



*Global Migration
Section*

AMERICAN IMMIGRATION LAWYERS ASSOCIATION

2018 AILA GMS GLOBAL IMMIGRATION FORUM

Disrupting Business As Usual in the City by the Bay: Global Immigration Practice in a Restrictionist Era

Monday, June 11, 2018

- 9:30 am – 5:30 pm **BEAU WINE TOUR**
*Experience a private chauffeured wine tasting tour to exclusive Napa Valley and Sonoma wineries.
Sponsored by
Tour leaves from JW Marriott Lobby at 9:30 am*
- 4:00 pm – 6:00 pm **EARLY ARRIVAL REGISTRATION**
JW Marriott Lobby
- 4:00 pm – 7:00 pm **CONSULTATION WITH EXPERTS**
Ongoing throughout the afternoon in Salon I and II

Tuesday, June 12, 2018

- 7:00 am - 8:00 am **REGISTRATION, BREAKFAST, AND NETWORKING**
JW Marriott Lower Level Ballroom
- 8:00 am – 6:00 pm **CONSULTATION WITH EXPERTS**
Ongoing throughout day in Salon I and II
- 8:00 am – 8:10 am **WELCOME ADDRESS AND GREETINGS**
Clayton Cartwright, Global Migration Section Chair
- 8:10 am – 9:10 am **Nuts and Bolts of Global Immigration**

What is the practice of global immigration? What do companies really want when they ask immigration counsel to assist with their global mobility programs? This panel will provide an overview of

global immigration for practitioners who are new to the field or want to deepen their understanding of key global immigration concepts and trends.

- Global immigration 101 – key concepts and definitions
- The corporate perspective – global mobility programs and what clients want
- Models of global immigration service delivery
- Common logistical, ethical and financial pitfalls
- Maximizing efficiency – systems and technology
- Paying the bills – how to set and manage fees and costs
- Challenges on the horizon for global practices

Faculty:

*Audrey Lustgarten, (DL) Atlanta, G.A.
Julia Macri, San Francisco, CA
Shannon Donnelly, Washington, D.C.
Roland Lechner, San Francisco, CA
Beth Henderson, Redmond, WA
Poorvi Chothani, India*

9:15 am – 9:45 am **KEYNOTE ADDRESS –**

9:45 am – 10:45 am **Pulse of Global Immigration in the Golden City**

This panel will provide a high-level overview of the current global immigration landscape, including:

- Current political climate for global immigration;
- The trend of rising protectionism/nativism;
- New opportunities created in jurisdictions where there has not been a rise in protectionism
- Other recent changes in immigration laws, policies and procedures; and
- Updates on current state of the refugee migrant crisis.

Faculty:

*Hardeep “Dee” Sull, (DL), Las Vegas, NV
Gabriela Lessa, Rio de Janeiro, Brazil,
Evan Green, Toronto, Canada
Phillip Yip, Sydney, Australia
Maria Celebi, Istanbul, Turkey
Ariel Jose Orrego-Villacorta Icochea, Lima, Peru
Philip Trott, London, UK*

10:45 am - 11:00 am **Networking and Refreshment Break**

11:00 am – 12:00 pm **Consular Processing in Global Immigration**

This panel will explore the latest consular processing developments around the world, including new legislation impacting immigration. Consular officials from various posts will also provide updates on regulatory and policy changes impacting visa processing. Panelists will address:

- Overview of country-specific visa application processes and recent legal and policy changes;
- Admissibility requirements and issues;
- Grounds for issuance of emergency and expedited visas; and
- Practice pointers for successful visa applications.

The officers will also answer questions from the attendees.

Faculty:

Anita Ninan, U.S., (DL), Atlanta, GA

Ambassador Ashok Venkatesan (Consulate General of India)

Consul General Andrew Whittaker (Consulate General of the UK)

Council Paulo Gustavo Iansen de Sant'Ana (Brazilian Ministry of Foreign Affairs)

Consul General Chelsey Martin (Consulate General of Australia)

Consul General Luo Linqun (Consulate General of China)

Consul General James Villeneuve (Consulate General of Canada)

12:00 pm - 1:00 pm **LUNCH AND NETWORKING**

Embassy/Consular Officials will be invited and attend subject to availability.

