

41<sup>ST</sup> ANNUAL  
**CONFERENCE ON IMMIGRATION  
AND NATIONALITY LAW**



FUNDAMENTALS

October 25, 2017

CONFERENCE

October 26–27, 2017

AT&T Conference Center  
Austin, Texas

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 **Live Webcasts on October 25, 26–27**

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Fundamentals—Earn up to 4.25 Hours of Credit Including 1.00 Hour of Ethics Credit

Conference—Earn up to 14.50 Hours of Credit Including 6.00 Hours of Ethics Credit

TX Legal Specialization Credit Approved for Immigration and Nationality Law

# FUNDAMENTALS OF IMMIGRATION AND NATIONALITY LAW

October 25, 2017 ■ AT&T Conference Center ■ Austin, Texas

Earn up to 4.25 Hours of Credit Including 1.00 Hour of Ethics Credit  
TX Legal Specialization Credit Approved for Immigration and Nationality Law

## WEDNESDAY AFTERNOON, OCT. 25, 2017

### Presiding Officer:

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

### 12:00 p.m. Registration Opens

Includes continental breakfast.

### 12:50 p.m. Welcoming Remarks

### 1:00 p.m. 1.00 hr

#### United States Immigration Laws: An Overview

Hear 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

### 2:00 p.m. 1.00 hr

#### Immigration Agencies and Basic Immigration Terminology

Explore the roles of various federal agencies involved in the administration of U.S. immigration laws, strategies for communicating with these agencies, and basic immigration law terminology.

Amanda Baran, Immigration Policy Consultant,  
Arlington, VA  
Sarah E. Woelk, Casa Marianella Immigration Legal  
Services, Austin, TX

### 3:00 p.m. Break

### 3:15 p.m. 2.25 hrs | 1.00 hr ethics

#### Immigration Law Under the New Administration

The Trump Administration has begun to ramp up undocumented and criminal alien removal proceedings, while stepping up I-9 employment verification and visa fraud investigations against employers, and enacting policies to restrict entry and availability of certain visas. Hear a general overview of the current state of the Trump Administration's enforcement plans, policies, and investigations in these critical areas of Immigration law practice.

#### Moderator:

Jodi M. Goodwin, Law Office of Jodi Goodwin,  
Harlingen, TX

#### Panelists:

Nancy A. Falgout, Nancy A. Falgout, P.C., Houston, TX  
Harry J. Joe, JMO Firm, PLLC, Dallas, TX  
George Rodriguez, Saenz-Rodriguez & Associates,  
P.C., Dallas, TX  
Peter D. Williamson, Chamberlain, Hrdlicka, White,  
Williams & Aughtry, Houston, TX

### 5:30 p.m. Adjourn

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Powers Law Group, P.C.  
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Fertitta Reynal LLP  
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## 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 1.00 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).

**CONFERENCE ON IMMIGRATION AND NATIONALITY LAW**

October 26–27, 2017 ■ AT&amp;T Conference Center ■ Austin, Texas

Earn up to 14.50 Hours of Credit Including 6.00 Hours of Ethics Credit  
TX Legal Specialization Credit Approved for Immigration and Nationality Law**THURSDAY MORNING, OCT. 26, 2017****Presiding Officer:**Jacqueline L. Watson, Walker-Gates  
Vela, PLLC, Austin, TX**7:30 a.m. Registration Opens**

Includes continental breakfast.

**8:20 a.m. Welcoming Remarks****8:30 a.m. .50 hr | .25 hr ethics****The Realization of "America First" and What it Means for Immigration Law**

The Trump Administration has ushered in an era of optical security measures and further disruption of the current dysfunctional immigration process. DACA survival still is uncertain, while the extent of presidential power over immigration policy continues to be stretched to its uncertain limits. The America First mantra is impacting the position of the U.S. in competition for global talent and investment. On the home front, the federal courts are more critical than ever. Time for a crystal ball report.

Kathleen C. Walker, Dickinson Wright, El Paso, TX

**9:00 a.m. 1.00 hr | .25 hr ethics****Knowing Your Rights at the Border**

Understand what is actually happening at points of entry, including airports and other "non-border" points of entry. Discuss the limitations on Customs and Border Protection searches and interrogations of both citizens and non-citizens alike, the extent of the right to representation at the ports-of-entry, and how certain non-citizens may be processed if denied admission.

Michelle L. Saenz-Rodriguez, Saenz-Rodriguez & Associates, P.C., Dallas, TX  
Jacqueline L. Watson, Walker-Gates Vela, PLLC, Austin, TX

**10:00 a.m. Break****CONFERENCE 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 14.50 hours, of which 6.00 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).

