



AMERICAN
IMMIGRATION
LAWYERS
ASSOCIATION

2025 AILA Hot Topics and Survival Skills Conference

Preparing Your Practice to Survive and Thrive

This intermediate to advanced-level conference is designed to equip immigration practitioners with the tools to navigate the challenges of the second Trump Administration. The sessions will delve into the first six weeks of the administration's actions and plans under Project 2025, alongside the rhetoric shaping these policies, while also drawing key lessons from the previous Trump Administration. The program will provide valuable insights into the real-time impact of these changes at federal agencies, the border, and consular posts, and offer strategies for combating restrictive policies. Practical tips will also be shared for adapting and strengthening your practice during these turbulent times. Leading experts will break down the crucial information you need to know to sustain and grow your practice.

The conference features two tracks running concurrently over two days. Registrants can freely switch between tracks and will receive full access to recordings of all sessions after the event. The Removal Track will cover asylum, expedited removal, and preserving issues for appeal to help you effectively represent your clients. The Business Track will offer the latest updates from DOL, USCIS, and DOS, ensuring you can provide strategic advice to corporate clients.

Learn from seasoned experts who have successfully navigated these challenges before and gain the knowledge and tools you need to safeguard your practice, stay ahead of emerging changes, and capitalize on opportunities for success.

March 3–4, 2025
Virtual Conference

Times listed on the Program are Eastern Time (ET)

Note: All sessions and events are subject to change without notice. Due to the late-breaking nature of the conference, session content will continue to be adjusted to reflect the latest immigration law developments and may differ from this program.

Monday, March 3, 2025

BUSINESS TRACK

9:50 am – 10:00 am

Welcome and Remarks

Ben Johnson, AILA Executive Director, Washington, DC

(DL) = Discussion Leader

* = invited, not confirmed

Note: All sessions and events are subject to change without notice.

- 10:00 am – 11:00 am **The Big Picture: Navigating the Business Immigration Landscape During the Second Trump Administration**
 While there is wide speculation about exactly how the second Trump Administration’s policies will impact employment-based immigration, attorneys can forecast based on the lens of prior actions, promises in Project 2025 and other campaign trail rhetoric, and Executive Branch strategies in the early days of the presidential term. The first Trump Administration issued over 400 executive actions on immigration between 2017 and 2020. Panelists will discuss current and potential policy actions, and how practitioners can strengthen their practice by implementing strategic tools to break through the “Invisible Wall.”
Faculty:
Lisa H. York (DL), AILA USCIS HQ (Benefits Policy) Liaison Committee, Aurora, CO
Jeff Joseph, AILA President-Elect, Denver, CO
Vincent W. Lau, AILA USCIS HQ (Benefits Policy) Liaison Committee Vice Chair, Boston, MA
- 11:00 am – 11:30 am **Networking Break**
- 11:30 am – 12:30 pm **Visa Dynamics: Decoding and Predicting NIV and IV Trends**
 Learn the latest developments coming from the U.S. Department of State (DOS) on nonimmigrant and immigrant visa processing changes and challenges. Our panel of DOS experts will discuss issues at consular posts, administrative processing and scrutiny of applications, technical issues, and J-1 waivers and programs.
Faculty:
Claire S. Pratt (DL), AILA DOS Liaison Committee Vice Chair, Conference Program Chair, San Francisco, CA
Fuji Whittenburg, Calabasas, CA
Daniel J. Parisi, AILA Board of Governors, Madrid, Spain
Diane Holcombe-Geddens, AILA DOS Liaison Committee, Arlington, VA
- 12:30 pm – 1:30 pm **Lunch Break**
- 1:30 pm – 2:30 pm **CBP and Port of Entry Issues: Stuck at the Border**
 Our expert panelists will offer strategies and best practices to prepare your clients for renewed Trump Administration travel bans, increased instances of expedited removal, and other challenges at U.S. Ports of Entry. They will provide an overview of the shortcoming in the previous DHS waiver program as it related to the first Trump Administration’s travel bans and restrictions.
Faculty:
Danielle M. Rizzo (DL), Buffalo, NY
Alexis S. Axelrad, AILA First Vice President, New York, NY
Silvia R. Graves, Houston, TX
- 2:30 pm – 3:00 pm **Networking Break**
- 3:00 pm – 4:00 pm **Time to Sue? Leveraging the Courts by Litigating**

