

AILA South Florida 2027 Conference: Panel Descriptions

From NTA to Resolution: A Practical Guide to Removal Proceedings for Business Immigration Practitioners

Business immigration practitioners increasingly encounter clients whose benefit applications, status issues, or other immigration developments place them in removal proceedings. This panel provides a practical roadmap for identifying key removal issues, understanding Immigration Court procedures, protecting existing immigration strategies, and recognizing when removal counsel should become involved.

- From NTA to Immigration Court: Common triggers for NTA issuance; reading allegations and charges; service and NTA defects; burdens of proof; and pleading strategically to the NTA.
- Navigating Removal Proceedings: Master Calendar and Individual Hearings, ECAS, filing procedures, call-up dates and deadlines, together with essential motions practice—including termination, continuance, consolidation, and change of venue.
- Relief, Adjustment & Consular Processing: Adjustment of Status and jurisdictional issues; Cancellation of Removal, asylum-related relief and waivers; consular processing during proceedings; and evaluating unlawful presence, removal orders, waivers, and departure consequences.
- Strategic Considerations & Protecting Future Options: Voluntary Departure, detention and bond basics, preserving pending or future business immigration options, avoiding unintended consequences, and recognizing when specialized removal counsel should become involved.

Beyond Removal Defense: Business Immigration Essentials for Removal Practitioners

Removal practitioners increasingly encounter clients who have, or may qualify for, employment-based immigration options that can significantly affect case strategy. This panel provides a practical introduction to business immigration, with a focus on spotting potential options, understanding their interaction with removal proceedings, and avoiding decisions that may inadvertently foreclose a viable immigration path.

- Business Immigration Fundamentals & Spotting Options: Key distinctions among visas, status, admission, petitions, work authorization, and adjustment of status; an overview of H-1B, L-1, O-1, E-1/E-2, TN, R-1, and employment-based immigrant categories; and how to identify potential options during a removal-defense intake.
- Status, Intent & Adjustment of Status: Nonimmigrant versus dual intent; maintenance of status and authorized stay; employment-based adjustment restrictions under INA § 245(c); the protections and limitations of § 245(k); and the consequences of unauthorized employment and other status violations.
- When Business Immigration and Removal Proceedings Collide: Improvidently initiated proceedings involving respondents who maintained lawful status; adjustment following Advance Parole; USCIS versus EOIR jurisdiction; successive or multiple I-485 filings; and other evolving adjustment issues.

- Building a Coordinated Immigration Strategy: Adjustment versus consular processing; priority dates and visa availability; unlawful presence and inadmissibility considerations; when Voluntary Departure may preserve a viable employment-based path; and avoiding removal strategies that inadvertently eliminate future immigration options.

Investing in America: Advanced E-1/E-2 Strategies, EB-5 & the Evolving Investor Visa Landscape

Investment immigration continues to evolve, presenting sophisticated strategic and practical challenges for practitioners representing entrepreneurs and investors. This panel will examine advanced E-1 and E-2 issues, significant developments affecting EB-5, and emerging investor-visa proposals and programs, with a focus on navigating complex cases and an evolving adjudicatory landscape.

- Advanced E-1 & E-2 Strategies and Trends: Adjudication trends and differing practices across consular posts; strategic considerations in choosing between change or extension of status and consular processing; complex source and path of funds issues; multiple owners, investors, and nationalities; and creative uses of E-1 and E-2 for less traditional business models and investment structures.
- EB-5 After the Regional Center Transition: Key developments affecting direct and regional center EB-5 cases, including the post-sunset landscape; investment and job-creation requirements; source of funds; visa availability; and options for investors affected by changes to the Regional Center Program.
- “Golden Visa” Proposals & Other Investor Developments: Separating headlines from law when evaluating proposed investor programs; understanding what has actually been implemented; and examining the legal and practical implications of new or evolving investment-based initiatives.
- Strategic Planning for Investors: Comparing E-1, E-2, EB-5, and other potentially available pathways; immigrant and nonimmigrant intent considerations; adjustment versus consular processing; family and nationality issues; and developing short- and long-term immigration strategies around a client’s business and investment goals.

