



## Global Migration Section

AMERICAN IMMIGRATION LAWYERS ASSOCIATION

# 2021 AILA/GMS ANNUAL GLOBAL IMMIGRATION VIRTUAL FORUM

*With the pandemic, there has never been a more confusing or challenging time to practice immigration law. It is vital that practitioners stay up to date on all the changes taking place. This forum, presented virtually by a partnership of AILA National and the [AILA Global Migration Section \(GMS\)](#), is specially designed to focus on the current state of global immigration in the age of COVID-19. Our expert panelists, hailing from around the world, will provide pragmatic information regarding how the pandemic has changed and will continue to change global immigration. They will address the new work reality brought on by the pandemic and weigh in on potential future repercussions. They also will share insight on the impact of Brexit, tips for practice management in the virtual world, and the increasing role of technology in immigration. Finally, our experts will discuss important ethical dilemmas that practitioners have not faced previously. Global immigration practitioners are at a crossroads in our practices. Let's take the right path together!*

**Tuesday, June 8, 2021**  
**AILA National Virtual Conference**

**All Times Indicated Below Are Eastern Time**

### **TUESDAY, JUNE 8, 2021**

8:30 am–8:45 am

**WELCOME ADDRESS AND GREETINGS**  
*Chetal Patel, Conference Program Chair, London, UK*

8:45 am–9:45 am

**COVID-19: IT AIN'T OVER 'TIL IT'S OVER**  
*The immediate impact of COVID-19 on global immigration practice is obviously huge and well known, but what are the long-term implications? As global migration practitioners look forward to practice in the post-COVID-19 world, they also should prepare, in the meantime, to take on cases that will continue to be affected by the pandemic for the next one to two years.*

- What Is the Impact of Absence on Future Permit/Visa Renewal Applications?
- Will a Renewal for Employees Be Refused for Pandemic-Related Consequences (e.g., Salary Decrease, Technical Unemployment /Furlough)?
- Can Absence Jeopardize a Future Permanent Residence or Citizenship Application?
- Implications for Spouses and Children Separated from the Principal Applicant Regarding Citizenship, Renewals, and Permanent Residence

<sup>^</sup> = All times are U.S. Eastern Time  
(DL) = Discussion Leader  
\* = Invited, not confirmed

Faculty:

Shannon A. Donnelly (DL), Conference Program Committee, Washington, DC

David L. Garson, Conference Program Committee, Toronto, ON

Leon Kwong Wing, Singapore, Singapore

Gabriela Lessa, Rio De Janeiro, Brazil

Nicolas W. Rollason, London, UK

9:45 am–10:15 am

#### **NETWORKING BREAK**

10:15 am–11:15 am

#### **SHAPING THE NEW WORK REALITY**

*The prevalence of telecommuting, arising out of necessity from the pandemic, has forced more than half of the global labor force to work remotely. As telecommuting has become normalized and is likely to remain so, it raises particular challenges from an immigration perspective, where employees are either working from home or outside their jurisdiction. How does your jurisdiction accommodate remote work in the context of current immigration policy? Can employees subject to immigration permissions work outside your jurisdiction without their permissions being affected? If so, are there limitations? The panelists will discuss how remote working has impacted global immigration and explore, in depth, another recent trend: the use of third-country parking arrangements in global mobility planning.*

- Developing a Robust Remote Working Policy with Key Considerations: Immigration, Tax, Employment, and General Data Protection Regulation
- How Can an Employer Conduct Effective “Right to Work” Checks in the “Remote New World”?
- How Will Remote Working Impact the Continuing Global Race for Talent?
- Gateway to Everywhere or Nowhere? Assignee Travel Planning Using a Third Country
- Use of a Third Country for Temporary Assignment Before Permanent Assignment Commences

Faculty:

Zara Najam (DL), Conference Program Vice-Chair, Los Angeles, CA

Maria Elena Abraham Garfias, Mexico City, Mexico

Clayton Cartwright, Columbus, GA

Haidar “Eddie” M. Kadri, Windsor, ON

Bram Van Melle, Amsterdam, Netherlands

11:15 am–11:45 am

#### **NETWORKING BREAK**

*Join your Forum colleagues for smaller group discussions. These breakout sessions will provide an interactive environment to connect with other attendees to share ideas and experiences. Specific topics will be posted closer to the event, and sign-up information will be made available to registrants.*

11:45 am–12:45 pm

#### **THE POST-BREXIT ERA: WHERE ARE WE NOW?**

*As the world is living in a post-Brexit era, many organizations are considering how best to manage their workforces in the United Kingdom (UK) and Europe. European Union (EU) nationals and their family members are now subject to the same UK immigration rules as non-EU nationals, and European jurisdictions have put counter measures in place to deal with Brexit. The panelists will discuss the repercussions of Brexit and how they affect the practice of migration in Europe.*

- What Has Been the Impact of Brexit in Your Jurisdiction?
- How Can You Manage a Global Workforce in Europe?

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- What Are the Short- and Long-Term Options?

