

Alison K. Guernsey



EDUCATION

The University of Iowa College of Law, J.D., 2008

Editor in Chief, *Iowa Law Review*

Honors: Order of the Coif; Distinguished Student Leader (University-wide); Boyd Community Service Award (Highest Honors); UI College of Law Nominee for University-Wide Hancher-Finkbine Medallion

United States Fulbright Student Fellow, Valparaíso, Chile, 2002–2003

University of Michigan, Honors College of Literature, Arts and Sciences, 2001

B.A. in Anthropology (Highest Distinction) and Latin American Studies

Honors: Phi Beta Kappa, Cutcheon Honors Research Grant, James B. Angell Scholar, University Honors (all years), Class Honors (all years), National Dean's List, William J. Branstrom Award

LEGAL EMPLOYMENT

The University of Iowa College of Law, Iowa City, IA

10/2017–present

Clinical Associate Professor of Law

Federal Criminal Defense Clinic (FCDC)

Founded, designed, and direct the second trial-level federal criminal defense clinic in the nation. Supervise students in their representation of indigent people charged with crimes in the U.S. District Courts for the Northern and Southern Districts of Iowa and the U.S. Courts of Appeals for the Sixth and Eighth Circuit. Teach a weekly seminar on federal defense practice, litigation, and lawyering skills.

- [*Decarceration and Compassionate Release*](#): In Spring 2019, the Clinic began handling post-conviction sentencing review cases under the First Step Act of 2018. Those cases include crack-cocaine sentencing reductions (Section 404) and compassionate-release matters (Section 603). Representations in those cases includes individuals sentenced in the federal district courts in Iowa, the Eastern District of Kentucky, the Northern District of Texas, and the Middle District of Florida. In addition to direct representation, students track and graph daily COVID-19 infection rates in federal facilities, create design and [visual advocacy projects](#) highlighting COVID-19 deaths in prison, and assist in the drafting of legal obituaries for the more than 260 people who have died in federal Bureau of Prisons custody.

Voting & Citizenship Rights Restoration Clinic (VRRRC) (Fall 2018 – Summer 2020)

Co-supervise law students in their representation of over 60 individuals with prior convictions seeking to understand the voting- and citizenship-rights restoration process in Iowa and assist those individuals with rights-restoration applications. Teach a companion classes focusing on the basics of brief-services representation and substantive law. Conducted clinics throughout Iowa: Linn (10/2018, 7/2019); Polk (3/2019); Blackhawk (3/2019); Woodbury (5/2019); Scott (10/2019). Worked with 1L students through the Citizen Lawyer Program (Spring 2019-20).

Additional Courses:

- Criminal Law (Spring 2022)
- Criminal Procedure: Adjudication (Fall 2020, Fall 2021)
- Litigation for Decarceration (3-credit Upper-Level Writing Seminar) (Summer 2020)
- Trial Advocacy (January 2018-2022; May 2019-2021; August 2020)
- Trial Advocacy – UI Liberal Arts Beyond Bars (Oakdale Prison) (Feb-March 2020)
- Undergraduate Clinical Internship Program (Fall 2018 – Fall 2020)
- Writing for Criminal Litigation (Independent Study) (Fall 2018 – Spring 2021)
- Crimmigration (Tutorial) (Fall 2019)

Law School Committee Assignments/Service:

- Judicial Clerkship Committee (2017-present)
- Law School Diversity, Equity, and Inclusion Committee (2019-present) (co-chair 2021-22)
- Faculty Diversity, Equity, and Inclusion Committee (Fall 2021-present)
- Internal Procedures Committee (Fall 2020-Spring 2021)
- Student Awards Committee (Fall 2020-Spring 2021)
- Dean’s Ad Hoc Advisory Legal Research and Writing Committee (Spring 2019)
- Appellate Advocacy, Moot Court, Mock Trial:
 - Baskerville Moot Court Competition Advisor (Fall 2020-present)
 - Appellate Advocacy I/II Brief and Oral Argument Judge (2017-present)
 - Moot Court Board Advisor (2019-20)
 - Appellate Advocacy I Problem Advisor (Fall 2020, 2021)
 - Van Oosterhout-Baskerville Competition Problem Advisor (Spring 2019, 2020)
 - 1L Orientation Mock Trial Participant (Fall 2019)
 - Stephenson Trial Advocacy Competition Judge (2017-18)
 - Cornshucker Challenge, UI Mock Trial Team Judge (Fall 2017, Fall 2018)
- OWLSS Faculty Advisor (2019-present)
- BLSA/HLSA Street Law, Inc. Program Volunteer (Spring 2019)
- EXPLORE Iowa Conference Presenter (Spring 2018, Fall 2020, Fall 2021)

