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Floyd & Martha Norris Chair in Law  
University of Oklahoma College of Law  
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## PROFESSIONAL EXPERIENCE

### **University of Oklahoma College of Law**, Norman, Oklahoma: 2001-present

George Lynn Cross Research Professor: 2019-present  
Floyd & Martha Norris Chair in Law: 2021-present  
William J. Alley Professor of Law: 2015-2021  
Thomas P. Hester Presidential Professor of Law: 2009-present  
(Tenure and Full Professorship earned 2009)  
Associate Dean for Academics: 2020  
Associate Dean for Faculty Scholarship and Enrichment: 2016-2017  
Associate Dean of Admissions, Scholarships and Recruiting: 2007-2010  
Associate Professor of Law: 2001-2008  
Courses Taught: Evidence, Civil Procedure I, Civil Procedure II, Conflict of Laws,  
Evidence Issues in Great Trials, Torts I, Torts II, Corporations

### **The George Washington University School of Law**, Washington DC

Visiting Professor, 2015-2016  
Courses Taught: Evidence and Civil Procedure II

### **Stetson University College of Law**, Gulfport, Florida

Visiting Professor, 2011-2012  
Courses Taught: Torts; Defamation, Privacy and Other Economic Torts; Evidence;  
Conflict of Laws.

### **Honorable Frank M. Hull**, Atlanta, Georgia

Law Clerk to Circuit Judge, United States Court of Appeals for the Eleventh Circuit,  
2000-2001.

### **Honorable Jack T. Camp**, Atlanta, Georgia

Law clerk to District Court Judge, United States District Court for the Northern District  
of Georgia, 1998-2000.

### **King & Spalding, LLP** Atlanta, Georgia

Commercial Litigation Associate, 1995-1998.  
Practice Areas: SEC securities fraud investigations and securities class actions,  
employment discrimination class actions, products liability litigation.

## PUBLICATIONS

### **Books**

Mueller, Kirkpatrick & Richter, *Evidence Under the Rules* (10<sup>th</sup> Ed. Wolters Kluwer 2023).

Imwinkelried, Gianelli, Gilligan, Lederer & Richter, *Courtroom Criminal Evidence* (LexisNexis 7<sup>th</sup> Ed. 2022) (2 vols.).

Mueller, Kirkpatrick & Richter, *Black Letter Outline on Evidence* (West Academic 5<sup>th</sup> Edition 2020).

Mueller, Kirkpatrick & Richter, *Evidence Under the Rules* (9<sup>th</sup> Ed. Wolters Kluwer 2019).

Mueller, Kirkpatrick & Richter, *Evidence* (6<sup>th</sup> Ed. Wolters Kluwer 2018).

Mueller, Kirkpatrick, Richter & Rose, *Evidence: Practice under the Rules* (5<sup>th</sup> Ed. Wolters Kluwer 2018).

Mosteller, Gianelli & Richter, *Problems in Evidence* (West Pub. 6<sup>th</sup> Ed. 2018).

Imwinkelried, Gianelli, Gilligan, Lederer & Richter, *Courtroom Criminal Evidence* (LexisNexis 6<sup>th</sup> Ed. 2016) (2 vols.).

### **Articles & Chapters**

*The Difference a Year Makes: The Admissibility of Expert Opinion Testimony Under the 2023 Amendment to Federal Rule of Evidence 702*, \_\_\_ CORNELL L. REV. \_\_\_ (forthcoming Fall 2025) (with Daniel J. Capra).

*Painting a Clearer Picture: Introducing New Federal Rule of Evidence 107 on Illustrative Aids*, 77 VAND. L. REV. 1469 (2024) (with Daniel J. Capra).

*Long Live the Federal Rules of Evidence!*, 31 GEO. MASON L. REV. 1 (2024) (with Daniel J. Capra).

*Lost in Translation: The Best Evidence Rule and Foreign-Language Recordings in Federal Court*, 108 IOWA LAW REV. 1839 (2023).

*The Admissibility of Expert Testimony* (forthcoming with Daniel J. Capra) (Chapter 1 in the Reference Manual on Scientific Evidence (4<sup>th</sup> Edition) published by the Federal Judicial Center and the National Academies of Science and Engineering that assists judges in managing cases involving complex scientific and technical evidence).

