

**36<sup>th</sup> Annual Conference on Immigration and Nationality Law**  
**November 7\*, 8-9, 2012 • Sheraton Austin Hotel at the Capitol • Austin, TX**

**Wednesday Afternoon, Nov. 7, 2012**

**2012 Fundamentals of Immigration and Nationality Law - Separate Registration**

View [2012 Fundamentals of Immigration and Nationality Law program](#).

**Wednesday Evening, Nov. 7, 2012**

4:45 pm  
0.00 hr ethics

**Welcome Reception**

Networking opportunity to meet and get to know your fellow immigration law practitioners.

**Thursday Morning, Nov. 8, 2012**

**Presiding Officer:**

**Michelle L. Saenz-Rodriguez**, Saenz-Rodriguez & Associates, P.C. - Dallas, TX

8:00 am

**Registration Opens**

Includes continental breakfast.

8:30 am

**Welcoming Remarks**

8:40 am  
1.00 hr

**Hot Topics: Recent Developments and Emerging Issues**

A review of recent immigrations-related judicial and administrative decisions and policies affecting employment-based immigration and related employer compliance and foreign nationals in removal proceedings.

Harry J. Joe, Jackson Lewis LLP - Dallas, TX

Dan Kesselbrenner, National Immigration Project of the National Lawyers Guild - Boston, MA

9:40 am  
0.33 hr

**An Introduction: CIS Ombudsman's Office of the Department of Homeland Security**

Meet the CIS Ombudsman's Office. Hear what the Ombudsman's Office can do for you and your client.

Amany S. Ezeldin, CIS Ombudsman's Office - Washington, DC

10:00 am 0.75 hr	<p><b>Getting the Green Card: Adjustment of Status vs. Consular Processing</b></p> <p>An overview of strategic considerations for employment-based immigrant visa matters and related assessment of common grounds of inadmissibility.</p> <p><i>This session will be presented at 11:30 a.m.</i></p> <p>L. Edward Rios, Cox Smith Matthews Incorporated - El Paso, TX</p>
10:45 am	<b>Break</b>
11:00 am 1.25 hrs	<p><b>In a Country Where Unlawful Presence Reigns, We Bring You "Bars, Tolling and Waivers"</b></p> <p>A discussion of the intricacies of unlawful presence, calculations, overstays, status violations, accrual and waivers available to overcome the bars.</p> <p><i>This session will be presented at 10:15 a.m.</i></p> <p>Raed Gonzalez, Gonzalez Olivieri LLC - Houston, TX Faye M. Kolly, De Mott, McChesney, Curtright and Armendáriz, L.L.P. - Austin, TX</p>
12:15 pm	<b>Break to Pick Up Lunch</b>

## Thursday Afternoon, Nov. 8, 2012

### Presiding Officer:

**George Rodriguez**, Saenz-Rodriguez & Associates, P.C. - Dallas, TX

	<b>Luncheon Presentation</b>
12:30 pm 0.75 hr	<p><b>Victory for Dreamers: Deferred Action and Youth Advocacy</b></p> <p>An overview of the Deferred Action for Childhood Arrivals (DACA) and the advocacy campaign for the passage of the DREAM Act that led to President Obama's 2012 policy.</p> <p>Moderator: Barbara Hines, The University of Texas School of Law - Austin, TX Panelists: M. Elizabeth 'Liz' Cedillo-Pereira, Cedillo-Pereira &amp; Cedillo, PLLC - Dallas, TX Panelists: Julieta Garibay, United We Dream - Austin, TX</p>
1:15 pm	<b>Break</b>
1:30 pm 1.00 hr 0.50 hr ethics	<p><b>The Timeline Tightrope—Adjustment vs. Consular</b></p> <p>The principle of reverse engineering is critical in assessing the appropriate path to permanent residence. The goal of acquiring permanent residence can be years away and anticipating pitfalls and timing challenges for a client's review and assessment are crucial.</p> <p>Kathleen Campbell Walker, Cox Smith Matthews Incorporated - El Paso, TX</p>

<p>2:30 pm 1.00 hr</p>	<p><b>Naturalization and Citizenship: Basic Issues</b></p> <p>Your client has a green card and wants to "upgrade" to U.S. citizenship. Is she eligible? Review of basic eligibility, travel issues, good moral character, special rules and citizenship. Your client believes that he is a U.S. citizen even though he was born outside the U.S. Is he a citizen? Look at derivative citizenship, acquired citizenship and contested citizenship.</p> <p>Janet Barbara Beck, University of Houston Law Center - Houston, TX Richard S. Fischer, The Law Offices of Richard S. Fischer - Nacogdoches, TX</p>
<p>3:30 pm</p>	<p><b>Break</b></p>
<p>3:45 pm 1.75 hrs 0.50 hr ethics</p>	<p><b>Anatomy of a Removal Case</b></p> <p>Examine the mechanics of removal proceedings from initiation of proceedings through the bond process and all the way to the removability phase of the case. Gain insight on the process and how to present the best case possible with a focus on practical consideration and legal strategy.</p> <p>Moderator: Michelle L. Saenz-Rodriguez, Saenz-Rodriguez &amp; Associates, P.C. - Dallas, TX Panelists: Jodi M. Goodwin, Law Office of Jodi Goodwin - Harlingen, TX Panelists: Jacqueline L. Watson, Law Office of Thomas Esparza, Jr., P.C. - Austin, TX</p>
<p>5:30 pm</p>	<p><b>Adjourn</b></p>

