



AILA Fundamentals of Immigration Law Online Course Outline

MODULE 1: BASICS

Module Outline:

- **Video:** Welcome to the Fundamentals Online Course – *Speaker: Linda Kenepaske, AILA Fundamentals Online Course Committee Chair, New York, NY*
- **Reading:** How to Take This Course
- **Reading:** How the United States Immigration System Works, American Immigration Council, September 2021.
- **Video:** Terminology
 - Visa vs. I-94
 - Status vs. Classification/Category
 - Consular Notification, Change of Status, Extension, Amendment
 - Nonimmigrant/Immigrant/Dual Intent
 - Petitioner/Beneficiary/Applicant
 - Acronyms (Immigration Categories, Forms, Government Agencies)
- **Document:** List of Common Terms and Acronyms
- **Document:** Chart of Nonimmigrant and Immigrant Categories
- **Document:** List of Online Resources
- **Video:** Introduction to Practice Areas and How They Differ
- **Video:** Description of Practice Area: Business
 - Nonimmigrant Categories
 - Immigrant Categories
 - Investors
- **Video:** Description of Practice Area: Humanitarian and Family
 - Asylum, Temporary Protected Status (TPS), Deferred Action for Childhood Arrivals (DACA), U Visa, Violence Against Women Act (VAWA)
 - Family Immigrants
 - Naturalization
- **Video:** Description of Practice Area: Removal and Deportation Relief
 - Immigration Court Practice

Please note that all affiliations and titles listed reflect AILA's 2017–18 committee year, when the original course outline was written.

(ML) = Module Leader

- **Reading:** T. Kalam, “Agencies That Affect Immigration Law,” *Navigating the Fundamentals of Immigration Law* (2024–25 Ed.)
- **Video:** Government Agencies Which Work on Immigration
 - U.S. Department of Homeland Security (DHS)
 - U.S. Citizenship and Immigration Services (USCIS)
 - U.S. Immigration and Customs Enforcement (ICE)
 - U.S. Customs and Border Protection (CBP)
 - U.S. Department of State (DOS)
 - U.S. Department of Labor (DOL)
 - Board of Alien Labor Certification Appeals (BALCA)
 - U.S. Department of Justice (DOJ)
 - Executive Office for Immigration Review (EOIR)
- **Resources List**
 - *A Curated List of Additional Publications, Recordings, and Resources*

Faculty:

Josiah J. Curtis (ML), AILA New Members Division Steering Committee Vice Chair, Boston, MA

Anastasia Tonello, AILA President Elect, New York, NY

Ira J. Kurzban, AILA Author, Kurzban’s Immigration Law Sourcebook/AILA Past President, Miami, FL

MODULE 2: ETHICS

Module Outline:

- **Video:** Overview of Ethics in Immigration
- **Reading:** H. Vyas, "Ethical Issues for Immigration Lawyers," *Navigating the Fundamentals of Immigration Law* (2024–25 Ed.)
- **Issues of Dual Representation**
 - **Document:** Sample Engagement Letter Language
 - **Reading:** ABA Model Rule 1.7 and Comments
 - **Video:** Dual Representation
 - When Is It Allowed?
 - Waivers
 - Confidentiality and Privilege
- **Conflicts of Interest by:**
 - **Document:** Chart Comparing Rules 1.7, 1.9, and 1.18
 - **Reading:** ABA Model Rules 1.7, 1.9, and 1.18
 - **Video:** Current, Former, and Prospective Clients
 - When Does One Become a Prospective Client?
 - When Does One Become a Current Client?
 - When Does One Become a Former Client?
 - **Video:** Conflicts of Interest
 - What Are the Protections Owed to a Current Client?
 - What Are the Protections Owed to a Former Client?
 - What Are the Protections Owed to a Prospective Client?
- **Guiding Clients Without Crossing Boundaries**

Please note that all affiliations and titles listed reflect AILA’s 2017–18 committee year, when the original course outline was written.

