

Reopening Cases for Justice: Basic Rules and Advanced Strategies for Motions to Reopen in Immigration Cases

San Francisco, Live Webcast and www.pli.edu,* March 14, 2018

Why You Should Attend

In today's enforcement environment, it is essential for all immigration practitioners who advise or represent immigrants with final orders of removal to know how to recognize various bases for reopening cases and skillfully put together motions to reopen. A motion to reopen may be the only way to rectify old mistakes in the case, or raise new legal arguments and forms of relief. At the same time, a badly-prepared motion to reopen will prejudice a client even more and, without a stay of removal, may ultimately be useless.

What You Will Learn

In this training, expert practitioners will review the rules and strategic considerations for motions to reopen, and provide advice on how to prepare strong motions to reopen. They will also provide a series of specific case examples of different kinds of motions to reopen, including for changed country conditions, post-conviction relief, changes in law, citizenship claims, and ineffective assistance of counsel. The panelists will also discuss how to obtain a stay of removal to protect clients from removal while your motion is being considered.

Who Should Attend

This training is intended for both novice and experienced immigration practitioners.

AGENDA

9:00

Opening Remarks

Monica Oca Howell, Avantika Shastri

9:15

Overview of Motions to Reopen in Immigration Cases

- Current enforcement environment and importance of motions to reopen
- Differences between motions to reopen, reconsider, and remand; and motions to rescind in absentia removal orders
- Where and when to file the motion to reopen
- Investigating a basis for a motion to reopen
- Legal arguments for the motion to reopen
- Supporting documents for motions to reopen
- Judicial review of motions to reopen
- Obtaining a stay of removal

Trina Realmuto

10:15

Networking Break

10:30

Specific Types of Motions to Reopen and Case Examples in Immigration Cases

- Changed country conditions
- Eligible for new relief
- Ineffective assistance of counsel during prior proceedings
- Change in law
- Different forms of post-conviction relief
- In absentia motions to reopen
- Citizenship claims
- Due process and constitutional errors in prior proceedings
- Juveniles

Holly S. Cooper, Amalia Wille

12:00

Adjourn

Faculty:

Co-Chairs:

Monica Oca Howell

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CARECEN
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Avantika Shastri

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