

Scott Dodson

UC Hastings College of the Law • 200 McAllister • San Francisco, CA 94102

ACADEMIC APPOINTMENTS

UNIVERSITY OF CALIFORNIA HASTINGS COLLEGE OF THE LAW
Professor of Law, 2012 – Present

WILLIAM & MARY LAW SCHOOL
Associate Professor of Law, 2009 – 2012 (voted tenure and full promotion in 2011)

DUKE UNIVERSITY SCHOOL OF LAW
Visiting Associate Professor of Law, Fall 2008

UNIVERSITY OF ARKANSAS SCHOOL OF LAW
Assistant Professor of Law, 2006 – 2009

COURSES

Civil Procedure, Federal Courts, Comparative Civil Procedure, Conflict of Laws

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)

RICE UNIVERSITY, B.A. Biology, *cum laude*, 1996

MONOGRAPH

SLAMMING THE FEDERAL COURTHOUSE DOORS: NEW PLEADING IN THE TWENTY-FIRST CENTURY
(Oxford University Press, under contract for 2013)

COURSEBOOK

[CIVIL PROCEDURE: MODEL PROBLEMS AND OUTSTANDING ANSWERS](#)
(Oxford University Press 2011 & 2d ed. forthcoming October 2012)

REPRESENTATIVE ARTICLES

[Rethinking Extraordinary Circumstances](#)

106 NORTHWESTERN UNIVERSITY LAW REVIEW 377 (2012)

[Hybridizing Jurisdiction](#)

99 CALIFORNIA LAW REVIEW 1439 (2011)

[The Complexity of Jurisdictional Clarity](#)

97 VIRGINIA LAW REVIEW 1 (2011)

[New Pleading, New Discovery](#)

109 MICHIGAN LAW REVIEW 53 (2010)

[Comparative Convergences in Pleading Standards](#)

158 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 441 (2010)

[Justice Souter and the Civil Rules](#)

88 WASHINGTON UNIVERSITY LAW REVIEW 289 (2010)

[Mandatory Rules](#)

61 STANFORD LAW REVIEW 1 (2008)

[In Search of Removal Jurisdiction](#)

102 NORTHWESTERN UNIVERSITY LAW REVIEW 55 (2008)

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

61 VANDERBILT LAW REVIEW 1319 (2008)

**OTHER
PUBLICATIONS**

- Structuring Jurisdictional Rules and Standards*
65 VANDERBILT LAW REVIEW EN BANC _ (2012) (with Elizabeth McCuskey)
- Global Civil Procedure Trends in the Twenty-First Century*
34 B.C. INTERNATIONAL & COMPARATIVE LAW REVIEW 1 (2011) (with Jim Klebba)
- Federal Pleading and State Presuit Discovery*
14 LEWIS & CLARK LAW REVIEW 43 (2010) (invited symposium)
- What Kinds of Appellate Deadlines are Jurisdictional?*
38 ABA SUPREME COURT PREVIEW 107 (2010)
- What Kinds of Statutory Restrictions are Jurisdictional?*
37 ABA SUPREME COURT PREVIEW 34 (2009)
- Temporary Restraining Order*
2 ENCYCLOPEDIA OF THE U.S. CONSTITUTION 726 (David Schultz ed. 2009)
- Abstention, Adequate and Independent State Grounds, and Appellate Jurisdiction*
1 ENCYCLOPEDIA OF THE U.S. SUPREME COURT 11, 26, 83 (David Tanenhaus ed. 2008)
- The Importance of E-Discovery*
43 ARKANSAS LAWYER 14 (2008)
- The Challenge of Comparative Civil Procedure*
60 ALABAMA LAW REVIEW 133 (2008) (solicited review essay)
- A History of the Eighth Circuit*
67 ARKANSAS HISTORICAL QUARTERLY 310 (2008) (peer-edited book review)
- The Failure of Bowes v. Russell*
43 TULSA LAW REVIEW 631 (2008) (symposium)
- Appreciating Mandatory Rules: A Reply to Critics*
102 NORTHWESTERN UNIVERSITY LAW REVIEW COLLOQUY 228 (2008)
- Jurisdictionality and Bowles v. Russell*
102 NORTHWESTERN UNIVERSITY LAW REVIEW COLLOQUY 42 (2007)
- Pleading Standards after Bell Atlantic Corp. v. Twombly*
93 VIRGINIA LAW REVIEW IN BRIEF 135 (2007)
- The Forum Defendant Rule in Arkansas*
2007 ARKANSAS LAW NOTES 73 (peer-edited)
- Subclassing*
27 CARDOZO LAW REVIEW 2351 (2006)
- Constitutional Thematics and the Peculiar Federal Marriage Amendment*
20 B.Y.U. JOURNAL OF PUBLIC LAW 223 (2006) (invited symposium)
- The Peculiar Federal Marriage Amendment*
36 ARIZONA STATE LAW JOURNAL 783 (2004)
- Judicial Activism*
29 NATIONAL LAW JOURNAL 19 (2004) (op-ed)
- 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)

