MONICA SCHURTMAN

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EXPERIENCE

Associate Professor of Law and Immigration Law Clinic Supervisor, University of Idaho College of Law, Moscow, Idaho (Tenure awarded 2006) August 2000 to Present

- Established and supervise Immigration Law Clinic. Cases and projects involve matters in Immigration Court and at the Board of Immigration Appeals, Ninth Circuit Court of Appeals, Department of Homeland Security and the Federal Bureau of Investigation (representation of clients in cases involving asylum; immigration relief for non-citizen survivors of domestic violence and other crimes; removal; adjustment of status; motions to re-open; and "terrorist" charges). Clinic members also participate in community outreach and education.
- Supervised students in Tribal Law Clinic working on cases and projects involving Nez Perce tribal law (representation in Nez Perce Tribal Court of adult tribal members in criminal cases and juveniles in delinquency and minor-in-need of care proceedings). Participated in efforts to establish tribal drug court and community mediation programs.
- Develop and teach non-clinic courses in Immigration Law and Policy and International Human Rights Law. Co-teach Trial Advocacy program. Co-designed and co-teach first year "Early Welcome" Program. Supervise students on research papers and pro-bono projects.
- Engage in applied scholarship, professional presentations, and community outreach. (See attached appendix of selected scholarship, presentations, and community outreach).

Founding Director and Supervisor and Associate Professor Clinical Law, St. Mary's University School of Law, San Antonio, Texas August, 1994 to July, 2000

Established, directed and supervised Human Rights component of the Immigration and Human Rights Clinic and supervised Immigration component. The Human Rights component had a Texas/Mexico cross-border emphasis. Responsible for fundraising for core activities. Cases, projects, and seminar topics involved issues of civil, political, economic, and social rights. Examples include:

- Representation of clients seeking asylum, legal status under the Violence Against Women Act (VAWA), and other relief in deportation proceedings. Asylum cases included the first domestic violence based and gay rights asylum cases in South Texas.
- Co-organizing a support and advocacy group comprised by immigrant women survivors of domestic violence.
- Preparation of human rights reports on issues related to Mexico, El Salvador and Liberia (work done for the Lawyers Committee for International Human Rights).
- FOIA litigation in Carole Devine v. U.S. Central Intelligence Agency, et. al., related field research, and presentations before the President's Intelligence Oversight Board and Congressional Intelligence Committees.
- Fieldwork and legal research, drafting, presentation of complaint to the National Administrative Office (NAO) under the NAFTA labor side agreement alleging Mexico's failure to enforce workplace health and safety laws at U.S. owned *maquiladoras*.

- Preparation of report to the U.N. Special Rapporteur on Torture and petition to the Inter-American Commission on Human Rights regarding judicial use of forced confessions in Northern Mexico.
- Drafting of and advocacy for enactment and enforcement of a comprehensive hazardous materials ordinance for Laredo, Texas.
- Assisting residents of a primarily Mexican American neighborhood seeking remediation for toxic plumes emanating from nearby Kelly Air Force Base in administrative hearings, FOIA requests, Title VI complaint, and public education campaign.
- Know-Your-Rights-and-Remedies training and other activities for youth marked as "taggers" by San Antonio police.
- ADA and § 1983 litigation in case involving beating and other mistreatment of deaf and mute inmate by Bexar County, Texas sheriffs.

Other courses developed and taught

- Human Rights Travel Seminars. Ten-day field study courses designed to immerse lawyers and law, graduate, and undergraduate students in the intensive study of international human rights law and advocacy in the context of the social, political, and economic realities of diverse countries (Guatemala, El Salvador, Cuba).
- Methodological and Theoretical Issues in Human Rights Law and Advocacy.

Counsel to the Arms Project of Human Rights Watch, New York, New York 1993-1994
Developed legal theory supporting total ban on production, use, transfer, and stockpiling of anti-personnel landmines, which became a key component of the international advocacy campaign to ban landmines. Edited and wrote chapters of Human Rights Watch and Physicians for Human Rights, Landmines: A Deadly Legacy. Drafted provisions of the Treaty to Ban Landmines.

Staff Attorney, Civil Division, Legal Aid Society, New York, New York 1990-1993
Represented clients in housing, immigration, and public benefits cases.

Director, Central American Refugee Defense Program, Center for Immigrant Rights, New York, New York 1984-1987
Developed and administered program to train and support pro-bono attorneys representing Central Americans seeking asylum in the United States and Canada; as an accredited representative, represented clients in Immigration Court; conducted community outreach in Salvadoran and Guatemalan communities; participated in national legislative initiatives. Core activity fundraising.

