

# 2008 New Immigration Judges' Training

August 10 - 15, 2008 - San Diego Immigration Court

## Table of Contents

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Schedule for the Week ..... Tab 1

Day 1 ..... Tab 2

Introduction & Arrest of Alien  
Issuance, Service & Filing of Notice to Appear  
Master Calendar & Bond  
Individual Calendar  
Helpful Hints

Day 2 ..... Tab 3

Introduction to Master Calendar  
Introduction to Individual Calendar

Day 3 ..... Tab 4

Preparation & Delivery of Oral Decisions  
Asylum, Withholding & CAT  
Cancellation of Removal  
Voluntary Departure  
Adjustment of Status & Waivers

Day 4 ..... Tab 5

Crimes  
Bonds  
Personnel Issues  
Ethics  
OPR & OIG

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Day 5 ..... Tab 6

Courtroom Control  
Attorney Discipline Procedures  
Mock Hearing  
Judicial Temperament & Professionalism - Transition to the Bench  
Virtual Law Library & Bench Book  
Digital Audio Recording

Day 6 ..... Tab 7

Group Photograph  
Mock Hearing  
Course Wrap Up  
Preparation for Investiture  
Investiture

Administrative ..... Tab 8

Travel Information  
Appointment Certificate  
Immigration Court Listing  
Course Evaluation

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*2008 Immigration Judges' Training*

Tab 2 - List of Documents

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Burdens of Proof in Removal Proceedings

*Judge Jack H. Weil*

Notice to Appeal Form I-862

Advisals

United States Citizenship Law Outline

Work Sheets and Initial Hearing - Pro Se

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*2008 Immigration Judges' Training*

Tab 3 - List of Documents

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Preparing and Conducting Master Calendar  
Hearings

*Judge Rex J Ford*

Individual Hearings: Preparation and Conduct

*Judge John F. Gossart, Jr.*

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*2008 Immigration Judges' Training*

Tab 4 - List of Documents

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Preparing & Delivering Oral Decisions

*Judge J. Daniel Dowell*

*Judge Jack H. Weil*

Board Decision

Asylum, Withholding of Removal, and Convention  
Against Torture

*Judge Jeffrey L. Romig*

Asylum Scenarios

Voluntary Departure

*Judge Robert Barrett*

Cancellation of Removal, Suspension of Deportation  
212 (c) Waiver, and Voluntary Departure

*Judge Alan Vomacka*

Adjustment of Status and Waivers of Inadmissibility

*Teresa Donovan, Esquire*

*Board of Immigration Appeals*

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**Tab 5 - List of Documents**

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**The Consequences of Criminal Misconduct Under  
the Immigration and Nationality Act**

*Juan P. Osuna, Acting Chairman  
Board of Immigration Appeals*

**Topic of Discussion for New Immigration Judges**

*William Manning, Administrative Division*

**Ethics for New Immigration Judges**

*Counsel Carolyn M. Piccotti  
Counsel Gustavo Villageliu*

**Office of Professional Responsibility (OPR) and The  
Office of the Inspector General (OIG)**

*Sharon Pomeranz, ELR Chief*

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**Tab 6 - List of Documents**

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**Courtroom Control**

*Judge Rex J Ford*

**Professional Conduct for Practitioners: Rules and Procedures**

*Jennifer Barnes, EOIR Bar Counsel*

**Immigration Judge Credo**

**Virtual Law Library**

**Digital Audio Recording Quick Reference Guide**

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*2008 Immigration Judges' Training*

Tab 8- List of Documents

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Travel Information

Appointment Certificate

Immigration Court Listing

Court Evaluation

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**New Immigration Judge Training  
August 10, 2008 – August 15, 2008  
San Diego, California**

Participants	Instructors
Richard Phelps Irene Feldman Crimilda Guilloty	Kenneth A. Bagley Jennifer Barnes Robert J. Barrett Rico Bartolomei, Jr. Teresa Donovan Karen Drumond Rex J Ford John F. Gossart, Jr. Henry P. Ipema Barbara Leen William Manning Juan Osuna Sharon Pomeranz Rene Renner Jeffrey L. Romig Rand Waldron Jack H. Weil

