

MARYLAND STATE BAR ASSOCIATION SECTION OF IMMIGRATION LAW - SECTION MEETING

Meeting minutes

Date: Thursday, February 19, 2009

Time: 6:00 p.m. – 8:00 p.m.

Place: Shulman, Rogers, Gandal, Pordy & Ecker, P.A.
11921 Rockville Pike, Suite 300
Rockville, MD 20852

Present: Chair Lynn Tarran
Chair-Elect Jonathan Greene
Secretary Van Doan
Treasurer Shelly Martin
Members Michael Kabik, Tanya Powers, Judith Todes, Julie Carson,
Richard Sternberg, Naima Said, Rahemoun Halfmann, Daniel Hwang,
Marco Rodriguez, , Cynthia Rosenberg, Donna Becker, Anthony Fatemi,
Richard Gershberg, Leslie K. Dellon

I. Call to Order and Greetings

The meeting was called to order by Chair Lynn Tarran. Roll call was taken. Chair Tarran announced that our current membership is at 382 members as of mid-January 2009. The Executive Committee has decided that despite these encouraging numbers and in order to develop continued growth, the Section will not be charging membership dues in 2010.

Chair Tarran proceeded to summarize the meeting agenda which included an announcement of upcoming events, report on the budget, the program for the MSBA Annual meeting, reports from the various committees, and any other business members may want to address.

II. Announcements and Upcoming Events

Chair Tarran provided information and fliers about the following upcoming events:

- A. February 23, 2009: Immigration Action Night in Annapolis organized by CASA de Maryland from 6:00 PM – 8:00PM
- B. March 19, 2009:
 1. AILA National Day of Action
 2. AILA Paralegal Conference

- C. March 20, 2009:
 - 1. AILA Spring Conference – see attached flier for details.
 - 2. AILF 14th Annual Immigrant Achievement Awards - see attached flier for details.
- D. April 18, 2009: AILA's Citizenship Day. Volunteers are needed for workshops to be held from 10:00AM – 2:00PM. See attached flier for details.
- E. April 22, 2009: DC Bar International Section presents “New Office Subsidiary or Affiliate: Investment Alternatives for Immigrant Entrepreneurs”. The program is scheduled from 12:30PM – 1:30PM.
- F. April 28, 2009: the Section in association with the Anne Arundel Bar Association will be presenting “What Every Lawyer Should Know About Immigration Law – Issues Spotting”. The program will be held at the Anne Arundel County Courthouse from 5:30PM – 7:30PM.
- G. May 2009: Maryland Immigrant Rights Coalition (MIRC) Legal Fair. Exact date and location to be announced.

III. Budget

Treasurer Martin reported that as of today, the Section has approximately \$1,200.00 remaining in our 2009 budget. This should allow the Section to provide either a continental breakfast at our program and/or host a hospitality suite at the MSBA Annual Meeting in Ocean City.

Treasurer Martin was also pleased to report that the Pro Bono/Community Outreach Committee's funding request for education materials has been approved by the Board of Governors. However, there is still a pending request for the Pro Bono/Community Outreach Committee's communication assistance program.

IV. MSBA Annual Meeting

Chair Tarran was pleased to announce Ms. Cynthia Rosenberg as this year's Program Chair. Ms. Rosenberg will be responsible for coordinating the Section's program at the 2009 MSBA Annual meeting.

Ms. Rosenberg has already submitted potential dates, times, and topics of discussion to the MSBA. The program is divided into three parts covering family law, business law, and criminal/removal proceedings. Scheduled to present on these topics are Judith Todes, Van Doan, Allison Brown, Francis Taylor, Maureen Sweeney, and the Honorable John F. Gossart, Jr.

V. Committee Reports

- A. Networking Committee – this Committee needs a chairperson. If you are interested in chairing this Committee, please contact Chair Tarran.
- B. Legislative Committee – Chair-Elect Greene presented the following topics for consideration by members:

1. Washington Post article regarding recent ICE raids and allegations of unconstitutional behavior by Baltimore ICE agents - Although there is already a request made for an investigation into the matter at the national level, there is currently no action at the state level. Chair-Elect Greene suggested that the Section make a written request to Director Calvin McCormick requesting full-disclosure about Baltimore ICE policy and procedures.

Some members voiced concern that the letter would be viewed as advocating a position and thus, possibly alienate the government lawyer-members of the Section.

After a lengthy discussion, it was decided that to effectively advocate on behalf of the members of the bar without possibly alienating the government lawyer-members of the Section:

- a. It would be made clear that the purpose of the letter is for fact-finding purposes only;
 - b. ICE counsel would be invited to join in the letter;
 - c. The letter would be circulated to the entire Section for review and feedback.
2. Hearings in Annapolis – Chair-Elect Greene and Member Naima Said discussed the many immigration bills up for consideration in this session of the legislature. The bills cover topics such as driver’s license requirements, local government support of federal immigration laws, in-state tuition, and DNA collection.

