



New York Immigration Coalition (NYIC)
Immigrant Concerns Training Institute

Presents

January - March 2013 Training Calendar

Trainings sponsored by the New York State Office for New Americans.

PLEASE READ THE ATTENDANCE POLICY
AT THE END OF THIS SCHEDULE!

PLEASE NOTE THE NEW REGISTRATION FEES

PLEASE NOTE THERE IS A \$30 LATE REGISTRATION FEE FOR CLE TRAININGS!!

MATERIALS WILL BE E-MAILED TO REGISTRANTS BEFORE THE TRAINING

*All trainings will be held at The New York Immigration Coalition
137-139 West 25th Street, 12th Floor (between 6th and 7th Avenues)
(Location subject to change. Registrants will be notified of any change in location.)
Please arrive 20 minutes before your session begins.*

Attendance at trainings is limited to staff of NYIC member agencies and the staff of government agencies, BIA-recognized agencies, and 501(c) nonprofit organizations that provide legal services under the direct supervision of an immigration attorney.

❖ **Deferred Action for Childhood Arrivals (DACA)**

(Free for everyone!)

Date: Monday, January 28, 2013

Time: 2:00 p.m. to 4:00 pm.

<pre-register by 01.24.13>

This training will cover the basic eligibility requirements for Deferred Action for Childhood Arrivals (DACA) as well as walk through filling out the Form I-821D, Form I-765, and Form I-765WS. The training will also discuss the potential documentation to include with a request packet. This training will be conducted by Pat Young, Esq., of CARECEN. **CLE credit: 2 credits in professional practice. This course provides transitional credit for newly admitted attorneys and non-transitional credit for experienced attorneys.**

❖ **U Nonimmigrant Status for Victims of Crime**

Date: Thursday, January 31, 2013

Time: 10:00 p.m.—1:00 p.m.

<pre-register by 01.28.13>

This training will provide an overview of U nonimmigrant status. It will include discussion of eligibility, law enforcement certifications, derivative beneficiaries, inadmissibility waivers and more. It will also provide practical tips on assembling a winning U nonimmigrant status application. The training will be conducted by Melissa A. Brennan for Sanctuary for Families. **CLE Credit: 3 credits in -professional practice. This course provides transitional credit for newly admitted attorneys and non-transitional credit for experienced attorneys.**

❖ **Asylee, Refugee Family Reunification, and Adjustment of Status**

Date: Thursday, January 31, 2013

Time: 2:00 p.m. -- 4:00 p.m.

<pre-register by 1.28.13>

This workshop will cover family reunification (I-730), affidavit of relationship, and responding to tricky RFEs. In addition, it will offer practical tips on filing procedures; and review special issues facing derivative beneficiaries. Tara Pinkham, Esq., Associate Director for Immigration, Church World Service will conduct this training. **CLE Credit: 2 credits in professional practice. This course provides transitional credit for newly admitted attorneys and non-transitional credit for experienced attorneys.**

❖ **What happens on Flatbush doesn't stay on Flatbush: Income Tax Issues for Immigration Practitioners**

Date: Thursday, February 7, 2013

Time: 2:00 p.m. -- 4:00 p.m.

<pre-register by 2.04.13>

This training is designed to help immigration practitioners understand their clients' tax returns and when/how tax issues arise in immigration cases. Specifically the presentation will address compliance issues that relate to the element of good moral character in cancellation of removal and NATZ cases. If you want to know what and why notarios are doing on tax returns that might hurt your clients, then you should attend this program. The training will also address how DACA recipients and individuals who consular process under the new Domestic Waiver program can apply for retroactive tax refunds. The program involves very little math so practitioners who have an aversion should not avoid this program. We will also discuss filing status, who is eligible to claim head of household, dependents and tax debts. The training will be conducted by Samuel C. Rock, Esq., of the Rock Law Group, PLC/co-founder of Rock & Hardin Tax Professionals/co-founder Haitian Tax Project (Brooklyn, NY) and former Director of ITIN Business Program at Jackson Hewitt. Sam is a member of AILA and has authored several articles and gives frequent presentations on the

intersection of tax and immigration. **CLE Credit: 2 credits in professional practice. This course provides transitional credit for newly admitted attorneys and non-transitional credit for experienced attorneys.**

