

## AMANDA FROST

University of Virginia School of Law  
[afrost@law.virginia.edu](mailto:afrost@law.virginia.edu) | (434) 924-7573

### ACADEMIC APPOINTMENTS

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**University of Virginia School of Law** 2022-present  
John A. Ewald Jr. Professor of Law

**American University Washington College of Law** 2004-2022  
Ann Loeb Bronfman Distinguished Professor of Law & Government (2020-22);  
Professor of Law with tenure (2010-2020); Associate Professor (2006-10).

**Collegium de Lyon** 2019-2020  
Research Fellow at the Institut d'Études Avancées, affiliated with the équipe de droit publique at  
Université de Lyon 3.

**Visiting Professor:** Université de Lyon 3 (Fall 2019); Université Paris Nanterre (May 2013); UCLA  
School of Law (Fall 2011); Johannes Gutenberg-Universität Mainz (July 2010); Harvard Law School  
(Fall 2007).

### OTHER EXPERIENCE

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**Immigrant Justice Clinic, American University** 2016-2017  
Acting Director. Supervised 16 students in deportation defense before immigration courts, the Board  
of Immigration Appeals, and in the federal courts of appeals.

**Senate Judiciary Committee, U.S. Senator Edward M. Kennedy** Summer 2006  
Legislative Fellow. Advised the Senator on legal and policy issues concerning immigration, voting  
rights, courts and judicial nominations. Drafted legislative history. Prepared the Senator for  
hearings.

**Public Citizen** 1998-2001; 2002-2004  
Staff attorney. Litigated consumer and civil rights cases in federal and state appellate courts and in  
the United States Supreme Court.

**Fulbright Scholar** 2001-2002  
Awarded fellowship to study transparency reform in the European Union.

**U.S. Court of Appeals for the D.C. Circuit** 1997-1998  
Law clerk to Judge A. Raymond Randolph.

### EDUCATION

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**Harvard Law School**, J.D. June 1997, *magna cum laude*

**Harvard College**, B.A. in History & Literature of America, June 1993, *cum laude*

## ACADEMIC PUBLICATIONS

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### Books & Book Chapters

BORN IN THE U.S.A.: BIRTHRIGHT CITIZENSHIP AND THE MAKING OF AMERICA (work in progress)

[YOU ARE NOT AMERICAN: CITIZENSHIP STRIPPING FROM DRED SCOTT TO THE DREAMERS](#) (Beacon Press, 2021)

- Shortlisted for the Mark Lynton History Prize
- “New & Noteworthy Book,” N.Y. Times Book Review, Jan. 20, 2021
- Starred Review, Kirkus Review; Starred Review, Library Journal; NBC New York Book Pick; Recommended by “Off the Shelf,” Harvard Magazine, January 2021;
- Christian Science Monitor Book Review (An “excellent” book that “threads history, debate, and lively detail into the stories of individual Americans who fought [for] their citizenship.”)
- Featured on NPR’s *Throughline*, “By Accident of Birth,” June 9, 2022
- Featured on “Ask the Author,” SCOTUSblog
- Book project awarded the American Council of Learned Societies Fellowship, Fall 2019

*Immigration in the Obama Era*, in THE U.S. SUPREME COURT AND CONTEMPORARY CONSTITUTIONAL LAW: THE OBAMA ERA AND ITS LEGACY (Anna-Bettina Kaiser, Niels Petersen, and Johannes Saurer eds.) (Routledge, 2018).

*Maslenjak v. United States: Immigration, Expatriation, and the Plenary Power Doctrine*, in AMERICAN CONSTITUTION SOCIETY SUPREME COURT REVIEW 2016-17.

### Articles

*Dred Scott’s Daughters: The Path from Birthright Freedom to Birthright Citizenship* (work-in-progress)

*Schizophrenic Citizenship: A Response to Chin and Finkelman*, WILLIAM & MARY LAW REVIEW (forthcoming)

*Reparative Citizenship*, WILLIAM & MARY LAW REVIEW (forthcoming)

[The Rise of Reparative Citizenship](#), CITIZENSHIP STUDIES, vol. 26: 4-5, 454-459 (2022).