(ML) = Module Leader

- **Reading:** “Yes, No, or Maybe: The Importance of Developing a Philosophy of Lawyering in an Era of Immigration Upheaval,” AILA Doc. No. 17092930
- **Video:** Practicing Law in Accordance with One’s Vision and Values
 - Many of the Ethics Rules Allow the Lawyer to Exercise Broad Judgment
 - Diligence and Competence
 - Zealousness
- **Exercise:** Draft Your Own Philosophy of Lawyering
- **Reading:** Rule 2.1, Rule 1.2 (d), and Comments
- **Video:** Advising Clients – Legal and Non-Legal Advice
- **Video:** Mock Client Meeting: Your Client Is Considering Engaging in Unlawful Conduct
- **Responsibilities When Providing Pro Bono Representation**
 - **Reading:** ABA Model Rules 1.1, 1.2, 1.3, 6.5, and Comments
 - **Video:** Ethics Pointers When Representing Pro Bono Clients
 - The Conflicts Rules Are Relaxed to Encourage Pro Bono Representation
 - Limit the Scope of Your Representation
 - Great Way to Gain Experience, But Make Sure You Are Competent and Diligent
- **Confidentiality**
 - **Reading:** ABA Model Rules 1.6, 5.2, 5.3, and Comments
 - **Video:** Confidentiality
 - Lawyers Must Keep Information Confidential
 - Advise Subordinate Lawyers and Non-Lawyers on Their Obligations
 - Disclose Only After Careful Analysis of the Applicable Laws and Rules
 - Does HIPAA Apply?
- **Files and Document Controls**
 - **Reading:** “Keeping Client Data Safe in 2024 and Beyond,” AILA Doc. No. 24071807
 - **Video:** Choose a File Storage Solution Carefully
 - Encryption
 - Location of Data
 - Who Has Access?
 - General Data Protection Regulation (GDPR)
- **Financial Ethics and Interest on Lawyers Trust Accounts (IOLTAs)**
 - **Reading:** ABA Model Rules 1.15, 1.5, and Comments 8 CFR 1003.102(a) and ABA Model Rules on Client Trust Account Records
 - **Video:** Legal Fees
 - Reasonable/Grossly Excessive Standard
 - Flat Fees
 - Minimum Fees
 - Hourly Fees
 - Hybrid Fees
 - **Video:** Trust Accounts
 - Where Do Upfront Flat Fees Go?
 - Other Upfront Fees
 - Good Bookkeeping
- **Resources List**
 - *A Curated List of Additional Publications, Recordings, and Resources*

Faculty:

Please note that all affiliations and titles listed reflect AILA’s 2017–18 committee year, when the original course outline was written.

(ML) = Module Leader

Craig Dobson (ML), AILA Ethics Committee Vice Chair/Fundamentals Online Course Committee, New York, NY

Alan Goldfarb, AILA Ethics Committee Chair, Minneapolis, MN

Meghan Moore, AILA Ethics Committee, Wyoming, WY

Cyrus Mehta, New York, NY

Amy M. Wax, Boston, MA

MODULE 3: CLIENT MANAGEMENT

Module Outline:

- **Video:** Overview of Client Management Module
- **Client Checklists**
 - **Document:** Sample Checklists
 - **Video:** Client Checklists
 - Purpose of Client Checklist
 - Getting the Most Benefit from Your Checklist: Strategies
 - Develop Your Own Checklist – Or Not ... But Do So Knowingly
- **Video:** Choosing Your Space and Thinking About Consultation Style
 - Where You Consult Matters
 - Choose Your Space
 - Choose Your Tone
 - Choose Your Brand
 - Stick with It
- **Video:** You Can't Wear All Hats – Know Your Role in a Consultation
 - Remember They Are Prospective Clients – And You Are Only an Attorney
 - You Cannot Solve All Problems
 - There Are Problems You Should Not Attempt to Solve
 - Conflicts, Conflicts, Conflicts
- **Video:** Remember Icarus and the Dangers of Flying Too High: Setting Realistic Expectations
 - Be Realistic with Your Expectations (What Does That Mean?)
 - Be Realistic with Advice (What Do You Think Can Happen?)
 - Consider How Many Ways Their Situation Can Turn Sour – (Be Honest with Yourself and Your Client)
 - Explain These in Detail
 - Consider What You Don't Know
 - Consider What Could Change
 - There Is Never a Sure Thing – Aside from Murphy's Law
- **Video:** Mock Client Consultation
- **Reading:** "Bite-Sized Ethics: How Much of the Consultation Can a Lawyer Ethically Delegate to Nonlawyer Staff?" (January 14, 2020), AILA Doc. No. 20011430
- **Exercise:** Attorney and Support Staff Role in a Consultation
- **Reading:** "Connecting with Clients During Dramatic Shifts in Immigration Policy," AILA Doc. No. 22032231
- **Video:** Working with Victims of Trauma
 - Be Truthful with Your Time Constraints
 - It Is Acceptable to Say You Don't Know

Please note that all affiliations and titles listed reflect AILA's 2017–18 committee year, when the original course outline was written.

