

5th Annual New York Asylum and Immigration Law Conference —February 28, 2020

New York Law School, 185 West Broadway, Auditorium Level and 4th Floor—rooms may be reassigned based on registrations
New York, NY 10013

	Track A: Advanced	Track B: Basic/Beginner	Track C: Children
8:30-8:45 a.m.	WELCOMING REMARKS by Mark Shmueli, Esq. <i>Chair, Federal Bar Association, Immigration Law Section (FBA-ILS)</i> ; Hon. Amiena Khan* (in NAIJ capacity) and Professor Claire R. Thomas of NYLS Auditorium		
8:45-9:00 a.m.	KEYNOTE WELCOME , Commissioner Bitta Mostofi , Mayor's Office of Immigrant Affairs (invited) Auditorium		
9:00 – 9:15 a.m.	Transition		
9:15-10:45 a.m.	BEST PRACTICES BEFORE THE ASYLUM OFFICE 1.5 Prof. Practice CLE (Trans/Non)	INTRODUCTION TO ASYLUM LAW 1.5 Prof. Practice CLE (Trans/Non)	JURISDICTION AND EMERGING ISSUES IN CHILDREN'S CASES 1.5 Prof Practice CLE (Trans/Non)
	<p>Learning Objectives: This program is designed for advocates representing clients before the New York and Newark Asylum Offices. Experts will discuss how to prepare, file, and present asylum applications and discuss best practices with adjudicators from the Newark Asylum Office on asylum applications as well as Credible and Reasonable Fear Interviews.</p> <p>Moderator: Professor Claire R. Thomas</p> <p>Presenters:</p> <ul style="list-style-type: none"> • Victoria Lewis, <i>Newark Asylum Office</i> • Ben Nebo, <i>Newark Asylum Office</i> • Porcia M. Vasquez, <i>New York Asylum Office</i> • Erin J. O'Brien, <i>New York Asylum Office</i> • David Wilkins, <i>Staten Island Legal Services</i> • Alexandra Gonçalves-Peña, <i>Catholic Migration Services</i> 	<p>Learning Objectives: This presentation will provide an introduction to the asylum process within the United States. It will address the entities involved, the standards and burdens of proof, and basic case law. In addition, presenters will compare asylum, withholding of removal, and relief under the Convention Against Torture, as well as provide a basic review of evidence, standards, and law.</p> <p>Moderator: Raymond Lahoud, Esq.</p> <p>Presenters:</p> <ul style="list-style-type: none"> • Professor Raquiba Huq, <i>Rutgers and LSJ</i> • Amy Gell, Esq. • Ray Fasano, Esq. 	<p>Learning Objectives: This presentation will provide updates and guidance on recent policy changes impacting the jurisdiction of asylum cases of unaccompanied children, as well as other new issues affecting children's cases before USCIS and EOIR.</p> <p>Moderator: Desireé C. Hernández, <i>Safe Passage Project</i></p> <p>Presenters:</p> <ul style="list-style-type: none"> • Jodi Ziesemer, <i>NYLAG</i> • Elisa Gahng, <i>KIND</i> • Alexander Holtzman, <i>Hofstra University</i>

