



Three-Part Telephone & E-mail Seminar:

## Employer Enforcement: What You Need To Know Now

*Speakers: Cynthia Lange, Katherine Baldwin, Robert Divine, Bonnie Gibson, Marielena Hincapie, Jay Jorgensen, Parisa Karaahmet, Katherine Lotspeich (USCIS), Mac McMillan (USCIS), Angelo Paparelli and Michael Patrick*

**Available on CD**

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### Seminar Outline

#### FIRST Phone Session on September 30: Practical Aspects of E-Verify, State Enforcement of Immigration Laws and Preemption

- Which states have passed Employer Sanctions legislation and what do the laws require?
- Have there been any state enforcement actions?
- What have the Federal Courts said about preemption and recent State Legislation?
- How does E-Verify work and how does an employer decide to participate?
- What are some of the recent E-Verify improvements regarding Tentative Non-confirmation and Final Non-confirmation?
- Describe the purpose and goals of the E-Verify enforcement unit

#### SECOND Phone Session on October 9: Developing Company Policy in Light of SSA No Match Letter Controversy, OSC and ICE investigations and workers rights

- How has the No-match litigation and the government's response affected employer's "constructive knowledge"?
- What effect has the 9th Circuit Aramark case had on employers attempt to create a prudent company policy?
- How should employers/workers respond to a mistaken no match triggered by E-Verify or Social Security?
- What are the recent investigations and charges is OSC involved in?
- Do employers have responsibility to protect individual worker's rights in anticipating federal enforcement programs?

#### THIRD Phone Session on November 6: ICE Enforcement and Criminal Prosecution - What Every Employer Needs to Know

- Review of recent ICE enforcement actions
- What can employers do to prepare?
- What rights do employers and employees have?
- Cooperating with government - how far to go?
- How to handle workers you think are unauthorized

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### About the Speakers

**Cynthia J. Lange** (Discussion Leader), is a graduate of Brigham Young University (B.A., 1981) Phi Kappa Phi Honor Society; and Southwestern University School of Law (J.D., 1985) Moot Court Honors Program Board of Governors. Ms. Lange has been an Adjunct Professor of Law at Southwestern University School of Law, from 1988 to present. She is a frequent lecturer on immigration law and has written articles on business immigration law matters for numerous publications. Ms. Lange was formerly a Trial Attorney with the Immigration and Naturalization Service and heads the Firm's IRCA Compliance Practice Group. Ms. Lange is a member of the American Bar Association, the California State Bar Association, the District of Columbia Bar Association, the New York State Bar Association, the American Immigration Lawyers Association (Chairperson, National Employer Sanctions Committee, 1988-1990), the Century City Bar Association (Chairperson of the Immigration and Nationality Law Committee, 1989-1994), the Beverly Hills Bar Association, Immigration Law Section and Board of Governors (1994-1999), and Co-Chairperson of Practising Law Institute (Annual Immigration Institute, 1998 to present).

**Katherine Baldwin** is Deputy Special Counsel of the Civil Rights Division of the Office of Special Counsel for Immigration-Related Unfair Employment Practices at the US Department of Justice.

**Robert Divine** is the Chairman of the Immigration Group of Baker Donelson, a law firm of 450 lawyers and public policy advisors with offices in 13 cities including Washington, D.C. Mr. Divine served in Washington, D.C. from July 2004 until November 2006 as the first Chief Counsel of United States Citizenship and Immigration Services (USCIS), the world's largest immigration services agency within the Department of Homeland Security (DHS). From July 2005 until July 2006, he served as Acting Director and then Acting Deputy Director of USCIS. He is the author of *Immigration Practice*, a 1,600 page practical treatise on all aspects of U.S. immigration law that is revised and reprinted annually to reflect the law's constant changes. He has practiced immigration law since 1986 and has been a leader in the American Immigration Lawyers Association. He has also litigated significant business matters, including class action employment discrimination, contract, commercial, product liability, antitrust, ERISA benefits, business torts (including RICO, misrepresentation, Consumer Protection Act), and immigration-related criminal matters.

**Bonnie Gibson** is Partner at Fragomen, Del Rey, Bernsen & Loewy, LLP. Before joining Fragomen in 2008, Bonnie Gibson was the office managing shareholder for the Phoenix headquarters of Littler Global. Her emphasis is in immigration, worksite immigration compliance, and corporate immigration compliance programs. Bonnie practices at the intersection of U.S. immigration and labor law, bringing 25 years of California labor and employment experience to a practice now concentrated on immigration and immigration compliance. Her I-9 services practice counsels companies nationwide on developing and managing immigration compliance programs, including I-9 training and audits. She regularly advises about immigration compliance issues in mergers, acquisitions and contracting relationships and represents companies in Immigration and Customs Enforcement proceedings.