(ML) = Module Leader

- Better Ways to Say You Don't Know
 - Other Ways to Say You Don't Know
 - Understanding Your Potential Client
 - Understand the Circle of Abuse and Violence – Learn About the Community You Are Serving
- **Video:** Setting Expectations with Victims of Trauma
 - This Goes for You, Too!
 - How to Deal with Lapses in Memory and Difficult Topics (*i.e.*, Sexual Abuse, Physical Abuse, Drug Abuse, Self-Harm, Neglect of Self and Others)
 - Offer Only What You Are Willing to Provide
- **Video:** Building the Client's Narrative
 - Build It and They Will See What You Are Explaining
 - It's Like Building a House
 - Use of Metaphors to Explain Difficult Concepts
 - Use of Symbolism to Explain Their Situation
 - Policy Issues and Complex Analysis Made Easy Through Diagrams and Use of Colors
- **Resources List**
 - *A Curated List of Additional Publications, Recordings, and Resources*

Faculty:

Ruben Luis Reyes (ML), AILA Board of Governors/Fundamentals Online Course Committee, Phoenix, AZ

Neena Dutta, AILA Board of Governors/TSC Liaison Committee Chair, New York, NY

Michael Jarecki, AILA Chicago Chapter Chair, Chicago, IL

MODULE 4: LAW OFFICE MANAGEMENT

Module Outline:

- **Video:** Overview of Law Office Management Module
- **Document:** Law Practice Checklist
- **Video:** Starting or Managing a Law Firm
 - Goals
 - Core Values
 - Structure
 - Management Skills
 - Pointers for Solo Practitioners
- **Reading:** L. Drumm et al., "Developing Efficient Workflows for an Immigration Law Firm," *Navigating the Fundamentals of Immigration Law* (2024–25 Ed.)
- **Video:** Case Management, Processes, and Leveraging Technology
 - Organizational Structures (Files, Case Tracking, Scheduling, etc.)
 - Best Communication Techniques
 - Case Management Software: Features of Various Options
 - Leveraging Technology to the Maximum
- **Video:** All About Money
 - Attorney-Client Agreements
 - Hourly vs. Flat Fee: Realistic Fee Structures
 - How to Structure Bank Accounts

Please note that all affiliations and titles listed reflect AILA's 2017–18 committee year, when the original course outline was written.

(ML) = Module Leader

- Taking Payments: Vendors and Procedures
- Budgets
- Forecasting
- **Reading:** “A New Lawyer’s Guide to Interest on Lawyer Trust Accounts (IOLTA),” AILA Doc. No. 18073132
- **Video:** Building Your Brand: Marketing Your Law Practice
 - Marketing
 - Social Media
 - Media and Public Relations
 - Networking Skills and Resources
- **Exercise:** Analyze Existing Sales Sources and Sales/Client/Case Funnel
- **Document:** Marketing Plan Checklist
- **Video:** Hiring, Managing, and Firing Staff
- **Document:** Hiring Checklist
- **Video:** Mock Employee/Contractor Interview and Discussion: Hiring
- **Video:** Self-Care and Preventing Burnout
- **Video:** In Summary, Best Practices in Running and Managing a Successful Practice
- **Resources List:**
 - *A Curated List of Additional Publications, Recordings, and Resources*

Faculty:

Ruby Lichte Powers (ML), AILA Fundamentals Online Course Committee, Houston, TX

Lisa N. Ellis, AILA Board of Publications Chair, Seattle, WA

Kirby Gamblin Joseph, Aurora, CO

MODULE 5: HUMANITARIAN & ASYLUM

Module Outline:

- **Video:** Overview of Humanitarian and Asylum Module
- **Documents:** Sample Forms
 - I-360 Petition for Amerasian, Widow(er), or Special Immigrant
 - I-918 Petition for U Nonimmigrant Status
 - I-192 Application for Advance Permission to Enter as a Nonimmigrant
 - I-589 Application for Asylum and Withholding of Removal
- **Document:** Humanitarian Relief Chart
- **Reading:** D. Cleveland, "Asylum and Related Claims for Relief," *Navigating the Fundamentals of Immigration Law* (2024–25 Ed.)
- **Video:** ABC’s of Affirmative Asylum
 - Important Deadlines (One Year, EAD Eligibility, Overview of Wait Times)
 - Brief Checklist on Evidence
 - Preparing for Asylum Office Interview
 - What to Expect During the Interview
 - Post-Interview: Grant vs. Referral
- **Video:** VAWA Relief
 - Overview of Eligibility
 - Who Can Be a Self-Petitioner? Who Can Be a Derivative?

Please note that all affiliations and titles listed reflect AILA’s 2017–18 committee year, when the original course outline was written.

(ML) = Module Leader

- Analogies to Family-Based Immigrant Visas in Considering Wait Times/Adjustment Eligibility
- Tackling an I-130 Shift to I-360 and Brief Overview of Ethical Considerations
- When It Is Time to Get Defensive: Brief Introduction to Defensive VAWA Relief
- **Video:** Identifying T Visa Relief
 - Overview of Eligibility
 - T Visa as an Alternative in Domestic Violence Cases
- **Video:** The Mechanics of U Visa Relief in Modern Times
 - Overview of Eligibility
 - Addressing Grounds of Inadmissibility and Introducing Standard for Waivers
 - Backlogs/Wait Times
 - Waitlist vs. Approval: Explaining the Nuances
- **Video:** Mock Intake of a Special Immigrant Juvenile
 - Brief Overview/Summary of Eligibility
 - Issue-Spotting for SIJ Eligibility
 - Questioning About Abuse, Neglect, or Abandonment by One or Both Parents
 - Working with Local State Law Experts/Mentors for State Court Representation
 - Special Ethical Issues in Representing Minors
- **Exercise:** Issue-Spotting Humanitarian Relief Through Diverse Hypotheticals
- **Resources List**
 - *A Curated List of Additional Publications, Recordings, and Resources*

Faculty:

Yemi Getachew (ML), AILA Santa Clara Chapter Chair, San Jose, CA

Cynthia Lucas, AILA Fundamentals Online Course Committee, Los Angeles, CA

MODULE 6: FAMILY IMMIGRATION

Module Outline:

- **Video:** Overview of Family Immigrant Categories and Numerical Quotas
- **Video:** Reviewing Eligibility for a Family-Based Immigration Visa Petition
 - Immediate Relatives
 - Family Preference
 - Definition of “Child”
 - Fiancée Visa
 - Cross Chargeability
- **Video:** Special Considerations for Family Immigration
 - Bona Fides of Relationship (Spousal Petitions)
 - Past Marriages (Spousal Petitions)
 - Past Petitions (INA §204(c)) (Spousal Petitions)
 - Dual Representation (Spousal Petitions)
 - Good Faith Marriage Exemption Request
 - Petitioning for Out-of-Wedlock Children
 - Petitioning for Step-Children and Step-Siblings
- **Reading:** M. Maiona, "Family-Sponsored Immigration," *Navigating the Fundamentals of Immigration Law* (2024–25 Ed.)

Please note that all affiliations and titles listed reflect AILA’s 2017–18 committee year, when the original course outline was written.

(ML) = Module Leader

- **Video:** Mock Intake for Spousal Family-Based Case
- **Document:** Sample Client Intake Sheet for Family Immigration
- **Document:** Sample Attorney Intake/Interview Sheet for Family Immigration
- **Video:** Overview on Preparing and Filing the Immigrant Visa Petition—The I-130
 - The Forms
 - The Required Documents
 - Where to File
- **Documents:** I-130 Petition for Alien Relative Form, I-130A Supplemental Information for Spouse Beneficiary, and Instructions
- **Document:** Sample G-28
- **Exercise:** I-130 Issue-Spotting
- **Video:** Problems and Pitfalls in Family Immigration Part 1
 - Past Immigration and Criminal History of Petitioner
 - Past Immigration and Criminal History of Beneficiary
- **Video:** Problems and Pitfalls in Family Immigration Part 2
 - Death of Petitioner
 - Aging Out of Beneficiary
- **Video:** The I-601A and I-212 Waiver Possibilities
 - Eligibility
 - Possible Roadblocks: Pending Removal Proceedings, Past Removal or Deportation Orders, and Shifting DHS Attitudes Toward the I-601A and I-212 Waivers
 - Procedures for Filing I-601A and/or I-212 Petitions Stateside
- **Resources List:**
 - *A Curated List of Additional Publications, Recordings, and Resources*

