

37TH ANNUAL

IMMIGRATION AND NATIONALITY LAW



FUNDAMENTALS

October 23, 2013

CONFERENCE

October 24–25, 2013

AT&T Conference Center
Austin, Texas

Fundamentals—Earn up to 4.25 Hours of Credit Including 1.25 Hours of Ethics Credit

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Legal Specialization Credit Approved for Immigration and Naturalization Law

FUNDAMENTALS OF IMMIGRATION AND NATIONALITY LAW

October 23, 2013 ▪ AT&T Conference Center ▪ Austin, TX

Earn up to 4.25 Hours of Credit Including 1.25 Hours of Ethics Credit
Legal Specialization Credit Approved for Immigration and Naturalization Law

WEDNESDAY AFTERNOON, OCT. 23, 2013

Presiding Officer:

**Eugene J. Flynn, Eugene J. Flynn, P.C.,
Dallas, TX**

12:30 p.m. Registration Opens

1:20 p.m. Welcoming Remarks

1:30 p.m. 1.00 hr

United States Immigration Laws: An Overview

A discussion of the interplay of unlawful presence, out of status, nonimmigrant, immigrant and citizenship status for foreign nationals, their employers and their families.

Paul Parsons, Paul Parsons, PC, Austin, TX

2:30 p.m. 1.00 hr

Introduction to Family Immigration Practice

Family reunification has long been the cornerstone of our immigration policy, accounting for two-thirds of all immigration to the U.S. in a given year. A basic overview of the family visa categories, the qualifications for each, and the application procedures which govern family petitions.

M. Elizabeth "Liz" Cedillo-Pereira, Cedillo-Pereira & Cedillo, PLLC, Dallas, TX
Vanna Slaughter, Catholic Charities of Dallas, Inc., Dallas, TX

3:30 p.m. Break

3:45 p.m. 1.00 hr

Introduction to Removals

How and why respondents are placed in removal proceedings with a summary of the various ways Congress and the courts have devised for avoiding removal.

Hon. Jimmie L. Benton, Gill & Benton, Houston, TX
George Rodriguez, Saenz-Rodriguez & Associates, P.C., Dallas, TX

4:45 p.m. 1.25 hr ethics

Introduction to Managing an Immigration Law Practice and Beginning Ethics

An immigration practice involves much more than filling out forms. The panelists discuss ethical and practical issues that new practitioners should prepare for.

Moderator:
Sarah E. Woelk, Casa Marianella Immigration Legal Services, Austin, TX

Panelists:
William D. Fong, Fong & Associates, L.L.P., Houston, TX
Kathleen Campbell Walker, Cox Smith Matthews Incorporated, El Paso, TX

6:00 p.m. Adjourn to Reception

NETWORKING RECEPTION

6:00 p.m. – 7:00 p.m.

Join us for a networking opportunity with your fellow immigration law practitioners.

FUNDAMENTALS FACULTY

HON. JIMMIE L. BENTON
Gill & Benton
Houston, TX

M. ELIZABETH "LIZ" CEDILLO-PEREIRA
Cedillo-Pereira & Cedillo, PLLC
Dallas, TX

WILLIAM D. FONG
Fong & Associates, L.L.P.
Houston, TX

PAUL PARSONS
Paul Parsons, PC
Austin, TX

GEORGE RODRIGUEZ
Saenz-Rodriguez & Associates, P.C.
Dallas, TX

VANNA SLAUGHTER
Catholic Charities of Dallas, Inc.
Dallas, TX

KATHLEEN CAMPBELL WALKER
Cox Smith Matthews Incorporated
El Paso, TX

SARAH E. WOELK
Casa Marianella Immigration Legal Services
Austin, TX

FUNDAMENTALS MCLE

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 4.25 hours, of which 1.25 credit hours will apply to legal ethics/professional responsibility credit. The University of Texas School of Law is a State Bar of California approved MCLE provider (#1944), and an Oklahoma Bar Association MCLE presumptively-approved provider (#169).

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Harlingen, TX

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CRISTINA ZAMBRANO
Zambrano Law Office
Austin, TX

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CONFERENCE ON IMMIGRATION AND NATIONALITY LAW

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THURSDAY MORNING, OCT. 24, 2013

Presiding Officer:

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

7:30 a.m. Registration Opens

Includes continental breakfast.

