

**BENJAMIN CASPER SANCHEZ**

University of Minnesota Law School  
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**ACADEMIC APPOINTMENTS**

**University of Minnesota Law School**

Visiting Associate Clinical Professor 2013 - present  
Executive Director, Center for New Americans 2013 - present  
Founding director of collaborative immigration law center composed of three integrated immigration clinics and an education and outreach program, operated in formal partnership with Minnesota’s leading law firms and non-profit immigration legal service providers.  
Adjunct Clinical Professor, Immigration Clinic 1999 - 2004

**Saint Thomas University School of Law**

Adjunct Clinical Professor, Appellate Immigration Litigation Clinic 2012 - 2013

**EDUCATION**

University of Minnesota Law School, J.D., *cum laude*, 1997  
Carleton College, B.A., *magna cum laude* in Philosophy, 1990

**LEGAL WORK AND RELATED SERVICE**

**American Immigration Lawyers Association (AILA)**

National *Amicus Curiae* Committee, member 2011 - present  
National Asylum Litigation Working Group, convener 2012 - present

**Immigrant Law Center of Minnesota**

Pro Bono Litigation Project 2008 - 2012  
Founder and director of pro bono project engaging non-profit immigration lawyers and volunteer law firm attorneys in collaborative impact litigation before federal courts and immigration agencies.

**Private Immigration Practice**

Casper & Evans, P.A. 2012 - 2013  
Benjamin Casper, Attorney at Law, P.A. 2000 - 2012  
Immigration attorney in private practice. Represented noncitizens in appellate litigation, removal proceedings, asylum applications and family-based immigration petitions.

**Centro Legal**

Staff Attorney 1997 - 2000  
Attorney for non-profit community law office representing low-income Spanish-speaking clients. Represented noncitizens in removal proceedings as well as asylum and family-based immigration matters.

## **SELECTED PUBLICATIONS**

*Eighth Circuit Immigration Practice Manual: Step-By-Step Materials and Guidance*. Immigrant Law Center of Minnesota (forthcoming, January 2017).

*Matter of M-E-V-G- and the BIA's Confounding Legal Standard for "Membership in a Particular Social Group,"* 14-06 Immigr. Briefings 1 (June 2014) (co-authored with Kate Evans, Julia Decker, and Hayley Steptoe).

*Gang-based Particular Social Group Claims*, in Immigration Practice Pointers: Tips for Handling Complex Cases 449 (American Immigration Lawyers Association, 2013-14 ed.) (with Regina Germain & Ilana Greenstein).

*"Particular Social Group" Litigation in the Wake of S-E-G-*, in Immigration Practice Pointers: Tips for Handling Complex Cases (American Immigration Lawyers Association, 2012-13 ed.).

*The ~~Evolution~~ Convolution of Particular Social Group Law: From the Clarity of Acosta to the Confusion of S-E-G-*, in Immigration Practice Pointers: Tips for Handling Complex Cases 565 (American Immigration Lawyers Association, 2010-11 ed.) (with Regina Germain & Ilana Greenstein).

## **SELECTED PRESENTATIONS**

Presenter, *Eighth Circuit Immigration Litigation Trends*, American Immigration Lawyers Association, Upper Midwest Conference, Minneapolis, MN (May 2016).

Panel Chair, *Immigration Activism*, University of Minnesota Immigration History and Research Center Conference: *Immigrant America: New Immigration Histories from 1965 to 2015*, Minneapolis, MN (October 2015).

Panelist, *Gang-based Asylum Litigation*, American Immigration Lawyers Association annual conference, Washington, D.C. (June 2015).

Panelist, *Out of the Shadows? The Future of Immigration Policy for Undocumented Americans*, University of Minnesota Symposium cohosted by Law School, Humphrey School of Public Affairs, and Immigration History Research Center, Minneapolis, MN (April 2015).

Presenter, *Immigration Litigation in Federal Court*, University of Minnesota Law School, Minneapolis, MN (January 2015).

Panelist, *Particular Social Groups in Asylum Law*, Yale Law School, New Haven, CT (November 2014).

Presenter, *Second Annual Asylum Conference*, University of Minnesota Law School, Minneapolis, MN (November 2014).

Moderator and Panelist, *Saving Asylum: The Refugee Children of Central America*, University of Minnesota Law School, Minneapolis, MN (September 2014).

Panelist, *Particular Social Group Update*, American Immigration Lawyers Association annual conference, Boston, MA (June 2014).

Panelist and presenter, *Persecutor or Persecuted? Navigating the Asylum Persecutor Bar*, Immigration Advocates Network, national webinar (May 2014).

