

## **IMMIGRATION LAW READING ASSIGNMENT FOR FIRST CLASS**

READING- AILA LINK-Core Publications, Essentials of Immigration Law, Chapter 1, Read as far as "Immigrants and the Constitution"

### Overview

Organizational structure & immigration components of the Department of Homeland Security, the U.S. Department of Labor, and the Department of State; immigration terminology, immigration documentation, and historical background of U.S. immigration. Conduct of initial Client consultations

## **IMMIGRATION LAW/SUMMER 2013**

### **SYLLABUS**

**ADJUNCT PROFESSOR JOSEPH H. ROSEN**

**OFFICE:**

1875 Old Alabama Rd. Suite 720

Roswell, GA 30076

**TELEPHONE** 678-461-6046

**FAX** 678-461-5556

**EMAIL:** JOE@JHROSENLAW.COM

**REQUIRED TEXT:**

1. AILA LINK Online Database of primary sources, court cases, periodicals, and federal laws and regulations. All reading assignments will be from materials available on AILA LINK. Students are required to purchase online access to AILA LINK as a semester subscription by calling Kathy Frazier at AILA publications at (202) 507-7616. She may be reached by email at [KFrazier@aila.org](mailto:KFrazier@aila.org). The cost is \$ 75 for the semester.

**RECOMMENDED TEXT:**

**None**

The final exam will be closed book.

**COURSE DESCRIPTION:** The course will focus upon U.S. immigration and naturalization law and will concentrate on practice, and procedures. The course will focus on the actual practice of immigration law and will concentrate on laws, regulations, and processes and procedures directly affecting immigration for family and business purposes. The course will provide an overview of what foreign nationals encounter in coming to the United States, the ethical issues encountered in an immigration law practice, admissibility to the U.S. and an introduction to the roles played in the immigration process by the U.S. Department of Homeland Security, the U.S. Department of Labor, and the U.S. Department of Justice.

## **COURSE OBJECTIVES**

- (1) In regard to DHS, DOJ, and DOL, be able to identify their responsibilities regarding U.S. Immigration and to be able to identify which organization in each Agency performs which function;
- (2) Know the basic constitutional framework for immigration laws by reading and being able to identify the historical, core Immigration Law cases.
- (3) Identify and know the elements and types of the following Nonimmigrant categories; visitors for pleasure, students, temporary employment, and exchange visitors.
- (4) Identify and know the elements and types of the following Immigrant Categories; family, permanent employment, asylee & refugee, and diversity lottery.
- (5) Distinguish between citizenship by birth and naturalization. Identify the differences and requirements under U.S. law of jus soli and jus sanguinis, know the requirements for naturalization.

**COURSE GOALS:** To introduce the student to U.S. agencies that process and decide immigration matters; familiarize students with the forms, required evidence, and applicable laws and regulations relating to foreign nationals entering or remaining in the U.S.; introduce students to the practical aspects of operating an immigration law practice and review ethical considerations related to the practice of immigration law.

## **COURSE SCHEDULE AND READING ASSIGNMENTS:**

The reading assignment for each class is listed below. Students are expected to have read the assignment prior to class and be prepared to discuss the issues raised in the reading assignment during that class period.

All reading assignments will be found under the materials available on AILA LINK.

Modifications and additions to the syllabus and reading assignments will be announced in class or posted on TWEN.

## **DATE    ASSIGNMENT**

CLASS 1      May 28

Overview

**Organizational structure & immigration components of the Department of Homeland Security, the U.S. Department of Labor, and the Department of State; immigration terminology, immigration documentation, and historical background of U.S. immigration. Conduct of initial Client consultations**

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Class Exercise regarding Immigrant Priorities

CLASS 2 & 3 May 30 & June 4

### **IMMIGRATION AND THE CONSTITUTION**

#### **SOURCES OF FEDERAL IMMIGRATION POWER**

AILA LINK-Core Publications, Essentials of Immigration Law, Chapter 1, Immigrants and the Constitution.

Also, be prepared to discuss the following cases. They are all U.S. Supreme Court cases and you can access them through AILA LINK or through U.S. Supreme Court interfaces

Chae Chan Ping v. U.S. (1889)  
Eiku v. U.S.(1892)  
Fong Yue Ting v. U.S. (1893)  
Shaughnessy v. U.S. (1953)  
Yamataya v. Fisher  
Harisiadesv. Shaughnessy  
Francis v. INS (1976)  
Zadvydas v. Davis (2001)  
Demore v. Hyung Joon Kin (2003)

CLASS 4, 5, & 6 June 6, 11, & 13

**NON-IMMIGRANT VISA CATEGORIES**

AILA LINK-Core Publications, Essentials of Immigration Law,  
Chapter 4, Non-Immigrant Visas

