

**SHALINI BHARGAVA RAY**  
University of Alabama School of Law  
101 Paul W. Bryant Dr.  
Tuscaloosa, AL 35401  
[sray@law.ua.edu](mailto:sray@law.ua.edu) • (205) 348-1118

---

## CURRENT POSITION

**University of Alabama School of Law**, Tuscaloosa, AL

*Associate Professor*

As of August 2021

*Assistant Professor*

July 2019-August 2021

Teach courses including Legislation & Regulation, Immigration Law, Professional Responsibility, and a seminar on citizenship.

## EDUCATION

**Harvard Law School**, Cambridge, MA

2004

*Juris Doctorate*

**Stanford University**, Palo Alto, CA

2000

*Bachelor of Arts*, Economics, with Honors in Ethics in Society

## JUDICIAL CLERKSHIP

**The Honorable Anita B. Brody (E.D. Pa.)**, Philadelphia, PA

2006-2007

*Law Clerk*

## SELECT PUBLICATIONS

*Harboring and the Freedom of Association*, 101 N.C. L. REV. \_\_ (forthcoming 2023).

*The Contested “Bright Line” of Territorial Presence*, 56 GA. L. REV. \_\_ (forthcoming 2022) (symposium).

*Immigration Law’s Arbitrariness Problem*, 121 COLUM. L. REV. 2049 (2021).

- Selected for the 2021 AALS Administrative Law and Legislation New Voices Program.
- Selected for the 2021 [Administrative Law New Scholarship Roundtable](#).
- Reviewed by Mila Sohoni in [JOTWELL](#) (Nov. 29, 2021).
- Selected for reprinting in the *Bender’s Immigration Law Bulletin* (LexisNexis).
- Selected for reprinting in Vol. 42 of the *Immigration and Nationality Law Review* (compendium of premier immigration law scholarship)

*Abdication Through Enforcement*, 96 IND. L. J. 1325 (2021).

- Selected for the 2020 [Administrative Law New Scholarship Roundtable](#).

*The Emerging Lessons of Trump v. Hawaii*, 29 WM. & MARY BILL RTS. J. 775 (2021) (symposium).

*The Law of Rescue*, 108 CALIF. L. REV. 619 (2020).

- Selected for the 2019 AALS Immigration Law New Voices Program.
- Selected for the American Constitution Society’s competitive [Junior Scholars Public Law Workshop](#) at the 2020 AALS meeting.
- Reviewed by Jill Family in [JOTWELL](#) (Nov. 11, 2020).

## SELECT PUBLICATIONS, CONT'D

[\*Plenary Power and Animus in Immigration Law\*](#), 80 OHIO ST. L. J. 13 (2019).

[\*Saving Lives\*](#), 58 B.C. L. REV. 1225 (2017).

- Selected from a call for papers for presentation at the 2017 AALS Immigration Law Section workshop.

[\*Optimal Asylum\*](#), 46 VAND. J. TRANSNAT'L L. 1215 (2013).

- Cited extensively in Congressional Research Service (CRS) report, [\*The Law of Asylum Procedure at the Border: Statutes and Agency Implementation\*](#) (Apr. 9, 2021).

[\*Detaining Due Process: The Need for Procedural Reform in 'Joseph' Hearings After Demore v. Kim\*](#), 31 N.Y.U. REV. L. & SOC. CHANGE 51 (2006).

## SELECT CONFERENCE & PANEL PRESENTATIONS

Scheduled presenter, *Self-Regulation in the Immigration Enforcement Bureaucracy* 2022  
Administrative Law New Scholarship Roundtable, UNIVERSITY OF MINNESOTA LAW SCHOOL

Scheduled panelist, "Agency Adjudication," 2022  
ABA Administrative Law Section Spring Conference

Scheduled participant, [Law & Governance](#) podcast 2022

Organizer and moderator, 2022  
ABA Administrative Law Section [webinar](#), "Understanding Agency Self-Regulation"

Speaker, [symposium](#) on "Immigrants and the First Amendment" 2022  
UNIVERSITY OF GEORGIA SCHOOL OF LAW

Faculty workshop, UNIVERSITY OF SAN DIEGO SCHOOL OF LAW 2021

Faculty workshop, VILLANOVA LAW SCHOOL 2021

Presenter, *Harboring and the Freedom of Association* (previously titled *Policing Citizen-Migrant Solidarity*) 2021  
CINETIS (annual crimmigration conference), UNIVERSITY OF LEIDEN (virtual)

