

UNITED STATES COURT OF APPEALS

Immigration Law Training

May 5, 2016 Seattle, Washington

Panelist Bios

Honorable Marsha S. Berzon, Circuit Judge, received her commission as a Ninth Circuit Judge on March 16, 2000. Judge Berzon received her B.A. from Radcliffe College and her J.D. from the University of California, Berkeley, Boalt Hall School of Law. She was a law clerk to Judge Browning of this Court and to Justice Brennan of the Supreme Court, and has lectured at Berkeley and Cornell, in addition to her extensive career in private practice as a founder and partner in the firm Altshuler & Berzon in San Francisco.

Honorable Susan P. Graber, Circuit Judge, received her commission as a Ninth Circuit Judge on March 19, 1998. Judge Graber received her B.A. from Wellesley College and obtained her J.D. from Yale Law School. She served as an Assistant Attorney General in New Mexico before embarking on a career in private practice that spanned 14 years and 3 states, after which she was appointed to the Oregon Court of Appeals and ultimately the Supreme Court of Oregon, where she was an Associate Justice for 8 years prior to her appointment to this Court.

Honorable Mary H. Murguia, Circuit Judge, received her commission as a Ninth Circuit Judge on January 4, 2011, after serving as a District Court Judge in Arizona for 11 years. Judge Murguia received her B.A. from the University of Kansas and her J.D. from the University of Kansas School of Law. Before her appointment to the District Court in 2000, she served as an Assistant District Attorney and an Assistant U.S. Attorney before joining the Executive Office for U.S. Attorneys, where she ultimately served as director.

Matt Adams is the legal director for Northwest Immigrant Rights Project (NWIRP), in Seattle, Washington, where he has worked for the past 17 years. NWIRP provides direct representation to immigrants who have been placed in deportation/removal proceedings, and also represents persons who are applying for legal status and citizenship. Matt focuses on litigation in the federal courts.

Claudia Bernard is the Chief Circuit Mediator for the Ninth Circuit Court of Appeals where she leads a staff of seven professional mediators and mediates cases on appeal. Prior to her appointment as Chief Circuit Mediator in 2007, she served as a Ninth Circuit Mediator for eighteen years. She has mediated over three thousand cases. She has taught mediation and negotiation at law schools throughout the U.S. and around the world. She has provided mediation and mediation advocacy training to judges and lawyers in India, Germany, Uganda, and the Pacific Islands; and nationally to judges and lawyers in state and federal courts in California, Arizona, the District of Columbia, Idaho, Washington, Oregon, Alaska and Guam; and for lawyers in the U.S. Department of Justice, the California Attorney General's Office, the Federal Judicial Center, the American Bar Association, and the Federal Bar Association. Ms. Bernard co-teaches an annual symposium for international judges and lawyers on designing and implementing court ADR programs, consults on court related ADR programs for the Federal Judicial Center, and is chair of the Federal Judicial Center's Advisory Committee on Executive Education. Ms. Bernard has a keen interest in neuroscience and its application to mediation and has presented on the topic widely, both nationally and internationally. She received the Mediation Society of San Francisco's 2011 Award for Outstanding Contribution to the Field of Mediation, and the Ninth Circuit Mediation Office received the 2014 Robert A Peckham Award for Excellence in Alternative Dispute

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Resolution. Before coming to the Ninth Circuit, Ms. Bernard practiced civil litigation in San Francisco and clerked for a federal judge.

John Blakeley: A graduate of the U.S. Naval Academy and Notre Dame Law School, where he also earned an LL.M. in international human rights law, Mr. Blakeley joined the Office of Immigration Litigation at the Department of Justice in 2006. Prior to joining OIL, Mr. Blakeley spent more than seventeen years in government service, first with the U.S. Navy and later with the U.S. Commission on Civil Rights. He also operated his own immigration practice in South Bend, Indiana. In 2008, he became a Senior Litigation Counsel, serving most of that time on the Appellate team, where he handled rehearing petitions in the courts of appeals and immigration cases in the Supreme Court. Mr. Blakeley has been serving as Assistant Director since September 2014, managing a team of fifteen attorneys litigating immigration cases in the district courts and the courts of appeals.

