

Stephen Lee

University of California, Irvine
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ACADEMIC POSITIONS

University of California, Irvine School of Law

Appointments. *Associate Dean for Faculty Research and Development* (July 2017 – June 2018; Jan. 2019 – 2022); *Professor of Law* (July 2014 – present); *Assistant Professor of Law* (July 2009 – 2014); *Affiliated Faculty*, Asian American Studies Department (Jan. 2010 – present); *Affiliated Faculty*, Criminology, Law & Society Department (April 2010 – present)

Primary Courses. Administrative Law, Immigration Law, Procedural Analysis (Civil Procedure), Labor Law, Food Law

Competitive Research Grants. *National Science Foundation*. Senior Advisory Panel for the Law and Social Sciences Grant for the project “Executive Relief and the Roles of Mediating Institutions in Immigration Law and Policy” (with Sameer Ashar, Jennifer Chacón, and Susan Bibler Coutin) (\$229,894). *Russell Sage Foundation*. Presidential Authority Grant for the project “Liminal Legalities along Pathways to Citizenship: The Role of Brokering Organizations” (with Sameer Ashar, Jennifer Chacón, and Susan Bibler Coutin) (\$30,000)

Affiliations, Awards, and Honors. *American Bar Foundation Life Fellow* (2021); *American Law Institute*, Member (elected 2016); *Association of American Law Schools*, 2014 Derrick A. Bell, Jr. Award Co-Winner (recognizing a junior faculty member’s extraordinary contributions to legal education through teaching, scholarship, and mentoring); *Center for Progressive Reform* (Member Scholar since 2019); *The Labor Law Group* (since 2018), 2013 *Stanford University Distinguished Alumni Scholars Day Invitee* (selected by Vice Provost for Faculty Development and Diversity); UCI Celebration of Teaching Award nominee 2021 (campus-wide); UCI Excellence in Digital Learning Award nominee 2021 (campus-wide); *UCI Law School Professor of the Year Nominee* (2013, 2014, 2015, 2018, 2021)

Korea University Law School

Appointment. Visiting Professor (Summer 2018)
Course. Introduction to American Law (co-taught with Professor Kyung-Shin Park)

Stanford Law School

Appointment. *Thomas V. Grey Fellowship* (July 2007 – June 2009)

Course. Legal Research and Writing

EDUCATION

University of California, Berkeley School of Law

J.D., May 2005. *California Law Review* (member); *Asian American Law Journal* (Editor-in-Chief); Center for Social Justice (Student Advisory Board Member); Coalition for Diversity (Member); Asian Pacific American Law Students Association (Community Service Chair)

University of California, Los Angeles

M.A., March 2001, Asian American Studies

Stanford University

B.A., June 1998, Anthropology, Asian American Studies (minor)

PUBLICATIONS, BOOKS, AND WORKING PAPERS

LEGAL PHANTOMS: EXECUTIVE ACTIONS AND THE HAUNTING FAILURES OF IMMIGRATION LAW (with Sameer Ashar, Jennifer Chacón, and Susan Bibler Coutin) (under contract with Stanford University Press)

Good Governance and the Good Life in Our Immigration System (in progress)

Continuous Presence in an Era of Immigrant Exclusion (in progress)

The Racialization of Restaurant Workers (book chapter), in RACE, RACISM, AND THE LAW HANDBOOK (eds., Aziza Ahmed & Guy-Uriel Charles) (forthcoming 2022)

The Economic Dimensions of Family Separation, 71 DUKE LAW JOURNAL 845 (2021), reprinted in 42 IMMIGRATION & NATIONALITY REVIEW ___ (forthcoming 2022)

Undocumented Civil Procedure (book chapter), in A CRITICAL GUIDE TO CIVIL PROCEDURE (eds., Brooke Coleman, Suzette Malveaux, Portia Pedro, Elizabeth Porter) (2022)

Shapeshifting Displacement: Notions of Membership and Deservingness Forged by Illegalized Residents (with Susan Bibler Coutin (lead author), Sameer Ashar, Jennifer Chacón, and Jason Palmer), 12 HUMANITY 339 (2021).

