



NC GLOBAL DISTINCTION

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Durham Technical Community College

Department: Paralegal Technology

World region:

- Africa
- Asia
- Europe and the European Union
- Latin America
- Middle East and North Africa
- Other

Course information and description:

LEX 270-Law Office Mgt/Technology-This course provides an overview of law office management and organization. Topics include office forms, filing systems, billing/time keeping, computer systems, calendar systems, library administration, case management, office/personnel procedures, ethics, and technology. Upon completion, students should be able to establish and maintain various law office systems, monitor case progress, and supervise non-lawyer personnel.

Number of students enrolled in course: 25

Description of module:

This global module will focus specifically on the Middle East and North Africa. First, students will gain an understanding of the history, politics, and culture of specific Middle Eastern and North African countries. Next, students will analyze the refugee crises stemming from particular Middle Eastern and North African countries, to evaluate the connection to migration and resettlement in the United States. Finally, students will recognize the law office management systems and technology practices that occur in law offices, non-profit, and humanitarian agencies, and how those systems and practices have global implications.

Within this module, students will identify and interpret laws, such as the Immigration and Nationality Act (INA), the Protocol Relating to the Status of Refugees Treaty, the Refugee Act of 1980, Title 8-Aliens and Nationality of the Code of Federal Regulations (CFR), Executive Order 13769, Executive Order 13780, 1951 United Nations Convention Relating to the Status of Refugees, and the 1967 U.N. Protocol relating to the Status of Refugees, as well as other applicable international humanitarian law.



In addition, this module will provide students the context for organizing a framework regarding case assessment, as well as case management through hypothetical scenarios of mock clients from Middle Eastern and North African countries. Students will learn about the ethical issues that arise within the practice of immigration law, connecting specifically to the standards set by the ABA Model Guidelines for the Utilization of Paralegal Services, the Model Standards and Guidelines for the Utilization of Paralegals, the North Carolina Rules of Professional Conduct, as well as the American Bar Rules of Professional Conduct. Lastly, students will evaluate the role of paralegals and licensed attorneys from a more global perspective; demonstrate competency and a mastery of analytical technique executed within the law office; as well as recognize and interpret valuable skills needed within client relations, questions of conflicts of interests, confidentiality, in addition to the professional standards of conduct.

As a result of completing this module, students will become better equipped to understand the history, politics, and culture of specific Middle Eastern and North African countries, the refugee crisis of particular countries within that region, and law office management systems and technology, making the connection to the aforementioned with their role of as a future paralegal.

Student Global Learning Outcomes (list 2-3):

Global Learning Outcome 1: Gain an understanding of the history, politics, and culture of specific Middle Eastern and North African countries

Global Learning Outcome 2: Analyze the refugee crises stemming from particular Middle Eastern and North African countries, and evaluate the connection to migration and resettlement in the United States

Global Learning Outcome 3: Recognize the law office management systems and technology practices that occur in law offices, non-profit, and humanitarian agencies, and how those systems and practices have global implications

Global Learning Outcome 4: Identify and interpret applicable national and international laws, treaties, agencies, professional standards of conduct, and guidelines as each relates to the Middle East and the North African region, an immigration law practice, and the role of the paralegal

Student Global Learning Activities (list 2-3; for each activity, describe objectives, procedures, assessment, and follow-up):

Activity 1- *An Introduction to the Syrian Refugee Crisis: An Examination of Particular Migration Drivers and Humanitarian Relief*

Objectives: Through this activity, student will be provided an introduction regarding the history, politics, and culture of Syria. Students will analyze how the political climate and culture



of Syria created particular migration patterns, and how those migration patterns create global implications.

In particular, students will analyze the history and causes of the Syrian Civil War, the economic, as well as political climate of Syria, from 2011 to the present. Students will evaluate the refugee crises, as it has progressed to present day, and provide a connection to migration and resettlement in the United States.

After completion of this activity, students should be able to explain how the history, economy, and political climate of a country creates drivers for migration, and how those migration drivers create a need for international response and humanitarian relief.

Procedures:

Students will complete required reading material from the UNHCR, *Refugee Stories: Mapping a Crisis*, and the *Syrian Refugee Response* as included within the Resources section. Students are required to watch instructional videos including “Syria’s War: Who is fighting and why?”, “BBC News: Syria: Seven Years of War Explained”, and “The Guardian: The Syrian War Explained in 5 Minutes” to gain a better understanding of the historical context of the Syrian Refugee Crisis. In addition, students will review *Chapter 5: Asylum and Other Forms of Humanitarian Relief*, chapter material from *Chapter 10: Technology in the Law Office* and *Chapter 13: File and Records Management*, along with additional required readings as listed in the Required Readings section.

As a result of this lesson, students will understand the technology skills necessary for proper internet research, utilized within humanitarian agencies focused on the Syrian Refugee Crisis.

Instructions:

Students will be assigned to groups of 3-4 to complete a group presentation entitled “*An Introduction to the Syrian Refugee Crisis: An Examination of Particular Migration Drivers and Humanitarian Relief*”. The presentation can be in the form of a blog, creation of an informational webpage, PowerPoint presentation, video, or recorded webinar presentation. Students will be assigned to respective group forums and chats within the online learning management software to communicate with each other regarding group progress on each element of the group presentation. A group leader will be assigned to submit the final group assignment, by the applicable due date.

