TABLE OF CONTENTS

Immigration Practice Pointers (2025–26 Ed.)

Prefacexii
Note: Content in this book is only current as of the date of original submission, so please do not rely on it as your sole source of information. Instead, use the materials in this book as part of more exhaustive legal research.
PRACTICE MANAGEMENT, DIVERSITY, and ETHICS
50 Technology Tips in 50 Minutes by Reid Trautz, Nadine Navaro, and Jeffrey Devore
Through the Glass Ceiling: Struggles and Opportunities for Women in Immigration Law by Charity Anastasio
PANEL: Through the Glass Ceiling: Struggles and Opportunities for Women in Immigration Law
Building a Thriving Book of Business: A Guide for Immigration Attorneys by John Khosravi, Bridgette Bennett, and Sandra Grossman
Understanding Anxiety by Mary M. O'Leary, John Patrick Sherry, and Lambert Dunn, Jr
Setting Healthy, Ethical Boundaries with Your Clients Up Front by Cheri Peterson-Ross, Gary C. Frost, and Tami V. Castillo
Disaster Planning: Protocols for Preventing and Mitigating Denials and Mistakes by Matthew Blaisdell, Dalia Fuleihan, Sarah Sanger, and Brittany Faith
Ethically Addressing Client Expectations When Facing the Unknown by C. Lynn Calder, Amanda K. Gennerman, Jack Jrada, and Andrea C. Martinez41 PANEL: Ethically Addressing Client Expectations When Facing the Unknown
"Hi, I'm the Problem" — And Here's How We Fix It: A Guide to Hiring, Wellness, Supervision & Culture by Kirby Gamblin Joseph Rosanna Berardi Flizabeth Anne Gibson and Keyin Wang

PANEL: Staff Retention: "Hi, I'm The Problem"
Understanding and Building Resilience in Law Firms by Medya Ansari, Maggie Arias, and David Simmons
FAMILY IMMIGRATION
Post-Denial Options for Family-Based Petitions: Fighting Back Against Restrictions in the New Trump Era
by Kristina David, Waleed Naser, Caroline van der Harten, and Jonathan Willmoth69
PANEL: Post-Denial Options for Family-Based Petitions: Fighting Back Against Restrictions in the New Trump Era
Incorporating BIA Decisions into Your Toolbox
by Cynthia B. Rosenberg, Peter L. Ashman, and Lance Curtright
Consular Practice for Family Practitioners: Maneuvering Through the NVC and DOS by Melissa Chavin, Cathy Higgins-Mora, and Fazila Vaid82
PANEL: Consular Practice for Family Practitioners: Maneuvering Through the NVC and DOS
Public Charge Puzzles in the New Trump Era: Show Me the Money!
by Meghann LaFountain, Jason Mills, and William E. "Bill" Niffen II
Understanding the Child Status Protection Act
by Brent W. Renison, Marisol L. Pérez, Carl Michael Shusterman, and Amy Lenhert101 PANEL: Understanding the Child Status Protection Act
Ethical Pitfalls in Complex Marriage-Based Immigration Cases and Dual Representation
by Teresa Coles-Davila, Patrick F. Valdez, and Maggie Castillo110
PANEL: Rocky Roads: Complex Marriage-Based Adjustments
Mastering Complex I-751s: Strategies for Late Filings, Divorce Waivers, and Jurisdictional Issues
by Kevin Dixler, Emily Robinson, and Adriana Robinson124
PANEL: Mastering Complex I-751s: Strategies for Late Filings, Divorce Waivers, and Jurisdictional Issues

BUSINESS IMMIGRATION

Permissible Activities Under the B-1 Visa and ESTA
by Maka Hutson, Daniel J. Parisi, Charlotte Slocombe, and Michael Patrick O'Rourke
Will H or L be Needed in Lieu of B-1? The Current State of the B-1 Category and Challenges to its Use by William A. Stock
Life Happens: U.S. Immigration Consequences of Mergers, Acquisitions, and Other Corporate Restructurings
by Helen Konrad, Marketa Lindt, Angelo A. Paparelli, and Eleanor Pelta147 PANEL: Mergers and Acquisitions: State of the Practice
National Interest Waivers: Are They the Answer We Hoped For? by Ceridwen J. Koski, Andre Linhares, and Lisa H. York
Strategies for a Successful EB-1C Petition: Not Just Your L-1A Multinational Manager by Viktoria Bloomberg, David Grunblatt, Daniel P. Joyce, and Sujata Ajmera
PERM and the Modern Office by Vincent W. Lau
10 Unexpected Policy Quirks in Business Immigration by Leslie Holman, Michael P. Nowlan, Robin O'Donoghue, and David Wilks
Advanced H-1B Issues: Compliance, Extensions, and Path to Permanent Residency by Hudaidah Bhimdi, Petula McShiras, Maggie Murphy, and Allen Orr
Key Provisions in the H-2 Modernization Final Rule Worker Flexibilities, Processing Efficiencies, Enforcement Provisions by Ashley Foret Dees, Loan Huynh, Michele Contreras, and Jarrod Sharp
Understanding SVP in PERM updated by Sarah K. Peterson and Catherine L. Haight