Discussion Groups	
<b>Bartolomei &amp; Weil</b>	Richard Phelps Irene Feldman Crimilda Guilloty

Sunday			
Time	Topic	Presenter	Location
8:30 – 9:50	Introduction & Arrest of Alien	Judge Jack H. Weil	Terrace Conf. Ctr. #370
9:50 – 10:00	Break		
10:00 – 10:50	Issuance, Service & Filing of Notice to Appear	Judge Jack H. Weil	Terrace Conf. Ctr. #370
10:50 – 11:00	Break		
11:00 – 12:00	Master Calendar & Bond	Judge Jack H. Weil	Terrace Conf. Ctr. #370
12:00 – 1:00	Lunch		
1:00 – 1:50	Individual Calendar	Judge Jack H. Weil	Terrace Conf. Ctr. #370
1:50 – 2:00	Break		
2:00 – 3:00	Helpful Hints & Open Discussion	Judge Jack H. Weil	Terrace Conf. Ctr. #370

Monday			
Time	Topic	Presenter	Location
8:00 – 8:50	Opening Remarks	Judge Rico Bartolomei, Jr.	EOIR Conf. Rm.
8:50 – 9:00	Break		
9:00 – 9:50	Introduction to Master Calendar	Judge Kenneth A. Bagley	Courtroom #1
9:50 – 10:00	Break		
10:00 – 10:50	Introduction to Master Calendar (continued)	Judge Kenneth A. Bagley	Courtroom #1
10:50 – 11:00	Break		
11:00 – 12:00	Introduction to Master Calendar (continued)	Judge Kenneth A. Bagley	Courtroom #1
12:00 – 1:00	Lunch		
1:00 – 1:50	Discussion Group		EOIR Conf. Rm.
1:50 – 2:00	Break		
2:00 – 2:50	Introduction to Individual Calendar	Judge John F. Gossart, Jr.	Courtroom #3
2:50 – 3:00	Break		
3:00 – 3:50	Introduction to Individual Calendar (continued)	Judge John F. Gossart, Jr.	Courtroom #3
3:50 – 4:00	Break		
4:00 – 5:00	Exam		EOIR Conf. Rm.

Tuesday			
Time	Topic	Presenter	Location
8:00 – 8:50	Preparation & Delivery of Oral Decisions	Judge Jack H. Weil	Terrace Conf. Ctr. #370
8:50 – 9:00	Break		
9:00 – 9:50	Preparation & Delivery of Oral Decisions (continued)	Judge Jack H. Weil	Terrace Conf. Ctr. #370
9:50 – 10:00	Break		
10:00 – 10:50	Discussion Group		EOIR Conf. Rm.
10:50 – 11:00	Break		
11:00 – 12:00	Asylum, Withholding & CAT	Judge Jeffrey L. Romig	Courtroom #3
12:00 – 1:00	Brown Bag Lunch with Judge Robert J. Barrett (ret.): Tips & Techniques For Being a Successful IJ		
1:00 – 1:50	Asylum, Withholding & CAT (continued)	Judge Jeffrey L. Romig	Courtroom #3
1:50 – 2:00	Break		
2:00 – 2:50	Cancellation of Removal	Judge Henry P. Ipema	EOIR Conf. Rm.
2:50 – 3:00	Break		
3:00 – 3:50	Voluntary Departure	Judge Rico Bartolomei, Jr.	EOIR Conf. Rm.
3:50 – 4:00	Break		
4:00 – 4:50	Adjustment of Status & Waivers	Teresa Donovan	Courtroom #3
4:50 – 5:00	Break		
5:00 – 6:00	Exam		EOIR Conf. Rm.

