

Charting a New Course

CLINIC Convening 2021

May 17-20 • Save the Date!



CLINIC Convening 2021

Final Agenda

Monday, May 17, 2021

1:30 p.m. – 2:30 p.m. Welcome Plenary

2:30 p.m. – 3:00 p.m. Take a Breather

3:00 p.m. – 4:30 p.m. Concurrent Workshops

1. Hot Topics in Immigration Law

Things are constantly changing in the immigration world — especially given a new administration and a reversal of the policies under the old one. This workshop is your chance to catch up on what you may have missed! How are U.S. Citizenship and Immigration Services and the Department of State assessing public charge inadmissibility? What are the latest updates with Temporary Protected Status and Deferred Action for Childhood Arrivals? What is going on with Special Immigrant Juvenile cases and unaccompanied minors? What is happening with Liberian Refugee Immigration Fairness? This workshop, appropriate for all levels, will review the headline news of the year and how these developments may impact your clients and your practice.

Charles Wheeler, Director of Training and Legal Support, CLINIC

Martin Gauto, Senior Attorney, CLINIC

Llissa Mira, Staff Attorney, CLINIC

2. Navigating Immigration Court Proceedings for Unaccompanied Child Clients Pursuing Asylum or Special Immigrant Juvenile Status

The law provides special protections to unaccompanied children in immigration court removal proceedings, of which there are currently more than 100,000. This panel will focus on strategies for unaccompanied children in removal proceedings pursuing asylum and/or Special Immigrant Juvenile Status. The panelists will cover the most timely issues that unaccompanied children in this posture face to ensure that attendees receive up to date information about trends and strategies. The training will include an interactive discussion among participants.

Rebecca Scholtz, Senior Attorney, CLINIC

Michelle Mendez, Director of Defending Vulnerable Populations, CLINIC

Kristie-Anne Padron, Catholic Legal Services of Miami

3. Integration and Orientation for Foreign-Born Religious Workers in R-1 Status

As the recruitment of foreign-born religious workers increases, integration into the American way of life as well as orientation to U.S. immigration regulations should be the utmost priority for the religious leaders. In this workshop, we will discuss integration — as opposed to assimilation — of foreign-born religious workers and cover the key components of successful immigrant integration initiatives, as well as provide tips to implement them successfully in your community. We will then present materials that can serve as a basic orientation for foreign-born religious workers when they arrive in the United States with an R-1 visa, such as how to obtain a social security number and driver's license, identify important immigration documents and avoid falling out of R-1 status.

Monday, May 17, 2021 (Continued)

4. Mapping Out Changes in Immigration Law and Policy During the Administration's First 100 Days and Beyond

President Biden launched his administration with executive actions on immigration from his very first day in office — laying the course for a new ethos at the White House. Since then, dozens of law and policy changes have followed. Our experts will analyze the first 100 days of changes and discuss what should come next.

4:40 p.m. – 5:10 p.m. Self-Care and Networking

1. Laughter Yoga
2. Sky Meditation - Success Without Stress

Chat Room

1. Regional Networking

Not all immigration policies are created equal. Here's an opportunity to discuss regional issues with your peers. Groups will be broken into West, South West, Mid West, North East, South East.

Tuesday, May 18, 2021

12:00 p.m. – 12:30 p.m. Mass Celebrated by Archbishop Hartmayer, Archdiocese of Atlanta

1:00 p.m. – 2:30 p.m. Concurrent Workshops

1. Immigrating Through Marriage

Is a religious marriage valid for immigration purposes? Must a U.S. citizen always meet his or her fiancé(e) in person before filing an I-129F petition? Can an I-751 ever be filed after expiration of the conditional resident card? In this session, learn the answers to these and other questions related to immigrating through marriage. Presenters will discuss establishing the marital relationship, including what types of supporting evidence should be submitted as bona fides of the marriage; the eligibility requirements and procedures for filing K-1 fiancé(e) petitions; how and when conditional residents should apply to remove the conditions on status; and other issues related to marriage-based immigration.

*Elizabeth Carlson, Staff Attorney, CLINIC
Kristina Karpinski, Managing Attorney, CLINIC*

2. Updates in U Nonimmigrant Status

The U status landscape has changed throughout the years and gaining U status for your clients has become more difficult. Join us for a discussion of the recent developments in obtaining U Status, including adjudication delays, the waiting list, and requests for evidence. We will also discuss challenges post-U approval and at Adjustment of Status. We will have the opportunity to discuss these issues, along with adjudication trends under the new administration with representatives of USCIS.

