

F. ANDREW HESSICK III
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ACADEMIC APPOINTMENTS

University of North Carolina Chapel Hill, NC

Associate Dean of Strategy

2018-present

Professor of Law (with tenure)

2016-present

Courses: Civil Procedure; Evidence; Federal Courts; Remedies

Committee service: Clerkships (Chair 2016-17), Speakers (Chair 2017-18)

University of Utah, S.J. Quinney College of Law Salt Lake City, UT

Professor of Law (with tenure)

2013-2016

Courses: Administrative Law; Civil Procedure; Federal Courts; Remedies

Committee service: Appointments (Chair 2014-15), Promotion and Tenure (2013-16), Clerkships (2013-2016), Standards Revision (2014-15)

Arizona State University, Sandra Day O'Connor College of Law Tempe, AZ

Associate Dean of Research and Faculty Development

2011-2012

Professor of Law (with tenure)

2011-2013

Associate Professor

2008-2011

Visiting Associate Professor

2007-2008

Courses: Administrative Law; Appellate Review; Civil Procedure; Evidence; Federal Courts; Law and the Regulatory State; Remedies; The Supreme Court in American Politics

Service: Appointments (2010-12), Promotion and Tenure (2011-12), Clerkships (2007-2013), Law Journal Advisor (2011-13), Curriculum Redesign Task Force (2008-09)

Awards: Outstanding Law Journal Mentor 2009, 2013

Boston University School of Law Boston, MA

Visiting Assistant Professor

2006-2007

Courses: The Supreme Court in American Politics; Topics on the Supreme Court

EDUCATION

Yale Law School, J.D.

June 2002

Yale Law Journal, Editor

Morris Tyler Moot Court of Appeals, *Semifinalist*

Dartmouth College, B.A., Mathematics and Classical Archaeology

June 1998

Class of 1846 Latin Prize, Hood Museum Fellow

BOOKS

FEDERAL COURTS: CASES AND MATERIALS ON JUDICIAL FEDERALISM AND THE LAWYERING PROCESS (4th ed. LexisNexis 2017) (with Arthur D. Hellman, Davis R. Stras & Ryan R. Scott).

ARTICLES

Structural Rights and Incorporation, ALA. L. REV. (forthcoming) (with E. Fisher)

Quasi-Sovereign Standing, NOTRE DAME L. REV. (forthcoming)

Remedial Chevron, 97 N.C. L. REV. 1 (2018)
Consenting to Adjudication Outside the Article III Courts, 71 VAND. L. REV. 715 (2018)
Civilizing Criminal Settlements, 98 B.U. L. REV. 1607 (2017) (with R. Gold and C.B. Hessick)
The Separation-of-Powers Theory of Standing, 95 N.C. L. REV. 673 (2017)
Doctrinal Redundancies, 68 ALA. L. REV. 635 (2016)
Cases, Controversies, and Diversity, 109 NW. U. L. REV. 57 (2015)
Procedural Rights at Sentencing, 90 NOTRE DAME L. REV. 187 (2015) (with C.B. Hessick)
The Non-Redelegation Doctrine, 55 WM. & MARY L. REV. 163 (2013) (with C.B. Hessick)
Judicial Logrolling, 65 FLA. L. REV. 443 (2013) (with J. McLaughlin)
Probabilistic Standing, 106 NW. U. L. REV. 55 (2012)
Double Jeopardy as a Limit on Punishment, 97 CORNELL L. REV. 45 (2011) (with C.B. Hessick)
Recognizing Constitutional Rights at Sentencing, 99 CAL. L. REV. 47 (2011) (with C.B. Hessick)
Rethinking the Presumption of Constitutionality, 85 NOTRE DAME L. REV. 1447 (2010)
Setting the Size of the Supreme Court, 41 ARIZ. ST. L.J. 645 (2009) (with S.P. Jordan)
The Common Law of Federal Question Jurisdiction, 60 ALA. L. REV. 895 (2009)
Appellate Review of Sentencing Decisions, 60 ALA. L. REV. 1 (2008) (with C.B. Hessick)
Standing, Injury in Fact, and Private Rights, 93 CORNELL L. REV. 275 (2008)

SHORTER PUBLICATIONS

Understanding Standing, 69 VAND. L. REV. EN BANC 195 (2015) (invited symposium)
Standing in Diversity, 65 ALA. L. REV. 417 (2013) (invited symposium)
The Experience of Remedies, 57 ST. LOUIS U. L.J. 739 (2013) (invited symposium)
The Cost of Remands, 44 ARIZ. ST. L.J. 1025 (2013) (invited symposium)
The Impact of Government Appellate Strategies on the Development of Criminal Law, 93 MARQ. L. REV. 477 (2010) (invited symposium)
Chad Wars, 47 ARIZONA ATT'Y 30 (2010)
Federal Sentencing Changes Since The "Change" Election, 23 FED. SENT. REP. 143 (2010) (with C.B. Hessick) (peer reviewed) (invited symposium)
Five Years of Appellate Problems After Booker, 22 FED. SENT. REP. 85 (2009) (with C.B. Hessick) (peer reviewed)

