

AILA 2015 ANNUAL CONFERENCE ON IMMIGRATION LAW | JUNE 17 – JUNE 20, 2015

SESSIONS AND SPEAKERS

Please note: all registrants will receive the following 3 preconference seminars as a special registration bonus. These seminars will be recorded and distributed to all registrants via the Agora Digital Library before the conference.

Pre-Conference Seminars

1. Introduction to Immigration Law

This preconference fundamentals web seminar will provide the basic foundation of fundamentals concepts needed to prepare attendees for the in-person fundamentals tracks. Specifically, this seminar will provide a broad overview of governmental agencies, general concepts, basic legal terminology, and key legal resources. Key concepts will be covered in-depth during the in-person fundamental track sessions.

- Agencies You Need to Know: USCIS, ICE, CBP, DOS, DHS, DOJ
- Key Concepts: Immigrant vs. Nonimmigrant, Consular Processing, Adjustment of Status, Priority Dates, and the Visa Bulletin
- Critical Distinctions: Visa vs. Status, Visa Waiver or Visa Exempt, Violations of Status, Unlawful Presence, and Overstays
- Immigration Law Sources: INA/Code, Regulations, Memos, FAM, AFM, etc.

Bernadette McGuire (DL), Castle Rock, CO
Matthew G. Holt, San Diego Chapter Chair/New Members Division Steering Committee Chair, San Diego, CA
Jesse A. Lloyd, Oakland, CA
Elaine H. Witty, Memphis, TN

** = invited, not confirmed*

2. The 50th Anniversary of the Immigration Reform Act of 1965

This preconference seminar will recount the historic break the 1965 Act made from past immigration policy, and will discuss the lasting impact of the bill on U.S. immigration policy today.

John L. (Jack) Pinnix (DL), AILA Past President, Raleigh, NC
Ira J. Kurzban, AILA Past President, Miami, FL
Charles C. Foster, AILA Past President, Houston, TX

3. Getting the Most Out of the Annual Conference

This preconference session will walk attendees through the Annual Conference program and highlight those sessions and events that are essential for getting the most out of your Annual Conference experience.
Sharon R. Mehlman (DL), Annual Conference Chair, San Diego, CA
Matthew G. Holt, San Diego Chapter Chair/New Members Division Steering Committee Chair, San Diego, CA
Sheila Mahadevan, Washington, DC
Julianne C. Sharp, Southfield, MI

WEDNESDAY, JUNE 17, 2015

12:00 pm – 8:30 pm **Registration**
(Exhibit Hall E)

3:00 pm – 3:50 pm **New Attendee Orientation**
(Maryland A)
Lisa Helen York (DL), AILA Board of Governors/Annual Conference Fundamentals Subcommittee Chair/Interagency Committee Vice Chair, Denver, CO
Matthew G. Holt, San Diego Chapter Chair/New Members Division Steering Committee Chair, San Diego, CA
Charles A. Tievsky, AILA Washington DC Chapter Chair, Reston, VA

5:00 pm – 8:30 pm **Exhibit Hall Grand Opening Gala**
(Exhibit Hall D-E)

FUNDAMENTALS BOOT CAMP
(Maryland A)

4:00 pm – 5:00 pm **Nonimmigrant Visa Overview—Alphabet Soup Part I**

This panel will provide a basic overview of the nonimmigrant visa categories. Part 1 of this two-part panel will cover all nonimmigrant visa categories, from diplomats to fiancées, and discuss when each would be appropriate for your client.

- A, D, and G: Diplomats and Government Representatives
- B-1 and B-2: Visitors
- C and D: Aliens in Transit and Alien Vessel and Aircraft Crew
- E-1 and E-2: Investors

** = invited, not confirmed*

- H-1B, H-1B1, and E-3: Temporary Workers
- H-2B: Seasonal Workers
- F, J, and M: Students and Exchange Visitors
- K-1 and K-3: The Fiancé(e) Visa

Lisa Helen York (DL), AILA Board of Governors/Annual Conference Fundamentals Subcommittee Chair/Interagency Committee Vice Chair, Denver, CO
Matthew D. Stump, Oklahoma City, OK
Nita Nicole Upadhye, London, UK

5:05 pm – 6:05 pm **Nonimmigrant Visa Overview—Alphabet Soup Part II**

This panel will provide a basic overview of the nonimmigrant visa categories. Part 2 of this two-part panel will cover all nonimmigrant visa categories, from intracompany transferees to victims of crime, and discuss when each would be appropriate for your client.

- I: Foreign Media
- L-1A and L-1B: Intracompany Transferees
- Os for Those with Extraordinary Ability
- Ps for Athletes, Artists and Entertainers
- Q: The Cultural Visa
- R: Religious Workers
- S: Informants

Edward R. White (DL), Annual Conference Family Subcommittee Chair, Boston, MA
Gayle Oshrin, AILA Board of Governors/Annual Conference Business Subcommittee Chair, New York, NY
Jonathan Lee Flores, Los Angeles, CA

6:10 pm – 7:10 pm **Business Immigration 101—Business Makes the World Go Round**

Business immigration lawyers play a critical role in the global economy by facilitating the movement of foreign workers across borders. This panel provides an overview of business immigration law for new practitioners. Those new to immigration law should attend this session to gain a general understanding of business immigration law which will prepare them for the more in-depth fundamentals sessions beginning Thursday morning.

- What Is the Business of Business Immigration Lawyers?
- Overview of the Life-Cycle of a Business Immigration Case
- Synopsis of Hot Topics and Recent Trends in Business Immigration
- Practice Tips for New Business Immigration Practitioners

Lori Torgerson Chesser (DL), Des Moines, IA
Margaret A. Catillaz, AILA Past President, Rochester, NY
Neena Dutta, AILA New York Chapter Chair, New York, NY
Farshad Owji, San Francisco, CA

** = invited, not confirmed*

7:15 pm – 8:15 pm **Family Immigration 101—All You Need Is Love**

Most people think that "all you need is love" to immigrate to the United States based on marriage or by having a U.S. citizen child. If only it were that simple! This basics-level panel provides an overview of family-based immigration and explains why the process is so complicated and takes way too long. Those new to immigration law should attend this session to gain a general understanding of family-based immigration law which will prepare them for the more in-depth fundamentals sessions beginning Thursday morning.

- Who Qualifies as a Family-Based Immigrant?
- What Is an I-130 Petition?
- Why Do Some People Have to Wait Much Longer Than Others?
- Overview of Recent Trends in Family Immigration
- Adjustment of Status vs. Consular Processing

Matthew J. Maiona (DL), AILA MAP Task Force Chair, Boston, MA
James W. Austin, Kansas City, MO
Michelle Saenz Rodriguez, Dallas, TX

8:20 pm – 9:20 pm **Removal 101—Through the Looking Glass**

Using the case of your hypothetical client, Alicia, this discussion will provide an overview of the "Wonderland" of removal proceedings, from issuance of a Notice to Appear to final appeal possibilities. It also will help you navigate each step so you can advise your client. Those new to immigration law should attend this session to gain a general understanding of removal which will prepare them for the more in-depth fundamentals sessions beginning Thursday morning.

- Synopsis of the Grounds of Inadmissibility and Removability
- Overview of the Process of Arrest, Detention, Bond, Charge of Removal
- The Basics of a Master Calendar Hearing and Introduction to the Notice to Appear
- Common Options for Relief
- An Introduction to Prosecutorial Discretion

Ericka C. Curran (DL), Jacksonville, FL
C. Lynn Calder, Raleigh, NC
John L. Sesini, Milwaukee, WI

EB-5 MINI TRACK
(Maryland C)

6:10 pm – 7:10 pm **If I Had a Million Dollars—Fundamentals of EB-5 Investor Visas**

What's all the hype about EB-5 investor visas? This panel will cover the basics of the EB-5 investor category and explore whether the benefits really outweigh the risks for you and your client.

- EB-5 Criteria, Requirements, and Process
- Direct Investment vs. Investing Through a Regional Center
- Job Creation vs. Job Retention

** = invited, not confirmed*

- The Role of the Agent in the EB-5 Process
- Liability and Ethical Issues for Attorneys

Carolyn S. Lee (DL), AILA EB-5 Committee Vice Chair, Ithaca, NY
Laura Danielson, Minneapolis, MN
Cletus M. Weber, Mercer Island, WA

7:15 pm – 8:15 pm **Intermediate Blocks for the EB-5 Practitioner**

Thousands of investors are seeking immigrant visa status through the EB-5 investor visa program. Practitioners often face challenges in understanding this complex program, such as what to look for in a Regional Center and conducting due diligence on projects; strategic use of Targeted Employment Areas, and advising clients on potential retrogression. This session will help you avoid pitfalls and roadblocks for EB-5 visa petitioners.

- Two-Step EB-5 Process: From I-526 to I-829
- Direct EB-5 Investments vs. Investment Projects Sponsored by Regional Centers
- Job Creation and Evidentiary Requirements
- Money on the Move: Path and Source of Funds

Ignacio A. Donoso (DL), Bethesda, MD
Tammy Fox-Isicoff, AILA Board of Governors, Miami, FL
Daniel B. Lundy, Philadelphia, PA

8:20 pm – 9:20 pm **Money Never Sleeps—Advanced Issues in EB-5 Visa Processing**

The growth of the EB-5 immigrant investor visa program generates new challenges for practitioners, such as applying the EB-5 Policy Memorandum in practice. This seminar will help you successfully plan and respond to advanced emerging issues in EB-5 visa petitions.

- Material Changes in Investment Projects
- Job Creation and Documentation Issues for Direct and Regional Center Projects
- Two Years Already?! Strategy and Evidence for I-829s
- Role of the Attorney in Evaluating Investment Projects: Where Is the Line?
- Sustaining Investments – Impact of Quota Retrogression and Early Repayment

H. Ronald Klasko (DL), AILA Past President, Philadelphia, PA
David M. Morris, AILA EB-5 Committee Chair, Washington, DC
Robert Divine, Chattanooga, TN

WEDNESDAY NIGHT ROUNDTABLES (6:10 PM – 7:10 PM)

6:10 pm – 7:10 pm **Documenting Hardship Through Effective Psychological Evaluations and Expert Testimony** ***(National Harbor 3)***
This panel of experts will discuss how an effective psychological evaluation can buttress your hardship case. They will discuss the differences between past and prospective trauma and how to recognize a good evaluation for your hardship, VAWA, and asylum cases with USCIS and in the courts. Panelists also will address the value of using a licensed therapist as expert witness during your individual hearing in removal proceedings.

** = invited, not confirmed*

- Working with Traumatized Post-traumatic Stress Disorder (PTSD) Clients: A Special Approach?
- Prospective vs. Past Trauma
- Psychologist Reports
- Therapy vs. Evaluation: The Myth of the "Ongoing Relationship with Your Therapist"
- Expert Testimony in Courts and with USCIS

B. John Ovink (DL), Tampa, FL
Erin E. McGaughey, Seattle, WA
Susan Wolfson, LCSW, Lakewood Ranch, FL

6:10 pm – 7:10 pm **Ethics of Immigration Law—Conflicts of Interest**
(Cherry Blossom)

Your client tells you she's having an affair; what do you tell her husband? Your client tells you he wants to quit his job; what do you tell his employer? Conflicts of interest are a particularly challenging issue in the practice of immigration law given that dual representation is common. This panel will review the various contexts in which such conflicts may arise and, using the applicable ethics rules as a guide, and will offer tips regarding how to address them.

- Dual Representation in Family and Employment Relationships
- When Can the Employee Pay the Fees?
- I-864 Sponsor/Co-Sponsor
- I-751 Joint Petitions & Waivers
- Potential Future Conflicts

Melissa Chavin (DL), London, UK
Robert E. Juceam, AILA Past President, New York, NY
Meghan Moore, Wyoming, MI
Reid Trautz, Director, AILA Practice and Professionalism Center, Washington, DC

WEDNESDAY NIGHT ROUNDTABLES (7:15 PM – 8:15 PM)

7:15 pm – 8:15 pm **Adopting a Child While Living Abroad**
(Cherry Blossom)

This panel will guide practitioners through the immigrant visa petition process for clients living abroad who have adopted a child while residing there and who plan to move back permanently to the United States.

- Understanding the Difference in Process if the Applicant Is from a Hague vs. Non-Hague Country
- How Long Does the Family Need to Live Outside the United States?
- Can I File an I-130 Locally at a Consulate or USCIS International Office?
- Tips on Preparing the I-130 Petition Packet to Be Filed Abroad

Elizabeth Rompf Bruen (DL), Chicago, IL
Karen Stoutamyer Law, Ashburn, VA
Tifany E. Markee, San Diego, CA

** = invited, not confirmed*

**Government Representative*

7:15 pm – 8:15 pm **The Building Blocks for Successful Agency and Federal Court Appeals**
(National Harbor 3)

It happens—you lost your case in immigration court or before USCIS. Now you must consider your options and grounds for appeal. This panel will review the principles that every lawyer must know and apply during appeal. The panelists also will provide tips on effective appellate brief and motion writing.

- The Administrative Law Foundation and Framing the Challenge: *Chevron* and *Brand X*
- The Canons of Interpretation: What Are They and How to Use Them
- Preserving Issues and Limiting Scope of the Appeal: Exhaustion and the *Chenery* Doctrine
- Tying It All Together: Writing Strong Briefs and Motions That Will Persuade the Board Member or Judge

Michael S. Vastine (DL), Miami Gardens, FL
Maria E. Andrade, Boise, ID
Adam Rosen, Owings Mills, MD
Avantika Shastri, San Francisco, CA

WEDNESDAY NIGHT ROUNDTABLES (8:20 PM – 9:20 PM)

8:20 pm – 9:20 pm **Complying with the USCIS Policy Memo on Adoption**
(Cherry Blossom)

This panel discussion will focus on the December 2013 USCIS Policy Memorandum, which clarifies the criteria for determining habitual residence in the United States for children from Hague Convention countries.

- How to Successfully Obtain Letters of Habitual Residence
- Strategies to Successfully Address Intent
- Tips on How to Address Custody
- Best Practices on What to Do When You Can't Comply

Lindsay A. Curcio (DL), Brooklyn, NY
Mark Egan, Mesa, AZ
Tina S. Sharma, Silver Spring, MD

8:20 pm – 9:20 pm **How to Deal with "Impossible" Visa Denials and Cancellations**
(National Harbor 3)

Has your client's nonimmigrant or immigrant visa been cancelled or denied by a U.S. consular office? Obtaining review is slow, difficult, and costly. This panel will focus on creative ways to handle visa denials and cancellations, and the inadmissibility issues that can underlie them. The panelists also will review the landscape for waivers and judicial appeals.

** = invited, not confirmed*

- Doctrine of Consular Nonreviewability and the "Reason to Believe" Standard in INA sections 221(g)(3) (Ineligible to Receive a Visa), 212(a)(2)(C) (Drug Trafficking), and 212(a)(3) (National Security)
- Denials Based on Client Inclusion in INTERPOL Databases
- Working with DOS and Third Parties to Address Inadmissibility Issues
- Administrative and Judicial Appeals

Sandra A. Grossman (DL), Rockville, MD
Thomas K. Ragland, Washington, DC
Daniel J. Parisi, London, UK
Christian G.A. Zeller, Tampa, FL

OTHER SESSIONS, WORKSHOPS, AND EVENTS

8:30 am – 6:00 pm **2015 AILA Global Immigration Forum *(Separate Registration)***
(Cherry Blossom)

8:30 am – 5:00 pm **AILA Leadership Workshop**

5:00 pm – 6:30 pm **AILA Law Student Networking Event**

6:00 pm – 7:00 pm **Happy Hour Q&A with AILA Authors & Experts in the Exhibit Hall**
(Exhibit Hall D-E)

8:30 pm – 9:30 pm **New York Chapter Reception**
(Rosa Mexicano, Cactus Room, National Harbor)

THURSDAY, JUNE 18, 2015

7:15 am – 4:15 pm **Registration**
(Exhibit Hall D-E)

7:15 am – 2:45 pm **Exhibit Hall**
(Exhibit Hall D-E)

3:45 pm – 6:00 pm **Exhibit Hall**
(Exhibit Hall D-E)

PLENARY
(Potomac Ballroom)

8:00 am – 8:30 am **Conference Kick-Off**

8:30 am – 9:45 am **President's Installation**

9:45 am – 10:00 am **Networking Break**

** = invited, not confirmed*

10:00 am – 10:30 am **Keynote Address**
**Cecilia Muñoz, Assistant to the President and Director of the Domestic Policy Council, The White House, Washington, DC*

10:30 am – 11:55 am **Hot Topics with the AILA National Officers**
Sharon R. Mehlman (DL), Annual Conference Chair, San Diego, CA
Leslie A. Holman, AILA President, Burlington, VT
Victor D. Nieblas Pradis, AILA President-Elect, City of Industry, CA
William A. Stock, AILA 1st Vice President, Philadelphia, PA
Annaluisa Padilla, AILA 2nd Vice President, La Habra, CA
Anastasia Tonello, AILA Treasurer, New York, NY
Marketa Lindt, AILA Secretary, Chicago, IL
Crystal L. Williams, AILA Executive Director, Washington, DC

FUNDAMENTALS
(Maryland A)

9:50 am – 10:50 am **The ABCs of Marriage-Based Cases**

When your clients' international romance turns into marriage, find out how you can help them be together. Also learn the red flags to watch out for as a new practitioner when you aren't convinced the couple could win the "newlywed game."