*Sarah Bronstein, Senior Attorney, CLINIC
Martin Gauto, Senior Attorney, CLINIC*

3. Understanding Motions to Reopen

Where a noncitizen already has a final order of removal, a motion to reopen may be an important tool for helping the noncitizen remain in or return to the United States. Yet drafting an effective motion to reopen requires an in-depth understanding of the procedural rules governing motions to reopen. This panel will provide an overview of the procedures for filing motions to reopen before the BIA and the immigration courts, with a special focus on recent changes to motions practice.

*Aimee Mayer-Salins, Staff Attorney, CLINIC
Michelle Mendez, Director of Defending Vulnerable Populations, CLINIC*

Tuesday, May 18, 2021 (Continued)

4. Nuts and Bolts of Immigration Case Management System - Part 1

Do you ever wonder if your case management system is working as effectively as it could? Do you want to learn about what organizations are doing to maximize their time, while ensuring quality immigration services? Join us for the two-part workshop on immigration case management system. In part one, we will explore topics related to developing and implementing policies and procedures, case management database, intake process, case selection and scope of representation. CLINIC presenters will share information about case management best practices. This is a highly interactive workshop that includes exercises and hypotheticals.

Silvana Arista, Attorney & Project Coordinator/Field Support Coordinator

5. Land Ho! Is There an R-1 Religious Worker Oasis on Our Horizon?

Ahoy Matey! Join Cap'n Miguel and his Jolly Roger band of attorneys as they navigate the rough seas of Hurricane Trump and find refuge in Biden Paradise. Or do they? Join the Religious Immigration Services team as they discuss the R-1 Religious Worker visa program and its bounty – I-129 approvals and R-1 visas. This workshop will offer an overview of the R-1 religious worker visa category including the I-129 petition, changing status, extending status and other issues related to the R-1 religious worker visa.

2:30 p.m. – 3:00 p.m. Relax a Little

3:00 p.m. – 4:30 p.m. Concurrent Workshops

1. Advising TPS Clients

The last few years have brought great uncertainty to TPS clients as the Trump administration attempted to end TPS for six nationalities, which led to a number of lawsuits challenging those terminations. Join us for an overview of the latest federal actions on TPS designations under the Biden administration and current USCIS policies relating to TPS applicants for adjustment of status. Presenters will share best practices for ensuring that TPS clients maximize temporary protection from deportation and work authorization as well as identifying eligibility for adjustment of status and other permanent relief.

Jennifer Riddle, Staff Attorney, CLINIC

Ilissa Mira, Staff Attorney, CLINIC

2. Understanding Motions to Reopen — Putting What You Learned Into Practice

This panel will build on the information covered in the preceding “Understanding Motions to Reopen” session by giving participants an opportunity to apply their new motions to reopen knowledge to case-specific examples. Participants in this session will practice issue-spotting and drafting portions of a motion to reopen. CLINIC may cap the number of participants in this training.

Aimee Mayer-Salins, Staff Attorney, CLINIC

Michelle Mendez, Director of Defending Vulnerable Populations, CLINIC

3. Partnering With CLINIC for Federal Litigation

Litigation is a powerful tool to advance the rights of immigrants. This panel will review the impactful cases currently on CLINIC’s federal court litigation docket. We will discuss the circumstances under which federal litigation is strategically useful to an immigration legal services program and how affiliates can work together with CLINIC to identify and pursue issues that are ripe for litigation.

Bradley Jenkins, Federal Litigation Attorney, CLINIC

Rebecca Scholtz, Senior Attorney, CLINIC

Tuesday, May 18, 2021 (Continued)

4. Nuts and Bolts of Immigration Case Management System - Part 2

Do you ever wonder if your case management system is working as effectively as it could? Do you want to learn about what organizations are doing to maximize their time, while ensuring quality immigration services? Join us for the two-part workshop on immigration case management system. In part two, we will explore topics related to case file maintenance and closing cases. CLINIC presenters will share information about case management best practices. This is a highly interactive workshop that includes exercises and hypotheticals.