8:25 a.m. Welcoming Remarks

8:30 a.m. 1.00 hr

**Hot Topics in Employer Sanctions/
Compliance and Removal**

A review of the newest of the new—a sneak peek at the hot-button issues including Comprehensive Immigration Reform (CIR), Deferred Action for Childhood Arrivals (DACA) and Removal.

Richard S. Fischer, The Law Offices of
Richard S. Fischer, Nacogdoches, TX
Jodi M. Goodwin, Law Office of Jodi Goodwin,
Harlingen, TX

9:30 a.m. .75 hr

Naturalization on the Whole

The ever-changing world of immigration and naturalization law.

Francisco J. García, The University of Texas Medical
Branch at Galveston, Galveston, TX
Clarissa Guajardo, Attorney at Law, Houston, TX

10:15 a.m. Break

10:30 a.m. .75 hr

**Are You/Are You Not a U.S. Citizen?
Derivative Citizenship**

Oftentimes, clients come to your office regarding their immigration options, not knowing that they may be United States citizens. Clients also come to your office having been told all their lives that they are United States citizens, but are now being denied U.S. passports. This session explores the various means of proving citizenship, acquired and derived, as well as how to respond to Department of State allegations against United States citizens.

Olsa Alikaj-Cano, FosterQuan, LLP, Houston, TX
Nathaniel R. Martinez, Munsch Hardt Kopf &
Harr, P.C., Houston, TX

11:15 a.m. 1.00 hr

**Evidence 101: Standards, Burdens,
How-to Proof, FOIA/TRIP/SAVE**

An evidence road map, including formulating a theory of the case, administrative and judicial notice, and building an evidentiary record for possible review of constitutional claims over which the Immigration Court lacks jurisdiction.

Brian K. Bates, Reina Bates Immigration Law Group,
Houston, TX
Elisabeth S. "Lisa" Brodyaga, Refugio del Rio Grande,
San Benito, TX

12:15 p.m. Pick Up Lunch

Included in registration.

THURSDAY AFTERNOON

Presiding Officer:

Edna Yang, American Gateways,
Austin, TX

LUNCHEON PRESENTATION

12:30 p.m. .75 hr

**The Process, Politics and Prospects of
Immigration Reform in the 113th Congress**

For the last ten months, Washington, DC, has been teeming with news of immigration reform, but what does it all mean? More important, what can you do about it? A look at the process, politics and prospects of immigration reform in the 113th Congress.

Anu Joshi, American Immigration Lawyers
Association, Washington, DC
Gregory Siskind, Siskind Susser, Memphis, TN

1:15 p.m. Break

1:30 p.m. 1.00 hr

Rules of Evidence in Removal Proceedings

Advanced coverage of the various facets of evidence, types of evidence and general admissibility issues.

Simon M. Azar-Farr, Attorney at Law, San Antonio, TX
Imran B. Mirza, Law Office of Imran Beg Mirza,
Houston, TX

2:30 p.m. 1.00 hr

Family-Sponsored Immigration

A focus on basic concepts in family-based immigration such as who can file for whom and when, using old priority dates, the definition of "child," cross-chargeability, the Child Status Protection Act, the Adam Walsh Act, affidavit of support requirements, widows and battered spouses/children.

Janet B. Beck, University of Houston Law Center,
Houston, TX
Sarah Zoller Brown, Miley & Brown, P.C., Dallas, TX

3:30 p.m. Break

3:45 p.m. 1.00 hr | .50 hr ethics

Anatomy of a Removal Case

Immigration law experts, including a recently retired immigration court judge and former Assistant Chief Counsel at the U.S. Department of Homeland Security, examine the mechanics of removal proceedings from initiation of proceedings through the bond process, all the way to the removability phase of the case. Gain insight on presenting the best case possible—from legal strategy to practical considerations.

Moderator:

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

Panelists:

Hon. Jimmie L. Benton, Gill & Benton, Houston, TX
Joel R. Gonzalez, Cote & Gonzalez PLLC,
San Antonio, TX
Jodi M. Goodwin, Law Office of Jodi Goodwin,
Harlingen, TX

4:45 p.m. 1.00 hr

U/T/VAWA/SIJ

An in-depth review of immigration remedies for vulnerable populations and crime victims, including U Visas, T Visas, the Violence Against Women Act (VAWA) and Special Immigrant Juveniles (SIJ) Status.

