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University of California
Hastings College of Law
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<i>Founding Director</i> Refugee & Human Rights Clinic	2005 to present
<i>Director</i> Center for Gender and Refugee Studies University of California, Hastings College of the Law	1998 to present
<i>Director</i> International Human Rights and Migration Project Santa Clara University	1996-1998
<i>Visiting Professor, Acting Director</i> International Human Rights Clinic, Washington College of the Law American University	1995-1996
<i>Visiting Professor</i> Santa Clara University School of Law	1994-1995
<i>Assistant Professor of Law</i> <i>Director of Refugee/International Human Rights Clinic</i> University of San Francisco School of Law	1989 - 1994
<i>Staff Attorney</i> Father Moriarty Central American Refugee Program	1984 - 1988
<i>Legal Fellow</i> Massachusetts Public Interest Research Group	1981 - 1982

EDUCATION

Boalt Hall School of Law, University of California, Berkeley
J.D. 1981

Brooklyn College, City University of New York
B.A. in Comparative Literature, June 1973
Magna Cum Laude, Phi Beta Kappa

PUBLICATIONS

Bridging Cultural and Psychological Divides: Using Experts in the Refugee Determination Process (forthcoming) written for invited presentation at the Conable Conference in International Studies, on Refugees, Asylum Law, and Expert Testimony: The Construction of Africa & the Global South in Comparative Perspective, Rochester Institute of Technology.

A Short History of Gender Asylum in the United States: Resistance and Ambivalence may very slowly be Inching Towards Recognition of Women's Claims, 29 (2) REF. SURV. Q. 46 (2010) Special Issue of Refugee Survey Quarterly on Refugee Women and Gender Equality.

The Role of Mental Health Professionals in Political Asylum Processing, J. AM. ACAD. PSYCHIATRY & LAW 38:4:479-489 (2010). Co-authors, Susan M. Meffert, MD, MPH. Dale E. McNiel, PhD, and Renee L. Binder, MD.

REFUGEE LAW AND POLICY: A COMPARATIVE AND INTERNATIONAL APPROACH (4th ed.). Co-authors, Richard A. Boswell and Jennifer Moore.

Co-author, *Crimes Without Punishment: Violence Against Women in Guatemala*, 21 HASTINGS WOMEN'S LAW JOURNAL 161 (Summer 2010).

Co-author, *The Implementation of the One-Year Bar to Asylum*, 31 HASTINGS INTERNATIONAL AND COMPARATIVE LAW REVIEW 693 (2008).

Conscientious Objection as a Basis for Refugee Status: Protection for the Fundamental Right of Freedom of Thought, Conscience and Religion, 26 REF. SUR. Q. (2007).

Protecting Victims of Gendered Persecution: Fear of Floodgates or Call to (Principled) Action?, 14 VA. J. SOC. POL. & LAW 119 (2007).

Conscientious Objection as a Basis for Refugee Status: Protection for the Fundamental Right of Freedom of Thought, Conscience and Religion, 26 REF. SURV. Q. 69 (2007).

La Convención de 1951 sobre el Estatuto de la Persona Refugiada y la protección de las mujeres frente a las violaciones de sus derechos fundamentales, 8 REVISTA DE DERECHO MIGRATORIO Y EXTRANJERÍA, 9 (2005).

Claims for Protection Based on Religion or Belief, 16 INT.J.REF.L. 165 (2004).

Revisiting Social Group and Nexus in Gender Asylum Claims: A Unifying Rationale for Evolving Jurisprudence, 52 DEPAUL LAW REVIEW 777 (2003).

Co-author, *Unequal Protection*, Bulletin of the Atomic Scientists (November/December 2002).

Co-author, *Steps Forward and Steps Back: Uneven Progress in the Law of Social Group and Gender-Based Claims in the United States*, 13 INT.J.REF.L. 51 (2001).

