

## **RANDY J. KOZEL**

University of Notre Dame  
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### **ACADEMIC EXPERIENCE**

#### **Notre Dame Law School (2011 to present)**

- Fritz Duda Family Professor of Law (2022 to present)
- Diane & M.O. Miller II Research Professor of Law (2018 to 2022)
- Associate Dean (2017 to present)
- Director, Notre Dame Law School Program on Constitutional Structure (2016 to present)
- Notre Dame Law School Distinguished Professor of the Year (2014)
- Courses: Constitutional Law; Contracts; Evidence; Freedom of Speech; Information Privacy; Legal Change; Trademark and Unfair Competition; Statutory Interpretation

### **BOOK**

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

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

**Content Under Pressure**, Washington University Law Review (forthcoming 2022)

**Government Employee Speech and Forum Analysis**, Journal of Free Speech Law (forthcoming 2022)

**Stare Decisis as Authority and Aspiration**, 96 Notre Dame Law Review 1971 (2021) (for Federal Courts Symposium)

**Rethorizing Precedent**, 70 Duke Law Journal 1025 (2021) (for Administrative Law Symposium)

**Leverage**, 62 Boston College Law Review 109 (2021)

**Statutory Precedents, Administrative Deference, and the Law of Stare Decisis**, 97 Texas Law Review 1125 (2019)

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

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

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

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

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

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

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

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

**Settled Versus Right: Constitutional Method and the Path of Precedent**, 91 Texas Law Review 1843 (2013) (for Constitutional Foundations Symposium) (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 (2013)

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

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

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

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

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

**Solving the Nuisance-Value Settlement Problem: Mandatory Summary Judgment**, 90 Virginia Law Review 1849 (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**, Clerk to Hon. Anthony M. Kennedy (2005–06)

**U.S. Court of Appeals for the Ninth Circuit**, Clerk to Hon. 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)