

## STACY CAPLOW

### BROOKLYN LAW SCHOOL

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32 Montgomery Place  
Brooklyn, NY 11215  
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347-886-9165 (mobile)

### LEGAL EMPLOYMENT

1976 - *Brooklyn Law School*  
Present Professor of Law

Professor of Law and Associate Dean for Experiential Education, 2013-2023  
Professor of Law and Director of Clinical Education, 1984-2013  
Acting Associate Dean for Academic Affairs, 1984  
Clinical Associate Professor of Law, 1980-82  
Clinical Assistant Professor of Law, 1977-80  
Clinical Instructor of Law, 1976-77

#### *Subjects taught:*

*Immigration:* Immigration Law, Advanced Immigration Law Seminar, Directed Studies in International Refugee Law, Immigration Law & Literature, Comparative Refugee Law (short course in Beijing, China, Spring 2018)  
*Criminal:* Criminal Law, International Criminal Law, Criminal Procedure: Adjudication, Federal Criminal Law, White Collar Crime Seminar  
*Clinical Education:* Clemency & Pardon Project, Safe Harbor Project (Immigration), Prosecutors Clinic, Judicial Externship Program, Criminal Practice Externship Program, Criminal Defense Clinic, Inmate Legal Counseling Clinic, Public Interest/Public Service Fellowship Program  
*Miscellaneous:* Law & Film, Trial Advocacy

2014 *College of Law and Business*  
Ramat Gan, Israel  
Visiting Professor-March 2014  
*Subject Taught:* US Immigration Law & Policy

2009 *Fordham University Law School*  
Adjunct Professor of Law-Spring 2009  
*Subject Taught:* Immigration Law

2006 *National University of Ireland, Cork, Faculty of Law*  
Visiting Fulbright Scholar (September-December 2006)

2006 *Hong Kong University, Faculty of Law*  
Consultant on Clinical Legal Education (January-March 2006)

2000- *New York University School of Law*  
2001 Adjunct Clinical Professor of Law

*Subject taught:* Prosecution Clinic

- 1992 - *Office of the United States Attorney*  
1994 *Eastern District of New York, Civil Division*  
Special Assistant United States Attorney, 1993-94 (part-time)  
Special Assistant United States Attorney, 1992-93 (full-time while on leave from Brooklyn Law School)
- 1982 - *Office of the District Attorney of Kings County*  
1987 Consultant, Director of Training, 1983-1987 (part-time)  
Chief of Criminal Court Bureau, 1982-1983 (full-time while on leave from Brooklyn Law School)
- 1972 - *Legal Aid Society, New York City*  
1976 Criminal Defense Division Staff Attorney

## EDUCATION

New York University School of Law  
J.D. 1972, LL.M. 1982  
Smith College  
B.A. 1969, *cum laude*

## PUBLICATIONS

### *Books and Chapters*

*Zadvydas v. Kim*, in FEMINIST JUDGMENTS: IMMIGRATION LAW (forthcoming) (with M. Fullerton)

*Learning and Teaching Immigration Law through Experience: Law School Clinical Programs*, in LEARNING AND TEACHING THE LAW AFFECTING MIGRANTS: THEORY AND PRACTICE (2022) (with M. Ballard & R. Boswell)

*The Activity-Based Seminar*, in TECHNIQUES FOR TEACHING LAW II 167 (Friedland, *et al.*, eds. 2011)

*Reversal of Fortune: Affirmation of Ambiguity*, in SCREENING JUSTICE – THE CINEMA OF LAW: SIGNIFICANT FILMS OF LAW, ORDER AND SOCIAL JUSTICE (2006)

*Using Teaching Assistants to Put Criminal Law in Context*, in TEACHING THE LAW SCHOOL CURRICULUM (Friedland & Hess, eds.) (2004)

MULTI-DEFENDANT FEDERAL CRIMINAL CASES: LAW AND PROCEDURE (1998 & Supps. 1999, 2000) (with L. Griffin)

*Field Placement Programmes*, in CLINICAL LEGAL EDUCATION (N.R. Madhava Menon, ed. 1998) (with M. Eyster & K. Gallant)

*Sex Offenses and Offenses Against Marriage*, in NEW YORK CRIMINAL PRACTICE (1986)

### Articles

*The Sinking Immigration Court: Changing Course, Save the Ship*, 4 A.I.L.A. L.J. 39 (2022)

*Governors! Seize the Law: A Call to Expand the Use of Pardons to Provide Relief from Deportation*, 22 B.U. PUB. INT. L.J. 291 (2013)