The group presentation will consist of the following elements:

- historical context that provides a background to the start of the Syrian Civil War (from 2011)
- brief description of Syrian leaders, militia groups, foreign countries and actors within the Syrian region involved in the Syrian Civil War; explain each of the aforementioned, as it relates to political alliances with various countries



- causes of the Syrian Civil War; explain the goals of each respective leader, group, or country and how it affects political unrest within Syria
- role the United States has played in the civil unrest in Syria, and the United States' response to migration of Syrian refugees

Resources:

Advocate Defend Connect

<https://www.adc.org/>

BBC News: Syria: Seven Years of War Explained

https://www.youtube.com/watch?v=CoL0L_DbuQQ

Center for International Disaster Information

<https://www.cidi.org/disaster-responses/syria/#.VgAIPN9RGUI>

Handbook on Procedures and Criteria for Determining Refugee Statutes and Guidelines for International Protection

<https://www.unhcr.org/en-us/publications/legal/5ddfcdc47/handbook-procedures-criteria-determining-refugee-status-under-1951-convention.html?query=1967%20U.N.%20Protocol%20relating%20to%20the%20Status%20of%20Refugees>

International Refugee Assistance Project

<https://refugeerights.org/>

National Immigration Project

<https://www.nationalimmigrationproject.org/>

Our Consortium: The Historical Roots of the Syrian Refugee Crisis

<https://www.youtube.com/watch?v=tR2laJSOLGw&list=PLSdIeNHvfGHOtitmAtuBzkfsedc18vDP3&index=1>

Refugee Council of the US

<http://www.rcusa.org/>

Refugee Stories: Mapping a Crisis (Refugee and IDP Data-2018)

https://www.choices.edu/wp-content/uploads/2016/09/Data_Sheet2018.pdf

Syrian Refugee Response

<https://2009-2017.state.gov/j/prm/policyissues/issues/refugeeresponse//index.htm>

Syria Situation

<http://reporting.unhcr.org/syriasituation>



Syria's War: Who's Fighting and Why

<https://www.youtube.com/watch?v=JFpanWNgfQY>

Teach MidEast-Country Profiles

<http://teachmideast.org/country-profiles/>

The Guardian: The Syrian War Explained in 5 Minutes

https://www.youtube.com/watch?v=K5H5w3_QTG0

UNHCR

<https://www.unhcr.org/en-us/>

U.S. Citizenship and Immigration Services

<https://www.uscis.gov/>

U.S. Department of State-Refugees

<https://www.state.gov/refugee-admissions/>

Follow-Up Activity:

Students will pick a Middle Eastern or North African country from the sub-region of countries listed for the "Middle East and North Africa", in the UNHCR: Global Focus (Operations) webpage. After choosing their respective country, students will complete a PowerPoint presentation including the criteria listed in the instructions section.

Upon review of these chapters and lesson material, students will be able to recognize the current trends affecting refugees from particular Middle Eastern and North African countries, such as Syria; interpret the historical context of particular Middle Eastern countries, that create drivers for migration; and explain how those migration drivers create a need for international response, as well as humanitarian relief.

Instructions:

1. Locate the UNHCR website, and go to the "[Operations](#)" sublink for the section labeled Middle East.
2. Review both the [Middle East](#) and the [North Africa](#) sublinks, choosing a respective country of choice to present on.
3. Once you have chosen your respective country, compile information for a PowerPoint presentation, including the following:
 - a. Name of respective country
 - b. Age and gender breakdown of refugees
 - c. Number of refugees, asylum-seekers, and internally displaced people (projected year 2020)
 - d. Countries that are affected by migration of respective country of choice and the individual country response of migration of respective country of choice



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- e. Causes and particular drivers of refugee migration (i.e. civil war, conflict, economic downturn, etc.)
- f. Changes (i.e. increase and decrease) in population of concern
- g. Budgets and expenditures for respective country of choice



Activity 2: *Seeking Asylum: Exploring the Refugee Crisis from a Global Perspective*

Objectives: Within this activity, students will continue to review and evaluate sources of law for asylum and refugee status, including national and international refugee law. Through a research report, students will analyze criteria for asylum and refugee eligibility in the United States, beginning with a historical perspective. Student will provide a modern-day context to asylum and refugees, including recent changes in current immigration laws and policy since Executive Order 13769 (Protecting the National from Foreign Terrorist Entry into the United States) was issued January 27, 2017.

Students will summarize and discuss the implications for reduction in refugee admission, in particular from Middle Eastern and North African countries. Within this research report, students should collect and present data regarding the causation factors that present a refugee crisis from a global perspective, and how those causation factors affect the practice of immigration law within the United States.

After completion of this activity, students should be able to better articulate an understanding of national and international refugee law; interpret how recent changes in immigration policy affects the immigration practice of law; as well as explain the refugee crisis from a global perspective.

Procedures:

Students will be required to read and review the following as listed in the Resources section: Teach Mideast: Syria, 1951 United Nations Convention Relating to the Status of Refugees, 1967 U.N. Protocol relating to the Status of Refugees, Amnesty International (Refugees, Asylum-Seekers and Migrants), and Immigration Data Matters. Students will also read chapter material from *Chapter 5: Asylum and Other Forms of Humanitarian Relief*, as well as *Chapter 12: Managing an Immigration Practice*. Students will also read chapter material from *Chapter 10: Technology in the Law Office* and *Chapter 13: File and Records Management*, along with additional required readings as listed in the Required Readings section.

With a research report, students will connect outcomes with the lesson unit regarding Asylum Refugees, and Other Forms of Humanitarian Relief, as covered in the activity entitled: *Asylum, Refugees, and Other Forms of Humanitarian Relief: The Case of Hamia Antar*. This lesson will provide a comprehensive overview of the asylum and refugees, as defined under the 1951 United Nations Convention Relating to the Status of Refugees, the 1967 U.N. Protocol relating to the Status of Refugees, and the Immigration and Nationality Act-Section 101 (a)(42)(A).

As part of the research included within this report, students will learn about the statistics of refugee admission from various Middle Eastern and North African countries, as well as current trends in asylum practices. Lastly, students will be provided additional resources to assist in understanding how the treatment of refugees seeking protection within the United States has global implications on the humanitarian efforts of nonprofit agencies, which provide legal assistance and resources.

