

The Uncertain Future of U.S. Immigration Policy

9th Annual Law & Society Symposium

February 10, 2017
Charleston, South Carolina

Presented by
Charleston Law Review
and
The Riley Institute[®] at Furman



Symposium Agenda

Friday, February 10, 2017 | Charleston Music Hall, 37 John Street

- 8:30 a.m. **Registration**
CLE Course No. 170780
- 9:00 a.m. **Welcome**
David DuTremble, *Editor in Chief, Charleston Law Review*

Donald Gordon, Ph.D., *Executive Director, The Riley Institute at Furman*

Andrew Abrams, *Dean, Charleston School of Law*
- 9:10 a.m. **Why “The Uncertain Future of U.S. Immigration Policy”?**
Geoffrey Waite, *Symposium Editor, Charleston Law Review*
- 9:15 a.m. **Panel One: : Immigrants and Criminal Law—
What Might We Expect Under a Trump Administration?**
Moderated by Margaret Lawton, *Associate Dean of Academic Affairs and Professor, Charleston School of Law*

Amanda Bethea Keaveny, *Attorney, Amanda Bethea Keaveny, P.A*

George Miller, *Partner, Dozier Miller Law Group.*

Helen Parsonage, *Partner, Elliot Morgan Parsonage*

Symposium Agenda

- 10:30 a.m. **Panel Two: Examining the Civil Liberties and Rights of Immigrants**
Moderated by Susan Dunn, *Legal Director, ACLU of South Carolina*

Sunita Patel, *Practitioner-in-Residence, Civil Advocacy Clinic, American University Washington College of Law*

Patricia Ravenhorst, *Director, South Carolina Immigrant Victim Network*

Douglas Thie, *Associate Attorney, Clawson and Staubes, LLC*
- Noon **Keynote Address**
Introduction: J. Edward Bell, III, *President, Charleston School of Law*

Keynote: Tammy Besherse, *Director of Immigration Policy, South Carolina Appleseed Legal Justice Center*
- 12:45 p.m. **Lunch on Your Own**
- 2 p.m. **Panel Three: Immigration Reform and the Economy—
Can South Carolina Afford to Do Nothing?**
Moderated by Bradley Banias, *Associate Attorney, Barnwell Whaley Patterson & Helms, LLC*

Gerald Goulder, *Lead Attorney, Goulder Immigration Law Firm*

Hans Christian Linnartz, *Lead Attorney, Linnartz Immigration Law Office*

Mark David Witte, *Associate Professor and MBA Director, Charleston School of Law*
- 3:15 p.m. **Closing**
Kyle Smithwick, *Associate Symposium Editor, Charleston Law Review*

Keynote Speaker



Tammy Besherse is the director of immigration policy at South Carolina Appleseed Legal Justice Center, where she works to improve immigrants' rights in the areas of public benefits, housing, domestic violence, and health care through policy efforts and legal trainings. She also works with the South Carolina Coalition Against Domestic Violence and Sexual Assault, the South Carolina Immigrant Victim Network, and the South Carolina attorney general's Human Trafficking Task Force to assist immigrant victims of crime. Besherse routinely conducts trainings for agencies on immigration laws and policies.

Besherse co-authored two articles published in the *South Carolina Lawyer*: "Ten Biggest Myths About Immigrants and the Law in South Carolina" (November/December 2005) and "South Carolina Court Interpreters and the Rules of Professional Conduct" (July 2007). Her article, "The DREAMers: America's Undocumented Youth," was published in the Fall 2010 edition of the American Bar Association's *Children's Rights*.

Besherse has been recognized for her work to improve the lives of others, particularly those who are immigrants. She received the Excellence in Legal Services Award for the Southeast Region by the Mexican American Legal Education and Defense Fund (2008), and she received the Award of Excellence from the South Carolina Coalition Against Domestic Violence and Sexual Assault (2011) for her advocacy for better domestic violence laws in the state. In May 2012, the South Carolina Victim Assistance Network honored her for "Outstanding Service to Underserved Victims" for her role in ensuring better and more comprehensive anti-human trafficking legislation.

A graduate of Ohio Northern University College of Law, Besherse was a public defender for her first four years as a lawyer, representing many Latino clients. While representing these individuals, she encountered many of the issues that immigrants face about health care, public benefits, and their rights in general.

