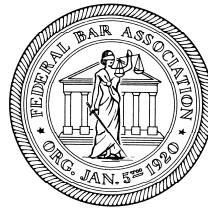


# 2014

Founders  
Celebration



AMERICAN UNIVERSITY  
WASHINGTON  
COLLEGE OF LAW

## FEDERAL BAR ASSOCIATION – ASYLUM CONFERENCE

*Presented by and the Federal Bar Association  
and American University Washington College of Law*

**Friday, February 21, 2014**

**8:30 am pm – 5:30 pm**

**American University Washington College of Law**

**4801 Massachusetts Avenue, NW, Room 603**

The Federal Bar Association's Immigration Law Section is pleased to present a full day symposium on asylum law. The symposium will feature both a fundamentals track along with an advanced track with eight panels consisting of ICE chief counsels, Immigration professors, immigration judges and private practitioners

|                     | <b>Fundamentals Track</b>  | <b>Advanced Track</b>   |
|---------------------|--|---|
| 8:45 am             | Welcome – Dean Claudio Grossman, American University Washington College of Law   |   |
| 9:15 am – 10:30 am  | <p><b><u>OVERVIEW OF ASYLUM LAW</u></b></p> <p>a. Five enumerated grounds<br/>b. Asylum office vs. court<br/>c. Evidentiary burdens/ Real ID<br/>d. Eligibility and bars to asylum/firm resettlement/one year bar deadline/criminal convictions.</p> <p><b>Alison Brown</b> (moderator), Law Offices of Alison Brown, Takoma Park, MD</p> <p><b>Rachel Settlage</b>, Director, Asylum and Immigration Law Clinic, Wayne State Law School</p> <p><b>Judge John Gossart (Retired)</b>, Adjunct Professor of Immigration Law, University of Baltimore School of Law</p> | <p><b><u>SOCIAL GROUP CASES</u></b></p> <p>a. Gender<br/>b. Sexual Orientation<br/>c. Former Police and Military Officers<br/>d. Mixed Motives<br/>e. Multiple Social Groups<br/>f. Visibility, Particularity</p> <p><b>Elizabeth Keyes</b>, (moderator), Director Immigrant Rights Clinic University of Baltimore School of Law</p> <p><b>Judge Mimi Tsankov</b>, Denver Immigration Court*</p> <p><b>David Cleveland</b>, Attorney, Associated Catholic Charities, Washington, DC</p> <p><b>Joe Gorin</b>, Mental Health Professional, Washington, DC</p> |
| 10:30 am – 10:45 am | BREAK  |   |

|                                |  |  |
|--------------------------------|--|--|
| <p>10:45 am –<br/>12:15 pm</p> | <p><b><u>BARS TO ASYLUM</u></b></p> <ul style="list-style-type: none"> <li>a. One year rule</li> <li>b. Crimes</li> <li>c. Persecution of others</li> <li>d. National security</li> <li>e. Firm resettlement</li> </ul> <p><b>Linda Kenepaske</b> (moderator), Law Offices of Linda Kenepaske, New York, NY</p> <p><b>Jayesh Rathod</b>, Associate Professor of law and Director, Immigrant Justice Clinic, American University Washington College of Law</p> <p><b>Judge Steven Morley</b>, Philadelphia Immigration Court*</p>   | <p><b><u>THE USE AND EFFECT OF INTERNATIONAL LAW ON ASYLUM CLAIMS IN THE UNITED STATES</u></b></p> <ul style="list-style-type: none"> <li>a. Convention relating to the Status of Refugees 1951</li> <li>b. The United Nations “Convention relating to the Status of Refugees” 1967 Protocol</li> <li>c. US Supreme Court Recognition of International origins of US refugee law: <i>INS v. Cardoza Fonseca</i> and <i>Sale v. Haitian Centers Council, Inc.</i></li> <li>d. Useful and persuasive sources of international refugee law</li> </ul> <p><b>Alicia Triche</b>, (moderator), Nesom. Abrusley and Triche, Memphis, TN</p> <p><b>Judge Amiena Khan</b>, Newark Immigration Court*</p> <p><b>Leslie Velez</b>, Senior Protection Officer, United Nations High Commissioner for Refugees</p>   |
| <p>12:15 pm –<br/>1:30 pm</p>  | <p>Lunch with <b>Regina Germain</b><br/>Asylum Division: Training and Quality Assurance Branch U.S. Citizenship and Immigration Services, author of AILA’s Asylum Primer: A Practical Guide to US Asylum Law and Procedure.*</p>   |  |
| <p>1:45 pm –<br/>3:00 pm</p>   | <p><b><u>HOW TO PREPARE THE MOST COMPELLING CASE: GATHERING PROBATIVE AND CONSISTENT EVIDENCE</u></b></p> <ul style="list-style-type: none"> <li>a. Client statement &amp; corroboration</li> <li>b. Finding &amp; Narrowing an expert</li> <li>c. Strength/Authentication of documents</li> <li>d. Human rights reports</li> </ul> <p><b>Mark J Shmueli</b> (moderator), Law Offices of Mark J. Shmueli, Takoma Park, MD</p> <p><b>Judge Dorothy Harbeck</b>, Elizabeth NJ Immigration Court*</p> <p><b>Arthur Blecher</b>, Mental Health Professional, Washington, DC</p> <p><b>R. Mark Frey</b>, Law Offices of Mark Frey, St. Paul, MN</p> | <p><b><u>WHEN ASYLUM IS NOT AN OPTION: THE CONVENTION AGAINST TORTURE</u></b></p> <ul style="list-style-type: none"> <li>a. General Definition of Torture</li> <li>b. Under international law does <i>non-refoulement</i> provision include protection from inhuman and degrading treatment?</li> <li>c. What constitutes severe mental pain?</li> <li>d. When do prison conditions constitute torture?</li> <li>e. Factors that should be considered in determining whether an applicant has met his or her burden;</li> <li>f. When is torture more likely than not?</li> <li>g. Non-state actors and protection under CAT</li> </ul> <p><b>Alan Parra</b> (moderator), Law Offices of Alan Parra Silver Spring, MD</p> <p><b>Juan Mendez</b>, UN Special Rapporteur on Torture</p> <p><b>Judge Lawrence Burman</b>, Arlington Immigration Court*</p> <p><b>Dean Claudio Grossman</b>, American University Washington College of Law</p> |
| <p>3:00 pm –<br/>3:15 pm</p>   | <p>BREAK</p>   |  |

