

# 2020 Upper Midwest Immigration Law Virtual Conference



Friday, May 29  
8:15 a.m.- 5 p.m.  
All Sessions via Zoom



Join the Minnesota/Dakotas Chapter of the American Immigration Lawyers Association and The Advocates for Human Rights for the Upper Midwest Immigration Law Conference. This year's virtual conference sessions will provide critical practice updates and Continuing Legal Education credit to immigration practitioners.

Registered participants will have access to 6 hours of live sessions and on-demand access to all sessions following the conference.

**FEATURING FOUR TRACKS:**  
**EMPLOYMENT**  
**HUMANITARIAN**  
**LITIGATION**  
**FUNDAMENTALS**

	<b>EMPLOYMENT</b>	<b>HUMANITARIAN</b>	<b>LITIGATION</b>	<b>FUNDAMENTALS</b>
<b>7:30-8:30</b>	Registration/ Logistics	Registration/ Logistics	Registration/ Logistics	Registration/ Logistics
<b>8:30-9:30</b>	Session 1- Dissecting the H-1B: The Anatomy of a Specialty Occupation in the Post-Pandemic World	Session 1- SIJS: Advanced Topics	Session 1- What's New Since Last Year: A Very, Very Brief Overview of New Decisions, Policies and Strategies	Session 1- Removal Defense Fundamentals for New Practitioners
<b>9:30-9:45</b>	BREAK	BREAK	BREAK	BREAK
<b>9:45-10:45</b>	Session 2- Non-H-1B Visa Solutions	Session 2- Ethics— Small Firm Practice Management and Paralegal Supervision	<i>Please enjoy a session in a different track!</i>	Session 2- Inadmissibility, Removal and Waivers
	BREAK	BREAK	BREAK	BREAK
<b>11-12</b>	<i>Please enjoy a session in a different track!</i>	<i>Please enjoy a session in a different track!</i>	Session 2- Elimination of Bias: Chemical and Mental Health: Working with Clients Who Are Suffering and the Professionals Who Can Help Them	Session 3- Introduction to Employment-Based Immigration
<b>12-1</b>	<b>LUNCH</b>	<b>LUNCH</b>	<b>LUNCH</b>	<b>LUNCH</b>
<b>1-2</b>	Session 3- Innovations in Practice	<i>Please enjoy a session in a different track!</i>	Session 3- Advanced Bond Practice	Session 4- Humanitarian Relief: An Overview of Risks and Rewards
	BREAK	BREAK	BREAK	BREAK
<b>2:15-3:15</b>	Session 4- Ethics in Light of the <i>Sineneng-Smith</i> Case	Session 3- How to Overcome Barr's Bars on Asylum	Session 4- Advanced Crimmigration	Session 5- Overview of Family-Based Immigration
	BREAK	BREAK	BREAK	BREAK
<b>3:30-4:30</b>	Session 5- Litigation	Session 4- Current Trends in Fraud and Misrepresentation	Session 5- Crisis at the Border: Why it Matters to the Midwest and What you Can Do	Session 6- Naturalization Basics and Adjudication Trends
<b>4:30-5</b>	Virtual Happy Hour	Virtual Happy Hour	Virtual Happy Hour	Virtual Happy Hour

# EMPLOYMENT

<b>8:30-9:30am</b>	<b>Dissecting the H-1B: The Anatomy of a Specialty Occupation in the Post-Pandemic World</b> John Medeiros / Sarah Peterson / George Maxwell <ul style="list-style-type: none"><li>• Ways to prove specialty occupation</li><li>• Effective tools and how to use them</li><li>• Creative strategies to prevent RFEs</li><li>• How the pandemic raises H1B compliance issues and impacts strategies</li></ul>
<b>9:45-10:45am</b>	<b>Non-H-1B Visa Solutions</b> Anna Kerner / June Cheng / Volha “Olga” Andreyeva / Beth Carlson <ul style="list-style-type: none"><li>• The panel will cover nearly the full alphabet of non-immigrant visa options</li></ul>
<b>1:00-2:00pm</b>	<b>Innovations in Practice</b> Rebecca Bernhard / Roman Zelichenko / Rosanna Tussey / John Khosravi <ul style="list-style-type: none"><li>• This panel will cover various aspects of immigration practice and discuss leading trends with regard to new ways of delivering services regarding: staffing, technology, marketing, and case management</li></ul>
<b>2:15-3:15pm</b>	<b>Ethics in Light of the <i>Sineneng-Smith</i> Case</b> Alan Goldfarb / Dyan Williams / Eric Cooperstein <ul style="list-style-type: none"><li>• Background on the <i>Sineneng-Smith</i> case and the criminal encouragement provision</li><li>• Can the encouragement provision be applied to lawyers who provide competent legal advice to undocumented clients?</li><li>• What legal ethics rules are implicated?</li><li>• Can immigration lawyers still provide ethical representation while avoiding the risk of criminal prosecution?</li></ul>
<b>3:30-4:30pm</b>	<b>Litigation</b> Anna Finstrom / David Asp / Jesse Bless <ul style="list-style-type: none"><li>• Hot topics and practical guidance for litigating employment-based immigration matters</li></ul>