Federal Defenders of Eastern Washington & Idaho

11/2015–10/2017

Supervising Attorney

Responsible for supervising all aspects of attorneys’ legal work. Second-chair cases with office attorneys and act as a legal mentor. Responsible for the development of performance plans for struggling attorneys. Maintain a full district-court and court-of-appeals caseload. Responsible for litigating the District’s 28 U.S.C. § 2255 petitions under *Johnson v. US*, 135 S. Ct. 2551 (2015).

Federal Defenders of Eastern Washington & Idaho

6/2012–11/2015

Trial Attorney

Represent indigent criminal defendants in a variety of cases in the U.S. District Court for the Eastern Districts of Washington and Idaho at every stage of the process, including bond hearings, preliminary hearings, jury trials, and sentencing. Case types include, drug trafficking and manufacture, firearms, fraud, child exploitation, serious violent/sexual crime under the Major Crimes Act (18 U.S.C. § 1153) and the Assimilative Crimes Act (18 U.S.C. § 13), and habeas-corpus petitions (28 U.S.C. §§ 2254 and 2255), among others. Represent defendants before the U.S. Court of Appeals for the Ninth Circuit.

Federal Defenders of Eastern Washington & Idaho 9/2010–6/2012
Immigration Fellowship Attorney
Represent indigent defendants charged with immigration-related crimes in the U.S. District Courts for the Eastern District of Washington & Idaho and the U.S. Court of Appeals for the Ninth Circuit.

U.S Court of Appeals for the Sixth Circuit, Cleveland, Ohio 9/2009–9/2010
Term Law Clerk for The Honorable Karen Nelson Moore

U.S. Court of Appeals for the Eighth Circuit, Cedar Rapids, Iowa 8/2008–8/2009
Term Law Clerk for The Honorable Michael J. Melloy

SELECTED PROFESSIONAL, ACADEMIC, AND COMMUNITY SERVICE

Iowa Legal Aid Board of Directors 8/2021–present
Board Member/Programs and Planning Subcommittee
Help maintain ILA’s mission and goals by providing oversight of the organization’s fiscal operations, resources, policy development, program implementation, and status of operations.

Child Advocacy Board (State of Iowa) 3/2020–present
Board Member
Appointed by Governor Kim Reynolds as 1 of 9-member board. Help establish policies and procedures for two volunteer child-advocacy programs in Iowa: the Court Appointed Special Advocate (CASA) program and the Foster Care Review Boards (FCRB) program. Engage in other oversight as required by Iowa Code Chapter 237.

Federal Practice Committee (U.S. District Court, Northern District of Iowa) 12/2020–present
Committee Member
Serve as a liaison between the Bench and Bar in the U.S. District Court for the Northern District of Iowa. Work on projects related to Court operations and procedures.

Office of Professional Regulation (Iowa Supreme Court) 1/2018–present
Member of the Ad Hoc Committee of Attorney Discipline
Appointed by the Chief Justice of the Iowa Supreme Court to reviews ethics complaints against Disciplinary Board members.

Inside Out Reentry Community 6/2018–1/2020
Volunteer
Planning Committee Member for Reentry Summit (Fall 2019) and quarterly forum series aimed at cultivated a supportive community for returning citizens. Summit and series funded by a City of Iowa City Social Justice & Racial Equity grant. [Video](#) of parole simulation project

Ninth Circuit Judicial Conference 10/2016–10/2017
Lawyer Representative
Selected by the judges of the U.S. District Court for the Eastern District of Washington to act as a conduit between the bench and the bar concerning Local Rules, courtroom practice and procedure, and any other concerns about the administration of justice in the District.

