

LexisNexis® Expert Commentaries

Winning U Visas: Getting the Law Enforcement Certification

By Gail Pendleton

This is the second in a series of articles on winning U visas. As noted in the first article,¹ certifications by law enforcement are a requirement for U visa eligibility.² While it's helpful for practitioners to know what the law and regulations require, the key to obtaining certifications is developing a good working relationship with your local law enforcement offices.

This article will describe the law's requirements, but primarily focus on strategies for building relationships with law enforcement. Spending some time implementing these strategies now will ultimately inure to the benefit of you and all your clients who must work with the criminal justice system to obtain secure immigrations status. First, let's review the U requirements.

Quick U Review. To win a U visa an applicant must show that she or he:

- Is a victim of an enumerated crime or "similar criminal activity";³
- Possesses useful information about the qualifying crime;
- Has been, is being, or is likely to be helpful in investigation or prosecution of an enumerated crime;
- Has suffered substantial mental or physical injury from that crime; and
- Merits a waiver of inadmissibility.⁴

-
1. [Gail Pendleton on Winning U Visas After the Regulations](#), LexisNexis® Expert Commentaries (Jan. 2008). See generally Charles Gordon, Stanley Mailman & Stephen Yale-Loehr, [Immigration Law and Procedure § 28.02](#).
 2. INA § 214(p)(1), [8 U.S.C. § 1184](#)(p)(1), referencing INA §101(a)(15)(U), [8 U.S.C. § 1101](#)(a)(15)(U).
 3. A future article will discuss the more subtle contours of the "victim" and "criminal activity" definitions, such as who "indirect victims" are and what "similar criminal activity" may count.
 4. INA § 101(a)(15)(U), [8 U.S.C. § 1101](#)(a)(15)(U). An applicant under sixteen may satisfy the information-possession and helpfulness requirements if his or her "parent, guardian, or next friend" provides the required assistance. INA § 101(a)(15)(U)(i)(III), [8 U.S.C. § 1101](#)(a)(15)(U)(III); [8 C.F.R. § 214.14](#)(b)(2) (information possession) & (b)(3) (helpfulness).

LexisNexis® Expert Commentaries

Winning U Visas: Getting the Law Enforcement Certification

By Gail Pendleton

The law enforcement certification, U.S. Citizenship and Immigration Services (CIS) Form I-918 Supplement B, supplies evidence on the first three of these requirements.⁵

The qualifying crimes (as well as attempt, conspiracy, and solicitation relating to them):

Rape	Holding hostage	Blackmail	Manslaughter
Torture	Peonage	Extortion	Murder
Trafficking	Involuntary servitude	Witness tampering	Felonious assault
Incest	Slave trading	Obstruction of justice	
Domestic Violence	Kidnapping	Perjury	
Sexual assault	Abduction		
Prostitution	False imprisonment		
Female Genital mutilation			

Certifications for Those Who Have Interim Relief. Those who won interim relief do NOT need a new certification. As clarified by CIS VAWA adjudicators in its Q & A with the National Network to End Violence Against Immigrant Women,⁶ the old certifications need not meet the requirements for certifications contained in the regulations (e.g., be signed by a “supervisor”). You should, however, include a copy of the old certification, and anticipate that CIS may issue a Request for Evidence (RFE) if the original certification “did not address helpfulness or qualifying criminal activity sufficiently.”⁷

If your clients have continued to be helpful to law enforcement since they received interim relief, contact the officers/officials involved to find out whether they would be willing to provide additional support or sign the new Form I-918B.

Additional Evidence: Everyone Must Provide. Everyone, including those who won interim relief, should explore and submit additional evidence of victimization, possession

5. [8 C.F.R. § 214.14\(c\)\(2\)\(i\)](#).

6. “U Visa Q & A with CIS” on the Asista website, <http://www.asistaonline.org>.

7. *Id.* at 4.

LexisNexis® Expert Commentaries

Winning U Visas: Getting the Law Enforcement Certification

By Gail Pendleton

of useful evidence, and helpfulness, as well as substantial physical or mental harm.⁸ This might include court documents, including copies of evidence your client provided to law enforcement, and declarations from others (besides law enforcers) who can corroborate and elaborate on the information supplied in the original certification.