- The Anatomy of a Marriage-Based Petition: The I-130, I-485, I-864, and G-325
- The Basics of International Travel While the Application Is Pending
- What Are K-1/K-3 and When Are They Good Options?
- Dual Representation: The Role of the Attorney and Conflicts of Interest
- Documenting Bona-fide Relationships and Asking the Right Questions
- Same-Sex Couples: Is There a Different Standard?

Carlina Tapia-Ruano (DL), AILA Past President, Chicago, IL
Scott E. Bettridge, Coral Gables, FL
Elizabeth Chatham, Tempe, AZ
John J. Marandas, Lake Oswego, OR

10:55 am – 11:55 am **Basics of I-751s**

Love may keep couples together, but is that enough for USCIS to remove the conditions on a marriage-based green card? Come join the love fest as we explore the nuts and bolts of preparing and filing an I-751.

- Timeliness of Filing the I-751
- Joint Filing Requirement
- Waiver of Joint Filing Requirement
- Termination of Conditional Resident Status

Haley Bjerk (DL), Portland, OR
Nash Joseph Fayad, Richmond, VA
Matthew R. Glinsmann, Gaithersburg, MD

** = invited, not confirmed*

1:30 pm – 2:30 pm **A Primer on Immigrant Visa Processing**

The United States has hundreds of consular posts around the world where applicants apply for their immigrant visas. This panel will cover the basics of consular processing from I-130 approval to the interview at the consulate.

- How Does the Consular Process Start After the I-130 Is Approved?
- How Do I Complete the DS-260?
- Documents: What Is Required? Originals or Copies? Common Problems with Documents
- When and How Is the Interview Scheduled?
- How Do I Prepare My Client for the Interview?

Robert S. Whitehill (DL), Pittsburgh, PA
Anastasia Tonello, AILA Treasurer, New York, NY
Noemi Ramirez, Los Angeles, CA
Wayne Michael Weightman, Phnom-Penh, Cambodia

2:30 pm – 2:45 pm **Networking Break**

2:45 pm – 3:45 pm **Waivers A to Z—An Overview of NIV and IV Waivers**

Welcome to the wonderful world of waivers! A lapse in judgment or circumstances beyond your client's control may affect your client's ability to enter, stay, or change status in the United States. This panel provides an overview of the different types of waivers for both nonimmigrants and immigrants.

- Immigrant Waivers
- Nonimmigrant Waivers
- General Rules to Know About Waivers (Forms, Fees, Filing Tips)

A. Carin Weinrich (DL), Washington State Chapter Chair, Seattle, WA
Kari Ann Fonte, Coral Gables, FL
Kehrela M. Hodkinson, London, UK
Nancy E. Miller, Pasadena, CA

3:45 pm – 4:15 pm **Networking Break**

4:15 pm – 5:15 pm **I-601/I-601A Immigrant Waiver Primer**

Sometimes your client's unlawful presence, health-related issues, or bad behavior can cause big problems when applying for a green card. Know when your client may be eligible for the I-601 or I-601A waiver. This panel will explore the basics of I-601 and I-601A waivers.

- Determining Whether Your Client Really Needs a Waiver
- Who Can Apply for the I-601 and I- 601A Waivers?
- Waiver Criteria
- How to Prepare a Waiver Application

** = invited, not confirmed*

- Proving Extreme Hardship
- Effective Use of Expert Opinions

Elaine H. Witty (DL), Memphis, TN
Allen E. Kaye, AILA Past President, New York, NY
Raed Gonzalez, Houston, TX
A. Renee Pobjecky, Winter Haven, FL

LUNCH SESSIONS

12:25 pm – 1:25 pm **Praying for Approval—Cutting Edge Issues for Religious Workers**
(Annapolis)

Attorneys who represent religious denominations and religious workers face challenges that are unique to the field. This panel will discuss some of the current issues and challenges facing religious worker nonimmigrant and immigrant visa applicants and effective representation of religious workers.

- Using the Religious Freedom Restoration Act of 1993 to Challenge Agency Interpretations that Burden the Free Exercise of Religion, Such As Ability to Pay Determinations
- Must Every Single Day of Employment Be "In Lawful Status?" What About INA Section 245(k)?
- Establishing the Bona-Fide Relationship Between the United States and Foreign Religious Organizations: What Is a Denomination?
- Creating Compliance Files for Religious Organizations to Proactively Deal with FDNS Site Visits

Danielle M. Rizzo (DL), AILA CBP Liaison Committee Vice Chair/Board of Publications Chair, Buffalo, NY
Cliff Rosenthal, Santa Monica, CA
Sandra Wagner, San Diego, CA

12:25 pm – 1:25 pm **Ethics and Practice Management in the Digital Age**
(Maryland A)

Immigration attorneys have more technology tools available to them to promote, develop, and manage their practices than ever before. However, the sheer array of options and ethical implications can be dizzying. This panel will offer guidance on the practical and ethical factors you should take into account when choosing and using new technology tools.

- Ethics and Technology Tools: Social Media, Customer Relationship Management, Practice Management, Cloud Storage, Time Tracking, Billing and Accounting
- More Is Not Necessarily Better: Practical Guidance for Choosing Fewer, More Practical Tools You Will Actually Use
- Ethical Considerations in Choosing and Using Technology Tools: The Model Rules of Professional Responsibility and Recent ABA and State-Level Guidance

Ruby Lichte Powers (DL), Houston, TX
Gregory Howard Siskind, AILA Board of Governors, Memphis, TN

** = invited, not confirmed*

Sheela Murthy, Owings Mills, MD
Reid Trautz, Director, AILA Practice and Professionalism Center, Washington, DC

12:25 pm – 1:25 pm **From STDs to TB to Ebola—Medical Grounds of Inadmissibility**
(Maryland C)

One of the most difficult issues that clients and their attorneys can face is a serious medical problem that may render one ineligible for immigration benefits. This panel will review the medical grounds of inadmissibility, what questions to ask the client in the consultation, preparing the client for the medical exam, medical waiver applications and options for contesting a finding.

- What's a Communicable Disease Significant to Public Health?
- Drug and Alcohol Abuse Issues
- Exam and Vaccination Exemptions
- Section 212(g) and Related Medical Waivers

Laurel Scott (DL), Houston, TX
Eric Fleischmann, Canada Chapter Chair, Hartford, CT
William Z. Reich, Buffalo, NY
**Panel Physician*

12:25 pm – 1:25 pm **The Consular Posts Strike Back—Advanced Consular Processing Issues for Business Visas**
(Woodrow Wilson)

This panel discusses the various issues and challenges associated with U.S. consulates around the world. Speakers will focus on the growing problems of re-adjudication of business visa petitions at the post, post recommendations for revocation of a petition, and other issues. Current worldwide trends and practical tips will be addressed.

- Re-adjudication and Recommendations by Consular Posts for Revocation of Petitions
- Referrals by Consular Post to FDNS/KCC/DOL ETA
- Best Methods to Communicate with Consular Posts
- Problems with PIMS
- Worldwide Site Visits to Verify Prior Employment Experience in the E and L Context

Teri A. Simmons (DL), Atlanta, GA
Bernard P. Wolfsdorf, AILA Past President, Santa Monica, CA
Poorvi Rohit Chothani, Co-Chair AILA's Global Migration Section, Mumbai, India
Bryan Y. Funai, Schaumburg, IL

12:25 pm – 1:25 pm **Time-Barred Motions to Reopen—Tips and Tricks for Success**
(Potomac A)

When a client has a prior order of removal and it is too late to file a Motion to Reopen, the situation seems hopeless; but practitioners should not give up too quickly. Reopening proceedings can present an array of possibilities for clients and offer a great space for creative advocacy. This panel will discuss effective strategies for reopening proceedings before the immigration courts and the Board of Immigration Appeals.

** = invited, not confirmed*

- Joint Motion to Reopen Requests to ICE Office of Chief Counsel
- *Matter of Lozada* Motions to Reopen Based on Ineffective Assistance of Counsel and Equitable Tolling
- Motions to Reopen Based on Changed Circumstances
- Requests for Sua Sponte Reopening to the IJ and BIA

Helen Parsonage (DL), Winston-Salem, NC
Vikram K. Badrinath, Tucson, AZ
Jennifer I. Peyton, Cleveland, OH
**Immigration Judge*

12:25 pm – 1:25 pm **Risk Management for Your Practice**
(National Harbor 3)

Lawyers have a 4% to 17% chance of being sued for malpractice. Even if the suit is frivolous, and even if you carry malpractice insurance, defending yourself against such allegations can be disruptive to your practice and law office. Learn how to avoid such lawsuits, and how to effectively defend malpractice allegations if they do occur.

- Risk Management: What Is It and Why Does It Matter?
- Common Malpractice Claims Against Lawyers: Statistics and Examples
- Risk Management Best Practices: What You Can Do to Prevent and/or Mitigate Malpractice Claims

Gayle Wissinger (DL), LPL Product Manager, Hanover Professionals, Grand Rapids, MI

BUSINESS
(Woodrow Wilson)

1:30 pm – 2:30 pm **Happy Anniversary! 10 Years Later the PERM Process Can Still Surprise**

After 10 years in place, the ever-evolving PERM process can trip up even an experienced practitioner from time to time. The panelists in this session will review the PERM process from beginning to end, focusing on quirks of the process.

- The Role of the Attorney and Ethical Considerations
- The Long View: Job Descriptions and Prevailing Wages That Withstand the Test of Time
- Addressing Non-traditional Education/Experience Requirements and Qualifications
- Combination of Occupations and Unusual Positions
- Recruitment Pitfalls
- Addressing Changes During the PERM Process and Post-certification
- Update on Program Modernization
- Hot Topics/Recent Trends

Michael F. Turansick (DL), Chicago, IL
Allen Orr, AILA Board of Governors, Washington, DC
Ester Greenfield, Seattle, WA

2:30 pm – 2:45 pm **Networking Break**

** = invited, not confirmed*

2:45 pm – 3:45 pm **Business in the 21st Century—Virtual Office Challenges in PERM**

More companies are moving to "virtual" offices where the company has only a common rented "space" or the employer and employee have no fixed or physical address. With DOL's focus on geographically appropriate wages and recruitment and little or no guidance available, attorneys are left wondering how best to address issues they encounter in the PERM process when their client has no home.

- Do Virtual Offices Exist?: Getting Past iCert and PERM Registration
- Where Do You "Locate" the Prevailing Wage, Postings, and Other Recruitment Issues?
- Whether Travel Is Implied and Other Disclosures on the PWD and Form ETA-9089
- Does the Virtual Office Expand the Pool of Potential Qualified Employees?
- How Does a Change of Address Impact a Case Where There Is No Address?
- Mining BALCA Cases for Guidance on the Virtual Scenario

Kevin W. Miner (DL), AILA Department of Labor Liaison Vice Chair, Atlanta, GA
Eleanor Pelta, AILA Past President/Bylaws Committee Chair, Washington, DC
Robert H. Cohen, AILA USCIS Liaison Committee Vice Chair, Columbus, OH

3:45 pm – 4:15 pm **Networking Break**

4:15 pm – 5:15 pm **Can a Typo Sink Your PERM Like the Titanic?**

The PERM process can be unforgiving. A seemingly minor typo on the Form ETA-9089, failure to properly document recruitment steps, or omissions in advertisements can completely derail a case. What should you do when you discover after filing Form ETA-9089 that an error has been made? Ethically, under what circumstances should you immediately begin the PERM process over, and when is it feasible instead just to correct or address the error during the process?

- Discovering Misstated or Forgotten Job Requirements
- Missing or Incorrect Recruitment Documentation
- Noting Typos on the Form ETA-9089
- Proactive Use of Case Law, Instructions, and FAQs During Audit or Appeal
- Managing Your Client's Expectations
- Hot Topics in Rectifying Errors

Catherine L. Haight (DL), AILA Board of Governors/ACES Committee Vice Chair, Los Angeles, CA
Marketa Lindt, AILA Secretary, Chicago, IL
Judy Bordeau, Overland Park, KS

** = invited, not confirmed*

FAMILY
(Maryland C)

1:30 pm – 2:30 pm **USCIS District Office Practice**

A large portion of the family-based practice involves working with the local district office. As we know, each local office has its own policies and procedures and also, being located in different court jurisdictions, has its own cases to follow. Please join us for a timely discussion on the latest trends and the "hot topics" in the local district offices. Representatives from USCIS HQ Field Office Operations, the local DC District Office, and AILA members involved in field ops will discuss a wide variety of issues, including a discussion of where policies differ between offices.

Julie T. Emerick (DL), USCIS Office of Field Operations Liaison Committee Chair, Chicago, IL
Robert J. Casazza Jr., New York, NY
Regina Jefferies, Phoenix, AZ
**Government Representative*

2:30 pm – 2:45 pm **Networking Break**

2:45 pm – 3:45 pm **Mock Interviews—Advanced Marriage-Based Waiver and Naturalization Strategies**

Watch, listen, and learn from three dynamic and lively presentations presented as advanced-level mock interviews in which clients and their attorneys deal with tough questions from interviewing officers on their applications for adjustment based on marriage with an I-601 waiver, and for naturalization. Topics to be discussed include:

- Should I Worry If My Clients Are Interviewed Separately?
- What If the Petitioning Spouse Does Not Sign the I-751 or Attend the Interview?
- Can USCIS Ask Questions About the Initial Adjustment at the N-400 Interview?
- What Is My Role as the Attorney? How Involved Can I Be?

Bryon M. Large (DL), AILA Board of Governors/LGBT Immigration Issues Working Group Vice Chair, Denver, CO
Barbara D. Bleisch, St. Louis, MO
Michael R. Jarecki, Chicago, IL
Jesse Maanao, AILA EOIR Liaison Committee Vice Chair, Portland, OR

3:45 pm – 4:15 pm **Networking Break**

4:15 pm – 5:15 pm **Filing a Family IV Petition Abroad—Navigating the Direct Consular Filing**

More clients are global and mobile than ever before. Knowing when and how to lodge either a direct consular filing or an exception to filing abroad is critical for practitioners working with petitioners who reside outside the United States. This panel covers when immigrant visa petitions can be filed abroad, including the advantages and potential pitfalls.

- Who Is Eligible? Is There a Time Savings?
- What Do You Do If There Is No USCIS Office in That Country? Can a Petitioner Forum Shop?
- Relocating U.S. Citizens and Other Pitfalls to Consider

** = invited, not confirmed*

- How Does Direct Filing Affect the Affidavit of Support?

Lynn Marie Lee (DL), USCIS International Operations Liaison Committee Vice Chair, Burke, VA
Cory Caouette, USCIS International Operations Liaison Committee Chair, San Jose, CA
Maria L. Celebi, Istanbul, Turkey
Amanda Shipley, London, UK

INSIDE THE BELTWAY
(National Harbor 3)

1:30 pm – 2:30 pm **Behind Closed Doors—An Insider's Perspective on the Immigration Legislative Process**

Behind closed doors will provide an insider's perspective on the immigration legislative process. There has been so much discussion about various immigration bills being introduced, debated, and proposed. We also often hear about who is for or against a particular item, but do you know what really goes on behind the scenes? Please join our panel of DC insiders, the people in the trenches, to hear exactly what really influences the outcome of the immigration debate and what we (and our clients) can do to make a difference.

Stephen Yale-Loehr (DL), Ithaca, NY
Gregory Chen, AILA Director of Advocacy, Washington, DC
Fawn Johnson, Correspondent, National Journal, Washington, DC
Kerri Talbot, Silver Spring, MD

2:30 pm – 2:45 pm **Networking Break**

2:45 pm – 3:45 pm **Do's and Don'ts of Diplomats**

Due to their special status, diplomats and government representatives have a set of visa requirements that differ from other NIV categories. This session will explore the criteria, limitations, and benefits associated strictly with these categories.

