



Three-Part Telephone & E-mail Seminar:
Filing PERM Cases For Advanced Practitioners

Speakers: Sam Udani, Gary Endelman, Janet L. Henner, Michael Patrick and Joel Stewart

What is ILW.COM?

We are the leading immigration law publisher. Our free *Immigration Daily* reaches an audience of over 15,000 subscribers. Our immigration portal web site is the largest on the Internet with over 25,000 pages of information. We assist your practice via our periodicals, seminars, and Yellow Pages.

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

Seminar Outline

FIRST Phone Session on Mar 23rd:

Late-breaking developments

Substantive Issues

- A matter of definition - "employer" and "employment"
- Chintakuntla conflicts
- The 10 additional recruitment steps considered
- Actual minimum requirements at 656.17(i)(2)
- Kellogg vs. Delitizer
- Layoffs!
- Good news on Proof of Publication
- Non-clinical care nurses
- 2 bites to the apple?

Comments by guest expert

Form 9089 - Box by Box (Section A: Refiling Instructions; Section B: Schedule A or Shepherder Information; Section C: Employer Information; Section D: Employer Contact Information)

SECOND Phone Session on Apr 14th:

Late-breaking developments

Audit Issues

- 3 paths but approval
- Watch out for "special circumstances"
- Database/statistical profiles
- Incomplete applications will be denied! What does this mean? Hint: Much more than you think!
- Documents - yours vs. theirs (Bonus: can an audit live-in?)
- "Able, willing, qualified and available"

Comments by guest expert

Form 9089 - Box by Box (Section E: Agent or Attorney Information; Section F: Prevailing Wage Information; Section G: Wage Offer Information, Section H: Job Opportunity Information; Section I: Recruitment Information)

THIRD Phone Session on May 5th:

Late-breaking developments

BALCA & Your Day In Court

- "Killing tanks is fun and easy" - United States Marines!
- Prevailing Wage and 4 skill levels
- Evidentiary issues in the PERM rule
- Plain language vs. statutory intent a.k.a. individualized vs. statistical
- Burden of Proof vs. Burden of Production - section 291
- Litigation considerations

Comments by guest expert

Form 9089 - Box by Box (Section J: Alien Information (Section K: Alien Work Experience; Section L: Alien Declaration; Section M: Declaration of Preparer; Section N: Employer Declaration; Section O: U.S. Government Agency Use Only; Section P: OMB Information; Section Q: Privacy Statement Information)

Special Note: [Labor Certification by Joel Stewart "The PERM Book" Pre-Publication Orders Being Accepted Now!](#)

Signup

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SELECT YOUR DATES

[] Mar 23 Tape [] Apr 14 Tape [] May 5 Tape 2.00pm to 3.30pm ET (11.00am to 12.30pm PT)

Name (as it appears on credit card): _____

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(→ see next page for speaker bios)



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About the Speakers

Sam Udani has spoken before many bar associations throughout the country on labor certification and law practice management. In 1992, he co-founded Adnet Advertising Agency Inc, a company specializing in labor certification advertising and was involved with that company through 2000. In 1999, he acquired ILW.COM (which was founded in 1995), and propelled it into the leading immigration law publisher online. He is the publisher of ILW.COM's Immigration Daily which now reaches 15,000 subscribers every weekday. He has authored articles on labor certification in AILA Monthly Mailing, Bender's Immigration Bulletin, and Immigration Daily.

Gary Endelman practices immigration law at BP America Inc. and is Board Certified in Immigration and Nationality Law by the Texas Board of Legal Specialization. He served as the Chair of the Examinations Committee for Board Certification in Immigration and Nationality Law in Texas 1998-2003. He is a Senior Editor of the National Conference Handbook for the American Immigration Lawyer Association. He was cited in 1998 by the American Immigration Lawyers Association for Outstanding Service and was previously cited in 1990 by AILA for contributions to advocacy efforts on the Immigration Act of 1990 regulations commentary. He is a frequent speaker at national and regional immigration conferences, is a Member of the Planning Committee for the Immigration Conference sponsored by the State Bar of Texas and was a Professor in Immigration Law at the South Texas College of Law and University of Houston Law Center. He writes regularly for ILW.COM and serves on the Advisory Board for Immigration Daily.

