Immigration Prosecutorial Discretion: Selected Biography and Works

Shoba Sivaprasad Wadhia is an expert on immigration law and one of the nation’s leading scholars on the role of prosecutorial discretion in immigration law. Her scholarship in this area has served as a foundation for scholars, advocates, and government officials seeking to understand or design a strong prosecutorial discretion policy. Her work identifies the historical role of prosecutorial discretion in immigration law, the extent to which some acts of discretion operate as a benefit, and the dynamic role and need for transparency, sound procedures, and accountability. Her book, *Beyond Deportation: The Role of Prosecutorial Discretion in Immigration Cases*, was published by New York University Press in 2015 and is the first on the topic. Following is a selected list of Wadhia’s published work and press highlights on immigration prosecutorial discretion:

**SCHOLARSHIP**

“The President and Deportation: DACA, DAPA, and the Sources and Limits of Executive Authority,” Washburn Law Journal (forthcoming)


BOOK CHAPTERS AND ESSAYS

Book Chapter and Analysis of *Dreams Deferred: Deferred Action, Prosecutorial Discretion, and the Vexing Case(s) of DREAM Act Students* in *The Accidental Historian: The Michael Olivas Reader* (NYU Press, forthcoming)


“Reflections on Prosecutorial Discretion One Year After the Morton Memo,” in *Emerging Issues Analysis* (LexisNexis, June 2012)

“Prosecutorial Discretion in Immigration Agencies: A Year in Review,” in *Emerging Issues Analysis* (LexisNexis, January 2012)

“The Morton Memo and Prosecutorial Discretion: An Overview,” American Immigration Council (July 2011)

“Reading the Morton Memo: Federal Priorities and Prosecutorial Discretion,” American Immigration Council (December 2010)

MEDIA


Wall Street Journal *Appeals Court to Again Consider Obama Immigrant Deportation Policy* July 9, 2015

Buzzfeed *No Clear Indications About Ruling On Immigration Actions Case At Arguments*, April 17, 2015

Vox.com *The government can’t enforce every law. Who gets to decide which ones it does?*, March 31, 2015


Roll Call *Obama’s Immigration Actions Test Presidential Power*, November 20, 2014.


The Economist Blog *Mini-DREAM and the rule of law*, June 18, 2012.


America’s Voice, Invited Speaker, Press Conference: “Law Professors Alongside DREAMers Discuss Details of Memo Outlining President’s Legal Authority to Grant Much Needed Relief for the Latino Community,” June 1, 2012.

Op-Eds


The Hill- Op-Ed  To file or not to file Vargas’s Notice to Appear, July 17, 2014.


Blogs

ImmigrationProf Blog. Law Professor Blogs, Immigration Prosecutorial Discretion and Deportation, April 30, 2014.


ImmigrationProf Blog. Law Professor Blogs, Prosecutorial Discretion and Post 9-11, December 2011.


Law Professor Letters

Co-author of letter to the White House supporting the legal authority of executive action in immigration law, signed by 136 law professors and featured in national press, Sept. 3, 2014
• Washington Post Lawyer’s agree: Obama has broad authority to act on deportations, Sept. 3, 2014

Co-author of letter supporting President Obama’s deferred action programs announced signed by 135 law professors and featured in national press and at congressional hearings, Nov. 25, 2014:

• Associated Press Legal Scholars: Obama’s immigration actions lawful, Nov. 25, 2014

Co-author of letter to the White House defending the legality of extending deferred action to the parents of DACA (Deferred action for Childhood Arrivals) recipients, Nov. 3, 2014

• NBC News Law Profs: Legal To Include More Immigrant Parents In Exec Action, Dec. 3, 2014

Co-author of law professor letter challenging Texas v. U.S. (March 2015), signed by 104 immigration law scholars and featured in national press


ACADEMIC CONFERENCES AND PUBLIC LECTURES (HIGHLIGHTS)

Panelist, American Constitution Society, Going it Alone? Presidential Power and the DAPA Debate, June 2015

Moderator, American Immigration Lawyers Association’s Annual Conference, The Long and Winding Road of Prosecutorial Discretion, June 2015

Keynote Speaker, Pennsylvania Immigration Resource Center, Light of Liberty Awards, March 2015

Keynote Speaker, Conference on Race, Class, Gender and Ethnicity: University of North Carolina School of Law-Chapel Hill, February 2015

Presenter, CLE on Immigration and Executive Action, Centre County Bar Association, February 2015

Opening Remarks and Panelist, American University Law Review, Symposium on Prosecutorial Discretion, January 2015

Panelist, American Association for Law School’s Academic Symposium on Congressional Dysfunction and Executive Lawmaking, January 2015

Panelist, American Bar Association, Homeland Security Institute August 2014

Presenter of and Commentator on Works-in-Progress, Immigration Law Professors Workshop, University of California Irvine- School of Law May 2014

Panelist, Tenth Annual Wiley A. Branton / Howard Law Journal Symposium, Howard University School of Law, October 2013
Workshop and Presenter, Clinical Law Review Writers' Workshop 2013, New York University School of Law, September 2013

Moderator, American Bar Association Section on Administrative Law and Regulatory Practice, Fall Conference, Understanding Prosecutorial Discretion in Immigration Law, (October 2012)

Luncheon Speaker, Pennsylvania State University, Migration Studies Project, Immigration Law and the Administration’s Deferred Action for Childhood Arrivals Program, (September 2012)

Panelist, Immigration Law Teachers Workshop, Plenary on Prosecutorial Discretion (June 2, 2012)

Speaker, Press Conference: “Law Professors Alongside DREAMers Discuss Details of Memo Outlining President’s Legal Authority to Grant Much Needed Relief for the Latino Community,” (June 1, 2012), http://act.americasvoiceonline.org/page/-/americasvoice/audio/DREAM%20060112.mp3

Panelist, American Immigration Lawyers Association, CLE Webinar on Deferred Action (October 25, 2011)