

KATHERINE L. EVANS
Duke University School of Law
210 Science Drive, Box 90360
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CURRENT APPOINTMENT

Duke University School of Law, Durham, NC

Clinical Professor of Law

Director, Immigrant Rights Clinic

Led the 2020 launch of Duke's new immigration clinic, including its community partnerships, direct representation, and school-wide *pro bono* opportunities. Supervise students in their representation of immigrant clients in administrative, state, and federal courts with a focus on deportation defense. Develop background research, and litigation and policy advocacy strategies with partner organizations. Teach Crimmigration Law.

PAST APPOINTMENTS

UNIVERSITY OF IDAHO COLLEGE OF LAW, Moscow, ID

Associate Professor of Law

Director, Immigration Litigation & Appellate Clinic, August 2016 – June 2019

Supervised students in their representation of immigrant clients before the Immigration and Citizenship Service, Immigration Courts, Board of Immigration Appeals, and U.S. Courts of Appeal. Led community outreach and education throughout the Northwest in partnership with service providers and immigrant organizers. Oversaw contract to provide immigration services and education to administrators and noncitizen students at Washington State University. Taught immigration law and policy.

Select clinic projects include:

- Participating in Ninth Circuit's *pro bono* law clinic program to represent clients in their petitions for review of final removal orders; students lead drafting of the briefs and present oral argument;
- Partnering with refugee resettlement agencies and immigration legal service providers in citizenship drives and immigration screening sessions;
- Representing client in bond hearing to secure his release after 2.5 years of detention;
- Leveraging national class action to file motion to reopen to secure rights of Salvadoran client to Temporary Protected Status;
- Developing Emergency Planning Guide for Immigrant Families in Idaho in conjunction with local organizing groups and the Mexican Consulate; students drafted the guide and then participated in a series of trainings throughout the state; students won local human rights award for their work;
- Developing white papers on the potential consequences for local law enforcement agencies of engaging in federal immigration enforcement in partnership with the ACLU of Idaho;
- Drafting amici brief with the Harvard Immigration and Refugee Clinic on behalf of International Refugee Law Scholars regarding the proper interpretation of the persecutor bar in U.S. asylum law.

UNIVERSITY OF MINNESOTA SCHOOL OF LAW, Minneapolis, MN

Teaching Fellow, Center for New Americans, October 2013 – July 2016

Co-taught the Detainee Rights Clinic, which focused on representing detained noncitizens in immigration court and in administrative appeals. Co-taught the Federal Immigration Litigation Clinic, which focused on appeals in the U.S. Courts of Appeal and the U.S. Supreme Court, and habeas and mandamus petitions in the U.S. District Courts. Supervised Immigration & Human Rights Clinic students working on asylum cases.

Select clinic projects include:

- Represented Sierra Leonean refugee in habeas challenge to prolonged detention with co-counsel from Dorsey & Whitney LLP and ACLU of Minnesota; student argued in U.S. District Court; case was the subject of *The Refugee Dilemma*, a *New Yorker* profile;
- Represented Tunisian client in merits briefing in *Mellouli v. Lynch* before the U.S. Supreme Court;
- Developed practice advisory in conjunction with the state's largest public defense office on the intersection of immigration and criminal law, the impact of certain charges on noncitizens and negotiating strategies; students presented the analysis at a CLE to over 100 practitioners;
- Provided legal rights presentations and individual screenings in immigration detention centers.

ST. THOMAS UNIVERSITY SCHOOL OF LAW, Minneapolis, MN

Adjunct Clinical Professor, September 2012 – May 2013

Co-taught the Appellate Immigration Clinic, which focused on representing clients and amicus groups before the U.S. Courts of Appeal. Supervised students' merits briefing to the Eighth Circuit, which resulted in a settlement with the U.S. Department of Justice. Supervised students preparing Fourth Circuit *amicus curiae* brief on behalf of the American Immigration Lawyers Association, which resulted in leading precedent on gang-based asylum claims.

EDUCATION

NEW YORK UNIVERSITY SCHOOL OF LAW, New York, NY

J.D., *magna cum laude*, May 2009

Honors: *Order of the Coif*;

Root-Tilden-Kern Scholar, full tuition awarded for public service, leadership and academic merit;

Florence Allen Scholar, awarded to the top ten percent of students after four semesters;

Ann Petluck Poses Memorial Prize, Dean's award for exceptional work in the Immigrant Rights Clinic;

Flora S. & Jacob L. Newman Prize: Outstanding Note in N.Y.U. REV. OF LAW & SOCIAL CHANGE

