2018 AILA FALL CONFERENCE

THROUGH THE LOOKING GLASS
How the Practice of U.S. Immigration Law Fits into the Global Milieu

Go across the pond with AILA National! Join us at our first national conference in Europe, a one-day, two-track conference where attendees will get exposure to how the practice of U.S. immigration law fits into the global milieu. Expert panelists will discuss recent U.S. agency activity both in the United States and abroad, and examine U.S. immigration policy and its interplay with the laws and regulations governing the European Union and other foreign countries. Located in Kensington, in the heart of London, the conference provides unique access to the new U.S. embassy, as well as to world-class museums, outstanding restaurants and shopping, traditional English pubs, and the tranquil atmosphere of Kensington Gardens. Special events such as a Q&A presentation at the new U.S Embassy, Global Migration Section diplomatic tours, sight-seeing tours, and a reception hosted by AILA’s Rome District Chapter will be organized to provide attendees with a rich taste of London’s incomparable cultural and historical heritage.

OCTOBER 5, 2018
ROYAL GARDEN HOTEL
KENSINGTON, LONDON

Thursday, October 4, 2018

➢ NEW U.S. EMBASSY Q&A PRESENTATION (SPACE MAY BE LIMITED, DETAILS TBD)
➢ GLOBAL MIGRATION SECTION DIPLOMATIC TOURS (DETAILS TBD)

Friday, October 5, 2018

Day Coordinator: Konstantinos N. Rokas, Newtown, PA

8:00 am–5:00 pm
REGISTRATION, INFORMATION, AND EXHIBITS

PLENARY:

8:15 am–8:30 am
WELCOME AND GREETINGS
Kehrela M. Hodkinson, Conference Program Chair, London, UK
Benjamin Johnson, AILA Executive Director, Washington, DC

* = invited, not confirmed
8:30 am–9:30 am  **HOT TOPICS**

*Short of a physical wall, the current administration has essentially created an invisible one by erecting unprecedented bureaucratic barriers to legal immigration. Panelists will examine the most recent challenges and issues practitioners face, including:*

- Travel Ban Update: Current State of the Ban, Status of Waiver Applications
- Trends in Blanket L-1 Processing, Application of the “Not Clearly Approvable” Standard
- Prudential Visa Revocations
- Impact of Employment-Based Adjustment Interviews
- 30/60/90–Day Rules and Misrepresentation
- H-1B Cap RFE Update
- Problem-Solving Adjudications

**Faculty:**

Betsy Lawrence (DL), Director of Government Relations, Washington, DC
Anastasia Tonello, AILA President, New York, NY
Jennifer Minear, AILA 1st Vice President, Richmond, VA
Kenneth J. Harder, AILA DOS Liaison Committee Chair, Houston, TX

9:35 am–10:35 am  **THE AMERICAN GOVERNMENT ABROAD**

*While the locations and functions of the U.S. Department of State’s embassies and consulates in foreign countries are well known, there are a number of other U.S. government agencies operating abroad that may be able to assist you and your clients in ways you may not be aware, including in times of emergency. Panelists will discuss where they are located, what they do, and how they can help you.*

- What Can Agencies Operating Abroad Do for You and Your Clients?
- What Is the Nature of the Interactions Between These Agencies?
- What Impact Do the Actions of Agencies Operating Abroad Have When Your Client Enters the United States?

**Faculty:**

Amanda S. Brill (DL), AILA Rome District Chapter Chair, London, UK
Lynn Marie Lee, Springfield, VA
Paul L. Samartin, London, UK
Jeremy A. Weber, New South Wales, Australia

10:35 am–10:45 am  **NETWORKING BREAK**

10:45 am–11:45 am  **INSIDE THE EMBASSY AND THE ROLE OF THE U.S. ATTORNEY**

*Since U.S. consular posts throughout the world function differently depending on local needs, it can be difficult to know the status of an individual case and confusing how best to communicate with requisite posts. Panelists will clarify general procedures, identify best practices, and discuss the significant role an attorney can play in a case pending at a U.S. consulate or embassy.*

- Know Your Consular Post: Procedural Differences Around the Globe
- Should Attorneys Assist with the DS-160 and DS-260?
- Importance of Pre-Interview Preparation
- Is In-Person Consular Representation Permitted Everywhere?
- Effectively and Respectfully Communicating with the Post

**Faculty:**

Daniel J. Parisi (DL), Brussels, Belgium
Farshad Owji, AILA Secretary, San Francisco, CA
Cory Caouette, San Jose, CA
Charlotte Slocombe, London, UK

* = invited, not confirmed
11:50 am–12:50 pm **IN-HOUSE COUNSEL ROUNDTABLE: MANAGING A GLOBAL PRACTICE**

What do practitioners need to know when working with in-house counsel? In-house counsel panelists will provide first-hand information on what they need from outside counsel, and their biggest concerns regarding immigration in their workplace.