SCHOLARSHIP (INCLUDING APPLIED SCHOLARSHIP) AND PUBLICATIONS

Legislating the Right to Memory as a Floor for Transitional Justice?—International Human Rights Norms and Challenges Illustrated by the Spanish and Basque Examples. Work in progress based in part on field research in the Basque Country and Spain.

Legislating the Right to Memory in Spain and the Basque Country, Idaho State Bar Advocate, Oct. 2009.

Private Actor Participation in the International Campaign to Ban Landmines and the North American Accord on Labor Cooperation: Evaluating the Success of NGOs in International

Rights Initiatives, in R. Miller and R. Bratspies (eds.), PROGRESS IN INTERNATIONAL LAW (Martinus Nijhoff, 2007).

"Los Jonkeados" and the NAALC: The Autotrim/Customtrim Case and Its Implications for Submissions under the NAFTA Labor Side Agreement, 22 AZ. J. INTERNATIONAL & COMP. LAW 292-387 (2005).

Respondent's Pre-hearing Brief in Deportation Proceedings, in R. Germain, AN ASYLUM PRIMER: A PRACTICAL GUIDE TO U.S. ASYLUM LAW AND PROCEDURE (American Immigration Lawyers Association 2003). Co-Author.

John Ashcroft v. Yi Quan Chen, Respondent's Brief, U.S. Supreme Court, 2002 (Addressed sources of tension between the judiciary and the executive in adjudicating immigration cases).

The Autotrim/Customtrim Submission, 2000. www.dol.gov/ilab/media/reports/nao/submissions/Sub2000.htm. Editor; co-author.

Critique of the 1996 U.S. State Department Report on Human Rights in Mexico, Lawyers Committee for Human Rights, July1997. Co-author.

Critique of the 1996 U.S. State Department Report on Human Rights in El Salvador, Lawyers Committee for Human Rights, July 1997. Co-author.

Critique of the 1996 U.S. State Department Report on Human Rights in Liberia, Lawyers Committee for Human Rights, July 1997. Co-author.

Critique of the 1995 U.S. State Department Report on Human Rights in Mexico, Lawyers Committee for Human Rights, July 1996. Co-author.

BLINDING LASER WEAPONS: THE NEED TO BAN A CRUEL AND INHUMANE WEAPON, Human Rights Watch Arms Project, Vol. 7, No. 1, September 1995 (author of chapters on international legal regulation of laser weapons).

The United Nations Response to the Crisis of Landmines in the Developing World, 36 HARVARD INTERNATIONAL LAW JOURNAL, 359-371 (1995). Co-author.

LANDMINES: A DEADLY LEGACY, Human Rights Watch and Physicians for Human Rights, New York, 1993 (Principal editor; author of chapters on *International Law Governing Landmines* and *Initiatives to Control Landmines*).

SELECTED PROFESSIONAL PRESENTATIONS

Padilla v. Kentucky: What Idaho Lawyers Need to Know, CLE Presentation for the Idaho State Bar, Nov. 19, 2010.

Immigration Law and Civil Liberties, Idaho ACLU, Jan. 23, 2010

Representing Asylum Clients in Deportation Proceedings, Idaho Immigration Law Pro Bono Network and Idaho State Bar Volunteer Lawyers Program, CLE, Boise, Idaho, Co-Presenter, Jan. 19, 2010.

Representing Immigrants in Deportation Proceedings, Idaho Immigration Law Pro Bono Network and Idaho State Bar Volunteer Lawyers Program, Boise, Idaho, CLE, Co-Presenter, Sept. 18, 2009.

Immigration Law for Non-Immigration Law Attorneys: Two Days in 45 Minutes? Idaho State Bar Convention, CLE, July 9, 2009.

Responding to Immigration Enforcement: Strategies for Legal Community, and Child Welfare Advocates (Interdisciplinary CLE), Boise, Idaho, April 22, 2009-April 23, 2009. I gave three presentations: *Constitutional Law Issues*; *The Need for Comprehensive Immigration Law Reform* (panel); *The Role of Attorneys in Responding to Immigration Enforcement.*

Legislating Memory: International Human Rights and Humanitarian Law Norms and Challenges Illustrated by the Spanish and Basque Examples, University of Idaho Interdisciplinary Colloquium, Feb. 19, 2009.

Clinicas Legales: Un Metodo de Pedagogia Utilizado por Facultades de Derecho en Los Estados Unidos, (Legal Clinics: A Pedagogical Method Used by Law Schools in the United States), Spanish language presentation to University of the Basque Country Law Faculty, San Sebastian, Basque Country/Spain, June 19, 2008.