[“By Accident of Birth”: The Battle Over Birthright Citizenship After United States v. Wong Kim Ark](#), 32 YALE JOURNAL OF LAW & HUMANITIES 39 (2021).

[Alienating Citizens](#), 114 NORTHWESTERN UNIVERSITY LAW REVIEW 241 (2019)

- Cited in *Abuhajeb v. Pompeo*, \_\_ F.Supp.3d \_\_, 2021 WL 1238416 (D. Mass. 2021)

[In Defense of Nationwide Injunctions](#), 93 NEW YORK UNIVERSITY LAW REVIEW 1065 (2018).

- Cited in *City of Chicago v. Barr*, 957 F.3d 772 (7<sup>th</sup> Cir. 2020); *East Bay Sanctuary Covenant v. Barr*, 934 F.3d 1026 (9<sup>th</sup> Cir. 2019); *California v. U.S. Department of Health and Human Services*, 941 F.3d 410 (9<sup>th</sup> Cir. 2019); *Rodgers v. Bryant*, 942 F.3d 451 (8<sup>th</sup>

Cir. 2019); *Texas v. United States*, 2021 WL 247877 (S.D. Tex. 2021); *District of Columbia v. U.S. Department of Agriculture*, 444 F. Supp. 3d 1 (D.D.C. 2020); *Guilford College v. Wolf*, 2020 WL 586672 (M.D.N.C. 2020); *Alasaad v. Nielsen*, 419 F. Supp. 3d 142 (D. Mass. 2019); *Roe v. Shanahan*, 359 F. Supp. 3d 382 (E.D. Va. 2019); *New Hampshire Lottery Commission v. Barr*, 386 F. Supp. 3d 132 (D.N.H. 2019); *New York v. Pruitt*, 2018 WL 2411595 (S.D.N.Y. 2018); *City of Chicago v. Sessions*, 321 F. Supp. 3d 855 (N.D.I.L. 2018).

[Cooperative Enforcement in Immigration Law](#), 103 IOWA L. REV. 1 (2017).

- Selected for reprint in the *Immigration & Nationality Law Review*
- Reviewed by Juliet Stumpf, *Modernizing Immigration Enforcement*, JOTWELL (July 20, 2018)

*Can the Government Deport Immigrants Using Information it Encouraged them to Provide?*, 2 ADMIN. L. REV. ACCORD 97 (2017).

*Independence and Immigration*, 89 SOUTHERN CALIFORNIA LAW REVIEW 485 (2016) (symposium contribution).

*Do Two Rights Make a Wrong? A Response to Professor Motomura*, 55 WASHBURN L.J. 101 (2015) (symposium contribution).

*Learning from Our Mistakes: Using Immigration Enforcement Errors to Guide Reform*, 92 DENVER UNIVERSITY LAW REVIEW 770 (2015) (symposium contribution).

*Inferiority Complex: Should State Courts Follow Federal Court Precedent on the Meaning of Federal Law?* 68 VANDERBILT LAW REVIEW 53 (2015).

- Cited in *Georgia State Conference of NAACP v. State*, 269 F. Supp. 3d 1266 (N.D. Ga. 2017)

*Judicial Ethics and Supreme Court Exceptionalism*, 26 GEORGETOWN JOURNAL OF LEGAL ETHICS 443 (2013).

*In Defense of Scholars' Briefs: A Response to Richard Fallon*, 16 GREEN BAG 2d 135 (2013).

*Congress in Court*, 59 UCLA LAW REVIEW 914 (2012).

*Defending the Majoritarian Court*, 2010 MICHIGAN STATE LAW REVIEW 757 (2010) (Invited participant in a symposium on Barry Friedman's THE WILL OF THE PEOPLE.).