Zealous Advocacy and Wartime Lawyering: Pushing Back on NTAs and Motion Practice in a New Era

Panelists will examine strategies for challenging NTAs and charges of removability, forcing DHS to meet its burden, using motions strategically, responding to increasingly aggressive DHS motion practice, and preserving issues for appellate and federal court review. The panel will also address the new reality of significantly increased filing fees and how practitioners should evaluate when a motion is required, when a fee applies, whether an exception or fee waiver is available, and how to avoid a filing being rejected on procedural grounds.

- Denying Removability Strategically: When practitioners should deny allegations and charges and force DHS to meet its burden of proof.
- When DHS Gets the Charge Wrong: Whether DHS can correct a mischarged ground, and how respondent’s counsel should respond.

- Motions Removal Practitioners Should Be Filing Now: Objecting to evidence and other underused motions in current practice.
- The New Fee Landscape: Understanding which EOIR motions and applications now require filing fees, and whether the cost of a motion should affect litigation strategy.
- Building the Case for the Appeal While You Are Still at Trial: If you may ultimately need the circuit court, the record starts with the IJ.

Convicted, Not Concluded: Advanced Crimmigration Strategy for Removal Practitioners

A criminal conviction is often the beginning of the immigration case, not the end of it. This advanced panel equips removal practitioners with the analytical tools to dissect convictions under the categorical and modified categorical approach, identify viable post-conviction relief, and build defense strategy around crime-based grounds of removability and eligibility for relief.

- The Categorical Approach, Demystified (and Complicated): Applying Taylor, Mathis, and the "realistic probability" test; divisibility analysis and when Shepard documents matter; distinguishing means from elements; and common pitfalls that turn a defensible conviction into an aggravated felony.
- Aggravated Felonies & Crimes Involving Moral Turpitude: Mapping state statutes to the federal aggravated felony definitions; CIMT analysis and its circuit-by-circuit variation; petty offense and youthful offender exceptions; and multiple-conviction traps practitioners miss.
- Post-Conviction Relief as an Immigration Strategy: Padilla v. Kentucky advisement claims and ineffective assistance; vacatur, expungements, and sentence modifications—what immigration law will and won't recognize; coordinating timing between criminal and immigration counsel; and building the record for a successful PCR motion.
- Waivers, Relief, and What Survives a Criminal Record: 212(h) eligibility for LPRs with old convictions; cancellation of removal and the stop-time rule after a qualifying offense; and evaluating whether pursuing relief is worth the risk of triggering mandatory detention along the way.
- Working the Criminal-Immigration Interface: Building relationships with criminal defense counsel before the plea; issue-spotting at arraignment and plea colloquy; advising clients (and their criminal attorneys) toward immigration-safe pleas; and recognizing when a "good" criminal outcome is an immigration disaster.

Raising the Bar: The Eroding Hardship Standard in Cancellation of Removal

Exceptional and extremely unusual hardship has always been a demanding standard, but recent decisions have made cancellation of removal cases increasingly difficult to win. Family separation, financial hardship, emotional suffering, developmental and mental health conditions, and even the loss of a parent's day-to-day care may no longer be enough without a carefully developed evidentiary record connecting those circumstances to hardship substantially beyond that ordinarily expected from removal.

This advanced panel will examine how recent BIA and federal court decisions are reshaping hardship analysis and, more importantly, how practitioners must adapt.

- Where Are We Now? The Evolution—and Erosion—of the Hardship Standard: From Matter of Monreal, Matter of Andazola, and Matter of Recinas to today's hardship decisions: how did we get here?
- Building Hardship Differently in Today's Environment: Moving beyond the traditional "good equities" cancellation packet.
- Medical and Psychological Hardship—Proving More Than a Diagnosis: What makes medical hardship "exceptional and extremely unusual"?
- Children, Education, and Special Needs: Building hardship cases involving IEPs, 504 Plans, special education, therapies, behavioral interventions, and developmental services.
- Country Conditions as Hardship Evidence: Connecting country conditions directly to the qualifying relative's individual circumstances.
- Financial Hardship—Going Beyond "We Will Lose His/Her Income": Why ordinary loss of income is generally insufficient. Building a detailed financial picture before and after removal.