Wafa Abdul Rauof Abdin, Catholic Charities,
Houston, TX
Elise Thompson Harriger, Casa Marianella
Immigration Legal Services, Austin, TX

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5:45 p.m. .25 hr ethics

Pro Bono

A *pro bono* practitioner and client briefly talk about their experiences as they relate to the value and benefits of *pro bono* representation. Get inspired to share your time and expertise with nonprofit immigration programs in Texas.

Paul Trahan, Norton Rose Fulbright LLP, Austin, TX
Wael Samir Abdelaty, Pro Bono Client, Austin, TX

6:00 p.m. Adjoin to Mixer

PRO BONO MIXER

6:00 p.m. – 7:00 p.m.

Enjoy refreshments and a networking opportunity with colleagues, conference faculty and *pro bono* organization representatives.

FRIDAY MORNING, OCT. 25, 2013

Presiding Officer:

Jacqueline L. Watson, Law Office of Thomas Esparza, Jr., P.C., Austin, TX

7:30 a.m. Conference Room Opens

Includes continental breakfast.

8:30 a.m. 1.00 hr

Hot Topics in Immigration Reform and Family Immigration Law

The latest developments in immigration reform efforts, including an examination of some of the biggest issues included in the Senate immigration reform bill—SB 744—and what the House’s options are moving forward, an exploration of Obama’s Deferred Action for Childhood Arrivals (DACA) policy, and what it all means for family-based immigration.

Anu Joshi, American Immigration Lawyers Association, Washington, DC
Carl M. Shusterman, Law Offices of Carl Shusterman, Los Angeles, CA

9:30 a.m. .75 hr

AOS Versus Consular Processing

Advantages of adjustment of status, inspected and admitted or paroled, 245(1), approvable when filed, adjustment strategies, various consular procedures, and provisional waivers.

Harry Gee Jr., Harry Gee, Jr. & Associates, PLLC, Houston, TX
Mona Gupta, Gupta & Wiora, P.C., Dallas, TX

10:15 a.m. Break

ABOUT THE COVER

Flag 10, oil on canvas, is by David Newman. For more information, visit www.davidnewmanart.com

10:30 a.m. 1.00 hr | .50 hr ethics

Waivers of Inadmissibility

An overview of immigrant visa waivers of inadmissibility, including the stateside unlawful presence waiver, and a general look at non-immigrant visa waivers. Get practical tips as well as an understanding of the law.

Magali S. Candler, FosterQuan, LLP, Houston, TX
Jason C. Mills, Law Office of Jason Mills, Fort Worth, TX

11:30 a.m. 1.00 hr | .50 hr ethics

Criminal Immigration

Experienced “criminal immigration” practitioners review the latest developments regarding immigration consequences of criminal convictions, including a Supreme Court case law update, a practical application of the modified categorical approach, and ethical considerations when advising non-citizens on plea agreements.

Moderator:
Jacqueline L. Watson, Law Office of Thomas Esparza, Jr., P.C., Austin, TX

Panelists:
Carlos M. García, García & García, Attorneys at Law P.L.L.C., McAllen, TX
César Cuahtémoc García Hernández, University of Denver Sturm College of Law, Denver, CO

12:30 p.m. Pick Up Lunch

Included in registration.

FRIDAY AFTERNOON

Presiding Officer:

Cristina Zambrano, Zambrano Law Office, Austin, TX

LUNCHEON PRESENTATION

12:45 p.m. .75 hr

State and Local Anti-Immigrant Laws: Update on the Fight Against Patchwork Immigration Enforcement

Nationally-recognized civil rights attorney Nina Perales, lead attorney in *Reyes v. City of Farmers Branch*, discusses recent developments in the fight against anti-immigrant local ordinances and state laws.

Nina Perales, Vice President of Litigation, MALDEF, San Antonio, TX

1:30 p.m. Break

“Very informative speakers and a good balance of academic information and real-world stories and tips. This program offers a gathering of the top immigration lawyers in the nation. Great variety of topics! A well-balanced program.”