Federal Bar Association

10/2016–10/2017

Ex Officio Member

Help organize and the plan the Federal Bar Association Annual Conference, a district-wide CLE addressing matters of concern for both the criminal and civil bars in the Eastern District of Washington.

Criminal Justice Act Panel Mentor Program

10/2015–10/2017

Co-Coordinator and Mentor

Responsible for developing the new CJA Panel Mentorship Program for the U.S. District Court for the Eastern District of Washington in conjunction with the Court. The goal of the program is to teach newer attorneys (or attorneys inexperienced with the federal criminal system) how to handle a federal criminal case from start to finish. Approved mentor for individuals admitted to the program.

AWARDS/GRANTS

- Nominee, Iowa College of Law, President and Provost Award for Teaching Excellence (2021)
- Recipient, Iowa College of Law, Collegiate Teaching Award (2020-2021)
- Recipient, Washington Lawyers Committee, Outstanding Achievement Award for work on Compassionate Release cases under the First Step Act of 2018 (June 2020)
- Nominee, 2019 Distinguished Mentor Award, UI Center for Research by Undergraduates (Feb. 2019)
- Fellow, Opioid Ideas Lab, University of Iowa, Office of Vice President for Research (April 2018)
- Awarded Outstanding Assistant Federal Defender, National Ass'n of Federal Defenders (May 2017)

MEDIA INTERVIEWS AND MENTIONS

- Casey Tolan, [*A 90-Year Old Was Serving Life for a Serious Illness. Now He's Going Home*](#), CNN (Dec. 16, 2021) (discussing the Court's compassionate release order)
- Kate Payne, [*An 88-Year Old Iowan Has Served 52 Years on a Life Sentence. Should that Be Enough?*](#) Iowa Public Radio (Dec. 17, 2021) (discussing the need for executive clemency)
- Casey Tolan, [*Compassionate Release Became a Life-or-Death Lottery for Thousands of Federal Inmates During the Pandemic*](#), CNN (Sept. 30, 2021) (citing the Clinic's compassionate-release research).
- William Morris, [*Doug Jensen Seeks to Dismiss Felony Charge for 'Obstructing, Influencing, or Impeding Congress during Capitol Riot.'*](#) DES MOINES REGISTER (Sept. 27, 2021) (discussing one of the Capital Riot defendant's motion to dismiss)
- John Yang & Mike Fritz, [*Inmates Released to Home Confinement During Pandemic Fear "Devastating" Reincarceration*](#) PBS NEWSHOUR (Sept. 21, 2021) (discussing of the Clinic's work on CARES Act home confinement cases)

