

2024 AILA Annual Conference and Webcast

WEDNESDAY, JUNE 12, 2024

FUNDAMENTALS

8:00 am–9:00 am

H-1B Overview (Fundamentals)

While there are a limited number of visas available, the H-1B specialty occupation visa category has long served as the “workhorse” visa for foreign nationals coming to the United States to engage in temporary “professional” employment. Panelists will provide an overview and discuss how the process works, identify best practices for avoiding common problems, and alert new practitioners to current challenges.

- Is the employer offering a position that qualifies as a “specialty occupation?”
- Is the employer offering and willing to pay the higher of the actual or prevailing wage?
- Does the foreign national qualify for the offered position?
- Attorney’s fees, filing fees, and fees for premium processing
- The H-1B cap, registration process, and the lottery
- Preparing an H-1B visa petition, document retention, and postings

Christopher Graham Beckerson (DL), San Francisco, CA

Sarah Hawk, Atlanta, GA

Jennifer L. Nissen, Milwaukee, WI

John Patrick Pratt, Coral Gables, FL

9:00 am–9:30 am

Networking Break

9:30 am–10:30 am

Overview of the L-1 Intracompany Transferee Visa (Fundamentals)

With increasing globalization stymied by visa caps, the L-1 nonimmigrant visa for intracompany transferees has become a much sought-after vehicle to bring foreign nationals into the United States. The speakers for this fundamentals-level panel will provide an overview of the L-1A and L-1B visa categories and identify current adjudication trends at USCIS and consulates abroad.

- When is a sponsor needed? What form should you use?
- L-1A: managers and executives
- L-1B: specialized knowledge
- Individual petition vs. blanket Ls: process and timetable
- Establishing a “qualifying relationship”: subsidiaries, affiliates
- Establishing “doing business” requirements
- New office L visas

(DL) = Discussion Leader

** = invited, not confirmed*

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

Tiffany Martinez (DL), San Francisco, CA
Timothy D'Ardui, Washington, D.C.
Ellen Freeman, Pittsburgh, PA
**Marko C. Maglich, While Plains, NY*

10:30 am–11:00 am
Networking Break

11:00 am–12:00 pm

E-1/E-2 Overview (Fundamentals)

The treaty trader (E-1) and treaty investor (E-2) visa categories allow nationals of countries with which the United States maintains a treaty of commerce and navigation to be admitted to the United States when investing in a U.S. entity or engaging in international trade. Panelists will provide an overview of how to assess whether there is qualifying trade or investment, and they will advise on best practices to employ during the application process.

- General qualifications of the (E-1) treaty trader and (E-2) treaty investor
- Who can apply for an E-1/E-2: nationality and existing treaties
- Latest developments regarding citizenship by investment limitations
- Qualifying positions
- Overview of the application process: USCIS vs. consular applications
- Citizenship by investment update

Claire D. Nilson (DL), London, UK
Bernard P. Wolfsdorf, AILA Past President, Santa Monica, CA
David W. Cook, Columbus, OH
Teri A. Simmons, Atlanta, GA

12:00 pm–1:30 pm
Lunch Break

1:30 pm–2:30 pm

Introduction to Other Nonimmigrant Visas: The Less Traveled Path

Panelists will provide an overview of key visa options not covered in depth elsewhere in this program, including visas for foreign nationals looking to come to the United States for reasons other than employment, as well as lesser-used but helpful employment-based options.

- A, G, and NATO: diplomats and government representatives
- B-1 and B-2: visitors
- C and D: crew and transit
- F, J, and M: students and exchange visitors
- I: foreign media
- H-2A and H-2B: seasonal workers
- Q: the cultural visa

(DL) = Discussion Leader
** = invited, not confirmed*

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

- S, T, and U: crime-related visas

Helena Tetzeli (DL), Miami, FL
Robert M. Birach, Southfield, MI
Gayle Oshrin, New York, NY
Timothy G. Payne, Chicago, IL

2:30 pm–3:00 pm
Networking Break

3:00 pm–4:00 pm

Introduction to Nonimmigrant Visa Consular Processing (Fundamentals)

Panelists will review the basics of nonimmigrant visa consular practice at U.S. consulates and embassies abroad. They will discuss the overall process, provide guidance regarding common challenges, and advise on best practices to successfully prepare your clients.

- When and where clients can apply: DOS visa wait times, expedites, third-country national processing, and possible stateside processing
- Common issues in completing Form DS-160
- Step-by-step guidance and tips for understanding and dealing with the relevant consulate
- Administrative processing and potential triggers
- Inadmissibility and waiver issues
- Effective client preparation to avoid processing issues and denials

Amanda S. Brill (DL), London, UK
Vanessa Fass, London, UK
Alka Bahal, Parsippany, NJ

4:00 pm–4:30 pm
Networking Break

4:30 pm–5:30 pm

Introduction to Naturalization (Fundamentals)

Panelists will cover the basics of becoming a U.S. citizen. The requirements and process of naturalization will be presented. They will also discuss common red flags and risks of filing for naturalization.

- Eligibility requirements for naturalization
- Continuous residence and physical presence
- Three-year vs. five-year residence and good moral character periods
- Common good moral character issues
- English language and civics testing
- Introduction to medical exemptions and N-648s

(DL) = Discussion Leader
** = invited, not confirmed*

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Scott A. Girard (DL), Lenexa, KS
Carola Andrea Cintron Arroyo, Fairfax, VA
Sara Silvia Taylor, Concord, CA
*Olsa Alikaj-Cano, Houston, TX

5:30 pm–7:30 pm

Exhibit Hall Opening Happy Hour

BUSINESS

8:00 am–9:00 am

Employment Pathways to Permanent Residence for Humanitarian Parolees (Intermediate)

Panelists will focus on options for individuals who have been paroled on one of the country-specific programs, DACA advance parole, or at the southern border. They also will advise on options to transition to green cards through employment-based categories.

- PERM, extraordinary ability, H-1B, and other options for paroled professionals
- Options for DACA recipients, TPS holders, and parolees
- Eligibility for asylees: PERM, etc.
- Importance of maintenance of status and lawful entry, whether §245(k) helps

Heather Drabek Prendergast (DL), AILA Board of Governors/Governance Committee Vice Chair, Cleveland, OH

Camiel Becker, Oakland, CA

**Wendy Castor Hess, Philadelphia, PA*

**Jacob A. Kanyusik, Denver, CO*

9:00 am–9:30 am

Networking Break

9:30 am–10:30 am

PERM: The “New” ETA Form 9089 After the First Year (Intermediate)

It has been a year since the new ETA Form 9089 was introduced. Panelists on this intermediate-level session will review what we have learned and what we are still figuring out.

- Updates and resolutions on the unknowns
- Strategically completing Form 9141
- Specific Vocational Preparation (SVP) analysis and business necessity explanation
- What about multiple prevailing wage forms?
- Processing times and audit trends

(DL) = Discussion Leader

** = invited, not confirmed*

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Michelle Alaina Ross (DL), Stamford, CT
Kelly M. Fortier, Milwaukee, WI
Roger K. McCrummen, North Kansas City, MO
Sarah K. Peterson, Minneapolis, MN

10:30 am–11:00 am
Networking Break

11:00 am–12:00 pm

Isn't that Special? Special Handling PERMs, Specialized Immigrants, and Special Issues (Intermediate/Advanced)

Panelists on this intermediate to advanced level session will focus on when special handling may be appropriate. They will look specifically at issues within both academia and professional sports. This panel is appropriate for those with an understanding of basic PERM requirements.

- The lifecycle of a special handling case
- Navigating the new ETA-9089 vis a vis special handling, including SVP analysis and more
- Special issues in athlete and university cases
- Handling a reselection case
- Review of BALCA decisions

Amy Maldonado (DL), AILA Board of Governors, East Lansing, MI
Alexander Dgebuadze, Woodland Hills, CA
Lesley Salafia, Storrs, CT
David A. M. Ware, Metairie, LA

12:00 pm–1:30 pm
Lunch Break

1:30 pm–2:30 pm

Wage Transparency and Equal Pay Transparency (EPT) Rules: PERM Recruitment Best Practices (Advanced)

An increasing number of local jurisdictions are requiring some level of wage transparency for employers, whether it be as simple as providing wage information upon request or formally identifying offered wages in job advertisements. While these laws are location specific and not required under the PERM regulations, they can impact how we advise clients on PERM labor market test requirements.

- What municipalities/states currently require wage transparency and how do you keep up with changes?
- Insights on specific enforcement actions to date
- Weighing the risks and balances: best practices for advising clients on PERM ad requirements when they may be subject to EPT laws

(DL) = Discussion Leader
** = invited, not confirmed*

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- Coordinating approach to PERM recruitment with general counsel and labor/employment counsel input

Rosanna M. Fox (DL), AILA Board of Governors, Livingston, NJ

Ceridwen Johanna Koski, Denver, CO

Kimberly Pikul, Olathe, KS

Da'Niel Rowan, San Jose, CA

2:30 pm–3:00 pm

Networking Break

3:00 pm–4:00 pm

Employment Visas and Permanent Residence for Academics (Advanced)

Universities typically start their rigorous hiring processes one year before the academic year to hire the best and brightest professors the talent pool has to offer. These professors are then tasked with carrying out the school's educational and research mission and upholding their stellar reputation. This advanced panel will discuss:

- Nonimmigrant visa options for tenure track and non-tenure track professors
- Immigrant visa options for professors: PERM, EB-1, NIW?
- Travel while transitioning from OPT/STEM OPT to a nonimmigrant visa
- Issues that can derail the process and how to overcome them
- Communication strategies for highly accomplished but worried professors

Ana Marie Nobleza Siscar (DL), AILA Connecticut Chapter Chair, Fairfield, CT

Judy Bordeau, Overland Park, KS

Frank Calabrese, New Orleans, LA

Dan H. Berger, Northampton, MA

4:00 pm–4:30 pm

Networking Break

4:30 pm–5:30 pm

Permanent Residence: Non-Physicians Health-Care Workers (Intermediate)

Daily we hear in the news about a national health-care worker shortage. Panelists will discuss permanent residence options for non-physician health-care workers. They will focus on important issues such as knowing and understanding the educational system of the beneficiary's home country, as well as U.S. licensing issues.

- Understanding the CGFNS licensing process
- Reviewing the PERM process and filing the I-140 Petition
- Process for Schedule A occupations
- Arrival issues in the United States
- Ethical considerations in employee retention and “clawback” agreements

(DL) = Discussion Leader

** = invited, not confirmed*

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Chris Musillo, (DL) Cincinnati, OH
Amy K. Myers, Birmingham, AL
Ronald Nair, Norwalk, CT
**Andrew Zeltner, Philadelphia, PA*

5:30 pm–7:30 pm

Exhibit Hall Opening Happy Hour

FAMILY

8:00 am–9:00 am

USCIS Systems and Procedures: A Practical Understanding of What Happens with Your Petition, from Filing to Approval (Intermediate)

Much of what immigration practitioners do revolves around persuading a key audience: USCIS. A key to successful persuasion is to know that audience! So, what goes on inside USCIS? Our expert panelists will present an in-depth understanding of USCIS, including how it works and what else practitioners should know about it.

- What are the mechanics of USCIS?
- Best practices to avoid an RFE
- How to fix defective approval notices: name typos, I-94 errors, I-551 issued as LPR for CPR
- What you need to know about electronic filing

Palma Yanni (DL), AILA Past President, Washington, D.C.
Lucy Ann Betteridge, Kansas City, MO
Stephanie Marzouk, Cambridge, MA
Aundrea L. Roberts, Duluth, GA

9:00 am–9:30 am

Networking Break

9:30 am–10:30 am

Complex I-751 Issues (Intermediate)

The I-751 is a standard part of any family practitioner's services, but what do you do when a timely, jointly filed petition is not possible? Panelists will discuss strategies for dealing with complicated I-751 issues.

