

2016 Spring Conference

AUSTIN TEXAS



AILA Texas Chapter

Marriott Courtyard
300 E 4th St, Austin, TX 78701
April 14th - 16th

www.ailatexas.org

AILA TEXAS CHAPTER SPRING CONFERENCE PROGRAM

APRIL 14-16, 2016

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

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

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

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

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

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