- Change of Status to/from A, G, or NATO (N)
- Benefits for Derivatives of A, G and N Visa Holders
- Adjustment of Status for Children Born in the United States to Diplomats
- Adjustment of Status to Permanent Residence for G-4 Visa Holders and Their Children
- N Visa Status: Who Is Eligible and What Are the Benefits
- Taxation and Social Security

Palma R. Yanni (DL), AILA Past President, Washington, DC
Maria F. Glinsmann, Gaithersburg, MD
Robert N. Gottfried, New York, NY
**Foreign Service Officer*

3:45 pm – 4:15 pm **Networking Break**

** = invited, not confirmed*

4:15 pm – 5:15 pm **Who's Watching?—What the Government Knows About Your Client**

Government agencies have vast amounts of information available, ranging from client bankruptcy and voter registration records to criminal records and Internet activity. This panel, which includes government representatives, will help practitioners work with clients to identify and obtain that problematic information and resolve issues proactively with strategies on how to deal with derogatory information that arises during the course of representation.

- Background Checks: IBIS, IDENT, and the FBI's Criminal Justice Information Service (CJIS)
- Publicly Available Documents and Information
- Revelations via Social Media and the Internet
- Post Access to Local Information
- Extended Review: Where and When Will It End?
- FOIA's, FBI Fingerprint Checks, and Other Ways to Get Information

Michael D. Patrick (DL), New York, NY
Ted J. Chiappari, New York, NY
Josie Gonzalez, Los Angeles, CA
**Government Representatives*

LAW PRACTICE MANAGEMENT
(National Harbor 10)

1:30 pm – 2:30 pm **Increasing the Efficiency and Profitability of Your Practice**

This program will explore best practices in law office management. The panelists will offer a framework to help guide you in improving the efficiency and profitability of your practice regardless of whether you are just starting out or are a seasoned practitioner looking to improve your longstanding practice.

- Client Engagement: Establishing Fees and Other Terms That Set You Up for Success
- Case Management: Organizational Tips and Methods to Let You Do More in Less Time
- Billing, Collections Best Practices, and Measuring Success
- Tips for Hiring, Training, and Retaining Staff Who Will Benefit Your Practice

Paul L. Zulkie (DL), AILA Past President, Chicago, IL
Jennifer Lee Cory, Charlotte, NC
J. Anthony Smith, Los Angeles, CA

2:30 pm – 2:45 pm **Networking Break**

2:45 pm – 3:45 pm **Less Is More—Solo and Small Firm Practices That Make It Big**

Solo and small firm practitioners make up the large majority of the AILA membership. Come learn from some of AILA's most successful solo and boutique practitioners on how to stay lean to compete with bigger firms and grow your practice.

- Competing with the Big Firms: Developing and Implementing a Winning Marketing Plan
- Leveraging Your Personal Network

** = invited, not confirmed*

- Running a Lean and Mean Machine: Staffing, Space, Use of Technology, and Finding Your Profit Point
- Finding Your Niche

Becki L. Young (DL), Washington, DC
David G. Katona, New York, NY
Douglas R. Penn, Stamford, CT

3:45 pm – 4:15 pm **Networking Break**

4:15 pm – 5:15 pm **Put the Smart Phone Down—Networking and the Art of the Schmooze**

Whether you are a networking master or hate to network, this session will benefit every practitioner by showcasing the best techniques to improve your productivity when attending network events. In addition, this session will provide tips and strategies on how to ask for business and comfortably sell yourself without sounding like a salesman.

Carl Falstrom (DL), New Orleans, LA
William A. Stock, AILA 1st Vice President, Philadelphia, PA
Patricia Gannon, New York, NY
Julie C. Pearl, San Francisco, CA
**Local Professional Networking Person*

MASTERS
(Annapolis)

1:30 pm – 2:30 pm **Consortium of AILA Pioneers and Luminaries**

The topics and direction of this master's level immigration "think-tank" discussion will be determined entirely by the participants—if you are an AILA member who has been practicing at least 15 years, this consortium is for you! Similar to the way that consortiums are formed in the technology industry, this session will give our most experienced members the chance to brainstorm and collaborate with each other on those issues that are of most interest to them. Please join us for a lively, interactive discussion.

Ira J. Kurzban (DL), AILA Past President, Miami, FL
Daryl R. Buffenstein, AILA Past President, Atlanta, GA
Ted Ruthizer, AILA Past President, New York, NY

2:30 pm – 2:45 pm **Networking Break**

2:45 pm – 3:45 pm **Immigration and Healthcare—Everything You Need to Know About How the Affordable Care Act Impacts Your Clients**

While there has been a constant buzz about the Affordable Care Act (ACA), known as Obamacare, there is scant discussion about how it impacts non-citizens. The session will arm you with the knowledge to advise your clients both employers and individuals about when they can take advantage of the ACA as well as when the healthcare mandate under the ACA can adversely impact them. This unique interdisciplinary session will also cover the intersection between immigration, tax and the ACA.

** = invited, not confirmed*

- Immigration Statuses that Qualify for ACA Coverage
- Mismatch Between the ACA and INA: Who Is Lawfully Present and Who Is Not?
- How Can LPRs Living Abroad Be Exempted From the Mandate? Is It Advisable?
- Resident Tax Aliens vs. Nonresident Aliens for Tax Purposes: How Does This Affect ACA Eligibility?
- Undocumented Immigrants, Healthcare and Public Charge Issues

Sharon R. Mehlman (DL), Annual Conference Chair, San Diego, CA
Cyrus D. Mehta, AILA Ethics Committee Chair, New York, NY
**IRS Representative*
**Government Representative (DHS)*

3:45 pm – 4:15 pm **Networking Break**

4:15 pm – 5:15 pm **Contingency Planning for Attorneys—The Ethics of Extended Leave, Disability, and Death**

No one wants to plan for taking an extended leave, becoming disabled or, least of all, dying. But it is not only prudent for attorneys to plan for such events, it is an ethical requirement. This panel will explore the ethical and practical aspects of this planning process.

- Ethical Requirements: What Are Attorneys Required to Do to Plan for Extended Leave, Disability, and Death
- Insurance Issues and Other Practical Considerations: What Should Attorneys Do to Plan for Such Events, Developing an Action Plan, and Selecting a Backup Attorney Communicating Your Plan

Mark A. Ivener (DL), Los Angeles, CA
Jonathan E. Avirom, AILA Past President, New York, NY
Steven A. Clark, AILA Past President, Boston, MA
**Government Representative*

REMOVAL DEFENSE
(Potomac A)

1:30 pm – 2:30 pm **Dissecting INA §240—An In-depth Look at Removal Proceedings**

Section 240 of the INA provides the blueprint for removal proceedings in immigration court, yet its provisions may be overlooked by counsel in preparing for a merits hearing on an application for relief. This panel will provide an in-depth analysis of §240, and its interaction with other parts of the INA.

- INA §212 vs. §237 Proceedings: How Are They Different?
- Credibility and Burden of Proof
- Access to Records: Your Client Has a Right to Them
- Consequences of Failure to Appear

Jeremy L. McKinney (DL), AILA ICE Liaison Committee Chair, Greensboro, NC
Deborah S. Smith, Annual Conference Due Process/Enforcement Subcommittee Chair, Helena, MT
Matthew L. Guadagno, Brooklyn, NY

** = invited, not confirmed*

Emily Creighton, AIC Staff Attorney, Washington, DC

2:30 pm – 2:45 pm **Networking Break**

2:45 pm – 3:45 pm **To 42B or Not to 42B—Should You Ever Try to Get Your Client Placed in Removal Proceedings?**

This panel will discuss whether it is ever a good idea to initiate an "affirmative," non-LPR cancellation of removal case against your client. Considerations include the strength of the client's case, effect on other family members, venue, and ethics. The pros and cons of this controversial strategy will be analyzed.

- How Much Can You Rely on *Matter of Recinas*?
- Does Venue Matter (Different IJs and OCCs)?
- Will Your Field Office Issue an NTA?
- Are Your Clients Able to Give Informed Consent to Something This Risky?
- Dangers! Dangers! Dangers!

Martin Rosenbluth (DL), Durham, NC
Neil F. Lewis, Tampa, FL
Claudia Slovinsky, New York, NY
Ellen Weintraut, Portland, OR

3:45 pm – 4:15 pm **Networking Break**

4:15 pm – 5:15 pm **Bringing the BIA into the 21st Century—Rethinking the Exceptional and Extremely Unusual Hardship Standard**

In the decade that has passed since the BIA decided the three landmark cases listed below, new scholarly studies and international law have evolved to provide new insight on how deportation impacts children. This panel will discuss how the practitioner can use these developments in framing new arguments in proving exceptional and unusual circumstances.

- *Monreal*, *Andaloza*, and *Recinas*: What They Really Say
- Using Scholarly Studies and International Law as Support
- Advocating the "Best Interest of the Child" Standard as a Reference Point

Rekha Sharma-Crawford (DL), Overland Park, KS
Jonathan D. Montag, San Diego, CA
Lory D. Rosenberg, Darnestown, MD
**Government Representative (BIA)*

THURSDAY NIGHT ROUNDTABLES

8:00 pm – 9:00 pm **Immigration Developments Roundtables**
(National Harbor 3)

This series of specially designed evening roundtables will focus on the most recent developments, including President Obama's "immigration accountability executive actions." Hear from experts and insiders on how these measures can help your clients as new policy, guidance and

** = invited, not confirmed*

regulations are implemented and get the latest news on legislative reform. These panels will be practice area-focused and will address how reform is impacting due process, family and business issues.
** Speakers and Topics will be identified closer to the conference.*

8:00 pm – 9:00 pm **The Long and Winding Road of Prosecutorial Discretion—Lessons in Deferred Action and Litigation from John Lennon to Jose Vargas**
(National Harbor 10)

America's immigration laws can be rigid and unjust in many ways. But for decades, an act of executive discretion known as deferred action has provided millions of deserving people with a temporary reprieve from removal. Deferred action can be provided on an individual basis, or in large-scale programs like DACA and DAPA that benefit many at once. Our speakers will summarize the state of the law and current developments in deferred action, analyze its historical underpinnings, and explain its ongoing relevance in removal cases today.

- What Is Deferred Action? How Litigation of One Deportation Case Unearthed a Policy
- DACA and DAPA: Highlights, Risks, What happens if an Application Is Denied
- Hardship and Other Compelling Factors that Matter When Seeking Deferred Action on an Individual Basis
- Using Deferred Action as Part of Your Defense Strategy, and Media Tips

Shoba Sivaprasad Wadhia (DL), University Park, PA
Leon Wildes, AILA Past President, New York, NY
Patrick Taurel, American Immigration Council, Washington, DC

OTHER SESSIONS, WORKSHOPS, AND EVENTS

7:00 am – 8:00 am **Yoga**
(Annapolis)

7:30 am – 8:15 am **Zumba (*hosted by DC Chapter*)**
(National Harbor 12)

7:30 am – 8:30 am **Law Professors Interest Group Meeting**
(Chesapeake B)

7:30 am – 8:30 am **Latin American and Caribbean Chapter Meeting**
(Chesapeake D)

7:30 am – 8:30 am **Santa Clara Valley Chapter/NorCal Chapter Meeting**
(National Harbor 12)

12:00 pm – 1:30 pm **Georgia-Alabama Chapter Meeting**
(Chesapeake E)

3:30 pm – 5:30 pm **DWN/LAC Detention Meeting**
(National Harbor 5)

** = invited, not confirmed*

8:30 pm – 11:30 pm **7th Annual Pro Bono/NMD Hospitality Suite**
(Annapolis)

5:30 pm – 6:45 pm **AILA Annual Membership Meeting**
(Potomac C)

7:15 pm – 8:00 pm **Presidents Reception**
(Cherry Blossom)

FRIDAY, JUNE 19, 2015

7:15 am – 4:15 pm **Registration**
(Exhibit Hall D-E)

8:30 am – 2:45 pm **Exhibit Hall**
(Exhibit Hall D-E)

3:45 pm – 6:00 pm **Exhibit Hall**
(Exhibit Hall D-E)

PRACTICE ROUNDTABLES

7:05 am – 8:05 am **Don't Put Your Client at Risk—Immigration Consequences of Public Benefits**
(Potomac A)

Noncitizens may be eligible for a variety of public benefits. While it is not for us to determine benefits for which they are eligible, attorneys need to know the potential consequences of their acceptance. This panel will address some of the most common issues that may arise and their impact on immigration status.

- Overview of Common Federal and State Benefits
- What Is the Current Definition of Public Charge?
- What Is a "Means Tested Benefit" vs. an "Earned Benefit?"
- How to Minimize Risks for Clients Who Have Received Benefits

JoJo Annobil (DL), New York, NY
Iris Gomez, Boston, MA
Barbara Weiner, Albany, NY

7:05 am – 8:05 am **Asylum Granted—Case Not Closed**
(National Harbor 3)

Congratulations on winning your client's asylum case! Now, you face the surprisingly common dilemmas that can arise following a grant of asylum. This panel of experts will help guide your way through the maze of complications that often plague asylees and their families.

- Dependents: Problematic I-730s; Dependents Not Listed on the I-589; Principal and Spouse Divorce (Nunc Pro Tunc Asylum)
- Inadmissibility: INA §209(c) Waivers

** = invited, not confirmed*

- Travel: Return to Country of Persecution; Refugee Travel Documents
- Access to Benefits

Christina A. Wilkes (DL), Rockville, MD
Lindsay M. Harris, Washington, DC
Tracie L. Klinke, AILA Board of Governors/USCIS Field Operations Liaison Committee Vice Chair, Marietta, GA

7:05 am – 8:05 am **From NVC to Consular Processing—The Road to Success**
(Maryland A)

Moving a client's family-based case, once approved by USCIS, to an interview at a consular post is possible without extended delays, multiple checklist letters or returned documents from the National Visa Center (NVC). This panel will show practitioners how. Attend this session to ensure your client receives that consular post interview date as quickly as possible and the visa is issued without delay.

- National Visa Center's Role
- How to Avoid Problems with NVC, Difficult Posts, and Knowing the "Hot Spots"
- FAM Provisions You Need to Know
- Tips, Tricks, and "Administrative Processing" Strategies

Matthew Amoils (DL), Sydney, Australia
Avi Friedman, Santa Monica, CA
Claire D. Nilson, London, UK
Stephen R. Pattison, Darnestown, MD

7:05 am – 8:05 am **Introduction to the Visa Bulletin (Fundamentals)**
(Woodrow Wilson)

The primary purpose of the DOS Visa Bulletin is to inform the public of the availability of immigrant visa numbers. Based on a review of preference category, country of birth, and anticipated usage for the coming month, individuals can monitor where they stand in line for the often elusive green card. Come to this practical session to learn how to navigate the Visa Bulletin and understand how it impacts your client's case.

- Preference Categories: Who Waits, and in Which Line?
- Chargeability: What Is It? How Does It Work?
- Backlogs, Retrogression, and Other Headaches
- Hot Topics/Recent Trends
- The Notes, the Fine Print, and the Art of Prediction

Ceridwen J. Koski (DL), Denver, CO
Jacob Lawrence Ratzan, South Florida Chapter Chair, Miami, FL
Michelle Jacobson, Chicago, IL
**Government Representative (DOS)*

** = invited, not confirmed*

7:05 am – 8:05 am **Litigating I-751 Denials in Immigration Court**
(Potomac C)

USCIS denied your case, rightly or wrongly. This panel will provide trial techniques and other tools necessary to prepare and litigate an I-751 denial. A sour marriage is not the same as a sham or fraudulent one. This panel will address how to handle vindictive spouses and alternatives for challenging USCIS findings, and teach you how to win what seems like an impossible case.

- Analyze Your Case: Pursuing Options at USCIS vs. Litigating in Immigration Court; Challenging USCIS Determinations
- Re-adjustment and *Matter of Stockwell*
- Preparing for Trial and Presenting Your Case in Immigration Court: Working with Family Lawyers
- Subpoena, Subpoena, and More Subpoena

Manuel F. Rios III (DL), Seattle, WA
Christopher Kozoll, Louisville, KY
Jonathan E. Garde, Nevada Chapter Chair, Las Vegas, NV

7:05 am – 8:05 am **That's Not What Specialty Occupation Means**
(Maryland C)

There have been no new statutory or regulatory changes, but somehow the definition of specialty occupation grows increasingly restrictive. This panel will offer concrete suggestions for drafting and documenting H-1B petitions, with particular focus on occupations under attack.

- Market Research Analyst, Computer Programmers, Engineers, Nurses, and Position Du Jour
- 'Body of Knowledge': Linking Coursework to Job Duties
- How Industry Standards Can Help
- Using Case Law, AILA Memos, Expert Opinions, and Other Resources

Kristen A. Harris (DL), Chicago, IL
Manjunanth Gokare, California Service Center Liaison Committee Chair, Alpharetta, GA
Daniel C. Horne, San Francisco, CA
Elise A. Fialkowski, Philadelphia, PA

ASYLUM MINI TRACK
(National Harbor 3)

8:10 am – 9:10 am **Fear of Return—Accessing Protection at the Border**

The influx of refugees fleeing Central America has collided with increasingly aggressive enforcement measures at our borders, yielding significant and complex problems for asylum-seekers. In addition, people with existing removal orders may be subject to reinstatement, and need to establish a reasonable fear of return to avoid removal. After a brief overview of the credible and reasonable fear programs and the law related to expedited and reinstatement of removal, this panel will provide practical advice for practitioners seeking protection for their clients in the face of enforcement-minded policies and procedures.