Presenter, *Immigration Law's Arbitrariness Problem* 2021  
Administrative Law New Scholarship Roundtable, YALE LAW SCHOOL (virtual)

Workshop, Center on Law and Economy, TULANE LAW SCHOOL (virtual) 2021

Presenter, *Immigration Law's Arbitrariness Problem* (previously titled *Shadow Graduated Sanctions*) 2021  
AALS New Voices in Administrative Law and Legislation (virtual)

Panelist, "Rescuing Law," AALS Criminal Law Section (virtual) 2021

Panelist, "Recent Developments in Arbitrary & Capricious Review: Lessons from Immigration Law" 2020  
ABA Administrative Law Section Conference (virtual)

Speaker, [Supreme Court Roundup](#) 2020  
Immigration Law Society, UNIV. OF VIRGINIA SCHOOL OF LAW (virtual)

## SELECT CONFERENCE & PANEL PRESENTATIONS, CONT'D

Presenter, <i>Abdication Through Enforcement</i> , Administrative Law New Scholarship Roundtable, YALE LAW SCHOOL (virtual)	2020
Scheduled presenter, symposium on “The Presidency and Individual Rights,” WILLIAM & MARY LAW SCHOOL (canceled due to the pandemic)	2020
Presenter, <i>The Law of Rescue</i> , ACS Junior Scholars Public Law Workshop at AALS Washington, DC	2020
Faculty workshop, UNIVERSITY OF DENVER STURM COLLEGE OF LAW	2019

## ADDITIONAL TEACHING EXPERIENCE

**University of Alabama School of Law**, Tuscaloosa, AL 2017-2019  
*Visiting Lecturer*  
Taught courses including Legislation & Regulation, Immigration Law, and Professional Responsibility.

**University of Florida Levin College of Law**, Gainesville, FL 2009-2017  
*Visiting Lecturer; Lecturer; Senior Lecturer*  
Taught courses including Legal Writing, Appellate Advocacy, and Asylum & Refugee Law. Served as chair of the judicial clerkships committee during the 2016-17 academic year.

**Harvard University**, Cambridge, MA  
*Teaching Fellow*, Justice (Professor Michael J. Sandel) 2002-2003

## LEGAL EXPERIENCE

**U.S. Court of Appeals for the Third Circuit**, Philadelphia, PA 2007-2009  
*Staff Attorney*

**Morrison & Foerster LLP**, San Francisco, CA June-July 2003; 2004-06  
*Litigation Associate and previously Summer Associate*

## MEDIA AND SHORTER WORKS

[\*D.C. Circuit Rules That Public Health Law Empowers Government to Expel Asylum-Seekers – But Not to Countries Where They Face Persecution or Torture\*](#), LAWFARE, Mar. 31, 2022.

[\*Shadow Sanctions for Immigration Violations\*](#), LAWFARE, Feb. 2, 2022.

[\*Justices grapple with the legacy of a 2001 immigration detention case\*](#), SCOTUSBLOG, Jan. 12, 2022 (argument analysis).

[\*Justices will revisit whether certain noncitizens in lengthy detention are entitled to bond hearings\*](#), SCOTUSBLOG, Jan. 10, 2022 (argument preview).

[\*Supervision, Line-Drawing, and Faithful Execution\*](#), YALE J. ON REGUL., NOTICE & COMMENT, Mar. 30, 2021 (online symposium contribution).

[\*Criminal Liability for Migrant Rescue\*](#), Border Criminologies, UNIV. OF OXFORD, Jan. 5, 2021 (contribution to digital teaching resources collaborative).

## **MEDIA AND SHORTER WORKS, CONT'D**

Sarah Whites-Koditschek, [\*Supreme Court ends 'sleepless nights' for thousands of Dreamers in Alabama\*](#), AL.COM, June 18, 2020 (quoted).

[\*The Captain's Story: A Bond of Brotherhood Forged in War\*](#), NAT'L GEOGRAPHIC, Feb. 19, 2016 (interviewed for documentary on Iraqi captain and U.S. ally ineligible for a Special Immigrant Visa).

## **ACADEMIC SERVICE**

Peer reviewer, LAW & SOCIAL INQUIRY

Peer reviewer, YALE LAW JOURNAL

Faculty Advisor, JOURNAL OF THE LEGAL PROFESSION

Curriculum Committee, 2019-20; Appointments Committee, Fall 2020; Colloquium Committee, 2020-21, 2021-22 (Chair)

## **BAR MEMBERSHIP**

California (inactive)