The following is the syllabus for the Spring 2007 Immigration Law Course. The text we will use is Immigration and Citizenship, 5th Edition, by Aleinokoff, Martin and Motomura. There will be assigned during the semester additional recent precedent cases as well as articles on issues which are not covered in the text. The focus of the class will be three-fold: a) an overview of all areas of immigration law; b) discussion of the practical application of the law; and c) economic, social and political considerations which have shaped the law. Class is scheduled on Wednesday and Thursday morning from 9:00 A.M. to 10:20 A.M. It is a three credit course. Five absences are allowed during the course of the semester. If you need to go beyond this limit due to some emergency or unforeseen circumstance you should contact the Professor. The assignments are listed below. My office hours will be Friday morning from 10:30 A.M. to 12:00 noon.

SYLLABUS

A. HISTORY AND OVERVIEW

Week 1

January 17: Introduction
For the first class read articles on the history and impact of immigration. pp. 145–169
Be Ready To Discuss Articles

January 18: Sources of Federal Power pp. 169 – 210
Chinese Exclusion Case p. 174
Fong Yue Ting v. U.S. p. 190

Week 2

January 24: Federal Agencies and Courts pp. 238–262
Department of Homeland Security (USCIS, ICE and CBP)
Department of Justice (Immigration Courts and BIA)
Department of State (USIA, Consular Affairs, Human Rights)
Department of Labor (Employment and Training Administration)
Department of Health and Human Services (ORR and PHS)

January 25: Admissions: Qualifying Categories, pp. 266-290
Immigrant (Permanent) Visas

B) VISAS – TYPES AND PROCEDURE

Week 3
January 31: Constitutional Standards For Evaluating Visa Categories  
   Fiallo v. Bell  
   Adams v. Houerton  
   Bark v. INS  
   Dabaghan v. Civiletti  
   Young v. Reno  
   pp. 291  
   pp. 303  
   pp. 309  
   pp. 313  
   pp. 322  

February 1: Employment Based Immigration  
   In the Matter of Information Industries  
   Muni v. INS  
   Article by Philip Martin and Elizabeth Midgley  
   pp. 339  
   pp. 354  
   pp. 366  

Week 4  

February 7: Immigrant (Permanent) Visa Admissions  
   a) Visa Petitions  
   b) Consular Processing  
   c) Adjustment of Status  
   pp. 501-522  

February 8: Nonimmigrant (Temporary) Visas  
   Union of Bricklayers v. Meese  
   pp. 497-501  
   pp. 412  

Week 5  

February 14: Visas and Grounds of Inadmissibility  
   a) Non Immigrant Admissions  
   b) Grounds of Inadmissibility  
      - Matter of Cervantes-Gonzalez  
      - Matter of Kohama  
   pp. 497-500  
   pp. 427-452  
   pp. 435  
   pp. 444  

February 15: Admission Procedures and Due Process  
   U.S. ex. Rel Knauff v. Shaughnessy  
   Kwong Hai Chew v. Colding  
   Shaughnessy v. U.S. ex. rel. Mezei  
   Landon v. Plasencia  
   Evolution of Visa Requirement  
   pp. 453-483  
   pp. 453  
   pp. 457  
   pp. 460  
   pp. 473  

Week 6  

February 21: Victims Visas  
   Violence Against Women Act (VAWA)  
   Special Immigrant Juveniles (SIJ)  
   U and T Visas  
   Assignment: To Be Given
C) DEPORTATION – REMOVAL – RELIEF

   Bugajewitz v. Adams [p. 537]
   Goldeshtein v. INS [p. 556]
   Flores-Arellano v. INS [p. 564]
   Guerrero-Perez v. INS [p. 570]

Week 7

February 28: Immigration and National Security [pp. 1183-1230]
   Responding to Immigration: Perceptions of Promise/Threat [p. 1184]
   Harisiades v. Shaughnessy [p. 1193]
   Kleindienst v. Mandel [p. 1203]
   Matter of Ruiz-Massieu [p. 1217]

March 1: Immigration and National Security: Cont. [pp. 1230-1292]
   People’s Mujahadeen v. DOS [p. 1230]
   Narenji v. Civiletti [p. 1249]
   Kiaraldeen v. Reno [p. 1268]
   Detroit Free Press v. Ashcroft [p. 1279]

Week 8

March 7: Removal Procedures [pp. 621-646]
   Japanese Immigrant Case [p. 622]
   Jacinto v. INS [p. 628]
   Aguilera Enriquez v. INS [p. 639]

March 8: Removal Procedures (cont.) [pp. 647-669]
   Saakian v. INS [p. 647]
   Anin v. Reno [p. 650]

Spring Break: March 12-16

Week 9

March 21: Enforcement and Ethnicity [pp. 669-696]
   U.S. v. Montero-Camargo [p. 670]

March 22: Detention [pp. 696-748]
   Zadyvadas v. Davis [p. 704]
   Demore v. Kim [p. 729]

Week 10
March 28: Relief from Removal  pp. 582-620
   In Re Gonzalez-Recinos  p. 587
   Po Shing Yeung v. INS  p. 601
   Matter of Arguelles  p. 611
Cancellation and 212(c) - reading to be assigned

D) ASYLUM AND REFUGEES

March 29: Asylum and Refugees: The Law  pp. 790-863

Week 11

April 4: Asylum (Continued): The Cases  pp. 863-927
   Matter of Chang  p. 865
   INS v. Elias-Zacarias  p. 891
   Matter of Fuentes  p. 907
   Matter of H  p. 917

April 5: Asylum (Gender-Based Claims, Bars, CAT, TPS)  pp. 927-983
   Fatin v. INS  p. 928
   Matter of Kasinga  p. 935
   Matter of R-A-  p. 947
   Abovian v. INS  p. 977

Other Relief: Convention Against Torture and TPS  pp. 995-1015
   Matter of Y-L-  p. 998

Week 12

April 11: Judicial Review  pp. 750-774
   Kolster v. INS  pp. 780-789
   INS v. St. Cyr  p. 754
   McNary v. HRC  p. 760
   p. 780

April 12: Public Benefits  pp. 1016-1054
   Graham v. Richardson  pp. 1154-1181
   Mathews v. Diaz  p. 1017
   Hampton v. Mow Sun Wong  p. 1029
   City of Chicago v. Shalala  p. 1040
   Plyler v. Doe  p. 1047
   Hoffman Plastics v. NLRB  p. 1154
   p. 1172

Week 13


E) CITIZENSHIP

April 18: Citizenship

Nguyen v. INS
Schneiderman v. U.S.
Price v. INS

April 19: Citizenship Continued

Perez v. Brownell
Afroyim v. Rusk
Vance v. Terrazas

Week 14

April 25: Controlling Migration and Employer Sanctions

Collins Food Intl. v. INS

April 26: Topic – To Be Set