The ABA Commission on Hispanic Legal Rights and Responsibilities developed the concept of an historic gathering of lawyers from Canada, Mexico, and the United States in 2018, establishing a planning committee chaired by Richard Pena from Austin, Texas, and Veronica Marson from Toronto, Canada. The following comprises a summary of the discussions on June 19, 2019, the first day of the Summit.

Chair, Richard Pena, welcomed the participants to the Summit. He described the event as an important summit about important ideas. He explained that the speakers were chosen as the best possible experts to discuss the topics to be discussed. Speakers were asked to talk about current events, and to tell the truth from the legal viewpoints of the three nations. Chair Pena introduced ABA President Bob Carlson.

* Reporter, Cheryl Niro, Chicago, Illinois. October 30, 2019
ABA President, Bob Carlson welcomed the participants to the Summit to discuss topics of great importance to our countries and the legal profession. He said, “This Summit brings us all together and reminds us of what we know, that inherently we have far more in common than we have differences.” The Summit, he remarked, is very timely. The Summit creates an opportunity for legal experts from all three countries to discuss Business/Trade, Immigration, and the Environment and participate in a forum that will promote safeguards for the Rule of Law. The ABA believes that bringing together lawyers and experts from our three neighboring countries to share experiences and address mutual interests across differing jurisdictions, is a very valuable exchange. The ability of lawyers to engage in collective problem solving during this Summit will give a stronger voice on common challenges. The ABA, through its Rule of Law Initiative, is proud to be an advocate for access to justice, due process, and the Rule of Law throughout the world. He expressed his hope that the cross-border collaboration like this Summit will be replicated, and make the world a better, safer place.

Co-chair of the Summit and member of the ABA Hispanic Commission, Veronica Marson, served as the emcee for the substantive portions of the Summit. She provided an overview of the day: three substantive panels, on Business/Trade, Immigration, and Environment. On each panel, lawyers represent each of the three nations, sharing expertise they have obtained in their relevant international law practice.

Panel/Issue 1: Trilateral Trade and Business

The first substantive panel discussion was moderated by Victor M. Marquez, and included Nicolas Guzman, Margarita Escalante, Mark Warner, and Teresa Lamus. The panel was charged to analyze the current trading relationship between Canada, Mexico, and the U.S. in light of recent developments with the United States-Mexico-Canada Agreement (USMCA), and consider the challenges posed by tariffs and other national policies that impact trade. Broadly, the panel would discuss the impact of recent policies on the North American economy overall, and implications for specific industries (such as the automotive industry, agriculture, aviation, mining, oil and gas, pharmaceuticals, high technology, tourism, and others). The panel also focused on regulatory trends, labor standards, and intellectual property.

Mr. Marquez introduced the panel members and summarized the topics that the panel identified as important issues for discussion and obtaining the perspective of each of the three nations on: tariffs, the USMCA, the Trump agenda and the ramifications of doing business with Canada and Mexico, the impact of the USMCA on the labor force, and the impact of the ratification of the USMCA (or what will happen if there is no ratification), and the impact of technology.

The Canadian perspective on these issues was presented by Mark Warner. NAFTA presented a great debate in Canada and was eventually signed and implemented. It was traumatic for Canada in some ways, but after signing NAFTA Canadians thought about
the possibility of signing an agreement with Mexico. The idea to make it a tri-lateral agreement arose from the worry of the US and Mexico signing an agreement without Canada. The objective of entering into USMCA was “first do no harm.” Canada was concerned about the possible impact of the Trump administration on the trade agreement, and perhaps thought that it would be possible to simply hold it in place. When it appeared that Mexico might make a side deal with just the United States, Canada sought to make it a trilateral agreement. Canada has some specific items, such as greater opportunities for Canadians to enter the United States to work, that they tried to obtain agreement on but were unsuccessful in including in the final document. Another major issue for Canada was the automotive industry. The Canadian auto parts manufacturing business was favorably impacted by NAFTA and sought consistency in the USMCA for that reason.

The main objective for Canada, and all of the impacted Canadian businesses is predictability and consistency. Successful businesses result from developing meaningful strategies that manage the marketplace, resources, labor forces, etc. which may only be accomplished with predictable, stable conditions.

Presenting the perspective of the United States was Nicolas Guzman. Mr. Guzman explained that under NAFTA, products could be imported into the US duty free if they complied with criteria that qualified them for preferential treatment under the Agreement. The rules promulgated by the US require that 40% of the finishing work in the automotive industry must be provided by workers earning at least $16 per hour salary. This rule effectively eliminates Mexico’s continued participation in this industry, as no manufacturer currently compensates workers at that rate. This has changed the industry in Mexico in two ways: first, more finish assembly work will now take place in the United States and Canada; and, second, more US auto workers are going to Mexico to do finishing work (design and engineering and other activities that might not typically be considered finishing work) to fulfill the hourly rate requirements. This was a move to bring more
manufacturing back to the US and Canada, but practically may just be shifting around where people are working.

Margarita Escalante discussed the perspective of Mexico on both NAFTA and USMCA. She explained that Mexico sought to preserve the positive aspects of the agreements having the philosophy that “if it is not broken, don’t fix it.” Mexico recognizes that there is a difference between having trade agreements in place and needing to also react to political events/issues outside of Mexico. At the time of the summit, the USMCA had been sent to the Senate in Mexico. There was no expectation that the agreement would not progress from the Senate to being signed by the President, largely because Mexico would prefer putting the agreement in place prior to elections in the other two nations, and any further political challenges that might result in changes to the agreement. Mexico is equally concerned about consistency and predictability.

Teresa Lamus reminded the attendees about the significant impact of technology on all business and trade issues impacting the three countries. Cyber security, controlling the flow of information, and the myriad of privacy issues will continue to complicate trade practices and policies into the future. Minimizing risk and the use of artificial intelligence, to name two huge issues, will need to be integrated into all of the trade policies and agreements. Doing business globally requires that our three countries also comply with laws governing the use of technology/privacy, etc., established by other nation groups, like the European Union.

Mark Warner pointed out that the United States and Mexico share similar governmental structures where laws are developed in congress and progress to the executive branch for signature. Canada’s system places significant control in the provinces. The Canadian Prime Minister is relatively free to adopt policies s/he favors. The provinces, however, may choose to adopt the policies or not, which makes national policy making more difficult.

Nicolas Guzman explained that the USMCA negotiation for the United States is conducted under the “trade promotion authority.” The agreement was signed in November 2018, by Mexico, Canada, and the US. That started a timeclock for the US to ratify the agreement. Given the current gridlock in Congress there is a question as to how this process may work. The US has had its greatest success in the agreement is in the automotive industry. Where the US has not succeeded is in the proposed sunset provision (renegotiating the agreement every five years). Neither Canada nor Mexico agreed to that provision. The USMCA also includes a provision that prevents Canada and Mexico from entering into trade agreements individually with non-market economies. China is currently the largest economy that would fall into this classification. Non-market economies are generally those in which the government invests heavily into the industries that would be included in the agreements (and are not subject to the fluctuations of the free markets globally). In practice, the provision would permit the other two countries to review the agreement in order to evaluate whether it would have a negative impact on them. If it was determined to be harmful, the agreement would be prohibited. This provision specifically addresses “dumping” cheap goods which undercut another country’s industry.
National Politics Impacting International Trade/Business

The day before the Summit, President Trump tweeted that he was going to begin “rounding up illegal immigrants to the US.” This tweet increased political tension already impacting US/Mexico relations caused by tariffs imposed on Mexican products coming into the US by this administration. The panelists agreed that international agreements generally seek to obtain stable and predictable outcomes. This administration represents a significant shift to less stability and less predictability. Nations are generally not nimble enough to be constantly responding to political changes in other countries.

The future of the USMCA is very much caught up in the national politics of the United States. Among the challenges mentioned are: the Trump negotiation style which includes using leverage to force others to bend to agreement by imposing harsh consequences on those refusing to demands; gridlock between the democratic controlled House and republican controlled Senate; the practice of this administration of changing positions unpredictably; a willingness to use executive powers in ways not seen before; the practice of seeking a “win” rather than carefully crafted policy based agreements; willingness to use “nuclear options” such as simply doing away with NAFTA; and using laws that have been on the books for decades that have heretofore not used in trade relationships.

Uncertainty about the Ratification of USMCA

There exists uncertainty about whether or not the USMCA will be ratified. The uncertainty, if it continues, will have negative impacts in each country and each industry. The current uncertainty is already hurting the automotive industry. Investment is stalled. Japan, for example, has used Canada as a way into the US market. If they cannot depend on the ability to shift autos assembled in Canada into the US, they will not continue to invest in Canada for that purpose. Other industries are similarly being impacted.

Mexico has seen a sharp decline in foreign investment (companies building a manufacturing plant in Mexico, for example) since the recent elections. Most foreign businesses base such decisions on a financial prediction over fifteen to eighteen years. Uncertainty about the increased costs of USMCA compliance on the manufacture of their products, businesses are not investing in operations located in Mexico. Similarly, the current administrations in Mexico and the US are not necessarily encouraging foreign investment consistently or creating confidence that future policies are going to be favorable to foreign businesses. This is yet another factor limiting business and trade relationships among our nations. Mexico is shutting down projects that were designed to encourage and support foreign business investment. The president explains that the target is corruption, but the impact is a perception that Mexico is not actively seeking or supporting foreign business investment at this time in contrast to previous administrations.

