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SSRN: https://papers.ssrn.com/sol3/cf_dev/AbsByAuth.cfm?per_id=4436625

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BAR ADMISSION

Chile (2011)

EDUCATION

University of Notre Dame Law School

Doctor of Juridical Science Candidate (J.S.D.)

Joint supervision with University of Paris 1, Pantheon-Sorbonne

GPA: 3.58

- Notre Dame Journal of International & Comparative Law, Staff Editor & Assistant Symposium Chair
- Research Assistant, Professor Nicole Garnett in Education Law and Comparative Law issues.

Notre Dame, Indiana
Expected - December 2023

University of Paris 1 Pantheon-Sorbonne, École de Droit

Ph.D. in European and International Law Candidate

Joint supervision with Notre Dame Law School

Paris, France
Expected - December 2023

University of California Los Angeles, School of Law

Master of Laws (LL.M.) with Specialization in Public Interest Law and Policy

GPA: 3.55

Los Angeles, California
May 2017

Universidad de Chile, School of Law

Bachelor of Laws (LL.B.), with distinction

- Teaching Assistant of Private Law and Business Law courses

Santiago, Chile
April 2011

CLERKSHIP EXPERIENCE

United States Court of Appeals for the Seventh Circuit

Judicial Extern to the Honorable Thomas L. Kirsch II

Chicago, Illinois
January 2022 – May 2022

United Nations Special Rapporteur on Freedom of Religion or Belief

International Human Rights Law Fellow

New York City, New York
December 2021 – February 2022

ACADEMIC POSITIONS

University of Notre Dame, Law School

Visiting Assistant Professor of Law and Robert E. Rodes Jr. Fellow in Law & Religion

Notre Dame, Indiana
July 2022 – Current

Universidad de Chile, School of Law

Assistant Professor of Law

Santiago, Chile
August 2019 – July 2023

- Teach “Constitutional Law” (with Prof. José Ignacio Vásquez)
- Teach “Constitutional Law Clinic” (2020 – Current)
- Serving as Academic Coordinator of Continuing Education Certificate: Complex Litigation in Fundamental Rights Issues (2021 – Current)
- Serving as a Clinical Department coordination board member (2021 – Current)

Universidad San Sebastian, School of Law

Assistant Professor of Law

Santiago, Chile
March 2019 – July 2023

- Serving as Faculty Director of the LL.M. in Constitutional Law Program
- Teach Constitutional Law and Administrative Law (2019 – Current)
- Serving as Board member, LL.M. in Human Rights Academic Counsel (2020 – Current)

University of Notre Dame, Law School

Notre Dame, Indiana

Co-lecturer in Law January 2022 – May 2022

- Taught International Religious Liberty (along with Prof. Ana María Celis in Spring 2022).

ACADEMIC AND PROFESSIONAL AFFILIATIONS

Stanford University - Stanford Constitutional Law Center December 2021 – Current
Non-Resident Fellow

Derecho UC - Center of Law and Religion March 2022 – Current
Faculty Member (March 2022- current)

Chilean Network of Comparative Law April 2020 – Current
Associate and former Public Law Director

Chilean Association of Constitutional Law April 2020 – Current
Associate

Council of Evaluation for the Public Education System (Chile) August 2018 – February 2022
Counselor (appointed by the President Sebastian Piñera)

PROFESSIONAL EXPERIENCE

Constitutional Council, Chile – Office of the majority (Republican) Washington D.C.
Chief Council and Constitutional Coordinator June 2023 – Current

- Chief council and head of the staff attorneys in charge to draft amendments and new norms for Chile's new constitution.

U.S. Congress – Law Library of Congress Washington D.C.
Comparative and Foreign Law Specialist February 2023 – June 2023

- Responsible for providing research, advice, and assistance on comparative and foreign legal issues, questions, or situations to the United States Congress, Executive Branch Agencies, and the Judiciary.
- Conduct legal research and analysis and prepare legal opinions, briefs, reports, memoranda, and comparative analyses related to the laws and legal systems of assigned jurisdictions in South America, Central America, and Spain.

Bofill Mir Abogados (former BMAJ) Santiago, Chile
Junior Partner (started as an associate) March 2018 – October 2022

- Served as head of Department of Public Law and Regulated Markets.
- Acted as leader of law practice related to Constitutional and Administrative Law litigation procedures in the representation of state agencies, private companies, and organizations involved in energy, natural resources, transportation, health services, and education, among other industries, the same in International Arbitration procedures as a Comparative Administrative Law specialist.
- Listed in The Legal 500 as *Next Generation Partner* in the 2022 Chilean Public Law ranking.
- The Public Law and Regulated Markets team is ranked as one of the 8th best law firms in Public Law in Chile in 2022 for Chambers and Partners.