❖ **Immigration Remedies for Immigrant Victims of Human Trafficking: T Visas**

Date: Friday, February 8, 2013 **Time:** 10:00 a.m.—1:00 p.m. *<pre-register by 02.05.13>*

This training will cover how immigrant victims of domestic violence, who are not married to U.S. citizens or lawful permanent residents, can apply for T nonimmigrant status for victims of human trafficking. Information on adjustment of status to lawful permanent residence for T visa holders and protections under New York State's anti-trafficking law will also be provided. The training will be conducted by Kathleen Slocum, Esq. of Sanctuary for Families. **CLE credit: 2 credits in professional practice. This course provides transitional credit for newly admitted attorneys and non-transitional credit for experienced attorneys.**

❖ **Tax Issues for Immigrants**

Date: Wednesday, February 13, 2013 **Time:** 10:00 a.m. to 12:00 pm. *<pre-register by 02.12.12>*

This training is geared toward legal practitioners and other advocates who have a limited background in tax issues as they pertain to immigrants and immigration proceedings. The training will discuss general tax issues relevant to low-income taxpayers, specifically emphasizing issues that affect immigrants. Topics to be covered include general information on how the U.S. tax system works, individual taxpayer identification numbers (ITINs), worker misclassification issues, benefits to filing a tax return (including claiming dependents, the Earned Income Tax Credit, and other credits), tax liability and collection issues, and a general overview of IRS disclosure policies. This training will be conducted by Anna Tavis and Sarah Dranoff of South Brooklyn Legal Services. **CLE Credit: 3 credits in professional practice. This course provides transitional credit for newly admitted attorneys and non-transitional credit for experienced attorneys.**

❖ **Overview of Nonimmigrant Visa Eligibility**

Date: Tuesday, February 19, 2013 **Time:** 10:00 a.m. – 12:00 p.m. *<pre-register by 02.14.13>*

This training will provide an overview of the statutory and regulatory eligibility requirements for select non-immigrant visa categories, such as the B-1/B-2, H-1B, J-1, L, and O non-immigrant visas. The training will be conducted by Paul O'Dwyer, Esq. solo practitioner. **CLE Credit: 2 credits in professional practice. This course provides transitional credit for newly admitted attorneys and non-transitional credit for experienced attorneys.**

❖ **Ethics for Immigration Practitioners**

Date: Friday, February 22, 2013 **Time:** 9:00 a.m. –12:00 p.m. *<pre-register by 02.19.13>*

Immigration law practitioners are often confronted with difficult ethical issues in their day-to-day work. This workshop will address topics such as sources of guidance on ethics, what constitutes representation, issues arising from dual representation, fraud, frivolous applications, and misstatements, inaccuracies and omissions. This workshop will also cover the issue of unauthorized practice of law. The workshop will be conducted by Prof. Dan Smulian, Esq., of the Safe Harbor Project at Brooklyn Law School and Thomas J. Shea, Esq. of the NYIC. **CLE Credit: 3 credits in ethics and professionalism. This course provides transitional credit for newly admitted attorneys and non-transitional credit for experienced attorneys.**

❖ **Practice and Advocacy Before U.S. Citizenship and Immigration Services (USCIS)**

Date: Friday, March 15, 2013 **Time:** 9:00 a.m.-12:00 p.m. *<pre-register by 03.15.13>*

Using the application process for adjustment of status and naturalization as models, this training will present practice pointers and effective advocacy strategies to use when filing petitions with USCIS. The training will cover the proper presentation of forms and supporting documents, where and how to mail applications, processing times, following-up on applications, and client preparation for USCIS interviews. This training will be conducted by Mercedes S. Cano, Esq. **CLE credit: 3 credits in skills. This course provides transitional credit for newly admitted attorneys and non-transitional credit for experienced attorneys.**

❖ **Naturalization and Citizenship**

Date: Wednesday, March 20, 2013 **Time:** 9:00 a.m. – 1:00 p.m. *<pre-register by 03.15.13>*

This training will cover basic topics relating to naturalization and citizenship. Topics will include acquisition and derivation of citizenship, eligibility for naturalization, impediments and bars to naturalization, practice and procedure. This training will be conducted by Midori Hills, Esq. of CUNY Citizenship Now! **CLE Credit: 4 credits in professional practice. This course provides transitional credit for newly admitted attorneys and non-transitional credit for experienced attorneys.**