- Tom Dreisbach, [*John Pierce Represents More Capital Riot Defendants Than Anyone. Should He?*](#), NPR: ALL THINGS CONSIDERED (Sept. 8, 2021) (discussing ethical rules surrounding multiple representations)
- Keri Blakinger & Joseph Neff, [*'They Let People Die.': US Prisons Bureau Denied Tens of Thousands Compassionate Release During COVID*](#), THE GUARDIAN/MARSHALL PROJECT (June 11, 2021) (discussion of trends in compassionate release dispositions)
- ABC LOCAL CHANNEL 5, [*University of Iowa Law Professor on Why Defendants Testify in Criminal Trials*](#) (May 26, 2021) (interview discussing the right to testify)
- Keegan Hamilton, [*Prisoners Keep Dying of COVID While 'Compassionate Releases' Stall in Court*](#), VICE NEWS (Mar. 18, 2021) (discussing Clinic's compassionate-release data and visual advocacy projects).
- Miles Pope, *What We Have Wrought: Compassionate Release in the Time of Our Plague*, THE ADVOCATE 64:2 (Feb. 2021) (discussing the Clinic's compassionate-release visual advocacy project).
- WFHB Community Radio, KITE LINE PODCAST, [*Compassionate Release: Part 1*](#) (Dec. 18, 2020) and [*Compassionate Release: Part 2*](#) (Dec. 25, 2020) (interview discussing the compassionate release statute and barriers to sentence reductions during the pandemic)
- Robin Opsahl, [*Action Urged Now on Felons' Rights*](#), DES MOINES REGISTER (Aug. 1, 2020) (discussing VRRRC work)
- Jason Clayworth, [*Iowa could soon be alone in the nation with felon voting ban — and become a bigger target for ban's opponents*](#), DES MOINES REGISTER (Nov. 26, 2019) (discussing VRRRC work)
- Taylor Vessel, [*Bill Passes House Allowing Felons to Vote*](#), KWWL NEWS (Mar. 31, 2019) (interviewing student and video of VRRRC Waterloo)
- Stephen Gruber-Miller, [*Here's How Kim Reynolds Is Making it Easier for Former Felons to Regain the Right to Vote*](#), DES MOINES REGISTER (Mar. 12, 2019) (describing work of the VRRRC and quoting students)
- Rylee Wilson, [*UI Legal Clinic Helps Felons Apply to Reinstate Their Voting Rights*](#), THE DAILY IOWAN (Feb. 18, 2019) (describing work of the VRRRC and quoting students)
- Jason Clayworth, [*Dozen of Felons Have Been Caught Illegally Voting in Iowa*](#), DES MOINES REGISTER (Jan. 20, 2019) (quotes concerning the confusing state of voting-rights laws in Iowa)
- Monte Reel, [*Two Towns Forged an Unlikely Bond; Now, ICE Is Severing the Connection*](#), BLOOMBERG BUSINESS WEEK (Dec. 27, 2018) (discussing the work of the FCDC in a particular case)
- Josie Fischels, [*New Law Clinics Provide a Hands-On Learning Experience for Students*](#), THE DAILY IOWAN (Oct. 29, 2018) (describing work of the FCDC generally).
- Lee Hermiston, [*College of Law Clinics Teach Students About Transactional Law, Federal Defense*](#), IOWA NOW (Oct. 1, 2018) (describing work of the FCDC generally).

- Alma Gaul, [*Another Immigration Raid Defendant Deported*](#), THE GAZETTE (July 9, 2018) (describing case in which FCDC is involved and quoting students).
- Alma Gaul, [*2 Men in ICE Custody Fail to Appear in Court*](#), QUAD-CITY TIMES (June 27, 2018) (describing case in which FCDC is involved and quoting students).

PUBLICATIONS/WRITTEN TESTIMONY

- *Discovery Difficulties When Defending Supervised Release Cases*, Federal Sentencing Reporter (Univ. of Cali. Press) (working title) (forthcoming ~ Feb. 2022) (invited paper).
- [*Written Testimony*](#), U.S. Senate Judiciary Committee Oversight Hearing on the Federal Bureau of Prisons, 117th Cong. (Apr. 15, 2021) (co-authored with Anita Aboagye-Agyeman)
- [*Bar Exam Puts Iowa Graduates in an Impossible Scenario*](#), with John Allen, Daria Fisher Page, Bram Elias, and Len Sandler, DES MOINES REGISTER (July 27, 2020)
- [*White Privilege Must be Discussed*](#), with Daria Fisher Page, THE GAZETTE (Feb. 13, 2019).
- Written Testimony, Council of the District of Columbia, Committee of the Judiciary and Public Safety, Public Hearing on B22-452, *Clemency Board Establishment Act of 2017* (Nov. 1, 2017) (co-authored with Amber Baylor, Daria Fisher Page & Jason Hernandez)
- *Death Penalty Litigation in the U.S. District for the Northern District of Ohio*, in A HISTORY OF THE NORTHERN DISTRICT OF OHIO (Finkelman & Alexander, eds.) (2011)
- *The World Bank's Inspection Panel: Promoting True Accountability Through Arbitration*, 41 CORNELL INT'L L.J. 577(2008) (co-author with Enrique Carrasco)
- *Waiting for the Other Shoe to Drop: Will State Courts Follow Leegin?* 27 FRANCHISE L. J. 173 (2008) (co-author with Richard Duncan)
- Note, *Double Denial: How Both the DOL and Organized Labor Fail Domestic Agricultural Workers in the Face of H-2A*, 93 IOWA L. REV. 277 (2007)
- *Working Together to Increase Immigrant Women's Access to Reproductive Health Care*, Report of the Center for Women in Government & Civil Society and Family Planning Advocates (2004) (co-editor)