Entries in *ENCYCLOPEDIA OF THE SUPREME COURT OF THE UNITED STATES* (David S. Tanenhaus ed., Macmillan Reference, 2008):

- *The Supreme Court Calendar*
- *Orders of the Supreme Court*

SCOTUSblog, *Gall and Appellate Court Transparency* (Dec. 11, 2007), <http://www.scotusblog.com/wp/>

commentary-and-analysis/commentary-gall-and-appellate-court-transparency (invited commentary with C.B. Hessick)

SCOTUSblog, Rita: *More for District Courts?* (June 22, 2007), <http://www.scotusblog.com/wp/uncategorized/rita-more-for-district-courts> (invited commentary with C.B. Hessick)

Rita, Claiborne, and the Courts of Appeals' Attachment to the Sentencing Guidelines, 19 FED. SENT. REP. 171 (2007) (with C.B. Hessick) (peer reviewed)

OTHER EXPERIENCE

American Bar Association, Administrative & Regulatory Law News <i>Contributing Editor</i>	2014-2018
Office of the Attorney General Phoenix, AZ <i>Special Assistant Attorney General</i>	2010
Kellogg, Huber, Hansen, Todd, Evans & Figel, PLLC Washington, DC <i>Consultant</i>	2006-2007
<i>Associate</i>	2005-2006
Department of Justice, Office of the Solicitor General Washington, DC <i>Bristow Fellow</i>	2004-2005
Hon. Reena Raggi , U.S. Court of Appeals for the Second Circuit <i>Law Clerk</i>	2003-2004
Hon. A. Raymond Randolph , U.S. Court of Appeals for the D.C. Circuit <i>Law Clerk</i>	2002-2003
Wachtell, Lipton, Rosen & Katz New York, NY <i>Summer Associate</i>	Summer 2002
Wilmer, Cutler, & Pickering Washington, DC <i>Summer Associate</i>	Summer 2001

SELECT MEDIA APPEARANCES

Wei Hu, *The Making of the Constitution*, Voice of America, Jun. 22, 2017.

Jeremy Venook, *The Case(s) Against Trump*, The Atlantic, Mar. 27, 2017.

Alan Gomez, *Trump set to issue streamlined immigrant travel ban*, USA Today, Feb. 21, 2017.

Emily Maltby, Vanessa O'Connell, and Jess Bravin, *Hurdle for Health-Law Suit*, Wall St. Journal, Dec. 5, 2011

Nicholas Riccardi and Anna Gorman, *Judge Blocks Key Parts of Arizona Immigration Law*, L.A. Times, July 29, 2010

Wisconsin Public Radio, *At Issue with Ben Merens*, July 28, 2010 (*audiofile available at* http://www.wpr.org/webcasting/audioarchives_display.cfm?code=bme)

Erin Kelly, *Ariz. Law Leads Feds to Weigh Rare Legal Fight*, Arizona Republic, May 7, 2010

Erin Kelly, *Napolitano an Unusual Option for High Court*, Arizona Republic, Apr. 15, 2010

Michael Kiefer, *Missstep May Prove Thomas' Undoing*, Arizona Republic, Mar. 31, 2010

