

## **Marcia A. Zug**

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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, Book Award* (2024)  
*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**

Love, Technically: Regulating Romance in a Virtual World (in progress)  
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)

#### **Book Chapters**

Oxford Handbook of Families and the Law (forthcoming 2026)

#### **Articles**

- “*In My Defense, I Have None:*” *Taylor Swift, Indian Law, and a Re-examination of Custom’s Inapplicability in the United States*, 50 Harv. J. Env. L. (2026)
- 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, 5<sup>th</sup> 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**

- Oxford Handbook of International Family Law (Switzerland, June 2026)
- Southeastern Family Law Scholars & Teachers (UVA 2025) (presenting Love Technically)
- NonMarriage Round Table (Cardozo Law School, 2025) (presenting Love Technically)
- International Family Law Scholars Workshop (Temple, June 2025) (presenting Love Technically)
- Family Law Scholars & Teachers Workshop (Drexel, June 2025) (presenting Love Technically)
- Virginia Historical Society (Speaker series) (Jan. 2025) (presenting You'll Do)
- Non-Marriage Roundtable (UVA 2024) (presenting You'll Do)
- 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*)
- *9<sup>th</sup> 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

- Irresponsible Parental Gun Ownership Could Become A Factor in Custody Disputes, *The Conversation* (April 2, 2026)
- 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 legal history and future of marriage as well as the intersection between Family Law and Indian Law.

## TEACHING EXPERIENCE

- **Reproductive Rights and Justice**, Fall 2023-Fall 2025. Seminar focusing on the legal implications of the Dobbs decision and the current and future challenges to reproductive rights.
- **Family Law**, Fall 2007-Spring 2026, Introduction to family law, focusing on marriage, divorce, child custody and child support.
- **Federal Indian Law**, Fall 2007-Spring 2026, Survey course introducing students to the legal treatment of Native Nations in the United States.

- **Advanced Family Law**, Spring 2010-2025, Seminar focusing on advanced family law issues including children's rights, new reproductive techniques and constitutional rights of minors.
- **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.

## SERVICE

- **Curriculum Committee (2025-2026)**
- **Chair Advisory Committee (2023-2025)**
- **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