Extending the Robertson Presumption to Leased Vehicles

64 TEXAS BAR JOURNAL 966 (2002)

COURT CITES

[McCauley v. City of Chicago](#), 671 F.3d 611, 619 n.2 (7th Cir. 2011) (citing *New Pleading, New Discovery*)

[Infection Prevention Techs., LLC v. UVAS, LLC](#), 2011 WL 4360007 (E.D. Mich. July 25, 2011) (citing *Federal Pleading and State Presuit Discovery*)

[In re Crystal Power Co.](#), 641 F.3d 82, 84 n.5 (5th Cir. 2011) (citing *The Complexity of Jurisdictional Clarity*)

[Jacobs v. Tempur-Pedic Int'l, Inc.](#), 626 F.3d 1327, 1347 (11th Cir. 2010) (Ryskamp, J., dissenting) (citing *New Pleading, New Discovery*)

[Pace v. Swerdlow](#), 519 F.3d 1067, 1075 n.1 (10th Cir. 2008) (Gorsuch, J., concurring & dissenting) (citing *Pleading Standards After Bell Atlantic Corp. v. Twombly*)

[Farrar & Farrar Dairy, Inc. v. Miller-St. Nazianz, Inc.](#), 254 F.R.D. 68, 77 n.9 (E.D.N.C. 2008) (citing *Subclassing*)

[Engquist v. Ore. Dep't of Agri.](#), 478 F.3d 985, 1005 & n.15 (9th Cir. 2007) (citing *Assessing the Practicality and Constitutionality of Alaska's Split-Recovery Punitive Damages*)

[Lambert v. Blodgett](#), 393 F.3d 943, 966 (9th Cir. 2004) (citing *Habeas Review of Perfunctory State Court Decisions on the Merits*)

PANELS & CONFERENCES

Panelist: *On the Importance of Being Comparative Law & Society Annual Conference* (2012) (invited)

Roundtable Discussant: *Civil Procedure: Evolution or Revolution?*

Moderator: *Judicial Review and the Elected Branches*
SEALS Annual Conference (2011)

Panelist: *Twombly and Iqbal: Two Years On*
Searle Center Judicial Symposium on Civil Justice Issues (2011)

Panel Presentation: *Dismissal Rates After Iqbal*
SEALS Annual Conference (2010)

Panelist: *Life After Iqbal*
International Association of Defense Counsel Panel (2010)

Debater (as Devil's Advocate) and Winner: *The Raft Debate*
The College of William & Mary (2010)

Moderator: *Jewish and Islamic Perspectives on the Law of War*
William & Mary Law School (2010)

Panel Presentation: *Comparative Convergences in Pleading Standards*
SEALS Annual Conference (2009)

Panel Presentation: *Comparative Convergences in Pleading Standards*
AALS Annual Conference, Section on Civil Procedure (2009)

Panel Presentation: *Jurisdictional Rules and the Supreme Court*
SEALS Annual Conference (2008)

