NEW YORK STATE BAR ASSOCIATION

Committee on Children and the Law
2013 Robert J. Schack Memorial Program

Friday, January 25, 2013
9:00 a.m. - 12:10 p.m.

Hilton New York | Beekman Suite, Second Floor

1335 Avenue of the Americas (between 53rd and 54th Streets)
New York City

North of the Border:
Rights and Remedies for Immigrant Children and Families

Immigration Basics for Family Court and Matrimonial Attorneys

This program will give you an overview of the remedies you will need to know in order to represent clients with immigration issues, including the types of immigration status, SIJS and other immigration relief available, relevant benefits and services, the collateral consequences for immigrants involved in Family Court and criminal court proceedings, and the effect of Secure Communities enforcement (S-Comm) and the new deferred action initiative (DACA). Don't make *Padilla* errors – be aware of how your court's actions will affect your client and his or her family!

IMPORTANT INFORMATION

Under New York's MCLE rule, this program has been approved for a total of 3.5 credit hours of professional practice.

Discounts and Scholarships: New York State Bar Association members may apply for a discount or scholarship to attend this program, based on financial hardship. Any member of the Association who has a genuine basis of financial hardship can receive a discount or scholarship, depending on the circumstances. To apply for a discount or scholarship, please send your request in writing to the New York State Bar Association, Attn: Catheryn Teeter, One Elk Street, Albany, New York 12207 or via e-mail cteeter@nysba.org.

Special Note for Attorneys Representing Children and Family Court Assigned Counsel Panel Members: Attorneys for Children and panel members are eligible to apply for a discounted registration fee for this program. If you qualify, you cannot register online. You must obtain a 2013 Discounted Registration Fee Form from your Program Director or download the waiver form at http://www.nysba.org/ChildrenandtheLaw, attach it to the completed Annual Meeting Registration Form, and fax or mail back the completed forms to the number/address listed. A limited number of forms are available on a first come/first serve basis for Family Court or Family Court Appeals assigned counsel panel members who are not currently attorneys for children. To inquire about these waivers, please contact Catheryn Teeter at (518) 487-5621. All waivers must be received by Friday, January 11, 2013. No waivers can be issued after the cutoff date. Please note that if you are not a member of the New York State Bar Association, the $200 nonmember surcharge cannot be waived.

PROGRAM AGENDA

8:30 a.m. - 9:00 a.m. **Registration**

9:00 a.m. - 9:05 a.m. **Welcome and Opening Remarks**

George E. Reed, Jr., Esq.
Program Chair

9:05 a.m. - 9:30 a.m. **Immigration Status and Immigration Relief Available (Except SIJS)**

- Brief Overview of Types of Permanent Status
- Trafficking (T), Crime Victim/Witness (U), and Refugee Status
- The Deferred Action Initiative (DACA) and Other Recent Developments and Possible Policy Changes

Speaker: Walter H. Ruehle, Esq.

(0.5 MCLE Credit in Areas of Professional Practice)

9:30 a.m. - 10:20 a.m. **How to Obtain Special Immigrant Juvenile Status (SIJS)**

- Understanding the Statutory Definition of SIJS
- The Special Findings Order
- Guardianship
- Neglect
- Destitute Child (New FCA Art. 10-C)
- Other Possible Family Court Proceedings
- Recent Developments in Protecting Children Where One Parent is in the U.S.
- Unrepresented Parents and the Role of the Attorney for the Child

Speakers: Professor Lenni B. Benson & Professor Jennifer Baum

(1.0 MCLE Credit in Areas of Professional Practice)

10:20 a.m. - 10:30 a.m. **Coffee Break**

NYSBA

10:30 a.m. - 10:55 a.m.	**Benefits and Services** • Benefits Related Classifications: Qualified Aliens and PRUCOL • Eligibility for Basic Subsistence Benefits of Victims of Crime and Trafficking and SIJ and DACA Beneficiaries • Concerns of Immigrants (and Their Lawyers) About the Receipt of Benefits **Speaker: Barbara Weiner, Esq.** *(0.5 MCLE Credit in Areas of Professional Practice)*
10:55 a.m. - 11:45 a.m.	**Collateral Consequences for Immigrants** • Collateral Consequences for Family Court litigants • Collateral Consequences of Criminal Convictions • The Undocumented Client: Ethical Obligations of the Attorney • The Impact of Secure Communities Enforcement (S-Comm) **Speaker: Jojo Annobil, Esq.** *(1.0 MCLE Credit in Areas of Professional Practice)*
11:45 a.m. - 12:10 p.m.	**Panel Discussion on Rights and Remedies for Immigrant Children and Families** *(0.5 MCLE Credit in Areas of Professional Practice)*
12:10 p.m.	**Adjournment**

PROGRAM FACULTY

Committee Chair
Karen Fisher Gutheil, Esq., Legal Aid Society of New York, New York

Program Chair
George E. Reed, Jr., Esq., White Plains

Jojo Annobil, Esq., Legal Aid Society of New York, New York

Walter H. Ruehle, Esq., Legal Aid Society, Rochester

Professor Jennifer Baum, St. John's University School of Law, Jamaica

Barbara E. Weiner, Esq., Empire Justice Center, Albany

Professor Lenni B. Benson, New York Law School, New York

About Robert J. Schack

Robert J. Schack was a founding member of the Committee on Children and the Law and, for many years, Chair of the Legislative Subcommittee. A supervising attorney at the New York State Attorney General's Office, Mr. Schack represented the State in several landmark juvenile justice and child welfare cases. He was a tireless advocate for children's rights and interests, and contributed enormously to the Committee's and Bar Association's achievements.

Accommodations for Persons with Disabilities: NYSBA welcomes participation by individuals with disabilities. NYSBA is committed to complying with all applicable laws that prohibit discrimination against individuals on the basis of disability in the full & equal enjoyment of its goods, services, programs, activities, facilities, privileges, advantages, or accommodations. To request auxiliary aids or services or if you have any questions regarding accessibility, please contact Kathy Heider at kheider@nysba.org

For overnight room accommodations, please call the Hilton New York at 1-800-445-8667 & identify yourself as a member of the New York State Bar Association. Room rates are $239.00 for single/double occupancy. You also can reserve your overnight room on the web at www.nysba.org/13accomm

For questions about this specific program, please contact Katherine Suchocki at 518-487-5590 or ksuchocki@nysba.org.
For registration questions only, please call 518-487-5621. Fax registration form to 518-463-5993.

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