Immigration Law
Law 331
Professor Ingrid Eagly
Spring 2026

Professor's Contact Information
Ingrid Eagly
Professor of Law and Faculty Co-Director, Criminal Law & Policy Consortium
Office: Room 3218
she/her
E-mail: eagly@law.ucla.edu

Course Description

This survey course will introduce you to U.S. immigration and citizenship law. Throughout the course, we will ask two principal questions. First, who is a citizen and who can come to the United States as an immigrant or a visitor? Second, what substantive and procedural rights do noncitizens have and under what circumstances can they be forced to leave? To explore these core themes, we will study diverse sources of law, including constitutional provisions, court decisions, statutes, regulations, and other administrative materials. Topics covered include the constitutional rights of noncitizens, the naturalization process, the law governing admission and expulsion of immigrants, asylum and refugee law, and the growing connections between the criminal and immigration law systems.

Many of the topics studied in this course have shifted in the past year. New areas that we will explore include the administration's challenge to birthright citizenship, the revocation of Temporary Protected Status for hundreds of thousands of immigrants, legal challenges to the expansion of detention, and development of Fourth Amendment and statutory law in conducting immigration stops and arrests.

Course Materials

T. ALEXANDER ALEINIKOFF ET AL., IMMIGRATION AND NATIONALITY LAWS (Forthcoming 2026) (we will be reading the forthcoming draft).

KIT JOHNSON, IMMIGRATION LAW: AN OPEN CASEBOOK (2025) (AVAILABLE FOR FREE DOWNLOAD)

Select additional readings and handouts will be posted on the Canvas course webpage. I will also post my PowerPoint slides after each class.

PLEASE PURCHASE AND BRING TO CLASS: T. ALEXANDER ALEINIKOFF ET AL., IMMIGRATION AND NATIONALITY LAWS OF THE UNITED STATES: SELECTED STATUTES, REGULATIONS AND FORMS (West 2024).

For those of you interested in more regular updates in the field, you might check out the ImmigrationProf Blog. You might also consider obtaining a student membership to relevant professional organizations. American Immigration Lawyers Association (AILA), a national membership organization of immigration practitioners, offers free student memberships that include access to trainings, an online library, and student scholarships. The National Immigration Project, a project of the National Lawyers' Guild, offers $30 student memberships that include subscription to listservs on a wide range of immigration-related issues and access to seminars and publications.

Class Schedule and Office Hours

Tuesday and Thursday, from 10:35 AM – 12:35 PM, Room 1457

I will distribute a seating chart in the second week of class.

My Office Hours will be on Thursdays from 3:30 to 5:30 p.m., or by appointment. I am also generally available after class to discuss any questions. Additional office hours will be added for the exam period.

I look forward to getting to know you in this class. Please feel free to schedule an appointment to meet with me or come by my office hours.

Course Requirements

This is a four-unit, graded course. Your evaluation will be based on the following three requirements, which are weighted according to the percentage in parentheses.

1. **Class Participation (10%)**. Regular and on-time attendance and participation are required. Please consult the Discussion Board for prompts to get you thinking about the assigned readings. I rely on volunteers in class, but to ensure broad participation, I will call on students in alphabetical order by last name. I will also use small-group exercises. If you have anxiety about speaking in class or concerns about any of the subject matter, please come talk to me so we can find a way for you to participate comfortably.
2. **Discussion Board (10%).** To help you engage with the cases, laws, and other materials in the course, please contribute at least **six** 4-5 sentence posts on our class **Discussion Board** on Canvas. Each class will have its own thread. I may also provide comments on the readings that you can use as a starting point for your comments. Your posting is due by **midnight** on the evening before class. I will not send reminders about the discussion board, and there is no partial credit.
3. **Final Exam (80%)**. The examination will be an in-class, secure exam and partially open-book. You may bring the textbook, the supplement, and a hard copy of any outline that you played a role in creating. You may not bring outside treatises or materials that were not assigned in this class. For the exam, you will be expected to be familiar with any cases, statutory sections, and other materials mentioned in the readings or discussed in class. The exam will be in essay format and contain both issue spotters and a policy question.

