

Marcia A. Zug

University of South Carolina School of Law
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EDUCATION

Yale Law School, New Haven, CT, J.D.

Activities: *Yale Law Journal*, Editor
Yale Law and Policy Review, Developments Editor
Law Talk, Yale Law School Radio Show, President
Yale Law Women

Awards: *Fulbright Senior Scholar*, Jan – June 2018, University of Canberra, Australia (For research pertaining to Indigenous Studies)
USC School of Law, Outstanding Faculty Publication (2017)
National Center for Missing and Exploited Children, Award of Merit (2007)
First Prize, ABA Section of Family Law, Howard Schwab Memorial Essay Contest

Dartmouth College, Hanover, NH, A.B., English and Creative Writing

Honors: *Magna cum laude*, Phi Beta Kappa

PUBLICATIONS AND WORKS IN PROGRESS

Books

You'll Do: A History of Marrying for Reasons Other than Love (Jan 2024, Steerforth Press)

Buying a Bride: An Engaging History of Mail-Order Matches (June 2016, NYU Press)

Articles

- Anti-Hero: How Indian Law Defeated Taylor Swift and how to further revive the law of custom (work in progress)
- Brackeen and The Domestic Supply of Infants, 56 Fam. L. Q. (2023) (invited article)
- Divorcing Guns, Wash. & Lee. L. Rev Online (Sept 2022)
- ICWA's Irony 45 Am. Ind. Law Rev 1 (2021) (peer reviewed).
- ICWA Downunder: Exploring the Costs and Benefits of Enacting an Australian Version of the United States' Indian Child Welfare Act 33 Canadian Journal of Family Law 161 (2020)
- ICWA International: The Benefits and Dangers of Enacting ICWA Type Legislation in Non-U.S. Jurisdictions, 97 Den. L. Rev (2020)

- *Make Immigration Great Again: How Morales-Santana Could Signal the End of Sexist Immigration Law and Provide a Way to Fight the Travel Ban*, Wake Forest L. Rev. Online (Dec. 7, 2017)
- *Traditional Problems: Gay Marriage and the Backlash against Indian Sovereignty*, 43 Mitch. Ham. J. 761 (2017)(winner of the AALS Indian Law section call for papers).
- *Your Money or Your Life: Indian Parents and Child Support Modifications*, 29 J. Am. Acad. Matrim. Law. 409 (2017)
- *The Mirage of Immigration Reform*, 63 Kan. L. Rev 953 (2015)(symposium issue)
- *Mail Order Feminism*, 21 Wm. & Mary J. Women & L. 153 (2014).
- *The Real Impact of Adoptive Couple v. Baby Girl: It Does Not Affirm The Existing Indian Family Doctrine But It Does Threaten The Future of ICWA's Placement Preferences*, Capital L. Rev (Symposium Issue) (2013)
- *Adoptive Couple v. Baby Girl: Two and A Half Ways To Destroy Indian Law*, 111 Mich. Law. Rev, First Impressions (2013)
- *Lonely Colonist Seeks Wife: The Forgotten History of America's First Mail Order Brides*, 20 Duke J. Gender L. & Pol'y 85 (2012)
- *Separation, Termination, Deportation: Why Undocumented Immigrant Families Are Losing Their Children* 32 B.C. J. of L. and Soc. J. 63 (2012).
- *Should I Stay or Should I Go?: A Defense of the Best Interest Standard in Immigrant Family Reunification Decisions* 2011 BYU L. Rev. 1139.
- *Dangerous Gamble: The Importance of Child Support to the Indian Family*. 36 Will. Mitch. L. Rev. 738 (2010)
- *Deporting Grandma: Why the Deportation of Grandparent Primary Caregivers is the Next Big Immigration Crisis and How to Stop It*. 43 U.C. Davis L. Rev. 193 (2009) (selected as one of the top immigration articles of 2009 by The Immigration and Nationality Law Review)
- *Not Very Collegial: Exploring Bans on Illegal Immigrant Admissions to State Colleges and Universities* (Co-Authored with Danielle Holley-Walker) 3 Charleston. L. Rev 421 (2009).
- *Gone But Not Forgotten: The Strange Afterlife of Article Three of the Jay Treaty*, 33 Queen's L.J. 565 (2008) (peer reviewed)
- *The Prohibition Hangover: Why We're Still Feeling the Effects of the Twenty-First Amendment*, 13 VA. J. POL'Y & L. 552 (Spring 2006)
- *Why Annie Gets to Keep Her Gun: An Analysis of Firearm Exemptions in Bankruptcy Proceedings*, 21 EMORY BANKR. DEV. J. 553 (2005).
- *The Indian Child Welfare Act Amendments of 2003*, 38 FAM. L.Q. 689 (2004) (Winner of the Howard Schwab essay contest)
- Note: *Property Rights and Sacred Sites: Federal Regulatory Responses to American Indian Religious Claims on Federal Land*, 113 YALE L.J 1623 (May 2004) (excerpted in David Getches, Charles Wilkinson and Robert Williams' Cases and Materials on Federal Indian law, 5th Edition)
- *Developments in Law & Policy: The Costs of Post-9/11 National Security Strategy*, 22 Yale L. & POL'Y Rev. 197 (2004).