*After the Flood: The Legacy of the “Surge” of Federal Immigration Appeals*, 7, NW J. L. SOCIAL POL’Y 1 (2012)

*Changes to the Culture of Adversarialness: Endorsing Candor, Cooperation and Civility in Relationships Between Prosecutors and Defense Counsel*, 38 HAST. CONST. L. Q. 245 (2011) (with L. Griffin)

*The Gaelic Goetz: A Case of Self-Defense in Ireland*, 17 CARD. J. INT’L & COMP. L. 1 (2009)

*ReNorming Immigration Court*, 13 NEXUS, J. OF OPINION 85 (2007-2008)

*Putting the "I" in Wr\*ting: Drafting An A/Effective Personal Statement to Tell a Winning Refugee Story*, 14 LEGAL WRITING: J. LEGAL WRITING INSTITUTE 249 (2008); reprinted in BENDERS IMMIG. BULL. DAILY ED., Mar. 26, 2008, Immigration Daily from ilw.com, July 1, 2008, <http://www.ilw.com/articles/2008,0701-caplow.pdf>, available at <http://www.journallegalwritinginstitute.org/archives/2008/LWI-14Caplow.pdf>

Book Review, “*Deport All the Students*”: Lessons Learned in an X-treme Clinic, 13 CLINICAL L. REV. 633 (2006)

*Clinical Legal Education in Hong Kong: A Time to Move Forward*, 36 HONG KONG L.J. 229 (2006)

*Co-Teaching International Criminal Law: New Strategies to Meet the Challenges of a New Course*, 31 BROOK. J. INT. L. 103 (2006) (with M. Fullerton)

“*Tacking Too Close to the Wind*”: The Challenge to Prosecution Clinics to Set Our Students on a Straight Course, 74 MISS. L. REV. 919 (2005)

*Domestic Violence in Legal Education and Legal Practice: A Dialogue Between Professors and Practitioners, Criminal Law*, 11 J. LAW & POL’Y 418-430 (2003).

*The Impossible Dream Comes True - A Criminal Law Professor Becomes Juror #7*, 67 BROOK. L. REV. 785 (2002)

*Still in the Dark: Disappointing Images of Women Lawyers in the Movies*, 20 RUTGERS WOM. RTS. L. REP. 55 (1999), excerpted in MARCIA CANAVAN, WOMAN’S LAW 66 (2000)

*What If There Is No Client?: Prosecutors As Counselors of Crime Victims*, 5 CLINICAL L. REV. 1 (1998)

*A Year in Practice: The Journal of a Reflective Clinician*, 3 CLINICAL L. REV. 1 (1996)

*From Courtroom to Classroom: Creating an Academic Component to Enhance the Skills and Values Learned in a Student Judicial Clerkship Clinic*, 75 NEB. L. REV. 872 (1996)

*Images of Law and Law Teaching in an Imperfect Spy*, 8 YALE J. L. & HUM. 263 (1996) (with S. Waller)

*"Portrait of a Lady": Women Lawyers in the 1980's*, 35 N.Y. L. SCH. L. REV. 391 (1990) (with S. Scheindlin)

*Under Advisement: Attorney Fee Forfeiture and the Supreme Court*, 55 BROOK. L. REV. 111 (1989)

*Autopsy of a Murder: Using Simulation to Teach First Year Criminal Law*, 19 N.M. L. REV. 137 (1989)

*The Reluctant Witness for the Prosecution: Grand Jury Subpoenas to Defense Counsel*, 51 BROOK. L. REV. 769 (1985)

### Miscellaneous

Post, Biden's Pardons, The First Drops in a Big Bucket of Criminal Reform, *The Insightful Immigration Blog*, Oct. 17, 2022, available at <http://blog.cyrusmehta.com/2022/10/bidens-pardons-the-first-drops-in-a-big-bucket-of-criminal-reform.html>

Post, The Pathos of *Patel v. Garland*, *The Insightful Immigration Blog*, May 25, 2022, available at <http://blog.cyrusmehta.com/2022/05/the-pathos-of-patel-v-garland.html>

Post, "S.S. EOIR" is Changing Course; Encouraging Winds Ahead, May 12, 2022, available at <http://www.thinkimmigration.org>,

Post, The Sinking Immigration Court: Change Course, Save the Ship, *The Insightful Immigrant Blog* Aug. 1, 2021, available at <http://blog.cyrusmehta.com/2021/08/the-sinking-immigration-court-change-course-save-the-ship.html>

Post, Migrant "Protection" Protocol: A Report from the Front Lines, *The Insightful Immigrant Blog*, Sept 19, 2019 (with M. Fullerton), available at <http://blog.cyrusmehta.com/?s=fullerton>

