



Three-Part Telephone & E-mail Seminar:  
**Sanctuary! Stratagems To Winning In Asylum Practice**  
Speakers: **Joseph A. Vail, Mark S. Davidson, Regina Germain, Nancy Kelly, Kirsten Schlenger, Lynn Susser, Mark von Sternberg and Virgil Wiebe**

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*Disclaimer: participation in this seminar does not create an attorney-client relationship with the speakers.*

**Seminar Outline**

Each call features an hour of analysis, strategy and practice tips Joseph Vail, Mark S. Davidson, Regina Germain, Nancy Kelly, Kirsten Schlenger, Lynn Susser, Mark von Sternberg and Virgil Wiebe.

**SEMINAR OUTLINE**

**FIRST Phone Session on August 31: Planning The Case**

- Persecution And Well-Founded Fear Issues [Persecution Defined; Non-Physical Harm (threats, economic harm, discrimination, etc.); Gender-Based Harm; Harm Not Considered to be Persecution (prosecution, civil strife, etc.); Harm to Juveniles; Countrywide Persecution (non-governmental persecutors); Changed Conditions]
- Causation and Nexus, the "on account of" issue [Proving "Circumstantial" Evidence of Causation; Proving Motivation of the Persecutor; Mixed Motive Cases; Issues Related to Non-Governmental Persecutors; Political Opinion (What is it? "Imputed" Political Opinion); Particular Social Groups (What is a Social Group; "Immutable" Characteristics"; Gender Based Claims; Juvenile Cases); Claims Based on Race, Religion, Nationality]
- Withholding of Removal - Torture Convention

**SECOND Phone Session on Sep 23: Bars to Relief and Preparation of Application**

- Bars To Relief [One Year Bar - Filing Deadline (Changed Circumstances; Extraordinary Circumstances); Reinstatement of Removal Orders; Resettlement; Criminal Bars; Persecutors; Discretionary Denials]
- Preparing the Application and Documentation [Statement - How Detailed Should it be? (Contents; Language; Avoiding Credibility Problems); Documentation - Individualized (medical records, evidence of political involvement, photos, Affidavits, arrest Records, new articles, etc.); Background Evidence - (sources, websites, types of evidence); Witnesses - Personal (those with direct knowledge); Expert (medical, psychological, political, human rights, etc.)]
- Packaging and Filing the Claim [Preparing Documentation (highlighting, indexing, tabbing, paginating, etc.); Local Court Rules; Court Filing Deadlines; Witness Lists]

**THIRD Phone Session on Oct 14: Bars to Relief and Preparation of Application**

- Getting Your Documents Into the Record [Dealing with DHS attorney objections (Authentication; Hearsay - 3<sup>rd</sup> Party Written Statements; Timeliness; Other Objections - relevance, completeness, etc.); Expert Statements (Where Expert not in Court for Cross-examination); Objections to DHS Documents (I-213, Asylum Officer's Notes, Forensic Reports)]
- Presenting The Applicants Testimony in Court [Preparation of your client; Types of questions (simple, direct, non-leading); Chronology; Dealing with DHS attorney objections; Dealing with Judge's interruptions (making your record); Objections to DHS attorney cross-examination questions; Credibility issues]
- Expert Witnesses [When to use them; Where to find them; Proving expert qualifications; Focusing the expert; Motions for telephonic testimony]
- Cross Examination of DHS Witnesses [Asylum Officers; DHS Inspectors/Investigators]
- Other Issues [Closing Arguments; BIA Appeal; Circuit Court Review]
- Filing with the Asylum Office [Limitations on Role of Attorney; Differences with Court Presentations]

**Signup**

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**SELECT YOUR DATES**

Aug 31 Tape     Sep 23 Tape     Oct 14 Tape    2.00pm to 3.30pm ET (11.00am to 12.30pm PT)

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(→ see next page for speaker bios)



Three-Part Telephone & E-mail Seminar:

## *Sanctuary!* Stratagems To Winning In Asylum Practice

Speakers: **Joseph A. Vail, Mark S. Davidson, Regina Germain, Nancy Kelly, Kirsten Schlenger, Lynn Susser, Mark von Sternberg and Virgil Wiebe**

### About the Speakers

**Joseph A. Vail** is a Professor at the University of Houston. Professor Joseph A. Vail is a 1979 graduate of the Widener School of Law. From 1980 to 1981 he served with VISTA (Volunteers In Service To America) where he entered the field of immigration law. He served three years as an accredited representative and staff attorney with Gulf Coast Legal Foundation and one year as managing attorney at AYUDA, Inc in Washington, D.C. From 1984 to 1995 he was in private practice in Houston, TX. In 1995 he was appointed as an immigration judge with the United States Department of Justice, where he served for more than four years. In July of 1999, he was employed by the University of Houston Law Center Clinical Programs as supervising attorney in the immigration clinic. He has previously been a member of the Board of Directors with the YMCA International Services program, and the Central American Refugee Center (CARECEN). He is the 1994 winner of the Texas State Bar award for pro bono legal services, the Frank J. Skurlock award. He is a member of the American Immigration Lawyers Association (AILA) and board certified in Immigration and Nationality Law.

