

IMMIGRATION LAW
COURSE NUMBER 755
TUESDAYS/THURSDAYS
2:00-3:20 P.M.
ROOM NUMBER 202
FALL 2017
PROFESSOR
MAURICE HEW, JR.

TABLE OF CONTENTS

The Professor.....	3
Course Book and Materials.....	4
Course Description.....	5
Course Learning Objectives.....	5
Special Accommodations.....	5
Grading.....	6
Participation, Attendance and Professionalism.....	6
Academic Calendar.....	7
Assignments.....	7
Notes from the professor.....	13

THE PROFESSOR

Maurice Hew, Jr.*

*Board Certified, Immigration and Nationality Law, Texas Board of Legal Specialization, Licensed by the states of Texas and Louisiana, several Federal District Courts, and the United States Supreme Court

Full Professor, Thurgood Marshall School of Law, Texas Southern University

TELEPHONE: 713.313.7275

EMAIL: mahew@tmslaw.tsu.edu

OFFICE LOCATION: 100G

OFFICE HOURS: I am available to meet with students by appointment. Please contact me by email to set up an appointment. I can meet students off campus or on campus before or after class.

COURSE BOOK AND MATERIALS

REQUIRED

1) **Immigration and Nationality Law: Problems and strategies**, published 2013, Authors; Benson, Curcio, Jeffers, Yale-Loehr. Casebook ISBN: 978-1-4224-2216; Looseleaf ISBN:978-1-4224-7281-1; ebook ISBN: 978-0-3271-7953-5. Publisher Carolina Press, www.caplaws.com (919) 489-7486. There is a summer update. Please obtain a copy of the summer update.

2) **Immigration and Nationality Law and Regulations**

You will need a copy of the current immigration laws and regulations to complete this course. There will be an open statute and regulation book examination at the end of the semester. You will not be permitted to use computers during this examination and will not be able to obtain the statutes and regulations online.

You can probably use any current set of immigration laws and regulations but I will be using the Immigration and Nationality Law Handbook 2017 edition published by LEXIS NEXIS ISBN 9781632825957

3) **There will be some cases and other materials that are not in the casebook that you are expected to read.** I will notify you at the appropriate times.

COURSE DESCRIPTION

This elective course is designed to introduce students to the many facets of immigration law including the federal immigration power, citizenship, admissions, family and employment based immigration, deportation/removal, refugees and asylum, employer sanctions, and anti-discrimination and other current topics in the great immigration debate. We will study the history of immigration law and policy, constitutional and international law foundations underlying Congressional statutes and regulations, the administrative process, and the role of courts in immigration litigation. Student learning will be assessed through class participation, court observations or written summaries, and final examination.

COURSE LEARNING OBJECTIVES

At the end of this course, the student should be familiar with the US agencies that process and decide immigration matters, conduct immigration research and gain fact identification skills, develop and strengthen hypothetical cases to prepare for filing with administrative agencies of government, prepare the students to address the practical aspects of operating an immigration law practice, and review ethical considerations related to the practice of immigration law.

ACCOMODATIONS

If necessary, please notify me in confidence about any mental or physical impairments that might need special accommodations.

**GRADING
PARTICIPATION, ATTENDANCE, & PROFESSIONALISM**

Every student is expected to participate during the class. Preparation for and participation in class is essential for the students to master the materials which will be covered in class. Classroom discussions and working through hypotheticals are part of the legal process. It prepares the student for the class final examination and the practice of immigration law. If a student is unprepared in class on two occasions as evidenced by responses to questions about assignments, their final grade will be reduced by half of a grade. For example, a C+ to a C. Subsequent unpreparations will further reduce the student's final grade.

Class participation	5%
Court observations or written summaries	35%*
Final Examination	60%

*The student will be expected to prepare one written memorandum of law addressing the problems in the casebook. The memorandum will necessarily include a statement of the facts, a discussion of the issues, laws, regulations, and any ethical concerns for the attorney or the client. This memorandum will be discussed in class and could be subject to revision for a higher grade.

OR

*The student is expected to attend immigration court and provide a written summary of their observations. There are at least two (2) immigration courts in Houston but the downtown court is located at 600 Jefferson Street Suite 900 Houston, TX 77002. The written summary should include what the student observed and the student's reflection on the court proceeding. This assignment counts for 35% of a law school course grade. This assignment should be taken seriously and would be well thought out. I am estimating that this assignment will take about 7-10 days to complete. This assignment will be due the week after

midterm examinations. I will ask for volunteers to discuss their assignment in class.

ACADEMIC CALENDAR

This course meets on Tuesdays and Thursdays from 2:00-3:30 pm.

- (4) August 22, 24, 29, 31
- (8) September 5,7,12,14,19,21,26,28
- (9) October 3,5,10,12,17,19,24,26,31
- (9) November 2,7,9,14,16,21,23,28,30

====

30 Total classes

- First Day of Classes August 22, 2017 (Tuesday)
- Midterm Week October 16-20, 2017 (Tuesday/Thursday 17&19)
- Last Day of Classes November 30, 2017 (Thursday)
- Thanksgiving break November 23, 2017 (Thursday)
- Exam period December 4, 2017 (TBA)

ASSIGNMENTS

CHAPTER 1 Welcome to Immigration Law

At the end of this chapter, the student should understand the nature of immigration practice and be able to name some of the areas of law where knowledge of immigration law is essential and to explore why it is essential. The student should be able to discuss the foundational immigration cases establishing the legal authority and the role each branch of government plays concerning immigration law. The student should be able to discuss federal preemption. The student should be able to distinguish between citizenship by birth and by naturalization. The student should be able to distinguish between the rights and obligations of United States citizens and lawful permanent resident aliens. The student should be able to identify some of the ethical issues concerning the practice of immigration law.