Invited Participant, Theorizing Transitional Justice, Interdisciplinary Roundtable of Human Rights Experts, Co- sponsored by the Foundation for International Relations, Pedro Arrupe Institute of the University of Duesto and the International Centre for Transitional Justice, Madrid, Spain, June 16, 2008 (conducted in Spanish).

Immigration and Race in the United States: A Historical View and the Present Situation (in English and Spanish), Co-Sponsored by the University of the Basque Country Study Abroad Consortium and Department of International Relations, Leoia, Basque Country/Spain, May 7, 2008.

Diminishing Possibilities for De-nationalized Democracy and Citizenship in North America: The Example of the U.S. Border Wall, International Institute of Law and Sociology, Onati, Basque Country/Spain, April 3, 2008.

El Papel de los Abogados en una Sociedad Globalizada (The Role of Lawyers in a Globalized Society), (in Spanish), University of the Basque Country, College of Law, Leoia, Basque Country, Spain, April 2, 2008.

Co-Presenter, "Idaho Summit on Domestic Violence: Creating Safety for Immigrant Victims," Idaho Coalition against Sexual & Domestic Violence and the Idaho Partners Against Domestic Violence, Interdisciplinary CLE, Oct.17, 2007.

Immigration, Civil Liberties, and National Security, Symposium on Civil Liberties and National Security, co- sponsored by the College of Southern Idaho and Friends of Memorial to Minidoka Internment Camp, June 22, 2007.

Restricting Public Access to Information: Current Efforts to Weaken the Freedom of Information Act, Bellwood Lecture Series, University of Idaho, Oct. 11, 2006.

U.S.-Based Cross- Border Clinical Legal Education,‖ Global Alliance for Justice Education (GAJE), Columbia University, and Fordham University: International Collaboration in Teaching, Learning, Lawyering, and Scholarship, New York City, May 3-4, 2006.

Building State Capacity to Better Serve Immigrant Victims of Domestic Violence, Sexual Assault, and Trafficking, Presenter (on Idaho) and Invited Participant, U.S. Department of Justice and Legal Momentum, Northwest Regional Six-State Summit, Jackson Hole, Wyoming, May 11-13, 2005.

Private Actor Participation in the International Campaign to Ban Landmines and the North American Accord on Labor Cooperation: Evaluating the Success of NGOs in International Rights Initiatives, Idaho International Law Symposium, Coeur d‘ Alene, Idaho, March 22, 2005.

Immigration Consequences of Crimes and the Detention and Interrogation of Immigrants Post - 9/11, CLE Co-sponsored by the Idaho Association of Criminal Defense Lawyers and the ACLU, Boise, Idaho, July 25, 2003.

The Role of the Law School and University Administration in Clinic Case Decisions, Co-Presenter American Association of Law Schools, Clinical Legal Education Conference, Vancouver, Canada, May 15, 2003.

The NAFTA Labor Side Agreement: Cross-Border Occupational Health and Safety Harms and Possible Applications of Trail Smelter Principles, Presentation at Conference on Trans-boundary Harms in the 21st Century: Lessons from the *Trail Smelter* Arbitration, Coeur d‘Alene, Idaho, March 21, 2003.

The International Campaign to Ban Landmines and the Ottawa Landmines Treaty: Applications to the Movement to Restrict Small Arms and Light Weapons Transfers. Paper Presented at the Social Science Research Council Workshop on International Law and Small Arms Proliferation, Washington D.C., Feb. 6, 2002.

University of Minnesota Conference on Small Arms and Light Weapons, Minneapolis, Invited Discussant, Minnesota, Feb. 23-24, 2002.

Innovative Law School Service Projects, Seattle University School of Law and AALS, Equal Access to Justice Colloquium, Seattle, Washington, Jan. 18-19, 2001.

Cross-Border Clinical Legal Education, The Social Justice Mission of Law School Clinics: Looking Back and Looking Forward, Presenter and Workshop Facilitator, Rutgers Law School – Newark. Newark, New Jersey, April 2000.

SELECTED COMMUNITY OUTREACH PROGRAMS AND PRESENTATIONS

Various Know-Your-Rights and Responsibilities presentations to immigrants and service providers working with immigrants, 2003- present.

Various presentations to civic associations, schools, and religious groups on immigration issues 2003-present.

"Welcome to Shelbyville," Panel discussant for Welcoming Idaho Immigration Initiative, Oct. 18, 2010.