**Assessment:**

Students will do a research report including the following guidelines and instructions:

Guidelines

- The total length of the research report should be at least 5 pages, MINIMUM.
- The body of the report should be double-spaced, 12-point font, Times New Roman.

Research Report Components

This research report should include the following:

- historical perspective of asylum and refugee eligibility, including the 1951 United Nations Convention Relating to the Status of Refugees, and the 1967 U.N. Protocol relating to the Status of Refugees
- analysis of asylum and refugee eligibility criteria in the United States, post 1980 and codification in U.S. law
- evaluation of modern-day asylum and refugee's eligibility, including recent changes in current immigration laws and policy resulting from Executive Order 13769 and Executive Order 13780
- a brief presentation of current data, on the causation factors that present a refugee crisis from Middle Eastern and North African countries
- a conclusive summary regarding how these causation factors affect the practice of immigration law within the United States

Students will be assessed on the research report through the attached rubric within Appendix A.

The research report will be included within the "Project" category, which is 30% of the student's final grade.

Resources:

1951 United Nations Convention Relating to the Status of Refugees

https://www.unhcr.org/ibelong/wp-content/uploads/1961-Convention-on-the-reduction-of-Statelessness_ENG.pdf

1967 U.N. Protocol relating to the Status of Refugees

https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=V-5&chapter=5

American Immigration Council-How the US Immigration System Works (PDF Handout)

https://www.americanimmigrationcouncil.org/sites/default/files/research/how_the_united_states_immigration_system_works.pdf

Amnesty International-Refugees, Asylum-Seekers and Migrants

<https://www.amnesty.org/en/what-we-do/refugees-asylum-seekers-and-migrants/>

Executive Order 13769



<https://www.whitehouse.gov/presidential-actions/executive-order-protecting-nation-foreign-terrorist-entry-united-states/>

Executive Order 13780

<https://www.whitehouse.gov/presidential-actions/executive-order-protecting-nation-foreign-terrorist-entry-united-states-2/>

Homeland Security: Immigration Data and Statistics

<https://www.dhs.gov/immigration-statistics>

Human Rights First: Annual Reports and Financials

<https://www.humanrightsfirst.org/about/annual-reports-financials>

Human Rights Watch

<https://www.hrw.org/>

Immigration and Nationality Act-Section 101 (a)(42)(A)

<https://www.law.cornell.edu/uscode/text/8/1101>

Immigration Data Matters

<https://www.migrationpolicy.org/research/immigration-data-matters>

Life On Hold (video)

<http://lifeonhold.aljazeera.com/#/en/loading>

Middle East

<http://reporting.unhcr.org/node/36>

Refugee Council of the US

<http://www.rcusa.org/>

Refugee Stories: Mapping a Crisis (Key Terms)

<https://www.choices.edu/teaching-news-lesson/refugee-stories-mapping-crisis/>

Refugee Stories: Mapping a Crisis (Refugee Stories)

https://www.choices.edu/wp-content/uploads/2016/09/Refugee_Stories.pdf

Syria's War: A 5-Minute History (video)

<https://www.facebook.com/Vox/videos/446925385495069/?fref=nf>

Teach MidEast-Country Profiles

<http://teachmideast.org/country-profiles/>



The Historical Roots of the Syrian Refugee Crisis

<https://youtu.be/tR2laJSOLGw>

UNHCR aid worker in Bangladesh: Helping refugees is a 'privilege for me' (video)

<https://www.unhcr.org/en-us/news/videos/2018/1/5a54c3794/unhcr-aid-worker-in-bangladesh-helping-refugees-is-a-privilege-for-me.html>

UNHCR USA: Figures at a Glance

<https://www.unhcr.org/en-us/figures-at-a-glance.html>

UNHCR USA: The Refugee Brief (October 30, 2019)

<https://www.unhcr.org/refugeebrief/the-refugee-brief-30-october-2019/>

U.S. Department of State: Bureau of Near Eastern Affairs

<https://2009-2017.state.gov/p/nea/index.htm>

Follow-up:

Students will follow up with a review of the lesson material and resources on an extra credit activity. Within this extra credit activity, students will complete multiple choice, matching, and true/false questions that will assess their knowledge of the material in the respective lesson chapters.



Activity 3-*The Case of the Questionable “I DO”: Exploring Evasion of Immigration Law and the Family Sponsored Visa (Part I)*

Objectives: Students will review sources of law for family sponsored immigration and permanent resident status, including the Immigration and Nationality Act, Sections 201-204. In particular, students will analyze the second preference (F-2), family preference category, as defined by immigration law; understand the requirements for spousal petitions, as defined by the U.S. Citizenship and Immigration Services (USCIS), and the Stokes interview; as well as recall the legal precedence established in *Stokes v. INS*.

As a result of this activity, students will understand the basics of family sponsored immigrant visa petitions; analyze and assess requirements needed for demonstrating a good faith "bona-fide" marriage; explain the procedure for filing a Form I-130-Petition for Spouse; as well as the professional and ethical standards of conduct that apply to the role of a paralegal.

Procedures:

Student will be required to read and review the following material, as listed in the Resources section: Center for Strategic and International Studies-Turkey Project, Countries and their Cultures-Turkish Americans, and “What it Means to Be Muslim in America”. Students will also continue the lesson by reading chapter material from *Chapter 6: Family-Sponsored Immigration and Permanent Resident Status* and *Chapter 12: Managing an Immigration Practice*. Students will also read chapter material from *Chapter 5: Paralegal Ethics and Client Relations*, along with additional material in the Required Readings section. An overview of family sponsored immigration, along with the requirements for Form I-130-Petition for Alien Relative approval, will be provided. Students will review *Stokes v. INS*, along with decisions from actual family petition cases from the Administrative Appeals Office of U.S. Citizenship and Immigration Services.