❖ **Immigration Status and Public Benefits Eligibility**

Date: Thursday, March 21, 2013 **Time:** 9:00 p.m. – 12:00 p.m. *<pre-register by 03.18.13>*

This session will focus on immigration status as an eligibility requirement in federal and state public benefit programs, including Family and Safety Net Assistance, Supplemental Security Income (SSI), Food Stamps, and Medicaid. Verification of immigration status and concerns about public charge, sponsor liability, and contacts between local benefit agencies and USCIS and USICE will also be covered. This training will be conducted by Barbara Weiner, Esq., staff attorney, Empire Justice Center. **CLE Credit: 3**

credits in professional practice. This course provides transitional credit for newly admitted attorneys and non-transitional credit for experienced attorneys.

❖ How to Prepare and Submit a Fee Waiver Request to the USCIS

Date: Thursday, March 21, 2013

Time: 1:00 p.m. – 2:30 p.m.

<pre-register by 03.18.13>

With the recent increase in fees for immigration applications and petitions, more practitioners seek to submit to the USCIS requests for a fee waiver for clients who are unable to pay the fees. The training will cover the USCIS fee waiver guidance and the Form I-912, Request for Fee Waiver, as well as provide practical tips for preparing and submitting a fee waiver request. This training will be conducted by Helen Drook, Esq., Senior Staff Attorney with the New York Legal Assistance Group (NYLAG). **CLE credits: 1 credit in professional practice.**

The NYIC has been certified by the New York State CLE Board as an accredited provider of continuing legal education in New York State from May 28, 2010 to May 27, 2013.

Funding for these trainings has been provided by the Office for New Americans.

NYIC January through March 2013

TRAINING REGISTRATION FORM

PLEASE PRINT:

Name: _____ **Organization:** _____

Address: _____

Tel: _____ **Fax:** _____ **Email:** _____

- ☐ I am an attorney admitted to practice in New York State and wish to receive Continuing Legal Education (CLE) credits.
- ☐ I am an attorney admitted to practice in the following state(s) _____ and wish to receive a certificate of attendance for CLE reporting purposes.
- ☐ I am a BIA accredited representative, and I will need a Certificate of Attendance at the end of the training
- ☐ I will require wheelchair access.

Check the session(s) you will be attending:

☐	DACA (Free for Everyone!)	Monday, January 28, 2013	2:00pm – 4:00pm
☐	U nonimmigrant Status for Victims of Crime	Thursday, January 31, 2013	10:00am - 1:00pm
☐	Asylee, Refugee Family Reunification, and Adjustment of Status	Thursday, January 31, 2013	2:00pm - 4:00pm
☐	Income Tax Issues for Immigration Practitioners	Thursday, February 7, 2013	2:00pm – 4:00pm
☐	T Visas	Friday, February 8, 2013	10:00am - 1:00pm
☐	Tax Issues for Immigrants	Wednesday, February 13, 2013	10:00am - 2:00pm
☐	Overview of Nonimmigrant Visa Eligibility	Tuesday, February 19, 2013	10:00am - 12:00pm
☐	Ethics for Immigration Practitioners	Friday, February 22, 2013	9:00am – 12:pm
☐	Practice and Advocacy Before U.S. Citizenship & Immigration Services	Friday, March 15, 2013	9:00am - 12:00pm
☐	Naturalization and Citizenship	Wednesday, March 20, 2013	9:00am – 1:00pm
☐	Immigration Status and Public Benefits Eligibility	Thursday, March 21, 2013	9:00am - 12:00pm
☐	How to Prepare and Submit a Fee Waiver Request to the USCIS	Thursday, March 21, 2013	1:00pm-2:30pm

Staff of 501(c)(3) nonprofit organizations that are not NYIC member agencies can not attend trainings offered through the ICTI unless the organizations are named on the list of agencies recognized by the Board of Immigration Appeals (BIA) or the nonprofit organization's legal services are provided under the direct supervision of a licensed immigration attorney.

PLEASE NOTE THAT THERE IS A \$30 LATE REGISTRATION FEE.