**Mark S. Davidson** was born in Chicago, Illinois and admitted to the Illinois Bar in 1983, the U.S. Court of Appeals for the Seventh Circuit in 1995 and the Federal Trial Bar, Northern District of Illinois in 1995. He graduated from University of Michigan (B.A. 1978) and University of Illinois College of Law (J.D. 1982). He was also a 2000-2001 Past Chair of the Chicago Chapter of the American Immigration Lawyers Association (AILA) as well as an Executive Board member of the Chicago Chapter of AILA and the 1996-1997 Chair of the Chicago Bar Association Committee on Immigration and Nationality Law. Mr. Davidson has appeared as a speaker at national and professional seminars including AILA conferences, universities and community forums. He represents individuals with regard to a wide variety of issues as well as many domestic and international corporations in matters before the United States Citizenship and Immigration Services.

**Regina Germain** is Visiting Professor at the University of Denver College of Law. She is the author of AILA's Asylum Primer: A Practical Guide to US Asylum Law and Procedure (3rd. Ed., 2003) and is a member of AILA's National Asylum Committee. She is also a member of the Editorial Advisory Board of the Georgetown Immigration Law Journal and a Board member of the Rocky Mountain Immigrant Advocacy Network. She was formerly Senior Legal Counselor at the United Nations High Commissioner for Refugees.

**Nancy Kelly** is affiliated with Greater Boston Legal Services and the Harvard Law School Immigration Clinic.

**Kirsten Schlenger** is a graduate of Yale University, where she earned a bachelor of arts degree in East Asian Studies in 1981. Ms. Schlenger was awarded her law degree by Columbia University School of Law in 1985, graduating as a Stone Scholar. After law school, Ms. Schlenger practiced international tax law on Wall Street for several years before moving to San Francisco. Ms. Schlenger joined a private law firm specializing in immigration law in 1992 and has since practiced exclusively in the field of immigration law. In 1995, Ms. Schlenger founded the firm of Weaver, Schlenger & Mazel. She is a member of both the New York State Bar and the California State Bar, through which she is certified as an Immigration Law Specialist. As an active member of the American Immigration Lawyers Association, Ms. Schlenger formerly served as the Chair of its Northern California Chapter, its liaison with the District Director of the San Francisco Office of the Immigration and Naturalization Service, and on the AILA annual conference committee. Ms. Schlenger presently serves as a trustee of the Board of the American Immigration Law Foundation and on the General Counsel Liaison Committee of AILA National. She has authored articles and spoken locally and nationally on a variety of immigration topics. Conversational in Chinese and French, Ms. Schlenger has earned the highest "AV" rating from Martindale-Hubbell, the leading attorney rating organization.

**Lynn Susser** practices exclusively immigration and nationality law out of Siskind Susser's Memphis, Tennessee office. Ms. Susser received her Juris Doctorate from the University of Memphis Law School where she received two American Jurisprudence awards and graduated near the top of her class. She is a member of the Memphis Bar Association, the Association for Women Attorneys, and the American Immigration Lawyers Association. She is also the Chairman of the Midsouth Chapter of the American Immigration Lawyers Association (which covers a five-state region) and is a member of the AILA Board of Governors. As the managing partner of the firm's Memphis office, Ms. Susser supervises a wide variety of casework ranging from employment-based visa work and family immigration matters to political asylum and naturalization. She appears regularly before the Memphis Immigration Court and the local USCIS office. She currently sits on the Board of Directors for the Bornblum Solomon Schechter Day School and works very closely with Catholic Immigration Service in both Tennessee and Arkansas.

**Mark von Sternberg** is a Senior Attorney with Catholic Charities Community Services/Catholic Charities Archdiocese of New York where he concentrates on litigation before the Immigration Courts and the Board of Immigration Appeals. Since January 1999, Mr. von Sternberg has served as an adjunct faculty member at Pace University School of Law where he teaches general immigration and comparative refugee law. Mr. von Sternberg has also served, since August 2003, as an adjunct faculty member at St. John's University School of Law where he co-teaches an immigrants' rights clinic. Mr. von Sternberg received a J.D. degree from Vanderbilt University School of Law in 1973 and an LL.M. degree (in International Legal Studies) from New York University School of Law in 1984. He has lectured at law schools and at professional associations regarding immigration matters and has written extensively, particularly in the areas of refugee law, international humanitarian law, and human rights. Mr. von Sternberg is the author of a recently published treatise regarding the refugee definition as applied in the United States and Canada. In 2002, he received the American Immigration Lawyers Association Pro Bono Award.

**Virgil Wiebe** is the Director of Clinical Education and Assistant Professor of Law at the University of St. Thomas Law School. He served for four years as Director of Immigration Services and Supervising Attorney for Interfaith Community Services in New York City, a non-profit organization assisting refugees and immigrants. While at ICS, he represented hundreds of immigrants before the INS and in Immigration court. There he also led efforts to create community based immigration clinics in Manhattan, Queens, Brooklyn, and Staten Island. He has also advised non-profit organizations on establishing immigration programs for low income communities. At the request of the UN High Commissioner for Refugees office in Europe, Wiebe served as a consultant to the political asylum clinic at the ELTE University in Budapest, Hungary in April 2001.