Faculty:

Angela Ferguson (ML), AILA Fundamentals Online Course Committee, Kansas City MO

Robert B. Scott, New York, NY

Sonya Peterkin, Clermont, FL

MODULE 7: MOST COMMONLY USED NONIMMIGRANT VISAS

Module Outline:

- **Video:** Overview of Most Commonly Used Nonimmigrant Visas
- **Video:** B-1/B-2/Electronic System for Travel Authorization (ESTA)
 - Definitions/Purpose/Duration of Each Visa Type
 - Permissible Activities: B-1 vs. B-2
 - B-1 in Lieu of H-1B/H-3
 - When to Use B-1 vs. ESTA
 - Advising Client at CBP Inspection/Red Flags
- **Video:** F-1 Student
 - Definition/Purpose of Visa
 - Schools Programs Eligible for F-1
 - Role of the Student and Exchange Visitor Program (SEVP)
 - I-120 and the Role of the Designated School Official (DSO) and the Student and Exchange Visitor Information System (SEVIS)

Please note that all affiliations and titles listed reflect AILA's 2017–18 committee year, when the original course outline was written.

(ML) = Module Leader

- Changing and Maintaining Status; Reinstatement
- Employment Authorization: Curricular Practical Training (CPT), Optional Practical Training (OPT), STEM OPT, and H-1B Cap Gap
- F-1 vs. M-1/B-1
 - M Visa: Vocational or Non-Academic Institution
 - B Visa: Short Recreational Course of Study
- Dependent Visa F-2
- **Video:** J-1 Exchange Visitor
 - Purpose and History: Promote Cultural Exchange
 - Uses: Professional Trainee/Intern, Au Pair, Graduate Medical Training, Research Scholars, and More
 - DS-2019 Forms and the Role of Program Sponsors
 - Two-Year Home Residency Requirement: How to Determine if Your Client is Subject
 - Waiver of the Two-Year Home Residency Requirement Under INA §212(e)
- **Reading:** N. Barker et al., "H-1B Nonimmigrants," *Navigating the Fundamentals of Immigration Law* (2024-25 Ed.)
- **Video:** H-1B Specialty Occupation
 - Definition of "Specialty Occupation"
 - Prevailing Wage Requirement
 - Labor Condition Application
 - DOL Notice and Recordkeeping Requirements: Public Access File
 - Cap-Subject vs. Cap-Exempt Cases: H-1B Lottery
 - Employer-Employee Issues, Control, and Third-Party Worksites
 - H-1B Portability Provision
 - H-1B1: Chile and Singapore
- **Document:** H-1B Specialty Occupation and Portability Cover Letter
- **Exercise:** Draft H-1B Cover Letter
- **Reading:** E. Arias, "Navigating the Nuances of L-1 Practice," *Navigating the Fundamentals of Immigration Law* (2024-25 Ed.)
- **Video:** L-1A/B Multinational Manager/Specialized Knowledge Intracompany Transferee
 - Definitions: L-1A vs. L-1B
 - Qualifying Employment Abroad
 - Managerial vs. Executive Capacity
 - Definition of "Specialized Knowledge"
 - Proving Employment Abroad
 - Definition of Qualifying Organization
 - "U.S. Company Doing Business" Requirement
 - New Office L-1 Requirements
 - Duration
 - Dependents
 - Requirements for Blanket L
- **Reading:** H. Chang, "E-1 and E-2 Nonimmigrants," *Navigating the Fundamentals of Immigration Law* (2024-25 Ed.)
- **Video:** E-1/E-2: Treaty Trader/Investor
 - Definition and Requirements: E-1 vs. E-2
 - National of Treaty Country
 - Principal Trade Requirement for E-1

Please note that all affiliations and titles listed reflect AILA's 2017–18 committee year, when the original course outline was written.

