–12:30 pm

**Lunch Break**

12:30 pm–1:30 pm

**CIS Ombudsman Open Forum**

1:30 pm–1:50 pm

**Networking Break**

1:50 pm–2:50 pm

**U.S. Citizenship and Immigration Services (USCIS) Open Forum**

2:50 pm–3:05 pm

**Networking Break**

3:05 pm–4:05 pm

**Executive Office for Immigration Review (EOIR) Open Forum**

4:05 pm–4:20 pm

**Networking Break**

4:20 pm–5:20 pm

**U.S. Immigration and Customs Enforcement (ICE) Open Forum**

**FRIDAY SPECIAL EVENTS**

6:00 pm–10:00 pm

**American Immigration Council's 2020 American Heritage Awards**

**Saturday, June 20, 2020**

**FUNDAMENTALS**

7:00 am–8:00 am

**Asylum 101**

*Asylum cases are not for the faint of heart. What are the fundamental elements of asylum? What harm rises to the level of persecution? How do you demonstrate the government's inability to protect your client? Panelists on this fundamentals session will help you answer these and other questions related to asylum practice.*

- Persecution: What Harm Is Severe Enough?
- The Five Protected Grounds: What Are They, and How to Show Your Client's Persecution Was Based on One of These Grounds?
- Government Inability or Unwillingness to Protect: How to Demonstrate That Your Client's Government Can't Assist Them
- Use of Country Conditions Evidence and Expert Witnesses
- The Importance of Being Informed About the Latest Legal Developments in the Ever-Shifting World of Asylum Eligibility

8:00 am–8:15 am

**Networking Break**

8:15 am–9:15 am

**Removal 101: The Distinction Between Inadmissibility and Deportability**

*Panelists in this fundamentals session will introduce the grounds of inadmissibility and deportability, when they apply, and the differences between them.*

- Inadmissibility vs. Deportability: INA §212(a) and §237(a)
- Common Grounds of Inadmissibility
- Common Grounds of Deportability

9:15 am–9:30 am

**Networking Break**

9:30 am–10:30 am

**Primer on Waivers of Inadmissibility**

*Clients subject to a ground of inadmissibility may be eligible for a waiver. Panelists in this fundamentals session will provide an overview of immigrant and nonimmigrant waivers, focusing on who qualifies and how to file.*

- Qualifying for a Nonimmigrant Visa Waiver Under INA §212(d)(3)
  - How to Apply, When and Where to File, the Adjudication Process
- The More Complicated Immigrant Visa Waiver
  - Requisite Qualifying Relative, Documenting Hardship
  - Adjustment of Status vs. Consular Processing
- Advance Permission to Reapply for Admission

10:30 am–10:45 am

**Networking Break**

10:45 am–11:45 am

**Crimmigration 101**

*There are immigration consequences to criminal activities. The experts in this fundamentals session will discuss the common issues that arise from criminal offenses. They also will provide attendees with an overview of the terms, documents, and burdens of proof in immigration cases for clients with a criminal history.*

- Most Common Criminal Grounds: Crime Involving Moral Turpitude, Aggravated Felony, etc.
- What Is a Conviction?
- Analyzing the Charges, Plea Agreement, and Record of Conviction
- Immigration Issues in Plea Bargaining
- Educating the Criminal Lawyer

11:45 am–1:50 pm

**Lunch Break**

1:50 pm–2:50 pm

**Anatomy of a Removal Proceeding 101**

*Representing clients in removal proceedings starts before you set foot in the courtroom. Panelists on Part I of this two-part fundamentals series will provide you with the basics you need to be an effective and prepared litigator in removal court.*

- Commencement of Proceedings: Breaking Down the Notice to Appear
- Distinctions Between Being Charged with Deportability Versus Inadmissibility
- Who Bears the Burden of Proof?
- Available Forms of Relief

2:50 pm–3:05 pm

**Networking Break**

3:05 pm–4:05 pm

**Anatomy of a Removal Proceeding 102**

*Preparing for court is only half the battle; you still have to litigate the case. Panelists in Part II of this two-part fundamentals series will focus on the more procedural side of representing clients in removal proceedings.*

- Master Calendar Hearings, Pleading to or Challenging the Notice to Appear
- Filings with the Immigration Court: Motions, Applications, and Evidence
- Monitoring Legal Developments and Changes to Client's Circumstances Before the Individual Hearing
- The Importance of a Pre-Hearing Brief and a Trial Notebook
- Procedure of the Individual Hearings: What Happens? How Do You Prepare?
- Handling Post-Order Issues

4:05 pm–4:20 pm

**Networking Break**

4:20 pm–5:20 pm

**Detention 101**

*Representing detained clients can be one of the more difficult and demanding immigration practice areas. Panelists on this fundamentals session will discuss various issues related to detention practice, including client access, bond hearings, and mandatory detention.*

- How to Find a Client in Detention
- Difficulty with Access to and Contact with Clients
- What Happens When the Client Is Moved?
- Release, Parole, and Bond by ICE
- Bond Requests and Hearings



## FAMILY

7:00 am–8:00 am

### Options for Military Families

*Under previous administrations, there were generous provisions for military families, which helped them remain in the United States or even become lawful permanent residents. The current administration, however, has signaled that those provisions may be coming to an end. Panelists on this intermediate session will discuss current policies, what may be changed, and how this will affect military personnel and their families.*