For those interested in testifying in Annapolis, either on behalf of AILA or the MSBA, Chair-Elect Greene outlined the process as follows:

- a. All testimony must be submitted in writing at least one (1) hour in advance of the hearing.
- b. The hearings may run all afternoon.
- c. The bills are not presented in any particular order.
- d. You will be testifying before the entire committee, who may be quite vocal. On the other hand, the committee may state that they have your written testimony and you may not be given the opportunity to provide oral testimony.

Those testifying on behalf of the MSBA should restrict their testimony as to the ambiguity or legality of the bills.

Both AILA and the MSBA are looking for volunteers to testify at the February and future legislative sessions. Members interested in testifying on behalf of AILA should contact Member Said directly at 410-992-6602. Members interested in testifying on behalf of the MSBA should contact Chair-Elect Greene at jon.greene@verizon.net.

3. *Younis v. Farooqi* – this is a recent 4th circuit case addressing the right of the beneficiary to enforce her contractual rights pursuant to the I-864. In an

unpublished decision, Judge Blake concluded that child support payments do not count towards a U.S. citizen's obligation to support an immigrant above the poverty line. Chair Tarran will request that the decision be posted on the Section web site.

- C. Education Committee – Treasurer Martin discussed the Committee's plans for 2009 – 2010. They include a seminar on issues spotting for non-immigration practitioners (see section II. F above) as well as conducting basic and advance seminars in coordination with MICPEL.

Member Michael Kabik expressed a concern over the possibility of the proposed basics course overlapping with the current Nuts & Bolts series offered through MICPEL. However, the thought behind the new basics course is to further simplify the information conveyed. The course should be seen as an introduction to immigration law. Participants should not expect to leave the course with all the tools and knowledge necessary to handle an immigration case. However, participants should expect to leave with good understanding of immigration jargon, various visa types and immigrant/nonimmigrant statuses available, and a general understanding of the process involved in the filing of an application/petition. In a nutshell, the proposed basics course may be considered a primer to the existing Nuts & Bolts series.

Members also suggested other forums or venues for educating Section members. Ideas included luncheon/dinner meetings where members would volunteer to provide a 15 – 30 minute presentation.

Members also expressed interest in sponsoring joint events with other sections of the MSBA. Chair Tarran noted that the Section had been approached by the Employment Section to co-sponsor a program last year. However, the opportunity never came to fruition due to a scheduling issue. We will try again for a joint program this coming Spring 2009.

Members also requested that a survey be conducted to determine the educational needs of the membership. Questions to be addressed by the survey include the types of advanced seminars members would be interested in and whether members would be interested in attending an annual "Hot Topics" program intended to summarize and provide updates in the various areas of immigration law.

- D. Pro Bono/Community Outreach Committee – Secretary Doan reported that the first community education series, "Labor Laws, Workmen's Compensation & the Immigrant Worker" is scheduled for Friday, February 20, 2009 from 10:00AM to 12:00PM. The seminar will be conducted via webinar which will enable every immigrant service provider (ISP) to participate regardless of distance. We have already received registration confirmation from ISP's from the Eastern Shore as well as those located in western Maryland. The next webinar will address the issue of

family law and the immigrant family. Date and time have yet to be determined, but most likely will take place in May 2009.

The Committee has also submitted an additional request for funding to provide communication assistance to pro bono attorneys and their detained clients. Assuming that the Section's 2009-2010 budget is approved, the Committee's goal is for the program to be self-sustaining through an annual fund-raiser.

As previously reported by Treasurer Martin, the Committee's request for funds to produce educational brochures for distribution to the ISP's has been approved. The Committee will be reviewing and deciding which brochures should be produced.

VI. Other business

- A. Nominating Committee – in accordance with the Section By-Laws, Chair Tarran announced a need for three (3) to seven (7) members to serve on the Nominating Committee. Anyone who is not seeking to serve as Treasurer or on the Section Council may volunteer to serve on the Nominating Committee. Members Richard Gershberg and Marco Rodriguez have volunteered to serve. The Committee still needs one more member. Chair Tarran will send out an announcement to fill the remaining position. Members who may be interested in serving on the Nominating Committee should contact Chair Tarran at ltarran@trowlaw.com.
- B. List serve – due to some recent postings and exchanges on the list serve, members inquired as to what the requirements were for participation on the list serve. Chair Tarran explained that as long as a person was a member of the MSBA, he/she could participate on the various list serves. The Section has no control over who may view the postings or the views expressed by list serve members.

Chair Tarran announced that the next Section Council meeting will take place in March and the next Section meeting is tentatively scheduled for April.

The meeting was adjourned at 7:50 p.m.