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 * = invited, not confirmed

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Our panel of experts will offer practical and strategic advice on how to talk to clients about their fears and the realities associated with litigation. They will compare class actions, group lawsuits, and individual lawsuits as mechanisms for relief, and address which clients benefit from each type of legal action.

- Preparing responses to Requests for Evidence (RFEs) with litigation in mind
- Challenging USCIS denials in court: the Administrative Procedure Act, Immigration and Nationality Act, and *Loper Bright*
- Challenging USCIS, DOS, and CBP policies under *Loper Bright* and *Corner Post*
- Update on challenges to USCIS's *Kazarian* step-two adjudications
- Judicial review, *Munoz* and *Patel*, and DOJ strategy for dismissals

Faculty:

Brian S. Green (DL), AILA Benefits Litigation Committee Chair, Conference Program Committee, Littleton, CO

Maka Hutson, AILA Federal Court Litigation Section Steering Committee/Benefits Litigation Committee, Dallas, TX

Robert Pauw, AILA Author, Litigating Immigration Cases in Federal Court, 6th ed., Seattle, WA

Diane M. Butler, Seattle, WA

4:00 pm – 4:30 pm

Networking Break

4:30 pm – 5:30 pm

“The Doctor Is In:” Immigration Healthcare Updates

The U.S. healthcare system relies heavily on international physicians, nurses, and other workers. Panelists will provide guidance on how to plan for and advise clients about the latest developments in immigration for healthcare professionals.

- H-1Bs for registered nurses
- TNs for nurses
- J-1 waivers for physicians

Faculty:

Elissa J. Taub (DL), AILA DOS Liaison Committee, Conference Program Committee, Memphis, TN

Jennifer Minear, AILA Past President, Richmond, VA

Ian D. Wagreich, AILA Business Section Steering Committee, Chicago, IL

Anshu Anand, Cincinnati, OH

REMOVAL TRACK

9:50 am – 10:00 am

Welcome and Remarks

Annelise Maia Jatoba de Araujo, AILA Removal Defense Section Steering Committee Chair/EOIR Liaison Committee/Conference Program Chair, Boston, MA

(DL) = Discussion Leader

* = invited, not confirmed

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10:00 am – 11:00 am **Expanding Expedited Removals: Preparing Everyone to Carry Proof of Physical Presence**

Expedited removals are complex and scary. Panelists will discuss in depth the regulations related to expedited removals, reinstatements and motions to reopen before CBP and how to challenge them in federal court. They will also provide an analysis of the current cases pending before the circuit courts and SCOTUS, what practitioners need to do to preserve issues for litigation, and how to stop their clients from being quickly deported.

- Reinstatement orders, motions to rescind and reopen
- Federal Court challenges to expedite removal orders
- Discussion of current pending cases before circuit courts and SCOTUS

Faculty:

Mark R. Barr (DL), AILA Removal Defense Section Steering Committee, Denver, CO

Susan G. Roy, AILA Removal Defense Section Steering Committee Vice Chair, Princeton Junction, NJ

Aimee Mayer-Salins, Newton, MA

Trina Realmuto, Brookline, MA

11:00 am – 11:30 am **Networking Break**

11:30 am – 12:30 pm **Staying Ahead and Alive: Key Updates on Removal and Asylum-Related Executive Actions**

The evolving landscape of removal and asylum policy continues to present both opportunities and obstacles for immigration practitioners. This panel will provide an in-depth review of recent executive actions, highlighting their impact on removal proceedings and asylum cases. Panelists will share practical guidance and insights to help attorneys adapt to these changes effectively. Topics will include:

- Updates on expedited removal policies and enforcement priorities
- Key changes to asylum procedures and eligibility criteria under recent executive actions
- The impact of border processing changes on asylum seekers and removal defenses
- Practical considerations for leveraging new prosecutorial discretion guidelines
- How recent executive actions align with federal court rulings and ongoing litigation

Faculty:

Victoria Neilson (DL), AILA Author Trial Skills for Immigration Court: A Practical Guide to Effective Strategies and Tactics, AILA Asylum and Refugee Committee, Pleasantville, NY

Rekha Sharma-Crawford, AILA Treasurer/Finance Committee Chair, Kansas City, MO

Shannon Johnson, Removal Defense Section Steering Committee, Florence, AZ

Aaron Reichlin-Melnick, Senior Policy Fellow, American Immigration Council, Washington, D.C.

(DL) = Discussion Leader

* = invited, not confirmed

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- 12:30 pm – 1:30 pm **Lunch Break**
- 1:30 pm – 2:30 pm **Challenging Immigration Detention in Immigration and Federal Court**
 Detained respondents have a lower chance of success in immigration court than non-detained respondents. The Writ of Habeas has become a powerful tool to attack unlawful detention. Also, it is important to zealously prepare a client for a bond hearing before the Immigration Court. This session will explore the substantive and procedural issues in effectively preparing and filing a habeas petition and a motion for bond.
- Strategies for preparing a strong motion for bond hearings
 - Preparing clients and family for bond hearings
 - Mandatory detention
 - Avoiding transfer of client to another detention facility
 - Preservation of civil liberties vs. national security
- Faculty:*
Shannon M. LaGuerre-Maingrette (DL), AILA Removal Defense Section Steering Committee/EOIR Liaison Committee/Conference Program Committee, New York, NY
Sabrina R. Damast, AILA Board of Governors/Benefits Litigation Committee, Los Angeles, CA
Austin Rose, Washinton, D.C.
- 2:30 pm – 3:00 pm **Networking Break**
- 3:00 pm – 4:00 pm **Asylum for Gender-Based Violence**
 The circumstances under which asylum may be granted to protect people fleeing gender-based violence have been hotly contested for decades. This panel will discuss best practices for litigating gender-based asylum claims.
- Threading the PSG needle: immutability, particularity, social distinction, non-circularity, nexus
 - Opportunities and Pitfalls after *Loper Bright*
 - Alternatives to PSGs: religion and political opinion claims
 - Considerations for other elements: severity of harm, state protection, internal relocation, and humanitarian asylum
- Faculty:*
Jesse Evans-Schroeder (DL), AILA Family Section Steering Committee, Tucson, AZ
Jacqueline L. Watson, AILA Second Vice President, Austin, TX
Dree K. Collopy, AILA Author, AILA's Asylum Primer: A Practical Guide to U.S. Asylum Law and Procedure, 9th ed., Law Journal Editorial Board, Washington, D.C.
Sabrineh Ardalán, Cambridge, MA
- 4:00 pm – 4:30 pm **Networking Break**

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4:30 pm – 5:30 pm

Pleading Strategy and Suppression: Preserving Issues Regardless of What the Short-Term Result Will Be

If *Matter of Fernandes* and its ilk have taught us anything, it is never to simply concede an issue in pleadings where a fight could be made. Losing on the issue today may lay the groundwork for wins tomorrow. Additionally, as forms of relief get continuously harder to win, fights over suppression, dismissal, etc. become all the more important

- Strategically challenging DHS allegations in oral or written pleadings
- What to do when DHS does not appear for hearing
- Presumption of alienage, challenging even with defensively filed I-589s
- Considerations to discuss with respondents in reviewing factual allegations
- Motions to suppress: warrantless arrests and vehicle stops by ICE: Settlement in *Castañon Nava, et al. v. DHS, et al.*, (AILA Doc. 19070131)

Faculty:

Jonathan Willmoth (DL), Conference Program Committee, Kansas City, MO

Elna Magaly Santana, AILA Distance Learning Committee/USCIS High Impact Adjudications Assistance Committee, Miami, FL

Rebecca Scholtz, Minneapolis, MN

Andrew J. Rankin, Memphis, TN

Tuesday, March 4, 2025

BUSINESS TRACK

10:00 am – 11:00 am

Latest Developments from USCIS: “The Only Constant Is Change”

Hear about the latest USCIS policy changes—planned and actual—from our panel of experts. They will cover relevant executive orders, policy memoranda, proposed regulations, and other developments. Finally, they will address how these changes might affect your business clients.

