

**SHALINI BHARGAVA RAY**  
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## ACADEMIC APPOINTMENTS

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

*Director of Faculty Research*

2024-present (on leave 2025-26)

*Professor*

2025 –

*Associate Professor (with tenure)*

2023 – 2025

*Associate Professor*

2021 – 2023

*Assistant Professor*

2019 – 2021

*Visiting Lecturer*

2017 – 2019

Courses: Administrative Law, Legislation & Regulation, Immigration Law, Professional Responsibility, and citizenship seminar.

### **Northwestern Pritzker School of Law**

Jack N. Pritzker Visiting Professor of Law

Spring 2026 (scheduled)

Courses: Immigration Law, Citizenship Law & Policy (seminar)

## 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*

## HONORS

University of Alabama President's Faculty Research Award (2024).

## SELECT PUBLICATIONS

*Agency Capture in Immigration Law*, 78 SMU L. REV. \_\_ (forthcoming 2025).

*Individualized Guidance in the Federal Bureaucracy*, REPORT FOR THE ADMIN. CONF. OF THE U.S. (2024).

*Citizenship and Racial Subordination*, 3 AM. J. L. & EQUALITY 319 (2023) (peer-reviewed journal).

*Noncitizen Harboring and the Freedom of Association*, 101 N.C. L. REV. 677 (2023).

- Selected for republication in Vol. 44 of the *Immigration and Nationality Law Review* (compendium of premier immigration law scholarship) & *Bender's Immigration Bulletin* (Lexis).

## SELECT PUBLICATIONS, CONT'D

[\*The Contested “Bright Line” of Territorial Presence\*](#), 56 GA. L. REV. 1511 (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 in JOTWELL by [Mila Sohoni](#) (Nov. 29, 2021) and [Juliet Stumpf](#) (July 8, 2022).
- Selected for republication in Vol. 42 of the *Immigration and Nationality Law Review* & *Bender’s Immigration Bulletin*.

[\*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 and 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).

[\*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.

[\*Applying the U.S. Constitution to Foreign Asylum-Seekers: Exposing a Curious, Inconsistent Practice in the Federal Courts\*](#), 100 MARQ. L. REV. 137 (2016).

[\*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).

## SELECT CONFERENCE & PANEL PRESENTATIONS

Presenter, Cardozo Immigration Enforcement Workshop CARDOZO SCHOOL OF LAW, New York, NY	2025 (scheduled)
Commentator, Scholarly Papers Workshop ABA Administrative Law & Regulatory Practice Section Washington, DC	2025
Critical Perspectives on Public Law UNIVERSITY OF VIRGINIA SCHOOL OF LAW, Charlottesville, VA	2025
Immigration Roundtable UNIVERSITY OF NORTH CAROLINA SCHOOL OF LAW, Chapel Hill, NC	2025
Faculty workshop FLORIDA STATE UNIVERSITY COLLEGE OF LAW, Tallahassee, FL	2025
Commentator, New Voices in Administrative Law and Legislation AALS, San Francisco, CA	2025