- Changes in family unity after filing: converting to a waiver
- Preparing the clients for interview
- Pending divorce at time of interview
- The joint N-400/I-751 interview
- Recent trends in I-751 litigation

(DL) = Discussion Leader

** = invited, not confirmed*

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Laura Fernandez (DL), AILA Wisconsin Chapter Chair, West Milwaukee, WI
Megan Galicia, Client Resources Committee Vice Chair, Kansas City, MO
Andres Lopez, AILA Carolinas Chapter Chair, Charlotte, NC
Russell Abrutyn, AILA Michigan Chapter Chair, Southfield MI

10:30 am–11:00 am
Networking Break

11:00 am–12:00 pm
Complex I-130 Issues: Avoiding and Challenging Denials or Revocations (Part I) (Advanced)

While the basics of an I-130 filing are straightforward, there are many situations that can sink a filing. The experts in Part I of this two-part, advanced panel will discuss strategies for when an I-130 is denied by USCIS and revoked by consular posts, and whether appealing or filing a new I-130 is prudent.

- When is a sponsor needed? What form should you use?
- Avoiding a denial: beefing up bona fides, responding to RFEs
- What to do when the consular office wants to revoke the I-130
- Strategies when an I-130 is denied: Appeal? Refile?

Jennifer L. Grobelski (DL), Chicago, IL
Tammy Lin, San Diego, CA
Andrea Blonder Shuford, Alexandria, VA
Valerie K. Sprout, Overland Park, KS

12:00 pm–1:30 pm
Lunch Break

1:30 pm–2:30 pm
Complex I-130 Issues: Petitioner Criminal Records or Beneficiaries in Removal Proceedings (Part II) (Advanced)

The experts in Part II of this advanced panel will tackle heightened standards and complications resulting from prior criminal issues, as well as removal proceedings. Panelists will help you understand how to prepare your case before filing, and they will advise on what to expect when the petitioner has a criminal record or the beneficiary is in removal proceedings.

- Preparing for a possible conflict of interest
- Adam Walsh Act: recent successes!
- I-130 while in removal proceedings
- Bona fide marriage exemption procedures

Alexander George Dahlin Carl (DL), Los Angeles, CA

(DL) = Discussion Leader
** = invited, not confirmed*

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Lily S. Axelrod, Memphis, TN
Johnna Main Bailey, Memphis, TN
*Grant Kaplan, Delray Beach, FL

2:30 pm–3:00 pm
Networking Break

3:00 pm–4:00 pm

Naturalization: When to File, When to Wait, and When Not to File (Intermediate)

While most naturalization applications are straightforward, there are still many pitfalls that can doom an application and even get the applicant's residency revoked. Panelists will discuss complicated naturalization questions to help practitioners navigate converting green cards into U.S. citizenship.

- Already a citizen? File N-600 or N-565
- N-648: deference to the doctor, who chooses the doctor
- Criminal issues and certified records
- Past misrepresentations at USCIS or a consulate

Cynthia B. Rosenberg (DL), Baltimore, MD
Petula Natasha McShiras, AILA Board of Governors, Greenwood Village, CO
Benjamin Crouse, Milwaukee, WI
Nicholas Jesus Mireles, Los Angeles, CA

4:00 pm–4:30 pm
Networking Break

4:30 pm–5:30 pm

Ethical Issues in Nontraditional Marriage Situations and Managing USCIS Bias (Ethics and Bias) (Intermediate)

Married couples today are often not “traditional.” Panelists will examine closely how to discern if USCIS may have concern about a relationship and how to address that concern. They also will discuss how to ethically withdraw representation.

- What is a “nontraditional” marriage?
- USCIS marriage fraud indicators in most nontraditional marriages
- Is it fraud or just a nontraditional marriage? Red flags, the intake, supporting documents
- Creative evidence for demonstrating bona fides: How much is necessary?
- Elimination of USCIS bias: dealing with possible racism, ethnic discrimination, age bias, and/or other diversity bias

Bianca Jordan (DL), Randolph, MA
Killa Ixchel Marti, Atlanta, GA
Allison M. Lukanich, Raleigh, NC

(DL) = Discussion Leader
* = invited, not confirmed

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5:30 pm–7:30 pm

Exhibit Hall Opening Happy Hour

LITIGATION & REMOVAL PROCEEDINGS

8:00 am–9:00 am

Effective Writing for Agencies and Courts (Intermediate)

The practice of immigration law is the practice of writing. Panelist will address effectively tailoring your writing to each audience, creating easy-to-read and understandable briefs, and effectively preserving issues without getting bogged down in the weeds.

- Addressing your writing to the target audience
- Storytelling in brief writing and RFE responses
- Getting the adjudicator to pay attention without cheap tricks or distracting formatting
- Preserving issues for appeal without getting bogged down

Erin C. Cobb (DL), Chicago, IL

Ganesh Kalyanaraman, Sacramento, CA

Erich C. Straub, Milwaukee, WI

Rebeca Sanchez-Roig, Miami, FL

9:00 am–9:30 am

Networking Break

9:30 am–10:30 am

Advanced Trial Skills: How to Make Effective Objections in Immigration Court (Advanced) (Trial Skills)

The Federal Rules of Evidence are not strictly applied in immigration courts and immigration court procedures are not clearly defined, presenting many problems for immigration practitioners. Panelists will examine these problems and review common objections in immigration court using real world hypotheticals and examples.

- Relevance, reliability, and fundamental fairness as only bars to admissibility of evidence
- Rules that do and don't apply in immigration court
- Documentary vs. testimonial evidence, applicable objections
- Other "objections": getting nonverbal happenings on the record
- Contesting issues with interpreters, objecting to judicial conduct or questions, and more

Sarah Weston Hayes Owings (DL), Atlanta, GA

Cory Forman, AILA Board of Governors, New York, NY

Jennie Giambastiani, Chicago, IL

(DL) = Discussion Leader

** = invited, not confirmed*

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10:30 am–11:00 am
Networking Break

11:00 am–12:00 pm

Advanced Trial Skills: Preparing for the Merits Hearing (Advanced) (Trial Skills)

Everyone can be a litigator, and everyone can be a “better” litigator, so let’s get better together! Panelists will discuss a wide range of crucial substantive and procedural issues impacting removal defense practice at the trial level. They will help prepare you to move forward with litigation, and advise on your options if you decide that litigation is not the best course to follow.

- Are you ready to move forward? Biometrics, witness list, interpreters, knowing your IJ’s appearance medium, in-person/video
- Substantive preparation: selecting witnesses, properly accrediting, and preparing them
- Stipulations: why and how to make them
- Deciding not to go forward: pros and cons of prosecutorial discretion/off calendar notices
- Subpoenas

Andrew James Rankin (DL), Memphis, TN

Genevra W. Alberti, AILA Missouri/Kansas Chapter Chair, Kansas City, MO

Elina Magaly Santana, Miami, FL

David L. Wilson, Minneapolis, MN

12:00 pm–1:30 pm

Lunch Break

1:30 pm–2:30 pm

Don’t Concede Anything: Make the Government Do Its Job in Immigration Court! (Intermediate)

It is important for attorneys to object to and otherwise challenge the notice to appear (NTA): in writing/on the record of proceedings if service is improper; if the content is deficient or inaccurate; if there are grounds to contest the respondent’s removability; or if the evidence has been unconstitutionally obtained. Panelists will discuss:

- Presumption of alienage, challenging even with defensively filed I-589s
- Identifying defective/deficient/improperly served NTAs
- Motions to terminate
- Overview of motions to suppress
- Considerations to discuss with respondents in reviewing factual allegations

Jonathan Willmoth (DL), Kansas City, MO

Annelise Maia Jatoba de Araujo, AILA Removal Defense Section Steering Committee Chair, Boston, MA

Buxton Reed Bailey, Raleigh, NC

Michelle Natalia Mendez, Washington, D.C.

(DL) = Discussion Leader

** = invited, not confirmed*

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2:30 pm–3:00 pm
Networking Break

3:00 pm–4:00 pm

The Doctrine of Consular Nonreviewability: Preparing for Litigation (Advanced)

The experts on this advanced panel will examine consular nonreviewability, beginning with what is known about a client’s indicia of inadmissibility. They then will advise on best practices for building a record with DOS and LegalNet that rebuts DOS’s assertions.

- Develop the record in anticipation of denial—i.e., exculpatory material, expert witness report, etc.
- Promptly ask for factual basis and specific subsection of statute upon denial
- District court litigation and appeals to the circuit courts
- Strategies on establishing standing and jurisdiction
- Alcohol, drugs, back taxes, and other discretionary issues that can kill your case

Anastasia Tonello (DL), AILA Past President, New York, NY

Charles H. Kuck, AILA Past President, Atlanta, GA

Ira J. Kurzban, AILA Past President/AILA Author, Kurzban's Immigration Law Sourcebook, 18th Ed., Coral Gables, FL

4:30 pm–5:30 pm

How to Deal with Lying: Ethically Preparing Your Clients (Intermediate) (Ethics)

Lawyers are often faced with clients who, for one reason or another, may disclose information they should not have, or may have misrepresented the truth. Panelists will focus on working with clients to avoid findings of adverse credibility and fraud, how to argue against those findings when they happen, and navigating tricky ethical issues related to these issues.

- How does the INA define “fraud” and “misrepresentation” in different contexts?
- Legal arguments on materiality, dealing with conflicting information, and relief that remains
- How can you prepare your client to avoid adverse credibility findings, or findings of fraud or misrepresentation?
- How can you rehabilitate your client in the moment if lies surface during removal proceedings or before USCIS?
- What responsibility do you have to your client to advise them as to the possible criminal penalties for lying?

Cynthia A. Aziz (DL), Charlotte, NC

Raymond R. Bolourtchi, St Louis, MO

Jonah Eaton, Philadelphia, PA

**Marla Isela Samora, AILA Member Engagement Committee Chair, Oakland, CA*

(DL) = Discussion Leader

** = invited, not confirmed*

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5:30 pm–7:30 pm

Exhibit Hall Opening Happy Hour

SPECIAL SESSIONS

8:00 am–9:00 am

What Every Ethical Immigration Lawyer Should Know: If Only I Knew Then What I Know Now (Fundamentals) (Ethics)

Panelists will share wisdom from years of practice to provide expert guidance for new practitioners on the basic knowledge and resources needed to adhere to key ethics requirements and build a successful practice.

- Legal research essentials: INA, CFR, Foreign Affairs Manual, USCIS Policy Manual, and *Kurzban's Immigration Law Sourcebook*
- AILA resources, practice pointers, and the importance of mentor relationships
- Overview of ethics requirements and dual representation
- Essentials of retainer agreements and consultations
- Client retention and selection: Don't be afraid to say "no"!

Christine J. Alden (DL), Miami, FL

Maricela Amezola, San Diego, CA

Frederick P. Korkosz, Albany, NY

Kari Fonte, Coral Gables, FL

9:00 am–9:30 am

Networking Break

9:30 am–10:30 am

How to Incorporate SAVE Support into Your Practice

Since the government is using SAVE in their work, should you be adding it to yours, too? What support can you provide within the immigration context relating to SSA, DMV, and other benefit-issuing organizations? Panelists will discuss:

- How to incorporate SAVE support into your practice
- What are appropriate parameter models/fee structuring?
- What are the best practices for minimizing delays?
- How to deal with SAVE delays: reasons and resolutions
- When and how to seek AILA liaison assistance

Michael P. Nowlan (DL), Detroit, MI

James Stuart Lamb, Lakewood, CO

Maria Mejia-Opaciuch, Marysville, OH

Cheri R. Peterson-Ross, Chicago, IL

(DL) = Discussion Leader

** = invited, not confirmed*

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10:30 am–11:00 am

Networking Break

11:00 am–12:00 pm

Hold for Late-Breaking Session

12:00 pm–1:30 pm

Lunch Break

1:30 pm–2:30 pm

Immigrants List Civic Action Panel

(Description to follow).

2:30 pm–3:00 pm

Networking Break

3:00 pm–4:00 pm

**The American Immigration Council’s Expanding Horizons: Diversify Your Business
Immigration Practice with the J-1 Visa Category**

Panelists will explore how legal practitioners can enhance and diversify their business immigration practice by incorporating the J-1 visa category. They will delve into the unique features and benefits of the J-1 visa program, giving attendees useful insights into expanding their services and better serving clients in an increasingly globalized world.