Remote Attendance and Recordings

If you are under the weather but still able to attend class remotely, please let me know and I can provide a link to observe class.

Class recordings are available for viewing only to students enrolled in the class, and only upon request for an excused absence. Please email me if you need to view a class recording. Portions of classes with guest speakers are not recorded, and any recording of our guests is strictly prohibited.

Student recording of class is prohibited.

Accommodations

For academic accommodations, please contact Carmina Ocampo, Director of Student Life, (ocampo@law.ucla.edu) or the UCLA Center for Accessible Education (CAE) at www.cae.ucla.edu.

Health and Wellness Resources

The law school has resources for health and wellness, including (1) the Office for Student Affairs at studentaffairs@law.ucla.edu; (2) UCLA Counseling and Psychological Services (CAPS) at 310-825-0768; and (3) the Ashe Student Health & Wellness Center at 310-825-4073.

Assignments

UNIT 1. FOUNDATIONS OF IMMIGRATION & CITIZENSHIP LAW

Thursday, January 15
Class 1: *Early Plenary Power*
CB 1-6, Background
CB 7-9, *Chae Chan Ping v. U.S.* (1889)
CB 10-14, Sources of Federal Power
CB 15-26, *Fong Yue Ting v. U.S.* (1893)
Skim Mae Ngai, *Racism Has Always Been Part of the Asian American Experience: If We Don't Understand the History of Asian Exclusion, We Cannot Understand the Racist Hatred of the Present*, THE ATLANTIC, April 21, 2021 (available on Canvas)
In Class: We will discuss the "Immigration Priorities" Exercise assigned for Class 1
If you have not done so already, please turn in your Student Questionnaire to me during our class.

Tuesday, January 20
Class 2: *The Boundaries of Immigration Law*
CB 27-29, *Yick Wo v. Hopkins* (1886)
CB 30-31, *Wong Wing v. U.S.* (1896)
CB 32-34, *Yamataya v. Fisher* (1903)

Thursday, January 22
Class 3: *The Evolution of Plenary Power*
CB 37-48, *United States ex rel. Knauff v. Shaughnessy* (1950) & *Shaughnessy v. United States ex. rel. Mezei* (1953)
CB 59-76, *Trump v. Hawaii* (2018)
INA §§ 212(f), 202(a)(1)(A)
Aaron Reichlin-Melnick, President Trump Expands His Travel Ban: What You Need to Know (Dec. 19, 2025)
In Class: If time, we will discuss the Exercise on page 77

UNIT 2. CITIZENSHIP

Tuesday, January 27
Class 4: *Citizenship by Birth*
U.S. Const. amend. xiv, § 1
CB 2-4, citizenship
CB 10-16, *Sessions v. Morales-Santana* (2017)
CB 19-30, *U.S. v. Wong Kim Ark* (1898)

INA § 301 (nationals and citizens at birth); § 309 (children born out of wedlock)
Executive Order 14160, Protecting the Meaning and Value of American Citizenship, Jan. 20, 2025
CB 30-34 Trump v. CASA, Inc. (2025) (Sotomayor dissent)
We will also discuss Barbara v. Trump which the Supreme Court will hear this term.
Please read this summary.
Optional: You may also skim the brief in opposition to Certiorari filed in the case here. Hannah
Optional Read this update. Listen to NPR, Who Gets to be an American (30 minutes) (story of *Wong Kim Ark* and the U.S. Supreme Court on birthright citizenship)
Hannah Steinberg, one of the attorneys on the case, will speak with us about it later in the semester.
In Class: If time, Citizenship Problems. You do not need to do any of the problems in the book.
Special Guest: Aaron Reichlin-Melnick, Senior Fellow, American Immigration Council

Thursday, January 29
Class 5: *Multiple Citizenship and Citizenship by Naturalization*
U.S. Const. Art. 1, § 8, cl. 4
CB 43-45, multiple citizenship
CB 47-54, Naturalization; *Ozawa v. United States* (1922); *United States v. Thind* (1923)
INA §§ 311 (anti-discrimination); 312 (testing); 316 (requirements of naturalization); 319(a) (spouse of US citizen); 320(a) (derivative citizenship); 334(a)-(d) (application & requirements); 337(a) (oath); 101(f) (good moral character)
CB 54-66 Naturalization requirements
CB 67-70 Schneiderman v. United States (1943)
Skim USCIS Policy Memorandum, Restoring a Rigorous, Holistic, and Comprehensive Good Moral Character Evaluation Standard for Aliens Applying for Naturalization, Aug. 15, 2025
Skim Hamed Aleaziz, Trump Administration Aims to Strip More Foreign-Born Americans of Citizenship, N.Y. TIMES, Dec. 17, 2025
In Class: If time, Naturalization Problems.

