

CJ 4324: SYLLABUS IMMIGRATION LAW AND POLICY

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CJ 4324: Immigration Law and Policy

Department of Homeland Security & Criminal Justice

Sul Ross State University

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Class Days : May 29 – July 3

Class Location : Online

Contacting Me : The best way to reach me is via email. Do not hesitate to contact me for any reason. I will respond to email inquiries as soon as possible.

Course Required Texts

The following course materials are required:

- 1) Stephen H. Legomsky & David B. Thronson, and Anil Kalhan, (2023) Immigration and Refugee Law and Policy (7th ed). Foundation Press. ISBN: 9781640207349.
- 2) Recommended-American Psychological Association (October 2019). Publication Manual of the American Psychological Association, Seventh Edition, <https://apastyle.apa.org/products/publication-manual-7th-edition-spiral>
- 3) Recommended-Additional readings (e.g., articles, reports) will be posted on Blackboard.

Note: The above text is a printed version of the Immigration & Nationality Act (INA) and immigration regulations, which we will regularly reference in class. You may also use the AILA version of this printed text: American Immigration Lawyers Association (AILA), Immigration & Nationality Act + Immigration Regulations (CFR). We will not begin to use INA + regulations until week 3. Although the INA is available in a free online version (www.uscis.gov), I strongly recommend that you use a printed version for class.

The assigned readings are significant and will keep you sufficiently busy. I recommend that you read the assigned material, including statutory references, multiple times before turning elsewhere. If you want to read supplementary materials, the most thorough reference work for immigration practice is the multi-volume treatise by Charles Gordon, Stanley Mailman, & Stephen Yale-Loehr, Immigration Law and Procedure (Matthew Bender), which is available in the Immigration Clinic library. (This treatise appears on several “essential materials” lists). By far the most common practice-based book is the Immigration

Law Sourcebook by Ira Kurzban, which is also in the Immigration Clinic library. For current immigration information, an online resource is *Bender's Immigration Bulletin* (available at www.bibdaily.com).¹

Regarding scientific journal articles, [Byrian Wildenthal Memorial Library of SRSU](#) has an extensive database infrastructure. The Library exists to provide learning resources and services necessary to

¹ **Sul Ross State University – Programmatic Learning Outcomes**

Sul Ross State University's curriculum is designed so that every student achieves a level of competency prior to graduation in each of the eight Programmatic Learning Outcomes listed below:

(1) Doctrinal Knowledge

Students will demonstrate knowledge of substantive and procedural law in the core curriculum subjects, including Contracts, Criminal Law, Criminal Procedure, Torts, Real Property, Business Association, Evidence, Civil Procedures, Constitutional Law, Estates, Community Property, Remedies, and Professional Responsibility.

(2) Practice Skills

Students will demonstrate the development of other law practice skills. Each student's chosen outcomes within this category will be varied based on the student's particular interests, coursework and work experiences. They may include, but are not limited to, the following topics: oral presentation and advocacy; interviewing; counseling; client service and business development; negotiations, mediation, arbitration, or other alternate dispute resolution methods; advanced legal research and writing (excluding purely academic papers and the first four units earned in introductory first-year legal research and writing class); applied legal writing such as drafting contracts, pleadings, other legal instruments; law practice management or the use of technology in law practice; cultural competency; collaboration or project management; financial analysis, such as accounting, budgeting project management, and valuation; cost benefit analysis in administrative agencies; use of technology, data analyses, or predictive coding; business strategy and behavior; pretrial preparation, fact investigation, such as discovery, e-discovery, motion practice, assessing evidence, or utilizing experts; trial practice; professional civility and applied ethics; a law clinic that includes a classroom component; or a legal externship that includes a classroom component.

(3) Legal Analysis

Students will demonstrate the ability to identify the factual and legal issues implicated by a fact pattern and to appropriately use cases (including identifying the salient features of an appropriate precedent case, identifying legally significant similarities or differences between the precedent case and a fact pattern and explaining why those are legally significant) and rules (including the ability to connect legally significant facts in a fact pattern to the rule) to predict how a court would decide the issue. Students will also demonstrate the ability to identify and evaluate the public policies of a precedent case or rule and be able to evaluate how public policy can impact the application of a rule to the legal issue.