** = invited, not confirmed*

- Representing Clients in Credible and Reasonable Fear Interviews: Overview and Practice Pointers
- Review of Negative Credible and Reasonable Fear Findings … How Does It Work?
- My Client Expressed Fear to CBP, but Received an Expedited Removal Order … What Do I Do?

Christopher Strawn (DL) Seattle, WA
Stephen Manning (DL), AILA Board of Governors, Portland, OR
Katharine E. Ruhl, Tucson, AZ
Valerie Burch, Harrisburg, PA

9:10 am – 9:40 am **Networking Break**

9:40 am – 10:40 am **Particular Social Groups**

The definition of a particular social group (PSG) remains one of the hottest topics in asylum jurisprudence, with circuit courts split on the scope and propriety of the BIA's injection of social distinction and particularity into the PSG analysis. This panel will begin with a brief overview of the social distinction and particularity requirements and the varying ways in which the courts have interpreted them, and will brainstorm ideas for presenting claims involving several specific groups.

- Social Distinction and Particularity Defined
- Update on Circuit Interpretations
- Domestic Violence Victims as a PSG
- Current Trends in Cartel, Gender-Based, and Other Challenging PSG Claims
- Practice Pointers on Presenting PSG Arguments Before the Agencies and the Courts

Ilana E. Greenstein (DL), East Boston, MA
Karen Musalo, San Francisco, CA
Charles Roth, Chicago, IL

10:40 am – 10:55 am **Networking Break**

10:55 am – 11:55 am **How to Win Gang-Based Asylum Claims**

We have all heard our clients say "I had to leave because I was afraid of the gangs." These cases vary, including former gang members trying to escape the gang life, young boys and girls fleeing to avoid beatings or death if they don't join the gangs, and families escaping after a family member was kidnapped or killed to extort a ransom. While the circuits vary in their approach to these cases, recently there have been successes in getting these cases approved. This session will gather experts who have been successful in winning these cases to share their expertise.

- Strategies to Include Gangs in the Definition of a PSG
- The Next Step: Getting to Nexus
- Family Ties: Is It Enough or Do I Need More?
- Special Considerations for Child-Based Claims
- Other Creative Strategies: What If I Don't Call It "Gang Violence?" and Other Cutting-Edge Ideas

** = invited, not confirmed*

Dree Collopy (DL), Asylum & Refugee Liaison Committee Chair, Washington, DC
Deborah Anker, Cambridge, MA
Benjamin Casper, Minneapolis, MN
Daniel Thomann, Chicago, IL

WORKSITE MINI TRACK
(National Harbor 3)

1:30 pm – 2:30 pm **When ICE Comes Knocking—Dealing with ICE Audits and Beyond**

This panel is designed for the immigration attorney who wants to add employer compliance to his or her immigration portfolio. Speakers will discuss what happens when ICE serves the three-day Notice of Inspection (NOI) on your client. As with many other aspects of worksite enforcement, the process is not as simple as it seems and this can then get clients into trouble. Having an attorney involved from the beginning can make all the difference, and this panel will show you how.

- My Client Has Been Served: Now What? Determining Who Is Being Served
- Negotiating the NOI: Narrowing the Scope and Obtaining Extensions
- Best Practices in Responding to the NOI
- What Comes Next: Strategies in Dealing with Notices of Technical Failures and Suspect Documents
- Differences in Jurisdiction and Government Agency Interpretations
- Proactive Steps to Take Before ICE Comes for a Visit

Daniel Brown (DL), Washington, DC
Marcine Seid, AILA Board of Governors, San Jose, CA
Eileen M. Momblanco, Chicago, IL

2:30 pm – 2:45 pm **Networking Break**

2:45 pm – 3:45 pm **A Difficult Dilemma—Challenging ICE Determinations or Going to OCAHO**

Your client has received a Notice of Intent to Fine (NIF). This panel will discuss the considerations that go into whether to challenge an NIF before OCAHO or to try to settle with ICE. Significant OCAHO decisions and ways to use those decisions effectively to advocate for your client will be covered. In addition, speakers will discuss OCAHO procedures, the rules and regulations for practice before OCAHO, and the successful use of motions to litigate the case.

- Considerations in Appealing the ICE Determination to OCAHO
- Challenging ICE Fine Determinations and "The ICE Fine Matrix"
- Drafting Effective and Binding Settlement Agreements If You Decide to Settle the Case
- I Am Ready for OCAHO: Now What?
- Motions Practice Before OCAHO: What Motions Should Be Filed and When?

Nicole A. Kersey (DL), Maxwell AFB, AL
Richard A. Gump Jr., Dallas, TX
Kevin Robert Lashus, Austin, TX

3:45 pm – 4:00 pm **Networking Break**

** = invited, not confirmed*

4:00 pm – 5:00 pm **Advanced Issues in Worksite Compliance**

This Masters level panel will discuss some of the nuanced and complex issues facing immigration attorneys in the field of worksite compliance. This panel will focus on some of the strategic considerations for specific and current issues in the I-9 and E-Verify compliance practice. Topics for discussion include:

- Employer Compliance and I-9 Practices for Short-Term/Seasonal Workers
- Compliance for Specific Industries or Employer Types: Reviewing the Risk Factors
- Compliance and Strategies for Today's Employers: Multiple Worksites, Subsidiaries, Complex Corporate Structures
- Is the Employer Responsible for Subcontractor, Staffing Agency, and Vendor Compliance?
- Ethical Obligations of the Attorney in an Internal Audit and Other Worksite Matters

Jeff Joseph (DL), AILA Federal Court Litigation Section Steering Committee Chair, Aurora, CO
Amy L. Peck, AILA Board of Governors, Omaha, NE
Charles M. Miller, Studio City, CA

BUSINESS
(Maryland C)

8:10 am – 9:10 am **Arguing H-1B Cap Exemptions—Is Your Client "Affiliated?"**

The number of cap-subject H-1B petitions filed each year is rising exponentially, with no increase of the cap in sight. This advanced-level panel will discuss strategies for qualifying clients for H-1B cap exemptions and ensuring that you leave no stone unturned in examining all options available to your clients.

- Going Beyond the Traditional Definition of an Institution of Higher Education
- What Entities Can Qualify as Nonprofit Research Organizations?
- How Do I Know If My Client Is "Affiliated with or Related to a Nonprofit Entity"
- Third-Party Petitioners or Employee-Centered Exemptions, Including "Employment at"
- Concurrent Employment Obstacles
- Strategic Considerations of Cap-Exempt vs. Cap-Subject

Amy Erlbacher-Anderson (DL), Omaha, NE
Sarah K. Peterson Stensrud, AILA Board of Governors/Healthcare Professionals-Physicians Committee Chair, Minneapolis, MN
Jennifer Minear, AILA Board of Governors/SSA/DMV/Save Task Force Chair/Healthcare Professionals/Physicians Committee Vice Chair, Richmond, VA

9:10 am – 9:40 am **Networking Break**

9:40 am – 10:40 am **My Ever-Changing Employment**

A "material change" in the conditions of employment requires a new petition. But what constitutes a material change, and does it differ based on NIV status? This panel explores how different types of changes impact maintenance of status and how this varies in the context of H-1B, L-1, E, TN, and O-1.

** = invited, not confirmed*

- Change in Rate of Pay, Hours, and/or Duties
- Change in Worksite: Related Entities, Different Office(s), or Home Office
- Change in Corporate Ownership and Structure
- How to Plan for FDNS Site Visits When Employment Circumstances Have Changed
- Best Practices for Documenting Changes in Employment
- Hot Topics/Recent Trends

Atessa Chehrazi (DL), San Francisco, CA
Sarah Buffett, Charlotte, NC
Romy K. Kapoor, Atlanta, GA
Michael P. Nowlan, Business Immigration Committee Liaison Chair, Detroit, MI

10:40 am – 10:55 am **Networking Break**

10:55 am – 11:55 am **In-depth L Visa Issues for the Experienced Practitioner**

The L-1 Visa category was created in recognition of the need for companies to transfer employees from abroad to the United States. Seems simple, right? Unfortunately, recent trends in adjudications by USCIS demonstrate that the L-1 Visa category has become increasingly complex and unpredictable. This session will discuss important emerging issues, including:

- Unique "Qualifying Relationships" and "Qualifying Employment" Issues
- Evidentiary Issues for New Office L's and Small Businesses
- Anticipating and Proactively Preparing for RFEs in L-1B Petitions
- Manager of a Function: Myth or Reality?
- Post Approval Issues: Consular Re-adjudication and FDNS Site Visits
- Hot Topics in the L-1 Process

Roberto D. Caballero (DL), Houston, TX
Lisa Krueger Khan, Orlando, FL
Wendy Padilla-Madden, Birmingham, AL
Timothy G. Payne, Chicago, IL

1:30 pm – 2:30 pm **Gettin' Cozy with Blanket L-1 Visas**

For companies that process significant numbers of L-1s on an annual basis, obtaining approval of a Blanket L may lead to more efficient visa processing. This session will go beyond the basics of company eligibility, to explore the following topics:

- Preparation and Presentation of Evidence to Qualify a Company for a New Blanket
- Corporate Changes … When Is an Amendment of the Company Blanket Required?
- Equivalency Issues for "Professional" L-1B Beneficiaries Without Traditional Degrees
- The Strategic Use of the Blanket vs. Individual L
- Extensions of Individual Beneficiaries Blanket L Status

David W. Cook (DL), Columbus, OH
Sandra I. Dorsthorst, Houston, TX
Avram E. Morell, New York, NY
Donald Kyle Sheppard, San Diego, CA

2:30 pm – 2:45 pm **Networking Break**

** = invited, not confirmed*

2:45 pm – 3:45 pm **To B or Not to B? The Thin Line Between Use and Abuse of the B Category**

In this session, panelists will provide practical examples of state-of-the-art and innovative use of the B-1 visa, and discuss benchmarks for avoiding potential denials and/or abuse. Panelists will also address challenges in obtaining B-1s at the consulates, deciding on the best type of B-1 category, and differences in interpretations between DOS and CBP on the use of the B-1.

- Is the B-1 Appropriate for This Circumstance? Does the B-1 Suit the Needs of Your Client's Activities in the United States?
- How to Build Your Application to Avoid Increased Scrutiny at the Consulate
- B-1 in Lieu of H-1B/H-3: Creative Use and Current Guidance
- Documenting Your Reason for Admission; Convincing CBP

Peter T. Schiron Jr. (DL), Stamford, CT
Charlotte Slocombe, London, UK
David Grunblatt, Newark, NJ

3:45 pm – 4:00 pm **Networking Break**

4:00 pm – 5:00 pm **"Can't We All Just Get Along?" —Interagency Challenges**

In this panel, AILA experts discuss the conflicts between and among agency interpretations, as well as those questions to which no agency seems to have an answer. The panel will focus on those age old questions as well as new ones. Some areas of discussion may include:

- Blanket Ls: CBP vs. DOS vs. USCIS
- Employment Authorization for Spouses of Ls and Es: USCIS vs. CBP vs. Verification vs. SSA
- LCAs & SOC O*NET/ETA Form-9089 & I-140: USCIS vs. DOL
- Last Action Rule/H-1B Portability: USCIS vs. CBP vs. Verification
- Recent Trends

Dagmar Butte (DL), AILA Board of Governors/AILA Nebraska Service Center Liaison Committee Chair, Portland, OR
Leslie A. Holman, AILA President, Burlington, VT
Kathleen Campbell Walker, AILA Past President/Interagency Committee Chair, El Paso, TX
Bennett Savitz, Boston, MA

FAMILY
(Maryland A)

8:10 am – 9:10 am **Top Inadmissibility Issues in Adjustment of Status, Part I: Non-Criminal Issues**

This panel will identify and offer strategies for overcoming the most common §212(a)(9)(B), §212(a)(6)(C)(i), and §212(a)(6)(C)(ii) non-criminal grounds of inadmissibility faced by applicants for adjustment of status.

- Addressing the Three-Year, Ten-Year, and Permanent Bars
- False Statements to Government Officials, and Misrepresentations on Visa Applications, Passports and Green Cards

** = invited, not confirmed*

- Social Security Cards, I-9 Forms, and Drivers Licenses
- Voter Registration and False Claims to U.S. Citizenship
- Hot Topics/Recent Trends

Jacqueline Watson (DL), Austin, TX
Cynthia A. Aziz, Charlotte, NC
Cheryl David, New York, NY

9:10 am – 9:40 am **Networking Break**

9:40 am - 10:40 am **Top Inadmissibility Issues in Adjustment of Status, Part II: Criminal Issues**

This panel will identify and offer strategies for overcoming the most common §212(a)(2) criminal grounds of inadmissibility faced by applicants for adjustment of status.

- Marijuana Offenses in States with Limited Legalization Laws
- Assault, Drug Paraphernalia, and Prostitution Consequences
- DUIs, Shoplifting, and Other Common Criminal Offenses
- When Domestic Violence and Firearms Charges Become Admissibility Issues

Socheat Chea (DL), Duluth, GA
Jordan Forsythe, Charlotte, NC
Michael D. Greenberg, Boston, MA

10:40 am – 10:55 am **Networking Break**

10:55 am – 11:55 am **Immigrant Waivers in Family Cases**

This panel covers several waivers available in family-based cases. Discussion will include criteria for eligibility, practice and procedure for each waiver type, and effective use of the I-601 with supporting evidence in obtaining waivers.

- Section 212(i) Waivers of Misrepresentation and Fraud
- Section 212(g) Medical Conditions
- Section 212(h) Waivers for Certain Criminal Convictions, Including CIMT
- Unlawful Presence (Three-Year and Ten-Year Bars) and I-601A
- Proving Extreme Hardship

Kelli Jo Stump (DL), Texas Chapter Chair, Oklahoma City, OK
Nathan R. Bogart, Dallas, TX
Paul Soreff, Seattle, WA
David J. Long, Jamestown, NC

1:30 pm – 2:30 pm **Desperately Seeking to Keep My Family—A Guide to Dealing with Complex Provisional Waivers**

This panel focuses on the more complex aspects of provisional waivers available in family-based cases. The panelists will discuss the current eligibility criteria, practice and procedure, most recent developments and effective use of the I-601A with supporting evidence in obtaining provisional waivers.

** = invited, not confirmed*

- Process and Strategies for Preparing Successful Waiver Applications
- A Mindful Approach to "Reason to Believe" Analysis
- RFEs: Current Trends and How to Respond
- What to Expect at the Consulate After I-601A Waiver Approval
- Availability of Provisional Waivers in Removal Proceedings
- Hot Topics/Recent Trends

Stephanie Theresa DiPietro (DL), New York, NY
Jason C. Mills, Fort Worth, TX
Magali Suarez Candler, Houston, TX
Amy M. Wax, Boston, MA

2:30 pm – 2:45 pm **Networking Break**

2:45 pm – 3:45 pm **'Til Death Do Us Part ... or Until the I-751/I-485 Is Approved? Consequences of a Sham Marriage Finding**

USCIS and consular officers are trained to spot indicia of fraud, especially in marriage-based applications for permanent residence. This panel will discuss traditional fraud factors, professional obligations when ethical concerns arise, bolstering a case with evidence of bona fides, and overcoming a sham marriage finding.

- Red Flags to Recognize in a Marriage-Based Case and When to Dig Deeper
- How to Overcome a Past Marriage Fraud Finding and Dealing with the Consequences
- Ethical Implications of Discovering a Sham Marriage
- Terminated Conditional Permanent Residence Strategies: File a New I-130 or a Late I-751?

Alan J. Pollack (DL), Newark, NJ
Gloria A. Goldman, Tucson, AZ
Matthew L. Hoppock, Kansas City, MO
Maite Hoyos, Coral Gables, FL

3:45 pm – 4:00 pm **Networking Break**

4:00 pm – 5:00 pm **Overcoming Challenging Bona Fides Issues**

This round table discussion will involve attendees in an in-depth look at the issue of the bona fides of a marital relationship in I-130 and I-751 contexts, as well as non-traditional relationships.

- Definitions: Good Faith Marriage and Bona Fides
- Proving the Bona Fides in a New, "Modern," or Non-traditional Marriage
- Issues Relating to Separate Finances and Lack of Resources
- Same-Sex and Transgender Marriage
- Marital Issues and Domestic Violence Allegations

David Kolko (DL), Denver, CO
Dustin W. Dyer, Glen Allen, VA
Noemi E. Masliah, LGBT Immigration Issues Working Group Chair, New York, NY

** = invited, not confirmed*

FUNDAMENTALS
(Woodrow Wilson)

8:10 am – 9:10 am **H-1B Visas—Within Our Grasp, but Often Out of Reach**

On its face the H-1B visa looks like the obvious choice for many U.S. employers seeking to hire foreign workers. All you need is a job that qualifies as a specialty occupation and a foreign worker with the requisite degree, right? Yet in practice this category is fraught with surprises for even the most seasoned practitioners. This panel will explore the basic contours of the H-1B category.

