

Dustin E. Buehler
dbuehler@willamette.edu

TEACHING EXPERIENCE

Associate Professor, University of Arkansas School of Law, Fayetteville, AR, 2010–2015

Courses: Civil Procedure, Civil Procedure II, Conflict of Laws, Federal Courts, Wills, Trusts & Estates, Law & Economics. Cumulative teaching evaluations averaged 4.91 on a 5-point scale. Granted tenure by a unanimous faculty vote in 2014.

Honors: Awarded the Lewis E. Epley, Jr. Award (Law School Professor of the Year) in 2012, 2013, and 2014; and the University of Arkansas Rising Teaching Award in 2015 (the highest teaching honor awarded to a non-full professor at the University of Arkansas).

Service: Faculty Advisor, *Arkansas Law Review* (2012–2015); Strategic Planning Committee (2014–2015); Coach, National Moot Court Competition (2013–2014); Appointments Committee (2012–2013); Budget Committee (2011–2012).

Visiting Lecturer, University of Washington School of Law, Seattle, WA, 2013–2014

Courses: Federal Courts, Civil Procedure II.

Pro Tem Instructor, University of Oregon School of Law, Portland, OR, 2016–present

Course: Administrative Law (Portland Program).

Adjunct Professor, Willamette University College of Law, Salem, OR, 2021–present

Course: Civil Procedure.

LEGAL EXPERIENCE

General Counsel / Deputy General Counsel, Governor Kate Brown, Salem, OR, 2017–present

Wide-ranging general counsel practice for the Governor and her staff, including the drafting of executive orders; analysis of novel state and federal constitutional and statutory issues; ethics and employment law compliance; bill review; management of the Governor's judicial appointments and clemency processes; and supervision of ongoing litigation. Also serve as Governor Brown's liaison to the state and federal judiciary, the Oregon Department of Justice, the U.S. Attorney's Office, and Oregon's nine federally recognized Native American Tribes.

Assistant Attorney General, Oregon Department of Justice, Portland, OR, 2015–2017

Diverse appellate law practice, including criminal law appeals and appeals from state agency orders and other civil actions, with dozens of oral arguments before the Oregon Supreme Court, Oregon Court of Appeals, and the U.S. Court of Appeals for the Ninth Circuit.

Director, University of Arkansas Appellate Litigation Project, Fayetteville, AR, 2012–2015

Established and supervised clinical program in which students briefed and argued prisoner civil rights appeals before the federal appellate courts. Published opinions in favor of project clients include *Colwell v. Bannister*, 763 F.3d 1060 (9th Cir. 2014), and *Nordstrom v. Ryan*, 762 F.3d 903 (9th Cir. 2014).

Associate, Davis Wright Tremaine LLP, Seattle, WA, 2008–2010

Litigated a variety of commercial litigation matters. Drafted pleadings and briefs (including briefs submitted to the U.S. Supreme Court and Washington Supreme Court), conducted depositions, coordinated discovery, and wrote legal memoranda.

CLERKSHIP

Judge Alfred Goodwin, U.S. Court of Appeals, Ninth Circuit, Pasadena, CA, 2007–2008

Drafted judicial opinions, orders and dispositions. Prepared bench memoranda and questions for oral argument. Analyzed appellate briefs, petitions for rehearing and trial records. Evaluated claims regarding federal court jurisdiction, Fourth Amendment search and seizure, equal protection and due process, contract law, and immigration law.

EDUCATION

University of Washington School of Law, Seattle, WA, J.D., 2007, Class Rank: 3 / 180

Associate Editor-in-Chief, *Washington Law Review*

President, Moot Court Honor Board

Order of the Coif; Order of the Barristers

National Champion, 2007 National Moot Court Competition (New York City Bar Association)

Champion Team, 2005 First Year Appellate Advocacy Competition

Eugene A. Wright Scholar (excellence in academics, law review, and moot court)

CALI Excellence for the Future Award (highest grade): Federal Courts, Constitutional Law, Copyright, Washington Constitutional Law, Basic Legal Skills (first year writing course)

Willamette University, Salem, OR, B.A., 2000, Politics and History, *magna cum laude*

Phi Beta Kappa

G. Herbert Smith Presidential Scholar (full-tuition merit scholarship)

President, Willamette University Philomathean Society (Debate Union)

Politics Department Honors for senior thesis, *The Drive for Direct Democracy: An Analysis of States without the Initiative and Referendum*

PUBLICATIONS

Revisiting Jurisdiction's Social Cost: A Brief Rejoinder to Professor Klerman, 90 WASH. L. REV. ONLINE 1 (2015)

Solving Jurisdiction's Social Cost, 89 WASH. L. REV. 653 (2014)

Eggshell Economics: A Revolutionary Approach to the Eggshell Plaintiff Rule, 74 OHIO ST. L.J. 375 (2013), with Steve P. Calandrillo