Op-Ed, *Deporting 'bad hombres' a Trump sham if region's immigration courts are crippled*, NEWARK STAR LEDGER, Mar. 27, 2017

Op-Ed, *Executive pardons would help now law-abiding immigrants achieve justice* MIAMI HERALD, Jan. 8, 2017, available at <http://www.miamiherald.com/opinion/op-ed/article125119869.html>

Faculty Corner: *An Overlooked Solution: Temporary Protected Status for Central American Women and Children*, available at <https://www.brooklaw.edu/newsandevents/press/faculty-corner>

Closing Arguments: *A Safe Harbor for Transgender Immigrants*, BLS LAW NOTES, Fall 2015

Op-Ed, *Pardon Me, Guv'nor*, NAT'L L.J., Apr. 15, 2013, available at <http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202595694980&slreturn=20130324123545>

*Case Closed*, First Prize, Clinical Legal Education Association [CLEA] Creative Writing Contest-Creative Non-Fiction Category (2013) available at <http://www.cleaweb.org/Resources/Documents/Stacy%20Caplow%20-%20Case%20Closed.pdf>

*Accessing Justice II: A Model for Providing Counsel to New York Immigrants in Removal Proceedings (New York Immigrant Representation Study Report: Part II)*, The Steering Committee of New York Immigrant Representation Study Report, available at [www.cardozolawreview.com/content/denovo/NYIRS\\_ReportII.pdf](http://www.cardozolawreview.com/content/denovo/NYIRS_ReportII.pdf) (2012)(with other members of the Steering Committee)*Accessing Justice: The Availability and Adequacy of Counsel in Removal Proceedings (New York Immigration Representation Study Report: Part I)*, The Steering Committee of New York Immigrant Representation Study Report, 33 CARD. L. REV.357 (2011) (with other members of Steering Committee)

Op-Ed, *What about an Immig-Corps?* NAT'L L. J., May 25, 2011, available at [http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202495171618&What\\_about\\_an\\_Immig\\_Corps](http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202495171618&What_about_an_Immig_Corps)

*The Activity-Based Seminar*, 16 THE LAW TEACHER 16 (Fall 2009), available at <http://lawteaching.org/lawteacher/2009fall/lawteacher2009fall.pdf>

*Punch Lines*, in LAW STORIES: TALES FROM LEGAL PRACTICE, EXPERIENCE, AND EDUCATION, 76 U.M.K.C. L. REV. 831 (2008)

*Clinical Education at UCC: A View from Across the Pond*, UCC FACULTY OF LAW NEWSLETTER, Sept. 2007

Op-Ed, *Immigration Court – Bullies on the Bench*, NAT'L L. J., Mar. 5, 2007; N.J. L. J., 3/16/2007

Report to the Dean and Faculty of Hong Kong University Faculty of Law, CLINICAL EDUCATION AT HONG KONG UNIVERSITY FACULTY OF LAW, May 2006

Op-Ed, *Two Immigrants, Two Standards*, THE WASHINGTON POST, Feb. 11, 2006, reprinted in THE MIAMI HERALD, THE SALT LAKE TRIBUNE, Feb. 15, 2006 and available at 13 web sites internationally

*Caught in the Middle: The Predicament of Children in the U.S. Immigration System*, BLS LAW NOTES 36 (Summer 2005)

*Dead to Write*, First Prize, Clinical Legal Education Association Creative Writing Contest (2005), available at [http://www.brooklaw.edu/news/homepage\\_news/caplow\\_deadtowrite.pdf](http://www.brooklaw.edu/news/homepage_news/caplow_deadtowrite.pdf)

Op-Ed, *Ease Way for Liberians to Enter U.S.*, NEWSDAY (Aug. 28, 2003)

*Mona Retires*, Honorable Mention, Clinical Legal Education Association Creative Writing Contest (2002), *reprinted in* 8 THOM. M. COOLEY J. OF PRACTICAL AND CLINICAL LAW 67 (2006), available at [http://www.brooklaw.edu/faculty/news/spotlight\\_caplow.php](http://www.brooklaw.edu/faculty/news/spotlight_caplow.php)

*When A Clinician Grew in Brooklyn: A Tribute to Kathleen Sullivan*, 8 CLINICAL. L. REV.25 (2001) (with M. Kotkin)

Book Review, Andrew Taslitz, *Rape and the Culture of the Courtroom*, N.Y.L.J. (Dec. 17, 1999)

*Waiting in the Dark: Images of Women Lawyers in the Movies*, 1 BROOK. L. DIG. 31 (1996)

Office of the Brooklyn District Attorney, Grand Jury Policies and Procedures Manual (with J. Goldberg and J. Meyers) (1987, unpublished materials, approximately 160 pp.)

