

2014

Founders
Celebration



AMERICAN UNIVERSITY
WASHINGTON
COLLEGE OF LAW

FEDERAL BAR ASSOCIATION – ASYLUM CONFERENCE

*Presented by and the Federal Bar Association
and American University Washington College of Law*

Friday, February 21, 2014

8:30 am pm – 5:30 pm

American University Washington College of Law

4801 Massachusetts Avenue, NW, Room 603

The Federal Bar Association's Immigration Law Section is pleased to present a full day symposium on asylum law. The symposium will feature both a fundamentals track along with an advanced track with eight panels consisting of ICE chief counsels, Immigration professors, immigration judges and private practitioners

	Fundamentals Track	Advanced Track
8:45 am	Welcome – Dean Claudio Grossman, American University Washington College of Law	
9:15 am – 10:30 am	<p><u>OVERVIEW OF ASYLUM LAW</u></p> <ul style="list-style-type: none">a. Five enumerated groundsb. Asylum office vs. courtc. Evidentiary burdens/ Real IDd. Eligibility and bars to asylum/firm resettlement/one year bar deadline/criminal convictions. <p>Alison Brown (moderator), Law Offices of Alison Brown, Takoma Park, MD</p> <p>Rachel Settlege, Director, Asylum and Immigration Law Clinic, Wayne State Law School</p> <p>Judge John Gossart (Retired), Adjunct Professor of Immigration Law, University of Baltimore School of Law</p>	<p><u>SOCIAL GROUP CASES</u></p> <ul style="list-style-type: none">a. Genderb. Sexual Orientationc. Former Police and Military Officersd. Mixed Motivese. Multiple Social Groupsf. Visibility, Particularity <p>Elizabeth Keyes, (moderator), Director Immigrant Rights Clinic University of Baltimore School of Law</p> <p>Judge Mimi Tsankov, Denver Immigration Court*</p> <p>David Cleveland, Attorney, Associated Catholic Charities, Washington, DC</p> <p>Joe Gorin, Mental Health Professional, Washington, DC</p>

10:30 am – 10:45 am	BREAK	
10:45 am – 12:15 pm	<p><u>BARS TO ASYLUM</u></p> <ul style="list-style-type: none"> a. One year rule b. Crimes c. Persecution of others d. National security e. Firm resettlement <p>Linda Kenepaske (moderator), Law Offices of Linda Kenepaske, New York, NY</p> <p>Jayesh Rathod, Associate Professor of law and Director, Immigrant Justice Clinic, American University Washington College of Law</p> <p>Judge Steven Morley, Philadelphia Immigration Court*</p>	<p><u>THE USE AND EFFECT OF INTERNATIONAL LAW ON ASYLUM CLAIMS IN THE UNITED STATES</u></p> <ul style="list-style-type: none"> a. Convention relating to the Status of Refugees 1951 b. The United Nations “Convention relating to the Status of Refugees” 1967 Protocol c. US Supreme Court Recognition of International origins of US refugee law: <i>INS v. Cardoza Fonseca and Sale v. Haitian Centers Council, Inc.</i> d. Useful and persuasive sources of international refugee law <p>Alicia Triche, (moderator), Nesom. Abrusley and Triche, Memphis, TN</p> <p>Judge Amiena Khan, Newark Immigration Court*</p> <p>Leslie Velez, Senior Protection Officer, United Nations High Commissioner for Refugees</p>
12:15 pm – 1:30 pm	LUNCH with Speaker – Regina Germain , Asylum Division: Training and Quality Assurance Branch U.S. Citizenship and Immigration Services, author AILA’s Asylum Primer: A Practical Guide to US Asylum Law and Procedure.*	
1:45 pm – 3:00 pm	<p><u>HOW TO PREPARE THE MOST COMPELLING CASE: GATHERING PROBATIVE AND CONSISTENT EVIDENCE</u></p> <ul style="list-style-type: none"> a. Client statement & corroboration b. Finding & Narrowing an expert c. Strength/Authentication of documents d. Human rights reports <p>Mark J Shmueli (moderator), Law Offices of Mark J. Shmueli, Takoma Park, MD</p> <p>Judge Dorothy Harbeck, Elizabeth NJ Immigration Court*</p> <p>Arthur Blecher, Mental Health Professional, Washington, DC</p> <p>R. Mark Frey, Law Offices of Mark Frey, St. Paul, MN</p>	<p><u>WHEN ASYLUM IS NOT AN OPTION: THE CONVENTION AGAINST TORTURE</u></p> <ul style="list-style-type: none"> a. General Definition of Torture b. Under international law does <i>non-refoulement</i> provision include protection from inhuman and degrading treatment? c. What constitutes severe mental pain? d. When do prison conditions constitute torture? e. Factors that should be considered in determining whether an applicant has met his or her burden; f. When is torture more likely than not? g. Non-state actors and protection under CAT <p>Alan Parra (moderator), Law Offices of Alan Parra Silver Spring, MD</p> <p>Juan Mendez, UN Special Rapporteur on Torture</p> <p>Judge Lawrence Burman, Arlington Immigration Court*</p> <p>Dean Claudio Grossman, American University Washington College of Law</p>
3:00 pm – 3:15 pm	BREAK	

3:15 pm – 4:30 pm	<p align="center"><u>MAKING YOUR CASE</u></p> <p>a. What to put in your brief and how to maximize its impact on the adjudicator b. Preparing the client c. Choosing Witnesses & Eliciting Testimony d. Maximizing your evidence in the tribunal e. Appeals and Preservation of Issues f. Jurisdiction issues</p> <p>Anna Gallagher (moderator), Maggio- Kattar, PC Washington DC</p> <p>Judge Robin Feder, Boston Immigration Court*</p> <p>Judge Philip Williams, Baltimore Immigration Court (invited)*</p> <p>David McConnell, Director of Appellate Litigation, Office of Immigration Litigation*</p>	<p align="center"><u>PERSECUTION BY NON-GOVERNMENTAL ACTORS</u></p> <p>a. Gangs b. Forced recruitment c. Domestic Violence</p> <p>Sandra Grossman (moderator), Law Offices of Sandra Grossman</p> <p>Judge Paul Schmidt, Arlington Immigration Court*</p> <p>Emily Good, The Advocates for Human Rights, Minneapolis, MN</p> <p>Anita Sinha, Practitioner in Residence, Immigrant Justice Clinic, American University Washington College of Law,</p>
4:30 pm – 5:30 pm	Wine and Cheese Reception	
	*In personal capacity.	

Conference Committee:

Chair: Mark J Shmueli, Law Offices of Mark J Shmueli Takoma Park, MD

Honorable Lawrence Burman, Arlington, VA immigration Court
Honorable Dorothy Harbeck, Elizabeth, NJ Immigration Court
Honorable Ameina Khan, Newark, NJ Immigration Court
Linda Kenepaske, Law Offices of Linda Kenepaske, New York, NY
Elizabeth Stevens, Department of Justice, Office of Immigration Litigation
Alicia Triche, Nesom. Abrusley and Triche, Memphis, TN

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CLE Accreditation:
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For further information, contact: Office of Special Events & Continuing Legal Education, 202.274.4075 or secle@wcl.american.edu.