

# KIT JOHNSON

## CURRICULUM VITAE

### ACADEMIC APPOINTMENTS

**THE UNIVERSITY OF OKLAHOMA COLLEGE OF LAW** — 2012-2016, 2018-present  
Professor of Law (2020-present), Associate Professor of Law (2012-2016, 2018-2020)  
Courses: Immigration Law, Crimmigration, Civil Procedure I & II, Trial Techniques, Federal Courts, Criminal Law  
Service: Curriculum & Scheduling Committee, Academic Support Committee, Ad Hoc Enrichment Committee, Admissions Committee, Self-Study Committee, Code of Academic Responsibility Hearing Tribunal, OUtlaw (faculty advisor), the Legal Group for Building Tolerance and Acceptance (LGBTa) (faculty advisor), Black Law Students Association (faculty advisor), Immigration Law Society (faculty advisor), Oklahoma Junior Scholars Conference (organizer), 2014 Oklahoma Law Review Symposium (organizer), Faculty Leadership Academy (fellow)

**UNIVERSITY OF NORTH DAKOTA SCHOOL OF LAW** — 2008-2012, 2016-2018  
Associate Professor of Law (2016-2018), Visiting Assistant Professor of Law (2009-2012), Adjunct Professor of Law (2008)  
Courses: Immigration Law, Applied Immigration Law: Representing Employers, Business Associations, Advanced Business Associations, Trial Advocacy, Evidence, Professional Responsibility, Administrative Law  
Service: Curriculum & Assessment Committee, Experiential Courses Committee, Joint School of Law/SBAND Committee, Faculty Secretary, Law Women's Caucus (faculty advisor), Immigration Law Student Association (faculty advisor)  
Honors: Commencement speaker 2018 (with Eric E. Johnson), Robert Johnson Research Fellowship 2017-2018

**THE MAURICE A. DEANE SCHOOL OF LAW AT HOFSTRA UNIVERSITY** — 2016-2019  
Special Professor of Law  
Course: Immigration Law and Border Enforcement (one-week three-credit summer course)

### EDUCATION

**UNIVERSITY OF CALIFORNIA BERKELEY, SCHOOL OF LAW** — J.D., May 2000  
Honors: Order of the Coif (awarded to top 10% of graduating class)  
Best Brief, First Year Moot Court  
JJ&J Scholarship  
Activities: *Berkeley Women's Law Journal*, Articles Editor  
Moot Court Board  
Faculty Appointments Committee, Student Representative

**HARVARD LAW SCHOOL** — Berkeley-Harvard Exchange Program, 1999-2000  
Activities: Harvard Law School Parody  
Moot court judge

WESLEYAN UNIVERSITY — B.A., June 1997

Honors: Graduated with Honors in College of Letters  
Baldwin Fellowship, for promise in law

Activities: Studied abroad in Madrid, Spain  
Teaching Assistant, Introductory Spanish  
Steel drum band  
Ebony Singers (gospel choir)  
Head Resident, Nicholson Dormitory

## WRITING

(papers.ssrn.com/author=1241101)

### *Law Review Publications*

*Rising Up Without Pushing Down: Lessons Learned from the Suffragettes' Anti-Immigrant Rhetoric*, \_\_ ST. JOHN'S UNIVERSITY LAW REVIEW \_\_ (2021) (symposium issue)

*Women of Color in Immigration Enforcement*, \_\_ NEVADA LAW JOURNAL \_\_ (2021) (symposium issue)

*Universities as Vehicles for Immigrant Integration*, 46 FORDHAM URBAN LAW JOURNAL 580 (2019) (symposium issue)

*The Mythology of Sanctuary Cities*, 28 SOUTHERN CALIFORNIA INTERDISCIPLINARY LAW JOURNAL 589 (2019) (symposium issue)

*Pereira v. Sessions: A Jurisdictional Surprise for Immigration Courts*, 50 COLUMBIA HUMAN RIGHTS LAW REVIEW 1 (2019)

Earlier version of essay, without appendix, published at 3 COLUMBIA HUMAN RIGHTS LAW REVIEW ONLINE 1 (2018)