Panelists & Moderators

Bradley Baniás is an associate attorney at Barnwell Whaley Patterson & Helms, LLC in Charleston and adjunct professor at Charleston School of Law. Baniás focuses his practice in the areas of civil litigation, appellate practice, administrative law, general and business immigration law, and federal court immigration litigation. A former trial attorney for the Civil Division of the Department of Justice, he has litigated individual and class action cases from their beginnings in federal district court to their ends in federal circuit courts and the United States Supreme Court. Baniás is admitted to practice in all state and federal courts in South Carolina and numerous additional federal courts throughout the United States. A graduate of the College of Charleston's Honors College, he received his J.D. *summa cum laude* from the Charleston School of Law.

J. Edward Bell, III is president of the Charleston School of Law and is the founder and senior partner of Bell Legal Group in Georgetown, S.C. He is an attorney, businessman, entrepreneur and philanthropist. In a career spanning more than 30 years, he has distinguished himself as a top litigator at local, state and national levels and has tried more than 300 major cases throughout the United States. Bell earned his undergraduate degree from Wofford College and his J.D. from University of South Carolina School of Law.

Susan Dunn is the legal director for the American Civil Liberties Union (ACLU) of South Carolina. Prior to joining the ACLU of South Carolina in January 2009, she worked in private practice in Charleston for more than 30 years. For 12 years, beginning in the mid-1990's, Dunn litigated a high-profile and groundbreaking constitutional case challenging a policy mandating the testing of pregnant and postpartum women at a public hospital for cocaine use, and the delivery of those test results to law enforcement. Her clients ultimately won a favorable ruling in the United States Supreme Court that led to a settlement of the case. Dunn received her undergraduate degree from Duke University and her J.D. from the University of North Carolina-Chapel Hill.

Panelists & Moderators

Gerald Goulder is the lead attorney at Goulder Immigration Law Firm with over 35 years of experience practicing law and 13 years as founder and CEO of a \$21 million, 180-employee closely held corporation. His career has included working as assistant attorney general of Ohio and special counsel to the Ohio attorney general. Since 2004, he has practiced immigration, visa and naturalization law exclusively and he now represents clients throughout the U.S. Goulder has an upcoming article in the *Charleston Law Review* entitled, "Why It is Time for a Moratorium on H-1B Visas and OPT for Students after Graduation." He received his B.A. from The Ohio State University and his J.D. from Washington University School of Law.

Amanda Bethea Keaveny is a solo practitioner in Charleston. After many years of litigation and appellate practice in the state and federal courts, Keaveny now limits her practice exclusively to immigration and federal criminal defense. She represents individuals before the U.S. Citizenship and Immigration Service, the immigration courts, the Board of Immigration Appeals, the U.S. District Court for South Carolina, and the U.S. Court of Appeals for the Fourth Circuit. Keaveny received her B.A. from Smith College (1980) and her J.D. from the University of South Carolina (1986).

Margaret Lawton is the associate dean of Academic Affairs and a professor at the Charleston School of Law. Prior to coming to Charleston, she served on the faculty at the Appalachian School of Law, where she taught constitutional criminal procedure and trial advocacy. Following a clerkship with the Hon. Thomas A. Flannery of the U.S. District Court for the District of Columbia, Lawton prosecuted criminal cases as an assistant U.S. attorney in Washington, D.C. In addition to co-authoring two books on South Carolina crimes and criminal procedure, Lawton has published articles on Fourth Amendment issues. She received her B.A. *cum laude* from Duke University Law and her J.D. *magna cum laude* from Georgetown Law Center.

Panelists & Moderators

Hans Christian Linnartz is the lead attorney at the Linnartz Immigration Law Office. He has taught immigration law at Duke Law School for ten years, where he also founded and directed the Summer Institute for Law, Language and Culture. A certified immigration law specialist, Mr. Linnartz has testified as an expert witness in immigration law in North Carolina Superior Court and has taught many Continuing Legal Education programs on immigration. Linnartz has an upcoming article in the Charleston Law Review entitled, “Lies, Damn Lies, and Lies Involving Moral Turpitude—When Does a False Statement Carry Immigration Consequences?” He holds degrees from the University of Virginia (B.A.), Duke Law School (J.D.), and Columbia Biblical Seminary (M.Div.).

George Miller is a partner with the firm of Dozier Miller Law Group in Charlotte, N.C. Miller has practiced in the areas of criminal defense and immigration law since 1986. A board certified specialist in immigration law, he is frequently called upon to assist both immigration and criminal defense attorneys as well as clients in the overlap of these two disciplines Miller is an active member of American Immigration Lawyers Association (AILA), the North Carolina State Bar, the North Carolina Bar Association, the Mecklenburg County Bar and several civic organizations. He currently serves on the North Carolina State Bar Immigration Specialization Committee and is a member of the Fourth Circuit Judicial Conference. A graduate of University of North Carolina at Chapel Hill, he received his J.D. from Campbell University School of Law.

