

THURGOOD FACULTY SPOTLIGHT



TEXAS SOUTHERN UNIVERSITY

Thurgood Marshall School of Law



April 15, 2019



Professor Maurice Hew, Jr. submitted an abstract on nationality law to Texas Southern University's (main campus) that resulted in a presentation during research week 2019 on Wednesday March 27, 2019. Hew's oral research addressed the Courts' turn towards a "results driven approach" rather than following a traditional framework in deciding Nationality Law matters. Hew begins with *Sessions v Morales-Santana*, 137 S.Ct. 1678 (2017), a unanimous decision which applied "heightened scrutiny," "rejecting a gender-based distinction for United States Citizens transmitting citizenship to their foreign born out of wedlock children. *Morales-Santana's* empty victory left him with equal rights but no remedy, as his foreign born out of wedlock son was still not statutorily eligible for citizenship.

Next, Hew uses the facts from *Muthana v Pompeo*, the ISIS bride citizenship case, and predicts that the Circuit court will accept jurisdiction and standing only to announce their authority to produce a desired result, thereby creating a Circuit Court split on jurisdiction and standing. Hew posits that the Executive and Legislative branches also have the ability to assert their powers by sidestepping the Courts' decision. For example, the Executive could still issue passports to foreign born children of US citizen mothers who meet the one year requirement instead of five and the passport issuance will likely remain unchallenged. Congress which created the inferior courts can also preclude a courts' jurisdiction over its legislation. Hew discusses the many doctrines created by the courts which have allowed the other branches to disregard the Courts' decisions, such as the plenary power, *Chervon*, and *Brand-X* doctrines.

Professor Lupe S. Salinas' article entitled "Lawless Cops, Latino Injustice, And Revictimization By The Justice System" was recently published in the *Michigan State Law Review*, 2018 Mich. St. L. Rev. 1095. One of the primary goals of Salinas' article is to entice others to seek answers and remedies in order to help decrease deaths on the streets of both innocent civilians and police officers. According to Salinas, close to 1,000 persons die in police encounters each year. Obviously, not all are victims because they may have conducted themselves in such a way that caused the officer to reasonably fear for his or her life. In an introductory footnote, Salinas identified some courageous people he respects because of their sacrifices: "Salinas dedicates this Article to Billy Junior Dolan, who testified courageously about the police lawlessness in the Webster case; to NYPD's Frank Serpico, who challenged the Code of Silence; and to HPD police officer Jim Kilty, killed in the line of duty, an officer who symbolizes the HPD motto: The Badge Means You Care." In the article Salinas seeks to honor both those who serve in law enforcement honorably and those unnecessary victims of civil rights violations.

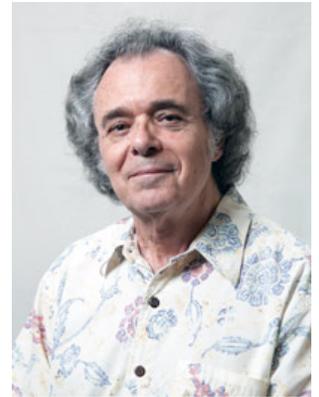




Adjunct Professor Vy Nguyen presented at the Thurgood Marshall School of Law (TMSL) spring 2019 Faculty Lecture Series she spoke on the topic entitled Immigration while giving an overview of removal proceedings, on April 3, 2019. Nguyen said that during removal proceedings undocumented immigrants are not entitled to a court appointed attorney, so immigrant adults and their children are often trying to negotiate the removal process without the benefit of needed legal advice. Nguyen stated there are a number of factors that may affect an immigrant's eligibility for relief from being removed. Some key factors that are considered include (1) the point of entry into the United States, (2) current immigration status, (3) length of physical presence, (4) and criminal background. Common forms of relief in removal proceedings consist of (a) adjustment of status to a legal permanent resident, (b) asylum, (c) withholding of removal and convention against torture, (d) temporary protected status, (e) voluntary departure. Nguyen emphasized that in asylum cases, past persecution creates a presumption that one has established a well-founded fear of future persecution.

Nguyen is a proud alumna of TMSL. In 2017, Nguyen became an adjunct professor at TMSL and has taught Trial Simulation and Professional Responsibility. She is currently teaching in the TMSL Immigration Clinic and in the Masters of Law (LLM) in Immigration program. Nguyen has been a criminal defense and immigration attorney for over twelve years.

Professor Thomas Kleven read excerpts from his book entitled, “The Meaning of Life and Other Poems,” at Thurgood Marshall School of Law on March 29, 2019. Kleven's book *The Meaning of Life and Other Poems* consists of forty-four mostly metered and rhymed poems, each of which is accompanied by an image related to the theme of the poem. The overall theme of the book is a question: What is the significance of life for a thinking being aware of having but a brief moment of a nearly incomprehensible span of time in this tiny spot of an almost unfathomably immense universe? What better way to contemplate the question than through the exercise of one’s imagination? Kleven has spent much of his life wondering about the meaning of life. Although it’s still a mystery to him, he hopes these poems will help shed some light on the matter.



Associate Dean for Research & Faculty Development and Roberson King Professor L. Darnell Weeden's article entitled, *The Black Eye of Hurricane Katrina's Post Jim Crow Syndrome is a Basic Human Dignity Challenge for America*, 37 Cap. U. L. Rev. 93, 106 (2008) was recently cited by Robert Rubinson, Professor of Law, University of Baltimore School of Law in his article entitled, *Stories Of Experience: Economic Inequality In Mediation*, *South Carolina Law Review*, 70 S.C. L. Rev. 85, 99 (2018). According to Professor Rubinson, Weeden noticed “that the victims of Hurricane Katrina who suffered most from the poor execution of evacuation plans were lower-class African Americans.”

Associate Director of the Law Library and Adjunct Professor Danyahel Norris presented at the Student, Staff, and Faculty Oral Presentations, on the topic entitled “Strategic Interdepartmental Partnerships to Better Ensure Student Success” at Texas Southern University, on March 27, 2019. Norris stated that for the last 14 years, the Law Library has held a half day legal research course to prepare students for their upcoming summer clerkship and other inter opportunities. While students have participated over the years, have let us know that they gained a lot from this course, the course could be better optimized by partnering with our Career Services Department.



This year the law library plans to partner with the Career Services Department to see if student that take the crash course are reviewed higher by employers than students who did not take the course. Additionally, by working with the Career Services Department on their survey to employers, we also plan to gain information that will help improve the course, by ensuring that students know what employers typically expect and how to best prepare their skillset to meet those expectations.

Please send any announcements you would like to include in the next Thurgood Faculty Spotlight to Ms. Toyann Timmons (Toyann.Timmons@tmslaw.tsu.edu) and Dean Weeden (Larry.Weeden@tmslaw.tsu.edu) by 5p.m. Friday, April 26 , 2019.



Thurgood Faculty Spotlight is a twice Monthly journal (the 1st and 15th during the fall and spring semester) recording the achievements, experience, and awards of The Texas Southern University Thurgood Marshall School of Law faculty of distinction.

**L. Darnell Weeden, Associate Dean for Faculty Development & Research,
is the editor of Thurgood Faculty Spotlight**