



*"I don't give a damn who you are. This is America, Jack."
~"Coming to America"~*

The AILA Southern California Chapter welcomes colleagues throughout the state and beyond to the 30th Annual AILA California Chapters Conference, set to take place in the heart of Hollywood. Expert panelists will provide attendees of all experience levels with critical updates across a wide range of immigration law topics. In addition, participants will have the opportunity to network with colleagues, earn specialized CLE credit, and receive important information specific to practicing immigration law in California.

**NOVEMBER 9-11, 2017
LOEWS HOLLYWOOD HOTEL
1755 N HIGHLAND AVENUE
HOLLYWOOD, CA**

PRE-CONFERENCE ETHICS SEMINAR

AS A SPECIAL REGISTRATION BONUS, THE FOLLOWING PRE-CONFERENCE SEMINAR WILL BE RECORDED AND DISTRIBUTED TO ALL REGISTRANTS VIA AGORA BEFORE THE CONFERENCE:

ETHICAL CONSIDERATIONS IN REPRESENTING MINORS

Representing minors in removal proceedings poses unique ethical challenges. Panelists will provide guidance on how to resolve common ethical issues practitioners encounter when representing minors in removal proceedings.

- How to Ensure That You Are Applying the Appropriate Ethical Rules to Your Representation of Minors in Immigration Court, State Courts, and Before USCIS
- How to Retain a Minor Client
- How to Ensure Proper Communications with a Minor Client
- How to Maintain Client Confidentiality

(DL) = Discussion Leader

** = Invited Speakers, Not Confirmed*

- All events, sessions, conference materials, and free recordings are subject to change -

Faculty:

Cynthia Lucas (DL), Los Angeles, CA

Sally Monteith Joyner, Memphis, TN

Sara Lynn Van Hofwegen, Pasadena, CA

THURSDAY, NOVEMBER 9, 2017

5:00 pm – 8:00 pm **REGISTRATION**

5:00 pm – 6:30 pm **WELCOME RECEPTION HOSTED BY THE AILA SOUTHERN CALIFORNIA CHAPTER**

Day Coordinator: *Vanessa Sanchez, Bakersfield, CA*

6:00 pm – 7:00 pm **AFFIRMATIVE ASYLUM 101: PROCEDURE AND INTERVIEW TIPS
“THE USUAL SUSPECTS”**

Asylum may be a form of relief available to those who do not wish to return to their country and who meet the definition of a “refugee.” Panelists will address how to determine whether an individual has a claim, and, if there is one, how to complete the asylum application. They then will discuss best practices for supplementing the record before the asylum interview, preparing clients for the interview, and working with interpreters at the interview.

- Determining Eligibility
- Application to Decision: The Lifecycle of an Affirmative Application Process
- Preparing a Client for the Interview
- The Role of the Attorney at an Affirmative Asylum Interview

Faculty:

Yemi Getachew (DL), AILA Santa Clara Chapter Chair, Santa Clara, CA

Tammy Lin, AILA San Diego Chapter Chair, San Diego, CA

Shahpour (“Shawn”) Meir Matloob, San Francisco, CA

7:00 pm – 8:00 pm **COMPETENCY AND SELF CARE: TAKING CARE OF OURSELVES AND OUR CLIENTS “EAT, PRAY, LOVE”**

Practicing immigration law has always required that attorneys be competent and mindful, but in our current political climate these attributes are more important than ever. To maximize capacity for competency and mindfulness, however, a practitioner must be at his or her best. To this end, panelists will discuss stress and self-care, science-based mindfulness research, and how to seek help for addiction.

- Identifying and Seeking Help for Substance Abuse and Addiction
- Current Research on Mindfulness and Contemplative Law
- Using Self-Care to Increase Competency and Productivity
- How to Help Clients Cope with Uncertainty

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Faculty:

Rachel Ray (DL), Davis, CA

Deana Gullo, LCSW, Los Angeles, CA

Mariela G. Shibley, Psy.D., Clinical Psychologist, San Diego, CA

FRIDAY, NOVEMBER 10, 2017

Day Coordinator: Veronica Barba, Los Angeles, CA

7:00 am – 5:30 pm **REGISTRATION AND EXHIBITS**

7:20 am – 7:50 am **SPECIAL EARLY BIRD SESSION—AILALINK TRAINING**

See AILALink in action! Developed and maintained by AILA, AILALink is an online research library of fully searchable resources necessary for the successful practice of immigration law—statutes, regulations, case law, agency correspondence, AILA publications, immigration forms, and much more. See what AILALink can do for your practice during this special training! In addition, the presenter will give a brief overview of the new AILA.org. Learn how to utilize your number one AILA member benefit!

