

**AILA SPRING 2012 TEXAS CHAPTER CONFERENCE
THE LAND OF ENCHANTMENT
Albuquerque, New Mexico
April 12-14**

Thursday April 12, 2012

5:30 pm-7:00 pm Registration & Welcome Happy Hour
Hyatt Regency Tamaya Resort

Friday, April 13, 2012

Day Coordinator TBD

7:30 am - 8:00 am Registration

8:00 am - 8:15 am Welcome Remarks and Introductions

8:15 am - 9:15 am

The Latest and Greatest Come to the Land of Enchantment
Advocacy Panel Recent Legislative Efforts and Updates on Agency Advocacy

Bob Deasy, AILA National, Washington, DC (invited)

Ben Johnson, American Immigration Council, Washington, DC

- Legislative update and what to expect from Congress if Obama stays or a Republican takes office.
- Termination of removal proceedings for naturalization per 8 CFR 1239.2(f).
- Updates on what the American Immigration Council does and can do for our Chapter.
- Background work done at the White House/Administration/DHS Policy level on prosecutorial discretion.
- Updates on agency advocacy, service centers and agency liaisons.

9:15am-10:00am

It Can Get Prickly Like a Cactus in the New Mexico Desert
Perm Panel: Updates and Nuances on Supervised Recruitment and Audits

Kelly Cobb, Houston, TX

David Ware, New Orleans, LA

- Update on prevailing wage issues
- Processing times
- Recent BALCA cases: does DOL follow them?
- Overcoming fear of the academic labor certification
- Sharing of recent experiences: audit frequency and types, supervised recruitment, denials, appeals

10:00 am-10:15 am Networking Break

10:15 am-11:00 am

Hot Green Hatch Chiles from New Mexico

Hot Topics in Employment Based Cases

Beatriz Trillos-Ballerini, Houston, TX (moderator)

Kristie Taylor, Dallas, TX

Terry Weir, Houston, TX

- NIV Compliance – Fraud Detection Unit, DOL, wage, work location
- Update on New Office L-1A's and what the Service wants now & Update on L-1B's
- Vibe RFEs and Data
- Employer/Employee issues
- Third Party Placement – Neufeld
- Update on Fairness for High Skilled Workers Act (H-4 eligible to work/E-3 harmonization with H-1B's and L visas on 240 authorization to continue working)

11:00 am-12:00 pm

The Wild West

Worksite Enforcement 2012: Ice Audits From NOI to NIF To OCAHO

Richard A. Gump, Jr., Dallas, TX

Avalyn Castillo Langemeier, Houston, TX

ICE Official (invited)

- NOI: How to educate your client and minimize liability
- NIF: How to negotiate with ICE and reduce future risk for client
- OCAHO: How to determine whether to go to court and tips for winning, including statute of limitations issues

12:00 pm-1:15 pm Chapter Meeting and Luncheon

1:15 pm-2:00 pm

Take the Camino Real-The Royal Highway

Corporate Best Practices for Employees and Other Related Issues from the Company Perspective; Practical Overview of Export Control Laws

Gary Endelman, Houston, TX (Discussion Leader)

Maggie Murphy, Austin, TX

Quynh Nguyen, Immigration Counsel at British Petroleum (BP)-Amoco Corporation, Houston, Texas (invited)

- Preservation of LPR Status for foreign nationals transferred abroad on temporary assignments;
- Employee visa strategies;
- Corporate best practices from the company's point of view;
- When a license may be needed
- Protocols for review
- When an export control attorney needs to be consulted
- Moving forward with the I-129 filing before a license is obtained
- Changes in job duties and how that affects the I-129 and Export Controls licensing

2:00 pm to 2:15 pm **Networking Break**

2:15 pm to 3:15 pm

Going to The City of Truth or Consequences

Federal Court Remedies for Refusal to Recognize United States Citizenship, Midwife Births and Delayed Birth Certificates

Elisabeth Lisa Brodyaga, San Benito, TX

Jaime Diez, Brownsville, TX

- Background: "Once Upon A Time & Times Have Changed"
- Midwife and Other Non-Institutional Births
- Delayed Birth Certificates
- The Law is "Mostly" On Our Side
- Federal Court Remedies: 8 U.S.C. §1503, 8 U.S.C. §1252(b)(5)(b), Habeas Corpus, Detained Cases and Non-Detained Cases, Final Order of Removal, Family Relationships, The Right to International Travel, The Right To Employment and The Administrative Procedure Act

3:15 pm to 4:00 pm

Entering the Carlsbad Caverns

Consular, Department of State and Related Admission Issues

Kenneth J. Harder, Houston, TX

Kathleen Campbell Walker, El Paso, TX

Karen Ogle, Visa Chief Ciudad Juarez, DOS (invited)

- Latest Updates from CBP
- CBP Information Sources : Update on Web Development
- Access to Counsel and POE Document Production

4:00 pm to 4:45 pm

The Camino Real may be right here!

