

**Advanced Immigration Practice
Law 551—Employment Visa Issues
Room 210
Weds 5:00-8:00 pm**

Fall 2021

Syllabus

This is a practice-oriented course covering advanced practice of employment-based nonimmigrant visa types typically dealt with by a practicing immigration lawyer and a corporate client.

The course covers real world analysis of business visa classifications and related issues of international corporations. Topics include exceptions to typical employment-based nonimmigrant visas; common RFE and NOID issues, and a practical explanation of what, where, how and when to file with the USCIS and the U.S. Department of State (DOS).

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

Professor: **William D. Fong**
713-772-2300 (office)
713-539-4332 (mobile)
Email: wfong@Fonglegal.com

Class: In person

Office hours: None. Call or email with any questions.

Text: None. PDF's for downloading and handouts for each class period.

Optional: *Bender's Immigration and Nationality Act Pamphlet*
Lexis Publishing

CFR 8, Aliens and Nationality
U.S. Government Printing Office

Schedule: Wednesday, 5:00 to 7:30 pm

Grading: Practical send-home final exam.
Grading is based as if the student were a new associate attorney.

Class Preparation: Review the basics of the visa and the provided materials to be covered *prior* to the class. We will review the subject matter covered in the previous class at the beginning of the next class.

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 real-time case analysis and real-world solutions as required of an associate by a first tier immigration law firm.

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

Criteria for case 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. Formatting should be followed as per samples in the EB Immigration Packet.

Points awarded for: correct **succinct** analysis of law and case recommendation; identifying potential problems and correct recommendations; identifying discrepancies; draft of attorney cover letter with correct filing address and filing fees; correct CIS format for names (last name all CAPS, everything else regular); inclusion of relevant supporting information; highlighting missing information on the draft forms (or number on the form); indexing exhibits; and well organized petitions.

Points deducted for: Data dump, petitions prepared as if they were for a class, not a law firm representing a business client filing a case with the USCIS; missing a deadline; including multiple copies of draft forms; inclusion of non-relevant information, non-relevant forms or CIS instruction pages; “signing” forms on attorney’s or clients behalf; inclusion of any fictitious information such as case numbers, file numbers, biographic information, required dates, employment, etc.; drafts of cover letters with fictitious law firm letterheads; typographical errors and misspellings; and poorly organized petitions.

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

Primary Reference Material

Bender's Immigration and Nationality Act Pamphlet

Lexis Publishing

or

Immigration and Nationality Act—An AILA Primary Source Reference

American Immigration Lawyers Association

CFR 8 Code of Federal Regulations; Aliens And Nationality

U.S. Government Printing Office

CFR 22 Code of Federal Regulations; Foreign Relations

U.S. Government Printing Office

Secondary Reference Material

Kurzban's Immigration Law Sourcebook

Ira Kurzban

American Immigration Law Foundation (AILF)

Immigration Reference Websites

[USCIS.gov](https://uscis.gov)

[DHS.gov](https://dhs.gov)

travel.state.gov

[ILW.com](https://ilw.com)

fragomen.com

usbal.com

shusterman.com

murthy.com