Book Reviews

- The Journal of Southern History, Jan 1, 2020 (reviewing Jennifer Potter, The Jamestown Brides)
- American Historical Review (reviewing NICHOLAS L. SYRETT. American Child Bride: A History of Minors and Marriage in the United States) (Oct. 2017)
- The Value of Motherhood: Abortion in the United States, the Times Literary Supplement, (Aug. 18 & 25, 2017)
- Fairy-Tale of Marriage, The Times Literary Supplement, Sept. 30, 2016

GOVERNMENT SUBMISSIONS

- Drafted both the Family Law and Domestic Violence Code for the Catawba Nation (2018-2021)
- Inquiry into Local Adoption in Australia, Standing Committee on Social Policy and Government Affairs, Australian Parliament, May 24, 2018.

CONFERENCES AND PAPER PRESENTATIONS

- SEALS Conference (July 2023) (presenting Divorcing Guns)
- Law and Society (Puerto Rico, 2023) (presenting paper on tribal statehood)
- Implications of Castro-Huerta (Winthrop University April 2023)
- Do No Harm Conference (Domestic Violence conference, UVA Jan 2023)
- AALS Special Topics in Federal Indian Law (Jan 2023)
- Massachusetts Historical Society (Dec. 2022) (presenting You'll Do)
- Law & Society (Lisbon 2022) (presenting You'll Do)
- Gonzaga University Journal of International Law symposium (presenting on border displaced children)
- Lavender Law (June 2021) (presenting on LGBTQ issues in Federal Indian Law)
- Aboriginal Secretariat, Sydney, Australia (June 26, 2018) (presenting *Protecting Australia's Indigenous Families*).
- University of Canberra, (May 31, 2018) (presenting *Protecting Australia's Indigenous Families*).
- Australian National University, (April 24, 2018) (presenting *Protecting Australia's Indigenous Families*)
- University of Sydney Law School, (April 16, 2018) (presenting *Protecting Australia's Indigenous Families*).
- Global Migrations Conference, University of Otago, Dunedin, New Zealand (Feb. 20-22, 2018) (presenting Buying A Bride).
- The Rights of the Child in a Globalized World, Duke Law School, (Nov. 17, 2017)
- Law and Society Annual Conference, Mexico City (June 2017) (Author meets reader panel on Buying A Bride)

