

# Immigration Practice Pointers

## Tips for Handling Complex Cases

2010–11 Edition

***Editors***

Gregory Adams  
Dan H. Berger  
Jan H. Brown  
James P. Eyster II  
Carl Falstrom  
Ester Greenfield  
Romy K. Kapoor  
Rodney A. Malpert  
Nancy-Jo Merritt  
Allen Orr, Jr.  
John L. “Jack” Pinnix  
Leigh Polk Cole  
Rita Sostrin  
William A. Stock  
T. Douglas Stump  
Dev B. Viswanath  
Cletus M. Weber

***Managing Editor***

Rizwan Hassan

***Assistant Editors***

Tatia L. Gordon-Troy  
Danielle Polen

### Removal and Relief

Dealing With Difficult Immigration Judges <i>by Rekha Sharma-Crawford, Erich Straub, Matthew Baxter, and Andres Benach</i> .....	582
I-751s in Removal Proceedings: Lessons on How to Stop Worrying and Love the Law <i>by Nicolas Chavez, Jim Tom Haynes, and Deborah S. Smith</i> .....	586
<i>Dada</i> or Nada, Voluntary Departure after <i>Dada v. Mukasey</i> <i>by Raed Gonzalez, Joe Hohenstein, and David Isaacson</i> .....	597
Convention Against Torture Claims: The Requirement of Specific vs. General Intent, and its Significance for Claims Based on Harsh Prison Conditions—An Overview of the Jurisprudence <i>by Karen Musalo</i> .....	604
Torture is Harm by the Government or a Private Actor When the Government Acquiesces <i>by Hiroko Kusuda</i> .....	610
Barriers to Release from Detention: Not Every Alien Has the Right to See the Judge <i>by Vanessa Allen, Kara Hartzler, Jonathan D. Montag, and Jayashri Srikantiah</i> .....	616
Out in the Cold: People With No Options Under Our Current Immigration System <i>by Anna Gallagher, Brent Renison, and Daniel Weiss</i> .....	625

### LGBT and HIV Issues

Lesbian, Gay, Bisexual, and Transgender Issues Update: Same-Sex Marriage; Transgender Marriage-Based AOS; and the Removal of the HIV Bar <i>by Scott Titshaw, Aaron C. Morris, and Navid Dayzad</i> .....	633
---	-----

### Humanitarian Issues and Protection for Women & Children

Representing Trafficking Victims and Cooperating with Law Enforcement <i>by Kavitha Sreeharsha</i> .....	640
Representing Survivors of Crimes of Violence with U Visas After an Enforcement Action <i>by Sonia Parras Konrad</i> .....	645
Abused “Spouses,” Children and Parents: Petitions, Cancellation of Removal, Stays, Parole and More <i>by Lea M. Webb, Leslie Ditrani, and Catherine Ward-Seitz</i> .....	655
Special Immigrant Juvenile Status: One Year After TVPRA <i>by Judy Flanagan</i> .....	663
VAWA: Beyond Self-Petitions <i>by Alexandre I. Afanassiev</i> .....	668