- Overview of the J-1 visa category: purpose, eligibility requirements, and key subcategories
- Identifying opportunities for diversification
- Navigating J-1 program requirements
- Program benefits for employers and participants: global talent, cultural diversity, and professional development

*Lisa Murray (DL), Exchange Program Director, American Immigration Council,
Washington, D.C.*

Tania Carswell, J-1 Program Manager, American Immigration Council, Washington, D.C.

Lin R. Walker, Newark, NJ

4:00 pm–4:30 pm

Networking Break

4:30 pm–5:30 pm

Top Mistakes in Employment-Based Practice 2024 (Intermediate)

We all make mistakes, but we don't all make all the mistakes. A competent attorney not only acknowledges their mistakes but is ready with solutions for clients. Hear stories about real problem cases and advice on how to navigate these scenarios.

(DL) = Discussion Leader

** = invited, not confirmed*

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- Do your homework and phone a friend: best practices to avoid errors
- Common blunders: You missed it, now what?
- Hindsight is 20/20: how to handle mistakes you could not have prevented or never saw coming
- Tips for discussions with clients, including providing alternatives and solutions
- When do you need to notify your malpractice insurance carrier?

Diana C. Bauerle (DL), Arlington, VA

Maria Mercedes Badia-Tavas, Chicago, IL

David L. Bridges, Vice President, Insurance Offices of America, Atlanta, GA

5:30 pm–7:30 pm

Exhibit Hall Opening Happy Hour

TECHNOLOGY MINI TRACK

8:00 am–9:00 am

The Ethics of the Evolving Landscape of Data Privacy (Ethics/Cybersecurity)

Law firms are ethically bound not just to take necessary measures to protect client data from privacy threats, but also to ensure data availability post-disaster and to inform clients if their data has indeed been compromised. It is critical for attorneys and law firms to recognize data privacy threats and address them through comprehensive cybersecurity programs, including preparing and implementing incident response plans.

- Potential pitfalls, challenges, and risk mitigation strategies related to bias, data privacy, and liability
- How to ethically collect personal information, including that of clients, opposing parties, and third parties
- Best practices for complying with data privacy laws
 - How this applies to Model Rule of Professional Conduct 1.6
- Cybersecurity insurance: What is and isn't covered?

Michele N. Carney (DL), AILA Innovation & Technology Committee Chair/AILA Ethics Committee, Seattle, WA

Josiah J. Curtis, AILA Innovation & Technology Committee, Boston, MA

Laura Devine, New York, NY

Jorge Antonio Molina, Arlington, TX

**Alexandra Bretschneider, Vice President & Cyber Practice Leader, Johnson, Kendall & Johnson, Philadelphia, PA*

9:00 am–9:30 am

Networking Break

(DL) = Discussion Leader

** = invited, not confirmed*

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

9:30 am–10:30 am

Breaking the Limited Mindset: Utilizing Technology for Your Practice and Meeting Ethical Obligations (Ethics)

Attorneys are among the slowest adopters of new technology, often hindered by a traditional mindset regarding how to operate a law practice. Panelists will guide you through the essentials of deliberately, strategically, and ethically adding technology in a way that also bolsters the bottom line and meets competency requirements.

- Methods to collect and analyze data of all types: tech audits, designating a tech staff person, utilizing outside vendors
- Defining the duty to competently use technology in practice
- Recognizing the implications of the forward-looking nature of Model Rule 1.1
- Identifying how technology competence intersects with other ethical duties

Nadine Heitz (DL), Lake Worth, FL

William A. Stock, AILA Past President, Philadelphia, PA

Jesse A. Lloyd, AILA Ethics Committee, Oakland, CA

Catherine L. Haight, Marina Del Ray, CA

10:30 am–11:00 am

Networking Break

11:00 am–12:00 pm

Efficiency Unleashed: Transforming Law Firm Management with AI and Other Technologies

Join us for an enlightening panel discussion as we delve into the cutting-edge realm of law firm management. Discover how AI and other groundbreaking technologies are revolutionizing the legal landscape, empowering firms to streamline their processes like never before, maximizing efficiency, optimizing workflows, and, ultimately, propelling firms toward a more successful and client-centric future.

- Case management software
- Document automation tools
- Data analytics and business intelligence
- Artificial intelligence for document review
- Chatbots and virtual assistants

Hannah F. Little (DL), AILA Innovation & Technology Committee, Charlotte, NC

Ruby Lichte Powers, AILA Innovation & Technology Committee/ AILA Author, Build and Manage Your Successful Immigration Law Practice (Without Losing Your Mind), Houston, TX

Gregory Howard Siskind, AILA Author, AILA's Immigration Law Practice and Procedure Manual: A "Cookbook" of Essential Practice Materials, 2nd ed., Memphis, TN

(DL) = Discussion Leader

** = invited, not confirmed*

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

Ron Matten, AILA Innovation & Technology Committee, West Hollywood, CA

12:00 pm–1:30 pm

Lunch Break

1:30 pm–2:30 pm

AI Prompt Engineering: The Secret to Making AI an Effective and Ethical Time Saver (Ethics)

Want to get what you want faster and smarter, but afraid of new technology? You may find yourself wondering what the potential pitfalls are, and how you can use the most up-to-date technology while also avoiding malpractice. Panelists will examine the issues surrounding artificial intelligence and how lawyers can navigate this new minefield.

- What is a large language model? What can it do? What can't it do?
- Using AI effectively in a way that is practical and ethical
- Ethical considerations for using AI in the legal profession
 - Transparency, accountability, and safeguarding client confidentiality

Erin Elliott (Ustaoglu) (DL), AILA Arizona Chapter Chair, Atlanta, GA

Jared Jaskot, Baltimore, MD

Julie C. Pearl, Palo Alto, CA

Josh Waddell, Memphis, TN

2:30 pm–3:00 pm

Networking Break

3:00 pm–4:00 pm

The Business of Practicing Business Immigration Law 101: Things I Wish I Knew When I Started Practicing (Fundamentals)

Panelists will provide new practitioners with a broad understanding of the basic “ins and outs” of the business of practicing immigration law. They also will advise on global mobility and dealing with the many stakeholders, including the foreign national and possible company contacts, as well as recruiters, human resources, and general counsel.

- General overview of the life cycle of nonimmigrant and immigrant business cases
- Case assessment, initiation, and communication, including client identification
- Effective case management and processing
- Managing expectations/Service Level Agreements (SLAs)
- Tips on pricing and communication

Teddy Chadwick (DL), Milwaukee, WI

Roujin Mozaffarimehr, AILA Business Section Steering Committee Chair, San Jose, CA

James Chesser, Simpsonville, SC

Matthew I. Hirsch, Wayne, PA

(DL) = Discussion Leader

** = invited, not confirmed*

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

4:00 pm–4:30 pm
Networking Break

4:30 pm–5:30 pm
Hold for Late-Breaking Session

WEDNESDAY TRAININGS AND SPECIAL EVENTS

8:00 am–5:30 pm
Registration

7:30 am–8:00 pm
Exhibit Hall Opening

5:30 pm–7:30 pm
Exhibit Hall Opening Happy Hour

THURSDAY, JUNE 13, 2024

FUNDAMENTALS

8:00 am–9:00 am

Overview of Family-Based Immigration (Fundamentals)

Panelists will provide an overview of family-based immigration and explain why the process can be complicated, often taking several years to complete. Those new to immigration should attend this session to gain a general understanding of family-based immigration law, and to prepare for the more in-depth fundamentals-level family panels.

- Family-based immigration categories
- Immediate relatives vs. preference categories and the Visa Bulletin
- Process for applying for a family-based immigrant visa or adjustment of status
- Establishing the bona fides of the relationship
- Changes in family situation/relationships: death, divorce, marriage, age-out, etc.
- Affidavit of support and public charge

Steven C. Thal (DL), Minnetonka, MN

Anita Mukherji, AILA Northern California Chapter Chair, Oakland, CA

Jakob Lipman, Concord, CA

Ellen M. Weintraut, Fayetteville, AR

9:00 am–9:30 am
Networking Break

(DL) = Discussion Leader

** = invited, not confirmed*

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

9:30 am–10:30 am

Ethical Considerations in Marriage-Based Adjustment of Status, Consular Processing, and K Visas (Ethics) (Fundamentals)

Panelists will discuss various methods for a U.S. citizen to sponsor their foreign national fiancé(e) or spouse. Panelists also will review ethical considerations in taking a case, and they will identify factors that should be discussed with a potential client when choosing between adjustment, consular processing, or a K visa.

- Ethical considerations in family-based cases: nonimmigrant vs. immigrant intent, dual representation, and other red flags
- Third-party involvement and joint sponsors
- The steps for each process, processing times, deciding the best route for your client
- Expediting the process: managing client expectations

Meghan Moore (DL), AILA Ethics Committee Vice Chair, Wyoming, MI

Heather Mirium Benno, Albany, D.C.

**Scott C. Titshaw, Macon, GA*

10:30 am–11:00 am

Networking Break

11:00 am–12:00 pm

I-751 Petitions to Remove Conditions on Residence (Fundamentals)

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

- Who is required to submit an I-751 petition, and when?
- Basics of preparing an I-751 petition
- What is “good faith” and how is it proved?
- Remedies for late submission
- Introduction to I-751 waivers: divorce, abuse, or death

Maggie Arias (DL), Coral Gables, FL

David W. Leopold, AILA Past President, Cleveland, OH

Scott D. Pollock, Chicago, IL

Ericka A. McFee, Elmhurst, IL

BUSINESS

8:00 am–9:00 am

Immigration Challenges Faced by Beneficiaries from Countries with Backlog and Retrogression Issues (Intermediate)

(DL) = Discussion Leader

** = invited, not confirmed*

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

Clients are in limbo—frozen in time between here and abroad by the immigration quota system. Panelists will explore how to develop long-term plans and advise nationals regarding issues arising in their seemingly endless path to permanent residence.

- Visa retrogression and challenges of being in a nonimmigrant status for years
- Resolving issues from USCIS extension denials after multiple approvals
- Dealing with employers regarding need for
- , PERM, and I-140 approval
- Ethical responsibilities if employer is taking advantage of nonimmigrants
- What fees/expenses can employees pay?

Cyrus D. Mehta (DL), AILA Ethics Committee Chair, New York, NY
Brittany Faith, AILA Board of Governors, Chattanooga, TN
Najia Sheikh Khalid, New Haven, CT
Jennifer Simutis Wagener, San Jose, CA

9:00 am–9:30 am
Networking Break

9:30 am–10:30 am
Always Extra, Never Ordinary: A Discussion on Extraordinary Ability Petitions O-1 and EB-1 (Intermediate)

Rockstars, superstars, scientists, and business executives—many fall under the extraordinary ability categories. But how can you tell if they qualify? What is USCIS looking for? Why do I have to provide so many support docs? Get the answers to these questions and more in this intermediate panel.

- Adjusting expectations between O-1A and O-1B standards
- Making the leap from O-1A/B to EB-1A: When is it right to do it?
- Special issues in the extraordinary: social media, reference letters, itineraries, and peer groups
- Thinking outside the box

Gabriel Castro (DL), Los Angeles, CA
Laya R. Kushner, Charlotte, NC
Amanda A. Thompson, West Lafayette, IN
Suzanne B. Seltzer, New York, NY
Rita Sostrin, Woodland Hills, CA

10:30 am–11:00 am
Networking Break

(DL) = Discussion Leader
** = invited, not confirmed*

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

11:00 am–12:00 pm

When You Aren't Extraordinary Enough! How to Stop Worrying and Love the National Interest Waiver (Intermediate)

Slower than an EB-1, more difficult than a PERM, the National Interest Waiver has long been overlooked by practitioners. But now with premium processing as an option and layoffs pausing PERMs across the country, it's time to start considering the NIW in your regular practice.