Transitioning F-1 and J-1s to Their Next Status: When the Odds Aren't in Your Favor
by Alka Bahal, Adam Cohen, and Steve Springer213 PANEL: Transitioning F-1 and J-1s to Their Next Status: When the Odds Aren't in
Your Favor
NIV Options and Issues for Start-Ups, Small and Medium-Sized Businesses
by Jason Susser, Julianne Cassin Sharp, Ian E. Scott, and Ramon E. Curiel232
PANEL: NIV Options and Issues for Start-Ups, Small and Medium-Sized Businesses
Navigating EB-5 Fundamentals: Understanding EB-5 Policy Changes, Future Trends, and Your Role as an EB-5 Practitioner
by Joey Barnett, Halston Chavez, Belma Demirovic Chinchoy, and Irina Rostova252 PANEL: Introduction to EB-5
Navigating EB-5 Complexities Under the EB-5 Reform and Integrity Act of 2022
by Jennifer Hermansky, H. Ronald Klasko, Walter Gindin, and Brandy Williams261
PANEL: Navigating the Complexities of EB-5: Emerging Challenges and Untapped Opportunities
Assessing Employment-Based Visa Options for Persons in Precarious Statuses
by Krsna Avila, Camiel Becker, and Anita Gupta273
PANEL: Employment-based Visa Options for Individuals in Temporary or Precarious
Statuses
Crossing the EB-1A Finish Line: Avoiding Losing by a Hair Satisfying the Final Merits Analysis for Extraordinary Ability Classification
by Sasha Kaskel280
ASYLUM, DETENTION, REMOVAL, and CRIMMIGRATION
Legalization and Immigration: How Local Decriminalization of Cannabis and
Psychedelics Impacts Noncitizens by W. Soott Pailton, Andrea Changaria, Zacham Nightingale, and White at C. Western.
by W. Scott Railton, Andrea Chavarria, Zachary Nightingale, and Whitney C. Wooton294 PANEL: In the Weeds: How Marijuana Use, Production, and Sales Impact Noncitizens
The Demise of Chevron Deference and Its Implications for Child Abuse Cases:
Utilizing Loper-Bright Enterprises v. Raimondo to Contest Child-Endangerment Convictions
as Removable Offenses
<i>by Mary Kramer</i> 308
PANEL: Crimmigration: Sex, Drugs and the ROC (Record of Conviction)

The NTA: To Fight Unprecedented Removal Efforts in the New Trump Era, Challenge Everything! by Parastoo Zahedi, John Gihon, Andrew Nietor, and W. Michael Sharma-Crawford	316
Updates on the Remain in Mexico Program and Expedited Removal Expansion by Constance Russell Wannamaker, Lauren D. Cusitello, Gregory Fay and Carlos Moctezuma Garcia	321
Representing Children in Removal: Ethical and Child Friendly Approaches by Katie Annand, Ashley Harrington, Derrick J. Hensley, and Jennifer Molina	328
EOIR Motions to Reopen, Reconsider, and Remand by David A. Isaacson, Michelle N. Méndez, and Sarah Owings PANEL: EOIR Motions to Reopen, Reconsider, and Remand	344
Litigation in Challenging Times: Demanding Due Process in Immigration Court by Genevra Alberti, Ilana E. Greenstein, Andres Lopez and Emma Wells	356
Strategic Navigation of EOIR by Elina Magaly Santana, Annelise Maia Jatoba de Araujo, Susan Girardo Roy, and Kathleen M. VannucciPANEL: Strategic Navigation of EOIR	369
Asylum Litigation Updates: Practical Impacts of, and Predictions for the New Trump Era by Ava Benach, Marcy Georgevich, Kate Melloy Goettel, and Kel White PANEL: Asylum Litigation Updates: Practical Impacts of, and Predictions for, the New Trump Era	382
Hot Topics in Bars to Asylum by Leah Chavarria, Dree K. Collopy, Paul O'Dwyer, and Nareeneh Sohbatian PANEL: Hot Topics in Bars to Asylum	396
Detention in the New Trump Era by Rebekah Wolf, Rebecca Cassler, and Stephanie Alvarez-Jones PANEL: Detention in the New Trump Era	409
Evolving Definitions of Particular Social Groups by Zack Albun, F. Evan Benz, and Breanna Cary	413