The Advanced Asylum Playbook: From Expert Witnesses to INTERPOL Notices

This panel, designed for advanced immigration practitioners, provides a comprehensive guide to building, corroborating, and winning highly complex asylum cases. It highlights the unique evidentiary and strategic hurdles of defending high-profile clients against sophisticated government opposition.

- High-Profile Client Strategy: Compiling bulletproof records for former heads of state, political candidates, and high-ranking corporate executives.
- Courtroom Advocacy & Trial Practice: Utilizing expert witnesses, subpoenaing government witnesses, leveraging federal criminal records, and implementing practical trial preparation tips.
- Corruption vs. Persecution: Distinguishing politically motivated prosecutions from legitimate foreign allegations of government corruption or money laundering.
- Foreign Policy Bars: Navigating the statutory boundaries, evidentiary thresholds, and executive deference involved with INA § 237(a)(4)(C)(i).
- International Law Enforcement: Overcoming the impact of INTERPOL Red Notices and implementing strategies to challenge abusive global alerts.
- Third-Country Removal: Overcoming the legal, logistical, and diplomatic hurdles of defending against deportation to a designated safe third nation.

The Ethics Hot Seat: Hard Choices & Professional Responsibility in Immigration Practice

Immigration lawyers face ethical decisions every day that rarely come with easy answers. What can you charge? When can you withdraw? What happens when another attorney accuses you of ineffective assistance? Can you accept referrals from foreign counsel or work with immigration consultants? Anchored by the perspective of Bar Counsel, this interactive panel will use realistic hypotheticals, audience polling, and

competing viewpoints to examine the ethical gray areas—and occasional red lines—of modern immigration practice.

- Money, Fees & the Retainer You Wish You Had: Setting and modifying fees; flat fees and payment plans; nonpayment, refunds and chargebacks; defining—and limiting—the scope of representation; third-party payors; what should be in the retainer; and difficult fee and client-management scenarios.
- When Representation Goes Sideways: Withdrawal when the client stops paying, disappears, lies, rejects advice, or insists on a questionable strategy; duties to current and former clients; handling client files and deadlines; and *Matter of Lozada* from both sides—the attorney alleging ineffective assistance and the attorney receiving the dreaded *Lozada* letter.
- High-Volume Practice, Consultants & the Modern Immigration Business: When efficiency becomes an ethical problem; supervision of paralegals, remote staff and nonlawyers; “consultants” who control the client relationship; ghost preparation and attorney rubber-stamping; AI and confidentiality; marketing and lead-generation arrangements; and the risks of business models that prioritize volume over individualized legal judgment.
- Ethical Gray Zones: What Would You Do? Referral fees involving U.S. and foreign counsel; fee-sharing and reciprocal arrangements; conflicts involving employers, family members and third-party payors; client fraud or questionable evidence; confidentiality versus candor; communications with represented parties; and other controversial scenarios presented live for audience vote → attorney response → Bar Counsel’s take.

Under the Microscope: VAWA, T & U Practice in an Era of Increased Scrutiny

Amid increased scrutiny of humanitarian filings, this panel will address the evolving ethical, evidentiary, and practical challenges facing VAWA, T, and U practitioners. Panelists will discuss responsible case screening and development, handling questionable prior filings, credibility concerns, and strategies for presenting strong survivor-based claims while protecting clients and the integrity of the process.

- Practice under increased scrutiny: Credibility concerns, ethical obligations, and attorney oversight.
- Problematic prior filings: Identifying red flags, correcting questionable submissions, and evaluating potential fraud or misrepresentation consequences.
- VAWA updates: Evidentiary trends, credibility issues, and responding to RFEs and NOIDs.
- T visa practice: Current adjudication trends, trafficking and physical-presence requirements, cooperation issues, and corroborating evidence.
- U visa developments: Certifications, law-enforcement cooperation, and strategies for clients in removal proceedings.
- Interim protections: Bona fide determinations, deferred action, EADs, and counseling clients on the limits of pending applications.
- Trauma-informed representation: Addressing inconsistencies without coaching and developing credible, well-supported records.
- Risk management: Staff supervision, quality control, declarations, translations, and safeguards against unsupported or fraudulent filings.

