

38TH ANNUAL
**IMMIGRATION AND
NATIONALITY LAW**



FUNDAMENTALS
October 15, 2014

CONFERENCE
October 16–17, 2014

Radisson Hotel and Suites Downtown
Austin, Texas

 Live Webcasts on October 15, 16–17

Fundamentals—Earn up to 4.50 Hours of Credit Including 1.00 Hour of Ethics Credit

Conference—Earn up to 16.00 Hours of Credit Including 3.25 Hours of Ethics Credit

TX Legal Specialization Credit Approved for Immigration and Nationality Law

2014

FUNDAMENTALS OF IMMIGRATION AND NATIONALITY LAW

October 15, 2014 ■ Radisson Hotel and Suites Downtown ■ Austin, Texas

Earn up to 4.50 Hours of Credit Including 1.00 Hour of Ethics Credit
TX Legal Specialization Credit Approved for Immigration and Nationality Law

WEDNESDAY AFTERNOON, OCT. 15, 2014

Presiding Officer:

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

12:00 p.m. Registration Opens

12:50 p.m. Welcoming Remarks

1:00 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

2:00 p.m. .50 hr

Immigration Agencies and Basic Terms

An overview of the various immigration agencies and basic immigration terminology.

Barbara Hines, The University of Texas School of Law, 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. This overview discusses family visa categories, the qualifications for each, and the application procedures which govern family petitions.

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

3:30 p.m. Break

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 4.50 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).

3:45 p.m. 1.00 hr

Introduction to Removal Proceedings

An overview of Immigration Court procedures, defenses and discretionary relief.

Barbara Hines, The University of Texas School of Law, Austin, TX
Stephanie Rodriguez Taylor, American Gateways, Austin, TX

WELCOME RECEPTION

4:45 p.m.–6:45 p.m.

Meet and network with your fellow immigration law practitioners for drinks, hors d'oeuvres and a lively ethics presentation at 5:15 p.m.

5:15 p.m. 1.00 hr ethics

Immigration Case Management and Beginning Ethics

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

Michelle L. Saenz-Rodriguez, Saenz-Rodriguez & Associates, P.C., Dallas, TX
Jacqueline L. Watson, Law Office of Thomas Esparza, Jr., P.C., Austin, TX

6:15 p.m. Adjourn Fundamentals

FUNDAMENTALS FACULTY

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

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The University of Texas School of Law
Austin, TX

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Paul Parsons, PC
Austin, TX

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The University of Texas Medical
Branch at Galveston
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Paul Parsons, PC
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Catholic Charities of Dallas, Inc.
Dallas, TX

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Cox Smith Matthews Incorporated
El Paso, TX

PETER D. WILLIAMSON
Chamberlain, Hrdlicka, White,
Williams & Aughtry
Houston, TX

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

EDNA YANG
American Gateways
Austin, TX

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THURSDAY MORNING, OCT. 16, 2014

Presiding Officer:

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

7:30 a.m. Registration Opens
Includes continental breakfast.

8:20 a.m. Welcoming Remarks

8:30 a.m. 1.00 hr | .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 a.m. 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 a.m. Break

10:45 a.m. .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 a.m. .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 p.m. Pick Up Lunch
Included in registration.

THURSDAY AFTERNOON

Presiding Officer:

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

LUNCHEON PRESENTATION

12:35 p.m. .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 p.m. Break

1:35 p.m. .75 hr | .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 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 p.m. 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 p.m. Break

3:30 p.m. 1.00 hr | .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 p.m. 1.00 hr | .50 hr ethics

Ask the Experts

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.

Moderator:

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

Panelists:

Magali Suárez Candler, 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

5:30 Adjourn to Reception

NETWORKING RECEPTION AND PRO BONO MIXER

5:30 p.m.–6:45 p.m.

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

CONFERENCE MCLE

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FRIDAY MORNING, OCT. 17, 2014**Presiding Officer:**

Anne D. Monahan, Law Office of Anne D. Monahan, San Antonio, TX

7:30 a.m. Conference Room Opens

Includes continental breakfast.

8:30 a.m. 1.00 hr | .50 hr ethics**Criminal Immigration**

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.

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

9:30 a.m. .75 hr**Hot Topics in Family Immigration Law**

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 *Windsor v. United States*, which struck down the Defense of Marriage Act (DOMA) Section 3, allowing same-sex marriages to be recognized for immigration purposes; the impact of *Cuellar de Osorio* on derivative beneficiaries of preference category petitions; parole in place, who qualifies and some practice pointers for making and supporting a request; and more.

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

10:15 a.m. Break**10:30 a.m. .75 hr | .25 hr ethics****"Marital Problems"**

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.

Janet B. Beck, University of Houston Law Center, Houston, TX
 M. Elizabeth "Liz" Cedillo-Pereira, Cedillo-Pereira & Associates, PLLC, Dallas, TX

ABOUT THE COVER

Flag 19, oil on canvas, is by David Newman.
 For more information, visit
www.davidnewmanart.com

11:15 a.m. .75 hr | .25 hr ethics**Waivers**

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.

Magali Suárez Candler, Houston, TX
 Faye M. Kolly, De Mott, McChesney, Curtright, & Armendáriz LLP, Austin, TX

12:00 p.m. Pick Up Lunch

Included in registration.

