

BRIANA BELTRAN

Cornell Law School
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EDUCATION

NEW YORK UNIVERSITY SCHOOL OF LAW, New York, NY

J.D., May 2011

Honors: *cum laude*—awarded to graduates whose grade point average places them in top 25% of their class; *Robert McKay Scholar*—top 25% of the class after four semesters; Equal Justice America Fellow (Summer 2010); Peggy Browning Fellow (Summer 2009).

Activities: *Review of Law and Social Change*, Managing Editor (2010–2011), Staff Editor (2009–2010); Teaching Assistant, Lawyering (legal skills and writing) (2009–2010); Law Women, Public Practice Co-Chair (2009–2010).

STANFORD UNIVERSITY, Stanford, CA

B.A. in History, June 2008

Minors: Political Science, Modern Languages

Honors: Highest Honors from the Stanford Chicano/Latino Community (multiple quarters).

Activities: Institute for Cultural Diplomacy (Berlin, Germany), Program Coordinator (April 2007 – June 2007); Stanford in Berlin (January – March 2007); Stanford in Paris (September – December 2006); College Track, Tutor (October 2005 – June 2006); Sophomore College, Participant in “Homelessness in America” course (September 2005); Habla la Noche, Tutor (2004 – 2005).

EXPERIENCE

FARMWORKER LEGAL ASSISTANCE CLINIC, CORNELL LAW SCHOOL, Ithaca, NY

Clinical Teaching Fellow, August 2016 – present

Supervise second- and third-year students in representation of farmworker clients on range of civil matters, including immigration relief and employment-related claims. Meet with student teams on a weekly basis to discuss their cases, including client management issues, case strategy, and legal questions. Along with director of clinic, co-teach a weekly seminar for first semester students, focusing on lawyering skills (client interviewing, counseling, developing case theory, etc.). Meet with community partners on a regular basis to discuss work of clinic, including case referrals, community education projects, and other national and international projects of importance to farmworker communities. Sole supervisor of cases during summers and in spring semester 2018. Co-supervisor during 2017 spring break service trip to Central Valley, California.

SOUTHERN MIGRANT LEGAL SERVICES, Nashville, TN

Staff Attorney, September 2012 – July 2016; *Summer Law Clerk*, 2010

Represented migrant farmworkers in a six-state service area in civil litigation in federal court, in making administrative complaints with governmental agencies, and with respect to advising clients about legal rights under federal and state law. Primary claims of clients included minimum wage and retaliation under the Fair Labor Standards Act, state law breach of contract claims based on violations of the H-2A guestworker regulations, forced labor and trafficking under the Trafficking Victims Protection Reauthorization Act, and employment discrimination based on sex and national origin. Federal court litigation experience included drafting of complaints, motions, discovery requests and responses, and settlement agreements; defending client depositions and taking depositions of parties and witnesses (first and second chair); discovery dispute and FLSA settlement fairness hearings; and participating in private and court-led mediation. Representative litigation experience as lead counsel includes: *Cruz-Cruz v. McKenzie Farms*, No. 5:15-cv-157 (E.D. Ky.); *Lopez-Diaz v. Shipley*, No. 3:13-cv-571 (E.D. Tenn.). Prepared applications for T- visas for victims of labor trafficking and for adjustment of status. Participated in seasonal outreach trips in southeastern United States. Served as consultant to numerous plaintiff-side employment attorneys regarding tax implications of settlement and drafted the first definitive practitioner manual on a private right of action under the Internal Revenue Code for fraudulent filing of information returns.

THE HON. JOHN T. NIXON, U.S. DISTRICT COURT, MIDDLE DISTRICT OF TENNESSEE, Nashville, TN

Judicial Law Clerk, September 2011 – September 2012

Drafted orders related to motions on jurisdictional issues, to dismiss claims, for summary judgment, for attorney's fees, and for preliminary injunctions. Assisted with civil case hearings, including day-long evidentiary hearing in death penalty habeas corpus case. Edited and cite-checked work of co-clerks and supervised work of legal interns.

IMMIGRANT RIGHTS CLINIC, NEW YORK UNIVERSITY SCHOOL OF LAW, New York, NY

Student Advocate, September 2010 – May 2011

Extensively researched immigration law and country conditions, conducted detailed Spanish-language interviews, and drafted a legal brief for asylum application. Supported Domestic Workers United in implementation of Domestic Workers' Bill of Rights by researching employment and labor law, drafting legal and internal documents, and giving presentations to membership on their rights and changes in the law. Initiated successful campaign to persuade government attorneys to drop appeal in immigration case of long-time clinic client, leading to press coverage in New York Times (see below).

