



**"The Nuts And Bolts Of The Immigration Process"**  
**New York City: Thursday, March 29, 2007 - 8:30am-5pm**  
Location: Radisson Martinique On Broadway, 49 West 32nd Street  
**Speakers: Robert C. Divine, Ted J. Chiappari, Stephen K. Fischel,**  
**Robert Frank, Michael D. Patrick and Careen B. Shannon**

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*Disclaimer: participation in this seminar does not create an attorney-client relationship with the speakers.*

**Workshop Outline**

This is an all-day, (8:30 am to 5 pm), comprehensive workshop. Considerable time will be devoted to back and forth and the seating is limited to the first 50 registrants to give participants ample opportunity to have their critical questions answered. **Note:** Please see the registration box below for the Early bird Special.

| Description   | Time                   |
|---|------------------------|
| <b>Registration:</b> Continental Breakfast and Handouts Provided  | <b>8:30am-9:00am</b>   |
| <b>Session 1:</b> Don't Get Lost in the USCIS Mix <ul style="list-style-type: none"><li>• Where and how to file with USCIS, including premium</li><li>• When receipts are delayed or never come, or cases are lost</li><li>• New change of address mechanics and considerations</li><li>• When circumstances change after filing or approval</li><li>• Correcting erroneous documents</li></ul>   | <b>9:00am-10:30am</b>  |
| <b>15 min. break:</b> Refreshments provided   | <b>10:30am-10:45am</b> |
| <b>Session 2:</b> When the USCIS game gets local: Adjustment and Natz <ul style="list-style-type: none"><li>• RFEs, EADs, ASCs, and background checks</li><li>• Dealing with past sins about documents, misrepresentation, or arrests</li><li>• Approval, stamps and cards</li><li>• Rescission, reopening, revocation and denaturalization</li></ul>   | <b>10:45am-12:15pm</b> |
| <b>Lunch Program:</b> Includes Lunch and Presentation   | <b>12:15pm-1:45pm</b>  |
| <b>Session 3:</b> Turning abroad: Nonimmigrant and Immigrant Visa Processing <ul style="list-style-type: none"><li>• Movement of files and data between service centers, NVC/KCC and consulates</li><li>• Keeping things rolling in a post-revalidation world</li><li>• Pushing transitions: service center to consulate, following-to-join, selecting a consulate</li><li>• Seeking expedited, supervisory or visa office review and waivers</li><li>• Resuscitation: petition conversion, new petition, re-immigration, de-termination, non-revocation, and investigation</li></ul> | <b>1:45pm-3:15pm</b>   |
| <b>15 min. break:</b> Refreshments provided   | <b>3:15pm-3:30pm</b>   |
| <b>Session 4:</b> Some head scratching interpretations <ul style="list-style-type: none"><li>• INA 245(c), (i) and (k)</li><li>• H-1B cap counting and exemptions</li><li>• Factor-based petitions (extraordinary ability, exceptional ability, national interest, etc.)</li><li>• Unlawful presence, maintenance of status, etc.</li><li>• Temporary position</li></ul>  | <b>3:30pm-5pm</b>      |



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**A SPECIAL NOTE FROM THE DISCUSSION LEADER**

Having returned a few months ago from 2.5 years in a relatively high level government position, I find that many practicalities have changed in this very detail-oriented, process driven immigration practice we manage. Some details I have had to re-learn, and some I have brought with me from my government perspective. I am convinced that there cannot be another field of law in which such tiny questions such as the new P.O. box for a certain kind of filing can ruin a lawyer's day if things don't go right. And there are so many ways that cases go wrong, such as when the government decides the case but never delivers a notice of action to anyone involved. As much as possessing expert understanding of the complex web of immigration laws and regulations, lawyers and their firms are expected by their clients to have an intimate working knowledge of all of the little tidbits of practical information that the various agencies affecting immigration law pump out on a regular basis, and of ways to fix practical problems that come up no matter how perfectly the filings are made.

