

Panel Descriptions

Panel 1: “Employer Compliance and the Department of Homeland Security / Social Security Administration No-Match Letters”

Under the Immigration Reform and Control Act of 1986 ("IRCA"), all employers must verify that every employee is either a US citizen, permanent resident, or a foreign national with authorization to work in the US. Employers are subject to civil and criminal penalties for knowingly hiring or continuing to employ aliens who are not authorized to work in the United States. Employers must complete a Form I-9 for each new employee, verifying their employment eligibility.

This panel will look at the overall problems facing employers as they seek to hire legal immigrants and comply with DHS and DOL regulations. Specifically, panelists will discuss the following aspects of Employer Compliance:

- What employers need to do to verify the identity and employment eligibility of anyone who is hired
- The protections afforded to employees from discrimination in hiring or discharge on the basis of national origin and citizenship status
- The new I-9 requirements and how this will effect employer compliance
- What issues would come into play for an immigration attorney who is advising a client who is an employee? How about a client who is the employer?
- No-Match Letter Legislation, set to take place shortly and the current lawsuit surrounding this matter
- How the No-Match Legislation will effect employment discrimination
- What are the prospects for the new E-Verify System?

Panel 2: “Immigration Consequences of Criminal Convictions”

Any person who is not a US citizen, including lawful permanent residents, can be deported because of a criminal conviction. Since 9/11, immigrants with criminal convictions have become one of the primary concerns of the DOJ and DHS, as such deportations for immigrants convicted of crimes has sharply increased.

This panel will focus on the complex Immigration laws regarding criminal convictions. Specifically, panelists will look at the following issues:

- The vague definition of moral turpitude and its effect on immigrants
- The effect of different state criminal laws regarding the definition of an aggravated felony
- How to advise clients with criminal convictions
- How accepting a plea may effect ones chances of being deported
- Remedies for immigrants with criminal convictions

Panel 3: “Human Trafficking”

Human Trafficking is modern-day slavery, involving victims who are forced, defrauded or coerced into labor or sexual exploitation. Annually, about 600,000 to 800,000 people - - mostly women and children -- are trafficked across national borders (this figure does not count the millions of individuals trafficked within their own countries). People are coerced into trafficking by many means. In some cases, physical force is used. In other cases, promises are made regarding job opportunities or marriages in foreign countries to entrap victims.

This panel will focus on two branches of human trafficking – forced prostitution and forced labor. Specifically, this panel will focus on the following issues related to human trafficking:

- The difference between human smuggling and human trafficking
- What the US government is doing to combat human trafficking in the US and abroad
- How human trafficking effects US immigration policy
- The Trafficking Victims Protection Act of 2000
- How the T visa works
- How the US government is prosecuting the perpetrators of human trafficking
- How victims of trafficking can learn about their rights and visa options
- How to advise a client who has been a victim of human trafficking

Panel 4: “Federal Preemption and the Legality of State Enforced Immigration Laws”

In recent years, it has become evident that the federal government alone is not equipped to tackle the problems associated with immigration. This panel looks at how certain states and countries have taken it upon themselves since 9/11 to enforce or create immigration laws. This panel will look at the constitutionality of state and local governments acting in a realm of law usually reserved to the federal government. Specifically, this panel will evaluate the following issues in terms of their constitutionality and effect on immigration:

- The authority of local police in immigration enforcement
- The issuance of state benefits, including driver’s licenses and the recent controversy surrounding Michigan’s decision to forbid certain legal immigrants from obtaining driver’s licenses
- The impact of state and local immigration ordinances on discrimination –the contradictory District Ct opinions
- The constitutionality of Federal Government legislation providing local governments with the authority to enforce immigration laws