

LORI A. NESSEL
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TEACHING EXPERIENCE

Seton Hall University School of Law, Newark, NJ – 1995-present

Professor of Law (2006-present)

Director, Immigrants' Rights/International Human Rights Clinic (2020-present)

Director, Center for Social Justice (2006-2020)

Associate Professor of Law (1999-2006)

Clinical Assistant Professor of Law (1995-1999)

Professor of Law and Director, Immigrants' Rights/International Human Rights Clinic. I teach lawyering skills and supervise law students in immigration cases and international human rights projects and litigation. Under my direction, the clinic has litigated and won significant cases in various areas including political asylum and Article 3 of the United Nations Convention Against Torture and released ground-breaking reports with wide media attention on hospital deportations of vulnerable immigrants, the need for broader employment rights for asylum seekers, wage theft amongst day laborers in New Jersey, and the need to expand *pro bono* legal representation for detained immigrants in New Jersey. I have spearheaded and raised \$875,000 in grant funding to dramatically expand the Clinic's detained immigrant representation work.

Director of Center for Social Justice housing eight clinics and the pro bono program. As Director for 14 years, I conceptualized and implemented new initiatives, and oversaw the Center's ongoing litigation, policy and advocacy efforts. Under my direction, the Center for Social Justice sought and secured new funding and experienced significant growth. Successful initiatives under my leadership included the CSJ Scholars Program (to train outstanding public-interest law students), the CSJ Clinical Teaching Fellows Program (to mentor public interest attorneys seeking to transition to clinical teaching), N.J. Detained Immigrant Representation Project (dramatically expanded legal representation for detained immigrants), Karnes Detained Fathers and Children Spring Break Initiative (sending delegations of law students and faculty to the southern border to assist asylum seekers), cross-border collaborative clinical projects with the University of Sofia, Bulgaria; L'Ecole Superieure Catholique de Droit de Jeremie in Haiti; El Instituto de Derechos Humanos Bartolome de la Casa, Universidad Carlos III, Madrid, Spain; the University of Valencia, Spain; Rafael Landivar University, Quetzaltenango, Guatemala, and Casa Alianza, Managua, Nicaragua.

Other Courses Taught: Immigration and Naturalization Law, Professional Responsibility, Selected Topics in Immigration Law (advanced comparative refugee law), International Human Rights Law; Transnational Lawyering Skills: Rule of Law in Guatemala, Transnational Lawyering Skills: Rule of Law in Nicaragua, Interviewing and Counseling; Intro to Torts (online MSJ program).

International Teaching and Research Experience: As a *Fulbright Senior Scholar*, I spent 6 months conducting comparative refugee and immigration law research at the Instituto Universitario de Estudios sobre Migraciones de la Universidad Pontificia Comillas in Madrid, Spain (July 2007-January 2008). I have taught courses in International Human Rights Law as part of Seton Hall Law School's intersession and summer programs in Chamonix/Geneva and in Italy. As *Director of Seton Hall Law School's Haiti Rule of Law Program*, I have been involved in leading annual delegations of faculty and students to Haiti and have lectured on International Women's Human Rights, Human Rights and Clinical Practice and Interviewing and Counseling Skills at L'Ecole Superieure Catholique de Droit de Jeremie. Other international experience includes providing clinical trainings for law faculty at Carlos III University in Madrid and the University of Valencia, Spain and traveling to Guatemala and Nicaragua to develop and lead new Rule of Law programs.

Service: Faculty Director, Center for Social Justice (houses clinical and pro bono programs at SHLS) (2006-2020); Member of Peer Review Panel for Fulbright Scholar Awards for Spain, Malta and Portugal 2008-2011; Faculty Supervisor for Haiti Rule of Law Project, SHLS; Service on numerous Law School committees including: the contract renewal committee (chair); two ABA self-study committees; graduation committee (chair); budget committee; rank and tenure committee; curriculum committee; and probation and grievance committee.

St. John's University School of Law, Queens, New York – Spring 2022, Spring 2018

Adjunct Professor, Immigration and Naturalization Law

EDUCATION

CUNY School of Law at Queens College, Queens, New York
J.D., May 1992.

Awards: *Skadden Arps Public Interest Law Fellowship*. I was one of twenty five nationwide recipients of this two year fellowship, based on my proposal to represent migrant farm workers in New York State. I was also selected as CUNY Law School delegate for comparative legal studies trip to Cuba in June 1990.