Janet L. Henner prior to joining Fragomen, Del Rey, Bernsen & Loewy LLP as an Associate in 1998, served as an Attorney-Advisor to the Honorable Joan Huddy Rosenzweig at the U.S. Department of Labor and then as Deputy Secretary to the Board of Alien Labor Certification Appeals (BALCA) at the U.S. Department of Labor. Ms. Henner is an active member of the American Immigration Lawyers Association, both on a national and local level. Ms. Henner is a graduate of Brandeis University (B.A., 1991) and Tulane University School of Law (J.D., 1996), and is admitted to practice in New York, Connecticut, Illinois and Washington, D.C.

Michael Patrick prior to joining Fragomen, Del Rey, Bernsen & Loewy as a partner in 1990, Mr. Patrick served as Chief of the Immigration Unit of the United States Attorney's Office for the Southern District of New York, where he represented the Immigration and Naturalization Service, State Department, Department of Labor and other federal agencies in the federal courts. A widely published author in the immigration field, Mr. Patrick is a contributor to Immigration Briefings, Immigration Law Report, and multiple publications of the American Immigration Lawyers Association (AILA), for which he served as an editor of its annual Immigration and Nationality Law Handbook from 1988 to 1993 and as co-editor of Employment-Based Immigration New Law and New Strategies (1992). Mr. Patrick authors a bimonthly immigration column in The New York Law Journal and is a frequent speaker on immigration topics before Bar Associations, international trade organizations and human resource groups. Mr. Patrick is also actively involved in the immigration law community, having served as Chair of the Federal Bar Association's Immigration Law Section (1989-1992), Chair of the New York Chapter of AILA (1993-94), Co-Chair of AILA's 1993 Mid-Year Program on Employment-Based Immigration, and as a member of the Immigration and Nationality Law Committee's Association of the Bar of the City of the New York County Lawyers' Association. Mr. Patrick currently serves on the Committee on Immigration Law of the New York State Bar Association and is a member of the American Bar Association, the International Bar Association, the Federal Bar Council, the Federal Bar Foundation (Member, Board of Directors, 1997 - present), and the American Immigration Lawyers Association (Member, National Finance Committee). Mr. Patrick received the Dean's Award for Distinguished Hofstra Law School Alumni in May 2000 and is listed in the current editions of Best Lawyers In America and International Who's Who of Corporate Immigration Lawyers.

Joel Stewart practices exclusively in the area of immigration law. Mr. Stewart lives in Miami and is a partner in the Miami law firm of Fowler, White, Burnett, P.A. He is Past President of the South Florida Chapter of the American Immigration Lawyers Association (AILA) and is a nationally recognized authority on employment-based immigration matters and a popular speaker at immigration seminars for national and local bar associations throughout the United States. Mr. Stewart has written the monthly Administrative Law Case Summaries since 1986 for the Board of Alien Labor Certification Appeals (BALCA) as well as substantive articles on Labor Certification and BALCA decisions for AILA, Immigration Briefings, ILW.COM, and other professional associations. Mr. Stewart acted as Co-Chair of the National Labor Certification Committee of AILA and the local AILA chapter in South Florida, and is considered to be the foremost authority on Labor Certification and BALCA appeals under the Federal Regulations at 20 CFR 656, precursor to the PERM regulations issued on December 27, 2004. Mr. Stewart has also authored the Visa Processing Guide for Procedures at U.S. Consulates and Embassies in Brazil and Portugal and specialized in Romance and Slavic Linguistics before receiving a J.D. from the University of Connecticut School of Law, and is fluent in Portuguese, Spanish, French, and Russian.