

FRANCIS J. MOOTZ III
MCGEORGE SCHOOL OF LAW, UNIVERSITY OF THE PACIFIC
Sacramento, CA
916.739.7385 – jmootz@pacific.edu

A's3EC

LAW, HERMENEUTICS AND RHETORIC (Routledge Publishing, 2010) (Part of the Series: *Collected Essays in Law*).

RHETORICAL KNOWLEDGE IN LEGAL PRACTICE AND CRITICAL LEGAL THEORY (University of Alabama Press, 2006) (Part of the series: *Rhetoric, Culture and Social Critique*).

Edited Volumes and Chapters in Treatises

13 APPELMAN ON INSURANCE: SUBROGATION AND CONTRIBUTION (LexisNexis, 2015)
(Editor of Volume 13 of the 14-volume Library of Law and Economics)

Book Chapters

Rhetoric and Law, in THE CAMBRIDGE HISTORY OF RHETORIC: VOLUME V 1900 – , xx-xx (Daniel M. Gross, Steven Mailloux, LuMing Mao, eds; Cambridge University Press, forthcoming 2025).

Giambattista Vico, in CLASSICAL RHETORIC AND CONTEMPORARY LAW: A CRITICAL READER (University of Alabama Press, forthcoming 2024) (with Kirsten Davis, Brian Larson, and Kristen Tiscione).

At Play in the Fields of the Law, in PHILOSOPHY’S ARENA: PLAY AND PLAYERS IN A GAMIFIED WORLD xx-xx (Jeremy Sampson, ed.; Vernon Press, forthcoming 2024).

Jan Broekman and the Multicultural Self, in The REARGUARD OF SUBJECTIVITY: ON LEGAL SEMIOTICS – A FESTSCHRIFT IN HONOUR OF JAN BROEKMAN 111-125 (Springer, 2023).

Justice Kennedy’s Natural Law Rhetoric, in JUSTICE ANTHONY M. KENNEDY: THE RHETORIC OF LIBERTY (David M. Frank and Francis J. Mootz III, eds.; Penn State Press, 2023).

The Unbearable In-Betweenness of Law, in READING RICOEUR THROUGH LAWdNOW, Õ&W72Â##2’à

The Irrelevance of Contemporary Academic Philosophy for Law: Recovering the Rhetorical Tradition, in ON PHILOSOPHY IN AMERICAN LAW (Cambridge University Press, 2009). Translated to Portuguese as: A Irrelevância da Filosofia Acadêmica Contemporânea para o Direito: Redescobrimdo a Tradição Retórica, REVISTA DE ESTUDOS CONSTITUCIONAIS, HERMENÊUTICA E TEORIA DO DIREITO 13:1 (2021).

Natural Law and the Cultivation of Legal Rhetoric, in REDISCOVERING FULLER: IMPLICIT LAW AND INSTITUTIONAL DESIGN (Willem Witteveen and Wibren van der Berg eds., 1999).

Postmodern Constitutionalism as Materialism, in POSTMODERNISM AND LAW (Dennis Patterson ed., 1994) [reprinting 91 MICH. L. REV. 515 (1992)].

Solicited Symposium Contributions

The Legal Backdrop: A Maze of Confusion, 54 U. Pac. L. Rev. 1-19 (2023).

Corpus Linguistics and Vico's Lament: Against Vivisectional Jurisprudence, 20 NEV. L.J. 845-53 (2020).

Cannabis Insurance, 23 LEWIS AND CLARK L. REV. 893-938 (2019) (with Jason Horst).

Ethical Cannabis Lawyering in California, 9 ST. MARY'S J. ON LEGAL MALPRACTICE & ETHICS 1-63 (2018).

E/Insuring the Marijuana Industry, 49 U. PAC. L. REV. 43-66 (2017).

Protecting Victims from Liability Insurance Companies that Add Gratuitous Insult to Grievous Injury, 17 J. OF GENDER, RACE & JUSTICE 313-31 (2014).

Introduction: Symposium: The State and Future of Legal Education, 45 MCGEORGE L. REV. 1-6 (2013).

Law and Community: Alessandro Giuliani's Aristotelian Vision, FERALISIMI.IT: RIVISTA DI DIRITTO PUBIT

F

Articles

“Freedom’s Just Another Word for Nothin’ Left to Lose” The Ongoing Struggle to Properly Regulate the Gig Economy in California, REVISTA DA AGU, BRASILIA-DF 21:4 (October/December 2022), pp. 17-44. (with Jeff Michael).

Cannabis and the California Workplace, 54 U. SAN. FRAN. L. REV. 269-92 (2019) (with Meghan Shiner).

