



Three-Part Teleconference & E-mail Seminar:

## “Adjusting Your Thinking: Who Can, Who Can't and Who Shouldn't Adjust Status” with H. Ronald Klasko Guest speakers: William A. Stock and Tammy Fox-Isicoff

### What is ILW.COM?

We are the leading immigration law publisher. Our free *Immigration Daily* reaches an audience of over 10,000 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, directory, and software. *Disclaimer: participation in this seminar does not create an attorney-client relationship with the speakers.*

### Seminar Details

Many complex legal and strategic issues must be considered in determining eligibility for adjustment of status and choice between adjustment of status and consular processing when both opportunities are available. Legal issues to be considered in determining eligibility for adjustment of status include eligibility under §245(a); grandfathering under §245(i); eligibility issues under §245(k); issues of unauthorized employment under §245(c)(2); scope of §245(c)(7); and tolling time under §245(c)(8). When adjustment of status is chosen, issues regarding travel often arise. Complex issues include whether travel will create a three or ten year bar; whether aliens on H or L visas are better advised to travel with advance parole or with a visa; impact on H or L status on traveling with advance parole; ability of spouse to travel with H-4 or L-2 visa if principal obtains advance parole; and other travel issues. Many factors go into advising clients whether to chose adjustment of status or consular processing. The program will evaluate types of clients for whom adjustment of status is preferable, and types of clients for whom consular processing is the preferable course of action. For clients who choose consular processing, issues that can create problems at the consular level will be discussed in detail, including issues of unlawful presence that may trigger the ten year bar. Each call features an hour of analysis, strategy and practice tips by Ron, Bill and Tammy, followed by 30 minutes of Q&As from participants.

#### Phone Session on January 25th:

I. Eligibility for adjustment of status • inspected and admitted or paroled - including “arriving aliens” rule • quota issues, including cross-chargeability • priority date issues, including upgrading and downgrading and retention • admissibility issues • discretion issues • jurisdiction issues • adjustment “portability” II. Travel by adjustment applicants • travel with H or L visa • travel with advance parole by H/L aliens • H-4s and L-2s • consequences of parole

#### Phone Session on February 25th:

III. Adjustment of status for status violators • maintenance of status issues • “unauthorized employment” issues • immediate relatives • 245(c)(7) and 245(c)(8) • 245(k) • 245(i) IV. Adjustment denials/Judicial review • motion to reopen • renewal in proceedings • rescission

#### Phone Session on March 25th:

V. Adjustment vs. consul processing • advantages and disadvantages -- factors for choosing • concurrent processing • impact of 3/10 year bar issues • 3<sup>rd</sup> country processing • Other consular processing issues VI. Adjustment of specific classes of aliens • asylees • fiancés/fiancées • conditional residents • visa waiver entrants • exchange visitors • healthcare workers • permanent residents • other

### About the Speakers

**H. Ronald Klasko** is a partner and chair of the immigration law group at Dechert. A former national president of the American Immigration Lawyers Association (AILA), he served as its general counsel from 1996 to 1999. He has been a member of the board of governors of AILA since 1980. He is the co-author of the two-volume *Employers' Immigration Compliance Guide*, a leading publication on the immigration laws affecting employers. A former adjunct professor of immigration law at Villanova University Law School, Ron is a frequent lecturer on immigration law and has appeared on national and local television and radio discussing immigration law issues. Ron has been selected for inclusion in *Best Lawyers in America*, *Who's Who in America*, *Who's Who in American Law*, and *Who's Who of Emerging Leaders in America*.

**William A. Stock** is a partner in the immigration law group at Dechert. He is the immigration editor for *Bender's Labor and Employment Bulletin*, is an associate editor of AILA's annual *Immigration & Nationality Law Handbook*, and is co-author of the “J Visa Guidebook” from Matthew Bender. Bill has served on the board of governors of the AILA.

**Tammy Fox-Isicoff** is a former Trial Attorney for INS and Special Assistant U.S. Attorney. She is Past President of the South Florida Chapter of AILA and currently serves on the Board of Governors of AILA. She is AILA's representative to the American Bar Association's Immigration Coordinating Committee. Tammy has been a frequent immigration law consultant on the *Today Show* and *Morning Show*. She has served as immigration legal consultant to NBC, CNBC and MSNBC. She currently practices law with the firm of Rifkin & Fox-Isicoff P.A.

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