Wednesday			
Time	Topic	Presenter	Location
8:00 – 8:50	Discussion Group		EOIR Conf. Rm.
8:50 – 9:00	Break		
9:00 – 9:50	Crimes	Acting Chairman Juan Osuna	Courtroom #3
9:50 – 10:00	Break		
10:00 – 10:50	Bonds	Acting Chairman Juan Osuna	Courtroom #3
10:50 – 11:00	Break		
11:00 – 12:00	Personnel Issues	William Manning	Courtroom #3
12:00 – 1:00	Brown Bag Lunch with William Manning: More on Personnel Issues		
1:00 – 1:50	Discussion Group		EOIR Conf. Rm.
1:50 – 2:00	Break		
2:00 – 2:50	Ethics	Counsel Barbara Leen	Courtroom #3
2:50 – 3:00	Break		
3:00 – 3:50	OPR & OIG	ELR Chief Sharon Pomeranz	Courtroom #3
3:50 – 4:00	Break		
4:00 – 5:00	Exam		EOIR Conf. Rm.

Thursday			
Time	Topic	Presenter	Location
8:00 – 8:50	Courtroom Control	Judge Rex J Ford	Courtroom #3
8:50 – 9:00	Break		
9:00 – 9:50	Attorney Discipline Procedures	Counsel Jennifer Barnes	Courtroom #3
9:50 – 10:00	Break		
10:00 – 10:50	Mock Hearing		EOIR Conf. Rm.
10:50 – 11:00	Break		
11:00 – 12:00	Mock Hearing		EOIR Conf. Rm.
12:00 – 1:00	Brown Bag Lunch with Judge Renee Renner: Judicial Temperament & Professionalism – Transition to the Bench		
1:00 – 1:50	Virtual Law Library & Bench Book	Librarian Karen Drumond Judge Henry P. Ipema	Courtroom #3
1:50 – 2:00	Break		
2:00 – 2:50	Bench Book (continued)	Judge Henry P. Ipema	Courtroom #3
2:50 – 3:00	Break		
3:00 – 4:30	Digital Audio Recording	Rand Waldron	Courtroom #3

Friday			
Time	Topic	Presenter	Location
8:00 – 8:30	Group Photograph		To be determined
8:30 – 9:50	Mock Hearing		EOIR Conf. Rm.
9:50 – 10:00	Break		
10:00 – 10:50	Mock Hearing		EOIR Conf. Rm.
10:50 – 11:00	Break		
11:00 – 12:00	Course Wrap Up	All Faculty	EOIR Conf. Rm.
12:00 – 1:30	Lunch		
1:30 – 1:50	Preparation for Investiture		EOIR Conf. Rm.
1:50 – 2:00	Break		
2:00 – 3:00	Investiture		Courtroom #6

**New Immigration Judges' Training  
Faculty**

August 10 - 15, 2008  
San Diego, California

KENNETH A. BAGLEY  
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## **New Immigration Judges' Training Faculty Biographies**

**August 10 -15, 2008  
San Diego, California**

### **JUDGE KENNETH A. BAGLEY**

Judge Bagley was appointed as an immigration judge in October 1986. He received an bachelor of arts degree in 1968 from Boston College, and a juris doctorate in 1973 from Suffolk University Law School. From 1976 to 1986, he was in private practice in California and Massachusetts. Judge Bagley is a member of the Massachusetts and California bars.

### **JENNIFER J. BARNES, ASSOCIATE GENERAL COUNSEL**

Jennifer Barnes joined OGC in April 1995. She received a bachelor of arts degree in 1976 from Miami University, a master of social work degree in 1979 from Ohio State University, and a juris doctorate in 1988 from the University of San Diego School of Law. From 1994 until April 1995, Ms. Barnes served as appellate counsel for the former INS. From 1990 until 1994, she worked in the Office of the General Counsel for INS as an assistant general counsel and then as an associate general counsel. Ms. Barnes joined DOJ through the Attorney General's Honors Program in 1988 where she served as an INS trial attorney in San Francisco. Ms. Barnes is a member of the California and District of Columbia bars.

### **JUDGE ROBERT J. BARRETT (Ret.)**

Judge Robert Barrett was appointed Immigration Judge for the San Diego Immigration Court, San Diego, Calif., in Feb. 1976. He joined the former Immigration Naturalization Service (INS) in 1969. From 1974 to 1976, Judge Barrett worked as a trial attorney for INS in Los Angeles. From 1972-1974, he served as general attorney for INS in Washington D.C. prior to that, he worked as general attorney for INS in San Diego. From 1969-1971, he served as general attorney for INS in New Orleans, Louisiana. He received his bachelor's degree and Juris Doctor from Creighton University. Judge Barrett is a member of the Nebraska Bar. He joined the NJC faculty in 1997.

