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Finding What You Need To Practice Immigration Law

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Preface

This paper is an update of the papers included in the 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2010 and 2011 UT Immigration Conference materials. If you have any of those papers, throw them away. Over half the URLs change every year and this year was no exception.

Introduction

In 1978 I was a law clerk in the Law Offices of Wallace Heitman. He was one of the first Certified Specialists in Immigration and Nationality Law in Texas. He passed away August 24, 2012 at the age of 92. One of the assignments he gave me was to put together a “Law Clerk’s Manual” for Immigration Law. The first part of that manual dealt with what was to be checked on a regular basis to see to it that we had the most up-to-date information.

Many prominent individuals in our field, including Steve Ladik and Judge Glenn McPhaul, had the joy of laboriously turning the pages of the Federal Register, F.Supp., F2d, the United States Code, Congressional and Administrative News (USCCAN), and many other publications to discover what was new. There was basically one service available in those days, *Interpreter Releases*, and it was slow to arrive in Dallas. Mr. Heitman wanted to have the most recent items on his desk, and it was up to the law clerk to give it to him.

That Law Clerk’s Manual is still valid today. The difference is that we do not have to run to a law library and turn pages. Now we can point and click and in some instances simply have our computer or iPad do it for us via RSS feeds, which we will discuss later, or receive updates automatically via e-mail.

Below I take you through what I do to keep up in this field. I do not recommend that you do all of the pointing and clicking personally. If your firm has one, a law clerk, or even a receptionist, can be trained to check the various sources and print or forward to you electronically what you would like to see and read. Perhaps you prefer to have an outside source prepare an electronic summary for you. Such is available, as noted below.

This paper does not cover everything that is available on the web.

Daily Review

Bright and early every morning I review my downloaded e-mails, check my RSS feeds and start to check key websites. Some of the e-mails and RSS feeds inform me of new postings on the web, including new Board of Immigration Appeals (BIA) decisions, new GAO Reports, newly published 5th Circuit Opinions and even that particular day’s contents of the Federal Register. Further information on how to receive such e-mails will be discussed momentarily.

To give you an idea of what the sites look like, in the past I included a printout of a page of each site I discuss as an appendix to these materials. With most people getting the materials on a flash drive you can just click on the links, so I have eliminated the appendix. I have also included a list of the links from the power point at the end of this paper. If anyone still gets just hard copies of the materials, just drop me an email at ejflynnlaw@gmail.com and I will forward to you a copy of the paper with active links.

One of the first sites I used to check in the morning was the American Immigration Lawyers Association (AILA) <http://www.aila.org/> (*see* discussion *infra* regarding receiving e-mail updates from AILA). Now I check it in the evening after the postings for the day have ended, while checking the e-mails as they arrive to see if there is anything pressing. If you are not a member of AILA, I encourage you to join, as only members can use this research tool.

AILA posts to their InfoNet site Service Center processing times, administrative and court cases, liaison minutes from meetings with numerous divisions of the Department of Homeland Security, the Department of Labor, the Department of State, the Social Security Administration and other agencies.

I store everything posted on AILA InfoNet on my hard drive in searchable PDF format. If you do not have a full Acrobat program to save in PDF format, free programs are available. I use CutePDF Writer which is available for free at <http://cutepdf.com>. Acrobat Reader X has an excellent search feature which allows you to search all PDF files in a directory. Unfortunately, many older PDF files are in graphic format and are not searchable, requiring a separate index if you ever want to find them again.

I save the items by date in annual sub-directories. For example, the first item posted to InfoNet on this first day of this conference would be named NOV07-01.PDF. It would be stored in the "data2012" sub-directory. I also store the summaries that AILA posts for all items in an index file. I include my file name when moving that day's items to my index file for easier retrieval. Often, rather than searching for something I am sure was on InfoNet recently using the InfoNet online search feature I will simply search my index file. It is usually quicker.

Why save everything? Because AILA does not keep everything they post. Neither does the government. Often AILA will remove, for example, early versions of proposed legislation so as not to confuse the members as to what was enacted. Knowing that such is part of the legislative history of the particular statute, I prefer to keep the material, as it might be useful. *See e.g. In re Pedro Rodriguez-Rodriguez*, 22 I&N Dec. 911, 1003 (BIA 1999) (Guendelsberger, dissenting).

I have not destroyed all my old hard copies as yet. Not too long ago an AILA member was seeking a case I summarized for the old *AILA Monthly Mailing* back in 1994. A reprint of the case was still listed as available on AILA InfoNet. Needless to say AILA no longer had the case, but I did. I scanned it and sent it to AILA as a graphic. They converted it to a searchable format and posted it to InfoNet. Hopefully, someday, we will have all such immigration legal history stored electronically.

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Title search: Finding What You Need to Practice Immigration Law

First appeared as part of the conference materials for the
36th Annual Conference on Immigration and Nationality Law session
"Law Office Management: Finding What You Need"