Racial Justice for Street Vendors, 12 CALIFORNIA LAW REVIEW ONLINE 1 (2021) (solicited piece for the symposium “Reckoning and Reformation: Reflections and Legal Responses to Racial Subordination and Structural Marginalization”)

Training Undocumented Lawyers, 10 UC IRVINE LAW REVIEW 453 (2020)

Family Separation as Slow Death, 119 COLUMBIA LAW REVIEW 2319 (2019)

DACA, Government Lawyers, and the Public Interest (with Sameer M. Ashar), 87 FORDHAM LAW REVIEW 1879 (2019), *reprinted in* BENDER'S IMMIGRATION BULLETIN (ed., Daniel M. Kowalski forthcoming 2019)

Citizenship Matters: Conceptualizing Belonging in an Era of Fragile Inclusions (with Jennifer Chacón (lead author) and Sameer Ashar and Susan Bibler Coutin), 52 UC DAVIS LAW REVIEW 1 (2018)

Deferred Action and the Discretionary State: Migration, Precarity and Resistance (with Susan Bibler Coutin (lead author), Sameer Ashar, and Jennifer Chacón), 21 CITIZENSHIP STUDIES 951 (2017)

The Food We Eat and the People Who Feed Us, 94 WASHINGTON UNIVERSITY LAW REVIEW 1249 (2017)

Productivity and Affinity in the Age of Dignity, 114 MICHIGAN LAW REVIEW 1137 (2016)

Defense Lawyers as Membership Brokers, 93 DENVER UNIVERSITY LAW REVIEW 909 (2015)

Growing Up Outside the Law, 128 HARVARD LAW REVIEW 1405 (2015)

Policing Wage Theft in the Day Labor Market, 4 UC IRVINE LAW REVIEW 655 (2014), *reprinted in* 35 IMMIGRATION & NATIONALITY LAW REVIEW 627 (2014)

Review of *Conflicting Commitments: The Politics of Enforcing Immigrant Worker Rights in San Jose and Houston*, by Shannon Gleeson. 66 INDUSTRIAL AND LABOR RELATIONS REVIEW 528 (2013)

De Facto Immigration Courts, 101 CALIFORNIA LAW REVIEW 553 (2013), *reviewed on* JOTWELL (Jan. 8, 2014)

Screening for Solidarity, 80 UNIVERSITY OF CHICAGO LAW REVIEW 225 (2013)

Workplace Enforcement Workarounds, 21 WILLIAM & MARY BILL OF RIGHTS JOURNAL 549 (2012)

Monitoring Immigration Enforcement, 53 ARIZONA LAW REVIEW 1089 (2011), *reprinted in* 32 IMMIGRATION & NATIONALITY REVIEW 119 (2011) and *cited in* *Cazorla v. Koch Foods of Mississippi, LLC*, 853 F.3d 540 (5th Cir. 2016)

Private Immigration Screening in the Workplace, 61 STANFORD LAW REVIEW 1103 (2009), *cited in* *Cazorla v. Koch Foods of Mississippi, LLC*, 853 F.3d 540 (5th Cir. 2016)

Toward a New Student Insurgency: A Critical Epistolary (with Rachel Anderson & Marc-Tizoc González), 94 CALIFORNIA LAW REVIEW 1879 (2006)

Citizen Standing and Immigration Reform: Commentary and Criticisms, Comment, 93 CALIFORNIA LAW REVIEW 1479 (2005)

REPORTS AND OTHER WRITINGS

Social equity, ethics and justice: missing links in eco-agri-food systems, in TEEB FOR AGRICULTURE & FOOD: SCIENTIFIC AND ECONOMIC FOUNDATIONS. GENEVA: UN ENVIRONMENT, Tirado von der Pahlen, M.C., Arias, D. and Comim, F. (2018) (contributing author), at http://teebweb.org/agrifood/wp-content/uploads/2018/06/Foundations_vJun8.pdf.
Trump v. Hawaii, No. 17-965, Brief of Amici Curiae Immigration, Family, and Constitutional Law Professors in Support of Respondents.

Navigating Liminal Legalities Along Pathways to Citizenship: Immigrant Vulnerability and the Role of Mediating Institutions (with Sameer Ashar, Edelina Burciaga, Jennifer M. Chacón, Susan Bibler Coutin, and Alma Garza) (2016), at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2733860

DACA and the Limits of Good Governance, THE REGULATORY REVIEW (July 29, 2020), at <https://www.thereview.org/2020/07/29/lee-daca-good-governance/>.