BROWN UNIVERSITY, Providence, RI

B.A., International Development Studies, *honors, magna cum laude*, June 1999

JUDICIAL CLERKSHIPS

HON. DIANA MURPHY, U.S. COURT OF APPEALS FOR THE EIGHTH CIRCUIT 2011 – 2012

HON. THOMAS KALITOWSKI, MINNESOTA COURT OF APPEALS 2010 – 2011

HON. HARRIET LANSING, MINNESOTA COURT OF APPEALS 2009 – 2010

SCHOLARSHIP

ARTICLES

Detainers, Discretion, and State Law's Historical Constraints, 84 BROOK. L. REV. 1085 (2019)

Drawing Lines Among the Persecuted, 101 MINN. L. REV. 453 (2016)

The I.C.E. Storm in U.S. Homes: An Urgent Call for Policy Change, 33 N.Y.U. REV. L. & SOC. CHANGE 561 (2009)

LEGAL COMMENTARY:

Under Trump, ICE No Longer Recommends Release for Immigrants in Detention, crImmigration.com, July 26, 2018 (co-authored with Robert Koulish)

Litigating Mellouli v. Lynch: Adventures in Team Whack-a-Mole, crImmigration.com, June 9, 2015

PRACTICE GUIDES:

Litigation Update in Negusie v. Holder: The Board of Immigration Appeals Nears Decision on the Persecutor Bar, 22 Bender's Immigr. Bull. 1383 (Dec. 1, 2017)

Matter of M-E-V-G- and the BIA's Confounding Legal Standard for "Membership in a Particular Social Group," 14-06 Immigr. Briefings 1 (June 2014) (co-authored)

BOOK CHAPTERS:

Field Guide to Appropriate Technology 125-129, 150-154 (Barrett Hazeltine & Christopher Bull eds., Harcourt Academic Press 2003) (chapters on NGO accountability and program evaluation)

PRESENTATIONS

Scholarly Presentations:

Law and Society Annual Meeting, June 2019

Presenting paper: *Immigration Detention: Manipulating Risk in the Obama Era*

Denver University, *Crimmigration Law & Policy Event Series*, April 16, 2019

Panelist: *Upending Immigration Imprisonment: Immigration Detainer Challenges*

American Association of Law Schools Annual Meeting, January 2019

Presented paper in the session titled *New Voices in Immigration Law*

American Association of Law Schools Conference on Clinical Legal Education, May 2018

Panelist: *Naming Our Core Values When Teaching and Lawyering in a Time of Crisis*

Renfrew Colloquium: *Teaching Immigration Detention and Due Process in the Trump Era*, February 2018

Midwest Clinical Legal Education Conference, October 2017

Panelist: *Beyond the traditional client/attorney paradigm: Modeling professional responsibility in an increasingly complex ethical world; guidance for clinicians and law students providing cause-driven legal services*

Law and Society Annual Meeting, May 2014

Presented paper in panel on "*Comparative Approaches to Refugee and Asylum Law*"

Robina Institute's Crimmigration and Human Rights Workshop, October 2013

Commentator on Ana Aliverti's paper, "*The Wrongs of Unlawful Immigration: an analysis of the criminalization of breaches to immigration regulation*"

Presentations to Professional Associations:

American Immigration Lawyers Association, Colorado Chapter, October 2018
Panelist: *Hot Topics in Crimmigration Law*

Federal Bar Association, E.D. Washington Annual Meeting, September 2018
Moderator: *Scaling the Wall – Developments in Immigration Law*

American Immigration Lawyers Association, Idaho Chapter, September 2018
Panelist: *Analyzing the Immigration Consequences of Crimes*
Intro to the Categorical and Modified Categorical Approach Crimes
Recent Trends/Hot Topics in the Crim/Imm World

American Immigration Lawyers Association, Minnesota-Dakotas Chapter, March 2018
Featured National Speaker: *Challenges to Immigration Detention*

17th Annual Whitman County STOP Training, October 2016
Panelist, *Resources for Immigrant Victims of Crime on the Palouse*

American Immigration Lawyers Association, National Annual Conference, June 2016
Panelist, *Emerging Issues in Criminal Grounds of Removability*

American Immigration Lawyers Association, Iowa-Nebraska Chapter Annual Conference:
Moderator, *Federal Immigration Litigation*

American Immigration Lawyers Association, 2015 Fall CLE Conference: “The Absolute Waivers
Conference—In the Land of 10,000 Lakes”
Panelist, *“Eligible for 212(h)? ‘You Betcha’—All the Good Stuff”*

Hennepin County Public Defenders, September 29, 2015
Panelist, *“Defending Noncitizens Charged with Terroristic Threats and Other Common Minnesota Offenses”*

American Immigration Lawyers Association, Minnesota-Dakotas Chapter, September 2015, Presenter,
“Navigating the Categorical Approach in Mellouli v. Lynch”

American Immigration Lawyers Association, Minnesota-Dakotas Chapter, May 2015
Roundtable Host, *“Preparing Your Case for Appellate Review”*

