

MARGARET COLGATE LOVE
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LAW PRACTICE

Law Office of Margaret Love, Washington D.C. (1997 to present). Private practice of law (executive clemency and restoration of rights, sentencing and corrections policy)

United States Department of Justice, Washington, D.C. (1979 to1997)

- *United States Pardon Attorney* (1990 to 1997).
- *Associate Deputy Attorney General* (1988 to 1990); *Deputy Associate Attorney General* (1988 to 1989).
- *Office of Legal Counsel* (1979 to1988).

Shea & Gardner, Associate, Washington D.C. (1977 to 1979).

PROFESSIONAL ACTIVITIES

American Bar Association Commission on Effective Criminal Sanctions, *Director* (2005 to 2009). Prepared reports on alternatives to incarceration, access to and use of criminal records, employment and licensure of persons with a criminal record. Organized hearings and conferences. Co-authored a compilation of federal collateral consequences.

ABA Justice Kennedy Commission, *Reporter* (2003 to 2004) – prepared reports on executive clemency, prison conditions and prisoner reentry.

ABA Criminal Justice Standards Committee, Drafting Task Force, Standards on the Treatment of Prisoners (chair, 2005 to present); Drafting Task Force, Collateral Sanctions and Discretionary Disqualification of Convicted Persons (chair, 1999-2003); National Legal Aid and Defender Association Liaison (2009 to present).

American Law Institute (1995 to present) – Members Consultative Group, Model Penal Code (Sentencing); Principles of Government Ethics; Restatement of the Law Governing Lawyers. Special project for the Director on reform of the Federal Criminal Code (1998).

Uniform Law Commission, Uniform Collateral Consequences of Conviction Act, ABA Liaison (2004 to 2009); Enactment Committee (2009 to present).

Open Society Institute, Soros Senior Fellow (2004 to 2005) – Project to write book on state and federal procedures for mitigating and avoiding collateral consequences of conviction.

American Bar Association, Standing Committee on Ethics and Professional Responsibility (1990 to1996; chair, 1994 to 96).

Adjunct Faculty, Georgetown Law School; Washington College of Law, American University - Taught courses on government ethics and legal ethics (1994 to 1998).

EDUCATION

Yale Law School, J.D.

University of Pennsylvania, M.A. (Medieval and Early Modern History).

Sarah Lawrence College, B.A.

SELECTED PROFESSIONAL PUBLICATIONS

RELIEF FROM THE COLLATERAL CONSEQUENCES OF CONVICTION: A STATE-BY-STATE RESOURCE GUIDE (William Hein, 2006)(Revision forthcoming); state profiles and charts available at http://www.sentencingproject.org/detail/publication.cfm?publication_id=115.

The “Major Upheaval” of Padilla v. Kentucky: Extending the Right to Counsel to the Collateral Consequences of Conviction, 25 CRIMINAL JUSTICE __ (Summer 2010)(forthcoming)(with Gabriel J. Chin)

ABA Criminal Justice Standards on the Treatment of Prisoners, 25 CRIMINAL JUSTICE __ (Summer 2010)(forthcoming)(with Margo Schlanger and Carl Reynolds).

The Twilight of the Pardon Power, 100 JOURNAL OF CRIMINAL LAW. & CRIMINOLOGY __ (2010)(forthcoming)

Padilla v. Kentucky: The Right to Counsel and the Collateral Consequences of Conviction, THE CHAMPION (May 2010)(with Gabriel J. Chin)

A New Look at a Very Old Subject: The Uniform Collateral Consequences of Conviction Act, PRISON LEGAL NEWS , https://www.prisonlegalnews.org/includes/_public/_issues/pln_2010/02pln10.pdf

Alternatives to Conviction: Deferred Adjudication as a Way of Avoiding Collateral Consequences, 22 FEDERAL SENTENCING REPORTER 6 (2009)

Taking a Serious Look at “Second Look” Sentencing Reforms, 22 FEDERAL SENTENCING REPORTER 149 (2009)

Reinventing the President’s Pardon Power, 20 FEDERAL SENTENCING REPORTER 5 (2007)(originally published as an Issue Brief by the American Constitution Society for Law and Policy)(October 2007).

