

2024

UPPER MIDWEST IMMIGRATION LAW CONFERENCE

FRIDAY MAY 17 | 8AM-5PM
UNIVERSITY OF MINNESOTA LAW SCHOOL
IN PERSON | ONLINE | ON DEMAND



CLE Information

7 live and webinar Minnesota CLE credits & 19 on-demand Minnesota CLE credits approved.
In-person Event Code 504191 | Webinar Event Code 505512 | On-Demand Code 504192

No CLE code is necessary for Minnesota but attendance must be recorded using this [online form](#) |
Report to the [Minnesota State Board of Continuing Legal Education](#)

Attendees from other jurisdictions, please check your state's requirements for reporting CLE credits
and then email mmckenzie@advrights.org.

Three Practice Tracks | Lunch Plenary Session | Networking | Social Hour Immigrant of Distinction Award | 5th Grade Creative Writing Award

Connect with colleagues in person while earning up to 7 live CLE credits.
Can't make it in person? Online-only registration available.
19 on-demand credits available after the conference.

Lunch Plenary Session

Creating a State of Welcome: Minnesota's New Investment in Refugee & Immigrant Communities (EOB)

Rachele King, Refugee Programs Office Director, MN Department of Human Services

Abdiwahab Mohamed, Assistant Commissioner, MN Department of Employment and Economic Development

Michelle Rivero, Office of Immigrant and Refugee Affairs Director, City of Minneapolis

- Review of new legislation in MN related to immigration and new refugee/immigrant programs
- State government approaches to creating welcoming communities and countering discrimination against individuals based on national origin (including housing and employment bias)
- Tips and Techniques for attorneys working with state government agencies on issue faced by immigration clients
- Participants will leave the panel with a changed understanding of what migrants look like in their communities, how state governments can respond positively, and what impact that has on eliminating bias in immigration law

Parking / Transportation: The [7 Corners Parking Ramp](#) (next to the Courtyard Marriott) is \$5 if in at 7-10AM and out before 6PM. Otherwise, the hourly rate applies up to \$17. The [parking lot next to the Law School](#) is \$3 per hour up to \$13. The Corner Bar and the Law School are also conveniently located 1 block from the light rail.

After Conference Social Hour
Hosted by the New Members Division
[The Corner Bar](#) | 1501 Washington Ave S
(1 block from the Law School)
5:00-7:30PM

Day at a Glance

Click on the session title to enter the Zoom room

7:30AM Registration & Coffee, Subplaza Atrium | 8:00AM Welcome, Room 25

	<u>Employment-Based Practice</u> Room 20	<u>Removal, Litigation, & Humanitarian Practice</u> Room 25	<u>Family-Based- & General Practice</u> Room 30
8:15-9:15	<u>What You Need to Know to Dive Into an H-2B Practice</u>	<u>International Law Beyond the Refugee Convention and Convention Against Torture (EOB)</u>	<u>Strategies for I-601, I-601A and I-212 Waivers</u>
NETWORKING BREAK			
9:30-10:30	<u>PERM in FLAG: What We Have Learned & What is Next?</u>	<u>Hot Removal Practice Topics 2024</u>	<u>Adoption Issues in Immigration Practice</u>
NETWORKING BREAK			
10:45-11:45	<u>Employment-based Permanent Residence Options that DO NOT Require PERM</u>	<u>SIJS Hot Topics (EOB)</u>	<u>Naturalization and Derivative/Acquisition of Citizenship</u>
12:15PM Lunch Plenary Session, Room 25 <u>Immigrant of Distinction Award 5th Grade Creative Writing Award</u> <u>Creating a State of Welcome: Minnesota's New Investment in Refugee & Immigrant Communities (EOB)</u>			
1:30-2:30	<u>Physician Immigration: Symptoms & Diagnoses</u>	<u>U Visa Derivatives: Advanced Session</u>	<u>Complex Issues in Family Based Immigration (Ethics)</u>
NETWORKING BREAK			
2:45-3:45	<u>The State of I-9 Employment Verification and Compliance</u>	<u>Best Practices and Preparing to Address Issues Before the BIA</u>	<u>Mistakes were Made: How to Identify & Mitigate Errors from a Client-Centric Perspective</u>
NETWORKING BREAK			
4:00-5:00	<u>Navigating the Intersection Between Immigrant & Nonimmigrant Intent and Related Challenging Scenarios</u>	<u>TRIG 101</u>	<u>Advanced Consular Processing</u>

