



AMERICAN
IMMIGRATION
LAWYERS
ASSOCIATION

2026 AILA Fall Conference and Webcast

Removal and Litigation Tracks

Join us for the Removal and Litigation Track at the 2026 AILA Fall CLE Conference and Webcast, where leading practitioners will tackle today's most urgent challenges in removal defense and federal litigation. In this rapidly shifting environment, staying current is critical to effective advocacy. This track offers advanced, practice-focused sessions on the issues shaping the field — from bond, asylum, and docket management to habeas, delay litigation, FOIA strategy, and benefits-related federal court practice. Our expert faculty will provide timely updates, practical tools, and strategic guidance to help you represent clients with confidence. Don't miss this dynamic and informative program in Atlanta!

October 15–16, 2026

Hyatt Regency

Atlanta, GA

All times listed on the program are Eastern Time (ET).

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

Thursday, October 15, 2026

Removal Track

8:00 am–5:00 pm **Registration and Exhibits**

8:55 am–9:00 am **Welcome and Greetings**

9:00 am–10:00 am **How to Manage Your Docket Amidst Chaos**

As EOIR attempts to curtail clients' due process rights through accelerated timelines and ever-shortening deadlines, docket

(DL) = Discussion Leader

* = invited, not confirmed

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

management is paramount. Panelists will examine current trends in immigration court and address strategies to reasonably manage a removal docket while maintaining your sanity.

- Detained dockets
 - Managing expedited filing and hearing schedules while making time for nondetailed clients
 - Requesting continuances, filing applications, and preserving issues for appeal under tight deadlines
- Mega-masters
 - Understanding how they affect your case
 - Preparing clients for mass hearings
 - Identifying opportunities to advocate for individualized consideration
- Accelerated dockets for released individuals
 - Evidence collection and research; expert coordination on a short timeline
 - Managing client expectations
- Preserving the record
 - Ensuring objections, offers of proof, and arguments are properly preserved
 - Creating a complete record for appeal
 - Protecting due process claims

10:00 am–10:30 am Networking Break

10:30 am–11:30 am **Bond in the Trenches: Trends, Appeals, and Post-Habeas Hearings**
Bond practice is changing quickly, with DHS increasingly contesting bond eligibility, appealing release orders, and relying on broader danger and flight-risk theories. Experts will focus on current EOIR bond trends, recent BIA precedent, and the practical problems that arise before, during, and after a client wins bond.

- Bond eligibility and no bond arguments before EOIR
- Strategic record-building in response to current trends
 - Developing individualized evidence that does more than traditional bond equities
 - Anticipating DHS strategy
- Bond hearings following grants of habeas
- After-grant: release troubleshooting and post-release advocacy

11:30 am–12:00 pm Networking Break

(DL) = Discussion Leader

* = invited, not confirmed

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

12:00 pm–1:00 pm	Fighting Back Against Pretermission: Defending Cancellation and Asylum Claims <i>As the government increasingly seeks to dispose of cases through motions to pretermite rather than full evidentiary hearings, practitioners must be prepared to identify procedural deficiencies, preserve issues for appeal, and effectively advocate for their clients' eligibility for relief. Panelists will examine recent trends in pretermission practice involving both non-LPR cancellation of removal and asylum claims. They also will impart practical strategies for defeating these motions and ensuring respondents receive a meaningful opportunity to present their cases.</i> • Pretermission of 42B cancellation of removal applications, including common DHS arguments and effective responses • Asylum pretermission issues ○ One-year filing deadline challenges ○ Statutory bars ○ Jurisdictional issues ○ Pleading deficiencies • Procedural and due process arguments, including when an evidentiary hearing is required and preserving objections for appeal • Recent precedent and developing case law affecting motions to pretermite, including evolving standards for establishing prima facie eligibility • Practice tips for drafting persuasive responses, developing the record, and positioning cases for appeal if pretermission is granted
1:00 pm–2:00 pm	Lunch Break (<i>Provided for in-person attendees</i>)
2:00 pm–3:00 pm	Federal Court Interventions with EOIR: How to Use Them to Your Client's Advantage <i>Increasingly, federal litigation is necessary and can be helpful in clients' individual proceedings before EOIR. Our experts will discuss how best to leverage preliminary injunctions in individual cases, including using tools such as motions to administratively close.</i> • Overview of federal court orders implicating EOIR • Enforcing preliminary injunctions • Leveraging motions to administratively close
3:00 pm– 3:30 pm	Networking Break
3:30 pm–4:30 pm	What Is the State of Asylum Law?

(DL) = Discussion Leader

* = invited, not confirmed

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

Like most aspects of immigration law, asylum law is constantly changing. Particularly under the current administration, asylum practitioners face a greater burden due to the vast requirements, increased nationwide denial rates, and predatory practices affecting the most vulnerable clients. As a result, practitioners across the country are fighting to keep up with the current policies while also protecting and preserving clients' rights and dignity.