IMMIGRANT DEFENSE CLINIC, NEW YORK UNIVERSITY SCHOOL OF LAW, New York, NY

Student Advocate, Spring 2010

Assisted with cancellation of removal case, including interviews of client's family and friends in English and Spanish, communications with experts regarding case assistance, drafting of declarations for witnesses and experts, and extensive research on country conditions and various immigration law issues.

NATIONAL DAY LABORER ORGANIZING NETWORK, Los Angeles, CA

Legal Intern, Summer 2009

Researched preemption, municipal laws, U- visa qualifying crimes, and anti-solicitation ordinances. Established database for and contacted over 100 senators and representatives to arrange legislative visits. Drafted memorandum calling for termination of local enforcement of immigration law. Participated in meetings and community events.

PUBLICATIONS

- *134,368 Unnamed Workers: Client-Centered Representation on Behalf of H-2A Agricultural Guestworkers*, Forthcoming in *N.Y.U. Review of Law & Social Change* Vol. 42.4
- *Scorched Border Litigation: How Employers of Temporary Foreign Migrants Attempt to Block Access to Justice* (with Beth Lyon and Nan Schivone) (in progress)

PRESENTATIONS

- Trainer, Farmworker Labor Protections & H-2A Program, Cornell Farmworker Program Summer Orientation (Ithaca, NY – May 31, 2018)
- Panelist, "Labor Rights" (presentation of *Scorched Border Litigation* project), LatCrit South-North Exchange Conference (Antigua, Guatemala – May 19, 2018)
- Panelist, "Applying the Benefits of Reflection, Evaluation, and Assessment to Develop Cultural Competence in Clinics and Externships with an International Learning Context," AALS Conference on Clinical Legal Education (Chicago, IL – May 1, 2018)
- Panelist, "Roundtable of Migrant Worker Organizations," Migrants at Work in Canada – Symposium at Faculty of Law, Queen's University (Kingston, Ontario – April 21, 2018)
- Panelist, "Public Service, Academia and Entrepreneurship Panel," LALSA, BLSA, & NALSA Professional Development Boot Camp (Ithaca, NY – March 10, 2018)
- Article Presentation (*134,368 Unnamed Workers*), NYU Clinical Law Review Writers' Workshop (New York, NY – September 23, 2017)
- Trainer, Farmworker Labor Protections & H-2A Program, Cornell Farmworker Program Summer Orientation (Ithaca, NY – June 1, 2017)
- Panelist, "WRFI Community Radio Human Rights and Social Justice Program," WRFI 88.1 FM Ithaca (Ithaca, NY – November 18, 2016)
- Panelist, "Challenges in Transnational Litigation: Seeking Portable Justice by Continuing Representation When Your Clients Return Home," National Farmworker Law Conference (Indianapolis, IN – November 10, 2016)

- Panelist, “Settlement-Related Tax Issues in Farmworker Cases,” National Farmworker Law Conference (Indianapolis, IN – November 10, 2016)
- Panelist, “Indocumentados y declaración de impuestos” [Undocumented workers and filing taxes], Radio Bilingüe (April 9, 2015)
- Panelist, “Advocating for Workplace Justice,” Peggy Browning Fund Panel at Vanderbilt Law School (Nashville, TN – September 23, 2014)
- Panelist, “Best Practices: Taxes and Representation of Undocumented Workers,” California Employment Lawyers Association (September 16, 2013)
- Panelist, “Selected Social Security/IRS Issues Affecting Low-Wage Workers,” Low Wage Worker Legal Network (March 6, 2013)
- Panelist, “Tax Issues in Litigation,” National Farmworker Law Conference (Chicago, IL – December 5, 2012)

MEDIA

- Peggy Browning Fund 20th Anniversary Solidarity Series: PBF 2009 Summer Fellow Briana Beltran (Spring 2017)
- “How a Scott County tobacco farm allegedly mistreated workers from Mexico,” Lexington Herald-Leader (August 8, 2015)
- “Lawsuits allege abuse of foreign farm workers in Kentucky,” Associated Press (May 30, 2015)
- “Case Stemming from Antiterrorism Registry Is Dropped,” New York Times (June 1, 2011)
- “A Post-9/11 Registration Effort Ends, but Not Its Effects,” New York Times (May 30, 2011)

PROFESSIONAL AFFILIATIONS

- State Bar of New York (2017)
- AALS Clinical Legal Education Section
- Clinical Legal Education Association
- U.S. District Court for the Middle District of Tennessee (2013)
- State Bar of Tennessee (2011)

ADDITIONAL ACTIVITIES & SERVICE

- Mock Interviewer, Lambda Career Workshop (March 3, 2018)
- 1L Faculty Mentor Program (2017 – 2018)
- Clinical Conflicts/Case Management Committee (2017 – 2018)
- Reviewer, Journal of Migration and Human Security (2017)

LANGUAGES

- Spanish: fluent
- French: working knowledge