- Updates on Parole in Place (PIP) Policies and Procedures (Where to File, What to File)
- Updates on Deferred Action for Military Family Members Policy and Procedure
- Proposed Changes in PIP and Deferred Action
- Expulsion of Military Personnel Based on Foreign Ties
- MAVNI Litigation and Legal Strategies for MAVNIs in Limbo
- Discretionary Possibilities for Military Families (Deferred Action, Positive Equity in Removal Proceedings, Waivers, Asylum)

8:00 am–8:15 am

### Networking Break

8:15 am–9:15 am

### Defining and Defending Bona Fide Marriages

*The perceived validity of a marriage can make or break many cases, but proving good faith has become increasingly difficult. The experts on this intermediate panel will examine how marriage-related issues may arise before USCIS, DOS, and EOIR. They also will discuss the latest in attempts to invalidate marriages and how to fight back in each procedural setting.*

- Defining a Marriage and Bona Fide Relationship Under the INA
- Screening for Potential Issues Related to Marriages and Other Familial Relationships Before Filing
- Proving Marriage and Divorce Validity Using Foreign Documents
- Representing Your Client in Interviews, Investigations, Home Visits, and Court
- Responding to Accusations of Marriage Fraud and Bigamy in the Context of Moral Character Evaluations

9:15 am–9:30 am

### Networking Break

9:30 am–10:30 am

### Identifying and Dealing with Complex Marriage-Based I-130 Issues

*Panelists on this intermediate/advanced panel*

*will focus on complex and uncommon issues in marriage-based cases.*

- When Your Client Has a Previously Denied Marriage-Based I-130
- How to Prove Good Faith When Traditional Bona Fides Are Not Available
- When Your Married Couple Doesn't Speak the Same Language and Other Glaring Red Flags
- Preparing Couples for Stokes/Separated Interviews
- Living Apart but Still Together: Cohabiting in a New Era

10:30 am–10:45 am

### Networking Break

10:45 am–11:45 am

### 90 Day Fiancé: Not Reality Television, but Real Life!

*The TLC television show 90 Day Fiancé gives the public an entertaining glimpse into the fiancé visa process. However, reality television doesn't show the entire story. Our panelists will provide the REAL truth and explain how to ethically assist clients looking to bring their foreign fiancé(e) to the United States in order to get married.*

- IR-1 vs. K-1: Which Is the More Successful or Expedient Option? Is the K-1 the Right Choice for Your Client?
- Why Are K-3s So Easy to Forget?
- Failure to Marry Within 90 Days
- Failure to File for Adjustment of Status: Options for the Noncitizen
- Spotting Adam Walsh Act Issues

11:45 am–12:30 pm

### Lunch Break

12:30 pm–1:30 pm

### Lunch Session—The Truth Behind the New Public Charge Regulations

*Immigrant eligibility for public benefits vary by state. The new public charge regulations have had a chilling effect on applications for public benefits and entitlement programs. More importantly, the regulations have led to immigrant visa denials at consular posts based on the public charge ground and resulting in I-601A revocations. Panelists will demystify the new public charge regulations and identify areas of concern for your practice.*

- New Public Charge Regulations: What You Need to Know
- Comparison of Public Charge Regulations Across the Immigration Agencies
- How to Evaluate If Your Client May Be a "Public Charge"
- Findings of Public Charge and I-601A Revocations: Advocacy Strategies and Litigation Issues

- Ethical Concerns for Practitioners in Preparing the I-864 for the Sponsor and/or Co-Sponsor

1:30 pm–1:50 pm

### Networking Break

1:50 pm–2:50 pm

### What to Do When a Marriage-Based Petition Becomes a Potential VAWA

*The experts on this intermediate panel will address thorny topics that can arise when representing clients in a marriage-based petition, particularly when extreme cruelty or physical abuse are involved.*

- Identifying Extreme Cruelty and Physical Abuse, How to Ask When You Suspect
- Comparing Options: Joint I-751 vs. Battered Spouse Waiver, VAWA Self-Petition vs. VAWA Cancellation
- What About a U or T Visa?
- Ethical Considerations: When Your I-130 Becomes an I-360

2:50 pm–3:05 pm

### Networking Break

3:05 pm–4:05 pm

### Litigation Skills for Non-Litigators Mini Track: Removal Proceedings for Family-Based Practitioners

*Never give in! Fighting for your client doesn't end with a denial from USCIS, so don't abandon your family-based case just because your client winds up in removal proceedings. Panelists on this intermediate panel will provide expert guidance and litigation tools to help you fight back.*

- Basics of Removal Proceedings Everyone Should Know: NTAs, EOIR-28s, etc.
- Knowing Your Court: Common Pet Peeves from Immigration Judges
- *Matter of Castro-Tum*, *Matter of L-A-B-R*, and *Matter of Sanchez Sosa*: Getting Continuances for USCIS Adjudication of I-130s, I-918s, I-929s, etc.
- Challenging I-751 Denials Before an Immigration Judge
- When DHS Won't Agree to Termination to Allow for USCIS Adjudication
- Affirmative and Defensive BIA Appeals: Automatic Stays

4:05 pm–4:20 pm

### Networking Break

4:20 pm–5:20 pm

### Litigation Skills for Non-Litigators Mini Track: Federal Court Litigation for Family-Based Practitioners

*As a family-based practitioner, you don't always think about litigating. Given the current enforcement-minded climate and lengthier delays,*

*however, it's time to seriously consider taking the government to court! Zealous advocacy requires knowledge of this process and the options available to your clients. Our panel of experts will provide an overview of the building blocks to successful litigation for experienced family practitioners.*