1:45 p.m. 1.00 hr

What the H? What the L? What You Need to Know about Non-Immigrant Visas

What is the best option when your client qualifies for several different work visas—H-1B professional worker, L-1 intracompany transferee, TN NAFTA professional worker or E Treaty Investor/Trader? Hear the practical, legal and processing challenges of each of these visas.

Judy J. Lee, FosterQuan, LLP, Houston, TX
Susan K. McConn, FosterQuan, LLP, Houston, TX

2:45 p.m. .75 hr

PERM Building Blocks: The Basics

An overview of what it takes to build a PERM case on solid ground, including practice-specific examples and how-tos concerning the “blocks” of a PERM case.

Rebecca R. Massiatte, Jackson Lewis LLP, Dallas, TX
Paige L. Taylor, Berry Appleman & Leiden LLP, Dallas, TX

3:30 p.m. Break

3:45 p.m. .75 hr | .25 hr ethics

Work Site Enforcement: The New World of I-9s and E-Verify

Conflicting agency interpretations of the new I-9 coupled with increasing E-verify usage causes employer headaches. Learn how to manage verification and work site compliance challenges and how to negotiate with the enforcement agencies.

Richard A. Gump Jr., Attorney at Law, Dallas, TX
Kathleen Campbell Walker, Cox Smith Matthews Incorporated, El Paso, TX

4:30 p.m. .75 hr | .25 hr ethics

Ask the Experts

An interactive opportunity to have top immigration lawyers answer your questions. Please submit your questions in advance to service@utcle.org or onsite at the conference registration desk.

Moderator:
Eugene J. Flynn, Eugene J. Flynn, P.C., Dallas, TX

5:15 p.m. Adjoin

REGISTRATION FORM

Register online:
www.utcle.org

Mail your registration to:
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Attn. Registration
PO Box 7759
Austin, TX 78713-7759

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512.475.6876

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512.475.6700

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REGISTRATION

FUNDAMENTALS—IF13

Includes Course Materials and Wednesday Evening Networking Reception

1. Select Type

- Registration by Wednesday, October 16, 2013 \$80
- Registration after Wednesday, October 16, 2013 \$110

2. Select Course Materials Format

- Electronic Course Binder on USB Key ONLY
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Fundamentals Registration Total \$ _____

CONFERENCE—IM13

Includes Course Materials, Thursday and Friday Luncheon Presentations, and Thursday Evening Pro Bono Mixer

1. Select Type

- Registration by Wednesday, October 16, 2013 \$435
- Registration after Wednesday, October 16, 2013 \$485

2. Select Course Materials Format

- Electronic Course Binder on USB Key ONLY
- Printed Course Binder ONLY

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ConferenceComplete package includes Audio CD Set plus a Printed Binder and MCLE Reporting Form for each participant. Available for delivery 3-5 weeks after conference date. Shipping included.

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CONFERENCE—IM13

- In-House for 2 \$850
- _____ Additional participant(s) for \$275 each \$ _____

Conference In-House Total \$ _____

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Comprehensive Binder and Audio from the live conference. Available for delivery 3-5 weeks after conference date. Shipping included.

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- eBinder Download (PDF) \$60
- Printed Binder \$110
- Audio Download (MP3) \$50
- Audio CD Set \$100

Fundamentals ConferenceComplete Materials Total \$ _____

CONFERENCE—IM13

- eBinder Download (PDF) \$225
- Printed Binder \$275
- Audio Download (MP3) \$175
- Audio CD Set \$225

Conference ConferenceComplete Materials Total \$ _____

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Call
512.475.6700
for more information

AUSTIN

October 23, 24–25, 2013

CONFERENCE LOCATION



AT&T Conference Center

1900 University Avenue
Austin, TX 78705
512.404.3600

Special Room Rate: \$174
good through October 16, 2013
(subject to availability)

Parking:

Free daily self-parking at UT garages.
Separate fees apply for valet and
overnight parking.

KEY DATES

October 16, 2013

last day for early registration

October 18, 2013

last day for full refund

October 21, 2013

last day for partial refund
\$50 processing fee applied

October 23, 2013, 1:20 p.m.

Fundamentals begins

October 24, 2013, 8:25 a.m.

Conference begins

*Dietary requirements or Accessibility needs?
Call 512.475.6700 or email service@utcle.org*

CONFERENCE FACULTY

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