I see this workshop as a chance for me - the "frozen man" returned to our arcane world from a related dimension - to offer my own new perspective in a conversation in which the participants - host, expert, and active audience - can sort through some "crisis points" that turn cases into embarrassing dogs or celebrated wins. I would put a subtitle on this workshop: "Nuts And Bolts Of The Immigration Process: Insights into Crisis Points".

I decided to break up the all-day workshop into four parts: filings adjudicated at USCIS service centers, filings that usually end up at local USCIS offices, nonimmigrant and immigrant visa applications, and some hot substantive questions that are not necessarily tied to any one procedure.

Anyone who knows me knows that I like to boil things down to where the rubber meets the road. How does it REALLY work? What do you DO in that situation? How do you SHOW that eligibility ground? How can you be READY for each step in the process so that no time is lost? I will keep asking my panelist questions until we get down to a practical understanding. I will offer my own insights from my perspective from government, from "book learning," and from 19 years of immigration practice. And I will involve the audience to learn what kinds of problems they are encountering and what they are seeing work. I plan for this to be a day in which we nail some things down and feel like better lawyers for the time we spent

**ABOUT THE SPEAKERS**

**Robert C. Divine**, leader of Baker, Donelson, Bearman, Caldwell & Berkowitz, PC's Immigration practice group and a shareholder who is resident with the Firm's Washington, D.C. and Chattanooga offices, concentrates his practice in business immigration and litigation. He has extensive experience serving clients from throughout the world in the arrangement of all types of business-based temporary and permanent immigration status, including specialty occupations (H-1B), individual and blanket international transferee programs (L-1), treaty traders and investors (E-1/E-2), religious workers, labor certification, national interest waivers, and extraordinary ability aliens, plus employer compliance. Mr. Divine also has litigated significant business matters, including contract, commercial, product liability, antitrust, ERISA benefits, and business torts (including RICO, misrepresentation, Consumer Protection Act). By presidential appointment, Mr. Divine served in Washington, D.C. from July 2004 until November 2006 as the first Chief Counsel of United States Citizenship and Immigration Services (USCIS), the world's largest immigration services agency within the Department of Homeland Security (DHS). From July 2005 until July 2006, he served as Acting Director and then Acting Deputy Director of USCIS. A graduate of Vanderbilt University School of Law, J.D., 1985, Mr. Divine since 1991 has been a member of the American Immigration Lawyers Association --Midsouth and Atlanta Chapters (1986 to present): Lecturer on numerous topics to other immigration attorneys; Mentor concerning international investors, transferees and religious workers.

**Ted J. Chiappari** is a partner of Satterlee Stephens Burke & Burke LLP. Mr. Chiappari concentrates his practice in the area of business immigration. He primarily represents companies seeking to acquire temporary work permits or permanent resident status for their foreign employees. He also advises on tax aspects of international transfer of personnel. Admitted to practice in New York State, Mr. Chiappari is a member of the American Immigration Lawyers Association (AILA), the German American Lawyers Association and the American Council on Germany. He has spoken at national conferences and is the author of numerous articles. He has also written the chapter on taxation in C. Gordon, S. Mailman and S. Yale-Loehr's Immigration Law and Procedure. Mr. Chiappari earned his undergraduate degree magna cum laude (B.S.) from Santa Clara University and received his law degree (J.D.) from Harvard University. He studied political science and law for two years in Freiburg, Germany.

