

FRIDAY • APRIL 23, 2010

BUSINESS IMMIGRATION LAW

**6 CLE Hours including
1 Professionalism Hour • 3 Trial Practice Hours**

Co-Sponsored by:



**Immigration Law Section
State Bar of Georgia**

**International Law Section
State Bar of Georgia**

STATE BAR OF GEORGIA HEADQUARTERS

104 Marietta Street NW • Atlanta, GA

Parking is free in the State Bar Headquarters for State Bar members attending ICLE seminars. Entrance to the Conference Center is located on Level 6 of the State Bar Headquarters parking deck. Please have parking ticket stamped by ICLE registration personnel before leaving the seminar.

- **From the East on I-20:** Take the Windsor-Spring Exit. Turn right on Spring Street. Turn right on Marietta Street.
- **From the West on I-20:** Take the Windsor-Spring Exit. Turn left on Spring Street. Turn right on Marietta Street.
- **From the South on 75-85:** Take International Blvd Exit. Turn left on International. Turn left on Centennial Parkway. Turn left on Marietta Street.
- **From the North on 75-85:** Take Williams Street. Exit. Turn right on International Blvd. Turn left on Centennial Parkway. Turn left at Marietta Street.
- **Marta:** The State Bar of Georgia Headquarters is about one block from Station W1 (Philips Arena/CNN Center) on Marta's west line.

To make hotel room reservations, call:

Embassy Suites phone: 678-686-0760 • Hilton Garden Inn phone: 404-577-2001 • The Omni phone: 404-818-4334

Ask for the State Bar of Georgia's negotiated corporate rate.

<http://www.gabar.org>

THREE WAYS TO REGISTER: check the ICLE schedule on the web at www.iclega.org

Mail: ICLE • P.O. Box 1885 • Athens, GA 30603-1885 (make check payable to ICLE)

Fax: 706-354-4190 (credit card payment must accompany fax to be processed)

Online: iclega.org (credit card payment only)

Duplicate registrations may result in multiple charges to your account. A \$15 administrative fee will apply to refunds required because of duplicate registrations.

© 2010 Institute of Continuing Legal Education in Georgia

Questions? Call ICLE Atlanta Area: 770-466-0886 • Athens Area: 706-369-5664 • Toll Free: 1-800-422-0893

BUSINESS IMMIGRATION LAW • April 23, 2010 • 7383

NAME _____ GEORGIA BAR # _____
 FIRM/COMPANY _____ OFFICE PHONE (____) _____
 EMAIL _____ *(for registration confirmation and email notification of seminars, no postcard or brochures will be sent)*
 MAILING ADDRESS _____ ZIP + 4 _____ - _____
 STREET ADDRESS _____ (for UPS) ZIP + 4 _____ - _____
 CITY _____ STATE _____

**EARLY REGISTRATION FEE: \$160
ON-SITE REGISTRATION FEE: \$180**

- I have enclosed a check for the early registration fee received 48 hours before the seminar.
- I authorize ICLE to charge the early registration fee to my MASTERCARD VISA AMERICAN EXPRESS* DISCOVER
- I am sight impaired under the ADA, and I will contact ICLE immediately to make arrangements.**
- I am unable to attend. Please send written materials and bill me for the cost of materials only. Sorry, no phone orders!

Account # /

Credit Card Verification Number: A three-digit number usually located on the back of your credit card; *AmEx is four-digits on the front of the card.

Expiration Date: _____ Signature: _____

AGENDA

Presiding: *Laleh Sharifi*, Program Chair; Smith, Gambrell & Russell, LLP, Atlanta

8:00 **REGISTRATION AND CONTINENTAL BREAKFAST**
(All attendees must check in upon arrival. A jacket or sweater is recommended)

8:25 **WELCOME**
Anton F. Mertens, Chair, Immigration Law Section, State Bar of Georgia; Smith, Gambrell & Russell, LLP, Atlanta

PROGRAM OVERVIEW
Laleh Sharifi

8:30 **COMMON NON-IMMIGRANT EMPLOYMENT-BASED VISAS: H-1B AND TN VISAS**

- **H-1B Professionals-Eligibility; LCA; Prevailing Wage Requirements; Credentials Evaluation; Industry Standards; Portability; Effect of Cap; H-1B Cap Exemption; Dealing with Lay-Offs**
- **TN Canadian/Mexican Professionals: The New TN Regulations; Dealing with Degree Requirements; Immigrant Intent; Problematic Professionals**

