



Hon. Mimi Tsankov

Judge of the New York Federal Plaza Immigration Court

by Nayeon Kim

Nayeon Kim: What life stories and motivations fueled your passion for the law and ultimately led you to

the bench? And what do you do within the immigration system?

Judge Tsankov: I always thought that I would become a lawyer starting from when I was in second grade—no doubt because my father was a lawyer. But, over time, I really developed my interest in the law, and remember reading a book in high school called *The Brethren*. It offered an inside look at the workings of the Supreme Court. I have always been fascinated about the way that courts work—how judicial law clerks support the judges, and how decision-making is rendered at various courts.

As to my interest in the immigration system, back in 1993, an Asylum Officer Corps was being established at the U.S. Department of Justice. Prior to that, there had not been a group dedicated within the government to look at human rights concerns and applications for asylum within the U.S. So, I was part of the initial group in New York about five years out of law school. Prior to that, I worked for two years at a big law firm doing some work in international law. Then I spent two-and-a-half years at the Peace Corps as an attorney with their Office of Inspector General.

NK: How have your diverse life experiences and perspectives helped you make thoughtful and reasoned judicial decisions?

Judge Tsankov: Everybody brings their personal experiences to every role they play in life. As an immigration judge, you must also, of course, fit within the responsibilities of the position. So, I, personally, have a natural interest in understanding the immigrant experience. I'm married to an immigrant; while in law school, I took courses in international law and served on my law school's international law journal; and I completed a master's degree in international relations in foreign affairs. So, I'm drawn to these topics. I can't say that it really informs one's decision making on the bench. But I can say that it makes the role one that animates me professionally. It is a welcome responsibility to serve in this role because I have such a strong connection to and admiration for the challenges that so many people are going through as they embark on any immigration process.

NK: Why did you get involved with FBA, and why do you engage in the FBA's D&I efforts?

Judge Tsankov: Very early on in my career, I realized that participating in organizations, especially national organizations, would be helpful not only for my career in terms of networking, but also just to develop me as a better lawyer. So, I joined the Federal Bar Association and immediately joined the Immigration Law Section. And then over time, I realized there were many additional ways I could serve the FBA membership. Within the Immigration Law Section, I was able to lead a multi-day, multi-track conference offering continuing legal education to a wide variety of attorneys, as many were participants working in government, with non-governmental organizations, some were working in academia, and others were working in

law firms. I later moved on to lead the FBA International Law Section, and to lead a number of programs on international courts and tribunals. So, it's through those types of experiences that I solidified my involvement in the Federal Bar Association. That ultimately led to my being elected to a position on the Board of Directors. While I've been at the Board of Directors, I've served as the board liaison to the FBA's Diversity, Equity, and Inclusion committee. So, it's a bit of a roundabout way that I ended up getting as involved in DEI as I have. But I'm telling you this background because diversity, equity, and inclusion issues are a part of every single thing you will do as a lawyer and as a participant in various organizations.

NK: What lessons would you say you've taken away about diversity and inclusion from your time both as an immigration judge and a pro bono liaison judge?

Judge Tsankov: I try to focus on inclusion in every aspect of my work and in every role that I have in the community. One of the roles that I currently have is president of the National Association of Immigration Judges. I founded and chair that group's Diversity, Equity, and Inclusion committee. In addition, I hold various leadership roles within the Department of Justice's Gender and Equality Network. So, what do you do when you're in those various roles and you're trying to really influence and support greater levels of inclusion? Well, one of the options you have is publishing articles. Recently, I published an article in *The Federal Lawyer* magazine on the work that we have been doing on diversity and inclusion. In addition, I have a leadership role at the National Association of Women Judges. So, we reprinted that article in their journal, *Counterbalance*, as well, because that group is an FBA partner, and they have an interest in the same topic. I was able, through one article, to reach two very interested audiences that might not have had much knowledge about the work that attorneys at the Department of Justice are doing through DOJ Gender Equality Network and NAIJ's Diversity, Equity, and Inclusion committee. I guess the message here is get involved in organizations because with them supporting you, you have a broader impact and can more successfully improve and address diversity and inclusion efforts.

NK: How did you get involved with working with the United Nations? What kind of work do you do with them?

Judge Tsankov: In my NAIJ capacity, I am a member of the American Bar Association's Representatives and Observers to the United Nations. Recently, I was very involved in organizing an event at the United Nations Commission on the Status of Women where we talked about judicial independence and the rule of law in the context of the judiciary. That program considered how a diverse judiciary inspires confidence in outcomes. And you need that confidence in the fairness of outcomes in order to ensure that the parties feel as if the rule of law has been respected. Fortunately, over the past several decades, we have seen the entry of many women judges into spaces where they had historically been excluded. It is very important to ensure that a wide range diversity should be reflected in our judiciary so that the people that are putting their faith in the system have confidence that it upholds the rule of law. Our systems are stronger when stakeholders know that the individuals making decisions are also a reflection of them. That is why I devote a lot of attention to trying to support diversity, equity, and inclusion in the judiciary, including at the immigration court.

NK: What advice do you have for law students and new lawyers on succeeding in the legal profession?

Judge Tsankov: I would say get involved in organizations to the extent that you have the bandwidth, such as the FBA, the ABA, National Association of Women Judges, your local and regional bars, and affinity bars. Get involved in as many as you feel that you can participate in in a meaningful way. I find that there is a lot of cross-over in my role in all of these various organizations.

NK: What's your favorite hobby?

Judge Tsankov: I have always been involved in the arts. My husband is an actor, and years ago we staged a play together in Washington, D.C. So, these days, he's still involved in film and television. And I do a lot of work with him preparing for auditions, and parts that he has in various TV and film opportunities. It's very much a family affair as every week we all—including our two children living in NYC, serve as readers for him in his auditions. That requires a lot of devotion, time, and effort. And it's fun and creative.

Endnotes

Judge Mimi Tsankov speaks in her capacity as President of the National Association of Immigration Judges. The views she expresses here do not necessarily represent the official position of the United States Department of Justice, the Attorney General, or the Executive Office for Immigration Review. The views represent her personal opinions, which were formed after extensive consultation with the membership of NAIJ.



Nayeon Kim graduated from the City University of New York School of Law and currently works at the Bronx Defenders Civil Action Practice. Prior to law school, Nayeon worked with asylum seekers in El Paso, Texas and San Francisco. In California, Nayeon taught incarcerated students at San Quentin State Prison. During law school, Nayeon interned for the Advancement Project, Homeboy Industries, Public Defender Service of D.C., Southern Center for Human Rights, Center for Appellate Litigation, and the Southern District of New York.