Helen Chen, Field Support Coordinator, CLINIC

5. Local Policing and Immigration Enforcement: What Can Your Community Do?

This legislative session, states have brought forward various pieces of legislation that would either end local law enforcement cooperation with Immigration and Customs Enforcement or strengthen it. Various jurisdictions elected sheriffs who vowed to end 287(g) agreements during the 2020 elections. Our communities — particularly communities of color — are left vulnerable and afraid of the very group that should protect them when we fail to hold ICE to the standards of obtaining a judicial warrant to put someone in their custody and allow our police officers to act as ICE officials in certain capacities. This panel will address some of the misconceptions around ICE collaboration programs. It will also address the importance of strong partnerships between the immigrant community and local law enforcement. Come and learn ways to truly welcome and partner with our immigrant neighbors to build stronger communities.

Viviana Westbrook, State and Local Advocacy Attorney, CLINIC

4:40 p.m. – 5:10 p.m. Self-Care and Networking

1. Sky Meditation – Success Without Stress
2. Virtual Magic Show

Chat Rooms

1. Happy Hour with Your Field Support Coordinator
2. Hub for Small Organizations
3. Hub for New Organizations

Wednesday, May 19, 2021

12:15 p.m. – 12:45 p.m. Mass Celebrated by Bishop Soto, Diocese of Sacramento

1:00 p.m. – 2:30 p.m. Concurrent Workshops

1. Obtaining Lawful Permanent Residence: Adjustment of Status and Consular Processing

Adjustment of status and consular processing are two different pathways for seeking lawful permanent residence status. For beneficiaries in the United States, when do they qualify for adjustment under INA §§ 245(a) or 245(i)? For beneficiaries outside the United States, or for those not eligible to adjust in the United States, what is the process for obtaining an immigrant visa at a U.S. consulate? In this interactive workshop for practitioners of all levels, we will look at several possible client scenarios and examine the different eligibility and strategy issues related to adjustment of status and consular processing.

Kristina Karpinski, Managing Attorney, CLINIC

Jennifer Riddle, Staff Attorney, CLINIC

2. Asylum Law Basics

Asylum seekers have been under assault for the past four years, although the new administration is pledging to reverse some of the most harmful changes made under the prior administration. Immigration legal practitioners must be prepared to help guide vulnerable asylum seekers through the often-confusing legal system. Practitioners new to the asylum process are encouraged to join us for a discussion on the basics of asylum law, including concepts of past persecution and well-founded fear, the five protected grounds and how to establish a nexus to these grounds, humanitarian asylum and bars to asylum. We will also discuss filing tips and the affirmative and defensive asylum process. Finally, we will discuss any recent changes to asylum policy and procedures implemented during the early months of the new administration as they pertain to the basics.

Joanna Mexicano Furmanska, Staff Attorney, CLINIC

Elizabeth Carlson, Senior Attorney, CLINIC

3. Representing Clients at the Board of Immigration Appeals

Take your removal defense practice to the next level – literally – with this panel on appeals to the Board of Immigration Appeals. Learn how to navigate the different standards of review, tips for writing the brief and how to present new evidence on appeal. Additionally, participants will learn about the pioneering work of the BIA Pro Bono Project as it prepares to celebrate its 20th year of mentoring attorneys and helping noncitizens find counsel before the BIA.

Rachel Naggar, BIA Pro Bono Project Manager, CLINIC

Brenda Hernandez, Legal Specialist, Defending Vulnerable Populations Project, CLINIC

4. Navigating Problem Case Resolution

Join government agency officials and CLINIC's advocacy team to learn about updates on case processing tools and procedures. In this session, we will share tips for preparing cases, discuss how to counsel clients on timing and expectations, and discuss how to tackle problem cases. This session will also cover case advocacy resources available to CLINIC affiliates.

Karen Sullivan, Policy Advocate/Section Manager, CLINIC

5. R&A Workshop

Join us for this session to discuss the latest trends and changes we are seeing in the field of DOJ recognition and accreditation. We'll provide a brief overview of R&A requirements and the application process along with tips for a successful application, then have Q&A. Bring your questions, concerns, and challenges to the discussion.

2:30 p.m. – 3:00 p.m. Enjoy Some R & R

3:00 p.m. – 4:30 p.m. Concurrent Workshops

1. Ethical Considerations in Immigration Law Practice

Immigration practitioners work in a fast-paced, demanding environment. They often face thorny ethical issues, such as what to do if you doubt the authenticity of a document or a conflict of interest between clients arises. Using case examples and hypothetical situations, the presenters will provide an overview of the fundamental rules of ethics and describe how they apply to both attorneys and accredited representatives.

