

RIC SIMMONS

Moritz College of Law
Ohio State University
(614)-292-2829
simmons.239@osu.edu

EDUCATION:

COLUMBIA UNIVERSITY SCHOOL OF LAW

J.D., 1994, Harlan Fiske Stone Scholar
Columbia Law Review, Senior Editor

STANFORD UNIVERSITY

M.A., INTERNATIONAL POLICY STUDIES, 1991
B.A., POLITICAL SCIENCE, 1990

LEGAL TEACHING EXPERIENCE:

MORITZ COLLEGE OF LAW, OHIO STATE UNIVERSITY

Assistant Professor of Law, 2003-Present

Courses Taught: Evidence, Criminal Law, Prosecution Practicum, Legal Writing

NEW YORK UNIVERSITY SCHOOL OF LAW

Acting Assistant Professor of Law, 2000-2003

Taught a six-credit first year seminar in Lawyering, which covered legal method, simulated clinical work, interviewing and counseling clients, mediation, negotiation, legal writing and research, and oral advocacy.

COLUMBIA LAW SCHOOL

Profession of Law Instructor, August 1998 & August 1999

Co-taught three day Legal Ethics seminar for third year law students.

OTHER LEGAL EXPERIENCE:

NEW YORK COUNTY DISTRICT ATTORNEY'S OFFICE

Assistant District Attorney, 1996- 2000

Prosecuted felonies in state court; duties included arraignments, investigation, motion practice, suppression hearings, grand jury presentations, bench and jury trials. Argued appeal in the Appellate Division.

JUDGE LAUGHLIN E. WATERS, UNITED STATES DISTRICT COURT

Law Clerk, 1994-1996

PUBLICATIONS:

Books:

LEARNING EVIDENCE: FROM THE FEDERAL RULES TO THE COURTROOM (with co-author Debby Merritt) (2009 West Publishing)

Book Chapters:

True Goals of the Modern Grand Jury--and How to Achieve Them, in GRAND JURY 2.0: MODERN PERSPECTIVES ON THE GRAND JURY (Roger A. Fairfax, Jr., ed.) (forthcoming 2009, Carolina Academic Press)

Articles:

Re-Examining the Grand Jury: Is there Room for Democracy in our Criminal Justice System?, 82 BOSTON UNIVERSITY LAW REVIEW 1 (2002) (excerpted in JOSHUA DRESSLER & GEORGE C. THOMAS, CRIMINAL PROCEDURE: PRINCIPLES, POLICIES, AND PERSPECTIVES (2d ed. 2002).

From Katz to Kyllo: A Blueprint for Adapting the Fourth Amendment to Twenty-First Century Technologies, 53 HASTINGS LAW JOURNAL 6 (2002) (reprinted in *Search and Seizure Law Report*, Vol. 30, No. 5 (May 2003); also reprinted in *The Fourth Amendment: Searches and Seizures*, Cynthia Lee, ed. (May 2010).

Can Winston Save Us from Big Brother? The Need for Judicial Consistency in Regulating Hyper-Intrusive Searches, 55 RUTGERS LAW REVIEW 547 (Winter 2003).

Technology-Enhanced Surveillance by Law Enforcement Officials, 60 NEW YORK UNIVERSITY ANNUAL SURVEY OF AMERICAN LAW 711 (2005).

Not "Voluntary" but Still Reasonable: A New Paradigm for Consensual Searches, 80 INDIANA LAW JOURNAL 773 (2005).

The Two Unanswered Questions of Illinois v. Caballes: How to Make the World Safe for Binary Searches, 80 TULANE LAW REVIEW 411 (2006).

Conquering the Province of the Jury: Expert Testimony and the Professionalization of Fact-Finding, 74 UNIVERSITY OF CINCINNATI LAW REVIEW 1013 (2006).

The Audience for an Evidence Class: Teaching to Litigators, Scholars, or Bar-Examinees? 50 ST. LOUIS UNIV. LAW JOURNAL 1063 (2006).

Why 2007 is not 1984: A Broader Perspective on Technology's Effect on Privacy and the Fourth Amendment, 97 JOURNAL OF CRIMINAL LAW AND CRIMINOLOGY (2007).

Private Criminal Justice, 42 WAKE FOREST LAW REVIEW 911 (2007).