5:00PM Social Hour

Employment-Based Practice | Room 20

8:15-9:15	<p><u>What You Need to Know to Dive into an H-2B Practice</u> Loan Huynh, Amy Novak, Allison Wells (DL)</p> <p><u>Session materials</u></p>	<ul style="list-style-type: none"> • What is the H-2B visa? Legal background and history • How do I get started? Considerations for starting an H-2B practice • What is the H-2B lottery system? DOL and USCIS process overview • Am I done once I get an approval? Compliance practices to incorporate and post-approval legal work • Helpful resources and tips
9:30-10:30	<p><u>PERM in FLAG: What We Have Learned & What is Next?</u> Vincent W. Lau, John Medeiros, Sarah K. Peterson (DL)</p> <p><u>Session materials</u></p>	<ul style="list-style-type: none"> • Processing Times and latest DOL Guidance • Tips and Strategies for Drafting Form ETA 9089 • Recruitment in the era of layoffs, pay transparency, and remote employment • Audits
10:45-11:45	<p><u>Employment-based Permanent Residence Options that DO NOT Require PERM</u> Rita Sostrin, Nicole Bennett, Scott Borene</p> <p><u>Session materials</u></p>	<ul style="list-style-type: none"> • EB-1-1 Extraordinary Ability • EB1-2 Outstanding Professor or Researcher • EB-2 National Interest Waiver (NIW) • Schedule A, Group II Pre-certified Labor Certification for a “Person of Exceptional Ability”
1:30-2:30	<p><u>Physician Immigration: Symptoms and Diagnoses</u> Kristen Harris, Debra Schneider, Suzanne Seltzer, Christopher L. Wendt (DL)</p> <p><u>Session materials</u></p>	<ul style="list-style-type: none"> • Admissibility, training, and licensure: A basic primer • J-1 Waiver options: Clinical, research, and more • Physician specific NIV issues • Getting to the finish line: Permanent residency
2:45-3:45	<p><u>The State of I-9 Employment Verification and Compliance</u> Anu Jaswal, Jeff Joseph, Scott Wright (DL)</p> <p><u>Session materials</u></p>	<ul style="list-style-type: none"> • New Form I-9 • Virtual Verification • List of Acceptable Documents (LOAD) and Unofficial LOAD • The State of I-9 Auditing • Best Practices in Avoiding Unlawful Discrimination and Other Form I-9 Violations • I-9 Updates: What’s on the Horizon
4:00-5:00	<p><u>Navigating the Intersection Between Immigrant & Nonimmigrant Intent and Related Challenging Scenarios</u> Kaitlyn Box, Caroline Ostrom (DL), Bennett Savitz, Elizabeth Streefland</p> <p><u>Session materials</u></p>	<ul style="list-style-type: none"> • How to navigate successfully: strict intent, quasi-intent, dual intent • Advising on travel on AP & EAD issues during NIV and permanent residency processes • Transitions to permanent residency for F-1s, TNs, H-2Bs, etc. • Timing considerations

Sign in for CLE credit and tell us what you thought of Upper Midwest 2024

[Click here to complete the 2024 Conference Survey](#)