(ML) = Module Leader

- Investment Requirement for E-2
 - Intent to Depart the United States Upon Termination of E Status
 - Application Process: Consulate vs. Change of Status (COS)
 - Duration
 - Dependents: Work Authorization
- **Video:** O-1 Extraordinary Ability/P Athletes, Artists, Entertainers
 - Definition of Extraordinary Ability and Criteria: O-1A vs. O-1B
 - Advisory Opinion Letter Requirement
 - O-2 Accompanying Foreign Nationals
 - Duration
 - Dependents: O-3
 - P Athletes, Artists, and Entertainers
 - Definition
 - Requirements
 - P-1A vs. P-1B
 - P-2
 - P-3
 - Accompanying Personnel
 - Duration
 - Dependents
- **Video:** TN NAFTA Professionals
 - Available to Citizens of Mexico or Canada
 - 26 Professions
 - COS vs. Applying at the Consulate or Border – Evidence Needed
 - Duration
 - Dependents: TD Visa
- **Video:** Handling Requests for Evidence (RFEs)
- **Video:** Mock Dialogue: Managing Client Expectations/Communicating with Clients
 - Timeline of the Case
 - Handling an RFE, Notice of Intent to Deny (NOID), and Denial
 - Wrapping Up Client Representation Upon Approval
- **Resources List:**
 - *A Curated List of Additional Publications, Recordings, and Resources*

Faculty:

Beata Leja (ML), AILA TSC Liaison Committee, Chicago, IL

Allen Orr, AILA Treasurer, Washington, DC

Jennifer Hermansky, AILA Board of Governors, Philadelphia, PA

Ian E. Scott, New York, NY

Mary Stephens Honeychurch, Atlanta, GA

MODULE 8: EMPLOYMENT-BASED IMMIGRANT VISAS

Module Outline:

- **Video:** Overview of Employment-Based (EB) Permanent Residence
- **Video:** Introduction to EB Preference Categories

Please note that all affiliations and titles listed reflect AILA's 2017–18 committee year, when the original course outline was written.

(ML) = Module Leader

- EB-1: Priority Workers
- EB-2: Professionals with Advanced Degrees or Exceptional Ability
- EB-3: Other EB Visas
- EB-4: Certain Special Immigrants
- EB-5: Immigrant Investors
- **Video:** PERM-Based Labor Certification Process Part 1
 - Prevailing Wage Determination (PWD) Request
 - Placing Ads and Recruiting
- **Video:** PERM-Based Labor Certification Process Part 2
 - Filing ETA Form 9089
 - Audit File
- **Exercise:** Sample PERM Audit File (Preparation and Assembly)
- **Video:** I-140 Petition Preparation (Based on EB Preference Designated)
 - Tips for Petition Preparation
 - Required Supporting Documentation
 - Potential Ability-to-Pay Issues and How to Address Them
 - Primary Evidence
 - Secondary, Discretionary Evidence
- **Reading:** W. Schiller and I. Wagreich, "Employment-Based Immigration: The First Three Preferences," *Navigating the Fundamentals of Immigration Law* (2024-25 Ed.)
- **Video:** Adjustment of Status Process Part 1
 - Using Form I-485 Supplement J, Confirmation of Valid Job Offer or Request for Job Portability Under INA Section 204(j)
 - INA §212 requirements
- **Video:** Adjustment of Status Process Part 2
 - Dual Representation: Potential Conflicts of Interest (Employer and Employee)
- **Video:** Mock Client Interview: Employment-Based Adjustment of Status Interview
- **Resources List:**
 - *A Curated List of Additional Publications, Recordings, and Resources*

Faculty:

Diana Vellos Coker (ML), San Diego, CA

Kevin W. Miner, AILA Board of Governors/AILA Author, Business Immigration: Law & Practice, 2nd Ed., Atlanta, GA

Jennifer L. West, Richmond, VA

MODULE 9: ADJUSTMENT OF STATUS AND CONSULAR PROCESSING

Module Outline:

- **Video:** Overview of Adjustment of Status and Consular Processing Module
- **Video:** Introduction to Adjustment of Status and Consular Processing
 - Discussion of Key Differences Between Adjustment of Status and Consular Processing
 - Definitions of Commonly Used Legal Terminology
 - Government Agencies Involved and Their Roles
- **Video:** Reading the Visa Bulletin and Determining How It Will Impact Green Card Processing Times, Including Review of USCIS Date of Filing vs. Final Action Date

Please note that all affiliations and titles listed reflect AILA's 2017–18 committee year, when the original course outline was written.