All registrations will be confirmed by E-mail. If you do not receive an E-mail confirmation, then you are not registered for the training. To confirm your registration, please E-mail jvidal@thenvic.org.

Fee structure:

ONA grantees	Free
BIA Accredited Representatives & Non-profit staff seeking BIA accreditation	Free
Staff of 501(c)3 NYIC member agencies	Free
Attorneys of NYIC member agencies**:	# of trainings _____ @ \$25 per training = \$ _____
(**The agency must be current in NYIC membership dues to receive the membership rate; otherwise it must pay the nonmember rate.	
Attorneys of 501(c)3 nonprofit organizations (Not members of the NYIC):	# of trainings _____ @ \$70 per training = \$ _____
NYIC Private Attorney Supporter:	# of trainings _____ @ \$70 per training = \$ _____
Non-member Private-sector attorneys and their employees:	# of trainings _____ @ \$155 per training = \$ _____
Government employees:	# of trainings _____ @ \$130 per training = \$ _____
Late Registration Fee:	# of trainings _____ @ \$30 per training = \$ _____

IN CASE OF ECONOMIC HARDSHIP, A FEE REDUCTION OR WAIVER MAY BE AVAILABLE UPON REQUEST.
PLEASE CALL X. 227 FOR A COPY OF OUR FINANCIAL AID POLICY AND FEE REDUCTION/WAIVER REQUEST FORM.

SPACE IS LIMITED. REGISTRATION AND PAYMENT IN ADVANCE ARE REQUIRED!

(WE CAN NO LONGER ACCEPT FAX, PLEASE EMAIL US YOUR REGISTRATION FORM)

Email your registration form to jvidal@thenyic.org and mail your registration check or money order made payable to The New York Immigration Coalition to: The New York Immigration Coalition, Training Institute, 137-139 West 25th Street, 12th Floor, New York, NY 10001. (Additional bank charges will be added for returned checks.)

THERE ARE NO REFUNDS. IF YOU ARE UNABLE TO ATTEND, PLEASE NOTIFY US AT LEAST 48 HOURS IN ADVANCE SO THAT YOUR SEAT CAN BE OFFERED TO SOMEONE ELSE.

If you have any questions, please call Jonathan Vidal at 212-627-2227 ext. 227.

The NYIC has been certified by the New York State CLE Board as an accredited provider of continuing legal education in New York State from May 28, 2010 to May 27, 2013.

REGISTRATION REQUIREMENTS—PLEASE READ CAREFULLY

- All people registering to attend CLE training through a NYIC member agency, other nonprofit organization, government agency, or employee of a private attorney **must submit a letter on the agency or organization's letterhead verifying that the registrant is an employee of the agency or organization and authorizing the registrant to attend the training(s). The letter must be signed by the head of the agency or the managing attorney.**
- *Non-member agencies can not participate in ICTI CLE trainings unless the agency is recognized by the BIA or is providing services under the direct supervision of an immigration attorney.*
- *NYIC members that are not BIA recognized and that are not supervised by an immigration attorney can not attend CLE trainings unless the head of the member agency provides a written and signed attestation that s/he understands what constitutes the "practice of law" and that the member does not and will not engage in the unauthorized practice of law. The NYIC can provide a form attestation letter for the head of the member agency to sign. Please contact jvidal@thenyic.org to obtain the attestation form.*
- *Non-member agencies that are not recognized by the BIA but that are providing legal services under the direct supervision of an immigration attorney must provide a letter, from that supervising attorney, stating that the attorney supervises the work of the registrant(s).*
- **NYIC member agencies and other 501(c) organizations submitting registrations on behalf of their staff to attend CLE trainings must submit a copy of their IRS 501(c) letter in order to receive the member or nonprofit rates.**
- The NYIC will not knowingly accept registration to attend CLE trainings from any person who provides legal representation without authorization pursuant to 8 CFR Part 292, such as "immigration consultants" and "notarios."
- **Effective January 1, 2008 the "NYIC Private Attorney Supporter" category is an individual membership and not membership for the entire office.** This means that if an attorney in private practice is a NYIC member in the "Private Attorney Supporter" category, her/his membership extends only to the attorney and not to other attorneys or other support staff in her/his office. Each staff in the office must have a "Private Attorney Supporter" NYIC membership in order to receive the NYIC-member training discount.
- **Please note: Effective April 1, 2009, there is a new fee category for "NYIC Private Attorney Supporter".** This means that private attorney NYIC supporters will pay a higher fee than the category for "Staff of 501(c) NYIC member agencies."