TRACK 1 – Ethics and Compliance in Global Practice

Location: Main Ballroom (Lower Level JW Marriott)

1:00 pm - 2:00 pm **Navigating Ethical Pitfalls Around the World**

Despite the expansion of international legal practice, most ethical rules are narrowly tailored on a national or sub-national basis. The result is that lawyers who practice across jurisdictions are often left to their own devices to try to navigate both conflicting and complimentary ethical rules. Join our panel of experts as they examine lawyers' ethical obligations in key jurisdictions around the world and review what the similarities and differences mean for

those of us who routinely assist clients with the global movement of personnel. Panel will cover the following topics:

- Confidentiality of client information;
- Dual representation of employers and employees;
- Tech ethics – duty of competence; and
- Financial ethics – rules on accepting and making payments

Faculty:

Noriko Kurotsu, (DL), San Francisco, CA

Sergio Karas, Toronto, Canada

Hudaidah Bhimdi, Fairfax, VA

Enrique Arellano Rincon, Mexico City, Mexico

Karolina Schiffer, Warsaw, Poland

Luis Alfredo Pinilla Plazas, Bogota, Colombia

2:00 pm – 3:00 pm **Escape from Alcatraz: Increased government compliance and enforcement activity in global immigration**

In recent years, companies have been subject to enhanced compliance and recordkeeping requirements, coupled with increased enforcement of immigration laws and regulations. This has impacted their ability to relocate key talent in an expeditious manner. Compliance is not just a buzz word but it is the new reality. This panel will discuss the following:

- Recent trends in compliance and recordkeeping requirements for employers;
- Implementation of electronic monitoring and tracking systems – the Schengen information system, ETAs and more;
- Increased employer accountability and audits; and
- Penalties for non-compliance for both employers and employees.

Faculty:

Claire Nilson, (DL), London, United Kingdom

Nina Perch-Nielsen, Zurich, Switzerland

Lainie Appleby, Toronto, Canada

Jennifer Stevens, United Kingdom

Stephane Coulaux, Paris, France

Paa Kwesi Hagan, Accra, Ghana

3:00 pm – 3:15 pm Networking Break

3:15 pm – 4:15 pm **Silicon Valley Meets Global Immigration: How to incorporate technology into your practice**

This panel will delve into the strategic use of technology within your global immigration practice. We will identify ways that technology can facilitate your practice while also advising of potential pitfalls regarding overreliance on technology and how to safeguard against loss of information. This panel will cover the following:

- Recent technology trends impacting a global mobility practice;
- Security: hackers and ransomware;
- Compliance and legislation: implementation of the European Union’s General Data Protection Regulation; and
- Best practices for incorporating technology into your practice.

Faculty:

*Elaine Kumpula, (DL), Minneapolis, MN,
Sophie King, London, United Kingdom
Tommy Angermair, Copenhagen, Denmark
Amy Peck, Omaha, NE
Jacqueline Bart, Toronto Canada
Sarah Maxwell, Chicago, IL*

4:15 pm - 5:15 pm **Beyond the Visas: Avoiding tax and employment law pitfalls**

Clients today increasingly expect their global immigration counsel to advise them not only on the types of visas and work permits available to their employees, but also to warn them of tax, labor and social security issues raised by the international movement of employees. In short they expect advice on all aspects of global mobility. Our panel of experts will discuss how to navigate these expectations and address these issues from a high-level international perspective, while also discussing issues unique to their jurisdictions. Topics will include:

- Creating a due diligence checklist of key items to address in international assignments
- Common tax pitfalls to consider prior to an international transfer
- Common labor and employment challenges in international assignments; and
- How to set boundaries for your practice and call in experts to help when you need it.

Faculty:

Clayton Cartwright (DL) Columbus, GA

*Bushra Malik , Detroit, Michigan
Maria Luisa Soter, Isa, Rio de Janeiro, Brasil
Graeme Kirk, London, United Kingdom
Brian Harris, London, United Kingdom
Ana Garciano Sole, Madrid, Spain*

TRACK 2: - Global Alternatives – Creative Solutions for Challenging Times

Locations: Skyline BC (Top Floor JW Marriott)

1:00 pm - 2:00 pm **Recognizing Dangers in the Fog: Recognizing and Managing the Red Flags of Inadmissibility**

This panel will discuss country-specific admissibility challenges and strategies for addressing them. Experts from various jurisdictions will share their knowledge on when and how you may successfully overcome an admissibility issue -- and when your clients will face an insurmountable bar. Specific topics include:

- Criminal issues;
- Host company challenges;
- Health and public charge concerns; and
- Individual issues inclusive of age, LGBTQ, gender, nationality.

Faculty:

*Elise Fialkowski (DL), Philadelphia, PA
Adekunle Tolulope Obebe, Yaba, Lagos
Laura Devine, London, United Kingdom
Hector Gabriel Celano Buenos Aires, Argentina
Selvamalar Alagaratnam, Kuala Lumpur, Malaysia
Liam Schwartz, Ramat Gan, Israel*

2:00 pm – 3:00 pm **Charting an Alternative Course: Where to “park” your employee when they cannot get into the desired host country**

In today’s restrictionist environment, companies and their counsel frequently face the scenario where an employee cannot obtain a work permit in the desired country. Whether due to exhaustion of the H-1B cap in the US, or imposition of age limits in Australia, companies are left in need of alternatives. Join our panel of experts as they discuss challenges and strategies for obtaining work permits in alternative locations.

