

7th Annual Federal Bar Association Immigration Law Seminar



Presented by the FBA Immigration Law Section

in conjunction with the Memphis Mid-South Chapter of the FBA; the Mid-South Chapter of the American Immigration Lawyers Association (AILA); and the U.S. District Court for the Western District of Tennessee, through its Court Improvement Fund



May 14–15, 2010



University of Memphis School of Law—Memphis, Tenn.

Schedule at a Glance

FRIDAY, MAY 14, 2010

- 8:00–8:20 a.m. Registration and Breakfast
- 8:20–8:30 a.m. TRACK 3: Introduction for all participants
- 8:30–9:30 a.m. TRACK 1: USCIS/USICE/EOIR HOT TOPICS PANEL—PART 1 (WITHOUT QUESTIONS)
TRACK 2: RECENT DEVELOPMENTS IN CRIMINAL GROUNDS OF REMOVABILITY
TRACK 3: PRO BONO TRAINING—BASICS ON RELIEF IN REMOVAL PROCEEDINGS
- 9:30–10:30 a.m. TRACK 1: USCIS/USICE/EOIR HOT TOPICS PANEL—PART 2 (WITH Q&A SESSION)
TRACK 2: MOTIONS TO REOPEN/RECONSIDER/REMAND/RESCIND BEFORE THE IJ & BIA
TRACK 3: EFFECTIVE REPRESENTATION IN IMMIGRATION COURT
- 10:30–10:45 a.m. Break: Light Refreshments Served
- 10:45–11:45 a.m. TRACK 1: HOW TO PREPARE FOR AN FB OR EB INTERVIEW BEFORE USCIS AND ABROAD WITH WAIVERS OF INADMISSIBILITY
TRACK 2: OVERVIEW OF BIA APPELLATE REVIEW OF DECISIONS BY EITHER THE IMMIGRATION JUDGE OR USCIS
TRACK 3: THE IMMIGRATION COURT PRACTICE MANUAL
- 11:45 a.m.–12:15 p.m. Luncheon—Bhan Thai Restaurant will cater (www.bhanthailandrestaurant.com)
- 12:15–1:15 p.m. TRACK 4: PROFESSIONAL ETHICS IN IMMIGRATION (PART 1):
AVOIDING BAR COMPLAINTS AND MALPRACTICE WHEN PRESENTING CASES FOR NON-USCS WITH CRIMINAL CONVICTIONS BEFORE USCIS/EOIR
- 1:15–2:15 p.m. TRACK 1: STRATEGIC LAWYERING IN CONSULAR PROCESSING
TRACK 2: PARDONS & POST-CONVICTION RELIEF TO AVOID A CONVICTION UNDER THE INA
TRACK 3: MOCK IMMIGRATION COURT HEARING WITH DECISION OF IJ
- 2:15–3:15 p.m. TRACK 1: TIPS FOR HANDLING EMPLOYER SANCTIONS LITIGATION
TRACK 2: BOND PROCEEDINGS AND MANDATORY DETENTION: INCLUDING THE PROCESS TO OBTAIN, POST, AND GET THE BOND MONEY RETURNED
TRACK 3: MOCK U.S. CIRCUIT COURT OF APPEALS ORAL ARGUMENT—REVIEWING PRIOR PANEL'S DECISION AND PRESUMED BIA DENIAL BY SUMMARY AFFIRMANCE DECISION
- 3:15–3:30 p.m. Break: Corky's BBQ Ribs and Light Refreshments Served
- 3:30–4:30 p.m. TRACK 1: INTERCOUNTRY ADOPTIONS: AFTER THE HAGUE CONVENTION
TRACK 2: VIOLENCE AGAINST WOMEN ACT (VAWA): REPRESENTING CLIENTS IN AFFIRMATIVE APPLICATION AND EOIR PROCEEDINGS
TRACK 3: APPELLATE REVIEW OF IMMIGRATION DECISIONS—LITIGATING AT THE U.S. CIRCUIT COURT OF APPEALS
- 4:30–5:30 p.m. TRACK 1: U.S. REFUGEE RESETTLEMENT PROGRAMS AND HUMANITARIAN PAROLE
TRACK 2: THE U NON-IMMIGRANT STATUS: UPDATES AND EMERGING ISSUES
TRACK 3: PROFESSIONAL ETHICS IN IMMIGRATION (PART 2):
WHEN IS THERE A DUTY TO PURSUE POST-CONVICTION RELIEF TO AVOID IMMIGRATION CONSEQUENCES OF A CRIMINAL CONVICTION?
- 5:45–8:00 p.m. TRACK 4: JUDICIAL RECEPTION

