



Three-Part Telephone & E-mail Seminar:

## “By Air, Land And Sea - When The POE Becomes A Brick Wall”

Speakers: with Edward Litwin, Fausta Albi, Michael Berger, Henry Chang, Greg Boos, Peter Larrabee, Tien-Li Loke Walsh, Jeanne Malitz, Timothy Murphy, William Reich and Nancy Shivers

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### Seminar Outline

Each call features an hour of analysis, strategy and practice tips by Edward Litwin, Fausta Albi, Michael Berger, Henry Chang, Greg Boos, Peter Larrabee, Tien-Li Loke Walsh, Jeanne Malitz, Timothy Murphy, William Reich and Nancy Shivers followed by 30 minutes of questions and answers from participants.

#### **FIRST Phone Session on December 18: “My Cousin Is At The Airport and They Won’t Let Her In” The Entry Process and How to Get In.**

1. The ABC's of Entry - The Entry Process - Each Step, What They Do, Their Purpose (Primary, Secondary, Deferral, Proceedings) - General Pitfalls To Be Aware Of
2. Who Is An "Arriving" Alien - The Problem of Immigrant Intent - Unlawful Presence as a Ground for Inadmissibility - "Returning" Residents and the Use of Reentry Permits
3. Expedited Removal - When Does It Apply - Procedure That Is Followed - Alternatives - No Judicial Review
4. How To Get Relief from Expedited Removal - Challenging Prior Determinations
5. IBIS Checks and Other Data Checks: TECS (Treasury Enforcement Computer Systems) - NAILS (National Automated Immigration Lockout System) - NCIC - NLETS - CLETS - DACS - NIIS - CLASS
6. Other Relief - Parole - I-193 - Reentry Permits

#### **SECOND Phone Session on January 14: “I need my TN ASAP so I don’t miss my flight” A focus on Canadian and Mexican Borders Issues**

1. Border Adjudications-NAFTA - TN's (The process, The problems - Dual intent - Self employment - Specific occupation, Canadians at the Mexican border, Appeals) - L-1's (Procedure(s), RFE's, Appeals) - The Mexican Process
2. Update on Border Crossing Points - Where to go - Who to see - Attorney presence
3. Border Crossing Documents - Who gets them - Who needs them - Passport requirements
4. TCN's in Canada

#### **THIRD Phone Session on February 12: “My Friend Has An Interesting Case And He Can’t Seem To Get Back Into The U.S.” Problems Which May Keep People Out**

1. Impediments to Entry - Failing to Register Under NSEERS (Procedure and proof of NSEER registration, Where and how to leave the U.S., Where and how to register upon return) - Abandonment of LAPR - Last Action Rule - Travel ability of 'Ported' aliens (Returning while 'EOS' & 'COS' are pending) - Intending students - Data sharing between DOS & USCIS (DS-156 & DS-230 Info)
2. C & D Visa Entries
3. PFI Inspections - Problems unique to PFI's
4. Seizures and Forfeitures
5. Inspass
6. Technology alert list (TAL)
7. Use of FOIA
8. Section 110 - Integrated Entry/Exit System - Biometrics

Detailed session by session curriculum on following page

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(→ see next pages for speaker bios)



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### About the Speakers

**Edward Litwin** is a nationally recognized immigration law expert and is certified by the California State Bar Board of Legal Specialization as a Specialist in Immigration and Nationality Law. He concentrates in the area of labor certifications and business visas, in addition to providing other immigration services. He is a graduate of Hastings College of Law and has been in practice since 1975. His past and present professional affiliations, activities, and accomplishments include: published articles in the Immigration Journal, Personnel News, and Immigration Law and Procedure; speaker at advanced immigration seminars throughout the United States, Canada, and Puerto Rico under the auspices of the American Immigration Lawyers Association, Practising Law Institute, California State Bar, and various other bar associations; Adjunct Professor, teaching Immigration and Nationality Law at the University of San Francisco Law School and the McGeorge School of Law; Member: American Immigration Lawyers Association and elected member of its board of Governors, San Francisco Bar Association, Christian Legal Society, Federal Bar Association, and American Bar Association. He is included in the Best Lawyers in America (Seventh Edition), An International Who's Who of Corporate Immigration Lawyers, Who's Who in American Law (Ninth Edition), Who's Who in Executives and Professionals (1999-2000 edition), and National Registry of Who's Who (life member), Strathmore's Who's Who (life member).

**Fausta M. Albi** is a 1996 graduate of the University of San Diego School of Law, where she earned her Juris Doctor degree. She also completed a certificate program in International Human Rights Law through studies at the Institut International des Droits de l'Homme in Strasbourg, France and the Institut Henri Dunant in Geneva, Switzerland. Prior to law school, Ms. Albi completed her undergraduate work at Lewis and Clark College in Portland, Oregon, where she earned a Bachelor of Arts degree in Sociology and Anthropology. She is a member of the California State Bar. Ms. Albi presently handles all aspects of nonimmigrant and immigrant visa processing, including consular processing. She is an active member of the American Immigration Lawyers Association (AILA) and the San Diego County Bar, and is currently the congressional and media liaison for the San Diego Chapter of AILA.