- Best Practices for Serving Clients Given the Crisis-Level Processing Delays and Backlog: Mandamus Litigation
- Habeas Petitions on Behalf of Detained Clients
- 8 USC §1421(c) Review of Naturalization (and N-336) Denials
- "They Can't Do That!": APA Violations Regarding I-130s, I-751s, N-400s, etc.
- Where to Turn to for Help: Overview of Available Resources

## ASYLUM MINI TRACK/ LITIGATION

7:00 am–8:00 am

### Challenging a Finding of Material Support to a Tier III Terrorist Organization

*In asylum proceedings before the court, immigration judges are charged with determining whether a group of two or more individuals constitutes a Tier III terrorist organization. The standards for such a finding, however, are broad and vague. Join the experts on this advanced panel for a discussion of how to defend against a Tier III designation.*

- The Three Tiers of Terrorist Organizations
- How Do You Predict Whether a Group Is at Risk of a Tier III Designation?
- Shifting Burdens of Proof: First DHS, Then the Respondent
- What Is Material Support?
- Duress Exception and Exemptions

8:00 am–8:15 am

### Networking Break

8:15 am–9:15 am

### Representation of MPP Asylum Seekers

*The Migrant Protection Protocols (MPP) have sent tens of thousands of asylum applicants to Mexico to wait for their immigration court hearings. This has created unique challenges implicating access to counsel and concerns about whether these applicants are receiving adequate due process of law. The experts on this advanced session will address strategies to meet these challenges.*

- How to Communicate Effectively and Reliably with Clients in Mexico
- Challenges in and Strategies for Obtaining Corroborating Evidence from Clients Placed in MPP
- Strategies for Removing Applicants from the MPP (Non-Refoulement Interviews)

- Availability of Bond, Parole, and Change of Venue for Individuals Placed in the MPP
- Challenging NTA Defects: How Your Client Can Benefit from a Motion to Terminate

9:15 am–9:30 am

### Networking Break

9:30 am–10:30 am

### How to Formulate a Legally Cognizable Particular Social Group After *Matter of A–B–*

*Matter of A–B– made establishing a legally cognizable particular social group (PSG) extremely difficult in more than just domestic violence-based asylum claims. The panelists in this expert session will do a deep dive on the current law of PSG formulation, and work through how and when to craft a winning PSG for your asylum claims. Formulating an approvable PSG is not something to worry about the morning of your individual hearing, but rather, it is something to work on from the first consultation with a new client.*

- Gender– and Gang-Based Asylum After *A–B–*
- Family– and Gender-Based PSGs, Political Opinion as Alternatives
- Finding the "Goldilocks Zone:" Not Too Broad, Not Too Small, and Not Too Circular
- How to Develop and Plead Your PSG at an Early Stage
- How to Support Your PSG Through Testimony and Supporting Evidence

10:30 am–10:45 am

### Networking Break

10:45 am–11:45 am

### Volunteering on Both Sides of the Border: The Ethics of Activist Lawyering (Ethics)

*Concomitant with the intense focus on immigrants at the southern border of the United States is the increased attention being paid to the lawyers representing them. This increased attention, however, is not always wanted. Many lawyers want to volunteer on the front lines, but fear retaliation by doing so. Panelists will address the myriad questions associated with activist lawyering, including questions about what it really entails, what risks are posed by immigration lawyers participating on both sides of the border, and how best to evaluate the risks.*

- What Is Activist Lawyering at the Border?
- Reducing Risks When Volunteering with Organizations Doing Advocacy on the Mexican Side of the Border
- What to Do When Advancing a Cause Conflicts with Safeguarding the Interests of Your Individual Clients
- Limited Representation and Competence Issues for Lawyers Volunteering at the Border Short-Term

- Mexico's Ethical and Legal Rules for Representing Clients (Both in Paid and Volunteer Capacities) Present in Mexico While Seeking U.S. Immigration Status

11:45 am–12:30 pm

### Lunch Break

12:30 pm–1:30 pm

### Lunch Session—Convention Against Torture Cases: How to Win the Impossible Win

*Convention Against Torture (CAT) relief requires somewhat extraordinary circumstances and more than the average asylum claim. But what is the best case, exactly, to present in a CAT claim? What are the winning arguments and the best evidence and circumstances supporting those arguments? Speakers at this intermediate panel will walk you through documenting and litigating a successful CAT claim.*

- What Are the Standards of Proof? How Do They Differ from Asylum and Withholding?
- No Particular Social Groups! How to Use That to Your Advantage
- Government Actors and Non-Government Actors: How to Put Your Persecutor in the "Acquiescence" Box If They Are Not a Government Actor
- Using Advantageous Case Law from the Seventh Circuit to Support Your Argument
- Popular Themes for CAT Claims—*e.g.*, Former Gang Members

1:30 pm–1:50 pm

### Networking Break

1:50 pm–2:50 pm

### Advanced FOIA: How to Find Documents You Never Knew You Needed

*We've all FOIA'd the A files of our clients, but what else can you, as an immigration lawyer, FOIA from the government that is useful? In this intermediate panel, speakers will address actions you can take in federal court when FOIAs are absurdly delayed or incomplete, and how you can get paid for that litigation.*

- Creative Uses of FOIA
- How to Request Documents You're Not Sure Exist
- Administrative Appeals of FOIA (Including for Documents You're Not Sure Exist), Challenging the Use of Exceptions to Withhold Documents
- FOIA-Related District Court Litigation
- Attorney's Fees

