

2016 Spring Conference

# AUSTIN TEXAS



**AILA** Texas Chapter

Marriott Courtyard  
300 E 4th St, Austin, TX 78701  
April 14<sup>th</sup> - 16<sup>th</sup>

[www.ailatexas.org](http://www.ailatexas.org)

**AILA TEXAS CHAPTER SPRING CONFERENCE PROGRAM**

**APRIL 14-16, 2016**

**MARRIOTT**

<b>Thursday, April 14, 2016</b> <b>Joint Sessions</b>
<b>4:00 – 6:00PM</b> Conference Registration
<b>5:00 – 6:00PM (1 hr ethics)</b> Grievance and Ethics: <ul style="list-style-type: none"> <li>• Disciplinary Process Overview Complaint &amp; Response</li> <li>• Toll Free Ethics Helpline for Lawyers Judith DeBerry and Rita Alister, Assistant Disciplinary Counsel, State Bar of Texas</li> </ul>
<b>6:00 – 7:00PM (1 hr ethics)</b> <ul style="list-style-type: none"> <li>• Texas Lawyers ( and law students) Assistance Program</li> <li>• Bree Buchanan, Director</li> </ul>
<b>8:00 – 10:00PM</b> Networking Social
<i>CLE TOTAL: 2 hours, including 2 hours ethics</i>

<b>Friday, April 15, 2016</b> <b>Family/Removal Track</b>	<b>Friday, April 15, 2016</b> <b>Employment Track</b>
<b>7:00 – 8:00AM</b> Registration & Breakfast	<b>7:00 – 8:00AM</b> Registration & Breakfast
<b>JOINT SESSION</b> <b>8:00 – 8:45AM</b> AILA National - View from the Hill William Stock, President-Elect <b>8:45 – 9:30AM</b> AILA National – Advocacy Update Melina Roche, AILA National, <i>Washington, DC</i> Beth Werlin, AIC, <i>Washington, DC</i>	
<b>9:30 – 10:20AM</b> Immigration Consequences of Conviction <ul style="list-style-type: none"> <li>• Divisible/Indivisible Statutes</li> </ul> Simon Azar-Farr, <i>San Antonio</i>	<b>9:30 – 10:20AM</b> Nonimmigrant Waivers <ul style="list-style-type: none"> <li>• Overcoming fraud findings</li> <li>• Reason to Believe and how to get around it</li> <li>• DUI and other grounds for visa denial, and how to prepare your client</li> <li>• Ethical considerations</li> <li>• Presenting and preparing your waiver</li> <li>• Once waived, gone forever?</li> </ul> David Ware, <i>Metairie, LA</i> Jan Pederson, <i>Washington, DC</i>
<b>10:20 – 11:10AM</b> Is that it? Is there nothing else you want to tell me? FOIA here, FOIA there, FOIA everywhere	<b>10:20 – 11:10AM</b> H Cap Season is Over, now what? <ul style="list-style-type: none"> <li>• Issues that arise while cap petition is</li> </ul>