PRESENTATIONS

- *Medical Compassionate Release: What's Working, and What's Not*, University of Chicago Second Chances Symposium (Feb. 17, 2022) (co-presenter)
- *Ethical Issues in Trial and Post-Conviction Litigation*, U.S. District Court for the Eastern District of Washington (Richland, WA) (Mar. 11, 2022) (working title)
- *Progressive Prosecution: A Response to Akbi Johnson's "Racial Disparities & Prosecution"*, Iowa Justice Action Network (Sept. 9, 2021)

- *The Ethics of Self-Interest: How to Defend Yourself While Always Defending Your Client*, Federal Defenders for the District of Nevada (Aug. 25, 2021)
- *Incorporating Compassionate Release Advocacy in the Law School Curriculum*, AALS Conference on Clinical Legal Education (Apr. 28, 2021) (co-presenter)
- *Renewing a Human Rights Agenda: The Criminal Legal System*, University of Iowa Center for Human Rights (Mar. 24, 2021) (co-panelist).
- *Offensive Use of Evidence: Rules 403, 404, and 405*, Administrative Office of the Courts, Office of Defender Services (Mar. 12, 2021)
- *Exploring Holistic Defense*, Federal Defenders for Districts of Iowa (Nov. 10, 2020)
- *Aggressive and Ethical Appellate Practice*, Federal Defenders for Districts of Iowa (Sept. 29, 2020)
- *Categorical and Modified Categorical Approach*, Iowa Ass'n of Criminal Defense Lawyers, Des Moines, IA (Nov. 7, 2019).
- [*Felon Disenfranchisement in Iowa: An Overview and Vision for a Better Future*](#), Inside Out Reentry Community, Iowa City, IA (Oct. 17, 2019).
- *Criminalizing Voting Rights*, American Constitution Society, Iowa City, IA (Oct. 2, 2019) (co-panelist).
- *Ethics of Negotiation in Banking*, MidwestOne Bank Spring CLE, Iowa City, IA (June 20, 2019).
- *Prosecutorial Vouching: What Is It and What Are Your Ethical Obligations Once You Spot It?* Federal Defenders of Iowa, Cedar Rapids, IA (June 6, 2019).
- *Juvenile Justice and Sentencing: WIP Discussant*, AALS Annual Conference on Clinical Legal Education, San Francisco, CA (May 7, 2019).
- *Federal Criminal Practice: An Overview*, Iowa Paralegal Association Spring Seminar, Cedar Rapids, IA (Apr. 19, 2019).
- *Ethics of Negotiation*, UI College of Law Reunion Ethics CLE, Iowa City, IA (Oct. 2018)
- *Using "Why-Storming" to Navigate Clinical Transitions*, Midwest Clinical Conference, AALS Section on Clinical Education, University of Kansas School of Law (Oct. 14, 2017) (co-presenter)

During Previous Legal Practice – Selected

- Washington State Court of Appeals, Division III, Presentation to the Court's judges: *Your Court's Impact on Federal Sentencing and Immigration Outcomes: A Primer*, Spokane, WA, April 2017