Remember, also, that all U applicants must supply a personal declaration.⁹ If your interim relief application included all of this and you can't find any more supporting evidence, make a copy of the interim relief file, submit it again, and explain how the evidence it contains meets the "any credible evidence" standard.¹⁰

Starting the U Cert Process: Use the Form. The first thing you should do in preparing to work on the first three eligibility requirements is to review the Form I-918B. It is the primary document law enforcement will see and use, and CIS will give it "significant weight."¹¹ Focus on ensuring this document is accurate and includes as much information as the certifier is willing to supply.

As noted below, the regulations impose some extra-statutory requirements on law enforcement certifications, but the form is relatively straightforward. It is also a useful tool for your first meetings with law enforcement people, since it answers some of the concerns they often raise when initially approached to sign certifications for undocumented victims of crime.

Law Enforcement Does Not Grant Status. The form explains that while the certification is necessary for obtaining status, it is not sufficient in itself. This addresses a concern often raised by law enforcers that they will be giving status to noncitizens by signing a certification or that they will be liable if, for some reason, the victim is unqualified for U status. The form explains that, instead, CIS will consider the "totality of the circumstances" in determining whether someone is eligible for a U visa.¹²

8. [8 C.F.R. § 214.14\(c\)\(2\)\(ii\)](#) & (iii).

9. [8 C.F.R. § 214.14\(c\)\(2\)\(iii\)](#).

10. [8 C.F.R. § 214.14\(c\)\(4\)](#); see Pendleton, *supra* note 1, at 4; Paul W. Virtue, General Counsel, INS, HQ 90/15-P, HQ 70/8-P, "Extreme Hardship" and Documentary Requirements Involving Battered Spouses and Children, Memorandum to Terrance O'Reilly, Director, Administrative Appeals Office (Oct. 16, 1998), available at [1 INS and DOJ Legal Opinions § 98-14](#) (lexis.com).

11. [72 Fed. Reg. 53,014 at 53,024](#) (Sept. 17, 2007) (supplementary information).

12. Form I-918, Supplement B, Instructions (08/31/07), at 3.

LexisNexis® Expert Commentaries

Winning U Visas: Getting the Law Enforcement Certification

By Gail Pendleton

Who May Sign Certifications. Certifying agencies include those that immediately come to mind, such as federal, state, and local police and prosecutors, but the regulations also recognize that the statute permits other agencies to certify if they have the “responsibility for the investigation or prosecution of a qualifying crime or criminal activity.”¹³ These include, but are not limited to, child protective services (CPS), the Equal Employment Opportunity Commission (EEOC), and the Department of Labor (DOL).¹⁴

Judges also may sign forms,¹⁵ but practical experience teaches¹⁶ that most judges will be unwilling to sign forms until a case is over to avoid the appearance of bias. Although you should keep the range of certifying agency options in mind, your initial efforts should focus on developing working relationships with local police and prosecutors, since they are likely the first points of entry into the criminal system for most noncitizen crime victims.

One main concern with the regulations is that they limit the class of those who may sign certifications to heads of agencies “or any person(s) in a supervisory role who has been specifically designated by the head of the certifying agency to issue U nonimmigrant status certifications on behalf of that agency.”¹⁷ The statute does not contain this requirement. Fortunately, although the Form I-918B parrots the regulatory requirement, it also states that “if the certification is not signed by the head of the certifying agency, please attach evidence of the agency head's written designation of the certifying official for this specific purpose.”¹⁸ This provides an opening for law enforcement to provide certifications from those to whom a head of agency has delegated authority, regardless of that person's title.

While some form of quality control may be desirable, the practical problem with the certifier restriction is that those most qualified to sign certifications at a particular law

13. [8 C.F.R. § 214.14\(a\)\(2\)](#).

14. *Id.* These specific agencies reflect the interim relief experience, in which officials at the mentioned agencies certified that immigrant crime victims had been helpful in the investigation of crimes falling within the jurisdiction of those agencies, such as abusive sexual contact (CPS), sexual assault in the workplace (EEOC), and involuntary servitude (DOL).

15. [8 C.F.R. § 214.14\(a\)\(3\)\(ii\)](#).

16. The author created and implements a curriculum for civil and criminal court judges on immigrant crime survivors, sponsored by the Family Violence Prevention Fund and the National Council of Juvenile and Family Court Judges and funded by the Office on Violence Against Women of the Department of Justice. Contact the author, gpendleton@earthlink.net, for information on this curriculum.

