

## **RANDY J. KOZEL**

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### **ACADEMIC EXPERIENCE**

#### **Diane and M.O. Miller II Research Professor of Law and Associate Dean for Faculty Development, Notre Dame Law School**

- Director, Notre Dame Program on Constitutional Structure (2016 to present)
- Distinguished Professor of the Year (2014)
- Courses: Constitutional Law; Contracts; Freedom of Speech; Information Privacy; Legal Change
- Previously Associate Professor of Law and Professor of Law, Notre Dame Law School

### **BOOK**

**Settled Versus Right: A Theory of Precedent**, Cambridge University Press (2017)

### **ARTICLES, ESSAYS, AND REVIEWS**

**Statutory Interpretation, Administrative Deference, and the Law of Stare Decisis**, 97 *Texas Law Review* (forthcoming 2019)

**Special Justifications**, 33 *Constitutional Commentary* 471–91 (2018) (for symposium on *Settled Versus Right: A Theory of Precedent*)

**Precedent and Constitutional Structure**, 112 *Northwestern University Law Review* 789–837 (2018)

**Precedent and Speech**, 115 *Michigan Law Review* 439–86 (2017)

**Discretionary Dockets**, 31 *Constitutional Commentary* 221–52 (2016) (with Jeffrey Pojanowski)

**Stare Decisis in the Second-Best World**, 103 *California Law Review* 1139–92 (2015)

**Original Meaning and the Precedent Fallback**, 68 *Vanderbilt Law Review* 105–57 (2015)

**The Scope of Precedent**, 113 *Michigan Law Review* 179–230 (2014)

**Institutional Autonomy and Constitutional Structure**, 112 *Michigan Law Review* 957–77 (2014)

**Settled Versus Right: Constitutional Method and the Path of Precedent**, 91 Texas Law Review 1843–96 (2013) (for symposium on *Constitutional Foundations*) (republished as abridged in *Precedent in the U.S. Supreme Court: Theory and Practice* (Christopher J. Peters, ed., 2014))

**The Rule of Law and the Perils of Precedent**, 111 Michigan Law Review First Impressions 37–45 (2013)

**Precedent and Reliance**, 62 Emory Law Journal 1459–1507 (2013)

**Free Speech and Parity: A Theory of Public Employee Rights**, 53 William & Mary Law Review 1985–2040 (2012)

**Administrative Change**, 59 UCLA Law Review 112–69 (2011) (with Jeffrey Pojanowski)

**Stare Decisis as Judicial Doctrine**, 67 Washington & Lee Law Review 411–66 (2010)

**Reconceptualizing Public Employee Speech**, 99 Northwestern University Law Review 1007–51 (2005)

**Solving the Nuisance-Value Settlement Problem: Mandatory Summary Judgment**, 90 Virginia Law Review 1849–1907 (2004) (with David Rosenberg)

#### **PRIOR PROFESSIONAL EXPERIENCE**

**General Electric Co.**, Special Counsel to the General Counsel (2008–11)

**Heller Ehrman LLP**, Litigation Associate (2006–08)

**Supreme Court of the United States**, Law Clerk to Justice Anthony M. Kennedy (2005–06)

**U.S. Court of Appeals for the Ninth Circuit**, Law Clerk to Judge Alex Kozinski (2004–05)

#### **EDUCATION**

**Harvard Law School**, J.D., magna cum laude (2004)

- Articles Committee Chair, *Harvard Law Review*

**University of Wisconsin (Madison)**, B.B.A. (2001)