The New USCIS Landscape: Policy Memos, Regulatory Changes & Adjudication Trends

USCIS policy and adjudication practices continue to shift rapidly. This panel will examine key recent policy memoranda, Policy Manual updates, regulatory changes, and adjudication trends, with a practical focus on how they affect case screening, filings, interviews, and responses to agency challenges.

- New Adjustment of Status Guidance: Discretionary adjudication, favorable and negative factors, and preparing the record beyond statutory eligibility.
- Public Charge & I-864: Recent developments, exemptions, financial sponsorship, household income, assets, and avoiding RFEs and NOIDs.
- Interviews & Increased Scrutiny: Interview practices, expanded questioning, credibility concerns, and government records.
- RFEs, NOIDs & Denials: Emerging adjudication trends, responding strategically, and preserving the record.
- I-693, Forms & Filing Changes: Medical examination requirements, forms, fees, filing locations, and procedural traps.
- Understanding USCIS Authority: Policy memos vs. Policy Manual guidance, regulations, executive actions, and statutes.
- Challenging USCIS Decisions: Motions, appeals, refiling, and federal court options where appropriate.

Alleviating Self-Petitioned Plight: Confronting New Challenges to EB-1A and EB-2 NIW

EB-1A and EB-2 NIW petitions have seen historically low approval rates. These options nonetheless remain appealing in comparison to the slow, fickle, and often limiting nature of employer-sponsored EB petitions. To make sense of the madness, this panel reveals the various factors that have resulted in this downward trend, enabling attorneys to better parse out the viability of specific clients' prospects instead of assuming that outcomes are akin to the flip of a coin without questioning nuance. Panelists will discuss problematic trends, how to spot actual deficiencies raised by USCIS, and distinguish legitimate evidentiary concerns from improper or heightened adjudicatory standards. They will cover how they have updated their strategies in preparing original filings, responding to RFEs or NOIDs, and approaches post-denial.

- Heightened scrutiny and discretionary powers on both EB-1As and EB-2 NIWs
- How political turmoil and uncertainty, layoffs, visa bulletin lags, and the advent of AI-assisted pro se filings have impacted overall outcomes
- Implications of the policy empowering USCIS to issue straight denials or RFEs/NOIDs with distinct deadlines on a case-by-case basis
- Building effective RFE response strategies, including when to defend the original record versus supplement it, how to cure evidentiary gaps, use independent corroborating evidence, and address each USCIS concern without unnecessarily weakening arguments already made
- Responding to common EB-1A challenges, including narrow interpretations of the regulatory criteria, comparable evidence, sustained acclaim, and the final merits determination

- Addressing heightened NIW challenges, including defining the proposed endeavor, establishing national importance beyond the petitioner's immediate employer or clients, demonstrating that the beneficiary is well positioned, and addressing the third *Dhanasar* prong
- Dealing with a denial and choosing the next move, including evaluating the reasoning in the decision, determining whether to file a motion to reopen/reconsider or AAO appeal, when refiling may be the stronger strategy, and preserving or improving the case for a subsequent filing

Bond, Habeas & Beyond: Advanced Strategies for Challenging Immigration Detention

As immigration detention practices and the governing law continue to evolve, practitioners must be prepared to challenge custody both before EOIR and in federal court. This advanced panel will examine complex bond and detention issues, emerging caselaw, and practical strategies for identifying the proper forum, preserving challenges, and pursuing release when traditional bond proceedings are unavailable or inadequate.

- Who Gets a Bond Hearing? Advanced issues involving INA §§ 235, 236(a), 236(c), and 241; arriving aliens, EWI respondents, parolees, mandatory detention, and evolving limits on IJ bond jurisdiction.
- Advanced Bond Strategy: Burdens of proof, dangerousness and flight risk, criminal arrests and allegations without convictions, evidentiary issues, changed circumstances, and creating a record for BIA and federal court review.
- When the IJ Cannot or Will Not Grant Release: Challenging findings of no jurisdiction, prolonged detention, DHS custody determinations, post-order detention, and identifying when habeas becomes the appropriate remedy.
- Habeas & Federal Court Litigation: § 2241 jurisdiction, exhaustion, venue and proper respondents, due process and statutory claims, TROs and preliminary injunctions, and remedies ranging from constitutionally adequate bond hearings to release.
- The Moving Target: Recent and developing BIA, circuit, and Supreme Court caselaw; emerging challenges to detention authority and bond eligibility; circuit splits; and the arguments practitioners should preserve now for future litigation.

