

Southern Illinois University Simmons Law School
Immigration Law
Spring 2026

Instructor Information:

Instructor: Joseph Moravec
Email: joseph.moravec@siu.edu
Office: Room 204
Office Hours: By appointment

Class Sessions:

Tuesdays and Thursdays from 4:30 – 5:45 PM in Room 204

Course Description:

There are few topics of discussion in our national discourse as charged as immigration, and few areas of federal law more confounding to law students, practitioners, and judges alike. This class will try to cut through the limited debates of the Thanksgiving table and cable news distillations and get to the heart of the federal government's power to regulate nationality, citizenship, and migration to (and from) the United States, asylum and other humanitarian protections, the process for forced removal from the United States, and the laws and procedures which generally govern our immigration system.

Many of you will have heard that the immigration system is broken. That may be true, and is certainly the case in several aspects of it. And I believe that if it is not broken, the evidence certainly establishes that the system is overwhelmed (and overwhelming) across the board. Throughout this course you may come to learn from my perspective, as well as the perspectives of other practitioners, just how the system came to be and how it might one day repaired.

To be clear, this is not a class on immigration politics. This class will attempt to provide a grounding in the law as it *is*, and we will discuss very little regarding the national and state-level political debates about what we may believe immigration policy *should be*. Instead, we will operate on several assumptions/acknowledgements which we will discuss more fully in the first few days of class:

1. Every person, regardless of their nationality, is inherently valued and entitled to dignity, respect, and safety of their person and family.
2. History, and the people who have lived before us, have established systems of governance and human order which do not necessarily reflect our views and beliefs.
3. As lawyers, we are grounded by the rule of law. It is our duty to represent our clients competently and zealously, and to operate within the legal system that exists, moving to change it when it is permissible and in the best interests of our clients.

It also bears noting that we will not be able to discuss every aspect of immigration law, there's just too much to cover. We will do our best to cover necessary components for a firm *grounding* in the field, but there will always be more to learn. If we are planning to omit something from the course about which

you are passionately interested and/or curious, please a) discuss with myself and others outside of class; and b) use that topic as the basis for your term paper. *See below.*

Areas which we will endeavor to cover during the semester are the constitutional powers of the federal government regarding immigration, federal immigration agency practice and procedure, asylum, the immigration courts and removal proceedings, and judicial review of immigration agency decisions.

While immigration law is not specifically tested on the bar exam, this class may cover some constitutional law, evidence, criminal law/procedure, and/or civil procedure materials that may be tested on the bar.

Expectations:

To be clear, the material covered in Immigration Law will require substantial effort throughout the semester. Some concepts may be difficult to grasp at quick glance, and may require work beyond assigned readings to fully engage with the assigned material. That said, it is not my expectation that this course take on an outsized role in the balance of your other courses, and I have done my best to *limit* the reading to what is necessary to teach the concepts. To that end, I reserve the right to amend the syllabus as necessary to ensure we are working through material at an appropriate pace.

However, this comes with two expectations: First, that you come to class prepared—having read the assigned text, worked through it so you have an understanding of it, and are ready to discuss it with me and with your colleagues. This is not the kind of material you can simply read the text in the hour before class and show up ready. The success of the class depends on each of your willingness to come prepared. Second, where you are not understanding the material, despite diligent effort, it is my expectation that you will confer with colleagues or request to meet to clarify questions.

Course Learning Objectives:

At the end of this course, a student should be able to:

- Explain the fundamental course themes of due process, agency practice, and jurisdiction.
- Master the fundamentals of immigration court and agency practice by learning the relevant immigration statutes and regulations, and applying the rules to analyze the outcomes of particular immigration cases.
- Be able to answer bar-style multiple-choice questions and write bar-style essay answers on topics related to immigration, including those which may be relevant to the bar exam such as constitutional law.
- Orally explain cases and doctrines covered in the class, through practice via call and individual and group problem solving.
- Understand how to use knowledge gained from the course, as well as research skills specific to immigration law, to predict the outcome in various immigration scenarios and appropriately advise clients.

Required Texts and Materials:

1. Immigration and Refugee Law & Policy, By Legomsky & Thronson (7th ed.).
2. *Asylum Denied: A Refugee's Struggle for Safety in America*, by David Kenney & Philip Schrag
3. Supplemental cases, problems, assignments, or materials may be posted to D2L, including additional cases or materials not presented in the text.

Attendance:

The law school's policy regarding attendance applies to this course. In short, you are allowed to miss only **FOUR** classes during this course. If you miss more than four classes, you will be withdrawn from the course or receive the lowest possible grade. The only exception to this rule is if the Associate Dean for Academic Affairs excuses your absence for extraordinary circumstances (such as military service, jury duty, death of an immediate family member, etc.).