- The Fraud Detection and National Security (FDNS) Directorate and the return of site visits?
- Increases in RFEs and Notices of Intent to Deny (NOIDs), and the resulting delays
- Nonimmigrant categories, including H-1B, L-1, and O-1
- F-1 Optional Practical Training (OPT) and Curricular Practical Training (CPT) updates

Faculty:

Adam S. Cohen (DL), AILA USCIS High Impact Adjudications Assistance Committee, Memphis, TN

Lucy G. Cheung, AILA USCIS High Impact Adjudications Assistance Committee Chair, New York, NY

Sharvari “Shev” Dalal-Dheini, AILA Senior Director, Government Relations, Washington, D.C.

11:00 am – 11:30 am

Networking Break

(DL) = Discussion Leader

* = invited, not confirmed

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- 11:30 am – 12:30 pm **Interview Insight: Navigating Visits to Local USCIS Field Offices with Confidence**
 Panelists will provide guidance about how attorneys can prepare themselves and their clients for I-485 and N-400 interviews, especially when the officer may be looking for a reason to deny the case. They will offer insights and practical tips about having a strong start to the interview, getting ahead of issues, and diplomatically navigating the delicate and critical moments.
- Preparing the client for the interview and closely reviewing the case history
 - Coordinating with the client on logistics, including what to bring
 - Role of the attorney in the interview and building rapport with the officer
 - Tricky scenarios during the interview: navigating tough questions and issues, and when to interject and/or end the interview
- Faculty:*
Michael R. Jarecki (DL), AILA USCIS Field Operations Liaison Committee, Chicago, IL
Jeanette Kain, AILA USCIS Field Operations Liaison Committee Chair, Boston, MA
Nicholas J. Mireles, AILA Board of Governors, Los Angeles, CA
Zachary Nightingale, San Francisco, CA
- 12:30 pm – 1:30 pm **Lunch Break**
- 1:30 pm – 2:30 pm **Updates to DOL Processes and Changes Yet to Come**
 Our panel of experts will provide an overview of the changes to the U.S. Department of Labor's (DOL's) processes since the second Trump Administration took office. They will cover updates on the Labor Condition Application (LCA), Form ETA-9141, and PERM processing times. Finally, they will discuss planned changes that were not completed during the first Trump term, but might be implemented in the next four years.
- Prevailing wage issues: processing times and possible changes
 - H-1Bs: LCA issues, and tips for DOL investigations
 - PERM: timing issues and potential shifts to DOL adjudicators' focus
- Faculty:*
Magaly R. Cheng (DL), Boston, MA
Atessa Chehrazi, AILA DOL Liaison Committee, San Francisco, CA
Michael P. Nowlan, AILA Business Section Steering Committee/DOL Liaison Committee, Conference Program Committee, Detroit, MI
Sarah K. Peterson, Minneapolis, MN
- 2:30 pm – 3:00 pm **Networking Break**
- 3:00 pm – 4:00 pm **The "Modernized" H-2 Programs: Navigating an Evolving Landscape**
 As visa availability changes or becomes more limited under the new administration, attorneys should consider the H-2 programs as an alternative option for their clients. Our expert panelists will provide a fundamental

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* = invited, not confirmed

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overview of the H-2 programs, including employer compliance obligations. In addition, they will offer expert tips about how to navigate the complex maze of H-2A and H-2B visa regulations and unravel the DOL and USCIS rules.