- Introduction to the regulations: advanced degree vs. exceptional ability
- Incorporating USCIS guidance on STEM, entrepreneurs, and job creation
- Review of *Matter of Dhanasar*
- Filing strategies and hurdles: What is in the national interest anyway? Filing non-traditional NIW cases? Examples of recently approved petitions

Julie T. Emerick (DL), Chicago, IL

Felipe Alexandre, Flushing, NY

Elise A. Fialkowski, Philadelphia, PA

James W. Hollis, Memphis, TN

FAMILY

8:00 am–9:00 am

Death of the Petitioner or Principal Beneficiary (Intermediate)

The experts in this intermediate panel will address what happens when the petitioner or principal beneficiary dies. What can the surviving beneficiary or derivative beneficiaries do to preserve their hope of remaining in or coming to the United States?

- INA §204(l): history, eligibility, corollary application benefits
- Humanitarian reinstatement: eligibility, procedures, how it differs from INA §204(l)
- Procedures: where, how, when, what to file, and what to expect from USCIS
- Best practices for working with the affected survivor(s)
- Effects on waivers where qualifying relative dies

Robert Lee DeMoss (DL), Atlanta, Georgia

Carlina Tapia-Ruano, AILA Past President, Chicago, IL

Maurice H. Goldman, Tucson, AZ

Brent W. Renison, Portland, OR

9:00 am–9:30 am

Networking Break

(DL) = Discussion Leader

** = invited, not confirmed*

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

9:30 am–10:30 am

Consular Processing: When Things Go Wrong (Advanced)

Consular processing delays are now unfortunately becoming the norm rather than the exception. Panelists will discuss strategies on how to move forward when cases get stuck with the U.S. Department of State.

- NVC Delays
- Administrative processing: background/national security, export control/sensitive technology
- Special considerations for individuals born in Iran
- Working with the U.S. Consular Office in Ciudad Juarez

Scott A. Emerick (DL), Los Angeles, CA

Mandy Feuerbacher, Los Gatos, CA

Lynn Marie Lee, Clifton, VA

Leslie Silverstein, Portland, ME

10:30 am–11:00 am

Networking Break

11:00 am–12:00 pm

Maintaining Residency Issues (Advanced)

Panelists will discuss advanced issues in helping clients maintain residency when they are thinking about spending more than 180 days outside the United States or have already done so.

- Reentry permits: Must one do anything but try to enter?
- SB-1: helpful evidence, whether it is needed or worth it
- Arguing abandonment directly to CBP officials at the time of reentry
- Why file an I-407?
- Reestablishing residency to apply for naturalization

Ed Allan Pabalan Lindain (DL), North Hollywood, CA

Farah Al-khersan, Ann Arbor, MI

Teresa A. Coles-Davila, San Antonio, TX

Tristan Gunn, Chicago, IL

LITIGATION & REMOVAL PROCEEDINGS

8:00 am–9:00 am

Challenging Immigration Denials and Delays in Federal District Court (Intermediate)

Don't just take it, sue them! Panelists on this session, perfect for both beginners or as a refresher, will provide an overview of various types of immigration actions you can bring in federal district court, and they will advise on what to expect if you file suit.

(DL) = Discussion Leader

** = invited, not confirmed*

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

- What is standing, who has jurisdiction, and where is venue proper?
- Mandamus litigation: when to use it with or opposed to the Administrative Procedure Act (APA)
- Challenging denials or revocations under APA in a post-*Patel* world
- Challenging naturalization denials under 8 USC §1421(c)
- Challenging naturalization delays pre/post-interview

Brian Scott Green (DL), AILA Benefits Litigation Committee Vice Chair, Littleton, CO
Ava Benach, Washington, D.C.

Michael R. Jarecki, AILA Board of Governors, Chicago, IL

Kate Melloy Goettel, Legal Director, American Immigration Council, Washington, D.C.

Leslie K. Dellon, Senior Attorney, American Immigration Council, Washington, D.C.

9:00 am–9:30 am

Networking Break

9:30 am–10:30 am

Hot Topics on Asylum Law and Policy (Intermediate)

Stay up to date on all the changes in asylum law practice. Panelists will discuss everything from important decisions relating to asylum eligibility to policy decisions by the Biden Administration, including federal court challenges to those policies.

- Status of border-related litigation, including challenges to the Circumvention of Lawful Pathways (CLP) rule
- How is expedited removal being implemented, including procedures for CFI, RFI, and FERM cases
- Access to counsel issues and other challenges of CFI, RFI, and FERM cases
- Update on the challenges against federal immigration law in Texas

Amy Grenier (DL), AILA Policy and Practice Counsel, Washington, D.C.

Laura Lichter, AILA Past President, Denver, CO

Taylor Levy, Hayward, CA

Laura Pena, Harlingen, TX

Gianna Borroto, Senior Litigation Attorney, American Immigration Council, Washington, D.C.

10:30 am–11:00 am

Networking Break

(DL) = Discussion Leader

** = invited, not confirmed*

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

11:00 am–12:00 pm

Parole and the Cuban Adjustment Act (Intermediate/Advanced)

Recently, Cuban Adjustment Act (CAA) applicants have faced more challenges because many do not receive traditional parole documents when processed at the border. Panelists will explore creative ways to make these arguments with USCIS and in court.

- Comparing I-220A (Order of Release on Recognizance), parole under §212(d)(5), and ICE or judicial bond
- Arriving aliens vs. present without inspection: Why does the distinction matter?
- Where courts stand: review of current decisions
- CAA litigation update, and why it matters for everyone else

Mark A. Prada (DL), AILA Federal Court Litigation Section Steering Committee Vice Chair, Miami, FL

Misha Seay, Oakland, CA

**Juan Carlos Gomez, Miami, FL*

GOVERNMENT OPEN FORUMS

8:00 am–9:00 am

Detention Ombudsman Open Forum

Jennifer Ibañez Whitlock (DL), AILA Policy Counsel, Washington, D.C.

9:00 am–9:30 am

Networking Break

9:30 am–10:30 am

Verification and Documentation Open Forum

Amy L. Peck (DL), Verification and Documentation Liaison Committee Chair, Omaha, NE

Kimberley Best Robidoux, Verification and Documentation Liaison Committee Vice Chair, San Diego, CA

10:30 am–11:00 am

Networking Break

11:00 am–12:15 pm

Department of Labor (DOL) Open Forum

Vincent W. Lau (DL), DOL Liaison Committee Chair, Boston, MA

Amy Novak, DOL Liaison Committee Vice Chair, Vail, CO

Bob White, DOL Liaison Committee Vice Chair, Schaumburg, IL

12:00 pm–1:30 pm

Lunch Break

(DL) = Discussion Leader

** = invited, not confirmed*

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

PLENARY

1:30 pm–5:00 pm

Plenary and Hot Topics

THURSDAY TRAININGS AND SPECIAL EVENTS

7:00 am–4:15 pm

Registration

7:30 am–6:00 pm

Exhibit Hall Hours

5:30 pm–6:30 pm

AILA Annual Membership Meeting and Annual Awards

FRIDAY, JUNE 14, 2024

FUNDAMENTALS

8:00 am–9:00 am

Labor Certification 101 (Fundamentals)

Nearly all EB-2 and EB-3 cases require a certification from DOL that the U.S. employer has been unable to find willing, qualified, and available U.S. workers through good faith recruitment. Panelists on part one of this two-part series will discuss the basic concepts and steps associated with DOL’s PERM process for preparing and filing applications for labor certification.

- Steps of the labor certification application process
- Job description and the minimum requirements
- “Actual minimum requirements” and “business necessity”: how to document when they exceed normal
- Prevailing wage: what it is, how and when to obtain
- FLAG and filing the ETA 9141 and ETA 9089
- Roles of various stakeholders: immigration lawyer, company contact, foreign national’s manager, and foreign national

La Verne A. Ramsay (DL), San Francisco, CA

Sarah Elizabeth Buffett, AILA Business Section Steering Committee Vice Chair, Charlotte, NC

Jill S. Bloom, Phoenix, AZ

Stephen D. Parker, Richardson, TX

(DL) = Discussion Leader

** = invited, not confirmed*

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

9:00 am–9:25 am

Networking Break

9:25 am–10:25 am

Labor Certification 102 (Fundamentals)

Recruitment is at the core of the labor certification process and must be conducted with scrupulous attention to the regulations and FAQs. There is no room for error! Panelists on part two of this two-part series will offer guidance on DOL–mandated recruitment and post–recruitment documentation to help practitioners successfully navigate the PERM recruitment process.

- Recruitment timeline and deadlines
- Mandatory recruitment: newspaper of general circulation, state job order, and notice of filing
- Supplemental recruitment: websites, career centers, employee referral programs (ERPs), local papers, and other alternatives
- Reviewing resumes and use of checklists
- Maintaining evidence of recruitment, recruitment report, the audit file, and document retention

Lynn Susser (DL), Memphis, TN

Maggie M. Murphy, AILA Board of Governors, Austin, TX

Matthew C. Morse, Troy, MI

Cora-Ann V. Pestaina, Paramus, NJ

10:25 am–10:50 am

Networking Break

10:50 am–11:50 am

Employment-Based Immigration Preference Categories (Fundamentals)

Panelists will provide a basic overview of the immigrant visa preference categories, per country caps, chargeability and cross chargeability, numerical limitations, the Visa Bulletin, and other key concepts relating to the employment-based immigration process.

- EB-1: multinational executives and managers, extraordinary ability aliens, and outstanding researchers/professors
- EB-2: national interest waivers, aliens of exceptional ability, professionals holding advanced degrees
- EB-3: professionals, skilled, unskilled, and other workers
- EB-4: special immigrants
- EB-5: investors

Jennifer Minear (DL), AILA Past President, Richmond, VA

Meghan Covino, AILA Board of Governors, Detroit, MI

(DL) = Discussion Leader

** = invited, not confirmed*

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

Eric M. Dominguez, Los Angeles, CA
**Antonia Canero, Coral Gables, FL*

11:50 am–2:45 pm

Lunch Break

2:45 pm–3:45 pm

Adjustment of Status (Fundamentals)

Panelists will provide an overview of the adjustment of status (AOS) process in the family, employment, and humanitarian context. They will discuss the basic requirements and how to assess eligibility for adjustment of status versus consular processing, as well as potential red flags.

- Basic requirements for AOS applications
- Ancillary applications: I-864, I-765, I-131, and supporting documentation
- Common red flags: entry without inspection, intent at entry, status violations, unauthorized employment
- Introduction to INA §245(k)
- Factors to be considered and overview of interview process
- Updated public charge guidance

Melissa Vasquez-Myers (DL), Los Angeles, CA
Jacob Lawrence Ratzan, Miami, FL
Irene Mugambi, Dallas, TX

3:45pm–4:10pm

Networking Break

4:10pm – 5:10pm

Creating Effective Immigration Systems for Your Firm

It's not just an understanding of the law that ensures a successful practice. Learn from our expert panelists how to set up best practices and standardization in your firm. Panelists will walk you through the essential components of a good case system and will teach you how you can set up your own system to increase efficiency and productivity.

- Developing efficient workflows
- Creating intake questionnaires and document checklists
- Client memos and template client communications to save you time
- Assisting clients with tricky forms questions
- Strategies for prepping clients for interviews

Ari J. Sauer (DL), AILA Author, AILA's Immigration Law Practice and Procedure Manual: A "Cookbook" of Essential Practice Materials, 2nd ed., Memphis, TN
Michael A. Harris, AILA Innovation & Technology Committee, Miami, FL

(DL) = Discussion Leader

** = invited, not confirmed*

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

Larry L. Drumm, San Francisco, CA
*Matthew L. Kolken, Buffalo, NY

BUSINESS

8:00 am–9:00 am

Anti-discrimination Issues in Sponsorship Decisions, ITAR, and Verification (I-9s and E-Verify) (Advanced)

For employers, visa sponsorship and the Form I-9, International Traffic in Arms Regulations (ITAR) requirements, social security number (SSN) delays, and recruitment software provide countless opportunities for actions that may be perceived as discriminatory. What can employers ask during the hiring process? What if you learn later that the employee needs sponsorship? Panelists will cover:

- Avoiding discrimination claims in the ITAR context
- Hiring (or refusing to hire) individuals with expiring work authorization or those requiring immigration-related sponsorship or support, enforcing honesty policies
- Requiring an SSN on or before a specific date
- Possible discrimination in PERM recruitment
- Recent alienage (1981) cases, as well as citizenship/nationality (§1324b) cases

Mary E. Pivec (DL), Woodbridge, VA

Marketa Lindt, AILA Past President/ Benefits Litigation Committee Co-Chair, Chicago, IL

Bruce E. Buchanan, Nashville, TN

Avram E. Morell, New York, NY

9:00 am–9:25 am

Networking Break

9:25 am–10:25 am

The New Era of I-9s: Virtual I-9 Verification, E-Verify NextGen, and the New Form I-9 (Intermediate)

Think you know how to counsel your clients on I-9 issues? There are more developments impacting your practice than you may know! Within the past year, USCIS rules changed to allow virtual I-9 verification in specific circumstances. Simultaneously, a new Form I-9 was published. All of this occurred while USCIS worked to release E-Verify NextGen. Without covering every single document, panelists will point out key places where the list of acceptable documents is incomplete.

