

# SABRINEH ARDALAN

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## ACADEMIC APPOINTMENTS

- HARVARD LAW SCHOOL**, Cambridge, MA 2008-present  
*Clinical Professor* (2020-present)  
*Director, Harvard Immigration and Refugee Clinical Program* (2020-present)  
*Assistant Clinical Professor* (2017-2019), *Lecturer on Law* (2010-2017)  
*Assistant Director, Harvard Immigration and Refugee Clinical Program* (2012-2019)  
*Senior Clinical Instructor* (2015-2017), *Clinical Instructor* (2010-2015), *Fellow* (2008-2010)  
Teach courses on immigration, U.S. asylum law, international refugee law, labor migration, and trauma.  
Supervise law students in direct client representation, appellate litigation, research, and policy advocacy.  
Manage social worker, fellows, research associates, interns, among other responsibilities.  
Oversee project providing legal services to undocumented members of the Harvard community.
- YALE UNIVERSITY**, New Haven, CT Spring 2017  
*Visiting Lecturer, Department of Political Science*  
Taught undergraduate Refugee Law and Policy course.
- COLLEGE OF LAW AND BUSINESS**, Tel Aviv, Israel July 2016  
*Visiting Lecturer*  
Taught intensive course on U.S. immigration law and policy.
- UNIV. OF NEVADA LAS VEGAS, BOYD SCHOOL OF LAW** Jan. 2015  
*Adjunct Professor, Int'l & Comparative Human Rights Practicum, New Delhi, India*  
Co-taught Indian and U.S. students international human rights theory and practice.  
Reviewed and guided student projects examining human rights and labor violations among migrant workers.

## EDUCATION

- HARVARD LAW SCHOOL**, J.D., June 2002
- Journals:** *Human Rights Journal*, Executive Editor  
*International Law Journal*, Senior Editor
- Fellowships:** Irving R. Kaufman Fellowship for public service  
Reginald Lewis and Human Rights Program Fellowships
- Clinics:** Criminal Justice Institute, Ghana Project, Harvard Defenders, Human Rights Clinic  
Immigration and Refugee Clinic
- YALE UNIVERSITY**, B.A. with Honors in History and International Studies, May 1997
- Honors:** *cum laude*, Hajo Holborn prize for senior essay on East German dissidents
- Journal:** *Journal of Human Rights*, Co-Editor
- FREE UNIVERSITY OF BERLIN**, Semester Abroad, Spring 1996

## JUDICIAL CLERKSHIPS

- HON. MICHAEL A. CHAGARES**, U.S. Court of Appeals for the Third Circuit 2007-2008  
**HON. RAYMOND J. DEARIE**, U.S. District Court for the Eastern District of New York 2004-2005

## RESEARCH INTERESTS

Refugee and asylum law; immigration law; international labor migration; civil rights and human rights; economic, cultural, and social rights; trauma, psychology, and the law; interdisciplinary collaboration; clinical legal education

SELECTED ARTICLES AND BOOK CHAPTERS

*Inhumane and Illegal: Solitary Confinement of Immigrants in Civil Detention*, NEVADA L.J. (2024) (forthcoming), with Philip L. Torrey & Arevik Avedian.

*Congress's Untapped Authority to Certify U Visas*, 124 COLUM. L. REV. FORUM 43 (2024), with Elora Mukherjee & Fatma Marouf.

*Challenging Stereotypes in Refugee Protection*, in *Fortress (North) America: Symposium Issue*, 40 B.U. INT'L L.J. 31 (2022).

*Asymmetries in Immigration Protection*, 85 BROOKLYN L. REV. 319 (2020).

*EU and US Border Policy: Externalisation of Migration Control and Violation of the Right to Asylum*, in *SECURITISING ASYLUM FLOWS: DEFLECTION, CRIMINALISATION AND CHALLENGES FOR HUMAN RIGHTS* 282 (Valsamis Mitsilegas, Violeta Moreno-Lax & Niovi Vavoula eds., Brill 2020).

*Surveillance and Vetting of Immigrants: Emerging Technologies & Legal Challenges*, presented at Immigration Law Professor Conference & New England Clinical Conference, 2018 (work-in-progress).