Panelists & Moderators

Helen Parsonage is partner at Elliot Morgan Parsonage. She represents clients facing criminal charges in both state and federal court. She is a member of the Criminal Justice Act panel of attorneys in the Middle District of North Carolina, and is admitted to practice before the Eastern, Middle and Western District Federal Courts as well as the Fourth and Eleventh Circuit Courts of Appeal. Parsonage is a board certified specialist in both immigration law and in state and federal criminal law. She received her B.A. from the University of Birmingham and her J.D. *summa cum laude* from North Carolina Central University School of Law.

Sunita Patel is a practitioner-in-residence in the Civil Advocacy Clinic at American University Washington College of Law. An experienced litigator, Patel has appeared before administrative bodies, state, federal, and appellate courts and human rights tribunals. Prior to joining American University, she has held positions at a range of notable institutions, including the Center for Constitutional Rights, the Transnational Legal Clinic at the University of Pennsylvania Law School, The Legal Aid Society of New York, and the Southern Center for Human Rights. She received a B.A. from Tulane University and a J.D. from American University Washington College of Law.

Patricia Ravenhorst is the director of the South Carolina Immigrant Victim Network. Her work with the Immigrant Victim Network is dedicated to ensuring meaningful access to justice for immigrant victims of crime throughout South Carolina. She demonstrates her passion for the needs of immigrant victims of crime by frequently speaking to immigrant groups, victim service providers, judges and law enforcement officials regarding the rights of immigrant victims of human trafficking, domestic violence, sexual assault and child abuse. Ravenhorst received her B.A. *summa cum laude* from Florida State University and her J.D. From Duke University School of Law.

Panelists & Moderators

Douglas Thie is an associate attorney at Clawson and Staubes, LLC who has successfully represented a wide range of clients in immigration law matters. Thie represents clients before the Executive Office for Immigration Review (Immigration Court), U.S. Citizenship and Immigration Services, U.S. Department of State, U.S. Customs and Border Protection, U.S. Department of Labor, Immigration and Customs Enforcement, Board of Immigration Appeals, and the Administrative Appeals Office. He is also admitted to practice before the U.S. District Court for the Western District of North Carolina and the U.S. Court of Appeals for the Fourth Circuit. Thie has an upcoming article in the *Charleston Law Review* entitled, “Getting to the Promised Land: Contemporary Challenges for Ancient Aliens.” He received his B.A. from Wofford College and his J.D. from the University of North Carolina School of Law.

Mark David Witte is an associate professor of economics and MBA director at the College of Charleston. He has published numerous articles in international trade and international finance as well as other fields such as sports economics, labor economics and comparative economics. In 2013, he co-founded Sports Analytics Consulting, LLC, which aids collegiate and minor league organizations via statistical analysis. Witte holds a B.S. in economics from the University of Nebraska—Omaha and a Ph.D. in economics from the University of North Carolina—Chapel Hill.

Charleston Law Review is a general interest publication committed to the finest scholarship and research across a broad range of topics in the law. Its primary objective is to foster the knowledge and insight of students, practitioners, scholars and the judiciary through a traditional forum dedicated to augmenting the pursuit of innovative legal expression, composition and scholarship. Members of the Law Review contribute to this objective by editing articles, writing notes and actively participating in all aspects of the publication process.

The Charleston Law Review is an independent organization composed entirely of second and third year students at the Charleston School of Law. In order to gain membership on the Charleston Law Review, students must compete in a writing competition that begins after spring semester finals have concluded. After completion of the writing competition, offers for membership are made to students based on a combination of grades and the scored writing piece. By participating in the publication process, members of the Charleston Law Review receive invaluable analytical skills and extensive legal writing and editing experience.

Furman University’s Riley Institute broadens student and community perspectives about issues critical to South Carolina’s progress. It builds and engages present and future leaders, creates and shares data-supported information about the state’s core challenges, and links the leadership body to sustainable solutions.

Launched in 1999, the Institute is named for former South Carolina Governor and former United States Secretary of Education Richard W. (Dick) Riley. It is committed to nonpartisanship in all it does and to a rhetoric-free, facts-based approach to change.

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