- Current Form I-9 version: What changed?
- Form I-9 “alternative procedures” (virtual verification): lessons learned over the past year
- E-Verify NextGen

(DL) = Discussion Leader

** = invited, not confirmed*

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

- The new Form I-9's reversion to a one-page document
- The "real" list of acceptable documents

Katie Nokes Minervino (DL), Portland, ME

Kathleen Campbell Walker, AILA Past President, El Paso, TX

Nicole A. Kersey, St. Petersburg, FL

Raymond G. Lahoud, Allentown, PA

10:25 am–10:50 am

Networking Break

10:50 am–11:50 am

Advanced Issues for L-1 Visas (Advanced)

With ongoing issues limiting H-1B visa availability and country-specific nonimmigrant visa categories, the L-1 visa remains an important option for employers with international operations. Panelists will discuss L visas for new offices, blanket Ls, and upgrades from L-1B to L-1A and L visas for Canadians.

- Business plans, timing, and office space for new office L-1 petitioners
- EB-1C vs. L-1A requirements, planning an initial L-1 with EB-1C in mind
- Corporate reorganization and merger and acquisition's effects on L-1 eligibility and multinational manager eligibility
- Intermittent L-1s
- Blanket Ls and consular appointment availability

Claire S. Pratt (DL), San Francisco, CA

Matthew P. Dillinger, Austin, TX

Matt Ohm, Atlanta, GA

Joel H. Paget, Seattle, WA

11:50 am–2:45 pm

Lunch Break

2:45 pm–3:45 pm

When to Sponsor the Permanent Resident Process for Workers in Nonimmigrant Status (Advanced)

Panelists will discuss when the best time is to start the green card process in light of the overall limitations on nonimmigrant visa lifecycles and the fact that the green card process is taking longer and longer,

- What are the considerations to ensure a streamlined and equitable process?
- How much time is really needed for the green card process?
- How can an employer set a policy to ensure equitable immigration support regardless of how long the process will take?

(DL) = Discussion Leader

** = invited, not confirmed*

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

- How to advise clients on hiring new talent who might have limited time
- How to proactively address prevailing wage requirements

Tu Cam T. Castillo (DL), Mokena, IL

David J. Wilks, AILA Board of Governors, Rochester, NY

Scott E. Bettridge, Miami, FL

Barbara J. Leen, Redmond, WA

3:45 pm–4:10 pm

Networking Break

4:10 pm–5:10 pm

The Seasonal Visas: H-2A and H-2B—Temporary Yet Essential Workers (Intermediate)

With the tight labor market in the United States, seasonal laborers are in high demand. Panelists will move beyond the basic requirements to discuss issues surrounding timing and temporary need, as well as the ever-changing supplemental visa allotments for practitioners who don't regularly file H-2As or H-2Bs.

- H-2A and H-2B overview and timelines
- Peak load vs. seasonal occupations beyond hospitality and landscaping
- The cap and supplemental visas
- Worker recruitment and interfacing with agencies
- Immigrant options for H-2 workers

Ashley Foret Dees (DL), Houston, TX

Leonard D'Arrigo, Albany, NY

Loan T. Huynh, Minneapolis, MN

Edward R. White, Boston MA

FAMILY

8:00 am–9:00 am

Humanitarian Parole: All the Variations (Advanced)

Many immigrants have a need to come to the United States but are not eligible for a visa. Panelists will discuss how, when, and where to apply for humanitarian parole when obtaining a visa is not an option.

- Differences between U4U, family reunification, country specific, and humanitarian parole
- Medical emergency
- Family emergency
- Significant public benefit (medical benefits to society)
- Which classifications are work authorized?

(DL) = Discussion Leader

** = invited, not confirmed*

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

*Margaret Deborah Stock (DL), AILA Author, Immigration Law & the Military, 3rd ed.,
Anchorage, AK*

Jodi Goodwin, Harlingen, TX

**Olga Rojas, Chicago, IL*

**Jennifer L. Hennessey, Sacramento, CA*

9:00 am-9:25 am

Networking Break

9:25 am-10:25 am

Mastering Legal Challenges in Temporary Protected Status Applications (Masters)

As more countries are designated for Temporary Protected Status (TPS), mastering the ins and outs of TPS is increasingly important for humanitarian practitioners. Panelists will discuss challenges that can arise when applying for TPS.

- Firm resettlement
- Dual nationality/citizenship
- Late filing of initial applications and/or renewals
- When is an I-601 waiver needed?

Matthew Gerard Steel (DL), Houston, TX

Morgen Virginia Morrisette, Cleveland, OH

Lara Wagner, Boston MA

Sarah Lachman, New York, NY

10:25 am-10:50 am

Networking Break

10:50 am-11:50 am

Overcoming Challenges in Humanitarian Visa Beneficiary Adjustment of Status (Intermediate)

Panelists will discuss challenges when applying for adjustment of status with the underlying basis of a humanitarian visa. They will focus on the distinction between seeking adjustment under §§245 and 209 of the INA. Panelists also will provide insight into the effects of advance parole in the context of Temporary Protected Status (TPS) holders, their “admission” status into advance parole requirements, and early I-485 filing for T and U visa holders.

- INA §245 vs. §209 for asylees/refugees
- When is advance parole (AP) needed? Is TPS an admission? Is DACA AP?
- When can an I-485 be filed before 3 years for T and U visas
- When is maintenance of status necessary?

Nicole Weitnauer (DL), Atlanta, GA

Maria C. Chavez, San Diego, CA

(DL) = Discussion Leader

** = invited, not confirmed*

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

W. John Vandenberg, Philadelphia, PA
Barbara J. Graham, Milwaukee, WI

11:50 am–2:45 pm

Lunch Break

2:45 pm–3:45 pm

Racism, Stereotypes, Prejudices, and Cultural Ignorance Affecting Immigrants (Bias)

Panelists will discuss prevalent stereotypes and biases experienced by people of color at USCIS, in court, and in detention, with a special emphasis on black immigrants. They will advise on best practices for advocating on behalf clients in light of these racial and cultural prejudices.

- Prejudice in the courtroom: How to recognize it, how to challenge it, and possible remedies
- Prejudice at USCIS: How to recognize it, how to challenge it, and possible remedies
- Prejudice in detention: How to address it

Ral E.N. Obioha (DL), Houston, TX

*Allen Orr, AILA Past President, AILA Diversity, Equity, and Inclusion Committee Chair,
Washington, D.C.*

Henry Ibe, Houston, TX

Ogor Winnie Okoye, Lynn, MA

3:45 pm–4:10 pm

Networking Break

4:10 pm–5:10 pm

Who Wants to Be a Millionaire Immigration Attorney?

Audience members will be selected to play a fast-paced and educational game answering easy to difficult questions on a variety of immigration law issues. Contestants will “risk it all” by moving up the game’s financial ladder. Don’t know the answer? Poll the audience! Use a lifeline! Ask THE immigration expert: Ira Kurzban! Learn about the latest issues in immigration in this fun and interactive session. Arrive a few minutes early to enter your name into the drawing to be a contestant and for a chance to win a free registration for AC25!

Gregory Romanovsky (DL), Boston, MA

*Ira J. Kurzban, AILA Past President/AILA Author, Kurzban's Immigration Law Sourcebook,
18th Ed., Coral Gables, FL*

Stefanie Fisher-Pinkert, Boston, MA

(DL) = Discussion Leader

** = invited, not confirmed*

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

LITIGATION & REMOVAL PROCEEDINGS

8:00 am–9:00 am

Preserving Due Process and Dignity: How to Navigate the Complexities of Mental Illness in Immigration Proceedings (Advanced)

What do you do when your client is suffering from mental health issues that will affect their ability to participate in removal proceedings? Panelists will explore:

- Overview of major mental health issues
 - How they might affect your client’s ability to participate in immigration proceedings
- Competency hearings and *Matter of M–A–M–*
- Requesting accommodations for clients who are competent but have mental health challenges
- How to help clients who struggle with trauma present their best case
- Handling credibility issues

Ilana Etkin Greenstein (DL), Boston, MA

Katharine M. Gordon, Washington, D.C.

Kelly Hewitt, Shawnee, KS

**Marianne Joyce, LCSW, Manager of Services, Marjorie Kovler Center, Chicago, IL*

9:00 am–9:25 am

Networking Break

9:25 am–10:25 am

Representing Unaccompanied Children: Our Ethical Obligations and Taking Care of Ourselves (Advanced) (Ethics)

What are the legal options available to unaccompanied minors in removal proceedings? Panelists will discuss how to take a child-centered approach and help your client make decisions about their case. Experts also will discuss our ethical obligations and self-care.

- Choosing options and determining venue: discussing options with your client
 - SIJS
 - Trafficking
 - Asylum
 - USCIS or immigration court
- Trauma-informed lawyering and working with children
- Understanding the unaccompanied child’s journey and obtaining records
- Whether to partner with state court attorneys or jump into state court yourself
- Attorney wellbeing related to working with traumatized children

Meghann Eileen LaFountain (DL), Middletown, CT

Dalia Castillo-Granados, Houston, TX

(DL) = Discussion Leader

** = invited, not confirmed*

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

Kathleen Malia Glynn, Lakewood, CO
**Andrea Mangones, Washington, D.C.*

10:25 am–10:50 am
Networking Break

10:50 am–11:50 am

The Council Presents the Complicated State of Immigration Policy in Biden’s Fourth Year
As President Biden’s first term comes to an end, the whiplash of immigration policy continues. With Congress as divided as ever and an election looming, where are we heading nationally? Join the American Immigration Council for a discussion of where the administration has made meaningful progress, where it has failed to meet its commitments, and what comes next in the world of U.S. immigration policy.

- What is the current situation at the southern border, and how have states, local governments, and the immigration bar responded?
- Which backlogs remain a problem for the foreseeable future?
- What are the latest trends in interior enforcement?

Jorge Loweree (DL), Managing Director of Programs and Strategy, American Immigration Council, Washington, D.C.

Rich Andre, Director of State & Local Initiatives, American Immigration Council, Washington, D.C.

Aaron Reichlin-Melnick, Policy Director, American Immigration Council, Washington, D.C.
Rebekah Wolf, Senior Advocacy Strategist, Immigration Justice Campaign, Washington, D.C.

11:50 am–1:20 pm
Lunch Break

2:45 pm–3:45 pm

Complicated Cancellation of Removal Issues for Non-Lawful Permanent Residents (Intermediate)

Panelists will discuss eligibility challenges in the wake of Niz-Chavez v. Garland. They also will advise on best practices for meeting the exceptional and extremely unusual hardship standard.

- Accruing the required 10 years, stop-time rule overview: crimes and NTAs
- What do *Pereira* and *Niz-Chavez* mean?
- Exceptional and extremely unusual hardship: use of psychological evaluations
- How to effectively prepare testimony to support country condition evidence
- Alcohol, drugs, back taxes, and other discretionary issues that can hurt your case

Ofelia L. Calderon (DL), AILA Washington, D.C. Chapter Chair, Fairfax, VA
Michelle L. Edstrom, Oklahoma City, OK
Kathleen M. Vannucci, Chicago, IL

(DL) = Discussion Leader
** = invited, not confirmed*

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

Andrew K. Nietor, AILA Board of Governors, San Diego, CA

3:45 pm–4:10 pm

Networking Break

4:10 pm–5:10 pm

FOIA Litigation and Administrative Appeals (Intermediate)

You filed your FOIA request, but the government is withholding records or won't respond. Now what? Panelists will address best practices in appealing negative determinations and suing the agency under the Freedom of Information Act (FOIA). They also will discuss getting an award of attorneys' fees.

