Duncan T. Fulton

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Academic Appointment

Loyola University New Orleans College of Law, New Orleans, LA July 2026 – Present
Assistant Professor of Law

Teaching and Research

Administrative Law, Immigration Law, Criminal Law, Federal Procedure, Federal Courts

Publications and Writings

Mind the Gap: Delegation in Immigration Law After Loper Bright, 25 U.N.H. L. REV. __ (forthcoming 2027).

- Highlighted by Lawrence Solum's Legal Theory blog
- Designated as "Article of the Day" on ImmProf blog
- Selected for SSRN U.S. Administrative Law Digest, Vol. 14, No. 63

Case Preview for *Wassily v. Blanche*, No. 25-842, SCOTUSblog.com (August 2026)

Blog posts for KLASKOLAW.COM (2025-2026)

Wassily v. Bondi, 150 F.4th 100 (2d Cir. 2025) (primary author of Second Circuit brief), *cert. granted sub nom. Wassily v. Blanche*, No. 25-842 (U.S. June 29, 2026)

Garcia-Botello v. Bondi, 168 F.4th 1245 (10th Cir. 2026) (primary author of Tenth Circuit brief and orally argued case)

Granados Arias v. Garland, 69 F.4th 454 (7th Cir. 2023) (primary author of Seventh Circuit brief and orally argued case)

Cabrera v. Garland, 100 F.4th 312 (1st Cir. 2024) (primary author of First Circuit brief)

Garfias-Rodriguez v. Holder, 672 F.3d 1125 (9th Cir. 2012) (en banc) (primary drafter of AILA amicus brief)

Authored 100-plus briefs in cases in all regional circuit courts (2020 – Present)

Articles on immigration litigation at the Supreme Court, MIC.com (2012)

Emergence of a Deportation Gideon*?: The Impact of* Padilla v. Kentucky *on Right to Counsel Jurisprudence*, 86 TUL. L. REV. 219 (2011)

Communicating With State Agencies Regarding Purchasing Decisions: Implications of HB 3445, 12 TEX. TECH ADMIN. L.J. 75 (2010) (co-author)

Presentations and Speaking Engagements

Invitee, Presenter of *Delegation in Immigration Law After Loper Bright*, AALS Annual Conference, New York, NY (2027)

Presenter, *Mind the Gap*, ImmProf 2026 Conference, Duke University Law School, Durham, NC (2026)

Orally argued numerous cases before the federal Second, Seventh, Ninth, and Tenth Circuits (2021 – Present)

Presenter, *Effective Strategies When Challenging Agency Actions in Federal Court*, Louisiana State Bar Association Immigration Conference, New Orleans, LA (2025)

Trainer, *Expedited Removal and Credible Fear Interviews*, U.S. Department of Justice, Office of Immigration Litigation Annual Training for Immigration Judges and Government Attorneys, Washington, DC (2021-2023)

Presenter, *Litigating Petitions for Review in Circuit Courts*, Human Rights First Attorney Training, Washington, DC (2019)

Presenter, *Judicial Review of a BIA Decision: Nuts and Bolts*, American Immigration Lawyers Association Mid-South Annual Conference, New Orleans, LA (2018)

Presenter, *Immigration Litigation: Immigration Court to Circuit Courts*, U.S. Courts of Appeals Senior Staff Attorney Meeting, New Orleans, LA (2015)

Presenter, *Noncitizen Rights in the United States*, International Students Orientation at Mississippi State University (2015-2016)

Professional Experience

Klasko Immigration Law Partners, LLP, Washington, DC May 2025 – April 2026
Federal Litigation Attorney

- Litigated federal lawsuits under the APA that challenge government immigration actions
- Managed complex removal defense cases, involving novel investor visa and business immigration issues

U.S. Department of Justice, Washington, DC
Trial Attorney, Office of Immigration Litigation – Appellate Dec. 2020 – May 2025

- Litigated in all regional federal Courts of Appeals, defending 100-plus agency immigration rulings: briefed cases; conducted motions practice, oral argument, and stay litigation; negotiated with opposing counsel; and advised agencies
- Served on *Loper Bright* Working Group, Criminal Working Group, and Hiring Committee
- Trained hundreds of Immigration Judges and attorneys at DOJ Trainings

Attorney Advisor, EOIR, Board of Immigration Appeals Feb. 2020 – Dec. 2020

U.S. Fifth Circuit Court of Appeals, New Orleans, LA Sept. 2016 – Jan. 2020
Staff Attorney, Staff Attorneys' Office

Ware Immigration, Metairie, LA June 2015 – Aug. 2016
Associate Attorney

U.S. District Court, Eastern District of Louisiana, New Orleans, LA June 2014 – June 2015
Law Clerk to the Honorable Eldon E. Fallon, U.S. District Judge

U.S. Department of Justice, Atlanta, GA Sept. 2012 – June 2014
Attorney Advisor, EOIR, Atlanta Immigration Court, Attorney General's Honors Program

Manna Project International
Member, Board of Directors (Risk Management Portfolio) 2013 – 2016
Program Director, Quito, Ecuador 2008 – 2009

Education

Tulane University Law School, New Orleans, LA
Juris Doctor, *magna cum laude*, May 2012
Honors: Order of the Coif; *Tulane Law Review* (Managing Editor); Tulane Merit Scholarship
Student Attorney, Tulane Civil Litigation Clinic, August 2011 – May 2012
Summer clerkships at immigration law firm and immigration nonprofit on the Texas border

Vanderbilt University, Nashville, TN
Bachelor of Arts, *magna cum laude*, May 2008
Major: Spanish and European Studies Minor: Managerial Studies: Leadership & Organization
Senior Thesis: "Supranationalism in the European Commission: A New European Identity"

Languages

Spanish (Advanced); Portuguese (Basic conversational)