

# IMMIGRATION LAW FINAL EXAM

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**Rules for this exam:**

- 1) Read each question carefully. Watch out for red herrings!
- 2) No cheating, but “collaboration” encouraged!
- 3) You will have 10 minutes to decide on your answers.
- 4) Circle “yes” or “no” but you must know why!
- 5) Then pass your paper to one of my lovely graduate students.
- 6) We will discuss your answers and rationales, if any.
- 7) Do NOT contact me later to whine about your grade!

# Question One

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Alesia Dominiu came to the US on May 15, 2008 on a J 1 Summer Work Travel visa. She is from Romania and was assigned to work at McDonald's as part of her program. Her status expires August 15, 2008.

She comes to your office on September 10, 2008 and would like to enroll in your Intensive English Program, and then transfer to a Bachelor's Degree program in Math. Your next eight week cycle in IEP does not begin until October 15. She still has time to enroll in the academic program she desires, however, but has not taken the TOEFL.

- 1) Can she change status for IEP? YES / NO
- 2) Must she get a new visa outside the US? YES/ NO
- 3) Can she enroll in the academic program? YES/ NO
- 4) If she does, does this change any of your previous answers? YES/ NO
- 5) Can she enroll while waiting for change of status? YES/ NO
- 6) Can she begin a job on campus while waiting for change of status? YES/ NO
- 7) Her boyfriend arrived in the US last week in B 2 status. Can she marry him and apply for his change of status to F-2? YES / NO
- 8) Can she take a trip to Mexico while awaiting change of status? YES/ NO
- 9) Can she visit her uncle in Albuquerque while awaiting change of status? YES/ NO
- 10) Can she enroll in a local community English conversation class while waiting? YES/ NO

# Question Two

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Alex Torres, from Mexico, is the kicker on your school's football team. He is in his junior year, in F 1 status, and is enjoying a full scholarship because of his athletic prowess. All he has to do to maintain the scholarship is show up for games and practice (natch!) and maintain a 3.0 GPA.

Alex falls in love with Ashley Dubonnet, the captain of the cheerleading squad. They are the cutest couple on campus! But they argue a lot. He and Ashley have secretly married before a JP, and have many questions for you:

- 1) They have not filed paperwork with Immigration, but wish to go to Mexico to have a church wedding with both families present. May they do so? YES / NO
- 2) Must Alex continue to study full time? YES / NO
- 3) They wish to set up housekeeping. May Alex get a job? YES/ NO

They file papers with immigration for Alex' permanent residence, and return to see you.

- 4) Alex has received something called "advance parole" and plans to use it to travel to Mexico. May he continue studying if he reenters the US utilizing this benefit? YES/ NO
  - 5) May he continue his scholarship if he returns in this manner? YES/ NO
  - 6) May Alex drop out of school since "it's just a matter of time until his conditional residence is granted."? YES/ NO
  - 7) Must you terminate Alex from SEVIS once you discover his papers have been filed? YES/NO
  - 8) Should you terminate Alex from SEVIS once you discover his papers have been filed? YES/NO
  - 9) If you terminate Alex, may he continue his scholarship? YES/ NO
  - 10) He and Ashley break up and she withdraws the papers. Terminate? YES/NO
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# Question Three

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Frank Dodger, from England, is an F 1 Statistics Master's student with an assistanceship. He will finish in August 2008. Frank is having trouble with his thesis and is depressed. He was accused of stealing another student's data stick, put through campus judicial proceedings, and found guilty. He is on academic probation for this offense for the spring semester 2008. He is also convicted of shoplifting pens and notebooks from Wal Mart (value: \$16.97). He is fined \$200 for that offense in January 2008.

- 1) Is Frank out of status? YES/ NO
- 2) If so, can he apply for reinstatement YES/ NO
- 3) Are you required to terminate him? YES/ NO
- 4) Are you required to report either offense to SEVP? YES/ NO
- 5) Are you required to report Frank to ICE? YES/ NO
- 6) Does either offense require the school to terminate his assistanceship for immigration reasons? YES/ NO
- 7) An ICE Agent comes to your office to inquire about Frank; he has no warrant or other order. May you discuss either offense with him without Frank's consent? YES/ NO
- 8) May you discuss Frank's current enrollment status with him? YES/ NO
- 9) Frank's class schedule? YES/ NO
- 10) Frank's mental state? YES/ NO