

LAURA A. HERNÁNDEZ

3408 Edward Dr., Waco, Texas 76708
(210) 722-6701
lahernandez123@yahoo.com

EDUCATION:

STANFORD UNIVERSITY, Stanford, California, A.B. Economics, A.B. Communications,
June 1986

SOUTHERN METHODIST UNIVERSITY SCHOOL OF LAW, Dallas, Texas, Juris Doctor,
May 1996

- | | |
|-------------------|--|
| Honors | <ul style="list-style-type: none">• Articles Editor, <u>SMU Law Review</u>• Phi Delta Phi, Academic Honor Fraternity• Collins Clerkship, Dallas City Attorney, Civil Rights Section, 1994 |
| Grants and Awards | <ul style="list-style-type: none">• Sarah T. Hughes Law Scholar, Class of 1996
Full Scholarship awarded by the Dallas Bar Association• <u>Champion</u>, Jackson & Walker Moot Court Competition, 1994 |
| Advocacy | <ul style="list-style-type: none">• Team Member, National Moot Court Competition, Fall 1994, 1995• Team Member, Texas Young Lawyer Assn. Moot Court Competition, 1994 |
| Leadership | <ul style="list-style-type: none">• President, Hispanic American Law Student Association, 1994-95 |

PUBLICATIONS

Forthcoming:

“Show Me Your Papers’ – How Non-Citizens Are Deprived of Basic Privacy Rights Through Mass Surveillance and How It May Soon Affect Citizen Constitutional Protections”

An analysis of troubling developments regarding the surveillance of non-citizens by private parties, such as hotel chains, and government agencies, through collection of DNA, to build a database of information to be used by federal law enforcement against lawfully present individuals; and, how these techniques may soon be applied to citizens.

Current Publications:

2017

DUKE FORUM FOR SOCIAL CHANGE

“Separate and Definitely Not Equal - The Demonization of Immigrants and the American Dream”

Describing how politics has played a role in the social approbation of non-citizens including an analysis of how communities with immigrant populations economically thrive while those without this population struggle.

Equal Protection and the Immigrant: Legislating Our Way Toward Two Americas, in *CONTROVERSIES IN EQUAL PROTECTION CASES IN THE UNITED STATES* (Dr. Anne Richardson Oakes, ed., 2014/2015)

This essay describes breaking topics in American immigration law and the Equal Protection Clause, such as municipal ordinances designed to curb undocumented migration, Secure Communities and the professional licensing of otherwise qualified undocumented immigrants. Other essay contributors include: Erwin Chemerinsky, Francisco Valdes and Ian Haney López.

Loss of Attorney-Client Privilege through Inadvertent Disclosure of Privileged Documents, in *The Attorney-Client Privilege in Civil Litigation* (Oscar Rey Rodriguez, ed., ABA Publishing 2014/2015)

A treatise designed for practitioners. These two chapters will describe the current state of the federal rules of evidence and case law with respect to asserting work product privilege.

July 2014, Vol. X:2

STANFORD JOURNAL OF CIVIL RIGHTS AND CIVIL LIBERTIES

“The Constitutional Limits of Supply and Demand – Why a Successful Guest Worker Program Must Include a Path to Citizenship”

Compares and contrasts the American guest worker program with that of Canada, then argues that the principles of birthright citizenship require American guest worker programs to provide a path to permanent residency and citizenship for these immigrants as long as this country’s need for low cost, unskilled labor persists.

Spring 2012, Vol. 21:3

CORNELL JOURNAL OF LAW AND PUBLIC POLICY

“Dreams Deferred – Why In-State College Tuition Rates Are Not a Benefit Under the IIRIRA and How This Interpretation Violates the Spirit of Plyler.”

Argues that providing in-state college tuition rates to undocumented immigrants does not violate section 505 of the IIRIRA and any attempt to apply section 505 in this manner violates the United States Supreme Court’s reasoning in *Plyler v. Doe*.

Spring 2011, Vol. 17:1

TEXAS HISPANIC JOURNAL OF LAW AND POLICY

“When the Wise (Latina) Judge Meets a Living Constitution – Why It Is A Matter of Perspective.”

Analyses of the merits of Justice Sotomayor’s widely reported statement that judges bring their life experiences to the bench when deciding cases and whether the United States Constitution permits this type of insight.

2011, Vol. 19:2

SOUTHERN CALIFORNIA REVIEW OF LAW AND SOCIAL JUSTICE

“Anchor Babies: Something Less than Equal Under the Equal Protection Clause.”

Analyzes the constitutionality of the municipal ordinances mandating private enforcement of immigration laws by private landlords and their effect on citizen children.

August 8, 2010, Op-Ed, Section 11A

Waco Tribune-Herald

“One of Us.”