- Whether, when, and how to file an administrative appeal
- Prerequisites for taking your case to court: venue, exhaustion, and making a clear record
- Drafting and filing the complaint and serving the appropriate parties
- Negotiating document release and briefing dispositive motions

Jesse Matthew Bless (DL), Georgetown, MA

Matthew L. Hoppock, Shawnee, KS

Raul Pinto, Deputy Legal Director, American Immigration Council, Washington, D.C.

GOVERNMENT & LIAISON COMMITTEE OPEN FORUMS

8:00 am–9:00 am

CIS Ombudsman Open Forum

Nicole Simon (DL), USCIS Case Assistance Committee Chair, Philadelphia, PA

Lucy G. Cheung, USCIS Case Assistance Committee Vice Chair, New York, NY

9:00 am–9:25 am

Networking Break

9:25 am–10:25 am

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

Robin D. O'Donoghue (DL), USCIS HQ (Benefits Policy) Liaison Committee Chair, Cambridge, MA

Kevin W. Miner, USCIS HQ (Benefits Policy) Liaison Committee Vice Chair, Atlanta, GA

10:25 am–10:50 am

Networking Break

10:50 am–11:50 am

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

Aaron Hall (DL), ICE Liaison Committee Chair, Aurora, CO

(DL) = Discussion Leader

** = invited, not confirmed*

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

Amy Bittner, ICE Liaison Committee Vice Chair, Columbus, OH

11:50 am–1:20 pm

Lunch Break

1:20 pm–2:20 pm

U.S. Executive Office for Immigration Review (EOIR) Open Forum

Amanda Bethea Keaveny (DL), AILA Board of Governors/EOIR Liaison Committee Chair, Charleston, SC

Eliana Nader, EOIR Liaison Committee Vice Chair, Boston, MA

2:20 pm–2:45 pm

Networking Break

2:45 pm–3:45 pm

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

Ramon E. Curiel (DL), CBP Liaison Committee Chair, San Antonio, TX

Nell W. Barker, CBP Liaison Committee Vice Chair, Chicago, IL

3:45 pm–4:10 pm

Networking Break

4:10 pm–5:10 pm

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

Fuji Whittenburg (DL), DOS Liaison Committee Chair, Calabasas, CA

Steven Heller, DOS Liaison Committee Vice Chair, Lewes, Great Britain

SPECIAL SESSIONS

8:00 am–9:00 am

The History of Immigration Law and How the Past Can Help Us Predict the Future

Clients often expect attorneys to be able to look into our crystal balls and tell them what immigration looks like several years from now. While only time will truly tell, a look back on major immigration changes and political trends can be enlightening on the types of changes that could be possible in the future. Panelists will explore the history of major immigration law changes and try to read the tea leaves on how the past can predict the future.

- History of U.S. immigration law
- What movements led to changes in the past?
- How international politics have affected U.S. law
- What have we learned from decades of failed immigration reform?

Gregory Chen (DL), AILA Senior Director, Government Relations, Washington, D.C.

Eleanor Pelta, AILA Past President/Benefits Litigation Co-Chair, Washington, D.C.

(DL) = Discussion Leader

** = invited, not confirmed*

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

John L. Pinnix, AILA Past President, Raleigh, NC
Stephen Yale-Loehr, Ithaca, NY

9:00 am–9:25 am

Networking Break

9:25 am–10:25 am

Promoting Inclusivity: Handling Challenging Clients, Reducing Implicit Bias, and Leading Effectively in Your Law Firm (Implicit Bias)

Inclusivity is essential to success as an immigration lawyer, but implementing inclusivity in real life can be difficult. When casual racism or xenophobia creep into a conversation with a prospect or client, or between staff members at your firm, how do you deal with this? Learn ways to support staff who receive the brunt of negative client interactions and provide your staff with clear instructions on how to deal with difficult situations.

- Confronting and eliminating inappropriate or biased remarks in the office
- Building a firm culture that is welcoming and diverse
- Making the client experience accessible to all: from your website to your services
- Incorporating diversity, equity, and inclusivity into your hiring practices

Rex Chen (DL), New York, NY

*Yasmin Adelle Blackburn, AILA Diversity, Equity, and Inclusion Committee Vice Chair,
Trumbull, CT*

Melissa O. Nonaka, AILA Diversity, Equity, and Inclusion Committee, San Diego, CA
Assma Ali, Ridgeland, MS

10:25 am–10:50 am

Networking Break

10:50 am–11:50 am

Managing in a Nonprofit: Deliverables with a Heart

Managers in a nonprofit setting need to meet targets and deliverables, but also must be cognizant of staff expectations. With the lower salaries of the nonprofit sector, staff often expect a greater work/life balance and less focus on metrics. Supervisors and managers in a nonprofit setting have to balance staff requests, client needs, and grants in a way that keeps everything moving forward successfully.

- Ways to motivate staff when more money isn't on the table
- How to juggle less resources and capacity constraints when grant deliverables are hanging over your head
- Ways to be compassionate while also setting expectations
- Creative funding strategies

Jessica A. Ramos (DL), AILA Ohio Chapter Chair, Cincinnati, OH
Laura Flores Bachman, Washington, D.C.

(DL) = Discussion Leader

** = invited, not confirmed*

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

Helen Harnett, Chicago, IL

Jeremy Robbins, Executive Director, American Immigration Council, Washington, D.C.

11:50 am–1:20 pm

Lunch Break

2:45 pm–3:45 pm

The Retainer That Never Ends: Law Practice Management and Ethics in an Age of Historic Processing Backlogs (Intermediate) (Ethics)

This session will feature a Q&A-style forum with veteran practitioners who will discuss the difficulties and solutions surrounding enormous processing backlogs. How are different types and sizes of legal service providers approaching the immense processing times and other delays with USCIS, EOIR, DOL, and consulates?

- How to ethically ask for more money when a case will take years to be decided
- How to continue to take cases responsibly if you cannot close existing ones
- How to deal with conflicts and dual representation issues that arise years down the road
- How to develop a profitable business plan considering current and future backlogs as well as legal changes
- When to withdraw and when to utilize limited representation

Matthew Blaisdell (DL), AILA Ethics Committee Vice Chair, Brooklyn, NY

Carolyn S. Lee, Ithaca, NY

David N. Simmons, Englewood, CO

Jesse Evans-Schroeder, Tucson, AZ

3:45 pm–4:10 pm

Networking Break

4:10 pm–5:10 pm

Hold for Late-Breaking Session

TECHNOLOGY LUNCH SESSIONS

1:20 pm–2:20 pm

Tech Session 1

1:20 pm–2:20 pm

Tech Session 2

1:20 pm–2:20 pm

Tech Session 3

(DL) = Discussion Leader

** = invited, not confirmed*

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

1:20 pm–2:20 pm
Tech Session 4

1:20 pm–2:20 pm
Tech Session 5

FRIDAY TRAININGS AND SPECIAL EVENTS

7:00 am–4:15 pm
Registration

7:30 am–5:00 pm
Exhibit Hall Hours

6:00 pm–10:00 pm
American Immigration Council’s 2024 Immigration Impact Awards

SATURDAY, JUNE 15, 2024

FUNDAMENTALS

8:00 am–9:00 am
Crimmigration 101 (Fundamentals)

There are immigration consequences to criminal activities. Experts on this session will examine the intersection between criminal and immigration law. They will provide attendees with an overview of the terms, documents, and burdens to cases in immigration court for clients with a criminal history, including:

- Crimes under INA §§212(a)(2), 237(a)(2), or 237(a)(3)
- What constitutes a conviction?
- Analyzing the charges, plea agreement, and record of conviction
- Immigration issues in plea bargaining
- Examples of crimmigration in employment cases
- Basic tips for educating the criminal lawyer and the client

John Gihon (DL), Altamonte Springs, FL

Anna Paciorek, Philadelphia, PA

**Diana Rashid, Chicago, IL*

**Ericka Catherine Curran, Dayton, OH*

9:00 am–9:30 am
Networking Break

(DL) = Discussion Leader

** = invited, not confirmed*

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

9:30 am–10:30 am

Asylum 101 (Fundamentals)

Panelists on this introductory session will provide an overview of the asylum process for newer practitioners. They will discuss affirmative and defensive asylum, as well as the rapidly changing case law and adjudication procedures. Panelists also will address important recent developments affecting asylum law practice.

- The five basic grounds for asylum
- Identifying and articulating a “particular social group”
- Establishing the nexus between harm and the protected ground
- Grounds of ineligibility, statutory bars, and discretion
- Employment authorization and the asylum clock
- Introduction to the CBP One App

Rebecca Kitson (DL), Albuquerque, NM

Lauren D. Cusitello, San Diego, CA

Liana Elizabeth Montecinos, Silver Spring, MD

10:30 am–11:00 am

Networking Break

11:00 am–12:00 pm

Inadmissibility and Removability (Fundamentals)

Panelists on this fundamentals panel will introduce the grounds of inadmissibility and removability that occur in some way in virtually all immigration matters.

- Inadmissibility vs. removability: INA §§212(a), 237(a)
- Common grounds of inadmissibility
- Common grounds of removability

Ilyce Shugall (DL), Oakland, CA

Thomas M. Griffin, Philadelphia, PA

**Melissa Crow, North Potomac, MD*

12:00 pm–1:30 pm

Lunch Break

1:30 pm–2:30 pm

Introduction to Waivers of Inadmissibility (Fundamentals)

Whether filing for a nonimmigrant visa or an immigrant visa, your otherwise inadmissible client may be eligible for a waiver. Panelists will provide an overview of immigrant and nonimmigrant waivers, focusing on who qualifies and how to file. They then will direct attendees to additional panels and resources that provide more in-depth coverage of this complex topic.

(DL) = Discussion Leader

** = invited, not confirmed*

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

- Nonimmigrant visa waiver
 - The I-192
 - When and where to file
 - The adjudication process
- Immigrant visa waiver
 - Form I-601 (and sometimes I-601A)
 - The qualifying relative
 - Differences depending on ground of inadmissibility
 - Documenting hardship
 - Discretion

Anthony Drago Jr. (DL), Boston, MA

Michelle Saenz-Rodriguez, AILA Board of Governors, Dallas, TX

Stephen Pattison, Washington, DC

**Cesar Martin Estela, Newark, NJ*

2:30 pm–3:00 pm

Networking Break

3:00 pm–4:00 pm

Anatomy of a Removal Proceeding: Part I (Fundamentals)

Representing clients in removal proceedings requires skill, innovation, and perseverance.

Panelists in Part I of this two-part introductory session will provide you with the basics you need to be an effective litigator in immigration court.

- Commencement of proceedings: reviewing the notice to appear (NTA)
- Removability vs. inadmissibility
- When does the government bear the burden of proof? When do you?
- Common available forms of relief: cancellation of removal, asylum, and related grounds
- What about voluntary departure? When and when not to take it

Annalisa Padilla (DL), AILA Past President, West Covina, CA

**William J. Sanchez, Miami FL*

**Sabrina Perez-Arleo, Chandler, AZ*

4:00 pm–4:30 pm

Networking Break

4:30 pm–5:30 pm

Anatomy of a Removal Proceeding: Part II (Fundamentals)

Now that the basics have been covered, panelists in Part II of this two-part fundamentals session will focus on the more procedural side of representing clients in removal proceedings.

(DL) = Discussion Leader

** = invited, not confirmed*

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

- Master calendar hearings and pleading to the NTA
- Motions, applications, and evidence
- Prosecutorial discretion requests
- Prehearing briefs and their importance
- Individual hearings: What happens? How do you prepare?