Co-author, EVALUATION OF THE GENERAL ACCOUNTING OFFICE'S SECOND REPORT ON EXPEDITED REMOVAL (October 2000).

Co-author, *Gender-Based Asylum: An Analysis of Recent Trends*, 77 Interpreter Releases 1533

(October 30, 2000).

Co-author, REPORT ON THE FIRST THREE YEARS OF EXPEDITED REMOVAL (May 2000).

Matter of R-A: An Analysis of the Decision and its Implications, 76 Interpreter Releases 1177 (August 9, 1999).

Co-author, REPORT ON THE SECOND YEAR OF IMPLEMENTATION OF EXPEDITED REMOVAL (May 1999).

Ruminations on In re Kasinga: The Decision's Legacy, 7 U.S.C. REVIEW OF LAW AND WOMEN'S STUDIES 357 (1998).

Co-author, REPORT ON THE FIRST YEAR OF IMPLEMENTATION OF EXPEDITED REMOVAL (May 1998).

The Developing Jurisprudence of Gender-Based Claims, IMMIGRATION & NATIONALITY LAW HANDBOOK, American Immigration Lawyers Association (1997).

Crushing A Chance at Freedom, COMMENTARY, THE RECORDER (September 25, 1996).

In Re Kasinga: A Big Step Forward for Gender-Based Asylum Claims, 73 Interpreter Releases, 853 (July 1, 1996).

Women Refugees: Does the United States Provide Adequate Protection?, INTER ALIA, UNIVERSITY OF DURHAM, ENGLAND, Vol.1, Issue 5 (1996).

Legal Issues for Refugee Women, in WOMEN'S LEGAL GUIDE: A COMPREHENSIVE GUIDE TO LEGAL ISSUES AFFECTING EVERY WOMAN 487, (Barbara R. Hauser, ed., 1996).

A Refusal of Compassion for Refugees?, COMMENTARY, THE RECORDER (January 23, 1996).

Proposition 187: It's Not the Solution, ET AL., MAGAZINE OF SANTA CLARA SCHOOL OF LAW (Fall/Winter 1995-96).

Irreconcilable Differences?; Divorcing Refugee Protections from Human Rights Norms, 15 MICH. J.INT'L L. 1179 (1994).

Co-author, *No Justice, No Peace: Accountability for Rape and Gender-Based Violence in the Former Yugoslavia*, 5 HASTINGS WOMEN'S LAW JOURNAL 91 (1994).

Co-author, CHIAPAS, THE REBELLION OF THE EXCLUDED (Epica 1994).

Beating a Hasty Retreat, 5 PEACE REVIEW, THE INT'L Q. OF WORLD PEACE, 293 (1993).

Comparison of the Use of Social Group in Canadian and United States Jurisprudence, IMMIGRATION AND NATIONALITY LAW: 1993 ANNUAL SYMPOSIUM - ADVANCED TOPICS (1993).

Preparing a Case for Hearing in the Immigration Court, IMMIGRATION AND NATIONALITY LAW IN TRANSITION 252 (1990).

Swords into Ploughshares: Why the United States Should Grant Refuge to Young Men Who Refuse to Bear Arms for Reasons of Conscience, 26 SAN DIEGO L. REV. 849 (1989).

Circumstances Under Which Prosecution Constitutes Persecution Within the Definition of the 1980 Refugee Act, IMMIGRATION AND NATIONALITY LAW, 42ND ANNIVERSARY SYMPOSIUM OF THE AMERICAN IMMIGRATION LAWYER'S ASSOCIATION: ADVANCED TOPICS 354 (1988).

Conscientious Objection to Military Service as Valid Basis of Claim to Political Asylum for Salvadoran Men, 10 IMMIGR. J. 8 (September 1987).

LITIGATION

Matter of L-R-, (IJ July 2010) granting asylum to a Mexican woman in a highly publicized case establishing national policy on the standard for granting asylum in cases involving gender violence.