Judging WOOô`

- Rethinking the Rule of Law: A Demonstration That the Obvious Is Plausible*, 61 TENN. L. REV. 69-195 (1993).
- Is the Rule of Law Possible in a Postmodern World?*, 63 WASH. L. REV. 249-305 (1993).
- Postmodern Constitutionalism as Materialism*, 91 MICH. L. REV. 515-25 (1992)
(correspondence) (reprinted in POSTMODERNISM AND LAW (Dennis Patterson ed., 1994)).
- The Ontological Basis of Legal Hermeneutics: A Proposed Model of Inquiry Based on the Work of Gadamer, Habermas and Ricoeur*, 68 B.U.L. REV. 523-617 (1988).

Review Essays

- Book Review* of LILLIAN L. BEESON, PERSUASION: THEORY AND APPLICATIONS (Oxford: Oxford Univ. Press, 2014), 11 LEGAL COMM. & RHETORIC 181-84 (2014) (Peer reviewed and solicited).
- Book Review* of DONATELLA DI CESARE, GADAMER: A PHILOSOPHICAL PORTRAIT, (Niall Keane, tr.) (Bloomington IN: Indiana University Press, 2013), NOTRE DAME PHILOSOPHICAL REVIEWS 2013.12.08 (2013) (Peer reviewed and solicited), available at: <http://ndpr.nd.edu/news/44788-gadamer-a-philosophical-portrait/>
- Book Review* of GUSTAV SHPET'S CONTRIBUTION TO PHILOSOPHY AND CULTURAL THEORY (Galina Tihanov, ed.) (West Lafayette IN: Purdue University Press, 2009), 25 INT'L J. FOR THE SEMIOTICS OF LAW 153-55 (2012) (Peer reviewed and solicited).
- Law as Language*, JURIST: BOOKS ON LAW, Vol. 2, No. 7 (September 1999)
<<http://jurist.law.pitt.edu/lawbooks/revsep99.htm>> [reviewing PETER M. TIERSMA, LEGAL LANGUAGE (1999)] [solicited review essay].
- Between Truth and Provocation: Reclaiming Reason in American Legal Scholarship*, 10 YALE J. LAW & HUMAN. 605-46 (1998) [reviewing DANIEL A. FARBER AND SUZANNA SHERRY, BEYOND ALL REASON: THE RADICAL ASSAULT ON TRUTH IN AMERICAN LAW (1997)].
- The New Legal Hermeneutics*, 47 VAND. L. REV. 115-43 (1994) [reviewing GREGORY LEYH, LEGAL HERMENEUTICS: HISTORY, THEORY AND PRACTICE (1992)].
Reprinted in 39.2 ESTUDOS JURÍDICOS (UNISINOS, Brazil) 96-107 (2006).

Professional Creative Writing

- See You in Hell, Boys!* NOTRE DAME MAGAZINE (2007).

Editorial Positions and Review

- Advisory Board and Reviewer, UNIVERSITY OF ALABAMA PRESS, *Series: Rhetoric, Law and the Humanities* (2016-present)
- Advisory Board, University of Bologna Law Review (2016-present)
- Member, Editorial Board and Peer Reviewer, INTERNATIONAL JOURNAL FOR THE SEMIOTICS OF LAW (2008-present).
- Member, Organizing Committee for the Association of Law, Culture and the Humanities (2008-11).

Presenter, Association for the Study of Law, Culture and the Humanities
(ASLC&H) (2012 Annual Meeting, Ft. Worth, TX)

Program: Immigration Law and Theory

Presenter, Roberta Kevelson Semiotics Roundtable (2012; Carlisle, PA)

Program: The (Un)Ethical Surplus of the War on Illegal Immigration.

Presenter, Association for the Study of Law, Culture and the Humanities
(ASLC&H) (2011 Annual Meeting, Las Vegas, NV)

Program: Political Rhetoric

Presenter, Semiotic Circle of Northern California (2011; Berkeley, CA)

Presenter, Rhetoric Society of America (2010 Annual Meeting, Minneapolis)

Program: Neglected Areas of Legal Rhetoric

Presenter, Association for the Study of Law, Culture and the Humanities
(ASLC&H) (2010 Annual Meeting, Providence, RI)

Program: Legal Rhetoric: Pedagogy, Practice and Critique

Chair and Discussant, Association for the Study of Law, Culture and the Humanities
(ASLC&H) (2009 Annual Meeting, B

Presenter, After Ricoeur: An Interdisciplinary Conference (Oklahoma City Univ., 2006)

Paper: "Ricoeur's Critical Hermeneutics and the Psychotherapeutic Model of
Critical Theory"

Organizer and Chair, ASLC&H (2000 Annual Meeting, Washington, D.C.)

Program: Philosophical Hermeneutics and Critical Legal Theory

Panel I: Theoretical Issues; Panel II: Applications to Practice

Chair/Presenter, ASLC&H (1999 Annual Meeting, W

Presenter, “Employee Rights Regarding Cannabis Use, Big I Conference (with Elisa Levy) (Sacramento, October 2018).

Presenter, “Employers and HR Profession