



Three-Part Telephone & E-mail Seminar:

Consular Processing For Experts

Speakers: Rami Fakhoury, Erik Anderson, Henry Chang, Vic Goel, Michael Neifach, Sheila Starkey Hahn and Alice Yardum-Hunter

Available on CD

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Seminar Outline

FIRST Phone Session on May 21: Expanded Attorney Vulnerabilities in International Practice

- Mitigating the loss of Attorney-Client Privilege - is there still any Reasonable Expectation of Privacy in international communications?
- Specific changes in FISA law impacting international lawyers - risks associated with Attorney-Client communications and records systems.
- The expanded Visa Waiver Program (VWP) - the new ESTA background check system, what gets checked, and derogatory information in DHS data banks.
- Reviewing VWP and B-1/B-2 applications for 9 FAM grounds of inadmissibility
- Sec. 214(b) and 221(g) grounds of inadmissibility - differentiating the routine from the permanent - how to deal with Category 1 and Category 2 visa denials.
- Anticipating the Security Advisory Opinion (SAO) - when and how to communicate with the Visa Office.
- Discussion of select consular posts
- Hot topics update

SECOND Phone Session on June 11: A New Universe of Risks - "Random" Audits by Federal Document and Benefits Fraud Task Forces

- Hard lessons from the al-Haramain and Kuene Cases - Targeted Surveillance of Attorney-Client Communications and Task Force "Sting" Operations against Attorneys with Foreign Clients
- Practice before multiple agencies pose special risks for immigration attorneys - risks and duties of lawyers along the lifespan of exposure from initial client contact to disposal of closed case records. Multiple agency data mining and information sharing of records obtained in the US and abroad.
- Everyone's at Risk - random document and benefits fraud audits, ICE data mining process, profiling programs. Avoid being selected for "random" audits.
- H and L cases, LCAs, evaluations, corporate records - prime targets for joint State Dept DS and DOL investigations, DBFTFs, and other multiple agency task forces.
- The expanding view of attorney culpability and mandatory Due Diligence requirements in all practice areas before federal agencies -
- Discussion of select consular posts
- Hot topics update

THIRD Phone Session on July 16: Consular Posts: Know Your Red Flags and At-Risk Clients. Do Your Due Diligence Like Your Career Depends on It

- Avoiding Audits and Task Forces: Best Practices in an Environment of Data-Mining and Surveillance of Immigration and Consular Applications
- Background Checks of Non-Immigrants and Immigrant Visa Applicants - Who Gets Checked, How it Gets Checked, and What to Expect
- Specific systems and criteria that State Dept. visa officials and USCIS examiners use to identify problems
- Law Firm Risk Management of high-risk clients
- Profiling and red flags that DOS and various federal agencies use to assess the persons and entities they investigate
- Resources for attorneys to develop their own risk assessments, and a practical guide to risk factors and self-audits. Guide to approaching cases like a consular examiner or USCIS examiner
- Lessons learned from Anti-Money Laundering (AML) and counter-party risk reduction programs of large international banks and accounting firms to reduce/mitigate the risks counsel is ensnared in government databases and potential investigations
- Approaches for solo practitioners and small companies to develop in-house systems to identify and mitigate risks
- Discussion of select consular posts
- Hot topics update

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CD May 21 CD June 11 CD July 16 2.00pm to 3.30pm ET (11.00am to 12.30pm PT)

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About the Speakers

Rami Fakhoury (Discussion Leader) is a member of Fakhoury Law Group, P.C. His practice focuses on business-based employment immigration, particularly in the Information Technology, Engineering industry, health care workers, investors, academics and individuals of exceptional ability. Mr. Fakhoury has extensive experience in the areas of Corporate Immigration, and has worked in private firms, as well as serving as In-House Counsel for Syntel Corporation, a Fortune 1000 company in the Information Technology industry. In particular, his practice focuses on H, L, E, and O visas, Labor Certifications, Advance Degree Professionals, Multinational Executives and Outstanding Researchers and Professors. Mr. Fakhoury has represented clients at U.S. Consulates abroad and is an international lecturer and fellow for the Center for International Legal Studies (CILS) and a Member of the Immigration section of the International Bar Association. Mr. Fakhoury has served as Panel Speaker at the American Bar – International Law Section. He has also presented and written articles on immigration issues. Mr. Fakhoury is a Member of the State Bar of Michigan, International Law Section; Information Technology Association of America (ITAA), Immigration Law Committee; American Immigration Lawyers Association (AILA); International Business Association, Immigration Law Committee; and Fellow, Center of International Legal Studies, Salzburg Austria.

Erik Anderson is a Partner with Goel & Anderson, LLC and serves as the Director of our Immigrant Visa Practice. In this role, he oversees the development of case strategies to address the recruitment and transfer of human resources in the United States and overseas by assisting with the visa and work permit needs of international professionals, managers, and executives. Mr. Anderson also supervises the firm's staff who handle "green card" cases, including labor certifications, immigrant petitions, adjustment of status, and consular processing for employers across the country, particularly in the Information Technology, Biotech, Healthcare, Food and Beverage, Media, and Entertainment industries. Previously, Erik was appointed Deputy Secretary of the Board of Alien Labor Certification at the U.S. Department of Labor, and today, he routinely handles matters before that agency, as well as United States Citizenship and Immigration Services, the U.S. Department of State, and nearly every state workforce agency in the United States. He also frequently delivers presentations and lectures to employers and employees on issues relating to labor certification. Erik also provides consulting services to government contractors, and has assisted firms in preparing contract bids for the provision of immigration-related services to agencies of the Federal Government.

