

2021

UPPER MIDWEST IMMIGRATION LAW CONFERENCE

MAY 14 | 8AM-5PM | ZOOM



EMPLOYMENT-BASED TRACK

Wage Determinations and SOC Updates	<ul style="list-style-type: none">• Status of DOL wage levelling regulation under the Biden Administration• SOC updates: how to use them and what is changing?• What are alternative wages and how do you use them?• How do you do the math to get to the right wage level?
Current Trends in Nonimmigrant Visas (H-1B, L-1, TN, H-2A/H-2B)	<ul style="list-style-type: none">• Proposed changes to H-1B program and status under the Biden Administration• Overview of L-1 and TN• Current trends in H-2A and H-2B programs• Changes in eligible countries, enforcement• Entry issues during COVID• National Interest Exception (NIE) to the Presidential Proclamation
Avenues After Denial - Federal Appeal vs. AAO or BALCA	<ul style="list-style-type: none">• Convincing petitioning employers to sue in federal court• Tips for practitioners who have never filed in federal court• Timelines for each process• Likelihood of success for each process
COVID and Issues with Maintenance of Status	<ul style="list-style-type: none">• Loss of employment due to COVID - options if no new job in 60 days• Working remotely due to COVID - sometimes not from the same MSA• Inability to travel abroad - I-94 issues, applying for L-1/TN/E-3 with USCIS• Compliance issues - LCA/NOF postings, maintaining PAFs, I-9 remote inspection
Immigrants of Extraordinary Ability	<ul style="list-style-type: none">• Arts and athletics - O-1, P, EB-1(1)• National Interest Waiver for the arts• Creative uses of O-1/EB-1(1) in the business world• Outstanding Professors and Researchers under EB-1(2)• Current trends and scrutiny
Long Pending EB-2/EB-3 I-485s	<ul style="list-style-type: none">• Lessons from 2007 and 2012 when there was a large jump and then retrogression• Predictions for the start of FY2022 - still less activity at the consulates than normal• I-140 downgrade petitions for cases that qualify for EB-2 when EB-3 is moving faster• Managing client expectations for long pending I-485s• Duties to the client, dual representation, and porting based on Supplement J

<p>Crimmigration 101</p>	<ul style="list-style-type: none"> • What are the immigration consequences of a domestic violence charge? • How can I avoid being deported when charged with domestic violence? • What qualifies as a conviction for immigration purposes? • Rules about crimes involving moral turpitude
<p>Advanced Consular Practice</p>	<ul style="list-style-type: none"> • Updates on visa bans and how to obtain visa revalidation • Can you expedite a case or get an emergency appointment? How and how long does it take? • When do you deal with the DOS and when should you deal with CBP? • What's the status of K-1 litigation? • Unsticking Stuck Cases: what is Legal Net? what is TRIP? • What's new in Canada/Mexico and Third Country Processing—can you and should you? • Are all Consular Posts the same? Understanding tone & tenor • How to best engage with the Consular Section
<p>204(L) and Humanitarian Reinstatement</p>	<ul style="list-style-type: none"> • Eligibility for 204(l) reinstatement • Evidence necessary to prove eligibility • Substitute sponsors and evidence • Stand-alone 204(l) vs. 204(l) in conjunction with AOS
<p>Creative Adjustment Strategies: The Many Varied Paths Along the Way to a 245 Adjustment</p>	<ul style="list-style-type: none"> • Parole in Place • The current state of TPS as an Admission • A review of the varieties of Advance Parole • Discussion of Matter of Quilantan entries • Overview of 245(i) • Other admissions: U/T and new proposals
<p>Consular Processing (Practical/CEAC/Embassy Contacts)</p>	<ul style="list-style-type: none"> • The current stage of NIV bans and how to request NIE exemptions • Strategies after your visa is denied • Tips for a successful visa interview
<p>Advanced Naturalization</p>	<ul style="list-style-type: none"> • Discussion on obtaining citizenship through INA 319(b) • How to obtain citizenship for children born abroad and overview of the Child Citizenship Act • Update on advocacy efforts for the Adoptee Citizenship Act and other legislation • Naturalization through military service • Review of recent naturalization denials