SATURDAY, MAY 15, 2010

- 8:00–8:20 a.m. Registration and Breakfast
- 8:20–8:30 a.m. TRACK 4: Introduction for all participants
- 8:30–9:30 a.m. TRACK 1: REPRESENTING THE UNLAWFULLY PRESENT ALIEN
TRACK 2: PROFESSIONAL ETHICS IN IMMIGRATION (PART 3): ETHICS OF DUAL REPRESENTATION
TRACK 3: ADJUSTMENT OF STATUS & WAIVERS OF INADMISSIBILITY BEFORE USCIS & EOIR
TRACK 4: WORKSHOP: VIOLENCE AGAINST WOMEN ACT (VAWA): REPRESENTING CLIENTS IN AFFIRMATIVE APPLICATION AND EOIR PROCEEDINGS
- 9:30–10:30 a.m. TRACK 1: ADVANCED ISSUES IN WORKSITE ENFORCEMENT
TRACK 2: PROFESSIONAL ETHICS IN IMMIGRATION LAW (PART 4): DUTY TO REPORT THE UNAUTHORIZED PRACTICE OF LAW: WHAT IT IS AND HOW IT WILL IMPACT YOUR CLIENT'S FUTURE
TRACK 3: ADVOCACY WORKSHOP ON COMPREHENSIVE IMMIGRATION REFORM
TRACK 4: WORKSHOP: THE U NON-IMMIGRANT STATUS: UPDATES AND EMERGING ISSUES
- 10:30–10:45 a.m. Break: Light Refreshments Served
- 10:45–11:45 a.m. TRACK 1: ADVANCED EMPLOYMENT BASED PRACTICE AND UPDATE (LC/PERM)
TRACK 2: IMMIGRATION REMEDIES IN FEDERAL COURT: HABEAS CORPUS, MANDAMUS & APA CLAIMS
TRACK 3: PROFESSIONAL ETHICS IN IMMIGRATION LAW (PART 5): WHAT ETHICAL DUTIES SHOULD THE CRIMINAL LAWYER AND THE IMMIGRATION LAWYER HAVE TO WORK TOGETHER AS CO-COUNSEL BEFORE THE DISPOSITION OF THE CRIMINAL CASE FOR A NON-U.S. CITIZEN?
- 11:45 a.m.–12:15 p.m. Luncheon—Kabob International Restaurant will cater (www.gotkabob.com)
- 12:15–1:15 p.m. TRACK 4: IMMIGRATION POLICY: COMPREHENSIVE IMMIGRATION REFORM (CIR) AND BEYOND: A DISCUSSION OF THE OUTLOOK FOR COMPREHENSIVE IMMIGRATION REFORM AND OTHER POLICY INITIATIVES
- 1:15–2:15 p.m. TRACK 1: DOCTORS, NURSES AND OTHER MEDICAL PROFESSIONALS
TRACK 2: GETTING YOUR CLIENT TAXES IN ORDER: A CRITICAL PRIORITY
TRACK 3: ASYLUM, WITHHOLDING & CAT AFTER THE REAL ID ACT
- 2:15–3:15 p.m. TRACK 1: STUMP THE EXPERTS (Q&A)
TRACK 2: PROFESSIONAL ETHICS IN IMMIGRATION LAW (PART 6): ETHICAL DUTY OF CRIMINAL ATTORNEYS WHO ARE REPRESENTING NON-U.S. CITIZENS
TRACK 3: LAW OFFICE MANAGEMENT AND CLIENT CONTROL ISSUES
- 3:15–3:30 p.m. Break: Rendezvous Ribs & Light Refreshments Served
- 3:30–4:30 p.m. TRACK 1: MEETING THE CHALLENGE OF NON-IMMIGRANT VISAS (ALPHABET SOUP—B, E, F, H, K)
TRACK 2: DENIAL OF THE RIGHTS OF USC TO PETITION FAMILY MEMBERS UNDER THE ADAM WALSH CHILD SAFETY PROTECTION ACT
TRACK 3: WHO IS ELIGIBLE FOR TEMPORARY PROTECTED STATUS (TPS)
- 4:30–5:30 p.m. TRACK 1: HOW TO PREPARE AND USE AN I-864 AFFIDAVIT OF SUPPORT
TRACK 2: NUTS AND BOLTS OF WAIVERS OF INADMISSIBILITY AND REMOVAL
TRACK 3: PREPARING AND PRESENTING AN ASYLUM CASE IN COURT—ADVANCED

Full Seminar Schedule

There are three tracks for CLE courses: Track 1 is intended for FB, EB & CIS Practitioners (Held in Classroom #325); Track 2 is intended for Advanced Court & EOIR Practitioners (Held in Classroom #326); Track 3 is intended for Newer Court Practitioners and pro bono attendees (Held in the Historic Courtroom). Track 4, workshops, and lunch will be held in the 4th Floor Reading Room.

*Invited but not yet confirmed

FRIDAY, MAY 14, 2010

- 8:00–8:20 a.m. Registration and Breakfast
Amy Pepke, *FBA Memphis Mid-South Chapter President, Butler Snow O'Mara Stevens and Cannada PLLC, Memphis, Tenn.*
- 8:20–8:30 a.m. Introduction
Barry Frager, *FBA Immigration Law Section Chair, Conference Coordinator, Frager Law Firm PC, Memphis, Tenn.*
- 8:30–9:30 a.m. **TRACK 1: USCIS/USICE/ EOIR HOT TOPICS PANEL—PART 1 (WITHOUT QUESTIONS)**
David Leopold, *AILA National President-Elect, David Wolfe Leopold & Associates LPA, Cleveland, Ohio* (moderator)
*Tom Davis, *USDOJ-EOIR, Court Administrator, Memphis, Tenn.*
*Lynuel Dennis, *USCIS, Field Office Director, Memphis, Tenn.*
Ellen Gallagher, *USCIS, Special Liason Counsel, Office of Chief Counsel, Washington, D.C.*
*Ann Baker Gardner, *USCIS, Associate Regional Counsel, New Orleans, La.*
*John Johnson, *USICE Assistant Special Agent in Charge, Memphis, Tenn.*
*Robert Kinghorn, *USICE Group Supervisor, Office of Investigations, Memphis, Tenn.*
*Hon. Michael McGoings, *USDOJ-EOIR Deputy Chief Immigration Judge, Washington, D.C.*
Philip Miller, *USICE Field Office Director, Detention & Removal, New Orleans, La.*
Carl Perry, *USICE Chief Counsel, New Orleans Office of Chief Counsel, Oakdale, La.*
- TRACK 2: RECENT DEVELOPMENTS IN CRIMINAL GROUNDS OF REMOVABILITY**
Brian Bates, *AILA BOG, Reina, Bates & Kowalski Immigration Law Group, Houston, Texas*
Dan Kesselbrenner, *Executive Director, National Immigration Project, Boston, Mass.*
- TRACK 3: PRO BONO TRAINING—BASICS ON RELIEF IN REMOVAL PROCEEDINGS**
Hiroko Kusuda, *Catholic Immigration Network Inc., New Orleans, La.* (moderator)
Tom Elliot, *Elliot & Mavock LLP, Washington, D.C.*
Nancy Fellom, *Law Offices of Fellom & Solorio, San Francisco, Calif.*
*Hon. John Gossart Jr., *USDOJ-EOIR Immigration Judge, Baltimore, Md.*
- 9:30-10:30 a.m. **TRACK 1: USCIS/USICE/EOIR HOT TOPICS PANEL—PART 2 (WITH Q&A SESSION)**
Same panel as Track 1 Above
- TRACK 2: MOTIONS TO REOPEN/RECONSIDER/REMAND/RESCIND BEFORE THE IJ & BIA**
Tanya Myers, *Law Office of Tanya Myers, Los Angeles, Calif.* (moderator)
Cheryl David, *AILA BOG, Law Offices of Cheryl R. David, New York, N.Y.*
Nora Privitera, *Staff Attorney, Immigrant Legal Resource Center, San Francisco, Calif.*
- TRACK 3: EFFECTIVE REPRESENTATION IN IMMIGRATION COURT**
*Hon. Charles Pazar, *USDOJ EOIR Immigration Judge, Memphis, Tenn.* (moderator)
Justin Burton, *AILA Incoming Chapter Chair, Kriezelman Burton & Associates LLC, Chicago, Ill.*
James Orlow, *AILA BOG & Past National President, Orlow, Kaplan & Hohenstein, Philadelphia, Pa.*
Nancy Fellom, *Law Offices of Fellom & Solorio, San Francisco, Calif.*
- 10:30–10:45 a.m. Break: Light Refreshments Served
- 10:45–11:45 a.m. **TRACK 1: HOW TO PREPARE FOR AN FB OR EB INTERVIEW BEFORE USCIS AND ABROAD WITH WAIVERS OF INADMISSIBILITY**
Elaine Witty, *Witty Law Group, New York, N.Y.* (moderator)
Jim Alexander, *Maggio & Kattar PC, Washington, D.C.*
James Eiss, *Law Offices of James D. Eiss, Buffalo, N.Y.*