(4) Legal Research

Students will demonstrate the ability to locate relevant legal authority using a variety of book and electronic resources, and to properly cite to such legal authority.

(5) Communication

Students will demonstrate the ability to communicate both orally and in writing in a manner appropriate to a particular task to effectively convey the author or speaker's ideas. This includes audience sensitivity in written and oral communication (the ability to adopt a tone, style and level of detail appropriate to the needs, knowledge and expertise of the audience); and written communication basic proficiency (the ability to use the conventions of grammar, spelling, punctuation, diction and usage appropriate to the task and sufficient to convey effectively the author's ideas).

(6) Advocacy of Legal Argument

Students will demonstrate the ability, in both oral and written formats, to evaluate the legal, economic and social strengths and weaknesses of a case and use case and statutory authority as well as public policy to persuade others. Making policy-based arguments includes the ability to identify and evaluate the public policies of a precedent case or rule and their implications, and be able to assert such appropriate arguments to support a particular application or distinction of a precedent case to a legal controversy or a particular resolution of the application of a rule to the legal controversy.

(7) Client Sensitivity and Cultural Competency

Students will demonstrate an awareness of clients' needs and goals, including a sensitivity to clients' background and circumstances (including, but not limited to, socio-economic, gender, race, ethnicity, educational, disability and/or religious background(s)), the ability to make decisions that reflect an appropriate focus on those needs and goals, and

support your educational, research, and information needs. You can get detailed information, advice, and other sorts of help in person, over the phone, or via email. Once you log in to your [Sul Ross Account on Blackboard](#) you should be automatically connected to the library webpage as well. Thus, you can browse the [online databases of SRSU](#) and read the articles on the additional reading list. The Sul Ross Library offers FREE resources and services to the entire SRSU community. Access and borrow books, articles, and more by visiting the library's website. Off-campus access requires your LoboID and password. Check out materials using your photo ID. Librarians are a tremendous resource for your coursework and can be reached in person, by email (srsulibrary@sulross.edu), or by phone (432-837-8123).

Course Description

This course provides an overview of immigration law and practice. The course surveys the legal, historical, and political considerations that shape U.S. immigration law. It is also a practical course to assist the student in understanding both the substantive and procedural aspects of practicing in this dynamic area of law. The course will involve an analysis of immigration events that frequently appear in the news. As this course is only a semester-long, the student will get the basics of many areas of immigration including:

- 1) History of immigration law and constitutional basis for regulating immigration.
- 2) Contours of the immigration bureaucracy and roles of the various federal agencies involved in immigration decisions.
- 3) Admission of immigrants and non-immigrants into the U.S., understanding the common visas in each category and procedure for applications.
- 4) Deportation/removal procedure and law.
- 5) Grounds of inadmissibility, grounds of removal/deportability, and relief from removal.
- 6) Asylum and refugee law and procedure.
- 7) Humanitarian forms of immigration relief.
- 8) Citizenship and naturalization, and expatriation.
- 9) Immigration federalism and the role of executive action/discretion in the immigration system.

A significant portion of the course focuses on the Immigration and Nationality Act of 1952 ("INA"), as amended by numerous laws and their implementing regulations. While international law and comparisons to immigration law and policy of other countries may be referenced, this class focuses primarily on immigration law in the U.S. In light of the heightened focus on immigration in the national debate, the course will provide a space for dialogue about immigration policy in the news and address changes in the law and policy proposals as they occur, to the extent possible.

Course Learning Objectives¹

After completion of this course, you should be able to competently:

- Analyze the federal immigration statute, regulations, case law and other legal authorities relevant to immigration law.

- Apply the relevant statutes, standards, principles, and rules when presented in hypothetical and unfamiliar fact patterns.
- Understand, and think critically about, the principles and policies behind our current and past system of immigration law.

Course Assessments

1 - Discussion Board Posts (100 points total): Participation in discussion is an important part of this course. The Master's graduate in Homeland Security & Criminal Justice is expected to be well informed about core concepts and contemporary issues. The graduate student should be able to demonstrate evidence of reflective thought while discussing a topic and the ability to support a position based on evidence from literature. In addition, the ability to engage in discussion with respectful consideration of others' opinions is expected.