Throughout this lesson, students will also review the ethical practices required within professional standards of conduct, such as ABA Model Guidelines for the Utilization of Paralegal Services, the Model Standards and Guidelines for the Utilization of Paralegals, the North Carolina Rules of Professional Conduct, as well as the American Bar Rules of Professional Conduct, as each applies to mock clients within an immigration law practice. After completion of this lesson, students will possess the necessary competency skills related to potential conflicts of interests, client confidentiality, and communication necessary within attorney-client relations.

Students will complete a discussion board activity on the following case facts and questions:

Case Facts:

Paralegal Jane Fonda is a paralegal who works in an immigration law office. Her supervising attorney, Attorney Harrison Ford, asks her to conduct a preliminary interview for a couple in a potential marriage case. The couple desires to prove a bona fide relationship for Lawful Permanent Resident status under the Immigration and Nationality Act (INA).



Paralegal Jane Fonda is given the task of conducting an interview with the couple. She must gather information to evaluate whether the marriage is bona-fide relationship. Within 48 hours of the interview, Jane must report her findings to her supervising attorney.

Per Section 204 (c), subsection (b) of the Immigration and Nationality Act (INA):

Notwithstanding the provisions of subsection (b) 6 no petition shall be approved if:

(1) the alien has previously been accorded, or has sought to be accorded, an immediate relative or preference status as the spouse of a citizen of the United States or the spouse of an alien lawfully admitted for permanent residence, by reason of a marriage determined by the [director] to have been entered into for the purpose of evading the immigration laws; or

(2) the [director] has determined that the alien has attempted or conspired to enter into a marriage for the purpose of evading the immigration laws.

The petitioner is a U.S. citizen named Lisa Kudrow who is pregnant from a former relationship. Lisa is 20 years old, and dropped out of high school when she was 17 years old. Although Lisa is not employed, she states she has recently come into a substantial amount of money and can support her husband, Ahmet Osman.

Ahmet is a beneficiary spouse, who is 22 years older than his wife. Ahmet has a Doctorate Degree in Mechanical Engineering from the Okan University. His home country is Turkey.

Paralegal Jane Fonda is given the task of conducting the interview and evaluating whether the marriage is bona-fide relationship. She must report her findings to her supervising attorney within 48 hours of the interview. Therefore, she has to develop a list of questions for her interview.

In evaluating whether the marriage meets the qualifications under Immigration and Nationality Act, Jane asks the couple how they met, what they like to do together, and how their finances are arranged. The couple cannot identify what they do together or what they have in common.

Jane then conducts a follow-up interview the next day. She asks Ahmet about how he supports his family. He tells her that he loves Lisa and supports her due to her pregnancy. He states that they have a joint bank account together, and have lived together for a while. However, upon further questioning, both Lisa and Ahmet detail their living arrangements differently. At the end of the follow-up interview, Ahmet offers to pay the firm money an additional retainer for legal services, and says that money is no limit bar to legal representation.



Discussion Board Instructions:

- Please review the Class Participation-Discussion Board Instructions. Pay particular attention to the length requirements for each post, the grading rubric, as well as the due date.
- The deadline for this class participation item is _____, prior to 11:55 pm.
- Class Participation is allocated as 20% of the final course grade.
- For your initial post to the instructor, you must have at least two paragraphs, or ten sentences or more, answering each of the items addressed within the instructor's prompt.

Questions:

1. What issues do these case facts raise as it relates to the Immigration and Nationality Act-Section 204 (c)? Explain your answer, providing rationale from the applicable statute for all issues raised.
2. How would recent changes in immigration law potentially affect the outcome of the Form I-130 Petition for Alien Relative, if the petition was submitted based on these case facts?
3. What ABA Model Rules of Professional Conduct and North Carolina Rules of Professional Conduct are relevant based upon these case facts? Explain.
4. Review 8 C.F.R. 1003.102. Summarize this regulation.
 - a. What does this regulation state in regards to false statements?
 - b. How might this regulation be relevant within these case facts?
5.
 - a. If you were Paralegal Jane Doe, what steps would you take to prepare your findings for your supervising attorney, regarding your evaluation of whether the marriage is bona-fide relationship?
 - b. What would be your final analysis regarding whether Lisa and Ahmet meet the qualifications under the statute?

Resources:

Center for Strategic and International Studies-Turkey Project
<https://www.csis.org/programs/turkey-project>

Countries and their Cultures-Turkish Americans
<https://www.everyculture.com/multi/Sr-Z/Turkish-Americans.html>

Professional Conduct for Practitioners-Rules and Procedures (Section 1003.102)
[8 C.F.R. 1003.102](https://www.uscourts.gov/education/professional-conduct)

Immigration and Nationality Act, 8 U.S.C. 1154: Procedure for granting immigrant status
<https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title8-section1154&num=0&edition=prelim>

United States Citizenship and Immigration Services: Immigration and Nationality Act
<https://www.uscis.gov/legal-resources/immigration-and-nationality-act>



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Immigration and Nationality Act-Section 204 (c)

<https://www.uscis.gov/ilink/docView/INT/HTML/INT/0-0-0-65/0-0-0-6592.html>

US Citizenship and Immigration Services: I-130, Petition for Alien Relative

<https://www.uscis.gov/i-130>

What it Means to Be Muslim in America

<http://projects.huffingtonpost.com/muslim-in-america>

Follow-up:

In a follow-up activity, students will complete a follow-up discussion board activity that focuses on the CEMEC Principle (communication, education, motivation, evaluation, and compensation) and the Five Cs of Client Relations. Students will define the CEMEC Principle, explaining its application to the case facts, and management relations within an immigration law practice. Within the discussion board forum, students will also discuss the Five C's of Client Relations applicable to this hypothetical scenario, and apply practical solutions relating to ABA Model Rules of Professional Conduct.