Suing USCIS: Federal Litigation as a Remedy for Agency Denials

Federal litigation is an increasingly critical tool when USCIS denials leave applicants without adequate administrative recourse. This panel examines the jurisdictional, procedural, and strategic considerations in challenging USCIS decisions in federal court — from APA and mandamus claims to building the record, standard of review, and realistic remedies.

- Jurisdictional gatekeeping: what you can and can't sue over
- Choosing the vehicle: APA challenge vs. mandamus vs. § 1447(b)
- The administrative record fight
- Standard of review and building the arbitrary-and-capricious argument
- Remedies and realistic outcomes
- Practice-level strategy: fees, timing, and client counseling

Beyond the Prompt: Making Yourself Indispensable in the Age of AI

This panel explores how immigration attorneys can remain indispensable in an era where clients and practitioners increasingly have access to sophisticated AI tools. Panelists will examine what attorneys uniquely add beyond information retrieval and document preparation, including legal judgment, issue spotting, case strategy, risk assessment, advocacy, and client counseling. The session will also address how attorneys can use AI effectively without outsourcing their professional judgment, where AI is most likely to fail in immigration practice, and how the attorney's role may evolve as legal information and routine drafting become increasingly automated.

- What attorneys add that AI cannot, including legal judgment, issue spotting, strategy, risk assessment, advocacy, and understanding agency practice
- Understanding AI's limitations and risks, including hallucinations, outdated information, missed factual or legal issues, and confidentiality concerns
- Counseling the AI-informed client, including correcting misinformation, managing expectations, and demonstrating the value of individualized legal advice
- Becoming a strategist rather than an information provider, including identifying options clients have not considered, anticipating problems, and developing short- and long-term immigration strategies
- Developing a niche and becoming the "go-to" attorney, including building substantive expertise, staying ahead of changes in agency policy and practice, and recognizing patterns that come only with experience
- Adding value through judgment and issue spotting, including asking the right questions, identifying hidden risks, and knowing when the technically available option is not the advisable one
- Becoming a stronger advocate, including developing persuasive case theories, understanding what evidence actually matters, and making judgment calls that cannot be reduced to templates or prompts
- Building client trust and relationships that endure, including understanding clients' broader goals, communicating risk candidly, managing difficult situations, and becoming the person clients call before making immigration-related decisions
- Using AI to become more valuable, not more replaceable, by automating lower-value work while devoting more attorney time to strategy, judgment, advocacy, and client counseling

Consular Updates 2027: What's Actually Changing on the Ground

This panel gives attorneys a practical, current-state briefing on the policy and operational changes affecting the consular process. It covers the DOS reorganization and its effect on case processing, key updates at major consular offices, the impact of DOS reviewing past applications, waivers after voluntary departure, and current denial trends across visa categories.

- Waivers after voluntary departure
- DOS's review of past applications and DS-160 filings
- State Department reorganization and its impact on processing
- Key updates and changes at major consular offices
- Current denial trends across visa categories

Citizenship Under the Microscope: Advanced Naturalization & Denaturalization Strategies

Naturalization is no longer simply the final step in an immigration journey. Increased scrutiny of good moral character, prior immigration history, criminal and tax issues, processing delays, and evolving denaturalization enforcement require practitioners to evaluate not only whether a client qualifies for citizenship, but also whether filing may expose the client to unexpected risks. This advanced panel will examine emerging naturalization and denaturalization trends, alternative paths to citizenship, and strategies for protecting both the client and the record.