There will be five (5) discussion board topics in this course. Students must post one (1) comment and two (2) responses to each discussion board topic. The one (1) comment should be your response to the question posted on the discussion board. The other two (2) posts should be your thoughtful responses to other students' posts.

There are two separate weekly deadlines for discussion board posts! In order to receive credit, you must post your comment to the posted discussion board question by Sunday midnight. In addition, you must post two (2) responses to other students' posts by Wednesday midnight. Your grade on the discussion board is based on participation. Each discussion board assignment is worth 20 points (10 points for your comment + 10 points for your responses). However, in order to receive full credit for these posts, you must fulfill some basic requirements:

- Comments should be a minimum of 150 words and responses should be a minimum of 50 words.
- You must use at least 1 external resource in your comments with proper in-text citation (see APA Manual Ch. 8) and proper reference entry (see APA Manual Chapters 9-11) at the end of your comment.
- All of your posts should be relevant to the topic being discussed, but should also attempt to introduce a new point of view or piece of information or otherwise further the discussion.
- All of your posts should use correct grammar and punctuation.
- Misuse of the discussion boards will not be tolerated.
- Read the "Discussion Board Guidelines" on Blackboard prior to posting to the discussion board.

2 - Quizzes (100 points total): There will be four (4) quizzes. You will take a Quiz for every week to measure the knowledge of the week's required readings. These examinations will cover topics in the field of transnational crimes as well as the assigned readings. The questions will be posted on Thursday and the due date will be the next Wednesday at 11:59 PM every week.

4 - Final Exam (100 points): The Final Exam is comprehensive; thus, it will test students on all the topics covered during the course. The Final exam is worth 100 points. No make-up test will be given unless an uncontrollable emergency or illness arises (written proof required).

5 - Final Paper (150 Points): You will write a final paper on one of the transnational crimes covered in chapters 4-13. The paper should;

- a) be 10 to 15 pages (this is the body of your paper excluding everything else)
- b) include these parts: Title page (1 page), Table of Contents (1 page), Abstract (1 page), Body of the paper - one of the transnational crimes covered in chapters 4-13 (10+ pages), References (1 page), Appendices (if any) (see APA Manual for formatting guidelines),
- c) be typed, double-spaced, 1-inch margins, 12-point Calibri font,
- d) include **at least five scholarly citations** other than the ones we covered in the class (not website articles, Wikipedia, news agencies, magazines, etc.), and
- e) be written according to APA formatting and citation style.

A plagiarism detection software ([SafeAssign](#)) is used in this course. SafeAssign will detect and report all instances of plagiarism including where the student copied and pasted directly from a source. Students will receive a grade of "0" in these instances, and possibly fail the course. Your final paper will be submitted through SafeAssign.

Technology Requirements

Blackboard is a course management tool that is an integral part of this course. You are required to check Blackboard on a regular basis to keep abreast of course developments.

Several Blackboard features are utilized throughout the course including email, course documents, the discussion board, grade center, external links, and SafeAssign.

This course requires a significant amount of online activity. In order for students to participate and progress in this course the following are required.

Minimum Computer Skills Requirement

Using Blackboard does not require any special skills. Blackboard is, however, an Internet tool so you must possess basic computer skills, specifically

- using e-mail (sending, opening, replying, and saving attachments)
- web browsing (navigating, searching, and downloading)
- word processing (MS Word or compatible)

For more information and instructions about using Blackboard, see the [Blackboard tutorials](#).

Hardware & Software Requirements

You must have regular and reliable access to a computer with access to the Web. The computer must be robust enough to run one of the recent web browsers and download files in a reasonable amount of time. You will need to be able to reach the World Wide Web, either through a network at your place of business or through a connection from home, using an Internet Service Provider (ISP).

Participation Policy

This class is a fully online course; there are no class meetings. However, I want you to introduce yourself to all of us. This non-graded "Introduction" post is a chance for you to 'meet' your colleagues in the class and an opportunity to introduce yourself to your professor. You are also expected to log into the class at the earliest opportunity to check the class website every day for announcements. All assignments and examinations are to be completed online no later than the final due dates for each assignment. Please e-mail me if you have questions regarding the reading material, assignments, and exams.