7:55 am – 8:00 am **WELCOME ADDRESS**

Maggie Castillo, Conference Program Chair, Long Beach, CA

8:00 am – 8:45 am **HOT TOPICS IN IMMIGRATION LAW**

“SOME LIKE IT HOT”

- Recent Ninth Circuit Case Decisions
- Recent Policy Changes and Litigation
- Legislative Updates

Faculty:

Maggie Castillo (DL), Conference Program Chair, Long Beach, CA

Annaluisa Padilla, AILA President, La Habra, CA

Benjamin E. Johnson, AILA Executive Director, Washington, DC

Melissa Crow, Litigation Director, American Immigration Council, Washington, DC

8:50 am – 9:50 am **CALIFORNIA STATE STATUTES UPDATE: WHAT IS NEW AND WHAT’S ON THE HORIZON?**

“WHO FRAMED ROGER RABBIT?”

Although immigration falls under federal jurisdiction, state laws can have an enormous impact on a client’s case. In 2016, the California legislature enacted a number of laws for the benefit of immigrants and the immigrant community, including limiting the maximum possible punishment for a California misdemeanor to 364 days, providing due process rights for immigrants held in local jails pursuant to an ICE detainer, and a new procedural vehicle for vacating California convictions. The California legislature is currently

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considering additional immigration-related bills. Panelists will provide an overview of the major new California state laws impacting immigrants, and will describe initial experiences in the application of these laws.

- Explanation of California Immigration-Related Laws Passed in 2016
- Initial Experiences in Applying the New Laws
- Best Practices for Criminal Defense and Immigration Counsel Seeking to Avoid or Ameliorate Immigration Consequences Under the New Laws
- Description of Pending California Bills Related to Immigration

Faculty:

Leah LaVerne Chavarria (DL), San Diego, CA

**Erin J. Quinn, San Francisco, CA*

9:50 am – 10:00 am **NETWORKING BREAK**

10:00 am – 11:00 am **TRAVEL BANS, NEW LEGISLATION, ADMINISTRATIVE CHANGES, AND SANCTUARY CITIES**

“PAN’S LABYRINTH”

There seems to be no end to the stream of major policy changes emanating from the current administration. Join our panel of experts as they discuss advising business clients regarding the changes that have been proposed and/or implemented since the beginning of the year. Panelists also will look into their crystal balls to provide educated guesses on what might be coming next.

- What Is the Latest News with Respect to the Travel Bans?
- Review of Executive Orders and Administrative Changes in the Agencies Since January
- What Do I Tell My Clients?

Faculty:

Michael R. Jarecki (DL), AILA Chicago Chapter Chair, Chicago, IL

Ally Bolour, AILA Board of Governors, Los Angeles, CA

Claudia P. Martorell, San Diego, CA

11:00 am – 12:00 pm **WINNING STRATEGIES: A VIEW FROM THE BENCH**

“THE VERDICT”

In immigration court, the lawyer’s role is to hold the government to its evidentiary burden and to advocate fearlessly on behalf of clients. But how can lawyers build the confidence necessary to respectfully stand their ground, challenge evidence, and preserve the record for appeal—especially when judges push back? Recently retired immigration judges will offer their perspectives garnered from years on the bench to help lawyers successfully navigate some of the thornier issues that arise in immigration court and be the best advocates for their clients.

- Challenging Removability: What If the Government Has Not Met Its Burden, But the Judge Wants to Move Quickly?