Jurisdictional Incentives, 20 GEO. MASON L. REV. 105 (2012)

Jurisdiction, Abstention, and Finality: Articulating a Unique Role for the Rooker-Feldman Doctrine, 42 SETON HALL L. REV. 553 (2012)

Baseball's Moral Hazard: Law, Economics, and the Designated Hitter Rule, 90 B.U. L. REV. 2083 (2010), with Steve P. Calandrillo

Revisiting Rooker-Feldman: Extending the Doctrine to State Court Interlocutory Orders, 36 FLA. ST. U. L. REV. 373 (2009)

Time Well Spent: An Economic Analysis of Daylight Saving Time Legislation, 43 WAKE FOREST L. REV. 45 (2008), with Steve P. Calandrillo

Comment, *Washington's Title Match: The Single-Subject and Subject-in-Title Rules of Article II, Section 19 of the Washington State Constitution*, 81 WASH. L. REV. 595 (2006)

MEDIA COVERAGE

Academic commentary and analysis featured in a variety of regional and national media, including National Public Radio, CBS News, Bloomberg BNA's *United States Law Week*, the *Arkansas Democrat-Gazette*, the *Northwest Arkansas Times*, KFSM News, and *Research Frontiers*.

SELECTED PRESENTATIONS AND CONFERENCES

Presenter, "Face Coverings: The Oregon Experience," NATIONAL GOVERNORS ASSOCIATION LEGAL COUNSEL MEETING (2020) (virtual meeting)

"Reforming Clemency in Oregon," OREGON JUSTICE RESOURCE CENTER'S WOMEN IN PRISON CONFERENCE, Portland, OR (2019)

"Oregon's Clemency Power and Process" (CLE presentation), OFFICE OF THE FEDERAL PUBLIC DEFENDER, DISTRICT OF OREGON, Portland, OR (2019)

"Jurisdiction, Abstention, and Finality" (CLE presentation), OREGON DEPARTMENT OF JUSTICE, Salem, OR (2016)

"Solving Jurisdiction's Social Cost," UNIVERSITY OF NEW MEXICO SCHOOL OF LAW FACULTY COLLOQUIA SERIES, Albuquerque, NM (2014)

Presenter, "Civil Procedure: A Review for District Judges," ARKANSAS DISTRICT JUDGES ANNUAL SPRING MEETING, Rogers, AR (2014)

"Solving Jurisdiction's Social Cost," CENTRAL STATES LAW SCHOOLS ASSOCIATION ANNUAL SCHOLARSHIP CONFERENCE, Fayetteville, AR (2013)

“The Economics of Subject-Matter Jurisdiction,” UNIVERSITY OF WASHINGTON SCHOOL OF LAW FACULTY COLLOQUIA SERIES, Seattle, WA (2013)

“The Economics of Subject-Matter Jurisdiction,” WASHINGTON UNIVERSITY JUNIOR FACULTY WORKSHOP, St. Louis, MO (2012)

Discussant, “Pedagogical Choices and Challenges in Civil Procedure,” SOUTHEASTERN ASSOCIATION OF LAW SCHOOLS ANNUAL MEETING, Amelia Island, FL (2012)

“An Economic Analysis of the Eggshell Plaintiff Rule,” AMERICAN LAW AND ECONOMICS ASSOCIATION ANNUAL MEETING, Stanford University, Palo Alto, CA (2012)

Presenter, “Dissonant Voices, Democratic Choices: The Rhetoric of Apportionment in *Baker v. Carr*,” NATIONAL COMMUNICATION ASSOCIATION ANNUAL MEETING, New Orleans, LA (2011)

“Economic Evolution, Jurisdictional Revolution,” CENTRAL STATES LAW SCHOOLS ASSOCIATION ANNUAL SCHOLARSHIP CONFERENCE, Toledo, OH (2011)

Discussant, “American Civil Procedure in the 21st Century,” SOUTHEASTERN ASSOCIATION OF LAW SCHOOLS ANNUAL MEETING, Hilton Head, SC (2011)

“Revisiting Rule 23: The Implications of *Wal-Mart v. Dukes* on Class Action Litigation” (CLE presentation), UNIVERSITY OF ARKANSAS SCHOOL OF LAW, Fayetteville, AR (2011)

“Baseball’s Moral Hazard,” SYMPOSIUM ON BASEBALL AND AMERICAN CULTURE, National Baseball Hall of Fame, Cooperstown, NY (2010)

“Baseball’s Moral Hazard,” AMERICAN LAW AND ECONOMICS ASSOCIATION ANNUAL MEETING, Princeton University, Princeton, NJ (2010)

ASSOCIATION MEMBERSHIPS

Oregon State Bar

Washington State Bar Association (inactive)

U.S. Court of Appeals, Ninth Circuit