

SHALINI BHARGAVA RAY
University of Alabama School of Law
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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

Juris Doctorate

Stanford University, Palo Alto, CA

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

Immigration Law's Arbitrariness Problem, 121 COLUM. L. REV. __ (2021) (forthcoming).

Abdication Through Enforcement, 96 IND. L. J. __ (2021) (forthcoming).

- 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 from a call for papers for presentation at the 2019 AALS New Voices in Immigration Law workshop.
- Selected for the American Constitution Society's competitive [Junior Scholars Public Law Workshop](#) at the 2020 AALS meeting.
- Reviewed by Jill Family in [JOTWELL](#).

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 nonpartisan Congressional Research Service report, [The Law of Asylum Procedure at the Border: Statutes and Agency Implementation](#) (Apr. 9, 2021).

SELECT PUBLICATIONS, cont'd

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

[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

Workshop presenter, *Immigration Law's Arbitrariness Problem* 2021
CENTER ON LAW AND ECONOMY, TULANE LAW SCHOOL (virtual)

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

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

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

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

Presenter, *Abdication Through Enforcement*,
Administrative Law New Scholarship Roundtable, YALE LAW SCHOOL (virtual) 2020

Scheduled presenter, symposium on "The Presidency and Individual Rights," 2020
WILLIAM & MARY LAW SCHOOL (**canceled due to the pandemic**)

Presenter, *The Law of Rescue*, ACS Junior Scholars Public Law Workshop at AALS 2020
Washington, DC

Faculty workshop presenter, *The Law of Rescue*, 2019
UNIVERSITY OF DENVER STURM COLLEGE OF LAW
Denver, CO

LEGAL EXPERIENCE

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

- Performed legal research and wrote per curiam opinions and memorandums recommending disposition of appeals from district court orders granting motions to dismiss or motions for summary judgment.
- Analyzed petitions for review from final orders of removal in asylum and cancellation of removal cases.
- Reviewed state court records and analyzed requests for certificates of appealability following denials of the writ of habeas corpus.

Morrison & Foerster LLP, San Francisco, CA June-July 2003; 2004-2006
Litigation Associate and previously Summer Associate

- Performed legal research and drafted memorandums, briefs, cease and desist letters, complaints, and affidavits in a range of intellectual property and pro bono cases. Drafted a successful motion to transfer venue in a patent case.
- Composed interrogatories, document requests, and responses to requests for admission; prepared deposition outlines.
- Interviewed clients in environmental enforcement, asylum, and federal civil rights matters.

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 2002-2003
Teaching Fellow, Justice (Professor Michael J. Sandel)

MEDIA AND SHORTER WORKS

[*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).

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

Referee, LAW & SOCIAL INQUIRY

Faculty Advisor, JOURNAL OF THE LEGAL PROFESSION

Faculty Advisor, Immigration Detention Defense Board

BAR MEMBERSHIP

California (inactive)