- Key Regulatory Definitions for the H-1B Visa Category
- What Is a Specialty Occupation?
- Labor Condition Applications
- Basics of Degree Equivalence
- The H-1B Cap
- Work Authorization for H-4 Spouses

Vic Goel (DL), Business Immigration Committee Liaison Vice Chair, Reston, VA
Jeremy Fudge, Dallas, TX
Janora L. Hawkins, Atlanta, GA
Andrew L. Wizner, Hartford, CT

9:10 am – 9:40 am **Networking Break**

9:40 am – 10:40 am **Other Employment-Based Options for Beginners**

This panel will discuss some of the most common employment-based visas (other than H and L), including when and how to use them to your client's greatest advantage.

- TN Visa: NAFTA Professional Workers
- E-3 Visa: Australian Specialty Occupation Workers
- H-1B1 Visa: Chile/Singapore Free Trade Agreement Professionals
- E1/E2 Visa: Treaty Traders and Investors
- Parole for Investors
- H-2B Visa: Temporary Workers
- R Visa: Religious Workers
- O and P Visas: Extraordinary Ability, Athletes and Performers
- J-1, F-1, and H-3 Visas: Students and Trainees

Michelle Funk (DL), McLean, VA
Matthew Dunn, New York, NY
Punam Singh Rogers, Boston, MA

10:40 am – 10:55 am **Networking Break**

** = invited, not confirmed*

10:55 am – 11:55 am **International Man (or Woman) of Mystery—The Basics of Intracompany Transfers (L-1As and L-1Bs)**

In the current global economy companies often operate globally, and need to move people all over the world. The L-1 provides international employers with the ability to transfer certain workers to the United States. But who qualifies?

- Laying the Foundation: What Are the Qualifying Corporate Relationships?
- L-1A vs. L-1B: Qualifying Positions?
- The Regulations, the Agency Guidance, and Reality
- Hot Topics/Recent Trends
- Use of the Blanket L

Nancy B. Elkind (DL), Denver, CO
Diana C. Bauerle, San Francisco, CA
Jessica A. Feinstein, Omaha, NE

1:30 pm – 2:30 pm **PERM Fundamentals—Part I**

SVP, Prevailing Wages, Job Zones, and the ETA Form 9089 got your head spinning? Untangle the PERM process with this first panel in a two-part series. It will review the basic concepts that an attorney new to the PERM labor certification process needs to know before diving into this complex practice area. The panelists will provide a brief overview of the applicable regulations, and will then focus on the initial case intake and application preparation, providing practical tips for success along the way.

- Summary of the Process from Registration to Approval: Timeline and Steps
- Definitions: Basic Terms and Rules to Know Before You Begin and Where to Find Them
- Overview of Hot Topics and Recent Trends
- Division of Labor: Proper Roles for the Attorney, Employer, and Employee
- Job Descriptions and Minimum Requirements
- Documenting Employee Credentials
- Offered Wage vs. Prevailing Wage

Sharon Cook Poorak (DL), Atlanta, GA
Deborah J. Notkin, AILA Past President/Media Advocacy Committee Vice Chair, New York, NY
Vincent W. Lau, Cambridge, MA

2:30 pm – 2:45 pm **Networking Break**

2:45 pm – 3:45 pm **PERM Fundamentals—Part II**

This panel is the second in a two-part series. The panelists in this session will focus on the basics of the recruitment process, filing, and next steps.

- Recruitment Steps and Requirements
- Overview of Hot Topics and Recent Trends
- Potentially Qualified U.S. Workers: Documenting Recruitment Efforts
- Audit File: Contents and Timing
- Filing and Next Steps: What to Expect
- Managing Expectations

** = invited, not confirmed*

Aimee Clark Todd (DL), Atlanta, GA
Jason Abrams, New York, NY
Alexander A. Dgebuadze, Encino, CA

3:45 pm – 4:00 pm **Networking Break**

4:00 pm – 5:00 pm **Introduction to the Employment-Based Immigration Preference Categories**

This session provides a basic yet practical overview of the criteria for immigrant visa preference categories, numerical limitations, and other key concepts, rules, and procedures relating to the employment-based immigration process.

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

Brad Hendrick (DL), Boulder, CO
Janet L. Henner, AILA Board of Governors/Investment Committee Chair, New York, NY
Fausta Albi, San Diego, CA

GOVERNMENT OPEN FORUMS
(Potomac A)

8:10 am – 9:10 am **U.S. Department of State (DOS) Open Forum**
Jerome G. Grzeca (DL), AILA Department of State Liaison Committee Chair, Milwaukee, WI
**DOS Representatives*

9:10 am – 9:40 am **Networking Break**

9:40 am – 10:40 am **U.S. Department of Labor (DOL) Open Forum**
Pamela P. Mick (DL), AILA Department of Labor Liaison Chair, Chicago, IL
**DOL Representatives*

10:40 am – 10:55 am **Networking Break**

10:55 am – 11:55 am **U.S. Customs and Border Protection (CBP) Open Forum**
Andrew Stevenson (DL), AILA CBP Liaison Committee Chair, Seattle, WA
**CBP Representatives*

12:25 pm –- 1:25 pm **CIS Ombudsman Open Forum**
Robert Lee DeMoss II (DL), AILA CIS Ombudsman Liaison Committee Chair, Montgomery, AL
**CIS Ombudsman Representatives*

** = invited, not confirmed*

12:25 pm – 1:25 pm **Worksite Enforcement Open Forum**
Bonnie K. Gibson (DL), Verification & Documentation Liaison Committee Chair, Phoenix, AZ
** Government Representatives*

1:30 pm – 2:30 pm **U.S. Citizenship and Immigration Services (USCIS) Open Forum**
Ian David Wagreich (DL), AILA USCIS Liaison Committee Chair, Chicago, IL
**USCIS Representatives*

2:30 pm – 2:45 pm **Networking Break**

2:45 pm – 3:45 pm **Executive Office for Immigration Review (EOIR) Open Forum**
Anthony Drago Jr. (DL), AILA EOIR Liaison Committee Chair, Boston, MA
**EOIR Representatives*

3:45 pm – 4:00 pm **Networking Break**

4:00 pm – 5:00 pm **U.S. Immigration and Customs Enforcement (ICE) Open Forum**
Heather Drabek Prendergast (DL), AILA ICE Liaison Committee Vice Chair, Cleveland, OH
**ICE Representatives*

TRIAL PRACTICE SKILLS
(Potomac C)

8:10 am – 9:10 am **The Art of Storytelling**

Storytelling is the essence of a good immigration case. Whether you prepare a client for individual hearing (such as cancellation or asylum), or whether you use the client's affidavits to prepare their hardship waiver, our job as attorneys is to "tell the story" in such a compelling way as to convince an adjudicator to grant the requested relief. This panel of storytellers will provide tools and tips on telling a story that leaves a lasting impression and turns "just another case" into a great one.

- Creating the Storyline: The Sympathetic Character, the Villain, the Hurdles, and the Pot of Gold at the End
- The Story and the Theme: What This Story Is Really About; Developing a Storyline
- The Sub-plots: How Many to Include in Your Story Without Deviating From the Main Theme
- Beginnings and Endings: How to Hook the Reader; How to Create an Effective Closing Argument

Erich C. Straub (DL), Milwaukee, WI
T. Douglas Stump, AILA Immediate Past President, Oklahoma City, OK
Vicky Dobrin, Seattle, WA
Olsi Vrapi, Albuquerque, NM

9:10 am – 9:40 am **Networking Break**

** = invited, not confirmed*

9:40 am – 10:40 am **Mastering the Mechanics of a Removal Hearing I: Practical Pretrial Plan**

This panel will present practical, hands-on pretrial strategies to develop and narrow down the issues, and to prepare and present your case in immigration court, while safeguarding your client's rights and increasing the client's chance of success at trial. From initial appearance to presenting your case at trial, this panel will address how to use litigation tools to prepare a winning case and level the playing field.

- Make the Immigration Judge Your Friend: Effective Use of Pretrial Conferences under 8 CFR 1003.21, Pretrial Motions and Motion Practice, Pretrial Briefs, and Other Pleadings/Legal Briefs
- Identifying Relief and Discovery Strategies in Removal Proceedings: Depositions and Subpoenas Under 8 CFR 1003.35, *Dent*, *Touhy*, and Access to the DHS File
- Leveling the Playing Field: Strategies to Minimize or Eliminate the Unknown and DHS Rebuttal Evidence: Can *Brady v. Maryland* Help?
- Stipulations, Concessions, and Agreements, and How to Deal With the Reneged Agreement

Russell Abrutyn (DL), AILA Amicus Committee Chair, Troy, MI
Andrew K. Nietor, San Diego, CA
Jennifer M. Rotman, Portland, OR

10:40 am – 10:55 am **Networking Break**

10:55 am – 11:55 am **Mastering the Mechanics of a Removal Hearing II—Practical Trial Plan**

Effective lawyering requires mindfulness of the record at all times during removal proceedings. This panel will discuss best practices to ensure the trial record is accurate to preserve and protect your client's rights, remedies, and appellate review of all issues.

- Applications, Pleadings, and Briefs: Ensuring That Any and All Forms of Relief Have Been Presented or Eliminated
- Admission of Evidence at Trial and Proper Foundation: Witness Preparation, Presentation, and How to Obtain/Anticipate Rebuttal Evidence
- Timely and Contemporaneous Objections
- Preserving the Record: Overzealous Judges and Trial Attorneys

Hilary A. Han (DL), Seattle, WA
Gregory Romanovsky, Boston, MA
W. Michael Sharma-Crawford, Kansas City, MO
**Government Representative (Immigration Judge)*

1:30 pm – 2:30 pm **Fraud Investigations Gone Wild—Strategies at USCIS and During Removal Proceedings**

An application for an immigration benefit might result in a fraud investigation of the petitioner or beneficiary, which could land your client in removal proceedings. This panel will provide practical strategies on how to prepare your case and your clients for such an investigation, and will provide tips on how to obtain the evidence that you need to represent your clients effectively and ethically. The panelists also will discuss strategies necessary to win relief in immigration court.

** = invited, not confirmed*

- "Please Don't Let Me Be Misunderstood": Preparing Your Case and Your Clients for Possible Fraud Interview During the USCIS Case
- Preparing Your Client in the Post-DOMA Age: Issues Specific to Marriage Between Same-Sex Couples
- Discovery Tools: Requesting Records; Obtaining Depositions of Officers
- Strategies in Immigration Court: Challenging Fraud Determinations, Establishing Your Client's Credibility, and Winning Relief

Matt Adams (DL), Seattle, WA
Raymond Bolourtchi, St. Louis, MO
Michele N. Carney, Seattle, WA

2:30 pm – 2:45 pm **Networking Break**

2:45 pm – 3:45 pm **Shifting Removal Defense Options—Big-Picture Strategy and In-the-Trenches Tactics to Get There**

Taking a long-term view of removal proceedings, this panel will look at how to prepare early on for relief that may not become available for years down the road. Additionally, this panel will address how to deal with changes in your strategy after pleading, or even after an individual hearing.

- Comprehensive View of Removal Proceedings; Seeing the Best Relief Available Down the Road
- Short-Term Issues: Obtaining EADs; Driver's Licenses; Stays of Removal
- Non-dilatory Methods of Getting Enough Time to Get Relief
- Amending Pleadings; Submitting New Forms or Relief; Motions Practice
- Hot Topics/Recent Trends

Jonathan Willmoth (DL), Kansas City, MO
Henry Cruz, Seattle, WA
Rebecca Sharpless, Coral Gables, FL

3:45 pm – 4:00 pm **Networking Break**

4:00 pm – 5:00 pm **Preparing the Record for Appeal from Day One of Your Representation**

Every lawyer and client wants to win a case as quickly and efficiently as possible in immigration court, without years of protracted appeals. Unfortunately, many cases require appeals to the BIA or a federal court. An inadequate record can doom a client's chances of winning on appeal. This panel will provide tips and techniques for ensuring that your client's case is thoroughly prepared for appeal from the beginning of your representation.

- Developing a Game Plan, and Why You Need One: Preserving Evidentiary and Legal Arguments
- Admit and Concede vs. Deny: Factors to Consider
- What Relief Is Available? Raise It or Waive It
- Arriving after the party: How to supplement the record after the Individual Calendar Hearing (ICH)
- Avoiding Summary Dismissal of an Appeal at the BIA or Circuit Courts

Devin T. Theriot-Orr (DL), Seattle, WA

** = invited, not confirmed*

Andres Benach, Washington, DC
Kerry E. Doyle, Boston, MA

LUNCH SESSIONS

12:25 pm – 1:25 pm **"OMG, I Have an IMG!" Working with International Medical Graduates**
(Maryland C)

Physician immigration does not have to be a mystery. International doctors participate in well-defined U.S. training programs with well-defined visa options—each path having its own criteria, quirks, and processes. This panel will explore the different immigration life-cycles of an IMG and provide practical tips for representing physicians, from training through permanent residence.

- IMG, GME, ECFMG, ACGME, USMLE, BE/BC: What Do All These Acronyms Mean?
- Understanding Licensure, Credentialing, and Board Eligibility or Certification Requirements
- Common Visa Alternatives for Physicians-in-Training and What Follows
- J-1 Waivers: Making the Right Choice
- And If You Have No Choice, Alternatives to Qualifying for a Waiver
- Paths to Permanent Residence

Rita Sostrin (DL), Encino, CA
Suzanne B. Seltzer, USCIS Service Centers Operations Committee Chair, New York, NY
Robert D. Aronson, Minneapolis, MN
Irene Anthony, Philadelphia, PA

12:25 pm – 1:25 pm **ABCs of F-1 & J-1 Visas (Fundamentals)**
(Woodrow Wilson)

Both students and the employers who want to hire them often seek counsel regarding the processes and rules surrounding F-1 and J-1 status. This panel will provide an overview of F and J status, covering all the key concepts, rules, and processes new practitioners need to know.

- Introduction to F-1 and J-1 Status and SEVIS
- I-20s, DS-2019s: What Are They and How Do You Get Them?
- Maintaining and Changing Status; Reinstatement
- Work Authorization (CPT, OPT, Academic Training, and H-1B Cap-Gap)

Lorina A. Tester (DL), Salt Lake City, UT
Carrie R. Hesco, Laramie, WY
Hamel Vyas, New York, NY

12:25 pm – 1:25 pm **But, I Didn't Inhale!—Immigration and State Legalization of Marijuana**
(Maryland A)

At least 22 states and the District of Columbia have legalized medical marijuana. Colorado and Washington have recently legalized recreational marijuana. This panel will discuss the highs and lows these changes have created for noncitizens at the border, at field offices, and in immigration court. It will also discuss the federal government's latest position regarding immigration and state legalization laws. Don't let pot cause your case to go up in a puff of smoke!

** = invited, not confirmed*

- These Marijuana Laws Are Pre-empted, Right?
- Federal Agency Responses: DOJ, DHS, and DOS Positions on Legalization
- Responding to Marijuana-Related Questions on Immigration Applications
- What About Paraphernalia?
- Ethical Issues in Advising Clients on Marijuana Legalization

W. Scott Railton (DL), Bellingham, WA
Katharine S. Speer, Denver, CO
Ellen Sullivan, Needham, MA

12:25 pm – 1:25 pm **After the False Identity—The Difficulties of Coming Clean**
(Potomac C)

This panel will discuss the challenges practitioners face when ethical requirements, criminal violations and the wishes of the client all collide when a client has lived and worked under a false identity. Explore the risks, requirements and solutions when converting people back to their "real" identities.