Activity 4-*The Case of the Questionable “I DO”: Exploring Evasion of Immigration Law and the Family Sponsored Visa (Part II)*

Objectives: Students will review *Chapter 4: The Attorney-Client Relationship* along with the requirements for Form I-130-Petition for Alien Relative approval, and additional required readings in the Required Readings section. Students will review sources of law for family sponsored immigration and permanent resident status, including the Immigration and Nationality Act, Sections 201-204. In particular, students will analyze the second preference (F-2), family preference category, as defined by immigration law; and understand the requirements for spousal petitions, as defined by the U.S. Citizenship and Immigration Services (USCIS).

Lastly, as a result of this activity, students will complete the following outcomes:

- Describe the variables affecting client relations.
- Check for conflicts or potential conflicts.
- Identify the various types of discipline that may be imposed on lawyers.
- Discuss a lawyer’s ethical responsibilities to a client.
- Explain what clients expect from their lawyers.
- Identify when an attorney-client relationship begins and ends.

Procedures:

Student will be required to read and review the following material, as listed in the Resources section: Center for Strategic and International Studies-Turkey Project, Countries and their Cultures-Turkish Americans, and “What it Means to Be Muslim in America”. Students will read chapter material from *Chapter 4: The Attorney-Client Relationship*. An overview of family sponsored immigration, along with the requirements for Form I-130-Petition for Alien Relative approval, will be provided. Students will review *Stokes v. INS*, along with lesson material that supports the objectives of Chapter 4 within the textbook, along with additional readings in the Required Readings.

Throughout this lesson, students will also review the ethical practices required within professional standards of conduct, such as the North Carolina Rules of Professional Conduct and the American Bar Rules of Professional Conduct, as each applies to mock clients within an immigration law practice. After completion of this lesson, students will possess the necessary competency skills related to potential conflicts of interests, client confidentiality, and communication necessary within attorney-client relations.

In addition, through this lesson, students will review sources of law for family sponsored immigration and permanent resident status, including the Immigration and Nationality Act, Sections 201-204. In particular, students will analyze the second preference (F-2), family preference category, as defined by immigration law; understand the requirements for spousal petitions, as defined by the U.S. Citizenship and Immigration Services (USCIS), and the Stokes interview; as well as recall the legal precedence established in *Stokes v. INS*.



As a result of this lesson, students will understand the basics of family sponsored immigrant visa petitions; analyze and assess requirements needed for demonstrating a good faith "bona-fide" marriage; explain the procedure for filing a Form I-130-Petition for Spouse; as well as the professional and ethical standards of conduct that apply to the role of a paralegal.

Case Facts:

Paralegal Jane Fonda is a paralegal who works in an immigration law office. Her supervising attorney, Attorney Harrison Ford, asks her to conduct a preliminary interview for a couple in a potential marriage case. The couple desires to prove a bona fide relationship for Lawful Permanent Resident status under the Immigration and Nationality Act (INA).

Paralegal Jane Fonda is given the task of conducting an interview with the couple. She must gather information to evaluate whether the marriage is bona-fide relationship. Within 48 hours of the interview, Jane must report her findings to her supervising attorney.

Per Section 204 (c), subsection (b) of the Immigration and Nationality Act (INA):

Notwithstanding the provisions of subsection (b) 6 no petition shall be approved if:

(1) the alien has previously been accorded, or has sought to be accorded, an immediate relative or preference status as the spouse of a citizen of the United States or the spouse of an alien lawfully admitted for permanent residence, by reason of a marriage determined by the [director] to have been entered into for the purpose of evading the immigration laws; or

(2) the [director] has determined that the alien has attempted or conspired to enter into a marriage for the purpose of evading the immigration laws.

The petitioner is a U.S. citizen named Lisa Kudrow who is pregnant from a former relationship. Lisa is 20 years old, and dropped out of high school when she was 17 years old. Although Lisa is not employed, she states she has recently come into a substantial amount of money and can support her husband, Ahmet Osman.

Ahmet is a beneficiary spouse, who is 22 years older than his wife. Ahmet has a Doctorate Degree in Mechanical Engineering from the Okan University. His home country is Turkey.

Paralegal Jane Fonda is given the task of conducting the interview and evaluating whether the marriage is bona-fide relationship. She must report her findings to her supervising attorney within 48 hours of the interview. Therefore, she has to develop a list of questions for her interview.

In evaluating whether the marriage meets the qualifications under Immigration and Nationality Act, Jane asks the couple how they met, what they like to do together, and how their finances are arranged. The couple cannot identify what they do together or what they have in common.



Jane then conducts a follow-up interview the next day. She asks Ahmet about how he supports his family. He tells her that he loves Lisa and supports her due to her pregnancy. He states that they have a joint bank account together, and have lived together for a while. However, upon further questioning, both Lisa and Ahmet detail their living arrangements differently. At the end of the follow-up interview, Ahmet offers to pay the firm money an additional retainer for legal services, and says that money is no limit bar to legal representation.

Instructions:

Students will prepare brochure for potential clients seeking to file a Form I-130 Petition for Alien Relative. Your brochure should include the following:

1. Explain, in simple terms, the U.S. Citizen Petition for a Spouse process
2. Explain how to prepare to submit a Form I-130, and application materials needed,
3. Applicable immigration law, as it relates to current eligibility,
4. Current trends regarding immigration practices within the United States regarding U.S. Citizen Petition for a Spouse,
5. List of documentation needed at the client interview with the attorney.

Students should include within the brochure pictures, images, diagrams, and charts that relate to a family sponsored petition, and assist in explaining the process. Students should also include a list of relevant interview questions that may be asked during your client interview.

