2023 AILA Fall Conference & Webcast
Categorical Approach Track

Join us for a deep dive into the immigration effects of criminal activity. This track offers an advanced-level analysis of the application of the categorical and modified categorical approaches across all federal circuit courts of appeal. The pertinent case law of each circuit will be presented by an expert practicing in that circuit. The program also features AILA authors and an “Experts Panel,” serving as a capstone event of the conference.

September 29, 2023
The Westin Kierland Resort & Spa
Scottsdale, AZ

*Times listed are Mountain Standard Time (MST). Please note Scottsdale, AZ does not observe daylight savings and the local time will be equivalent to Pacific Time.*

7:00 am – 5:50 pm  Registration, Information, and Exhibits

7:20 am – 7:30 am  Welcome and Greetings
Matthew Green, Categorical Approach Track Chair, Tucson, AZ

7:30 am – 8:30 am  Categorical Approach: History Lesson and Techniques
This panel will provide historical background on the categorical and modified categorical approaches. It will discuss foundational cases from the Board of Immigration Appeals to the Supreme Court. Panelists will also introduce advanced themes related to the categorical approach that are common between some circuits.

- Divisibility
- Modified categorical approach
- *Pereida/*relief from removal issues
- Circumstance-specific approach

Faculty:
Mark A. Prada (DL), AILA Federal Court Litigation Steering Committee Vice Chair, Benefits Litigation Committee, Categorical Approach Track Committee, Miami, FL
Kelli Jo Stump, AILA President-Elect, Oklahoma City, OK
Wendy S. Wayne, AILA ICE Liaison Committee, Categorical Approach Track Committee, Malden, MA

8:30 am – 8:55 am  Networking Break

* = invited, not confirmed
8:55 am – 10:25 am  
**The Northeast: The Categorical Approach as Applied in the First, Second, and Third Circuits**  
Experts will discuss the intricacies of the categorical approach as applied in the First, Second, and Third Circuits.

**Faculty:**  
First Circuit: Emma Winger (DL), Categorical Approach Track Committee, Washington, D.C.  
Second Circuit: Andrew Wachtenheim, Berkeley, CA  
Third Circuit: Rebecca Hufstader, Philadelphia, PA

10:25 am – 10:50 am  
**Networking Break**

10:50 am – 12:20 pm  
**The Southeast: The Categorical Approach as Applied in the Fourth, Fifth, and Eleventh Circuits**  
Panelists will discuss the particulars of the categorical approach as applied in the Fourth, Fifth, and Eleventh Circuits.

**Faculty:**  
Eleventh Circuit: Mary E. Kramer, AILA Author, Immigration Consequences of Criminal Activity, 9th ed., AILA DOL Liaison Committee, Miami, FL  
Fourth Circuit: Helen Parsonage, Winston-Salem, NC  
Fifth Circuit: Amanda Waterhouse, AILA Federal Court Litigation Steering Committee, Houston, TX

12:20 pm – 1:05 pm  
**Lunch Break (included with registration)**

1:05 pm – 2:35 pm  
**The Midwest: The Categorical Approach as Applied in the Sixth, Seventh, and Eighth Circuits**  
This panel will discuss the complexities of the application of the categorical approach in the Sixth, Seventh, and Eighth Circuits.

**Faculty:**  
Sixth Circuit: Lily S. Axelrod (DL), Memphis, TN  
Seventh Circuit: Diana Rashid, Chicago, IL  
Eighth Circuit: Linus Chan, Minneapolis, MN

2:35 pm–3:05 pm  
**Networking Break**

3:05 pm–4:05 pm  
**The West: The Categorical Approach as Applied in the Ninth and Tenth Circuits**  
Panelists will discuss the complexities of the categorical approach as applied in the Ninth and Tenth Circuits.

**Faculty:**  
Ninth Circuit: Katharine E. Ruhl (DL), Categorical Approach Track Committee, Tucson, AZ  
Tenth Circuit: Aaron Hall, AILA ICE Committee Chair, Aurora, CO

4:05 pm–4:35 pm  
**Networking Break**

4:35 pm–5:50 pm  
**What’s Next? — Petitions for Certiorari**  
This panel will discuss pending and expected petitions for certiorari before the Supreme Court and how they might affect the application of the categorical approach. This panel will also discuss themes common between certain circuits and provide illustrative comparisons.
Faculty:
Khaled Alrabe (DL), Washington, D.C.
Jeremy L. McKinney, AILA Immediate Past President, Greensboro, NC
Kari E. Hong, Tucson, AZ
W. Michael Sharma-Crawford, AILA ICE Liaison Committee, Kansas City, MO

5:50 pm

Conference Concludes

Conference Program Committee
Matthew Green, Categorical Approach Track Chair, Tucson, AZ
Mark A. Prada, Miami, FL
Katharine E. Ruhl, Tucson, AZ
Michael S. Vastine, Miami Gardens, FL
Wendy S. Wayne, Malden, MA
Emma Winger, Washington, D.C.

Michael Orlando, AILA Associate Director of Professional Development, Washington, D.C.

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