- The Dreaded "Other Names Used" and "All Numbers You Have Ever Used" Questions
- Immigration and Criminal Consequences of False Identity Disclosure
- False Use of a Social Security Number and the Statute of Limitations
- False Documents as Evidence: Handle with Caution!
- Employment Consequences and I-9 Corrections
- Reconciling Social Security Earnings

Maria T. Baldini-Potermin (DL), Chicago, IL
Laura Lichter, AILA Past President, Denver, CO
Holly S. Cooper, Davis, CA
Joseph Reina, Dallas, TX

OTHER SESSIONS, WORKSHOPS, AND EVENTS

7:00 am – 8:00 am **Yoga**
(Annapolis)

7:00 am – 9:00 am **Washington, DC Chapter Meeting**
(National Harbor 12)

8:00 am – 9:00 am **Bangkok District Chapter Meeting**
(Chesapeake D)

12:00 pm – 1:00 pm **Arizona Chapter Meeting**
(Chesapeake B)

12:00 pm – 1:00 pm **Missouri/Kansas Chapter Meeting**
(Chesapeake G)

12:00 pm – 1:30 pm **Ohio Chapter Meeting**
(Chesapeake E)

** = invited, not confirmed*

12:00 pm – 1:00 pm **Rome District Chapter Meeting**
(National Harbor 12)

12:15 pm – 1:30 pm **Texas, Oklahoma & New Mexico Chapter Meeting**
(National Harbor 10)

1:00 pm – 4:00 pm **AIC Board of Trustees Meeting**
(National Harbor 5)

1:30 pm – 2:30 pm **AILA on Reform: Advocacy Training**
(Exhibit Hall - AILA Classroom)
This training will cover everything you need to know about the process, politics, and prospects of immigration reform, including: what's happening in Congress and AILA's policy positions. But more than that, the training will prepare you to be an effective advocate by teaching you how to work with your representatives. The training will also show you the ins and outs of influencing your Congress members to make the right choices in the immigration debate. This training will be conducted by AILA National Advocacy staff.

5:00 pm – 6:30 pm **Southern California Chapter Reception**
(Annapolis)

5:00 pm – 7:00 pm **IMG Taskforce**
(National Harbor 12)

5:00 pm – 6:00 pm **Exhibit Hall Happy Hour**
(Exhibit Hall D-E)

6:00 pm – 7:30 pm **New Members Division Reception**
(Pose Rooftop Lounge)

6:30 pm – 10:00 pm **American Immigration Council's 2015 American Heritage Awards**
(Potomac Ballroom)

SATURDAY, JUNE 20, 2015

7:15 am – 12:00 pm **Registration**
(Exhibit Hall D-E)

8:30 am – 4:00 pm **Exhibit Hall**
(Exhibit Hall D-E)

PRACTICE ROUNDTABLES

7:20 am – 8:20 am **CARRP and TRIG Cases—National Security and Terrorist-Related Inadmissibility Issues**
(Potomac A)

** = invited, not confirmed*

USCIS and EOIR cases involving national security and terrorism issues are potentially subject to unreasonable administrative delays, to unlawful third-agency ex parte contacts, and to oppressive examinations and requests for evidence. This panel looks at USCIS's Controlled Application Review and Resolution Program (CARRP) and the TRIG exemptions, and offers solutions to overcome delays and oppressive agency tactics.

- National Security Issues, TRIG, and TRIG Exemptions
- Explanation of CARRP Procedures
- Security Check Delays and Mandamus
- Protecting Clients from Bad Faith Examinations, Pretextual Investigations, and Overbroad Requests for Evidence

Jay Gairson (DL), Seattle, WA
W. John Vandenberg, Philadelphia, PA
Anwen Hughes, New York, NY

7:20 am – 8:20 am **Sticky Situations and Ethical Dilemmas—What Not to Do!**
(Woodrow Wilson A)

Life as an immigration lawyer is rough—you have to get clients, battle agencies and keep up with the ever-changing policies. Don't make it worse by making ethical blunders. Ease your life and reach your moment of Zen by putting in preventative measures to avoid ethical dilemmas.

- Retainer Agreements and Laying Down the Law
- Should I Stay or Should I Go Now? What to Do When You Find Your Boss Is Being a Bit Dodgy
- Oops I Did It: Hopefully Not Again! When You Discover Attorney Error and How to Resolve
- Off the Record: Why You Should Always Be on Record
- Your License, Your Life: Don't Risk Losing Your Livelihood for a Pushy Client

Ilana J. Drummond (DL), San Francisco, CA
Sarah Z. Brown, AILA Board of Governors, Dallas, TX
Dale M. Schwartz, AILA Past President, Atlanta, GA
Maurice H. Goldman, Tucson, AZ

7:20 am – 8:20 am **Developments in H-2B Practice**
(Maryland A)

Perhaps no other area of immigration law is in more flux than the field of seasonal H-2B workers. Changes in agency regulations and procedures, as well as significant litigation, have left practitioners with more questions than answers. Join this panel of experts for the latest H-2B developments.

- Update on Litigation, Latest Procedures, Regulations, and Interpretations
- Successful Use of Outside Surveys to Challenge the OES Wage
- What Costs Can Be Borne by the Employee? Compliance with DOL and FLSA Rules
- Country-Specific Waivers

William Velie (DL), Norman, OK
Ashley Foret Dees, Lake Charles, LA

** = invited, not confirmed*

Jeanne M. Malitz, San Diego, CA
Lynne R. Newkofsky, New York, NY

7:20 am – 8:20 am **How to Get the Government Interested—Advanced IGA J-1 Waivers**
(Maryland C)

Establishing that a J-1 visitor's continued presence is in the interest of a U.S. government agency is one way to seek a waiver of the two-year home residency requirement. However, while any U.S. federal agency may recommend a J-1 waiver, there are only a handful of Interested Government Agencies (IGA) that have a formal application process, each with its own set of rules and requirements. Those without formal programs are not precluded from making a recommendation, but it is trickier to attract their interest. This advanced-level panel will discuss best practices for preparing and documenting waiver submissions, as well as strategies to get the attention of IGAs that do not have formal programs.

- Identifying Qualifying IGAs
- Know Your Audience: The Technical Expert Adjudicator
- Engaging with the IGA
- Preparing for Objections: Fulbright, Muskie, and Other Recalcitrant Funders
- Can You Try, Try Again?

Scott M. Borene (DL), Minneapolis, MN
Ingrid K. Brey, Grosse Pointe Park, MI
Elizabeth A. Quinn, Washington, DC

7:20 am – 8:20 am **Naturalization 101**
(National Harbor 3)

Becoming a U.S. citizen is the ultimate goal for most immigrants to the United States. This panel examines the basics of becoming a U.S. citizen.

- Eligibility Criteria: Statutory vs. Discretionary
- Deciding Whether and When to Apply for Naturalization
- Crimes, Taxes, and Other Skeletons in the Immigration Closet
- Calculating Physical Presence
- Filing the Form N-400 & Preparing for the Interview: Red Flags and Tips

Genevieve Kovacs Perez (DL), Los Angeles, CA
Lolita Dimovski, Livonia, MI
Thomas J. Shea, New York, NY

7:20 am – 8:20 am **Protecting the Vulnerable—The Basics of Acquiring Legal Status Under the Violence Against Women Act (VAWA)**
(Potomac C)

All too often, non-citizens are subjected to abuse or violence. With the development of remedies under VAWA, victims of domestic violence may obtain legal status or find relief in removal proceedings. This panel will explain the best ways to help these survivors.

- Criteria for VAWA Eligibility
- Helping Your Client Tell His or Her Story and Proving the Abuse

** = invited, not confirmed*

- I-360 Petitions for Battered Spouses, Parents and Children
- VAWA Adjustment of Status
- Use of VAWA Remedies in Removal Proceedings and When the Client Is Outside the United States

M. Audrey Carr (DL), VAWA, U & T Liaison Committee Co-chair, New York, NY
Sonia Parras Konrad, Des Moines, IA
Liliana M. Loftman, Atlanta, GA

7:20 am – 8:20 am **Wish You Were Here! K-1 and K-3 Visa Refresher**
(National Harbor II)

Your U.S. citizen client is in love, but, unfortunately, the relationship is long distance. Is the K-1 or K-3 visa a quicker option for bringing a fiancé(e) or spouse living abroad to the United States? This panel will cover basic eligibility and filing requirements for these visa categories and derivative family members.

- Eligibility Requirements for the K Visa Petitioner, Beneficiary, and Children
- The "Hybrid" Nonimmigrant Visas: Medical Exams, Waivers, and Affidavit of Support
- Closing the Deal: Adjusting to Lawful Permanent Residence
- Conditional Status and Age-Out Issues for K-2 Children
- When a K-3/K-4 Becomes an Immigrant Visa Instead

Kathryn R. Weber (DL), Chicago Chapter Chair, Chicago, IL
Jared C. Leung, Bangkok District Chapter Chair, Phoenix, AZ
Elizabeth R. Edwards, Charlotte, NC
Estelle Regolsky, Jamaica Plain, MA

BUSINESS
(Maryland A)

8:25 am – 9:25 am **When Size Matters—Entrepreneurs/Start-Ups/Small Business Panel**

Petitions for entrepreneurs, start-ups and small businesses present many unique challenges to practitioners, including filing petitions for their employees, and obtaining status for shareholders, executives, and principals. This panel will explore strategies for presenting petitions in this context, approaches for dealing with common difficulties in this area, and will assist practitioners with understanding some common business issues facing small and entrepreneurial enterprises. Differences in the IV and NIV context will be highlighted throughout the session.

- Family Individual Ventures vs. Start Ups Involving Unrelated Parties
- Special Concerns for Start Ups Seeking Venture Capital
- Petitions for Shareholders/Owners: Neufeld Memo and Other Challenges
- Human Capital: Establishing a Particular Position
- FDNS, Work Site Audits and Other Challenges for Small Businesses
- Using USCIS Entrepreneurs in Residence Training Materials to Respond to RFEs

Naima Said (DL), Columbia, MD
Peter F. Asaad, Washington, DC

** = invited, not confirmed*

Angelo A. Paparelli, Los Angeles, CA

9:25 am – 9:40 am **Networking Break**

9:40 am – 10:40 am **E-1/E-2 Treaty Visas—State of the Art Issues**

This practical panel will cover a variety of advanced issues and problems that may be associated with the preparation and filing of an E visa petition. Panelists will discuss trade and investment issues, including domestic versus international trade, trade in services, investment sources, marginality, and substantiality. Panelists will also address documenting complex ownership structures, specific issues faced by start-up companies, and effectively presenting an essential skills applicant.

- Overcoming Problematic E-1 Trade Issues
- E-2: Evidence of Investment, "At-risk," and Source of Funds
- Documenting Complex Corporate Ownership
- Representing Start-Ups and Smaller Companies
- Tips on How to Present an Essential Skills Application
- Variation Among Posts with Filing Procedures and Requirements

Terry Weir (DL), Texas Service Center Liaison Committee Chair, Houston, TX
Yeu S. Hong, Los Angeles, CA
Paul L. Samartin, London, UK

10:40 am – 10:55 am **Networking Break**

10:55 am – 11:55 am **Non-PERM Employment-Based Options**

Exploring current realities of EB-1 and EB-2 alternatives to PERM, this interactive panel uses hypotheticals drawn from actual cases to discuss how to evaluate client eligibility for a range of immigrant visa categories, from Extraordinary Ability and Outstanding Researcher to National Interest Waivers and Schedule A, Group II, in light of recent adjudication patterns.

- Assessing the Totality of Circumstances and Developing a Theory of Case
- Identifying the Field of Endeavor and the Visa Category with the Best Chance of Success
- Strategies for Persuasive Presentation of the Evidence
- Filing in Multiple Categories
- Managing Client Expectations
- Hot Topics/Recent Trends

Eileen F. Morrison (DL), Newtonville, MA
Debra Schneider, Minneapolis, MN
Tien-Li Loke-Walsh, Pacific Palisades, CA

1:30 pm – 2:30 pm **The Extraordinary, Outstanding, and Exceptional RFE**

This masters-level panel will examine how to effectively tackle O-1, EB-1, and NIW RFEs and turn aggravation into approval. The discussion will include setting up your case for success by challenging weaknesses in RFEs, utilizing available resources, and showcasing the best accomplishments of your clients.

** = invited, not confirmed*

- Reviewing RFEs with a Critical Eye: Is Everything That's Requested Actually Required?
- Utilizing USCIS's RFE Templates to Your Advantage
- Case Law That Helps Us Win: Using *Buletini*, *Muni*, *Skirball*, *Katigbak*, and Even *Kazarian* to Argue Your Case
- Practical Pointers That Lead to Success
- Serving as Both a Counselor and an Advocate to Your Client

Karin Wolman (DL), New York, NY
Laya Kushner, ACES Committee Chair, Charlotte, NC
Linda Rose, Nashville, TN
David A.M. Ware, Metairie, LA

2:30 pm – 2:45 pm **Networking Break**

2:45 pm – 3:45 pm **Getting to "Extraordinary" in the O and P Context for Not So Ordinary Occupations**
This practical session will focus on the unique challenges associated with obtaining O and P visas for artists, entertainers, and athletes who are in unusual, non-traditional, or out-of-the-mainstream fields/occupations. Obtaining an O or P visa for individuals and groups that grace the cover of People magazine or Sports Illustrated can be straightforward. But how do you go about putting together a successful case for those—such as for triathletes, stunt persons, motocross riders, comedians, magicians, adult entertainers, and others—who might be extraordinary in a lesser known field? This session will explore best practices for those more challenging O and P cases.

- Strategies for Evidencing the Distinguished Rather Than the Acclaimed
- Convincing USCIS That an Individual/Group in a Lesser-Known Field or Occupation Can Still Be Extraordinary
- Demonstrating and Documenting the Reputation of Events and Productions
- Advisory Consultation Issues
- Current Trends in Adjudications

Fuji Yussefieh Whittenburg (DL), Los Angeles, CA
Daniel Aharoni, New York, NY
Jonathan Ginsburg, Fairfax, VA

3:45 pm – 4:00 pm **Networking Break**

4:00 pm – 5:00 pm **Visa Life-Cycle for Researchers and Scientists**

Many young scientists face challenges to obtaining employment authorization and remaining in the United States. This panel will lead you through the life cycle of researchers and scientists, providing you with the tools necessary for successfully advising them on visa choices from start to finish.

- NIV Options for Students, Post-docs, and Research Associates
- Transition from F-1 to H-1B: Dealing with the H-1B Cap
- J's and the Two-Year Home Residency Requirement
- Early Evaluation of Potential IV Eligibility: CV's, Publications, and Other Evidence
- Pathways to Permanent Residency: Employer Sponsored vs. Self-Petitions and Who Pays?

** = invited, not confirmed*

Dahlia M. French (DL), Student & Scholars Liaison Committee Chair, Nashville, TN
Susan C. Ellison, Hanover, NH
Kathleen L. Grzegorek, Los Angeles, CA

BUSINESS II
(Maryland C)

8:25 am – 9:25 am **Building the Narrative—Drafting a Successful Petition and Getting It Right the First Time**

This practical-skills session will discuss the use of narrative to provide a framework to make challenging concepts more readily understood to the reviewing officer. The key to a successful petition is effectively communicating complex facts, the theory of the case, and legal eligibility. The question for us then is what can we do to make it clearer—to make the most important points really stand out?

- Now I See Why They Are Recognized as the Top of the Field
- Oh, So That's What She Manages
- Why, Yes, That Is Specialized!
- Using the Cover Letter to Provide a Road Map
- Ethical Considerations in Drafting Your Narrative

Robin D. O'Donoghue (DL), Cambridge, MA
Howard Sam Myers III, AILA Past President, Minneapolis, MN
Helene N. Dang, Houston, TX

9:25 am – 9:40 am **Networking Break**

9:40 am – 10:40 am **What Business Immigration Attorneys Need to Know About Federal Court**

Business practitioners are often hesitant to litigate denials of their petitions, and it can be extremely difficult to convince clients to take on an inappropriate denial. This panel will try to remove the mystery and anxiety faced by business immigration practitioners when considering what to do about a denial and to provide tools for challenging wrongful decisions.

- Practical Considerations for the Client: Costs, Publicity, Timing, Precedent etc.
- AAO vs. Federal Court: Do You Need to Go to the AAO First?
- Where to File: Jurisdiction and Venue Considerations
- Who Can Sue: Can a Beneficiary Litigate the Denial in Federal Court?
- Getting Paid: Equal Access to Justice Act

Denyse Sabagh (DL), AILA Past President, Washington, DC
Melissa Crow, American Immigration Counsel, Washington, DC
Thomas K. Ragland, Washington, DC

10:40 am – 10:55 am **Networking Break**

10:55 am – 11:55 am **The "Business" of Dealing with CBP**

U.S. Customs and Border Protection (CBP) is one of the world's largest law enforcement organizations, charged with keeping terrorists and criminals out of the United States, while

** = invited, not confirmed*

facilitating lawful international travel and trade. For business travelers, the "facilitation of travel and trade" often takes a back seat to CBP's effort to zealously enforce the law. The business person submitting an application for admission also must deal with what seems an arbitrary system with procedures that vary from port to port. This session will discuss issues arising before CBP for the business practitioner, including:

- CBP Redress Procedures and TRIP: Is There a Way to Clean the Client's Record?
- How to Prepare the L-1, TN, and B-1 Applicant for Inconsistent Procedures
- Facilitating Entry, and When All Else Fails, Tips on Resolving Problems with CBP
- "Search and Seizure" Issues at the Border: What Are My Rights? Does *Riley v. California* Provide Protection from Border Searches and Seizures?