PROFESSIONAL AND OTHER TEACHING EXPERIENCE

Chief Judge Mary M. Schroeder, Ninth Circuit U.S. Court of Appeals (Phoenix, AZ)
Law Clerk, Aug. 2006 – July 2007

Skadden, Arps, Slate, Meagher & Flom LLP (San Francisco, CA)
Associate (Mass Torts and Insurance Litigation Group), Summer 2004; Oct. 2005 – July 2006

SELECTED PRESENTATIONS AND SYMPOSIA

The Food We Eat and the People Who Feed Us, The Green Transition and the Quality of Work: Linkages, Implications, and Perspectives (conference), Marco Biagi Foundation (Modena, Italy) (March 17, 2023)

Continuous Presence in an Era of Immigrant Exclusion (paper presentation), Poverty Law Conference, UC Berkeley School of Law (Berkeley, CA) (March 11, 2023)

Continuous Presence in an Era of Immigrant Exclusion, faculty workshop, University of New Mexico School of Law (Albuquerque, NM) (Feb. 22, 2023)

Documenting Slow Death in an Era of Immigrant Exclusion (paper presentation), ClassCrits XIII conference (Houston, TX) (Oct. 21, 2022).

Economic Dimensions of Family Separation, Reckoning with the Politics of Legal Representation and Remedy (virtual panelist), Law and Society Association Annual Conference (Lisbon, Portugal) (July 16, 2022)

The Lives and Livelihood of Migrants, Socio-Legal Studies Workshop, UCI Law School (Irvine, CA) (Sept. 24, 2021)

The Effects of Resurgent White Nationalism on AAPIs (panelist), Connecting the Threads that Bind: Contextualizing Legalized Violence Against Asian Americans, UC Hastings Law Center for Racial and Economic Justice (virtual) (September 10, 2021)

Rising Anti-Asian Violence: Connecting Recent Hate Crimes and Asian Stereotypes to Structural Racism (panelist), Duke Law School (virtual) (April 15, 2021)

Entrepreneurialism in the Age of Workplace Enforcement, Beyond Employment: Protecting Autonomous Work, 18th International Conference in commemoration of Prof Marco Biagi, University of Modena and Reggio Emilia (virtual) (March 19, 2021)

The Racialization of the People Who Feed Us, Race, Racism, and the Law Handbook, Duke Law School (virtual) (Jan. 13, 2021)

Racial Justice for Street Vendors, Reckoning and Reformation: Reflections and Legal Responses to Racial Subordination and Structural Marginalization (virtual) (Dec. 5, 2020)

Immigration Update Event: ICE Restrictions on International Students Taking Online Classes – Advocacy Effects & Legal Challenges, UCI Office of Global Engagement (virtual) (July 17, 2020).

Immigration Update Event: Supreme Court Ruling on DACA – Momentary reprieve, What comes next? UCI Office of Global Engagement (virtual) (July 1, 2020).

On the Border: The Asylum Process, International Association of Defense Counsel Mid-Year Meeting (Pebble Beach, CA) (Feb. 24, 2020)

Personal Jurisdiction in Class Actions After Bristol-Myers Squibb, Impact Fund Class Action Conference (San Francisco, CA) (Feb. 21, 2020)

Family Separation as Slow Death, UCLA International Institute (Los Angeles, CA) (Dec. 11, 2019)

Motivations and Consequences of Undocumented Migration from Korea, Korea University and UCI Law School Annual Joint Symposium, Korea University School of Law (Seoul, Korea) (Oct. 7, 2019)

Family Separation as Slow Death, Socio-Legal Studies Workshop, UCI Law School (Irvine, CA) (Sept. 27, 2019)

Family Separation as Slow Death, Theorizing the Interior (chair and panelist), Law and Society Association Annual Conference (Washington, D.C.) (May 30, 2019)

Undocumented Civil Procedure, A Critical Guide to Civil Procedure, Boston University School of Law (Boston, MA) (May 8, 2019)

Family Separation as Slow Death, Invited Workshop Presentation, Pepperdine Law School (Malibu, CA) (April 22, 2019)

Current Strategies for Decolonizing the Ivory Tower (moderator), Decolonizing Higher Education Workshop – Aoki Center, UC Davis School of Law (Davis, CA) (March 1, 2019)

The Family Separation Administration, Trump: Anti-immigrant Rhetoric, Actions and Policies, Universidad Nacional Autónoma de México, (Mexico City, Mexico) (Feb. 13, 2019)

Coalitions of Color and the Rule of Law in the Trump Administration (invited speaker), Joint Conference of Western Law Professors of Color & Asian Pacific American Law Faculty, University of Nevada Las Vegas (Las Vegas, NV) (Oct. 19, 2018)

Invited Workshop Presentation, Tulane Law School (New Orleans, LA) (Sept. 24, 2018)

The Academy of Food Law & Policy, First Annual Conference (Cambridge, MA) (Oct. 5, 2018)

Entrepreneurialism in the Age of Workplace Enforcement, Labor Law Group (Denver, CO) (June 21, 2018)