TRACK 2: OVERVIEW OF BIA APPELLATE REVIEW OF DECISIONS BY EITHER THE IMMIGRATION JUDGE OR USCIS

Lory Rosenberg, *AILA BOG, IDEAS, Washington, D.C.* (moderator)

Tanya Myers, *Law Office of Tanya Myers, Los Angeles, Calif.*

Nora Privitera, *Staff Attorney, Immigrant Legal Resource Center, San Francisco, Calif.*

TRACK 3: THE IMMIGRATION COURT PRACTICE MANUAL

Laura Lichter, *AILA National 2nd Vice President, Lichter & Associates PC, Denver, Colo.* (moderator)

*Tom Davis, *Court Administrator, USDOJ-EOIR, Memphis, Tenn.*

*Hon. John Gossart Jr., *USDOJ-EOIR Immigration Judge, Baltimore, Md.*

11:45 a.m.–12:15 p.m. Luncheon—Banh Thai Restaurant will cater (www.bhanthairrestaurant.com)

12:15–1:15 p.m.

TRACK 4: PROFESSIONAL ETHICS IN IMMIGRATION (PART 1):

AVOIDING BAR COMPLAINTS AND MALPRACTICE WHEN PRESENTING CASES FOR NON-USCS WITH CRIMINAL CONVICTIONS BEFORE THE USCIS/EOIR

Lee O'Connor, *AILA BOG & Chapter Chair, Directing Attorney, Indiana Legal Service, Immigration Rights Center, South Bend, Ind.* (moderator)

Mary Kramer, *Law Offices of Mary E. Kramer PA, Miami, Fla.*

1:15–2:15 p.m.

TRACK 1: STRATEGIC LAWYERING IN CONSULAR PROCESSING

Frances Hayden, *Law Office of Frances J. Hayden, Hollywood, Calif.* (moderator)

Paul Isel, *Law Office of Paul Isel, Los Angeles, Calif.*

*Edward McKeon, *DOS, Minister Counselor for Consular Affairs, Foreign Service Officer, American Embassy in Mexico*

Jan Pederson, *Pederson Immigration Law Group PC, Washington, D.C.*

TRACK 2: PARDONS & POST-CONVICTION RELIEF TO AVOID A CONVICTION UNDER THE INA

David Leopold, *AILA National President-Elect, David Wolfe Leopold & Associates LPA, Cleveland, Ohio* (moderator)

Patrick McNally, *Weatherly, McNally & Dixon, PLC, Nashville, Tenn.*

Carl Perry, *USICE Chief Counsel, New Orleans Office of Chief Counsel, Oakdale, La.*

Norton Tooby, *Law Offices of Norton Tooby, Oakland, Calif.*

TRACK 3: MOCK IMMIGRATION COURT HEARING WITH DECISION OF IJ

Laura Lichter, *AILA National 2nd Vice President, Lichter & Associates PC, Denver, Colo.* (moderator)

Hon. Cary Copeland, *Retired USDOJ EOIR Immigration Judge, Dallas, Texas*

Rook Moore, *USICE Assistant Chief Counsel, New Orleans Office of Chief Counsel, Memphis, Tenn.*

Sam Rock, *Rock Law Group, Louisville, Ky.*

Doug Weigle, *FBA Immigration Law Section Vice-Chair, Bartlett & Weigle Co. LPA, Cincinnati, Ohio*

2:15–3:15 p.m.