*Morocco's Emerging Asylum System*, presented at Fulbright Symposium and conference at Sorbonne Nouvelle, 2016 (work-in-progress).

*Constructive or Counterproductive? Benefits and Challenges of Integrating Mental Health Professionals in Asylum Representation*, 30 GEO. IMMIGR. L.J. 1 (2015).

*Access to Justice for Asylum Seekers: Developing an Effective Model of Holistic Representation*, 48 U. MICH. J. L. REFORM 1001 (2015).

*Expert as Aid and Impediment: Barriers to Asylum Representation*, in *ADJUDICATING REFUGEE AND ASYLUM STATUS: THE ROLE OF WITNESS, EXPERTISE, AND TESTIMONY* (B. Lawrance & G. Ruffer eds., Cambridge Univ. Press 2015).

Edited and contributed to *LAW OF ASYLUM IN THE UNITED STATES* by Deborah Anker (Thomson Reuters 2008-2014).

*Escalating Persecution of Gays and Refugee Protection: Comment on Queer Cases Make Bad Law*, 44 NYU J. INT'L L. & POLITICS 529 (2012), with Deborah Anker.

*Positive Health: The Human Right to Health Care Under the New York State Constitution*, 35 FORDHAM URBAN L.J. 479 (2008), with Alan Jenkins.

*The Northern Ireland Peace Agreement: Evolving the Principle of Self-Determination*, 12 LEIDEN J. INT'L L. 155-71 (1999), with Paul R. Williams.

SELECTED SHORT PIECES, BOOK REVIEWS, AND OP-EDS

*It's time to end the barbaric practice of solitary confinement in immigration detention*, THE HILL (Feb. 2024), with Philip L. Torrey & Arevik Avedian.

*There's a Fatal Flaw in Fast-track Immigration Proceedings*, COMMONWEALTH (July 2023), with Tiffany Lieu.

*The Forensic Asylum Evaluation: Historical-Legal Background & the Role of the Healthcare Professional*, in ASYLUM MEDICINE TRAINING INITIATIVE: ASYLUM MEDICINE INTRODUCTORY CURRICULUM, (Emery E., DeFries T. eds. 2022), with Nzelibe U., Mukherjee E., Hampton K., Ardalan S., Midani L., Blum A., Anant S., & DeFries T.

*Re-setting Gender-Based Asylum Law*, HARVARD L. REV. BLOG (Dec. 30, 2021), with Deborah Anker.

*No Justice, No Freedom: Medical Abuse in Private Prisons*, WOMEN'S ENEWS (Sept. 16, 2021).

*The Trump Administration, COVID-19, and the Continuing Assault on the Rights of Asylum Seekers and Refugees*, 32 Int'l J. of Refugee L. 685 (2021).

*Refugee Eligibility: Challenging Stereotypes and Reviving the 'Benefit of the Doubt'*, RETHINKING REFUGE, U. OF OXFORD (2020).

*Don't Believe the Trump Administration's Misinformation: Domestic Violence Survivors Can Get Asylum in the United States*, PHYSICIANS FOR HUMAN RIGHTS, May 20, 2020, with Katie Peeler.

*Refugee Protection at Risk: Remain in Mexico and Other Efforts to Undermine the U.S. Asylum System*, HARVARD L. REV. BLOG (May 26, 2019).

*Impact of a U.S. Asylum Decision on Sexual and Reproductive Health and Rights*, 27 SEXUAL AND REPRODUCTIVE HEALTH MATTERS 1 (2019), with Rose L. Molina & Jennifer Scott.

*The Universal Declaration of Human Rights at 70: How Far Have We Come?* COGNOSCENTI, WBUR, Dec. 20, 2018, with J. Wesley Boyd & Katie Peeler.

*Trump is Rewriting Asylum Law*, THE ATLANTIC (Nov. 13, 2018).

*Review of Refuge: Rethinking Refugee Policy in a Changing World* by Paul Collier and Alexander Betts, FLETCHER SEC. REV. (Summer 2018).

