

2022 GEORGIA ALABAMA AILA CHAPTER ANNUAL CONFERENCE
“LAWYERS AT WORK: BUILDING A STRONGER IMMIGRATION BAR”

MARCH 24 & 25, 2022

PROGRAM

MARCH 24TH PANELS

8:00am-8:30am Check-In and Exhibitor Zoom Rooms Open

8:30am - 9:30am Session:

FAMILY TRACK

Humanitarian Relief: Humanitarian Deferred Action, Humanitarian Parole, Parole in Place

Join panelists as they discuss different options and possibilities of humanitarian relief for clients, including Parole in Place (PIP), Humanitarian Parole, and Humanitarian Deferred Action.

Speakers:

- Matt Boles, Lumpkin, GA (DL)
- Rachel Binstock, Atlanta, GA
- Karla Verma, Atlanta, GA

REMOVAL/LITIGATION TRACK

Local Atlanta Immigration Court Updates: Prosecutorial Discretion & Administrative Closure

Join panelists as they discuss local updates in the Atlanta Immigration Court, including administrative closure, prosecutorial discretion, standing orders, and other tips related to the court.

Speakers:

- Eric Adams, Atlanta, GA (DL)
- Pamela Peynado, Atlanta, GA
- Kathy Hoyos, Atlanta, GA

BUSINESS TRACK

National Interest Waivers

This intermediate level panel will explore the latest trends in NIWs five years after the

landmark *Dhanasar* case.

Speakers:

- Audra Doyle, Atlanta, GA (DL)
- Ariana Reesman, Atlanta, GA

9:30am - 10:30am Session:

REMOVAL/LITIGATION TRACK

Litigation Clinic

EOIR and OPLA procedures and policies have undergone tremendous change under the current Biden Administration. This panel aims to summarize the new laws, procedures, and policies, and how to best navigate the "whole new world" of litigating removal cases in Atlanta.

Speakers:

- Sarah Owings (DL)
- Edivette Lopez-Benn

REMOVAL/LITIGATION TRACK

Motions to Terminate: *Niz-Chavez* & *Pereira* Updates

In April of 2021, SCOTUS issued *Niz-Chavez* about the stop-time rule when an NTA does not have all of the required information, expanding on its 2018 decision in *Pereira* about defective NTAs. Since *Niz-Chavez*, the BIA issued *Matter of Arambula-Bravo* about jurisdiction. Join panelists as they discuss these cases, recent updates, and creative arguments and strategies.

Speakers:

- Johanna Cochran, Atlanta, GA (DL)
- Nicole Weitnauer, Atlanta, GA
- John Gihon, Altamonte Springs, FL

BUSINESS TRACK

International Entrepreneur Parole

This advanced panel will discuss the most elusive unicorn -- the International Entrepreneur Parole. Topics may include USCIS's definition of "qualified U.S. investors" and "substantial potential for rapid growth and job creation."

Speakers:

- Kevin Miner, Atlanta, GA (DL)
- Cherie Elizabeth Cookorinis, Atlanta, GA

10:30am - 11:00am Session: EXECUTIVE COMMITTEE CHAPTER UPDATE

Speakers:

- Chapter Chair: Jorge Gavilanes
- 1st Vice Chair: Sam Radin
- 2nd Vice Chair: Erin Elliott
- Treasurer: Hiba Ghalib
- Secretary: Bhavya Chaudhary
- Immediate Past Chapter Chair: Janora Hawkins

11:00am - 12:00pm Session:

FAMILY TRACK

HOW TO: Violence Against Women Act

This panel will discuss how to file a VAWA self-petition, tips and tricks on preparing affidavits, and preparing the application using a trauma-informed approach.

Speakers:

- Tracie Klinke , Marietta, GA (DL)
- Renata Castro, Coral Springs, FL
- Zainab Alwan, Duluth, GA

REMOVAL/LITIGATION TRACK

Motions to Reopen

SCOTUS has stated motions to reopen are an ""important safeguard" in the immigration context. Join panelists as they discuss the several types of motions to reopen, requirements, when a fee is required, equitable tolling, and arguments in the 11th circuit.