*Mark Tushnet on Why the Constitution Doesn't Matter* (Book review of Mark Tushnet's WHY THE CONSTITUTION MATTERS), 14 Green Bag 2d 99 (2010).

*Countering the Majoritarian Difficulty*, 96 VIRGINIA LAW REVIEW 101 (2010) (co-authored with Professor Stefanie A. Lindquist).

*The Limits of Advocacy*, 59 DUKE LAW JOURNAL 447 (2009).

- Cited in *United States v. Campbell*, 26 F.4<sup>th</sup> 860 (11<sup>th</sup> Cir. 2022); *Rollins v. Home Depot USA*,

8 F.4th 393 (5<sup>th</sup> Cir. 2021); *Blumberg Associates Worldwide, Inc. v. Brown and Brown of Connecticut*, 84 A.3d 840 (Conn. 2014); *Feld v. Borkowski*, 790 N.W.2d 72 (Iowa 2010).

*Overvaluing Uniformity*, 94 VIRGINIA LAW REVIEW 1567 (2008).

- Cited in *Visciotti v. Martel*, 862 F.3d 749 (9<sup>th</sup> Cir. 2016); *A.M. ex rel. Youngers v. New Mexico Department of Health*, 117 F.Supp.3d 1220 (D. N.M. 2015); *Saenz v. Lovington Mun. School Dist.*, 105 F. Supp. 3d 1271 (D. N.M. 2015)

*Certifying Questions to Congress*, 101 NORTHWESTERN UNIVERSITY LAW REVIEW 1 (2007).

- Cited in *United States ex rel. Fenton v. William Beaumont Hospitals*, 2021 WL 4472767 (E.D. Mich. Sept. 30, 2021)

*The State Secrets Privilege and Separation of Powers*, 75 FORDHAM LAW REVIEW 1931 (2007).

- Cited in *Al-Haramain Islamic Foundation, Inc. v. Bush*, 507 F.3d 1190 (9<sup>th</sup> Cir. 2007)

*Keeping Up Appearances: A Process-Oriented Approach to Judicial Recusals*, 53 KANSAS LAW REVIEW 531 (2005).

*Restoring Faith in Government: Transparency Reform in the United States and the European Union*, 9 EUROPEAN PUBLIC LAW 87 (March 2003).

## TESTIMONY & NON-ACADEMIC PUBLICATIONS

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- Regular Contributor, SCOTUSblog ([www.scotusblog.com](http://www.scotusblog.com)).
- *Supreme Court Ethics Reform*. Testimony before the Senate Judiciary Committee, May 2, 2023.
- *Everyone Born in the United States is a Citizen. Here's Why*. Washington Post, Made by History, March 28, 2023.
- *Clarence Thomas Keeps Undermining the Courts. The Other Justices Could Stop Him*, Slate, Dec. 5, 2022.
- *Review*, Adam Goodman's *The Deportation Machine*, Federal History Journal, Issue 15 (2022)
- *An Ethical Judiciary: Transparency and Accountability for 21<sup>st</sup> Century Courts*, Testimony before the Senate Judiciary Committee, Subcommittee on Federal Courts, Oversight, Agency Action, and Federal Rights, May 3, 2022
- *The Question of Who Counts*, The Atlantic, May 26, 2021
- *Here's how we can pay for the sins we've committed against immigrants*, NBC News THINK Op-Ed, Mar. 26, 2021
- *Even Royalty Aren't Safe from Citizenship Stripping*, Newsweek, Mar. 11, 2021.
- *Republican Resistance to Easy Naturalization Will Likely Backfire*, Washington Post, Made by History, Mar. 9, 2021
- *Beyond Detention as Deterrence*, Border Criminologies blog, Oxford University Border Criminologies Centre, Special Issue, March 2021.
- *Deportation Without Disclosure: Immigration Courts Need Transparency*, Bloomberg Law Insights, Feb. 23, 2021
- *The Supreme Court's Role in Defining US Citizenship*, SCOTUSblog, Jan. 27, 2021
- *Birthright Citizens and Paper Sons*, The American Scholar, Jan. 18, 2021.

