

ERIKA NYBORG-BURCH
Assistant Professor of Law, Florida State University College of Law

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and litigated Section 1983 claims against local police departments challenging racial and ethnic profiling. Litigated public access requests against local agencies to increase public access to information, including policies for policing, prosecution, and bail. Advised on legislative and advocacy work. Supervised legal fellows and interns.

The Bronx Defenders, The Bronx, NY 2018 – 2020
NYIFUP Attorney, Immigrant Justice Corps Fellow

Represented clients in removal proceedings through the New York Immigrant Family Unity Project (NYIFUP). Engaged in motions practice in immigration court. Prepared prehearing statements and evidentiary materials for applications for relief from removal, including asylum and cancellation of removal. Represented clients in immigration court hearings on these applications and secured grants of asylum for multiple clients. Wrote appellate briefs for the Board of Immigration Appeals (BIA). Prepared federal habeas petitions for detained clients. Submitted applications for visas with USCIS.

Asylum Seekers Advocacy Project (ASAP), New York, NY 2017 – 2018
Founding Member, Attorney, Remote Removal Defense Coordinator

Represented clients in motions to reopen before the BIA. Drafted templates, guides, and supplemental resource database for practitioners. Coordinated attorney supervision of student volunteers preparing filings for asylum seekers. Co-developed trauma-informed representation program at the South Texas Detention Center in Dilley, Texas.

Third Circuit Court of Appeals, Judge Thomas L. Ambro, Wilmington, DE 2016 – 2017
Federal Judicial Law Clerk

Analyzed relevant legal issues in cases and presented judge with summary, recommendation, and questions for counsel at oral arguments. Drafted opinions and edited opinions from other chambers. Reviewed motions and prepared responsive orders. Screened briefing from *pro se* applicants and flagged cases for the judge. Edited colleagues' work-product.

KIPP Central City Primary, New Orleans, LA 2011 – 2013
Second Grade Teacher

Developed school-wide second grade literacy curriculum. Increased student performance scores beyond grade-level benchmark. Initiated academic and behavioral intervention programs. Coordinated with social worker to create support systems for students experiencing trauma. Taught ESOL to a second-grade student.

PUBLICATIONS

- *Protection as Punishment: Immigrant Victim Relief in the Crimmigration State*, 115 Calif. L. Rev. __ (forthcoming 2027).
- *The War on Immigrants*, 73 UCLA L. REV., __ (forthcoming 2026).
- *Targeted Genetic Surveillance* (work in progress).
- *Rethinking Constitutionally Impermissible Punishment*, 98 NOTRE DAME L. REV. REFL. 40 (2022) (with Nadia Banteka).

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PRESENTATIONS

- *Protection as Punishment: Immigrant Victim Relief in the Crimmigration State*
 - **CrimFest Criminal Law Conference**, July 2025
 - **Florida State University College of Law**, June 2025
- *The War on Immigrants*
 - **University of Florida Levin School of Law**, September 2025
 - **ABA/AALS Academy for Criminal Justice Section**, December 2024
 - **University of Utah S. J. Quinney College of Law**, October 2024.
- **Oscher Lifelong Learning Institute at Florida State University**, February 2024—Guest Lecturer, *Asylum and Refugee Law and the Legal Landscape at the Southern Border*.
- **Boies Schiller Flexner**, June 2022—Presenter, *Pride Month Lecture: Legal Issues Impacting the LGBTQ+ Community*.
- **Philadelphia Bar Association**, December 2020 – Organizer and Presenter, *Jails, Prisons, and Immigration Detention Centers: Lessons from COVID-19*.
- **Habeas Working Group**, December 2020 – Presenter, *Strategies to Defend Medically-Vulnerable Individuals from Re-detention by ICE*.
- **Tilburg Law School**, May 2019 – Guest Lecturer, *Shrinking Legal Protections and Expanded (Illegal) Detention for Asylum-Seekers in the United States*.

BAR ADMISSIONS

- Florida, California, New York, U.S. Court of Appeals for the Third Circuit, U.S. Court of Appeals for the Ninth Circuit, U.S. Court of Appeals for the Eleventh Circuit.

LANGUAGES

- Fluent in English, Spanish; Conversational in Greek.