



TEXAS SOUTHERN UNIVERSITY
THURGOOD MARSHALL SCHOOL *of* LAW

ADVANCED IMMIGRATION PRACTICE
EMPLOYMENT PERM RESIDENT

LAW 557

FALL 2021

WILKA V. TOPPINS, ESQ.

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THE PROFESSOR

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OFFICE HOURS: (by appointment only)

NOTE FROM THE PROFESSOR:

I am an active practitioner, so I do not keep office hours on-campus. However- I am always available to students before and after class when notified in advance. In addition, students are welcome to contact me at my work email as well as cellular number (above) any time.

COURSE BOOKS & MATERIAL

Kurzban's Immigration Law Sourcebook (AILF) (15th ed.)

Title 8, Code of Federal Regulations; Aliens and Nationality

Title 22, Code of Federal Regulations; Foreign Relations

AILA's Guide To PERM Labor Certifications (2019 ed.)

Handouts provided by the Professor

COURSE DESCRIPTION & OBJECTIVE

DESCRIPTION:

This is a “real world” practical course covering the PERM Employment Process and Labor Certifications for EB2, EB3 and Other Workers with specific emphasis on the important intersection of corporate and business transactions and employment visas for employees and sponsoring employers. We will also cover other professional/ employment visa options such as Tn, L1A, E2 and H1B.

The course will emphasize real world business issues and how they intersect with visa options and preparations. Grading will be based on class attendance, quizzes and a final exam.

Students will have a foundation in corporate immigration law allowing them to **immediately** contribute to an employment -based immigration law practice

OBJECTIVE:

Learn basic concepts of US Immigration law to adequately prepare employment based green card and temporary petitions with USCIS and Consular Posts. Learn the anatomy of a proper visa application in the context of DOL, USCIS requirements, DOL and USCIS interpretations and policy guidance as well as DOL and USCIS adjudicatory trends. Students will receive real life practical training on strategizing prevailing wages options, recruitment options, Labor Certification Requirements and the I-140 stage, the practical aspects of visa adjudications, consular processing issues and the intersection of corporate and immigration law.

Students will also learn the basics of nonimmigrant employment-based petitions such as L1, H1B, TN and E2.

STUDENT LEARNING OUTCOMES

Students will learn:

A- PERM- Labor Certification

- 1) Basic concepts of corporate transactions and finance/accounting as they relate to US immigration- Introduction to PERM; Step-by-Step roadmap to PERM success
- 2) Use of engagement agreements, sample checklists and questionnaires to aid in practice
- 3) Prevailing Wage Issues
- 4) Kellogg language issues and other educational issues
- 5) Recruitment Issues and Preparing an Audit File
- 6) Labor Certification Step
- 7) I-140 Employment Petition
- 8) Consular and Adjustment of Status Issues
- 9) Overcoming denials of certification
- 10) Issues to spot before commencing a PERM case

B- Non-immigrant visas- employment based

- 1) L1
- 2) TN
- 3) H1B
- 4) E2

GRADING

Grading will be based on:

Class attendance and participation	30%
Final Exam	70%

PARTICIPATION, ATTENDANCE & PROFESSIONALISM

Class Preparation: We may spend more or less time than listed on some sections depending on the complexity of the subject matter. We will *not* cover every related issue. I will determine the most important sections for an overall understanding of the material. This is a practice-oriented course and issues that may be suitable for scholarly discussion will be secondary to the *practical application* of business immigration law. Emphasis is on case analysis and real-world solutions.

To fully understand this subject, you should outline the course material. True understanding of the material requires frequent overviews and constant review of material presented. Attendance is important for a practical seminar.