Speakers:

- Eli Echols, Duluth, GA (DL)
- Gio Diaz, Atlanta, GA

BUSINESS TRACK

Labor Certification Checklist

This intermediate level panel will detail the documents and information required to initiate a labor certification case, and provide an in-depth workshop on best recruitment practices after the landmark Facebook settlement.

Speakers:

- Janora Hawkins, Atlanta, GA (DL)
- Justin Russo, Atlanta, GA

12:00 - 1:00pm: LUNCH PROFESSIONALISM

A panel of experienced immigration practitioners will conduct an in-depth conversation about what professionalism means in today's immigration landscape. Speakers will distinguish ethics from professionalism and discuss how they have managed to stay committed to the principles of the lawyer's creed in the wake of trying times. The conversation will include maintaining civility with regard to clients, opposing parties, the courts, colleagues, to the profession, to the public, and to ourselves. Panelists will invite discussion about how our community's professionalism aspirational ideals may help ensure the survival of our practice. The discussion will be based on the Lawyer's Creed, the Aspirational Statement on Professionalism, and Georgia-specific written materials including hypothetical scenarios relevant to principles of professionalism in immigration law.

Speakers:

- John Charles Bell, Birmingham, AL
- Zaira Solano, Atlanta, GA

1:00pm - 2:00pm Session:

FAMILY TRACK

Issues with Admission and Parole

This panel will discuss the reversal of USCIS's long-standing policy of treating authorized travel by TPS holders as "parole" for adjustment of status. Panelists will discuss responses to denials in cases in which the TPS holder traveled and returned to the USA on advance parole prior to August 20, 2020; the TPS holder traveled and reentered the USA on advance parole after August 20, 2020; and the TPS holder was denied adjustment of status due to a previous removal order after travel on advance parole.

Speakers:

- Rebecca Rojas, Atlanta, GA (DL)
- Marshall Cohen, Atlanta, GA

REMOVAL/LITIGATION TRACK

Legal Writing: Structures and Planning Strategy

Strategy assessment and planning for brief writing with specific tactics employed in drafting for the AAO, BIA and Motions and including exhibits, order of assembly tips for writing strong arguments.

Speakers:

- Jorge Gavilanes, Atlanta, GA (DL)
- Jessica Palumbo, Atlanta, GA
- Leslie Diaz, Duluth, GA

BUSINESS TRACK

WORKSHOP: Perm Recruitment

This workshop follows the panel that details documents and information required to initiate a labor certification case.

Speakers:

- Justin Russo , Atlanta, GA (DL)
- Janora Hawkins, Atlanta, GA

2:00pm - 3:00pm Session

FAMILY TRACK

Wisdom for practitioners on all levels

Well-seasoned immigration attorneys look forward to sharing their tips, tricks, and pieces of wisdom about "old school" immigration. This panel is designed to give all practitioners insight into lesser-used sections of the INA and to identify alternate avenues of relief for clients. For example, NACARA relief for certain Guatemalans or Salvadorans and their derivatives is not often on our minds. The panelists will bring to life these avenues for relief with war stories!

Speakers:

- Helen Parsonage, Winston-Salem, NC (DL)
- Carolina Antonini, Atlanta, GA
- Chuck Kuck, Atlanta, GA

REMOVAL/LITIGATION TRACK

HOW TO: Mandamus

Panelists will provide an intermediate level workshop detailing when it is appropriate to file a writ of mandamus and how to do so.

Speakers:

- Sam Radin, Atlanta, GA (DL)
- Danielle Claffey, Atlanta, GA

BUSINESS TRACK

Ins and Outs of Sports, Music Artist, and Entertainments

Os, Ps, EB-1s, oh my! Topics for this advanced level panel may include how to determine the proper benefit request for your athlete/artist-clients and how to best position them for success -- in the realm of immigration, that is!

Speakers:

- Peter Acker, Atlanta, GA (DL)
- Shirley Zambrano, Atlanta, GA

3:00pm - 3:15pm Session: COFFEE BREAK

3:15pm - 4:15pm Session:

FAMILY TRACK

HOW TO: Special Immigrant Juvenile Status

Do the state-level SIJ procedures have you confused? You are not alone! Join our esteemed panelists to gather clarity about our local best practices for securing custody and dependency orders necessary for SIJS cases. Panelists will discuss when custody is an appropriate petition and will share some highlights about the dependency petition process.