Cited in *United States v. Tena-Arana*, 2019 WL 3254222 n.1 (W.D. Tex. July 19, 2019); *United States v. Perez Gavaldon*, 2019 WL 3068334 n.4 (W.D. Tex. July 11, 2019); *United States v. Cruz-Ramos*, 392 F. Supp. 3d 720, 725 n.4 (W.D. Tex. June 28, 2019); *United States v. Pszeniczny*, 384 F. Supp. 3d 353, 364 (E.D.N.Y. 2019); *United States v. Guillermo-Saucedo*, 2019 WL 2298794 n.4 (W.D. Tex. May 30, 2019); *United States v. Moreno-Mendoza*, 386 F. Supp. 3d 765, 769 n.4 (W.D. Tex. May 21, 2019); *United States v. Eligio-Rodriguez*, 384 F. Supp. 3d 774, 779 n.4 (W.D. Tex. 2019); *United States v. Felix-Felix*, 386 F. Supp. 3d 784, 788 n.4 (W.D. Tex. May 21, 2019); *United States v. Zuniga-Hernandez*, 2019 WL 2161551 (D. Utah, May 17, 2019); *United States v. Torres Zuniga*, 390 F. Supp. 3d 653 n.9 (E.D. Va. 2019); *United States v. Diaz-Martinez*, 380 F. Supp. 3d 486 (E.D. Va. 2019); *United States v. Leon-Gonzalez*, 351 F. Supp. 3d 1026, 1031 n.3 (W.D. Tex. 2018); *United States v. Pedroza-Rocha*, 2018 WL 6629649 n.1 (W.D. Tex. Sept. 21, 2018)

*A Citizenship Market*, 2018 UNIVERSITY OF ILLINOIS LAW REVIEW 969 (2018)

*Beauty and the Beast: Disney's Use of the Q and H-1B Visas*, 12 NYU JOURNAL OF LAW & LIBERTY 124 (2018) (symposium issue)

*Opportunities & Anxieties: A Study of International Students in the Era of Trump*, 22 LEWIS & CLARK LAW REVIEW 413 (2018) (symposium issue)

*Can We Act Globally While Thinking Locally? Responding to Stella Burch Elias*, The Perils and Possibilities of Refugee Federalism, 67 AMERICAN UNIVERSITY LAW REVIEW 217 (2017) (invited)

*A Cost-Benefit Analysis of the Federal Prosecution of Immigration Crimes*, 92 DENVER UNIVERSITY LAW REVIEW 863 (2015) (symposium issue)

*"Vast Hordes . . . Crowding In Upon Us": The Executive Branch's Response To Mass Migration and the Legacy of Chae Chan Ping*, 68 OKLAHOMA LAW REVIEW 185 (2015) (with Margaret Taylor) (symposium issue)

*Chae Chan Ping at 125: An Introduction*, 68 OKLAHOMA LAW REVIEW 3 (2015) (symposium issue)

*Theories of Immigration Law*, 46 ARIZONA STATE LAW JOURNAL 1211 (2014)

*Buying the American Dream: Using Immigration Law to Bolster the Housing Market*, 81 TENNESSEE LAW REVIEW 829 (2014)

*Immigration Preemption After Arizona v. United States* (debate with Peter J. Spiro), 161 UNIVERSITY OF PENNSYLVANIA LAW REVIEW ONLINE 100 (2012) (by invitation)

*Importing the Flawless Girl*, 12 NEVADA LAW JOURNAL 831 (2012)

*The Wonderful World of Disney Visas*, 63 FLORIDA LAW REVIEW 915 (2011)

*Patients Without Borders: Extralegal Deportation By Hospitals*, 78 UNIVERSITY OF CINCINNATI LAW REVIEW 657 (2009)

### ***Blogging***

ImmigrationProf Blog, Co-editor, August 2014-present, over 1400 posts,  
<http://lawprofessors.typepad.com/immigration/>

SCOTUS Blog, contributor, <https://www.scotusblog.com/author/kit-johnson/>  
*Argument preview: Justices to consider limits on appeals courts' authority to review decisions of the Board of Immigration Appeals* (December 2, 2019)