Entrepreneurialism in the Age of Workplace Enforcement, Can Entrepreneurialism Advance Worker Interests? (chair and panelist), Law and Society Association Annual Conference (Toronto, Canada) (June 9, 2018)

Are Dreamers the New Model Minorities? Asian American Immigrant Rights Organizers Navigate Fierce Solidarity-Building (discussant and panelist), Association of Asian American Studies Annual Conference (San Francisco, CA) (March 31, 2018)

President Trump's Executive Orders and Emergent Issues in Immigration Enforcement (panelist), Washington and Lee University School of Law (Lexington, VA) (Feb. 2, 2018)

Immigrant Rights Under the Trump Administration (panelist), Association of American Law Schools Annual Conference (International Human Rights Section) (San Diego, CA) (Jan. 4, 2018)

Giving Content to Food Citizenship (panelist), Law and Society Association Annual Conference (Mexico City, Mexico) (June 22, 2017)

Making Immigrant Rights Real: Nonprofits and the Politics of Integration (reader in Author-meets-reader session), Law and Society Association Annual conference (Mexico City, Mexico) (June 23, 2017)

Undocumented Asian Americans (moderator and panelist), Association of Asian American Studies Annual Conference (Portland, OR) (April 13, 2017)

Food Inequities and Inequalities (moderator and panelist), Association for the Study of Law, Culture, and the Humanities Annual Conference (Stanford, CA) (March 31, 2017)

Food Security, Sustainability, and Labor Rights (convener and presenters), UC Irvine School of Law Center for Land, Environment and Natural Resources, Workshop Roundtable (Irvine, CA) (March 10, 2017)

Race of the Races: Privilege, Exclusion and Inequality among People of Color in Law (closing speaker), Student Symposium (Irvine, CA) (Feb. 10, 2017)

Food Justice as Interracial Justice, Association of American Law Schools Annual Conference (San Francisco, CA) (Jan. 4, 2017)

Undocumented and Unheard (presenter), Asian American Law Journal symposium, UC Berkeley School of Law (Berkeley, CA) (Oct. 19, 2016)

Executive Relief and the Roles of Mediating Institutions in Immigration Law and Policy, Roundtable Session (Chair), Law and Society Association Annual Conference (New Orleans, LA) (June 2, 2016)

Brokering DACA Relief (Presenter and Author), Immigrant Integration in an Era of Executive Action (panel), Law and Society Association Annual Conference (New Orleans, LA) (June 2, 2016)

Establishing Food System Equity: The Contributions of Law, Global Food Summit: Sustainable Solutions, (Irvine, CA) (May 6, 2016)

Citizenship Matters: Immigrant Vulnerabilities and Immigration Reform, Socio-Legal Studies Workshop, UCI Center in Law, Society, and Culture (Irvine, CA) (April 15, 2016)

Consumer-Labor Alliances, Food Rights in an Uncertain World, Yale Food Systems Symposium (New Haven, CT) (Oct. 30-31, 2015)

Protecting Immigrant Workers through Consumer Protection Laws (Presenter and author), Consumption, Oppression, and Race in the Food Industry (panel), Law and Society Association Annual Conference (Seattle, WA) (May 29, 2015)

Food Chains: Is Your Food Fair?, UCLA/Harvard Annual Food Law and Policy Conference (Los Angeles, CA) (Oct. 24, 2014)

The Food We Eat and the People Who Feed Us, Renewing Employment Relations for Shared Prosperity: Research, Practice and Policy, The Labor and Employment Relations Association (Portland, OR) (June 1, 2014)

Immigrant Youth and Incorporation, Reimagining Reform, Biennial Immigration Law Professors Workshop, UC Irvine School of Law (Irvine, CA) (May 23, 2014)

Setting a Research Agenda for Immigrant Worker Advocates, Public Lecture as Scholar-in-Residence, Thelton E. Henderson Center for Social Justice, UC Berkeley School of Law (Berkeley, CA) (February 24, 2014)

The Past and Future of Immigration Law Teaching: A discussion with Professor Hiroshi Motomura (interviewer and moderator), Emerging Immigration Law Scholars and Teachers Conference, UC Irvine School of Law (Irvine, CA) (June 13–14, 2013)

Diversity and Discrimination in the Workplace (invited presenter and author), How Global Migration Changes the Workforce Diversity Equation, Institute for Research on Labor and Employment, UCLA (Los Angeles, CA) (June 1, 2013)

Can the Police Protect Immigrant Workers? (Presenter and author), Labor Standards Enforcement in an Era of Restrictive Immigration Regulation (panel), Law and Society Association Annual Conference (Boston, MA) (May 30, 2013)

