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Examination No. _____

IMMIGRATION LAW 667-001
Semester II, 2001-2002

UNM School of Law
Final Examination
Two Credits

Prof. Valencia-Weber
Thursday, May 2, 2002

INSTRUCTIONS

TIME ALLOWED ON THIS EXAM: 2 Hours, 30 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. You have enough time in 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 the date is January 1, 2002.

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]

SOPHIA AND OMAR'S STORY (200 Points)

Date for this problem is January 1, 2002

Sophia left her home in Beirut in the mid 1980s to study at the University of New Mexico. The war in Lebanon worsened; it destroyed Beirut, which had been regarded as one of the most beautiful of cities. She came to the U.S. in a project at the American University to train Lebanese as future professors, but the University was attacked and shut down. Her parents advised her to stay in the U.S. by whatever means she could. Her family fled to the countryside for the remainder of the war. After the different Christian and Muslim factions agreed to a form of peace, her mother, father, and a younger sister returned to Beirut. The family home and business were destroyed, but the family rebuilt a life.

Meantime, Sophia completed a biology degree, successfully obtained legal permanent resident status, and became a naturalized citizen in 1995. She abandoned aspirations in science, earned an MBA in Finance at UNM, and has been employed as a manager with the UNM Hospital for 7 years. She regularly gets raises so that her income for 2001 reached \$65,000.

In December 1998, on a family visit in Beirut, Sophia renewed a friendship with Omar, a high school classmate in Beirut who dropped out of school in the early 1980s. Omar came from a Palestinian family forced out of the West Bank. He left school to join a combat unit, formed mostly from the families exiled from their Palestinian village (Old Village), who helped drive the Israeli army out of Lebanon. By 1998 Omar felt lucky to have survived the war and had re-established a life in Beirut as a contractor rebuilding Beirut. Omar was committed to a peaceful life in Beirut. He was the widowed parent of a teenage son, Ali, who aspired to study architecture. Father and son hoped to work together. Omar and Sophia's friendship surprised them and evolved into loving commitment, which delighted her. Sophia has worked hard, never married, and each month has sent money home for her parents who had to struggle to cover living costs.

What to do about the long distance romance was affected by what happened to Ali in his first year of architectural studies in 2000. As the fighting with between Israel and the Palestinians in Israel heated up again, some of the Old Village families decided to reactivate a fighting unit to send to Ramallah. Ali, now 18, had entered the Architecture school. Omar and Ali were visited by the Old Village leaders; they said it was Ali's duty to join their group and get combat training. Father and son said no. Within a month Omar and Ali's home was burglarized and trashed with focused destruction of the architecture studio the two were building for Ali. Then the commander for the Old Village combat unit visited them; Omar and Ali said no again. The commander talked in detail about the attack on Omar and Ali's house and how these experiences should teach lessons.

Father and son then asked a high-ranking police official if they and their property could be protected. The official said "Not really, as these internal community problems are messy. Not police business when you have Old Village leaders with some political power." In the next week Ali was severely beaten at school by some young men who

ambushed him and called him a coward unworthy of his ancestors' people. The following week Omar and Ali's home was destroyed in an unexplained fire; the police and fire officials investigated in a superficial way and found no perpetrators.

Thereafter Sophia and Omar married in March 2000 in Beirut. Through good fortune, Omar entered and was admitted into the U.S. in November 2000. Omar constantly seeks work where he can use his carpenter and electrician skills. He has worked sporadically in construction in the Albuquerque area, but been unable to get a fulltime job. The most he earned in one month was \$1200. He thinks this is due to his poor English. Omar enrolled in an English as a second language class at TVI; he hopes to qualify for an electrician's license.

Ali left architecture school after the house fire and has been in safe hiding with friends in the countryside away from Beirut. Recently Sophia's father died, so she has decided to bring her 68 year-old mother to join her in Albuquerque. Worried about Ali, Omar has pleaded with her, as a citizen, to get Ali, "our son," out of Lebanon. Sophia and Ali are as close as stepparent and stepchild can be. In the marriage ceremony for Omar and Sophia she incorporated a customary adoption of Ali. Previously Ali wanted to stay in Lebanon, but now he wants to leave, possibly to study architecture at UNM.

Sophia and Omar are in your office now. How do you answer their requests to help them achieve the following? Clearly identify your answers with the number.

Question 1 (125 points):

Bring Ali to the U.S. so that he is safe, can study architecture, and live with his father and stepmother.

Question 2 (75 points):

- A. Bring Sophia's 68 year-old mother to live the remainder of her life with Sophia. Her younger sister in Beirut is unable to provide for their mother's needs.

END OF EXAM

Have a nice summer.