17. [8 C.F.R. § 214.14\(a\)\(3\)\(i\)](#).

18. Form I-918, Supplement B, Instructions (08/31/07), at 2.

LexisNexis® Expert Commentaries

Winning U Visas: Getting the Law Enforcement Certification

By Gail Pendleton

enforcement agency may not be technically designated as supervisors. Experience teaches this will be most problematic at district attorneys' offices, in rural areas where officers are geographically dispersed so that centralizing certifications will thwart efforts to work effectively with crime victims, and at agencies that have specialized staff who work with particular victim populations, such as detectives focusing on domestic violence who are not supervisors. These agencies should still be able to provide certifications as long as the certifier has been designated as a U certifier for that agency.

We hope that CIS will respond to the comments to the regulations highlighting this problem by removing from the regulations and form the restrictive requirements. In the meantime, work with your local law enforcement agencies to set up a system for obtaining certifications that provides the agencies with maximum flexibility in designating who may certify while clearly showing that the head of the agency has thoughtfully delegated authority to the officers he or she believed most qualified to certify.¹⁹

What Criminal Activity Qualifies? The supplementary information to the regulations is more useful than the form or the regulations on this issue. The supplementary information points out that the statutory list of qualifying crimes

is not a list of specific statutory violations, but instead a list of general categories of criminal activity. It is also a non-exclusive list. . . . [T]he statutory list of criminal activity is not composed of specific statutory violations. Instead, the criminal activity listed is stated in broad terms. . . . In addition, qualifying criminal activity may occur during the commission of non-qualifying criminal activity. For varying reasons, the perpetrator may not be charged or prosecuted for the qualifying criminal activity, but instead, for the non-qualifying criminal activity.²⁰

Both the regulations and the form fail to mention that the crimes listed are just general categories, not the specific names of the crimes as they appear in state statutes. Use the supplementary information to explain this to law enforcement people and ask them for examples they encounter that demonstrate the point.

19. Please contact the author, gpndleton@earthlink.net, if the regulatory limitations are inhibiting your ability to obtain certifications. This information will help inform CIS and Congress about why and how CIS must alter the regulations.

20. [72 Fed. Reg. 53,014 at 53,018](#) (Sept. 17, 2007) (supplementary information).

LexisNexis® Expert Commentaries

Winning U Visas: Getting the Law Enforcement Certification

By Gail Pendleton

Ask Them. An example that often works well is domestic violence. Here is a way to present it:

- What kinds of crimes do you investigate (or prosecute) as domestic violence in your jurisdiction?
- Is it always called domestic violence? Are there other crimes that are sometimes domestic violence?
- For instance, do you sometimes investigate domestic violence as misdemeanor assault? Stalking? Choking? Strangulation?

Usually, by this point, they are thinking out loud and sharing other crimes that they've used to pursue perpetrators of domestic violence. These will vary by jurisdiction and reveal crimes you may not have thought to pursue (make notes for future use). You can then point out . . .

- None of these crimes are specifically listed in the statute, but all of them are domestic violence in particular factual contexts.
- In some states, there are no crimes specifically called "domestic violence."
- As long as you are investigating or prosecuting a crime as a domestic violence crime it should count, but
- You need to explain this when you fill out the form (use the empty boxes or attach an explanation).

Investigation OR prosecution

- Do you sometimes start out investigating a crime as domestic violence, but end up charging for something else? I often hear about this happening with drugs, for instance. Law enforcement is called to a scene of domestic violence and finds drugs. Since you may be able to put the perpetrator away for a longer time for drug trafficking or possession, that's what he ends up being charged and prosecuted for.

LexisNexis® Expert Commentaries

Winning U Visas: Getting the Law Enforcement Certification

By Gail Pendleton

- This still counts, as long as you investigated domestic violence at some point. It doesn't matter if you end up charging for something else; it doesn't matter if there never is a prosecution.