Bah v. Mukasey, 529 F. 3d 99 (2d Cir. 2008) reversing the BIA's denial of relief to three Guinean women whose claims were based upon past female genital cutting.

Abebe v. Gonzales, 432 F. 3d 1037 (9th Cir. 2005)(*en banc*) reversing the BIA's denial of relief to Ethiopian parents whose child faced female genital cutting upon return to their home country.

Matter of R-A-, (IJ December 2009), granting asylum to a Guatemalan woman whose case was the focal point of a 14 year controversy on the issue of domestic violence as a basis for political asylum.

Matter of Kasinga, Int. Dec. 3278 (BIA June 13, 1996) precedent decision at the Board of Immigration Appeals, establishing that a successful claim to political asylum may be based upon resistance to, and flight from female genital mutilation.

Brief *Amicus Curiae* to U.S. Supreme Court in *Sale v. Haitian Centers Council Inc.*, 113 S.Ct. 3028 (1992).

Cañas-Segovia v. INS, 902 F.2d 717 (9th Cir. 1990) (holding that a refusal to serve in the military for reasons of conscience may form the basis for a claim to political asylum under the 1980 Refugee Act), *cert. granted and vacated*, 112 S.Ct. 1152 (1992), and partially rev'd, 970 F.2d 599 (9th Cir. 1992).

Ramirez-Rivas v. INS, 899 F.2d 864 (9th Cir. 1990) (rejects government's argument that assassination, torture and disappearance constitute legitimate governmental prosecution, rather than persecution), No. 88-7463 (9th Cir. Oct. 10, 1990) (granting request for attorneys fees), *cert. granted and vacated, and remanded* (as to attorneys fees only).

SELECTED INVITED LECTURES AND CONFERENCE PRESENTATIONS

Panelist, Hot Topics in Asylum – Particular Social Group Issues, U.S. Citizenship and Immigration Services, Annual Conference, Washington, D.C., October 20, 2011.

Panelist, 8th Annual Federal Bar Association, Immigration Law Seminar, Memphis, Tennessee, May 13, 2011.

Panelist, Gender Justice in the Americas, University of Miami School of Law, Miami, Florida, February 25, 2011.

Roundtable participant, African Scholars Association Conference, S.F., CA, November 20, 2010.

Panelist, The Mindful Lawyer: Practices and Prospects for Law School, Bench and Bar, Berkeley School of Law, Berkeley, CA, October 30, 2010.

Panelist, Phoenix, State Bar of Arizona Annual Convention, “Refugees: Endangered by Acts of Nations: Protected by International Law?” Phoenix, Arizona, June 10, 2010.

Moderator and commentator, Immigration Law Teachers Workshop, panel on Specialized Courses in Immigration Law (moderator) and Works in Progress session (commentator), Chicago, Illinois, May 25, 2010.

Presenter, U.C. Berkeley, Latin American Studies Center, “Crimes without Punishment: Violence Against Women in Guatemala,” Berkeley, California, April 8, 2010.

Presenter and panelist, Comisión Española Asistencia al Refugiado (CEAR – Spanish Commission for Refugee Assistance), Primero Congreso sobre Persecución por Motivos de Género y Derecho de Asilo (First Conference on Gender Persecution and the Right to Asylum), “El Sistema de Asilo estadounidense frente a la persecución por motivos de género” (the U.S. Asylum System and its Response to Cases of Gender Persecution); Panelist, Acceso a información sobre el país de origen y la carga de la prueba (Access to Information about the Country of Origin and the Burden of Proof), Bilbao, Spain, February 26, 2010.

Presenter, Alianza Regional (Regional Alliance), “Best Practices for Investigating and Prosecuting Gender Crimes of Violence,” Mexico City, Mexico, February 18, 2009.

Panelist, University of Iowa, Center for Human Rights, “Human Rights and Gender: Domestic and International Perspectives,” Iowa City, Iowa, November 14, 2009.