- Trends in response to restrictionist policies – what business-friendly jurisdictions are doing to welcome forum-shopping companies;
- Key considerations when determining where to park an employee; and
Alternative options – working holiday visas, points-based visas, investment visas.

Faculty:

*Lisa Atkins (DL), San Francisco, CA
Ellen Freeman, Pittsburgh, PA,
Philippe Tremblay, Toronto, Canada
Adrian Ojeda, Mexico City, Mexico
Leon Kwong Wing, Singapore, Singapore*

3:00 pm – 3:15 pm Networking Break

3:15 pm – 4:15 pm **A European Work Permit – Dream or Reality? Implementation of the EU Intra-Corporate Transfer Directive**

After the initial disappointment of the Blue Card scheme, the EU has now implemented a new Intra-Corporate Transfer Directive aimed at making employment-based short-term movement between EU member states easier on non-EU nationals. Join our panel as they examine what the directive means for clients seeking intra-EU mobility. Topics covered:

- Scope and requirements of the directive;
- Status of member state implementation;
- Eligibility for short-term mobility;
- Local differences in laws and policies; and
- Best practices for managing intra-company transfer populations in the EU.

Faculty:

*Daniel Parisi (DL), Brussels, Belgium
Susanne Turner, Frankfurt/Main, Germany
Benedetto Lonato, Milan, Italy
Karl Waheed, Paris, France
Bernard Caris, Brussels, Belgium
Bram van Melle Amsterdam, the Netherlands*

4:15 pm - 5:15 pm **The Global Gold Rush: Investor Visas and Citizenship Options**

This panel will focus on the ever growing number of programs around the world that provide incentives for global investment, as well as the possibility of applying for citizenship. It will address:

- Overview of investment-based temporary visas, permanent residence and citizenship programs available;
- Financial and other qualification requirements;
- When investment is not enough - job creation requirements
- Source of funds issues
- Special free economic zones and tax benefits
- Dual citizenship - is it possible and what are the consequences?

Faculty:

Ed Beshara (DL), Orlando, FL

Renê Ramos, São Paulo, Brazil

Ana Pedro de Castro, Lisbon, Portugal

Valter Gencs, Riga, Latvia

Vivien Yu, Hong Kong, China

Ganesh Kalyanaraman, Sacramento, CA

UNIFIED TRACK

5:15 pm – 6:15 pm **No Longer Business as Usual: The Future of the Global Business Traveler**

This session will discuss the current state of affairs with regard to global business travel and short-term assignments in a restrictionist environment and what the future is likely to hold, including:

- Trends in corporate use of business travel and short-term assignments as an alternative to more traditional long-term assignments;
- Challenges faced with this approach in light of the increasingly restrictionist and enforcement-oriented political climate around immigration;
- Opportunities and benefits opened up by jurisdictions that have not followed the restrictionist trend; and
- Predictions on what the future of global immigration is likely to hold.

Faculty:

Stephanie Lewin, (DL), Chicago, Illinois

Marcel Reurs, Amsterdam, the Netherlands
Ben Sheldrick, London, United Kingdom
Daniela Lima, São Paulo, Brazil
Grace Shie, U.S./China
Marco Mazzeschi, Milan, Italy
Jane Carroll, Chicago, IL

6:15 pm **CONFERENCE CONCLUDES**

7:00 pm - 10:00 pm **NETWORKING AND WELCOME DINNER**
Enjoy an exquisite dinner at Bistro Boudin at iconic Fisherman's Wharf. Advance purchase of tickets required for attendance.
Location: 160 Jefferson St, San Francisco, CA 94133

Wednesday, June 13, 2018

9:30 am – 5:30 pm **CONSULAR TOURS**

6:30 pm – 8:30 pm **COCKTAIL RECEPTION AND NETWORKING**
Join GMS & Friends from our Overseas Chapters for a cocktail and networking reception to conclude the 2018 Global Migration Section Forum
Location: JW Marriott, Skyline Room A and Terrace (Top Floor)
Sponsored by CMB Regional Centers

GMS CONFERENCE COMMITTEE

Gabriela Lessa, GMS Conference Committee Chair, Rio de Janeiro, Brazil

Lisa Atkins, GMS Conference Committee Vice Chair, San Francisco, CA

Hardeep (Dee) Sull, GMS Conference Committee Senior Advisor, Las Vegas, NV

Amy Peck, Omaha, NE

Anita Ninan, Atlanta, GA

Daniela Lima, São Paulo, Brasil

Ganesh Kalyanaraman, Sacramento, CA

Sarah Maxwell, Chicago, IL

Stephanie Lewin, Chicago, IL