*Why domestic abuse and anti-gay violence qualify as persecution in asylum law*, THE CONVERSATION (June 15, 2018).

*The Overlooked Legal Challenge to Trump's Travel Ban*, HARVARD L. REV. BLOG (Apr. 23, 2018), with Fatma Marouf & Philip L. Torrey.

*With Better Data, We Can Help Set Refugees Up for Success*, THE CONVERSATION (Aug. 30, 2017).

*Vetting Refugees: Is Our Screening Process Adequate, Humane, and Culturally Appropriate?* FEDERAL LAWYER (May 2017).

*Dynamics Between Gangs and the Church: An Overlooked Dimension of Central American Asylum Claims*, 16-07 IMMIGR. BRIEFINGS 1 (2016), with Thomas Boerman.

*Refugee Protection for Homeschoolers? Congressional Efforts to Amend the Refugee Definition and Restrict Protection for Central American Refugees*, REFLAW (June 2015).

*Psychological Harm and Violations of Social, Economic, and Cultural Rights in Asylum Law*, 14-09 IMMIGR. BRIEFINGS 1 (September 2014), with Palmer Lawrence.

*Country Condition Evidence, Human Rights Experts, and Asylum-Seekers: Educating U.S. Adjudicators on Country Conditions in Asylum Cases*, 13-09 IMMIGR. BRIEFINGS 1 (2013).

*Mejilla-Romero: A New Era for Child Asylum*, 12-09 IMMIGR. BRIEFINGS 1 (2012), with Deborah Anker, Nancy Kelly & John Willshire Carrera.

#### SELECTED REPORTS

*“Endless Nightmare”: Torture and Inhuman Treatment in Solitary Confinement in U.S. Immigration Detention*, HIRCP, PHR & Peeler Immigration Lab (2024).

*Denial of Justice: The Biden Administration’s Dedicated Docket in the Boston Immigration Court*, HIRCP (2023).

*Violence and Violation: Exposing medical abuse of immigrants detained at the Irwin County Detention Center*, HIRC, HIP, Project South, Georgia Detention Watch, Georgia Latino Alliance for Human Rights, and South Georgia Immigrant Support Network (2021).

*Shelter from the Storm: Policy Options to Address Climate Induced Displacement from the Northern Triangle*, HIRC, HIP, the University Network for Human Rights, Yale Immigrant Justice Project, and Yale Environmental Law Association (2021).

*Fulfilling U.S. Commitment to Refugee Resettlement: Protecting Refugees, Preserving National Security & Building the U.S. Economy through Refugee Admissions*, Harvard Immigration and Refugee Clinical Program (2017), reprinted in 5 TEX. A&M L. REV. 155 (2018).

*Conference Report: Workshop on the Justiciability of Socio-Economic Rights*, Northeastern Law School, Program on Human Rights and the Global Economy (2009).

*Dangerous and Unlawful: Why Our Health Care System is Failing New York Communities and How to Fix It*, The Opportunity Agenda (2007).

#### WORK EXPERIENCE

<p><b>THE OPPORTUNITY AGENDA</b>, New York, NY  <i>Equal Justice America Fellow</i>            Awarded fellowship to advocate for health care equity and human rights in the U.S.            Worked with legislators and community groups to address violations of right to health care.            Researched and wrote report highlighting racial disparities in access to health care in New York.</p>	2005-2007
<p><b>DEWEY BALLANTINE LLP</b>, New York, NY  <i>Litigation Associate</i> (2002-2004), <i>Summer Associate</i> (May-July 2001)            Drafted district court and appellate briefs in World Trade Center property insurance litigation.            Prepared for trial; drafted opening statement, motions <i>in limine</i>, and witness outlines.</p>	2002-2004
<p><b>LEGAL RESOURCES CENTRE</b>, Accra, Ghana  <i>Legal Intern</i>            Prepared class action litigation on right to health care. Lobbied parliament to reform laws.</p>	July-Aug. 2001
<p><b>CROATIAN HELSINKI COMMITTEE FOR HUMAN RIGHTS</b>, Zagreb, Croatia  <i>Legal Intern</i>            Analyzed issues of rule of law, minority rights, and judicial independence.</p>	Summer 2000
<p><b>MANHATTAN DISTRICT ATTORNEY’S OFFICE</b>, New York, NY  <i>Paralegal</i>            Investigated child abuse allegations to determine prosecutorial merit.</p>	1998-1999

CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE, Washington, D.C.