|                               |  |  |
|-------------------------------|--|--|
| <p>3:15 pm –<br/>4:30 pm</p>  | <p><b><u>MAKING YOUR CASE</u></b></p> <p>a. What to put in your brief and how to maximize its impact on the adjudicator<br/> b. Preparing the client<br/> c. Choosing Witnesses &amp; Eliciting Testimony<br/> d. Maximizing your evidence in the tribunal<br/> e. Appeals and Preservation of Issues<br/> f. Jurisdiction issues</p> <p><b>Anna Gallagher</b> (moderator), Maggio- Kattar, PC<br/>Washington DC</p> <p><b>Judge Robin Feder</b>, Boston Immigration Court*</p> <p><b>Judge Philip Williams</b>, Baltimore Immigration Court (invited)*</p> <p><b>David McConnell</b>, Director of Appellate Litigation, Office of Immigration Litigation*</p> | <p><b><u>PERSECUTION BY NON-GOVERNMENTAL ACTORS</u></b></p> <p>a. Gangs<br/> b. Forced recruitment<br/> c. Domestic Violence</p> <p><b>Sandra Grossman</b> (moderator), Law Offices of Sandra Grossman</p> <p><b>Judge Paul Schmidt</b>, Arlington Immigration Court*</p> <p><b>Emily Good</b>, The Advocates for Human Rights, Minneapolis, MN</p> <p><b>Anita Sinha</b>, Practitioner in Residence, Immigrant Justice Clinic, American University Washington College of Law,</p> |
| <p>4:30 pm –<br/>5:30 pm</p>  | <p><b>Wine and Cheese Reception</b></p>  |  |
| <p>*In personal capacity.</p> |  |  |

**Conference Committee:**

**Chair: Mark J. Shmueli, Law Offices of Mark J. Shmueli, Takoma Park, MD**

**Honorable Lawrence Burman, Arlington, VA immigration Court**  
**Honorable Dorothy Harbeck, Elizabeth, NJ Immigration Court**  
**Honorable Ameina Khan, Newark, NJ Immigration Court**  
**Linda Kenepaske, Law Offices of Linda Kenepaske, New York, NY**  
**Elizabeth Stevens, Department of Justice, Office of Immigration Litigation**  
**Alicia Triche, Nesom. Abrusley and Triche, Memphis, TN**

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**CLE Accreditation:**  
(5 credit hours) will be applied for as requested to different states. – **please go to [www.wcl.american.edu/secle/registration](http://www.wcl.american.edu/secle/registration).**

**For further information, contact: Office of Special Events & Continuing Legal Education, 202.274.4075 or [secle@wcl.american.edu](mailto:secle@wcl.american.edu).**