*Argument analysis: Justices consider federal courts' statutory authority to review decisions from the Board of Immigration Appeals* (December 10, 2019)

*Opinion analysis: Court sides with immigrants on availability of judicial review of removal orders* (March 23, 2020)

*Hire American: Race-Based Exclusion in Employment-Based Immigration*, Yale Journal on Regulation Blog (August 4, 2020) (contribution to online symposium co-authored with Stella Burch Elias), <https://www.yalejreg.com/nc/hire-american-race-based-exclusion-in-employment-based-immigration-by-stella-burch-elias-kit-johnson/>

### ***Other Writing***

*Democrats debate the repeal of Section 1325 – what you need to know about the immigration law the criminalizes unauthorized border crossings*, The Conversation, June 28, 2019

### **PRESENTATIONS**

*Lawful Work While Undocumented: Business Entity Solutions*, in The Precarious Workplace, Texas A&M University School of Law, January 11, 2021

*Hire American: Race-Based Exclusion in Employment-Based Immigration*, in Examining Institutional Structures: Race, Business & the Law, The Iowa Innovation, Business and Law Center, December 3, 2020

*Rising Up Without Pushing Down: Lessons Learned From The Suffragettes' Anti-Immigrant Rhetoric*, in Commemorating the 100th Anniversary of the 19th Amendment, St. John's University Law Review Symposium, October 23, 2020

*Brave Conversation about Immigration Law*, Humanities North Dakota, Sept. 30, 2020

*Lawful Work While Undocumented: Business Entity Solutions*, in Immigration Law in Shifting Times, Denver University Law Review Symposium, Denver, CO, February 7, 2020 (invited)

*Challenges Facing New Americans and Recent Immigrants as Lawyers, Litigants, and Others Working or Interacting with the Legal System*, Symposium on Implicit Bias in the Legal Profession, UND School of Law, Grand Forks, ND, September 21, 2019

*Immigration Based on Credit Reports*, 5th Biennial Emerging Immigration Scholars Conference, BYU Law School, Provo, UT, June 7, 2019

*Immigrant Justice*, YMCA's 11th Annual Stand Against Racism, Oklahoma City, OK, May 16, 2019

*The Mythology of Sanctuary Cities*, Southern California Interdisciplinary Law Journal Symposium, University of Southern California Gould School of Law, Los Angeles, CA, March 28, 2019

*Pereira v. Sessions: A Jurisdictional Surprise for Immigration Courts*, Columbia Human Rights Law review 50th Anniversary Symposium Series, Columbia Law School, New York, NY, February 11, 2019

*Immigration Law Values*, AALS Annual Meeting, New Orleans, LA, January 5, 2019 (selected from call for papers)

*The Potential of Universities to Promote Immigrant Integration*, Fordham Urban Law Journal's 2018 Cooper-Walsh Colloquium: *Remodeling Sanctuary: Urban Immigration in a New Era*, Fordham School of Law, New York, NY, November 9, 2018

*Pereira v. Sessions: A Jurisdictional Surprise for Immigration Courts*, Central States Law Schools Association Annual Conference, Texas A&M University School of Law, Fort Worth, TX, October 12, 2018

*Bringing Humanity into the Classroom: Using Experiential Techniques in Doctrinal Courses to Prepare the Well-Rounded Lawyer in an Era of Social Change*, 2018 SALT Teaching Conference: Legal Education for a Changing Society, Penn State Law, University Park, PA, October 5, 2018

*The Federalist Society: Immigration Law*, University of North Dakota School of Law, Grand Forks, ND, April 6, 2018 (commentator)

*Addressing the Exploitation of Women and Children*, Helen Hamilton Day, University of North Dakota School of Law, Grand Forks, ND, March 23, 2018 (moderator)

*Opportunities & Anxieties: A Study of International Students in the Era of Trump*, The Immigration Nexus: Law, Politics, and Constitutional Identity, Lewis and Clark Law Review Symposium, Portland, OR, March 9, 2018

*Models, Medivacs, Moguls, and More: Finding the Curious in Immigration Law*, Faculty Lecture Series, University of North Dakota, Grand Forks, ND, February 28, 2018 (selected by panel of Chester Fritz Distinguished Professors to present)