Sarah Bronstein, Senior Attorney, CLINIC

Martin Gauto, Senior Attorney, CLINIC

Wednesday, May 19, 2021 (Continued)

2. Updates on Public Charge

The Biden administration has promised to roll back the Trump administration's infamous public charge rule and replace it with a more traditional and generous interpretation of this ground of inadmissibility. This workshop will cover the current interpretation and standard being used by USCIS and the State Department. It will also offer tips on how low-income clients can satisfy the affidavit of support requirements.

*Charles Wheeler, Director of Training and Legal Support, CLINIC
Joanna Mexicano Furmanska, Staff Attorney, CLINIC*

3. The Legacy of Trump's Deterrence Policies and How We Repair

The prior administration left in its wake a number of cruel and unlawful deterrence-focused policies. The separation of families at the border and the forced return of non-Mexican asylum seekers to Mexico to await their U.S. immigration hearings are two of the most notable examples of the Trump administration putting asylum-seekers in harm's way. In this panel, you will hear from staff managing CLINIC's Formerly Separated Families Project and Estamos Unidos Asylum Project. From the U.S.-Mexico border to the interior, our staff have spent years responding to these crises and have now begun the process of deconstructing the legacies of deterrence and enforcement-based governance.

*Elizabeth "Lizz" Crivaro, Legal Fellow, CLINIC
Amari Verastegui, Legal Assistant, CLINIC
Luis Guerra, Strategic Capacity Officer, CLINIC*

4. Managing Financial Challenges

Jeff Chenoweth, CLINIC's Capacity Building director, will lead this 90-minute workshop. Topics covered will include: calculating the true cost of a service; setting client fees; collecting fees; strategizing for grants and projects; cultivating and retaining individual donors and using social media to capture donor interest and dollars

Jeff Chenoweth, Director of Capacity Building, CLINIC

5. Beat the Afternoon Blues. Join RIS for some Religious Worker Talk!

Looking for some afternoon excitement? Time to join the Religious Immigration Services team for some "serious" talk about the religious worker program. You name it, we will discuss – R-1s, adjustment of status, Naturalization and more. Join us and your colleagues as we discuss the latest practice advice, strategies and experiences in religious worker immigration law.

RIS Attorneys

4:40 p.m. – 5:10 p.m. Self-Care and Networking

1. Virtual Magic Show
2. Laughter Yoga

Chat Rooms

1. It's Happy Hour Somewhere

Thursday, May 20, 2021

12:00 p.m. – 12:30 p.m. Mass Celebrated by Bishop Dorsonville, Archdiocese of Washington

1:00 p.m. – 2:30 p.m. Concurrent Workshops

Thursday, May 20, 2021 (Continued)

1. Family Havoc: Can This Case Be Saved?

Life marches on as an I-130 relative petition is pending or as your client waits for a current priority date. How do different life events of the petitioner or the beneficiary impact on eligibility to immigrate and on related procedures? This interactive workshop will follow one family's complex immigration journey and review how the twists and turns of life impact eligibility to immigrate through a family-based petition.

Kristina Karpinski, Managing Attorney, CLINIC

Charles Wheeler, Director of Training and Legal Support, CLINIC

2. Naturalization Testing and Disability Waivers

Applicants for naturalization must demonstrate an understanding of the English language and the fundamentals of U.S. history and civics. Exemptions to testing requirements are available based on the applicant's age, years as a Lawful Permanent Resident, and physical or developmental disability or mental impairment. This workshop will cover recent changes to the citizenship test, who qualifies for the exemptions, the criteria for obtaining a disability exception, and the most recent N-648. The session will provide tips on working with medical professionals to complete the N-648 Medical Certification for Disability Exceptions and review the procedures for submission to USCIS. Finally, we will discuss any recent changes implemented during the early months of the new administration as they may pertain to these issues.

Elizabeth Carlson, Senior Attorney, CLINIC

Joanna, Mexicano Furmanska, Staff Attorney, CLINIC

Laura Burdick, Field Support Coordinator, CLINIC

3. Representing Asylum Seekers in a Rapidly Changing Landscape

Asylum law was upended under the Trump administration, with dozens of changes narrowing substantive eligibility and creating procedural hurdles. This panel will address the current state of the law and provide practical tips on how to put the best asylum case forward and preserve issues for appeal.

