

# RICHARD LORREN JOLLY

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## ACADEMIC APPOINTMENT

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SOUTHWESTERN LAW SCHOOL, Los Angeles, CA

*Professor of Law*

2025–Present

*Associate Professor of Law*

2021–2025

Expertise: Civil Procedure, Constitutional Law, Criminal Law, Evidence, Torts

## EDUCATION

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UNIVERSITY OF MICHIGAN LAW SCHOOL, J.D., *magna cum laude*, 2014

Honors: Order of the Coif; Cert. of Merit, Alternative Dispute Resolution (highest grade)

Activities: Henry M. Campbell Moot Court Competition, Executive Board (faculty appointed);  
Research Assistant, Professor J.J. Prescott; Teaching Assistant in Legal Research &  
Writing, Professor Mark Osbeck; U. of Mich. J.L. Reform, Contributing Editor

LONDON SCHOOL OF ECONOMICS & POLITICAL SCIENCE, M.Sc., *merit*, Political Sociology, 2010

Dissertation: *The Tea Party Movement: America's Reemerging Far-Right*

UNIVERSITY OF CALIFORNIA, BERKELEY, B.A., *distinction*, Mass Comm. & Political Science, 2009

Honors: Highest Honors in Mass Communications (awarded to six students)

## PUBLICATIONS & MANUSCRIPTS

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### Books & Edited Volumes

THE LAW OF THE AMERICAN JURY (forthcoming Carolina Academic Press 2027).

MASTERING EVIDENCE (Carolina Academic Press 2026).

HANDBOOK ON CIVIL JUSTICE (Elgar Publ'g 2025) (w/ Anne Bloom & David Engel, eds.).

### Law Journals

*Jury Maximalism* (work in progress).

*The Ableist Jury* (w/ Qudsiya Naqui) (work in progress).

*Overruling Batson*, 112 CORNELL L. REV. \_\_ (forthcoming 2026).

*Racial Justice through Peremptory Challenges*, 105 B.U. L. REV. 1787 (2025) (invited).

*Red Juries & Blue Juries*, 57 ARIZ. ST. L.J. 229 (2025).

*The Constitutional Right to Peremptory Challenges in Jury Selection*, 77 VAND. L. REV. 1529 (2024).

*The Administrative State's Jury Problem*, 98 WASH. L. REV. 1187 (2023).

- Cited in *AT&T, Inc. v. FCC*, 135 F.4th 230 (5th Cir. 2025).

*Democratic Renewal and the Civil Jury*, 57 GA. L. REV. 79 (2022) (w/ Valerie Hans & Robert Peck).  
- Winner of the National Civil Justice Institute's 2025 Civil Justice Scholarship Award.

*Jury Nullification as a Spectrum*, 49 PEPP. L. REV. 341 (2022).  
- "Highly Recommended" on Lawrence Solum's Legal Theory Blog.

*Beyond Plea Bargaining: A Theory of Criminal Settlement*, 62 B.C. L. REV. 1047 (2021) (w/ J.J. Prescott).

*The New Impartial Jury Mandate*, 117 MICH. L. REV. 713 (2019).

*Toward a Civil Jury-Trial Default Rule*, 67 DEPAUL L. REV. 685 (2018).

*Expanding the Search for America's Missing Jury*, 116 MICH. L. REV. 925 (2018) (book review).

*Judges as Politicians: The Enduring Tension of Judicial Elections in the 21st Century*, 92 NOTRE DAME L. REV. ONLINE 71 (2017).

*Think of the Children: Using IIED to Reformulate Disturbing Speech Restrictions*, 49 U. MICH. J.L. REFORM 495 (2016) (student note).

*Between the Ceiling and the Floor: Making the Case for Required Disclosure of High-Low Agreements to Juries*, 48 U. MICH. J.L. REFORM 813 (2015) (student note).

- Cited in *Pub. Access Trails v. Haleakala Ranch Co.*, 153 Haw. 1 (2023) (McKenna, J., conc.).

### Book Chapters

*The U.S. Jury's Radical Political Roots*, in *JURIES IN THE AMERICAS* (NYU Press 2026) (Shari Diamond & Valerie Hans eds.) (forthcoming 2026).