Presenter, University of Virginia Law School, “Gender Asylum Breakthrough? New U.S. Policy on Asylum for Battered Women,” Charlottesville, Virginia, October 22, 2009.

Panelist, "Access to Justice," Fourth Meeting of the Committee of Experts (CEVI): Seminar on Strategies for Monitoring Implementation of the Recommendations of the Committee of Experts to the Governments, Inter-American Commission of Women of the Organization of American States, Washington, DC, August 2008.

Presenter, “Refugee Protection – Historical and Contemporary Issues,” Foreign Policy Institute for State Legislators, sponsored by the Center for Women Policy Studies, Washington, DC, August 2008.

Presenter, “Vidas en Tránsito: Derecho de Asilo y Nuevos Refugiados” (Lives in Transit: The Right to Asylum and New Refugees), Las Palmas, Gran Canarias, Spain, June 2008.

Panelist, “Refugee Law and Policy in the United States and Canada in Historical and Comparative Perspective,” Annual Meeting of the Law & Society Association, Montreal, Canada, May 2008.

Presenter, “Solidarity and International Strategies to Address Femicides in Latin America,” Conference: No al Femicidio en America Latina (No to Femicide in Latin America), Guatemala City, Guatemala, May 2008.

Panelist, “Violence against Women and the Femicides in Guatemala,” 5th Walker Latin American Symposium Colby College, Waterville, Maine, April, 2008.

Panelist, "Bridges or Blockade, Refugee Protection in an Era of Increased Militarization of Borders," International Studies Association, San Francisco, California, March 2008.

Panelist, "Models of International Cooperation," Ninth World Conference on Injury Prevention and Safety, Mérida, Mexico, March 2008.

Keynote Address, "Rape as a Weapon of War: Punishing the Perpetrators, Protecting the Victims," Foundation for the Social Development of the Canary Islands, Tenerife, Spain, February 2008.

Speaker, Femicide in Guatemala, Univ. of Santa Cruz, Santa Cruz, California, May 2007.

Panelist, "Using Refugee and Human Rights Law as a Vehicle to Teach about Social Justice: Case Studies on Guatemala and Haiti," Fourth Global Conference of Global Alliance for Justice and Education (GAJE), Córdoba, Argentina, November 2006.

Keynote Address, "The Right to Protection from Gender-Based Harms: Developing International Norms and State Practice" Third International Seminar on Human Rights and Refugees, University of Vila Velha, Espirito Santo, Brazil, December 13, 2006.

Speaker, Seminar on Refugee Protection, "The 1951 Refugee Convention: Evolving Interpretations and Contemporary Challenges" at University of Vila Velha, Espirito Santo, Brazil, December 14, 2006.

Speaker, Plenary Panel, "Asilo y refugio: Nuevas formas de Persecución," II World Social Forum on Migration, Madrid, Spain, June 23, 2006.

Speaker, Seminar, "Persecución por Motivos de Genero, II World Social Forum on Migration, Madrid, Spain, June 23, 2006.

Panelist, Amnesty International Annual General Meeting, Portland, Oregon, April 2006.

Speaker, Women and Gender in Global Perspectives Program, University of Illinois, Urbana-Champaign, IL, April 2006.

Keynote Address, "Gendered Violence as a Basis for Asylum: Fear of Floodgates or Call to (Principled) Action?" University of Virginia Center on Families, Children and the Law, Charlottesville, Virginia, March 2006.

Panelist, Immigration Policy after 9/11: U.S. and European Perspectives, Center for European Studies, Austin, Texas, March 2006.

Panelist, Gender & Migration Symposium, Berkeley Journal of Gender, Law & Justice, Boalt Hall, Berkeley, California, November 2005.

Speaker, "Gendered Injustice: Transcending the Male Paradigm in the U.S. and Beyond," Distinguished Lecture Series, Institute for Research on Women, Rutgers University, New Jersey, October 20, 2005.