UNIT 3. IMMIGRANT & NONIMMIGRANT ADMISSIONS

Tuesday, February 3
Class 6: *Admissions Procedures*
KIT JOHNSON, IMMIGRATION LAW: AN OPEN CASEBOOK (2025), CHAPTER 6, ADMISSION §§ 6.1, 6.2 (Department of State v. Muñoz, 602 U.S. 899 (2024)), 6.3, 6.4, 6.5, 6.6, 6.7, 6.8, 6.9 (pages 129-147)
INA § 245(a)-(e), (i)(1) (adjustment of status); § 212(a)(9)(B) (three- and ten-year bars); § 212(d)(5) (parole); § 235(b)(1)(A) (expedited removal)

- *Watch* this brief lecture, "Immigration History," by immigration law Professor Jon Weinberg (5 minutes) (providing a review of the history we have been studying and tying it up to the current system for lawful admissions)
- *Watch* this news clip from Face the Nation (Jan. 2026) on immigrant visa processing suspension (3 minutes)
- *Read* National Immigration Law Center, Know Your Rights, Expedited Removal Expansion (Jan. 2025)
- *Skim* the January 2026 Visa Bulletin, available here (we discuss how to use the Visa Bulletin in class)

In Class (if time): Adjustment of Status Problems

Thursday, February 5
Class 7: Nonimmigrant Admissions
KIT JOHNSON, IMMIGRATION LAW: AN OPEN CASEBOOK (2025), §§ 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, *Int'l Union of Bricklayers & Allied Craftsmen v. Meese* (N.D. Cal. 1985); 4.9 (only F visa), 4.11, 4.12
Read INA §§ 101(a)(15) (definition of nonimmigrant—focus on temporary visas (B-1 & B-2); lesser-skilled visas (H-2A, H-2B); specialty occupations, athletes, and entertainers (H-1B, O-1, and P-1); and student visa (F-1); 214(i) (defining "specialty occupation")
Watch Bloomberg Television, Wall Street Week, Trump's $100,000 H-1B Visa Fee Sparks Immigration and Innovation Fears (Nov. 2025) (11 minutes)
Skim Restrictions on Entry of Certain Nonimmigrant Workers (Sept. 19, 2025)
In Class: Nonimmigrant Visa Problems

Tuesday, February 10
Class 8: *Immigrant Admissions, Part I: Family-Sponsored Visas*
KIT JOHNSON, IMMIGRATION LAW: AN OPEN CASEBOOK (2025), §§ 3.1, 3.2, 3.3, 3.4, 3.5, 3.7, 3.8, 3.9, 3.10, 3.20 (derivative)
Read INA § 201(b)(2)(A)(i) (immediate relatives); § 203(a) (family-based preferences); § 203(d) (derivatives); § 203(h) (child age)
In Class: Family-Sponsored Visa Problems

Thursday, February 12
Class 9: *Immigrant Admissions, Part II:* Employment-Based Immigration & Diversity Visas
KIT JOHNSON, IMMIGRATION LAW: AN OPEN CASEBOOK (2025), §§ 3.11-3.14. 3.16, 3.17, 3.18
INA §§ 203(b)(1)-(5)(a) (employment-based preferences; focus on (b)(1)-(4) and (5)(A)); 212(a)(5)(A) (labor certification); 203(c)(diversity)
Note: Although we may touch on other types of employment visas in class, you are only responsible for EB-1, EB-2, and EB-3.
Special Guest: Susanne Cipolla Olmos, Partner, Olmos & Reynolds

Tuesday, February 17
Class 10: *Review Day*
We will prioritize your questions on the doctrine and class problems.