- Heritage University, Panelist, *Civic Leadership on Campus, in the Community, and in your Career: Perspectives from Women in the Legal Profession*, Toppenish, WA, April 2017. (Co-panelists: the Honorable Mary K. Dimke, E.D. of Washington; the Honorable Rebecca L. Pennell, Washington Court of Appeals; and the Honorable Candice Hooper, Kittitas County Superior Court).
- Washington Association of Criminal Defense Lawyers, Presentation: *Digital Evidence and the Courtroom: How to Use Technology to Be a More Persuasive Advocate*, Pasco, WA, March 2017
- Educational Service District 105, Presentation: *Know Your Rights: Noncitizens and the Criminal Justice System*, Yakima, WA, March 2017.
- Federal Bar Association, Eastern District of Washington Annual Conference, Panelist, *Litigating the Jury Service and Selection Act: Division B's Sixth Amendment Problem*, Yakima, WA, September 2016 (Co-panelists included: the Honorable Stanley Bastian, E.D. of Washington and the Honorable Mary Yu, Washington State Supreme Court. Moderated by the Honorable Mark W. Bennett, N.D. of Iowa).
- Washington State Bar Association, Presentation: *Paperless Is the New Black*, Seattle, WA, June 2016 (co-presenter Jay McEntire).
- Gonzaga Law School, Guest Lecturer for Adjunct Professor Jay McEntire's Trial Advocacy Course, *Pretrial Motions Practice*, Spokane, WA, April 2016.
- Washington State Minority and Justice Commission, 12th Annual Tri-Cities Youth and Justice Forum, Facilitated breakout session on the criminal implications of cyber bullying, Pasco, WA, November 2014
- Washington Association of Criminal Defense Lawyers, Annual Conference, Presentation: *Paperless Practice*, Lake Chelan, WA, June 2014 (co-presenter Jay McEntire)
- Federal Judicial Center, Recruited by the Honorable Rosanna Malouf Peterson to help develop training videos on sentencing for new federal district-court judges, Spokane, WA, Spring 2014
- Gonzaga Law School, Guest Lecturer for Professor Brooks Holland's Trial Advocacy Course, *Trying a Paperfree Trial*, Spokane, WA, Spring 2014
- Washington State Minority and Justice Commission, 11th Annual Tri-Cities Youth and Justice Forum, Facilitated breakout session on the criminal implications of bullying, Pasco, WA, November 2013
- Federal Bar Association, Eastern District of Washington Annual Conference, Presentation: *Paperfree Is the New Black*, Spokane WA, September 2013 (co-presenter Jay McEntire)
- Washington State Bar Association, Capital Case Litigation Training, Presentation: *Paperfree Is the New Black*, Spokane, WA, August 2013 (co-presenter Jay McEntire)

- U.S. District Court for the Eastern District of Washington, 7th Annual Federal Civil Trial Practice Seminar, *Trying a Paperfree Trial*, Richland, WA, May 2013 (co-presenter Jay McEntire)
- Albany Law School, Criminal Law Guest Lecture, *Criminal Law in Practice*, Albany, NY, February 2013.
- Criminal Justice Act Panel Presentations, Eastern District of Washington (Spokane and Yakima):
 - *Using and Challenging the 2016 Amendments to the U.S. Sentencing Guidelines* (2017)
 - *Challenging Supervised Release Conditions* (2016)
 - *Research and Writing Tips* (2015)
 - *Challenging Eyewitness Identifications* (2013)
 - *Concurrent and Consecutive Sentencing in Federal Court* (2011)
 - *Using and Challenging the 2011 Amendments to the U.S. Sentencing Guidelines* (2011)
 - *Aggressive Defense Tactics in Illegal-Reentry Cases* (2011)
- Federal Defender of Eastern Washington & Idaho, Nuts and Bolts Seminars for CJA Practitioners
 - *Pretrial Motions Practice: A Primer* (2016)
 - *Calculating Offense Levels Under the U.S. Sentencing Guidelines* (2014)
 - *Violent Felonies, Crimes of Violence, and Aggravated Felonies* (2012)

BAR ADMISSIONS

State of Iowa (2017)
 State of New York (2009)
 Courts of Appeals for Sixth (2009), Eighth (2008), and Ninth (2011) Circuits
 U.S. District Court for the Eastern District of Washington (2010)
 U.S. District Court for the District of Idaho (2010)
 U.S. District Court for the Northern District of Iowa (2018)
 U.S. District Court for the Southern District of Iowa (2018)
 U.S. Supreme Court (2019)

LANGUAGES

Spanish (fluent)
 Certified ESL Teacher (Feb. 2002)