

JUSTIN SEVIER

Charles W. Ehrhardt Professor of Litigation · Florida State University College of Law

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ACADEMIC APPOINTMENTS

Florida State University College of Law	2015 – present
<i>Charles W. Ehrhardt Professor of Litigation</i>	2017 – present
<i>Professor</i>	2025 – present
<i>Associate Professor (with tenure)</i>	2020 – 2025
<i>Assistant Professor</i>	2015 – 2020
Yale Law School	2012 – 2015
<i>Associate Research Scholar</i>	
University of Illinois College of Law	2010 – 2012
<i>Visiting Assistant Professor</i>	

EDUCATION

Yale University · <i>M.S. and M.Phil., Psychology</i>	2014
Advisor: Tom R. Tyler · Concentration: Social psychology and law	
Harvard Law School · <i>J.D.</i>	2006
Magna cum laude honors (top 10%) · First-year coursework at Cornell Law School (Law Review member)	
Cornell University · <i>B.A., Psychology</i>	2003
Distinction honors (GPA: 4.0/4.0) · Phi Beta Kappa member	

PUBLICATIONS

The Underexplored Psychology of the Excited Utterance & Present Sense Impression

53 FORDHAM URBAN LAW JOURNAL __ (forthcoming 2026)

– Invited contribution for ‘The Law’s Blind Spots: A Conversation on Outdated Legal Assumptions in Light of Cognitive Science’ Symposium

Who Cares About Evidence Scholarship? (And Why Psychologists Should)

RESEARCH HANDBOOK IN LAW & PSYCHOLOGY 136 (Edward Elgar 2024)

– Invited contribution for series edited by Rebecca Hollander-Blumoff

Evidence-Based Hearsay

76 VANDERBILT LAW REVIEW 1799 (2023)

– Invited contribution for ‘Reimagining the Rules of Evidence at 50’ Symposium

Trademark Tarnishmyths

55 ARIZONA STATE LAW JOURNAL 305 (2023)

– Co-authored article with Jake Linford & Ally Willis

– Featured in Intellectual Property JOTWELL: The Journal of Things We Like (Lots)

Qualified Illegitimacy

56 U.C. DAVIS LAW REVIEW 1635 (2023)

Procedural Justice in Covid-19-Era Civil Courts

71 DEPAUL LAW REVIEW 495 (2022)

– Invited contribution for Clifford Symposium on Tort Law & Social Policy

Evidence Law and Empirical Psychology

PHILOSOPHICAL FOUNDATIONS OF EVIDENCE LAW 349 (Oxford Univ. Press 2021)

– Invited contribution for series edited by C. Dahlman, A. Stein, & G. Tuzet

A [Relational] Theory of Procedure

104 MINNESOTA LAW REVIEW 1987 (2020)

– Discussed in Tyler’s book, *Advanced Introduction to Law and Psychology*

An Empirical Assessment of Agency Mechanism Choice

71 ALABAMA LAW REVIEW 1039 (2020)

– Co-authored article with Robert Glicksman & Dave Markell

Legitimizing Character Evidence

68 EMORY LAW JOURNAL 441 (2019)

– Profiled in Colin Miller’s *EvidenceProf Blog*

– Excerpted in Sklansky & Roth’s casebook, *Evidence: Cases, Commentary, and Problems*

The Paradox of Executive Compensation Regulation

44 JOURNAL OF CORPORATION LAW 755 (2019)

– Co-authored article with Minor Myers

Evidentiary Trapdoors

103 IOWA LAW REVIEW 1155 (2018)

Consumers, Seller-Advisors, and the Psychology of Trust

59 BOSTON COLLEGE LAW REVIEW 931 (2018)

– Co-authored article with Kelli Alces Williams

Vicarious Windfalls

102 IOWA LAW REVIEW 651 (2017)

– Cited in treatise *Modern Scientific Evidence: The Law and Science of Expert Testimony*