*The Free Movement of Labor*, in Freedom versus Fairness: The Tension Between Free Market and Populist Ideals in Labor, NYU Journal of Law & Liberty Symposium, Feb. 27, 2018 (invited)

*Immigration Commodification*, Central States Law Schools Association Annual Conference, Southern Illinois Law School, Carbondale, IL, October 7, 2017

*Immigration As A National Security Asset*, Fourth Biennial Emerging Immigration Scholars Conference, Texas A&M University School of Law, Fort Worth, TX, May 18, 2017

*Citizenship Swaps: Imagining a Market for Nationality*, Plenary Power Colloquium, Brigham Young University J. Reuben Clark Law School, Provo, UT, Oct. 14, 2016

*New Frames for Immigration Law*, Law and Society Association Annual Meeting, New Orleans, LA, June 4, 2016 (invited panel session)

*A Citizenship Market*, Immigration Law Teachers Workshop 2016, Michigan State University College of Law, East Lansing, MI, May 20, 2016

*A Citizenship Market*, Emerging Immigration Scholars Conference, UCLA, Los Angeles, CA, February 26, 2016 (selected)

*Immigration and the 2016 Election: Campaign Rhetoric, Minority Voting, and Policy Possibilities*, 2016 AALS Annual Meeting, January 9, 2016 (organizer and moderator for selected Hot Topic program)

*A Citizenship Market*, Central States Law Schools Association Annual Conference, University of Toledo College of Law, Toledo, OH, October 10, 2015

*Change and Transformation in Law Teaching Careers*, Central States Law Schools Association Annual Conference, University of Toledo College of Law, Toledo, OH, October 9, 2015 (plenary panel organizer/moderator)

*Sales, Transfers, and Swaps of Citizenship*, 2015 Emerging Immigration Scholars' Conference, Miami, FL, June 12, 2015

*Books, Blogs, and Briefs: The Changing State of Legal Scholarship*, 2015 Emerging Immigration Scholars' Conference, Miami, FL, June 11, 2015 (plenary panel)

*A Cost-Benefit Analysis of the Federal Prosecution of Immigration Crimes*, in *Crimmigration: Current Issues at the Intersection of Criminal Law and Immigration Law*, Denver University Law Review Symposium, Denver, CO, February 6, 2015 (selected)

*Chae Chan Ping at 125: An Introduction*, Oklahoma Law Review Symposium, Norman, OK, November 14, 2014

*Academics as Instrumentalists: Faculty Perspectives*, Central States Law Schools Association Annual Conference, Louisiana State University, Paul M. Hebert Law Center, Baton Rouge, LA, October 10, 2014 (plenary panel organizer/moderator)

*The Economics of Crimmigration*, Central States Law Schools Association Annual Conference, Louisiana State University, Paul M. Hebert Law Center, Baton Rouge, LA, October 10, 2014

*Buying the American Dream*, Oklahoma Junior Scholars Conference, University of Oklahoma, Norman, OK, July 11, 2014

*Buying the American Dream*, Immigration Law Professors Workshop, University of California, Irvine School of Law, Irvine, CA, May 23, 2014

*Buying the American Dream*, Regional Junior Faculty Workshop, Washington University School of Law, St. Louis, MO, February 28, 2014

*Writing What You Do – Using Experience as Inspiration for Scholarship*, Central States Law Schools Association Annual Conference, The University of Arkansas School of Law, Fayetteville, AR, October 5, 2013 (plenary panel)

*The American Dream Re-Built: Should Foreign Homebuyers Get Automatic Immigration Status?*, Central States Law Schools Association Annual Conference, The University of Arkansas School of Law, Fayetteville, AR, October 5, 2013

*Untangling Immigration Law: The Four Theories Underlying Our Beneficence*, First Annual Junior Faculty Works-In-Progress Conference, Marquette University Law School, Milwaukee, WI, September 20, 2013 (invited)

*Theories of Immigration Law*, Oklahoma Junior Scholars Conference, The University of Oklahoma College of Law, Norman, OK, July 19, 2013

