

KATHRYN E. MILLER

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ACADEMIC APPOINTMENTS

Benjamin N. Cardozo School of Law New York, NY
Clinical Assistant Professor of Law 2019-present

- Courses: Criminal Defense Clinic
- Service: Adjunct Appointments Committee

University of California, Berkeley School of Law (Berkeley Law) Berkeley, CA
Clinical Supervising Attorney and Lecturer in Residence 2018-2019
Clinical Teaching Fellow, Death Penalty Clinic 2015-2018

- Taught investigation, client interviewing, and research and writing skills
- Taught individual classes in clinic seminar
- Supervised students in all aspects of representation of low-income clients on Death Row, including litigation and investigation of habeas corpus petitions and petitions for writ of certiorari
- Service: Coach for Saul Lefkowitz Moot Court Team (2016); Judge for First Year Trial Competition (2016); Career counseling in public defense and capital representation (2015-2019)

SCHOLARSHIP AND LEGAL WRITING

The Right to a State Execution: The Myth of Autonomy in the Capital Criminal Legal System
(work-in-progress)

The Prosecutor's Plea for Death: Misconduct or Fair Comment? (Update), California Death Penalty Defense Manual (forthcoming 2020)

The Eighth Amendment Power to Discriminate, 95 Wash. L. Rev. (forthcoming June 2020)

The Attorneys Are Bound and the Witnesses Are Gagged: How States Limit Post-Conviction Investigation in Criminal Cases, 106 Cal. L. Rev. 135 (2018)

EDUCATION

University of California, Berkeley School of Law (Berkeley Law) Berkeley, CA
Juris Doctor, 2007

Honors: Order of the Coif; American Jurisprudence Award (Highest Grade in Class): Race and American Law; Prosser Prize (Second Highest Grade in Class): Evidence Advocacy, Appellate Advocacy; Saul Lefkowitz Moot Court Western Regional Champions, Second Place Brief and Second Place Overall, National Competition

The College of William and Mary,

Williamsburg, VA

Bachelor of Arts in History, summa cum laude, 2002

Honors: Phi Beta Kappa; Richard Lee Morton Scholarship for Outstanding History Student; John F. Kroeger Memorial Scholarship for History Majors; James F. Monroe Scholarship

PROFESSIONAL EXPERIENCE

Equal Justice Initiative

New York, NY/Montgomery, AL

Staff Attorney

2012-2015

- Represented individuals on Alabama's Death Row in all stages of state appellate and post-conviction proceedings
- Represented children sentenced to die in prison in post-conviction proceedings in multiple states
- Participated in § 1983 lethal injection and racial discrimination litigation
- Researched and prepared publications on history of racial terror and relationship to modern mass incarceration and capital punishment
- Represented client before Alabama Board of Pardons and Paroles
- Managed relationships with outside law firms and participated in development work

Bronx Defenders

Bronx, NY

Supervising Attorney

2011-2012

Staff Attorney

2007-2011

- Represented over 1,200 indigent clients from arraignment to resolution
- Tried seventeen cases, including charges of rape, robbery, drug sale, and assault on a police officer
- Negotiated with prosecutors and judges to obtain favorable plea bargains and sentences
- Co-supervised fourteen lawyers and directly supervised seven lawyers on Felony Training Team
- Held regular meetings, skills trainings, and moots
- Planned internal and external trial skills trainings
- Developed and conducted trial training program for summer interns
- Litigated appeal in New York Appellate Division and Court of Appeals

Berkeley School of Law Death Penalty Clinic

Berkeley, CA

Clinic Student

2006-2007

The Public Defender Service for the District of Columbia

Washington, D.C.

Law Clerk

Summer 2006

Drug Policy Alliance

Berkeley, CA

Legal Intern

Spring 2006

East Bay Community Law Center, Housing Unit

Berkeley, CA

Clinic Student

Fall 2005

ADDITIONAL TEACHING EXPERIENCE

University of California, Berkeley School of Law (Berkeley Law) Berkeley, CA
Student Director of Appellate Advocacy Summer 2006

- Developed legal problem based on pending California Supreme Court case for second-year student Appellate Advocacy course
- Researched and wrote bench memorandum examining the effect of conviction for resisting arrest on § 1983 claims of excessive force

University of California, Berkeley School of Law (Berkeley Law) Berkeley, CA
Teaching Assistant for Written and Oral Advocacy Class Spring 2006

- Conducted individual student meetings to review writing skills
- Evaluated student writing and oral advocacy
- Created legal writing template to demonstrate practical use of IRAC method

Edward Livingston Middle School (Teach For America) New Orleans, LA
Teacher 2002-2004

- Taught Language Arts, Social Studies, and Literacy to sixth- and eighth-grade students in Upper Ninth Ward of New Orleans
- Planned daily lessons, managed classroom, and utilized multi-sensory instruction

SELECTED LECTURES AND PRESENTATIONS

Panel Moderator, *Justice for Rodney Reed: Will Texas Execute an Innocent Man?*
The Innocence Project, Cardozo Law School, October 2019

Panelist, *Plea Bargaining and Public Defense*
Berkeley Law Criminal Defense Society, March 2019

Presenter, *The Eighth Amendment Right to Discriminate*
NYU Clinical Legal Writer's Workshop, September 2018

Panelist, *Defending Clients Accused of Sex Crimes*
Berkeley Law Criminal Defense Society, March 2018

Presenter, *The Attorneys Are Bound and the Witnesses Are Gagged: How States Limit Post-Conviction Investigation in Criminal Cases*
The California Law Review February Issue Party, February 2018

Presenter, *The Attorneys Are Bound and the Witnesses Are Gagged: How States Limit Post-Conviction Investigation in Criminal Cases, A Work-in-Progress*
American Association of Law Schools Clinical Legal Education Association, May 2017

Presenter, *The Constitutional Basis for Mitigation Investigation*
University of California, Berkeley School of Law Death Penalty Clinic Investigation Training, October 2016, October 2017

Presenter, *How State Judges and Legislatures Restrict Post-Conviction Capital Litigation*
NYU Clinical Legal Writer's Workshop, September 2016

Presenter, *Confronting Racial Terror*
George Stinney Brown Memorial Gathering, St. Albans, NY, October 2014

Panelist, *Finding a Social Justice Career*
Amnesty International Career Panel, New York, NY, April 2015

ADMISSIONS

State Bar of New York, Admitted 2008

State Bar of Alabama, Admitted 2013

United States Supreme Court, Admitted 2016