- What In-House Counsel Needs from Outside Counsel: Most Important Qualities, Deal Breakers
- Biggest Problems Encountered in Managing Immigration Files, and How to Handle Them
- I-9 Audits for Non-Immigration Counsel
- Keeping Track of the Rules: Best Practices for Helping In-House Counsel Know What Is Important
- Understanding the Company to Which Lawyers Provide Immigration Services: What Outside Counsel Needs to Know to Make the Relationship Successful
- Most Effective Outside Counsel: One Lawyer or Several in Different Countries?

**Faculty:**
Heather N. Segal (DL), Toronto, Canada
Catherine Caouette, General Counsel, Guckenheimer, San Mateo, CA
Lisa E. Claypool, University of Pittsburgh Medical Center, Pittsburgh, PA

12:50 pm–1:40 pm **LUNCH (INCLUDED WITH REGISTRATION)**

1:10 pm–1:40 pm **KEYNOTE SPEAKER**

*Jeffrey Vick, Chief of Visa Services, First Secretary and Consul, US Embassy, London, UK*

---

**TRACK I: “LOOKING IN”—ADVANCED CONSULAR PROCESSING**

**Day Coordinator:** Konstantinos N. Rokas, Newtown, PA

1:45 pm–2:45 pm **U.S. RESIDENTS AND CITIZENS ABROAD: ACQUISITION, TRANSMISSION, AND RENUNCIATION OF U.S. CITIZENSHIP; MAINTENANCE AND ABANDONMENT OF LPR STATUS**

Immigration law practitioners are increasingly being asked to provide advice on the effect of tax laws on both acquisition and abandonment of lawful permanent resident status, and in acquisition and renunciation of U.S. citizenship. Panelists will examine the myriad potential tax implications immigration attorneys must consider when advising clients on this complex subject.

- Derivative U.S. Citizenship, Differences in Acquisition Through USC Mother vs. Father
- Automatic Citizenship: Acquisition of U.S. Citizenship at Birth
- Issues Relating to Maintenance and Abandonment of LPR Status
- Update on Reentry Permits Processing and Best Practices
- Renunciation of U.S. Citizenship
- Tax Consequences of Renunciation of U.S. Citizenship and Abandonment of LPR Status

**Faculty:**
Kehrela M. Hodkinson (DL), Conference Program Chair, London, UK
Ellen Freeman, AILA Board of Governors, Pittsburgh, PA
Clayton Eugene Cartwright Jr., Columbus, GA
Liam Schwartz, Ramat Gan, Israel

* = invited, not confirmed
2:50 pm–3:50 pm  
**Bad Decisions and Worst-Case Scenarios: Are You Sufficiently Prepared to Respond?**

Bad decisions, whether legally incorrect, the result of your client’s bad acts, or done seemingly out of spite, are being rendered by agencies under the current administration with increasing frequency both inside and outside the United States. Panelists will provide tips on what you can do when faced with these worst-case scenarios and advise on best practices for challenging the government’s decisions and delays in federal court.

- What Types of Cases Can Be Reviewed in Federal Court?
- Pros and Cons of Taking Your Case to Federal Court
- Consular Non-Reviewability: What Does It Really Mean?
- Building a Solid Record in Preparation for Litigation
- Challenging Security Delays
- Visa Waiver Pilot Program: Consequences of Overstays

**Faculty:**

- H. Ronald Klasko (DL), AILA Litigation Taskforce Chair/Past President, Philadelphia, PA
- Jeremy L. McKinney, AILA Treasurer, Greensboro, NC
- Marc Van Der Hout, AILA Board of Governors, San Francisco, CA
- Kara Lynum, St. Paul, MN
- Trina Realmuto, Directing Attorney, American Immigration Council, Boston, MA

3:50 pm–4:00 pm  
**Networking Break**

4:00 pm–5:00 pm  
**Nonimmigrant Visa Waivers: Overcoming Inadmissibility Obstacles and Delays**

Even a minor transgression, no matter how long ago it occurred, can cause significant delays and disruptions in nonimmigrant visa (NIV) applications. To remedy the problem, a waiver may be required. Panelists will discuss the different kinds of waivers available for NIV applicants, when to file, and how long the waiver process takes to resolve the matter.