1997-1998

*Junior Fellow*

Awarded fellowship to study rule of law, war crimes, and democracy promotion.

#### SELECTED PRESENTATIONS

*Invited Talks* AILA Annual Symposium, Gender Asylum, 2024  
 UCLA, Int'l Conference on Forced Migration, 2023  
 UNESCO Conference, *Migration and the Rule of Law*, Croatia, 2020  
 American Immigration Lawyers Association, *Particular Social Group in Asylum Claims*, 2019  
 Child Asylum Guidelines, University of Sydney Law School, Australia, 2019  
*Hawaii v. Trump*, Boston College Law School, 2018  
 Federal Bar Association, *Particular Social Group in Asylum Cases*, NY, 2018  
 Int'l Academy of Law and Mental Health, *Interdisciplinary Collaboration in Asylum*, Prague, 2017  
 FXB Center for Health and Human Rights, Building Bridges, 2017  
 Sorbonne Nouvelle, *Espaces transformés dans le monde arabe et méditerranéen*, Paris, 2016  
 Religion, Law & Diplomacy Conference, Fletcher School, 2016  
*Gender and Refugee Protection*, Hebrew Immigrant Aid Society, webinar, 2016  
 Migration & Law Network Conference, *U.S.-Mexico/EU-Morocco Border Policy*, UK, 2016  
 Univ. of Casablanca, Law Faculty, *Asylum Law in Comparative Contexts*, Morocco, 2016  
 Al-Akhawayn University, *Gender, Refugees and the Perils of Law*, Morocco, 2016  
 Fulbright Symposium, *Morocco's Emerging Asylum System*, Morocco, 2016  
 Cambridge Health Alliance, *Overview of Asylum and Other Humanitarian Protections*, 2016  
 New England Mental Health Symposium, *Trauma and the Asylum Process*, MA, 2015  
 Northwest Territory Law Society, *Credibility & Corroboration in Asylum Law*, Australia, 2014  
 Clinical Legal Education Training, Charles Darwin University, School of Law, Australia, 2014  
 Leadership and Faculty Development Program Conference, Harvard Medical School, MA, 2014  
 Midwest Clinical Conference, *Interdisciplinary Legal Education*, MN, 2013  
 Interdisciplinary Psycho-Legal Collaboration Workshop, San Francisco, CA, 2013  
 Conable Conference, *Refugee Law and Trauma*, RIT, NY, 2012  
 Emerging Immigration Law Teachers Conference, Washington College of Law, DC, 2011  
 Rebellious Lawyering Conference, Yale Law School, CT, 2008  
 Violations of the Right to Health Care in NY, Buffalo Law School, NY, 2007

*Harvard Talks* Last Lecture series, Harvard Law School, 2021  
 DACA Seminar, Legal Strategies for Fighting Back, 2018  
 Harvard European Law Ass'n, Access Denied: Isolation in EU and US Immigration Law, 2018  
 Law & Social Change, *U.S. v. Texas & the Immigrant Rights Movement*, HLS, 2016  
 International Law Journal, *International Law in the Refugee Context*, HLS, 2016  
 Model United Nations, *Compassion in Crisis*, Harvard College, 2016  
 Harvard Latin American Initiative, Harvard College, 2015  
 Women's Law Association & The Seneca, Inc., *Panel on Women in Academia*, HLS, 2014  
 Ethnicity, Migration & Rights Seminar, *Child Migration & Human Rights*, Harvard College, 2014  
 Harvard Migration and Immigrant Incorporation Workshop, Harvard University, 2013  
 Office of Clinical & Pro Bono, Workshop on Student Supervision, HLS, 2012

