

2027 AILA Midwinter Conference and Webcast

Keeping abreast of the rapidly evolving challenges facing immigration practitioners is a necessary but difficult task. Why not take a break from doing so in wintry weather and prepare yourself instead in the warm, tropical climes of St. Thomas? Through focused sessions on asylum developments, successful bond strategies, and creative uses of habeas corpus, this conference will provide practical tools and insights that attorneys can apply directly to their cases. Our experts also will discuss new developments in student visas and how best to respond to immigrant and nonimmigrant visa denials. Combine high-value CLE programming with meaningful peer connections and the extraordinary beauty of the Caribbean, and return home informed, energized, and ready to advocate more effectively for your clients. Don't miss this opportunity!

January 15, 2027

Westin Frenchman's Reef

St. Thomas, USVI

All times listed on the program are Atlantic Standard Time.

Note: All sessions and events are subject to change without notice.

Friday, January 15, 2027

Removal-Family Track

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| 8:55 am–9:00 am | Welcome and Greetings |
| 9:00 am–10:00 am | Holding the Line: Protecting Clients' Rights in Removal Proceedings
<i>Panelists will address strategies for protecting clients' fundamental rights during and after removal proceedings. They will share suggestions for combating the current ways EOIR is attempting to short-circuit statutory rights and due process.</i> <ul style="list-style-type: none">• Responding effectively when immigration judges act as Office of the Principal Legal Advisor (OPLA) counsel, abandon impartiality, or ignore the law• Litigating instances where judges curtail client testimony, limit attorney argument or closing statements, exclude vital evidence• Fighting back when DHS argues, or the judge holds, that no good cause exists for a continuance or administrative closure• Preserving the record and knowing when to escalate to federal court |
| 10:00 am–10:30 am | Networking Break |
| 10:30 am–11:30 am | Tightrope Walking in a Mine Field; Litigating Asylum Cases |

Asylum seekers have been in the crosshairs of the administration's anti-immigrant policies. Using a hypothetical case, our panel of experts will identify potential problems for your clients and develop strategies for successfully dealing with them.

- Bars to accessing the asylum system: expanded expedited removal, asylum annual fee, asylum cooperative agreements, and pretermittions under *Matter of C-A-R-R-* and *Matter of H-A-A-V-*
- Restrictions of substantive eligibility, including narrowing what constitutes a valid particular social group
- Procedural hurdles: expedited hearings, mega masters and the USCIS interim final rule on asylum office adjudications without an interview
- Post-grant issues: third-country removals, revocation proceedings, and pitfalls in asylee adjustment and naturalization proceedings

11:30 am–12:00 pm Networking Break

12:00 pm–1:00 pm

USCIS Hot Topics: Non-adversarial Becomes Adversarial

As a fee-funded benefits agency of DHS, USCIS is intended to be non-adversarial and responsive to its customers: your clients. However, the current administration has put immense pressure on USCIS to deny applications. Panelists will discuss strategies for continued success in this hostile environment, including managing client expectations in light of dramatic changes in adjudication trends and time frames.

- Pushing back with well-documented discretionary evidence that aligns with the binding USCIS Policy Manual, using Form I-290B, and identifying Administrative Procedure Act violations for federal court review
- Strategies for preparing strong filings
- Using Freedom of Information Act requests, screening, willfulness, materiality, and the timely retraction doctrine
- Setting client expectations; using USCIS inquiries, expedite requests, and congressional liaisons; and pursuing mandamus relief
- Adjustment of status issues: public charge, USCIS adjustment memo, and the overruling of *Matter of Arrabally and Yerrabally*

1:00 pm–2:00 pm Lunch Break

2:00 pm–3:00 pm

Set Them Free: Strategies for Successful Bond Hearings

With more noncitizens detained and bonds becoming ever more elusive, panelists will focus on bond hearing strategies to take back to your practice for immediate implementation. They will start with a review of only the most recent changes in case law and bond trends, then home in on common objections to bond and how to counter them.

- Case law and trends update at the BIA and courts of appeal
- Anticipating and defeating claims of “flight risk” and “speculative relief”
- Obligor requirements and judge particularities
- Pressing for a full hearing with testimony and witnesses

- Requesting bond during appeal

3:00 pm–3:30 pm

Networking Break

3:30 pm–4:30 pm

Creative Habeas: Post-Yajure Hurtado

Panelists will provide insight into different types of civil habeas petitions that advocates can use to obtain relief for clients in immigration detention for reasons other than crossing the border without inspection. This includes prolonged detention pre- and post-removal order, unlawful arrest or re-detention, lack of adequate medical care, revocations of orders of supervision (OSUPs) with no change in circumstances, and more. Our experts will advise on how to use various legal arguments and/or procedures to advance the habeas arguments.