Office of the Brooklyn District Attorney, Materials and Problems for Training of Newly Appointed Assistant District Attorneys (1983, 1984, 1985, 1986, unpublished materials, approximately 400 pp.)

## **SELECTED PAPERS AND PRESENTATIONS**

AALS Workshop on Clinical Education, May 2019, San Francisco, Panelist, “The Death of a Clinic”

New York Asylum and Immigration Law Conference, NYLS, Mar. 8, 2019, “The Persecutor and Material Support Bars”

Chinese University of Hong Kong Conference on Teaching and Learning in Law – ‘Directions in Legal Education, June 2, 2016, “Clinical legal education in the year 2026: Looking back at the last decade.”

Immigration and Crime, NYS Appellate Division 2d Dep’t Justices, May 11, 2016.

Panelist, Upper Class Immigration Course Options, Immigration Professors Conference, Michigan State University, May 2016.

New Israel Fund Legal Circle, Aug. 22, 2013. “Israel’s Refugee Crisis.”

Workshop on the Israeli Asylum System, Academic Center of Law and Business, Tel Aviv, Israel, Nov. 12-13, 2012, “Detention of Asylum Seekers in the United States.”

Externships 6 Conference, Northeastern University School of Law/Harvard Law School, Mar. 2-4, 2012, “Heterodoxy: The Next Generation of Externship Seminars.”

Global Alliance for Justice Education, 6<sup>th</sup> Worldwide Conference, July 10-15, 2011, Valencia, Spain, “Cross-Border Collaborations in Refugee Legal Assistance: The Brooklyn-Hong Kong Clinical Legal Education Connection.”

ABA Criminal Justice Standards Project, Boston College School of Law, Oct. 22, 2010  
Pace University Law School, Oct. 29, 2010, “Relationships Between Prosecutors, Defense Counsel and the Court” (with L. Griffin).

Panelist, New York Clinical Theory Workshop 25<sup>th</sup> Anniversary, Oct. 1, 2010, "The Future of Clinical Scholarship."

Hong Kong Refugee Advice Centre, Training Program, June 2-4, 2010.

Applied Storytelling Conference Chapter Two: Once Upon a Legal Time, July 22-24, 2009, Portland, Oregon, "A Cautionary Tale: Using Stories From Other Legal Cultures as the Basis for Scholarship."

Temple University, October 16, 2007, "Getting as Good as You Give: The Benefits, Rewards and Ethics of Student Supervision."

Applied Storytelling Conference: Once Upon a Legal Time, July 18-20, 2007, London, "The Believable Refugee: Convincing the Non-Believer that the Truth is True."

AALS Workshop on Clinical Education, May 3-5, 2007, New Orleans, "Movin' On: Clinic Directors Figuring Out Exit Strategies." (concurrent session)

King's Inn, Dublin (Barrister Practical Training College), Dec. 4, 2006, "Becoming and Being a Criminal Lawyer in the U.S."

University College Cork, Ireland, Faculty Seminar, Oct. 25, 2006, "Contemporary Issues in U.S. Immigration Law: Legal, Procedural and Practical Developments in Refugee Protection in the 21<sup>st</sup> Century."

Waikato University, New Zealand, Apr. 19, 2006  
University of Canterbury, New Zealand, Apr. 12, 2006  
"The 'Crisis' in US Asylum Adjudication."

Hong Kong University, Faculty of Laws, February 15, 2006, "Clinical Legal Education: Its Past, Its Present and Its Future... at HKU."

AALS Conference on Clinical Legal Education, May 1-4, 2005, San Diego, CA, "The Career Path of a Clinical Teacher: Pioneering, Evolving, Surviving, Thriving."

Catholic University Conference on Externships: Learning from Practice, Mar. 7-8, 2003, Washington, D.C., "Administrative, Political, and Ethical Problems with Mixed/Hybrid Clinical Programs."

Catholic University Conference on Externships: Learning from Practice: "Developments in Externship Pedagogy," Mar. 1998, Washington, D.C., "Ethics: Conflicts and Confidentiality in Student Judicial Clinics."

UCLA/IALS International Clinical Teachers Conference, Oct., 1997, Lake Arrowhead, CA, "What If There is No Client?: Prosecutors as Counselors of Crime Victims."

Clinical Theory Workshop, Oct. 1996, New York Law School, "A Year in Practice."