**Stephen K. Fischel** was former Director of the Office of Legislation, Regulations and Advisory Assistance in the Visa Office of the U.S. Department of State. He is now with Fischel Mohar and Fanning as a partner. He has over 30 years of experience in international immigration policy making, has played a critical role in key legislation governing global movement of people and is an international expert and lecturer on matters relating to U.S. visa law. He is an active contributor to numerous immigration law and policy-related professional organizations. In his most recent position at the U.S. Department of State, he was responsible for security and non-security advisory opinions, supervised analysis and implementation of visa laws impacting U.S. consular affairs, worked closely with Congress in drafting immigration legislation, worked with the President's Domestic Policy Council on the President's Temporary Worker Program, and was the primary immigration law advisor to the Assistant Secretary of State for Consular Affairs. Other notable projects he oversaw include the Mexican Migration Talks, negotiation and implementation of NAFTA, and the negotiation of the Memorandum of Understanding between the U.S. Department of State and the Department of Homeland Security regarding the transfer of certain visa authority prescribed by the Homeland Security Act. Mr. Fischel earned his Juris Doctor degree from the University of Santa Clara School of Law and a Master of Laws in Taxation from the Georgetown University Law Center. Mr. Fischel works and resides in Washington D.C.

**Robert Frank** is past Chair of the New Jersey chapter of the American Immigration Lawyers Association (AILA). Listed in Best Lawyers in America, Mr. Frank received the prestigious Sam Williamson Mentor Award from AILA at its National Conference in 1999. He has been accorded the Martindale-Hubbell "AV" rating, indicating very high to preeminent legal ability. Mr. Frank is an adjunct professor in the Legal Studies Department at Montclair



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State University and often lectures and writes for the New Jersey Institute for Continuing Legal Education in the area of immigration law and visas. A member of the Board of Trustees of the New Jersey Immigration Policy Network and the Community Health Law Project, Mr. Frank previously chaired the Immigration Section of the New Jersey State Bar Association (NJSBA). He also was Vice Chair of the New Jersey chapter of the Federal Bar Association and Vice Chair of the AILA-INS Vermont Service Center Liaison Committee. He now serves on the AILA-Administrative Appeals Unit Liaison Committee. Mr. Frank is also a member of both the Unlawful Practice of Law and Minorities in the Profession Committees of NJSBA. Mr. Frank, because of his reputation as a highly-respected immigration attorney, is regularly interviewed by the media regarding various aspects of immigration laws and has appeared on ABC and CBS television as well as all of the major Spanish language stations. A former Fulbright Scholar, Mr. Frank is a graduate of Rutgers University and the Rutgers University School of Law. He is fluent in both Spanish and Portuguese.

**Michael D. Patrick** is a Partner at Fragomen, Del Rey, Bernsen & Loewy, LLP in the New York office. He graduated from Syracuse University (B.A., cum laude, 1975); Hofstra University (J.D., 1978). At Hofstra, Mr. Patrick served as Associate Editor on the Hofstra Law Review, was President of the Law Fellows Program, and received the "Service to the School" Award upon graduation. Prior to joining Fragomen as a partner in 1990, Mr. Patrick was a founding partner of Campbell, Patrick & Chin (1986-1990) and served as a Special Assistant United States Attorney and Chief of the Immigration Unit of the United States Attorney's Office for the Southern District of New York (1981-1986), where he represented the Immigration and Naturalization Service, State Department, Department of Labor and other federal agencies in the federal courts. Prior to joining the U.S. Attorney's Office, Mr. Patrick was an Assistant Corporation Counsel for The City of New York (1978-1981). At the firm, Mr. Patrick is Co-Chair of the Corporate Compliance Committee; he has led the representation of many companies during government audits and investigations. Mr. Patrick also serves as Co-Chair of the firm's Human Resources Committee. A widely published author in the immigration field, Mr. Patrick writes a bimonthly immigration column in The New York Law Journal and is a frequent speaker on immigration topics before Bar Associations, international trade organizations and human resource groups. Mr. Patrick is also actively involved in the immigration law community, having served as Chair of the Federal Bar Association's Immigration Law Section (1989-1992), Chair of the New York Chapter of the American Immigration Lawyers Association (AILA) (1993-94), Co-Chair of AILA's 1993 Mid-Year Program on Employment-Based Immigration, and is a member of the Immigration and Nationality Law Committees of The Association of the Bar of the City of New York (ABCNY) and the New York County Lawyers' Association. Mr. Patrick currently serves on the Committee on Immigration Law of the New York State Bar Association, the Committee on Professional and Judicial Ethics of the ABCNY, and is a member of the American Bar Association, the International Bar Association, the Federal Bar Council, AILA, and the American Foreign Lawyers Association (Treasurer, 2004-2007). Mr. Patrick received the Dean's Award for Distinguished Hofstra Law School Alumni in May 2000 and is listed in the current editions of Best Lawyers In America, SuperLawyers, Chambers USA: America's Leading Business Lawyers and the International Who's Who of Corporate Immigration Lawyers.