“Certificates of Rehabilitation and Other Forms of Relief from the Collateral Consequences of Conviction: A Survey of State Laws,” October 1, 2006 (with April Frazier), http://meetings.abanet.org/webupload/commupload/CR209800/sitesofinterest_files/AllStatesBriefingSheet10106.pdf

The Debt that Can Never Be Paid: Report Card on the Collateral Consequences of Conviction, 21 CRIMINAL JUSTICE 16 (Fall 2006)

Reviving the Benign Prerogative of Pardoning,” 32 LITIGATION MAGAZINE, VOLUME 32, No. 2 at 25 (Winter 2006).

Relief from the Collateral Consequences of Conviction, National HIRE Network Newsletter (2005 – 2006)(Four-part series on state laws and national trends), available at www.pardonlaw.com.

The American Way of Punishment: The ABA Justice Kennedy Commission Report, XXVII The Champion 36 (December 2004); reprinted in 19 CRIMINAL JUSTICE 32 (2005).

Mandatory Sentences and Presidential Mercy: The Role of Judges in Pardon Cases, 1790-1850, 16 FEDERAL SENTENCING REPORTER 212 (2004)(with George Lardner, Jr.)

Old Wine in a New Skin: The ABA Standards on Collateral Sanctions and Discretionary Disqualification of Convicted Persons, 16 FEDERAL SENTENCING REPORTER 232 (2004)(with Gabriel J. Chin)

Outside Authority: Government Lawyers Must Distinguish Their Duties from the Obligations of Clients, 90 ABA JOURNAL 53 (2004)

Starting Over With a Clean Slate: In Praise of a Forgotten Section of the Model Penal Code, 30 FORDHAM URBAN LAW JOURNAL 101 (2003).

The Pardon Paradox: Lessons from Clinton’s Last Pardons, 32 CAPITAL LAW REVIEW 185 (2002).

The Revised ABA Model Rules of Professional Conduct: Summary of the Work of Ethics 2000, 15 GEORGETOWN JOURNAL OF LEGAL ETHICS 441(2002)

Guest Editor, Symposium, Pardon Power and Sentencing Policy, 13 FEDERAL SENTENCING REPORTER (2000-01).

Guest Editor’s Observations: Fear of Forgiving: Rule and Discretion in the Theory and Practice of Pardoning, 13 FEDERAL SENTENCING REPORTER (2000-01).

Deconstructing the New Infamy: A Preview of the Section’s Project on Collateral Sanctions, 16 CRIMINAL JUSTICE 30 (Fall 2001).

Of Pardons, Politics and Collar Buttons: Reflections on the President’s Duty to Be Merciful, 27 FORDHAM URBAN LAW JOURNAL 1483 (2000).

Ethics 2000: Summary of Recommendations to Date, THE PROFESSIONAL LAWYER (Winter, 2000).

Work-Sharing as an Alternative to Layoffs by Seniority: Title VII Remedies in Recession, 126 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 864 (1977) (with Clyde W. Summers).

OP ED PIECES AND SELECTED BLOG POSTS

Looking for the President's Pardon Power? Try the Supreme Court, ACSBlog, April 14, 2010, <http://www.acslaw.org/node/15863>.

Goodbye to Willie Horton, NATIONAL LAW JOURNAL, Jan. 11, 2010.

Crime, Politics, and the 24-Hour News Cycle, THE CRIME REPORT, Dec. 24, 2009.

Reinvigorate the Power, NATIONAL LAW JOURNAL, Feb. 23, 2009 (with John Stanish).

Final Report Card on President Bush's Pardons, www.pardonlaw.com.