Attendance Policy

Students are expected to respect their classmates' and instructors' privacy and the work or comments they produce. All assignments you submit or tests you take must be your work unless you have been requested that you work in groups. You may not submit work that is plagiarized or violates copyright laws. It is also your responsibility to respect the copyright protection of licensed computer software. When you are taking a distance education course from a remote site, please remember that you are "guests" on the remote site campus. The facilities, equipment, staff, and materials at that site are neither the property nor employees of Sul Ross State University. Please treat the site respectfully and be responsible in caring for the site that we have been allowed to use.

Absence policies in effect for on-campus, traditional classroom instruction courses also apply to students enrolled in distance education courses, including Web-based and ITV courses. The University allows a maximum of 20% absences in a course before an instructor may drop a student for excessive absences with a grade of "F". In Web courses, this policy is interpreted as not participating for more than 3 weeks in a long semester, 1 week in a summer session, or 3 days in the midwinter session. Any student dropped for non-participation will receive an "F" in the course dropped. Inactivity may include the following:

- Not logging on to the course
- Not submitting assignments
- Not participating in scheduled activities
- Not communicating with the instructor by phone or email, and/or
- Not following the instructor's participation guidelines stated in the syllabus

All students taking distance learning classes are responsible for checking their [Sul Ross email account](#) regularly for notices from the school and their instructors. A student's Sul Ross email address is added to Blackboard when a student registers, so when instructors email students through Blackboard, the message is sent to the student's Sul Ross email account. Email accounts are automatically set up when a student registers. In order to use your SRSU email account, you will need to log in to the email system. The information you need in order to log in is a username and a password.

Late Assignment Submission Policy

Students are supposed to finish their coursework on time and assignments must be submitted before the deadlines. In principle, I do not accept late work and do not believe in allowing students to turn in work after the due date. My position is that everyone knows the rules of engagement at the beginning of

the term and that it is the student's responsibility to ensure that they plan accordingly to submit their assignments and take their exams in a timely manner.

If an assignment/exam is missed or late the students are expected to show an appropriate cause for this issue. Late assignments will not be accepted unless there is an excuse that is recognized by the university. Students are encouraged to frequently review the syllabus and remain aware of the deadlines for all assignments and exams.

Academic Integrity

Be sure that you understand the university's Academic Honesty Policy. It is important that you refrain from any form of academic dishonesty or deception, such as cheating or plagiarism. SRSU students are responsible for reading, understanding, and abiding by the "Sul Ross Student Code of Conduct."

SRSU and the instructor of this course both place a high priority on the academic integrity of their student scholars. As a result, all institutional guidelines and instructional policies concerning academic integrity will be strictly and uniformly enforced with all students regardless of context.

Academic integrity includes, but is not limited to, the following activities: cheating, plagiarism, collusion, fabrication, obtaining an unfair advantage, and falsifying academic records. In addition, academic dishonesty can include both actions and omissions to act in regards to academic exercises and activities. Cheating is defined here as:

the obtaining of information (electronic or otherwise) during an examination, the unauthorized use of books, notes, or other sources of information prior to or during an examination, the unauthorized use of books, the removal of faculty examination materials, the alteration of documents or records, or actions identifiable as occurring with the intent to defraud or use under false pretenses.

Collusion is defined here as:

helping other students engage in acts of academic dishonesty, whether the student involved obtains any direct academic advantage from these acts.

Plagiarism is defined here as:

the submission of the ideas, words, or artistic productions of another, without giving due credit or when attempting to falsely represent them as one's own.