- Introduction to H-2s: What are you so afraid of?
- Creative H-2B strategies: “not your grandma’s” H-2B
- State of the law: updates on USCIS and DOL rules and litigation
- Compliance obligations under the H-2 programs: Is your client’s “house” in order?
- Temporary to PERM: navigating immigrant intent

Faculty:

Leonard “L.J.” D’Arrigo (DL), AILA DOL Liaison Committee, Conference Program Committee, Albany, NY

Edward R. White, AILA DOL Liaison Committee Vice Chair, Boston, MA

Yelena G. Vilk, AILA DOL Liaison Committee, Philadelphia, PA

Jeanne M. Malitz, San Diego, CA

4:00 pm – 4:30 pm

Networking Break

4:30 pm – 5:30 pm

Navigating Advanced Employment Eligibility and Verification Issues

The increase in Form I-9 audits and other DHS actions—such as TPS rescissions, DACA termination, and delayed adjudications—are having a major, yet often overlooked, impact on employers. Panelists will supply practitioners with the essential tools to help identify gaps in employment authorization, guide clients through complex employment verification issues, and counsel on adapting employment policies during the second Trump Administration. They also will cover key changes to the Form I-9, remote verification, and the rollout of E-Verify+ service.

Faculty:

Katie N. Minervino (DL), AILA USCIS HQ (Benefits Policy) Liaison Committee, Portland, ME

Dawn M. Lurie, Washington, D.C.

Bruce E. Buchanan, Nashville, TN

5:30 pm

Conference Concludes

REMOVAL TRACK

10:00 am – 11:00 am

When Gifts are Taken Away

During the next few years immigrants will have several humanitarian processes taken away with little to no notice. This panel will discuss these types of processes and what considerations attorneys need to have when advising clients in these statuses. Panelists will brainstorm potential alternatives for immigrants with TPS and DACA to seek permanent status in the United States utilizing clever underused portions of the INA.

(DL) = Discussion Leader

* = invited, not confirmed

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- Re-litigating administrative closure for humanitarian relief in new administration
- DACA Alternatives? 245k, advanced parole (pair with TPS?)
- Advanced parole: Should you stay or should you go?
- The end of humanitarian cases, including parole, TPS, family unification, etc.
- Provisional waivers: To do them or not—should people leave— will they even continue?

Faculty:

Bradley Jenkins (DL), AILA Asylum and Refugee Committee/Conference Program Committee, Silver Spring, MD

Michelle Saenz-Rodriguez, AILA Secretary, Dallas, TX

Mary Kenney, Baltimore, MD

Bennet Savitz, Boston, MA

11:00 am – 11:30 am **Networking Break**

11:30 am – 12:30 pm **Advocating for Victims: Navigating Changes and Challenges in VAWA, T, and U Visa Cases**

Recent developments in victim relief applications have introduced new challenges and opportunities for immigration practitioners. This panel will delve into critical updates and strategies for representing survivors of violence and trafficking. Panelists will provide insights into effectively preparing clients and addressing complex legal issues in these sensitive cases.

- Navigating new interview protocols for VAWA, T, and U visa applicants
- Strategies for protecting your client during interviews with immigration officials
- Best practices for handling psychological evaluations in victim relief cases
- Addressing TRIG and material support issues in the context of T visa applications
- Preparing clients to present compelling and credible applications

Faculty:

Emma D. Wells (DL), AILA Board of Governors/Removal Defense Section Steering Committee/Conference Program Committee, Phoenix, AZ

Annelise Maia Jatoba de Araujo, AILA Removal Defense Section Steering Committee Chair/ EOIR Liaison Committee/Conference Program Chair, Boston, MA

Kathleen E. Irish, AILA Family Section Steering Committee Vice Chair, Kansas City, MO

Lia Ocasio, AILA VAWA, Us, and Ts Committee, Suffield, CT

12:30 pm – 1:30 pm **Lunch Break**

1:30 pm – 2:30 pm **When Asylum Is Not an Option: Understanding Mandatory Bars to Asylum and Presenting a Strong Alternative Convention Against Torture (CAT) Claim**