**10:15 a.m. 1.00 hr | .75 hr ethics****Audits and Raids, Part I: What Happens and How to Prepare**

The current "Trump facts" are that raids to detain criminal foreign nationals have increased, and with a plan to hire 10,000 more officers, employer raids may see an increase too. Learn about the reality of ICE's current worksite process, best practices to prepare employers for an I-9 audit or raid, how to protect the worker, and the always reoccurring ethical issue: who do I represent, how can I represent them, who can I NOT represent, and how do I tell them?

Kevin Robert Lashus, FisherBroyles LLP, Austin, TX  
Patrick K. O'Rourke, Harry Gee & Associates, PLLC, Houston, TX

**11:15 a.m. .75 hr ethics****Audits and Raids, Part II: Aftermath of the Notice of Inspection, Subpoena, and/or Warrants Presented**

When an attorney receives the call that an audit or raid has occurred, questions must be answered: Who do you represent and is there a conflict of interest? What are the facts and do we know more than the government? Is it civil or criminal or both?

Susan Bond, The Law Office of Susan Bond P.C., Dallas, TX  
Richard A. Gump Jr., The Law Offices of Richard A. Gump, Jr. P.C., Dallas, TX

**12:00 p.m. Pick Up Lunch**

Included in registration.

**THURSDAY AFTERNOON****Presiding Officer:**Anne D. Monahan, Law Office of Anne  
D. Monahan, San Antonio, TX**LUNCHEON PRESENTATION****12:20 p.m. .75 hr ethics****Operation Lawyer Up: Strategies to Protect Your Client and Your License**

Hear realistic litigation advice in a new area of immigration enforcement.

Feroz Farook Merchant, The Merchant Law Firm, Houston, TX  
F. Andino Reynal, Fertitta Reynal LLP, Houston, TX

**1:05 p.m. Break****1:20 p.m. .75 hr****Case Law Update**

Review important cases and hot topics from the Supreme Court, the Fifth Circuit, and the Board of Immigration Appeals.

Imran B. Mirza, Law Office of Imran Mirza, PC, Houston, TX

**2:05 p.m. .75 hr | .50 hr ethics****Advanced Perspectives on Boogeyman and Sack Man: Fraud and Misrepresentation**

Hear an overview of the various federal fraud and misrepresentation statutes, the precise elements of fraud and misrepresentation in the INA, the current state of the case law, and available defenses.

Simon M. Azar-Farr, Simon Azar-Farr & Associates, San Antonio, TX

**2:50 p.m. Break****3:00 p.m. 1.00 hr | .50 hr ethics****Immigration Fraud and Remedies**

Learn how to address your client's fraud or misrepresentation findings when dealing with USCIS, DOS, and immigration court. Identify available remedies including waivers and strategies of challenging unwarranted fraud findings. Understand your ethical obligations in handling a client who might be lying to you or to the immigration agency or court.

Nicolas Chavez, Chavez & Valko, LLP, Fort Worth, TX  
RUBY L. POWERS, Powers Law Group, P.C., Houston, TX

**4:00 p.m. 1.00 hr | .50 hr ethics****Ask the Experts**

Take advantage of 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 [ConferenceQA@utcle.org](mailto:ConferenceQA@utcle.org) or on-site at the conference registration desk.**

**Moderator:**

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

**Panelists:**

Nicolas Chavez, Chavez & Valko, LLP, Fort Worth, TX  
Amelia Ruiz Fischer, Fischer & Fischer, Attorneys at Law, Nacogdoches, TX  
Patrick K. O'Rourke, Harry Gee & Associates, PLLC, Houston, TX

**5:00 p.m. Adjourn to Reception**



## NETWORKING RECEPTION AND PRO BONO MIXER

Introduction by Robert Painter,  
American Gateways, Austin, TX

5:00 p.m. to 6:00 p.m.

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

## FRIDAY MORNING, OCT. 27, 2017

### Presiding Officer:

Judy J. Lee, Foster LLP, Houston, TX

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

Includes continental breakfast.

### 8:00 a.m. .75 hr | .50 hr ethics

#### Case Strategy, Planning, and Documentation: Asking the Right Questions

Examine the fundamentals of “smart lawyering” using the right questions, searches, and documentation in filing for benefits with USCIS or the Immigration Court. Discuss how the lawyer protects herself and her client from findings of fraud, unnecessary RFEs, NOIDs, denials, proceedings, and orders of removal.

Mona Gupta, Gupta & Wiora, P.C., Dallas, TX  
George Rodriguez, Saenz-Rodriguez & Associates, P.C., Dallas, TX

### 8:45 a.m. .75 hr | .25 hr ethics

#### Use of T-Visas, U-Visas, and Issue Spotting

Using hypothetical case examples, explore the pros and cons of filing a U-visa, T-visa, or both, in a variety of circumstances.