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- Novel Legal Theories: How to Present These in Ways That Judges Are More Likely to Accept
- Hostile Jurisdictions: How to Preserve the Record for Appeal and Constructively Address Bias

Faculty:

Victor Nieblas Pradis (DL), AILA National Past President, City of Industry, CA
Carol King, Immigration Judge, EOIR, Oakland, CA
Bruce J. Einhorn, Immigration Judge (Ret), Woodland Hills, CA

12:00 pm – 1:05 pm **LUNCH**

12:20 pm – 1:05 pm **LUNCH PANEL: MAKE YOUR MESSAGE SUCCESSFUL: LEARN HOW TO ACTIVATE THE PUBLIC’S POSITIVE FRAMES ON IMMIGRATION**

Faculty:

Wendy Feliz, American Immigration Council Communications Director, Washington, DC

TRACK I: FAMILY/REMOVAL

Day Coordinator: Rosy H. Cho, San Francisco, CA

1:10pm – 2:10 pm **CRIMINAL UPDATES
“PRESUMED INNOCENT”**

An individual’s criminal history may result in inadmissibility or deportability. It also may make a person potentially ineligible for relief from removal and other immigration benefits, unable to show good moral character, and ineligible for protection under asylum or withholding of removal. Panelists will discuss the important crimmigration-related decisions rendered in 2016 and 2017 by the BIA, the Ninth Circuit, and the U.S. Supreme Court.

- Decisions Concerning Crimes Involving Moral Turpitude
- Decisions Involving the Categorical Approach, Including the *Gonzales v. Duenas-Alvarez* “Realistic Probability” Requirement
- Decisions Involving Crimes of Violence and Other Aggravated Felonies
- Ameliorating the Immigration Consequences of Criminal History Using New California Legislation

Faculty:

Evangeline Abriel (DL), Santa Clara, CA
Kara Hartzler, San Diego, CA
Raha Jorjani, Oakland, CA

2:15 pm – 3:15 pm **REMOVAL DEFENSE IN THE DETENTION SETTING: BEST PRACTICES UNDER THE NEW POLICY OF “NO”**

With detentions increasing daily, it is essential for removal defense practitioners to be familiar with best practices in the detention setting. Panelists will discuss

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relief and procedures for representing clients in detention centers throughout California. They also will cover INA §236 and Rodriguez v. Robbins bond hearings.

- Overview of California Detention Centers
- Information Gathering in the Detention Setting
- Communicating with Detained Clients
- Bond Hearing Best Practices, Including Mandatory Detention: *Matter of Joseph, Preap v. Johnson*, and *Rodriguez v. Robbins*

Faculty:

Veronica Barba (DL), Los Angeles, CA

Lauren D. Cusitello, San Diego, CA

Helen Lawrence, Oakland, CA

Ahilan Arulanantham, Director of Advocacy/Legal Director, ACLU of Southern California, Los Angeles, CA

3:15 pm – 3:25 pm

NETWORKING BREAK

3:25 pm – 4:25 pm

UNLAWFUL PRESENCE AND PERMANENT BAR ISSUES: WHO, WHAT, WHEN, AND WHERE? CAN IT BE BEAT?

“THE GOOD, THE BAD AND THE UGLY”

Is your client permanently barred? Panelists will provide an overview of INA §§212(a)(9)(B) and 212(a)(9)(C), and also will discuss strategies for how to determine whether pre-April 1, 1997 entries and departures trigger the permanent bar.

- Explanation of INA §212(a)(9)(B) v. INA §212(a)(9)(C)
- Consular Processing Pitfalls
- Entries and Departures Before April 1, 1997
- Valid Entry Following Accrual of Unlawful Presence
- Entries and Departures as Minors and the Permanent Bar

Faculty:

Vilma L. Guerrero (DL), Santa Cruz, CA

Matthew G. Holt, San Diego, CA

Irma Perez, Hayward, CA

4:30 pm – 5:30 pm

THE INCOMPLETE OR UNTIMELY FOIA: HOW TO GET THE INFORMATION YOU NEED!

“THE PENTAGON PAPERS”

How many FOIA requests have you submitted, only to receive blank pages, incomplete results, or, even worse, a letter saying “No Results?” Our FOIA litigation experts will identify best practices for preparing a FOIA request. They also will discuss what to do at the appellate stage, and help you determine whether to file suit in order to achieve the results you need.

