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## Florida lawyers advise employers how to deal with immigration order's effects

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For lawyers at the Tampa offices of two major law firms, last weekend turned into a frenzy of phone calls as the Trump Administration's executive officer temporarily barring citizens from seven Muslim-majority nations went into effect.

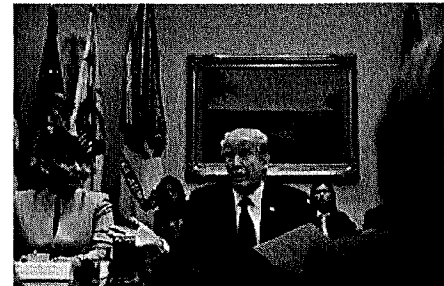
"My phone has been lighting up since early Saturday," said Jennifer G. Roeper, who is of counsel at the 800-lawyer firm Ogletree Deakins Nash Smoak and & Stewart.

Maria del Carmen Ramos, a partner and immigration practice co-administrator in the Tampa office of Shumaker Loop & Kendrick said, "we're definitely telling employers to advise their employees of the risks that they're running."

The executive order, signed Jan. 27 by President Donald Trump, prohibits entry into the United States for 90 days for citizens of Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen. Additionally, it suspends entry of all refugees for 120 days and bars Syrian refugees indefinitely. It also caps refugee resettlement numbers at 50,000 for Fiscal Year 2017.

If a company has employees on the administration's list of targeted countries, then "we're advising them not to travel," Roeper said. "Certainly, we don't want to have anyone caught outside the country."

Despite stays by different federal judges partially blocking the implementation of parts of the executive order, lawsuits challenging the order and clarifications by the White House about whether green card holders are affected, lawyers like Roeper are telling their clients not to take any chances.



ANDREW HARRER

U.S. President Donald Trump speaks as he meets with small business leaders in the Roosevelt Room of the White House in Washington, D.C., U.S., on Monday, Jan. 30, 2017. Trump defended the immigration clampdown that sparked a global backlash over the weekend by blaming the confusion at airports on protesters and on a computer outage at Delta Air Lines Inc. that caused flight cancellations. Photographer: Andrew Harrer/Bloomberg

"All that being said we're telling them to err on the conservative side — not to travel no matter what your status if you are a national of one of those countries," she said.

Krista A. Eyler, an attorney in the Tampa office of Immigration Lawyers LLP, said she had advised a few clients originally from Yemen not to travel.

"Luckily, they are all here and permanent residents," she said. "Some of them have plans to travel in the future. They asked me: 'Can I go in two months?' And, I said 'probably not.'"

The order is affecting doctors, small business owners, real estate investors, even stay-at-home moms, Eyler said. "These are people who have kids and families whose entire lives are here in the United States."

Concern over the reach of the executive order has spread beyond nationals of those seven countries, Roeper said. "We're getting lots of questions from people not on that list." One Mexican neurosurgeon canceled his trip to a medical conference in Mexico because he is worried, she said.

Maria Mejia-Opaciuch, senior counsel with Carlton Fields in Miami, said in terms of her firm's clients, the situation is under control because individuals from the seven targeted countries are here in the U.S. But, she is receiving numerous phone calls from clients about the executive order.

She is reviewing with companies their foreign employees and whether it "makes sense for them to process green card applications faster than they normally do." She has advised companies to be "proactive" in looking at their foreign national workforce.

Even for employees who are originally from Canada and Mexico, Mejia-Opaciuch is urging clients to review whether they should get different work visas for those individuals since the president has said he wants to renegotiate the NAFTA treaty.

Meanwhile, some of Mejia-Opaciuch's clients include universities and college professors, one of whom is from one of the seven nations listed in the executive order. "I've got people who are scared, confused or curious," she said. "They want to know what it means for them and their children. It's a very personal area of the law."

"This caught us off-guard," said A. Renee Pobjecky, president of the Central Florida chapter of the American Immigration Lawyers Association. Her group created a list of pro bono attorneys last year in the aftermath of the mass shooting at the Pulse nightclub in Orlando, as well as another list of lawyers who could be available at a moment's notice.

Even so, they were not prepared with how swiftly and with how little notice the order went into effect, said Pobjecky, who is based in Winter Haven. As a result, she spent last Saturday night brainstorming with Ramos, the Shumaker partner, on how to react to the executive order. Washington, D.C.-based AILA has issued a statement opposing the executive order.

Since Tampa International Airport has no direct flights originating from those seven counties, there were no individuals reportedly detained or sent back from that location. However, the father and stepmother of a Moffitt Cancer Center oncologist were detained when they landed in Orlando following a 23-hour flight, Ramos said.

Askar Sahebjam, 73, and his wife, Roghayeh Hashemy Soodmand, 52, were coming to the U.S., but when they arrived they were detained for nine hours. Sahebjam and his wife were coming from Iran to live in Tampa and be near his daughter, Dr. Solmaz Sahebjam. He also has a son who is a U.S. citizen.

Sahebjam had a special visa to get a green card but that was revoked, and he was told he would have to reapply. According to the *New York Times*, Sahebjam was put back on a plane heading to Tehran a couple of hours before a federal judge issued a ruling that stayed part of the executive order. His wife could have remained because she already received her green card, but she decided to return to Iran with her husband.

**Frances McMorris**

Reporter

*Tampa Bay Business Journal*