Popularizing Hearsay

104 GEORGETOWN LAW JOURNAL 643 (2016)

– Featured in Ed Cheng’s podcast, *Excited Utterance*

– Cited in Hon. Richard Posner’s article, *On Hearsay*

On Hearsay Dragon-Slaying

68 FLORIDA LAW REVIEW FORUM 269 (2016)

– Invited contribution commenting on Prof. Liesa Richter’s article, *Posnerian Hearsay: Slaying the Discretion Dragon*

Testing Tribe’s Triangle

103 GEORGETOWN LAW JOURNAL 879 (2015)

– Discussed in Saks & Spellman’s book, *The Psychological Foundations of Evidence Law*

– Cited in *Federal Practice and Procedure* treatise

The Truth-Justice Tradeoff

20 PSYCHOLOGY, PUBLIC POLICY, & LAW 212 (2014) (peer-reviewed)

– Cited in Clermont’s *Principles of Civil Procedure* treatise

– Profiled in Solum’s *Legal Theory Blog*

Redesigning the Science Court

73 MARYLAND LAW REVIEW 770 (2014)

– Cited in *The New Wigmore: A Treatise on Evidence*

How Do the Courts Create Popular Legitimacy?

77 ALBANY LAW REVIEW 1094 (2014)

– Invited symposium contribution co-authored with Tom R. Tyler

– Cited in *People v. Bryant*, 55 N.E.3d 97 (Ill. Ct. App. 2016)

Omission Suspicion: Juries, Hearsay, and Attorneys' Strategic Choices

40 FLORIDA STATE UNIVERSITY LAW REVIEW 1 (2012)

The Unintended Consequences of Local Rules

21 CORNELL JOURNAL OF LAW & PUBLIC POLICY 294 (2011)

WORKS IN PROGRESS

The Authentication Illusion

Manuscript under review

Offers, Pleas, & Remedial Deeds

Manuscript in progress

The Hearsay Pipeline

Manuscript in progress

SELECTED PRESENTATIONS

Law and Society Association

Scheduled: May 30, 2026

Annual Member Conference · “A Psychological Approach to AI Admissibility”

FSU Business Law Review

March 6, 2026

Behavioral Perspectives on Corporate Law · “Commentator: Punishment, Perception, and the Problem of Institutional Silence”

Fordham University Law School

Feb. 13, 2026

Symposium: The Law's Blind Spots: A Conversation on Outdated Legal Assumptions in Light of Cognitive Science · “Beyond Sincerity”

FSU Business Law Review

March 21, 2025

Encapsulating Product Packaging Trade Dress · “Commentator: Unpacking Survey Evidence in Packaging and Labeling Disputes”

American Bankruptcy Institute

Feb. 27, 2025

49th Annual Alexander L. Paskay Memorial Bankruptcy Seminar · “Evidentiary Issues in Bankruptcy”

Office of Judges of Compensation Claims / Workers Compensation Institute

Feb. 21, 2025

Annual Winter Seminar · “Evidentiary Issues in Workers Comp”

Jacksonville Bankruptcy Bar Association

Aug. 16, 2024

Annual Symposium for Judges & Attorneys · “Federal Evidence Crash Course”

Duke University School of Law

July 25, 2023

Workshop on Empirical Methods in IP · “Progressive Tarnishment”

Federal Judicial Center

April & July 2023

Federal Bankruptcy Judges Annual Conference · “Everyday Evidence for Federal Judges”

International Trademark Association

Feb. 4, 2023

Annual Scholarship Symposium · “Trademark Tarnishmyths”

Vanderbilt Law School

Nov. 4, 2022

Vanderbilt Law Review Symposium · “Reimagining the Rules of Evidence at 50”

University of Pennsylvania Law School

Oct. 7, 2022

Trademark and Unfair Competition Scholarship Roundtable · “Trademark Tarnishmyths”

Law and Society Association

July 13, 2022

Annual Member Conference · “Trademark Tarnishmyths”