Faculty:

Chetal Patel (DL), Conference Program Chair, London, UK

Jane Pilkington, Conference Program Committee, Dublin, Ireland

Stephane Coulaux, Paris, France

Massimo Maesen, Brussels, Belgium

Gunther Mävers, Cologne, Germany

Nita N. Upadhye, London, UK

12:45 pm–1:15 pm

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1:15 pm–2:15 pm

#### **LEGAL ETHICS IN A COVID/POST-COVID WORLD**

*Even now, many countries have border restrictions and limitations on travel. Due to the global pandemic, practitioners are often tasked with determining when advocacy should give way to considerations for public well-being. In addition, many clients remain anxious. As a result, practitioners must delicately balance making a forceful argument stressing all of the positive facts and getting pressured by a worried client to overstate or obscure. This conundrum is in addition to the sometimes-difficult ethical decisions that immigration lawyers make every day. How do lawyers navigate this increasingly treacherous minefield? Our seasoned panelists will discuss these ethical challenges facing practitioners both during and after the global pandemic.*

- Making Sure Not to Overpromise the Client, Properly Managing Expectations in a Discretionary Setting
- How to Make Strong, Responsible Arguments
- Best Practices for Reasoning with the Client
- Where to Turn When Unsure and Concerned About the Ethical Implications
- Recognizing Ethically Precarious Situations

Faculty:

Maria L. Celebi (DL), AILA Global Migration Section Steering Committee Vice Chair, Istanbul, Turkey

Adrian Ojeda Cuevas, Conference Program Committee, Mexico City, Mexico

Graeme Kirk, Bury St. Edmunds, UK

Liam Schwartz, Tel Aviv, Israel

\*Grace Shie, Washington, DC

2:15 pm–2:45 pm

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2:45 pm–3:45 pm

#### **ADAPTING TO THE NEW WORLD: TOP TIPS FOR PRACTICE MANAGEMENT AND TECHNOLOGY**

*Our panel of experts, representing a variety of jurisdictions and areas of law, will discuss current and emerging practice management issues arising out of the use of technology in the new era of “working from home.” They will address the interplay between cybersecurity, efficiency issues, attorney-client confidentiality, and financial factors. Emphasis will be placed on risk*

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*management, tips for prevention, and the impact of cybercrime on international law practice. Panelists also will discuss important aspects of safe practice, compliance and regulatory issues, privacy, and cross-border data transfers.*

- Practice Management Strategies for Staff and Clients While Remote Working: Productivity Management, Empathy Towards Staff and Clients
- Financial Considerations: How to Cut Costs, Become More Efficient, and Create Value for Clients
- Alternative Business Sources and Services, Including Pivoting Firm Offerings to Adapt to Changing Client Needs: Marketing, Existing Client Management, Business Development
- The Digitization of Immigration Systems
- Best Practices as Practitioners Shift to a More Digital World

*Faculty:*

*Audrey Lustgarten (DL), Petoskey, MI*

*Gregory H. Siskind, AILA Board of Governors, Memphis, TN*

*Adam J. Rosser, Conference Program Committee, Washington, DC*

*Pavan Dhillon, San Francisco, CA*

*Karolina Schiffter, Warsaw, Poland*

3:45 pm–4:15 pm

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4:15 pm–5:15 pm

#### **WHAT IS THE FUTURE OF GLOBAL IMMIGRATION IN THE POST-COVID-19 WORLD?**

*In the past year, we have come to realize that fate often treats even the best-laid plans with callous disregard. Given the increasing polarization of society, the proliferation of virtual work, and the higher likelihood of natural disruption, is there a logical way to continue in an effective and cohesive manner? Countries are adjusting their immigration policies to address the need for specialized workers in select fields while balancing continuing high unemployment. How can we work together across borders to address these issues? Our panel of thought leaders from across the immigration landscape will discuss possible scenarios and outcomes moving forward.*

- Lessons from the Shutdowns: The Need for Frontline Workers, Agricultural Workers, and Healthcare Professionals
- The Impact of High Unemployment on Mobility and Immigration
- Are Corporations and Businesses Strategizing for the Future Now?
- Is There Still a Need and/or Desire for Immigration on a Large Scale?
- How Can Practitioners Assist Clients in This Extremely Challenging Guessing Game?
- Moving Forward with Caution: How Countries Try to Restore Immigration and Mobility Policies, Preferred Occupations, and the Way Forward

*Faculty:*

*Ellen Freeman (DL), AILA Board of Governors/Global Migration Section Steering Committee Chair, Pittsburgh, PA*

*Philip Yip, Conference Program Committee, Sydney, Australia*

*\*Zahida Ebrahim, Cape Town, South Africa*

*Jose Ariel Orrego-Villacorta Icochea, Lima, Peru*

*Paul J. Sarauskas, Chicago, IL*

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5:15 pm

**CONFERENCE CONCLUDES**

**CONFERENCE PROGRAM COMMITTEE**

*Chetal Patel, Conference Program Chair, London, UK*  
*Zara Najam, Conference Program Vice-Chair, Los Angeles, CA*  
*Shannon A. Donnelly, Washington, DC*

*David L. Garson, Toronto, ON*

*Adrian Ojeda-Cuevas, Mexico City, Mexico*

*Jane Pilkington, Dublin, Ireland*

*Adam J. Rosser, Washington, DC*

*Phillip Yip, Sydney, Australia*

*Bushra A. Malik, AILA Board of Governors/Global Migration Section Steering Committee*  
*Past Chair, Bloomfield Hills, MI*

*JJ Area, AILA Education Program Manager, Washington, DC*

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