Searching for Terrorists: Why "Public Safety" is not a Special Need (forthcoming Duke Law Journal 2010)

Other:

Sense-Enhancing Technologies, in ENCYCLOPEDIA OF PRIVACY, (William Staples, ed., forthcoming 2006).

Communications Assistance for Law Enforcement Act, in ENCYCLOPEDIA OF PRIVACY, (William Staples, ed., forthcoming 2006).

Anti-Wiretapping Statutes, in ENCYCLOPEDIA OF PRIVACY, (William Staples, ed., forthcoming 2006).

PRESENTATIONS:

Invited Panelist, *The Grand Jury of Tomorrow: New Life for an Archaic Institution*, 37th Annual Criminal Practice Institute Seminar, Washington, D.C. November 2001. Participated on a panel debating the utility and relevance of the grand jury.

Invited Panelist, *Daubert and the Districts*, Ohio State Bar Association, Columbus, Ohio. October 3, 2003. Participated on a panel with two federal judges discussing rules of evidence for expert testimony.

Presenter, *Evidence and Trial Issues in Domestic Violence Cases*, Association of Municipal/County Judges of Ohio, 2004 Winter Conference, Columbus, Ohio, February 5, 2004. Developed and presented a five-hour curriculum teaching Ohio trial judges about applying the rules of evidence to domestic violence cases.

Invited Panelist, *The Power and Pitfalls of Technology: Evidence Law and the Modern Courtroom*, New York University Annual Survey of American Law, New York, NY, February 6, 2004. Participated on a panel with a Department of Justice official and debated the impact of the Fourth Amendment on new technological methods of surveillance.

Presenter, *New Developments in Ohio Evidence Law*, Franklin County Prosecutor's Office, Columbus, Ohio, October 22, 2004.

Invited Panelist, *Ohio Evidence Workshop*, Professional Education Systems Institute, Columbus, Ohio, October 20, 2005.

Moderator, *Citizen Ignorance, Police Deception, and the Constitution*, Texas Tech Law School, April 6th, 2007, Lubbock, TX.

Presenter, *Fundamentals of Trial Evidence*, Chester Professionalism Institute Professionalism through Excellence, Columbus Bar Foundation, Columbus, Ohio, November 2, 2007.

Invited Panelist, *Grand Jury Roundtable*, George Washington University School of Law, Washington, D.C., March 21, 2008.

Presenter, *Rules of Evidence for Expert Witnesses*, Legal Aid of Western Ohio, Troy, Ohio, May 1, 2008.

Invited Panelist, *The Perils and Possibilities of Privatizing Punishment*, South East Association of Law Schools, Palm Beach, Florida, August 1, 2008.

Presenter, *Federal Rules of Evidence Review*, 2008 Federal Criminal Seminar, Columbus, Ohio, October 3, 2008.

Presenter, *Life after Langdell: Uncasebooks and Active Learning in Upper Level Courses*, Institute for Law Teaching and Learning Summer Conference, Gonzaga University School of Law, Spokane, Washington, June 23, 2009.

Presenter, *Digital Evidence*, Ohio Supreme Court Judicial College, Columbus, Ohio, October 1, 2009.

LAW SCHOOL SERVICE:

Admissions Committee, 2003-2005
Academic Affairs Committee, 2005-2006, 2009-2010
Pedagogy Subcommittee, 2007-2008
Chair of Administration Committee, 2008-2009
Faculty Advisor to First Year Students, 2003-present
Faculty Advisor to Evidence Moot Court Team, 2003-present
(Named “2003-2004 Outstanding Faculty Advisor” by Moot Court
Advisory Board)
Faculty Advisor, American Trial Lawyer’s Association

AWARDS:

2006 Morgan Shipman Outstanding Professor of the Year
2006 Student Bar Association Upper Level Professor of the Year
2008 Student Bar Association Best Upperclassmen Professor

COMMUNITY SERVICE:

Counsel to the Criminal Rules Subcommittee of the Commission on Rules of Practice and Procedure, 2005-2008.

Wrote and filed amicus brief on behalf of respondent in *United States v. Grubbs*, 04-1414, United States Supreme Court, filed December 16, 2005.

MEMBERSHIPS:

New York State Bar
California State Bar
Ohio State Bar