UNIT 4. INADMISSIBILITY AND DEPORTABILITY

[Assignments from "Unit 4 Readings" on Inadmissibility and Deportability]

Thursday, February 19
Class 11: *Grounds of Inadmissibility*
CB 1-2; 18-45 (end at public health) (you can skip the problems in the book)
Matter of Cervantes-Gonzalez (BIA 1999)
Matter of J-L-R-M- (Admin. App. Office 2015)
Matter of J-A-S-G- (Admin. App. Office 2015)
INA §§ 101(a)(13) (definition of admission), 101(a)(48) (definition of conviction), 212(a)(1), (a)(2), (6), (9) (inadmissibility grounds), 212(g) (waiver of health grounds), 212(h) (waiver for certain

types of crimes), 212(i) (waiver of fraud or misrepresentation), 212(d)(11) (smuggling waiver), 212(d)(3) (nonimmigrant inadmissibility waiver)
In class we will focus on health, criminal, and immigration control inadmissibility grounds. See *§ 212(a)(1), (a)(2), (a)(6), and (a)(9), and related waivers and exemptions.*
In Class: Inadmissibility Problems

Tuesday, February 24
Class 12: Grounds of Deportability & Intro to The Categorical Approach
CB 98-123, Padilla v. Kentucky (2010)
CB 123-32, *Moncrieffe v. Holder* (2013)
INA §§ 101(a)(43) (definition of aggravated felony), 237(a) (grounds of deportability)
In Class: Deportability Problems

Thursday, February 26
Class 13: The Categorical Approach, Part II
CB 133-39, *Esquivel-Quintana v. Sessions* (2017)
CB 137-42, *Descamps v. United States* (2013)
CB 143-46, *Nijhawan v. Holder* (2009)
Watch Maureen Sweeney, *Categorical Analysis of Immigration Consequences* (2014) (6 min.)

UNIT 6. REMOVAL AND DUE PROCESS

[Assignments from Units 6 and 9: Chapter 6, Procedures for Admission and Removal]

Tuesday, March 3
Class 14: Removal and Due Process
CB 15-20, Removal
CB 25-28, Expedited Removal
CB 30-35, *Landon v. Plasencia* (1982)
CB 36-42, *DHS v. Thuraissigiam* (2020)

Thursday, March 5
Class 15: Expedited Removal and Birthright Citizenship
INA § 235(b)(1) (please skim expedited removal statute)
CB 42-49, *Make the Road NY v. Noem* (2025)
CB 50-57, *Trump v. J.G.G.* (2025)
Trump v. Barbara—Please read just the highlighted portions of the Brief for Respondents by the ACLU lawyers (approx. 8 pages, posted on Canvas); this will give you a good review of the arguments without assigning too many pages. [If you want to skim the government's brief, I have also highlighted it in yellow there too, but this is not assigned.]
Special Guest: Hannah Schoen Steinberg, Staff Attorney, ACLU Immigrants' Rights Project (IRP)

Tuesday, March 10
Class 16: Review Day
No new readings! We will use this time to review.

UNIT 7. RELIEF FROM REMOVAL AND HUMANITARIAN PROTECTION

Thursday, March 12
Class 17: Relief from Removal [readings from Unit 7: Chapter 4, Relief from Removal]
CB 1-16, Relief from Removal; *Barton v. Barr*, 140 S. Ct. 1442 (2020); *Matter of C-V-T-*, 22 I & N Dec. 7 (BIA 1998); *Matter of Castillo-Perez*, 271 I&N Dec. 664 (AG 2019)
CB 17-22, *Matter of Recinas* (BIA 2002) (cancellation of removal)
INA §§ 239 (initiation of proceedings, including (a)(1) defining Notice to Appear)), 240 (removal proceedings), 240A (cancellation of removal)