Academic Integrity Sul Ross State University students are responsible for reading, understanding, and abiding by the "Sul Ross Student Handbook". Sul Ross State University and the instructor of this course both place a high priority on the academic integrity of their student scholars. As a result, all institutional guidelines and instructional policies concerning academic integrity will be strictly and uniformly enforced with all students regardless of context. Students in this class are expected to demonstrate scholarly behavior and academic honesty in the use of intellectual property. A scholar is expected to be punctual, prepared, and focused; meaningful and pertinent participation is appreciated. Examples of academic dishonesty include but are not limited to: > turning in work as original that was used in whole or part for another

course and/or professor; ➤ turning in another person's work as one's own; ➤ copying from professional works or internet sites without citation; ➤ collaborating on a course assignment, examination, or quiz when collaboration is forbidden. Students should also avoid using open AI sources unless permission is expressly given for an assignment or course. Violations of academic integrity can result in failing assignments, failing a class, and/or more serious university consequences. These behaviors also erode the value of college degrees and higher education overall.

APA Style

This course will use the American Psychological Association (APA) Seventh Edition formatting and style guide for all written assignments. If you have any questions or concerns regarding the use of APA a number of resources have been provided below. Please note that all external sources must be appropriately cited. A failure to do so constitutes plagiarism and is a violation the course academic honesty standards. Beside numerous online sources, you can also visit the following link for help with APA https://owl.purdue.edu/owl/research_and_citation/apa_style/apa_style_introduction.html.

Student Support Services

Sul Ross State University has established a variety of programs to help students meet the challenges of college life. Support to students includes advising, counseling, mentoring, tutoring, supplemental instruction, and writing assistance. For a complete list of academic support services, visit the Student Support Services at <https://www.sulross.edu/section/311/student-support-services>. For more information, students are encouraged to contact SSS at (432) 837-9118 or visit Ferguson Hall Room 105.

Distance Education Statement

Students enrolled in distance education courses have equal access to the university's academic support services, such as library resources, online databases, and instructional technology support. For more information about accessing these resources, visit the [SRSU website](#). Students should correspond using Sul Ross email accounts and submit online assignments through Blackboard, which requires secure login information to verify students' identities and to protect students' information. Students enrolled in distance education courses at Sul Ross are expected to adhere to all policies pertaining to academic honesty and appropriate student conduct, as described in the student handbook. Students in web-based courses must maintain appropriate equipment and software, according to the needs and requirements of the course, as outlined on the SRSU website. Directions for filing a student complaint are located in the student handbook. You can reach The Distance Education Handbook [here](#).

Online Support Desk

The Support Desk is where you can direct your more technical questions. For example, if you are having issues submitting a document, getting videos to play, or you are dealing with a technical error in the course. The support desk is open 24 hours a day, 7 days a week for your convenience. You can reach the support desk:

- By calling 888 - 837 6055
- Via email blackboardsupport@sulross.edu
- Using resources from the Technology Support tab within Blackboard
- Clicking the Support Desk graphic on the course homepage

Students with Special Needs - Americans with Disabilities Act as Amended (ADAAA)

SRSU Disability Services. Sul Ross State University (SRSU) is committed to equal access in compliance with Americans with Disabilities Act of 1973. It is SRSU policy to provide reasonable accommodations to students with documented disabilities. It is the student's responsibility to initiate a request each semester for each class. Alpine students seeking accessibility / accommodations services must contact Mary Schwartze Grisham, M.Ed., LPC, SRSU's Accessibility Services Coordinator at 432-837-8203, or email mschwartz@sulross.edu. Our office is located on the first floor of Ferguson Hall – room 112, and our mailing address is P.O. Box C-122, Sul Ross State University, Alpine. Texas, 79832.

Departmental MS Program Marketable Skills

The Texas Higher Education Coordinating Board (THECB) sets statewide goals through the 60x30TX initiative. The THECB plan includes four major goals: 60x30: Educated Population, Completion, Marketable skills, and Student debt. The [60x30TX](#) plan was designed to tie together all four student-centered goals. 60x30, which measures the educated population in Texas, is the overarching goal at the center of the plan and calls for 60 percent of 25- to 34-year-olds in Texas to hold a credential or degree by 2030. The 60x30 goal is supported by the other three goals (completion, marketable skills, student debt) that will get Texas to 60 percent by 2030.