Note: If you maximize your absences, it can affect your participation grade. As described in the call policy in the next section, being unprepared in class can count as an absence.

Call and Attentiveness Policy:

I will call on students using a random call list. I expect each student to be prepared to discuss in class each day. I expect you, if called on, to be able to answer questions or to tell me specifically why you are unclear about an answer. We may hold a longer discussion with follow up questions, or I may move on to call on other students.

You may “opt out” before class by giving me a note before class telling me that you are not prepared to be on call. Each student may do this once per semester, a second time will count as an absence. However, the policy exists because attendance in class is valuable to both your learning and score on the final exam, so rather than simply skipping class if life circumstances arise that leave you unprepared, please come to class and opt out.

Note: There will be one class after spring break where we will take a break from the syllabus to discuss *Asylum Denied*. You may read it at your own pace. Get it done this weekend, leave it for spring break, I trust you to have it read. You may not use your “opt out” for that class.

For your participation grade, I also take into account your professionalism. In other words, I will consider whether you behave with integrity and if you act respectfully towards your colleagues and myself.

I also have a zero-tolerance policy for using a computer or phone during class for non-class activities. The class is likely to be a smaller number of students and distractions on phones and computers affect your classmates' and your ability to engage and learn from the class. Consider this the only warning you will receive. Failure to respect your peers in this way will affect your participation grade, and continued violation of the rule may result in a ban on bringing a computer to class.

Grading:

In addition to daily reading and participation, you will be required to complete additional assignments in this course. At the end of the semester, I will add the points you earned for these assignments together with your participation grade. There will also be a term paper, as well as a major simulation exercise. This will determine your final grade for the course.

Course reading, class assignments, and participation will be worth a combined 30 percent of your grade. The term paper will be worth 40 percent of your grade. Participation in the trial and oral argument simulations will be worth 30 percent of your grade. Final grades for the semester will be assigned based on the law school grading policy.

A note on suggested readings: throughout the semester I may add reading within or outside the coursebook which is only offered as suggestion. I will note this clearly, the material will not be tested on a final exam, and you will not be cold-called on the material (though I may ask for volunteers in class to discuss). However, I was once a law student and I understand the time constraints you are under, so if I offer suggested readings it is because I believe they may be valuable to your understanding of the course or especially interesting enough to warrant some extra time.

Finally, as you may already realize, issues of immigration law are litigated daily, and changes do occur often. There are pending matters before the Supreme Court related to immigration law that may be decided while our class is being taught. It is for this reason that I have not scheduled a final exam and instead have offered a chance to craft a well-researched paper. We will discuss and choose topics early in the semester. If there are significant changes in immigration law and/or policy during the semester that I believe are relevant, again I reserve the right to alter the syllabus to address those topics appropriately when or if they arise.

Plagiarism, Collaboration, and the Use of Artificial Intelligence

Plagiarism is the act of taking someone else's work, ideas, or words and passing them off as your own without crediting the source. Plagiarism is not permitted in this course.

You are welcome to collaborate in preparing for class and in working through any non-graded practice problems or in-class assignments, as noted in the syllabus, and I find that preparing to discuss the cases in a group setting may benefit you. In doing so, keep in mind that collaboration means working together to answer questions, or comparing one's own answers against another student's answers. However, it is not acceptable for one student to simply copy another student's answers or to divide up an assignment and copy each other's answers to the other parts. To really benefit from this course, you need to fully engage with the text and assignments yourself.

I understand the temptation that generative AI has become in writing, but I can assure you of the limitations, inaccuracies, and dangers of using this software—it is not fully accurate, is still being developed, and most importantly, using it in lieu of engaging with the course deprives you of the full understanding you gain from working through it on your own. It can be a shortcut, and I believe eventually will certainly play an outsized role in the practice of law, but for now I caution you to work through this course without any help from AI. We can discuss this more on the first day of class.

As for actual assignments, if you have plagiarized or used generative AI to complete any written assignment or to script oral presentation verbatim, you will receive **zero** points for that assignment. This policy applies to the term research paper, a failure which would most certainly result in failing the course. I will also follow the procedures outlined in the school's Honor Code. If you are found in violation of the Honor Code, you can face serious penalties, including expulsion. Long story short, **DON'T DO IT**. If you have any questions about this policy, just ask me, and we will discuss briefly on the first day of class as well.

Deadlines:

All lawyers operate on deadlines, whether they are set by your supervisor, your client, the court, or yourself. Therefore, in preparation for your future legal career, you will operate on deadlines in this course.