- Preparing Your FOIA Request for Optimal Results
- Challenging FOIA Results Through the Administrative Appellate Process

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- FOIA Litigation 101
- EAJA Fees for Successful FOIA Lawsuits

Faculty:

Anna M. Hysell (DL), San Diego, CA

Margaret D. Stock, AILA Author, Immigration Law & the Military, 2nd Ed., Anchorage, AK

Stacy Tolchin, Los Angeles, CA

TRACK II: BUSINESS

Day Coordinator: Michelle Nancy Garcia, San Diego, CA

1:10 pm – 2:10 pm

**H-1B PETITIONS FOR COMPUTER-RELATED OCCUPATIONS
“THE ROAD TO PERDITION”**

Preparing H-1B petitions and responding to requests for evidence (RFEs) in light of the March 31, 2017 USCIS policy memorandum on H-1B computer-related occupations has been tricky. Panelists will discuss the challenges presented by this new H-1B guidance, and how it is being applied to computer programmers and other positions.

- Detailed Discussion of the March 31, 2017 USCIS Policy Memorandum
- Strategies for Advising Clients and Filing Successful Petitions
- Wage Level Considerations: Is Level 1 Out of the Question?
- Content of RFEs and Strategies for Responding

Faculty:

Diana Vellos Coker (DL), San Diego, CA

Lisa Helen York, AILA NSC Liaison Committee Chair/Conference Program Committee, Denver, CO

Olivia Serene Lee, San Francisco, CA

2:15 pm – 3:15 pm

STUDENTS AND RECENT GRADUATES: “I’M GRADUATING AND I DIDN’T GET AN H-1B!”

“FINDING NEVERLAND”

Panelists will identify and discuss the creative options available to students who fall outside of the H-1B cap.

- H-1B Cap-Exempt Employers
- OPT, STEM, and EAD Extensions
- PERM: Straight to Green Card Options
- Too Early for an O-1 or E-2?
- Alternatives to the Obvious
 - Family-Based Visas
 - Working Abroad and Returning on an L-1

Faculty:

Brian Kenneth Johnson (DL), San Diego, CA

Tien-Li Loke-Walsh, Pacific Palisades, CA

Robert G. Nadalin, San Diego, CA

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3:15 pm – 3:25 pm **NETWORKING BREAK**

3:25 pm – 4:25 pm **TRENDS IN L-1 ADJUDICATIONS AND RFES**

“THE CRYING GAME”

Does it seem like there is a lack of consistency in L-1 adjudications at the services centers, consulates, and ports of entry? Join our panel of experts as they discuss recent adjudication trends and provide strategic tips for L-1As and L-1Bs.

- Current Trends in L-1 Adjudications at the Services Centers, Including New Office L-1s and Start-Ups
- What Is Happening Currently at the Consulates and Ports of Entry?
- Best Practices in Documenting Specialized Knowledge
- “But I’m a Manager!”: Evidencing Supervisory and Functional Management Positions

Faculty:

Janora L. Hawkins (DL), Atlanta, GA

Elizabeth Chatham, Phoenix, AZ

Kimberley Best Robidoux, San Diego, CA

4:30 pm – 5:30 pm **BUSINESS IMMIGRATION AREAS IN FLUX**

“TRAINING DAY”

Our panel of experts will focus on the most recent developments in business immigration law, including adjudication trends and policy implementations.

- The Fate of the International Entrepreneur Rule
- STEM OPT
- EAD: H-4s and Compelling Circumstances
- TNs Under NAFTA Renegotiation
- Adjustment of Status Portability: The I-485 Supplemental J Form

Faculty:

Blake Miller (DL), Irvine, CA

Tiffany Martinez, San Francisco, CA

Teodora D. Purcell, San Diego, CA

Evening Events: **TASTE OF HOLLYWOOD**

Part educational event, part networking opportunity, the Taste of Hollywood offers you the chance to connect with other AILA attorneys at a great local restaurant to share both a delicious meal and invaluable information relevant to your immigration law practice. Space is limited. For more information, or to sign up, please email Jessica Del Villar (jdelvillar@aila.org).

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HOLLYWOOD NIGHT WITH THE COUNCIL

Friday, November 10, 2017 @ 6:00 PM

Saint Felix Hollywood, 1601 N Cahuenga Blvd, Hollywood, CA 90028

(Just a few blocks from the conference venue)

Come mix and mingle at one of Hollywood's hottest spots! The night will feature global fare, festive drinks and great networking opportunities. All proceeds will benefit the [American Immigration Council](#), AILA's non-profit partner.