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10:45-12:15 p.m.	GENDER: PARTICULAR SOCIAL GROUP AND POLITICAL OPINION 1.5 Prof. Practice CLE (Trans/Non)	NEXUS: HOW TO PROVE PERSECUTION ON ACCOUNT OF PROTECTED GROUNDS 1.5 Prof. Practice CLE (Trans/Non)	WALKING THE TIGHTROPE: PSGS FOR CENTRAL AMERICAN YOUTH POST <i>MATTER OF A-B</i> AND <i>MATTER OF L-E-A</i> 1.5 Prof. Practice CLE (Tran/Non)
	<p><u>Learning Objectives:</u> The presentation will focus on advanced analysis of PSG formulation in light of recent BIA, Attorney General, and Circuit Court precedent. The panel will emphasize the need to clearly articulate cognizable PSGs before the Immigration Judge, and to present evidence to establish the required nexus to such group membership under the “one central reason” requirement. Experts will also address how gender-based claims can be viewed through a lens of political opinion or imputed political opinion.</p> <p><u>Moderator:</u> Jeff Chase, Esq.</p> <p><u>Presenters:</u></p> <ul style="list-style-type: none"> • Heather Axford, <i>CALA</i> • Lori Adams, <i>Sanctuary for Families</i> • Anwen Hughes, <i>Human Rights First</i> 	<p><u>Learning Objectives:</u> What is the theory of the case? This panel will explore the “on account of” ground for asylum.</p> <p><u>Moderator:</u> Lauren Major, <i>AFSC</i></p> <p><u>Presenters:</u></p> <ul style="list-style-type: none"> • Mark Shmueli, Esq. • Carlos Valenzuela, Esq. • Cheryl Lin, Esq. • Dr. Alicia Triche 	<p><u>Learning Objectives:</u> As the government works to narrow the scope of individuals eligible for asylum protection, how do advocates create particular social groups that address the circumstances under which immigrant youth are seeking asylum? This presentation will discuss possible strategies for new and innovative PSGs.</p> <p><u>Moderator:</u> Kristi Dalling, <i>Catholic Charities</i></p> <p><u>Presenters:</u></p> <ul style="list-style-type: none"> • Beth Krause, <i>Legal Aid Society</i> • Stephanie Gibbs, <i>Safe Passage Project</i> • Alice Farmer, <i>UNHCR</i> (invited)
12:15-12:30 p.m.	Transition		
12:30-1:30 p.m. LUNCH & PLENARY (included in price) Auditorium	<p>COVERING IMMIGRATION: CHALLENGES FACING JOURNALISTS</p> <p><i>The panelists will discuss the challenges of covering the fast changing world of immigration today. From border policy shifts, to refusals to provide FOIA information, the panel will explore how these journalists cover the story.</i></p> <p><u>Moderator:</u> Liz Robbins, Professor at Columbia University School of Journalism, Author, formerly with the New York Times</p> <p><u>Presenters:</u> Beth Fertig, WNYC, reporting on immigration and the courts Jonathan Blitzer, The New Yorker, covering border and other immigration issues (invited) [Other journalists invite and to be confirmed shortly]</p>		
1:30-1:45 p.m.	Transition		