# HUMANITARIAN

<b>8:30-9:30am</b>	<b>SIJS: Advanced Topics</b> Alison Griffith / Kara Rieke / Nysha Operana <ul style="list-style-type: none"><li>• What to look for in reviewing state court orders &amp; what to do with an insufficient order</li><li>• Dealing with difficult state court judges</li><li>• How to address findings for a deceased parent</li><li>• AOS for kids in proceedings; recent case law</li><li>• USCIS policy update</li></ul>
<b>9:45-10:45am</b>	<b>Ethics of Small Firm Practice Management and Paralegal Supervision</b> Leslie Karam / Sandra Feist / Roy Ginsburg / Reid Trautz <ul style="list-style-type: none"><li>• How to run a high-volume boutique firm</li><li>• Supervision of paralegals</li><li>• Attorney signature without review of paralegal work</li><li>• How to balance ethical paralegal delegation with the time it takes to run a practice plus work/life balance</li></ul>
<b>2:15-3:15pm</b>	<b>How to Overcome Barr's Bars on Asylum</b> Sarah Brenes / Nadia Roife / Raymond Reza Bolourtchi <ul style="list-style-type: none"><li>• Affirmative and defensive asylum practice pointers (expert witnesses, evidence, testimony)</li><li>• Firm resettlement / safe third country / Internal relocation</li><li>• The MPP</li><li>• <i>Matters of LEA, AB</i></li><li>• <i>Matter of Negusie</i></li></ul>
<b>3:30-4:30pm</b>	<b>Current Trends in Fraud and Misrepresentation</b> John Klow / Calleigh McRaith / Scott Pollock / Steve Thal <ul style="list-style-type: none"><li>• What is material?</li><li>• Elements of 212(a)(6)(C) inadmissibility 90-day rule</li><li>• Marriage fraud, including misrepresentations, evidentiary standards for sham marriage findings, and challenging a sham marriage finding</li><li>• Failure to disclose material information, including children on DV lottery and prior arrests or charges</li><li>• Screening for prior fraud or misrepresentations</li><li>• Waiving misrepresentation</li></ul>

## LITIGATION

<b>8:30-9:30am</b>	<b>What's New Since Last Year: A Very, Very Brief Overview of New Decisions, Policies and Strategies</b> Brittney Bakken / Marc Prokosch / Lisa Temich Kaiser / David Kubat <ul style="list-style-type: none"><li>• Covering key AG/BIA decisions, SCOTUS decisions/cases, changes to USCIS/ICE/DOS/CBP</li><li>• Federal U visa litigation</li><li>• Litigation around SIJS/UAC, TPS issues including adjustment of status, and more</li></ul>
<b>11am-12pm</b>	<b>Elimination of Bias – Chemical and Mental Health: Working with Clients Who Are Suffering and the Professionals Who Can Help Them</b> Kyle Lipinski / Linus Chan / Dr. Emily Brunner <ul style="list-style-type: none"><li>• Best practices for working with and advocating for those with chemical/mental health issues</li><li>• identifying resources in the community (including M-A-M-/competency)</li></ul>
<b>1:00-2:00pm</b>	<b>Advanced Bond Practice</b> Grace Fiddler / Paul Dimick / Hanne Sandison <ul style="list-style-type: none"><li>• Current best practices and recent trends for getting your client out of custody— combatting the presumption of flight risk and danger</li><li>• Winning bond when ICE says detention is mandatory</li><li>• Local and national efforts to challenge bond standards</li><li>• Preparing to litigate from arrest to removal</li></ul>
<b>2:15-3:15pm</b>	<b>Advanced Crimmigration</b> Anne Carlson / Alicia Granse / Nadia Anguiano-Wehde <ul style="list-style-type: none"><li>• Preventative collaboration with defense attorneys through criminal court process</li><li>• Postconviction relief during removal proceedings and the categorical approach</li><li>• Changes at USCIS based on criminal charges/convictions</li></ul>
<b>3:30-4:30pm</b>	<b>Crisis at the Border: Why it Matters to the Midwest and What You Can Do</b> Kerry McGuire / Veronica Walther / Charlene D'Cruz <ul style="list-style-type: none"><li>• MPP, GACA and the alphabet soup of terrible asylum policies</li><li>• How Trump's racist border policies affect immigration practice in the Midwest</li><li>• The work of Lawyers for Good Government, Project Corazon, Al Otro Lado and others</li></ul>