Kathy Brady is Senior Staff Attorney at the Immigrant Legal Resource Center, a national non-profit back-up center in San Francisco. Since 1988, one of her specialties there has been the immigration consequences of criminal convictions. She is the primary author of *Defending Immigrants in the Ninth Circuit*, which in its current form and as the former *California Criminal Law and Immigration* has been a publication since 1990. With Norton Tooby, she is the co-author of the CEB publication *California Criminal Defense of Immigrants*, and for many years was co-author of the section on defending noncitizens in the CEB manual *California Criminal Law: Procedure and Practice*. She also is a co-author of the ILRC's *Special Immigrant Juvenile Status* and the *Immigration Benchbook for Juvenile and Family Courts*. She has helped found coalitions and projects to address these issues, including serving as a co-founder of the *Defending Immigrants Partnership* and the *Immigrant Justice Network*. She authored briefs in key Ninth Circuit cases on immigration and crimes. Kathy graduated from Stanford University and Boalt Hall School of Law. She taught immigration law as an adjunct professor at Santa Clara University and New College School of Law, and supervised students at the Stanford University Law School Immigration Clinic. In 2007, she received the Carol King award for advocacy from the National Immigration Project of the National Lawyers Guild, and she served as a Commissioner to the ABA Commission on Immigration from 2009-2012.

Helen J. Brunner, (Micki) is now the First Assistant United States Attorney for the Western District of Washington and has served as its Appellate Chief for twelve years. In that role, she supervises the appellate practice of the office and has represented the United States in a substantial number of appeals before the United States Ninth Circuit. Before becoming Appellate Chief, she prosecuted a wide variety of criminal cases with a particularly emphasis in the prosecution of environmental crimes cases. She joined the Seattle United States Attorney's Office in 1989 after serving for five years as a trial attorney with the Justice Department's Environmental Crimes Section. She began her legal career as an attorney with the Environmental Protection Agency, in Washington D.C. after receiving her Juris Doctor degree from George Washington University. She has taught appellate advocacy and environmental law classes at the Department of Justice National Advocacy Center, and presented guest lectures on appellate advocacy and environmental law at the Seattle University

Law School and University of Washington Law School. She has served on the Ninth Circuit's Rules Advisory Committee (2008-2012) and is the current co-chair of the Appellate Practice Committee for the Federal Bar Association of the Western District of Washington. She is a three-time recipient of the United States Attorney General Director's Award (1996, 2003, and 2013).

Vicky Dobrin is an immigration attorney in Seattle and a partner at Dobrin & Han, PC. Vicky's practice focuses on removal defense, asylum, family-based immigration, VAWA/U visas petitions, naturalization, and federal court litigation.

Susan Gelmis is the Chief Deputy Clerk for Operations at the Ninth Circuit Court of Appeals. She has been with the court for over 25 years, starting as a Staff Attorney in 1989. In 1992, she became the Supervising Attorney for the newly established Pro Se Unit, which she helped to define and create. In 1993, she worked with the court and the federal bar to create the Circuit's Pro Bono Program. She then assumed the additional role of Supervising Attorney of the Motions Unit in 2000. As of December 2015, Susan has left the Staff Attorneys' Office to take on her new position in the Clerk's Office. Susan is a 1987 graduate of NYU Law School and originally a native of New York.

Hilary Han is a partner at Dobrin & Han, a Seattle immigration law firm. The firm represents non-citizens facing removal before the immigration court, the Board of Immigration Appeals, and the federal courts, as well as immigrants seeking asylum, lawful permanent residence, and naturalization.

Jennifer J. Keeney, Senior Litigation Counsel, joined the Department of Justice's Office of Immigration Litigation through the Honors Program in 2003. She received her Bachelor of Arts from Northern Arizona University in 1995 and received her law degree from the University of Maryland School of Law in 2003. While at OIL, Ms. Keeney has handled a variety of significant criminal immigration issues at the rehearing stage and before the Supreme Court, including Kawashima v. Mukasey, 530 F.3d 111 (9th Cir. 2008) and Nijhawan v. Holder, 129 S. Ct. 2294 (2009). Ms. Keeney currently serves as the office's subject matter expert for criminal immigration issues, including issues raised by Descamps v. United States, 133 S. Ct. 2276 (2013) and, in that capacity, is responsible for formulating and coordinating OIL's litigating positions, and assisting OIL attorneys with criminal immigration matters. Ms. Keeney has presented on criminal and other immigration related issues at the Executive Office of Immigration Review's Legal Training Program, the Department of Homeland Security Annual Conferences, the Federal Bar Association Immigration Law Seminar, OIL's Annual Immigration Law Seminar, the National Advocacy Center's Annual Immigration Litigation Conference, and OIL's Criminal Immigration Training.