Speakers:

- Gabriela Watson, Albertville, AL (DL)
- Joy Smith Rich, Atlanta, GA

REMOVAL/LITIGATION TRACK

HOW TO: Admissibility & Deportability

If you have ever looked at INA 212 and INA 237 and thought you were looking at a tornado, you are not alone! Panelists will go through grounds of inadmissibility and deportability and give real-world examples of when each might apply. In addition to reviewing grounds of inadmissibility and deportability, the speakers will discuss which grounds are most frequently used, and the workshop will be aimed at issue-spotting.

Speakers:

- Eszter Bardi, Atlanta, GA (DL)
- Kristen Shepherd, Athens, GA
- Iliana Dobrev, Atlanta, GA

BUSINESS TRACK

HOW TO: H2B Seasonal Workers

Panelists provide the key points and elements of the H2B visa and practical suggestions for working with employers and potential employees when applying for these temporary non-immigrant work visas.

Speakers:

- Michael Uribina, Atlanta, GA (DL)
- Jay Ruby, Atlanta, GA

4:15pm - 5:15pm Session:

FAMILY TRACK

Asylum for Unaccompanied Children

Many of us may not encounter this nuanced area of immigration law, therefore panelists will offer insights, tips, and strategies for how we can assist children via asylum as they come into the United States alone.

Speakers:

- Amy Haer, Atlanta, GA (DL)
- Sarah Katz, Atlanta GA
- Fatemeh Mehrabi, Atlanta GA

REMOVAL/LITIGATION TRACK

Inadmissibility/Deportability Workshop

In the previous session, panelists went over grounds of inadmissibility and deportability and gave real-world examples of when each might apply. Now join them for this workshop to go into more detail and additional examples.

Speakers:

- Eszter Bardi, Atlanta, GA (DL)
- Kristen Shepherd, Athens, GA
- Iliana Dobrev, Atlanta, GA

BUSINESS TRACK

Law Practice Management/Ethics

Best practices for hiring, managing, and firing employees and contractors, Oversight of support staff versus allowing full autonomy, Managing client relationships, trust accounting, return of unearned fees, handling requests for transfer of files, leveraging technology, firing a client, and withdrawing from a case.

Speakers:

- Craig Dobson, Atlanta, GA (DL)
- Jeremy Love, Birmingham, AL

FRIDAY MARCH 25TH

8:30am - 9:30am Session:

FAMILY TRACK

Asylum

In the 2019 FY, more than 49,500 people were granted asylum, either affirmatively or by an I.J. in removal proceedings. In the 2021 FY, about 37% of asylum applications were granted. Join panelists as they discuss trends and changes in asylum law and how to better advocate for your clients seeking humanitarian protection. Please note there is a specific presentation about Particular Social Group (PSG).

Speakers:

- Eddie Lopez-Lugo, Atlanta, GA (DL)
- Jama Ibrahim, Atlanta, GA

REMOVAL/LITIGATION TRACK

HOW TO Do a CIMT Analysis

CIMTs have been described as a "nebulous concept," having no statutory definition despite existing as a concept in immigration law dating back to 1891. Join panelists as they discuss what is a CIMT, immigration consequences of CIMTs, and how to determine whether a crime is considered a CIMT.

Speakers:

- Laura Glass-Hess, Atlanta, GA (DL)
- Emily Davis, Atlanta, GA

BUSINESS TRACK

Business and Crimes

Even as interview waivers seem to be coming back en vogue for employment-based adjustment applicants, this advanced level panel will explore some of the "crimmigration issues" encountered by business-based practitioners. Topics may also include prudential (visa) revocation and traveling on advance parole with a criminal history.

Speakers:

- Elizabeth Garvish, Atlanta, GA (DL)
- Dara Berger, Atlanta, GA

9:30am - 10:30am Session:

FAMILY TRACK

How to Formulate a PSG

Join panelists as they discuss Particular Social Group, one of five protected grounds for refugees and asylees. In June of 2021, the AG issued two decisions vacating previous decisions about PSG. Panelists will review the requirements of PSG and creative strategies and arguments when formulating PSGs.