**Careen B. Shannon** is of Counsel to the law firm of Fragomen, Del Rey, Bernsen & Loewy, LLP, the world's largest law firm concentrating exclusively in corporate immigration law. Ms. Shannon graduated from Oberlin College with a double major in English and French and a minor in East Asian Studies, and received her J.D. from the progressive City University of New York (CUNY) School of Law, where her extensive clinical experience included one year in the school's Immigrants' Rights Clinic. She has lived, worked and studied abroad in Denmark, France, Cuba and Japan, is fluent in French and Danish and is proficient in Norwegian, Spanish and Japanese. She was a Law Clerk at the United States Court of Appeals for the Second Circuit and then a Staff Attorney at The Legal Aid Society before entering into the private practice of immigration law in 1992. From 1996 to 1998, Ms. Shannon served as a Legal Editor of immigration publications for Matthew Bender & Co. She has authored, edited or contributed to articles published in the New York Law Journal, the Immigration Law Report, Bender's Immigration Bulletin, and various publications of the American Immigration Lawyers Association, the American Bar Association, the American Council on International Personnel and the Practising Law Institute. Ms. Shannon is also an Adjunct Professor of Immigration Law at Yeshiva University's Benjamin N. Cardozo School of Law.

**ABOUT THE LOCATION:**

On Broadway! Here are the highlights of this location for those who are considering attending:

\*\*\* For those coming from outside the NorthEast: The hotel is located on 32nd and Broadway, in mid-town Manhattan (the commercial and retail district of NYC is in mid-town whereas down-town Manhattan is mostly the financial district), two blocks from Macy's HQ store, two blocks from the Empire State Building, and conveniently located to many other Manhattan business, shopping and fun spots. This particular hotel is on one of the safest blocks in mid-town, and is not as expensive as some others in mid-town (**we have a limited number of rooms reserved at a discount rate**).

\*\*\* For those coming by Amtrak (anywhere from DC to Boston): The hotel is just one block from Penn Station, you can come to NYC for a day trip (possibly by Acela) and avoid the expense of a night's stay.

\*\*\* For those coming from New Jersey: The hotel is just one block from Penn Station (NJ Transit) and across the street from the PATH Station.

\*\*\* For those coming from Long Island: The hotel is just one block from Penn Station/LIRR.

\*\*\* For those coming from Connecticut/upstate NY: The hotel is a 15-minute walk (or a 5-minute cab ride) from Grand Central Terminal and a 5 -10 minute cab ride from Port Authority.

\*\*\* For those coming from Bronx, Brooklyn, Manhattan, Queens, Staten Island: The hotel is right atop the 34th Street Herald Square station served by the B, D, F, N, Q, R, V and W lines (the 1, 2 and 3 lines are just a block away, and the 6 line is 3 blocks away).



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**TESTIMONIALS : Book Testimonials (Please note this is the first workshop on the Immigration Practice Book)**

Some of the most experienced and acclaimed immigration lawyers in the nation have said:

- "Immigration Practice is a handy reference work for both the novice and the experienced practitioner with a novel organizational approach that focuses on real life situations rather than the statutory category." - **Daryl Buffenstein** is Chair of the national immigration practice group of Paul, Hastings, Janofsky & Walker LLP. He is Former President of the American Immigration Lawyers Association (AILA) and recently ended a four-year term as AILA's General Counsel. He was the 1997 recipient of AILA's Founders Award.
- "Immigration Practice is filled with practical, down to earth information in a format that is easy to use. I bought one for each member of my staff."- **Peter Williamson**, Houston, TX. Mr. Williamson is Former President of AILA (1994-1995) and served as Chair of the Texas Chapter, on the National Board of Governors (1982-present), and on the National Executive Committee.
- "Immigration Practice fills a niche that needed filling: A single volume with all the basics explained in plain English for newcomers, and plenty of sophisticated discussion with lots of footnotes for old hands. The appendix alone is worth the price of the book! It has all the addresses, phone numbers, and lists that are needed constantly in immigration practice, plus tips on how to fill out the most common forms. I keep this volume on my desk as a convenient and thorough reference. You can tell that it was prepared an experienced practitioner who understands the practical side of an immigration practice and who is result oriented." - **Dale M. Schwartz**, Schwartz & Kuck, Atlanta, GA is Former President of AILA (1986-87), and has testified as an expert witness before committees of the U.S. House of Representatives and the United States Senate on immigration legislation. Mr. Schwartz was Co-Chairman of the Immigration Law Committee of the Section of Litigation of the American Bar Association.
- "Immigration Practice is an absolutely fabulous resource, unlike anything else on the market, oriented toward the attorney rather than the paralegal."- **David Ware**, Metairie, LA is very active in AILA including: Vice-Chair, Committee on International Students (1995 to Present); Treasurer, Louisiana Chapter, 1984 to 1988; INS Liaison Chair, 1988 to 1989; NAFSA Region III Liaison, 1992 to 1995.
- "I ordered a copy of Immigration Practice. We love it, and are using it frequently."- **Elizabeth Stern**, Shaw Pittman, Washington, DC heads the firm's Business Immigration practice group.
- "I have just received your excellent treatise Immigration Practice. I would recommend it highly as a valuable guide not only for a beginning immigration lawyer, but for the seasoned practitioner as well." - **Ben Gim**, Gim & Wong, New York, NY

In-house counsel have said:

- "I am really impressed by Immigration Practice. I picked a few arcane questions to look up and found the subjects right away in the index. The text was clear and practical. We find it very useful." - **Joseph K. Venishnick**, Labor and Employment Counsel, ASEA Brown Boveri, Inc. Windsor, CT

Newer and regular practitioners have said:

- "Immigration Practice is a tremendous guide through every possible contingency that a lawyer may encounter in processing any sort of immigration petition. I would recommend this book for anyone who qualifies for membership in the AILA/YLD." - **Ira L. Mazer**, Philadelphia, PA
- "Immigration Practice is the best reference tool I have looked at on the subject, and actually a good read. For instance, as a new practitioner I avoided filing needless relative petitions by reading the clear discussion about the derivative beneficiaries and "following to join" eligibility and procedures." - **Jeffrey Kantor**, Arlington, VA
- "I truly use Immigration Practice as a bible for immigration practice. I generally read the appropriate area of interest to which I need an answer, then refer to the statute and the regs. It works quite well for me." - **Petro Morgos**, Cherry Hill, NJ
- "I use Immigration Practice in preference to the other immigration law treatises I have tried. It really is the best of its kind - the easiest to use and the most complete." - **Jonathan David Guze**, Durham, NC
- "Immigration Practice has quickly become my immigration "bible" as a first look source, despite having a number of other fine works in my collection." - **Byron Toben**, Montreal, Quebec (Ill. & NY bar)
- "I'm a new disciple of your Immigration Practice book." - **Andre Michael Wang**, Portland, OR
- "I have enjoyed and profited a great deal from Immigration Practice." - **Philip Berns**, Stamford, CT
- "Immigration Practice is one of the most invaluable tools in my library. Although I did not anticipate a career in immigration law, most of my clients are Korean and many are in need of immigration assistance. Needless to say, your book is the next best thing to the Bible. For someone who is just hanging out their shingle and is interested in establishing an immigration practice your book is invaluable." - **Seung-Ho Choe**, Rockville, MD



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