- *The Supreme Court Has to Choose Between Trump and the Nation's Founders*, The New Republic, Nov. 27, 2020.
- *You Are Not An American*, The American Prospect, Aug. 19, 2020.
- *Rule by District Court Judge: The Challenge of Universal Injunctions*. Testimony submitted to the United States Senate, Committee on the Judiciary, Feb. 25, 2020.
- *The New War on Naturalized Citizens*, The American Prospect, Oct. 15, 2019.
- *The Fragility of American Citizenship*, The Atlantic, Oct. 9, 2019.
- *The Federal Judiciary in the 21<sup>st</sup> Century: Ideas for Promoting Ethics, Accountability, and Transparency*, Testimony before the House Committee on the Judiciary, Subcommittee on the Courts, Intellectual Property, and the Internet, Jun. 21, 2019
- *The revival of denaturalization under the Trump administration*, GLOBALCIT blog, European University Institute, Jan. 29, 2019.
- *One for All: Are Nationwide Injunctions Legal?*, Judicature, Point-Counterpoint, vol. 102, no. 3, pp. 70-75 (Fall 2018) (with Samuel Bray)
- *The hidden constitutional threat in Trump's travel-ban lawsuit*, Washington Post, op-ed, Apr. 25, 2018.
- *The Role and Impact of Nationwide Injunctions*. Testimony before the House Committee on the Judiciary, Subcommittee on the Courts, Intellectual Property, and the Internet, Nov. 30, 2017
- *Some DACA 'dreamers' have legal options despite Trump*, USA Today, op-ed, Sep. 7, 2017
- *Trump's travel order runs from "Muslim ban" past, but it can't hide*, The Hill, op-ed, Mar. 7, 2017
- *President Trump and the Rule of Law*, The Hill, op-ed, Feb. 7, 2017 (with Jennifer Daskal)
- *How Painful Can Trump Make the Lives of Immigrants?*, Slate, Nov. 16, 2016
- *The Overlooked Pathways to Legal Status*, The Atlantic, June 19, 2016
- *Limit State Access to Federal Court*, N.Y. Times, Dec. 22, 2015 (with Stephen Vladeck)
- *Detention of Fleeing Immigrants Isn't Worth the Price*, Houston Chronicle, March 19, 2015.
- *It's Time for the House to Take Up Immigration*, Baltimore Sun, June 13, 2014.
- *Natural(ized) Enemies*, Slate, January 17, 2013 (with Jayesh Rathod).
- *Power of Attorneys: Congress Must Begin to Fight for its Own Interests in Court*, Slate, January 18, 2012.
- *Kagan's not camera-shy*, Op-Ed, L.A. Times, July 9, 2010.
- *Only a Partial Win*, Op-Ed, National Law Journal, June 15, 2009.
- *One Dollar for Every West Virginian: The Crazy Judicial Corruption Case the Supreme Court Should Hear*, Slate, October 10, 2008.
- Testimony Before the U.S. Senate Judiciary Committee on the Nomination of Judge Samuel A. Alito, Jr. to the U.S. Supreme Court, January 13, 2006, [http://judiciary.senate.gov/hearings/testimony.cfm?id=1725&wit\\_id=4911](http://judiciary.senate.gov/hearings/testimony.cfm?id=1725&wit_id=4911).

## SELECTED PRESENTATIONS

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### Faculty Workshops

*Seizing Citizenship: Lydia Hamilton Smith, Thaddeus Stevens, and the Pathway to Citizenship in Antebellum America*  
Georgetown Legal History Colloquium (Feb. 18, 2022)

*Birthright Citizens and Paper Sons*

Faculty Workshops at University of Virginia Law School (Feb. 26, 2021); NYU Legal History Colloquium (Sep. 15, 2021).

*In Defense of Nationwide Injunctions*

Faculty workshop at Florida International University Law School (Oct. 16, 2018).