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1 At the time of this writing the consideration of the USMCA is stalled and reported to be unlikely to be considered by Congress in the current session.
Pharmaceutical industry and patent protection for drugs: 10-year patent protection under the USMCA. US Democrats want this provision of the agreement renegotiated, because they feel it will keep drug prices too high for too long. As previously mentioned, however, the USMCA does not permit renegotiation of specific provisions of the agreement. The continued trade war with China, however, may present interesting opportunities in pharmaceuticals because companies currently manufacturing drugs in China may become incentivized to move their operations to Mexico to avoid tariffs imposed by the Trump administration.

**USMCA Impact on Labor**

Labor reform was necessary in Mexico and legislation had been introduced and debated for many years. The recently passed reform legislation is not the result of the USMCA. But, the USMCA does require enforcement mechanisms to be in place. Labor disputes in Mexico had historically been submitted to a board that resolved employer/employee union disputes. The Reform moves these disputes to tribunals under the judicial system. The recent reform was introduced and enacted relatively quickly in order to comply with the enforcement requirements of the USMCA. The political interpretation of the new laws is that Mexican workers should have the same protections as unionized American workers. Rules, regulations, and oversight provisions are, at the time of the Summit, yet to be enacted.

**Major Take-aways identified by the panelists:**

- It is impossible to separate the politics from international business/trade issues these days. Mexico may be willing to try to cooperate with the Trump administration to minimize trade conflicts, assuming that there will be opportunities in the future to repair whatever has been done that is damaging to Mexico.

- Issues have been building in the US regarding trade issues, because they have largely been ignored by previous administrations. Trump did not create this, but he has chosen to renegotiate US trade arrangements in his own way. Time will tell the broader story on how his style impacts relationships with our trade partners.

- The difference with Trump is that he pushes things to the limits. Business certainty hasn’t and doesn’t exist right now, which is costing businesses a lot of money. Even if the USMCA does pass, the Trump administration will continue to go around their negotiated agreements which will continue to cause the expensive, continuing uncertainty.

- The role of lawyers is changing around digital security. The uncertainty previously mentioned exists and complicates this area as well.
Panel/Issue 2: Environment

The moderator was Michelle Gallardo, an Emmy nominated television producer, and a general assignment reporter for ABC television, Chicago. The panelists included Michael Gerard (Columbia Law School, New York, NY), who participated by telephone and via a PowerPoint presentation; Federico Ruanova-Guinea, Baker McKenzie (Tijuana, MX; Bryan Buttgieg, Miller Thomson (Toronto, Canada); and Sandra Gogal, Miller Thomson (Toronto, Canada).

**Key ideas** to be discussed included the Paris Climate Agreement, the entire range of environmental issues among the three nations, how the nations are dealing with the issues (or not), and how environmental and indigenous issues intersect.

**The Global Climate Crisis**

Mr. Gerard’s presentation included scientific data that clearly demonstrated the existence of the climate change crisis present in the world today. He identified the international agreements that have been negotiated by the US, Mexico, and Canada and their status. He explained that each of the recent agreements addressed controlling temperature rise globally and identified target achievements agreed to by the signatory nations. The Paris Agreement was the most aggressive set of climate goals and included pledges that were both mandatory and voluntary. The UN climate goals have been consistently missed for decades. The Trump administration has declared its intent to leave the Paris agreement. Critical impacts are calculated by each degree of global warming. Increased storms, human displacement, sea level rise, and increased dangerous heating conditions are all present now and projected to become more severe. The Paris goals are now clearly unlikely to be met. Two-degree temperature increases are considered to be a great danger to life on the planet and will seriously impact millions of people.

The Trump administration’s decision to cut back all of the policies put in place by previous administrations are expected to accelerate climate change. In congress, Republicans generally support these roll backs, whereas Democrats oppose them. States are now beginning to enact their own climate legislation (California, New York and nine states in the northeast, Virginia, Oregon, Maine, and Colorado). Parties supporting climate action are left to resort to the courts, and there are cases pending across the country challenging both the continuation and ending of policies impacting the environment.

Bryan Buttgieg discussed the difficulties in meeting the Paris Climate Agreement objectives by Canada, that he describes as simply having, “too much geography.” It is the second largest country in the world. The sheer size of the country makes legislation difficult. Canada is a federation created in 1867. Even then, it was recognized that a strong central government would never work. As it has evolved, the provinces have become equal in power to the central government. That makes it difficult to set national standards and enforce them regarding the environment. When Canada signs an international agreement of any kind on behalf of the nation, it must be remembered that there are provinces that are equally powerful in setting policies on the same subjects. The
provinces are, in fact, quite different in significant ways, so that harmonizing their individual interests into nationalized policies is quite challenging.

The federal government tried to do something to address the Paris Agreement and work within the constitutional framework of the country. The federal legislation urges the provinces to find their own solutions in meeting climate goals. Each province can invent their own climate change system. As the governments in each province changes, they will also change the climate change policies of the previous administrations. For example, one province may establish a cap-and-trade system, and the next administration is free to eliminate it.

The Trans Northern Pipeline, a project worth billions of dollars, is yet another example of the difficulties inherent in the constitutional construct of Canada’s government. Established by a conservative government, the pipeline plan was challenged in court for failing to engage in an appropriate amount of indigenous consultation.

Sandra Gogal, from Canada, continued the discussion of the intersection of environmental laws and the participation of indigenous people in establishing national policies. Canadian law requires that aboriginal and indigenous people be consulted during the process of developing national policies. Section 35 of the Canadian Constitution requires consultation about treaty rights of the aboriginal and indigenous people regarding land use and resources that may impact them. Indigenous peoples possess rights to hunt, fish, and trap. But the jurisprudence that has developed around these rights interprets this constitutional provision to protect their way of life. Aboriginal people look at these issues seven generations out—"how will the proposed policies impact seven future generations. How do you compensate for changing their way of life?"

The real issue is how may resources be consumed, how may land owned by the aboriginal people be taken and developed, how will these projects impact the other natural resources and thereby impact the people? Establishing an appropriate balance is obviously a challenge in most areas, particularly with the environment.

Federico Ruanova-Guinea discussed the perspective of Mexico on current environmental issues. He pointed out that this year marks the 500th anniversary of the arrival of Cortez (Spain) to Mexico with the intent to conquer the Aztec capital. There are ongoing conversations between Mexico and Spain around this anniversary. Recently, the President of Mexico requested an apology from Spain. The response from Spain was dismissive of the notion that Spain had occupied Mexico. The conversations will undoubtedly continue. Understanding the history helps explain why Mexico is sensitive to the issues of indigenous people, and their rights. They are enshrined in the constitution. Indigenous people are now protected to have their own identity, their own forms of government, and administrative proceedings conducted in their own language. Mr. Ruanova-Guinea explained that there is currently a new law under consideration in both chambers of the Mexican congress that would require consultation with indigenous communities whenever a large infrastructure project is being contemplated that may impact their community. This new law would require studies to be conducted on the impact of such projects on any vulnerable communities. Outreach and education on
environmental impacts projected would also need to take place with the affected community.

Mr. Ruanova-Guinea said that the new president of Mexico did not discuss much about climate change or what Mexico might do to comply with the Paris agreement during his campaign for the presidency. He has, however, just announced a major investment in a new refinery, bringing a focus back on the fossil fuel industry having an important role in driving the economy in the energy sector. In doing so, the president doesn’t appear to be sending the right messages about environmental issues. That said, Mexico currently accounts for 1.4% of global greenhouse gas emissions, far less than the US, China, the EU, or India. Mexico has committed to decreasing its greenhouse gas emissions by 26% by 2026. And by 2024, at least 35% of energy should be generated by renewable sources. That is on paper, but in reality, we are seeing much more focus on fossil fuel industries. Reporting of greenhouse gases has been required since 2014, to help establish a baseline. But there is a lack of commitment and no sense of urgency apparent in the current administration’s actions.

National Politics Impacting Environmental Stewardship

Political will to implement strong environmental protections in place, or the lack thereof, was a common thread in the presentations from each panelist. Changes in governments appear to play a significant role in either moving forward on these issues or rolling back controls that are perceived to negatively impact national economies. The inability to enact lasting national laws may be bringing about a new approach, such as states and provinces developing localized approaches where federal mandatory laws will continue to be enacted and then overturned. The panelists noted that younger people in all three nations are far more concerned about climate change than those currently sitting in government. Greta Thunberg has mobilized young people worldwide in ways that demonstrate that generational change will play an equal, or perhaps more meaningful role in adopting and enforcing climate change laws than is currently possible. The bottom line may be that we shouldn’t be looking to politicians to create solutions.

Mexico has a history of looking to the US for leadership on environmental change. Not seeing that leadership, why would the Mexican government impose limits and restrictions on industry? The Mexican president is a progressive and would logically want to create a sustainable economy, but he continues to send messages that are decidedly anti-environment. He is trying to rescue the national oil company. We can hope for a change in the US positions that will bring Mexico back to a willingness to address the climate crisis. Developing countries around the world also look to the US, and the impact of the Trump administration on climate will exacerbate this phenomenon.

In the absence of political leadership, citizens may take on more personal responsibility to improve things. Industry plays an important role. We may need to make more sacrifices, which will be essential in the long term. The greatest impact of climate change will likely be felt by third world, developing nations. We need attitudinal change, education, difficult conversations, and people exercising their rights to vote for those who prioritize
environmental protection appropriately. Voting may be the single most important thing that will bring about needed change.

**Multinational Causes of Action on Environmental Protection?**

A question from the audience was raised about the possibility of the aboriginal and indigenous peoples of the US, Canada, and Mexico together making an international claim to save their natural environments. National borders are created politically, and environmental impacts are in no way affected by such political creations. The International Court on Human Rights may be the appropriate forum to attempt to raise such a claim. There may be some emerging jurisprudence in that court that would be helpful.