HUMANITARIAN AND REMOVAL PRACTICE

Demystifying the T Visa: Identification, Reporting, and Resources	<ul style="list-style-type: none">• Defining of human trafficking• Screening for T Visa cases• Techniques for reporting crimes against immigrant victims, focusing on crimes related to human trafficking• Cultivating successful working relationships with law enforcement.• Additional considerations in working with immigrant victims of trafficking
Country-based Humanitarian Relief: Updates & Opportunities for Reform	<ul style="list-style-type: none">• LRIFA updates<ul style="list-style-type: none">○ Implementation issues & filing strategies○ Congressional oversight○ Community and political organizing• TPS now and country designations in the future<ul style="list-style-type: none">○ Executive branch update○ Redesignation of all current TPS countries○ Viability of the immigration bills like HR 6
Asylum Update: Major Developments in Regulations and Litigation	<ul style="list-style-type: none">• The Current State of Asylum Regulations<ul style="list-style-type: none">○ Death to asylum, frozen Injunctions, transit ban○ Regs and AG decisions since the election• Developments in Asylum Litigation<ul style="list-style-type: none">○ Mendez Rojas: An Update and FAQs○ The border, metering, MPP, and Title 42• What to keep our eyes on<ul style="list-style-type: none">○ Feb 2 executive order○ Processing at the border
Representing LPRs in Removal Proceedings	<ul style="list-style-type: none">• Reasons LPRs are Placed in Removal Proceedings• Impact of the Pandemic on LPRs in Removal Proceedings• Navigating Detention- Practice Pointers & Tips• Challenging Removability• Cancellation of Removal- Best Practices & Sticky Issues• Fraud Waiver - 237(a)(1)(H)• Criminal Waivers
SIJS Hot Topics	<ul style="list-style-type: none">• Common issues, ethics and tips• Screening UC's for relief• How to effectively assist with the predicate order process• Updates and tips for SIJS based adjustment• AAO Appeals of SIJS denials• JOP v. DHS UC asylum update
Appellate Court Update	<ul style="list-style-type: none">• Updates on recent BIA, Eighth Circuit, Supreme Court Cases

<p>Immigration Updates and Reform</p>	<ul style="list-style-type: none"> • Legislation updates • Policy and process updates
<p>Congressional Assistance For Challenging Cases</p>	<ul style="list-style-type: none"> • How can your Senator or Representative help your client? • How do you request assistance?
<p>Minnesota and Local Immigration Legislation and Advocacy Updates</p>	<ul style="list-style-type: none"> • Discussion and updates on immigration-related state legislative proposals, such as the Sanctuary State and Licenses for All legislation • Updates on local advocacy work
<p>What Did COVID-19 and the George Floyd Protests Teach Us About Business Preparedness?</p>	<ul style="list-style-type: none"> • Preparing for a natural disaster or other emergency • Considerations when managing a firm remotely • Technology to manage remote work
<p>Navigating Backlogs</p>	<ul style="list-style-type: none"> • Strategies for management of cases and client expectations • Tips for dealing with local USCIS Field Office delays • ALA national initiatives on addressing delays
<p>Practical Workshops: Choose One</p>	<p>Workshop 1: Mandamus</p> <ul style="list-style-type: none"> • What is a Mandamus • Steps to take before filing and how to know when you are ready to file • Content of the filing • What happens after the mandamus is filed • Possible outcomes
	<p>Workshop 2: LRIF Adjustments Step-by-Step</p> <ul style="list-style-type: none"> • Basic Requirements • How to file • Tips for screening and RFEs • VLN's Pro Bono LRIF Project
	<p>Workshop 3: Habeas</p> <ul style="list-style-type: none"> • What is a habeas corpus action and what can it do for your clients? • Content of the filing • What happens after it is filed • Possible outcomes
	<p>Workshop 4: N-336 Interview</p> <ul style="list-style-type: none"> • Appeal, Refile or Not?

- How and what to prepare for the N-336 interview
- What happens at the interview
- What happens after the interview
- Further appeals if the N-336 is denied

Workshop 5: Bond

- How to request a bond hearing
- How and what to prepare for a bond hearing
- What happens at the hearing
- How does your client get out of custody?

May 14 Live CLE Exclusives

About Practical Workshops

Attendees at the May 14 Live CLE can participate in one of five exclusive live-only Practical Workshop sessions.

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Schedule individual consultations with the AILA Practice and Professionalism Center's Charity Anastasio throughout the day. *Limited space is available, so set your appointment today: <https://AILAPPCconsults.as.me/uppermidwest>.*

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CLE

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