(ML) = Module Leader

- **Exercise:** How to Read the Visa Bulletin and Determine Whether USCIS Is Accepting Green Card Applications Based on Date of Filing vs. Final Action Date
- **Video:** Immigrant Admissions
 - Filing an Immigrant/Visa Petition with USCIS
 - After the Immigrant/Visa Petition Is Approved
 - I-601A and I-212 Waivers
- **Video:** Adjustment of Status Generally
 - Historical Background and Overview of INA §245
 - Adjustment of Status Under INA §§245(a), (c), and (i)
 - INA §245(k) and Other Important Considerations Regarding Green Cards
- **Video:** Adjustment of Status in Practice
 - Overview of Process, Including Forms, Fees, Medical Examinations, and Processing Times
 - Family-Based, Employment-Based, Asylum-Based, and Diversity Lottery Adjustment of Status
 - Advising Clients on the Process and Managing Their Expectations
 - Travel While Adjustment of Status Is Pending
 - Adjustment of Status Interviews
- **Document:** Adjustment of Status Flow Chart
- **Reading:** S. Mailander and M. Bordeaux, "Adjustment of Status for Beginning Practitioners," *Navigating the Fundamentals of Immigration Law* (2024–25 Ed.)
- **Video:** Consular Processing in Practice
 - Overview of Role of USCIS, the National Visa Center (NVC), and the U.S. Consulate
 - Document Collection and Procedures with the NVC
 - Immigrant Visa Fees and the DS-260
 - U.S. Consular Interviews, Including Medical Examinations, Police Clearances, and Issues of Inadmissibility
 - Entry into the United States
 - Post-Entry, Including Immigrant Visa Fee
 - Differences Between Conditional and Permanent Residence
- **Document:** Consular Process Flow Chart
- **Reading:** J. Pederson, "The Fundamentals of Lawyering at Consular Posts," *Navigating the Fundamentals of Immigration Law* (2024–25 Ed.)
- **Video:** Inadmissible Foreign Nationals and Bars to Permanent Residency
- **Video:** Important Considerations to Maintaining Permanent Residency
- **Video:** Mock Client Consultation: Demonstrating How to Advise a Potential Client of the Green Card Process, Thereby Assisting Them in Determining Whether Consular Processing or Adjustment of Status Is an Option
- **Resources List:**
 - *A Curated List of Additional Publications, Recordings, and Resources*

Faculty:

Jared C. Leung (ML), AILA Author, The Consular Practice Handbook, Tempe, AZ

Asako Shimazu, AILA Hawaii Chapter Chair, Honolulu, HI

Jason Abrams, AILA DOS Liaison Committee, New York, NY

Rebecca Schechter, McClean, VA

Please note that all affiliations and titles listed reflect AILA's 2017–18 committee year, when the original course outline was written.

(ML) = Module Leader

MODULE 10: REMOVAL AND RELIEF

Module Outline:

- **Initiating the Case**
 - **Video:** Removability and Inadmissibility
 - **Document:** Chart of Grounds of Inadmissibility and Removability
 - **Document:** Inadmissibility Chart
 - *Case Initiation by Order to Show Cause (Old Cases) vs. Notice to Appear (NTA)*
 - **Document:** Sample Order to Show Cause
 - **Document:** Sample NTA
 - **Video:** Next Steps—Pleadings and Application for Relief
- **Bond Procedure**
 - **Document:** Bond Procedure Timeline Reference Sheet
 - **Video:** Determining Bond Eligibility
 - **Document:** Sample Bond Motion, *AILA's Immigration Litigation Toolbox* (5th Ed.)
 - **Video:** Mock Bond Hearing
 - **Video:** Mock Bond Hearing Discussion
- **Relief from Removal**
 - **Reading:** R. Mark Frey, "A Brief Overview of Forms of Relief in Removal Proceedings," *Navigating the Fundamentals of Immigration Law* (2024–25 Ed.)
 - **Video:** Current Lawful Permanent Resident (LPR)
 - EOIR-42A Cancellation
 - INA §212(c)
 - Waiver (Depending on Charges)
 - **Video:** Not a Former/Current LPR
 - Asylum: Withholding and United Nations Convention Against Torture (CAT) Relief
 - EOIR-42B Cancellation
 - VAWA Cancellation: The Differences Between VAWA Filing and VAWA Cancellation
 - Adjustment in Proceedings
 - **Video:** Voluntary Departure
 - Pre-Conclusion
 - Post-Conclusion
- **Exercise:** Drafting Written Pleadings and Delivering Pleadings with Various NTAs
- **Video:** Mock Court Appearance Demonstrating Trial or Courtroom Etiquette
- **Related Resources**
 - *A Curated List of Additional Publications, Recordings, and Resources*