*"The" Rule: Modernizing the Potent, But Overlooked, Rule of Witness Sequestration*, 63 WILLIAM & MARY L. REV. 1 (2021) (with Daniel J. Capra).

*Evidentiary Irony and the Incomplete Rule of Completeness: A Proposal to Amend Federal Rule of Evidence 106*, 105 MINN. L. REV. 901 (2020) (with Daniel J. Capra).

*Poetry in Motion: The Federal Rules of Evidence and Forward Progress as an Imperative*, 99 B.U.L.R. 1876 (2019) (with Daniel J. Capra).

*Character Assassination: Amending Federal Rule of Evidence 404(b) to Protect Criminal Defendants*, 118 COLUM. L. REV. 769 (April 2018) (with Daniel J. Capra).

*Goldilocks and the Rule 803 Hearsay Exceptions*, 59 WILLIAM & MARY L. REV. 897 (February 2018).

*Reality Check: A Modest Modification to Rationalize Rule 803 Hearsay Exceptions*, 84 FORDHAM L. REV. No. 4, 1473 (2016) (The Philip D. Reed Lecture Series).

*Posnerian Hearsay: Slaying the Discretion Dragon*, 67 FLA. L. REV. No. 6, 1861 (2015).

*Seeking Consistency for Prior Consistent Statements: Amending Federal Rule of Evidence 801(d)(1)(B)*, 46 CONN. L. REV. No. 3, 937 (Feb. 2014).

*Making Horses Drink: Conceptual Change Theory and Federal Rule of Evidence 502*, 81 FORDHAM L. REV. 1669 (2013) (The Philip D. Reed Lecture Series).

*Don't Just Do Something!: E-hearsay, the Present Sense Impression, and the Case for Caution in the Rulemaking Process*, 61 AM. U. L. REV. 1657 (2012).

*The Power of Privilege and the Attorney-Client Privilege Protection Act: How Corporate America Has Everyone Excited About the Emperor's New Clothes*, 43 WAKE FOREST L. REV. 979 (2008).

*Corporate Salvation or Damnation? Proposed New Federal Legislation on Selective Waiver*, 76 FORDHAM L. REV. 129 (2007).

*Is Oklahoma Balancing the Scales of Justice By Tying the Hands of Trial Judges?: The 2002 Amendment to Section 2403 of the Oklahoma Evidence Code Mandating Admission of In-Life Victim Photographs in Homicide Cases*, 56 OKLA. L. REV. 383 (2003) (invited).

*Does the Reasonable Woman Exist and Does She Have Any Place in Hostile Environment Sexual Harassment Claims Under Title VII After Harris*, 46 FLA. L. REV. 291 (1994) (Student Note).

## **Public Comments**

*Public Comment on the Proposed Amendment to Evidence Rule 801(d)(1)(B)* (February 2013).

*The Time for Selective Waiver Protection Has Arrived: Public Comment to Proposed Federal Rule of Evidence 502* (February 2007).

## SELECTED PRESENTATIONS AND SERVICE

Member, American Law Institute: 2017-present.

Academic Consultant, Judicial Conference Advisory Committee on Federal Rules of Evidence: 2016-present.

National Conference of Bar Examiners Evidence Drafting Committee: Chair 2025-present; Member 2012-2025.

Executive Committee, AALS Evidence Section: 2019-2024.

Unavailability Workshop, Vanderbilt University Law School: Guest June 2021.

Excited Utterance podcast, Vanderbilt University Law School: Guest January 2019.

Kansas Legal Revitalization Conference, Kansas City, MO: February 2017.

Evidence Advisory Committee Hearsay Reform Symposium, Chicago, IL: October 2015.

Evidence Advisory Committee Symposium on Federal Rule of Evidence 502, Charleston, S.C.: October 2012.

Oklahoma Judicial Conference: November 2012.

## EDUCATION

**University of Florida Levin College of Law**, Gainesville, FL

Juris Doctor, with High Honors, May 1995

Class Rank: 1

Order of the Coif

*Florida Law Review*, Senior Notes and Comments Editor

**University of Florida**, Gainesville, FL

B.S. Psychology, May 1992

Honors Program, 1988-1992