## SELECT CONFERENCE & PANEL PRESENTATIONS, CONT'D

Presenter, Cardozo Immigration Enforcement Workshop CARDOZO SCHOOL OF LAW, New York, NY	2024
Panelist, <i>When “No Action” Means “Final Action”</i> : Current Issues in Agency Guidance ABA Administrative Law & Regulatory Practice Section fall conference (Organized by Benjamin Birkhill; co-panelists Susan Yackee Webb, Connor Raso, and Michael Edney)	2024
Organizer & Commentator, Southeastern Junior/Senior Workshop UNIVERSITY OF ALABAMA SCHOOL OF LAW, Tuscaloosa, AL	2024
Panel organizer & moderator, <i>Policymaking Through Enforcement</i> ABA Administrative Law & Regulatory Practice Section spring conference, Washington, DC (Panelists: Sally Gu, Fred Golberg, and Tania Valdez)	2024
Commentator, New Voices in Administrative Law and Legislation AALS, Washington, DC	2024
Commentator, Southeastern Junior/Senior Workshop UNIVERSITY OF FLORIDA LEVIN COLLEGE OF LAW, Gainesville, FL	2023
Presenter, Cardozo Immigration Enforcement Workshop CARDOZO SCHOOL OF LAW, New York, NY	2023
Panelist, Agency Adjudication 101 ABA Administrative Law & Regulatory Practice Section spring conference  AALS, San Diego, CA	2023
<ul style="list-style-type: none"><li>• Panelist, <i>Biden v. Texas and the Federal-State Battle over Immigration Law</i> Hot Topics</li><li>• Presenter &amp; Commentator, New Voices in Administrative Law and Legislation</li></ul>	
Organizer and moderator, <i>Judicial Review of Agency Guidance in Immigration Law and Beyond</i> ABA Administrative Law & Regulatory Practice Section fall conference (Panelists: Brad Banias, Benjamin Eidelson, Shruti Rana, Bijal Shah, and Shoba Wadhia)	2022
Faculty workshop, CARDOZO LAW SCHOOL	2022
Presenter, Administrative Law New Scholarship Roundtable UNIVERSITY OF MINNESOTA LAW SCHOOL	2022
Panelist, <a href="#">Agency Adjudication 101</a> , ABA Administrative Law & Regulatory Practice Section spring conference (virtual)	2022
Organizer and moderator, ABA Administrative Law Section <a href="#">webinar</a> , “ <a href="#">Understanding Agency Self-Regulation</a> ”	2022
Speaker, <a href="#">symposium</a> on “Immigrants and the First Amendment” UNIVERSITY OF GEORGIA SCHOOL OF LAW	2022

## ADDITIONAL TEACHING EXPERIENCE

**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.

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

## PROFESSIONAL EXPERIENCE

**Administrative Conference of the United States** 2023-2024  
*Consultant*, project on individualized guidance

**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

[\*Using Immigration Court as a Trap: ICE's Apprehension of Noncitizens at Immigration Court and Fundamental Fairness\*](#), VERFASSUNGSBLOG, ON MATTERS CONSTITUTIONAL, June 6, 2025.

[\*Promoting Consistency and Transparency in Individualized Guidance\*](#), THE REG. REV., Nov. 13, 2024.

[\*Between the Lines with ACUS: Individualized Guidance and a Life in Administrative Law\*](#), FED. NEWS NETWORK, Sept. 12, 2024 (podcast interview).

[\*Eroding Immigrants' Rights Through the "New" New Textualism\*](#), 2021-22 ACS SUP. CT. REV. (2023).

[\*United v. Texas, Explained\*](#), LAWFARE, July 14, 2023.

[\*Open Questions and Legal Hurdles for Biden's New Border Rule\*](#), LAWFARE, May 16, 2023.

[\*Immigration Enforcement Priorities and Presidential Duty\*](#), LAWFARE, Aug. 23, 2022.

[\*An important week for immigration law\*](#), SCOTUSTalk, June 21, 2022 (biweekly podcast hosted by Amy Howe).

[\*The demise of rights-protective statutory interpretation for detained immigrants and the rise of "piecemeal" textualism\*](#), SCOTUSblog, June 14, 2022 (opinion analysis).

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

## **ACADEMIC SERVICE**

Referee: YALE LAW JOURNAL (2021, 2024 & 2025), LAW & SOCIAL INQUIRY (2021), LAW & SOCIETY REVIEW (2022), THE LANCET REGIONAL HEALTH – AMERICAS (2025)

Co-organizer, *Power in the Administrative State* (Fall 2022, Spring 2023, and Fall 2023)

[Council Member](#), ABA Administrative Law and Regulatory Practice Section (2022-25)

Mentor and Committee Member, PALS Program, ABA Administrative Law and Regulatory Practice Section (2024-present) (mentoring program for prospective administrative law scholars)

Faculty Advisor, JOURNAL OF THE LEGAL PROFESSION (2020-25)

Law School Committees: Colloquium, 2020-21, 2021-25 (Chair); Faculty Appointments, Fall 2020, Fall 2023; Curriculum, 2019-20.

## **BAR MEMBERSHIP**

California (inactive)