Final remarks from the panelists:

- People and their governments need to acknowledge that the climate crisis is real. We cannot continue to deny the science that supports that conclusion and must act together to find solutions. The consequences of continuing on the current path will be devastating.

- Our three nations should return to the discussion of nuclear power, which creates no greenhouse gas emissions and may ultimately be the best available solution for the planet. There are many misconceptions about this energy source, but even Greenpeace is coming around to support development in the area.
• Economic inequality exists almost everywhere right now. History addresses this in revolutions. Climate will make this worse, and a revolution of one kind or another will happen.

• The time for listening to indigenous and aboriginal people about the depletion of natural resources is here. They are living on the land and have first-hand knowledge of how we are destroying that which has sustained life on our planet forever. We must listen. We must act.

Speaker: The Counsel General of Canada in Chicago, John Cruickshank

Mr. Cruickshank was invited to share some thoughts on the media, and the impact of the state of media in the Americas. He spent forty years as a journalist and described himself as a late career diplomat. He talked fondly about his life working in a newsroom, while acknowledging that it is a difficult time for the news media. It is in a period of creative destruction. A few large national operations are surviving, but most local American newspapers are dying. Five years ago, most people said that newspapers were the primary way they were informed about what was going on in the world, but now only a small percentage report that to be the case. Television is changing as well. Younger people only watch television for 12 minutes a day. Older people make up the largest segment of television watchers.

In the paid digital news space, a few national operations are succeeding. The New York Times and Washington Post are the only viable businesses in digital news. Young people value video streaming online services more than they value online news providers. Most people do not vet online news sources. Recent studies also show that the majority of Americans doubt the accuracy of the news that they see online. This is troubling because most continue to look to online sources to become informed.

The news business is very competitive and, perhaps as a result, is becoming more and more sensitive to their audiences. News reporting remains largely straight down the middle of the political divide, but the choices of what is covered is tending to be more
responsive to the concerns of their audience. Canadians tend to trust their media more than Americans.

Democracies are premised upon the need for an independent news media. The health of the news media matters. Nevertheless, reporters are threatened by death threats for reporting stories perceived as negative in some nations around the world. Mr. Cruikshank remains positive on the future of media and democracies while acknowledging that it is a highly dynamic and fluid industry. The need for accurate information will sustain the industry going forward, and he remains hopeful that quality, integrity and freedom of the press will endure.

**Panel/Issue 3: Immigration**

Moderator: Rudy Monterrosa, Monterrosa Law Group, LLC (South Bend, IN); Panelists included: Allert Brown-Gort, Casa de la Universidad de California (Mexico City, MX); Daniel Morales, DePaul College of Law (Chicago, IL); Cyril Joseph, Migration Program Manager at Immigration, Refugees & Citizenship Canada (New York, NY); and Chantal Desloges, Desloges Law Group (Toronto, Canada).

Mr. Monterrosa began the discussion by describing that he had just left a gathering of young people at a conference who were learning about immigration laws and how current policies might impact them in their lives. The vast majority of them confirmed that they knew a person or persons who were currently having immigration issues, living with fear for their futures, and needing assistance in preserving their rights to remain in the United States. His description of these young people underscores the pervasive nature of the current immigration crisis in America and how it is impacting Mexico and Canada, along with a number of Central American nations.

**Immigration Historical Context**

Mr. Brown-Gort discussed what is currently happening in Mexico regarding immigration. He began by noting that the combination of a new president in Mexico, the Trump administration, and the first caravan of migrants working their way through Mexico to get to the United States, has created an unusual situation. Immigrants, for the first time, are beginning to be used as political wedges and as a way to attack the current government of Mexico for political gain.

Providing some historical context, Mr. Brown-Gort explained that migration is extremely dynamic and always changing. Mexico has stopped being a country that sends immigrants out of the country, to one that is increasingly being used by immigrants as a transit to other places. The demographics of Mexico are changing. Families are smaller. Young people are not having large families. The people who migrate are young. Immigration is a young person activity.
In Central America today, we see the demographic that Mexico was demonstrating in the late 1970s and early 1980s. El Salvador, Honduras, and Guatemala all have quite large populations of young people. These numbers are so large that their nations do not have enough jobs to employ them, making immigration a reasonable choice for them. It is, in fact, young people from these three nations that are making the arduous trip north to the southern border of the United States. The data supports the conclusion that the United States needs the workers and they are also good for the American economy. Mexico also needs workers due to changes in their economy.

Mexico is a signatory of the Marrakesh agreement on Immigration. That agreement provides that the worldwide immigration system will be orderly, humane, and secure. In the face of recent austerity policies established by the current Mexican government and budget reductions for immigration, Mexico is challenged to make their immigration system orderly. Central American countries are also failing to provide security within their nations, causing tens of thousands of their citizens to flee, risking the dangers of migrating great distances, rather than remaining where their families are in danger. Immigration is very complex and very difficult to manage historically. The combination of lack of employment and lack of security have combined to unprecedented migration from Central America to the US. There is, indeed, a crisis on the southern border of the United States. But it is a self-made crisis by the Trump administration.

The Trump administration has changed immigration policies in ways that have made a difficult situation worse. They decided that they would jail everybody who came across the border without the proper papers and they separated them from their children. The absolute numbers are difficult, but this was made more difficult by the fact that more of the people are coming in family units. There are many more women and children than ever before.

Chantal Desloges and Cyril Joseph presented the Canadian perspective on immigration. Mr. Joseph works for the Canadian counsel in New York City. He explained that Canada has a managed immigration system, which means that Parliament establishes goals for the composition and numbers of immigrants. This year Canada will be bringing in 330,000 permanent residents, which is about 1% of the total 37 million Canadian population. The three-year total (last year, this year, and next year) will be about 1 million new permanent residents brought in through their immigration programs. Mr. Joseph said that Canada welcomes immigrants and embraces diversity.

**Points-Based Immigration Systems**

The Canadian Express Entry Program is an online application program focused on the immigrant’s human profile. The process asks for information about who you are, what you have done in your life, what your work, education, background etc. is, and assigns points. Based on the number of points you get, you are assigned to a pool, and each person’s points are placed in numerical order. Every two weeks the government selects, from the top down, a certain number of persons to begin the process of becoming a permanent resident. The time period during which a person is awaiting selection, they may be
working or attending school. Those activities will give them more points, which may be added to their immigration profile whenever they are achieved. The process remains dynamic. The government does help applicants financially survive in Canada while they are in the application process. Studies demonstrate the effectiveness of providing financial support, by showing that immigrants are more successful in achieving residency status than they were before the financial support was provided. Canada currently has 51% of their population having been born outside of Canada and have designed policies and programs to make assimilation into life in Canada as smooth as possible. After three years of living as permanent residents of Canada, one may apply to become a Canadian citizen. Currently 85% of immigrants choose to do so.

Daniel Morales presented his perspective of the recent controversy in the United States on immigration resulting from the election of Trump. He posited that public sentiment is generally pro-immigration across the country on specific humanitarian issues. The election of Trump, he suggests, represents the results of the structure of American electoral politics that provides unequal power to older rural voters, which tend to be more conservative.

Mr. Morales explained that the United States has always enjoyed greater bargaining power over Mexico and has treated it very much like a colony. In the NAFTA negotiations, for example, agricultural products from the US and Canada were permitted to be sold to Mexico, drowning Mexican farmers. Those farmers then had little choice but to try to migrate to the US to find work sufficient to support their families in Mexico. They had little opportunity to obtain the necessary papers to make their immigration legal, and by necessity, went into the US using other means. The harsh policies of the Trump
administration demonstrate the power that the US has always possessed, but it is under Trump being used in ways that are more noticeably harsh and inhumane. Family separation is new. Incarceration is not.

Mr. Morales suggests that the recent news media coverage of the horrors taking place at the southern border are serving to educate Americans about the structure of the immigration system. Demonstrations and other means of public outrage over the lack of humaneness is a hopeful sign that public sentiment may move American lawmakers to begin much needed reform.

Mexico has a hybrid immigration system. There are some considerations for job experiences and skills, though there is no point system as such. Mexico has historically been a nation that sent immigrants to other nations. However, this year marks the 80th anniversary of the arrival of immigrants from the Republic of Spain and those who were fleeing the Franco government. As a result of those migrations, Mexico became more focused on redefining what it was as a country, and the attitude that if immigrants came to Mexico, it was for the purpose of taking advantage of the Mexican people. To a large degree Mexicans considered those who migrated to the United States traitors, or at least not serious about their own country. It was largely class-based immigration, because the American need was for the working class. From the 1920s, Mexican labor grew the American economy and worked in most industries, including steel factories and fisheries in Alaska. It took a long time for the Mexican government to appreciate that the human capital going over the border was important to them. So, the government began being anti-immigration and it also didn't like its immigrants very much.

The panel was asked if immigration reform was possible, would a point-based system be a good solution for all of our North American nations?

Mr. Brown-Gort explained that in 1965, the US reformed their immigration laws. At that time, congress considered establishing a points-based system. The Republicans, however, blocked the implementation of that approach. Apparently, they worried that if this new system would allow current immigrants in the US to bring their families into the US, the population of Italians, Swedes, Norwegians and other recent immigrants would get too large. (The point system would permit that to happen.) This assumption was not correct, and studies show that those immigrants had already started to have fewer children. The unintended consequence of trying to stop the growth of those European immigrant populations actually resulted in the Mexican population in the US growing larger. They were continuing to have families here.