Speakers:

- Maura Finn, Atlanta, GA (DL)
- Emily Torstveit Ngara, Atlanta, GA
- Rachel Effron Sharma, Atlanta, GA

REMOVAL/LITIGATION TRACK

CIMT Analysis Workshop

Now that you've learned about what a CIMT is and its immigration consequences in the earlier panel, join the panelists during this workshop to learn how they analyze crimes.

Speakers:

- Laura Glass-Hess, Atlanta, GA (DL)
- Emily Davis, Atlanta, GA

BUSINESS TRACK

State of EB-5

Get the latest information on the impact of the lapse of Congressional authorization for the Regional Center program and the tenuous nature of the Behring case's hold on the EB-5 Modernization Rule. This advanced level panel will provide the latest information on these hottest of hot topics in the world of EB-5 and more.

Speakers:

- Bhavya Chaudhary, Atlanta, GA (DL)
- Hiba Ghalib, Atlanta, GA

10:30am - 11:30am Session:

FAMILY TRACK

HOW TO Formulate a PSG

Now that you know the requirements of a Particular Social Group, join the three panelists

in this workshop as they go over different formulations and ideas as to what constitutes a PSG.

Speakers:

- Maura Finn, Atlanta, GA (DL)
- Emily Torstveit Ngara, Atlanta, GA
- Rachel Efron Sharma, Atlanta, GA

REMOVAL/LITIGATION TRACK

Removal Waivers (237(a)(1)(H), *Meridor* Hearing, 212(c))

Join this panel in exploring waivers to file in immigration court: What is a *Meridor* hearing? When does 212(c) still apply? And information about filing a 237(a)(1)(H) waiver.

Speakers:

- Elizabeth Matherne, Adel, GA (DL)
- Nicole Weitnauer, Atlanta, GA

BUSINESS TRACK

Business Immigration - Compliance with International Rules/Regs

Panelists will discuss what to consider during a business's global expansion, including international tax compliance.

Speakers:

- Clayton Cartwright, Columbus, GA (DL)
- Marco Mazzeschi, Rome, Italy

11:30am - 12:30pm: LUNCH BREAK

12:30pm - 1:30pm Session:

FAMILY TRACK

I-601A Workshop

This will be a hands-on start to finish session for a typical provisional waiver filing, including the cover letter, affidavits, and list of exhibits that establish hardship in a thorough but concise package.

Speakers:

- Edivette Lopez-Benn, Atlanta, GA (DL)
- Carrie Toth, Atlanta, GA

REMOVAL/LITIGATION TRACK

Prosecutorial Discretion (PD)

Join Anna Erwin as she moderates a presentation with ICE's Office of Principal Legal Advisor (OPLA). Specifically, Emily C. Reece, Deputy Chief Counsel, will provide local updates about OPLA. Please note the conference has a session Thursday morning, "Local ATL Immigration Court Updates/PD updates/Admin Closure."

Speakers:

- Anna Erwin, Atlanta, GA (Moderator)
- Emily C. Reece, Deputy Chief Counsel, OPLA (Atlanta)

BUSINESS TRACK

DHS Site Visits/Fraud Investigations

Panelists will discuss topics such as advising clients during a site visit handling the receipt of a Notice of Inspection (NOI); what types of documents to request from an employer; communication with the DHS Investigator; Notice of Intent to Fine; negotiations and mediation with DHS counsel; handling a Complaint; and litigating a fine with OCAHO

Speakers:

- Bruce Buchanan, Nashville, TN (DL)
- Kerry Griggs, Atlanta, GA

1:30pm - 2:30pm Session:

FAMILY TRACK

HOW TO DEAL WITH THE UNEXPECTED: Tips on RFEs, NOIDs and NOIRs

Panelists will discuss their experiences in responding to USCIS after filings and interviews go awry and offer ideas to anticipate and handle the unexpected.

Speakers:

- Carrie Toth, Atlanta, GA (DL)
- Lino Rodriguez, Atlanta, GA

REMOVAL/LITIGATION TRACK

Aggravated Felony Analysis

SCOTUS in 2010 declared that noncitizens with an aggravated felony conviction suffer the "harshest deportation consequences." First used in 1988, the aggravated felony concept has been expanded over the years by Congress to now include more than thirty offenses. Join panelists as they discuss this term of art, how to determine whether a crime is an aggravated felony, and immigration consequences of aggravated felonies.

