

Scott Dodson

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ACADEMIC APPOINTMENTS

[Duke University School of Law](#)

VISITING ASSOCIATE PROFESSOR OF LAW (Fall 2008)

- Course: Civil Procedure

[University of Arkansas School of Law](#)

ASSISTANT PROFESSOR OF LAW (2006 – Present)

- Courses: Civil Procedure, Federal Jurisdiction, and Conflict of Laws
 - Law School Committees: Law Review (Chair), Personnel Documents, Library, Curriculum, Admissions/Scholarships, and Community Life
 - Director, Arkansas Law Review Board of Governors (2006-11)
 - University Committees: Program Review (2007-10)
 - Representative, SEALS Steering Committee (2006-08)
 - Delegate, AALS House of Representatives (2006-07)
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EDUCATION

Duke University School of Law

JURIS DOCTOR, *CUM LAUDE* (2000)

- Editor, *Duke Law Journal*
 - Note, [Assessing the Practicality and Constitutionality of Alaska's Split-Recovery Punitive Damages Statute](#), 49 DUKE LAW JOURNAL 1335 (2000)
-

ARTICLES & FULL ESSAYS

[Mandatory Rules](#)

61 STANFORD LAW REVIEW 1 (forthcoming 2008)

[In Search of Removal Jurisdiction](#)

102 NORTHWESTERN UNIVERSITY LAW REVIEW 55 (2008)

[A Darwinist View of the Living Constitution](#)

61 VANDERBILT LAW REVIEW (forthcoming 2008)

[Subclassing](#)

27 CARDOZO LAW REVIEW 2351 (2006)

[The Peculiar Federal Marriage Amendment](#)

36 ARIZONA STATE LAW JOURNAL 783 (2004)

[Dignity: The New Frontier of State Sovereignty](#)

56 OKLAHOMA LAW REVIEW 777 (2003)

[Vectoral Federalism](#)

20 GEORGIA STATE UNIVERSITY LAW REVIEW 393 (2003)

[The Metes and Bounds of State Sovereign Immunity](#)

29 HASTINGS CONSTITUTIONAL LAW QUARTERLY 721 (2002)

[Habeas Review of Perfunctory State Court Decisions on the Merits](#)

29 AMERICAN JOURNAL OF CRIMINAL LAW 223 (2002)

**SHORTER
SCHOLARSHIP**

- [*Appreciating Mandatory Rules: A Reply to Critics*](#)
102 NORTHWESTERN UNIVERSITY LAW REVIEW COLLOQUY 228 (2008) (essay)
- [*The Failure of Bowes v. Russell*](#)
43 TULSA LAW REVIEW (forthcoming 2008) (Supreme Court Review Issue)
- [*Pleading Standards after Bell Atlantic v. Twombly*](#)
93 VIRGINIA LAW REVIEW IN BRIEF 121 (2007) (essay)
- [*Jurisdictionality and Bowles v. Russell*](#)
102 NORTHWESTERN UNIVERSITY LAW REVIEW COLLOQUY 42 (2007) (essay)
- [*Constitutional Thematics and the Peculiar Federal Marriage Amendment*](#)
20 B.Y.U. JOURNAL OF PUBLIC LAW 223 (2006) (symposium)
- [*Judicial Activism*](#)
29 NATIONAL LAW JOURNAL 19 (2004) (op-ed)
- [*Extending the Robertson Presumption to Leased Vehicles*](#)
64 TEXAS BAR JOURNAL 966 (2002) (essay)

**OTHER
PUBLICATIONS**

- [*Temporary Restraining Order*](#)
ENCYCLOPEDIA OF THE U.S. CONSTITUTION (David Schultz ed. 2008)
- [*Abstention*](#)
ENCYCLOPEDIA OF THE SUPREME COURT (David S. Tanenhaus ed. 2008)
- [*Adequate and Independent State Grounds*](#)
ENCYCLOPEDIA OF THE SUPREME COURT (David S. Tanenhaus ed. 2008)
- [*Appellate Jurisdiction*](#)
ENCYCLOPEDIA OF THE SUPREME COURT (David S. Tanenhaus ed. 2008)
- [*The Importance of e-Discovery*](#)
ARKANSAS LAWYER (2008)
- [*The Forum Defendant Rule in Arkansas*](#)
2007 ARKANSAS LAW NOTES 73