Mr. Morales explained that there are pros and cons to points-based systems in operation around the world. He suggested that under such constructs, there are certain family members that are more difficult to bring into the country. The current US employer-based visa system is broken, so some sort of a point system might be a replacement alternative. A family-based system is a good thing. Historically, it has worked well for the United States. Admittedly, the US and Canada are different. The US lean immigration to the left
with cultural traditions. The Canadian system can appear to be class- and privilege-based for more liberal American sensibilities.

One element of the American immigration system was the confidence and/or belief in the transformative impact of simply being on US soil. Admitting unskilled or unsophisticated people from all over the world provided the US with workers driven to find a way to make a better life for themselves and their families. It was, and may remain, the American dream. So, moving toward a system that creates a hierarchy of people seeking admission based on such things as education, job skills, work experiences, etc., distances the US of today from its history and idealism.

There is a distinction between the family-based and employer-based immigration practices and those seeking admission to the US on the basis of asylum. Each of the three nations are impacted by political refugees to some degree. Ms. Desloges explained that approximately 60% of Canadian immigrants are economic. Another 20% enter for family reunification. However, she pointed out that a recent Canadian citizen may only sponsor a narrow list of family members, most notably permitting children ONLY if they are under the age of 22. (Grandparents and parents are permitted). This makes the family-based system in the US much more progressive. Canada also excludes siblings unless they are under the age of 22. The remaining 20% of the immigration total is for other humanitarian causes (escaping violence, etc.) and a rather unique category that is purely compassionate. If an individual can describe what has happened to them in the course of their life in such a way as to trigger significant sympathy and compassion in the agent hearing the appeal, that person may gain admission solely on that basis. An officer can waive almost all of the legal requirements if there is a sufficiently compassionate basis, which is somewhat remarkable in the world today. The Canadian point system highly rewards fluency in English and French as well as age. Studies have consistently shown that language proficiency is the most important factor in economic success. Canada would like to increase its population and favors those applicants of child-bearing age.

Canada does consider refugees living in camps around the world in addition to those appearing at their border seeking asylum. There is also a provision to admit refugees that are sponsored by Canadian citizens acting alone or in groups, hoping to rescue those in dire need of a place to call home. Australia and New Zealand, like Canada, use points-based systems because they are working well for them. They also take quite seriously the government’s responsibility to assist immigrants in their transition to life in Canada and provide extensive benefits to facilitate their smooth assimilation into Canadian society. They budget significantly for this part of their immigration system because they know that when immigrants succeed, public support for immigration is strong generally.

Refugee Issues

The panel was asked about refugee problems existing in North America due to the violence in Central America. The Canadian system is strong on refugees because in addition to the point-based approach, it is compassionate. The government can sponsor
a refugee for one year. A group of citizens may organize to sponsor refugees as well. They may also work in collaboration. In many joint efforts, Canadians are working together to provide admission to the disabled, and other people of special needs. Once again, the dramatic difference of Canada vs. the United States was mentioned as the key reason that some approaches that work for Canada would be challenging to scale up to address the huge numbers that routinely present themselves at the American borders.

The recent caravans were the result of the dangers that migrants faced as they traveled across Central America and Mexico. They were simply safer traveling in large numbers together. Mexicans do not have a system of assisting immigrants, though Mexican people will help feed and shelter them personally. The Trump administration would like Mexico to stop immigrants altogether. This has made the Mexican government realize that, at least at this time, the US is not the steady partner they may have believed the US was historically. The new Mexican president is now confronted with having to find new ways to manage how this uncertainly impacts trade, national security, drug enforcement and other issues in addition to immigration. It appears that the Mexican president is not going to “take on” Donald Trump.

The recent caravans also highlight the inability to properly shelter immigrants in Mexico. There is no “distribution system” to disperse and/or manage large numbers of migrants. Shelter, rather than detention, is the current goal, but that will logically require time and significant financial investment.

**DACA**

The DACA program was the next important issue discussed by the panel. Mr. Morales connected the continuing failure to finalize the protections for the “Dreamers” covered by DACA to the electoral structure that favors rural and older American voters. Most Americans favor protections that have been extended to children who were brought to the US by undocumented parents. These children, who have never known any other home, are now seeking to legalize their status. But in Congress, conservatives hold a disproportionate amount of power and have used it to prohibit any legislative solution that would protect these children from deportation. Right now, it is stalled (like all other legislative issues). At the time of this writing, the ongoing impeachment inquiry is occupying the House, and the Senate is not undertaking any legislative issues other than nominating federal judges. Ms. Desloges explained that Canada doesn’t have a large number of people that would be comparable to the DACA group in the US, but would likely deal with them through the compassionate category that was previously described.

Mr. Joseph pointed out that Canada does not have a large number of undocumented immigrants. The primary reason is that the Canadian immigration system is designed to incentivize getting documented. Once on Canadian soil, an immigrant may immediately apply and receive welfare, access to health care, and other benefits that make identifying oneself to authorities the smart thing to do. The United States has always made undocumented immigration a choice.
Not many DACA dreamers have gone to Mexico, so the government has not been required to fashion any largescale response. Some NGOs have emerged to assist dreamers in assimilating into Mexican culture. Mexico also has many returnees. These are people who left the country to find work elsewhere and now seek to return to their home country. The one good that may have come from the challenges of dealing with the Trump administration, is that Mexico is realizing that a more systematic approach to all of these groups is needed, and is in the process of considering what the best solution may ultimately be. The hope is that this will prompt Mexico to live up to the requirements of the Marrakesh Agreement and result in a system that is more humane, orderly, and secure.

Migration is a huge global problem right now. There are huge numbers of refugees in transit on just about every continent. In our part of the world, Central American refugees are the biggest challenge. Central American is recognized as the most dangerous non-war situation in the world. Refugees, however, are moving everywhere for a myriad of reasons, and will be for the foreseeable future. Collaboration and coordination on an international scale is made difficult by many nations viewing immigration as an issue of national sovereignty, rather than a subject to be discussed and negotiated with other nations.

Mr. Morales pointed out that recent studies demonstrate that integrating migrants into nations is less expensive than securitizing borders to prevent their entry. That statement bears emphasis: it is less expensive to effectively and efficiently manage the influx of immigrants, assist in their transition and assimilation into society, than it is to invest in the apparatus and systems required to keep them out. This, however, is contrary to the commonly held perception that immigration is a black hole of expense. Other studies have long proved that immigrants contribute to and expand economies far beyond any social cost that they present to the host nation.

**Keynote Speaker: MALDEF President and General Counsel, Thomas Saenz**

Thomas Saenz presented the final Keynote Address of the Summit. He has been leading the Mexican American Legal Defense and Educational Fund (MALDEF) for the past ten years. During 2019, the organization commemorated and celebrated its 50th anniversary. Mr. Saenz emphasized that the work of MALDEF is more needed than ever in the US right now, given the unprecedented situation of having the most anti-Latino president in the country’s history.

Mr. Saenz began by expressing his belief that the Legal Summit of the Americas is historic and one of the most important gatherings of our time. We live in an increasingly borderless world with interconnected issues and challenges. Now, more than ever, it is necessary for dialogue and collaboration in the face of the Trump administration promoting policies that are isolationist and nationalist. The Summit represents and acknowledges that we must continue to learn from our legal colleagues and policy leaders from other countries. The decisions we make individually impact our neighbors and other countries around the
world. It is against our interests as Americans to treat the issues of trade, immigration, and business as independent. This Summit should be the first of many programs designed to share knowledge and work to find mutually beneficial solutions to solve shared and connected problems. He congratulated the American Bar Association, and the Commission on Hispanic Rights and Responsibilities, and the Chair, Richard Pena, for organizing the Summit and putting such a wonderful program together.

Mr. Saenz stated that he has been monitoring the Supreme Court remaining decisions for 2019. Many of these decisions have extreme implications for public policy and issues of civil rights for the Latino community. Mr. Saenz stated that one of the most important decisions he was awaiting relates to the 2020 US census, which presents an “existential threat” to the Latino community in the US today. The issue is that for the first time since 1950, a citizenship question was proposed to be added to the 2020 census. We know that this question was added as a last-minute decision by the secretary of congress, Wilbur Ross, in 2018. Mr. Ross claimed at the time that the question was added in response to an independent request by the Department of Justice to ostensibly enforce voting rights. Unlike all of the other questions on the census, the bureau and its staff were not given an opportunity to test the citizenship question ahead of time.

There were a number of internal contradictions with the citizenship questions. One of these was that prior to the US midterm elections in the Fall of 2018, Donald Trump asserted the false claim that he had the ability to remove birthright citizenship by way of executive order. At the same time, the census bureau was scrambling to put together the citizenship question for the US census. Mr. Saenz stated that he contacted the bureau about its intentions with respect to the proposed citizenship question, but did not receive any response.

Mr. Saenz noted that the question is not a simple yes/no question. Answers require further explanation on the form. As such, there are four possible answers. The first possible answer is that someone is a US citizen by virtue of having been born in the US. The second is that someone is a US citizen because they have been naturalized. The third is that someone is a citizen because their parents were citizens, even if that person was born elsewhere. Finally, the fourth possible answer is that the person answering the question is not a US citizen.

We now know that Mr. Ross had been in conversations with others since the beginning of his tenure as congress secretary about adding a citizenship question to trigger a significant undercount of immigrants in the US, particularly immigrants of color and their families. The overriding goal of the citizenship question is to reduce the projected growth of the Latino community through immigration and the number of births throughout the country.