TRACK 1: TIPS FOR HANDLING EMPLOYER SANCTIONS LITIGATION

Hon. Michael Creppy, *USDOJ-EOIR Chief Administrative Hearing Office, Washington, D.C.* (moderator)

Jim Alexander, *Maggio & Kattar PC, Washington, D.C.*

*Lou Ruffino, *USDOJ-EOIR Chief Administrative Hearing Office, Washington, D.C.*

*Hon. Ellen Thomas, *USDOJ-EOIR Administrative Law Judge, Chief Administrative Hearing Office, Washington, D.C.*

TRACK 2: BOND PROCEEDINGS AND MANDATORY DETENTION: INCLUDING THE PROCESS TO OBTAIN, POST, AND GET THE BOND MONEY RETURNED

Laura Lichter, *AILA National 2nd Vice President, Lichter & Associates PC, Denver, Colo.* (moderator)

Raul Atler, *Gonzales & Gonzales Immigration Bonds, Los Angeles, Calif.*

*Hon. Charles Pazar, *USDOJ-EOIR Immigration Judge, Memphis, Tenn.*

Philip Miller, *USICE Field Office Director, Detention & Removal, New Orleans, La.*

Carl Perry, *USICE Chief Counsel, New Orleans Office of Chief Counsel, Oakdale, La.*

Full Seminar Schedule

TRACK 3: MOCK U.S. CIRCUIT COURT OF APPEALS ORAL ARGUMENT—REVIEWING PRIOR PANEL'S DECISION AND PRESUMED BIA DENIAL BY SUMMARY AFFIRMANCE DECISION

Doug Weigle, *FBA Immigration Law Section Vice-Chair, Bartlett & Weigle Co. LPA, Cincinnati, Ohio* (moderator)

Brian Bates, *AILA BOG, Reina, Bates & Kowalski Immigration Law Group, Houston, Texas*

*Hon. Danny Boggs, *U.S. Court of Appeals for the Sixth Circuit, Louisville, Ky.*

Hon. Julia Gibbons, *U.S. Court of Appeals for the Sixth Circuit, Memphis, Tenn.*

Rook Moore, *USICE Assistant Chief Counsel, New Orleans Office of Chief Counsel, Memphis, Tenn.*

3:15–3:30 p.m.

Break: Corky's BBQ Ribs and Light Refreshments Served

3:30–4:30 p.m.

TRACK 1: INTERCOUNTRY ADOPTIONS: AFTER THE HAGUE CONVENTION

Nancy Fellom, *Law Offices of Fellom & Solorio, San Francisco, Calif.* (moderator)

Irene Steffas, *Steffas & Associates PC, Atlanta, Ga.*

TRACK 2: VIOLENCE AGAINST WOMEN ACT (VAWA):

REPRESENTING CLIENTS IN AFFIRMATIVE APPLICATION AND EOIR PROCEEDINGS

Sally Kinoshita, *Deputy Director, Immigration Legal Resource Center, San Francisco, Calif.* (moderator)

*Laura Dawkins, *USCIS Chief, Family Immigration & Victim Protection Division, Washington, D.C.*

Ellen Gallagher, *USCIS Special Liaison Counsel, Office of Chief Counsel, Washington, D.C.*

*Tom Pearl, *USCIS Assistant Center Director, VSC Victims & Trafficking Unit, Washington, D.C.*

Gail Pendleton, *Co-Director, ASISTA, Boston, Mass.*

Chay Sengkhoumany, *Medical Legal Partnership for Children, Nashville, Tenn.*

TRACK 3: APPELLATE REVIEW OF IMMIGRATION DECISIONS—LITIGATING AT THE U.S. CIRCUIT COURT OF APPEALS

Doug Weigle, *FBA Immigration Law Section Vice-Chair, Bartlett & Weigle Co. LPA, Cincinnati, Ohio* (moderator)

*Hon. Danny Boggs, *U.S. Court of Appeals for the Sixth Circuit, Louisville, Ky.*

Hon. Julia Gibbons, *U.S. Court of Appeals for the Sixth Circuit, Memphis, Tenn.*

Hon. Ron Gilman, *U.S. Court of Appeals for the Sixth Circuit, Memphis, Tenn.*

David McConnell, *USDOJ Civil Division, Office of Immigration Deputy Director, Washington, D.C.*

4:30–5:30 p.m.

TRACK 1: U.S. REFUGEE RESETTLEMENT PROGRAMS AND HUMANITARIAN PAROLE

Hiroko Kusuda, *Catholic Immigration Network Inc., New Orleans, La.* (moderator)

Lori Scialabba, *USCIS Associate Director, Refugee, Asylum & International Operations, Washington, D.C.*

TRACK 2: THE U NON-IMMIGRANT STATUS: UPDATES AND EMERGING ISSUES

Sally Kinoshita, *Deputy Director, Immigration Legal Resource Center, San Francisco, Calif.* (moderator)

*Laura Dawkins, *USCIS Chief, Family Immigration & Victim Protection Division, Washington, D.C.*

Ellen Gallagher, *USCIS Special Liaison Counsel, Office of Chief Counsel, Washington, D.C.*

Dawn Gerhart, *Tennessee Coalition Against Domestic & Sexual Violence, Nashville, Tenn.*

*Tom Pearl, *USCIS Assistant Center Director, VSC Victims & Trafficking Unit, Washington, D.C.*

Gail Pendleton, *Co-Director, ASISTA, Boston, Mass.*

TRACK 3: PROFESSIONAL ETHICS IN IMMIGRATION (PART 2): WHEN IS THERE A DUTY TO PURSUE POST-CONVICTION RELIEF TO AVOID IMMIGRATION CONSEQUENCES OF A CRIMINAL CONVICTION?

Ira Kurzban, *AILA BOG & Past National President, Kurzban Kurzban Weinger Tetzeli and Pratt PA, Miami, Fla.* (moderator)

Leslie Ballin, *Ballin Ballin & Fishman, Memphis, Tenn.*

Patrick McNally, *Weatherly, McNally & Dixon, PLC, Nashville, Tenn.*

James Orlow, *AILA BOG & Past National President, Orlow, Kaplan & Hohenstein, Philadelphia, Pa.*

5:45–8:00 p.m.