#### **ASSISTANT CHIEF IMMIGRATION JUDGE RICHARD J. BARTOLOMEI**

Richard J. Bartolomei was appointed as an ACIJ on October 20, 2006, based in San Diego. He received a bachelor of arts degree in 1983 from the University of Notre Dame and a juris doctorate in 1986 from Georgetown University Law Center. From 1994 to October 2006, Mr. Bartolomei served at the San Diego Immigration Court following his appointment as an immigration judge in September 1994. From 1991 to 1994, Mr. Bartolomei served as a staff attorney for the BIA. From 1987 to 1991, he worked as an attorney with the Army Judge Advocate General's Corps. Mr. Bartolomei is a member of both the Massachusetts and District of Columbia bars.

#### **TERESA L. DONOVAN, ATTORNEY ADVISOR**

Teresa L. Donovan has served as an Attorney Advisor at the Board of Immigration Appeals since 1998. Prior to joining the Board, Ms. Donovan practiced immigration law in Alexandria, Virginia, representing clients in a variety of immigration related matters before the Immigration and Naturalization Service (now, the Department of Homeland Security), the Department of Labor, the Immigration Courts, the Board of Immigration Appeals, and the United States District Court for the Eastern District of Virginia. Ms. Donovan teaches immigration law at the George Mason University School of Law, and is the Director of the school's Immigration Law Clinic. She received a Juris Doctorate from Gonzaga University School of Law and a Master of Laws in Taxation from Boston University School of Law. She is a member of the Virginia, Washington State, and District of Columbia Bars.

#### **JUDGE REX J FORD**

Judge Ford was appointed Immigration Judge in April 1993. He received his B.A. from Arizona State University in 1977, and his J.D. cum laude from Nova University Law Center in 1984. From 1989-1993, Judge Ford served as an associate deputy general for the Department of Justice in Washington, D.C. From 1987- 1989, he was associate dean for Nova University Law Center in Ft. Lauderdale, Florida. From 1985-1986, Judge Ford was a partner for the law firm of Tucker, Ford, and Milbrath in Ocala, Florida. From 1984 to 1985, he served a general counsel for Skyway Commuter, Inc., also in Ocala. Judge Ford is a member of the Florida and District of Columbia Bars. An alumnus of the NJC, Judge Ford became a faculty member in 1997.



#### **JUDGE JOHN F. GOSSART, JR.**

Judge Gossart was appointed Immigration Judge in October 1982. He received his B.S. from the University of Maryland in 1967, and his J.D. from the University of Baltimore School of Law in 1974. From 1975 through 1982, Judge Gossart served as Deputy Assistant Commissioner for Naturalization and as general attorney at the Immigration and Naturalization Service in Washington, D.C. He also served as an adjunct professor and guest lecturer at the University of Baltimore School of Law, University of Maryland Law School, and the Buffalo School of Law. He is a member of both the Maryland and District of Columbia Bars. He has taught at the National College since 1997.

#### **JUDGE HENRY P. IPEMA JR.**

Judge Ipema was appointed Immigration Judge in September 1995. He received a bachelor of arts degree in 1982 from Calvin College and a juris doctorate in 1987 from Georgetown University Law Center. Prior to his appointment as an Immigration Judge in the San Diego Immigration Court in December 2004, Judge Ipema served as an Immigration Judge in the Los Angeles Immigration Court from September 1995 to December 2004. From 1988 to 1995, Judge Ipema served as a staff attorney for the Board of Immigration Appeals. From 1987 to 1988, he worked as a law clerk in the Chicago Immigration Court. In 1987, he joined the Executive Office of Immigration Review serving as a law clerk. Judge Ipema is a member of the Illinois Bar. He joined the faculty of the National Judicial College in 2007.