2:50 pm–3:05 pm

### Networking Break

3:05 pm–4:05 pm

### Relief from Removal: Beyond Cancellation and Asylum

*The panelists on this intermediate session will discuss new and creative ways to seek relief from removal in immigration court. They also will identify forms of relief not often used but still available, such as NACARA, suspension of deportation, HRIFA, CAA, registry, INA §212(c), INA §237(a)(1)(H), adjustment and readjustment, and other waivers. Finally, panelists will provide guidance on combating multiple grounds of removability and combining forms of relief to achieve victory.*

- Solutions to Marriage Fraud and Failures to Disclose: INA §237(a)(1)(H) and I-751 Hardship Waivers
- Clients in the United States Since Before the BlackBerry: NACARA (and Other ABC Benefits), Registry, Western Hemisphere, and INA §212(c)
- Deportation Proceedings? Suspension!
- Combining Multiple Forms of Relief: Stacking INA §237(a)(1)(H) and EOIR Form 42A; Waiving Fraud, Prior Removal Orders, and Crimes; INA §212(c) and §212(h) (for Clients Who Can't Stay Out of Trouble)

4:05 pm–4:20 pm

### Networking Break

4:20 pm–5:20 pm

### In the ER: Expedited Removal, That Is

*Expedited removal (ER) is not normal, but it may become the new norm. Panelists on this intermediate session will examine how ER is different from “normal” removal proceedings. They will advise on the details of when, where, and how it can happen, how to screen for it, and what can be done after it happens.*

- Identifying Those Who Have Been and Could Be Subject to ERs (CBP and OBIM FOIAs)
- Interplay of ER with Credible Fear Interviews and Bond
- How to Challenge ERs in Federal Court
- Expansion of ER and Recent Trends

## BUSINESS

7:00 am–8:00 am

### The Lightning Round of Immigration Options for Healthcare Workers

*With shortages in nearly every aspect of healthcare on the rise, more U.S. medical providers are looking for innovative ways to staff their facilities with competent employees. However, for many health occupations, the method of sponsoring a foreign worker is murky at best. Join our panel of experts as they discuss the ins and outs of immigration options for foreign healthcare workers.*

- Foreign Medical Graduates: Training to Permanent Residence
- Nurses and Physical Therapists: Schedule A and Other Options
- Allied Healthcare: Audiologists to Occupational Therapists, and Whatever Comes Between
- VisaScreens and Licensure: Is It (or Something Like It) Required, and How Does One Obtain One?

8:00 am–8:15 am

### Networking Break

8:15 am–9:15 am

### Strategies for Managing and Winning RFEs and NOIDs

*Panelists on this intermediate session will focus upon current RFE and Notice of Intent to Deny (NOID) trends in the nonimmigrant and immigrant visa context. They also will provide guidance on how to address many of the most common and/or difficult requests made by USCIS. Emphasis will be placed on how to work with clients to develop winning strategies.*

- Anatomy of an RFE: How to Read What It Says and Understand What It Means
- Legal Sources, Recent Case Law, and Techniques in Drafting a Successful RFE Response
- Encouraging Your Client to Think Outside the Box in Providing New Evidence
- Strategies for Responding to the “Over the Top” RFE, Including Misapplication of Law and Misstatement of Material Facts
- Challenges to the RFE and Resubmission of Evidence: When Is This a Good Tactic?
- When the RFE Wins: Is the Best Approach to Withdraw and Resubmit?

9:15 am–9:30 am

### Networking Break

9:30 am–10:30 am

### The Dangers of Commingling Onboarding Programs and Form I-9 Compliance (Masters)

*The experts on this advanced panel will discuss how off-the-shelf human resources onboarding programs can cause problems for Form I-9 compliance, including E-Verify-related issues.*

- Onboarding Program Options That Can Create Problems for Form I-9 Declarations Given Under Penalty of Perjury
- Pre-Population of Form I-9: What Is Possible?
- Professional Employee Organizations: What Is the Exposure to the Contracting Party If They Don't Get It Right?
- How Are Audit Trails Addressed for E-Verify Purposes: Is the Form I-9 Updated in E-Verify After Corrections?

- What Are the Dangers in the Selection of the Hire Date?
- Evaluation of Software Programs for I-9 Compliance

10:30 am–10:45 am

### Networking Break

10:45 am–11:45 am

### Updates on PERM, FAQs, and BALCA Decisions

*This panel is designed for all levels to provide an overview of recent and anticipated changes coming from DOL that might impact the labor certification program and process. Come hear our experts speak on the latest developments affecting your practice.*

- Updates to PERM-Related Systems
- Trends Gleaned from Recent DOL Audits, Denials, and Liaison
- Review of Recent PERM-Related FAQs
- Trends in Recent BALCA Decisions

11:45 am–12:30 pm

### Lunch Break

12:30 pm–1:30 pm

### Lunch Session—Not Your Typical NIV: Employment-Based Strategies for Employees with Unique Immigration Status

*In the wake of the Trump administration's attempts to restrict and rescind Deferred Action for Childhood Arrivals (DACA) and to end Temporary Protected Status (TPS) for certain designated countries, employees are seeking alternative pathways to remain in the United States and obtain permanent residency through employment-based mechanisms. The experts on this intermediate panel will discuss how to assist employers in evaluating and developing strategies to sponsor foreign national employees who have a non-traditional status and/or other immigration issues. They also will provide an overview of waivers of inadmissibility that might be available.*

- Current Status of Employment Authorization Under DACA, TPS, Deferred Action, Asylum, and Other EADs
- Dual Representation and Working with the Employee's Personal Attorney
- Evaluating the Feasibility and Logistics of NIV and IV Options
- Identifying Grounds and Waivers of Inadmissibility in the Employment-Based Context
- Evaluating Eligibility for Adjustment of Status or Consular Processing