# FUNDAMENTALS

<b>8:30-9:30am</b>	<b>Removal Defense Fundamentals for New Practitioners</b> Robyn Meyer-Thompson / Mary Baquero / Maria Miller <ul style="list-style-type: none"><li>• Learn how removal proceedings begin</li><li>• Types of removal hearings (Master, Merits, Bond), burden of removability</li><li>• Presentation and analysis of various applications for relief in Immigration Court</li><li>• Coverage of potential case timelines depending on custody and forms of relief</li><li>• Discussion of basic motions and when to file them</li><li>• Discussion of appeal process, civil rights violations, and other issues</li><li>• Information on resources, such as EOIR hotline, Detainee Locator, practice manuals, as well as resources on vicarious trauma and resilience</li></ul>
<b>9:45-10:45am</b>	<b>Inadmissibility, Removal, and Waivers</b> Sue Swanson / Mirella Ceja-Orozco / Kevin Heinz <ul style="list-style-type: none"><li>• Learn the difference between inadmissibility and deportability (212 vs. 237)</li><li>• Common inadmissibility and deportability grounds</li><li>• Introduction to waivers, including procedure and forms</li></ul>
<b>11am-12pm</b>	<b>Introduction to Employment-Based Immigration</b> Jennifer Bouta Mojica / Caroline Ostrom / Craig Peterson <ul style="list-style-type: none"><li>• Who is the Client in Business Immigration Cases?</li><li>• What is the attorney's role in the process and in navigating the current, often adversarial immigration environment?</li><li>• Common pathways/trajectories in the Employment Based Process</li><li>• Overview of Nonimmigrant Visa Options: H-1B, L-1A/B, TN, E, O, H-2</li><li>• Overview of Immigrant Visa Options and the Labor Certification Process</li></ul>
<b>1:00-2:00pm</b>	<b>Humanitarian Relief: An Overview of Risks and Rewards</b> Angela Bortel / Terja Bouvin Larsen / Rachel Kohler <ul style="list-style-type: none"><li>• Provide an overview of humanitarian relief types (including U visa, T visa, VAWA, SIJS and asylum)</li><li>• Discuss common questions, pitfalls, and practice pointers that arise</li><li>• Provide information on trauma interviewing techniques</li><li>• Compare and contrast application types (processing times, is it appropriate to apply for more than one, etc.)</li></ul>
<b>2:15-3:15pm</b>	<b>Overview of Family-Based Immigration</b> Jennifer Kowski-Dahlberg / Anastassia Bukingolts / Vicki Anderson <ul style="list-style-type: none"><li>• Work through hypothetical scenarios of family-based immigration and better understand the different processes for clients living outside the U.S., in the U.S. and those on K-1s</li></ul>
<b>3:30-4:30pm</b>	<b>Naturalization Basics and Adjudication Trends</b> Naomi Perman / Halyna Eremeyeva / Paschal Nwokocha <ul style="list-style-type: none"><li>• Eligibility, including vetting the client and risks of filing versus not filing</li><li>• Physical Presence versus Continuous Residence</li><li>• Good Moral Character/Criminal History Considerations</li><li>• Derivative/Acquired Citizenship</li><li>• Appealing denials</li><li>• Current USCIS National and Minneapolis-St. Paul Field Office Trends</li></ul>