COURT CITES

- [Pace v. Swerdlow](#), -- F.3d --, -- n.1 (10th Cir. 2008) (Gorsuch, J., concurring & dissenting) (citing *Pleading Standards after Bell Atlantic v. Twombly*)
- [Engquist v. Ore. Dep't of Agri.](#), 478 F.3d 985, 1001 n.15 & 1005 (9th Cir. 2007) (citing *Assessing the Practicality and Constitutionality of Alaska's Split-Recovery Punitive Damages Statute*)
- [Lambert v. Blodgett](#), 393 F.3d 943, 966 (9th Cir. 2004) (citing *Habeas Review of Perfunctory State Court Decisions on the Merits*)

BLOGGING

Guest Blogger

- [PRAWFSBLAWG](#) (February 2008)
- [CIVIL PROCEDURE PROF BLOG](#) (July 2007)

Selected Substantive Posts

- [The Mystery of *Twombly* Continues](#) (Feb. 5, 2008)
- [Three Muted Cheers for *John R. Sand & Gravel*](#) (Jan. 8, 2008)
- [A Sleeper Case—*Bowles v. Russell*](#) (July 9, 2007)
- [Dodson on *Erickson*](#) (June 12, 2007)
- [Prof. Dodson on *Bell Atlantic*](#) (May 21, 2007)

CONFERENCE PRESENTATIONS*Mandatory Rules*

FRONTIER ISSUES IN CIVIL PROCEDURE (SEALS Annual Meeting 2008)

Darwin's "Living" Constitution (Keynote Address)

LAW, ETHICS & THE LIFE SCIENCES (Brandeis Law School 2007)

What is Removal Jurisdiction?

NEW SCHOLARS PANEL (SEALS Annual Meeting 2007)

Constitutional Thematics and the Peculiar Federal Marriage Amendment

SYMPOSIUM: A FEDERAL MARRIAGE AMENDMENT (B.Y.U. Law School 2005)

WORKSHOPS & COLLOQUIA*Darwin's "Living" Constitution*

Washington University Law School (2007) (Young Scholars Workshop)

The Living Constitution: What Would Darwin Say?

University of Arkansas School of Law (2007)

The Living Constitution: What Would Darwin Say?

Lewis & Clark Law School (2007)

The Supreme Court and Lively v. Wild Oats

University of Arkansas School of Law (2006)

BRIEFSConsultant, *Appellate Brief* and *Reply Brief in Support*, Aktieselskabet AF 21 v. Fame Jeans Inc., No. 07-7105 (D.C. Cir. Dec. 21, 2007, and Feb. 5, 2008) (with counsel DLA Piper)Consultant & Co-counsel, *Petition for a Writ of Certiorari* and *Reply Brief in Support*, Lively v. Wild Oats Markets, Inc., No. 06-748 (Nov. 24, 2006, & Jan. 10, 2007) (with lead counsel Stanford Law School Supreme Court Litigation Clinic, Amy Howe, and Lenny Tavera)**TESTIMONY**Ark. State Bd. of Dental Examiners v. Solera (Ark. Dental Board Hearing July 6, 2007) (on the constitutionality of the Arkansas Dental Practices Act Regulations)

PROFESSIONAL EXPERIENCE	Gibson, Dunn & Crutcher LLP ASSOCIATE, LITIGATION AND APPELLATE GROUPS	Washington, DC 2004 – 2006
	United States Department of Commerce ATTORNEY, COMPLEX LITIGATION UNIT	Washington, DC 2002 – 2004
	Gardere Wynne Sewell LLP ASSOCIATE, CIVIL LITIGATION AND EMPLOYMENT LAW	Houston, TX 2001 – 2002
	The Honorable Nicholas G. Garaufis JUDICIAL CLERK	Eastern District of New York 2000 – 2001

BAR ADMISSIONS	Arkansas (2007)
	Court of International Trade (2005)
	Supreme Court of the United States (2004)
	District of Columbia (2004) (inactive)
	U.S. Court of Appeals for the Fifth Circuit (2001)
Texas (2001) (inactive)	

REFERENCES	Ronald J. Krotoszynski, Jr. John S. Stone Chair of Law University of Alabama School of Law
	Mark A. Graber Professor of Law & Government University of Maryland School of Law
	Barbara A. Atwood Mary Anne Richey Professor of Law University of Arizona School of Law