Sarah J. Hawk, Fisher & Phillips LLP, Atlanta

9:15 **NON-IMMIGRANT VISA ALTERNATIVES FOR EMPLOYMENT-BASED IMMIGRATION: E, L, O AND P VISAS**

- **E-1/E-2 Traders, Investors and Essential Employees**
- **L-1A/L-1B Intracompany Managers and Executives/Specialized Knowledge Professionals**
- **O and P Extraordinary Individuals/Performers and Athletes**

Teri A. Simmons, Arnall Golden Gregory LLP, Atlanta

10:15 **BREAK**

10:30 **PERM LABOR CERTIFICATION: THE JOB DESCRIPTION, MINIMUM REQUIREMENTS AND RECRUITMENT STRATEGIES**

- **Who Pays?; Drafting the Job Description; Alternative Requirements; Showing Business Necessity; Resolving Wage Issues; Where to Recruit?; Dealing with Lay-Offs and considering U.S. workers; Drafting Recruitment Report; Responding to an Audit Notice; New ETA Form 9089**

Lea Alfano, Kramer & Alfano, P.C., Decatur

11:30 **PERM TO I-140 ADJUDICATION: EB-2/EB-3 ELIGIBILITY AND DEALING WITH DEGREE EQUIVALENCY AND OTHER ISSUES**

- **EB-2/EB-3 Eligibility**
- **Addressing Equivalency Issues in ETA 9089 Preparations**
- **Review of Ability to Pay Standards, When to Consider Ability to Pay and Alternative Strategies**
- **Strategy Issues: Processing Delays When Your Priority Date May or May Not Be Current**
- **Timing Issues: When I-140 Approval Is Needed for an H-1B AC21 Extension**

Romy K. Kapoor, Adorno & Yoss, LLP, Atlanta

12:15 **LUNCH** (Included in registration fee)

12:45 **AVOIDING LABOR CERTIFICATION: EB-1 AND EB-2 IMMIGRANT CATEGORIES**

- **Extraordinary Ability**
- **Outstanding Researchers and Professors**
- **Multinational Managers and Executives**
- **Exceptional Ability**
- **National Interest Waiver**

Aimee Clark Todd, Littler Mendelson, P.C., Atlanta

1:30 **EMPLOYER COMPLIANCE: I-9S, SOCIAL SECURITY NO-MATCH LETTERS, SB-529**

- **Verifying Employment Eligibility**
- **How to handle an I-9 Inspection?**
- **Dealing with E-Verify-Mandatory or Voluntary?**
- **Special Issues for Federal/State Contractors and Employers of OPT/STEM F-1s**
- **Handling SSA No-Match Letters**

Eileen G. Scofield, Alston & Bird LLP, Atlanta

2:15 **BREAK**

2:30 **PROFESSIONALISM IN A BUSINESS IMMIGRATION PRACTICE**

- **Activities Which an Attorney Is Expressly Prohibited From Engaging In Proper Role of the Attorney, Employer and Employee**
- **How Involved Is Too Involved?**
- **Confidentiality and Dual Representation**

David C. Whitlock, Elarbee Thompson Sapp Wilson, Atlanta

3:30 **ADJOURN**



CANCELLATION POLICY

Cancellations reaching ICLE by 5:00 p.m. the day before the seminar date will receive a registration fee refund less a \$15.00 administrative fee. Otherwise, the registrant will be considered a "no show" and will not receive a registration fee refund. Program materials will be shipped after the program to every "no show." Designated substitutes may take the place of registrants unable to attend.

SEMINAR REGISTRATION POLICY

Early registrations must be received 48 hours before the seminar. ICLE will accept on-site registrations as space allows. However, potential attendees should call ICLE the day before the seminar to verify that space is available. All attendees must check in upon arrival and are requested to wear name tags at all times during the seminar. ICLE makes every effort to have enough program materials at the seminar for all attendees. When demand is high, program materials must be shipped to some attendees.