

28th Annual

CONFERENCE ON IMMIGRATION & NATIONALITY LAW

Earn up to 14.25 Hours of Credit Including 1.50 Hours of Ethics Credit

Specialization credit expected for: Immigration and Nationality Law



October 13*, 14-15, 2004

** Optional Wednesday Evening Primer*

Hyatt Regency Riverwalk

San Antonio, Texas

CONFERENCE ON IMMIGRATION & NATIONALITY LAW

October 13*, 14-15, 2004 • Hyatt Regency Riverwalk • San Antonio, Texas

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WEDNESDAY EVENING

*Optional Session (Additional fee required)

CONCURRENT SESSIONS FROM 7:00 TO 9:00

(2.00 hours, including 0.50 hour ethics/
PR credit from 8:30 - 9:00 p.m.)

7:00 p.m.

A. Fundamentals Workshop

Overview of non-immigrant, immigrant, citizenship and other categories as well as grounds of inadmissibility and relief from removal. Basics of strategic planning for new practitioners including priority date issues. Ethical issues faced by immigration lawyers including "dual representation" issues.

Thomas Esparza, Jr., Austin
Shawn A. Orme, Dallas
Paul Parsons, Austin

- OR -

B. Criminal Issues

In-depth discussion of critical issues relating to the current consequences of a conviction, including Fifth Circuit and Board of Immigration Appeals decisions interpreting various Texas state offenses, detention, defenses to removal, and post 9/11 prosecutions for illegal re-entry, fraud, and other federal crimes. Opportunity to explore mitigation of aggravated felony offenses, "immigration-sage" plea alternatives, post-conviction issues, and ethical issues will also be covered.

Brian K. Bates, Houston
Lory Diana Rosenberg, Washington, DC

9:00 p.m. **Adjourn**

THURSDAY MORNING

Presiding Officer:
Rebecca P. Burdette
Houston

8:00 a.m. **Registration Opens**

Includes continental breakfast.

8:50 a.m. **Welcoming Remarks**

9:00 a.m. **(1.00 hour)**

Initial Decisions and Issues: Finding the Path Through the Maze

At her first consultation, your new client asks, "How do I get my citizenship?" Before answering her, what questions do YOU ask? This panel will outline the "big picture," including non-immigrant visas, "green cards," and citizenship, and how they all fit together. The panel will also outline the grounds of inadmissibility and removability that could prevent the new client from achieving her goals.

Daniel M. Kowalski, Austin
J Joseph Reina, Dallas

10:00 a.m. **Break**

10:15 a.m. **(1.00 hour)**

Citizenship

This session will present a complete overview on citizenship, including various procedures of acquiring citizenship, e.g. naturalization, active duty service in the military, derivative citizenship, etc. This session will also include a discussion of the Child Citizenship Act and developments in federal citizenship litigation.

Lee J. Terán, San Antonio
Gary E. Endelman, Houston

11:15 a.m. **(0.75 hour)**

Consular Processing

This session highlights how to make effective use of consular processing for both immigrant and non-immigrant visas, including K-3 Visas, and the role of the National Visa Center.

Santiago M. Burciaga, El Paso (Invited)
Ben Aguire, Juarez, Mexico

12:00 p.m. **Networking Luncheon: \$25.00**

An opportunity for speakers and attendees to meet. Tickets may be purchased in advance for \$25: See registration form.

THURSDAY AFTERNOON

Presiding Officer:
Daniel M. Kowalski
Austin

1:30 p.m. **(0.75 hour)**

All About H's and TN's

H-1B challenges (determining who qualifies; cap issues and strategies; LCA requirements); H-3 Trainees; H-2 A&B - Temporary/Seasonal workers; TN - Canadian and Mexican professional workers.

Judy J. Lee, Houston

2:15 p.m. **(0.50 hour)**

Religious Workers

Immigration benefits for religious workers: review of basic requirements and identifying problem areas; issues include tax determination of religious organizations; what constitutes religious occupation and 2 year experience requirements; denominational issues.