*The Constitutional Foundations of Trial by Jury*, in *HANDBOOK ON JURY DECISION MAKING* (Elgar Publ'g 2026) (Valerie Hans & Nancy Marder, eds.) (forthcoming 2026).

*Civil Juries & Civil Justice*, in *HANDBOOK ON CIVIL JUSTICE* (Elgar Publ'g 2025) (Anne Bloom, David Engel, & Richard Jolly, eds.) (w/ Valerie Hans) (2025).

### Amicus Briefs & Public Commentary (selected)

Comment on Proposed Amendment to Fed. R. Evid. 702, Advisory Committee on Evidence Rules, Judicial Conf. of the United States (Feb. 16, 2022) (w/ Valerie Hans).

Brief for Amicus Curiae The Civil Jury Project at N.Y.U. School of Law in Support of Neither Party, *Oil States Energy Services, LLC v. Greene's Energy Group, LLC*, 584 U.S. 325 (2018).

### Other Legal Writing (selected)

*Jury trials, a critical part of democracy, are disappearing*, *The Conversation* (Sept. 2025) (w/ Valerie Hans).

*Fixing the Public's Confidence in the Courts Starts with Juries*, *Bloomberg Law* (Dec. 2022) (w/ Valerie Hans & Robert Peck).

*The (Un)Constitutionality of Virtual Civil Jury Trials*, 93 *The Advocate* (Tex.) 47 (2022).

*The Civil Jury: Reviving an American Institution*, U.C. Berkeley School of Law, Civil Justice Research Initiative White Paper, Sept. 2021 (w/ Valerie Hans & Robert Peck).

*Customized Litigation Strategies: A Review of Controversial Jury Trial Innovations*, 82 *The Advocate* (Tex.) 63 (2018).

*Strengthening the Civil Jury*, 31 *Cal. Lit.* 3 (2018) (w/ Anna Offit).

*Innovating for Wise Juries*, *Law360*, May–Aug. 2017 (column w/ Steve Susman & Roy Futterman).

*Where Have All the [Civil Juries] Gone?*, *Harv. L. Rec.*, Apr. 2017.

*Dr. Bull and the Jury's Role*, *Texas Lawyer*, Sept. 2016–June 2017 (column w/ Steve Susman).

#### **GRANTS AND RECOGNITIONS**

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*Clifford Scholar-in-Residence*, DePaul College of Law, Chicago, IL (2026–2027).

*Civil Justice Scholarship Award*, National Civil Justice Institute (formerly Pound) (2025).

*Montgomery Scholarship Award*, Kenneth & Harle Montgomery Foundation (2024–2025).

*Nominee*, Southwestern Law School SBA First Year Professor of the Year (2023–2024).

*Montgomery Scholarship Award*, Kenneth & Harle Montgomery Foundation (2022–2023).

#### **PRESENTATIONS & ACADEMIC ENGAGEMENTS**

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Host, “Conversations in Civil Justice with Richard Jolly,” Civil Justice Research Initiative, May 2020–Present (ongoing podcast/webinar).

Guest speaker, “Originalism and the Jury Trial Rights,” Applied Originalism Seminar, University of Florida Levin College of Law, Apr. 2026.

Presenter, “The Democratic Virtues of the Civil Jury,” Clifford Symposium on Tort Law & Social Policy, DePaul College of Law, Apr. 2026.

Presenter, “Overruling *Batson*”:

Law & Society Conf., May 2026.

Sixteenth Annual Constitutional Law Colloquium, Nov. 2025.

Moderator, “The State of the Civil Justice Field,” Law & Society Conf., May 2025.

Presenter, “The Ableist Jury,” Law & Society Conf., May 2025.

Presenter, “Choosing a Jury System: Lessons from the U.S.,” American Bar Foundation/ Northwestern Pritzker School of Law, *Juries in the Americas: Variation and Change*, May 2025.

Panelist, “Amended FRE 702,” Civil Justice Research Initiative/American Bar Foundation, Plaintiff-Side Practice Symposium, Mar. 2025.

