

## PREFACE

Geologists normally are the ones who speak about seismic shifts. As immigration lawyers confront new and perplexing challenges in their practices almost daily, we now find ourselves using that kind of language. The tectonic plates are moving in Congress, at U.S. Immigration and Customs Enforcement (ICE), in the corporate headquarters, on the factory floor, in the criminal justice and removal systems, in state and federal court, and in society in general. The venerable but forgotten constitutional cases that we studied in law school once again have become the norm in cutting-edge litigation over anti-immigrant local ordinances. Seats in Congress will be won and lost on the battlefield of immigration. Major employers will be forced out of business by ICE raids that were suspended in the summer of 2007, while Congress debated a reform bill that ultimately was hijacked by four U.S. senators.

All of these trends and developments intersect today in immigration law and in our practices. Reflecting the experience of every other immigration lawyer, our panelists and planners have felt disbelief, outrage, and fear of “what’s to come” throughout the planning of this conference. By the same token, we have been most impressed by the passion, unparalleled expertise, and commitment shown by each of our distinguished panelists; and for that reason, we look forward to a very successful conference. We hope you leave this conference not just with an understanding of the current challenges in the worksite enforcement setting, but also with the right tools to pursue various protections for employers, their hardworking employees, and yourselves. From Social Security no-match letters, to the criminal prosecution of corporate executives, to the brave stance of the court in *Hazelton*, to the chaos caused by raids in immigrant communities, we have climbed into the roller coaster ride of our careers as immigration attorneys. The coming years will test every one of us to the limit—on substance, on procedure, and on ethical resolve (the last perhaps being the hardest).

This conference is unique because it addresses critical protections for our corporate clients, as well as a plan of action for their workers in the event of an ICE raid and arrest. Most of you who are corporate immigration attorneys have likely received recent urgent calls from employers about an employee in ICE custody. You immediately thought: “I don’t do removal work . . . never have, never will.” You may need to rethink that response. We now are entering into an era in which we must act quickly to avoid fast removal—your immediate advice can help afford a hearing to an individual who otherwise would end up with an administrative removal order. For that reason, this conference will afford you, the business practitioner, with a fantastic crash course and materials on removal defense, all of which will be useful to you even if you never set foot in the courtroom. We also will present experts to help you sort through the practical and ethical dilemmas that frequently arise out of dual representation scenarios.

We believe that the value of this conference will be immeasurable and that you will find the content of this book to be exceptional. We are glad you chose to come and experience this cutting-edge event, and we hope that you will give us your feedback after it is over—both positive and negative. One of the hallmarks of the American Immigration Lawyers Association (AILA) has been the regular flow of commentary and criticism after our conferences. This conference, perhaps more than any other, will succeed to the extent that it evokes thoughtful comment and debate.

Of course, this introduction would not be complete without significant applause and gratitude for Josie Gonzalez—whose endless knowledge and passion for worksite enforcement drove the production of this conference. A sincere thank you also goes to all the panelists and authors who have provided practical materials and guidance for you as attendees, and to the conference committee members who have worked tirelessly to find the best speakers and most up-to-date materials available for this book. And, as you well know, this superb manuscript would not have come together without the resolve, tact, and expertise of AILA’s very own Ms. Grace Akers, who kept us on track all along! Thank you, Grace!

**Gerard M. Chapman**  
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