Senate of Chile Santiago, Chile
Senior Legislative Staff for H. Senator Ena von Baer July 2015 – March 2018

- Worked as Senior Legal counsel in charge of drafting constitutional, education, and electoral legal reforms in the Chilean Congress.

- Acted as Legal counsel in charge of drafting constitutional, education, and electoral legal reforms in the Chilean Congress.

HONORS & DISTINCTIONS

- a) The Legal 500 Latin America – *Next-Generation Partner* (2022); *Recommended Lawyer* (2020)
- b) Chilean National Agency of Research and Development - *Becas-Chile* (2020 – 2023)
- c) U. Notre Dame Program of Interdisciplinary Educational Research – *Burns Fellowship Award* (2020 – 2023)
- d) El Mercurio – *Chilean 100 Young Leaders Award, Constitutionalist Attorney* (2017)
- e) UCLA School of Law - *Dean's Tuition Fellowship Award* (2016)

SELECTED PUBLICATIONS

A. Books:

- a) Election Spending Handbook 2013, Editorial EFJG, Santiago, Chile, 2013, 66 (Editor) (Spanish)
- b) Municipal Election Spending Handbook, Editorial EFJG, Santiago, Chile, 2012, 99 (Editor) (Spanish)

B. Book Chapters:

- a) "Judicial Review over the Administration in Matters of Public Policies: The Case of Compulsory Vaccination" with Jaime Ayala, in the book "Highlighted Judicial Decisions 2021", Libertad y Desarrollo, Santiago, Chile, 2022 (Spanish)
- b) "Right to Education and Academic Freedom: Evolution of the Chilean Constitutional Tradition Before a New Constitution" with Prof. Miguel Angel Fernández, Chilean Association of Constitutional Law – in the book "Constitutional Transition: The Way to a New Constitution" Tirant Lo Blanch, Valencia, Spain, 2021. (Spanish)
- c) "The Free Tuition under Chilean Law: A right of students and not a benefit for the Higher Education Institutions," in the book "Chilean Jurisprudence Yearbook 2019", Tirant Lo Blanch, Valencia, Spain, 2021. (Spanish)
- d) "Subsidiarity in the *Concertación* coalition Presidential agenda" with Guillermo Ramirez, in the book "Subsidiarity in Chile: Justice and Freedom", Editorial EFJG, Santiago, Chile. (Spanish)
- e) "State comptroller: A blow to universities' autonomy", in the book "Ideas and Proposals to Chile 2014-2015", Editorial EFJG, Santiago, Chile, 2015. (Spanish)
- f) "¿What is going on the educational reform process?", in the book "Ideas and Proposals to Chile 2014-2015", Editorial EFJG, Santiago, Chile, 2015. (Spanish)

C. American Law Journals:

- a) "Parents v. Government: The Constitutional Challenge Between the Principle of Progressive Autonomy of Children and Parents' Educational Rights in Chile, 37 Notre Dame J. L. Ethics & Pub. Pol'y 445 (2023).
- b) "Educational Adequacy: Balancing the Right to Education, Parents' Rights and Educational Freedoms Under the International Covenant of Economic, Social, and Cultural Rights." (Accepted for publication in 55 Geo. Wash. Int'l L. Rev. ___, forthcoming, Spring 2023).
- c) "Religious Persecution and Erosion of Religious Freedom in Latin America" with Ana María Celis, in 97 Notre Dame L. Rev. Reflection, 207 (2022)

D. Work in Progress

- a) When the designer is badly designed: Why Chile Constituent Process Failed? (Article in progress)
- b) Religious Freedom and Education Rights in Latin America: The Ban of Faith-Based Teachers' Colleges in Bolivia (Article in progress)

E. Periodic Publications

- a) Judicial Decisions Newsletter, Editorial Tirant Lo Blanch. In charge of the Constitutional and Administrative Law section, since 2020 until today. (Spanish)