#### **CHIEF JUDGE DAVID L. NEAL**

Judge Neal was appointed Acting Chief Immigration Judge for the Executive Office of Immigration Review (EOIR) in April of 2006. Previously, he served as an Assistant Chief Immigration Judge from April 2005 to April 2006. He served as an Immigration Judge at the Headquarters Immigration Court from June of 2004 to April of 2005 and as special counsel to the Director of EOIR from January of 2003 to June of 2004. He has also served as chief counsel to the Senate Immigration Subcommittee and as attorney advisor for the BIA. Judge Neal also practiced Immigration Law in Los Angeles and served as the director of policy analysis for the American Immigration Lawyers Association. He received his bachelors degree in 1981 from Wabash College, a master's degree in 1984 from Harvard Divinity School, and a juris Doctorate in 1989 from Columbia Law School. He is a member of the New York and District of Columbia Bars. Judge Neal joined the faculty of the National Judicial College in 2007.

#### **JUAN P. OSUNA, ACTING CHAIRMAN**

Mr. Osuna was appointed as a Board Member of the Board of Immigration Appeals in August of 2000 and began serving as Acting Chair on October 2, 2006. Previously, he served as Acting Vice-Chair from June 1, 2005, to October 2, 2006. Before his appointment to the Board, Mr. Osuna served at West Group from April 1990 to December 1999 as senior principal attorney editor, managing editor, associate editor, and assistant editor. He also served as a consultant for Catholic Legal Immigration Network, Inc., in Washington, D.C., where he edited a number of publications. He received his bachelor's degree in 1985 from George Washington University, a Juris Doctorate in 1988 from the Washington College of Law at The American University, and his master's degree in law and international affairs in 1989 from The American University's School of International Service. Previously, he taught law at the Federal Judicial Center's Division of Court Education, in Washington, D.C., and at The American University, where he was an adjunct professor in the University's Washington Semester Program. He is a member of the Pennsylvania Bar. Mr. Osuna joined the faculty of The National Judicial College in 2007.

#### **SHARON J. POMERANZ, CHIEF COUNSEL/ELR**

Ms. Pomeranz joined the U.S. Department of Justice's Office of General Counsel in March of 2003. From September of 1991 to March of 2003, she served as senior assistant general counsel for the U.S. General Services Administration in Washington, DC. She received her bachelor's degree in 1986 from San Diego State University and her Juris Doctorate in 1991 from Southwestern University. She is a member of the California Bar. Ms. Pomeranz joined the faculty of The National Judicial College in 2007.

#### **JUDGE JEFFREY R. ROMIG**

Judge Romig was appointed as an immigration judge in January 2002. He received a bachelor of arts degree in 1981 from Duquesne University in Pittsburgh, Pa., and a juris doctorate and a master of arts degree in 1985 from the University of Pittsburgh. Judge Romig served as an immigration judge at the Headquarters Immigration Court in June 2006 to January 2008, and at the Los Angeles Immigration Court from January 2002 to June 2006. Judge Romig served as appellate counsel for the former Immigration and Naturalization Service in Falls Church, Va., from April 1999 to December 2001. Prior to that, he served as supervisory attorney advisor for the Board of Immigration Appeals (Board) from August 1995 to April 1999. From December 1994 to August 1995, Judge Romig worked on the U.S. Commission on Immigration Reform ("Jordan Commission"), in Washington, D.C., as a senior policy analyst. He worked at the Board from November 1986 to December 1994 as an attorney advisor. Judge Romig is a member of the Pennsylvania Bar.

## **JUDGE JACK H. WEIL**

Judge Weil was appointed Immigration Judge in October 1994. He received his B.A. in 1985, and his J.D. in 1988, both from the University of Maryland. Judge Weil worked as an associate counsel to the Director, Executive Office for Immigration Review, in Falls Church, Virginia, from 1990 to 1994. Prior to that, from 1988 to 1990, he was a judicial law clerk with the Immigration Court in San Diego. In 1988, he worked as a student intern with the Immigration and Naturalization Service in Baltimore, Maryland. Judge Weil also did internships with the U.S. Department of Commerce, International Trade Administration, the law firm of Goldsobel, Permut & Co., in Haifa, Israel, and with counsel for CIGNA/AETNA. He is a member of the Maryland Bar. He joined the NJC faculty in 2001.