Allison Taylor has been a staff attorney in the Motions Unit of the Ninth Circuit since 2006. She is currently the lead attorney in Motions, and is responsible for handling a wide variety of matters as well as training new staff. Prior to joining the Ninth Circuit, she was a trial attorney for the Department of Homeland Security working primarily in the San Francisco immigration court.

Stacy Tolchin established the Law Offices of Stacy Tolchin in 2010 and practices exclusively in immigration law. Ms. Tolchin primarily litigates before the Courts of Appeals and U.S. District Courts, as well as the Board

of Immigration Appeals and the immigration courts, and speaks regularly at conferences regarding federal court immigration litigation. Ms. Tolchin is the recipient of the American Immigration Lawyers Association's 2009 Jack Wasserman Award for Excellence in Immigration Litigation, the 2009 American Civil Liberties Union of Southern California Equal Justice Advocacy Award, the 2008 recipient of the National Immigration Law Center Annual Award, a 2007 Recipient of the "Unsung Hero" Award for the National Lawyers Guild of the Bay Area, and was recognized in 2003 by the Arab-American Anti-Discrimination Committee of San Francisco. She is a member of the Board of Directors of the National Immigration Project for the National Lawyers Guild, a member of the Advisory Committee of the Legal Action Center of the American Immigration Council, a member of the Advisory Committee of the Litigation Section of the American Immigration Lawyers Association, and a member of the National Lawyers Guild. Prior to establishing her practice, Ms. Tolchin was an attorney with Van Der Hout, Brigagliano & Nightingale, LLP from 2001 through 2010. Ms. Tolchin is a graduate of University of California at Los Angeles (JD).

Marc Van Der Hout is the founding member of Van Der Hout, Brigagliano & Nightingale, LLP, in San Francisco and a California State Bar Certified Specialist in Immigration and Nationality Law. Mr. Van Der Hout has been recognized by bar associations and other organizations throughout the country for his innovative and successful representation of immigrants. He has litigated many cases of national significance in the federal courts and is nationally recognized for taking on and winning difficult cases. He has twice received the American Immigration Lawyers Association premier award for outstanding litigation in the field of immigration law, and has received numerous other awards during the course of his 35 year career. In 2009 he received the Robert G. Sprouls Jr. Award from the San Francisco Lawyers Committee for Civil Rights in recognition of his commitment to civil rights and his outstanding support of pro bono legal services. In 2008, he received the California Lawyer Attorney of the Year award for outstanding achievement in his field, and in 2009 was chosen by the Los Angeles Daily Journal as one of the Top 100 Attorneys in California. He has been included on the list of The Best Lawyers in America under immigration law in San Francisco every year since 1995. Most recently, Mr. Van Der Hout was recognized as one of the 100 Top Attorneys in Northern California for 2015 by San Francisco Magazine, an honor he has received several times over the past decade.

Mr. Van Der Hout graduated from the University of Michigan in 1970 and from Golden Gate University School of Law in 1977. He was national president of the National Lawyers Guild in 1985-86, is a past chair of the National Immigration Project of the National Lawyers Guild and has served on its governing board for over 25 years. Mr. Van Der Hout is also an active member of the Board of Governors of the American Immigration Lawyers' Association (AILA) on which he has served for over 20 years. Mr. Van Der Hout has authored many articles over the years and has lectured extensively throughout the country on many aspects of immigration law with an emphasis on federal court litigation and deportation defense. In addition to his private practice, he has served as an adjunct professor of immigration law at Hastings College of the Law and Boalt Hall (now Berkeley) School of Law.

Jonathan Westen has been a Staff Attorney in the Research Unit of the Ninth Circuit Court of Appeals since 2004. He currently serves as the legal adviser of the Immigration-Asylum group, and for the past nine years Mr. Westen has trained new staff attorneys on immigration issues. Prior to joining the Ninth Circuit, Mr. Westen clerked for U.S. District Court Judge Bruce D. Black in Albuquerque, New Mexico, and subsequently served as a dedicated clerk to Chief U.S. District Court Judge James A. Parker for the espionage trial of Wen Ho Lee. Mr. Westen also spent several years as an associate at Heller Ehrman.