**AILA TEXAS CHAPTER SPRING CONFERENCE PROGRAM**

**APRIL 14-16, 2016**

**MARRIOTT**

<ul style="list-style-type: none"> <li>• How to find what you need and where to look</li> <li>• FBI, State Department, EOIR, USCIS, CBP, ICE FOIAs</li> <li>• Procedure review, guidance, best practices, and what to expect</li> <li>• FOIA appeals – how to do it</li> </ul> <p>Javier Maldonado, <i>San Antonio</i></p>	<p>pending: international travel, change of employer, revocation of job offer, OPT violations, multiple petitions for the same employee</p> <ul style="list-style-type: none"> <li>• Alternatives to the H1B - STEM OPT, E/L/TN/H3/E3/O</li> <li>• Strategies and evidence development</li> <li>• Selecting the right visa category and planning ahead for the next steps</li> </ul> <p>Jonathan Moore, <i>Richmond VA</i> Matthew Gross, <i>Dallas, TX</i></p>
<p><b>BREAK</b> <b>11:10 – 11:20 PM</b></p>	
<p><b>11:20 – 12:10AM</b> Asylum</p> <ul style="list-style-type: none"> <li>• Amplifying “TENGO MIEDO!” so CBP can hear</li> <li>• The attorney’s role in CFR/RFI</li> <li>• Getting your client released</li> <li>• Navigating the priority docket</li> <li>• One year deadline issues</li> <li>• EADs and lodging the I-589</li> <li>• Recent developments in “particular social group”</li> </ul> <p>Edna Yang, <i>Austin</i> Paul Zoltan, <i>Dallas</i></p>	<p><b>11:20 – 12:10AM</b> The New Horizon and upcoming changes to programs/initiatives</p> <ul style="list-style-type: none"> <li>• Changes to Visa Waiver Program</li> <li>• Proposed regulation re: AC21</li> <li>• Final Rule on Enhancing Opportunities for H1B1, CW1, E3 and EB1 Immigrants</li> <li>• H1B and the <i>Semineo</i> case</li> </ul> <p>Megan Verona, <i>Dallas</i> Jessica Mullins-Ta, <i>Dallas</i></p>
<p>Lunch &amp; Chapter Business Meeting <b>12:10 – 1:30PM</b></p>	
<p><b>1:30 – 3:30PM (.25 hr ethics)</b> Anatomy of Removal Proceeding Bond to Master Calendar – Breaking it ALL THE WAY DOWN with a real case!</p> <ul style="list-style-type: none"> <li>• Pre arrest preparation</li> <li>• Bond Redetermination</li> <li>• Record of Conviction</li> <li>• Identifying Relief</li> <li>• Posting bond</li> </ul>	<p><b>1:30 – 3:30PM (.25 hr ethics)</b> PERM Roundtable – Breaking it ALL THE WAY DOWN with a real case!</p> <ul style="list-style-type: none"> <li>• Interviewing the client and foreign worker for issue spotting (travel/managerial/language requirements/business necessity/ability to pay/degree equivalency issues/documenting experience) and tools to help you collect vital data</li> <li>• PERM backlog and strategies to consider: future position, visa regression</li> <li>• Drafting and assembling an evidence</li> </ul>



**AILA TEXAS CHAPTER SPRING CONFERENCE PROGRAM**

**APRIL 14-16, 2016**

**MARRIOTT**

	checklist and strategy worksheet <ul style="list-style-type: none"> <li>• Drafting the ETA 9141 and considerations: occupational code, wage survey, and challenges to determinations</li> </ul>
<b>BREAK</b> <b>3:30 – 3:45 PM</b>	
<b>3:45 – 5:30PM (.25 hr ethics)</b> Merits Hearing, Con't Applying for Relief from Removal <ul style="list-style-type: none"> <li>• Different forms of relief</li> <li>• Can we make a deal?</li> <li>• Managing expectations,</li> <li>• Witness preparation</li> <li>• Documentation</li> <li>• Alternative forms of relief</li> </ul> Susannah Volpe, <i>Austin</i> Kelli Stump, <i>Oklahoma City, OK</i> Iliana Holguin, <i>El Paso</i> Rosemary Vega, <i>Houston</i>	<b>3:45 – 5:30 PM (.25 hr ethics)</b> PERM Roundtable, Cont'd <ul style="list-style-type: none"> <li>• Recruitment – step by step: required methods, common pitfalls, timing of recruitment and filing, preparing for audit, supervised recruitment</li> <li>• Employer account setup guidance</li> <li>• Drafting the ETA 9089</li> <li>• Audi Notification – timing and strategy for response</li> </ul> Jeffrey M. Zimskind, <i>Allentown, PA</i> Maggie M. Murphy, <i>Austin</i> Rebecca Massiatte, <i>Dallas</i>
<b>SOCIAL</b> <b>7:00 – 9:00PM</b>	
<i>CLE TOTAL: 6.75 hours, including .5 hours ethics</i>	

