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Detention and Removal Immigration Law Training Intensive
Sample Curriculum

This training is designed to give attorneys the basic skills and knowledge necessary to successfully practice in the areas of Detention and Removal Immigration Law. The time schedule is as follows:

Day 1: Bond Hearing Practice before USICE Detention and the EOIR
Immigration Court

9am – 9:30am

- Welcome, introduction, goals and expectations

9:30am – 10:30am

- Law ethics: Barriers to setting reasonable fees and committing to providing exceptional client service: Sample contracts and managing expectations

10:30am – 11:30am

- Understanding the main reasons why your client is locked up – crimes involving moral turpitude and aggravated felonies
- Fundamentals of bond hearings including standards of review, elements of bond and review of previous bond determinations

11:30 – 11:45 Break

11:45 – 1pm

- Efficient jail house interviews of clients in detention to obtain essential information
- Critical distinctions between entry without inspection, arriving aliens and resident aliens that can eliminate your bond
- Strategies of service of process on DHS trial attorneys and ICE agents

1 – 2 Lunch Break

2pm – 4:15pm

- How to make powerful 287(g) bond requests to local ICE detention facilities
- Rules of engagement with federal detention centers
- Understanding the notice to appear and service of process on aliens
- How to prepare Habeas Corpus petitions for unlawful detention, challenges with local sheriffs, and the "48 hour rule"

4:15pm – 4:30pm Break

4:30pm – 6pm

- Avoiding mandatory detention and requesting special hearings
- Strategies to avoid reinstatements of prior removal
- Preparing successful motions to reopen and required grounds to reopen prior removals
- How to obtain an automatic stay of removal filing your motion to reopen
- Motions to suppress evidence in bond hearing – when to do it and when not to do it
- Preparing successful appeal to the Board of Immigration Appeals – waste of time?

Day 2: EOIR Removal Hearing Practice - The Master Calendar Hearing

9am – 11am

- Thorough review of the federal court rules of immigration law practice - July 1, 2008
- Strategies for preparing clients at master calendar hearings - to fight or not to fight
- Filing motions to suppress evidence in notice to appear

11am – 11:15am break

11:15am – 1pm

- Common grounds of removability: Proof of conviction and crimes in the "two doors" approach

- Categorical analysis of criminal convictions and how to review criminal records
- Divisibility of criminal convictions based on criminal law statutes
- Can the immigration judge look behind the record of conviction?
- Expungements vs. post conviction relief – the ways to clean up criminal records

1 – 2pm Lunch

2pm – 4:15pm

- Overview of requests for relief in master calendar hearings
 - Adjustment of status/consular process
 - Cancellation of removal
 - Registry
 - Voluntary departure
 - Political asylum/ Withholding of removal/Convention against torture
 - Temporary protected status

4:15pm – 4:30pm Break

4:30pm – 6pm

- Prosecutorial discretion from Department of Homeland Security
 - How to obtain work authorization in removal proceedings
 - Strategy of "Buying Time" while not causing delay
- Question and answers

Day 3: Presentation of the Case and Appeals

9am – 11am

- Understanding the burdens of proof and presumptions affecting immigration cases
- Preparation of effective affidavits, witnesses, pleadings and exhibits
- Offers of proof to expedite trial

11am – 11:15am Break

11:15am – 1pm

- Trial attorneys: No objection, stipulation and cooperation with overworked government

attorneys

- Selection and preparation of expert witnesses
- Presenting compelling country conditions to win your case

1pm – 2pm Lunch Break

2pm – 4:15pm

- The critical importance of preserving issues for appeal
- Standards of review on appeal at the BIA and federal court of appeal
- Deadlines and filing issues on appeal – how to avoid losing the case before you start
- Do you really want to file that appeal?

4:15pm – 4:30pm Break

4:30pm – 5:30pm

- Legal Ethics - Rule 4-200 Appropriate Fees for Legal Services

5:30pm-6pm

- Stress Relief and Substance Abuse
- Question and answers