Critical Race Theory and Empirical Methods: Public Symposium and Working Group, invited discussant, (Iowa City, IA) (April 26-27, 2013)

Can the Police Protect Immigrant Workers? (Invited presenter and author), Re-Imagining Labor Law: Building Worker Collectivities After the NLRA, UC Irvine Law Review Symposium (Irvine, CA) (February 22, 2013)

Can Criminal Justice Address Immigrant Labor Injustice? Neil Gotanda Lecture (featured speaker), Asian American Law Journal, UC Berkeley (Berkeley, CA) (January 30, 2013)

Screening for Solidarity (invited presenter and author), Discretion and Deference: Immigrants, Citizens, and the Law, BYU Law Review (Provo, UT) (January 25, 2013)

The Political Theory of Immigration Policy (invited commentator), Perspectives on Migration, Governance, and Citizenship, Duke Journal of Constitutional Law & Public Policy (Durham, NC) (January 11, 2013)

Screening for Solidarity (invited presenter and author), Immigration Law and Institutional Design, University of Chicago Law Review, Institute for Law and Economics (Chicago, IL) (June 15–16, 2012)

Immigration Enforcement and Criminal Justice: Theoretical and Empirical Approaches (presenter and author), 2012 International Conference on Law and Society (Honolulu, HI) (June 8, 2012)

Tips and Strategies for Teaching the Survey Immigration Course (invited panelist), Immigration Law Teacher's Workshop (Hempstead, NY) (June 1, 2012)

De Facto Immigration Courts (invited presenter and author), Culp Colloquium, Duke Law School (Durham, NC) (May 10, 2012)

Non-Citizen Participation in the American Polity, Non-Federal Immigration Enforcement (invited presenter and author) *William & Mary Bill of Rights Journal* (Williamsburg, VA) (March 31, 2012)

De Facto Immigration Courts (invited presenter and author), Citizenship Colloquium, Hofstra Law School (Hempstead, NY) (March 6, 2012)

Asian Americans and the Law (invited presenter), Spirit of the Law Speaker Series, USC Gould School of Law (Los Angeles, CA) (November 14, 2011)

Immigration's Information Mediators, Exploring the American Family, Joint Conference of Asian Pacific American Law Faculty and Northeast People of Color Conference (Hempstead, NY) (Nov. 4, 2011)

Immigration Law's Information Brokers (presenter), Citizen/Noncitizen, Documented/Undocumented, and Maintaining/Blurring Legal Boundaries: Appropriate Distinctions or False Dichotomies? Law and Society Association Annual Conference (San Francisco, CA) (June 3, 2011)

OTHER HONORS

Law and Society Association

Early Career Workshop Participant, May 26–27, 2009

Selected to participate in a workshop devoted to exploring various streams of research methodologies

J. William Fulbright Fellowship (Korea)

Teaching Fellow, June 1998 – July 1999

Received a fellowship to design and teach a course on English as a foreign language for middle school students in Busan, South Korea

PROFESSIONAL AFFILIATIONS AND SERVICE

University of California

Appointments Committee (Fall 2014, 2015-2016, 2019-2023)

Faculty Advisory Committee (Fall 2014) (elected)
Admission Committee, 2009-2013 (chair during Fall 2012)
Clerkship Committee, 2010-2013; 2016-present (chair from 2010-2012)
Committee on Rules and Jurisdiction, 2010-2014 (UCI main campus)
Intellectual Life Committee, 2018-2021 (chair)
Faculty advisor (Asian Pacific American Law Students Association, Orange County Human Rights Association, Latina/o Law Students Association)
University of California Office of the President Global Food Initiative (“UC Global Food Initiative”) – Food Equity work group

Academic Symposia and Conferences

Center for Land, Environment, and Natural Resources, Labor Abuse in the Food Supply Chain Roundtable (planning chair), Spring 2018
Center for Land, Environment, and Natural Resources, Food Security and Sustainability Workshop Roundtable (planning chair), Spring 2017
Food Equity Symposium, March 11-12, 2016 (planning committee chair) – co-sponsored by UC Global Food Initiative
Biennial Immigration Law Teachers Workshop, May 2014 (planning committee member)
Emerging Immigration Law Scholars and Teachers Conference, June 13–14, 2013 (planning committee chair)
Persistent Puzzles in Immigration Symposium, February 2012 (planning committee chair)

Law and Society Association

Early Career Workshop Planning Committee, 2014-2015
Member, 2009-present
Program Committee, 2009-2010

State Bar of California (Dec. 2005 – present)

Asian American Bar Association (Bay Area) (2005–2009)