At the time the Summit was taking place, there had already been three court cases tried which dealt with the motivations behind the census citizenship question. The judges in each of those cases noted the serious lack of truth to the government’s voting rights justification. Two of them also noted serious questions that arose about other potential
nefarious motives. Although all three district court judges ultimately decided to strike down the citizenship census question, none of them concluded that the question was intentionally discriminatory. This is significant in that had the question been found to have been discriminatory, it would have had to have been removed from the census as a result of being unconstitutional. Mr. Saenz stated that he was awaiting to find out the Supreme Court’s position on (a) the reasons provided by the three district court judges for striking down the citizenship question and (b) the government’s discretion to add a citizenship question to the US census.

Mr. Saenz pointed out that the Supreme Court’s decision may not be the last word on census citizenship question, given that the some of the constitutional issues raised are still making their way through the courts. He noted that MALDEF had a pending appeal before the 4th Circuit court about intentional discrimination claim, which was raised, but not adopted by any of the three district court judges mentioned. He stated that there has also been some information that has recently come to light of direct conversations between republicans and census bureau officials, which show that the motivation behind the citizenship question on the census was to aid republicans and non-Hispanic whites. The judge who originally heard MALDEF’s case has indicated that significant issues have been raised about the citizenship question in light of this new information.

Mr. Saenz highlighted that regardless of what courts may decide, there remains a big concern about a census question triggering a more significant undercount of Latino and other immigrant communities than has ever occurred in the past. Given that the census
is conducted by way of household, there is concern that US children could not be counted as a result of their parents being scared to answer the census. The motivation behind the citizenship question creates a profound distrust by those being required by law to complete the census, including immigrants and their family members.

Ms. Saenz stated that the undercounts triggered by the citizenship question are very difficult for the census bureau to address. In the last census, there was a tendency, particularly in the Latino community, to leave out children from 0 to 4 years of age. This led to a significant undercount. The risk with the new citizenship question is for older members of the Latino households with citizenship or status concerns to be left out of household lists, leading to an even bigger undercount. The census has no way of knowing that people were left out of the census questionnaire. Whereas non-responsive households will have staff following up with them to complete the census survey, there is no follow-up system in place for households who have not included or under-included family members.

Ms. Saenz noted that there is another case regarding the census pending in Alabama, which has received less attention than the citizenship question involving Mr. Ross. MALDEF is involved in this case. The case involves a lawsuit filed by the state of Alabama against the Trump administration. Alabama alleges that constitutionally, the census bureau has an obligation to estimate the size of the undocumented population and remove them from the census count before transmitting numbers to the president and congress to allocate seats in the house of representatives. Alabama further contends that the census bureau is required to deduct the undocumented population from any census count used to make decisions on how to allocate federal funds. This goes against the long-standing practice of counting every person in the US. It takes us back to a period prior to the US civil war, in which constitutionally, African American slaves were only counted as three-fifths of a person for purposes of the census count and apportionment in the house of representatives. Ms. Saenz stated that Alabama is now contending that millions of people should not be counted at all in the US 2020 census. Alabama's argument is that undocumented immigrants are residents of another country, regardless of how many years they have lived in the US. Adopting Alabama's position would imply taking a step back. This is because it would involve counting only certain groups of people, the majority of whom would be defined by race, as occurred in the past.

Mr. Saenz contended that when you look at that the citizenship question and the Alabama case together, you begin to understand the existential threat posed by these cases. Informally undercounting and formally backing out millions of people from census counts is an attempt at "statistical genocide" of the largest minority group in the US. In the Latino community and beyond, we will have to confront the need to collect accurate population numbers in the 2020 US census regardless of the outcome of the citizenship question.

Mr. Saenz stated that he is also greatly concerned about the Trump administration’s use of citizenship in the effort to aid “statistical genocide”. Specifically, Trump has attempted to create an opposition between citizens vs. non-citizens in the US.
The use of citizenship raises further concerns and implications in the law. We have been increasingly seeing cases which create a clash of constitutional rights between different individuals or entities. We have seen it in the Supreme Court’s recent decision in *Burwell v. Hobby Lobby*, in which the reproductive health rights of employees clashed with the religious views of the owners of closely held corporation. We have also seen it in *Masterpiece Cakeshop v. Colorado Civil Rights Commission*, which presented a clash between the rights of a marrying couple to have equal treatment under the law and the first amendment rights of a cake maker not to have his artistic skills put to use in a way he disagreed with.

There are forces in the law that are increasingly setting up situations where there is a clash of rights, particularly ones in which first amendment and religious rights clash with equality rights. These are the issues that the Supreme Court will be deciding in its immediate future. In theory, the clash can be resolved in two potential ways. The first way is to create a hierarchy of rights in which certain rights outweigh others. However, more dangerously, the second way would be to create an implicit or explicit hierarchy of rights holders. This would imply that it is not the right itself that would be important, but who is asserting it.

MALDEF’s concern is that in future, the Supreme Court might endorse a hierarchy of rightsholders in which US citizens would be at the top, followed by various noncitizens in various categories cascading below. This is dangerous because throughout history, particularly in the last hundred years, the US has not placed great emphasis on citizenship. With few exceptions, the vast majority of rights under the US constitution are assigned to all persons. One of the most important cases in MALDEF’s history is the 1982 case of *Plyler v. Doe*, which recognized the right of undocumented workers in Texas to equal protection. The recent development of the clash of rights in the US Supreme Court puts in jeopardy the constitutional notion that personal rights extend to all persons, regardless of nationality. MALDEF is also concerned about the Trump administration’s efforts to pack the court system with many nominees with documented biases against various populations in the US.

Mr. Saenz concluded his remarks by stating that it is our task is to learn and work together to recognize the pernicious threat we face, which is characterized by a hostile U.S. administration that has built its legacy around opposing Latino immigration.
Key Discussion Topics

Highlights of the panel discussions on Day 1

- What did we learn?
- What were the common threads?
  Fear, uncertainty, frustration, real threats to the Rule of Law, missed opportunities to share common approaches and solution to shared problems, a sense of inability to see solutions because the problems are so overwhelming
- Are there additional issues that lawyers from our three nations should discuss and seek common approaches?
- There are big problems that our nations share:
  - Lack of political will to identify/solve problems
  - Sense of “running out the clock” and thinking that solutions will be apparent after elections
  - Indigenous people in our three nations have some shared problems, need empowerment, are impacted by changing government policies (nationalistic), and may be positively impacted by working together
  - Seeking trilateral problem solving, strategic thinking and planning would be mutually beneficial
  - Hate speech needs to be addressed and best practices established, shared and implemented
  - Advocacy is ongoing, but more effective collaboration, communication and messaging would be helpful

2 Facilitator, Cheryl Niro, Chicago, Illinois.
Vision for the Future:
- Continue the enthusiasm and momentum of this Summit
- Seek to identify effective means of establishing ongoing communication with participants and enlarge the group
- Develop content
- Plan Summit 2

Following the discussion above, the group used the Harvard Negotiation Project Circle Chart problem solving methodology. The result of that effort was as follows:

Circle Chart for Analytical Thinking

Quadrant 1: Symptoms of the Problem Situation
- Distrust in our courts and other institutions
- Disrespect of persons, the environment, institutions, organizations
- Serious threats to the Rule of Law
- Discriminatory policies emanating from federal government—census question
- Threats to Constitutional protections
- Corruption and lawlessness in government
- Erosion of traditional social norms, institutions, behavior, civility
• Uncertainty, a general lack of predictability
• Change that is too fast to keep up with for people, regulatory schemes
• Border crisis’ – some man made, some due to the systems being overwhelmed
• Hate speech goes viral
• Normalizing chaos

Quadrant 2: Possible Causes for the Problem
• Systems are not designed to withstand this situation
• Intentional system disruption
• Agenda IS to destroy existing institutions, practices, traditional values
• Post-fact environment
• Money influencing government in corrupt ways and Congress failing to take corrective action
• Power is being bought successfully
• Use of social media in spreading hateful messages that become “fact”
• Racism seems endorsed at the highest levels of leadership
• Disconnect between majority of public values and what the government is doing
• Disconnection with required consultation with people impacted by changing policies
• Misinformation (intended and otherwise) is succeeding in dividing nation
• Divisive behavior and speech is being normalized and resonates with a portion of population
• We against Them mentality
• Tribal behavior
• Disconnect between having access to information and actual knowledge
• Base emotional responses to situation is driving divisive behavior
• Being able to identify as “A Winner” is a significant motivator for some people
• Understanding motivations such as FEAR, ANGER, Disappointment---much irrational behavior as a result of these powerful feelings – “My life isn’t what I wanted and worked for---I feel cheated”
• Huge inequality, in income, and in perception of current realities