1:30 pm–1:50 pm

### Networking Break



1:50 pm–2:50 pm

### Employer Compliance Issues Beyond Form I-9

*The increase in compliance and enforcement issues reaches beyond the I-9 audit. Social Security and Affordable Care Act (ACA) mismatches, DOL investigations, and Fraud Detection and National Security (FDNS) investigations are also on the rise. Panelists on this intermediate session will address the wide variety of compliance issues that employers are facing under the current administration.*

- Social Security and ACA Mismatches
- H-1B Compliance Issues: Public Access Files, Worksite Visits, Material Changes Post-Simeio
- PERM Compliance, Including Audit File and Retention Issues
- FDNS Audits on H-1B, R-1, and L-1 Employers
- DOL Audits and Investigations, Including H-2s

2:50 pm–3:05 pm

### Networking Break

3:05 pm–4:05 pm

### Retrogression Prophylaxis

*With employment-based priority date retrogression becoming the new normal, corporate and individual clients face unprecedented hurdles on the road to permanent residence. The experts on this intermediate panel will prepare practitioners to advise clients on ways to plan new EB cases and address affected existing cases to reduce the delays and interruptions caused by fluctuations of the Visa Bulletin.*

- Planning from the Outset How to Proceed: Changing Filing Expectations and Strategy
- National Interest Waivers for the Self-Petitioner
- DOL Schedule A, Group 2: Exceptional Ability Applicants
- PERM: Special Handling for Academics as an Option
- Options for the L-1 Running Out of Visa Validity

4:05 pm–4:20 pm

### Networking Break

4:20 pm–5:20 pm

### F-1 Employment Issues: The Evolving Landscape

*Authorized employment of F-1 visa holders is becoming more complicated for employers and students as the Trump administration, USCIS, and DOS continue to tighten and redefine the F-1 visa category. Panelists will review existing regulations and policies and discuss employment options and pitfalls. The discussion will include employer considerations for Optional Practical Training (OPT), STEM OPT, and Curricular Practical Training (CPT).*

- Allowed Uses of CPT and Impact on OPT
- OPT and STEM OPT Procedures and Considerations

- OPT and STEM OPT: I-983 Compliance and Employer Obligations
- Maintenance of Status, Unlawful Presence, Cap-Gap, and Beyond October 1
- Travel and Consular Issues During Authorized OPT, STEM OPT and CPT Terms

## LAW PRACTICE MANAGEMENT

7:00 am–8:00 am

### Financial Planning for Solo and Small Firms

*Panelists will discuss financial best practices for solo and small law firms, including determining partner/owner compensation, succession planning, and other financial planning considerations.*

- Managing the Day-to-Day Finances of Your Practice: Setting Budgets and Bookkeeping
- Determining Partner/Owner Compensation and Planning for Retirement
- Best Practices in Invoicing, Payment, and Collection Systems
- Tax Strategies and Entity Structures
- Trust Accounts and Managing Client Funds

8:00 am–8:15 am

### Networking Break

8:15 am–9:15 am

### Ethically Navigating Changing Circumstances During the Course of Representation (Ethics)

*Whether we like it or not, cases and clients can present themselves differently after the consultation and the fee agreement is signed. Practitioners in these situations face challenges in navigating changes in circumstances successfully for their clients, particularly when the change in circumstance is unforeseeable. Panelists will advise on ethical ways to address disputes and conflicts when changes occur. They also will discuss processes for analyzing underlying causes and address ethical methods to prevent disputes and reduce vulnerability to conflict for attorneys.*

- Foreseeing Potential Changes in Circumstance
- Handling the Surprise
- Evaluating Fee and Billing Policies
- Client Communication Strategies: What to Tell Clients, and How Frequently
- Knowing Your Ethical Obligations: When to Refer Out, Get Co-Counsel, or Withdraw

9:15 am–9:30 am

### Networking Break

9:30 am–10:30 am

### Don't Become Obsolete: Understanding Your Role in the Future of the Immigration Profession (LPM)

*If you don't know where you've been, you don't*

*know where you are going. Panelists will provide an overview of the 2019 AILA Marketplace Study, give insights into the data, and offer guidance on how to build your practice for the future.*

- Results of the 2019 Marketplace Study
- Interpreting the Study's Findings
- How to Plan for the Future
- Types of Immigration Practices: Bespoke, Standardized, Systematized, Packaged, and Commoditized
- Predictions from Panel Members for the Future of the Profession

10:30 am–10:45 am

### Networking Break

10:45 am–11:45 am

### Building and Using Chatbots for Your Practice

*USCIS has a chatbot ("Ask Emma"): why shouldn't you? As technology continues to grow, chatbots can be an effective tool in managing your clients and cases. Panelists will show you how you can utilize a chatbot whether you are a member of a large firm or a sole practitioner.*

- The Complete Beginner's Guide to Chatbots
- What Is a Chatbot? Where to Find Them and How to Build Them
- Are Chatbots the Right Tool for Your Future?
- Are Chatbots Too Impersonal?
- When Your Chatbot Goes Rogue: Ethical Considerations and Potential Liability of Using Chatbots

11:45 am–12:30 pm

### Lunch Break

12:30 pm–1:30 pm

### Lunch Session—The Perfect Paralegal: Making Sure Your Paralegal Is Both Valued and Valuable

*This session is essential for every practitioner. Panelists will focus on how to attract, train, and cultivate the best professional relationships with your valuable paralegals. They also will provide guidance for attorneys and employers looking to expand their practice.*