- Lack of due process, including right to medical care, First Amendment protections, no access to counsel, solitary confinement as “protection”
- Warrantless arrests/revocation of OSUP or alternatives to detention (ATDs) without change in circumstances
- Deferred action (U/T/VAWA) and victim-centered approach
- Motions to enforce, motions to expedite, bond before district courts
- How to craft prayers for relief to protect clients

4:30 pm

Conference Concludes

4:30 pm–6:30 pm

President’s Reception

Business Track

8:55 am–9:00 am

Welcome and Greetings

9:00 am–10:00 am

Making the Grade: Navigating Student Status Scrutiny

Panelists will examine the new rules, heightened scrutiny, and evolving enforcement affecting students in everything from maintaining status to employment authorization. They also will provide practical strategies for advising students, schools, and employers in this complex environment.

- Duration of status final rule: fixed admission periods, extension-of-stay filing requirements, etc.
- Day 1 curricular practical training: enforcement risks, subsequent petitions, visa re-entry, and institution verification
- SEVIS issues: erroneous terminations, record corrections, reinstatement, travel, and addressing unexpected status challenges
- Security and social media: social media screening, mandatory public account settings, visa processing delays, and heightened national security
- Name, image, and likeness (NIL) employment issues: NIL compensation for student-athletes, unauthorized employment risks, new issues under the *House v. NCAA* revenue sharing model and the viability of “workarounds”

10:00 am–10:30 am	Networking Break
10:30 am–11:30 am	<p>The Stars, Stripes, and Scrutiny of Hiring: Protecting Your Foreign Talent Pipeline</p> <p><i>Recent enforcement actions suggest that efforts to hire non-U.S. workers can create significant legal pitfalls, including disqualification from the PERM program. Panelists will unpack the current priorities of the Equal Employment Opportunity Commission (EEOC) and DOJ’s Immigrant and Employee Rights Section (IER), review key cases involving major employers, examine emerging enforcement theories, and discuss strategies for responding to investigations and defending claims.</i></p> <ul style="list-style-type: none"> • Current state of EEOC/IER priorities and investigations • Review of recent settlements and cases, including Cloudera • Establishing a defensible PERM program, including required advertisements • State investigations: Florida and Texas • Litigation and investigation strategies
11:30 am–12:00 pm	Networking Break
12:00 pm–1:00 pm	<p>Alexa: What’s in the Toolkit for Beating the Restrictionist Playbook?</p> <p><i>As government scrutiny intensifies, even the most straightforward immigration cases can face RFEs, NOIDs, and NOIRs. Panelists will provide practitioners with a comprehensive toolkit for responding effectively, featuring the latest technological solutions, time-tested legal arguments, and strategic litigation options. Learn how to navigate government challenges, strengthen case presentations, and advocate successfully for clients in today’s increasingly restrictive enforcement environment.</i></p> <ul style="list-style-type: none"> • Cases and authorities government adjudicators cite most often, their methods of adjudication, and how to respond effectively • Developing winning arguments using key statutes, regulations, precedent decisions, policy guidance, and creative solutions while maintaining ethical standards • Using AI to strengthen RFE, NOID, and NOIR responses while preparing cases to withstand AI-driven scrutiny • Preparing cases for potential litigation from the outset and preserving options for federal court review; options for withdrawing, refiling, changing NIV classifications
1:00 pm–2:00 pm	Lunch Break
2:00 pm–3:00 pm	<p>Denial: Not Just a River in Egypt</p> <p><i>Panelists will examine the rising tide of denials across key immigration agencies, covering everything from consular visa refusals and PERM denials to nonimmigrant and immigrant visa denials and admissibility issues at the border.</i></p>

They will identify current denial trends at each agency and discuss the most effective strategies for responding to and overcoming adverse decisions.

- Current trends in denials across agencies
- Appeal, refile, litigation, congressional assistance: Which is the best approach?
- Building Plan B into the initial case strategy
- Managing client expectations, anxiety, and structuring legal fees

3:00 pm–3:30 pm

Networking Break

3:30 pm–4:30 pm

One Battle After Another: Currently Contested Nonimmigrant and Immigrant Issues

Practitioners are constantly challenged by shifting agency policy, dueling court rulings, and new mandates that seem to change by the week. Panelists on this advanced session will present a Q&A on the most contested issues of the moment. They will get members up to speed on the latest rules and trends in a rapid-fire format, and equip them with practical strategies for staying in the fight and defending clients across a range of case types.

- Latest on NIV processing
- Challenging issues in the immigrant visa process
- Online filing: tips and best practices for attorneys using myUSCIS
- Shifting ground: processing trends, new rules, and policy updates across the agencies

4:30 pm

Conference Concludes

4:30 pm–6:30 pm

President's Reception

Conference Program Committee

Removal-Family Track

Susan G. Roy, Conference Committee Chair, Princeton Junction, NJ

Jacqueline L. Watson, AILA First Vice President, Austin, TX

Erin C. Cobb, Chicago, IL

Ilana E. Greenstein, Boston, MA

Robin Nice, Boston, MA

Duffy Trager, Louisville, KY

Business Track

Anastasia Tonello, AILA Past President/Conference Committee Chair, New York, NY

John W. Mazzeo, AILA Verification and Documentation Liaison Committee Vice Chair, Washington, D.C.

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Bushra A. Malik, Troy, MI

Dustin O'Quinn, Seattle, WA

Gayle Oshrin, New York, NY

Michael Orlando, AILA Associate Director of Professional Development, Washington, D.C.