Back to Congressional Intent

- Congress wants this to be a tool for you to reach crime victims who are too afraid to contact you, which is why it said investigation alone is sufficient.
- The findings and purpose Congress included in the U law demonstrate this point.²¹ The U is part of a decade-long effort by Congress to create special routes to status for undocumented victims of crimes;²²

21. FINDINGS AND PURPOSE-

(1) FINDINGS- Congress makes the following findings:

- (A) Immigrant women and children are often targeted to be victims of crimes committed against them in the United States, including rape, torture, kidnaping, trafficking, incest, domestic violence, sexual assault, female genital mutilation, forced prostitution, involuntary servitude, being held hostage or being criminally restrained.
- (B) All women and children who are victims of these crimes committed against them in the United States must be able to report these crimes to law enforcement and fully participate in the investigation of the crimes committed against them and the prosecution of the perpetrators of such crimes.

(2) PURPOSE-

- (A) The purpose of this section is to create a new nonimmigrant visa classification that will strengthen the ability of law enforcement agencies to detect, investigate, and prosecute cases of domestic violence, sexual assault, trafficking of aliens, and other crimes described in section 101(a)(15)(U)(iii) of the Immigration and Nationality Act committed against aliens, while offering protection to victims of such offenses in keeping with the humanitarian interests of the United States. This visa will encourage law enforcement officials to better serve immigrant crime victims and to prosecute crimes committed against aliens.
- (B) Creating a new nonimmigrant visa classification will facilitate the reporting of crimes to law enforcement officials by trafficked, exploited, victimized, and abused aliens who are not in lawful immigration status. It also gives law enforcement officials a means to regularize the status of cooperating individuals during investigations or prosecutions. Providing temporary legal status to aliens who have been severely victimized by criminal activity also comports with the humanitarian interests of the United States.
- (C) Finally, this section gives the Attorney General discretion to convert the status of such nonimmigrants to that of permanent residents when doing so is justified on humanitarian grounds, for family unity, or is otherwise in the public interest.

Victims of Trafficking and Violence Protection Act of 2000, [Pub. L. No. 106-386](#), div. A, § 1513(a), 114 Stat. 1464, 1533 (Oct. 28, 2000) (emphasis supplied).

22. See [Pendleton](#), *supra* note 1, for details.

LexisNexis® Expert Commentaries

Winning U Visas: Getting the Law Enforcement Certification

By Gail Pendleton

- Let's work together to make this tool as useful as possible, which means you need to tell me what crimes are involved in particular cases. You are the experts on this; not me.

This approach empowers law enforcers to make the U certification process their own. They know more than you about the crimes that are occurring and how to use the criminal laws to address them. Acknowledge that expertise and use it. Ask them what crimes they are seeing against immigrants; how would the U visa help them work with these victims?

What is Helpfulness? Extra-Statutory Requirements. The statute (meaning Congress) leaves it to law enforcement to decide what's helpful. For the most part, the regulations do so as well, but they add a requirement not in the statute -- an "ongoing responsibility" to be helpful, assuming there is an ongoing need.²³ On the one hand, this annoying extra-statutory requirement may not prove a real barrier in practice, since law enforcers are unlikely to sign a certification for someone who they anticipate will not be helpful. Moreover, many police officers and prosecutors know that not all victims are prepared to do everything a prosecutor might like, especially in situations of domestic violence and sexual assault. This does not mean those victims haven't been helpful.

On the other hand, this extra requirement appears to give a green light to law enforcers to use the certification as a weapon to coerce victims into doing things they do not feel comfortable doing. Real situations in which this has occurred include actions that may jeopardize victim safety or sanity, such as wearing a wire, testifying against a dangerous perpetrator, or subjecting herself to a rape trial in which her personal history and reputation will be ruthlessly examined and criticized.²⁴

The form also imposes an affirmative requirement on law enforcement to contact CIS if the applicant unreasonably refuses to cooperate,²⁵ a reflection of a requirement for adjustment of status to lawful permanent residence.²⁶ The statute, however, imposes no affirmative reporting requirement on law enforcement. If law enforcement wishes to con-

23. [72 Fed. Reg. 53,014 at 53,019](#) (Sept. 17, 2007) (supplementary information); Form I-918, Supplement B, Instructions (08/31/07), at 3.

24. If you find this happening with your clients, contact the author, *supra* note 15. We will share with Congress and CIS the stories of how the regulations' misinterpretation of the law is harming the victims Congress intended to help.

