

Introduction to Immigration Law

Basic terminology

Alien: Any person not a citizen or national of the United States. INA §101(a)(33)

Child: An unmarried person under twenty-one years of age. INA §101(b)

Lawful Permanent Resident: Every alien except an alien who is within one of the ... classes of nonimmigrant aliens. INA § 101(15)

Notice to Appear: Document issued by Immigration and Customs Enforcement or US Citizenship and Immigration Services initiating removal (immigration court) proceedings.

Admission: The lawful entry of the alien into the United States after inspection and authorization by an immigration officer. INA §101(a)(13)

Unlawful Presence: Present in the US after the expiration of the period of [authorized] stay ... or present in the US without being admitted or paroled... INA §212(a)(9)(B)

Removal: The expulsion of an alien from the United States. This expulsion may be based on grounds of inadmissibility or deportability.

Adjustment of Status: With some exceptions, anyone inspected and admitted to the US can adjust their status to Lawful Permanent Resident INA §245(a).

Aggravated Felony: List of specific crimes enumerated in the INA (NOTE: state definitions/categorizations are NOT dispositive) INA §101(a)(43)

Crime Involving Moral Turpitude: Crimes generally requiring a depraved mens rea. (NOTE: A complex legal analysis is required to determine whether a crime is a CIMT).

Grounds of Inadmissibility: Circumstances in which a person will not be allowed to enter the United States. INA §212

Grounds of Deportability: Circumstances in which a person will be deported (removed) from the United States. INA §237