Presenter, "Gender-Based Asylum - a Decade of Developments," Univ. of Michigan Law, School, Ann, Arbor, Michigan, September 2005.

Panelist, "El Derecho de Asilo y La Protección de los Refugiados Politicos y de Subsistencia," 15 Encuentro de Abogados sobre Derecho de Extranjería, Zaragoza, Spain, April 2005.

Keynote Address, "The 1951 Convention and the Protection of Women from Violations of their Fundamental Human Rights," Conference on Asylum and Gender-Related Persecution, Bilbao, Spain, December 2004.

Panelist, World Affairs Council, "Immigration after 9-11: Security at What Cost?" San Francisco, California, August 4, 2003.

Speaker, 12th Annual DePaul Law Review Symposium, Beyond Belonging: Challenging the Boundaries of Nationality, March 2002.

Speaker at a series of conferences in Spain on the issue of Gender Asylum, sponsored by the Spanish Commission of Refugee Assistance, November 2001.

Panelist, American Association of Law Schools, Public Responsibility of Law Professors, Washington, D.C., January 5, 2000.

Presenter, Carnegie Endowment for International Peace, presenter at Roundtable discussion on expedited removal procedures, Washington, D.C., June 26, 2000.

Panelist, Stanford University, Conference on Cosmopolitanism and Nationalism, Stanford, California, April 16, 1999.

Presenter, Practising Law Institute, 31st Annual Immigration and Naturalization Institute, Refugees and Asylum - Issues of Credibility, San Francisco, California, November 9, 1998.

Panelist, Chicago-Kent College of Law Conference on International Refugee Law and U.S. Asylum Policy, Gender Claims and the Fuller Incorporation of Human Rights Norms into the Refugee Definition, Chicago, Illinois, October 9, 1998.

Panelist, American Bar Association, Section on Individual Rights and Responsibilities, Refugee and Asylum Cases: A Comparison of Canada and the United States, Toronto, Canada, August 3, 1998.

Panelist, American Immigration Lawyers Association, Asylum and Refugee Issues, Houston, Texas, June 21, 1998.

Presenter, The Kenna Club, "When Rights & Cultures Collide," Santa Clara University, Santa Clara, California, April 24, 1998.

Panelist, Practising Law Institute, 30th Annual Immigration and Naturalization Institute, Refugees and Asylum, San Francisco, California, November 21, 1997.

Panelist, American Bar Association, Section of Individual Rights and Responsibilities, "Female Genital Mutilation: Domestic and International Concerns," San Francisco, California, August 3, 1997.

Presenter, Stanford University, 1996-97 Ethics in Society Lecture Series on Immigration, "From Female Genital Mutilation to Domestic Violence: Should Women Who Flee Gender-Related Persecution be Protected as Refugees?" Stanford, California, April 11, 1997.

Panelist, National Conference of Christians and Jews, Ethical Leadership, Pebble Beach, California, February 15, 1997.

Panelist, Amnesty International, Women's Human Rights Symposium, "Domestic and International Intersections," Los Angeles, California, December 10, 1995.

Panelist, University of Michigan Law School, Symposium on Women's International Human Rights, "Effects of War and Occupation Upon Women," and "Confronting Female Genital Mutilation: Asylum as Remedy?" Ann Arbor, Michigan, November 4, 1995.

Moderator, American Bar Association, Section of Individual Rights and Responsibilities, "Public Rights, Private Injustice: Internationally Sanctioned Violence Against Women," Chicago, Illinois, August 6, 1995.

Panelist, Graduate Theological Union, Center for Ethics and Social Policy; "Human Rights and Legal Practice: Shall the Twain Meet?" Berkeley, California, October 20, 1994.

Panelist, State Bar Annual Meeting; "Navigating the Immigration Law Maze." Anaheim, California, September 23, 1994.

Panelist, American Immigration Lawyers Association; "Comparative Asylum." Toronto, Canada, June 19, 1993.