25. Form I-918, Supplement B, Instructions (08/31/07), at 3.

26. INA § 245(m), [8 U.S.C. § 1255\(m\)](#).

LexisNexis® Expert Commentaries

Winning U Visas: Getting the Law Enforcement Certification

By Gail Pendleton

tact CIS, it may do so at any time. This may help answer concerns about applicants using law enforcement just to get a certification. U status is not irrevocable, but law enforcement isn't obliged to set up a tickler system for contacting CIS in every case where it has provided a U certification.

Negotiating Helpfulness. Dealing with the confusing "helpfulness" instructions is one reason you should work with advocates, as noted in the prior article.²⁷ Domestic violence and sexual assault advocates have experience negotiating victim access and helpfulness to law enforcement. They are better positioned to explain why victims, especially your client, may be unwilling to do exactly what law enforcement wants.

The more comfortable a victim feels working with law enforcement, the more likely the victim will be willing to provide more help. Some law enforcement officials report that they have found that signing certifications early on in the process encourages victims to be more forthcoming. It also may undermine attempts by defense attorneys to use the certification against victims, impugning their motivation and credibility in criminal court. The earlier the certification is provided, the less it looks like a quid pro quo for testifying against the perpetrator.

Contact Them Now. Having these conversations about helpfulness is another reason you should contact law enforcers before you need a certification in a particular case. Discussions about immigrant crime victims, the realities they face in working with the criminal system, and the needs of the criminal system in working with them will be more fruitful if the discussions are not motivated by the need to make immediate decisions in an individual case.

As you can see from the example above of how to discuss qualifying crimes, one of the keys to successfully building collaborations with law enforcers (or anyone, for that matter) is to let them come up with the ideas and solutions on their own. Your job, preferably with the help of an advocate, is to pose questions and present information, not lecture about what they should do. This presupposes you've already reached your natural allies in law enforcement.

Reaching Law Enforcement: Getting Outside Your Comfort Zone. The traditional lawyering model does not work well with immigrant crime victim cases. Knowing the law is the easy part; having good social skills and taking the time and patience to use them

27. [Pendleton](#), *supra* note 1, especially at 7-9 on partnering with advocates.

LexisNexis® Expert Commentaries

Winning U Visas: Getting the Law Enforcement Certification

By Gail Pendleton

is what will make the difference, and is what many lawyers find challenging about this work. Specifically, you must be willing to:

- Listen to people with whom you may have little in common;
- Cede power to those with fewer “professional” qualifications than you;
- Go to meetings that may seem irrelevant to most of your work; and
- Acknowledge that others know more about working with crime victims than you do.

If this is uncomfortable for you, find someone who has the social skills to do it right, most likely a client who already does it. You do a disservice to your clients if you insist on being the “expert.” Moreover, one bad experience with a lawyer can permanently sour a potential law enforcement ally’s willingness to help any immigrant crime victim.

In other words, what you do can harm a lot of people, so please be thoughtful and do your social homework.

Find the Right Messengers and Allies.²⁸ One place to start is to build relationships with those already working with crime victims generally.

- If you are not already working with individual domestic violence or sexual assault advocates and agencies, make those connections now.²⁹ Ask them who they view as allies in the various criminal systems in your jurisdiction. It is not always the person you would expect.
- Most jurisdictions have multi-disciplinary teams working to improve system access to victims of domestic violence and sexual assault. Find out from your advocate colleagues when these groups meet, and offer to do a presentation to them about immigrant crime victims’ new options.

28. Some of these practice pointers are excerpted from *Collaborating to Help Trafficking Survivors: Emerging Issues and Practice Pointers*, 2006, a manual written by the author for the Family Violence Prevention Fund (available at www.endabuse.org).

29. Contact the author, *supra* note 15, if you don’t know who these people are in your area.

LexisNexis® Expert Commentaries

Winning U Visas: Getting the Law Enforcement Certification

By Gail Pendleton

- The people from law enforcement who attend these meetings may be good allies to approach for setting up meetings to discuss how you can all work together to help immigrant crime victims.
- Especially as sensitivity to gender-based crimes has increased, more people concerned with curtailing such crimes have started working within the criminal system. Don't just look at the top; victim witness advocates in police departments and district attorneys' offices may be your best allies and often need little convincing. They may, in turn, be able to influence the rest of the system in which they work.

Backburner Your Stereotypes and Assumptions. Unless you have worked in law enforcement, you probably have stereotypes and assumptions about law enforcers that will not prove helpful in building good working relationships with them. Because of the emphasis on community policing over the past two decades, there are many different kinds of people now working in the criminal justice system. Leave your assumptions at home before approaching potential allies.