Quadrant 3: Possible Solutions to the Problem
• Develop Content: on social media. Pro immigrant; sanctity of the right to vote; danger of tampering in future elections; proactively develop and distribute as widely as possible
• Break barriers! Share information with “the other side.” Attempt to communicate across the boundaries of the current “sides” by engaging with other organizations and groups. The Federalist Society, Republican groups of Lawyers
• Leverage powerful voices, people who will get attention, to the purpose of opening gateways currently blocking information sharing
• Create Speakers’ Bureaus, prepare speeches that may be shared, use ABA resources to engage in grassroots efforts to share information, educate, communicate
• Encourage Tri Lateral strategic planning by the leaders of the legal communities of the US, Canada and Mexico
• Incentivize further coordination among our legal communities
• Work with other lawyers, groups and efforts to ensure access to voting
• Use existing ABA policy, advocacy to structure information campaigns protecting the Rule of Law, challenge national bars to step up efforts and collaborate to enhance effectiveness
• Develop coalitions around key messages that are designed to address the key issues
• Work with AARP, Chamber of Commerce, local business organizations, service providing charitable groups
• Engage “other experts” because local groups respond better to outsiders than neighbors frequently
• Work to share information that informs understanding of mindsets, motivators and other factors contributing to the divisive behavior
• Create a guide for facilitating Community Based Dialogue, teach people how to get consensus and understanding from people who believe they disagree with each other (break down divisions)
• Focus groups, video demonstrations, show people how to do it, give them a recipe book
• Create training programs and models, gather best practices on how to help grow the ability to talk to one another, break down divisions, understanding motivations/fear
• Convene the right people, bring groups together
• Believe that we can, in fact, do things (large and small) that will have a positive impact on the current situation. If we cannot imagine helping, we cannot make it happen.
• Create talking points on all important issues—design the talking points to effectively communicate with those who do not understand or believe they do not agree
• Health insurance availability
• Formalize relationships and develop agreements among legal community organizations to work together across our three nations
• Continue dialogue, share experiences and resources
• Summit 2—establish a planning group, establish goals and objectives and develop a program plan that would be sustainable and meaningful. Answer the essential questions of What, How, Where, When, Who,
• Continues conversations begun at Summit 1
• Create opportunities to involve and engage others
• Leverage ABA and other national lawyer organizations to make Summit 2 possible
• Focus on relevant issues to immigrants and other vulnerable people
• These things MUST happen

Quadrant 4: Possible ACTION PLAN ITEMS

1. Begin planning committee work on Summit 2
2. Begin developing CONTENT . . . talking points, education pieces, lobbying information, social media campaigns, audience specific pieces

3. Collaboration: Begin outreach to ABA entities, law schools, bar associations, business groups, other individuals, all manner of outreach to those who care about these issues and are willing to assist in developing programs and projects going forward

4. Build a larger, stronger Summit Community. Expand the concept of the Summit of the Americas to include protection of the Rule of Law in our nations, and all the interconnected issues that broad area covers. Bring others into the group and begin organizing communication and working groups.

5. Share the information generated at this Summit. Effectively engage in follow up activities sharing the outcomes of the Summit of the Americas. Develop content about the Summit, share the Report and the planning efforts going forward. Use these activities to inform and engage others in the effort to continue the momentum of the event.

Brainstorming on Summit 2

Possible Purpose of Summit 2:

Continue the dialogue that began with Summit 1, build on it, expand community, expand areas to be examined

Address regional legal issues with substantive discussions, similar to this summit structure

Share approaches to common problems. Each of our three nations have developed and will continue to develop responses to difficult legal issues. Sharing responses, programs and ideas, seeking opportunities to learn from each other, seeking efficiencies that may be obtained may all be possible through dialogue

Enhance opportunities for lawyers from our three nations to network, identify possible partners in our nations, find ways to make lawyers’ work in our three nations easier and more effective. Benefit sharing and collaboration among lawyers in the three nations.

Focus on the impact of technology, which is increasingly making the world borderless. Seek to identify approaches that will protect our citizens as technology impacts more and more of daily life (and the practice of law, etc.)

Identify issues appropriate for discussion and possible collaboration and develop programs/projects that impact them. Energy, health care, family law, etc.
Summit 2: Summary of Key Decisions (Future Planning)

WHO: Attorneys from Canada, the United States, Mexico and Central America

HOW: Establish a planning group
   Establish a date and location (Chicago seems the likely choice as it is mutually convenient, access to resources of the ABA, continuation of networking with Chicago area lawyers, firms and associations, etc.

KEY ACTIONS: Define the focus of the event
   Establish a fundraising effort
   Continue communication with attendees of Summit 1, and encourage building a larger group

WHEN: One year from Summit 1 or another date to be determined
**Speaker/Presenter Biographies**

**Bob Carlson**  
Shareholder  
Corette Carlson & Mickelson, P.C.

Bob Carlson, a shareholder with the Butte, Montana, law firm of Corette Black Carlson & Mickelson, P.C., is president of the American Bar Association, the world's largest voluntary professional organization with more than 400,000 members.

Carlson has served in many national and state bar leadership positions, including as president of the State Bar of Montana from 1993 to 1994. From 2012 to 2014, he was chair of the ABA’s policymaking House of Delegates, the association’s second-highest elected office. He has served two terms on the ABA Board of Governors and its Executive Committee, chairing its Executive Compensation Committee. Carlson has also served in the ABA House of Delegates as both Montana’s state bar delegate and state delegate and as a delegate at large. He is a life patron fellow and past state chair of the Fellows of the American Bar Foundation and was a member of the Executive Council of the National Conference of Bar Presidents.

Carlson’s other previous ABA leadership positions include service as chair and member of the ABA Day in Washington Planning Committee, chair and member of the Standing Committee on Meetings and Travel, and member of the Standing Committee on Bar Activities and Services, Commission on Racial and Ethnic Diversity in the Profession, Council of the ABA Section of International Law, and co-chair of the ABA Section of Litigation’s ABA Resource Committee. He was Board of Governors liaison to the ABA Standing Committee for Bar Activities and Services, Dispute Resolution Section, and Commission on Homelessness and Poverty.

In addition to serving as president of the State Bar of Montana, Carlson has chaired the state bar’s Board of Trustees and, since 1995, has served as a member of the Montana Supreme Court’s Character and Fitness Commission. Since 1994, he has been a member of the University of Montana Law School’s Clinical Board of Visitors. Carlson has served as lawyer representative to the Federal District of Montana, as Montana co-chair of the Ninth Circuit’s Lawyer Representatives Coordinating Committee, and as chair of the state bar’s Ad Hoc Committee on Discipline.

**Richard Pena**  
Chair, ABA Commission on Hispanic Legal Rights and Responsibilities  
Austin, Texas

Richard Pena is president and CEO of the Law Offices of Richard Pena. He was elected by his peers to serve as the President of the State Bar of Texas from 1998-1999. He served as President of the American Bar Foundation and was on the Board of Governors for the American Bar Association. He is also past president of the Travis County Bar Association, former Chair of the Texas Bar Foundation, and former Chair of the Fellows of the American Bar Foundation. He was a director to the State Bar of Texas and a State Delegate to the ABA. Richard has received three Presidential Citations from the State Bar of Texas for his meritorious service to the profession and has been selected a member of the prestigious American Inns of Court as well as receiving the Distinguished Lawyer Award presented by the Austin Bar Association in 2007. The Texas Bar Journal recognized him as 1 of 20 “trailblazers” in the February 2014 issue. He also was the recipient of the 2010 Difference Makers Award presented by the ABA General Practice, Solo & Small Firm Division.

Richard is a national leader in the legal field, and is active in the American Bar Association, where he led the Texas Delegation to the ABA. He has also been active in the American Bar Foundation, where he was previously on the Board of Directors. Recently he served as Chair of the Fellows of the American Bar Foundation, which is the preeminent attorney group in the country with membership limited to one third of one percent (1/3 of 1%)
of the lawyers in America. Richard has been on the Advisory Board of People to People Ambassadors Program and has led Delegations of Texas and U.S. Lawyers to numerous countries including, Turkey, South Africa, China, Tibet, Cuba, Vietnam, Cambodia, Egypt, India, Israel, and Brazil. He was also Chair of a U.S.-Russian Joint Conference on the Rule of Law in St. Petersburg, Russia. In 2006, he received the Eisenhower Achievement Award from the program for being an outstanding leader. Richard's trip to Egypt was featured in an article in the Austin American-Statesman as well as in the Austin Business Journal. Richard continues to lead delegations abroad and has taken 18 trips with delegates to various parts of the world.

Richard graduated with Bachelor of Arts and Doctor of Jurisprudence degrees from the University of Texas at Austin, where the law school faculty awarded him an honorary membership in the Order of the Coif. He is licensed to practice law in Texas, Illinois, and Colorado. Richard Pena and the Law Offices of Richard Pena are rated “AV” by the Martindale-Hubbell Law Directory indicating a “very High to Preeminent” reputation for legal ability and a “Very High” general recommendation. This is the highest rating in the legal field. Based on his AV Preeminent rating by Martindale-Hubbell Law Directory, Richard Pena has been selected as one of Texas’ Top Rated Lawyers.

Richard is a Vietnam veteran and left on the last day of American military involvement in that country in March 1973. He is co-author of the book, Last Plane Out of Saigon, which he wrote with award winning scholar John Hagan.

Thomas A. Saenz
President and General Counsel
MALDEF

Thomas A. Saenz is the President and General Counsel of MALDEF, where he leads the civil rights organization’s pursuing litigation, policy advocacy, and community education to promote the civil rights of Latinos living in the United States. Saenz re-joined MALDEF in August 2009, after spending four years on Los Angeles Mayor Antonio Villaraigosa's executive team as Counsel to the Mayor. He previously spent 12 years at MALDEF practicing civil rights law as a staff attorney, regional counsel, and vice president of litigation. He served as MALDEF’s lead counsel in successfully challenging California’s anti-immigrant Proposition 187. Saenz graduated from Yale College and Yale Law School, and he clerked for two federal judges before initially joining MALDEF in 1993.

John Cruickshank
Consul General of Canada in Chicago

Mr. Cruickshank has enjoyed a distinguished career in newspapers and television in both Canada and the United States. He served as publisher of CBC News from 2007 to 2008; he was responsible for all English-language television, radio and online news. Before joining the CBC, he was publisher of the Chicago Sun-Times and chief operating officer of the Sun-Times Media Group, based in Chicago, Illinois, from 2003 to 2007. Prior to being named publisher of the Sun-Times, he was vice president, editorial, from 2000 to 2003.