George Mason Antonin Scalia Law School <i>Legal Scholarship Workshop</i> · “Trademark Tarnishmyths”	April 19, 2022
George Mason Antonin Scalia Law School <i>Judicial Symposium on Scientific Methodology and the Admissibility of Expert Testimony</i> · “The Judge as Gatekeeper: The Proper Role of Judges in Evaluating Expert Testimony”	March 7, 2022
North Sea Group <i>Seminar on Philosophical Foundations of Evidence Law</i> · “Evidence Law and Empirical Psychology”	Oct. 26, 2021
DePaul University College of Law <i>Clifford Symposium on Tort Law and Social Policy</i> · “Procedural Justice in COVID-19-Era Courts”	June 3, 2021
George Mason Antonin Scalia Law School <i>Judicial Symposium on Scientific Methodology and the Admissibility of Expert Testimony</i> · “The Judge as Gatekeeper: The Proper Role of Judges in Evaluating Expert Testimony”	March 8, 2021
University of Virginia School of Law <i>Law & Social Science Colloquium</i> · “Legitimizing Qualified Immunity”	Nov. 10, 2020
Society for Personality & Social Psychology <i>Law & Psychology Preconference</i> · “A [Relational] Theory of Procedure”	Feb. 8, 2019
Law and Society Association <i>Annual Member Conference</i> · “Consumers, Seller-Advisors, and the Psychology of Trust”	June 8, 2018
Cornell Law School <i>Conference on Empirical Legal Studies</i> · “Discussant: Regulation, Public Attitudes, and Private Governance”	Oct. 13, 2017
Duke University School of Law <i>Conference on Empirical Legal Studies</i> · “Who Cares about Agency Costs in Executive Compensation?”	Nov. 18, 2016
University of North Carolina Law School <i>Southeast Jr.-Sr. Scholars Conference</i> · “Vicarious Windfalls”	Oct. 28, 2016
University of Chicago Law School <i>National Business Law Scholars Conference</i> · “Who Cares about Agency Costs in Executive Compensation?”	June 23, 2016
Washington University in St. Louis <i>Conference on Empirical Legal Studies</i> · “Discussant: From Delaware to Israel: Evaluating Israel’s Quasi Experiment of a Specialized Corporate Court”	Oct. 30, 2015
Yale Law School <i>Cultural Cognition Laboratory Workshop</i> · “Item Response Theory and Prophet Nathan”	Feb. 21, 2014
Yale University Department of Psychology <i>Social Psychology Workshop</i> · “Truth, Justice, and the American Way?”	April 29, 2013
Law and Society Association <i>Annual Member Conference</i> · “Emotions, Narrative, and Ritual (Panel Chair)”	June 7, 2012
University of Chicago Law School <i>Legal Scholarship Workshop</i> · “Omission Suspicion”	Oct. 10, 2011
Michigan State University College of Law <i>Faculty Workshop</i> · “Omission Suspicion”	Sept. 21, 2011
Vanderbilt University Law School <i>Ph.D. Program in Law and Economics Seminar</i> · “Motivation and the Hearsay Doctrine”	Sept. 5, 2011
Indiana University Maurer School of Law <i>Big Ten Untenured Conference</i> · “Motivation and the Hearsay Doctrine”	Aug. 2, 2011

TEACHING & UNIVERSITY HONORS

Inaugural Faculty Commencement Speaker	2026
<i>FSU College of Law</i> · Elected by the graduating 3L class	
University Distinguished Teaching Award	2024
<i>Florida State University</i> · Awarded annually to one professor at the University (\$7,500)	
University Teaching Award: Outstanding Graduate Teaching	2018
<i>Florida State University</i> · Awarded annually to eight professors across the University (\$2,000)	
Faculty Open-Door Teaching Award	2017, 2019, 2024, 2025
<i>FSU College of Law</i> · Inaugural recipient; awarded annually to one professor at the College of Law (\$1,000)	
Teachers Ranked as Excellent by Their Students	2011, 2012
<i>University of Illinois College of Law</i>	