Presenter, “Red Juries & Blue Juries”:

Law & Society Conf., May 2025.

Pepperdine Caruso School of Law, Scholarship Series, Feb. 2025.

Presenter, “The Constitutional Right to Peremptory Challenges in Jury Selection”:

Pinal County Public Defense Services, Aug. 2025.

Fifteenth Annual Constitutional Law Colloquium, Nov. 2024.

AALS Section on Criminal Procedure Second Annual Jr. Scholars Conf., Sept. 2024.

Law & Society Conf., June 2024.

Ninth Annual Civil Procedure Workshop, May 2024.

Southern California Junior Faculty Conf., Apr. 2024.

West Coast Sexuality, Gender & the Law Conf., Mar. 2024.

Presenter, “The Administrative State’s Jury Problem”:

Law & Society Conf., June 2023.

Eighth Annual Admin. Law New Scholarship Roundtable, May 2023.

Panelist, “MedMal & MICRA,” Concluding the Restatement (Third) of Torts, Mar. 2023.

Presenter, “The Civil Jury: Reviving an American Institution,” CELESQ Webinar, Dec. 2021.

Moderator, “COVID-19 and the Courts: Implications for Civil Juries,” RAND Corp., Oct. 2020.

Presenter, “Expedited Jury Trials as a Solution to COVID-19,” Law & Society Conf., May 2021.

Presenter, “Jury Nullification as a Spectrum,” Law & Society Conf., May 2020.

Presenter, “The Rise and Fall of the American Jury,” Law & Society Conf., June 2019.

Presenter, “The New Impartial Jury Mandate”:

Law & Society Conf., June 2018.

Central States Law Schools Association, Scholarship Conf., Oct. 2017.

## **COMMENTARY & POPULAR MEDIA**

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Quoted, “Campaign heats up around retention of 3 Pa. Supreme Court Justices,” Pittsburgh Post-Gaz., Sept. 2025.

Appearance, “New Tariffs on Steel, Aluminum,” KABC-TV Los Angeles, Feb. 2025.

Appearance, “Trump Trial Deliberations,” KABC-TV Los Angeles, May 2024.

Quoted, “‘That’s not the law’: Expert Rejects Trump Lawyers’ Complaints about Judges’ Jury Instructions,” Salon.com, May 2024.

Quoted, “Jury Trial Decline Results in Fewer Verdict-Related Appeals,” Am. Law., Apr. 2024.

Quoted, “How May U.S. Judges Vet Experts for Jurors?,” N.Y. L.J., Nov. 2023.

Appearance, “Trump Civil Fraud Trial,” KABC-TV Los Angeles, Nov. 2023.

Quoted, “Ghislaine Maxwell’s Bid for a New Trial Faces a Major Hurdle,” N.Y. Times, Jan. 2022.

### **PROFESSIONAL EXPERIENCE**

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SUSMAN GODFREY LLP, Los Angeles, CA

*Litigation Associate*

2018–2020

NEW YORK UNIVERSITY SCHOOL OF LAW, New York, NY

*Research Fellow for the Civil Jury Project*

2016–2018

U.S. COURT OF APPEALS FOR THE SIXTH CIRCUIT, Akron, OH

*Clerk to the Hon. Deborah Cook*

2015–2016

IRELL & MANELLA LLP, Los Angeles, CA

*Summer Associate*

Summer 2014

U.S. COURT OF APPEALS FOR THE NINTH CIRCUIT, San Francisco, CA

*Judicial Extern to the Hon. John Noonan*

Summer 2013

CALIFORNIA SUPREME COURT, San Francisco, CA

*Judicial Extern to the Hon. Ming Chin*

Summer 2013

### **ADMISSIONS & PROFESSIONAL AFFILIATIONS**

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Civil Justice Research Initiative, U.C. Berkeley, School of Law, Senior Fellow

Law & Society Association, CRN Lay Participation in Legal Systems, Organizer

National Civil Justice Institute, Academic Fellow

State Bar of California (active)

U.S. Court of Appeals for the Sixth Circuit

U.S. District Courts for the Northern and Central Districts of California