University of California at Santa Cruz, Santa Cruz, CA
B.A., March 1987; majored in Latin American Studies
Honors on oral exams; awarded President's Undergraduate Fellowship, 1985.

OTHER PROFESSIONAL EXPERIENCE

Koob & Magoolaghan, New York, NY, 1994 to 1995

Associate Attorney: Individual responsibility for representing plaintiffs in civil rights actions and for working as part of a litigation team on complex federal, state and administrative civil rights litigation. Areas of practice included employment discrimination; police brutality; prisoners' rights; and special education. I was engaged in all aspects of litigation: pleadings, discovery, including depositions, trial preparation and strategy planning, examination of witnesses at trial, and both trial and appellate briefing.

Farmworker Legal Services, New Paltz, NY, 1992 to 1994

Staff Attorney: As a Skadden fellow, I represented migrant farmworkers in education, civil rights, employment discrimination, housing and unemployment compensation cases, as well as cases arising under the Agricultural Worker Protection Act (AWPA). Involved in all aspects of client representation in varied forums including client outreach at migrant labor camps; administrative hearings and litigation in federal and state courts. Federal court litigation experience included acting as lead counsel in a novel case involving sexual harassment and violations of AWPA and serving as co-counsel in a class action unlawful search and seizure case. I drafted and filed pleadings; briefed and argued motions, handled all stages of discovery including depositions, as well as complex settlement negotiations. State court experience included co-counseling contempt case brought against a health department for its willful failure to enforce health code violations at migrant labor camps. I was also involved in community legal education including speaking on bilingual education and civil rights matters at conferences, parent associations and governmental forums.

PUBLICATIONS

Deporting America's Children: The Demise of Discretion and Family Values in Immigration Law, 61 *Ariz. L. Rev.* 605 (2019)

Immigration Law as Social Control: Instilling Fear and Regulating Behavior, 31 *Geo. Immigr. L.J.* 525 (2017)

Deliberate Destitution as Deterrent: Withholding the Right to Work and Undermining Asylum Protection, 52 *San Diego Law Review* 313 (2015)

Human Dignity or State Sovereignty?: The Roadblocks to Full Realization of the UN International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, in *RESEARCH HANDBOOK ON MIGRATION AND INTERNATIONAL LAW*, V. Chetail, Ed., Cheltenham: Edward Elgar Publishing, Research Handbooks in International Law series (2014)

Disposable Workers: Applying a Human Rights Framework to Analyze Duties Owed to Seriously Injured or Ill Immigrants, 19 *Ind. J. Global Legal Stud.* 61 (2012)

The Practice of Medical Repatriation: The Privatization of Immigration Enforcement and Denial of Human Rights, 55 *Wayne L. Rev.* 1725 (2009)

Externalized Borders and the Invisible Refugee, 40 *Colum. Hum. Rts. L. Rev.* 625 (2009)

Families at Risk: How Errant Enforcement and Restrictionist Integration Policies Threaten the Immigrant Family in the European Union and the United States, 36 *Hofstra L. Rev.* 1271 (2008)

Rape and Recovery in Rwanda: The Viability of Local Justice Initiatives and the Availability of Surrogate Protection for Women That Flee, Symposium: Gender, War & Peace: Women's Status in the Wake of Conflict, 15 *Mich. St. J. Int'l L.* 101 (2007)

Abuse of (Plenary) Power? Judicial Deference and the Post-9/11 War on Immigrants (co-authored with Anjum Gupta), in AWAKENING FROM THE DREAM, CIVIL RIGHTS UNDER SIEGE AND THE NEW STRUGGLE FOR EQUAL JUSTICE, Denise C. Morgan, Rachel D. Godsil, and Joy Moses, Eds., Carolina Academic Press (2006)

Forced to Choose: Torture, Family Reunification and United States Immigration Policy, 78 Temp. L. Rev. 897 (Winter 2005)

“Willful Blindness” to Gender-Based Violence Abroad: United States Implementation of Article Three of the United Nations Convention Against Torture, 89 Minn. L. Rev. 71 (November 2004)

Undocumented Immigrants in the Workplace: The Fallacy of Labor Protection and the Need for Reform, 36 Harv. C.R.-C.L.L. Rev. 345 (Summer 2001), selected for republication in 22 IMMIGRATION AND NATIONALITY LAW REVIEW 303 (2001)