#### SELECTED AMICUS BRIEFS

Co-author, Brief of *Amicus Curiae* Harvard Immigration and Refugee Clinic, *Matter of M-M-* (9th Cir. 2019)  
 Co-author, Brief of *Amicus Curiae* Am. Immigr. Lawyers Ass'n & Justice at Work, *U.S. v. Joseph* (D.Mass. 2019)  
 Contributor, Brief of *Amicus Curiae* Harvard Immigration and Refugee Clinic, *Hawaii v. Trump* (2018)  
 Contributor, Brief of *Amicus Curiae* Harvard Immigration and Refugee Clinic, *Matter of A-B-* (AG 2018)  
 Contributor, Brief of *Amicus Curiae* Harvard Immigration and Refugee Clinic, *Darweesh v. Trump* (E.D.N.Y. 2017)  
 Contributor, Brief of *Amicus Curiae* Harvard Immigration and Refugee Clinic, *IRAP v. Trump* (D.Md 2017)

Co-author, Brief of *Amicus Curiae* Human Rights First, Material Support (BIA 2017), with Fatma Marouf  
Co-author, Brief of *Amicus Curiae* International Refugee Law Scholars, *In re Negusie* (BIA 2017, 2016), with Kate Evans  
Contributor, Brief of *Amicus Curiae* American Immig. Lawyers Ass'n, *In re M.J.V.* (BIA 2012)  
Lead author, Brief of *Amicus Curiae* Law Professors, *Huang v. Holder* (2d Cir. 2010)

#### SELECTED MEDIA INTERVIEWS

Harvard Magazine, *'On the Ground' With Asylum Seekers*, May-June 2022.  
Associated Press, *Harvard Immigration Clinic Sues for Records on ICE Detention*, Jan. 2022.  
Harvard Law Today, *Weighing President Biden's first year: Immigration*, Jan. 2022.  
The Crimson, *Harvard Professors Decry Trump Administration Approach to Asylum Policy, Migrant Caravans*, Nov. 2018  
This Week in Dystopia Podcast, *Understanding Immigration & Refugee Rights*, Jan. 2018  
ABC News Australia, *Law Academics Unite for Asylum Seeker Program*, Sept. 2014

#### COURSES TAUGHT

Strategic Litigation and Immigration Advocacy, 2021-present (co-taught with Philip Torrey)  
International Labor Migration: Seminar and Reading Group, Fall 2017-2020  
Immigration and Refugee Advocacy Seminar, HLS, 2011-present  
Trauma, Refugees and Asylum Law: Seminar and Reading Group, HLS, 2013-present  
Immigration Law, Fall 2017 & 2018  
Refugee Law and Policy, Yale College, Spring 2017  
U.S. Immigration Law and Policy, Tel Aviv, Israel, July 2016  
International and Comparative Human Rights Practicum, New Delhi, India, Dec. 2014-Jan. 2015  
(co-taught with JJ Rosenbaum)

#### COMMITTEE MEMBERSHIPS

Clinical AALS, Scholarship Committee, 2022-present  
Undocumented Student Working Group, Harvard University, 2012-13, 2016-present  
Working Group on Immigrant Representation in New Jersey, 2013-present  
Public Service Venture Fund Fellowships, 2018-present  
New England Regional Clinical Conference Planning Committee, 2015-2020  
Wasserstein Fellowship Selection Committee, Harvard Law School, 2014, 2018  
Ford Fellowship Selection Committee, Harvard Law School, 2013-2015

#### PROFESSIONAL MEMBERSHIPS

American Immigration Lawyers' Association, 2008-present  
Clinical Legal Education Association, 2008-present  
American Society of International Law, 2016  
Member of New York & Massachusetts bars

#### AWARDS

Women's Law Association, Shatter the Ceiling, 2021  
CLEA Award for Excellence in a Clinical Project, Irwin County Detention Center Project, 2021  
The Welcome Project Award, 2020  
U.S. Fulbright Specialist, Human Rights and Legitimacy in EU & U.S. Migration Law, Croatia, 2018-2020  
U.S. Fulbright Senior Scholar Grant, Morocco, 2016  
Women Inspiring Change, HLS International Women's Day Celebration Honoree, 2015

#### LANGUAGES

Fluent in Farsi; proficient in French and Spanish