TEACHING EXPERIENCE

Evidence	<i>Florida State University College of Law</i>
Examines the manner in which courts determine the information that fact finders use to adjudicate legal disputes.	
Torts	<i>Florida State University College of Law</i>
Examines civil wrongs for which the common law provides a remedy in the form of an action for damages.	
Closely Held Business Organizations	<i>Florida State University College of Law</i>
Examines the ways in which business organizations including LLCs and partnerships are formed, are regulated, and dissolve.	
Law & Psychology	<i>Florida State University College of Law</i>
Seminar examining topics at the intersection of law and cognitive science, including eyewitness identification, coercive interrogations, insanity and civil commitment, perceptions of justice and punishment, and judicial decision-making.	
Behavioral Law and Economics	<i>Florida State University College of Law</i>
Seminar examining how decision making in the regulatory, business, and litigation context departs from the rational-actor model of human behavior, and the implications for the law.	
The American Jury	<i>FSU College of Law & University of Illinois College of Law</i>
Interdisciplinary seminar examining the historical and philosophical underpinnings of the modern American jury and how jurors make legal decisions.	
Social Science Research Methods	<i>Yale Law School</i>
Familiarizes law students with experimental research design and the interpretation of statistical results (co-taught with Tom R. Tyler).	
Psychology and the Law	<i>Duke University</i>
Introduces students in the Duke Talent Identification Program to key issues in law and psychology, including eyewitness testimony, lie detection, jury decision making, and confession evidence.	
Scientific Evidence	<i>University of Illinois College of Law</i>
Examines the role and function of scientific and expert evidence in the legal system.	

RELEVANT WORK EXPERIENCE

United States Court of Appeals for the Ninth Circuit	San Francisco, CA · 2009
<i>Law Clerk to Judge Carlos T. Bea</i> · Authored bench memoranda and assisted in drafting panel and en banc opinions	
Wachtell, Lipton, Rosen & Katz	New York, NY · 2008 – 2009
<i>Corporate Litigation Associate</i> · Specialized in securities litigation and white-collar investigations	

Sullivan & Cromwell LLP

New York, NY · 2006 – 2008

Corporate Litigation Associate · Specialized in complex commercial, securities, and employment litigation**Office of the Massachusetts Attorney General**

Boston, MA · 2005

Extern, Criminal Appeals Division · Assisted in drafting habeas briefs and authored memoranda on expert witnesses**EDITORIAL BOARD MEMBERSHIPS**

Law and Human Behavior

2020 – present

*Journal of the American Psychology-Law Society***Law and Social Inquiry**

2019 – 2022

*Journal of the American Bar Foundation***EXTERNAL ACADEMIC SERVICE**

American Bar Foundation · Referee, law and psychology scholarship**Center for Computer-Assisted Legal Instruction (CALI)** · Referee, casebook submission on tort law**International Commentary on Evidence** · Referee, comparative evidence law**Israel Science Foundation (ISF)** · Referee, law and psychology grant applications**Journal of Empirical Legal Studies (JELS)** · Referee, psychology and the law**Journal of Experimental Criminology** · Referee, psychology and the law**Jurimetrics: The Journal of Law, Science and Technology** · Referee, juries and scientific evidence**Law and Human Behavior** · Referee, psychology and the law**Law and Social Inquiry** · Referee, psychology and the law**Law and Society Review** · Referee, psychology and the law**McGill Law Journal** · Referee, evidence law**Oxford University Press** · Referee, evidence law**Time-Sharing Experiments for the Social Sciences (TESS)** · Referee, empirical grant submissions**INTERNAL ACADEMIC SERVICE**

FSU Faculty Governance Committees

Faculty Senate 2025 – present

Promotion & Tenure Chair 2026 – ; member 2025 –

Faculty Appointments Chair 2021 – 2022; member 2020 – 2022, 2024 – 2025

Admissions 2018 – 2025

Academic Waivers Chair 2022 – 2023

University Teaching Awards 2020 – 2022

Curriculum 2019 – 2020

Faculty Enrichment 2016 – 2018

Judicial Clerkships 2015 – 2019

MEMBERSHIPS & AFFILIATIONS

American Psychology-Law Society · Interdisciplinary organization devoted to scholarship in psychology and law**Law and Society Association** · Legal scholarship in social, political, economic, and cultural life**New York State Bar** · Licensed member in good standing**Society for Empirical Legal Studies** · International organization of scholars in empirical legal studies**Society for Personality and Social Psychology** · Researchers exploring how people think, behave, and interact