Natalia Drelichman, American Gateways, Austin, TX  
Stacie Leigh Jonas, Texas RioGrande Legal Aid, Austin, TX

### 9:30 a.m. .50 hr

#### Expedited Removal, Asylum, and Credible Fear Interviews

Address expedited removal and its proposed expansion, as well as defenses to expedited removal including asylum and the credible fear interview process.

Kate Lincoln-Goldfinch, Lincoln-Goldfinch Law, Austin, TX

### 10:00 a.m. Break

Very good variety of topics.  
Great speakers and good panels.  
I liked how collegial everyone was.

I enjoy the balance of family,  
employment, and removal topics.

Great, strong overview. I thought that each  
topic went sufficiently in-depth.  
I learned a great deal!

### 10:15 a.m. 1.00 hr | .50 hr ethics

#### Removal Defenses: A View from the Trenches

Review the procedures for fighting removal in immigration court, and explore defenses to removal, including an overview of the most common ones and how to present them.

Lance Edward Curtright, De Mott, McChesney,  
Curtright & Armendáriz, LLP, San Antonio, TX  
Amelia Ruiz Fischer, Fischer & Fischer, Attorneys at  
Law, Nacogdoches, TX  
Richard S. Fischer, Fischer & Fischer, Attorneys at  
Law, Nacogdoches, TX

### 11:15 a.m. .75 hr | .25 hr ethics

#### Can I Stay or Must I Go? Adjustment versus Consular Processing

Distinguish strategies surrounding adjustment of status versus consular processing. Explore the advantages of adjustment and requirements for eligibility (inspected and admitted or paroled), filing Section 245i petitions, parole, NACARA, maintenance of status while determinations are pending, National Visa Center/Direct Consular applications, and immigrant visa interviews when waivers are required.

Eugene J. Flynn, Eugene J. Flynn, P.C., Dallas, TX  
Nancy Taylor Shivers, Shivers & Shivers,  
San Antonio, TX

### 12:00 p.m. Pick Up Lunch

Included in registration.

## FRIDAY AFTERNOON

### Presiding Officer:

Vanna Slaughter, Office of Welcoming  
Communities and Immigrant Affairs,  
Dallas, TX

## LUNCHEON PRESENTATION

### 12:20 p.m. .75 hr

#### Current Immigration Policies and the Political Landscape

Discuss the changing dynamics of immigration politics and what's on the horizon for immigration law and policy. Are uncertainty, unpredictability, and dysfunction the new normal on immigration?

Benjamin E. Johnson, American Immigration Lawyers  
Association, Washington, DC

### 1:05 p.m. Break

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credit in Texas and California.

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### 1:20 p.m. .50 hr

#### Employment Hot Topics

Review the latest updates in employment-based immigration, including the High-Skilled Worker Regulations, I-9 and E-Verify developments, H-1B trends and issues, and the new standard for National Interest Waiver processing. Gather the latest regulatory and policy updates, discuss legislative proposals to follow in employment-based immigration, and hear “tips from the trenches” for navigating these cases.

Ester Greenfield, MacDonald Hoague & Bayless,  
Seattle, WA  
Maggie Murphy, Jackson Lewis P.C., Austin, TX

### 1:50 p.m. .75 hr | .25 hr ethics

#### Business Immigration Math 101

Business immigration math is both art and science. Learn to navigate the Department of Labor's framework of SVP and ONET Job Zones, using real-world examples to correctly calculate wage levels for H-1B and PERM positions. Also, hear strategies for overcoming prevailing wage issues while avoiding common ethical pitfalls.

James Devlin Cypert, Harry Gee & Associates, PLLC,  
Houston, TX  
Francisco J. García, The University of Texas Medical  
Branch at Galveston, Galveston, TX

### 2:35 p.m. .75 hr

#### How to Win a PERM

Brush up on the basic PERM framework, the notion of “good faith” in recruitment methods and consideration of applicants, and hot PERM topics including quantification of requirements. Glean practice tips on distinguishing fatal and nonfatal errors and the value of using checklists to minimize future errors.

Ester Greenfield, MacDonald Hoague & Bayless,  
Seattle, WA  
Rebecca R. Massiatte, JMO Firm, PLLC, Dallas, TX

### 3:20 p.m. .50 hr

#### The Welcoming America Movement

Recognizing the assets immigrants bring to cities, a growing number of municipalities have implemented innovative programs and policies to ensure their communities are inclusive and welcoming. Hear how welcoming cities are prospering by making all residents, including immigrants, feel like they belong.