Conference on the Role of Advocacy in the Classroom, June, 1995, Pittsburgh, PA, "The Role of Advocacy in Clinical Legal Education." (with M. Kotkin)

Clinical Legal Education Association, 1993 Annual Meeting, McLean, VA, “Judicial Clinics and Externship Models.”

Association of American Law Schools, 1991 Annual Meeting, San Francisco, CA., Section on Clinical Education, “Judicial Clinics”, and Section on Professional Development, “Peer Review of Tenured Faculty.”

Association of American Law Schools, 1989 Annual Meeting, New Orleans, LA., Section on Clinical Education, Plenary Address, “The Future of Clinical Legal Education.”

Brooklyn Law School Dean's Day

“Women as Lawyers: A View from the Silver Screen,” 1992

“Recent Developments in Federal RICO,” 1987

Association of American Law Schools, 1980 Clinical Teachers Conference, Big Sky, Mont., “A Counseling Model for Teaching Professional Responsibility.”

## LEGAL EDUCATION ACTIVITIES

Hong Kong University, External Reviewer, Master of Laws Program in Human Rights, May 2019  
Promoting Sustainable Reforms in Higher Legal Education, Public Interest Law Initiative (PILI) Higher Education Program (OSI) Project, Budapest, Hungary May 6-12, 2007; Yerevan State University, Armenia; Tbilisi State University, Georgia, Mar. 12-18, 2008; Kiev, Ukraine, May 12-17, 2008; Budapest, Hungary, May 2009

Clinical Law Review, Board of Editors, 2001-2007

Clinical Legal Education Association

President, 2000

Vice-President, 1999

Board of Directors, 1998-2003

ABA Site Inspection Teams

Thomas Jefferson, 2018

Chicago-Kent-IIT, Chair, 2011

University of Toledo, Chair, 2007

Northwestern University School of Law, 2003

South Texas College of Law, Chair, 2003

Washington & Lee University School of Law, 2001

Southern New England School of Law, 1999

John Marshall Law School, 1995

Quinnipiac College of Law, 1994

Western New England College of Law, 1992

Southern Methodist University School of Law, 1991

AALS Section on Clinical Education

Chair and Co-Chair Sub-Committee on Tenure and Promotion, 1990-93

Executive Committee, 1980-82

## PROFESSIONAL ACTIVITIES



AALS Pro Bono Honor Roll 2022

Member, Global Strategic Litigation Council, Working Group on Detention and Due Process,  
2021-

Member, Board of Directors, Immigrant Advocates Response Collaborative, 2021--

Kings County Democratic Party Screening Committee, 2020-21

Member, New York City Lawyer's Association Justice Center Task Force, *Solving the Problem of Innocent People Pleading Guilty*, report available at

<http://tesserryan.com/wpcontent/uploads/2019/10/NYCLAJusticeCenterReport.pdf>  
(2020)

Mayor's Advisory Committee on the Judiciary, 1986, 2015-2017

Expert Witness (for defense), *Greene v. City of New York et al.*, 08 Civ. 243 (E.D.N.Y.), 2015

Member, New York State Bar Association, Special Committee on Human Trafficking, 2012-2013

Peer Reviewer-Law, Fulbright Program, 2010, 2011, 2102, 2020

Fulbright Senior Specialist

Member, Judge Robert A. Katzmman New York Immigrant Representation Study Group, 2008  
to present (Steering Committee, 2010-2012)

Member, Board of Directors, Refugee Reunification Project

Member, Board of Directors, Japan-America Refugee Network

Member, Pro Bono Panel, United States Circuit Court, Second Circuit 2009-15

Board of Directors, Brooklyn Legal Services, Corp. A, 1991-92

Mayor's Committee on Marshals, 1983-85

American Civil Liberties Union Due Process Committee, 1985-87

Association of the Bar of the City of New York

Criminal Justice Operations Committee, 1996-7

Standing Committee on Women in the Legal Profession, 1992-93

Committee on Legal Education and Admissions to the Bar, 1988-92; 1998-99

Criminal Advocacy Committee, 1983-1986

Criminal Courts Committee, 1980-82

American Bar Association

Section on Legal Education and Admission to the Bar

Section on Criminal Justice

## BAR ADMISSIONS

New York State

United States District Court for the Eastern and Southern Districts of New York

United States Circuit Court of Appeals (2d Circuit)

## OTHER ACTIVITIES

Member Board of Directors, Anna and Leo Rosner Family Trust, 2014-present

Member, Board of Directors, Seaview Association, Fire Island, N.Y., 1995-2001

Legal Advisor-Coach, Saint Ann's School Mock Trial Team, Brooklyn, N.Y. 1994-2004 (1997  
NYC, 1st place; NY State, 2nd place)