

38th Annual Conference on Immigration and Nationality Law
October 16-17, 2014 • Radisson Hotel and Suites, Austin-Downtown • Austin, TX
October 16-17, 2014 • Live Webcast

Thursday Morning, Oct. 16, 2014

Presiding Officer:

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

7:30 am In Austin Only	Registration Opens Includes continental breakfast.
8:20 am	Welcoming Remarks
8:30 am 1.00 hr 0.25 hr ethics	Working in the U.S.A. A review of the most common types of work visas available to foreign nationals and the requirements and important features of each category. Ramón E. Curiel, Oliva, Saks, Garcia, Curiel, LLP - San Antonio, TX Judy J. Lee, FosterQuan, LLP - Houston, TX
9:30 am 1.00 hr	To Apply or Not to Apply: Naturalization Citizenship Applying for naturalization could be a time for the USCIS to examine your client's continued claim to lawful permanent resident status. Before you file, find out what hidden dangers to the green card lurk in the shadows. This presentation looks at the advantages and obligations of citizenship to discuss with your client, examines the impact of the Child Citizenship Act and explores ways to identify and document derivative citizenship. Gary E. Endelman, FosterQuan, LLP - Houston, TX Eugene J. Flynn, Eugene J. Flynn, P.C. - Dallas, TX
10:30 am	Break
10:45 am 0.75 hr	Appealing and Litigating Citizenship Claims Rules, strategies and pleadings to use when you have to fight the government in citizenship or naturalization cases. Richard S. Fischer, The Law Offices of Richard S. Fischer - Nacogdoches, TX
11:30 am 0.75 hr	Federal Case Law Update A review of important cases and hot topics from the Supreme Court, the Fifth Circuit and the Board of Immigration Appeals. Javier N. Maldonado, Law Office of Javier N. Maldonado, PC - San Antonio, TX
12:15 pm	Pick Up Lunch Included in registration.

Thursday Afternoon, Oct. 16, 2014

Presiding Officer:

In Austin: **Mona Gupta**, Gupta & Wiora, P.C. - Dallas, TX

LUNCHEON PRESENTATION

12:35 pm 0.75 hr	Refugee Resettlement in the United States The United States accepts more refugees than all other resettlement countries combined. Learn how the United States decides which refugees to accept for resettlement, how it decides where refugees are placed, and what follow-up is conducted by the federal government—with a special focus on resettlement in Texas. Kelly Gauger, Bureau of Population, Refugees and Migration (PRM), U.S. Department of State - Washington, DC
1:20 pm	Break
1:35 pm 0.75 hr 0.25 hr ethics	Straightening out PERM Prevailing wage headaches, recruitment pitfalls. Degree equivalencies and interview calls. Looking for help with PERM processing? We'll give you some tips to make your PERM cases sing! Maggie Murphy, Jackson Lewis P.C. - Austin, TX Terry L. Weir, Dunbar Harder, PLLC - Houston, TX
2:20 pm 1.00 hr	Are You Questioning My Authority? RFE Responses in Immigration Law Whether your practice concentrates more on family cases or business cases, RFEs seem to be everywhere as of late. Do you have to give USCIS everything it asks for? Should you? What does the law actually require? Do the cases cited in the RFE actually say what USCIS claims they say? This presentation uses real-world RFE examples to look at practical and strategic considerations in responding to an RFE. Francisco J. García, The University of Texas Medical Branch at Galveston - Galveston, TX Peter D. Williamson, Chamberlain, Hrdlicka, White, Williams & Aughtry - Houston, TX
3:20 pm	Break
3:30 pm 1.00 hr 0.50 hr ethics	Anatomy of a Removal Case An examination of removal proceedings, from initiation of proceedings through the bond process, all the way to the removability phase. Gain insight on presenting the best case possible—from legal strategy to practical considerations. Moderator: George Rodriguez, Saenz-Rodriguez & Associates, P.C. - Dallas, TX Panelists: Joel R. Gonzalez, Cote & Gonzalez PLLC - San Antonio, TX Jodi M. Goodwin, Law Office of Jodi Goodwin - Harlingen, TX

4:30 pm 1.00 hr 0.50 hr ethics	<p>Ask the Experts</p> <p>An interactive opportunity to have top immigration lawyers answer your questions and provide solutions to your ethical quandaries. Please submit your questions in advance to service@utcle.org or on-site at the conference registration desk.</p> <p>Moderator: Eugene J. Flynn, Eugene J. Flynn, P.C. - Dallas, TX</p> <p>Panelists: Magali Suárez Candler, Suárez Candler Law, PLLC - Houston, TX Richard S. Fischer, The Law Offices of Richard S. Fischer - Nacogdoches, TX Raed Gonzalez, Gonzalez Olivieri LLC - Houston, TX Paul Parsons, Paul Parsons, PC - Austin, TX</p>
5:30 pm In Austin Only	<p>Pro Bono</p> <p>A brief overview of the current landscape in Texas, and the needs, opportunities and available resources for <i>pro bono</i> representation.</p>
5:45 pm In Austin Only	<p>NETWORKING RECEPTION AND PRO BONO MIXER (5:45 p.m. to 6:45 p.m.)</p> <p>Enjoy refreshments and a networking opportunity with colleagues, conference faculty and <i>pro bono</i> organization representatives.</p>

Friday Morning, Oct. 17, 2014

Presiding Officer:

In Austin: **Anne D. Monahan**, Law Office of Anne D. Monahan - San Antonio, TX

7:30 am In Austin Only	<p>Conference Room Opens</p> <p>Includes continental breakfast.</p>
8:30 am 1.00 hr 0.50 hr ethics	<p>CrImmigration</p> <p>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.</p> <p>Brian K. Bates, Reina Bates Immigration Law Group - Houston, TX Amelia Ruiz Fischer, Texas Civil Rights Project - Austin, TX Raed Gonzalez, Gonzalez Olivieri LLC - Houston, TX</p>
9:30 am 0.75 hr	<p>Hot Topics in Family Immigration Law</p> <p>An overview of recent developments, including a brief history of same-sex immigration law and policy and the U.S. Supreme Court's decision in <i>Windsor v. United States</i>, which struck down the Defense of Marriage Act (DOMA) Section 3, allowing same-sex marriages to be recognized for immigration purposes; the impact of <i>Cuellar de Osorio</i> on derivative beneficiaries of preference category petitions; parole in place, who qualifies and some practice pointers for making and supporting a request; and more.</p> <p>John Nechman, Katine & Nechman L.L.P. and South Texas College of Law - Houston, TX Jennifer Walker Gates, Walker Gates Vela, P.L.L.C. - Austin, TX</p>
10:15 am	<p>Break</p>

10:30 am 0.75 hr 0.25 hr ethics	<p>"Marital Problems"</p> <p>An in-depth look at I-751 issues for spouses and children, plus a discussion of the consequences of bigamy, divorce and annulment on marriage-based applications, marriage fraud, immigration court procedures regarding I-751 and I-130 petitions as well as conflicts of interest.</p> <p>Janet B. Beck, University of Houston Law Center - Houston, TX M. Elizabeth "Liz" Cedillo-Pereira, Cedillo-Pereira & Associates, PLLC - Dallas, TX</p>
11:15 am 0.75 hr 0.25 hr ethics	<p>Waivers</p> <p>An overview of immigrant and nonimmigrant waivers including statutory requirements and practice pointers related to waivers for unlawful presence, health-related grounds, security and related grounds, criminal and related grounds, and waivers for non-immigrant visa holders.</p> <p>Magali Suárez Candler, Suárez Candler Law, PLLC - Houston, TX Faye M. Kolly, De Mott, McChesney, Curtright, & Armendáriz LLP - Austin, TX</p>
12:00 pm	<p>Pick Up Lunch</p> <p>Included in registration.</p>

Friday Afternoon, Oct. 17, 2014

Presiding Officer:

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

LUNCHEON PRESENTATION

12:20 pm 0.75 hr	<p>Gone to Texas: Immigration and the Transformation of the Texas Economy</p> <p>The United States welcomes more immigrants than any other country, and Texas welcomes more migrants—foreign and domestic—than any other state. Immigration to Texas has been both a cause and consequence of rapid regional growth. This study considers how immigration has figured into the state's economic transformation, but also looks at immigrant characteristics, illegal immigration, challenges posed by immigration, and the role of domestic migration.</p> <p>Pia M. Orrenius, Federal Reserve Bank of Dallas - Dallas, TX</p>
1:05 pm	<p>Break</p>
1:20 pm 0.75 hr 0.25 hr ethics	<p>Investor Visas and Trade Issues</p> <p>An overview of various investor and trade visa issues: TN Visas (procedural variances for Canadian and Mexican citizens, options for non-degreed professionals, change of employer, and automatic visa revalidation); E-Visas (What is considered a substantial investment?; is it an alternative to H or L visas?) and EB-5 Visas (regional centers and current issues that question their viability; is direct job creation the way to go?; and ethical considerations for the practitioner).</p> <p>Harry Gee Jr., Harry Gee, Jr. & Associates, PLLC - Houston, TX Harry J. Joe, JMO Firm, PLLC - Dallas, TX</p>

2:05 pm 1.00 hr	<p>Hot Topics in Asylum</p> <p>A brief overview of asylum basics followed by a more advanced discussion of the changing areas of asylum law, including representation of detained asylum seekers, the credible fear process, and recent cases in the development of a "particular social group." Gain practical tips on how to best prepare and successfully represent asylum seekers before USCIS and the Immigration Court.</p> <p>Denise L. Gilman, The University of Texas School of Law Immigration Clinic - Austin, TX Edna Yang, American Gateways - Austin, TX</p>
3:05 pm	Break
3:15 pm 0.75 hr 0.25 hr ethics	<p>"Preparation H:" Work Visa Processing Challenges</p> <p>A look at the most common work visas for professionals, executives and specialized knowledge employees—and the most common problems for employers—including the H-1B cap, STEM OPT, non-degreed professionals, what is a "specialty occupation," and ethical issues regarding dual representation and payment of fees.</p> <p>William D. Fong, Fong & Associates, L.L.P. - Houston, TX Rebecca R. Massiatte, JMO Firm, PLLC - Dallas, TX</p>
4:00 pm 0.75 hr 0.25 hr ethics	<p>Worksite Enforcement</p> <p>Understand how to manage verification compliance strategies and negotiate settlements in the minefield of interagency audits by ICE/HSI, USCIS E-Verify and OSC.</p> <p>Richard A. Gump Jr., The Law Offices of Richard A. Gump, Jr. P.C. - Dallas, TX</p>
4:45 pm 0.75 hr	<p>Can I Stay or Must I Go? Adjustment versus Consular Processing</p> <p>Strategies surrounding adjustment of status versus consular processing, including the advantages of adjustment and requirements for eligibility (inspected and admitted or paroled), filing Section 245i petitions, maintenance of status while determinations are pending, and immigrant visa interviews when waivers are required.</p> <p>Robert H. Crane, Jones & Crane, Attorneys at Law - Weslaco, TX Nancy Taylor Shivers, Shivers & Shivers - San Antonio, TX</p>
5:30 pm	Adjourn