

41st Annual Conference on Immigration and Nationality Law
October 26-27, 2017 • AT&T Conference Center • Austin, TX
October 26-27, 2017 • Live Webcast

Thursday Morning, October 26, 2017

Presiding Officer:

Jacqueline L. Watson, Walker-Gates Vela, PLLC - Austin, TX

7:30 am In Austin Only	Registration Opens Includes continental breakfast.
8:20 am	Welcoming Remarks
8:30 am 0.50 hr 0.25 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 am 1.00 hr 0.25 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 am	Break
10:15 am 1.00 hr 0.75 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 am 0.75 hr ethics	<p>Audits and Raids, Part II: Aftermath of the Notice of Inspection, Subpoena, and/or Warrants Presented</p> <p>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?</p> <p>Richard A. Gump Jr., The Law Offices of Richard A. Gump, Jr. P.C. - Dallas, TX Susan Bond, The Law Office of Susan Bond P.C. - Dallas, TX</p>
12:00 pm In Austin Only	<p>Pick Up Lunch</p> <p>Included in registration.</p>

Thursday Afternoon, October 26, 2017

Presiding Officer:

Mona Gupta, Gupta & Wiora, P.C. - Dallas, TX

LUNCHEON PRESENTATION

12:20 pm 0.75 hr ethics	<p>Operation Lawyer Up: Strategies to Protect Your Client and Your License</p> <p>Hear realistic litigation advice in a new area of immigration enforcement.</p> <p>Feroz Farook Merchant, The Merchant Law Firm - Houston, TX F. Andino Reynal, Fertitta Reynal LLP - Houston, TX</p>
1:05 pm	Break
1:20 pm 0.75 hr	<p>Case Law Update</p> <p>Review important cases and hot topics from the Supreme Court, the Fifth Circuit, and the Board of Immigration Appeals.</p> <p>Imran B. Mirza, Law Office of Imran Mirza, PC - Houston, TX</p>
2:05 pm 0.75 hr 0.50 hr ethics	<p>Advanced Perspectives on Boogeyman and Sack Man: Fraud and Misrepresentation</p> <p>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.</p> <p>Simon M. Azar-Farr, Simon Azar-Farr & Associates - San Antonio, TX</p>
2:50 pm	Break

3:00 pm 1.00 hr 0.50 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 pm 1.00 hr 0.50 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 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 Francisco J. García, The University of Texas Medical Branch at Galveston - Galveston, TX Patrick K. O'Rourke, Harry Gee & Associates, PLLC - Houston, TX
5:00 pm In Austin Only	Adjourn to Networking Reception and <i>Pro Bono</i> Mixer Introduction by Robert Painter, American Gateways, Austin, TX
In Austin Only	NETWORKING RECEPTION AND <i>PRO BONO</i> MIXER (5:00 p.m. to 6:00 p.m.) Enjoy refreshments and a networking opportunity with colleagues, conference faculty, and <i>pro bono</i> organization representatives.

Friday Morning, October 27, 2017

Presiding Officer:

Judy J. Lee, Foster LLP - Houston, TX

7:30 am In Austin Only	Conference Room Opens Includes continental breakfast.
8:00 am 0.75 hr 0.50 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 can protect 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 am 0.75 hr 0.25 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 am 0.50 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 am	Break
10:15 am 1.00 hr 0.50 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 am 0.75 hr 0.25 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. Nancy Taylor Shivers, Shivers & Shivers - San Antonio, TX Eugene J. Flynn, Eugene J. Flynn, P.C. - Dallas, TX
12:00 pm In Austin Only	Pick Up Lunch Included in registration.

Friday Afternoon, October 27, 2017

Presiding Officer:

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

LUNCHEON PRESENTATION

12:20 pm 0.75 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
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1:05 pm	Break
1:20 pm 0.50 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 pm 0.75 hr 0.25 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 pm 0.75 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 pm 0.50 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 pm	Adjourn