Explains the United States Supreme Court decision in *Plyler v. Doe* that mandated equal access to secondary education by undocumented immigrants.

October 20, 2008, Page 83

The National Law Journal

“Wooing Hispanics and Latinos Requires Sensitivity.”

Explains the cultural considerations, while dispelling cultural myths, that law school faculty and admissions personnel should know when recruiting Hispanic students.

TEACHING EXPERIENCE

BAYLOR LAW SCHOOL - Waco, Texas

Professor of Law, January 2008 to Present

COURSES TAUGHT – BAYLOR LAW SCHOOL:

Remedies

Insurance Law

Separation of Church and State

Law of the Entertainment Industries

Immigration Law

Civil Rights Actions

Poverty Law

LARC 3 – Appellate Advocacy

BAYLOR LAW DACA IMMIGRATION CLINIC

Director and Founder, 2012 to Present

Assisting those who qualify for deferment under the Secretary of Homeland Security memorandum entitled “Exercising Prosecutorial Discretion with respect to Individuals Who Came to the United States as Children.” To date, our clinic has assisted approximately 192 Waco residents with their DACA applications. Overall, 86 law students and 45 students from other departments at Baylor University contributed to the DACA clinic’s success. This clinic does not have academic credit associated with it.

2014 W. Frank Newton Award, State Bar of Texas. In June, the State Bar of Texas awarded Baylor Law School a pro bono award for its work with immigrants and other underserved populations.

INVITED LECTURES – REGIONAL

2009-2015:

University of Texas at El Paso
Law School Preparation Institute, Boot Camp, Mock Law Class and Mock Final Exam

University of Texas at San Antonio
Law School Preparation Institute, Mock Law Class and Mock Final Exam

Baylor University
Women and the Law, One Lawyer's Perspective
Analysis of legal opinions especially pertinent to women's issues.

2009-2020:

University of Texas at Rio Grande Valley
Law School Preparation Institute, Mock Law Class

INVITED PRESENTATIONS – NATIONAL AND INTERNATIONAL

October 25, 2013
Southwest Association of Pre-Law Advisors ("SWAPLA") Annual Meeting
"Breaking Barriers for Underrepresented Pre-Law Students"

September 3, 2011
Hispanic National Bar Association Annual Convention, Law Student Programming.
"Professionalism and Etiquette: What You Should Know to Successfully Transition to the Legal Profession."

June 23, 2011
State Bar of Texas Annual Meeting, Diversity Forum.
"Repairing the Leaks in Our Pipeline."

July 15, 2010
Oxford University, Harris Manchester College - Oxford, England.
"Is There a Place for the Wise Latina, or Wise Woman, in the Legal Academy?"
Oxford Round Table addressing "Women in the University: Problems and Prospects."

UNIVERSITY SERVICE – BAYLOR LAW SCHOOL

Advisor, Minority Student Advisor (2008-Present)

Co-Advisor, Diversity in Law Student Association (2008-Present)

Advisor, Entertainment Law Society (2012-Present)

"Baylor Light" profile, for my scholarly research on immigration, and the Immigration Clinic.
<https://www.baylor.edu/lights/news.php?action=story&story=197328>

2018 and 2019 University Search Committee for the Provost, Chair of the sub-committee
Interview Development Committee

Illuminate sub-committee, Chair, Baylor in Latin America

Panelist on the University's Title IX appeals process. (2016-2018)

Faculty of Color Alliance

Committees:

State Bar of Texas, Hispanic Issues Section, Student Outreach Committee (2013-Present)

Member, Admissions Committee (2008-Present)

Member, Law Student Relations Committee (2012-Present)

Member, University Communications/Media Committee (2011-2014)

Advocacy Coach:

2019: New York City Bar 69th Annual National Moot Court Competition
AWARDS: Regional Champions and Best Advocate,
National Quarterfinalists

2018: The Jeffrey G. Miller National Environmental Law Moot Court Competition
AWARDS: National Champions

2015: Eighteenth Annual National Entertainment Law Moot Court Competition
AWARDS: Finalists

HNBA 20th Annual Uvaldo Herrera National Moot Court Competition
AWARDS: National Champions, Best Petitioner's Brief

Catholic University of America
1st Annual Immigration Law Moot Court Competition
AWARDS: National Champions, Best Brief

2014: New York University 9th Annual Immigration Law Moot Court Competition
AWARDS: Finalists, Best Speaker and Fifth Best Speaker