TRACK 4: JUDICIAL RECEPTION

Award recipients are listed on page 10.

SATURDAY, MAY 15, 2010

- 8:00–8:20 a.m. Registration and Breakfast
Amy Pepke, *FBA Memphis Mid-South Chapter President, Butler Snow O'Mara Stevens and Cannada PLLC, Memphis, Tenn.*
- 8:20–8:30 a.m. Introduction
Barry Frager, *FBA Immigration Law Section Chair, Conference Coordinator, Frager Law Firm PC, Memphis, Tenn.*
- 8:30–9:30 a.m. **TRACK 1: REPRESENTING THE UNLAWFULLY PRESENT ALIEN**
Lee O'Connor, *AILA BOG & Chapter Chair, Directing Attorney, Indiana Legal Service, Immigration Rights Center, South Bend, Ind.* (moderator)
David Ware, *David Ware and Associates, Metairie, La.*
- TRACK 2: PROFESSIONAL ETHICS IN IMMIGRATION (PART 3): ETHICS OF DUAL REPRESENTATION**
Robert Divine, *Former Acting Director and Former Chief Counsel of USCIS, Baker Donelson Bearman Caldwell & Berkowitz PC, Chattanooga, Tenn.* (moderator)
George Newman, *Stinson Morrison Hecker LLP, St. Louis, Mo.*
Lucian Pera, *President, Association of Professional Responsibility Lawyers, Adams & Reese LLP, Memphis, Tenn.*
Irene Steffas, *Steffas & Associates PC, Atlanta, Ga.*
- TRACK 3: ADJUSTMENT OF STATUS & WAIVERS OF INADMISSIBILITY BEFORE USCIS & EOIR**
Charla Haas, *Haas & Devine PLC, Nashville, Tenn.* (moderator)
Kathleen Gasparian, *AILA BOG & Chapter Chair, David Ware & Associates, Metairie, La.*
Rusty O'Brien, *O'Brien Law Group, Louisville, Ky.*
Cheryl David, *AILA BOG, Law Office of Cheryl R. David, New York, N.Y.*
- TRACK 4: WORKSHOP: VIOLENCE AGAINST WOMEN ACT (VAWA): REPRESENTING CLIENTS IN AFFIRMATIVE APPLICATION AND EOIR PROCEEDINGS**
Sally Kinoshita, *Deputy Director, Immigration Legal Resource Center, San Francisco, Calif.* (moderator)
*Laura Dawkins, *USCIS Chief, Family Immigration & Victim Protection Division, Washington, D.C.*
Ellen Gallagher, *USCIS Special Liaison Counsel, Office of Chief Counsel, Washington, D.C.*
*Tom Pearl, *USCIS Assistant Center Director, VSC Victims & Trafficking Unit, Washington, D.C.*
Gail Pendleton, *Co-Director, ASISTA, Boston, Mass.*
Chay Sengkhoumany, *Medical Legal Partnership for Children, Nashville, Tenn.*
- 9:30–10:30 a.m. **TRACK 1: ADVANCED ISSUES IN WORKSITE ENFORCEMENT**
Robert Divine, *Former Acting Director and Former Chief Counsel of USCIS, Baker Donelson Bearman Caldwell & Berkowitz PC, Chattanooga, Tenn.* (moderator)
- TRACK 2: PROFESSIONAL ETHICS IN IMMIGRATION LAW (PART 4): DUTY TO REPORT THE UNAUTHORIZED PRACTICE OF LAW: WHAT IT IS AND HOW IT WILL IMPACT YOUR CLIENT'S FUTURE**
Sean Lewis, *Chair, TBA Unauthorized Practice of Law Committee, Nashville, Tenn.* (moderator)
Barry Frager, *FBA Immigration Law Section Chair, Frager Law Firm PC, Memphis, Tenn.*
Jeff Hill, *Tennessee Attorney General's Office, Consumer Protection Division, Nashville, Tenn.*
- TRACK 3: ADVOCACY WORKSHOP ON COMPREHENSIVE IMMIGRATION REFORM**
Tamar Jacoby, *President & CEO of Immigration Works USA, Washington, D.C.* (moderator)
Juan Osuna, *USDOJ Deputy Assistant Attorney General, Office of Immigration Litigation, Washington, D.C.*
Gordon Quan, *FosterQuan LLP, Houston, Texas*
- TRACK 4: WORKSHOP: THE U NON-IMMIGRANT STATUS: UPDATES AND EMERGING ISSUES**
Sally Kinoshita, *Deputy Director, Immigration Legal Resource Center, San Francisco, Calif.* (moderator)
*Laura Dawkins, *USCIS Chief, Family Immigration & Victim Protection Division, Washington, D.C.*
Ellen Gallagher, *USCIS Special Liaison Counsel, Office of Chief Counsel, Washington, D.C.*
Dawn Gerhart, *Tennessee Coalition Against Domestic & Sexual Violence, Nashville, Tenn.*
*Tom Pearl, *USCIS Assistant Center Director, VSC Victims & Trafficking Unit, Washington, D.C.*
Gail Pendleton, *Co-director, Asista, Washington, D.C.*