Kenneth J. Harder (DL), Houston, TX
Diane M. Butler, AILA Board of Governors, Seattle, WA
Lynn Susser, Memphis, TN

1:30 pm – 2:30 pm **Where's the Line? Ethical Considerations in Employment-Based Petitions**

As attorneys we want to be strong advocates for our clients. Frequently clients give us inadequate job descriptions and bad factual scenarios, or just want us to "get it done" with little or no information. This session will explore the line between creating a job description and providing advice on meeting the legal requirements. Panelists will discuss what an attorney can do and what they should not do.

- Preparing and Presenting a Job Description for NIV and IV Cases
- EB-1/O-1 Reference Letters: The Line Between Storytelling and Making Up a Story
- Providing Advice on Corporate Reorganizations or Establishing a Business
- Should Questionable Evidence Be Questioned

Denise Cafaro Hammond (DL), Silver Spring, MD
David S. Bloomfield, Columbus, OH
Alan B. Goldfarb, Ethics Committee Vice Chair, Minneapolis, MN

2:30 pm – 2:45 pm **Networking Break**

2:45 pm – 3:45 pm **Challenges with Switching from NIV to IV**

Switching from nonimmigrant to immigrant is not always an easy transition for employers and employees. Frequently, the criteria and qualifications for the NIV don't match those needed for an IV application—for example, a "Bachelors" degree for an H-1B is not always considered a "Bachelors" degree for the I-140. This session will explore the legal, corporate policy, and logistical issues that arise when switching from NIV to IV, as well as tips for preparing the NIV with the future in mind.

- Dealing with Requirements for Future (Prospective) Job That Conflict with Requirements upon Which NIV Is Based
- Prevailing Wage and Equivalency Issues
- Highlighting Specific Challenges and Strategies for: H-1B, H-2B, E-3, J-1, L-1B, TN, O-1 and E-1/E-2
- Down the Line: Use of EAD/AP and the Impact of a Pending Green Card Application on NIV Status

** = invited, not confirmed*

Cynthia J. Lange (DL), Santa Clara, CA
Ellen Freeman, Pittsburgh Chapter Chair, Pittsburgh, PA
Myriam Jaidi, New York, NY

3:45 pm – 4:00 pm **Networking Break**

4:00 pm – 5:00 pm **Outbound 101**

Have you ever received a request from a client for help with a non-U.S. immigration matter? Or perhaps you've heard of the AILA Global Migration Section and wondered about expanding your practice to include outbound matters? This panel will provide an introduction to outbound practice, including a discussion of the ethical and practical issues you need to consider before jumping into this area.

- Growing Significance of Outbound to Employers
- Types of Outbound Work: Business Visas, Work Visas, Family-Based Visas, and Document Authentication
- The Role of a U.S. Attorney in a Non-U.S. Immigration Matter
- Ethical Considerations: UPL, Confidentiality, Fee Sharing, the Foreign Corrupt Practices Act, and Working with Foreign Legal Consultants
- Practical Considerations: Technology, Time Zones, and Culture

Audrey Lustgarten (DL), Atlanta, GA
Roland Lechner, Global Migration Section Steering Committee Vice Chair, San Francisco, CA
Andrea Silva Fascetti, Genève, Switzerland

DUE PROCESS/REMOVAL DEFENSE
(Potomac A)

8:25 am – 9:25 am **"Bring Me Home Now!" Strategic Ways to Assist a Client's Return to the United States After Removal**
When your client prevails on Petitions for Review or administrative Motions to Reopen/Remand/Terminate before the immigration court, what are the legal steps and strategies to facilitate your client's return after removal? This panel will discuss the ways and strategies of assisting your client's return to the United States after removal.

- Discussion of Existing ICE Policy on Return After Removal
- Ways to Avoid Detention of Client Upon Return
- Obtaining Immigration Records, Any Criminal History and Coordinating with Family and Former Defense Counsel
- Other Strategic Steps to Take to Effect Client's Return; Coordinating with the U.S. Embassy, ICE, ERO, and CBP

Javier N. Maldonado (DL), San Antonio, TX
Marc Van Der Hout, AILA Board of Governors, San Francisco, CA
Trina Realmuto, Boston, MA

9:25 am – 9:40 am **Networking Break**

** = invited, not confirmed*

9:40 am – 10:40 am **A Stroll Down Memory Lane—§212(c) and Other "Old-Fashioned" Remedies That Still Help**

Just because a particular form of relief in the INA was repealed or replaced with something else doesn't mean that your client can no longer benefit from that relief. In certain circumstances, now-defunct forms of relief from removal/deportation/exclusion may still be available to your client. This panel will discuss some of the most important mechanisms that continue to defeat removal.

- INA Section 212(c) Following *Matter of Abdelghany*, Including Motions to Reopen Barred Under *Matter of Blake*
- Suspension of Deportation vs. Cancellation of Removal
- INA Section 245(i) Pointers
- Judicial Recommendation Against Deportation (JRAD)s: Manna from Heaven
- The Importance of Effective Dates and Applicability Dates

Kim Hunter (DL), St. Paul, MN
Joseph C. Hohenstein, Philadelphia, PA
Zachary Nightingale, San Francisco, CA

10:40 am – 10:55 am **Networking Break**

10:55 am – 11:55 am **Busted!—§237(a)(1)(H) Waivers in Removal Proceedings**

When lawful permanent residents are discovered to have committed fraud or misrepresentation during naturalization applications or while seeking entry after a brief travel abroad, they will most likely be put in removal proceedings. Can INA Section 237(a)(1)(H) be used to waive this fraud? The panel will discuss how this waiver applies and suggest strategies on how to win waiver cases.

- Various Types of Fraud/Misrepresentations at the Time of Entry/Adjustment
- Seeking 237(a)(1)(H) Waiver: Is Your Client Eligible? What if There Is a Prior In Absentia Order of Removal?
- How to Apply for the Waiver: Is There a Form? Is There a Filing Fee? Where and When Do I File?
- Analyzing Factors that Lead to a 'Favorable Exercise of the Court's Discretion'

Lisa Ellen Seifert (DL), Olympia, WA
Lourdes Santos Tancinco, San Francisco, CA
Siovhan A. Sheridan, Tucson, AZ

1:30 pm – 2:30 pm **The Latest Updates and Developments in the Categorical Approach**

Moncrieffe *and* Descamps *refocused the crimmigration practice by compelling deliberate elemental analysis and restoring the categorical approach. This panel will examine the latest cases and developments.*

- Overview of *Moncrieffe* and *Descamps*
- Notable BIA Cases, Including *Matter of Chairez-Castrejon* and an Amped Up Focus on the "Realistic Probability" Test

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- Notable Circuit Court Cases
- Emerging Trends

Enoka Herat (DL), Seattle, WA
Mary E. Kramer, AILA Author, Immigration Consequences of Criminal Activity 5th Ed., *Miami, FL*
Isaac Wheeler, Bronx, NY

2:30 pm – 2:45 pm **Networking Break**

2:45 pm – 3:45 pm **"Stay Free!"— Mandatory Detention/Bonds**

The most immediate issue for your detained clients is getting out of DHS custody. This panel will address how, when, and where to fight prolonged detention. The panel will also survey the latest district and circuit court decisions to help you develop winning litigation strategies.

- Which Law Applies: INA Sections 235(a), 236(c), 241(a)(5), and *Matter of Joseph* Hearings
- What's Left to Fight: Strategies for Avoiding Mandatory Findings
- Continued Detention During Appeals to the BIA
- Fighting Detention After Appeals Are Exhausted, Including Constitutional Challenges

Ben Winograd (DL), Alexandria, VA
Genevra W. Alberti, Kansas City, MO
Robert "Andrew" Free, Nashville, TN

3:45 pm – 4:00 pm **Networking Break**

4:00 pm – 5:00 pm **Protecting Your Clients Who Have ICE Detainers**

Since 2008, ICE has rapidly expanded its cooperation agreements with local law enforcement agencies. These agreements are supposed to be targeted at "dangerous convicted criminals." However, many immigrants who end up in removal proceedings are arrested for minor misdemeanors, including traffic violations. Come learn how best to protect your clients who have been issued detainers and find out how to fight back.

- Continuing Challenges in Convincing Law Enforcement that Detainers Are Voluntary
- Coordinating with Criminal Defense Attorneys
- Failure to Release, and Possible Causes of Action
- Community Involvement in Challenging Detainer Policies
- Hot Topics/Recent Trends

Matthew H. Green (DL), Tucson, AZ
Elliott Ozment, Nashville, TN
Paromita Shah, Boston, MA

** = invited, not confirmed*

FAMILY
(National Harbor 10)

8:25 am – 9:25 am **Retaining and Recapturing Priority Dates in Family Cases**

For family preference cases, nothing gets discussed more post-I-130 filing than a client's priority date. This panel covers retaining priority dates and upgrading or converting to a more advantageous date when available, with tips on how to avoid losing a priority date or having to refile.

- Retaining Priority Dates in Changed Circumstances
- Upgrades and Cross-Chargeability
- Derivatives Over 21 and Other Changed Circumstances

Tammy Lin (DL), San Diego, CA
David A. Guerrettaz, Evansville, IN
Timothy M. Wheelwright, Salt Lake City, UT

9:25 am – 9:40 am **Networking Break**

9:40 am – 10:40 am **Admitted and Inspected for AOS? "Getting In and Staying In"**

This program guides practitioners in analyzing whether a client is eligible for adjustment of status based upon his or her admission, inspection and/or parole. Also covered are BIA and federal court decisions since Matter of Quilantan.

- Proof of Legal Entry Required for Adjustment of Status
- Filing the I-485 for Parolees
- *Flores v. USCIS*: Is a TPS Grant an Admission for Adjustment Purposes?
- Fraudulent Documents and Secondary Evidence of Entry: What Works and What Doesn't
- Update: "Waived-Through" and Case Law vs. Realities Since *Matter of Quilantan*
- Hot Topics/Recent Trends

Alexis S. Axelrad (DL), AILA Board of Governors/Vermont Service Center Liaison Chair, New York, NY
Ramon E. Curiel, San Antonio, TX
Isabel Lin Guzman Uresty, Durham, NC
Mary Kenney, American Immigration Council, Washington, DC

10:40 am – 10:55 am **Networking Break**

10:55 am – 11:55 am **Leaving but Not Departing—Advance Parole After *Arrabally/Yerrabelly***

This panel will address the impact of the Arrabally/Yerrabelly *decisions and subsequent BIA and circuit court cases for adjustment applicants and provide an update on current USCIS and CBP implementation trends.*

- Update on USCIS and CBP Implementation of *Arrabally/Yerrabelly*
- Adjustment of Status Based on *Arrabally/Yerrabelly*
- Using *Arrabally/Yerrabelly* to Overcome the Unlawful Presence Bar

** = invited, not confirmed*

- Limitations and Risks of Using Advance Parole
- Hot Topics/Recent Trends

Steven C. Thal (DL), Minnetonka, MN
Laura Fernandez, Milwaukee, WI
Parastoo Golesorkhi Zahedi, Vienna, VA

1:30 pm – 2:30 pm **Complicated Affidavit of Support Issues**

For many family-based applicants for permanent residence, the financial support requirements in the I-864 present the biggest challenge in the initial filing with USCIS or NVC. Learn from this panel how to file bullet-proof Affidavits of Support to avoid RFEs and delays in ancillary benefits and case processing.

- Simplifying I-864 Issues with Accurate Terminology
- Meeting Income Support Requirements with No Prior Taxable Income or When Self-Employed
- Combining Income and Assets Among Sponsors, Joint Sponsors, and Co-sponsors
- Dealing with the Different Requirements of NVC and USCIS

Heather L. Poole (DL), Southern California Chapter Chair, Pasadena, CA
Greg McLawsen, Tacoma, WA
Ann Robertson, Raleigh, NC

2:30 pm – 2:45 pm **Networking Break**

2:45 pm – 3:45 pm **Has CSPA Aged-Out?**

With a backdrop of the Supreme Court's de Osorio *decision and its interpretation of CSPA, this panel will update practitioners on the extent of CSPA's benefits and limitations for children who turn 21 and age-out.*

- CSPA Implementation and Procedure
- Post-*de Osorio*: CSPA Protection for All Derivatives or Only a Subset?
- Automatic Conversion and Opt-Out Options
- Practical Advice for Addressing Potential CSPA Application

Hudaidah Bhimdi Ahmed (DL), Falls Church, VA
David Isaacson, New York, NY
Amy Prokop, Los Angeles, CA

3:45 pm – 4:00 pm **Networking Break**

4:00 pm – 5:00 pm **Advanced Citizenship and Naturalization**

This timely panel addresses recent developments and trends in USCIS adjudications involving more complex issues that arise in N-400 and N-600 cases.

- Physical Presence and Residency
- Criminal Convictions, Admissions, and Risks of NTA Issuance
- Denials and Appeals

** = invited, not confirmed*

- Mandamus Actions
- Complications Arising in N-600 and N-600K Applications
- Renunciation, Relinquishment and Loss of Citizenship

Ofelia L. Calderon (DL), Arlington, VA
Robert F. Loughran, Austin, TX
Kathrin S. Mautino, San Diego, CA

FUNDAMENTALS
(National Harbor 3)

8:25 am – 9:25 am **Primer on Immigration Detainers and Bond**

Yikes! Your client has been arrested and whisked away by ICE. What now? This panel explores how immigration detainers work and what bond options your client may (or may not) have.

- What Is a Detainer and How Does It Work?
- Immigration Bonds: Who Is Eligible and How Is Bond Determined?
- Ordinary vs. Mandatory Detention: The Basics of INA §§236(a) and 236(c)
- How to Get a Bond Reduced
- Alternatives to Detention
- Hot Topics/Recent Trends

Peter L. Ashman (DL), Las Vegas, NV
Amanda Bethea Keaveny, Carolinas Chapter Chair, Charleston, SC
Joseph S. Porta, Los Angeles, CA

9:25 am – 9:40 am **Networking Break**

9:40 am – 10:40 am **Primer on the Grounds of Inadmissibility and Removability**

This panel will review the most common grounds of inadmissibility and removability that all immigration practitioners need to know.

- Common Grounds of Inadmissibility: Crimes Involving Moral Turpitude, Fraud, Drugs, Unlawful Presence, Prior Removal Orders, etc.
- Common Grounds of Removability: Crimes Involving Moral Turpitude, Aggravated Felonies, Fraud, Domestic Violence, etc.
- Differences Between the Grounds of Inadmissibility and Removability

Emily Assunta White (DL), Denver, CO
Anna Marie Gallagher, CBP Border Issues Committee Chair, Washington, DC
H. Raymond Fasano, New York, NY

10:40 am – 10:55 am **Networking Break**

** = invited, not confirmed*

10:55 am – 11:55 am **Order in the Court—Removal Proceedings 101**

You get a panicked call that your client is in removal proceedings. Now what do you do? This panel will review the basics of removal practice.

- The Notice To Appear (NTA) In-depth and How to Challenge It
- Pleadings and Requesting Relief
- Forms of Relief: Cancellation of Removal, Waivers, Adjustment of Status, Voluntary Departure, Asylum, Prosecutorial Discretion, and Other Forms of Relief
- Termination & Administrative Closure

Philip Eichorn (DL), Ohio Chapter Chair, Cleveland, OH
Laura F. Bachman, Tulsa, OK
Nareg Kandilian. Watertown, MA

1:30 pm - 2:30 pm **Where Do I Sit and When Do I Stand? Mock Removal Hearing**

You filed an application for the relief of cancellation of removal for your non-permanent resident client, who has lived in the United States for over 10 years and is the father of three U.S. citizen children. The individual merits hearing is today! This mock hearing will show you how to go into court with confidence and win your client's case. Some of the areas that will be covered include:

- Planning the Story and Developing the Characters
- Direct and Cross Examination Techniques
- Making Objections, Qualifying Experts, and Submitting Evidence
- Closing Statements? Decision? Appeal?

Linda Kenepaske (DL), New York, NY
Luis Alemany, Roswell, GA
Antonio G. Revilla III, Miami, FL
Douglas S. Weigle, Cincinnati, OH

2:30 pm – 2:45 pm **Networking Break**

2:45 pm – 3:45 pm **Burden of Proof in Removal Proceedings**

This basics level panel will analyze the burden of proof in a case as the starting point in determining the scope of the hearing. Often, the burden of proof is assumed or improperly shifted. This panel discusses how to identify the burden of proof and ensure the right party is being held to it.

- Burdens of Proof in Bond Hearings
- Burdens of Proof at the Master Calendar
- Burdens of Proof for Waivers and Adjustment
- Burdens of Proof for Cancellation of Removal

Philip M. Alterman (DL), Denver, CO
Paul Scott, Baton Rouge, LA
Philip H. Mantis, Portland, ME

** = invited, not confirmed*

3:45 pm – 4:00 pm **Networking Break**

4:00 pm – 5:00 pm **Life and Death Consequences—Case Management in Removal Proceedings**

A large number of disciplinary actions taken against attorneys arise out of failure to timely file appeals or other documents. What steps can you take to make sure that never happens? When people's lives are literally on the line, how can you best use the lengthy delays in removal cases to your client's advantage?