Victoria Neilson, Managing Attorney, CLINIC

Bradley Jenkins, Federal Litigation Attorney, CLINIC

4. Addressing Anti-Black Systemic Racism in U.S. Immigration Law and Policy

Featuring top policy and advocacy experts, this panel will illuminate how anti-Black racism is entrenched in U.S. immigration law and policy, and how we can and must work to dismantle systems of oppression. Topics will include detention and enforcement, humanitarian immigration policy, access to government information and resources, and more.

Lisa Parisio, Director of Advocacy, CLINIC

5. Addressing Program Management Issues - Part 1 (By invitation only)

The immigration field is changing rapidly, bringing more complex program management issues with it. Long-standing and experienced program managers are encouraged to bring their top challenges to this two-part session to brainstorm with and receive advice and insight from colleagues. In this workshop, you will hear from CLINIC staff and organization leaders from around the country on top issues facing immigration program managers, including case management, funding challenges and staff retention. CLINIC will moderate the discussion for this interactive seminar.

2:30 p.m. – 3:00 p.m. Time to Unwind

3:00 p.m. – 4:30 p.m. Concurrent Workshops

1. Understanding Unlawful Presence and Other Immigration Violations

How do your clients' prior entries to and exits from the United States affect their ability to immigrate? What

Thursday, May 20, 2021 (Continued)

do past encounters with Customs and Border Protection, Immigration and Customs Enforcement, or the immigration court system mean for your clients? This workshop will focus on the grounds of inadmissibility triggered by leaving the United States after accrual of unlawful presence and/or removal orders, as well as re-entering the country unlawfully after accrual of unlawful presence and/or removal orders. INA 212(a)(9) covers the most common ways your client may be found inadmissible. This workshop, appropriate for practitioners of all levels, will explore the various ways that clients' immigration histories can lead to inadmissibility for a prior removal, unlawful presence, the permanent bar or reinstatement of a prior removal order.

Jennifer Riddle, Staff Attorney, CLINIC

Lissa Mira, Staff Attorney, CLINIC

2. Good Moral Character in Naturalization Cases

Naturalization applicants must show good moral character for the required residency period prior to applying for naturalization. The panelists will discuss the statutory and regulatory bars to showing good moral character, including, among others: criminal issues and failure to pay child support; file taxes; or register for the selective service. The panelists will also address what you can do if your client has good moral character problems and how to assess whether or not you should file the application.

Sarah Bronstein, Senior Attorney, CLINIC

Joanna, Mexicano Furmanska, Staff Attorney, CLINIC

3. Writing a Compelling Asylum Declaration

The applicant's declaration is often the single most important piece of evidence in an asylum seeker's case. This interactive session will begin with introductory concepts about what declarations should include and how to make them persuasive. We will then break into small groups and work on drafting parts of an asylum declaration. The groups will discuss one another's work and learn to write factual statements that persuasively support the theme of the case.

Victoria Neilson, Managing Attorney, CLINIC

Elixabeth "Lizz" Crivaro, Legal Fellow, CLINIC

4. Restitution: Achieving Justice for Your Clients Outside of Immigration Court

From immigrant families seeking compensation in the wake of the "Zero Tolerance" family separation crisis to detained immigrants seeking accountability and reparations for neglect and abuse in detention centers, immigration advocates are advancing claims under the Federal Tort Claims Act. Join the panelists to learn how and why to file these administrative claims and federal lawsuits in defense of your client.

Ann Garcia, CLINIC, Staff Attorney, CLINIC

Michelle Mendez, Director of Defending Vulnerable Populations, CLINIC

5. Advanced Program Management Issues - Part 2 (By invitation only)

The immigration field is changing rapidly, bringing more complex program management issues with it. Long-standing and experienced program managers are encouraged to bring their top challenges to this two-part session to brainstorm with and receive advice and insight from colleagues. In this workshop, you will hear from CLINIC staff and organization leaders from around the country on top issues facing immigration program managers, including case management, funding challenges and staff retention. CLINIC will moderate the discussion for this interactive seminar.

Leya Speasmaker, Integration Program Manager/Field Support Coordinator, CLINIC

Minyoung Ohm, Section Manager/Field Support Coordinator, CLINIC

4:40 p.m. – 5:00 p.m. Closing Plenary