- Interim Final Rule on Affirmative Asylum published July 28, 2026
- Challenging circumvention of lawful pathways (CLP)
 - Navigating pre- and post-procedural issues in light of the *East Bay Sanctuary Covenant v. Trump* ruling
 - Identifying and incorporating third-country conditions in anticipation of challenges to CLP
 - Agency decisions
- Third-country removals
 - Recent trends based on nationality and citizenship
 - Creating and maintaining a record to challenge third-country removal
 - Navigating removal orders versus withholding and CAT protections
 - Securing your client's return from third countries

Friday, October 16, 2026

Litigation Track

8:00 am–5:00 pm **Registration and Exhibits**

9:00 am–10:00 am **Ins and Outs of Opposing a Motion to Dismiss**

Panelists will share strategies both in protecting cases from the outset and how to respond to a motion to dismiss (MTD). Learn the most common procedural and substantive bases for these motions and the ways to respond.

- Considerations in planning a lawsuit in grouping the right plaintiffs, the right venue, and the right time
- Common reasons for motions to dismiss, including joinder
- Differences between FRCP rules 12(b)(1) and 12(b)(6)
- Common MTD arguments currently being pushed by AUSAs/USCIS/DOS
- Ways to get your client the relief they're seeking despite a motion to dismiss

(DL) = Discussion Leader
* = invited, not confirmed

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

10:00 am – 10:30 am **Networking Break**

10:30 am – 11:30 am **Obtaining Quick Relief: Temporary Restraining Orders, Preliminary Injunctions, and Expedited Summary Judgment**

It takes a long time to win a typical federal lawsuit — time that our clients and the immigrant community often do not have. When new government policies impose immediate, severe, and irreparable harm, it is important to ask the district court to award relief right from the start of a lawsuit or to expedite the entire case. Panelists will discuss the various litigation tools to quickly stop unlawful government action.

- The basics of temporary restraining orders and preliminary injunctions
- Rapidly building a record for quick relief
 - Using preliminary injunctions and expedited discovery to compel evidence
- The mechanics of seeking expedited summary judgment
- Strategic and legal considerations when choosing the right vehicle for quick relief
- Moving for limited discovery within the first 60 days after filing a complaint

11:30 am– 12:00 pm **Networking Break**

12:00 pm–1:00 pm **The Evidence Race: Using FOIA to Build Your Case**

Litigation often turns on what the government already knows but has not disclosed. The Freedom of Information Act (FOIA), used strategically, is a powerful tool that can be employed to extract from the government this crucial information. Our experts will discuss how to use FOIA to produce essential evidence for litigation, best practices for appealing redactions on FOIA responses, and how to convert agency stonewalling into leverage.

- Targeting FOIA requests to produce litigation-ready evidence
 - Identifying which records actually move a mandamus or APA claim
 - Drafting requests narrowly enough for speed but broadly enough to capture the record
- Appealing FOIA responses, with a focus on redaction
 - Challenging over-redaction and improper exemption claims (b)(5), (b)(6), and (b)(7)
 - Building an administrative appeal record that supports later litigation
- FOIA fees

(DL) = Discussion Leader

* = invited, not confirmed

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

- Including FOIA causes of action in mandamus and APA delay complaints

1:00 pm– 2:00 pm Lunch Break (*Provided for in-person attendees*)

2:00 pm– 3:00 pm **Big Challenges to Big Things: Benefits Litigation**

Panelists will address the current state of federal lawsuits challenging the benefits pause and related policy changes. They also will discuss the past year's major lawsuits challenging policy changes and how those lawsuits may affect clients. Finally, panelists will advise on how best to counsel clients who may still need litigation because of delays or negative decisions.

- How to keep up with ongoing changes to policy
 - Litigation challenging these new policies
- When and whether organizational or individual clients should consider litigation

3:00 pm– 3:30 pm Networking Break

3:30 pm–4:30 pm **Finding Footing in Quicksand: Litigating Habeas Cases Amidst Rapidly Changing Law**

Immigration habeas litigation has exploded over the past year, driven largely by the government's reinterpretation of who qualifies as an "applicant for admission" under INA §235(b)(2)(A) versus who remains subject to the discretionary bond framework of §236(a). The result is a fractured appellate landscape. With the issue now pending in multiple circuits, and with thousands of habeas petitions filed nationwide, practitioners need a working command not just of the merits, but of the procedure that determines whether a case survives long enough to reach them, as well as how to enforce habeas orders in the face of government recalcitrance.

- Mapping the circuit split
- Overview of other habeas claims beyond statutory misclassification
- The lifecycle of habeas litigation
- Anticipating U.S. Supreme Court review

4:30 pm – 5:30 pm **Fall Conference Happy Hour**

Join us for networking and drinks following the sessions.

(DL) = Discussion Leader

* = invited, not confirmed

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

Conference Program Committee

Jessica A. Ramos, Conference Committee Chair, Cincinnati, OH

Michelle Saenz-Rodriguez, AILA Treasurer, Dallas, TX

Kate Melloy Goettel, AILA Federal Court Litigation Section Steering Committee Chair, Iowa City, IA

Michelle L. Edstrom, AILA ICE Committee Vice-Chair, Oklahoma City, OK

Jessica Arena, San Francisco, CA

Natalie L. Griggs, Atlanta, GA

Johnna Main Bailey, Memphis, TN

Monica Mananzan, Washington, D.C.

Emma Winger, Washington, D.C.

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

(DL) = Discussion Leader

** = invited, not confirmed*

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