- What to Do When the Visa Is Revoked
- When Is It Appropriate to File an INA §212(d)(3) Waiver?
- What Does It Mean When an Application Is in “Administrative Processing”?
- What to Do When the Waiver Is Needed ASAP

**Faculty:**

- Carlos E. Estrada (DL), Boston, MA
- T. Douglas Stump, AILA Past President, Oklahoma City, OK
- Kathleen Campbell Walker, AILA Past President, El Paso, TX
- Christi H. Jackson, London, UK

---

**Track II: “Looking Out” — U.S. Immigration in a Global World**

**Day Coordinator:** Jennifer Snead, Cincinnati, OH

1:45 pm–2:45 pm  
**The Outlook on European Union Travel in a Changing World**

With Brexit on the horizon, many travelers are focused on the impact the United Kingdom leaving the EU may have on their business and personal travel. While options for travel throughout the EU may remain unaffected for many, some significant changes are in store. Panelists will advise practitioners on how clients with ties to the EU can navigate the complex areas of EU free movement rights and the impact Brexit may have on their options.

- Overview of Current Concepts in Travel Throughout the EU
- “Schengen Visas”: Who Requires One, What Does It Permit a Traveler to Do?

* = invited, not confirmed
• Discussion of Alternative Schemes Designed to Facilitate Work Throughout Member States, Including the “Blue Card Scheme” and “Van der Elst Visas”
• The Impact of Brexit on Travel in, Out of, and Around the EU

Faculty:
Maria Celebi (DL), Istanbul, Turkey
Laura Devine, New York, NY
Marco Mazzeschi, Milan, Italy
Marcel A.G. Reurs, Amsterdam, NR

2:50 pm–3:50 pm

GENERAL DATA PROTECTION REGULATION: EU DATA PRIVACY RULES AND THEIR IMPACT ON YOU AND YOUR CLIENTS

General Data Protection Regulation (GDPR) went into effect in May 2018, and it has had a significant global impact. For those practicing within the EU, compliance is mandatory and all-encompassing, but many U.S. practitioners may not even be aware of its existence. Panelists will advise on how to ensure GDPR compliance on a global basis when representing clients within the EU, whether you are based in the EU or in the United States.

• Overview of GDPR, Lessons Learned Since GDPR Took Effect in May 2018
• Are You Subject to the GDPR?
• What Is a “Data Controller” Under the GDPR, and Are You One?
• Complying with GDPR, and Consequences of Not Doing So
• U.S. Law Firms and the Impact of GDPR

Faculty:
Audrey Lustgarten (DL), AILA Global Migration Section Steering Committee Chair, Petoskey, MI
Tommy Angermair, Aarhus, Denmark
Richard Blake Chisam, Washington, DC
Adele Martins, Magrath, London, UK

3:50 pm–4:00 pm

NETWORKING BREAK

4:00 pm–5:00 pm

DOLLARS, POUNDS, AND EUROS: THE ECONOMICS OF THE GLOBAL PRACTICE OF U.S. IMMIGRATION LAW

U.S. immigration lawyers are increasingly expanding their geographic reach beyond the continental United States. The tantalizing rewards of such an expansion, however, comes with certain risks, including whether any added costs of doing business abroad will sink the effort. The experts on this practice management panel will provide guidance on key economic points that the U.S. immigration lawyer should consider before “going global.”

• Are Foreign Satellite Offices Worth the Overhead?
• “Star” Alliances: Maximizing Revenue from Strategic Alliances
• Marketing Perception: Distinguishing Yourself Among Non-Lawyer Service Providers
• Fly In / Fly Out: Extra Value to the Client or Transactional Cost Nightmare?
• Employing Technology Globally to Maximize Revenue and Minimize Costs
• Best Practices in International Payments and Currency Conversion Considerations

Faculty:
Bushra A. Malik (DL), AILA Global Migration Section Steering Committee Vice Chair, Bloomfield Hills, MI
Eleanor Pelta, AILA Past President, Washington, DC
Gregory H. Siskind, AILA Board of Governors, Memphis, TN
Ganesh Kalyanaraman, Sacramento, CA
Reid F. Trautz, AILA Director of Practice and Professionalism, Washington, DC

5:00 pm

CONFERENCE CONCLUDES
AILA ROME DISTRICT CHAPTER RECEPTION
LOCATION: BERTIE'S BAR, ROYAL GARDEN HOTEL

Conference Program Committee
Kehrela M. Hodkinson, Conference Program Chair, London, UK
Amanda S. Brill, AILA USCIS International Operations Liaison Committee Co-Chair, London, UK
Cheryl David, New York, NY
Carlos E. Estrada, Boston, MA
Ellen Freeman, Pittsburgh, PA
Christi H. Jackson, London, UK
Lynn Marie Lee, AILA USCIS International Operations Liaison Committee Co-Chair, Springfield, VA
Heather N. Segal, Toronto, Canada
Grace Woods, AILA Senior Director of Education, Washington, DC

* = invited, not confirmed