**Sponsorship opportunities available. For questions on this event, please email John Manley at jmanleylaw@gmail.com*

SATURDAY, NOVEMBER 11, 2017

8:00 am – 12:55 pm **REGISTRATION AND EXHIBITS**

TRACK I: FAMILY/REMOVAL

Day Coordinator: *TBD*

8:30 am – 9:30 am **MOTIONS TO SUPPRESS**

“CATCH ME IF YOU CAN”

Unconstitutional practices—e.g., unreasonable searches and seizures—are likely to become more common as arrests of immigrants escalate. Evidence obtained through such unconstitutional practices may be suppressed in removal proceedings. Our panels of experts will provide an overview of the law and procedures to successfully challenge the evidence obtained unlawfully by the government. Specific case examples will be shared to illustrate the law and identify best practices.

- Introduction: Why Suppress Evidence?
- The Nuts and Bolts: Pleadings, Burden of Proof, Motions, Subpoenas, Compel Documents, etc.
- Making a Prima Facie Case for Suppression
- The Evidentiary Hearing: Witnesses, Subpoenas, and Remedies for Preclusion of Evidentiary Hearing

Faculty:

Rosy H. Cho (DL), San Francisco, CA

Judy M. London, Los Angeles, CA

Melissa Crow, Litigation Director, American Immigration Council, Washington, DC

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- 9:35 am – 10:35 am **DECONSTRUCTING THE AFFIDAVIT OF SUPPORT
“THE UNTOUCHABLES”**
Preparing an affidavit of support is not always straightforward. Panelists will deconstruct the ways attorneys can show sufficient income using creative methods.
- Using the Beneficiary’s Income
 - Presenting Evidence for Assets
 - Ethical Considerations in Representing the Joint Sponsor
 - Using More Than One Joint Sponsor
 - Sponsor’s Obligations and Legal Enforcement Against Sponsors
- Faculty:**
Ritu Goswamy (DL), San Jose, CA
Charles Wheeler, AILA Author, Affidavits of Support: A Practitioner's Guide/AILA’s Focus on the Child Status Protection Act, 2nd Ed., Oakland, CA
Genevieve Kovacs Perez, Los Angeles, CA
- 10:35 am – 10:50 am **NETWORKING BREAK**
- 10:50 am – 11:50 am **CONSULAR PROCESSING PITFALLS IN FAMILY-BASED CASES
“THE IMITATION GAME” ... BEHIND EVERY CODE IS AN ENIGMA**
Learn how interviews at the consulate are conducted and how to avoid having your client fall into one of the endless traps for denials.
- Common Inadmissibility Grounds Overlooked and Used by the Officer
 - “My Provisional Waiver Was Granted, So I Am Clear, Right?” WRONG!
 - Post-Interview Communications with the Consulate or LegalNet
 - Refiling the Petition vs. Waiting for the Notice of Intent to Revoke
- Faculty:**
Vanessa Sanchez (DL), Bakersfield, CA
Claudia Sandoval, Escondido, CA
David Strashnoy, Los Angeles, CA
- 11:55 am – 12:55 pm **NOTICE OF INTENT TO DENY ADJUSTMENT AND NATURALIZATION CASES
“AN INCONVENIENT TRUTH”**
USCIS notices of intent to deny (NOIDs) appear to be on the upswing. With little notice (30 days in some instances), the practitioner must respond with persuasive arguments and evidence to overcome the allegation(s). Panelists will discuss best practices and tactics to employ when confronted with a NOID in the adjustment and naturalization contexts.
- NOIDs, NOIRs, and RFEs: What’s the Difference?
 - Common Legal Issues Cited in NOIDs and How to Respond
 - Due Process Arguments
 - What Constitutes Evidence?
- Faculty:**

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Anna M. Hysell (DL), San Diego, CA
Jonathan D. Montag, San Diego, CA
Kelli Duehning, Former Chief Counsel, Western Law Division for USCIS,
San Francisco, CA

TRACK II: BUSINESS

Day Coordinator: Blake Miller, AILA Southern California Chapter Chair, Irvine, CA

8:30 am – 9:30 am **TRENDS IN CONSULAR PROCESSING FOR EMPLOYMENT-BASED CASES
“LOST IN TRANSLATION”**

Panelists will focus on the most recent developments in consular processing for employment-based NIV and IV matters. Learn how to help your clients navigate their way successfully through processing at the consulate.