By 2030, all graduates from Texas public institutions of higher education will have completed programs with identified marketable skills. Students who can effectively market their skills to potential employers can secure employment that pays competitively. Marketable skills include interpersonal, cognitive, and applied skill areas, are valued by employers, and are primary or complementary to a major. Marketable skills are acquired by students through education, including curricular, co-curricular, and extracurricular activities. Marketable skills are often called “employability skills” in other countries, or “transferable skills” here in the States. They include both technical and soft skills. The marketable skills of the Homeland Security and Criminal Justice MS Program are listed as follows:

1. Students Develop Verbal and Written Communication Skills.
2. Students Access Resources with Crime Data and Work with Numbers and Demonstrate Quantitative Skills.
3. Students Use Critical Thinking and Observation.

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4. Students Use Teamwork and Work Collaboratively.
5. Students Develop Multicultural Understanding.
6. Students Know Legal Codes & Procedures and Safety.
7. Students Know How to Conduct Scientific Research.

Other Course Expectations

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- Remember that this is an upper level college course, therefore, graduate level work will be expected which includes proper APA format, proper grammar, sentence structure, and organizational structure.
 - Review the syllabus carefully so that you may be aware of any assignments and their due dates; contact me for any clarifications.

Grading

During this course, students will be graded on discussion board posts, weekly quizzes, final exam, and a final paper. The grading point system and grading scale for this course is listed below:

Grading Point System	
5 Discussion Board Posts	100 points (20 points each)
4 Weekly Quizzes	100 points (25 points each)
1 Final Exam	100 points
1 Final Paper	100 points
Total Possible Points	400 points

Final Grading Scale

A	400 – 360
B	359 – 320
C	319 – 280
D	279 – 240
F	239 & below

Course Schedule

This course schedule is subject to change as needed to meet the needs of the course. Students will be notified of adjustments when they are made. Also, any additional reading materials, resources and other information will be posted on Blackboard. Students will be notified on how to access this information by the instructor. *****All times are in central time*****

END OF COURSE EVALUATIONS: Student evaluations of faculty are administered online at the end of each term/session for all courses with five or more students. Students will receive an email containing a link to a survey for each course in which they are enrolled. All responses are anonymous.

WEEK 1: May 29-June 2, 2024

Introduction; Constitutional Foundations

The Immigration Debate: Goals, Strategies, And Impact (Chapter 1)

- Reading
 - Legomsky & Thronson, and Kalhan (“L , T & K”): pp. 1-7.

Immigration Law and the U.S. Constitution; Immigration Detention (Chapter 2)

- Reading
 - L , T & K : pp. 8-29.
 - Take some time to review the following website:
<https://www.prolongeddetentionstories.org>

WEEK 2: June 3, 2024

Immigrant Priorities: Quota System and Family-Based Immigration (Chapter 3)

- Reading
 - L , T & K : pp. 35 –38.

Immigrant Priorities: Employment-Based Immigration; Diversity Immigration; Nonimmigrant Visas (Chapter 4)

- Reading
 - L , T & K : pp. 40 –42.

WEEK 3: June 10, 2024

Exclusion Grounds and Waivers (Chapter 5)

- Reading
 - L , T & K : pp. 46 –53.

Admission Procedure (Chapter 6)

- Reading
 - L , T & K : pp. 77.
 - **Deportability Grounds (Chapter 7)**

- Reading
 - L , T & K : pp. 80-81.

WEEK 4: June 17, 2024

Relief from Removal (Chapter 8)

- Reading
 - L, T & K: 83 – 91
 - Take a look at the LPR Cancellation of Removal Toolkit, available at https://pennstatelaw.psu.edu/sites/default/files/Final_Toolkit_Public.pdf

Removal Procedure (Chapter 9)

- Reading
 - L, T & K: 128-168.

Enforcement (Chapter 10)

- Reading
 - L, T & K: 174-180.

WEEK 5: June 24, 2024

Refugees (Chapter 11)

- Reading
 - L, T & K: 183-225.
 1. ◦ Susan Bibler Coutin, Falling Outside: Excavating the History of Central American Asylum Seekers, *Law & Social Inquiry* 36 (3), 569-596 (Summer 2011), available at: <https://escholarship.org/content/qt2pv4d9nj/qt2pv4d9nj.pdf>

Undocumented Immigrants (Chapter 12)

- Reading
 - L, T & K: 228-230.

Citizenship (Chapter 13)

- Reading
 - L, T & K: 239-242.