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Examination No. _____

**IMMIGRATION LAW 667-001
Semester II, 2000-2001**

UNM School of Law
Final Examination
Two Credits

Prof. Valencia-Weber
Tuesday, May 8, 2001

INSTRUCTIONS

TIME ALLOWED ON THIS EXAM: 2 Hours, 15 Minutes

TOTAL NUMBER OF POINTS: 200 POINTS

(Note the credit to be allocated per question; divide your time accordingly).

1. THIS EXAM HAS ONE QUESTION WITH TWO PARTS

YOU ARE REQUIRED TO ANSWER BOTH PARTS OF THE QUESTION. Number your answers.

2. This exam is an open book exam. You may consult the statute supplement, casebook and any student prepared materials. No other materials, including commercial outlines, are permitted.

3. Writing instructions: Write legibly in the blue book and please SKIP A LINE between each written line. Writing only on the page on the right will make it easier for you to amend your answer. If typing, please double space.

4. Think and plan before you write. Outline your answer. The 15 minutes added to this 2-hour exam are for you to think and plan. If the outline for the answer to the problem is handed in with your blue books, it could improve your grade if the outline shows relevant knowledge of the problem's issues. Your outline for the course is not an acceptable outline for the answer.

5. Use the facts of the problem; relate them to your reasoning and argument.

For all problems, use January 1, 2001 and the Visa date chart you have used in the course.

6. Return your answers and this exam to the test monitor at the end of the test.

END OF INSTRUCTION
[Exam begins on next page]

AMALIA AND BERNARDO'S LIFE IN ALBUQUERQUE [200 Points]

For all problems, the date is January 1, 2001.

Amalia, a journalist and native of Chile, went to Albuquerque ten years ago for a conference on press freedom at UNM. While she was at the conference, the newspaper she worked for was fire bombed and ceased publishing; its staff had been threatened continuously for revealing the abuses of the Pinochet regime. Amalia decided it was time to leave Chile. With the help of Albuquerque friends, she successfully applied for asylum. She became a naturalized citizen five years ago.

She belongs to a human rights group in Albuquerque, where she met Bernardo seven years ago. Bernardo was a labor organizer in Colombia. He fled after paramilitary groups continuously threatened him because in his unionizing work he criticized government policy.

Amalia and Bernardo married six years ago. As a legal permanent resident, Bernardo has struggled to learn English and a new occupation. He is completing a computer degree at UNM this spring semester. When she became an LPR, Amalia decided to remain in Albuquerque despite the lack of a job as a professional journalist. Since 1995 she has worked for the UNM Public Information office and now earns \$22,000 a year. Because of the lack of funds, she, like many state employees, has not received a raise for two years. Bernardo's sporadic employment earns \$4000 to 6000 a year, but this should increase upon graduation. He works part-time now, cares for their daughter, and is looking for a post-graduation full time job.

At this point in their lives, Amalia and Bernardo feel lucky, especially with the birth of their daughter Christina, fourteen months ago. Bernardo's sister, Delia, who is a nurse, visited at the time of the birth. She was helpful and it was a joyful reunion with his only remaining family member.

Now Amalia and Bernardo come to see you, a new attorney, as they need advice on the following problems.

Question 1 [100 Points]:

For the past year Delia has been part of the Renewal Group in Columbia; it seeks to build a better country that retains non-urban traditional life. This past year she has worked in rural villages as part of a Renewal project to make a sustainable life through adequate health, education, and agricultural services. Delia works with Doctors Without Borders for the medical services part. The Colombian government's war with the rebels has intensified and the government has criticized the Renewal Project for failing to discriminate among its patients. It is accused of providing medical services to revolutionaries and drug traffickers. Last week, a doctor on the project was attacked while performing surgery, though he survived. The next day a project nurse was kidnapped by uniformed men in daylight in a crowded public market. Delia then received a letter threatening to kill her; it identified her as Bernardo's "treasonous sister."

Delia frantically phoned Amalia and Bernardo, asking that they get her out of Columbia NOW. She feels that her life is endangered. "I can visit like I did before. Then, after working in the safety of Albuquerque, perhaps I can train as a doctor at the UNM Medical school." Delia added that she could someday use the new medical skills to rebuild Colombia.

Question 1: How can Delia obtain admission to the U.S. to achieve her goals?

Question 2 [100 Points]:

Ramon, 35 year old, is a U.S. citizen who lives in the North Valley and is a close friend of Amalia and Bernardo. He met Delia, who is 26 years old, during her visit and was dazzled by her intelligence, wit, and beauty. She enjoyed Ramon's company and the sights he showed her, including a complete tour of the salsa clubs where they danced the night away. The two have maintained contact in the past year. Hearing of Delia's situation, Ramon said, "No problem! I will marry her! I fell in love with that woman in the first 30 minutes of our meeting." Desperate to help his sister, Bernardo decided to discuss with Delia this proposal from Ramon.

Question 2: What are the immigration issues in any projected marriage between Ramon and Delia?

END OF EXAM

Have an enjoyable and productive summer