- University of Florida School of Law, (March 2017) (presenting Buying A Bride)
- Wash. U Law and Econ Series, (March 18, 2017) (Presenting Buying A Bride)
- British Library, 400 Years Since Pocahontas Conference (March 17, 2017) (Presenting Lonely Colonist Seeks Wife)
- Yale Law Library Book Talk, New Haven CT, (Feb 27, 2017)(presenting Buying a Bride)
- Dartmouth Law Journal Speaker Series, Hanover NH (Feb 7, 2017) (presenting Traditional Problems)
- Virginia History Society, Bannon Lecture, Richmond VA (Feb 2017) (Presenting Buying A Bride)
- OSU Speaker Series, Oct 24, 2016) (Presenting Buying A Bride)
- *At The Delta: Belonging, Place and Visions of Law and Social Change*, Law and Society Annual Conference, New Orleans, LA (June 2-5, 2016)(presenting *Fearing Foreign Husbands*)
- *International Society of Family Law*, Grand Teton, Wyoming (May 22-24, 2016)(presenting Buying A Bride)
- *Association for the Study of Law, Culture and the Humanities*, Annual Meeting, Hartford, CT (April 1, 2016) (presenting *Traditional Problems*)
- *Duke Law and Markets Series* (Feb 24, 2015) (presenting Buying A Bride)
- *Wharton Speaker Series* (Feb 11, 2015) (presenting Buying a Bride)
- *AALS Annual Meeting*, New York City, NY (Jan 6-10, 2016) (presenting *Traditional Problems* selected by the Indian Law section's call for papers)
- *Twenty Years of Feminism Symposium*, Williamsburg, VA (February 27, 2015)(presenting Buying A Bride)
- *Statelessness and Belonging: Perspectives on Human Migration*, Kansas Law Review Symposium, Lawrence, KS (October 24, 2014) (presenting *Mirage of Immigration Reform*)
- *AALS Mid Year Meeting, Sexual Orientation and Gender Identity Issues*, Washington, DC (June 7-9 2014)
- *International Academy for the Study of the Jurisprudence of the Family*, New York, New York (June 10-11 2013) (presenting *Mail Order Feminism*)
- *NICWA National Conference*, Tulsa, Oklahoma (April 14, 2013)(Keynote speaker, presenting *Two and A Half Ways to Destroy Indian Law*)
- *Capital University Wells Adoption Law Conference*, Columbus, Ohio (March 14, 2013)(presenting *Two and A Half Ways to Destroy Indian Law*)
- *Law and Society Annual Conference, Sociolegal Conversations Across a Sea of Islands*, Honolulu, HI, June 5-8 (2012) (presenting Buying A Bride)
- *University of Maryland School of Law*, Baltimore, Maryland, April 20, 2012 (presenting chapters 1& 2 of Buying A Bride).
- *Southeastern Association of Law Schools Annual Conference*, Hilton Head, S.C., July 24-28 (2011) (presenting *Separation, Deportation, Termination*).
- *Law and Society Annual Conference, Oceans Apart? Narrative of (Il)legality in Liminal Locations*, San Francisco, June 2-5 (2011) (presenting *Separation, Deportation, Termination*)

- 9th National Detention Watch Network Conference, Austin TX, April 2, 2011 (presenting *Separation, Deportation, Termination*)
- *Custody through the Eyes of a Child*, Gilvary Symposium, University of Dayton School of Law, Jan. 20-21, 2011 (presenting *Separation, Deportation, Termination*).
- AALS Annual Meeting, San Francisco, CA, Jan 2011 (presenting *Separation, Deportation, Termination*, selected by The Children and the Law Section's call for papers)
- *Women and Equality — Gender-based Analysis, Law, and Economic Rights*, Queen's University, Kingston, Ontario, October 23, 2010 (presenting *Separation, Deportation, Termination*)
- University of South Carolina School of Law, Race and the Family Conference, Columbia, SC, October 14-15, 2010 (organized a conference for leading scholars working in the areas of immigration, Indian law and race studies to discuss the intersection of race and the family, also presented *Undocumented Adoptions*)
- Third Annual National People of Color Conference, Seton Hall Law School, Newark NJ, Sept 11, 2010 (presenting *Undocumented Adoptions*)
- American University Indian Law Conference, Washington D.C. Feb. 16, 2009 (presenting *Dangerous Gamble: The Importance of Child Support to the Indian Family*)

NEWS ARTICLES

- Why Are Americans Fighting Over No Fault Divorce, The Conversation, March 21, 2024
- Tribal Statehood, The New Republic (Nov. 2022)
- Russia's Reported Abduction of Ukrainian Children Echoes Other Genocidal Policies, May 16, 2022, The Conversation.
- Co-Parenting in the Corona Virus Pandemic: A Family Law Scholar's Advice, March 24, 2020, The Conversation.
- Increase Use of Kinship Care Policy to Address Foster Care Shortage, Charleston Post and Courier, (Jan. 28, 2019).
- Families at the Border are Reunited Briefly, If at All, The Conversation (July 26, 2018).
- For Many Immigrant Families, The Fight for Reunification is Just the Beginning, The Conversation (June 25, 2018).
- Why Same-Sex Marriage Bans Risk Native American Sovereignty, The Atlantic, Oct. 15, 2016).
- The Mail-Order Brides of Jamestown Virginia, The Atlantic, Aug. 31, 2016
- SC Must Close Loophole that Endangers Children Through Rehoming, The State, Feb. 11, 2015.
- The Court Got Baby Veronica Wrong, Slate Magazine, June 26, 2013
- Close Call for Native American Rights, The Daily Beast, June 26, 2013
- Veronica's Case Is An Anomaly, The New York Times, Jan. 24, 2013