Cheryl David (DL), New York, NY

Jeremy L. McKinney, AILA Immediate Past President, Greensboro, NC

Breanna Cary, Edmond, OK

Amanda Waterhouse, Houston, TX

BUSINESS

8:00 am–9:00 am

What’s New with H-1B Visas? (Advanced)

The increasing demand for a limited number of H-1B visas continues to raise issues for employers who must face the inevitable bad news on non-selection in the H-1B lottery. Even when selected, employers increasingly face complex issues that arise for their professional employees. Panelists will focus on advanced issues such as:

- Updates on registration process, fallout from fraudulent registrations, third-party worksites
- Ethical considerations in counseling self-registering lottery winners
- Issues in making an effective bona fide termination of an H-1B worker
- Pre-planning considerations: LCAs, conversations with employees
- Do cap exemptions apply? Guiding clients through exemption options and potential concurrent employment with a cap-subject employer

Emily Sumner (DL), Richmond, VA

Audrea J. Golding, San Jose, CA

Matthew D. Stump, Oklahoma City, OK

Ian David Wagreich, Chicago, IL

9:00 am–9:30 am

Networking Break

9:30 am–10:30 am

Old and New EB-5 Cases: The Ongoing Implementation of the EB-5 Reform Act of 2022

Major programmatic changes resulted from enactment of the EB-5 Reform and Integrity Act of 2022 (RIA) in March 2022. Additionally, USCIS adjudications of pre-RIA cases reveal new changes in I-526 petition processing for source and path of funds. Panelists will discuss the ongoing changes to implement the RIA, as well as new trends emerging for grandfathered pre-RIA cases. Topics will include:

(DL) = Discussion Leader

** = invited, not confirmed*

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

- New RFE and NOID trends in I-526 and I-526E source and path of funds
- Immigrant visa process and adjustment of status trends for EB-5 investors: source of funds revisited
- Adjudication timelines and the role of mandamus litigation in I-526, I-526E, and I-829 petition adjudication
- Review of USCIS policy and guidance since the passage of RIA through form and form instructions implementation
- Changes to annual compliance period for regional centers and reporting to investors

Matthew T. Galati (DL), Elkins Park, PA

David M. Morris, AILA EB-5 Investor Committee Chair, Washington, D.C.

Michele A. Franchett, Los Angeles, CA

Walter Solomon Gindin, New York, NY

10:30 am–11:00 am

Networking Break

11:00 am–12:00 pm

PERM Round-Up (Advanced)

Panelists on this session will synthesize what we have learned in the various PERM panels at AC24. Join us as we discuss the latest hot topics and delve further into the takeaways from the Open Forums. Bring your questions!

- Review PERM Hot Topics
- Latest on the Flag ETA-9089 Form
- Takeaways from the USDOL Open Forum

Michelle Alaina Ross (DL), Stamford, CT

Lesley Salafia, Storrs, CT

12:00 pm–1:30 pm

Lunch Break

1:30 pm–2:30 pm

Stateside Visa Processing (Intermediate)

With the announcement regarding DOS restarting the stateside visa processing program, what is the latest, and what do we know now that we didn't last year? Panelists on this intermediate session will get you up to date.

- Who qualifies for the benefit? Are family members eligible?
- What is the timeline for the expected full rollout?
- What is the process for obtaining a visa?
- How will the stateside process interact with those who have DUIs or other arrests or offenses?

(DL) = Discussion Leader

** = invited, not confirmed*

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

- Reviewability of stateside decisions

Sandra Sheridan Reguerin (DL), Phoenix AZ

Kenneth J. Harder, Houston, TX

Bushra A. Malik, Troy, MI

**Avi Friedman, Santa Monica, CA*

2:30 pm–3:00 pm

Networking Break

3:00 pm–4:00 pm

Consular Processing for Employment-Based Clients (Intermediate)

Consular processing preparation of a client has often been a neglected part of immigration law. Panelists will address the difficulties in preparing client(s) in both common and unusual case situations and discuss:

- Tips on preparing the client for the “interview”
- Reviewing consulate procedures and supporting documentation, following up with client for debrief
- The role of the Kentucky Consular Center and Diplomatic Security Service
- End user client letters and INA §221(g)
- Expedite requests and third country processing

Janice Flynn (DL), London, UK

Charlotte Slocombe, London, UK

Jeremy A. Weber, Wyong, New South Wales, Australia

Poorvi R. Chothani, Mumbai, India

4:00 pm–4:30 pm

Networking Break

4:30 pm–5:30 pm

Unusual Adjustment of Status Issues that Arise in Employment-Based Cases (Advanced)

Panelists on this advanced session will explore what happens when complex issues threaten approval of your client’s application for lawful permanent resident status.

- INA §245(k): What does it mean, what can it waive (types of violations), and when does it apply? How can it potentially affect derivative beneficiaries?
- Follow-to-join: derivative spouse and child eligibility, impact of CSPA
- Cross-chargeability: What is it? Whom does it help?
- The impact of retrogression, interfiling, and/or change of underlying basis

Lisa Baker Jones (DL), San Jose, CA

Aziza Adil Abduragimova, San Francisco, CA

(DL) = Discussion Leader

** = invited, not confirmed*

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

Sandra Bruno, Ithaca, NY
Dustin J. O'Quinn, Seattle, WA

FAMILY and HUMANITARIAN

8:00 am–9:00 am

Avoiding the Residency Requirement: Mastering J-1 Visa Waivers for Non-Physicians (Intermediate)

Navigating J-1 exchange visitor waivers involves grappling with several difficult challenges. Panelists will discuss these challenges and advise on best practices for dealing with the intricacies of seeking a J-1 waiver.

- No objection
- Extreme hardship
- Fear of return

Robert H. Cohen (DL), Columbus, OH
Brian Christopher Schmitt, Westminster, MD
Freya Katkowsky, Madison, WI
Renae M. Yoo, Chicago, IL

9:00 am–9:30 am

Networking Break

9:30 am–10:30 am

Navigating Our Broken Asylum System (Intermediate)

Seeking asylum affirmatively, defensively, and at the border has become increasingly difficult, not only because of substantive legal challenges, but because the procedures for applying have become nearly impossible. Without meaningful access to the asylum system, those in need of protection will be returned to the hands of their persecutors. Panelists will address current procedural hurdles in the asylum system and provide practical tips for practitioners to help their clients overcome these hurdles and navigate this broken system.

- Affirmative and defensive receipt and biometrics notices
- Expedited processing, dedicated dockets, and short timelines
- Unreasonable delays in interview scheduling and decision issuance at the asylum offices
- Tips and tricks for filing I-589s online
- Negotiating with DHS trial attorneys and preparing for hearings with difficult immigration judges

Dree K. Collopy (DL), AILA Author, AILA's Asylum Primer: A Practical Guide to U.S. Asylum Law and Procedure, 9th ed., Washington, D.C.
Victoria Neilson, AILA Asylum and Refugee Committee Co-Chair, Pleasantville, NY
Tierney Tobin Maris, Boulder, CO

(DL) = Discussion Leader

** = invited, not confirmed*

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

10:30 am–11:00 am
Networking Break

11:00 am–12:00 pm

Advanced VAWA Issues (Advanced)

Violence Against Women Act (VAWA) self-petition cases are always heartbreaking, but even more so when complications arise. Panelists will discuss how to navigate difficult issues in VAWA petitions and related waiver and residency applications.

- Proving abuser’s immigration/citizenship status issues with parent and children as principal victims
 - Self-petitioning stepchildren
- Effect of life changing events: divorce, death, loss of permanent residence or citizenship
- Available waivers
- Considerations when applicant is not eligible for adjustment

Kathleen Elizabeth Irish (DL), Kansas City, MO

Evangeline M. Chan, AILA Media Advocacy Committee Chair, Brooklyn, NY

Laura Ferner, Springdale, AR

Elizabeth S. Murrar, Milwaukee WI

12:00 pm–1:30 pm

Lunch Break

1:30 pm–2:30 pm

Advanced T Visa Issues (Advanced)

The T visa is probably the most underutilized humanitarian process in immigration law. While most practitioners know the basics, they tend to shy away from this visa due to lack of experience and special complications that arise specifically in the T visa context. Panelists in this advanced session will dive into the details of representing trafficking victims and advise on best practices for a successful petition.

- Screening for trafficking in other cases
- Working with law enforcement and moving on without certification
- Derivatives: Who can apply? Conflicts of interest
- Issues in removal proceedings: continuances and administrative closure

Nicholas Ratkowski, St. Paul, MN

Katherine Soltis, Falls Church, VA

**Stacie Jonas, Austin, TX*

2:30 pm–3:00 pm

Networking Break

(DL) = Discussion Leader

** = invited, not confirmed*

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

3:00 pm–4:00 pm

Advanced U Visa Issues (Advanced)

U Visas have become more and more common and popular for humanitarian practitioners, so much so that USCIS reports over 100,000 petitions currently pending. Panelists in this advanced session will not be covering the basics. Instead, they will discuss nuances and complex issues encountered with U visa petitions and processes.

- Understanding the forms: filing the I-730 and/or I-590 with best evidence
- Qualifying crime complications: fitting robbery into a U visa
- Bona fide determinations (BFDs) and available benefits from BFDs
- Derivatives and life changes after filing, after-acquired spouses/relatives
- Issues in removal proceedings: continuances and administrative closure

Cynthia Lucas (DL), AILA VAWA, Us, and Ts Committee Chair, Los Angeles, CA

Tracie L. Morgan, Atlanta, GA

Farrah Qazi, Batavia, IL

Rachel M. Self, Boston MA

4:00 pm–4:30 pm

Networking Break

4:30 pm–5:30 pm

Ethical Pitfalls When a Marriage-Based Case Becomes a Potential VAWA Case (ETHICS) (Intermediate)

Learn what to do when allegations of abuse enter a marriage case. Panelists will discuss the potential conflict of interest issues in representing existing I-130 parties in a subsequent VAWA case.

- Can an attorney represent an I-130 beneficiary in a subsequent VAWA I-360 petition?
- Preserving an I-485 if already filed
- How to deal with a client's cultural issues in a VAWA case
- Challenges and strategies in representing male VAWA applicants

Alyssa C. Reed (DL), Denver, CO

Sarah B. Pitney, Washington, D.C.

Jennifer N. Hamamoto, Atlanta, GA

**Anna Ciesielski, AILA Ethics Committee, Portland, OR*

(DL) = Discussion Leader

** = invited, not confirmed*

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

LITIGATION and REMOVAL PROCEEDINGS

8:00 am–9:00 am

Advanced Particular Social Group/Political Opinion Formulation (Advanced)

Post-Matter of A–B– III, the law on what makes for a legally cognizable particular social group (PSG) remains in flux. Panelists will do a deep dive into the current law of PSG formulation and political opinion. They will work through how and when to craft a winning PSG/political opinion for your asylum claims, and what to do when confronted with difficult caselaw in your circuit.

- Avoiding common mistakes when formulating PSGs
- Arguing and proving your PSG
- Recent BIA and federal appellate decisions that affect PSG claims
- When is a “social group” really just a political opinion?

Christina Heakyung Lee (DL), Oakland, CA

Zachary Abraham Albin, Minneapolis, MN

Ashley Hamill, Tallahassee, FL

Monica Mananzan, Baltimore, MD

9:00 am–9:30 am

Networking Break

9:30 am–10:30 am

Habeas Corpus: What’s Left in the Wake of *Rodriguez*, *Preap*, and *Aleman Gonzalez*? (Intermediate)

Panelists will address what constitutional claims remain open to noncitizens who either seek a bond hearing before an immigration judge or who hope to remain out on bond. They will cover both the legal and factual aspects of bringing habeas petitions with various types of claims.

- How do you challenge your prolonged detention via a *Mathews* analysis or a reasonableness test?
- What to do if you were released from criminal custody and ICE comes knocking many months or years later
- Nuts and bolts considerations of whether to file, and what happens next
- Are there substantive due process claims that one can bring challenging civil detention?
- What burden applies when a district judge is ordering a bond hearing?

**Suchita Mathur (DL), Senior Litigation Attorney, American Immigration Council, Washington, DC*

Flavia Rocha Moody, Baton Rouge, LA

**Judah Ben Lakin, Oakland, CA*

**Michael W. Gahagan, Metairie, LA*

(DL) = Discussion Leader

** = invited, not confirmed*

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

10:30 am–11:00 am
Networking Break

11:00 am–12:00 pm

Crimmigration: A Circumstance Specific Approach (Advanced)

Circumstance specific analysis appears in several key categories of crimes. Panelists will take a deep dive into the concepts of this approach and the specific areas where it is used by the courts.

