IMMIGRATION LAW
LAW 726 SEC. 550
(3 credits)

HONORABLE JOHN F. GOSSART, JR.
UNITED STATES IMMIGRATION JUDGE
(Retired)
ADJUNCT PROFESSOR

Phone# 240-304-8183
Email: judge800@yahoo.com & jgossart@ubalt.edu

UNIVERSITY OF BALTIMORE SCHOOL OF LAW

FALL 2015 COURSE OUTLINE

CLASS MEETING: Monday & Wednesday 4:45PM - 6:00PM
Room 603 LC

OFFICE HOURS: Adjunct Faculty Office Room 8th Floor. Office Hours 3:30PM- 4:30PM
Monday & Wednesday, or by appointment. [I am also available after class and by email]

REQUIRED TEXT: Immigration and Refugee Law and Policy, Sixth Edition University Casebook Series, The
Foundation Press, Inc., 2015, Stephen H. Legomsky; Bender’s Immigration and Nationality
Act Pamphlet, Publisher’s Editorial Staff, Matthew Bender (you may use 2013,14 or 15
edition).

SUGGESTED REFERENCE MATERIALS:
Immigration Law and Procedure, Revised Edition, Matthew Bender Publisher.
Code of Federal Regulations, Title 8: Aliens and Nationality.
Your favorite newspaper!!!!

COURSE REQUIREMENTS:
1. Attendance at each class fully prepared to discuss the assigned readings and problems.
   Class participation is important. Attendance requirements are in accordance with ABA & UB guidelines;
   5 absences are permitted. (3 excused, 2 un-excused)
2. Participation in Mock Hearing
3. A final examination

COURSE GRADING POLICY:
The student’s grade is based on a final exam. Attendance and class participation (including Mock Hearing) are
considered for grade enhancement.

COURSE DESCRIPTION:
Our immigration laws impact virtually every area of the law. This course provides an overview of our immigration
laws and policies, past and present. It includes an examination of the constitutional and statutory provisions and their
underlying policies. The course introduces the student to the laws that deal with aliens; immigrant and non
immigrant visas, admissible, inadmissible, and deportable aliens, undocumented and criminal aliens, refugees and
asylum seekers, Torture Convention applicants, employer hiring responsibilities and sanctions, naturalization,
acquisition and loss of citizenship.

COURSE OBJECTIVES:
To understand the history and policies of our immigration laws and the complexities of those laws.
To acquire a basic knowledge of the types of visas available to aliens and the requirements for those visas.
To learn the laws of inadmissibility and deportability and how to overcome these bars.
To acquire a basic knowledge of our asylum and refugee laws and our obligations under the Convention Against
Torture.
To understand employer responsibilities in the workplace for hiring aliens and employer sanctions when the law is
violated.
To acquire a basic knowledge of our citizenship and naturalization laws.
To apply immigration law to real case problems through class discussion in the role of a student attorney.

At the conclusion of this course you will have a working knowledge of United States immigration law.
Please use my email address at judge800@yahoo.com or MyUB address at jgossart@ubalt.edu

**DISCLAIMER:** The views expressed by this retired judge and adjunct professor in this course are my own and do not necessarily represent the views of the Department of Justice, the Attorney General of the United States or the Chief Immigration Judge.