*Cooperative Enforcement in Immigration Law*

Faculty Workshops at Temple University Beasley School of Law (Feb. 2017); University of Georgia Law School (Jan. 2017), University of Maryland Law School (Mar. 2016).

*Congress in Court*

Faculty workshops at Richmond Law School (Feb. 2011), Vanderbilt Law School (Mar. 2011), Pepperdine Law School (Sep. 2011), UCLA Law School, DePaul Law School (Oct. 2011), and UC Irvine Law School (Nov. 2011).

*The Limits of Advocacy*

Faculty workshops at University of Georgia Law School (Oct. 2008), Notre Dame Law School (Nov. 2008), and University of Texas Law School (April 2009).

**Selected Conferences, Book Talks, Podcasts & Guest Lectures**

Panelist, *Nationwide Injunctions*, Fifth Circuit Annual Conference, May 8, 2023.

Panelist, *New Directions in Migration and Citizenship*, Organization of American History Annual Conference, Los Angeles, CA, March 30, 2023.

Panelist, *Wong Kim Ark Day: Celebration and Commemoration of the 125<sup>th</sup> Anniversary of Birthright Citizenship*, Chinese Six Companies, California, March 25, 2023.

Guest, *The Whiteness Myth*, NPR's Throughline, Feb. 9, 2023.

Guest, *By Accident of Birth*, NPR's Throughline, June 9, 2022.

Panelist, Biannual Immigration Law Scholars and Teachers Conference, Loyola University Law School (Los Angeles), June 6, 2022.

Panelist, *Historians and the Public*, University of Virginia, May 27, 2022.

Panelist, *Night of Ideas*, Embassy of France, Washington, D.C., May 11, 2022.

2022 Joseph and Rebecca Meyerhoff Annual Lecture, Mandel Center for Holocaust Studies, Mar. 31, 2022

Panelist, AALS Annual Conference, *Immigration, Equality, and Security: The Biden Administration's First Year and Beyond* (in conversation with Ur Jaddou, US Citizenship and Immigration Service Director, and Lucas Guttentag, White House Senior Counselor on Immigration Policy), January 8, 2022.

Book Talk, Osher Institute of Learning in Retirement, Tufts University, Dec. 1, 2021.

Book Talk, Immigration and Ethnic History Society, Nov. 17, 2021.

Speaker, Nation Museum of American History, Smithsonian Institute, Washington, DC, October 19, 2021

Organizer & panelist, *Contested Boundaries: The Past, Present, and Future of US Citizenship*, American University Washington College of Law, October 1, 2021. (Colloquium in citizenship which brought together 19 interdisciplinary academics, NGO leaders, and government policymakers for day-long conversation about citizenship history and policies)

Panelist, *Dred Scott: Beyond Black and White*, Aoki Center for Race and Nation Studies, U.C. Davis Law School, Sept. 24, 2021.

Guest, Democracy in Danger Podcast, University of Virginia Media Lab, “Bittersweet Dreams,” May 11, 2021

Seminaire, “Le fait culturel and la citoyenneté,” Université d’Orléans, Apr. 28, 2021

“Evening With an Author,” American Library in Paris, Apr. 27, 2021, in conversation with New Yorker staff writer Lauren Collins.

Panelist, *L’assistance aux frontières*, Institut Convergences Migrations, Apr. 16, 2021

Panelist, *Pursuing Citizenship*, 29<sup>th</sup> Annual Rothgerber Conference, Colorado Law School, Apr. 9, 2021.

Book Talk, *You Are Not American: Citizenship Stripping from Dred Scott to the Dreamers*, Washington History Seminar Roundtable at the National History Center, Apr. 5, 2021

Moderator & Convenor, *The Past, President, and Future of D.C. Statehood*, Program on Law & Government, American University, Mar. 18, 2021.

Book Talk: *Citizenship Stripping and the Meaning of “American,”* Loyola University, Chicago, IL, Mar. 18, 2021.