- Good Moral Character Under Increased Scrutiny: Emerging trends in GMC adjudications; tax extensions, unpaid taxes and payment plans; arrests, convictions and other potentially disqualifying conduct; conduct inside and outside the statutory period; rehabilitation and positive equities; and practical strategies for preparing difficult GMC cases.
- Before You File: Reexamining the Green Card: The N-400 as a potential reexamination of the client's entire immigration history. Was permanent residence lawfully obtained? Revisiting prior petitions, marriages, employment, admissions, adjustment applications, criminal disclosures, and possible fraud or misrepresentation; identifying removability and denaturalization concerns before filing; and determining when the better strategy may be to wait or not file at all.
- Beyond the Ordinary N-400: Naturalization delays and when to escalate, pursue mandamus, or seek other federal court remedies; alternative and expedited naturalization provisions, including spouses of clergy and other U.S. citizens working abroad and spouses of individuals departing the United States; and recent developments involving acquisition of citizenship, proof of citizenship, and passport issuance.
- Denials, N-336 & Denaturalization—Protecting the Client and the Record: Current trends in N-400 denials and denaturalization; preparing for the N-336 rehearing and developing the evidentiary record; correcting factual and legal errors from the N-400 adjudication; anticipating potential denaturalization or removal consequences; and preserving issues, evidence, and arguments for federal court litigation.

The Long Game: Navigating F-1, H-1B, and PERM When the Clocks Don't Sync

The pathway from F-1 status through H-1B and into permanent residence is governed by several independent regulatory clocks — status maintenance rules, the H-1B six-year limit and its AC21 extensions, PERM processing, and per-country visa bulletin allocation — that rarely move in sync. This panel examines how practitioners must sequence filings, apply portability and downgrading strategies, and counsel clients through retrogression-driven timelines, particularly in oversubscribed EB-2/EB-3 categories, to avoid status gaps and preserve priority dates.

- New F-1 status fundamentals
- OPT, STEM OPT, and the cap-gap bridge into H-1B
- Planning for non-selection: maintaining status and preserving options across multiple registration seasons

- PERM timing strategy against the Visa Bulletin and H-1B clock
- Practice-level pitfalls and client counseling

Weighted, Priced, and Scrutinized: H-1B Strategy and Alternatives for Employers

The H-1B program is shifting on several fronts at once: a wage-weighted registration selection process, a \$100,000 payment requirement for certain petitions whose status has turned on ongoing litigation, and closer interagency review of petitions, labor condition applications, and employer layoffs. This panel looks at the H-1B from the employer's side—planning registrations, advising on fee exposure, and preparing for heightened scrutiny—and walks through the alternatives when a cap-subject H-1B is not available or not the right fit.

- Registration Strategy Under Weighted Selection: How wage-level-based selection changes registration planning; selecting the occupational classification, wage level, and area of employment; keeping the petition consistent with the registration; and counseling employers on realistic selection odds.
- The \$100,000 Payment Requirement: Which petitions are and are not covered; how the litigation has shaped filing decisions; change of status versus consular processing; and advising employers and beneficiaries when the rules may change mid-case.
- Heightened Scrutiny & Compliance: LCA obligations and public access files, FDNS site visits, interagency data sharing, and how layoffs affecting similarly situated U.S. workers may factor into review.
- Plan B (and C): Alternatives when a cap-subject H-1B is not available, including L-1, TN, O-1, E-1/E-2, E-3, H-1B1, cap-exempt and concurrent employment, and day-one CPT, along with the risks of each.
- Counseling the Employer: Budgeting and timelines for cost-conscious employers, and building multi-year sponsorship strategies that keep the path to permanent residence open.

PERM in Motion: Legal Trends and Proposed Changes

PERM hasn't seen a major regulatory overhaul in over two decades, but DOL has now signaled plans to modernize it. This panel unpacks what's actually changing (and what's still just a proposal) across recruitment, documentation, audits, layoffs, and compliance, and what employers should be doing today regardless of how the rulemaking lands.

- DOL's Spring 2026 Unified Agenda flags a PERM modernization rule (RIN 1205-AC29)
- Practical guidance on recruitment methods, documentation, audit exposure, layoff protections, and compliance standards, grounded in current enforcement trends, not speculation
- Steps employers can take now to build audit-ready recruitment files, ahead of any new documentation mandate
- How recent DOJ/DOL enforcement actions (e.g., Facebook, Apple) are already reshaping what "good faith recruitment" means in practice
- Why layoff tracking and cross-departmental HR/immigration coordination is the area most likely to see expanded requirements

- Where to watch for the actual NPRM and how to separate active enforcement risk from rulemaking that hasn't been drafted yet

Now Boarding or Maybe Not: The New Realities of Travel in an Era of Heightened Airport Enforcement

Strategic planning has become a consequential part of counseling clients (and attorneys) on international travel. This panel will examine the rapidly evolving landscape at U.S. airports with particular attention to changes in admission practices, heightened scrutiny of travelers, airport enforcement activity, and searches and confiscation of electronic devices. Panelists will discuss recent developments, emerging legal challenges, and practical strategies for clients and attorneys alike.