FRIDAY AFTERNOON**Presiding Officer:**

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

LUNCHEON PRESENTATION**12:20 p.m. .75 hr****Gone to Texas: Immigration and the Transformation of the Texas Economy**

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.

Pia M. Orrenius, Federal Reserve Bank of Dallas, Dallas, TX

1:05 p.m. Break**1:20 p.m. .75 hr | .25 hr ethics****Investor Visas and Trade Issues**

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).

Harry Gee Jr., Harry Gee, Jr. & Associates, PLLC, Houston, TX
 Harry J. Joe, Jackson Lewis P.C., Dallas, TX

2:05 p.m. 1.00 hr**Hot Topics in Asylum**

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.

Denise L. Gilman, The University of Texas School of Law Immigration Clinic, Austin, TX
 Edna Yang, American Gateways, Austin, TX

3:05 p.m. Break**3:15 p.m. .75 hr | .25 hr ethics****"Preparation H:"****Work Visa Processing Challenges**

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.

William D. Fong, Fong & Associates, L.L.P., Houston, TX
 Rebecca R. Massiatte, Jackson Lewis P.C., Dallas, TX

4:00 p.m. .75 hr | .25 hr ethics**Worksite Enforcement**

Understand how to manage verification compliance strategies and negotiate settlements in the minefield of interagency audits by ICE/HSI, USCIS E-Verify and OSC.

Richard A. Gump Jr., The Law Offices of Richard A. Gump, Jr. P.C., Dallas, TX
 Kathleen Campbell Walker, Cox Smith Matthews Incorporated, El Paso, TX

4:45 p.m. .75 hr**Can I Stay or Must I Go? Adjustment versus Consular Processing**

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.

Robert H. Crane, Jones & Crane, Attorneys at Law, Weslaco, TX
 Nancy Taylor Shivers, Shivers & Shivers, San Antonio, TX

5:30 p.m. Adjourn Conference

REGISTRATION FORM

Online:
www.utcle.org/conferences/IF14
www.utcle.org/conferences/IM14

Mail:
The University of Texas School of Law
Attn. Registration
PO Box 7759
Austin, TX 78713-7759

Fax:
512.475.6876

Questions?
512.475.6700

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

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Telephone _____ Fax _____

Registrant's Email (required) _____ Assistant's Email (optional) _____

Invoices, confirmations and receipts are emailed to these addresses.

IF14/IM14

REGISTRATION

FUNDAMENTALS—IF14

Includes Course Materials and Wednesday Evening Welcome Reception

1. Select Registration Type

- Individual registration by Wednesday, October 8, 2014. \$85
- Individual registration after Wednesday, October 8, 2014. \$115

2. Select Course Materials Format

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

CONFERENCE—IM14

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

1. Select Registration Type

- Individual registration by Wednesday, October 8, 2014. \$450
- Individual registration after Wednesday, October 8, 2014. \$500

2. Select Course Materials Format

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

SAVE \$25 WHEN YOU REGISTER FOR BOTH LIVE FUNDAMENTALS AND CONFERENCE

-\$25 \$ _____

WEBCAST—October 15, 2014

Includes Electronic Course Materials in "Your Briefcase"

- Individual Registration. \$85

Fundamentals Registration Total \$ _____

WEBCAST—October 16–17, 2014

Includes Electronic Course Materials in "Your Briefcase"

- Individual Registration. \$400

Conference Registration Total \$ _____

REGISTRATION SUBTOTAL \$ _____

IN-HOUSE For Texas MCLE Credit

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.

FUNDAMENTALS—IF14

- In-House CLE for 2 \$250
- _____ Additional participant(s) for \$115 each \$ _____

Fundamentals In-House Total \$ _____

CONFERENCE—IM14

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

Conference In-House Total \$ _____

IN-HOUSE SUBTOTAL \$ _____

CONFERENCECOMPLETE MATERIALS For Research and Self-Study

Comprehensive Binder and Audio products from the live conference. Available for delivery 3–5 weeks after conference date. Shipping included. Texas customers add 8.25% sales tax.

FUNDAMENTALS—IF14

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- Printed Binder \$115
- Audio Download (MP3) \$50
- Audio CD Set \$100

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Sales tax will be invoiced separately on taxable materials orders for which payment does not include tax.

CONFERENCE—IM14

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

Conference ConferenceComplete Materials[†] Total \$ _____

[†]Texas customers—add 8.25% sales tax or include Exemption Certificate . . . \$ _____

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AUSTIN

October 15, 16–17, 2014

CONFERENCE LOCATION



Radisson Hotel and Suites Downtown

111 E. Cesar Chavez Street
Austin, TX
512.478.9611

Special Room Rate: \$164
good through September 15, 2014
(subject to availability)

Parking:

\$3 daily self-parking; \$8 overnight self-parking;
\$24 valet parking
(subject to change)

KEY DATES

October 8, 2014

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

October 10, 2014

last day for cancellation (full refund)

October 13, 2014

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

October 15, 2014, 12:50 p.m.

Fundamentals begins

October 16, 2014, 8:20 am.

Conference begins

CONFERENCE FACULTY

BRIAN K. BATES
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Houston, TX

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University of Houston Law Center
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MAGALI SUÁREZ CANDLER
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