Martina M. Keller, Chicago, IL

2:45 p.m. **(0.50 hour)**

Labor Certification: The Extreme Makeover

Major changes in Department of Labor procedures include backlog reduction and PERM processing centers designed to eliminate delays.

Rebecca P. Burdette, Houston
John Bartlett, Dallas

3:15 p.m. **Break**

3:30 p.m. **(0.50 hour)**

Immigration Tax Issues — The Dynamic Environment

This presentation will discuss tax problems common to non-citizens, such as: attempted use of false social security numbers, issues relating to foreign spouses and dependants, Individual Tax Identification Numbers (ITIN), tax credits and current developments.

Robert W. Alcorn, Dallas

4:00 p.m. **(0.50 hour)**

Affidavits of Support

This session will cover the basics of affidavits of support, including when it is required (and, when it is not), who may sign the I-864, documenting income and assets, legal obligations of the sponsor, substitute sponsors, and alternatives to the I-864 (40 quarters).

Lakshmi Nayar, Dallas

4:30 p.m. **(0.75 hour, including 0.50 hour ethics/
PR credit from 4:45 - 5:15 p.m.)**

Marriage, Children, and the Victims of Trafficking and Violence Protection Act of 2000

This presentation will cover issues relating to family-based immigration including basic immigration categories, the Child Status Protection Act, Attorney Ethics in marriage cases, K-1/K-3/T/U and V visas, the Violence against Women Act, and the Victims of Trafficking and Violence Protection Act of 2000.

Janet B. Beck, Houston
Magali S. Candler, Houston

5:15 p.m. **Adjourn to Reception**

FRIDAY MORNING

Presiding Officer:
T. Douglas Stump
Oklahoma City, OK

7:30 a.m. **Conference Room Opens**

Continental breakfast provided.

8:00 a.m. **(0.75 hour, including 0.50 hour ethics/
PR credit from 8:15 - 8:45 a.m.)**

The Client Interview

Preliminary interview; phone interviews; ongoing representation interview using FOIA for due diligence inquiries, work permits and termination interviews. When does the attorney/client relationship begin and end? When to say no!

Nancy Taylor Shivers, San Antonio
John P. Blatz, San Antonio
(Additional Speakers TBA)

8:45 a.m. (0.50 hour)

Priority Dates and Grandfathering

Understanding Sec. 245(i), grandfathering, derivative priority dates, cross-chargeability, recapturing and preserving priority dates, and Western Hemisphere Priority Dates.

Iliana Munoz Holguin, El Paso

9:15 a.m. (0.75 hour)

Finding it on the Web — An Immigration Lawyer's Guide to Factual and Legal Research on the Web

Just about everything you need to practice immigration law is available at the click of a mouse. That is especially true when it comes to doing research. Use web-based resources to conduct research, check case status, access current processing times, and keep current with new law and procedures.

Eugene J. Flynn, Dallas
Gregory Siskind, Memphis, TN

10:00 a.m. Break

10:15 a.m. (1.00 hour)

Issues Relating to Arriving Aliens

Current status of "admissions," including differences with the old Fleuti/Reentry Doctrine, the effect of prior convictions (Rainford issues), the latest "look-out" technology and acquisition of citizenship by LPR admittees.

Joshua Turin, Dallas
Maurice Y. Hew, Houston

11:15 a.m. (0.75 hour)

Waivers in Court

A discussion on the laws and mechanics of preparing waivers in Court. Overview of available waivers in court proceedings and practical advice on presenting a case in light of today's climate in the practice of immigration law.

Michelle L. Saenz-Rodriguez, Dallas
George Rodriguez, Dallas

12:00 p.m. Box-Lunch Presentation: \$20.00

Temporary Guest Workers: Policy and Legislative Possibilities

Dr. Demetrios G. Papademetriou
President, Migration Policy Institute
Washington, D.C.