NYIC Immigrant Concerns Training Institute Attendance Policy

The mission of the NYIC Immigrant Concerns Training Institute (ICTI) is to provide high-quality trainings for attorneys and Board of Immigration Appeals (BIA) accredited representatives of NYIC member agencies to help them build and maintain their competency and effectiveness in the provision of immigration legal services. Likewise, the ICTI assists the legal support staff of attorneys and BIA-accredited representatives (e.g., legal assistants, paralegals) of NYIC member agencies to increase their skill and competency in order to obtain BIA accreditation. The ICTI also provides trainings to the staff of NYIC member agencies and other nonprofit 501(c) agencies that are either BIA- recognized or managed by an immigration attorney for purposes of professional development—to help them increase their understanding of issues that impact immigrants. The ICTI provides both non-CLE and CLE trainings.

Members Having No BIA Recognition and No Immigration Attorneys Must File Attestation

An NYIC member that is not recognized by the Board of Immigration Appeals and does not have an immigration attorney on staff to supervise the provision of immigration legal services must file with the NYIC a written attestation, signed by the head of the organization, stating that (i) it understands what constitutes the practice of law (as defined below), and (ii) that it does not and will not engage in the unauthorized practice of law. Until such attestation is filed with the NYIC, the member cannot participate in trainings offered through the NYIC ICTI and cannot send employees to participate in the trainings offered by the NYIC ICTI. Going forward, the attestation will serve as notice to NYIC members that they are prohibited from using the ICTI to support the unauthorized practice of law.

If the member files such an attestation, but later the NYIC Board of Directors determines that the member in fact is engaged in the unauthorized practice of law, then the NYIC Board of Directors may suspend or expel that member from NYIC membership as appropriate under this policy.

Unauthorized Practitioners of Law Prohibited From ICTI Trainings

If an individual engages in any of the activities described as the “practice of law” below, and is not a licensed attorney, is not working under the direct supervision of an immigration attorney, and is not a Board of Immigration Appeals (BIA) accredited representative, then that individual is engaged in the unauthorized practice of law.

The NYIC’s Director of Training and Technical Assistance shall have the discretion to prohibit any individual or agency from participating in any training offered through the ICTI if he or she knows or has reasonable grounds to believe that the individual or agency is engaged in criminal or unlawful activity (including but not limited to the unauthorized practice of law).

The NYIC shall not knowingly permit individuals or organizations that engage in the unauthorized practice of law to participate in ICTI trainings. Such individuals and organizations include but are not limited to: *notarios*, for-profit immigration consultants, travel agents, insurance agents, and other individuals or organizations, whether for-profit or non-profit, that are engaged in the unauthorized practice of law.

Practice of Law Defined

The “practice of law” shall include, but not be limited to, (i) applying the law to the particular facts of an individual’s case, (ii) advising a person *which* immigration form the person should complete and/or file with the U.S. Department of Homeland Security, U.S. Executive Office for Immigration Review, U.S. Department of Labor, or the U.S. Department of State (hereinafter, “the immigration authorities”), (iii) advising a person *how* to complete and/or file a form with the immigration authorities, (iv) calling or writing the immigration authorities on behalf of an individual to find out the status of the individual’s case, or to otherwise make an inquiry about the individual’s case on behalf of that individual, (v) representing an individual or individuals during a hearing, interview, or meeting with the immigration authorities, (vi) appearing in any case, either in person or through the preparation or filing of any brief or other document, paper, application, or petition on behalf of another person or client before or with the immigration authorities, (vii) studying the facts of a case and the applicable laws, coupled with the giving of advice and auxiliary activities, including the incidental preparation of papers, and/or (viii) the preparation and/or sending of correspondence to the immigration authorities on behalf of an individual.

Getting BIA Recognition and Accreditation

Through its Training & Technical Assistance program, the NYIC provides training and legal support to NYIC member agencies to prepare and file an application for BIA recognition for the member agency and accreditation for the organization’s staff. Please contact the NYIC’s Director of Training and Technical Assistance for more information.