

**SHALINI BHARGAVA RAY**  
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## FACULTY APPOINTMENT

**University of Alabama School of Law**, Tuscaloosa, AL

*Director of Faculty Research*

2024-present (on leave 2025-26)

*Professor*

Effective Aug. 2025

*Associate Professor* (with tenure)

2023 – 2025

*Associate Professor*

2021 – 2023

*Assistant Professor*

2019 – 2021

Courses taught: Administrative Law, Legislation & Regulation, Immigration Law, Professional Responsibility, and citizenship seminar.

## VISITING APPOINTMENT

**Northwestern Pritzker School of Law**

Jack N. Pritzker Visiting Professor of Law

Spring 2026 (scheduled)

## EDUCATION

**Harvard Law School**, Cambridge, MA

2004

*Juris Doctorate*

**Stanford University**, Palo Alto, CA

2000

*Bachelor of Arts*, Economics, with Honors in Ethics in Society

## JUDICIAL CLERKSHIP

**The Honorable Anita B. Brody (E.D. Pa.)**, Philadelphia, PA

2006-2007

*Law Clerk*

## HONORS

University of Alabama President's Faculty Research Award (2024).

## SELECT PUBLICATIONS

*Agency Capture in Immigration Law*, 78 SMU LAW REVIEW \_\_ (forthcoming 2025).

*Individualized Guidance in the Federal Bureaucracy*, REPORT FOR THE ADMIN. CONF. OF THE U.S. (2024).

*Citizenship and Racial Subordination*, 3 AM. J. L. & EQUALITY 319 (2023) (peer-reviewed journal).

*Noncitizen Harboring and the Freedom of Association*, 101 N.C. L. REV. 677 (2023).

- Selected for republication in Vol. 44 of the *Immigration and Nationality Law Review* (compendium of premier immigration law scholarship) & *Bender's Immigration Bulletin* (Lexis).

*The Contested "Bright Line" of Territorial Presence*, 56 GA. L. REV. 1511 (2022) (symposium).

## SELECT PUBLICATIONS, CONT'D

[\*Immigration Law's Arbitrariness Problem\*](#), 121 COLUM. L. REV. 2049 (2021).

- Selected for the 2021 AALS Administrative Law and Legislation New Voices Program.
- Selected for the 2021 [Administrative Law New Scholarship Roundtable](#).
- Reviewed in JOTWELL by [Mila Sohoni](#) (Nov. 29, 2021) and [Juliet Stumpf](#) (July 8, 2022).
- Selected for republication in Vol. 42 of the *Immigration and Nationality Law Review* & *Bender's Immigration Bulletin*.

[\*Abdication Through Enforcement\*](#), 96 IND. L. J. 1325 (2021).

- Selected for the 2020 [Administrative Law New Scholarship Roundtable](#).

[\*The Emerging Lessons of Trump v. Hawaii\*](#), 29 WM. & MARY BILL RTS. J. 775 (2021) (symposium).

[\*The Law of Rescue\*](#), 108 CALIF. L. REV. 619 (2020).

- Selected for the 2019 AALS Immigration Law New Voices Program and the American Constitution Society's competitive Junior Scholars Public Law Workshop at the 2020 AALS meeting.
- Reviewed by [Jill Family](#) in JOTWELL (Nov. 11, 2020).

[\*Plenary Power and Animus in Immigration Law\*](#), 80 OHIO ST. L. J. 13 (2019).

[\*Saving Lives\*](#), 58 B.C. L. REV. 1225 (2017).

- Selected from a call for papers for presentation at the 2017 AALS Immigration Law Section workshop.

[\*Applying the U.S. Constitution to Foreign Asylum-Seekers: Exposing a Curious, Inconsistent Practice in the Federal Courts\*](#), 100 MARQ. L. REV. 137 (2016).

[\*Optimal Asylum\*](#), 46 VAND. J. TRANSNAT'L L. 1215 (2013).