- Doing What's Best for the Tribe, Slate Magazine, Aug., 23 2012
- The Latest Victim of GOP Intransigence? The New Republic, May 17, 2012

RESEARCH INTERESTS

My research focuses on the intersection between Family Law and Indian Law as well as the intersection of Family Law and Immigration Law.

TEACHING EXPERIENCE

- **Special Topics in Legislative Drafting**, Fall 2018-Fall 2019. This class will draft a Family Law Code for the Catawba Indian Nation.
- **Immigration and Family Law Skills**, Fall 2014 -Fall 2017. Class teaches students immigration drafting skills with a focus on the family-based aspects of US Immigration law.
- **Family Law**, Fall 2007-Fall 2023, Introduction to family law, focusing on marriage, divorce, child custody and child support.
- **Federal Indian Law**, Fall 2007-Spring 2024, Advanced seminar class introducing students to the legal treatment of Native Nations in the United States.
- **Advanced Family Law**, Spring 2010-2024, Seminar focusing on advanced family law issues including children's rights, new reproductive techniques and constitutional rights of minors.
- **Reproductive Rights**, Fall 2023, Seminar focusing on the legal implications of the Dobbs decision and the current and future challenges to reproductive rights.

SERVICE

- **Chair Advisory Committee (2023-present)**
- **Finance Committee (2023-2024)**
- **Admissions Committee (2022-23)**
- **Faculty advisor Family Law Society (2021-present)**
- **Faculty Advisor NALSA (2021-present)**
- **Chair Faculty Hiring (2021-2022)**
- **Dean Search Committee (2019-2020)**
- **Curriculum Committee (2019-2020)**
- **ICWA Lecture for the Council of State Chiefs (Jan. 25, 2020)**
- **ICWA Lecture for The Indigenous Women's Alliance of South Carolina (Aug 4, 2018).**
- **Catawba Nation (2018-present)(provided advice on proposed constitution and helped draft legal code)**

- **Advisory Committee** (Fall 2017-2019)
- **Knowlton Lecture Series**, Fall 2014 –present) member
- **Supreme Court Talk Series**, Mississippi Band of *Choctaw v. Dollar General*, (March 31, 2016); *Young vs. UPS*, (March 23, 2015).
- **ICWA Lecture for S.C. Dept. of Social Servs., June 2014**
- **Lecture for Children’s Advocacy Law Society**, Fall 2014.
- **South Carolina Students for Better Immigration Opportunities**, April 11, 2011 (presenting an overview on how families are affected by immigration laws)
- **South Carolina Coalition for Healthy Families, April 9, 2014** (spoke before Senate panel on legality of proposed personhood legislation)
- **South Carolina Legislature** April 14, 2011 (asked to advise Rep. Thad Viers on the desirability of extending South Carolina’s safe haven law up to age three)
- **Hiring Committee**, Fall 2008- Spring 2016
- **Curriculum Committee**, Fall 2014-2015
- **Faculty Senate** Fall 2010- Spring 2012
- **South Carolina Immigrant Victim Network**, Fall 2009- Spring 2010 *member*

PROFESSIONAL EXPERIENCE

- **University of Canberra, Fulbright Scholar, Jan- June 2018.**
- **University of South Carolina School of Law**, Columbia, South Carolina, Fall 2007 – present.
- **Steptoe & Johnson**, New York, NY, Fall 2005 – Spring 2007 *Associate*, White Collar and Appellate Practices.
- **Hon. Dolores Sloviter, Third Circuit Court of Appeals**, Phila., PA, 2004-05 *Judicial Clerk*
- **Allen & Overy**, London, England, Summer 2003, *Summer Associate*
- **US Attorney’s Office**, Southern District of New York, Summer 2002, *Legal Intern*, narcotics and major crimes divisions
- **The New Republic Magazine**, Washington, DC, Fall 2000-Spring 2001

BAR ADMISSIONS

New York State
 Southern District of New York
 Northern District of New York