

E. LEA JOHNSTON

University of Florida Levin College of Law · JohnstonL@law.ufl.edu · (352) 273-0794

EDUCATION

HARVARD LAW SCHOOL, J.D., *cum laude*, Cambridge, MA 6/2003

Additional Honors: Board of Student Advisors (Honor Society)

Law Review: *Women's Law Journal*

Executive Editor, Article Selection Committee

Third-Year Paper: *Effecting the Intent of Gideon: A Strategic Analysis of Methodology and Remedies Employed in Successful Prospective Ineffectiveness Cases*

PRINCETON UNIVERSITY, A.B., Princeton, NJ 6/1996

Honors: *Sigma Xi* Honor Society

Major: Ecology & Evolutionary Biology

Certificate: Women and Gender Studies

CLERKSHIP

U.S. Court of Appeals for the Ninth Circuit, Seattle, WA 8/2006-8/2007

Law Clerk to the Honorable Richard C. Tallman.

TEACHING EXPERIENCE

UNIVERSITY OF FLORIDA LEVIN COLLEGE OF LAW

Assistant Professor of Law.

1/2009-present

Teaching and Research Interests: Criminal Procedure, Criminal Law, Immigration.

HARVARD LAW SCHOOL

Guest Speaker in Advanced Criminal Procedure class on indigent defense.

4/2003

Board of Student Advisors

9/2001-6/2003

Taught legal research, appellate brief writing, and oral advocacy skills; assisted in directing Ames Moot Court Competition.

PROFESSIONAL EXPERIENCE

Arnold & Porter LLP, Washington, D.C.

9/2003-7/2006,

Litigation Associate. Worked on nationwide products liability, antitrust, and

12/2007-

11/2008

government contracts civil and criminal litigation. Member of four trial teams: argued pretrial motions, drafted examination outlines, prepared witnesses, drafted motions and objections, deposed witnesses. Supervised four Georgia law firms in discovery and motions practice. Developed trial strategies for 20+ cases. *Pro Bono*: represented indigent defendants in criminal matters, litigated Establishment Clause cases in federal court, and worked to reform Mississippi's indigent defense system.

Maryland Public Interest Research Group, Baltimore, MD

1998-2000

Deputy Director, 1999-2000. Supervised four advocates. Oversaw \$235,000 budget.

Increased grant money awarded by 25%. Developed environmental and consumer program.

Environmental Advocate, 1998-1999. Directed campaigns to preserve open space and reduce toxic emissions. Co-drafted Senate Bill 149, "Integrated Pest Management in Public Schools." Testified on 13 bills before legislature. Drafted reports covered by 15+ media outlets.

Massachusetts Public Interest Research Group, Boston, MA 1996-1998
Environmental Associate. Directed campaign to reduce use of pesticides in schools.
Co-drafted and lobbied to pass Senate Bill 1886, "Pesticide Disclosure Act." Coordinated work of 30+ staff. Drafted report and coordinated over 60 press conferences. Built coalition of over 300 community groups and raised over \$90,000 in foundation support.

PUBLICATIONS

Setting the Standard: A Critique of Bonnie's Competency Standard and the Potential of Problem-Solving Theory for Self-Representation at Trial, 43 UC DAVIS L. REV. ____ (2009) (forthcoming)

An Administrative "Death Sentence" for Asylum Seekers: Deprivation of Due Process Under 8 U.S.C. § 1158(d)(6)'s Frivolousness Standard, 82 WASH. L. REV. 831 (2007)

Wrestling with the Problem: Exploring the Promise of Social Problem-Solving Theory for Representational Competence (work in progress)

Desert Mirage: The Elusive Protection of the Fourth Amendment for Undocumented Immigrants (work in progress)

Effecting the Intent of Gideon: A Strategic Analysis of Methodology and Remedies Employed in Successful Prospective Ineffectiveness Cases (work in progress)

PRESENTATIONS

Presenter, *Desert Mirage: The Elusive Protection of the Fourth Amendment for Undocumented Immigrants*, at The Constitution and the Undocumented, University of Florida (Sept. 17, 2009)

Presenter, *Wrestling with the Problem: Exploring the Promise of Social Problem-Solving Theory for Representational Competence*, at Young Faculty Criminal Justice Workshop, Vanderbilt Law School (upcoming on January 29, 2010)

BAR MEMBERSHIPS

Mississippi, District of Columbia, U.S. District Courts for the District of Mississippi, U.S. Courts of Appeals for the Fifth and Ninth Circuits.