- Building a Compelling and Cost-Effective Compensation Package
- Where to Look: How Employers Know When It's Time to Increase Staff and Which Qualities/Experience to Seek
- Making Both Paralegals and Employers Happy at Work
- Cultivating the Relationship Between the Paralegal and the Client to Maximize the Attorney's Work Product and Time
- Differences Between Paralegal Handholding and Giving Legal Advice: How and Where to Draw the Line

1:30 pm–1:50 pm

### Networking Break

1:50 pm–2:50 pm

### Answering the Question, “Why Hire an Immigration Lawyer When I Can Google?”

*Access to technology and automation by prospective clients is changing the practice of immigration law. The need for knowledge, expertise, and a valiant advocate still exists, but now a greater focus is placed on accessibility, availability, and cost. Panelists will discuss how to continue to attract clients and demonstrate the value of professional legal representation in the face of revolutionary technology.*

- How the Trends Driving Consumer Change—e.g., Online Communities, Social Media, and Technology—Are Impacting the Practice of Law
- What Are the Best Practices for Capitalizing on the Disruption?
- Identifying New Approaches to Enhance Accessibility to Attorney Services
- Honesty, Experience, Expertise, and Trustworthiness Still Count: How to Market Who You Are to Prospective Clients, and How to Get Clients to Value You

2:50 pm–3:05 pm

### Networking Break

3:05 pm–4:05 pm

### Tech Tips for Immigration Lawyers

*Advances in technology and online products are changing the way immigration lawyers practice, whether it be new expert systems that use artificial intelligence, chatbots, digital signature products, web-based document assembly and management tools, or a host of other products. These new tech tools have created a multitude of opportunities to work more efficiently and cost-effectively. Panelists will explore some of the most interesting new products on the market, and will advise on how immigration lawyers can start incorporating them into their practices.*

- Expert Systems: Using New Tools to Deliver Better, Faster Work Product
- Cutting Edge Case Management: Which New Features Do You Need to Utilize?
- Client Communication Tools
- Documents: Going Paperless, the Latest in Document Assembly, and Document Management

4:05 pm–4:20 pm

### Networking Break

4:20 pm–5:20 pm

### Marketing Essentials: Every Immigration Attorney Is Also an (Ethical) Salesperson (Ethics)

*Marketing in the 21st century involves targeted messaging to niche audiences. Thus, in the current era of technology and social media, having a website and an online presence are essential to having a successful law practice. Panelists on this fundamentals session will discuss ethical marketing practices for articulating your true value proposition, how to sell (and soft-sell) your firm's services, and what you can and cannot do.*

- Tips for Marketing Your Firm to the Right Client
- Social Media and Online Marketing
- Reviews and Third-Party Advertisers
- Ethics Rules About Advertising and Website Content
- Avoiding an Inadvertent Attorney-Client Relationship

## SATURDAY TRAININGS AND SPECIAL EVENTS

9:30 am–10:30 am

### J-1s: Adventures in Sponsoring Trainees and Interns

*Join our experts for this intermediate panel discussion focusing on the J-1 visa category. Topics covered will include the assessment of whether a J-1 is appropriate and whether the foreign national is eligible. Speakers also will address how to identify and select the right J-1 program, as well as the steps involved in the application process. Finally, the panelists will discuss when it is a good business decision for an employer to create its own J-1 program, and the logistics involved in set-up and administration.*

- When Is the J-1 Appropriate? What Can a J-1 Trainee Do?
- When Does INA §212(e) Apply?
- Program Sponsors: Finding the Right Fit
- Helping Your Client Set Up a J-1 Program
- My Client Has a J-1 Program, Now What? Logistics, Obligations, and Maintenance

10:45 am–11:45 am

### What Keeps You Up at Night? Risk Management for Experienced Immigration Attorneys (Ethics)

*Bring those questions that haunt you about running an immigration practice. Experts on this advanced panel will discuss the latest toughest issues about providing legal guidance in a whipsaw environment. Whatever keeps you awake at night, let our expert panel help you sleep like a baby! Panelists will cover the topics below and address your pressing questions.*

- Are You Using the Best Software for Your Firm?
- Do You Have Too Much to Handle?
- Dealing with Potential Bar Complaints in an Ever Increasingly Hostile Immigration World
- How to Minimize Client Concerns When USCIS Is Against Them and Cutting You Out of the Picture

1:50 pm–2:50 pm

### Eliminating Business Culture Bias: Developing a More Inclusive Approach to Global Business Culture (Elimination of Bias)

*This all level panel will seek to broaden attorney understanding of foreign business cultures, to improve communication with a diverse client base, and help attorneys assist their clients in navigating an immigration system based on U.S. business norms. Business immigration attorneys interact with professionals from all over the world, including from many locations where business norms and documentation requirements are different than those found in the United States. This can lead to misconceptions and miscommunication between attorneys and clients, as well as confusion on how to comply with U.S. immigration procedures, regulations, and criteria.*

- Individualist vs. Collectivist Cultures and Their Impact on Client Disclosures and Evidence Provided
- Global Variations in Client Expectations and Business Practices
- Business and Personal Record Collection Issues
- Cultural Conflict Resolution Strategies

9:00 pm–Midnight

### New Members Division Saturday Night Party

## MASTER WORKSHOPS

This year's annual conference will offer several small workshop options for those attendees who want a more hands-on, interactive session. Participation will require advanced preparation by attendees. Detailed sign-up information will be available on AILA.org in late spring, with space being allocated on a first-come, first-served basis. Each workshop will be limited to 15–20 participants.