Felicia Escobar Carrillo, Welcome America,  
Los Angeles, CA  
Liz Cedillo-Pereira, Office of Welcoming  
Communities and Immigrant Affairs, Dallas, TX

### 3:50 p.m. Adjourn

# REGISTRATION FORM

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Austin, TX 78713-7759

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512.475.6876

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512.475.6700

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*Includes Electronic Course Materials*

#### 1. Select Registration Type

- Individual registration by Wednesday, October 18 ..... \$150
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**Printed course binder available for an additional fee through October 18**

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- Printed Course Binder ..... \$27.00  
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*(e.g., government employees and nonprofits)*

### CONFERENCE—IM17

*Includes Electronic Course Materials and Thursday and Friday Luncheon Presentations*

#### 1. Select Registration Type

- Individual registration by Wednesday, October 18 ..... \$495
- Individual registration after Wednesday, October 18 ..... \$545

**Printed course binder available for an additional fee through October 18**

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- Printed Course Binder ..... \$37.89  
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### LIVE WEBCAST—OCTOBER 25, 2017

*Includes Electronic Course Materials in "Your Briefcase"*

- Individual registration ..... \$100

### LIVE WEBCAST—October 26–27, 2017

*Includes Electronic Course Materials in "Your Briefcase"*

- Individual registration ..... \$445

Fundamentals Registration Total ..... \$ \_\_\_\_\_

Conference Registration Total ..... \$ \_\_\_\_\_

**REGISTRATION SUBTOTAL** ..... \$ \_\_\_\_\_

**SAVE \$25 WHEN YOU REGISTER FOR BOTH FUNDAMENTALS AND CONFERENCE** ..... **-\$25** \$ \_\_\_\_\_

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- Individual eConference ..... \$445  
*Call 512.475.6700 to register additional participants*

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## COMPLETE CONFERENCE MATERIALS For Research and Self-Study

*Comprehensive Binder and Audio from the live conference. Available for download 4–6 weeks after the live conference date. Texas customers add 8.25% sales tax.*

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- Audio CD Set ..... \$100

Fundamentals Complete Conference Materials<sup>†</sup> Total ..... \$ \_\_\_\_\_

### CONFERENCE—IM17

- eBinder Download (PDF) ..... \$225
- Printed Binder ..... \$275
- Audio Download (MP3) ..... \$175
- Audio CD Set ..... \$100

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**AUSTIN**

**October 25–27, 2017**

**CONFERENCE LOCATION**



**AT&T Conference Center**  
 1900 University Ave  
 Austin, TX  
 877.744.8822

**Special Room Rate: \$189**  
 good through October 10, 2017  
 reference "Immigration Conference"  
 (subject to availability)

**Parking:**

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

**KEY DATES**

**October 18, 2017**

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

**October 20, 2017**

*last day for cancellation (full refund)*

**October 23, 2017**

*last day for cancellation (partial refund)*  
 \$50 processing fee applied

**October 25, 2017, 12:50 p.m.**

*Fundamentals begins*

**October 26-27, 2017, 8:20 a.m.**

*Conference begins*

**COMING IN 2018 – IMMIGRATION REMOVAL PROCEEDINGS WORKSHOP**

Join us for the 2018 Immigration Removal Proceedings Workshop!

This 2-day course is designed for beginning and intermediate immigration practitioners, employment lawyers, criminal lawyers, and family lawyers involved with the increasingly complex area of removal proceedings. Hear techniques and strategies for effectively handling typical and atypical problems. Interact with top immigration practitioners and gain strategies to provide the best advocacy for your clients, while protecting yourself and your practice.

[www.utcle.org](http://www.utcle.org)

**REASONS TO ATTEND IMMIGRATION AND NATIONALITY LAW**

In a changing political climate, navigating new policies, guidance and interpretations of the law is more important than ever. UT Law's **4<sup>1st</sup> Annual Conference on Immigration and Nationality Law** is ideal for practitioners of all experience levels, and provides an opportunity hear the latest developments and to meet with and learn from nationally recognized experts. Interact with your fellow practitioners to hear how they are dealing with the tough issues of the day.

The 2-day program offers in-depth discussion on issues at the forefront of immigration practice, and provides tools, forms, tips and guidance on key decision points and strategies in family-based and employment-based immigration, including the increasing importance of removal and relief from removal. Gain strategies to provide the best advocacy for your clients while protecting yourself and your practice.

- Gain practical insight into new immigration policies and the current political landscape.
- Review the latest Supreme Court, Fifth Circuit, and Board of Immigration Appeals cases and decisions.
- Know your rights at the border, and hear practical advice on how to protect you and your clients.
- Examine business-based immigration topics including an overview of work visas, a deeper dive into H1-B visas and common problems for employers, PERM processing, and worksite enforcement.
- Learn how to prepare for audits and raids and what to do once they occur.
- Review procedures, options, and defenses for removal.
- Discuss how to avoid and address your client's fraud or misrepresentation findings when dealing with the USCIS, DOS, and Immigration court.
- Interact with faculty, fellow practitioners and *pro bono* organization representatives during Thursday's Networking Reception and *Pro Bono Mixer*.