IMMIGRATION LAW SURVEY CLASS

1) AUGUST 22, 2017

Reading Assignments Text 1-20

Problems: 1-1

2) August 24, 2017

Reading Assignments Text 21-33

Problems None

3) August 29, 2017

Reading Assignments Text 33-74

Problems 1-2; 1-3

4) August 31, 2017

Reading Assignments Text 74-122

Problems None

CHAPTER 2 Immigration Power: Finding the Dividing Lines

At the end of this chapter, the student should understand the procedures at the border and within the United States. The students should be able to discuss the alien's rights, if any at the border and within the United States. The students should differentiate between statutes and regulations and apply constitutional principles such as due process to immigration. The student should be able to define expedited removal and the procedures.

5) September 5, 2017

Reading Assignments Text 123-159

Problems 2-1;2-2;2-3

6) September 7, 2017

Reading Assignments Text 160-177

Problems None

7) September 12, 2017

Reading Assignments Text 177-212

Problems 2-4;2-5

8) September 14, 2017

Reading Assignments Text 212-237

Problems 2-6

CHAPTER 3 Non-immigrant visas and maintaining status in the United States

At the end of this chapter, the student should be able to identify and differentiate the many different nonimmigrant visas and be able to communicate the nonimmigrant visa options to any potential clients. The student should be able to explain nonimmigrant intent, dual intent, the temporariness of a nonimmigrant visa and the exceptions thereto. The student should be able to explain the 30/60 day rule and differentiate between maintenance, extension, and change of status.

9) September 19, 2017

Reading Assignments Text 239-273

Problems None

10) September 21, 2017

Reading Assignments Text 273-325

Problems 3-1; 3-2

11) September 26, 2017

Reading Assignments Text 325-360

Problems 3-3;3-4

12) September 28, 2017

Reading Assignments Text 360-392

Problems 3-5;3-6;3-7;3-8;3-9

CHAPTER 4 Immigrants and paths to permanent resident status

At the end of this chapter, the student should be able to distinguish between an immigrant and a nonimmigrant and be able to choose an immigrant strategy for a client. The student should be able to explain how the immigrant visas are organized and allocated among applicant. The student should be able to define many common "family" immigration terms, such as child, sons and daughters, immediate relatives and preference immigrants, The student should be able to explain the visa bulletin and how to read it.

13) October 3, 2017

Reading Assignments Text 393-431

Problems 4-1

14) October 5, 2017

Reading Assignments Text 431-452

Problems 4-2;4-3

IMMIGRATION LAW STUDY CLASS

15) October 10, 2017

Reading Assignments Text 452-490
Problems 4-4; 4-5; 4-6; 4-7

16) October 12, 2017

Reading Assignments Text 490-537
Problems 4-8; 4-9; 4-10; 4-11; 4-12; 4-13

CHAPTER 9 U.S. Citizenship and Naturalization

At the end of this chapter, the student should be able to explain the naturalization process. The students should be able to explain the pros and cons of being a United States citizen. The student should be able to define, lawful permanent residence, residence, physical presence, continuity of residence and good moral character.

17) October 17, 2017

Reading Assignments Text 975-1019
Problems 9 (1-17) All problems, seventeen in total

Chapter 5 Inadmissibility in every context

At the end of this chapter, the student should be able to spot the many different grounds of inadmissibility and how to overcome those grounds if possible. The student should also be to discuss intake and interviewing techniques for purposes of immigration law. The student should be able to differentiate between admissions and entry. The student should be able to identify when grounds of inadmissibility apply, such as the 3/10 years bars.

18) October 19, 2017

Reading Assignments Text 539-576
Problems 5-1; 5-1.2; 5-1.3

19) October 24, 2017

Reading Assignments Text 576-599
Problems 5-2; 5-3;

20) October 26, 2017

Reading Assignments Text 600-633
Problems 5-4; 5-5

Chapter 6 Deportability and the Removal Process

At the end of this chapter, the student should be able to differentiate between inadmissibility and removal. The student should be able to define terms such as conviction, aggravated felonies,

IMMIGRATION LAW STUDENT KEY CLASS

and crimes involving moral turpitude. The student should be able to explain the bond process and identify when mandatory detention is applicable.

21) October 31, 2017

Reading Assignments Text 635-661
Problems 6-1; 6-2 ;6-3

22) November 2, 2017

Reading Assignments Text 661-698
Problems 6-4; 6-5

23) November 7, 2017

Reading Assignments Text 699-736
Problems none

24) November 9, 2017

Reading Assignments Text 737-766
Problems 6-6

CHAPTER 7 RELIEF FROM REMOVAL

At the end of this chapter, the students should be able to explain some of the more common forms of relief from removal. The student should be able to distinguish between cancellation A and cancellation B. The student should be able to explain the some of the common waivers, including INA §212(c).

25) November 14, 2017

Reading Assignments Text 767-790
Problems 7-1;7-2

26) November 16, 2017

Reading Assignments Text 790-801
Problems none

27) November 21, 2017

Reading Assignments Text 802-820
Problems 7-3

CHAPTER 8

At the end of this chapter, the student should be able to explain the elements of asylum withholding of removal and the convention against torture. The students should be able to distinguish between asylum and refugees.

28) November 23, 2017

Reading Assignments Text 821-854

Problems 7-4

29) November 28, 2017

Reading Assignments Asylum/WH/CAT

Problems none

30) November 30, 2017

WRAP-UP

NOTES FROM THE PROFESSOR REGARDING POLICY AND PROCEDURES:

You may not tape record or otherwise electronically record the class.

Cell phones, pagers, computer alarms, and other noise making devices must be turned off during class. Student who disrupt the class will be asked to leave and will be counter absent for that class.

This document is a living document and subject to change by the professor without advance notice to the student.