Book Talk: *You Are Not American: Citizenship Stripping from Dred Scott to the Dreamers*, Harvard Institute for Learning in Retirement, Mar. 5, 2021

Book Talk, *The Race for Citizenship in the Wake of the Civil War*, American Civil War Museum, Feb. 25, 2021

Book Talk, *Constitutional Limits on Citizenship Stripping*, Constitution 101: Robert H. Smith Center for the Constitution, James Madison’s Montpelier, Feb. 22, 2021.

Book Launch for *You Are Not American: Citizenship Stripping from Dred Scott to the Dreamers*, Politics & Prose, Jan. 28, 2021, in conversation with journalist David Plotz.

Convener & Moderator, *Citizenship & Suffrage: Race, Citizenship, and Women's Right to Vote on the Nineteenth Amendment's Centennial*, Program on Law & Government, American University, Oct. 6, 2020.

Co-presenter, *Social and Political Inclusion as Determinants of Migrants Health*, Collegium de Lyon, May 25, 2020 (with Prof. Maria De Jesus)

Presenter, *Crisis Within a Crisis: Immigration Law in the United States Following COVID-19*, European Law Students Association, Apr. 29, 2020.

Guest Lecturer, *Droit Constitutionnel*, Université Lyon 3 (Prof. Mathilde Philip-Gay), March 2020.

Guest Lecturer, *Droit des Étrangers*, Université Catholique de Lyon, February 11, 2020 (Prof. Carol Petit).

Guest Lecturer, *Crimmigration: The Intersection of Criminal and Immigration Law in the United States*, Université Catholique de Lyon, Feb. 6, 2020.

Presenter, *L'enferment comme un moyen de dissuasion illégal à la frontière États-Unis/Mexique*, École Normale Supérieure (ENS) de Lyon, Les detention des étrangers, séance spéciale du séminaire Enferment, Jan. 9, 2020.

Guest Lecturer, *Terrorism & Human Rights: Constitutional Dimensions*, Queen Mary University of London, December 6, 2019 (Prof. Elspeth Guild).

Commentator, *The Value of Citizenship for Individuals and States*, at the European University Institute's annual GLOBALCIT conference, Florence, Italy, November 22, 2019.

Presenter, *Alienating Citizens*, University of London Institute in Paris, Nov. 14, 2019.

Presenter, *Alienating Citizens*, Université de Nantes, Nationalités multiples, appartenances plurielles, September 26-27, 2019.

Guest, *When Should Judges Issue Nationwide Injunctions?*, We the People podcast, National Constitution Center, Sept. 5, 2019

Invited Testimony, *The Federal Judiciary in the 21<sup>st</sup> Century: Ethics, Accountability, and Transparency*. Testimony before the U.S. House of Representatives, Committee on the Judiciary, Subcommittee on the Courts, Intellectual Property, and the Internet, Jun. 21, 2019.

Presenter, *Alienating Citizens*, European University Institute's Annual GLOBALCIT Conference, *Rights and Status. The Role of Citizenship in Immigrant Integration and Diaspora Building*, Florence, Italy, Nov. 29-30, 2018.

Presenter, *Nationwide Injunctions: Are They Good Law? Are They Good Policy?*, AJEI Summit, Bolch Judicial Institute, Atlanta, Georgia, Nov. 9, 2018.



Participant, *Reforming the Court*, American Constitutional Society & New America Foundation, Washington, D.C., Oct. 25, 2018.

Presenter, *Alienating Citizens,*” IV CINETS Conference, *Mobility and Security in an Era of Globalization: Crimmigration at a Crossroads?*, Queen Mary University, London, England, Oct. 5-6, 2018.

Presenter, *Nationwide Injunctions: A Valuable and Necessary Remedy or an Inappropriate Aggrandizement of Judicial Power?*, 2018 National Association of Attorneys General State Solicitors General and Appellate Chiefs Conference, Portland, Oregon, Jun. 22, 2018.

