



## ASISTA Virtual Conference

April 24-25, 2024

### Thirty Years of VAWA!

### A Comprehensive Refresher on a Groundbreaking Law

## AGENDA

### Day ONE: Wednesday, April 24 (12-5 pm ET)

12:00-2:00pm ET

#### **Session One: (2 hrs.)**

##### The VAWA Self Petition (Form I-360)

In this opening session, we examine each element of a VAWA self-petition, and what the “status” means for your client. We spend particular time on issues like good moral character and threshold showings of battery or extreme cruelty, which frequently arise as difficult aspects. We also discuss a few points where requirements diverge depending on which qualifying relationship forms the basis of the petition (e.g., spouse of an abusive LPR, parent of an abusive USC over 21, etc.).

#### **Speakers:**

- Kelly Byrne, *Staff ASISTA*.
- Rocio Molina, *VALOR*

2:00-3:00pm ET

#### **Break (1 hr.)**

3:00-5:00pm ET

#### **Session Two: (2 hrs.)**

##### VAWA-Based Green Cards (Form I-485, Immigrant Visas)

Session Two will explore when a survivor can obtain not just the milestone of an approved VAWA self-petition, but also lawful permanent residency. We touch on special rules about inadmissibility and explore waivers of inadmissibility available to VAWA clients. While many VAWA recipients are eligible to adjust status in the U.S., we will also discuss the context of consular processing for an immigrant visa from abroad.

#### **Speakers:**

- Rebecca Eissenova, *Senior Staff Attorney, ASISTA*
- Lia Ocasio, *Staff Attorney, ASISTA*
- Sonya Peterkin, *Law Office of S.A. Peterkin, PLLC.*

**Day TWO: Thursday, April 25 (12-5 pm ET)**

12:00-1:30 pm ET

**Session Three: (1.5 hrs.)**

VAWA in Removal Proceedings

Being in removal proceedings affects both the processes a survivor follows for VAWA applications, and the forms of VAWA-based relief they can pursue. In this session, we discuss considerations and strategies for VAWA self-petitioners and I-751 petitioners in removal proceedings, including whether and how to pursue prosecutorial discretion. We also review the elements and policies surrounding VAWA-based “Special Rule” cancellation of removal, an entirely separate form of relief only available from EOIR.

**Speakers:**

- Leena Khandwala, *Rutgers Law, Immigrant Rights Clinic*
- Cristina Velez, *Legal & Policy Director, ASISTA.*

1:30-2:00pm ET

**Break (0.5 hr.)**

2:00-3:00pm ET

**Session Four: (1 hr.)**

VAWA Children and Derivatives

In this session, we highlight special considerations for working with children who are VAWA self-petitioners in their own rights, or derivatives. We discuss the basics of who can be a derivative, application of the Child Status Protection Act to VAWA, and other VAWA-specific protections against “aging out” of eligibility.

**Speakers:**

- Rebecca Eissenova, *Senior Staff Attorney, ASISTA.*
- Kathleen Irish, *The Law Office of Kathleen E. Irish, LLC.*

3:00-3:30pm ET

**Break (0.5 hr.)**

3:30- 5:00pm ET

**Session Five: (1.5 hrs.)**

Common Ethical Conundrums in VAWA Cases

To close out the conference, we shift the focus from legal requirements to ethical ones. How can you ensure you are properly navigating sticky situations, like conflicts between principal applicants and derivatives? What about when your marriage-based case veers toward needing a VAWA self-petition, or even veers back into a marriage-based case after an assertion of abuse? At registration, attendees are encouraged to submit ethical questions they have encountered in practice, for our national expert speakers to consider and answer here.

**Speakers:**

- Elizabeta Markuci, *Catholic Charities Community Services.*
- Cyrus Mehta, *Cyrus D. Mehta & Partners PLLC.*
- Lia Ocasio, *Staff Attorney, ASISTA.*