Mini-Term Course
Curriculum

Immigration Law and Violence Against Women Act:
Hope for Survivors

Taught By:

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Attorney at Law
Adjunct Professor of Law

I am Managing Immigration Attorney at the Mdivani Law Firm. My areas of expertise are corporate immigration compliance, work visas, and immigration for foreign-born family members. My pro bono area of expertise is Violence Against Women Act as it applies to immigrants. I chair the Immigration Law Committee of the Missouri Bar Association, serve as President-Elect on the Board of the Association of Women Lawyers of Greater Kansas City, as Community Chair on the Sam O’Connor Inn of Court Executive Board. I have served as Community Support Chair for the American Immigration Lawyers Association Missouri/Kansas Chapters. I teach and publish on immigration law, which helps me make sense of it.

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Goals for the Course:
We will learn how to help abused foreign nationals, many of whom are women and children, to apply for permanent residence in the United States, and how to help victims of violent crimes to apply for legal status. We will learn how Violence Against Women Act applies to victims of domestic abuse and other crimes. We will learn about initial client interviews, “triage” of VAWA cases, case analysis, how to work with victim advocates and experts, how to draft affidavits, evidence indexes, petitions, motions and supporting documents; how to prepare checklists for potential clients, case flowcharts, and case time lines; how to review and develop evidence; how to draft letters to clients and the government.

**Attendance Policy:**

There are five classes in this mini-course. If you miss a class, you cannot get credit.

**Materials to be Used:**

1. **Immigration and Nationality Act**
   
   [www.uscis.gov](http://www.uscis.gov) Look under *Laws and Regulations*

2. **Code of Federal Regulations, Title 8**
   
   [www.uscis.gov](http://www.uscis.gov) Look under *Laws and Regulations*

3. **Immigration Law and Violence Against Women Act:**
   **Hope for Survivors**, by Mira Mdivani, Emily Haverkamp, Samara Nazir Zaman, available at the UMKC Book Store

4. Additional materials will be distributed in class.

**Student Evaluation:**

There will be assignments for each class, such as legal research memo(s), drafts of Client Checklist, Case Timeline, Case Flowchart, Index of Evidence, drafts of the petition and supporting documents, memo(s) regarding interviewing victims and witnesses, drafts of letters to clients and the government, drafts of memos to colleagues and the file, summaries of relevant evidence, expert testimony. I will review assignments and give individual feedback to each student.

**Curriculum:**

I. Overview of Immigration Law Applicable to Survivors of Domestic
Violence and Victims of Other Crimes

A. Immigrant Visa Petition I-360, I-751 Petition to Remove Conditions, U Visa and T Visa overview

B. How to work with vulnerable clients

C. How to analyze cases

D. How to prepare timelines for clients

E. How to prepare checklists for clients

F. How to prepare case flowcharts

II. I-360 Petitions Under Violence Against Women Act

D. How to Prepare an I-360 Petition
   1. How to review evidence
   2. How to work with Experts
   3. Affidavits by Client and Witnesses
   4. How to prepare a case index
   5. How to prepare supporting evidence

E. Defending a Request for Evidence or Notice of Intent to Deny
   1. How to Review the Request for Evidence
   2. How to Draft a Reply to Request for Evidence

F. Defending a VAWA client in Removal Proceedings
   1. How to prepare your case
   2. How to Draft a Motion to Reopen

III. VAWA Relief for Conditional Permanent Residents

A. I-751 Based on Violence or Extreme Mental Cruelty
B. I-751 Based on Divorce

C. Preparation of I-751 Petition to Remove Conditions on Permanent Residence
   1. How to review evidence
   2. How to work with Experts
   3. Affidavits by Client and Witnesses
   4. How to prepare a case index
   5. How to prepare supporting evidence

IV. U Visas for Victims of Violent Crimes, including Domestic Violence

A. Overview of the Law

B. How to Prepare U Visa Petitions
   1. How to review evidence
   2. How to work with Experts
   3. Affidavits by Client and Witnesses
   4. How to prepare a case index
   5. How to prepare supporting evidence

V. Review and Interplay of VAWA, divorce and custody issues in cases involving immigrant survivors

A. Use of experts if divorce and custody cases to explain immigration situation of alien spouse
   1. How to prepare your expert testimony
B. Affidavit of Support - Cheshire doctrine

1. How to prepare your expert testimony

2. How to prepare a Cheshire brief