## Friday Morning, Nov. 9, 2012

### Presiding Officer:

**Richard A. Gump Jr.**, Attorney at Law - Dallas, TX

<p>8:00 am</p>	<p><b>Conference Room Opens</b></p> <p>Includes continental breakfast.</p>
<p>8:30 am 0.75 hr</p>	<p><b>Law Office Management: Finding What You Need</b></p> <p>How to find what you need to know to practice immigration law and how to use the latest technology to find it when you need it.</p> <p>Eugene J. Flynn, Eugene J. Flynn, P.C. - Dallas, TX Carl Michael Shusterman, Law Offices of Carl Shusterman - Los Angeles, CA</p>

<p>9:15 am 1.00 hr 0.25 hr ethics</p>	<p><b>Asylum: Basic to Advanced</b></p> <p>Beginning with a basic overview of the asylum process, then moving on to more advanced asylum issues, such as framing "particular social group" and Mexican asylum cases, learn practice points on how to prepare and successfully represent asylum seekers before USCIS and the Immigration Court.</p> <p>Moderator: Edna Yang, American Gateways - Austin, TX</p> <p>Panelists: Denise L. Gilman, The University of Texas School of Law Immigration Clinic - Austin, TX</p> <p>Panelists: Carlos Spector, Attorney At Law - El Paso, TX</p>
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<p>10:15 am</p>	<p><b>Break</b></p>
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**Business-Based Immigration**  
**Presiding Officer:**  
**Richard A. Gump Jr.**, Attorney at Law - Dallas, TX

<p>10:30 am 1.00 hr</p>	<p><b>Hot Topics in EB-5 Investor Visas</b></p> <p>Discussion of recent issues confronting investors, ranging from "source of funds" to "tenant occupancy" interpretations that affect job creations forecasts.</p> <p>Elise A. Healy, Spencer Crain Cabbage Healy &amp; McNamara PLLC - Dallas, TX</p>
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<p>11:30 am 0.75 hr</p>	<p><b>PERmanent Residence through Employment</b></p> <p>A discussion about the basic PERM requirements and procedures, including current trends and recent BALCA decisions, common and not-so-common pitfalls, and relevant I-140 and priority date considerations. Explore the issues surrounding minimum requirements, recruitment efforts and documentation retention.</p> <p>Edward R. Litwin, Litwin &amp; Associates, A Law Corporation - South San Francisco, CA</p>
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**CrImmigration**  
**Presiding Officer:**  
**Sarah E. Woelk**, Casa Marianella Immigration Legal Services - Austin, TX

<p>10:30 am 1.75 hrs</p>	<p><b>Defeating Criminal Grounds of Removal</b></p> <p>Using common Texas crimes as examples, learn strategies to defeat removal charges based on criminal conduct, including the categorical and modified categorical analysis.</p> <p>Moderator: Barbara Hines, The University of Texas School of Law - Austin, TX</p> <p>Panelists: Dan Kesselbrenner, National Immigration Project of the National Lawyers Guild - Boston, MA</p> <p>Panelists: Stephanie Kolmar, American Gateways - Austin, TX</p>
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<p>12:15 pm</p>	<p><b>Break for Buffet Lunch</b></p>
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## Friday Afternoon, Nov. 9, 2012

### Presiding Officer:

**Sarah E. Woelk**, Casa Marianella Immigration Legal Services - Austin, TX

	<b>Luncheon Presentation</b>
12:35 pm 0.75 hr	<b>Post-Election: A Dream or a Nightmare for Immigration?</b>  Just days after the election, a look at what has come to pass and what is yet to come on immigration legislation and executive action. What will happen with deferred action for Dreamers? Will the DREAM Act, AgJOBS or other family and business reforms go through in the 113th Congress?  Gregory Z. Chen Esq., American Immigration Lawyers Association - Washington, DC
1:20 pm	<b>Break</b>
1:30 pm 1.00 hr 0.50 hr ethics	<b>ICE Audits: Looking Back and into the Future</b>  Experienced attorneys and an ICE Senior Special Agent discuss what to expect in an ICE audit and how to prepare your client.  Richard A. Gump Jr., Attorney at Law - Dallas, TX Kevin Robert Lashus, Jackson Lewis LLP - Austin, TX Joseph Martinez Jr., DHS/ICE WSE - Windcrest, TX
2:30 pm 1.00 hr 0.25 hr ethics	<b>Hot Topics in Marriage-Based Immigration</b>  Learn about the issues regarding the consequences of divorce on marriage-based applications and conditional residency, strategies to overcome these hurdles, and how to handle problematic cases and conflicts of interest, including marriage fraud.  Nicolas Chavez, Chavez & Valko, LLP - Dallas, TX Lakshmi Nayar, Nayar & McIntyre, LLP - Dallas, TX Peter D. Williamson, Chamberlain, Hrdlicka, White, Williams & Aughtry - Houston, TX
3:30 pm	<b>Break</b>
3:45 pm 0.75 hr	<b>The Nuts and Bolts of Administrative Appeals for Petitions and Applications</b>  General requirements and procedures for administrative appeals of denials of family petitions, TPS applications, adjustment applications, citizenship applications, immigrant worker petitions and more. An analysis of the rules regarding mailing deadlines, motions to reopen, motions for reconsideration, filing fees and strategies for successful administrative appeals.  Francisco Javier Garcia, UTMB - Galveston, TX Javier N. Maldonado, Law Office of Javier N. Maldonado, PC - San Antonio, TX
4:30 pm	<b>Adjourn</b>