Migrant Farmworkers, Homeless and Runaway Youth: Challenging the Barriers to Inclusion, 13 Law & Ineq. 99 (1994) (co-author Kevin Ryan)

SELECT PRESENTATIONS AND SPEECHES

Panelist, AALS Annual Conference, Section on Immigration Law, Outsourced Borders and Invisible Walls (January 7, 2021)

Panelist, *Representing Vulnerable Populations*, American Immigration Lawyers Association Annual Immigration Law Conference, Orlando, FL (June 19, 2019)

Panelist, *Current Issues in Asylum Law*, FBA Annual William Strasser Immigration Conference, Newark, NJ (May 29, 2019)

Panelist, *Access to Justice/Civil Gideon*, New Jersey State Bar Association Annual Conference, Atlantic City, NJ (May 15, 2019)

Moderator, *Detained by ICE: A Discussion on Immigrants' Rights and Detention*, LALSA, Immigration Law Society, American Constitution Society, Seton Hall University School of Law, Newark, NJ (March 12, 2019)

Panelist, *Framing the Narrative in Asylum Cases*, FBA New York Asylum and Immigration Law Conference, New York Law School Asylum Clinic, Federal Bar Association Immigration Law Section, New York Law School, New York, NY (March 8, 2019)

Panelist, *The Intersection of Immigration Law and Health Policy*, Indiana Health Law Review Symposium, Indiana University McKinney School of Law (October 26, 2018)

Third Circuit Expert, *Children's Asylum Claims After the Attorney Generals' Decision in A-B-*, Training for Kids in Need of Defense (K.I.N.D.), Roseland, New Jersey (September 20, 2018)

Panelist, *Asylum and Refugee Law Update: What the A-B- Decision Means for Domestic Violence Applicants*, NJSBA/NJICLE, Newark, NJ (September 28, 2018)

Panelist, *Immigration Forum*, New Jersey Reentry Foundation, Union City, New Jersey (July 19, 2018)

Invited Discussant, *International Law and Human Rights Emerging Scholarship Conference*, Center for Human Rights and Global Justice, NYU Law School (April 20, 2018)

Panelist, *Free Movement of Labor, Freedom v. Fairness: The Tension Between Free Market and Populist Ideals in Labor*, NYU Law School (February 27, 2018)

Moderator and Panelist, *Statutory Bars to Asylum*, Asylum and Immigration Conference, New York Law School (February 23, 2018)

Panelist, *Criminal Law/Immigration Session*, Annual New Jersey Judicial College (November 20, 2017)

Speaker, *The Abolitionists Human Trafficking Event*, Leadership Project, Seton Hall Law School (November 15, 2017)

Plenary Presentation, *The In-Alienable Rights of Immigrant and Undocumented School-Aged Children*, Annual School Health Conference, American Academy of Pediatrics, Somerset, NJ (October 18, 2017)

Moderator, *Deferred Action for Childhood Arrivals (DACA) Panel*, Seton Hall Law School (September 14, 2017)

Presentation, *Protecting Human Dignity for All: A Multi-faceted Approach to Justice for Immigrants* Petersheim Scholarship Exposition, Seton Hall Law School (April 20, 2016)

Panelist, *Immigration Reform Since 1986*, William Patterson University, Patterson, NJ (March 31, 2016)

Panelist, NJICLE program, *Understanding Asylum and Refugee Law*, Newark, NJ (February 25, 2016)

Moderator, *How to Minimize Re-Traumatization When Representing Your Clients*, Asylum Law Conference, Cardozo Law School (November 2015)

Panelist, *Juvenile Relief*, Federal Bar Association, New Jersey Chapter, Annual Immigration Conference, Newark, NJ (May 2015)

Moderator, *Immigration Working Group* (2 sessions), AALS Clinical Conference, Rancho Mirage, CA (May 2015)

Moderator, *The Faces of Human Trafficking*, at 150TH ANNIVERSARY OF THE 13TH AMENDMENT: IS THE U.S. LIVING UP TO ITS PROMISE? Seton Hall Law School (February 2015)

Panelist, *The Role of a Shared Society in Achieving Socially Sustainable and Inclusive Development*, Club de Madrid, United Nations (February 2015)

Panelist, *Realizing Justice: Expanding Access to Counsel for Immigrants in New York and Beyond* Conference, Cardozo Law School (November 2014)

Organizer, *Representing Unaccompanied Children* CLE Training, Rutgers Newark School of Law (October 2014)