- Working with Your Office Staff to Avoid Malpractice and Keep Up with the Case Calendar
- Managing Your Client and the Case During the Lengthy Delay Before the Merits Hearing
- Tips on File Management Systems, Document Assembly, Court Filing, and What to Do When the Worst Happens and a Deadline Is Missed

Kirby Gamblin Joseph (DL), Practice Management Committee Chair, Aurora, CO
Helen L. Tarokic, Wilmington, NC
Ronald L. Abramson, Manchester, NH

HUMANITARIAN
(Potomac C)

8:25 am – 9:25 am **Humanitarian Relief 101 (Fundamentals)**

From unaccompanied minors to undocumented parents of U.S. citizen and LPR children, options for humanitarian relief are becoming increasingly important. This fundamentals session will provide a basic overview of the types of humanitarian relief available to minors and other undocumented immigrants in the United States.

- Deferred Action for Childhood Arrivals (DACA)
- Deferred Action for Parents of USCs and LPRs (DAPA)
- Special Immigrant Juvenile Status (SIJS)
- Asylum
- Parole-in-Place (PIP)
- Don't Forget Your U's and T's!

Ashley Turner Harrington (DL), Westminster, CO
Camille J. Mackler, New York, NY
Hardeep Sull, Las Vegas, NV

9:25 am – 9:40 am **Networking Break**

9:40 am – 10:40 am **"Don't Turn Your Back On Us!" Representing Unaccompanied Children in Removal Proceedings**

In view of the significant number of unaccompanied children arriving at the border, there is an increasing need for legal representation of these children. What steps are to be taken to protect the child's interest in immigration court? What are the ethical considerations in representing

** = invited, not confirmed*

children with diminished capacity? These are among the major topics to be discussed by this panel.

- Procedural Safeguards Available to Unaccompanied Children in Proceedings
- Asylum, TVPRA, Flores Settlement, Orantes Injunction, and Forms of Relief
- Strategies for Terminating Removal Proceedings
- Ethical Considerations

Rex Chen (DL), Newark, NJ
Kristen Jackson, Los Angeles, CA
Michelle Natalia Mendez, Consumer Protection & Unauthorized Practice of Law Action Committee Co-chair, Washington, DC
Kristin Macleod-Ball, American Immigration Council, Washington, DC

10:40 am – 10:55 am **Networking Break**

10:55 am – 11:55 am **UACs, Guardianships, and Other Minor Issues**

The humanitarian crisis along the southern border has illustrated the urgent need for effective advocacy on behalf of unaccompanied children. This advanced level panel explores the various forms of relief for which these children may be eligible. It will offer practical tips and solutions in obtaining benefits and relief available to minors.

- Tips for Communicating with Children to Analyze Forms of Available Relief
- SIJs and the Role of the Guardian; U and T Visas; Asylum
- Federal Immigration Laws and Intersection with State Family Laws
- Hot Issues and National Trends in Cases Involving Minors

Rosanne Milano (DL), Jamaica Plain, MA
Angela J. Ferguson, Kansas City, MO
Bryan S. Johnson, Bay Shore, NY

1:30 pm – 2:30 pm **Empowering the Most Vulnerable—The Ethics of Representing NonCitizens Who Lack the Capacity to Represent Themselves**

Noncitizens with capacity issues related to mental incompetence and age have been afforded special protections under immigration law and policy. This panel will discuss the ethics of representing those requiring special protection in immigration cases.

- What Legal Protections Are Available, DHS and EOIR Policies & Guidance
- Professional Obligations Under State Bar Rules and Agency Conduct Rules
- How to Determine Whether Your Client Lacks Capacity
- Providing Effective Assistance of Counsel When Your Client Lacks Capacity
- Who Has the Authority to Decide? Working with Guardian Ad Litem (GAL) and Family Members; Dealing with Conflicts, and Preserving Confidentiality

Cynthia Lucas (DL), Los Angeles, CA
Stacy Cozart, AILA ProBono Committee Chair, Independence, OH
Kenneth A. Mayeaux, Baton Rouge, LA
**Government Representative (Immigration Judge)*

** = invited, not confirmed*

2:30 pm – 2:45 pm **Networking Break**

2:45 pm – 3:45 pm **Ts and Us**

This panel covers the process for obtaining T and U status, hot topics, recent trends, and the many other challenges faced by victims of trafficking and victims of serious crimes who have assisted in criminal investigations.

- Hot Topics: Covered Crimes; Conditional Grants; EADs; Parole; Travel; and Processing Abroad
- U Visas: Working with the Cap, Emerging/Less-Used Crimes (Workplace, Extortion, etc.), Difficult Certifications, and Crafting Effective INA Section 212(d)(14) Waivers
- T Visas: Emerging Issues in Labor- and Sex-Trafficking
- Working with ICE and EOIR
- Recent Trends/Hot Topics

Gail L. Pendleton (DL), Plymouth, MA
Kristin Fearnow, Iowa/Nebraska Chapter Chair, Omaha, NE
Julie E. Dinnerstein, New York, NY
Sarah J. Schlicher, Overland Park, KS

3:45 pm – 4:00 pm **Networking Break**

4:00 pm – 5:00 pm **Advanced VAWA Issues**

This advanced panel covers hot topics and recent trends, addresses the sticky issues attorneys see in representing VAWA applicants, and offers strategies to overcome these challenges.

- Hot Topics and Recent Trends, EAD Update
- VAWA Derivatives and Pitfalls to Avoid
- RFEs and Appeals: "Good Faith Marriage" and "Any Credible Evidence" Issues
- Effective Use of VAWA Motion to Reopen Final Orders
- VAWA Cases in Proceedings (Motions to Reopen and Cancellation Update)

Alyssa C. Reed (DL), Commerce City, CO
Timothy Fallon, Yonkers, NY
Hema Sarang-Sieminski, Jamaica Plain, MA

IMMIGRATION DEVELOPMENTS MINI TRACK
(Woodrow Wilson A)

8:25 am – 9:25 am **How ICE Is Interpreting the New Enforcement Priorities Memo**

On November 20, 2014, DHS Secretary Johnson issued a new ICE enforcement priorities memorandum. This panel will explore the latest developments regarding how ICE is interpreting its new enforcement priorities, what is actually happening on the ground versus what should be happening on the ground, and how the new enforcement priorities are being applied to those who might be eligible for relief including deferred action. Finally, the panel will provide the latest on how requests for prosecutorial discretion are being handled under the new enforcement prioritization scheme.

** = invited, not confirmed*

9:25 am – 9:40 am **Networking Break**

9:40 am – 10:40 am **Beyond Deferred Action: Is Permanent Residence an Option?**

This panel will assist practitioners in identifying potential routes to permanent residence for clients who have been granted Deferred Action under DACA. Both family and employment-based options will be discussed, as well as the potential road blocks and hurdles clients will face.

- Overcoming 245(c) for Employment-Based Applicants
- Is Obtaining an NIV an Option? How About a 212(d)(3) Waiver?
- What About the Permanent Bar and Prior Orders of Removal?
- Resurrecting 245(i)
- Latest on *Matter of Arrabally/Yerrabelly*, Advance Parole, and the Three- and Ten-Year Bars

10:40 am – 10:55 am **Networking Break**

10:55 am – 11:55 am **American Immigration Council—Advances and Setbacks in Administrative Reform**

The last year has seen significant changes in how DHS operates from major reform in complaint processing and use of force procedures at CBP to a return to family detention at ICE to the temporary relief provided to a large portion of the undocumented population at USCIS. Join our expert panel as they assess some of the gains in immigrant's rights and some of the disappointments that require further action.

Beth Werlin (DL), Deputy Director, AIC Legal Action Center, Washington, DC
Guillermo Cantor, AIC Immigration Policy Center, Washington, DC

LUNCH SESSIONS

12:25 pm - 1:25 pm **Beware of Marrying a J-1!!! J-1 Family Members and Waiver of §212(e) Based on Hardship**
(Woodrow Wilson A)

U.S. citizens who marry J-1 exchange visitors subject to INA §212(e) are often unaware that their spouses cannot just get a green card right away. Dependents of J-1s also quickly learn that §212(e) can prevent them from changing or adjusting status. This panel addresses §212(e) waivers for both J-1 principals and J-2 dependents.

- Am I Really Stuck? Analyzing Whether a J-1 or J-2 Is Subject to §212(e)
- One Step or Two? Strategies on Filing the I-130/I-485 When You Need a §212(e) Waiver
- Can I Get Out of This? Other NIV Options, No Objection Letters, and Hardship Waivers
- What Does It Take? Proving Exceptional Hardship for §212(e) Waivers

Dan H. Berger (DL), Transformation Liaison Committee Chair, Northampton, MA
Kimberley Best Robidoux, San Diego, CA
Sheila T. Starkey Hahn, Memphis, TN

** = invited, not confirmed*

12:25 pm - 1:25 pm **CBP, You Have to Let Me Know—"Should I Stay or Should I Go?" Issues in Maintaining LPR Status**
(National Harbor 10)

If I go, there will be trouble, if I stay it will be double! This panel will offer a strategy session on dealing with a vexing problem for many lawful permanent residents: managing the "Clash" between time and intent and how to avoid losing LPR status. The panel will also discuss the process when returning to the United States and whether effective LPR abandonment may have occurred.

- One Day Is Fine and Next Is Black: Catching "Changes" in LPR Status Under INA §101(a)(20)
- If I Go There Will Be Trouble: Finding a Fix for LPR Status at Risk (Readjustment, I-407, I-90, N-400, etc.)
- Should I Cool It or Should I Blow? Re-entry Permit, SB-1 Visa, and Other Pre-emptive Strategies
- Jurisdictional Clash: Who Determines Loss or Abandonment of LPR Status? (CBP, EOIR, USCIS, DOS?)

Nell W. Barker (DL), Chicago, IL
James Y. Pack, Irvine, CA
Edward Rios, Boston, MA

12:25 pm – 1:25 pm **Dabbling—Corollary Legal Issues for the Immigration Practitioner**
(Maryland A)

We all get those legal questions from our corporate clients on legal issues we have not researched since the bar exam. This panel will provide a brief primer on some of the non-immigration legal issues that often arise when dealing with corporate clients. We will provide just enough information to give a background so that you can intelligently communicate with an expert in the field.

- Corporations: Understanding Corporate Structures, Documents, Financials, and Tax Returns
- Tax Law: Advising Foreign Nationals on Tax Law
- Labor and Employment: Common Labor Law Issues Facing Corporate Clients That Employ Foreign Workers
- Export Controls: What Are Export Controls? When Do You Need a License?

Scott S. Moore (DL), Omaha, NE
Clayton Eugene Cartwright, Columbus, GA
Brian Scott Green, Owings Mills, MD
Abigail C. Walsh, Los Angeles, CA

12:25 pm – 1:25 pm **Lessons Learned from the 2014 Humanitarian Crisis—Where Do We Go From Here?**
(Potomac C)

This panel will look back at the past year, during which a humanitarian crisis unfolded on the southern border involving thousands of women and children, and look forward to propose solutions for what needs to be done. The panelists will include Artesia veterans and UAC rocket-

** = invited, not confirmed*

docket survivors who will share their experiences on the front lines of the last crisis, and offer solutions so we are better prepared for the next.

- Family Detention Update and Current State of Affairs
- Proposed Legislation and Executive Orders Regarding UACs and Other Minors and Family
- Building Alliances with NGOs, Scholars, and Professional Organizations
- Getting Rid of Family Detention Once and For All
- How to Work with the Media Effectively and How to Get Volunteers Involved When Faced With a Humanitarian Crisis

Jennifer Durkin (DL), New York, NY
Meredith Brown, Glendale, CA
Sui Chung, Miami, FL
Jonathan D. Ryan, San Antonio, TX

12:25 pm – 1:25 pm **Criminal Convictions and Immigration Consequences: A Special Session for Non-specialists**
(Maryland C)

Family and business immigration attorneys, as well as defense attorneys, encounter clients with a criminal history. This practical panel will provide an introduction on how to analyze criminal statutes and dispositions to determine if there may be immigration consequences.

- Getting the Client's Criminal Record and the Criminal Statute
- Demystifying a Criminal Disposition
- How Do You Determine If a Conviction Is a "Crime Involving Moral Turpitude," Aggravated Felony, or "Crime of Violence"
- Common Crimes: DUI, Domestic Violence, ID Theft, Drugs

Nadine K. Wettstein (DL), Maryland Office of the Public Defender, Rockville, MD
Dan Kesselbrenner, Boston, MA
Kathleen Moccio, Minneapolis, MN

12:25 pm – 1:25 pm **Ports of Entry—Border Ahoy!**
(National Harbor 3)

As a newer practitioner or a more experienced attorney who does not go to the border often, you may wonder—what exactly happens to your clients at the Port of Entry (POE)? This panel will provide a primer on what you and your clients can expect at the POE and what you can do if things go wrong.

- What Happens at the POE & Preparing Your Client
- By Air, by Land, by Sea
- Secondary Inspection
- Limits of Attorney Representation—What You Can and Can't Do
- Resources to Resolve a POE Problem or CBP Error

Reginald A. Pacis (DL), Detroit, MI
Heather N. Segal, AILA Board of Governors, Toronto, ON
Shannon Napier Barnes, San Diego, CA
Susan Waller Ramos, El Paso, TX

** = invited, not confirmed*

12:25 pm – 1:25 pm **Preparing, Defending, and Appealing Adam Walsh Cases**
(Potomac A)

USCIS adjudication of Adam Walsh petitions can be unlawful, arbitrary, and capricious. This panel looks at current Adam Walsh case law and regulations, and offers tips and strategies to prepare and defend these cases.

- New Federal Court and BIA Cases on Adam Walsh Act
- Making Objections and Raising Legal Issues Concerning the USCIS Record of Proceeding: Contesting "Specified Offense Against a Minor," Retroactivity, and the "No Risk" Standard
- Preparing and Submitting Evidence of "No Risk"
- Strategies for Appealing Adam Walsh Cases to the BIA and Federal Court

Mark R. Barr (DL), Denver, CO
Thomas Edward Moseley, Newark, NJ

12:25 pm – 1:25 pm **Stars and Stripes—Military Immigration Issues**

Learn how to help serve those who protect our country on a daily basis. This panel will discuss special topics affecting members of the U.S. Armed Forces, veterans, and their families. Learn practice pointers specific to representing service members such as Parole in Place (PIP) and deferred action, adjustment of status, and naturalization.

- Current Trends in PIP Processing and Subsequent Adjustment of Status Issues
- Naturalization for Service Members
- Current Status of MAVNI
- Posthumous Citizenship and Survivor Benefits
- Representing Veterans in Deportation
- Hot Topics/Recent Trends

Elizabeth L.A. Garvish (DL), George-Alabama Chapter Chair, Atlanta, GA
Richard M. Green, AILA MAP Task Force Vice Chair, Irvine, CA
Craig R. Shagin, Harrisburg, PA
**Government Representatives*

OTHER SESSIONS, WORKSHOPS, AND EVENTS

7:00 am – 8:00 am **Yoga**
(Annapolis)

8:30 am – 9:30 am **DACA Roundtable**
(National Harbor 5)

8:25 am – 9:25 am **AILA on Reform: Advocacy Training**
(Exhibit Hall - AILA Classroom)
This training will cover everything you need to know about the process, politics, and prospects of immigration reform, including: what's happening in Congress and AILA's policy positions. But more than that, the training will prepare you to be an effective advocate by teaching you how to

** = invited, not confirmed*

work with your representatives. The training will also show you the ins and outs of influencing your Congress members to make the right choices in the immigration debate. This training will be conducted by AILA National Advocacy staff.

12:00 pm – 3:00 pm **AILA Board of Governors Meeting**
(Woodrow Wilson B)

1:30 pm – 2:30 pm **Purchasing Professional Liability Insurance and Cyber Liability**
(Woodrow Wilson A)

Many law firms overlook the impact of using the Internet, email and other forms of communication and document storage that expose lawyers and law firms to cyber liability. During the 2014 Annual Conference, we discussed how to purchase and shop for Professional Liability Insurance. This year, we will review the various exposures to financial harm that lawyers and law firms face and what can be done to avoid them. We will cover:

- Insurance Solutions for Law Firms for Cyber Liability
- Unique Risks That Law Firms Have from Using the Internet, Having Websites, and Using Social Media

David L. Bridges, President, The Leavitt Group of Atlanta, Inc., Lawrenceville, GA

5:30 pm – 7:00 pm **AILA Annual Awards**
(Woodrow Wilson A)

7:00 pm – 10:00 pm **AILA Saturday Night Party**
(Riverview Terrace)

** = invited, not confirmed*