Removal, Litigation, & Humanitarian Practice | Room 25

8:15-9:15	<p><u>International Law Beyond the Refugee Convention & Convention Against Torture (EOB)</u> Verónica Cadavid González, Natalie Cadawalder, Steve Meili, Sofía Montez</p> <p>Session materials</p>	<ul style="list-style-type: none"> • Incorporating other human rights mechanisms into removal defense • Arguing for UNHCR's definitions of contested terms • Other applications of international human rights law: detainee labor, border policies • Utilizing international enforcement mechanisms and organizations such as IACHR (Inter, WGED, and WGAD)
9:30-10:30	<p><u>Hot Removal Practice Topics 2024</u> Eliana Nader, Nico Ratkowski, Steven Thal, David Wilson (DL)</p> <p>Session materials</p>	<ul style="list-style-type: none"> • NTAs: to challenge or not to challenge and other considerations • Latest on what is reviewable and motion practice • The 2023 3rd country rule • Best practices for administrative closure, relief strategies, case flow, and PD
10:45-11:45	<p><u>SIJS Hot Topics (EOB)</u> Iris Ramos Carroll, Alejandra Cruz, Laura Egan, Rebecca Scholtz</p> <p>Session materials</p>	<ul style="list-style-type: none"> • Status of backlogs and strategies • County courts and predicate orders • Brain development of minors and ethical considerations for handling cases
1:30-2:30	<p><u>U Visa Derivatives: Advanced Session</u> Jennifer Kowski-Dahlberg, Graham Ojala-Barbour, Alison Olson Cox</p> <p>Session materials</p>	<ul style="list-style-type: none"> • Late acquired derivatives • Changes in relationship to the principal applicant • Derivative adjustment of status issues • Consular processing issues
2:45-3:45	<p><u>Best Practices and Preparing to Address Issues Before the BIA</u> Kelsey Allen, Alexis Dutt, Lory Rosenberg</p> <p>Session materials</p>	<ul style="list-style-type: none"> • Preserving issues for appeal <ul style="list-style-type: none"> ◦ Credibility/CFIs ◦ Thinking about CA8 in addition to BIA (tracking jurisdiction—<i>Matter of Garcia</i>) • Remands from the Board • Strategies for long processing times • Differences/strategies in appealing grants vs. denials • Drafting the Notice of Appeal • Key caselaw updates
4:00-5:00	<p><u>TRIG 101</u> Zack Albus, Monica Nevin, John Weber</p> <p>Session materials</p>	<ul style="list-style-type: none"> • What falls under TRIG • TRIG exemptions • Local Practice at the Asylum Office and USCIS

Family-Based & General Practice | Room 30

8:15-9:15	<p><u>Strategies for I-601, I-601A and I-212 Waivers</u> Brian Aust (DL), Nysha Operana, Erich Straub</p> <p><u>Session materials</u></p>	<ul style="list-style-type: none"> • When and where to file—mechanics of the waiver process • I-601 vs. I-601A • Best Practices for communicating with NVC while the I-601A is pending • Proving hardship to a parent vs. spouse • I-601A and I-212 combo with an in absentia order
9:30-10:30	<p><u>Adoption Issues in Immigration Practice</u> Dan Berger, Greg Luce (DL)</p> <p><u>Session materials</u></p>	<ul style="list-style-type: none"> • Adoptions for orphans and family members • Immigrant visas and the application of the Hague Convention • Adult adopted people and the lack of US citizenship (or no proof of US citizenship) • The Child Citizenship Act: its limitations, gaps, and other problems
10:45-11:45	<p><u>Naturalization and Derivative/Acquisition of Citizenship</u> Petula McShiras, Nancy Peterson, Virgil Wiebe (DL)</p> <p><u>Session materials</u></p>	<ul style="list-style-type: none"> • Tricky N-400 issues: extended absences, party memberships, unlawful voting & more • Criminal issues • Screening for Derivative & Acquired Citizenship • The New N-648 & Disability Exceptions • New N-400 form update
1:30-2:30	<p><u>Complex Issues in Family Based Immigration (Ethics)</u> Abigail Loesch, Brooke Mengel, Magdalena Metelska (DL)</p> <p><u>Session materials</u></p>	<ul style="list-style-type: none"> • Tricky spousal petition issues: separations, age differences, home visits • Death of a petitioner, CSPA • Establishing parentage: DNA tests and evidence • Late birth certificate registrations • Use of I-824 and consular processing delays • I-130s in removal proceedings
2:45-3:45	<p><u>Mistakes were Made: How to Identify and Mitigate Errors from a Client-Centric Perspective</u> Kim Hunter (DL), Ingrid Perez, Bob Webber</p> <p><u>Session materials</u></p>	<ul style="list-style-type: none"> • Identifying mistakes—and even if it's not your mistake, is it your problem? • Learning from mistakes—practice tips to avoid them • Actions for resolving a mistake: Taking a client-centric approach • Internal considerations
4:00-5:00	<p><u>Advanced Consular Processing</u> George Maxwell (DL), Claire Pratt, Esteban Rivera</p> <p><u>Session materials</u></p>	<ul style="list-style-type: none"> • Current consular processing trends and challenges • Administrative processing and/or denial—now what? • Potential state-side renewals • Dealing with grounds of inadmissibility at the consular level • Exceptional circumstances—what are they and when to use them