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1:45-3:15 p.m.	FEDERAL COURT IMMIGRATION LITIGATION FROM THE APA TO THE INA AND BEYOND 1.5 Prof. Practice CLE (Trans/Non)	INTRODUCTION TO PARTICULAR SOCIAL GROUP 1.5 Prof. Practice CLE (Trans/Non)	SWIMMING UPSTREAM: NAVIGATING CHILDREN’S CASES BEFORE EOIR 1.5 Prof. Practice CLE (Trans/Non)
	<p><u>Learning Objectives:</u> What are the limits of federal court jurisdiction in immigration matters? This panel will compare district court litigation and the petition for review process before the Courts of Appeals; challenges to standing, ripeness, and subject matter jurisdiction. Finally, panelists will discuss what causes of action are possible under the Administrative Procedure Act (APA) and more.</p> <p><u>Moderator:</u> Professor Lenni Benson, <i>NYLS</i></p> <p><u>Presenters:</u></p> <ul style="list-style-type: none"> • Elizabeth Stevens, Esq. former Federal Bar Immigration Section Chair and former OIL attorney • Hon. Dustin B. Pead (invited) • OIL Attorneys (invited) 	<p><u>Learning Objectives:</u> What is a particular social group? Panelists will discuss this vital, flexible, dynamic, albeit complicated protected ground for asylum.</p> <p><u>Moderator:</u> Murat Berdyev, Esq.</p> <p><u>Presenters:</u></p> <ul style="list-style-type: none"> • Paul O’Dwyer, Esq. • Rebecca Rook, Esq. • Andrea Rodriguez, Esq. • Rayna Lifson Baum, Esq 	<p><u>Learning Objectives:</u> This panel will discuss the current policies that severely limit the abilities of advocates to fight for children in removal proceedings as well as strategies to maneuver through the immigration court system in this difficult time.</p> <p><u>Moderator:</u> Alexandra Rizio, <i>Safe Passage Project</i></p> <p><u>Presenters:</u></p> <ul style="list-style-type: none"> • Nicole Johnson, <i>Safe Passage Project</i> • Kaavya Viswanathan, <i>The Door</i> • Rex Chen, <i>LSNY</i> • Ben Winograd (invited)
3:15-4:45 p.m.	DEVELOPMENTS AT THE SOUTHERN BORDER ½ Prof. Practice CLE (Trans/Non) 1 Diversity and Inclusion CLE	ASYLUM: BARS 1.5 Prof. Practice CLE (Trans/Non)	ETHICS AND CROSS-CULTURAL COMMUNICATION WITH CHILD CLIENTS ½ Ethics CLE (Trans/Non) 1 Diversity and Inclusion CLE
	<p><u>Learning Objectives:</u> This panel will highlight challenges faced by asylum-seekers waiting along the U.S./Mexican border, in transit through Mexico, and updates about Mexico's own asylum system. Experts will discuss policies including the Migrant Protection Protocols, Asylum Cooperative Agreements, and metering.</p> <p><u>Moderator:</u></p> <p><u>Presenters:</u></p> <ul style="list-style-type: none"> • Kennji Kizuka, <i>Human Rights First</i> • Laura Lynch, <i>AILA</i> • Maureen Meyer, <i>Washington Office on Latin America (WOLA)</i> 	<p><u>Learning Objectives:</u> Bars to asylum include convictions for particularly serious crimes, material support for terrorism, firm resettlement, and others. During this panel, experts will address these statutory bars to asylum and withholding of removal.</p> <p><u>Moderator:</u> Professor Amelia Wilson</p> <p><u>Presenters:</u></p> <ul style="list-style-type: none"> • Lindsay Gauzza, Esq. • Helen Parsonage, Esq. • Pina Cirillo, Esq. 	<p><u>Learning Objectives:</u> Understanding that there are special considerations in representing children in both ethical and cultural dimensions, this panel of experts will share best practices and discuss how to anticipate and avoid problems.</p> <p><u>Moderator:</u> Melinda Basaran, Esq</p> <p><u>Presenters:</u></p> <ul style="list-style-type: none"> • Lauren Anselowitz, Esq. • Professor Theodor S. Liebmann, <i>Hofstra</i> • Professor Jennifer Baum, <i>St. John’s</i> • Carmen Carillo, Esq.

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4:45-6:15 p.m. CLOSING PLENARY Auditorium	STATE AND FEDERAL LAW: TIME FOR REFORM 1.5 Prof. Practice CLE (Non-Transitional) <u>Learning Objectives:</u> What are the latest updates on immigration at the federal level? What role to states and localities have in making and implementing immigration law and policy? New York State has implemented various initiatives to protect and promote the rights of immigrants. In January 2020, NY State Senate Bill S7261, the Access to Representation Act, seeks a statutory right to counsel for indigent persons facing deportation. Panelists will address happenings at both the federal and the state level. <u>Presenters:</u> <ul style="list-style-type: none"> • Camille Mackler, <i>New York Immigration Coalition</i> • Sunil R. Varghese, Immigration Counsel, Senate Judiciary Committee, Ranking Member Senator Dianne Feinstein (invited) • New York State Senator Brad Hoylman, 27th District (invited) 		
6:15 p.m. Auditorium	CLOSING REMARKS Mark Shmueli, Esq. Chair of FBA-ILS, Hon. Dorothy Harbeck* (in NAIJ Capacity), Professor Desireé C. Hernández, <i>NYLS</i> and <i>Safe Passage Project Evaluations</i>		

* The presenters are Executive Vice President (Hon. Amiena Khan) and Eastern Region Vice President (Hon. Dorothy Harbeck) of the National Association of Immigration Judges (NAIJ). The views expressed here do not necessarily represent the official position of the United States Department of Justice, the Attorney General, or the Executive Office for Immigration Review. The views represent the presenters' personal opinions, which were formed after extensive consultation with the membership of NAIJ.