- Cited extensively in Congressional Research Service (CRS) report, [\*The Law of Asylum Procedure at the Border: Statutes and Agency Implementation\*](#) (Apr. 9, 2021).

## SELECT CONFERENCE & PANEL PRESENTATIONS

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|---|------|
| Commentator, Scholarly Papers Workshop<br>ABA Administrative Law & Regulatory Practice Section<br>Washington, DC  | 2025 |
| Critical Perspectives on Public Law<br>UNIVERSITY OF VIRGINIA SCHOOL OF LAW, Charlottesville, VA  | 2025 |
| Immigration Roundtable<br>UNIVERSITY OF NORTH CAROLINA SCHOOL OF LAW, Chapel Hill, NC   | 2025 |
| Faculty workshop<br>FLORIDA STATE UNIVERSITY COLLEGE OF LAW, Tallahassee, FL  | 2025 |
| Commentator, New Voices in Administrative Law and Legislation<br>AALS, San Francisco, CA  | 2025 |
| Presenter, Cardozo Immigration Enforcement Workshop<br>CARDOZO SCHOOL OF LAW, New York, NY  | 2024 |
| Panelist, <i>When "No Action" Means "Final Action": Current Issues in Agency Guidance</i><br>ABA Administrative Law & Regulatory Practice Section fall conference<br>(Organized by Benjamin Birkhill; co-panelists Susan Yackee Webb, Connor Raso, and Michael Edney) | 2024 |

## SELECT CONFERENCE & PANEL PRESENTATIONS, CONT'D

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| Organizer & Commentator, Southeastern Junior/Senior Workshop<br>UNIVERSITY OF ALABAMA SCHOOL OF LAW, Tuscaloosa, AL  | 2024 |
| Presenter, International Regulatory Governance Association<br>UNIVERSITY OF PENNSYLVANIA, Philadelphia, PA   | 2024 |
| Presenter, Immigration Law Professors Conference<br>UNIVERSITY OF MINNESOTA, Minneapolis, MN   | 2024 |
| Panel organizer & moderator, <i>Policymaking Through Enforcement</i><br>ABA Administrative Law & Regulatory Practice Section spring conference, Washington, DC<br>(Panelists: Sally Gu, Fred Golberg, and Tania Valdez)  | 2024 |
| Commentator, New Voices in Administrative Law and Legislation<br>AALS, Washington, DC  | 2024 |
| Commentator, Southeastern Junior/Senior Workshop<br>UNIVERSITY OF FLORIDA LEVIN COLLEGE OF LAW, Gainesville, FL  | 2023 |
| Presenter, Cardozo Immigration Enforcement Workshop<br>CARDOZO SCHOOL OF LAW, New York, NY   | 2023 |
| Panelist, Agency Adjudication 101<br>ABA Administrative Law & Regulatory Practice Section spring conference  | 2023 |
| AALS, San Diego, CA  | 2023 |
| <ul style="list-style-type: none"><li>Panelist, <i>Biden v. Texas and the Federal-State Battle over Immigration Law</i><br/>Hot Topics</li><li>Presenter &amp; Commentator, New Voices in Administrative Law and Legislation</li></ul>                             |      |
| Organizer and moderator, <i>Judicial Review of Agency Guidance in Immigration Law and Beyond</i><br>ABA Administrative Law & Regulatory Practice Section fall conference<br>(Panelists: Brad Banias, Benjamin Eidelson, Shruti Rana, Bijal Shah, and Shoba Wadhia) | 2022 |
| Faculty workshop, CARDOZO LAW SCHOOL   | 2022 |
| Presenter, Administrative Law New Scholarship Roundtable<br>UNIVERSITY OF MINNESOTA LAW SCHOOL   | 2022 |
| Panelist, <a href="#">Agency Adjudication 101</a> ,<br>ABA Administrative Law & Regulatory Practice Section spring conference (virtual)  | 2022 |
| Organizer and moderator,<br>ABA Administrative Law Section <a href="#">webinar</a> , “ <a href="#">Understanding Agency Self-Regulation</a> ”  | 2022 |
| Speaker, <a href="#">symposium</a> on “Immigrants and the First Amendment”<br>UNIVERSITY OF GEORGIA SCHOOL OF LAW  | 2022 |
| Presenter, <i>Immigration Law’s Arbitrariness Problem</i><br>Administrative Law New Scholarship Roundtable, YALE LAW SCHOOL (virtual)  | 2021 |