**Michael B. Berger** practices immigration law in Buffalo, NY.

**Greg Boos** limits his practice to matters relating to U.S. immigration law with an emphasis on business immigration. He received his Juris Doctor degree from the University of Idaho in 1977 and has practiced law for 25 years. Mr. Boos is a member of the Washington State Bar Association, the Federal Bars for both the Western District of Washington and the Ninth Circuit Court of Appeals, and AILA. He has been recognized as an expert in U.S. immigration law and policy by U.S. federal and state courts as well as by various tribunals outside of the U.S. He is listed in An International Who's Who of Corporate Immigration Lawyers. Mr. Boos is also recognized internationally for advocacy on border and immigration issues, including spearheading the opposition to IIRAIRA §110. He was awarded AILA's 2003 Advocacy Award in recognition of efforts in the development of immigration policy. Mr. Boos has written articles on a variety of immigration topics for Immigration Briefings, Immigration Law Report, Bender's Immigration Bulletin, and various AILA publications. Among his many speaking engagements for AILA, NGOs, and other organizations, he has addressed Free Trade Agreement visa options for the first Conference of the Attorneys General of the Western U.S. and Western Canada, and erratic adjudication of TN status applications for the Migration Policy Institute. Mr. Boos has chaired AILA's Border Issues Committee for the last several years.

**Henry J. Chang** obtained his Bachelor of Laws from Osgoode Hall Law School in 1990. He is a member of The State Bar of California, The Law Society of Upper Canada ("LSUC") and the American Immigration Lawyers Association. He was the Chapter Chair of AILA Canada and a member of AILA's Board of Governors from 1996 until 1998 and 1999 until 2002. He currently holds the position of Immediate Past Chair for AILA Canada. Mr. Chang chaired AILA National's Technology Committee and served on AILA National's Governance Committee in 1998. In 1999, he served on AILA National's Northern Border Task Force, which was co-chaired by Greg Boos. He has lectured extensively on immigration law in both the United States and Canada. He has been a speaker at AILA's Annual Immigration Conference each year for the past five years. He has also participated in several regional conferences held by AILA Chapters. Mr. Chang's articles on immigration law have appeared in numerous nationally recognized publications, including Interpreter Releases.

**Peter N. Larrabee** is a 1979 graduate of Thomas Jefferson Law School in San Diego where he earned his Juris Doctor degree while working for the United States Immigration and Naturalization Service. After more than twelve years of service, Mr. Larrabee resigned from the INS and began practicing immigration law. Presently, Mr. Larrabee represents high technology companies in their efforts to obtain the proper visas to hire and employ qualified foreign workers in the U.S. He is a member of the American Immigration Lawyers Association where he served as the Chair of the San Diego Chapter for many years as well as on the National Board of Governors of that organization. Mr. Larrabee is also a Certified Specialist in the field of Immigration and Nationality law by the California Bar Association, Board of Legal Specialization. Mr. Larrabee has published articles on immigration law, is a frequent speaker at regional and national conferences, and has testified before Congress on the impact of immigration laws on American business. He is a frequent commentator in the national news media.

**Tien-Li Loke Walsh** is a senior attorney with the Law Offices of Bernard P. Wolfsdorf, PLC. and practices exclusively in the area of immigration and nationality law. She currently serves on the AILA/DOS Liaison Committee and previously served on the AILA/CSC Liaison Committee. She has published extensively and spoken at numerous conferences. She completed her undergraduate studies at the University of Sydney, Australia and received her J.D. from Boston University School of Law.

**Jeanne M. Malitz** is the principal of The Law Offices of Jeanne M. Malitz, located in San Diego, California. She is engaged in the practice of immigration law with an emphasis in employment-based immigration matters. Ms. Malitz advises on the hiring practices of skilled foreign workers, employer discrimination, and I-9 issues. She also handles immigrant and non-immigrant visa processing, consular processing, and naturalization/citizenship issues. Ms. Malitz received her B.A. degree in 1985 from the University of San Diego (magna cum laude) and her J.D. degree from the Boston University School of Law, class of 1990.

**Timothy J. Murphy** was admitted to the Florida Bar in 1970. He received his law degree, cum laude, from Washington and Lee University in 1970, his LL.M. from Harvard University in 1976, and completed his undergraduate education at the University of Georgia in 1968. He is a member of the Virginia, Florida and Dade County Bar Associations. As a partner at Shutts & Bowen, he is a member of the firm's corporate department, where he concentrates his practice in state and federal administrative law, including immigration and international tax matters, business transactions and general corporate law. His affiliations and memberships include: Florida House of Representatives (1982-1984); Greater Miami Chamber of Commerce; The Beacon Council; and Chairman, Miami-Dade County Library Board. He has participated in Florida Bar Association and University of Miami seminars on Foreign Investment.

**William Z. Reich** is a graduate of the University at Buffalo School of Law in 1974, Mr. Reich was admitted to the bar the same year. He has practiced immigration law since 1975 and is a nationally recognized speaker, published author, and expert strategist of complex immigration legal issues. Mr. Reich is a member of the Board of Editors of the Matthew Bender Immigration Law and Procedure volumes, for which he also writes. He has co-authored the chapter on Free Trade Agreement (FTA) practice for the Matthew Bender treatise on immigration law, and co-authored the Matthew Bender chapter on Border Problems and Remedies as well as authored "Processing of Canadian NAFTA Applications at the Port of Entry" in AILA's Immigration Practice and Procedure Under the North American Free Trade Agreement. Mr. Reich is a frequent invited speaker at the AILA conferences. He is past Chairperson of the Erie County Bar Association (ECBA) Immigration Law Committee, and past Chairperson of the AILA Upstate New York chapter. Mr. Reich is listed in The Best Lawyers in America for immigration law.

**Nancy Taylor Shivers** practices immigration law in San Antonio, TX.