Full Seminar Schedule

- 10:30–10:45 a.m. Break: Light Refreshments Served
- 10:45–11:45 a.m. **TRACK 1: ADVANCED EMPLOYMENT BASED PRACTICE AND UPDATE (LC/PERM)**
George Newman, *Stinson Morrison Hecker LLP, St. Louis, Mo.* (moderator)
Jan Pederson, *Pederson Immigration Law Group PC, Washington, D.C.*
David Ware, *David Ware and Associates, Metairie, La.*
- TRACK 2: IMMIGRATION REMEDIES IN FEDERAL COURT: HABEAS CORPUS, MANDAMUS & APA CLAIMS**
Hon. Jon P. McCalla, *Chief Judge, U.S. District Court for the Western District of Tennessee, Memphis, Tenn.* (moderator)
Justin Burton, *AILA Incoming Chapter Chair, Kriezelman Burton & Associates LLC, Chicago, Ill.*
Brian Bates, *AILA BOG, Reina, Bates & Kowalski Immigration Law Group, Houston, Texas*
Joseph Reina, *Reina, Bates & Kowalski Immigration Law Group, Dallas, Texas*
- TRACK 3: PROFESSIONAL ETHICS IN IMMIGRATION LAW (PART 5): WHAT ETHICAL DUTIES SHOULD THE CRIMINAL LAWYER AND THE IMMIGRATION LAWYER HAVE TO WORK TOGETHER AS CO-COUNSEL BEFORE THE DISPOSITION OF THE CRIMINAL CASE FOR A NON-U.S. CITIZEN?**
Norton Tooby, *Law Offices of Norton Tooby, Oakland, Calif.* (moderator)
Patrick McNally, *Weatherly, McNally & Dixon, PLC, Nashville, Tenn.*
- 11:45 a.m.–12:15 p.m. Luncheon—Kabob International Restaurant will cater (www.gotkabob.com)
- 12:15–1:15 p.m. **TRACK 4: IMMIGRATION POLICY: COMPREHENSIVE IMMIGRATION REFORM (CIR) AND BEYOND: A DISCUSSION OF THE OUTLOOK FOR COMPREHENSIVE IMMIGRATION REFORM AND OTHER POLICY INITIATIVES**
Juan Osuna, *USDOJ, Deputy Assistant Attorney General, Office of Immigration Litigation, Washington, D.C.*
Tamar Jacoby, *President & CEO, ImmigrationWorks USA, Washington, D.C.*
- 1:15–2:15 p.m. **TRACK 1: DOCTORS, NURSES AND OTHER MEDICAL PROFESSIONALS**
Carl Shusterman, *Law Offices of Carl Shusterman, Los Angeles, Calif.* (moderator)
George Newman, *Stinson Morrison Hecker LLP, St. Louis, Mo.*
Jan Pederson, *Pederson Immigration Law Group PC, Washington, D.C.*
- TRACK 2: GETTING YOUR CLIENT TAXES IN ORDER: A CRITICAL PRIORITY**
Sam Rock, *Rock Law Group, Louisville, Ky.* (moderator)
James Eiss, *Law Offices of James D. Eiss, Buffalo, N.Y.*
- TRACK 3: ASYLUM, WITHHOLDING & CAT AFTER THE REAL ID ACT**
Mary Kramer, *Law Office of Mary E. Kramer, Miami, Fla.* (moderator)
Lory Rosenberg, *AILA BOG, IDEAS, Washington, D.C.*
*Hon. Charles Pazar, *USDOJ-EOIR Immigration Judge, Memphis, Tenn.*
- 2:15–3:15 p.m. **TRACK 1: STUMP THE EXPERTS (Q&A)**
Ira Kurzban, *AILA BOG & Past National President, Kurzban, Kurzban, Weinger Tetzeli & Pratt, Miami, Fla.* (moderator)
Robert Divine, *Baker Donelson Bearman Caldwell & Berkowitz PC, Chattanooga, Tenn.*
Lee O'Connor, *AILA BOG & Chapter Chair, Directing Attorney, Indiana Legal Service, Immigration Rights Center, South Bend, Ind.*
Joseph Reina, *Reina, Bates & Kowalski Immigration Law Group, Dallas, Texas*
Norton Tooby, *Law Offices of Norton Tooby, Oakland, Calif.*
- TRACK 2: PROFESSIONAL ETHICS IN IMMIGRATION LAW (PART 6): ETHICAL DUTY OF CRIMINAL ATTORNEYS WHO ARE REPRESENTING NON-U.S. CITIZENS**
Lucian Pera, *President, Association of Professional Reponsibility Lawyers, Adams & Reese LLP, Memphis, Tenn.* (moderator)
Jim Alexander, *Maggio & Kattar PC, Washington, D.C.*
Brian Bates, *AILA BOG, Reina, Bates & Kowalski Immigration Law Group, Houston, Texas*
Patrick McNally, *Weatherly, McNally & Dixon, PLC, Nashville, Tenn.*

2010 SEMINAR PLANNING COMMITTEE

CONFERENCE CHAIR
Barry Frager

RECEPTION CHAIR
Barbara Parker

RECEPTION
COORDINATORS
Craig Cowart
Tim Darnell Flowers
Jan Pederson

FRIDAY CLE CHAIR
Lee O'Connor

FRIDAY CLE
COORDINATORS
Adam Cohen
Brian Bates
Rusty O'Brien
Justin Burton
Elaine Witty
Doug Weigle

SATURDAY CLE CHAIR
Kimberly Sutton

SATURDAY CLE
COORDINATORS
R. Mark Frey
Kathleen Gasparian
Charla Haas
Tanya Myers
Sam Rock

2010 EXHIBITORS

Gonzales & Gonzales
Immigration Bond
Company

Immigrant Legal
Resources Center
(ILRC)

West Publication/
Findlaw

Matthew Bender/
Martindale-Hubbell/
LexisNexis Publication

Law Offices of Norton
Tooby

AILA Publications

TRACK 3: LAW OFFICE MANAGEMENT AND CLIENT CONTROL ISSUES

Carl Shusterman, *Law Offices of Carl Shusterman, Los Angeles, Calif.* (moderator)
Charla Haas, *Haas & Devine, Nashville, Tenn.* (moderator)

Gordon Quan, *FosterQuan LLP, Houston, Texas*

Judd Kessler, *President, AbacusLaw*

3:15–3:30 p.m. Break: Rendezvous Ribs & Light Refreshments Served

3:30–4:30 p.m. **TRACK 1: MEETING THE CHALLENGE OF NON-IMMIGRANT VISAS
(ALPHABET SOUP–B, E, F, H, K)**

Adam Green, *Law Offices of Adam Green, Los Angeles, Calif.* (moderator)