This course has “hard deadlines,” meaning that you must complete your assignments on time. If you miss a deadline (even by one minute), you are required to send me your completed assignment and a Motion for Leave to File Out of Time explaining why I should excuse the late submission. Just like a real judge, I will only grant your Motion if you demonstrate “good cause” for me doing so—and I get to determine what constitutes good cause. Given the additional time and effort it will take to draft a Motion for Leave to File Out of Time, and the risk that I may still deny the Motion and refuse to accept your assignment, I would make sure to meet all course deadlines.

If you know in advance that you will not be able to complete an assignment on time for a legitimate reason (you are having surgery, have required military duty, etc.) file a motion asking for an extension of the deadline as soon as possible. If you demonstrate good cause, I may give you extra time to complete the assignment.

Class Recordings:

This class is automatically recorded every day. If you would like one or more of these recordings, send me an email. If you attended that class, I will send you the recording. If you did not attend the class, you need to explain in the email why you were absent. I will send you the recording if you were absent for a legitimate reason (you were sick, participated in a school-related activity, family emergency, etc.). Note: watching a recording of a class does not count to satisfy an absence unless necessary to accommodate a disability or unless you request and receive my prior approval.

Class Schedule and Assignments through January 22:

Date	Class Number	Class Topic(s)	Homework Assignments for Next Class
Before First Class	0		<ol style="list-style-type: none"> 1. Review the syllabus 2. Read Pages 1-27 3. U.S. Constitution, Article I, § 8-9
1/13	1	Intro to Migration, Immigration Law, and the History of Immigration in the United States	<ol style="list-style-type: none"> 1. Reading for 1/15: Read pages 107-131
1/15	2	Sources and Limits of Federal Immigration Power	<ol style="list-style-type: none"> 1. Reading for 1/20: Read pages 131-168
1/20	3	Immigration and the Constitution	<ol style="list-style-type: none"> 1. Reading for 1/22: 169-182; 191-213
1/22	4	Due Process and Intro to National Security Issues	<ol style="list-style-type: none"> 2. Reading for 1/27 Will Be Assigned and Updated.

* All assignments must be submitted before class begins on the due date except as otherwise noted.

** I reserve the right to change the homework assignments, deadlines, and required reading at any time for any reason.

SYLLABUS ATTACHMENT**SIU SIMMONS LAW SCHOOL – Spring 2026**

EMERGENCY PROCEDURES: We ask that you become familiar with **Emergency Preparedness @ SIU**. Emergency response information is available on posters in buildings on campus, on the Emergency Preparedness @ SIU website, and through text and email alerts. To register for alerts, visit <http://emergency.siu.edu/>.

DISABILITY POLICY. SIU Carbondale is committed to providing an inclusive and accessible experience for all students with disabilities. The Office of Access and Accommodations, formerly Disability Support Services, coordinates the implementation of accommodations. If you think you may be eligible for accommodations but have not yet obtained approval, please contact OAA immediately at 618-453-5738 or disabilityservices.siu.edu. You may request accommodations at any time, but timely requests help to ensure accommodations are in place when needed. Accommodations and services are determined through an interactive process with students and may involve consideration of specific course design and learning objectives in consultation with faculty. Please send approved accommodations to your faculty through the DSS online portal.

SALUKI CARES and COUNSELING & PSYCHOLOGICAL SERVICES (CAPS). The purpose of Saluki Cares is to develop, facilitate and coordinate a university-wide program of care and support for students in any type of distress—physical, emotional, financial, or personal. By working closely with faculty, staff, students, and their families, SIU will continue to display a culture of care and demonstrate to our students and their families that they are an important part of the community. For Information on Saluki Cares: (618) 453-2461, or siucares@siu.edu, <https://salukicares.siu.edu/>. Associate Dean Shelia Simon ssimon@siu.edu or (618) 536-8321) is available at the Simmons Law School to help students access university resources. Additionally, counseling services are available through CAPS ([Counseling and Psychological Services \(CAPS\) / Student Health Services / SIU](#)). A counselor is at the law school every Wednesday from noon until 4:30pm in Room 268 for drop-in appointments.

SAFETY AWARENESS FACTS AND EDUCATION Title IX makes it clear that violence and harassment based on sex and gender is a Civil Rights offense subject to the same kinds of accountability and the same kinds of support applied to offenses against other protected categories such as race, national origin, etc. If you or someone you know has been harassed or assaulted, you can find the appropriate resources here: <http://safe.siu.edu>

Syllabus Attachment

Spring 2026



Southern Illinois
University
Carbondale

MISSION STATEMENT FOR SOUTHERN ILLINOIS UNIVERSITY CARBONDALE

SIU embraces a unique tradition of access and opportunity, inclusive excellence, innovation in research and creativity, and outstanding teaching focused on nurturing student success. As a nationally ranked public research university and regional economic catalyst, we create and exchange knowledge to shape future leaders, improve our communities, and transform lives.