Judge on Dissertation Defense Panel, PhD dissertation on human trafficking and migration, Universidad Pontificia de Comillas. Madrid (May 2014)

Program Moderator, REPRESENTING DETAINED ASYLUM-SEEKERS IN IMMIGRATION COURT, Seton Hall University School of Law (April 2014)

Panelist, COMPREHENSIVE IMMIGRATION REFORM CONFERENCE, Farleigh Dickinson University, Madison, New Jersey (October 2013)

Conference Moderator, REPRESENTING DETAINED ASYLUM-SEEKERS IN IMMIGRATION COURT, Seton Hall University School of Law, Newark, New Jersey (June 2013)

Moderator, *A Call to Action: Promoting Pro Bono Representation in Immigration Proceedings* at the IMMIGRANT DETAINEES: ALONE, UNREPRESENTED & IMPRISONED CONFERENCE, Rutgers, Newark, New Jersey (March 2012)

Panelist, *Prevention of Human Trafficking*, NATIONAL ASSOCIATION OF WOMEN JUDGES ANNUAL CONFERENCE, Seton Hall Law, Newark, New Jersey (October 2012)

Moderator, *Immigration Considerations in Your Courtroom*, NATIONAL ASSOCIATION OF WOMEN JUDGES ANNUAL CONFERENCE, Seton Hall University School of Law, Newark, New Jersey (October 2012)

Panelist, *Engaging Students in Cross-Border Investigations of Human Rights Conditions: Challenges and Opportunities* at the GLOBAL ACCESS TO JUSTICE EDUCATION CONFERENCE, Valencia (July 2011)

Panelist, *Tenure and Scholarship* at the EMERGING IMMIGRATION LAW SCHOLARS CONFERENCE, American University School of Law, Washington D.C. (May 2011)

Panelist, *Protection Gaps and Responses: Challenges and Opportunities*, Center for International Human Rights, John Jay College of Criminal Justice, New York (April 2011)

Panelist, *Cutting off the Flow: Extra-Territorial Controls to Prevent Migration* SYMPOSIUM, CHIEF JUSTICE EARL WARREN INSTITUTE ON RACE, ETHNICITY AND DIVERSITY, UC Berkeley, (April, 2011)

Panelist, *Disposable Workers? Applying a Human Rights Framework to Analyze Duties Owed to Seriously Injured or Ill Migrants*, GLOBALIZATION AND MIGRATION SYMPOSIUM, Indiana University Maurer School of Law, (April, 2011)

Moderator, *Comprehensive Immigration Reform* at the 11TH ANNUAL NJICLE IMMIGRATION CONFERENCE, Newark Club, (March 2011)

Panelist, Asylum Reform at REDEFINING BORDERS: COMPREHENSIVE IMMIGRATION REFORM IN THE UNITED STATES, Rutgers-Newark Law School, (March 2011)

Presenter, *The Practice of Medical Repatriation: The Privatization of Immigration Enforcement and Denial of Human rights* at the IMMIGRATION LAW PROFESSORS CONFERENCE, CHICAGO (2010)

Panelist, *Does Arizona Senate Bill 1070 Violate the Supremacy Clause of the US Constitution?* Hofstra Law School, Long Island, New York (October 2010)

Keynote Address, INAUGURAL CONFERENCE ON NEW CLINICS, University of Valencia, Valencia, Spain (May 2010)

Keynote Address, *The History of US Immigration Policy toward Haiti*, RACE AND LAW CONFERENCE, Brooklyn Law School, Brooklyn, New York (April 2010)

Panelist, SYMPOSIUM ON COMPREHENSIVE IMMIGRATION REFORM, Wayne State University School of Law, Detroit, Michigan (February 2010)

Keynote Speech, *On Becoming A Lawyer*, FIRST YEAR ORIENTATION, Seton Hall University School of Law, Newark, New Jersey (August 2009)

Co-Presenter, *Cross-Border Collaboration: Unique Challenges and Teaching Opportunities*, AALS ANNUAL CLINICAL CONFERENCE, Cleveland, Ohio (May 2009)

Co-Presenter, *Are We Crazy? Supervising Students in High-Risk Situations*, AALS ANNUAL CLINICAL CONFERENCE, Tucson, Arizona (May 2008)

Paper Presentation, *Externalized Borders and the Invisible Refugee*, IMMIGRATION LAW PROFESSORS WORKSHOP, Miami (May 2008)