*Theories of Immigration Law*, Emerging Immigration Law Scholars and Teacher Conference, UC Irvine School of Law, Irvine, CA, June 13, 2013

*Immigration, Fashion, and Eating Disorders*, poster at the Association of American Law Schools Annual Meeting, sponsored by the Committee on Sections and Annual Meeting and the Section on Law, Medicine and Health Care, New Orleans, LA, January 5, 2013

*Theories of Immigration Law*, Central States Law Schools Association Annual Conference, Cleveland State University Cleveland-Marshall College of Law, Cleveland, OH, October 20, 2012

*Theories of Immigration Law*, Immigration Law Teachers Conference, Hofstra University School of Law, Hempstead, NY, June 1, 2012

*Patients Without Borders*, poster at the Graduate School 2011 Scholarly Forum, University of North Dakota, Grand Forks, ND, March 9, 2011

*The Wonderful World of Disney Visas*, Central States Law Schools Association Annual Conference, University of North Dakota, Grand Forks, ND, Sept. 25, 2010

*The Wonderful World of Disney Visas*, Immigration Law Teachers Conference 2010, DePaul University College of Law, Chicago, IL, May 25, 2010

## MEDIA

Aaron Sánchez-Guerrera and Sophia Cai, *Florida Among Top States For Foreign Visa Workers Under Exploitation Risk, Report Says*, WUSF News, Sept. 10, 2019 (cited)

Michelle Chen, *'We Were Treated Like Dirt': A Visa Program Exploits Student Workers*, THE NATION, August 14, 2019 (cited)

Melissa Aparicio, *How Border Crossing Became a Crime*, BRUT, July 3, 2019 (interview)

Arnie Arnesen, *The Attitude*, WNHN 94.7FM, July 2, 2019 (live interview)

Ana Campoy, *What if crossing the border illegally wasn't a crime?*, QUARTZ, June 28, 2019 (quoted)

Sarah Okerson, *Renegade administration ignores Supreme Court's deportation order*, SALON, September 1, 2018 (cited)

Blake Nicholson & Dave Kolpack, *Family separation issue tests Heitkamp, Cramer*, AP NEWS, June 20, 2018 (quoted)

Raju Chaduvula, *Uncertainty looms for F-M immigrants with temporary protected status*, INFORUM.COM, May 13, 2018 (quoted)

Ken Chase, *Undocumented immigrants fear calling 911*, WDAZ (ABC AFFILIATE), February 21, 2018 (interview)

Kimberly Strawbridge Robinson, *Immigration Discrimination? SCOTUS Says No*, BLOOMBERG BNA, June 12, 2017 (quoted)

Jess Bravin & Mirian Jordan, *Key Issue at Supreme Court Immigration Hearing: Drivers License Fees*, WALL STREET JOURNAL, April 13, 2016 (quoted)

Kyle Kellams, *Ozarks At Large: Navigating Immigration*, KUAF (NPR AFFILIATE), April 6, 2016 (interview)

Allissa Wickham, *H-1B Racketeering Suits Against Disney Face Uphill Battle*, LAW 360, January 28, 2016 (quoted)

Dan Loney, *The Disney Lawsuit*, KNOWLEDGE@WHARTON, January 27, 2016 (live interview)

Dan Loney, *The Visa Waiver Program*, KNOWLEDGE@WHARTON, December 9, 2015 (live interview)

Bourree Lam, *America's Mixed Feelings About Immigrant Labor: Disney-Layoffs Edition*, THE ATLANTIC, June 18, 2015 (cited)

Dick Pryor, *Law Day*, OETA (PBS AFFILIATE), April 30, 2015 (interview)

Kevin O'Brien Chang, *Pressing Matters*, NCU FM RADIO (JAMAICA), November 30, 2014 (live interview)

VOA NEWS, November 20, 2014 (live interview following presidential announcement regarding executive action on immigration)

Pierre-Emmanuel Luneau Daignac, *Special Investigation: Travailler plus, pour gagner... rien! (Work more to earn... nothing!)*, CANAL+ (FRENCH TELEVISION), October 14, 2013 (interview)

