



TEXAS SOUTHERN UNIVERSITY
THURGOOD MARSHALL SCHOOL *of* LAW

ADVANCED IMMIGRATION PRACTICE
EMPLOYMENT PERM RESIDENT

LAW 557

FALL 2019

WILKA V. TOPPINS, ESQ.

TABLE OF CONTENTS

| | |
|---|----|
| The Professor | 3 |
| Course Books & Material | 4 |
| Course Description & Objective..... | 5 |
| Student Learning Outcomes..... | 6 |
| Grading | 7 |
| Accommodations | 8 |
| Participation, Attendance & Professionalism | 9 |
| Academic Calendar | 10 |
| Policies & Procedures | 11 |
| Reading Assignments..... | 12 |

THE PROFESSOR

NAME: Wilka V. Toppins, Esq.

TELEPHONE: 713-858-7260

EMAIL: wilka@toppinslawfirm.com

LOCATION: 1225 North Loop West, Suite 825, Houston, TX 77008

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 practice-oriented 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.

The course will emphasize real world business issues and how they intersect with visa options and preparations. Students will be expected to prepare a complete mock Prevailing Wage Determination, a Labor Certification and an Audit File plus a final exam for grading.

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 PERM and immigration processes to adequately prepare employment based green card petitions. 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.

STUDENT LEARNING OUTCOMES

Students will learn:

- 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 Issues
- 7) I-140 Employment Petition
- 8) Consular and Adjustment of Status Issues
- 9) Overcoming denials of certification
- 10) Alien-related issues to spot before commencing a PERM case

GRADING

Grading will be based on:

| | |
|--|-----|
| Class attendance and participation | 10% |
| Periodic written quizzes | 10% |
| Assignments requiring written case analysis and written memorandum of law-making correct recommendations | 10% |
| Mock Sample Prevailing Wage | 10% |
| Mock Sample Labor Certification | 10% |
| Mock Sample I-140 | 10% |
| Final Exam | 40% |

ACCOMMODATIONS

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.

ACADEMIC CALENDAR



THURGOOD MARSHALL SCHOOL OF LAW

TEXAS SOUTHERN UNIVERSITY ACADEMIC CALENDAR 2018 – 2019

FALL SEMESTER 2018 (SEVENTY DAYS OF CLASSES)

| | | |
|--|--------------------|-----------------------------|
| Orientation | Monday-Friday | August 13-17, 2018 |
| First Day of Class | Monday | August 20, 2018 |
| Last Day to ADD/DROP | Wednesday | August 22, 2018 |
| Labor Day (NO CLASSES) | Monday | September 3, 2018 |
| <i>Purge of all unpaid course selections</i> | Wednesday | September 19, 2018 |
| Mid Term Examinations | Mon – Fri | October 15-19, 2018 |
| Thanksgiving Holiday | Thurs – Fri | November 22-23, 2018 |
| Last Day of Classes | Wednesday | November 28, 2018 |
| Last Day to Drop a Class | Wednesday | November 28, 2018 |
| First Year Professors' Grades due | Wednesday | November 28, 2018 |
| Reading Period (NO CLASS) | Thurs- Sun | November 29 –Dec 2, 2018 |
| Final Examinations | Monday - Friday | December 3 -Dec. 14, 2018 |
| Commencement Exercises | Saturday | December 15, 2018 |

SPRING SEMESTER 2019 (SEVENTY DAYS OF CLASSES)

| | | |
|--|------------------|---------------------------|
| School Opens | Tuesday | January 2, 2019 |
| First Day of Class | Monday | January 14, 2019 |
| Last Day to ADD/DROP | Wednesday | January 16, 2019 |
| M L K Holiday (No Classes) | Monday | January 21, 2019 |
| <i>Purge of all unpaid course selections</i> | Wednesday | February 13, 2019 |
| Mid Term Examinations | Mon – Fri | March 4– 8, 2019 |
| Spring Break | Mon – Fri | March 11 – 15, 2019 |
| Spring Break (University Closed) | Mon-Wed | March 11- 13, 2018 |
| Good Friday (No Classes) | Friday | April 19, 2019 |
| Last Day of Classes | Tuesday | April 30, 2019 |
| Last Day to Drop a Class | Tuesday | April 30, 2019 |
| First Year Professors' Grades due | Tuesday | April 30, 2019 |
| Reading Period (No Classes) | Wed – Sun | May 1 - 3, 2019 |
| Final Examinations | Mon- Fri | May 6 – May 17, 2019 |
| Hooding Ceremony | Friday | May 17, 2019 |
| Commencement | Saturday | May 18, 2019 |

Please note that the calendar events and /or dates are subject to change.

Updated May 2018

POLICIES & PROCEDURES

Written assignments need to be turned in timely the day they are due, no exceptions will be made absent a true emergency with prior written notice. You have my email and telephone number.

Criteria for review: All petitions are to be prepared as if turning in a *draft* to me as your supervising attorney. Follow all instructions. **The most important part is the memo to me with the analysis of the case and your recommendation for the client.** The work will be graded as if you were an associate attorney, an actual case and client. Draft forms do not need to be typed.

Academic honesty: Do not cheat. An honestly earned C will prepare you to be a better immigration attorney than a dishonest A.

READING ASSIGNMENTS

Please review materials posted by instructor on LEXIS CANVAS