AILA LINK-Core Publications, Kurzbans Immigration Law  
Sourcebook, Chapter 5, Nonimmigrant Visas

CASES- International Union of Bricklayers & Allied Trades v.  
Meese

CLASS 7, 8, & 9 June 18, 20, & 25

**IMMIGRANT VISA CATEGORIES**

AILA LINK-Core Publications, Essentials of Immigration Law,  
Chapter 5, Immigrant Visas

AILA LINK-Core Publications, Kurzbans Immigration Law  
Sourcebook, Chapter 6, Permanent Resident Status &  
Chapter 7, Employment Based Immigration

CLASS 10, 11, & 12 June 27, July 2, & July 9

**NATURALIZATION & CITIZENSHIP**

AILA LINK-Statutes & Regs INA Title III, Section 301-61

IN RE VAFAEI-MAKHSOOS USDC (MN) 1984 597 F.  
SUPP. 499

CLASS 13, & 14 July 11 & 16

**ADMISSABILITY, CONSULAR PROCESSING, &  
ADJUSTMENT OF STATUS**

AILA LINK-Core Publications, Essentials of Immigration Law,  
Chapter 2, Inadmissibility, Deportability, Waivers, and Relief  
from Removal

AILA LINK-Core Publications, Kurzbans Immigration Law  
Sourcebook, Chapter 3, Admission and Removal

CLASS 15 July 18- Review and Practical Problems

## **IMMIGRATION LAW**

### **SUMMER 2013 COURSE POLICIES**

**ADJUNCT PROFESSOR JOSEPH H. ROSEN**

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**Roswell, GA 30076**

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**EMAIL: JOE@JHROSENLAWS.COM**

#### **Teaching Schedule:**

Tuesday & Thursday evening; 6:15 PM-9:30 P.M.

#### **Appointments:**

I am available to meet with students by appointment. Please contact me by email to set up an appointment. I can meet students either at my daytime office or in the adjunct faculty offices prior to class.

#### **Class Preparation and Participation:**

Class preparation is essential. Every student must be prepared for every class. Preparation includes reading the material, identifying questions you have regarding the material, thinking through the material, and preparing problems/hypotheticals as assigned. A student who is not prepared for class may be counted as absent for that class period.

Every student is expected to participate during class. Preparation for and participation in class are essential in order for you to master the material which will be covered in class. Classroom discussion and working through hypotheticals are part of the legal process. It prepares you the student for the class exams and for the practice of law. **If a student is unprepared in class on two occasions as evidenced by responses to questions about assigned reading, their final grade will be reduced by a half of a grade (i.e. from B+ to B, or B to B-)** **Subsequent unprepareds will further reduce the grade.**

Cell phones, pagers, computer alarms and other noise-making devices must be turned off during class. Students who disrupt the class will be asked to leave and will be counted as absent for that class.

**Textbook:**

In lieu of a textbook, all readings and study materials will be available as a subscription to AILALINK, an online service of the American immigration lawyer's Association. The cost for the semester is \$ 75, which is an appreciable savings from the ordinary annual subscription cost of approximately \$ 700.

To purchase your subscription contact the below individual:

Kathy Jo Frazier  
AILA Link Subscriber Services  
Electronic Publications Associate  
American Immigration Lawyers Assoc.  
1331 "G" Street NW, Washington DC 20005  
202) 507-7616 / Fax: 202) 783-7853

Advise her that you are in Professor Rosen's Summer 2013 Immigration Law class at Atlanta's John Marshall Law School. She will make the arrangements for you to obtain access to the database and to have you pay the \$75 subscription fee.

PLEASE NOTE THAT THIS IS THE REQUIRED TEXT FOR THE CLASS.

**Attendance:**

Regular and punctual class attendance is mandatory. Per school policy, if you miss more than 20% of the Immigration Law classes, you will be academically withdrawn and automatically given a "W/F" for the course. See John Marshall School of Law Student handbook, Section 601 (2001) if you are more than fifteen (15) minutes late or leave more than fifteen minutes early, the late arrival or early departure will be counted as ½ of an absence.

In this course, the third class that you are absent will trigger the 20% rule. I have no power of dispensation to allow you extra excused absences.

When you do miss a class, it is your responsibility to get notes from a classmate. You will be required to meet any deadlines of the course regardless of missed classes.

**Taping of Classes:**

You may not tape record or otherwise electronically record the class.

**TWEN:**

TWEN will be used extensively during Immigration law. You are responsible for all materials, announcements, and assignments posted on TWEN. All course material will be posted on TWEN. Within the first week of the semester, you must access TWEN and enter an email address which you use on a regular basis. I will use TWEN to communicate with you.

**THE FINAL WILL NOT BE AN OPEN BOOK EXAM.**