Presenter and Co-Organizer, *Unmaking Americans: Forced Expatriation in the United States*, Biennial Immigration Law Scholars & Teachers Workshop, Drexel University, May 24-26, 2018.

Panelist, *In Defense of Nationwide Injunctions*, 2018 Annual Meeting of the Association of American Law Schools, Federal Courts & Remedies Sections, Jan. 5, 2018.

Panelist, *Cooperative Enforcement in Immigration Law*, Queen Mary School of Law, London, England, Jun. 23, 2017.

Panelist, *Migration Crisis—Europe and the US*, Sciences Po, Paris, France, Jun. 21, 2017.

Speaker, *Presidential Power and the Politics of Immigration*, University of London Institute in Paris, Paris, France, Jun. 19, 2017.

Panelist, *Public Trust in the Judiciary and High Profile Litigation*, Fourth Circuit Federal Judicial Center Workshop, Baltimore, MD, Jun. 13, 2017.

Panelist, *Obama’s Court, Recent Changes in U.S. Constitutional Law in Transatlantic Perspective*, Humboldt University, Berlin, Germany, Oct. 28 & 29, 2016

Speaker *Immigration Law in the Obama Era*, Universidad Pontificia Comillas, Madrid, Spain, Oct. 26, 2016.

Speaker, *Race for the Top: Skilled Migration in the US and EU*, ESCP Europe, Paris, France, Jun. 8, 2016.

Discussion Leader, *Mid-Career Seminar for U.S. District Court Judges*, Vanderbilt Law School, Oct. 7, 2015.

Presenter, *Immigration and Independence*, National Constitution Center, Philadelphia, PA, Apr. 14, 2015.

Panelist, *CrImmigration: Crossing the Border Between Criminal Law and Immigration Law*, Denver Law School, Denver, CO, Feb. 7, 2015.

Presenter, *Immigration and Independence*, Immigration Law Professor Workshop, University of California Irvine School of Law, Irvine, California, May 23-24, 2014.

## **APPOINTMENTS & AFFILIATIONS**

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Scholarly Advisory Committee for the Thaddeus Stevens & Lydia Hamilton Smith Center for History and Democracy; Consultative Group, “Nationwide Injunctions and Federal Regulatory Programs,” Administrative Conference of the United States; Border Criminologies, Oxford University Centre for Criminology, Affiliated Researcher & Editorial Board Member; Pound Civil Justice Institute Academic Fellow; National Constitution Center’s Coalition of Freedom Advisory Board; American Immigration Lawyers Association.

## **SELECTED MEDIA APPEARANCES**

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Guest, Morning Edition, NPR, June 28, 2023; Guest, *Does the Supreme Court Need a Code of Conduct?* On Point, May 5, 2023; Guest, *Supreme Court Ethics*, 1A, Apr. 17, 2023; Guest, PBS News Hour, May 2, 2023; Guest, *Biden’s Immigration Policies*, France24, Mar. 24, 2021; Guest, *Why Millions of U.S. Citizens Risk Being Deported Over Technicalities*, Perspectives, France24, Nov. 19, 2019; Interview, *The US is using an expanded fingerprint database to review the citizenship of thousands of Americans*, The World, Public Radio International, July 10, 2018; Guest, *King v. Burwell and the Future of Obamacare*, The Diane Rehm Show, National Public Radio, Mar. 3, 2015; Commentator, *C-Span Radio’s Supreme Court Historic Oral Argument: Elena Kagan, before she joined the Court*, Dec. 26, 2012; Guest, *The Constitution Today – Separation of Powers*, The Diane Rehm Show, National Public Radio, Oct. 19, 2010; Guest, *Roundtable on Judicial Decisions of Judge Sonia Sotomayor*, C-SPAN, July 1, 2009; Quoted in articles in the N.Y. Times, Washington Post, L.A. Times, Baltimore Sun, National Law Journal, Congressional Quarterly, and the Hollywood Reporter.