- *Matter of Delcarmen Lara*
- Recent changes in enforcement and inspection practices
- Coordination between CBP, ICE, TSA, and other agencies and what practitioners are seeing day-to-day
- CBP's authority to search phones, laptops, and other electronic devices at the border
- Passwords, biometrics, encryption and the practical limits of a traveler's ability to refuse a device search
- Protecting attorney-client privileged information and sensitive client information when traveling

Surrounding Issues for O-1s, P-1s, and EB-1As: Consular Practice, AOS Framework, and NTA Risk

Recent years have brought the most dramatic shift yet in O-1, P-1, and EB-1 practice, and it's happened downstream of the petition. This panel examines the landscape surrounding these case types including compliance and enforcement issues, premium processing delays and refunds, consular vetting and delays, NTA risk for dependents, and more.

- **Travel & Timeframes:** How to counsel digital creators, athletes, and other extraordinary-ability clients through expanded consular vetting including social media screening, elimination of third-country national appointments, and extended wait times.
- **Adjustment or Consular Processing:** How the USCIS May 2026 policy framing adjustment of status as "extraordinary relief" changes the AOS-vs.-consular processing calculus for EB-1A and NIW clients, including dual-intent and travel timing issues.
- **The Often-Missed NTA Exposure Gap:** Dependents on I-539s and beneficiaries who are also I-129 signatories, common in beneficiary-owned O-1/E-1/E-2 structures, fall outside the employment-based NTA carve-out, exposing a client's spouse or children to removal even when the principal is shielded.
- **Premium Processing:** How to budget given the delays and practical tips on getting a refund.

Case Law Updates (SCOTUS, Federal Case Updates, AAO, BIA, Congressional)

An annual highlight, the distinguished panel summarizes cases that shaped immigration practice during the prior year.

Open Forum: Business and Investment Q&A

Join us for an open and unscripted session where a panel of business and investment immigration experts will tackle your toughest questions. Whether you're navigating the complexities of EB-5 investor visas, E-2 treaty investor visas, or corporate immigration strategies, this forum offers a chance to gain personalized insights and practical advice. Bring your questions and participate in a dynamic discussion to help you steer your business and investment immigration matters in the right direction.

Open Forum: Removal and Humanitarian Q&A

Join us for an interactive and unscripted session where a panel of seasoned experts will address your most pressing questions about removal proceedings and humanitarian relief options. Whether you're navigating asylum cases, Temporary Protected Status (TPS), Deferred Action for Childhood Arrivals (DACA), or removal defense strategies, this open forum will provide valuable insights and practical guidance. Come prepared with your questions and engage in a dynamic discussion designed to help you find the right direction in this complex legal landscape.

Canadians, Eh?: Work Authorization, Cross-Border Business, and Post-Bill C-3 Mobility

While national attention frequently centers on the southern border, practitioners face a distinct and rapidly evolving set of legal hurdles along the northern frontier. This panel explores critical U.S.-Canada cross-border mobility shifts, highlighting new opportunities for dual-national families, corporate clients, and entrepreneurs. Speakers will dissect the massive impact of Canada's Bill C-3, which opens a retroactive doorway to Canadian citizenship for millions of eligible Americans.

- The panel will also explore proactive outbound options for individuals with expiring Temporary Protected Status (TPS) looking to relocate north.
- For inbound U.S. mobility, experts will evaluate recent enforcement trends at northern Ports of Entry (POEs) for B-1, TN, L, and E applicants, offering strategies to handle airport detentions and frequent-flier work authorization friction.
- Finally, the discussion will cover the nuances of Canadian-American family-based cases, consular coordination, e-Safe options, and criminal admissibility waivers.
- Attendees will walk away with a comprehensive toolkit to confidently navigate the unique challenges of the northern border.