### Complex Removal Cases Workshop and Brainstorming Session (Masters)

Do you wish you had other attorneys with expertise to strategize with? Bring your toughest removal cases and brainstorm solutions and ideas for your cases with the expert panelists in this dynamic roundtable workshop.

- Case Fact-Patterns Must Be Submitted in Advance; Panelists Will Pick Those Most Amenable to Workshopping
- Get Real-Time Feedback and Opinions from Our Panel of Experts
- Draw on the Expertise of the Other Participants to Plan Your Best Litigation Strategy

### Storytelling for Waivers

Clients often have powerful stories to tell and as immigration attorneys we must find that best way to convey those stories to USCIS. This session not only will include tips for effective storytelling, but also will involve interactive, hands-on activities for effectively incorporating storytelling into your work. Pre-register to receive prompts prior to the session. Attendees will leave with samples to use for future applications. This session also includes:

- Writing Assignment Prior to Arrival
- Interactive and Hands-On Review
- Tools for Effective Writing to USCIS

### Tech Support for the Non-Techie: A Workshop on Technology Terms and Concepts for Attorneys Representing Start-Ups

Have you ever wished you were more (or even just a little) tech savvy so that it didn't feel like your tech clients were speaking another language? This technology workshop is designed to prepare immigration attorneys to better communicate with and advise their tech start-up clients. Attendees must pre-register and submit topic areas and questions in advance of the session to help the experts prepare for the workshop. Our experts will then walk participants through technology terms and key concepts based on submissions.

- Submit Questions and Tech Topics in Advance; Panelists Will Pick Those Most Amenable to Workshopping
- Get an Overview of the Most Frequently Encountered Tech Concepts Related to Start-Ups

### Setting and Revising Fees Workshop

Stop setting fees based upon incomplete data and revising them arbitrarily, or, worse, not revising them ever. This workshop explains the data a firm should use to set the fee schedule, how to use that data, and how to adjust fees appropriately. This is a hands-on workshop, but there will be sample firms to use to learn methodology if one does not have the statistics.

- Evaluate Overhead and Salary Requirements
- Determine Market Climate
- Consider Strengths, Weaknesses, and Model Preferences
- Calculate Appropriate Hourly or Flat Fees Based on Data

### Fee Agreement Workshop

Panelists will advise on writing or rewriting the fee agreement clauses that give lawyers the most trouble. They will address both ethical compliance and client attraction and retention goals in this hands-on, practical session in order to give you the best fee agreement you have ever had by the time you leave.

- Fixing Common Mistakes in Scope of Representation, Costs, and Fees Clauses
- Checklist of Clauses Every Agreement Should Have
- Checklist of Causes that Sometimes Apply
- Ten Easy Tweaks Made on the Spot; Bring Your Own Agreement or Customize a Provided Sample

## 2020 Annual Conference Program Committee

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## Continuing Legal Education Credits at the Conference\*

Continuing Legal Education (CLE) credit is being sought for the 2020 AILA Annual Conference in all jurisdictions that have mandatory CLE and legal specialization requirements. Notices of approval, including approved totals, will be posted on the annual conference website as they become available. Participants seeking CLE credit will be required to submit their affidavit of participation via *webCLE* by Tuesday, June 30, 2020, at [ailawebcle.org](http://ailawebcle.org). Attorneys are awarded credit based upon the number of session hours they attend at the conference. Attorneys are responsible for accurately tracking and recording the sessions they attend and the relevant CLE codes for CLE reporting. Eligible participants can receive up to 34.5 total credits (including up to 7.0 ethics credits) in 50-minute jurisdictions, and up to 29 total credits (including up to 6 ethics credits) in 60-minute jurisdictions. Additional information regarding CLE procedures will be provided to registrants at a later date. Visit [aila.org/accle](http://aila.org/accle) for more details.

*\*Please note that estimated CLE credit hours are for in-person attendance only. The amount of CLE credit hours awarded for OnDemand participation will differ depending upon state jurisdictions.*

Pictured above: The Omni San Diego Hotel



## Volunteer to Be an Annual Conference Day Coordinator!

Day Coordinators play an important role at the annual conference. They generally serve for one half-day track and are responsible for introducing panelists and helping to ensure the smooth operation of the CLE sessions. If you're a member in good standing, volunteer by **Monday, March 30, 2020**, to receive special recognition in the conference program. For more information, please contact [conferences@aila.org](mailto:conferences@aila.org).

## Registration Is Easy at [annual.aila.org](http://annual.aila.org)

Register online with your credit card. To pay by check, download the registration form on the website and mail it in.

Members	
Early Bird Through May 4, 2020	
AILA Members/International Associates:	\$855
AILA Members' Paralegals:	\$855
AILA Nonprofit Members:	\$705
AILA Law Student Members:	\$605
After May 4, 2020	
AILA Members/International Associates:	\$1,105
AILA Members' Paralegals:	\$1,105
AILA Nonprofit Members:	\$955
AILA Law Student Members:	\$855

Nonmembers	
Early Bird Through May 4, 2020	
Nonmember Attorneys:	\$1,105
Nonprofit Nonmembers:	\$870
Nonmember Law Students:	\$720
Other Nonmembers:	\$1,105
After May 4, 2020	
Nonmember Attorneys:	\$1,355
Nonprofit Nonmembers:	\$1,120
Nonmember Law Students:	\$970
Other Nonmembers:	\$1,355

### Register and Add the Conference Recordings for Only \$99

Don't forget to purchase the conference recordings for only \$99 when you register for the conference, saving you hundreds of dollars off the regular price! The recordings must be purchased at the time of conference registration and will be available following the conference via your Agora Digital Library. At the conference, regular rates will apply.