Sign in for CLE credit and tell us what you thought of Upper Midwest 2024

[Click here to complete the 2024 Conference Survey](#)

Community Guidelines

The conference organizing team is dedicated to providing a harassment-free conference experience for everyone. Behavior that will lead to participant removal from forum includes:

- Racist, sexist, or other derogatory slurs or actions
- Threats of violence or abuse of any kind
- Disturbing or distracting content
- Not allowing others to speak
- Personalized attacks
- Intentionally disrupting speakers

To protect the integrity and professionalism of this event, we will remove any participants who are unable to adhere to these guidelines. If a participant is removed from a session, they will not be able to rejoin for the duration of the conference and will not be entitled to a refund.

By registering for this event, you are agreeing to these community guidelines and conditions. You may request a refund before the conference by contacting the AILA MN/DAK Chapter Treasurer if you do not agree with these guidelines or feel you will be unable to comply.

CLE Credit

How do I claim CLE credit?

The Advocates for Human Rights, as the course sponsor, must maintain a record of attendance at the May 17 in-person conference and live webinar.

Minnesota attorneys must sign in and record their attendance. Simply go to the [sign-in form](#) and record the number of hours of CLE programming you attended on May 17—no code words or numbers needed.

Minnesota attorneys must also report their attendance to the [MN State Board of Continuing Legal Education](#) under Event Code 504191 for the in-person course and Event Code 505512 for the live webinar.

Attorneys watching recorded “on-demand” sessions do not need to sign in with The Advocates, but attorneys must still report to the MN State Board of Continuing Legal Education to receive credit under Event Code 504192.

CLE credit has been applied for in Minnesota only. Attorneys seeking to report credits in other states should consult the reporting rules on the state of licensure. We are happy to provide certificates of attendance upon request. Contact Michele Garnett McKenzie at mmckenzie@advrights.org.



Conference FAQs

Where are the session materials?

All presentation materials are available in the [Conference Google Drive Folder](#). Find direct links to session materials in the session descriptions under the speaker names in this Conference Program.

Will session materials be available after May 17?

All materials will remain available in the [Conference Google Drive Folder](#) following the conference. On-demand session recordings will be added once they are available.

How do I attend on-demand sessions?

On-demand session recordings will be available in the [Conference Google Drive](#) folders beginning May 27. On-demand credit is valid for 3 years. To access on-demand session, just click on the video links in the Google Drive folder and report your credit to the [MN State Board of Continuing Legal Education](#) using Event Code 504192. You do not need to report your attendance to The Advocates or the AILA chapter.

I'm attending online & still have questions.

Check the [FAQ for Online Participants](#), which includes tips for optimizing your Zoom settings.

I'm attending in-person & still have questions.

Check the [FAQ for In-Person Participants](#), which includes information about the conference venue.

Volunteer with us!

The Advocates for Human Rights, Immigrant Law Center of Minnesota, Mid-Minnesota Legal Aid, Southern Minnesota Regional Legal Services, and Volunteer Lawyers Network are reimagining what it means to provide immigration legal services in Minnesota.

Supported by funding from the State of Minnesota Department of Human Services, we are committed to finding innovative ways to address the increasing need for legal services, working collaboratively with partners, and expanding access to immigration help when and where people need it.

To learn more about this initiative and how to get involved, please contact Katherine Veldhuizen, Hub Project Manager, at kveldhuizen@advrights.org or visit our table in the subplaza atrium.



Supported by funding from the State of Minnesota Department of Human Services

THANK YOU

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