The following is the Spring 2007 syllabus for the Immigration Clinic. There is a text for this course: *Immigration and Nationality Laws of the United States: Selected Statutes, Regulations and Forms* by Thomson - West. (Authors Aleinokoff, Martin and Motomura). You will also be given a packet of readings on selected topics which I will prepare. These readings are assigned materials for class. The assigned readings should be completed prior to the class. There will be a discussion of each of the topics assigned. Class participation is expected. Please make certain that you bring with you to each class the Immigration and Nationality Act as well as the reading for that class. Although there is no final exam there may be quizzes on the assigned reading material periodically during the semester.

The classes are scheduled on Thursday afternoons between 2:00 P.M. and 4:00 PM. There may be changes to the syllabus as the semester progresses. Every other week we will be joined by Immigration Clinic II students for part of the class. In addition to the topics assigned below students will also discuss their cases. You will note on the agenda that journal entries are due on certain days. Please note these and submit journal entries as assigned.

Up to 2 absences are permitted. Beyond that please see me. (This does not include the week you will go to visit with the juveniles detained in Corpus Christi.) If an individual has an emergency or some valid reason for not being present at class the supervising attorney should be notified as soon as possible prior to the class, or after the class if prior notification is impossible. During the semester there may be minor changes in the assignments listed below. If so, you will be notified prior to the class. The goal of the class and the clinical program is to prepare students to be competent, ethical, and professional immigration law practitioners.

**Class 1: January 18, 2007**
**Summary of Cases:** Each student will have reviewed by class his/her cases. Students will discuss at least 2 of their active cases (after having met with their supervisor prior to class on those cases). Students will summarize the cases and highlight the legal issues.

**Assignment:** Read tab A (Key Definitions)

**Class 2: January 25, 2007**
**Video - Well Founded Fear**

**Class 3: February 1, 2007**
**Asylum:** Previewing Issues that will arise in court. This class will revisit asylum issues with a focus on preparing for an asylum interview with INS or hearing before the court. We will review some of the material covered during the orientation. In addition we will cover other forms of relief for those fearing persecution or harm in their homelands including: withholding of removal, the Convention Against Torture, Temporary Protected Status (TPS) and NACARA.
There will be a discussion of the elements to be proven in seeking each form of relief and procedures in seeking this relief.

**Assignment:** Review: tabs E, F and G  
*In re R.A.*, Int. Dec. 3402 (BIA 1999

**Journal Entry Due**

**Class 4: February 8, 2007**  
**Procedures for Initiation of Removal Proceedings - Master Calendar:** Arrest and detention; issuance of the charging document (NTA-Notice to Appear); bond and custody redetermination; master calendar hearing; venue; pleading to the allegations; client’s rights in proceedings; grounds of removability; conduct of hearing; request for relief. If time permits we will begin asylum.

**Assignment:** Read tabs J and K (Bond and Removal Proceedings)  
Read Sec. 237 and 239 of the Act

**Class 5: February 15, 2007**  
**Grounds of Removability and Inadmissability:** This class will cover the basis for removal of individuals from the United States and the burden of proof in establishing removability. In addition to the reasons for removal the class will briefly cover the reasons an individual may be denied admission to the United States as well as the expedited removal provisions of the statute.

**Assignment:** Read tabs H, I and L (Grounds of Inadmissibility and Removability)

**Class 6: February 22, 2007**  
**Planning and preparing the case:** This class will cover the planning of the overall strategy of the case including: review of the statutory elements to be proven; how the client’s written statement and testimony fit the elements of the statute; preparing the application and documentation to prove the statutory and regulatory requirements; preparing witnesses for court to support the theory of the case. In addition there will be a brief review of the Freedom of Information Act (FOIA) and it’s use in immigration proceedings. In summary the class will focus on the importance of developing an overall strategy of the case and building the necessary elements to support that theory. We will focus on asylum.

**Assignment:** Tab AA (Local Court Rules and Procedures for Discovery in Immig. Ct.)  
Read E (hearing on the Merits)

**Journal Entry Due**

**Class 7: March 1, 2007**  
**Presentation of the Case in Court - Examination of the Client:** This class will cover direct examination of witnesses in a court setting including: objectives of examination; techniques and
methods to be used in obtaining information from the witness; qualifying expert witnesses; dealing with objections from opposing counsel and addressing problems raised by the judge. There will be a short video presentation and discussion. This class will focus on various other areas of the hearing on the merits including: techniques and objectives of cross examination of government witnesses; introduction of documentation into evidence; authentication of documents; closing argument.

Assignment: Review tab F (hearing on the merits).

Class 8: March 8, 2007
Legal Writing: Preparing motions, memos, statements, briefs; organizing ideas. Given by Professor Perkinson and/or Professor Chandler.

Assignment: To be given
Journal Entry Due
Mid-Semester Logs Due

March 12-16: Spring Break - No Class

Class 9: March 22, 2007
Relief from Removal - Cancellation of Removal, NACARA, Voluntary Departure: This class will focus on cancellation of removal for non-permanent residents under Section 240 A(b) of the Act including: the basic statutory elements; procedure in filing the application; documentation; witnesses; evidentiary burden; and discretionary factors. The class will also cover the reduced standards for NACARA and VAWA applicants.

Assignment: Read tabs M, N, and V (Cancellation of Removal, NACARA and Voluntary Departure.

Class 10: March 29, 2007
Waivers and other relief from Removal: This class will cover possible waivers and relief for those charged with criminal conduct, fraud or material misrepresentation. There will be a brief discussion of the limited waivers available and procedures in seeking and presenting such waivers or requests for relief including: cancellation of removal for permanent residents; section 212(c), 212(h), and 212(d)(11) waivers. (Although the clinic will probably not be handling cases involving prior criminal activity, this is an important area of law for those practicing before the court).

Assignment: Read tabs I and O on Waivers and Cancellation of Removal for Permanent Residents; Read Sec. 212(d)(11); 212(g); 212(h); 212(l); 212(a)(9)(A)(v).

Journal Entry Due

Class 11: April 5, 2007
Visas (Temporary and Permanent): A discussion of the various types of non-immigrant (temporary) visas and immigrant visa processing (family and employment-based). We will cover consular visa processing and adjustment of status.
**Class 12: April 12, 2007**  
**Visas Continued (Adjustment and Consular Processing)** - This class will cover the procedures in obtaining an immigrant visas through employment, family, diversity or refugee means. It will cover procedures at the consulate and at USCIS  
**Assignment:** Review tabs P and Q; Read also Tab S.

**Class 13: April 19, 2007**  
**Citizenship:** This class will cover the various way in which an individual may obtain U.S. citizenship and the requirements for citizenship. Areas to be discussed include naturalization, acquisition of citizenship and derivative citizenship.

**Assignment:** Read Tab W and Section 301, 320 and 322 of the Act.  
**INS v. Nguyen**

**Journal Entry Due**

**Class 14: April 26, 2007**  
**Administrative Judicial Appeals, Motions to Reopen, Judicial Review:** This class will cover the administrative appeal process to the Board of Immigration Appeals (BIA). There will be a brief analysis of motions to reopen and reconsider. In addition there will be an introductory discussion of remedies in federal court and the availability of judicial review (or lack of it). This class will cover not only judicial review of administrative decisions by the INS and the immigration court but also other remedies in federal court including: petitions for review, habeas corpus, declaratory and injunctive relief, and mandamus actions.

**Assignment:** Read tab Y (administrative appeals and motions to reopen).  
Tab Z (Judicial Review)  
Read Sec. 242 of the INA

**May 14, 2007: Final Logs Due**