- Applying for admission to district court and Case Management Electronic Case Filing (CM/ECF) login
- Conspiracy, 18 USC §371, money laundering and wire fraud, the no “overt act” element concept in aggravated felony, analysis of crimes involving moral turpitude (CIMTs)
- Child abuse, INA §237(a)(2)(E), need to involve contact or harm to meet the definition
 - How to push back when the agency goes too far
- Fraud and deceit crimes, determining amount of loss looking at restitution, forfeiture, and what constitutes a loss to the victim
- Drugs, moving forward after *Chamu v. United States AG*, the impact on *Duenas-Alvarez* and its progeny

Ben Winograd (DL), Alexandria, VA

Randall Caudle, Missoula, MT

Karl William Krooth, San Francisco, CA

Emma Winger, Deputy Legal Director, American Immigration Council, Washington, D.C.

12:00 pm–1:30 pm

Lunch Break

1:30 pm–2:30 pm

Judicial Review of Mixed Questions (Masters)

The U.S. Supreme Court’s decision in Guerrero-Lasprilla v. Barr holds that mixed questions of law and fact are reviewable, but leaves open questions about the nature and extent of such review in particular contexts. Panelists will focus on the circuit splits and discuss strategies to attack the holding in this case.

- Circuit split on whether “exceptional and extremely unusual hardship” is reviewable
- *Martinez v. Clark*, reviewability of bond decisions: “danger to the community”
- *Wilkinson v. Garland*, regarding review of “exceptional and extremely unusual hardship”

Mary Kenney (DL), Baltimore, MD

Robert Pauw, AILA Author, Litigating Immigration Cases in Federal Court, 6th ed., Seattle, WA

Thomas K. Ragland, Washington, D.C.

Charles Roth, Chicago, IL

(DL) = Discussion Leader

** = invited, not confirmed*

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2:30 pm–3:00 pm
Networking Break

3:00 pm–4:00 pm

Applying the Categorical Approach at the Atomic Level to Challenge Drug-Based Grounds of Removability (Masters)

Panelists will examine the application of the categorical approach in challenging drug-based grounds of removability. They will plumb the depths of the statutory and case- or substance-specific nuances, strategies, and landmines that are likely to arise when making such challenges.

- Federal vs. state isomers and substance-specific caveats
- Possession versus possession with intent to deliver and paraphernalia offenses
- Trafficking and aggravated felony offenses
- Need for remuneration in marijuana trafficking crimes, and the reason to believe standard

*Michael S. Vastine (DL), AILA Removal Defense Section Steering Committee Vice Chair,
Miami Gardens, FL*

Zachary Nightingale, San Francisco, CA

Helen Parsonage, Winston-Salem, NC

Khaled Alrabe, Washington, D.C.

4:00 pm–4:30 pm
Networking Break

4:30 pm–5:30 pm

Crimmigration: Does a Mens Rea of Recklessness Count? (Masters)

One of the key concepts in looking at the impact of criminal behavior is whether the crime has a qualifying mens rea. Panelist will look at CIMTs and crimes of violence involving negligence, specific intent, and the middle ground of recklessness.

- Does a reckless mens rea constitute a CIMT?
- Does a reckless mens rea constitute an aggravated felony crime of violence?
- DUIs, felony DUIs, and DUIs with injury

W. Michael Sharma-Crawford (DL), Kansas City, MO

*Mary E. Kramer, AILA Author, Immigration Consequences of Criminal Activity: A Guide to
Representing Foreign-Born Defendants, 9th ed., Miami, FL*

Hans Meyer, Denver, CO

Susan Roy, Elizabeth, NJ

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** = invited, not confirmed*

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SPECIAL SESSIONS

8:00 am–9:00 am

Coaching, Coaching Everywhere: Understanding the Payoff on Investing in Different Coaching Relationships

Everyone seems to have a coach these days. There are executive coaches, health coaches, life coaches, and career coaches. Coaches are people who keep you accountable and moving forward, but they are expensive, and it takes time to find a good match and build the relationship. Get the ins and outs of this pivotal tool, learn how you can use it to transform your practice, career, or life, and come out with more understanding of the return on investment.

- What is a coach? How can it help your law practice?
- When to seek a coach and how to find the right one
- The basics of terms and duration of a coaching relationship
- How to prepare for an effective relationship

Kenneth Craig Dobson (DL), AILA Lawyer Well-Being Committee Chair, Ethics Committee, New York, NY

Laura Kelley, AILA Southern Florida Chapter Chair/Lawyer Well-Being Committee Vice Chair, Doral, FL

Sylvia Siew Jen Yong, AILA Canada Chapter Chair, Toronto, Canada

Kirby Gamblin Joseph, Aurora, CO

**Robert C. Meltzer, CEO, Lawyer Exchange, Chicago, IL*

9:00 am–9:30 am

Networking Break

9:30 am–10:30 am

Diffusing Tensions: Mastering De-Escalation Techniques and Ensuring Office Safety

Wellbeing and practice management are inextricable from safety. We cannot strive for wellbeing or be productive when we do not feel safe. Panelists will lay out de-escalation techniques that can defuse tense situations and discuss how to teach these techniques to staff and lawyers.

- Standards for office safety
- How to create an office safety plan
- De-escalation techniques that you can incorporate into your daily practice
- How to counsel support staff after intense client interactions

Charity Anastasio (DL), AILA Practice & Ethics Counsel, Washington, D.C.

Andrea Comfort Martinez, Kansas City, MO

**Russ Moyer, Sr. Director Enterprise Security and Privacy, Berry Appleman & Leiden LLP, Dallas, TX*

(DL) = Discussion Leader

** = invited, not confirmed*

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10:30 am–11:00 am

Networking Break

11:00 am–12:00 pm

**Ethically Taking HR, Technology, and Remote Working from Science Fiction to Reality
(Ethics)**

Feeling overwhelmed trying to balance the practicalities of practicing law, the need to delegate, and incorporating the latest technologies, all while avoiding the unauthorized practice of law? Panelists will address what can be delegated, what can't be delegated, and how to effectively address the firm's business needs including:

- Making hiring decisions: Is tech going to eliminate paralegals or increase them?
- Is using remote workers a benefit or burden? How do you supervise them?
- How much can you give a paralegal to do?
- How do you ethically set up an effective intake system maximizing technology use and remote workers?
- How do we balance these questions with our ethical obligations and business considerations?

Emily Amara Gordon (DL), AILA Innovation & Technology Committee, Brookline, MA

Natalia Polukhtin, AILA Ethics Committee, Scottsdale, AZ

Reid Trautz, Senior Director, AILA Practice & Professionalism Center, Washington, D.C.

**Dan Maranci, AILA Innovation & Technology Committee, Boston, MA*

12:00 pm–1:30 pm

Lunch Break

1:30 pm–2:30 pm

The Loneliness Epidemic in Immigration Law Firms

Research has shown loneliness spreading across the United States at an exponential rate. Many solo practitioners have felt the impact of loneliness for years, and now that remote work is more common, we are all experiencing the effects of working “alone” and its impact on our wellbeing. Panelists will discuss:

- Experiences with solving the isolation problem
 - Addressing isolation in various law firm sizes and models
- How to make virtual connections feel less superficial and more real
- How to broach the topic and proactively change the loneliness experience
- Proactively managing this epidemic for those who feel isolated

Esperanza Franco (DL), Canary Islands, Spain

Sarah Rice Sanger, Toronto, Canada

**Karol Brown, Bellevue, WA*

**Danielle Hall, Executive Director, Kansas Lawyer Assistance Program, Topeka, KS*

(DL) = Discussion Leader

** = invited, not confirmed*

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2:30 pm–3:00 pm
Networking Break

3:00 pm–4:00 pm

Cross Cultural Implicit Bias and Effective Legal Representation (Implicit Bias and Ethics)

The world can be your potential client base, and if you deepen your awareness of cultural competency, you will dramatically enrich your effectiveness as an attorney. Panelists will provide tips on how best to build confidence and trusting relationships with clients from different cultures, navigate the immigration system, and celebrate America's diversity. They will discuss the unwritten rules of engagement, highlight cultural differences in legal approaches, and address the existence of implicit bias on all sides.

- Bridging your client's cultural viewpoint to the rigid guidelines of the U.S. government
- Addressing potential biases by the government
- Demonstrating techniques to address biases during client representation and meeting them where they are
- Celebrating different cultures within your office
- Understanding your client's culture to improve your services

Olivia Serene Lee (DL), AILA Board of Governors, San Francisco, CA

Mahsa Khanbabai, AILA Board of Governors/Afghan Response Task Force Co-Chair/Diversity, Equity, and Inclusion Committee, Easton, MA

**Mirella Ceja-Orozco, AILA Board of Governors/Diversity, Equity, and Inclusion Committee, Minneapolis, MN*

**Janna Evans, USCIS Outreach Department, Washington, D.C.*

4:00 pm–4:30 pm
Networking Break

4:30 pm–5:30 pm

Guide to Business Development for Immigration Attorneys

Building a book of business is essential for your success and establishing autonomy within a firm, but where do you start? As there is no one uniform approach, panelists will present attendees with a business development framework that they can customize to fit their personality and skills.

- Marketing techniques to grow your firm's revenue, profit, and income
- How to attract your ideal immigration clients
- How to get to a potential client to say "yes"
- Utilizing technology for marketing
- How to overcome challenges posed by competition from non-lawyers and non-legal services

(DL) = Discussion Leader

** = invited, not confirmed*

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John Q. Khosravi (DL), Los Angeles, CA
Bridgette M. Bennett, AILA Central Florida Chapter Chair, Groveland, FL
Sandra A. Grossman, Bethesda, MD
**Narciso Delgado-Cruz, San Diego, CA*

SATURDAY TRAININGS AND SPECIAL EVENTS

7:15 am–12:00 pm

Registration

7:30 am–3:00 pm

Exhibit Hall Hours

12:00 pm–12:30 pm

Board of Governors

8:00 pm–11:00 pm

AILA Saturday Night Party

Pre-Recorded OnDemand Conference Sessions

The panels below will be recorded prior to the conference and available to all attendees in their digital libraries.

New Attendee Orientation

Is this your first time attending an AILA Annual Conference? If so, then the New Attendee Orientation is for you! Join your colleagues at this session to learn all you need to know to make your Annual Conference experience a great one!

Lisa H. York (DL), AILA Annual Conference Planning Committee Chair, Aurora, CO
Robert O. Branch, AILA Board of Governors, AILA New Members Division Chair,
Toronto, ON

**Sheela Murthy, AILA Membership Committee Chair, Owings Mills, MD*

**Jeremy Robbins, Executive Director, American Immigration Council, Washington, D.C.*

Essential Terms and Concepts (Fundamentals)

Panelists on this fundamentals-level session will provide an overview of the general concepts, terms, language, and rules that are essential to the practice of immigration law. Panelists will cover the distinctions between key terms and concepts including:

- Nonimmigrant, immigrant, and citizen
- Visa vs. status, visa waiver, and visa exemption
- Visa expiration, petition expiration date, and period of admission

(DL) = Discussion Leader

** = invited, not confirmed*

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

- Changing status, extending status, adjusting status, consular processing
- Violations of status, overstay, and unlawful presence
- Priority dates, filing dates, final action dates, understanding the Visa Bulletin
- Inadmissibility and removability

Richard M. Green (DL), Irvine, CA

W. Scott Railton, Bellingham, WA

Zabrina V. Reich, Buffalo, NY

Overview of Immigration Agencies (Fundamentals)

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

- U.S. Department of Homeland Security (DHS): USCIS, ICE, HSI, CBP
- U.S. Department of State (DOS): Consular Posts, NVC
- U.S. Department of Labor (DOL): OFLC, BALCA
- U.S. Department of Justice (DOJ): EOIR, BIA, IER

Courtney Butler (DL), Denver, CO

Whitney Lohr, Miami, FL

Matthew Hughes, Portland, OR

Atoosa Vakili, Laguna Niguel, CA

(DL) = Discussion Leader

** = invited, not confirmed*

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