



AMERICAN
IMMIGRATION
LAWYERS
ASSOCIATION

2025 AILA Fall Conference and Webcast Asylum and Removal Track

The challenges faced by immigration practitioners in the last six months have been numerous and significant. Being prepared to meet these challenges is essential. Join our experts in Boston as we devote two entire days to discussions of an area of immigration law enduring particularly intense assault under the new administration: asylum and removal practice. On the first day, dedicated to asylum practice, our expert panelists will discuss the latest developments on the subject, how to construct strong PSG claims, dealing with hostile adjudicators, and managing jurisdictional ambiguity. On the second day, our experts will address emerging topics related to removal practice. This includes procedural tactics to employ in fast-tracked removals, representing vulnerable populations in detention, and how to operate in a post-*Chevron* world. Additionally, they will address how practitioners can safeguard themselves, their clients, and their data in these challenging times.

Asylum and removal are just two of the total six tracks that will be offered at the AILA Fall Conference and Webcast. In-person registrants will pre-select a track to attend on site, but will receive webcast access and the recordings for all tracks. Webcast attendees can move between tracks for live sessions and will also receive the recordings.

September 11-12, 2025

**Revere Hotel Boston Common
Boston, MA**

*Times listed on the program are Eastern Time (ET)
Note: All sessions and events are subject to change without notice*

Thursday, September 11, 2025

Asylum Track

7:00 am – 5:00 pm Registration and Exhibits

Note sessions and events may be subject to change without notice.

8:00 am – 8:05 am	Welcome and Greetings <i>Emma D. Wells, Conference Committee Chair, Phoenix, AZ</i>
8:05 am – 9:05 am	Barred and Pretermitted: Defending Against Asylum Ineligibility in Today's Landscape Panelists will examine the growing number of substantive and procedural bars to asylum and withholding of removal that have been increasingly invoked under the Trump administration. They will provide practical guidance for navigating recent legal shifts, including the implementation of the Circumvention of Lawful Pathways (CLP) rule and the designation of gangs and cartels as foreign terrorist organizations. <ul style="list-style-type: none"> • EOIR's pretermittance guidance and recent policy memoranda • Effects of the CLP rule and strategies to rebut the presumption of ineligibility • Application of the material support bar in Central American asylum claims • How are immigration courts applying the "particularly serious crime" bar? • How to identify and respond to national security-related bars <ul style="list-style-type: none"> ◦ Terrorism-Related Inadmissibility Grounds (TRIG) ◦ Controlled Application Review and Resolution Program (CARRP)
9:05 am – 9:35 am	Networking Break
9:35 am – 10:35 am	Beyond the Basics: Constructing Strong PSG and CAT Claims in Complex Cases Attendees will receive practical guidance on developing and litigating Particular Social Group (PSG) and Convention Against Torture (CAT) claims, with a focus on evolving legal standards and emerging advocacy strategies. Panelists will discuss framing PSGs in a shifting adjudicatory landscape, particularly for LGBTQ clients, and navigating due process and removal issues in CAT and withholding-only proceedings. <ul style="list-style-type: none"> • How to formulate cognizable PSGs, with a focus on LGBTQ and transgender-based claims • Recent legal and policy developments affecting PSG construction and adjudication • Due process concerns in withholding-only and CAT-only proceedings • Strategies for litigating CAT claims, including evidentiary best practices • Third-country removal risks post-CAT or withholding grant, and strategies to challenge them
10:35 am – 11:05 am	Networking Break

Note sessions and events may be subject to change without notice.