Keynote Address: *Darwin's "Living" Constitution*
Law, Ethics & the Life Sciences Conference (2007)

Panel Presentation: *What is Removal Jurisdiction?*
SEALS Annual Conference (2007)

Symposium Presentation: *Constitutional Thematics and the FMA*
B.Y.U. Law School Symposium: A Federal Marriage Amendment (2005)

COLLOQUIA & WORKSHOPS

Hybridizing Jurisdiction

Washington & Lee University School of Law (2011)
University of Georgia School of Law (2011)
University of Alabama School of Law (2011)
Virginia Junior Faculty Forum (2011)
St. Mary's School of Law (2011)

The Complexity of Jurisdictional Clarity

Junior/Senior Scholars Federal Courts Workshop (2010)
DePaul University College of Law (2010)

Seventh Circuit Dismissal Rates After Iqbal

William & Mary Law School (2010)

New Pleading, New Discovery

Wake Forest University School of Law (2010)
Virginia Junior Faculty Forum (2009)

Comparative Convergences in Pleading Standards

University of Alabama School of Law (2009)
University of Houston Law Center (2009)

Federal Pleading and State Presuit Discovery

Cumberland School of Law (2009)

Justice Souter, Proceduralist

Workshop on Judges & Judging (2009)

Mandatory Rules

Duke University School of Law (2008)
William & Mary Law School (2008)
University of San Diego School of Law (2008)
Seattle University School of Law (2008)

A Darwinist View of the Living Constitution
 Washington University Midwest Regional Junior Scholars Workshop (2007)
 Lewis & Clark Law School (2007)
 University of Arkansas School of Law (2007)

In Search of Removal Jurisdiction
 University of Arkansas School of Law (2006)

BLOGGING

Symposium Contributor, [Squeezing Class Actions](#), SCOTUSBLOG (August 30, 2011)
[Guest Blogger](#), SCOTUSBLOG (December 2010, March 2011, February 2012)
 Guest Blogger, PRAWFSBLAWG (February 2008)
 Guest Blogger, CIVIL PROCEDURE PROF BLOG (July 2007)

REVIEWING

Peer Reviewer, ASPEN PUBLISHERS
 Peer Reviewer, STANFORD LAW REVIEW

**RULEMAKING
ACTIVITIES**

VIRGINIA ADVISORY COMMITTEE ON RULES OF COURT
Member, 2009 – 2012

**BRIEFS &
TESTIMONY**

[Brief of Federal Jurisdiction Professors](#), O'Connell v. Chapman Univ., No. 10-810 (S. Ct. 2011) (counsel of record for amici curiae)

Feely v. Allstate Cnty. Mut. Ins. Co., No. 2004-294-3A (Ark. Cir. Ct. 2010) (testifying expert)

In re Death of Lloyd Koch (Feb. 2008) (testifying expert)

Ark. State Bd. of Dental Examiners v. Solera (Ark. Dental Bd. 2007) (testifying expert)

[Petition for a Writ of Certiorari](#) and [Reply Brief](#), Lively v. Wild Oats Markets, Inc., No. 06-748 (S. Ct. 2006-07) (co-counsel with Stanford Litigation Clinic and Howe & Russell)

**PROFESSIONAL
EXPERIENCE**

GIBSON, DUNN & CRUTCHER LLP, Washington, DC
Associate, Litigation and Appellate Groups, 2004 – 2006

UNITED STATES DEPARTMENT OF COMMERCE, Washington, DC
Attorney, Complex Litigation Unit, 2002 – 2004

GARDERE WYNNE SEWELL LLP, Houston, TX
Associate, Civil Litigation and Employment Law, 2001 – 2002

THE HONORABLE NICHOLAS G. GARAUFI, Eastern District of New York
Judicial Clerk, 2000 – 2001

**BAR
ADMISSIONS**

Virginia (2009) (associate member, inactive)
 Supreme Court of the United States (2004)
 District of Columbia (2004) (inactive)
 Texas (2001)