IV Waiver Panel: Stateside Processing of 10-year Bar Waivers

Jennifer Kelley, Consular Officer, Ciudad Juarez, DOS (invited)

Karen Ogle, Visa Chief Ciudad Juarez, DOS (invited)

Olsi Vrapic, Albuquerque, NM

- Should you hold your case for the new procedure or move forward under current procedure?
- How the new procedure will affect the development of the law on inadmissibility.
- Making your prospective hardship argument when you are used to making an actual hardship argument.
- Is extreme hardship extreme hardship? What happens if the consulate charges a new ground requiring a new waiver?
- What happens if the waiver is denied?

4:45 pm- 5:30 pm

Be a Rough Rider!

Be a Superhero for Immigration Reform. Participate in an AILA Advocacy & Media Training!

- Have you ever felt like if only members of Congress or the media could meet your clients, try to apply for an H1-B visa, or appear in immigration court they would understand why we need immigration reform now?
- Do you wish you could make elected officials and media understand that we need solutions that are effective, smart, comprehensive and based on real world facts, not political posturing?
- This training is your opportunity to get: an update on the national political scene, state specific resources, a crash course on how to be an effective lobbyist and training on writing compelling letters to the editor & OpEds

Greg Chen, AILA National, Washington, DC

Anu Joshi, AILA National, Washington, DC

5:30pm Conference Concludes

6:00 pm Networking Happy Hour (Hyatt Tamaya Resort)

Saturday, April 14, 2012

8:00 am-8:45 am

White Sands National Monument: The New Mexico Treasure

Investor Visa Panel: Updates on E-1 & E-2 visas and EB-5 Basics

Ruth Lozano McChesney, San Antonio, TX

Anne Ohlrich, San Antonio, Tx

- Overview of the E-1 and E-2 category (elements of an E-1 and an E-2) and Principals and Employees
- Common challenges and Country Specific Issues
- Consular Processing selecting posts for 3rd Country National processing and other considerations
- Other considerations such as consular processing vs. USCIS and alternatives
- What is an EB-5?
- What is the difference between the \$1 million and the \$500K investment?

- What are Regional Centers and how do they work?
- The ethical dilemma: Dangerous pitfalls for attorneys when asked by your client to refer one regional center over another. 1.5 ethics

8:45 am-9:30 am

The City Different

EOIR Best Practices Panel

Magali Suárez Candler, Houston, TX (Moderator)

Olsa Alikaj-Cano, Houston, TX

Kelli Stump, Oklahoma City, OK

The Honorable Clarease Rankin Yates, Department of Justice, EOIR Immigration Judge, Houston, TX (invited)

- How the IJ prepares for court.
- What the IJ expects from Respondent's counsel.
- How Respondent's counsel should prepare for court.
- Managing client expectations.

9:30 am to 9:45 Networking Break

9:45 am to 10:30 am

Billy the Kid

Immigration Consequences of Crimes and Associated Relief, Including Post-Conviction Relief Under Padilla

Imran Mirza, Houston, TX

Joseph Reina, Dallas, TX (invited)

- Immigration-Related Definitions: Admission, Conviction and Sentences
- Traditional Crimes: Crimes of Moral Turpitude, Drugs and Weapons
- Aggravated Felonies: "Crimes of Violence" and Drug Trafficking Offenses
- Strategies for better guilty pleas before conviction

10:30 am to 11:15 am

El Morro "Inscription Rock"

Asylum, VAWA, T and U Panel: Victims' Rights, Gender Based Issues & Apostasy

Wafa Abdin, Houston, TX

Elise Wilkinson, Houston, TX

- Eligibility or Ineligibility for Asylum: Best Practices for Client Intake
- Affirmative Asylum and Defensive Asylum
- The Five Protected Grounds for Asylum
- Asylum vs. Withholding
- The Asylum Application-Do's & Don'ts

- Gender Based Asylum
- Apostasy Claims
- Overview of the U Visa
- Overview of the T Visa, Including Recent Trends and Case Study
- Overview of Relief under the Violence Against Women's Act, Administrative Relief, VAWA Cancellation

11:15 am to 12:00 pm

The Missions

Legal Competency in Immigration Proceedings: Matter of M-A-M

Janet Beck, Houston, TX

Geoff Hoffman, Houston, TX

- Matter of M-A-M-
- Right to Appointed Counsel
- Trial Strategies
- Prosecutorial Discretion – History
- President Obama's Announcement of a Joint DOJ/DHS Committee
- Morton Memos and Factors for the Exercise of PD
- Baltimore/Denver Pilot Programs
- Latest Guidance

12:00 pm Conference concludes