F. Selected Expert Reports and Amicus Brief Delivered:

- a) *Amicus Curiae* submitted to the Constitutional Court of Colombia, along with Stephanie Barclay, Diane Desierto, Nicole Garnett, Rick Garnett, and John Meiser, on behalf of the Notre Dame Law School Religious Liberty Clinic, in the *Tutela* case *Natalia Jaramillo Sandoval et al. vs. Universidad Nacional of Colombia*, a religious discrimination case in the educational context. April 2023 (Spanish and English)
- b) *Amicus Curiae* submitted to the Constitutional Court of Ecuador, in the Impeachment process against the President Guillermo Lasso Mendoza. March, 2023. (Spanish)
- c) "On Trade Unions as Intermediate Groups and the Essential Core of Trade Union Autonomy in accordance with the Constitution", Chilean Constitutional Tribunal, 2022 (cited by the Constitutional Tribunal in the decision Rol N° 11228-21) (Spanish)
- d) Constitutionality of the requirement to transform K-12 schools into "multi-gender" institutions, Bulletin 11.850-04, Senate Education Committee, CHILE, Valparaiso, 2018. (Spanish)
- e) Constitutionality of the extension of the free-tuition policy to community colleges' students, Bulletin 11.687-04, Senate Education Committee, CHILE, Valparaiso, 2018. (Spanish)

SELECTED TALK & PRESENTATIONS

- a) "Civil Law Protections for Educational Freedoms under the International Human Rights Law" at the Congress "Catholic Schools and Religious Liberty: A Global Perspective", Notre Dame Law School and Australian Catholic University, Rome, 2022.
- b) "Why Chilean Constituent Process Failed?" Stanford Constitutional Law Center, Undergraduate Fellows lecture, Stanford (remote), 2022.
- c) "Chilean New Constitution: the right to education and its harmonization with religious and educational freedoms from the Comparative Law perspective", LI Public Law Congress, Chile (remote), 2022. (Spanish)
- d) "Analysis of the *Pavez v. Chile* decision by the Inter-American Court of Human Rights", University Andres Bello, Chile (remote), 2022. (Spanish)
- e) "Women's rights as Human Rights: An Overview of Judicial Reforms in Chile: An attempt towards making judiciary more gender diverse", Global Institute of Law, Pakistan (remote), 2022.
- f) "Religious Persecution and Erosion of Religious Freedom in Latin America", Notre Dame Law Review Symposium, South Bend, 2022.
- g) "Legality" Lecture about supremacy of the law; compliance with the law; law-making powers and procedures; exceptions in emergency situations; duty to implement the law. USAID Paraguay Rule of Law and Culture of Integrity (ROLCI) Program, Paraguay (remote), 2021.
- h) "Rule of Law and Democracy". Lecture about the relationship to electoral processes; the common good; rights and liberties; and political accountability. USAID Paraguay Rule of Law and Culture of Integrity (ROLCI) Program, Paraguay (remote), 2021.

- i) "Considerations over the new k-12 schools' regulations under the lens of Administrative Law", XLIX Public Law Congress, CHILE, Santiago, 2019. (Spanish)
- j) "The new k-12 public school system: Constitutional and Administrative Law Aspects" 3° Congress of Municipal Public Law, CHILE, Santiago, 2019. (Spanish)

SELECTED MEDIA COVERAGE (2022 only)

- a) CNN en Español, Interview about U.S. Supreme Court decision in *Kennedy v. Bremerton School District*, 2022, available here: <https://www.youtube.com/watch?v=2hgYQcQuNsg/> (Spanish)
- b) Stanford Daily, "Stanford legal experts weigh in on DACA's fate". Opinion about the U.S. Court of Appeals for the 5th Circuit ruling in *Texas v. United States (Texas II)* case, 2022, available here: <https://stanforddaily.com/2022/10/28/stanford-legal-experts-weigh-in-on-dacas-fate/>
- c) Diario Financiero (Chile) Interview about mining concessions in the Chilean New Constitution draft, 2022, available here: <https://www.df.cl/empresas/industria/jorge-barrera-socio-a-cargo-del-area-de-derecho-publico-y-mercados> (Spanish)
- d) El Mercurio (Chile) A2 Op-Ed "Constitutional misuse of power and pension fund withdrawals in Chile", about the Constitutional Tribunal decision over the President and Congress controversies during the lawmaking process, 2022, available here: <https://digital.elmercurio.com/2021/11/08/A/U841RB72#zoom=page-width> (Spanish)
- e) La Tercera (Chile), Interview about the possibilities for a new constituent process after the rejection of the constitution proposal, 2022, available here: <https://www.latercera.com/politica/noticia/jorge-barrera-los-bordes-deben-tener-control-judicial-de-lo-contrario-estaremos-ante-un-texto-que-sera-letra-muerta-o-meramente-poetico/URDIQSJ6ERCF7AQAAFOICEAQN4/>
- f) La Tercera (Chile), Interview about the Chilean Constituent Process, 2022, available here: <https://www.latercera.com/earlyaccess/noticia/jorge-barrera-abogado-se-estan-estableciendo-derechos-ultradetallados-en-la-constitucion-que-no-dejan-espacio-al-legislador/XKTSM7HLQRFJVNV6LKFM6GAGMQ/>