Resources:

Center for Strategic and International Studies-Turkey Project
<https://www.csis.org/programs/turkey-project>

Countries and their Cultures-Turkish Americans
<https://www.everyculture.com/multi/Sr-Z/Turkish-Americans.html>

Heisel, Donald. *Turkish Migration to the United States: From Ottoman Times to the Present*

Professional Conduct for Practitioners-Rules and Procedures (Section 1003.102)
8 C.F.R. 1003.102

Immigration and Nationality Act, 8 U.S.C. 1154: Procedure for granting immigrant status
<https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title8-section1154&num=0&edition=prelim>

Stokes v. United States, Immigration & Nat. Serv., 393 F. Supp. 24 (S.D.N.Y. 1975)

United States Citizenship and Immigration Services: Immigration and Nationality Act
<https://www.uscis.gov/legal-resources/immigration-and-nationality-act>

US Citizenship and Immigration Services: I-130, Petition for Alien Relative
<https://www.uscis.gov/i-130>



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What it Means to Be Muslim in America

<http://projects.huffingtonpost.com/muslim-in-america>

Follow-up:

In a follow-up activity, students will do a peer assessment of the brochure submitted. Students will evaluate his or her peer based upon using the following steps:

1. Review the assignment instructions and the brochure of your assigned peer partner.
2. Rate the peer based upon the Peer Evaluation Rubric.
3. Post your response post to your peer, including the Peer Evaluation Rubric in the assigned discussion board forum.
4. Make sure that your Peer Evaluation Rubric is completely filled out.
5. Your response post will be evaluated based upon completely filling out the Peer Evaluation Rubric, in addition to providing clear and articulated feedback within the Comments Section of the Peer Evaluation Rubric.



Activity 5: *The Case of the Paper Wedding: Exploring Evasion of Immigration Law and the Family Sponsored Visa*

*(**This lesson is a continuation of the objective and procedure from the previous activity.)*

Objectives: Students will review sources of law for family sponsored immigration and permanent resident status, including the Immigration and Nationality Act, Sections 201-204. In particular, students will analyze the second preference (F-2), family preference category, as defined by immigration law; understand the requirements for spousal petitions, as defined by the U.S. Citizenship and Immigration Services (USCIS), and the Stokes interview; as well as recall the legal precedence established in *Stokes v. INS*.

As a result of this activity, students will understand the basics of family sponsored immigrant visa petitions; analyze and assess requirements needed for demonstrating a good faith "bona-fide" marriage; explain the procedure for filing a Form I-130-Petition for Spouse; as well as the professional and ethical standards of conduct that apply to the role of a paralegal.

Procedures:

Students will begin the lesson by reading chapter material from *Chapter 6: Family-Sponsored Immigration and Permanent Resident Status* and *Chapter 12: Managing an Immigration Practice*. Students will also read chapter material from *Chapter 5: Paralegal Ethics and Client Relations*. An overview of family sponsored immigration, along with the requirements for Form I-130-Petition for Alien Relative approval, will be provided. Students will review *Stokes v. INS*, along with decisions from actual family petition cases from the Administrative Appeals Office of U.S. Citizenship and Immigration Services.

Throughout this lesson, students will also review the ethical practices required within professional standards of conduct, such as ABA Model Guidelines for the Utilization of Paralegal Services, the Model Standards and Guidelines for the Utilization of Paralegals, the North Carolina Rules of Professional Conduct, as well as the American Bar Rules of Professional Conduct, as each applies to mock clients within an immigration law practice. After completion of this lesson, students will possess the necessary competency skills related to potential conflicts of interests, client confidentiality, and communication necessary within attorney-client relations.

Students will complete a video critique of the video, "*The Paper Wedding*". This French film (with subtitles) portrays the question of evasion of immigration laws, through a marriage that takes place in Canada. This marriage involves Claire, a Canadian citizen, and Pablo, a Chilean political refugee, who both are questioned by Canadian immigration agents. After viewing this video, students will complete a comparative analysis of various immigration laws, as it relates to the family sponsored immigrant visa of a petitioning spouse.

Video Critique Instructions



1. View the video clip from "[Paper Wedding](#)". Provide a brief summary of the video, including the video's connection to the issue of potential marriage fraud and evasion of immigration law.
2. Based upon the facts presented in the video, compare and contrast the requirements for proving validity of marriage. In the video, the characters portray a marriage between a Canadian citizen and a Chilean political refugee. How might the situation differ if the plot of this video took place in the United States, and occurred between a United States citizen, and a Chilean political refugee?

Make sure to review the requirements for the Form I-130-Petition for Alien Relative, as required under the Immigration and Nationality Act-Section 204 (c).

3. Review the sample decision regarding a family sponsored petition case dated February 28, 2013.
 - a. On October 30, 2003 an Officer of the Service interviewed the petitioner and beneficiary. List the discrepancies found the answers presented.
 - b. The dialogue between Claire and Anne covered potential interview questions that may be asked by Canadian immigration agents. Compare this list of discrepancies found in the sample decision with the items detailed at the beginning of the video. Are there similarities? How so? Explain.
 - c. Based upon this sample decision, what type of evidence could the petitioner present to show that the marriage was not entered into for the purpose of evading the immigration laws?

Resources:

Professional Conduct for Practitioners-Rules and Procedures (Section 1003.102)
[8 C.F.R. 1003.102](#)

Immigration and Nationality Act, 8 U.S.C. 1154: Procedure for granting immigrant status
<https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title8-section1154&num=0&edition=prelim>

United States Citizenship and Immigration Services: Immigration and Nationality Act
<https://www.uscis.gov/legal-resources/immigration-and-nationality-act>

Immigration and Nationality Act-Section 204 (c)
<https://www.uscis.gov/ilink/docView/INT/HTML/INT/0-0-0-65/0-0-0-6592.html>

The Paper Wedding
https://drive.google.com/file/d/0B0hTuvR3jRd3NGUxM2M1NmEtNGI4Mi00NDQwLTljYjgtODc1OTJhMmIzZmQ2/view?hl=en_US

US Citizenship and Immigration Services: I-130, Petition for Alien Relative
<https://www.uscis.gov/i-130>



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Follow-up:

Following the Video Critique activity, students will follow-up with a review of the material and resources covered within this lesson on a quiz. On the lesson quiz, students will complete questions that will assess their knowledge of the material with each applicable chapter, as well as resources reviewed within the lesson.