Mr. Cruickshank is also a former managing editor of the Globe and Mail and former editor-in-chief of the Vancouver Sun. He has also worked for the Montreal Gazette and started his journalism career with the Kingston Whig-Standard.

Mr. Cruickshank was born and raised in Toronto, Ontario. He received an honorary Doctor of Sacred Letters from Trinity College in 2013.
Cheryl Niro  
Summit Reporter, Facilitator  
Chicago, Illinois

Cheryl Niro is the Senior Strategy Advisor to the Executive Director of the ABA. She was the second woman President of the Illinois State Bar Association. She started the Illinois Supreme Court Commission on Professionalism, and has been a practicing attorney across many fields of law. She has been a sole practitioner, practiced in a large firm, served as council for the government, has done public education about the law, and worked for not for profit organizations.

Veronica Marson  
Co-Chair, Summit Planning Committee  
Associate, Singer Kwinter  
Toronto, Canada

Veronica Marson is a commissioner on the ABA’s Commission on Hispanic Legal Rights and Responsibilities and the immediate past President of the Canadian Hispanic Bar Association. She specializes in personal injury and insurance law and works at one of Canada’s top ten personal injury law firms. Before becoming a lawyer, she worked in grassroots development projects throughout Latin America. In law school, she was awarded the Dean’s Counsel Diversity Award for her work with organizations such as the Sylvia Rivera Law Project in New York City and the Illinois Migrant Legal Assistance Project in Chicago. She has appeared before the Ontario Superior Court of Justice, Ontario Court of Appeal, and other tribunals.

**Business/Trade Panel**

**Victor M. Marquez, Panel Moderator**  
Partner, CKR Law  
San Francisco, California

Victor is a former president of the Hispanic National Bar Association (HNBA), has worked for more than two decades to diversify the legal profession and to make it more welcoming and inclusive for ethnically diverse attorneys, women attorneys and LGBTQ attorneys. He is a governmental relations specialist and assists both private companies and nonprofit organizations develop mixed-use residential and commercial real estate development projects. He also is a commercial litigator. He is the Chair of the ABA Sexual Orientation & Gender Identity Commission ("SOGI"), has served on the Board of Directors for the ABA Rule of Law Initiative ("ROLI") and is an active participant of ROLI’s Latin American Council ("LAC") and has participated in delegations to Guatemala, Peru and Morocco.

Victor served for a combined 6 years as an Advisor on the Instituto de Mexicanos en el Exterior (“IME”) through Mexico’s Secretary of the Exterior under the administrations of Mexican Presidents Fox, Calderon, and Pena Nieto. There, he chaired the Legal Commission and the By-Laws Committee. He has traveled extensively through the globe covering over 60 countries and hundreds of cities, and natural environments. He is fluent in Spanish and conversational in Italian.

Victor received his B.A. in Law & Society from the University of California at Santa Barbara and his J.D. from Santa Clara School of Law. He is the recipient of the ABA Spirit of Excellence Award, The Lawyer of the Year Award from San Francisco La Raza Lawyers Association, and, the Civil Rights & Social Justice Award from Santa Clara School of Law.
Panelists:

Margarita Escalante,
Partner, Barnes and Thornburg
Chicago, Illinois

Margarita is one of a handful of attorneys in the state licensed to practice in both the US and Mexico. She is the first person to ever complete a JD and LED joint-degree program, Margarita now heads Barnes & Thornburg’s efforts to provide a substantial platform of legal practice areas and services for clients doing business in or with Mexico.

Margarita provides advice and counsel to clients in limiting risk and exposure resulting from commercial transactions, M&A and cross-border financings, and is experienced in highly technical and regulated industries including automotive and manufacturing, IT and software, and food and beverage. She is an advisory board member of the US Mexico Chamber of Commerce and active member of other legal and business associations, including the Association of Mexican Entrepreneurs and the Hispanic National Bar Association.

Nicolas Guzman
Senior Associate, Drinker, Biddle, & Reath LLP
Chicago, Illinois

Nick is a senior associate in Drinker, Biddle, & Reath LLP’s Customs & International Trade practice. Nick’s practice is focused on all aspects of international trade laws and regulations. He regularly assists clients with a variety of import compliance issues, including import tariff classification, valuation, country of origin determination and marking issues, and eligibility determinations under various free trade agreements and duty preference programs, including NAFTA.

Nick also assists clients by conducting compliance reviews of existing customs practices, drafting of customs procedures, and training company personnel on customs related topics.

Nick advises clients undergoing CBP focused assessments and penalty investigations, and has significant experience drafting prior disclosures, pre-penalty petitions, mitigation petitions, and ruling requests on various import issues.

Nick regularly assists clients with international customs compliance issues. He has significant experience with customs compliance requirements for maquiladora manufacturing operations in Mexico, as well as with tariff classification and country of origin determinations worldwide. He has conducted compliance reviews in Latin American and provided Spanish language training and advice to client personnel.

Nick is admitted to practice before the U.S. Court of International Trade, State Court of Illinois and the District of Columbia.

Teresa Lamus,
Sr. Legal Counsel – Complex Contracting North America
Accenture Legal Group
Toronto, Canada

Teresa has extensive hands-on, progressive experience in successfully delivering on large scale and highly complex operational initiatives in support of business operations, stakeholder and client relations in the ICT Industry.
She is a member in good standing with the Law Society of Ontario - Canada and the Law Society of Venezuela. Her current role is Senior Legal Counsel, Complex Contracting North America at Accenture. She has held leadership roles such as Corporate Counsel and Head of Legal (Canada) Mexico and Central America – Wipro Limited, Legal Counsel at Dell Canada Inc., and Manager Legal Affairs at Cogeco Peer 1.

Teresa has led large contract negotiations for projects in Canada, Mexico and Central America, she has negotiated agreements with major city airports and their carriers. She’s successfully closed multiple government enterprise deals within tight deadlines, that has provided progressive exposure and visibility for each of the organizations she’s worked for.

As a leader, Teresa has managed performance and encouraged the learning and development of each team member. She has provided strong advocacy for each organization she has worked for, preserving the integrity of the company by making solid decisions to support team objectives while acting as a mentor.

Teresa has studied in both Civil and Common Law Jurisdictions. Call to the Bar in Ontario, completed her LLM from York University – Canada in Business Law, her Master’s Degree in Human Resources from the Experimental University Simon Rodriguez, Bachelor of Law and Education from Central the University of Venezuela, Certification in Contract Management Principles and Practices from Global Knowledge.

Mark A. A. Warner,
Principal Counsel, MAAW Law
Toronto, Canada

Mark is a Canadian / U.S. lawyer who has practiced trade, investment and competition law in leading law firms in Toronto, New York, Washington, D.C and Brussels and as counsel to the Organization of Economic Cooperation & Development (OECD) in Paris. He was Legal Director of the Ontario Ministries of Economic Development & Trade, Research & Innovation and Consumer Services. He led Ontario’s legal team for trade negotiations (including the Canada-EU Trade Agreement and the Canada-U.S. Agreement on Government Procurement), advised on trade disputes (including the Green Energy Act and softwood lumber) and various NAFTA Chapter 11 investor-state. He also led the Ontario’s legal team for the insolvency / restructuring of General Motors and Chrysler and on the creation of the Ontario Emerging Technologies Fund, a $250 million co-investment venture capital fund.

Mark has provided competition and trade advice to various international institutions in Latin America including the World Bank, the OAS, the IADB and UNECLAC and has spoken at conferences in Argentina, Brazil, Chile, Colombia, Panama, Peru and Uruguay.

Mark earned a BA from McGill, an MA in Economics from the University of Toronto, a JD from Osgoode Hall Law School and an LLM from Georgetown University Law Centre. He is an elected Fellow of the American Bar Foundation, was co-author of a leading Canadian trade law treatise and has been recognized in Legal Media Group’s Expert Guide to the World’s Leading Competition Lawyers.

**Environmental Panel**

Michelle Gallardo, Panel Moderator
General Assignment Reporter, ABC 7 Chicago
Chicago, IL

Michelle Gallardo is an Emmy-awarded general assignment reporter for ABC 7 Chicago. She joined Chicago’s Number One news station in May 2004.
Before coming to ABC 7, Michelle worked with Univision Chicago, where she spent three years as a weekday general assignment reporter, weekend weathercaster, and fill in anchor. Michelle is one of only three Chicago reporters to ever transition from Spanish language to general market television.

Michelle has 15 years of producing and reporting experience that includes local, national, and international news. She has also produced several documentaries. In 2007 she developed and produced an episode of the History Channel’s “Gangland” series about how gangs used to operate in Chicago’s public housing units.

In 2004, on assignment for the Weather Channel and National Geographic, she traveled to Thailand and Sri Lanka to cover the Tsunami’s aftermath. In 2005, Michelle went to Africa where she produced a documentary on the kidnapping of children in Northern Uganda for use as child soldiers and sex slaves.

From 1998-2000, Michelle had an exciting assignment as an entertainment reporter for the Television Azteca Network in Mexico City, where she traveled frequently to NY and LA, interviewing many of the day’s top celebrities.

Prior to working in Mexico City, Michelle gained early experience as a Washington correspondent for WMAQ radio, where she worked through the Medill News Service. However, she formally began her television career in 1996 as a production assistant for GMTV in London. Upon returning to the United States, she landed in Washington DC, where she worked as an associate producer and field producer for Hearst-Argyle TV and Conus Communications respectively.