- 11:05 am – 12:05 pm **Litigating on the Defensive: Strategies for Hostile Courtrooms and Biased Adjudicators**
The landscape of immigration practice is shifting, and the threat to due process is growing. Adjudicators who were already adversarial have been emboldened by recent policy changes, and DHS has adopted increasingly aggressive litigation tactics. Our experts will explore practical strategies for litigating asylum and withholding cases in this environment—from client preparation to preserving the record—while equipping attorneys to protect their clients' rights from the master calendar hearing through appeal.
- Changes in credible fear/reasonable fear screenings and their downstream impact on asylum claims
 - DHS tactics targeting credibility, including I-589 amendments and family location questions
 - How to challenge adjudicator interference during hearings
 - Preserving the record through objections, interpreter challenges, and witness advocacy
 - Effective appellate strategies for the BIA in cases affected by bias or procedural error
- 12:05 pm – 1:05 pm Lunch Break (included with registration)
- 1:05 pm – 2:05 pm **Asylum Across Borders: Legal Updates and Jurisdictional Pitfalls**
Asylum law already is inherently complex, but it is made even more so given how it varies dramatically by jurisdiction. Circuit splits, venue transfers, and shifting eligibility rules can change a case's outcome. Panelists will equip practitioners with strategies to navigate choice of law issues, stay current on key circuit differences, and understand new asylum pathways for humanitarian parolees and TPS holders.
- Navigating venue transfers and choice of law dilemmas in asylum cases
 - Key differences in asylum eligibility standards across circuits
 - Legal updates impacting asylum for CHNV and TPS recipients
- 2:05 pm – 2:35 pm Networking Break
- 2:35 pm – 3:35 pm **Bordering on the Absurd: Border Policy and Legal Protections Under the Trump Administration**
Experts will examine the evolving landscape of border enforcement and the treatment of noncitizens under the Trump administration. They will discuss detention practices, the expansion of expedited removal, and how recent policy shifts are reshaping legal protections for individuals at or near the border.
- Current state of border enforcement and detention practices
 - *Matter of Q Li* and how “arriving alien” vs. “entry without inspection” determinations affect case strategy

- Changes to expedited removal, including dismissal of proceedings and placement in expedited removal
- Trends in interior enforcement tied to border operations
- Best practices for representing clients detained at the border or placed in expedited removal

3:35 pm – 4:05 pm Networking Break

4:05 pm – 5:05 pm **After the Win: Navigating Post-Relief and Cross-Agency Challenges**
Winning relief is often not the end of the battle. Panelists will examine emerging issues in post-grant removal defense, including third-country removals despite protection grants and the increasing failure of ICE to comply with court orders. Panelists also will address ongoing coordination challenges between EOIR and USCIS that complicate relief implementation.

- Legal updates on post-grant third-country removals
- Responding to ICE refusal to follow immigration court orders
- How to manage EOIR-USCIS coordination failures in post-relief cases
- Staying alert and best practices

Friday, September 12, 2025

Hot Topics in Removal Track

8:00 am – 9:00 am **Gatekeeping, Speed-Traps, and Shutdowns: Procedural Tactics in Fast-Tracked Removals**

Under Trump 2.0, apprehension, detention, and removal are moving at record speed—often with ICE shifting venues to frustrate defense efforts. To help practitioners manage the timing and the outcome for all respondents, our experts will advise on options for pre-merits tactics to shut down proceedings and for motion practice during proceedings.

- Decline of motions practice and limits on procedural advocacy
- Administrative closure, motions to dismiss, and where they still apply
- Expanded use of expedited removal and its procedural consequences
- Legal strategies for preserving jurisdiction across venues
- Use of habeas corpus to prevent unlawful transfers
- The new travel ban

9:00 am – 9:30 am Networking Break

9:30 am – 10:30 am **Trapped and Transferred: Navigating the New Enforcement Landscape**

ICE is escalating its tactics in removal proceedings, including courthouse arrests, venue manipulation, and last-minute removals. Panelists will provide strategies for defending against aggressive enforcement actions, securing stays, and using the federal courts to protect clients.

- ICE arrests at USCIS interviews, check-ins, and courthouses

Note sessions and events may be subject to change without notice.