Erik Schatzker, *Market Makers: Models and Tech Workers Fight for Same Visas*, BLOOMBERG TELEVISION, May 20, 2013 (live interview)

Britta Conroy-Randall, *Critics Accuse J Visa Program of Exploiting Foreign Students*, PUBLIC RADIO INTERNATIONAL, October 6, 2011 (interview)

## EXTERNAL ACADEMIC SERVICE

### AALS SECTION ON IMMIGRATION LAW—2018 to present

Chair (2021), Chair-elect (2020), Member (2018-2019) of the executive committee; Member of the planning committee for the Immigration Law Scholars and Teachers Workshop (ILSTW) 2018 & 2022; Chair of the pedagogy plenary/breakout sessions for ILSTW 2018; Chair of the New Voices in Immigration Law session at AALS 2019, 2020, and 2021.

### 5TH BIENNIAL EMERGING IMMIGRATION LAW SCHOLARS CONFERENCE— 2018-2019

Chair of the planning committee

### PEER REVIEW—2014 to present

Yale Law Journal, Harvard Law Review, International Migration Review

### CENTRAL STATES LAW SCHOOLS ASSOCIATION — 2013-2016

President (2015-2016), Vice President (2014-2015), Secretary (2013-2014)

### IMMIGRATION LAW PROFESSORS WORKSHOP 2014 — 2013-2014

Member of the works-in-progress committee



## PROFESSIONAL EXPERIENCE

**MUNGER, TOLLES & OLSON LLP**, Los Angeles, CA — 2003-2008

Litigation Associate (2003-2007), Contract attorney based in Grand Forks, ND (2007-2008). Defended the owner of Brighton Collectibles in a contract dispute from complaint through jury verdict. Represented Berkshire Hathaway in a putative class-action litigation, including defending the deposition of Berkshire Hathaway's general counsel. Other matters included federal white-collar criminal defense, patent infringement and antitrust litigation, and pro bono representation of children's caregivers seeking guardianships and adoptions.

**UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT**, Pasadena, CA — 2002-2003

Judicial Clerk for the Honorable Pamela Ann Rymer.

**UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA**, Phoenix, AZ — 2000-2002

Judicial Clerk for the Honorable Robert C. Broomfield.

**PAUL, WEISS, WHARTON, RIFKIND & GARRISON**, New York, NY — 2000

Summer Associate. Matters included representation of defendant Mitsubishi Corporation in a federal white-collar criminal matter.

**GREATER BOSTON LEGAL SERVICES**, Boston, MA — 1999-2000

Law Clerk. Interviewed clients, wrote affidavits, and compiled evidence in support of residency petitions for immigrant domestic-violence survivors under the Violence Against Women Act.

**DEBEVOISE & PLIMPTON**, New York, NY — 1999

Summer Associate. Matters included a complex asylum application.

**S.F. NEIGHBORHOOD LEGAL ASSISTANCE FOUNDATION**, San Francisco, CA — 1998-1999

Equal Justice America Fellow. Assisted Spanish-speaking clients with family-law matters and consumer-law claims.

**ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK**, New York, NY — 1996

Intern. Researched issues in support of self-petitions by immigrant domestic-violence survivors under the Violence Against Women Act. Provided simultaneous translation of legal presentations.

**VOLUNTEER SERVICE**

**GLOBAL FRIENDS COALITION**, Grand Forks, ND — July 2017 – May 2018

Secretary of the Board of Directors.

**AILA PRO BONO PROJECT**, Artesia, NM — November 30 – December 5, 2014

Represented women and children detained at the Federal Law Enforcement Training Center. Consulted with clients about their cases and prepared them for hearings.

Appeared on clients' behalf in initial pleadings and bond hearings.

**INNER CIRCLE FOSTER CARE & ADOPTION SERVICES**, Van Nuys, CA — 2003-2007

Secretary of the Board of Directors. Helped to obtain grants. Redecorated visitation rooms.

**EAST VALLEY CHILD CRISIS CENTER**, Mesa, AZ — 2000-2002

Volunteer caretaker of infants and toddlers in emergency transitional care.