Panelist, *Models for Immigration Law Clinical Education*, Immigration Law Professors Conference, University of California, Irvine School of Law, Irvine, CA (May 2014).

Panelist, *Gang and Gender Particular Social Groups*, American Immigration Lawyers Association annual conference, San Francisco, CA. (June 2013).

Presenter, *Eighth Circuit and Supreme Court Immigration Litigation*, Immigrant Law Center of Minnesota and Robins, Kaplan, Miller & Ciresi LLP, Minneapolis, MN (December 2012).

Panelist, *Setting the Table for Appeal* American Immigration Lawyers Association / Advocates for Human Rights, Upper Midwest Annual Conference, St. Paul, MN (April 2012).

Panelist, *Temporary Protected Status and DED: What You Need to Know*, American Immigration Lawyers Association, national webinar (December 2011).

Panelist, *Jurisdictional Bars under INA § 242*, American Immigration Lawyers Association, Federal Court Litigation CLE, Atlanta, GA (March 2011)

### **BAR ADMISSIONS**

Minnesota

U.S. Supreme Court

U.S. Courts of Appeals: Second, Fourth, Seventh, Eighth, Ninth, Tenth and Eleventh Circuits

U.S. District Court, Minnesota

### **AWARDS**

Immigrant Law Center of Minnesota

National Advocate of the Year, Center for New Americans 2016

Minnesota Lawyer

Lawyers of the Year: Center for New Americans / *Mellouli v. Lynch* litigation team 2016

Immigrant Law Center of Minnesota

Karen F. Ellingson Volunteer Legal Services Award 2007

Minnesota Advocates for Human Rights

Volunteer Award, University of Minnesota Law School Immigration Clinic 2001

Centro Legal

Immigrant Service Award 2000

Minnesota State Bar Association

Legal Assistance to the Disadvantaged Committee, Exceptional Service Award 1997

## SELECTED LITIGATION

*Reyes v. Lynch*, No. 14-70686, 2016 WL 6994243 (9th Cir. Nov. 30, 2016)

Co-counsel and supervising attorney for clinical law students who led briefing and argued case before circuit court. Secured partial remand for client who sought torture convention and withholding of removal protections in the United States after defecting from a powerful criminal gang in El Salvador.

*Mellouli v. Lynch*, 135 S. Ct. 1980 (2015)

Co-counsel on briefs and fourth chair at oral argument. Won favorable U.S. Supreme Court ruling that reversed our client's deportation order and rejected the government's overbroad interpretation of a deportation statute applicable to persons convicted of a "controlled substance" offense. The Supreme Court adopted our position that the deportation statute applies to more limited category of drug crimes that involve substances specifically controlled under federal drug laws.

*Matter of A-R-C-G-*, 26 I&N Dec. (BIA 2014)

Co-counsel for amicus curiae the American Immigration Lawyers Association and coordinator of asylum advocacy effort that helped secure landmark precedent extending asylum protection to certain women who suffer severe domestic violence in countries that refuse to protect them from gender-based persecution.

*Martinez v. Holder*, 740 F.3d 902 (4th Cir. 2014)

Co-counsel and supervising attorney for clinical students on brief authored for amicus curiae the American Immigration Lawyers Association. Argued case for amicus curiae. Obtained favorable precedent holding that youth who defect from Central American gangs may be eligible for asylum protection.

*Sandoval v. Holder*, 641 F.3d 982 (8th Cir. 2011)

Led successful circuit court litigation with the Immigrant Law Center of Minnesota and Robins, Kaplan, Miller, & Ciresi, LLP, resulting in remand of a Board of Immigration Appeals decision holding that an unaccompanied immigrant child may be subject to lifetime banishment from the United States for making a false claim of U.S. citizenship, without consideration of the child's legal capacity or intent.

*Negusie v. Holder*, 129 S. Ct. 1159 (2009)

Counsel of record for amicus curiae The Advocates for Human Rights, with pro bono co-counsel from the law firm Robins, Kaplan, Miller & Ciresi, LLP. Led briefing to the U.S. Supreme Court urging it to reject the federal government's interpretation of the asylum "persecutor bar" statute as applying to any conduct that objectively furthers persecution in some way, regardless of whether that conduct was voluntary or the product of duress.

*Cuadra v. Gonzales*, 417 F.3d 947 (8th Cir. 2005)

Won appeal on behalf of a Salvadoran immigrant declared ineligible to apply for cancellation of removal under the Nicaraguan and Cuban Adjustment and Central American Relief Act of 1998. The Eighth Circuit agreed the Board of Immigration Appeals had violated the plain meaning of the controlling statute and regulations that define eligibility for this form of humanitarian relief.