HNBA 19th Annual Uvaldo Herrera National Moot Court Competition

- 2013 HNBA 18th Annual Uvaldo Herrera National Moot Court Competition
 AWARDS: Semi-Finalists and Third Best Advocate
- New York University 8th Annual Immigration Law Moot Court Competition
 AWARDS: Semi-Finalists and Best Brief
- Sixteenth Annual National Entertainment Law Moot Court Competition
- 2012 HNBA 17th Annual Uvaldo Herrera National Moot Court Competition
 AWARDS: National Champions, Best Brief and Best Advocate
- New York University 7th Annual Immigration Law Moot Court Competition
 AWARDS: Semi-Finalists and Best Brief
- Fifteenth Annual National Entertainment Law Moot Court Competition
- 2011 Fourteenth Annual National Entertainment Law Moot Court Competition
 AWARDS: Semi-Finalists and Best Respondent's Brief
- Asylum and Refugee Law National Moot Court Competition
- 2010 Thirteenth Annual National Entertainment Law Moot Court Competition
 AWARDS: Semi-Finalists, Second Place - Best Respondent's Brief and
 Third Best Speaker

Advocacy Assistant Coach:

- 2008 National Criminal Procedure Moot Court Team and National Pre-Trial
 Competition
 AWARDS: Semi-Finalists

PROFESSIONAL EXPERIENCE:

BICKEL & BREWER - Dallas, Texas
Senior Associate, May 2007 to November 2007

- Arbitrated breach of hospitality agreement.
- Managed junior associates and staff.

AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P. - San Antonio, Texas
Counsel, July 2000 to March 2007

- Acted as second chair in trial to jury on breach of contract and breach of fiduciary duty allegations between insurance companies and their common administrator. The jury absolved our client of all wrongdoing but found a co-defendant liable for approximately \$1 million in damages.

- Acted as second chair in AAA arbitration for insurance dispute where insured sought approximately \$400,000 in damages. Arbitrator dismissed most claims and awarded only \$5,000 to insured.
- Defended Mexican telecommunications company in federal court garnishment proceeding which applied Texas law.
- Investigated accounting irregularities and potential securities fraud at Mexican subsidiary of Fortune 500 Company. Investigation successfully preempted prosecution of company by Securities Exchange Commission.
- Obtained dismissal on the pleadings in California federal court, without an evidentiary hearing, on motion for lack of personal jurisdiction for British insurance brokerage house and drafted appellate brief.
- Argued and won dismissal on motion for summary judgment in federal court on claims involving breach of contract, Texas DTPA and Insurance Code violations, *Stowers* doctrine and the duty of good faith and fair dealing.
- Deposed over 50 fact witnesses and over 15 expert witnesses in various types of litigation.
- Handled numerous mediations in lawsuits involving complex commercial litigation.
- Managed junior associates. Led firm-wide training session on Motions Practice. Wrote presentations to clients on legal issues concerning their industry.
- Other representative matters include: prosecution of patent infringement involving a medical device, securities and insurance class actions, as well as warranty disputes for software and other consumer products.

SKADDEN, ARPS, SLATE, MEAGHER & FLOM, L.L.P. - Los Angeles, California
Litigation Associate, October 1996 to March 1999

- Assisted in obtaining dismissal on summary judgement in case involving breach of contract over profit participation for a nationally distributed television game show.
- Assisted in reaching highly favorable settlement in case involving breach of contract in the Alaskan oil and gas industry.
- Participated in cases involving federal and California securities class action and tort action under Tennessee law.
- Researched and wrote memoranda of law in support of motions to dismiss, discovery motions and motions for summary judgment, as well as supporting documents and reply briefs. Identified and interviewed key witnesses. Assisted partner in development of case strategy. Wrote, and discussed where appropriate, explanatory strategy memorandums with clients. Researched and wrote deposition outlines, motions in limine and jury instructions.

- Made solo court appearances for confidentiality stipulations and case management conferences.

SECURITIES EXCHANGE COMMISSION - Fort Worth, Texas,
Intern, January to April 1996

SERVICE TO THE COMMUNITY:

2008-2013:

LEAD Program - Mentor, Waco Chamber of Commerce

2003-2007:

Board Member, Guadalupe Cultural Arts Center, San Antonio, Texas

The Guadalupe is the largest community-based, multi-disciplinary organization in the United States.

MEMBERSHIPS AND PROFESSIONAL ASSOCIATIONS:

State Bar of Texas, Member No. 24025425, licensed on May 3, 2000

State Bar of California, Member No. 186004, licensed on December 11, 1996

Admitted into the Federal Bars of the United State District Court for the Western and Southern Districts of Texas and Central District of California

Mexican American Bar Association, Los Angeles, California and San Antonio, Texas chapters

Federal Bar Association, San Antonio, Texas chapter

Bexar County Women's Bar Association

ADDITIONAL INFORMATION:

Avid alternative music aficionado

REFERENCES FURNISHED UPON REQUEST