Leslie Holman, *AILA National Secretary, Holman Immigration Law, Burlington, Vt.*

Gordon Quan, *FosterQuan LLP, Houston, Texas*

TRACK 2: DENIAL OF THE RIGHTS OF USC TO PETITION FAMILY MEMBERS UNDER THE ADAM WALSH CHILD SAFETY PROTECTION ACT

Paul Isel, *Law Office of Paul Isel, Los Angeles, Calif.* (moderator)

Ira Kurzban, *AILA BOG & Past National President, Kurzban, Kurzban, Weinger
Tetzeli & Pratt, Miami, Fla.*

Paromita Shah, *Associate Director, National Immigration Project, Boston, Mass.*

TRACK 3: WHO IS ELIGIBLE FOR TEMPORARY PROTECTED STATUS (TPS)?

Kathleen Gasparian, *AILA BOG & Chapter Chair, David Ware & Associates,
Metairie, La.*

Rusty O'Brien, *O'Brien Law Group, Louisville, Ky.*

Christine Popp, *Staff Attorney, Indiana Legal Service, Immigrants Legal Center,
Indianapolis, Ind.*

WORKSHOP: LAW OFFICE MANAGEMENT AND CLIENT CONTROL ISSUES

Carl Shusterman, *Law Offices of Carl Shusterman, Los Angeles, Calif.* (moderator)

Charla Haas, *Haas & Devine, Nashville, Tenn.* (moderator)

Judd Kessler, *President, AbacusLaw*

4:30–5:30 p.m. **TRACK 1: HOW TO PREPARE AND USE AN I-864 AFFIDAVIT OF SUPPORT**

R. Mark Frey, *Law Office of R. Mark Frey, St. Paul, Minn.* (moderator)

*Laura Dawkins, *USCIS, Chief, Family Immigration & Victim Protection Division,
Washington, D.C.*

Leslie Holman, *AILA National Secretary, Holman Immigration Law, Burlington, Vt.*

TRACK 2: NUTS AND BOLTS OF WAIVERS OF INADMISSIBILITY AND REMOVAL

Brian Bates, *AILA BOG, Reina, Bates & Kowalski Immigration Law Group,
Houston, Texas*

Cheryl David, *AILA BOG, Law Office of Cheryl R. David, New York, N.Y.*

Lory Rosenberg, *AILA BOG, IDEAS, Washington, D.C.*

TRACK 3: PREPARING AND PRESENTING AN ASYLUM CASE IN COURT—ADVANCED

*Hon. Charles Pazar, *USDOJ EOIR Immigration Judge, Memphis, Tenn.* (moderator)

Rook Moore, *USICE Assistant Chief Counsel, New Orleans Office of Chief Counsel,
USICE, Memphis, Tenn.*

Tanya Myers, *Law Office of Tanya Myers, Los Angeles, Calif.*

Mark Shmueli, *AILA Pro Bono Coordinator—DC/MD/VA Chapters, Law Office of
Mark Shmueli, Takoma Park, Md.*

Additional Activities in Memphis

Friday, May 14 at 5:45–8:00 p.m.

Judicial Reception—4th Floor Reading Room

The FBA will host a reception for our local Judiciary, Federal Judges and Immigration Judges immediately following the Friday seminar. Join us for appetizers and drinks at the new downtown campus for the University of Memphis School of Law (Held in the Reading Room on the fourth floor). www.memphis.edu/law/index.php

Award Recipients:

Hon. Michael McGoings, *USDOJ-EOIR Deputy Chief Immigration Judge, Washington, D.C.*

Hon. Tu Pham, *U.S. Magistrate Judge, Western District of Tennessee, Memphis, Tenn.*

James Mounce, *DHS, ICE, Supervisory Detention & Deportation Officer, Memphis, Tenn.*

David Ware, *Founder of David Ware & Associates, Metairie, La.*

TO REGISTER FOR THE FOLLOWING EVENTS, PLEASE CONTACT: BARRY L. FRAGER, THE FRAGER LAW FIRM PC, 5100 POPLAR AVE., SUITE #2204, MEMPHIS, TN 38317. PHONE: (901) 763-3188 OR (888) 889-VISA. ALL CHECKS AND/OR PAYMENTS SHOULD BE MADE PAYABLE TO THE FEDERAL BAR ASSOCIATION.

Thursday, May 13, 6:00–9:00 p.m.

Hors D'oeuvres & Dinner for Speakers and Participants at the Eat Well Sushi & Grill Restaurant

Located at 2965 Germantown Rd., Suite 102, Cordova, TN, (901) 388-8178 (Across from the Honda & Nissan dealerships near Wolfchase Galleria—former location of Hunan Restaurant.) www.eatwellsushiandgrill.com \$25.00 per person includes dinner and taxes only. Additional charge for beer will be added along with a 20% gratuity. Please RSVP to Barry Frager (information above) by **Wednesday, May 12** if you can attend.

Friday, May 14, 8:00–11:00 p.m.

Memphis in May BBQ Festival, Downtown

A group will be going to the BBQ Festival. For more information on the Memphis in May BBQ Festival, visit www.memphisinmay.org.

Saturday, May 15, 5:45 p.m.

Memphis Redbirds Baseball

Several blocks from the University of Memphis School of Law is AutoZone Park, the home of the AAA Memphis Redbirds baseball team. For those who would like to join us for a night of baseball, we will meet at the front of AutoZone Park at Union & Third Streets between 5:45–6:00 p.m. for a distribution of available tickets. The Redbirds will be playing their Pacific Coast rivals, the Tacoma Rainiers. For Redbirds information: (901) 721-6000 or memphis.redbirds.milb.com/index.jsp?sid=t235

Sunday, May 16, 8:00 a.m.