Saturday, April 16, 2016 Family/Removal Track	Saturday, April 16, 2016 Employment Track
<b>8:30 – 9:20 AM (.25 ethics)</b> Priority Dates <ul style="list-style-type: none"> <li>• How to keep them,</li> <li>• How to lose them</li> <li>• Where to find them</li> <li>• Has the law changed or the regs?</li> <li>• Changes to the visa bulletin and how it affects CSPA</li> <li>• How to read the two visa bulletins</li> <li>• How to use the two visa bulletins</li> </ul> Robert H. Crane, <i>Weslaco</i> Hector O. Barrera, <i>Weslaco</i>	<b>8:30 – 9:20AM (.25 ethics)</b> EB5 updates & hot topics <ul style="list-style-type: none"> <li>• Proposed changes and the future of EB5</li> <li>• SEC crackdown and how to avoid fine/sanction</li> <li>• I-829 filings and issues – material changes, substantial compliance, job creation, strategy for re-filing the I-56</li> <li>• Managing expectations and the difficult investor</li> </ul> Dawn Lurie, <i>Washington, DC</i> Daniel Healy, <i>Dallas</i>
<b>JOINT SESSION</b>	

**AILA TEXAS CHAPTER SPRING CONFERENCE PROGRAM**

**APRIL 14-16, 2016**

**MARRIOTT**

<p><b>9:20 – 10:30 AM (.25 hr ethics)</b>                  Consular Updates</p> <ul style="list-style-type: none"> <li>• Reciprocity schedules and issues with admission period</li> <li>• E2 processing at various consulates</li> <li>• Administrative processing and what you can do about unusually long delays</li> <li>• Best practices, tips, and helpful resources when you can't find the answer you are looking for</li> </ul> <p>Rebecca Kitson, <i>Albuquerque, NM</i>                  Faye Kolly, <i>Austin</i></p>	
<p align="center"><b>BREAK</b>  <b>10:30 – 10:40 AM</b></p>	
<p align="center"><b>JOINT SESSION</b></p>	
<p><b>10:40 – 11:30 AM (.75 hr ethics)</b>                  State Bar Initiatives for Attorneys                  Allan K. Dubois, President, State Bar of Texas</p>	
<p><b>11:30 – 12:20 AM (.25 ethics)</b>                  Special Immigrant Juvenile – The View from the Bench</p> <ul style="list-style-type: none"> <li>• Anatomy of a CPS hearing</li> <li>• CPS appointments</li> <li>• Special Immigrant Juvenile findings</li> </ul> <p>Hon. Darlene Byrne, <i>126<sup>th</sup> Judicial District Court, Travis County</i>                  Jacqueline L. Watson, <i>Austin</i></p>	<p><b>11:30 – 12:20 AM (.25 hr ethics)</b>                  Employment-based Adjustment – how to address tricky admissibility issues</p> <ul style="list-style-type: none"> <li>• Criminal history</li> <li>• Waivers available and strategies</li> <li>• Maintenance of status</li> <li>• Work authorization for spouses</li> <li>• Dual representation</li> </ul> <p>Beatriz Trillos Ballerini, <i>Houston</i>                  Danuta Villarreal, <i>Houston</i></p>
<p><b>12:20 – 1:50 PM (.25 hr ethics)</b>                  Current State of Unlawful Presence</p> <ul style="list-style-type: none"> <li>• Provisional waivers</li> <li>• 3, 10, and Permanent Bars</li> <li>• Managing expectations</li> <li>• Provisional Waivers</li> <li>• Permanent residents</li> <li>• Consular processing</li> <li>• Other grounds of excludability</li> </ul> <p>Michelle Saenz-Rodriguez, <i>Dallas</i>                  George Rodriguez, <i>Dallas</i></p>	<p><b>12:20 – 1:50 PM (.25 hr ethics)</b>                  Ls, Es, and the Multinational Manager</p> <ul style="list-style-type: none"> <li>• The new L1 memo and how it affects case strategy/preparation</li> <li>• Strategies for start ups</li> <li>• Pros/cons of the different options</li> <li>• Knowing your consulate</li> <li>• Ethical considerations when switching from E to L</li> <li>• Teeing up the case for a successful EB MM filing</li> </ul> <p>Heather Frayre, <i>Dallas</i>                  Lesley Amano, <i>Baltimore, MD</i></p>
<p><i>CLE Total: 5 hours, including 1.75 hours ethics</i>  <b>TOTAL CONFERENCE CLE HOURS: 13.75 HOURS, INCLUDING 4.25 HOURS ETHICS</b></p>	