Habeas Corpus: What's Left in the Wake of <i>Rodriguez</i> , <i>Preap</i> , and <i>Aleman Gonzalez</i> ?	420
by Austin Rose, Suchita Mathur, and Flavia Rocha Moody	429
PANEL: Habeas Corpus Refresher	
HUMANITARIAN ISSUES	
Creative Lawyering in the New Trump Era: U and T Visas	
by Cindy Larios, Alyssa C. Reed, Catherine Seitz, and Diana Tafur	440
PANEL: Creative Lawyering in the New Trump Era: U and T visas	110
Rebuilding Hope: Helping an Abused VAWA Self-Petitioner Succeed	
by Tracie L. Morgan, Lia Ocasio, Sonia Parras Konrad, and Ghassan Shamieh	448
PANEL: Rebuilding Hope: Helping an Abused VAWA Self-Petitioner Succeed	
LITIGATION	
FOIA Revisited: Filing and Fighting to Foster Transparency	
by Chris Opila, Daniel Melo, and Melissa Crow	458
PANEL: FOIA: A Powerful Tool in Combating the Immigration Crackdown in the New Trump Era	
Winning Summary Judgment Against USCIS After Loper Bright	
by Diane Butler, Brian S. Green, Charles H. "Chuck" Kuck, and Jeff Robins	466
PANEL: Winning Summary Judgment Against USCIS After Loper Bright	
Fighting for Clients in the New Trump Era: Hurdles to Getting into Federal Court by Leslie K. Dellon, Aimee Mayer-Salins, Mark Stevens, and David Zimmer	477
PANEL: Fighting for Clients in the New Trump Era: Jurisdictional Considerations for Federal Court	4 77
LDD NATZ & CONCULAD ISSUES	
LPR, NATZ, & CONSULAR ISSUES	
Complex Naturalization Issues	
by Rina Gandhi, Roberto Campos, Scott Titshaw, and Bradley Maze	487
PANEL: Complex Naturalization Issues	
Are Visa Denials Appealable?	4.0
by David Strashnoy	494
PANEL: Behind the Consular Window	

OTHER ISSUES

J-1 Visa Trainee/Intern Sponsorships by Scott F. Cooper and Gennady Babankov498
Not a Frozen Concoction: Hot Litigation Topics
A Supreme Court Review, Preview, and Identification of Select Issues to Watch
by Kate Melloy Goettel, Rekha Sharma-Crawford, Michael Vastine, and
Amanda Waterhouse515
PANEL: Supreme Court Update and Litigation Roundup
The AI-Era Cybersecurity Guide for Immigration Attorneys: Practical Steps, Ethical
Clarity, and When to Call for Backup
by James P. Chesser, David Bridges, Joo Young, and Greg Siskind528
PANEL: Protecting Your Data, Protecting Your Firm
Preparing for a TN Application at the Border
by Devin O'Neill543
PANEL: TN Visas: Navigating Complex Cases and Challenges in the New
Trump Era
Will the USMCA Survive Renegotiation? And, if it Doesn't?
by Kathleen Campbell Walker546
PANEL: TN Visas: Navigating Complex Cases and Challenges in the New
Trump Era
Parole In Place for Military Families
by Crucita Flecha, Margaret Deborah Stock, Beth Boyer, and Marino Alomias Branes Jr569
PANEL: Immigration Issues for Military Servicemembers and their Families
Update on Common Waivers of Inadmissibility
by Olsi Vrapi, Aaron Lawee, and Russell Abrutyn575
PANEL: Waiver Warriors: Advanced Strategies for Waivers of Inadmissibility in a New Era
Permanent Resident Strategies for Religious Workers
by James Lance Conklin, William A. Stock, Olga Rojas, and Kate Adams589
PANEL: Permanent Residence Strategies for Religious Workers
Legal and Practical Approaches to Advocating for Noncitizens with Competency
Concerns
by Darien Combs, Sophie Dalsimer, Shira Hereld, and Cassandra Lopez598
PANEL: Advocating for Noncitizens with Competency Concerns: Legal and
Practical Approaches
Escape from Kabul
by Rachel Beardsley609

APPENDICES*

EOIR'S New Limited Practice Professional Conduct Rule:

Ethical and Practical Implications

by Matthew Blaisdell, Kevin Bank, and Michele Carney

PANEL: Navigating Limited Scope Representation in Immigration Court: Ethical and

Practical Considerations (Ethics)

Denaturalization: Can They Really Take My Citizenship Away?

by Kathrin S. Mautino

PANEL: Fighting the Threat of "Supercharged" Denaturalization

AILA Policy Brief: Six Ways the 2025 Budget Reconciliation Bill Undermines a Functional

Immigration System

PANEL: SCOPE: The Necessity for Political Engagement in the New Trump Era

E-1 and E-2 Nonimmigrants

originally authored and updated by Henry J Chang

PANEL: Advanced Issues in E-1 and E-2 Processing

ICE I-9 Audits

by Bruce Buchanon and Greg Siskind

PANEL: ICE/HSI I-9 Investigations: "We're Ba-ack!" Trends, Strategies, and Fine

Mitigation

Ethics of AI for Immigration Lawyers and Staff

by Abanoub Amin

PANEL: Ethics of AI for Immigration Lawyers and Their Staff

^{*} Reprint permission has been granted and is on file at the AILA National Office for all documents in this section not published by AILA and not in the public domain.