

PREFACE

Some immigration lawyers are willing litigators, battling ICE as it attempts to deport noncitizens. Others are drawn to immigration law with visions of a nonadversarial practice preparing and presenting to the government unassailable applications for benefits that are quickly and happily granted. But try as they may to avoid litigation, they can't avoid the fact that to effectively represent their clients it is sometimes necessary to challenge the immigration agencies in a contested setting, whether at the administrative level or in the federal courts. This seventh edition of *AILA's Immigration Litigation Toolbox* serves both types of immigration lawyers, as both eager and reluctant litigators will benefit from the abundance of advice and samples it contains.

Removal defense practitioners will find in this *Toolbox* a comprehensive collection of sample pleadings and motions typically filed in immigration court and on appeal at the BIA. For practitioners who concentrate on applications and petitions with USCIS and the Department of Labor, there are sample filings used to challenge denials at the administrative level. Moreover, in keeping with AILA's goal to ensure that all its members have access to the necessary tools to litigate individual immigration cases in federal court, this *Toolbox* collects articles containing instruction and advice on litigating in federal district and appellate courts, as well as samples of commonly filed documents. Taken together, the materials in this edition of the *Toolbox* show all immigration lawyers how it is possible to properly and effectively obtain the results desired by the client when the government is disposed to deny them.

Two of AILA's foremost litigation experts, Rekha Sharma-Crawford and Maris Liss, have returned as editors of this seventh edition of *AILA's Immigration Litigation Toolbox*. Be sure to read their "Best Practices for a Successful Trial Strategy" in folder A as a starting point. Most of the sample documents in this *Toolbox* were contributed by the editors and other AILA litigators. You can find a listing of those contributors in document 007. Special thanks are given to our partners at the American Immigration Council for their many useful practice advisories contained in this *Toolbox*, as well as AILA's Administrative Litigation Task Force and Jesse Bless, AILA's Director of Federal Litigation, for their contributions and samples.

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Managing Editor
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