#### Conference Location:

The 2020 AILA Annual Conference will be headquartered at the Marriott Marquis San Diego.

Select sessions, as well as the 2020 AILA/GMS Annual Global Immigration Forum, will also be held at the Omni San Diego Hotel in the Gaslamp District, a short, ten-minute walk from the Marriott Marquis. More information on exact tracks/sessions at the Omni will be identified closer to the conference on AILA Agora.

### Attendance Gets You CLE Sessions ... and a Whole Lot More!

Your registration fee includes:

- Admission into the CLE Sessions from Wednesday Through Saturday
- Peer-reviewed Conference Handbooks—*AILA's Immigration Practice Pointers* (2020–21 Ed.) and *Navigating the Fundamentals of Immigration Law* (2020–21 Ed.)—In Electronic Format
- Admission to the Exhibit Hall Grand Opening on Wednesday Evening, The Annual Awards Ceremony, New Members Division Saturday Night Party, and Admission to the Exhibit Hall Throughout the Conference
- Refreshment Breaks (While Supplies Last)
- Opportunities to Network
- Attendee List
- Conference Program Book

**Note:** All sessions and events are subject to change without notice.

**Notice:** Government and press may be restricted from attending select sessions. Please reference the final program for more information regarding these “closed” sessions. “Closed” sessions will not be recorded.





## Headquarters Hotel: Marriott Marquis San Diego Marina

333 W. Harbor Drive, San Diego, CA 92101

The AILA group rate is \$289 for a city view, single/double occupancy room and \$299 for a bay view, single/double occupancy room plus taxes.

To reserve a room, call 1-877-622-3056 and refer to group code AILA. You can also reserve online at <https://book.passkey.com/go/AILA2020>

Hotel reservations are made on a first-come, first-served basis. Rooms at the AILA rate will sell out before the deadline, so we advise you to make your reservation as early as possible. AILA will not be able to get additional rooms at the AILA rate after the AILA block of rooms fills up. The specially discounted AILA group rate has been contracted for room nights reserved from June 16, 2020, through June 20, 2020, only. The AILA group rate is not guaranteed for any other dates and will be based on availability.

## Overflow Hotels

### Omni San Diego Hotel

(0.4 miles from Headquarters Hotel)

675 L Street, San Diego, CA 92101

The AILA group rate is \$279 for a single/double occupancy room plus taxes.

To reserve a room, call 1-800-843-6664 or 1-800-THE-OMNI and refer to group code AILA. You can also reserve online at <https://www.omnihotels.com/hotels/san-diego/meetings/aila-2020-06132020>

### Embassy Suites by Hilton San Diego Bay Downtown

(0.5 miles from Headquarters Hotel)

601 Pacific Highway, San Diego, CA 92101

The AILA group rate is \$239 for a single/double occupancy room plus taxes.

To reserve a room, call 1-619-239-2400 and refer to group code AILA. You can also reserve online at <http://embassysuites.hilton.com/en/es/groups/personalized/S/SANDNES-ILA-20200615/index.jhtml>

### San Diego Marriott Gaslamp Quarter

(0.4 miles from Headquarters Hotel)

660 K Street, San Diego, CA 92101

The AILA group rate is \$255 a single/double occupancy room plus taxes.

To reserve a room, call 1-888-236-2427 and refer to American Immigration Lawyers group rate. You can also reserve online at <https://book.passkey.com/event/50043727/owner/16413/home>

**Hotel Cut-off Date: May 4, 2020**

*Please be aware of unofficial or scam solicitations for AILA housing reservations and/or other services related to any AILA conferences. AILA will never call you to secure your AILA hotel reservation. AILA reservations can only be secured via the official hotel group reservation link or the hotel phone numbers listed above.*





# 2020 AILA/GMS Annual Global Immigration Forum

## *Riding the Waves of Global Migration: Smooth Sailing on Rough Waters*

June 15–16, 2020, Omni San Diego Hotel, 675 L Street, San Diego, CA

Hot global immigration topics in the Southern California surf and sun! This two-day conference, presented in partnership by AILA National and the AILA Global Migration Section, will address the latest global immigration issues around the world. The expert panelists will provide attendees with cutting-edge information and practical advice on managing clients' global mobility needs, focusing on the current geopolitical environment, the latest challenges for corporate and private clients, the ever-evolving nature of global consular processing, and the global race for talent. Consular officers from several jurisdictions will be presenting, and attendees will also have a variety of networking opportunities to allow them to connect with fellow immigration practitioners from around the globe.

### Featured Sessions

- A Sea of Change: Global Immigration in Dire Straits?
- The Tempest: When the Assignment Goes Awry
- Private Beach? Social Media and Privacy Concerns in Global Consular Processing
- Pirates on the High Seas? Global Unauthorized Practice of Immigration Law
- Sea Trials: Start-Up Nations and the Race to Attract Technology Entrepreneurs

Visit [agora.aila.org/m/GlobalForum2020](https://agora.aila.org/m/GlobalForum2020) for more details and to register!





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1331 G Street NW, Suite 300  
Washington, DC 20005



## Presidents Party at the San Diego Zoo!

Thursday, June 18, 2020

This separate ticketed event includes discounted admission, transportation, dinner buffet, and entertainment. Visit [annual.aila.org](https://annual.aila.org) for more details.

