

**2004 Conference on Immigration and Nationality Law
October 13-15, 2004 • Hyatt Riverwalk • San Antonio, TX**

Wednesday Evening, Oct. 13, 2004

7:00 pm 0.00 hr 0.50 hr ethics	<p>Fundamentals Workshop</p> <p>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.</p> <p>Thomas Esparza Jr., Thomas Esparza, Jr. A Professional Corp. - Austin, TX Shawn Anthony Orme, Dallas, TX Paul Parsons, Paul Parsons P.C. - Austin, TX</p>
7:00 pm 2.00 hrs	<p>Criminal Issues</p> <p>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.</p> <p>Brian K. Bates, Quan Burdette & Perez - Houston, TX Lory Diana Rosenberg, IDEA-Immigration Defense and Expert Ass - Darnestown, MD</p>

Thursday Morning, Oct. 14, 2004

Presiding Officer:
Rebecca Phillips Burdette, The Woodlands, TX

9:00 am 1.00 hr	<p>Initial Decisions and Issues: Finding the Path through the Maze</p> <p>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.</p> <p>Daniel M. Kowalski, Attorney & Counselor at Law - Austin, TX Joseph Reina, Reina & Associates PC - Dallas, TX</p>
10:15 am 1.00 hr	<p>Citizenship</p> <p>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.</p> <p>Lee J. Terán, St. Mary's University School Of Law - San Antonio, TX</p>

11:15 am
0.75 hr

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.

Ben Aguire
Santiago M Burciaga

Thursday Afternoon, Oct. 14, 2004

Presiding Officer:

Daniel M. Kowalski, Attorney & Counselor at Law - Austin, TX

1:30 pm
0.75 hr

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 Jade Lee, Quan Burdette & Perez PC - Houston, TX

2:15 pm
0.50 hr

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, Kempster, Keller & Lenz-Calvo, Ltd. - Chicago, IL

2:45 pm
0.50 hr

Labor Certification: The Extreme Makeover

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

John W Bartlett
Rebecca Phillips Burdette, The Woodlands, TX

3:30 pm
0.50 hr

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, TX

4:00 pm
0.50 hr

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, Reina & Associates - Dallas, TX

4:30 pm
0.00 hr
0.50 hr ethics

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 Barbara Beck, Fong & Associates LLP - Houston, TX
Magali S. Candler, Tindall & Foster - Houston, TX

Friday Morning, Oct. 15, 2004

Presiding Officer:

T. Douglas Stump, T. Douglas Stump & Associates - Oklahoma City, OK

8:00 am
0.00 hr
0.50 hr ethics

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!

John P. Blatz, Refugee And Immigrant Ctr For Ed & Legal - San Antonio, TX
Nancy Taylor Shivers, Shivers & Shivers - San Antonio, TX

8:45 am
0.50 hr

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 Holquin, El Paso, TX

9:15 am
0.75 hr

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, Eugene J. Flynn, P.C - Dallas, TX
Gregory Siskind, Suskind Susser - Memphis, TN

10:15 am
1.00 hr

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.

Maurice Yim Wah Hew Jr, Texas Southern Univeristy - Houston, TX
Joshua Turin, Turin & Turin & Olinger PC - Dallas, TX

11:15 am
0.75 hr

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.

George Rodriguez, Saenz-Rodriguez & Assoc PC - Dallas, TX
Michelle L. Saenz, Dallas, TX

Friday Afternoon, Oct. 15, 2004

Presiding Officer:

Nancy Taylor Shivers, Shivers & Shivers - San Antonio, TX

12:00 pm
0.50 hr

Temporary Guest Workers: Policy and Legislative Possibilities

Demetrios G. Papademetriou, Migration Policy Institute - Washington, DC

1:15 pm
0.75 hr

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, Quan Burdette & Perez - Houston, TX
Hon. Robert Brown

2:00 pm
0.50 hr

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, Williamson & Chaves - Houston, TX

2:30 pm
0.50 hr

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).

Elisabeth S. Brodyaga, San Benito, TX

3:00 pm
0.50 hr

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, Midwest Immigrant & Human Rights Center - Chicago, IL