IMPORTANT DATES:

Semester Classes Begin:01/12/2026
Last day to add full-term course (without Dean's signature):01/16/2026
Last day to withdraw from the University with a full refund:01/23/2026
Last day to drop a full-term course for a credit/refund:01/23/2026
Last day to drop a full-term course (W grade, no refund):.....03/27/2026
Final examinations:05/04/2026–05/08/2026

Note: Please verify the above dates with the Registrar calendar and find more detailed information on deadlines at <http://registrar.siu.edu/calendars>. For add/drop dates that apply to shorter-than-full-term courses, please look at the Schedule of Classes search results at <http://registrar.siu.edu/schedclass/index.php>

SPRING SEMESTER HOLIDAYS:

Martin Luther King, Jr.'s Birthday 01/19/2026
Spring Break 03/07/26 - 03/15/26

DIVERSITY: Southern Illinois University Carbondale's goal is to provide a welcoming campus where all of our students, faculty and staff can study and work in a respectful, positive environment free from racism and intimidation. For more information visit: <http://diversity.siu.edu>.

OFFICE FOR ACCESS AND ACCOMMODATIONS: SIU Carbondale is committed to providing an inclusive and accessible experience for all students with disabilities. Office for Access and Accommodations coordinates the implementation of accommodations. If you think you may be eligible for accommodations but have not yet obtained approval please contact OAA immediately at (618) 453-5738 or <https://access.siu.edu>. You may request accommodations at any time, but timely requests help to ensure accommodations are in place when needed. Accommodations and services are determined through an interactive process with students and may involve consideration of specific course design and learning objectives in consultation with faculty.

MILITARY COMMUNITY: There are complexities of being a member of the military community and also a student, and military and veteran related developments can complicate academic life. If you are a member of the military community and in need of accommodations please visit Veterans Services at <http://veterans.siu.edu>.

STUDENT MULTICULTURAL RESOURCE CENTER: The Student Multicultural Resource Center serves as a catalyst for inclusion, diversity and innovation. As the Center continues its work, we are here to ensure that you think, grow and succeed. We encourage you to stop by the Center, located in the Student Services Building Room 140, to see the resources available and discover ways you can get involved on the campus. Visit us at <https://smrc.siu.edu>.

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PREGNANCY: Title IX makes it clear that students who are pregnant or have a related condition may contact the Title IX Coordinator to request accommodations or to report any allegations of discrimination. The Title IX Coordinator may be contacted at: *Nick Wortman, Associate Vice Chancellor for Human Resources, Southern Illinois University Carbondale, 0135 Woody Hall, 900 S. Normal Avenue, Mail Code 6520, Carbondale, IL 62901, (618) 453-6667, equity@siu.edu*.

SIU COUNSELING AND PSYCHOLOGICAL SERVICES (CAPS): Mental health counseling services are available by calling [CAPS](http://caps.siu.edu) at (618) 453-5371. CAPS offers confidential same-day services and ongoing counseling. For after hours crisis care, students are encouraged to call 988, 911, or present to their nearest emergency room.

WITHDRAWAL POLICY (Undergraduate Only): Students who officially register for a session must officially withdraw from that registration in a timely manner to avoid being charged as well as receiving a failing grade for those classes. An official withdrawal must be initiated by the student, or on behalf of the student through the academic unit, and be processed by the Registrar's office. For the proper procedures to follow when dropping courses and when withdrawing from SIUC visit: <https://registrar.siu.edu/students/withdraw.php>.

SIUC'S EARLY WARNING INTERVENTION PROGRAM (EWIP): Students enrolled in courses participating in SIUC's Early Warning Intervention Program might be contacted by University staff during a semester. More information can be found at the University Core Curriculum's Overview webpage: <https://corecurriculum.siu.edu/for-faculty/>.

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CATALOGS:

catalog.siu.edu
gradcatalog.siu.edu - Graduate policies often vary from Undergraduate policies. To view the applicable policies for graduate students, please refer to the graduate catalog.

CENTER FOR LEARNING AND SUPPORT SERVICES:

Tutoring: <https://clss.siu.edu/>
Math Labs: <http://math.siu.edu/courses/course-help.php>

WRITING CENTER: <http://write.siu.edu>

PLAGIARISM: See the Student Conduct Code: <http://srr.siu.edu/student-conduct-code/>

INCOMPLETE POLICY (Undergraduate Only): <http://registrar.siu.edu/grades/incomplete.php>

REPEAT POLICY: <http://registrar.siu.edu/students/repeatclasses.php>

MORRIS LIBRARY HOURS: <https://libcal.lib.siu.edu/hours/>

ADVISEMENT: [http://advisement.siu.edu/](http://advisement.siu.edu)

SIU ONLINE: [https://online.siu.edu/](https://online.siu.edu)