Paper Presentation, *The Impact of Immigration Laws and Policies on the Family: A Comparative Analysis of Recent Trends in the United States and Europe*, IV ENCUESTRO DE JOVENES INVESTIGADORES EN DERECHO DE INMIGRACION Y ASILO, Madrid, Spain (December 2007)

Co-Presenter, *Asilo y Refugio: del origen historico de la protection internacional a la situacion actual—perspectiva europea y estadounidense* (con Dra. Cristina Gortazar), PORQUE HAY REFUGIADOS EN EL MUNDO CONFERENCE, Madrid, Spain (December, 2007)

Panelist, *Moral and Ethical Challenges for a Changing Community*, LOCAL DIMENSION OF IMMIGRATION CONFERENCE, Hofstra Law School, New York (November, 2007)

Co-Presenter, *Challenging Gender and Culture-Based Assumptions in Representing Survivors of Gender-Based Human Rights Abuses*, AALS ANNUAL CLINICAL CONFERENCE, New Orleans (May 2007)

Lecture, *International Human Rights and Clinical Practice*, Ecole Superieure Catholique De Droit De Jeremie, Jeremie, Haiti (March 2007)

Co-Presenter, *Using Refugee Law as a Vehicle to Teach about Social Justice: Case Studies on Guatemala, Haiti and Malta*, GLOBAL ACCESS TO JUSTICE EDUCATION (GAJE) INTERNATIONAL CONFERENCE, Cordoba, Argentina (November 2006)

Panelist, *Immigration Policy Symposium*, AMERICAN DREAM CELEBRATION, the International Institute of New Jersey (June 2006)

Presenter, *How to Effectively Use Simulations in Clinical Practice*, IMMIGRATION LAW TEACHERS WORKSHOP, University of Nevada, Las Vegas (May 2006)

Panelist, *ACLU OF NJ FORUM ON IMMIGRATION REFORM*, Seton Hall Law School (April 2006)

Presentation, *Searching At Home and Abroad for Protection from Gender-Based Violence: Rape and Forced Repatriations in Rwanda*, SYMPOSIUM: GENDER, WAR & PEACE: WOMEN'S STATUS IN THE WAKE OF CONFLICT, Michigan State University College of Law (February 2006)

Paper Presentation, *Forced to Choose, Torture, Family Reunification and United States Immigration Policy*, FACULTY COLLOQUIUM, Seton Hall Law School (September 2005)

Plenary Panelist, *Thinking Globally, Acting Locally, Coming into Community*, NORTHEAST REGIONAL CLINICAL CONFERENCE, Roger Williams University School of Law, Bristol, Rhode Island (June 2005)

Presentation, *"Willful Blindness" to Gender-Based Violence Abroad: United States Implementation of Article Three of the United Nations Convention Against Torture*, "GENDERED BORDERS CONFERENCE, Amsterdam (October 2004)

Lecture, *International Women's Human Rights*, Ecole Superieure Catholique De Droit De Jeremie, Jeremie, Haiti (January 2003)

Panelist, *Undocumented Immigrant Workers in the Global Economy: The Case of Hoffman Plastics*, AALS ANNUAL MEETING (January 2003)

Panelist, *Lawyer's Roles: Defending Freedom, Teaching and Lawyering in Response to 9/11*, SALT TEACHING CONFERENCE: TEACHING IN CRISIS, TEACHING ABOUT CRISIS: LAW, PEACE AND PEDAGOGY (October 2002)

MEDIA COVERAGE

Widespread national and international media attention on immigration matters including: New York Times, L.A. Times, Washington Post, A.P. Wire Service, WNBC, Univision, Telemundo.

BAR ADMISSIONS, COURT COMMITTEE MEMBERSHIPS, AND AWARDS

Fulbright Senior Scholar research award to Spain 2007-2008; appointed to Peer Review Panel for Fulbright Commission (term 2008-2011); member of the Bar in New York and New Jersey; appointed to serve on N.J. Supreme Court Committee on Women in the Courts 2002-2004 term; ACLU Legal Leadership Award (presented to CSJ under my direction) 2012; appointed member of NJSBA Blue Ribbon Panel on Addressing Unmet Legal Need in New Jersey (2014-2015); Hon. William H. Strasser Award for Outstanding Achievement in Continuing Legal Education, New Jersey Chapter of the Federal Bar Association (sole recipient), May 2017

BILINGUAL IN ENGLISH AND SPANISH