Born in Mexico City, Michelle is a dual citizen of the United States and Mexico and is bilingual. Raised between Mexico City and New York, she received her undergraduate degree in international relations from the prestigious Universidad de las Americas-Puebla, in Mexico. Michelle also holds a Master’s Degree in Broadcast Journalism from Northwestern University’s Medill School of Journalism.

Panelists:

Bryan Buttigieg
Partner | Vaughan, Miller Thomson LLP
Toronto, Canada

Bryan Buttigieg is recognized as one of the leading practitioners of environmental law in Canada and is certified by the Law Society of Ontario as a specialist in Environmental Law. His practice includes a combination of litigation and transactional advice involving civil litigation and regulatory defence representation in environmental and occupational health and safety matters. Bryan has provided extensive advice in support of brownfields developments, site remediation, and financing of properties with environmental issues. Bryan is a trained mediator and a panel member of the Canadian Centre for Environmental Arbitration and Mediation.

Bryan represents corporations and individuals in litigation arising out of the sale, purchase, and use of contaminated property. He provides advice regarding claims for environmental damages, including clean-up costs, loss of use, loss of market value, and negligent misrepresentation.

Bryan also provides advice to purchasers, vendors, landlords, tenants, lenders, and investors in transactions involving the purchase and sale of contaminated sites and brownfields developments. He makes recommendations on how to market and sell contaminated sites to protect against future liabilities, advises landlords and tenants of their respective duties and obligations, and negotiates creative solutions to environmental problems that would not be available as remedies through litigation.
Bryan has successfully represented clients charged under provincial regulatory legislation, such as the Environmental Protection Act, the Ontario Water Resources Act, the Transportation of Dangerous Goods Act, and the Occupational Health and Safety Act. He advises on best practices for working with inspectors and investigators to help prevent prosecution. In administrative law matters, he advises on appeals before various government boards and administrative tribunals, and on reviews of administrative orders under environmental statutes.

Michael Gerrard
Andrew Sabin Professor of Professional Practice, Columbia Law School
New York, NY

Michael B. Gerrard, Andrew Sabin Professor of Professional Practice at Columbia Law School, teaches courses on environmental law, climate change law, and energy regulation, and founded and directs the Sabin Center for Climate Change Law. He also chaired the faculty of Columbia University’s Earth Institute from 2015 to 2018.

From 1979 through 2008, he practiced environmental law in New York, most recently as partner in charge of the New York office of Arnold & Porter. Upon joining the Law School faculty in 2009, he became the firm’s senior counsel. His practice involved trying numerous cases and arguing many appeals in federal and state courts and administrative tribunals; handling the environmental aspects of numerous transactions and development projects; and providing regulatory compliance advice to a wide variety of clients in the private and public sectors.

A prolific writer in environmental law and climate change, Gerrard twice received the Association of American Publishers’ Best Law Book award for works on environmental law and brownfields. He has written or edited thirteen books, including Global Climate Change and U.S. Law, the leading work in its field (second edition published in 2014, co-edited with Jody Freeman), and the 12-volume Environmental Law Practice Guide.

Gerrard was the 2004-2005 chair of the American Bar Association’s 10,000-member section of environment, energy, and resources. He also chaired the New York City Bar Association’s executive committee and the New York State Bar Association’s environmental law section. He has served on the executive committees of the boards of the Environmental Law Institute and the American College of Environmental Lawyers. Several independent rating services ranked Gerrard as the leading environmental lawyer in New York and one of the leading environmental lawyers in the world.

Sandra Gogal
Partner, Miller Thomson LLP
Toronto, Canada

Sandra Gogal is a Partner at Miller Thomson LLP and leads the firm’s Aboriginal industry group. With a combined 25 years’ experience of in-house and in private practice advising on resource developments across Canada, Sandra has a nationally recognized practice in Aboriginal and environmental law. She has extensive experience advising mining, energy, oil, gas, and engineering companies, lenders, and investors, as well as provincial and federal government agencies, on Aboriginal, regulatory, and related project matters. Sandra frequently presents on Aboriginal matters and has been recognized in this area in Chambers Global and Best Lawyers in Canada.

In 2014, Sandra became the Lead of Miller Thomson’s Cannabis Industry Group acting for licensed producers or other entrepreneurs wishing to enter the cannabis industry in Canada. She advises clients and prospective businesses with respect to regulatory and licensing requirements for the cultivation, sale and distribution of
medical and recreational cannabis, with a view to emerging markets in product development and retail in Canada and abroad.

**Immigration Panel**

Rodolfo "Rudy" Monterrosa, Panel Moderator  
Attorney at Law, Monterrosa Law Group LLC.  
South Bend, IN

Hailing from California, Rodolfo "Rudy" Monterrosa received his bachelor’s degree from Stanford University and his law degree from the University of Notre Dame Law School. Son of immigrant parents from Mexico and El Salvador, Monterrosa is the founding attorney of the Monterrosa Law Group and has been practicing immigration and criminal defense for over seventeen years. He is an adjunct professor at the University of Notre Dame Law School, teaching immigration to future generation of lawyers, and serves as a School Board Trustee for the South Bend Community School Corporation. He serves as a commissioner with the American Bar Association’s Commission on Youth at Risk and the Indiana Supreme Court’s Commission on Race and Gender Fairness in the Courts. In his free time, he enjoys exploring the world with his lovely wife, Cecilia Lopez Monterrosa.

Panelists:

**Allert Brown-Gort, Ph.D.**  
Director General / Executive Director, La Casa de la Universidad de California en México, A.C.  
Mexico City, Mexico

Allert Brown-Gort is the Executive Director of the Casa de la Universidad de California en México, representing and promoting academic exchanges at all levels between Mexico and the University of California System. He is also a Senior Research Fellow at the Institute for Work and the Economy, an independent think tank based in Chicago, Research Fellow at the Instituto de Estudios Internacionales y Europeos Francisco de Victoria at the Universidad Carlos III Madrid (UC3M), and a Visiting Professor of International Relations at the Autonomous Technological Institute of Mexico (ITAM).

A citizen of both the United States and Mexico, he was a faculty member at the University of Notre Dame from 1999 to 2014, where he served at the Institute for Latino Studies and the Helen Kellogg Institute for International Studies. Dr. Brown-Gort’s major research interests include immigration policy, particularly its political and economic implications; and the role of culture and identity in shaping values, institutions and political systems. His latest project explores the links between the tenor of the immigration debate and the creation of ethnic political identities.

**Chantal Desloges, LL.B., C.S.**  
Senior Partner, Desloges Law Group  
Toronto, Canada

Chantal Desloges is certified by the Law Society of Upper Canada as a Specialist in both Citizenship/Immigration law and Refugee law. Her practice encompasses every possible area of Canadian citizenship, immigration and refugee law, such as business class applications, skilled workers, family sponsorships, work and study permits, refugee cases, citizenship applications, plus Appeals and Judicial Reviews of refused cases.

She was called to the Bar in 1999. She now leads her own law firm, numbering 14 people, in downtown Toronto.
Chantal taught Immigration Law at Osgoode Hall Law School in 2000/2001. She served as in the Seneca College Immigration Practitioner Certificate Programme from 1999 - 2010. She taught at Herzing College from 2013-2018. She now teaches for IMEDA, an immigration law CPD provider. She delivers seminars on a regular basis for professional associations, settlement organizations and community groups.

Cyril Joseph
Migration Program Manager, Immigration, Refugees and Citizenship Canada / International Network
New York, NY

Cyril Joined the Foreign Service of Canada in September 1992 and between 1994-2002 worked in Nairobi, Kenya and Buffalo New York as a Team Leader responsible for various Immigration Processing Units that delivered components of Canada’s immigration and refugee programs.

On assignment at our National Headquarters in Ottawa 2007-2011, he worked in Human Resources as an Assignment Officer where he participated in the development of human resources policies and global staff assignments. Cyril also provided counselling for employees on assignments, appraisal & promotion processes, performance obligations, training requirements & personal issues relevant to a rotational status for all IRCC Foreign Service officers.

From 2002 to present Cyril has served as a Migration Program Manager at Canadian missions in: Kingston, Jamaica; Port of Spain, Trinidad and Tobago; Islamabad, Pakistan; and New York, USA

In that role Cyril manages all aspects of the delivery of an immigration program to ensure the achievement of annual immigration levels established for the region, consistency with legislation and policy objectives, and that foster bilateral/multilateral foreign policy interests and obligations.

Daniel I. Morales
Associate Professor of Law, DePaul University College of Law
Chicago, IL

Professor Daniel I. Morales is a scholar and theorist of immigration law. His research addresses the legal problems that arise because immigration law acts on noncitizens, yet is made by and for the citizenry. His scholarship has appeared in leading law reviews, including the N.Y.U. Law Review, Indiana Law Journal, and Wake Forest Law Review. Prof. Morales joins the Law Center faculty from DePaul University, where he was honored with the College of Law’s Excellence in Teaching Award and the University’s Spirit of Inquiry Award for research excellence. Professor Morales began his academic career as a William H. Hastie Fellow at the University of Wisconsin Law School and subsequently clerked for both the Hon. R. Guy Cole Jr., U.S. Court of Appeals for the 6th Circuit, and the Hon. Joan B. Gottschall, U.S. District Court for the Northern District of Illinois. He received his JD from Yale Law School and his BA, magna cum laude, from Williams College, where he was elected to Phi Beta Kappa. He has practiced law at Jenner & Block LLP and Kirkland & Ellis LLP. He will teach Immigration Law, Crimmigration, and Latinos and the Law at the Law Center.