Speakers:

- Jessica Stern, Atlanta, GA (DL)

- Bradley Watson, Birmingham, AL
- Christina Champagne, Atlanta, GA

BUSINESS TRACK

H-1Bs (HOW Intermediate Issues)

Join panelists as they provide an overview of the H-1B Visa Program, trends and statistics, common risks and pitfalls, and best compliance practices.

Speakers:

- Layli Eskandari, Atlanta, GA (DL)
- Erin Elliott, Atlanta, GA
- Matt Ohm, Atlanta, GA

2:30pm - 2:45pm Session: COFFEE BREAK

2:45pm - 3:45pm Session:

FAMILY TRACK

Practice Management (Technology)

Panelists will discuss technology currently on the market and how lawyers can find new ways to innovate their practice.

Speakers:

- Greg Siskind, Memphis, TN
- Zaira Solano, Atlanta, GA
- Lucy Lu, Atlanta, GA

REMOVAL/LITIGATION TRACK

Post-Conviction Relief

When representing non-U.S. citizens with criminal convictions, attorneys should see if PCR is appropriate for their clients. This is particularly important to possibly mitigate potential immigration consequences. Join panelists as they discuss different types and ways to argue PCR.

Speakers:

- Julio Moreno, Atlanta, GA (DL)
- Mark Yurachek, Atlanta, GA

BUSINESS TRACK

How to Start a Law Firm

Panelists will share instructions and discuss practical tips for starting up the practice, preparing a business plan, and management skills required to run a successful practice.

Speakers:

- Peter Tadeo, Atlanta, GA
- Massiel Silva, Atlanta, GA (DL)

3:45pm - 4:45pm Session:

FAMILY TRACK

Consular Processing: NVC & Pandemic Updates

Panelists will present a general overview of consular processing from the visa petition approval stage to the interview at a U.S consular post. They will also provide valuable insight regarding changes and updates to consular processing in light of the global pandemic, what documents the NVC needs, how the interview is scheduled, preparing clients for the immigrant visa interview, and more.

Speakers:

- Sonal Shah, Atlanta, GA (DL)
- Fernanda Hottle, Atlanta, GA
- Hannah MacNorlin, Atlanta, GA

BUSINESS TRACK

Business Hot Topics

Panelists will discuss hot topics in employment-based immigration. To include:

- H-4 / E-2 / L-2 EAD Updates
- STEM Expansion
- Transfer of I-485's / Interfile Instructions
- Expanding Interview Waivers
- CSPA uses Final Action and Not Dates for Filing
- TPS and Employment Immigration
- Embassy Backlogs
- TCN Processing for Visas
- Covid Vaccine Waivers
- Maintenance of Advance Parole
- New F-1 Intent FAM Rules

Speakers:

- Nisha Karnani, Atlanta, GA (DL)
- Laine Posel, Atlanta, GA

Continuing Legal Education Credit Information

TO GET CLE CREDIT, PRACTITIONERS MUST ATTEND EACH LIVE WEBCAST SESSION

ATTENDANCE WILL BE MONITORED.

CLE SURVEY: [Note the Survey is not live; still need link to professionalism survey]

Georgia:

Practitioners may receive a maximum of 15 CLE hours total, including:

- 1 hour of Ethics CLE
- 1 hour of Professionalism CLE
- 13 hours of General CLE (including 6 hours of Trial CLE credit)

Alabama:

Practitioners may receive a maximum of 15 MCLE hours total, including:

- 1 hour of Ethics MCLE
- 14 hours of General MCLE

Florida:

Practitioners may receive a maximum of 18 CLER hours total, including:

- 1 Ethics CLER
- 1 Technology CLER
- 1 Professionalism CLER
- 15 General CLERs

Sponsors

Many thanks to our Sponsors!

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Conference Committee Members

Many Thanks to our 2022 Conference Committee:

1. Erin Elliott (Co-Chair)
2. Carrie Toth (Co-Chair)
3. Sam Radin
4. Hiba Ghalib
5. Leslie Diaz
6. Sonal Shah
7. Kerri Griggs
8. Nicole Weitnauer
9. Eszter Bardi
10. Matt Boles