5 C. F. R. 2635.807(b) (2).

Please, no taping is permitted!
<table>
<thead>
<tr>
<th>Date</th>
<th>Class</th>
<th>Chapter</th>
<th>Reading Assignments</th>
</tr>
</thead>
<tbody>
<tr>
<td>8/17</td>
<td>Class 1</td>
<td>Chapter 1</td>
<td>Introduction: Course Review&lt;br&gt;Overview of Immigration Law&lt;br&gt;v-vii; xiii-xvi; 1-24(m)&lt;br&gt;No other required readings this chapter-read at own interest</td>
</tr>
<tr>
<td>8/19 &amp; 8/24</td>
<td>Class 2 &amp; 3</td>
<td>Chapter 2</td>
<td>Immigration and the Constitution: Sources of the Federal Immigration Power:&lt;br&gt;Limits to the Federal Immigration Power: First Amendment;&lt;br&gt;Ex Post Facto Clause; Bill of Attainder; Some Substantive Cracks in the Plenary Congressional Power? The Patriot Act of 2001: Mandatory Detention; Cases of Ma-Zadvydas; and Kim; state laws on immigration; Arizona v US.&lt;br&gt;99(t)-106(m); 115(t)-117(b); 118(m)-122(b); 136(b)-144(m); 152(b)-154(b); 186-193(m); 204(m)-209(b);</td>
</tr>
<tr>
<td>8/26</td>
<td>Class 4</td>
<td>Chapter 3</td>
<td>Immigrant Categories: Historical Background: Fundamentals about Quotas and Preferences.&lt;br&gt;257-262(m) (do not do problems)</td>
</tr>
<tr>
<td>8/31 &amp; 9/2</td>
<td>Class 5 &amp; 6</td>
<td>Immigrant Categories: Family: The Basics; Spouses, Parents, Children, Siblings; Conditional Residence and Waivers;&lt;br&gt;Marriage Fraud Act.&lt;br&gt;269(m)-276(b); (do problems 3 &amp; 4 pg.276-277); 277(m)-288(t); 291(m)-295(b).&lt;br&gt;(do problems 5, 6, 8, 10, pg.295-296); 300(m)-303(m); (do problem 12 pg.306)</td>
<td></td>
</tr>
<tr>
<td>+++NO CLASS 9/7</td>
<td></td>
<td></td>
<td>Labor Day</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Immigrant Categories: Employment Related Immigration:
The First Three Preferences [including labor certification]; Fourth And Fifth Employment Based Preferences; Diversity Immigrants; Self Identify of Immigrants; General Policy Questions

313-318(m); 347(m)-354 (m)

***Invited Guest Speaker: Jose Pertierra, Esq., Immigration Attorney

Chapter 4
Nonimmigrants: General; Business; Visitors; Treaty Traders and Investors; Tourists; Temporary Workers; Students; Exchange Visitors; Fiancés and Fiancées; Intent to Remain Permanently; Change of Status.

359-369(t); (do problems 1 & 2 pg. 371); 371(b)-372; 374(b)-381; 394(m)-395(m); 386(m); (do problems 4&5 pg.395); 395(b)-397(m); 400(m)-405(b); 411(m)-413; 414(m)-417(t);(do problem 10 pg. 417); 417(b)-421(t); 425(t)-425(t)

Chapter 5
Inadmissible (Exclusion) Grounds: General: Political and National Security Grounds; Grounds Relating to Immigration Control; Criminal Grounds; Economic Grounds; Health Related and Moral Grounds; Multiple Waivers.

427-428(b); 437-442; (do problems 3&4 pg. 443); 443(b)-445(b); 453(m)-456;(do problems 6&8 pg. 459); 459(b)-466(b); 472(b)-474(m); (do problems 9&11 pg. 474-475); 480

Chapter 6
Admission Procedure: General: Visa Petitions; Visa Applications; Actual Admission; Adjustment of Status

481-482(m); 487-493; 498(t)-502(b); 511(t)-513(b); 520(b)-528(m)
(do problems 4&5 pg. 529-530)

Chapter 7
Deportable Grounds: History; Current Grounds; Present Without Inspection; Entry While Inadmissable; Post Entry Conduct; Crime Related Grounds; Political and National Security Grounds.