## **SELECTED ACADEMIC SERVICE**

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Faculty Enrichment and Visibility Committee (2023-24 as chair); Curriculum Committee (2020-21; 2021-22 as chair); Student Experience Committee (2021-22); Appointments Committee (2005-06; 2010-11; 2014-15; 2017-18 as chair); Career Development Committee (2013-14; 2015-16 as Chair; 2017-18); Equal Justice Foundation Grant Selection Committee (2005, 2006, 2007, 2008, 2009); Public Interest/Public Service Fellowship Selection Committee (2005, 2006, 2007, 2008, 2009); Self-Study Committee (2008-10); S.J.D. Director (20014-18); J.D. Dual Degree Program Liaison, Université Paris X Nanterre (2013-present)

## **SELECTED LITIGATION**

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- *Keeley v. Whitaker*, 910 F.3d 878 (6<sup>th</sup> Cir. 2018): Argued that client’s conviction under Ohio criminal law did not constitute an aggravated felony under the Immigration and Nationality Act of 1965. (Supervising Attorney).
- *Nakhla v. Johnson*, No. 14-1198 (E.D. Va. 2017): Argued that noncitizens were eligible for naturalization. Case successfully settled. (Lead counsel).
- *Yanez-Marquez v. Lynch*, 789 F.3d 434 (4<sup>th</sup> Cir. 2015): Argued that the Fourth Amendment requires excluding evidence obtained during immigration officials’ pre-dawn raid on Ms. Yanez-Marquez’s home. (Lead counsel).
- *Funes v. Hercules Real Estate*, 2010 LTB 10127: Trial counsel for tenant in landlord-tenant dispute in D.C. Superior Court through a referral from D.C. Legal Aid’s pro bono assistance project.
- *Shady Grove Orthopedic Associates, P.A. v. Allstate Insurance Co.*, 559 U.S. 393 (2010): Submitted

amicus brief on behalf of public interest law firm arguing that state law cannot bar class actions in federal court.

- *Peoples v. Corrections Corporation of America*, 422 F.3d 1090 (10<sup>th</sup> Cir. 2005), *rev'd in part, aff'd in part by an equally divided court en banc*, 449 F.3d 1097 (10<sup>th</sup> Cir. 2006): Argued that prisoner may bring a *Bivens* action against private prison guards for violating prisoners' Eighth Amendment rights. (Lead counsel).
- *Clark v. Colorado Dep't of Corrections*, No. 05-816 (U.S.), *granted, vacated, and remanded to the Tenth Circuit*: Argued that the Prison Litigation Reform Act did not require dismissing prisoner's case on the ground that one of the claims brought had not been exhausted. (Lead counsel)
- *Roell v. Withrow*, 538 U.S. 580 (2003): Argued that Federal Magistrates Act requires explicit consent of all parties before a magistrate may issue a dispositive ruling. (Lead counsel).
- *Virginia v. Hicks*, 539 U.S. 113 (2003): Challenged constitutionality of City of Richmond's law prohibiting non-residents from walking on streets and sidewalks surrounding Richmond's public housing projects. (Co-counsel).
- *Public Citizen v. U.S. Department of Health and Human Services*, 332 F.3d 654 (D.C. Cir. 2003): Challenged HHS policy barring Medicare beneficiaries from obtaining results of investigations into their complaints about the quality of Medicare services. (Lead counsel).
- *James Miles v. S.C. Johnson & Son*, No. 00-C-3278 (N.D. Ill. 2002): Challenged claim that state-law claims are preempted by Federal Hazardous Substance Act and the Poison Prevention Packaging Act. (Lead counsel).
- *In re Telectronics Pacing Systems, Inc.*, 221 F.3d 870 (6<sup>th</sup> Cir. 2000): Challenged approval of limited fund class action settlement. (Lead counsel).
- *Public Citizen Health Research Group v. FDA*, No. 99-177 (D.D.C. 1999): Challenged under the Federal Advisory Committee Act FDA's practice of failing to make advisory committee materials available to the public before or at advisory committee meetings. (Lead Counsel).