In Praise of Lame Duck Pardons, WASHINGTON POST, Nov. 17, 2008, at A21.

Begging Bush's Pardon, LOS ANGELES TIMES, June 7, 2007, at A25.

The Quality of the President's Mercy, NEW YORK TIMES, Dec. 19, 2002, at A31.

Rescuing the Pardon Power, WASHINGTON POST, Jan. 25, 2001, at A19.

A Place for Pardons, WASHINGTON POST, Dec. 21, 1998, at A29.

REPORTS AND TESTIMONY

AMERICAN BAR ASSOCIATION, STANDARDS FOR CRIMINAL JUSTICE: VOLUME 23: TREATMENT OF PRISONERS (2010)(with Margo Schlanger, et al.)

INTERNAL EXILE: SURVEY OF THE COLLATERAL CONSEQUENCES OF CONVICTION UNDER FEDERAL LAW (ABA Commission on Effective Criminal Sanctions and District of Columbia Public Defender Service)(2008)(with Kelly Salzman)

SECOND CHANCES IN THE CRIMINAL JUSTICE SYSTEM: ALTERNATIVES TO INCARCERATION AND REENTRY STRATEGIES (ABA Commission on Effective Criminal Sanctions)(2008)

Briefing for the United States Sentencing Commission on Alternatives to Incarceration, November 14, 2007 (available at http://meetings.abanet.org/webupload/commupload/CR209800/otherlinks_files/USSCPublicHearing.pdf)

Testimony Before the Joint Committee on the Judiciary of the Massachusetts General Court on Alternative Sentencing and Offender Reentry, September 17, 2007 (available at [http://meetings.abanet.org/webupload/commupload/CR209800/otherlinks_files/MAtestimony9-18-07\(2\)\(2\).pdf](http://meetings.abanet.org/webupload/commupload/CR209800/otherlinks_files/MAtestimony9-18-07(2)(2).pdf))

Testimony Before the United States Sentencing Commission on Proposed Guidelines Amendments on Sentence Reduction Motions under 18 U.S.C. § 3582(c)(1)(A)(i), in behalf of the American Bar Association, March 15, 2006

AMERICAN BAR ASSOCIATION COMMISSION ON EFFECTIVE CRIMINAL SANCTIONS: REPORTS AND RECOMMENDATIONS TO THE ABA HOUSE OF DELEGATES (2006) (available at <http://www.abanet.org/dch/committee.cfm?com=CR209800>)

REPORT OF THE AMERICAN BAR ASSOCIATION JUSTICE KENNEDY COMMISSION (2004)

COMMISSION ON SITING OF COMMUNITY CORRECTIONS FACILITIES, REPORT TO THE MAYOR OF THE DISTRICT OF COLUMBIA (2003)

AMERICAN BAR ASSOCIATION, STANDARDS FOR CRIMINAL JUSTICE: VOLUME 19: COLLATERAL SANCTIONS AND ADMINISTRATIVE DISQUALIFICATION OF CONVICTED PERSONS (2002) (with Gabriel Chin).

FINAL REPORT AND SUMMARY OF RECOMMENDATIONS, ABA ETHICS 2000 COMMISSION (JUNE 2001) (http://www.abanet.org/cpr/e2k-mlove_article.html).

Testimony Before the Subcommittee on the Constitution, Committee on the Judiciary, United States House of Representatives (Feb. 28, 2001) (available at http://www.house.gov/judiciary/love_022801.htm).

COLLATERAL CONSEQUENCES OF A FELONY CONVICTION: A STATE-BY-STATE SURVEY (Office of the U.S. Pardon Attorney, 1992; revised and updated 1996) (with Susan M. Kuzma).

COMPASSIONATE RELEASE OF TERMINALLY ILL INMATES, REPORT TO THE ABA HOUSE OF DELEGATES (1995)(with Susan M. Kuzma).