531-532(b); 533(b)-537(t); 538(m)-539; 559(m)-560(b); (do problems 9&10, pg. 561); 562(b)-567(m); 584(b)-587; (do problem 15 pg.594); 594(b)-599; (do problems 17,18&21 pgs.597, 617&618); 618(b)-624(m); (do problem 23 pg. 624).
<table>
<thead>
<tr>
<th>Date</th>
<th>Class</th>
<th>Chapter</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>10/5 &amp; 10/7</td>
<td>14 &amp; 15</td>
<td>Chapter 8</td>
<td>Relief From Removal (Deportation): Permanent Relief: Cancellation of Removal for Non Lawful Permanent Resident; Registry; Legalization; Adjustment of Status; Waivers of Deportation; Limited Relief: Deferred Action; Voluntary Departure; Stays of Deportation; Miscellaneous Defenses; Perspective on Relief. 625-631; (do problems 1 &amp; 2 pg. 632); 633-636(t); 636(b)-643(b); 649(b)-654; 662-663; 673(t)-675</td>
</tr>
<tr>
<td>10/12</td>
<td>16</td>
<td>Chapter 9</td>
<td>Removal (Deportation) Procedure: Prosecution; Representation of Respondents; Representation of DHS; Burden and Evidence of Proof. 677-685; 695(b)-698(t); 719(b)-721(b).</td>
</tr>
<tr>
<td><strong>Invited Guest Speakers:</strong> Jennifer Piateski, Esq., Assistant Chief Counsel DHS, Bureau of Immigration and Customs Enforcement, Baltimore, MD. &amp; Juan Washington, Esq., Private Immigration Practitioner</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10/14</td>
<td>17</td>
<td>Immigration Court: Process and Procedure; Practice Before the Court; Requirements; How to Present a Case; Jurisdictional Issues. *****Review handouts</td>
<td></td>
</tr>
<tr>
<td>10/21 &amp; 10/26</td>
<td>19 &amp; 20</td>
<td>Removal Proceedings: Simulated Removal Hearing. ***Chapter 10 No readings at this time</td>
<td></td>
</tr>
<tr>
<td>10/28</td>
<td>21</td>
<td>Chapter 11</td>
<td>Refugees: General; Overseas Refugees; Asylum and Nonrefoulement; Meaning of Persecution. 897-900(b); 919-927(b); 933(t)-937(t)</td>
</tr>
<tr>
<td>11/2</td>
<td>22</td>
<td>Persecution: On Account of Race, Religion, Nationality, Membership in a Particular Social Group, Political Opinion. 941(t)-946(m); 953(m)-956(m); 961(b)-971(t); 977-979(b);</td>
<td></td>
</tr>
</tbody>
</table>
Date | Pages |
--- | --- |
11/4 | Class 23 Persecution: Problems on Substantive Criteria for Asylum and Nonrefoulement; Standards of Proof; Methods of Proof; Exceptions to Eligibility; Procedure. 982(b)-983; 986(m)-991(m); 995-1002(b); 1032(b)-1033; 1035(b)-1041(m); 1047-1052(t); 1071(b)-1073(m); 1138-1142 |
11/9 | Class 24 Students will be called on to discuss their answers to questions 1-5 (pgs 1031-1032) supported by law, regulations and case law. |
11/11 | Class 25 Chapter 10 Immigration offenses; Enforcement; Employer Sanctions; Prohibitions on Discrimination. 844-851(t); (do problems 3&4 pg 855) ****Invited Guest Speaker: Andrew Bonic, Esq. Assistant Chief Counsel, DHS/ICE |
11/16 & 11/18 | Class 26&27 Chapter 13 Citizenship: Significance of Citizenship; Jus Soli, Jus Sanguinis; Acquisition and Derivation; Naturalization; Dual Citizenship; Losing Citizenship: Denaturalization, Expatriation. 1261-1267; 1275(t)-1277; 1292(b)-1295; 1311(m)-1312(m); 1329(b)-1332(t). |
11/23 | Course Review; General Questions |

***make up classes as required
***law students are responsible for all readings assigned whether or not discussed in class.

There is a lot to learn in immigration law. It is always changing, and always subject to interpretation. I will cover a lot of the materials that you will read, but not all! Time does not permit. You are responsible for all the reading materials. Sometimes we may fall a little behind, but you should stay current with syllabus. I will be available after class to answer all you questions. You can also make an appointment to see me. My office hours are from 3:30PM to 4:30PM Adjunct Faculty Office, 8th Floor LC. You may also contact me by email.

I hope that you will enjoy the course. All students are invited to attend a Removal Hearing at the United States Immigration Court in Baltimore. Please see me for arrangements.

Judge Gossart

“READ THE LAW” :DO JUSTICE”