FRIDAY AFTERNOON

Presiding Officer: Nancy Taylor Shivers San Antonio

1:15 p.m. (0.75 hour)

Practical Removal

Panelists, a former Immigration Judge and a veteran removal defense practitioner, exchange views on how to find and make effective legal arguments, effectively present relief applications, preserve issues for administrative and judicial review, and avoid common mistakes in the conduct of removal proceedings.

Brian K. Bates, Houston
Hon. Robert Brown (retired), Houston

2:00 p.m. (0.50 hour)

Making and Meeting Objections and Related Evidentiary Issues

The immigration courts are "real" courts, although the normal rules of evidence don't apply. This confuses many lawyers, and engenders frustration. Counsel must be psychologically prepared. Also addressing such issues as use of expert witnesses: when, and how best to do so.

Peter D. Williamson, Houston

2:30 p.m. (0.50 hour)

Affirmative Litigation and Mandamus

A short review of the history of the writ of mandamus, specific elements of the writ in the Fifth Circuit, discussion of case law, a few thoughts about § 242 (g).

Lisa S. Brodyaga, San Benito

3:00 p.m. (0.50 hour)

Appeals / Motions to Reopen and Reconsider

Procedural rules on when and how to appeal; standards and limitations of motions to reopen; ineffective assistance of counsel; streamlining; and affirmation without opinions before the Board of Immigration Appeals.

Mony Ruiz-Velasco, Dallas

3:30 p.m. Adjourn

eBinder on CD
Get the entire conference binder on CD, in electronic PDF format. See registration form below.

Mail this registration form or fax a copy to: (512) 475-6876

REGISTRATION FOR IM04
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REGISTRATION Includes Course Binder

- Early Registration Fee due by Wed., October 6, 2004 \$385.00
Registration Fee after Wed., October 6, 2004 \$435.00
Optional Wednesday Evening Session \$75.00
Select One: A. Fundamentals Workshop B. Criminal Issues
Thursday Networking Luncheon \$25.00
Fri. Box-Lunch with speaker Dr. Demetrios G. Papademetriou \$20.00

CONFERENCE PUBLICATIONS AND MEDIA

Allow 2-3 weeks from conference date for delivery.

- Course Binder \$200.00
Audio CD Set \$175.00
eBinder on CD (PDF format) \$200.00/\$50.00 (\$200 purchased alone, \$50 with registration or purchase of Course Binder or Audio CD Set)

GROUP CLE: Bring the conference in-house and learn at your convenience.

Allow 2-3 weeks from conference date for delivery.

- Group CLE for 2 - Includes Audio CD Set and 2 Course Binders \$750.00
Add participants (includes Course Binder) for \$200 each

METHOD OF PAYMENT

TOTAL ENCLOSED \$

- Check (make checks payable to: The University of Texas at Austin)
VISA or Mastercard (sorry, no AMEX or Discover)

Card # [][][][] - [][][][] - [][][][][] - [][][][][]

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SAN ANTONIO

Oct. 13, 14-15, 2004

CONFERENCE LOCATION



Hyatt Regency Riverwalk
123 Losoya Street
San Antonio, TX 78205
(800) 233-1234

\$165 single or double special group rate good through **October 20, 2004**

Parking: Self-park \$5
Valet: Daily & overnight \$14

KEY DATES:

Cancellations & last-minute registrations

October 6, 2004, 5 p.m.

•last day for early registration
add \$50 for registrations
received after this time

October 8, 2004, 5 p.m.

•last day for full refund

October 11, 2004, 5 p.m.

(Monday before conference)
•last day for partial refunds
(\$50 processing fee applied)

October 14, 2004, 9 a.m.

•conference begins

CONFERENCE FACULTY

BEN AGUIRE
US CIS-Cd Juarez
Juarez, Mexico

ROBERT W. ALCORN
Dallas

SANTIAGO M. BURCIAGA (Invited)
Acting Immigrant Visa Chief
American Consulate General
El Paso

JOHN BARTLETT
U.S. Department of Labor, E.T.A.
Dallas

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Bender's Immigration Bulletin
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This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 14.25 hours, of which 1.50 credit hours will apply to legal ethics/professional responsibility credit.

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ABOUT THE COVER

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