Conversely, realize that people in law enforcement probably have the same stereotypes and assumptions about lawyers that you see in our general culture. They also may have experienced only adversarial relationships with attorneys. You need to disarm these stereotypes as soon as possible. The best way to do this, frankly, is to not "act like a lawyer." Be humble; ask for their help.

Find Common Ground; Acknowledge Differing Priorities. Tell them this law is for them, not just for you and your clients (which is true), and you need to find out from them how the U visa can help them. You are there to give them information on what the law says and how the process works and are happy to answer any questions they have about immigration laws and systems generally. This is essential to trust-building; if you seem to be sharing information only selectively, they will not trust you because you appear to have an agenda and perhaps are manipulating them to achieve your goals.

Hear them on their priorities. Helping victims is only part of their job. They are also supposed to stop perpetrators and generally keep our society safe. You have some common ground, but you also have differing priorities. Acknowledge that you have different jobs, but emphasize that by being honest with each other about your priorities, you can figure out where you can and can't work together.

LexisNexis® Expert Commentaries

Winning U Visas: Getting the Law Enforcement Certification

By Gail Pendleton

As you work together on common ground, you will find that ground expanding beneath you. For one thing, you are learning to see the situation through their eyes, and vice versa. For another, you are coming to trust each other. Do not underestimate the importance of maintaining that trust; cherish and protect it.

Realize there may be professional “cultural” differences. Try not to take offense at attempts at humor or other comments that are not meant to offend.

Nurture Trust. Building trust does not mean jeopardizing your clients; it means being honest about your goals. Acknowledge that there may be legitimate differences in perspectives. Answer disagreements with reason, logic, and policy, not rhetoric. Don't be evasive: Be clear, up front, when you can't discuss something because of client confidentiality.

Share who you are. Finding the common humanity in your allies makes doing the hard work together easier and, sometimes, fun.

Admit when you are wrong, and that you don't know all the answers. When mistakes happen, which they inevitably do, acknowledge your role in them, derive lessons from them, and move on. Create rules to avoid making similar mistakes again, and get back to the common ground, common goals, and collaborative work.

Co-sponsor training for others. The best training sessions are those in which messengers come from all the systems working with survivors, including law enforcement and advocates. By training together, you also are providing a model, an example, of effective collaboration and why it's a good thing.

Help Make Connections. Invite them to come to meetings of immigrant community groups or to speak on media that reach immigrant communities. It is vital that law enforcement and immigrant communities get to know each other. Trite but true: It's the personal relationships that break down the barriers. Warn the law enforcement person who does this that he or she may become the sole trusted ally in the system for the immigrant community, and offer to provide help.

Create Accountability. Many collaborations have foundered when key individuals left. Creating institutional accountability is the key to avoiding this problem. Turn your solutions into formal policies or protocols. Distribute them to everyone who should know about them. Policies and protocols are invaluable tools for holding systems accountable because they remain after you and your allies are gone, but others must know about

LexisNexis® Expert Commentaries

Winning U Visas: Getting the Law Enforcement Certification

By Gail Pendleton

them for your work to have lasting effect. Base your protocols on real cases and experiences, and modify them as necessary.

Conclusion. Building collaborations with law enforcement (and advocates) is challenging and time consuming, but will pay off in the long run, especially for your immigrant crime victim clients. Approach the effort with an open mind and willingness to share and learn, and you may find it personally rewarding. If you also help build trust between immigrant communities and the law enforcement systems that they may fear, you are making a significant contribution to our society. Finding common ground and building relationships with people who are different from you is, after all, what makes democracy work.

About the Author. Gail Pendleton is co-founder and Co-Chair of the National Network to End Violence Against Immigrant Women and Co-Director of ASISTA, a national immigration law technical assistance project funded by the federal Office on Violence Against Women. Formerly Associate Director of the National Immigration Project of the National Lawyers Guild, where she worked for twenty years, she is now an independent consultant, providing innovative multi-disciplinary training on immigration options for immigrant survivors of domestic violence, sexual assault, and trafficking. She received the American Immigration Lawyers Association's Human Rights Award in 2001. She received her J.D. in 1985 from N.Y.U. School of Law and her A.B. from Harvard/Radcliffe College in 1981.