American Immigration Lawyers Association, Minnesota-Dakotas Chapter, January 2015
Panelist and Program Organizer, *“Immigration Litigation in Federal Court”*

Immigration Advocates Network (IAN) webinar, May 2014
Panelist, *“Persecutor or Persecuted: Navigating the Asylum Bar”*

The Advocates for Human Rights 2013 Asylum Conference
Panelist, *“Name that Social Group”*

American Immigration Lawyers Association, Annual Conference, June 2013
Panelist and Author, *“Motions to Suppress & Immigration Court Challenges to Illegal Government Action”*

American Immigration Lawyers Association, Minnesota-Dakotas Chapter, June 2013
Panelist, *“Recap of AILA National Conference”*

Minnesota Bar Association, Immigration Section, February 2013

Panelist, “*Big Impact Litigation: How to Successfully Prepare Immigration Impact Litigation*”

Immigrant Rights Center of Minnesota, December 2012

Panelist, “*Eighth Circuit and Supreme Court Immigration Litigation: A Year in Review, the Year Ahead*”

American Immigration Lawyers Association, Minnesota-Dakotas Chapter, November 2012

Panelist, “*Qualifying Asylum Ground - Membership in a Particular Social Group*”

Community Presentations:

Moscow Human Rights Commission: *Asylum, Sanctuary, Refugees*, March 2019

League of Women Voters: *DACA, Dreamers, and Congressional Inaction*, April 2018

William B. Lockhart Club Annual Dinner for Major Donors to the Univ. of Minn. Law School, Sept. 2015,
Featured Faculty Address, “*How Impact Litigation Impacts Legal Education: Taking Mellouli v. Lynch to the U.S. Supreme Court*”

SERVICE

Major Committee Assignments:

Member, College of Law Curriculum Committee, 2018–2019

Member, University Assessment Committee, 2018-2019

Student Organization Outreach:

Faculty Advisor, American Constitution Society Student Chapter, 2018–Present

Faculty Advisor, Othello Project, 2017–Present

Coach, National Latino Law Student Association Moot Court Team, 2017

Faculty Advisor, Multicultural Student Association, 2017-2018

Faculty Advisor, Latino/a Law Caucus, Present

Community Outreach:

Founding Board Member, Immigrant Justice Idaho, Boise, ID

Honors:

Faculty Mentor, Alumni Award of Excellence, University of Idaho, 2018

Diversity and Human Rights Award, University of Idaho College of Law, 2016 – 2017

Minnesota Lawyer of the Year, 2015

SELECT PAST EXPERIENCE

CASPER & EVANS, P.A., Minneapolis, MN

Partner, August 2012 – October 2013

Represented clients before immigration court, Board of Immigration Appeals, USCIS, and federal courts. Represented Immigrant Law Center of Minnesota as *amicus curiae* before Minnesota Court of Appeals in support of petitioner mother’s successful challenge of adverse child custody order based on her undocumented immigration status. Successfully challenged the local policy of denying incarcerated U.S. citizens the right to obtain immigrant visas for their noncitizen spouses and children in U.S. District Court.

DOCTORS WITHOUT BORDERS/MÉDECINS SANS FRONTIÈRES (MSF), New York, NY

U.S. Coordinator, Campaign for Access to Essential Medicines, December 2005 – August 2006

Program Associate, Campaign for Access to Essential Medicines, March 2003 – November 2004

Developed advocacy strategies to increase access to medicines in developing countries. Briefed congressional staff on impact of U.S. trade policy on access to treatment in poor countries. Drafted advocacy material for media and policy-makers. Negotiated with pharmaceutical company executives. Coordinated handover event of HIV/AIDS treatment project in rural Uganda to the Ugandan Ministry of Health.

Media briefings: *Time*, *Newsweek*, *The New York Times*, *Chicago Tribune*, *Chicago Sun-Times*, *LA Times*.

DOCTORS WITHOUT BORDERS/MÉDECINS SANS FRONTIÈRES (MSF), Guatemala City, Guatemala
Financial and Human Resources Administrator, December 2004 – September 2005

Managed \$2 million budget for HIV/AIDS clinic, project for street children, and headquarters.

Developed cost comparison of AIDS treatment in MSF projects, national hospital, and the Global Fund for HIV/AIDS to facilitate transfer of HIV/AIDS treatment project to Guatemalan government.

ADMISSIONS

- U.S. Supreme Court
- U.S. Courts of Appeals for the Second, Eighth, and Ninth Circuits
- U.S. District Court for the District of Minnesota
- Minnesota (inactive) and Idaho (active)

LANGUAGE

- Proficient in Spanish (speaking and writing); counsel clients in Spanish and hold community presentations in Spanish