Activity 6: *Asylum, Refugees, and Other Forms of Humanitarian Relief: The Case of Hamia Antar*

Objectives: Students will review sources of law for asylum and refugee status, including national and international refugee law, analyzing the criteria for asylum and refugee eligibility. Students will apply the Immigration and Nationality Act-Section 244, as well as policies under the Executive Office for Immigration Review-Board of Immigration Appeals (BIA), to case management practices and techniques, within an immigration law practice. After completion of this activity, students should be able to explain the procedure for filing an application for Temporary Protected Status, as well as articulate relevant information needed for assessing cases for clients seeking humanitarian relief.

Procedures:

Students will be required to read and review the following resources, as listed in the Resources section: “The Historical Roots of the Syrian Refugee Crisis”, “Syria’s War: Who’s Fighting and Why”, and the Syria Situation. Students will also read the chapter material from *Chapter 5: Asylum and Other Forms of Humanitarian Relief* and from *Chapter 10: Technology in the Law Office* and *Chapter 13: File and Records Management*, along with additional required readings as listed in the Required Readings section. An overview of the asylum practices regarding Middle Eastern and North African countries, with majority Muslim population, will be covered. Students will understand the technology skills necessary for proper internet research, as well as case management systems utilized for immigration law practices.

Students will also be provided an overview of recent immigration legislation affecting refugee status of foreign nationals from majority Muslim populated countries in the Middle East and North Africa (including Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen). Legislation including *Trump v. Hawaii* and *Trump, et.al. v. International Refugee Assistance Project, et.al.* will be reviewed, along with a current legal precedence related to banned refugee admission of specified Muslim majority countries.

Students will locate the USCIS website, and find instructions and applicable forms needed for an application for Temporary Protected Status. Afterwards, students will draft a list of applicable documents and checklists needed for proper case management of clients seeking asylum.

Upon review of these chapters and lesson material, students will be able to explain how the history, economy, and political climate of Syria creates drivers for migration, recognize critical factors that caused the Syrian Refugee Crisis, describe the current trends affecting Syrians seeking asylum and humanitarian relief, interpret recent and pending legislation within the national and local courts and administrative agencies, as well as identify the requirements within applicable checklists for clients seeking asylum status.

Assessment:

Case Facts

Hamia Antar, a native of Syria’s seeking asylum and humanitarian relief. She has contacted the immigration law office that you currently work for as a paralegal. She applied for and received



Temporary Protected Status, or TPS, on January 2, 2017, due to devastation caused by the earthquake and destructive tsunami in Syria. After filing her application, she realized that she did not have a birth certificate. Because she was born in a rural area in Syria, no certificates were issued in her village. However, Hamia has a national identification card with her photo on it, as well as an I-94 Arrival/Departure Record card showing her date of entry.

You are given the task of doing legal research and preparing a case assessment for client, Hamia Antar. You must report back to your supervising attorney, Attorney Harrison Ford, with the findings.

Instructions

1. Go to the U.S. Citizenship and Immigration Services website (<https://my.uscis.gov>).
2. Click on "Explore My Options" (<https://my.uscis.gov/exploremyoptions>).
3. Find the "Temporary Protected Status" link.
4. Now, you must compile information for a Case Assessment, including instructions for the client. In your Case Assessment Report, you must include the following:
 - eligibility information
 - fee amount
 - copy of Form I-821, Application for Temporary Protected Status
 - a list of documents and evidence that Hamia must include to support her application package
 - information regarding "Next Steps", after Hamia's application is submitted

Make sure to include detailed information within your Case Assessment regarding the "Next Steps" after Hamia's application. These "Next Steps" should include what happens after Hamia applies for Temporary Protected Status, including any details on additional information that could be requested. This information will be used in the correspondence letter that you will draft for your supervising attorney to review in the follow-up activity.

Resources:

Advocate Defend Connect
<https://www.adc.org/>

Center for International Disaster Information
<https://www.cidi.org/disaster-responses/syria/#.VgAIPN9RGUI>

Establishment Clause: First Amendment
https://www.law.cornell.edu/wex/establishment_clause

Executive Office for Immigration Review-Board of Immigration Appeals (BIA),



<https://www.justice.gov/eoir/board-of-immigration-appeals-bios>

Executive Order 13769

<https://www.whitehouse.gov/presidential-actions/executive-order-protecting-nation-foreign-terrorist-entry-united-states/>

Executive Order 13780

<https://www.whitehouse.gov/presidential-actions/executive-order-protecting-nation-foreign-terrorist-entry-united-states-2/>

Handbook on Procedures and Criteria for Determining Refugee Statutes and Guidelines for International Protection

<https://www.unhcr.org/en-us/publications/legal/5ddfcdc47/handbook-procedures-criteria-determining-refugee-status-under-1951-convention.html?query=1967%20U.N.%20Protocol%20relating%20to%20the%20Status%20of%20Refugees>

Human Rights First: Frequently Asked Questions of Asylum Seekers

<https://www.humanrightsfirst.org/asylum/frequently-asked-questions-asylum-seekers>

Immigration and Nationality Act-Section 244

<https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title8-section1254a&num=0&edition=prelim>

International Refugee Assistance Project

<https://refugeerights.org/>

National Immigration Project

<https://www.nationalimmigrationproject.org/>

Our Consortium: The Historical Roots of the Syrian Refugee Crisis (9 minutes) -

<https://www.youtube.com/watch?v=tR2laJSOLGw&list=PLSdIeNHvfGH0titmAtuBzkfsdc18vDP3&index=1>