(DL) = Discussion Leader

* = invited, not confirmed

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Even when our clients show that they are bona fide refugees, winning an asylum case can mean navigating a dizzying (and growing) array of mandatory bars to relief. Moreover, judges often treat the principal alternative to asylum—the Convention Against Torture—as an afterthought. Topics on this panel will include:

- A survey of the statutory bars to asylum and withholding of removal.
- Discussion of additional bars to asylum created by the Executive Branch, including the Circumvention of Lawful Pathways Rule, the Securing the Border Rule, and the CFI Bars Rule.
- A review of the requirements for relief under the Convention Against Torture, and practical tips for presenting this form of relief

Faculty:

Sui Chung (DL), AILA Board of Governors/Removal Defense Section Steering Committee, Miami, FL

Gregory Fay, AILA Asylum and Refugee Committee, Phoenix, AZ

Taylor Levy, San Francisco, CA

2:30 pm – 3:00 pm

Networking Break

3:00 pm – 4:00 pm

Preparing for Representation Before ICE

There is a forecast for an unprecedented wave of detentions and deportations. An essential and overlooked area is representation before Immigration and Customs Enforcement. With a mandate for intensive immigration enforcement, this panel will provide legal and practical strategies for dealing with clients and ICE on the following topics:

- Preparing for ICE check-in/orders of supervision, stays of removal
- Alternatives to detention
- Order of removal and departure plans
- Family separation

Faculty:

John Gihon (DL), AILA ICE Liaison Committee Chair, Altamonte Springs, FL

W. Michael Sharma-Crawford, AILA ICE Liaison Committee/Removal Defense Section Steering Committee, Kanas City, MO

Sarah Weston Hayes Owings, AILA CBP Liaison Committee/Removal Defense Section Steering Committee, Atlanta, GA

George A. Terezakis, Mineola, NY

4:00 pm – 4:30 pm

Networking Break

4:30 pm – 5:30 pm

Denaturalization Process: How Does It Happen and How Can You Fight It?

This intermediate panel will cover both the practical aspects of how denaturalization processes work, as well as how you can prepare to successfully defend your clients against government overreach. Looking back at what happened during the first Trump Administration can help us prepare for round two.

- What can we learn from “Operation Janus”
- Pre-trial motions, defenses, and negotiations with opposing counsel

(DL) = Discussion Leader

* = invited, not confirmed

Note: All sessions and events are subject to change without notice.

- Discovery in the denaturalization context
- Trial preparation and expectations

Faculty:

*John Patrick Pratt (DL), AILA Benefits Litigation Committee, Coral Gables,
David W. Leopold, AILA Past President, Cleveland, OH
Kathrin S. Mautino, San Diego, CA*

5:30 pm

Conference Concludes

Conference Program Committee

Removal Track

Annelise Maia Jatoba de Araujo, AILA Removal Defense Section Steering Committee Chair/ Conference Program Chair, Boston, MA

Emma D. Wells, AILA Board of Governors/Removal Defense Section Steering Committee, Phoenix, AZ

Shannon M. LaGuerre-Maingrette, AILA Removal Defense Section Steering Committee, New York, NY

Bradley Jenkins, AILA Silver Spring, MD

Jonathan Willmoth, Kansas City, MO

Business Track

Claire S. Pratt, AILA DOS Liaison Committee Vice Chair, Conference Program Committee Chair, San Francisco, CA

Michael P. Nowlan, AILA Business Section Steering Committee/DOL Liaison Committee, Detroit, MI

Brian S. Green, AILA Benefits Litigation Committee Chair, Littleton, CO

John W. Mazzeo, AILA Verification & Documentation Liaison Committee Vice Chair, Warminster, PA

Leonard "L.J." D'Arrigo, AILA DOL Liaison Committee, Albany, NY

Elissa J. Taub, AILA DOS Liaison Committee, Memphis, TN

Emmie R. Smith, AILA Director of Professional Development, Washington, D.C.

Michael Orlando, AILA Associate Director of Professional Development, Washington, D.C.

JJ Area, AILA Education Program Manager, Washington, D.C.

(DL) = Discussion Leader

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