Faculty:

Carlina Tapia-Ruano (ML), AILA Past President, Chicago, IL

Michelle Saenz Rodriguez, AILA Board of Governors/ICE Liaison Committee, Dallas, TX

Michael S. Vastine, AILA Southern Florida Chapter Chair, Miami Gardens, FL

Please note that all affiliations and titles listed reflect AILA's 2017–18 committee year, when the original course outline was written.

(ML) = Module Leader

MODULE 11: CITIZENSHIP AND NATURALIZATION

Module Outline:

- **Video:** Overview of Citizenship and Naturalization Module
 - The Differences Between Being Lucky and Earning Your Certificate
 - Place of Birth
 - Parentage
 - Automatic
 - Naturalization
 - Posthumous
- **Reading:** N-400 and N-600 Instructions
- **Document:** Terminology List
- **Document:** Nationality Charts
- **Video:** The Naturalization Process
 - N-400: Complete and File
 - Biometrics
 - Interview and Examination
 - Ceremony
- **Reading:** K. Mautino, "The Naturalization Process and Requirements," *Navigating the Fundamentals of Immigration Law*, (2024–25 Ed.)
- **Video:** Eligibility Criteria for Citizenship and Naturalization
 - Age
 - LPR: 3 or 5 Years
 - Special Eligibility: Military, Asylees, and Refugees
 - Asylee: 4 Years from AOS
 - Refugee: 5 Years from Date of Admission
 - Selective Service
 - Language Ability
 - Continuous and Physical Presence
 - Knowledge
 - Good Moral Character (GMC)
- **Reading:** History and Civics Exam, USCIS
- **Document:** English Exam Exemption Chart
- **Document:** Continuous/Physical Presence Handout
- **Video:** Red Flags in Citizenship and Naturalization
 - Marriages
 - Children
 - Child Support
 - Taxes
 - Criminal Convictions
 - Prior Immigration/Criminal History
 - Physical Presence History
 - Review All Filings Before Starting the Naturalization Application
- **Video:** Mock Citizenship Interview
- **Document:** Mandamus Actions Speaker PowerPoint
- **Video:** Mandamus Actions on Problem Citizenship Cases
- **Exercise:** Review of a Hypothetical Naturalization Applicant

Please note that all affiliations and titles listed reflect AILA's 2017–18 committee year, when the original course outline was written.

(ML) = Module Leader

- **Resources List**

- *A Curated List of Additional Publications, Recordings, and Resources*

Faculty:

Elizabeth Garvish (ML), AILA Fundamentals Online Course Committee, Atlanta, GA

James Oliver Hacking III, St. Louis, MO

Kathrin Mautino, San Diego, CA

Guillermo Hernandez, San Antonio, TX

2018 ONLINE COURSE COMMITTEE

Linda Kenepaske, Online Course Chair, New York, NY

Teddy Chadwick, AILA New Members Division Steering Committee, Milwaukee, WI

Kenneth Craig Dobson, AILA Ethics Committee Vice Chair, New York, NY

Ruben L. Reyes, AILA Board of Governors, Phoenix, AZ

Marjorie Baltazar, Chicago, IL

Angela J. Ferguson, Kansas City, MO

Elizabeth L.A. Garvish, Atlanta, GA

Cynthia Lucas, Los Angeles, CA

Sheila Mahadevan, Washington, DC

Ruby L. Powers, Houston, TX

Julianne Cassin Sharp, Southfield, MI

Kate Molski, AILA Learning and Development Specialist, Washington, DC

Please note that all affiliations and titles listed reflect AILA's 2017–18 committee year, when the original course outline was written.

(ML) = Module Leader