- Changes Impacting E and L Visas for Multinationals and Start-Ups
- Impact of Increased Vetting and Proposed Form DS-5535
- Other Emerging Trends Relating to Revocations of Visas (After DUI Arrests) and Approved Petitions for Substantive Reasons (H-1B, O-1s, etc.)
- Recent Developments at the NVC: When Is Consular Processing Preferred Over Adjustment of Status?

Faculty:

Brian Kenneth Johnson (DL), San Diego, CA
Farshad Owji, AILA Board of Governors, San Francisco, CA
Yeu S. Hong, Los Angeles, CA

9:35 am – 10:35 am **EB-5 INVESTOR VISA UPDATE
“MAD MONEY”**

The EB-5 program currently is undergoing changes to its fundamental requirements, in addition to facing increased adjudication challenges. Our panel of experts will focus on the latest news in EB-5 reform, adjudication trends, and policy updates.

- Impact of Lengthy Adjudications for I-526, I-829, and I-924, Regional Center Approvals and Amendments
- Regional Center Site Visits
- Analysis of USCIS Updated Policy Manual Regarding Guidance on Job Creation and Capital At-Risk Requirements

Faculty:

Susan L. Pilcher (DL), Los Angeles, CA
Bernard P. Wolfsdorf, AILA Past President, Santa Monica, CA
Brandon Meyer, San Francisco, CA

10:35 am – 10:50 am **NETWORKING BREAK**

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- 10:50 am – 11:50 am **STAYING EXTRAORDINARY**
“A STAR IS BORN”
Convincing USCIS that your client is extraordinary can be an extraordinary feat in and of itself. Panelists will focus on challenges in preparing successful O-1, EB-1, and National Interest Waivers in light of current adjudication trends and case law.
- O-1 and EB-1 Adjudication Trends
 - National Interest Waivers After *Matter of Dhanasar*
 - Using the High-Skilled Worker Rule: Employment Authorization in Compelling Circumstances
- Faculty:**
Atessa Chehrazi (DL), San Francisco, CA
Cory Caouette, San Jose, CA
Rita Sostrin, Woodland Hills, CA
- 11:55 am – 12:55 pm **COMPLIANCE AND ENFORCEMENT TRENDS**
“WALL STREET” ... MONEY NEVER SLEEPS
Learn how the various agencies are implementing the “Buy American, Hire American” executive order and other enforcement initiatives promulgated by the Trump administration. Are these agencies really cracking down on employers, or is it just wordplay?
- Impact on Enforcement by DHS (HSI/ICE), DOL, and DOJ/IER
 - Adjudications by USCIS and DOS Resulting in FDNS Site Visits
 - OCAHO Update
 - Trends in State Laws (Are California Employers in a Vise?)
- Faculty:**
Charles M. Miller (DL), Studio City, CA
Fausta Albi, San Diego, CA
John C. Fay Jr., Phoenix, AZ
- 12:55 pm **CONFERENCE CONCLUDES**

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CONFERENCE PROGRAM COMMITTEE

Maggie Castillo, Conference Program Chair, Long Beach, CA
Yemi Getachew, AILA Santa Clara Chapter Chair, San Jose, CA
Blake Miller, AILA Southern California Chapter Chair, Irvine, CA
Evangeline Abriel, Santa Clara, CA
Veronica Barba, Los Angeles, CA
Rosy H. Cho, San Francisco, CA
Diana Vellos Coker, San Diego, CA
Ritu Goswamy, San Jose, CA
Anna M. Hysell, San Diego, CA
Brian Kenneth Johnson, San Diego, CA
Vanessa Sanchez, Bakersfield, CA
Andrew W. Shackelford, Santa Clara, CA
Gregory A. Wald, San Francisco, CA

John M. Area IV, AILA Education Programs Manager, Washington, DC
Grace Woods, AILA Senior Director of Education, Washington, DC

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