## ADDITIONAL TEACHING EXPERIENCE

- University of Alabama School of Law**, Tuscaloosa, AL 2017-2019  
*Visiting Lecturer*  
Taught courses including Legislation & Regulation, Immigration Law, and Professional Responsibility.
- University of Florida Levin College of Law**, Gainesville, FL 2009-2017  
*Visiting Lecturer; Lecturer; Senior Lecturer*  
Taught courses including Legal Writing, Appellate Advocacy, and Asylum & Refugee Law.
- Harvard University**, Cambridge, MA 2002-2003  
*Teaching Fellow*, Justice (Professor Michael J. Sandel)

## PROFESSIONAL EXPERIENCE

- Administrative Conference of the United States** 2023-2024  
*Consultant*, project on individualized guidance
- U.S. Court of Appeals for the Third Circuit**, Philadelphia, PA 2007-2009  
*Staff Attorney*
- Morrison & Foerster LLP**, San Francisco, CA June-July 2003; 2004-06  
*Litigation Associate and previously Summer Associate*

## MEDIA AND SHORTER WORKS

- [\*Promoting Consistency and Transparency in Individualized Guidance\*](#), THE REG. REV., Nov. 13, 2024.
- [\*Eroding Immigrants' Rights Through the "New" New Textualism\*](#), 2021-22 ACS SUP. CT. REV. (2023).
- [\*United v. Texas, Explained\*](#), LAWFARE, July 14, 2023.
- [\*Open Questions and Legal Hurdles for Biden's New Border Rule\*](#), LAWFARE, May 16, 2023.
- [\*Immigration Enforcement Priorities and Presidential Duty\*](#), LAWFARE, Aug. 23, 2022.
- [\*An important week for immigration law\*](#), SCOTUSTalk, June 21, 2022 (biweekly podcast hosted by Amy Howe).
- [\*The demise of rights-protective statutory interpretation for detained immigrants and the rise of "piecemeal" textualism\*](#), SCOTUSblog, June 14, 2022 (opinion analysis).
- [\*D.C. Circuit Rules That Public Health Law Empowers Government to Expel Asylum-Seekers – But Not to Countries Where They Face Persecution or Torture\*](#), LAWFARE, Mar. 31, 2022.
- [\*Shadow Sanctions for Immigration Violations\*](#), LAWFARE, Feb. 2, 2022.
- [\*Justices grapple with the legacy of a 2001 immigration detention case\*](#), SCOTUSblog, Jan. 12, 2022 (argument analysis).
- [\*Justices will revisit whether certain noncitizens in lengthy detention are entitled to bond hearings\*](#), SCOTUSblog, Jan. 10, 2022 (argument preview).

## **ACADEMIC SERVICE**

Referee: YALE LAW JOURNAL (2021, 2024 & 2025), LAW & SOCIAL INQUIRY (2021), LAW & SOCIETY REVIEW (2022), THE LANCET REGIONAL HEALTH – AMERICAS (2025)

Co-organizer, *Power in the Administrative State* (Fall 2022, Spring 2023, and Fall 2023)

[Council Member](#), ABA Administrative Law and Regulatory Practice Section (2022-25)

Mentor and Committee Member, PALS Program, ABA Administrative Law and Regulatory Practice Section (2024-present) (mentoring program for prospective administrative law scholars)

Faculty Advisor, JOURNAL OF THE LEGAL PROFESSION (2020-25)

Law School Committees: Colloquium, 2020-21, 2021-25 (Chair); Faculty Appointments, Fall 2020, Fall 2023; Curriculum, 2019-20.

## **BAR MEMBERSHIP**

California (inactive)