- Venue manipulation through detention transfers and its strategic implications
- Seeking and enforcing stays of removal before EOIR and ICE
- Emergency relief options in federal court, including habeas corpus
- The resurgence of “self-deportation” pressure and how to push back
- Visa revocations and cancellation of student visas

10:30 am – 11:00 am Networking Break

11:00 am – 12:00 am **Custody and Post-Relief Case Strategies**

2025 has proven that lawyers need to be nimble whenever clients face detention. Panelists will discuss how practitioners can best be ready to pursue litigation remedies immediately upon clients’ arrests. They will advise on whether to preserve habeas jurisdiction in their home forums, seek reopening to prevent a swift removal, or prevent removal to an unanticipated third country. They will also examine the historic challenges of prolonged and indefinite detention.

- Navigating both respondent-filed and ICE-filed BIA bond appeals
- Current state of challenges to prolonged detention
- Strategies and theories for bringing writs of habeas corpus challenging prolonged and indefinite detention
- Best practices in motions to reopen, including seeking joint motions and pursuing long-pending requests
- The *Calderon* Settlement; joint motions and class membership

12:00 pm – 1:00 pm Lunch Break (included with registration)

1:00 pm – 2:00 pm **Representing Vulnerable Populations in Detention**

Counsel for detained members of vulnerable populations face unique challenges that require representation tailored to their circumstances. Considerations for detained and at-risk clients have long been informed by litigated principles affirming rights and protections for certain groups, including children and those potentially mentally incompetent, but these rights are now under threat. Panelists will examine existing rights, best practices, and emerging strategies in the contexts of:

- Venue and jurisdiction complications
- Minors, SIJS, and family separation
- Medical care access and threats to the National Qualified Representative Program
- Maintaining protections for LGBTQ community members in detention
- Changes to remedies and protections for domestic violence and crime victims
- Addressing challenges to access to counsel

2:00 pm – 2:30 pm Networking Break

Note sessions and events may be subject to change without notice.

2:30 pm – 3:30 pm	<p>Safeguarding Immigration Defenders and Their Clients</p> <p>As immigration defense becomes increasingly politicized, practitioners and legal service providers are facing growing scrutiny and threats, including ICE interest and digital vulnerabilities. Panelists will discuss how to protect clients and data, and to enhance organization in a rapidly shifting climate.</p> <ul style="list-style-type: none"> • Best practices for securing your technology and safeguarding privileged information • Responding to ICE raids, investigations, and surveillance of legal work • Data protection strategies during international travel and border encounters • Managing public exposure: social media, press inquiries, and advocacy risks • Ethical and institutional responses to external threats • Tips for protecting your staff, family, and yourself
3:30 pm – 4:00 pm	Networking Break
4:00 pm – 5:00 pm	<p>After <i>Chevron</i>: Administrative Law and Structural Showdowns in Immigration</p> <p><i>Chevron</i> is dead and <i>Loper-Bright</i> rises from its ashes. What does this mean for litigators, removal defense practitioners, and those who focus mostly on USCIS applications? How will the courts evaluate agency actions? Experts will explore what the post-<i>Loper-Bright</i> landscape means for litigators, including new opportunities to challenge agency interpretations, EOIR and HQ overreach, and the outer bounds of regulatory authority.</p> <ul style="list-style-type: none"> • Implications of <i>Loper-Bright</i> for immigration law and agency deference • Challenging the limits of regulatory and administrative authority • Addressing EOIR and DHS overreach through structural litigation strategies
5:00 pm	Conference Concludes

Conference Program Committee

Emma D. Wells, Conference Committee Chair, Phoenix, AZ

Sui Chung, Miami, FL

Anthony Drago, Boston, MA

Yliana Johansen-Mendez, Los Angeles, CA

Brent H. Johnson, Tucson, AZ

Claire Longdin, Racine, WI

Nicholas Ratkowski, Saint Paul, MN

Wendy S. Wayne, Boston, MA

Amelia Wester, Alexandria, VA

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