SELECT PRESENTATIONS AND SPEAKING ENGAGEMENTS

- “Refining Standing,” Sixth Annual Constitutional Law Colloquium, Loyola University Chicago School of Law, Chicago, IL (Nov. 7, 2015)
- “The Staying Power of Equitable Remedies,” Southeastern Association of Law Schools, Boca Raton, FL (July 28, 2015)
- “King v. Burwell,” Southeastern Association of Law Schools, Boca Raton, FL (July 27, 2015)
- “Who Determines an Agency’s Power?,” Federalist Society Annual Conference, New York, NY (Jan. 9, 2014)
- “Teaching Remedies,” Southeastern Association of Law Schools, Palm Beach, FL (August 4, 2013)
- “Standing in Diversity,” Law and Society Association, Boston, MA (June 2, 2013)
- “Standing in Diversity,” The Structure of Standing at 25, University of Alabama School of Law, Tuscaloosa, AL (Feb. 22, 2013)
- “Judicial Logrolling,” Law and Society Association, Honolulu, HI (June 8, 2012)
- “Judicial Logrolling,” ASU Junior Faculty Workshop, Arizona State University Sandra Day O’Connor College of Law, Tempe, AZ (June 1, 2012)
- Commentator, “Toward Equality in Our Schools: School Desegregation and Mexican Americans Rights,” Haskell Master Class Lecture, Arizona State University, Tempe, AZ (Nov. 4, 2011).
- “Probabilistic Standing,” ASU Junior Faculty Workshop, Arizona State University Sandra Day O’Connor College of Law, Tempe, AZ (January 14, 2011)
- “Probabilistic Standing,” Prawfsfest Faculty Workshop, Arizona State University Sandra Day O’Connor College of Law, Tempe, AZ (December 6-7, 2010)
- “Probabilistic Standing,” Rocky Mountain Junior Scholars Forum, University of Utah S.J. Quinney College of Law, Salt Lake City, UT (September 24, 2010)
- “Double Jeopardy as a Limit on Punishment,” ASU College of Law Junior Faculty Workshop, Flagstaff, AZ (June 27, 2010)
- Panelist, “Evolution of the Law,” American Academy of Appellate Lawyers, Phoenix, AZ (April 9, 2010)
- “Recognizing Constitutional Rights at Sentencing,” ASU College of Law Junior Faculty Workshop, Phoenix, AZ (January 13, 2010)
- “The Underenforcement of Constitutional Norms at Sentencing,” Prawfsfest Faculty Workshop, Southwestern Law School, Los Angeles, CA (December 3, 2009)

Panelist, Aspiring Law Professors Conference, Arizona State University Sandra Day O'Connor College of Law, Tempe, AZ (October 17, 2009)

"A Preview of the Supreme Court's 2009 Term," Arizona Bar Association, Appellate Practice Section, Phoenix, AZ (October 4, 2009)

"The Presumption of Constitutionality," Rocky Mountain Junior Scholars Forum, BYU Law School, Provo, UT (September 25, 2009)

"The Impact of Government Appellate Strategies on the Development of Criminal Law," Marquette University Law School, Criminal Appeals Conference, Milwaukee, WI (June 15, 2009)

"The Presumption of Constitutionality," Law and Society Association, Denver, CO (May 28, 2009)

"The Presumption of Constitutionality," ASU College of Law Junior Faculty Workshop, Phoenix, AZ (May 11, 2009)

"The Presumption of Constitutionality," Prawfsfest Faculty Workshop, Florida State University College of Law, Tallahassee, FL (May 1, 2009)

Panelist, "Who's Killing the American Dream," The Federalist Society, Tempe, AZ (April 21, 2009)

Moderator, "Error: Conceptualizing, Measuring, and Minimizing," Forensic Science for the 21st Century: The National Academy of Sciences Report and Beyond, Arizona State University Sandra Day O'Connor College of Law, Tempe, AZ (April 4, 2009)

"Statutory Interpretation from Blackstone to Scalia and Beyond: The Role of Judges in Interpretation in a Democratic Society," Maricopa County Superior Court, Phoenix, AZ (February 6, 2009)

"Setting the Size of the Supreme Court," St. Louis University School of Law, St. Louis, MO (January 23, 2009)

"A Preview of the Supreme Court's 2008 Term," Arizona Bar Association, Appellate Practice Section, Phoenix, AZ (October 6, 2008)

"Constitution Day: A Preview of the Supreme Court's 2007 Term," Arizona State University, Tempe, AZ (September 13, 2007)

"Why Nine?," Law and Society Association, Berlin, Germany (July 28, 2007)

RECENT REPRESENTATION

Spokeo, Inc. v. Robins, No. 13-1339 (U.S. Supreme Court 2015)
Counsel of Record, Co-author of Brief of Public Law Professors as *Amici Curiae* in Support of Respondent

Hoagland v. Ada County, No. 13-514 (U.S. Supreme Court 2013)
Co-author of Brief of Respondent opposing certiorari.

First American Financial Corporation v. Edwards, No. 10-708 (U.S. Supreme Court 2010)
Author of Brief of *Amici Curiae* Law Professors in support of certiorari petition

Rigas v. United States, No. 09-1456 (U.S. Supreme Court 2010)

Co-author of Brief of Law Professors and National Association of Criminal Defense Lawyers as *Amici Curiae* in support of certiorari petition

Assoc. of Christian Schools Int. v. Stearns, No. 08-56320 (9th Cir. 2009)

Co-author of Brief of *Amici Curiae* California State University and University of Nevada, Las Vegas, in support of Defendants-Appellees

OTHER PROFESSIONAL ACTIVITIES AND SERVICE

Yale Journal on Regulation

Permanent Blogger

2015-present

American Association of American Law Schools

Chair, Remedies Section

2016-2017

Faculty Representative

2008-2012

Yale Club of Phoenix

Secretary

2009-2012

BAR ADMISSIONS

New York State, 2005

First Circuit, 2006

Eighth Circuit, 2006

Ninth Circuit, 2009

U.S. Supreme Court, 2011