Tuesday, March 17 **[readings from Unit 7: Chapter 5, Asylum, Refugees, and Other Humanitarian Protections]**
Class 18: Temporary Protected Status
INA § 244
CB 1-18, NTPSA v. Noem (N.D. Cal. Sept. 5, 2025)
Watch: TPS Update: NTPSA v. Noem, Dec. 10, 2025 (discussing district court ruling granting declaratory relief for the Venezuelan TPS community)
Alex Jose Sanchez Herrera v. Noem, Order (D. Ariz. Feb. 1, 2026) (this is a PDF posted on the class page with the readings; it is a very recent district court decision on a habeas petition brought by a Venezuelan national using the NTPSA v. Noem decision to challenge his detention and threatened removal)
Skim Fact Sheet, Temporary Protected Status: An Overview, American Immigration Council, November, 2025
Special Guest: Ahilan T. Arulanantham, Professor from Practice and Faculty Co-Director of the UCLA Center for Immigration Law and Policy

Thursday, March 19
Class 19: Asylum
[readings from Unit 7: Chapter 5, Asylum, Refugees, and Other Humanitarian Protections]
CB 18-20, Asylum Overview
CB 25-31, *Romeike v. Holder* (6th Cir. 2013)
Second Half of Class: Review Day. I am only assigning 9 pages on asylum. We will use at least half of this day to further review deportability and criminal grounds of removal.

ENJOY SPRING BREAK!

UNIT 9. IMMIGRATION DETENTION AND ENFORCEMENT

Tuesday, March 31
[Readings from Units 6 and 9: Chapter 6, Procedures for Admission and Removal]
Class 20: Introduction to the Legal Framework for Immigration Detention
INA §§ 235(b)(2)(A) (applicant for admission); 236(a) (discretionary release during removal); 236(c) ("mandatory" grounds of detention during removal); 241(a)(2) (detention pending removal)
CB 80-91 Background and *Maldonado Bautista v. Santacruz* (C.D. Cal. 2025)
Watch PBS Newshour https://www.youtube.com/watch?v=DMmqmwsy8qQ (10 minutes)
Matter of Guerra, 24 I&N Dec. 37 (BIA 2006) (setting forth the standard for release from immigration detention; focus on the factors set forth on page 4)

Thursday, April 2
Class 21: Birthright Citizenship, Revisited
We will listen to the April 1, 2026, oral arguments in *Trump v. Barbara*.

Tuesday, April 7
[Readings from Units 6 and 9: Chapter 6, Procedures for Admission and Removal]
Class 22: Limits on Immigration Detention
CB 92-105, *Zadvydas v. Davis* (2001); *Clark v. Martinez* (2005)
CB 109-112, *Demore v. Kim* (2003)

Thursday, April 9
[Readings from Unit 9: Chapter 7, Enforcement and Beyond]
Class 23: Racial Profiling in Immigration Enforcement
CB 64-79, *Noem v. Vasquez Perdomo* (2025)
UFW v. Noem (E.D. Cal. April 29, 2025) (Order granting motion for preliminary injunction) (read just pages 2-23 for facts and 70-88 on the motion for preliminary injunction)
Special Guest: Minju Cho, Senior Staff Attorney, Immigrants' Rights Program at the ACLU of Northern California (via Zoom during second half of class)

Tuesday, April 14
Class 24: Freedom for Immigrants & Review Day
Prepare: "Detention Exercise" (On Canvas, this is similar to exam style)
Prepare: "Criminal Removal Policy Exercise" (On Canvas, this is a past exam essay)
Read https://www.freedomforimmigrants.org/project-keep-away
Read Hundreds in California rally for pardons for immigrants ahead of Trump presidency (Dec. 5, 2024)
Watch Freedom for Immigrants Hotline https://www.freedomforimmigrants.org/hotline (1 minute)
Special Guest: Laura Hernández, Executive Director, Freedom for Immigrants (second half of class)

Thursday, April 16
Class 25: Review Day
Prepare: "Cancellation of Removal Review Exercise" (On Canvas, this is similar to exam style)
Prepare: "Exam Practice Hypo" (On Canvas, this is a past exam essay)

Tuesday, April 21
Class 23: Review Day
LAST CLASS

Thursday, April 23
NO CLASS TODAY—This is an administrative Monday
NO OFFICE HOURS TODAY. Please see the exam schedule sign-up.

Tuesday, April 28 at 1:00 PM – 2:15 PM
(Room 1457)
331 Review Session

Friday, May 8
(time/place TBD)
331 Final Exam

Additional Office Hours Available: sign up here