Refugee Council of the US

<http://www.rcusa.org/>

Refugee Stories: Mapping a Crisis (Refugee and IDP Data-2018)

https://www.choices.edu/wp-content/uploads/2016/09/Data_Sheet2018.pdf



Syrian Refugee Response

<https://2009-2017.state.gov/j/prm/policyissues/issues/refugeeresponse//index.htm>

Syria Situation

<http://reporting.unhcr.org/syriasituation>

Syria's War: Who's Fighting and Why

<https://www.youtube.com/watch?v=JFpanWNgfQY>

Teach MidEast-Country Profiles

<http://teachmideast.org/country-profiles/>

Trump v. Hawaii, 138 S. Ct. 2392 (2018)

https://scholar.google.com/scholar_case?case=16062632215534775045&hl=en&as_sdt=6&as_vis=1&oi=scholar

Trump, et.al. v. International Refugee Assistance Project, et.al., 582 U.S. ____ (2017)

https://www.supremecourt.gov/opinions/16pdf/16-1436_16hc.pdf

UNHCR

<https://www.unhcr.org/en-us/>

U.S. Citizenship and Immigration Services

<https://www.uscis.gov/>

U.S. Department of State-Refugees

<https://www.state.gov/refugee-admissions/>

Follow-up:

Following the Case Assessment activity, you will draft a letter communicating to client Hamia Antar the next steps in the process after her application is submitted. You will include in your letter supporting asylum resources for displaced refugees. Please note the following information to use in drafting this letter.

Client Information

Hamia Antar
123 Broadway St.
Durham, NC 27703

Law Firm Information

Morris, Ford, and Jones PLLC
412 Litigation St.
Durham, NC 27713



Make sure that the supervising attorney is correctly listed as the sender. In addition, you should follow the guide listed in Exhibit 11-10, in *Chapter 11: Law Office Systems* regarding form letters and the proper elements to include in a professional letter. Within your letter draft, you should include:

- a statement or two regarding how you believe that the information included within the application will help achieve the goal of achieving a grant of asylum
- based upon the case facts, request a list of any additional information you think would be helpful to complete the application
- additional information regarding immigration disaster assistance and/or resources that the client could benefit from through Human Rights First or International Refugee Assistance Project, or other affiliated humanitarian agencies



Additional Resources:

Policy Institutes and International Organizations

Migration Policy Institute

<http://www.migrationpolicy.org/>

National Immigration Forum

<https://immigrationforum.org/resources/?type=fact-sheet>

Refugee Processing Center

<http://ireports.wrapsnet.org>

UNHCR Middle East Reporting

<http://reporting.unhcr.org/node/36>

UNHCR Syria Regional Response

<https://data2.unhcr.org/en/situations/syria>

UNRWA (for Palestine refugees) Reports

<https://www.unrwa.org/resources/reports>

Refugee Resettlement Organizations working locally across the United States

Church World Service (CWS)

<http://www.churchworldservice.org/>

Episcopal Migration Ministries (EMM)

<http://www.episcopalchurch.org/emm/>

Ethiopian Community Development Council (ECDC)

<http://www.ecdcus.org/>

International Rescue Committee (IRC)

<http://www.rescue.org/>

Lutheran Immigration and Refugee Services (LIRS)

<http://www.lirs.org/>

US Committee for Refugees and Immigrants (USCRI)

<http://www.refugees.org/>

United States Conference of Catholic Bishops (USCCB)

<http://www.usccb.org/>

World Relief Corporation (WR)

<http://worldrelief.org/>



Appendix A

Research Report Rubric					
Guidelines and Instructions	Inadequate-0 did not follow instructions; failed to provide the information listed in this section	Poor-5 somewhat followed instructions; needs substantial improvement in requirements listed	Fair-10 mostly followed instructions; needs some improvement in requirements listed	Above Average-15 was mainly accurate in following instructions; provided most of requirements listed	Great-20 was accurate in following instructions; provided all requirements listed
Historical Perspective	Inadequate-0 did not follow instructions; failed to provide the information listed in this section	Poor-5 somewhat followed instructions; needs substantial improvement in requirements listed	Fair-10 mostly followed instructions; needs some improvement in requirements listed	Above Average-15 was mainly accurate in following instructions; provided most of requirements listed	Great-20 was accurate in following instructions; provided all requirements listed
Asylum Analysis-Post 1980	Inadequate-0 did not follow instructions; failed to provide the information listed in this section	Poor-5 somewhat followed instructions; needs substantial improvement in requirements listed	Fair-10 mostly followed instructions; needs some improvement in requirements listed	Above Average-15 was mainly accurate in following instructions; provided most of requirements listed	Great-20 was accurate in following instructions; provided all requirements listed
Evaluation of Asylum and Recent Law Changes	Inadequate-0 did not follow instructions; failed to provide the information listed in this section	Poor-5 somewhat followed instructions; needs substantial improvement in requirements listed	Fair-10 mostly followed instructions; needs some improvement in requirements listed	Above Average-15 was mainly accurate in following instructions; provided most of requirements listed	Great-20 was accurate in following instructions; provided all requirements listed



<p>Causation Factors-Refugee Crisis</p>	<p>Inadequate-0 did not follow instructions; failed to provide the information listed in this section</p>	<p>Poor-5 somewhat followed instructions; needs substantial improvement in requirements listed</p>	<p>Fair-10 mostly followed instructions; needs some improvement in requirements listed</p>	<p>Above Average-15 was mainly accurate in following instructions; provided most of requirements listed</p>	<p>Great-20 was accurate in following instructions; provided all requirements listed</p>
<p>Summary</p>	<p>Inadequate-0 did not follow instructions; failed to provide the information listed in this section</p>	<p>Poor-5 somewhat followed instructions; needs substantial improvement in requirements listed</p>	<p>Fair-10 mostly followed instructions; needs some improvement in requirements listed</p>	<p>Above Average-15 was mainly accurate in following instructions; provided most of requirements listed</p>	<p>Great-20 was accurate in following instructions; provided all requirements listed</p>