Immigration Law Basics, Washington State University Extension Program Conference on working with Immigrants, Moses Lake, Washington, Oct. 22, 2008.

Faith and Professionalism, Forum sponsored by Moscow Interfaith Coalition, April 19, 2007.

A Short History of U.S. Immigration Law and Current Legislative Proposals, Moscow, Idaho, May 1, 2006.

Inter-Disciplinary Training, Idaho Network to End Domestic Violence and Trafficking Against Immigrants, Co-trainer, April 21, 2006; Nov. 17, 2005.

Tribal Drug Court Training and Planning, co-sponsored by the Department of Justice, the Native American Alliance Foundation, and the Nez Perce Tribe, Invited Participant, 2003-04.

Various community presentations on the Al-Hussayen Cases, 2003-04.

Various community presentations on the Patriot Act, Immigrant Special Registration, and Interrogation and Detention of Immigrants, Post 9/11, Idaho and Washington, 2003-04.

RECENT COLLEGE OF LAW SERVICE

Admissions Committee, 2006, 2007, 2009, 2011.
Chair, Tenure Committee for Faculty at Large Law Librarian, fall 2010.
Chair, Diversity Committee, 2005-2006
Member Diversity Committee, 2010-2011.
Advisor, Latino Law Caucus, 2006-present.
Co-Advisor International Law Students Association, various years.
Co-Advisor, Inter-American Moot Court Team, various years.

PRO-BONO CONSULTING AND REPRESENTATION

•In the Matter of Maha Al-Hussayen, et. al. Represented Ms. Al-Hussayen, wife of accused Saudi "terrorist" Sami Al-Hussayen, and their children in deportation proceedings, 2003-2004.
•John Ashcroft v. Yi Quan Chen. Represented respondent opposing government's petition for a writ of certiorari by the U.S. Supreme Court (Judicial authority over agency decisions), 2002.

•Immigration and civil liberties matters (advise members of Idaho and Eastern Washington, immigration and criminal bars, national bar, community-based organizations and other non-profits, service providers), 2000-present.
•Coalition for Justice in the Maquiladoras (labor, human rights, immigration issues), 2000-2005.
•Human Rights Watch Arms Division (humanitarian law matters), 1995-2003.

PROFESSIONAL AND SERVICE-RELATED HONORS AND AWARDS

Idaho State Bar, Denise O'Donnell-Day Pro Bono (Co-) Award, 2010
University of Idaho Alumni Association Award for Excellence, 2008
University of Idaho, Award for Excellence in Student Advising, 2007
Coalition for Justice in the Maquiladoras, Special Recognition, 2005
Moscow, Idaho Islamic Community Center Human Rights Award, 2004
Latah County Human Rights Task Force, Special Recognition, 2004
Idaho ACLU Liberty (Co-Award), 2003
Human Rights Watch, Osher Fellowship, 2002
Texas Law Fellowship Excellence in Public Interest Law Award, 1999
Society of Mary Peace and Justice (Co-) Award, 1998
St. Mary's University Community Service Award, 1998
Special (Co-) Award for Developing Laredo's Hazardous Materials Ordinance, 1997

EDUCATION

New York University School of Law, J.D. **May 1990**
Arthur Garfield Hays Civil Liberties Fellowship; Jacob Blaustein Institute of Human Rights Fellowship; Executive Editor, N.Y.U. REVIEW OF LAW AND SOCIAL CHANGE; Alan Teitler Memorial Award for Outstanding Scholarship in Law and Medicine.

State University of New York at Stony Brook, B.A. in Anthropology, Magna Cum Laude with Departmental Honors **May 1982**

RECENT AFFILIATIONS

Founding Member, Idaho Immigration Lawyers Pro Bono Network
Welcoming Idaho (Idaho component of nationwide program to educate local communities and promote constructive dialogue about immigration issues)
Idaho Immigration Rapid Response Network
Founding Member, Idaho Network to End Domestic Violence & Trafficking Against Immigrants
National Lawyers Guild Immigration Project
American Immigration Lawyers Association
Ninth Circuit Immigration Ad-Hoc Working Group
Litigation Committee, ACLU of Idaho

BAR ADMISSIONS

United States Supreme Court, 2002
Ninth Circuit Court US Court of Appeals, 2001
Idaho State Bar, 2000 (pursuant to Special Rule)
Nez Perce Tribal Court, 2000

Federal Court for the Southern District of New York, 1997
New York State Bar, 1991

LANGUAGES

High proficiency in Spanish; Familiarity with French and Portuguese.