Shiloh National Military Park

Vehicles will leave the Staybridge Hotel at 8:00 a.m. to drive to Corinth Civil War Interpretive Center and then to Shiloh National Military Park. Vehicles can organize their own group and depart the hotel and return on their own time frame. The driving distance is approximately 115 miles from the hotel and 150 miles from Shiloh to Nashville. For a brochure of the site, see www.nps.gov/shil/planyourvisit/upload/SHILmap1.pdf.

THROUGHOUT THE DURATION OF THE SEMINAR, THE FBA IMMIGRATION LAW SECTION WILL BE OFFERING A FREE TOUR OF THE BELZ MUSEUM OF ASIAN & JUDAIC ART. ANY CONFERENCE PARTICIPANT INTERESTED MAY REQUEST A COUPON FROM A CONFERENCE STAFF MEMBER (SEE PAGE 9 FOR LISTING). VISIT THE BELZ MUSEUM ON THE WEB AT WWW.BELZMESUEM.ORG.

Registration Form

All seminar proceeds go to the FBA. Also, a book donation of Immigration Law materials will be made to the University of Memphis Law Library at its new downtown Memphis Campus.

The deadline for registration by mail or fax is April 30, 2010. The conference fee includes seminar attendance, lunch on both days, and one set of course materials as provided by the speakers.

Fee Waivers and Reduced Fees

A limited number of government attorneys, federal CJA panel members, and public defenders may register at a reduced rate or have their fees waived if approved. To apply, submit request in writing to WD-TN Federal Court Clerk Tom Gould, Federal Building, 167 N. Main St., Rm. 242, Memphis, TN 38103 by April 15, 2010.

Cancellation Policy

No refunds will be made for cancellations received after the close of business on April 30, 2010. No-shows will be billed. Substitutions may be made at any time upon written notification to the conference office. All requests for refunds must be made in writing and be addressed to Federal Bar Association, Immigration Law Conference, 1220 North Fillmore Street, Suite 444, Arlington, VA 22201. For more information regarding refund, complaint and/or program cancellation policies, please contact Kate Faenza at kfaenza@fedbar.org.

CLE Credit

The FBA has applied for CLE credit and 16 hours of credit are pending, including ethics credit. Participants must complete an FBA Certificate of Attendance which will be provided at the seminar. Always check with your state authority for acceptance of CLE credits from each seminar. Each session will be professionally recorded for distribution in an MP3 or CD format at the discretion of the FBA.

Accommodations

A limited number of rooms at two area hotels have been set aside at special rates for seminar participants:

- The Staybridge Suites, located at 1070 Ridge Lake Blvd., Memphis, TN 38120 can be reserved for \$99/night by calling (901) 682-1722.
- The Doubletree Memphis, located at 5069 Sandlerlin Ave., Memphis, TN 38117 can be reserved for \$104/night by calling (800) 222-8733.

Please be sure to mention the Federal Bar Association 2010 Immigration Law Conference to receive the special rates. The cut-off date for guaranteed reservations at these special rates is April 23, 2010, based on availability.

Transportation

Both the Staybridge Suites and the Doubletree Memphis have shuttle services to and from Memphis International Airport; please make reservations with the hotel for your shuttle service. Limited shuttle services are provided from the Staybridge Suites to and from the seminar. AVIS Rent-a-Car, FBA's preferred rental car company, has one of the newest and largest fleets in the car rental industry. FBA members can receive up to a 20% discount by calling (800) 698-5685 and giving your code: AWD# A974600.

THREE WAYS TO REGISTER: By email to Kate Faenza at kfaenza@fedbar.org; by mail to Federal Bar Association, 7th Annual Immigration Law Seminar, 1220 North Fillmore St., Suite 444, Arlington, VA 22201; or by fax to (571) 481-9090.

REGISTRATION DEADLINE: APRIL 30, 2010.

REGISTRANT INFORMATION

Name

Firm/Agency

Address

City

State

Zip

Phone

Fax

E-mail Address

Indicate if you have any special needs requiring assistance, including dietary.

CONFERENCE FEES

EARLY REGISTRATION (BY 4/15/10)

- \$350 FBA or AILA Member Attorney
- \$400 Nonmember Attorney
- \$200 Paralegal
- \$100 Qualified Pro Bono/Non Profit, CJA/Government Employee, Public Defender
- \$75 Law Student/Law Clerk

REGISTRATION (AFTER 4/15/10)

- \$400 FBA or AILA Member Attorney
- \$450 Nonmember Attorney
- \$250 Paralegal
- \$150 Qualified Pro Bono/Non Profit, CJA/Government Employee, Public Defender
- \$125 Law Student/Law Clerk

METHOD OF PAYMENT

Check, made payable to the "Federal Bar Association," is enclosed.

Credit card: Visa MasterCard American Express

Account Number

Exp. Date

Signature

NOTICE:

Registration will not be accepted from persons who provide representation without authorization in violation of 8 CFR Part 292, such as for-profit "Immigration Consultants" and "notaries." Please sign below as proof of compliance with the above restrictions.

Signature of Attendee

Photography Release: Registrants, instructors, exhibitors, and guests attending FBA meetings agree they may be photographed during the event. Photographs are the sole property of the FBA, which reserves the right to use attendees' names and likenesses in promotional materials without providing monetary compensation.

**Federal Bar Association
1220 N. Fillmore Street
Suite 444
Arlington, VA 22201**

**7th Annual
Federal Bar Association
Immigration Law Seminar**



May 14–15, 2010

IMMIGRATION LAW SECTION BOARD OF DIRECTORS

Brian Bates
Hon. Lawrence Burman
Justin Burton
Adam Cohen
Barry Frager

R. Mark Frey
Amy Gell
David Leopold
Rook Moore
Tanya Myers

Lee O'Connor
Jan Pederson
Mark Shmueli
Doug Weigle
Elaine Witty