Henry J. Chang is a Partner of Chang & Boos. Mr. Chang obtained his law degree from Osgoode Hall Law School in 1990. He is a member of both The State Bar of California and The Law Society of Upper Canada ("LSUC"). Mr. Chang is also licensed as a Foreign Legal Consultant by the Law Society of Upper Canada, which is a requirement for all Ontario lawyers who provide advice on the law of a foreign jurisdiction. A recognized authority in the field of United States and Canadian immigration law, Mr. Chang lectures extensively on the subject in both the United States and Canada. His articles have appeared in numerous nationally- and internationally-recognized publications. Mr. Chang also mentors other lawyers in the practice of immigration law in the United States and Canada.

Vic Goel is the Managing Partner of Goel & Anderson, LLC. His practice includes strategic immigration planning concerning the recruitment and hiring of international professionals, skilled technicians, managers, executives, and students. His clientele includes multinational information technology companies, telecommunications providers, biotech and engineering firms, financial services firms, manufacturing entities, and luxury hotel chains that rely on international personnel to meet their staffing needs worldwide. By adopting an enterprise-wide approach to handling a client's needs, Mr. Goel focuses on the development of management plans to allow companies to hire international staff in a timely and cost-effective manner. His innovative style has allowed him to devise immigration strategies that have resulted in savings of millions of dollars and untold man-hours for his clients. Mr. Goel is admitted to practice in the District of Columbia and Pennsylvania.

Michael Neifach is a Partner with Goel & Anderson, LLC and directs the firm's Immigration Compliance, Enforcement, and Homeland Security Practice. Prior to joining the firm in 2009, Michael served in several key positions shaping the U.S. government's immigration and visa policies and enforcement initiatives. As Principal Legal Advisor to U.S. Immigration and Customs Enforcement (ICE) at the Department of Homeland Security (DHS) from July 2007 to January 2009, Michael oversaw approximately 800 attorneys responsible for representing the U.S. government in immigration court proceedings. He also advised ICE's numerous enforcement components on issues ranging from worksite enforcement operations and implementation of Secure Communities, to data privacy and employment and labor law. Prior to his appointment at ICE, Michael served as Director of Immigration and Visa Security Policy at the White House Homeland Security Council from October 2005 to July 2007. While at the White House, he served as policy lead on a number of significant priorities, including comprehensive immigration reform, the secure border initiative (SBI), enhanced screening of travelers, combating terrorist travel, and the issuance of secure identity documents.

Sheila Starkey Hahn graduated from the University of Buffalo with a double major in English Literature and Spanish. She received her JD from the University of Minnesota Law School, where she worked as a Foreign Student Adviser in the Office of International Student and Scholar Services. Currently, Ms. Starkey Hahn concentrates her practice in the area of immigration law, representing professionals in both immigrant and nonimmigrant visa matters. Prior to forming her own firm, Ms. Starkey Hahn was a member of the law firm of Marty, LaMadrid & Starkey, specializing in business and family immigration law. Ms. Starkey Hahn currently serves as the Pro Bono Liaison and Citizenship Day Chair for the DC Chapter of the American Immigration Lawyers Association. She has previously served as the Clearinghouse Liaison between US CIS Washington District Office and the DC Department of Employment Services and the AILA DC Chapter, and as a committee member on the American Immigration Law Foundation's Immigrant Achievement Awards. Ms. Starkey Hahn has lectured on topics of immigration law at AILA conferences and at local universities, embassies, and international organizations. She is the author of Children's Issues in U.S. Immigration Law: An Overview, Immigration Briefings (May 1997) as well as Immigration Fundamentals for International Lawyers, Permanent Residence through Employment, American University International Law Review (1998).

Alice Yardum-Hunter has practiced exclusively on immigration law - mostly business related and complex matters. She began her career as an immigration generalist handling a wide variety of cases, from consular processing to deportation work, and everything in between. Ms. Yardum-Hunter is currently Liaison to the Customs and Border Protection and former Citizenship and Immigration Service and Department of Labor Liaison on behalf of the LA County Bar Association Immigration Section, and a former Commissioner to the State Bar of California, Board of Legal Specialization,

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Immigration and Nationality Law Advisory Commission. This body monitors attorney specialists in immigration law. She has been invited repeatedly to head this commission. Alice Yardum-Hunter is a Certified Specialist in Immigration and Nationality Law. Beginning in 2004 and every year thereafter, she has been honored as a recipient of the prestigious "Super Lawyers" designation by Los Angeles Magazine, reserved for the top approximately 2-5% of immigration lawyers in Southern California. There are approximately 1,000 immigration lawyers in Southern California. It is awarded to a very small group of attorneys based on merit for quality of work, from a survey of 65,000 lawyers and two tiers of Blue Ribbon Judge review, and not just on reputation. She was recently invited to be included in the "Global Directory of Who's Who" and was nominated in 2007 within the top 25 lawyers in the San Fernando Valley, a locale with approximately 9,000 lawyers.