Panelist, "Report to Non-Governmental Organizations on the Situation in the Former Yugoslavia." U.N. Human Rights Commission, Geneva, Switzerland, February 23, 1993.

Panelist, Association of American Law Schools; "Teaching Immigration Law - From the More Traditional to Clinical Methods." San Francisco, California, January 9, 1993.

American Immigration Lawyers Association, California Chapters Conference on Immigration Law; "Due Process in Immigration Proceedings," Claremont, California, October 10, 1992.

Conference on Ethnicity and Human Rights in Latin America; "A Comparative View of Refugee Rights in Mexico and the United States," Center for Latin American Studies, Stanford University, Stanford, California, May 30, 1991.

U.S. Catholic Conference National Migration Conference; "Asylum: A Framework for Analysis and Representation." Los Angeles, California, June 14, 1990.

Annual American Immigration Lawyers Association Conference; "Refugee and Asylum Issues; Documenting Institutionalized Bias in the System." Seattle, Washington. June 6, 1990.
Annual American Immigration Lawyers Association Conference; "Asylum and Refugees - A Year After Cardoza-Fonseca." San Diego, California, June 16, 1988.

Refugee Legal Assistance 1986 Pro Bono Conference; "Model Program for Representing Asylum Seekers; Linking Direct Service Providers to the Pro Bono Bar." Sponsored by the American Bar Association, Young Lawyers Division, Dallas, Texas, April 11, 1986.

INTERNATIONAL ADMINISTRATION OF JUSTICE PROJECTS

Faculty in A.I.D. trial advocacy program for public defenders in Bogota, Colombia, July 1998.

Designed training and served as faculty in U.S.I.A. sponsored Administration of Justice projects for judges, prosecutors and defense attorneys in Caracas, Venezuela, September, 1996.

Designed training and served as faculty in two A.I.D. sponsored Judicial Reform Projects in Guatemala; one for Guatemalan law school faculty, judges, prosecutors and defense attorneys, and the other for Guatemalan law school students. Prepared initial evaluation and recommendations for practical training program at the University of San Carlos. Guatemala City, Guatemala, November, 1995.

Co-director and faculty member of the U.S./Guatemala Jurist Exchange and Training Program. Designed and implemented an exchange program to provide support and training to Guatemalan human rights lawyers and law students. The program included an intensive trial advocacy program for the Guatemalan participants. November 1994.

AWARDS

Recipient of the 2010 California Lawyer of the Year (CLAY) Award.

Recipient of the Daily Journal's Top 100 Attorneys in California Award, 2009.

Recipient of the East Bay Sanctuary Covenant's 2004 Human Rights award.

Recipient of the National Immigration Project's 2003 Carol King award for commitment to social justice on behalf of immigrants and refugees.

Recipient of the American Immigration Lawyers Association Human Rights Award in recognition of outstanding service in advancing the cause of human rights, 2002.

Recipient of the New York Central American Refugee Center's Annual Award for dedication to the struggle for human rights and in defense of immigrants, 1998.

Recipient of the Political Asylum Immigration Representation Project's Outstanding Achievement Award for excellence in developing the law of asylum to recognize new claims and to protect those fleeing persecution, 1998.

Recipient of The Immigrant Legal Resource Center's Eighth Annual Phillip Burton Immigration and Civil Rights Award, 1997.

Recognized by THE AMERICAN LAWYER as one of the leading young public interest lawyers in the country. *The Public Sector: forty-five young lawyers outside the private sector whose vision and commitment are changing lives*, THE AMERICAN LAWYER, Jan./Feb. 1997.

BAR MEMBERSHIPS AND ADMISSIONS

Admitted to practice in California and Massachusetts.

Admitted to practice in the Supreme Court of the United States, the 9th Circuit Court of Appeals, the 6th Circuit Court of Appeals, and the Central and Northern Districts of the U.S. District Court of California.