**Marielena Hincapie** is Director of programs & staff attorney at Los Angeles office of NILC. As NILC's director of programs, Ms. Hincapie manages the employment, public benefits, and immigration work of the organization. She also specializes in protecting and advancing the rights of immigrant workers. She writes articles and policy analyses, provides technical assistance, and presents trainings to legal and social service providers, labor unions, and community-based organizations. In addition, she litigates law reform and impact cases dealing with the intersection of immigration and employment/labor law. Before joining NILC, she worked for the Legal Aid Society of San Francisco's Employment Law Center, where she founded the center's Immigrant Worker's Rights Project. Ms. Hincapie holds a juris doctor degree from Northeastern University School of Law.

**Jay Jorgensen** is a partner and litigator in the Washington, D.C., office of Sidley Austin LLP. His practice involves representing individuals and corporations in all phases of complex civil and criminal litigation. Mr. Jorgensen has represented pharmaceutical and food production companies in criminal and qui tam cases at every stage of development, from undercover and internal investigations to grand jury proceedings to trial. Mr. Jorgensen's practice has also included civil and criminal appeals for individuals and businesses before numerous federal circuit courts and the United States Supreme Court. Prior to joining the firm, Mr. Jorgensen served as a law clerk to William H. Rehnquist, Chief Justice of the United States Supreme Court, and Judge Samuel A. Alito, Jr., at the United States Court of Appeals for the Third Circuit.

**Parisa Karaahmet** is Partner at Fragomen, Del Rey, Bernsen & Loewy, LLP, New York. Syracuse University (B.A., 1991); Catholic University Law School (J.D., 1994 with honors). Ms. Karaahmet is admitted to practice in Maryland and New York. Prior to joining Fragomen, she served as an Assistant District Counsel and Acting Deputy District Counsel for the Immigration & Naturalization Service, New York District. At Fragomen, Ms. Karaahmet leads a team that specializes in individual and complex immigration matters and she manages a number of corporate accounts. She is also a member of the Firm's Corporate Compliance advisory group. Ms. Karaahmet is a member of the American Immigration Lawyers Association, the Federal Bar Council, and the American Foreign Lawyers Association. She is also a Faculty Member/Presenter for the Judicial Institute at Pace University, and is a frequent speaker at national conferences on a variety of immigration topics such as employer sanctions, I-9 compliance, and criminal immigration issues. Ms. Karaahmet is proficient in Farsi and French.

**Katherine Lotspeich** is the Deputy Chief for the Verification Division at U.S. Citizenship and Immigration Services (USCIS), Department of Homeland Security. At USCIS, she has worked for the Office of Citizenship on the revision of the citizenship test. Before joining USCIS, Ms. Lotspeich was a Research Associate at the Urban Institute's Immigration Studies Program. Prior to working on immigration issues, she managed an academic exchange program for Russian students, working for the U.S. State Department in Washington, DC and the American Councils for International Education in Russia. Ms. Lotspeich holds a B.A. in international relations from George Washington University and a M.A. in policy studies from Johns Hopkins University.

**Mac McMillan** is Chief of the Verification Division at the US Citizenship and Immigration Services (USCIS).

**Angelo Paparelli** is the Managing Partner of Paparelli & Partners LLP, an immigration-law specialty firm with offices in NY, NY and Irvine, CA. He serves as President of the [Alliance of Business Immigration Lawyers](#), a global network of 29 immigration law firms vetted for practice excellence and

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client service. Named the world's leading corporate immigration lawyer (2005 & 2006, International Who's Who of Business Lawyers) and a first-tier business immigration lawyer (2008, Chambers USA). Paparelli co-authors the New York Law Journal's "Immigration" column, writes a [blog](#), and serves as an expert witness/consultant on immigration legal issues to law firms and businesses.

[Michael Patrick](#) is Partner at Fragomen, Del Rey, Bernsen & Loewy, LLP in the New York office. Syracuse University (B.A., cum laude, 1975); Hofstra University (J.D., 1978). At Hofstra, Mr. Patrick served as Associate Editor on the Hofstra Law Review, was President of the Law Fellows Program, and received the "Service to the School" Award upon graduation. Prior to joining Fragomen as a partner in 1990, Mr. Patrick was a founding partner of Campbell, Patrick & Chin (1986-1990) and served as a Special Assistant United States Attorney and Chief of the Immigration Unit of the United States Attorney's Office for the Southern District of New York (1981-1986), where he represented the Immigration and Naturalization Service, State Department, Department of Labor and other federal agencies in the federal courts. Prior to joining the U.S. Attorney's Office, Mr. Patrick was an Assistant Corporation Counsel for The City of New York (1978-1981). At the firm, Mr. Patrick is Co-Chair of the Corporate Compliance Committee; he has led the representation of many companies during government audits and investigations. Mr. Patrick also serves as Co-Chair of the firm's Legal Practice Committee. A widely published author in the immigration field, Mr. Patrick writes 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 the American Immigration Lawyers Association (AILA) (1993-94), Co-Chair of AILA's 1993 Mid-Year Program on Employment-Based Immigration, and is a member of the Immigration and Nationality Law Committees of The Association of the Bar of the City of New York (ABCNY) and the New York County Lawyers' Association.