

Charles W. “Rocky” Rhodes
Professor of Law
South Texas College of Law Houston

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Houston, Texas 77002

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FACULTY APPOINTMENTS

South Texas College of Law Houston
Professor of Law (2007-Present)

Vinson & Elkins LLP Research Professor (2013-2017)
Godwin Ronquillo PC Research Professor (2008-2012)
Associate Professor of Law (2004-2007)
Assistant Professor of Law (2001-2004)

Courses: Constitutional Law, First Amendment Law, State Constitutional Law, Civil Procedure, Conflicts of Law, Complex Litigation, Trial & Appellate Procedure, Comparative Constitutional Law, American Constitutional History, and International Human Rights

Baylor University School of Law
Adjunct Professor (1998-2001)

Courses: Civil Procedure, Remedies, Criminal Law, and Post-Conviction Procedure

BOOKS

QUESTIONS & ANSWERS: CONSTITUTIONAL LAW,
3d ed. Carolina Academic Press 2017 (with Paul E. McGreal and Linda S. Eads).

THE TEXAS CONSTITUTION IN STATE AND NATION: COMPARATIVE STATE CONSTITUTIONAL LAW IN THE
FEDERAL SYSTEM,
1st ed. Vandephas Publishing 2014.

SKILLS & VALUES: THE FIRST AMENDMENT,
2d ed. LexisNexis 2013 (with Paul E. McGreal).

SKILLS & VALUES: THE FIRST AMENDMENT,
1st ed. LexisNexis 2010 (with Kathleen Bergin).

CASES AND MATERIALS ON CONSTITUTIONAL LAW,
5th ed. LexisNexis 2009 (with David Crump, Eugene Gressman, and David Day).

ARTICLES

Loving Retroactivity,
45 FLA. ST. U. L. REV. 383 (2018).

The Business of Personal Jurisdiction,
67 CASE W. RES. L. REV. 775 (2017) (symposium) (with Cassandra Burke Robertson).

A Shifting Equilibrium: Transnational Litigation, Personal Jurisdiction, and the Problem of Nonparties,
19 LEWIS & CLARK L. REV. 643 (2015) (symposium) (with Cassandra Burke Robertson).

Toward a New Equilibrium in Personal Jurisdiction,
48 U.C. DAVIS L. REV. 207 (2014) (with Cassandra Burke Robertson).

The First Amendment Structure for Speakers and Speech,
44 SETON HALL L. REV. 395 (2014).

Speech, Subsidies, and Traditions: AID v. AOSI and the First Amendment,
2012-13 CATO SUP. CT. REV. 363 (2013).

Nineteenth Century Personal Jurisdiction Doctrine in a Twenty-First Century World,
64 FLA. L. REV. 387 (2012).

Featured in JURISDICTION AND PRIVATE INTERNATIONAL LAW,
Patrick J. Borchers, ed., Edward Elgar Pub. 2014.

What Conservative Constitutional Revolution? Moderating Five Degrees of Judicial Conservatism After Six Years of the Roberts Court,
64 RUTGERS L. REV. 1 (2011).

Navigating the Path of the Supreme Appointment,
38 FLA. ST. U. L. REV. 537 (2011).

Rethinking Personal Jurisdiction over the World-Wide Web,
52 ADVOC. 53 (2010) (symposium).

Liberty, Substantive Due Process, and Personal Jurisdiction,
82 TUL. L. REV. 567 (2007).

Public Employee Speech Rights Fall Prey to an Emerging Doctrinal Formalism,
15 WM. & MARY BILL RTS. J. 1173 (2007).

Attorneys' Fees in Common-Fund Class Actions: A View from the Federal Circuits,
35 ADVOC. 56 (2006) (symposium).

The Predictability Principle in Personal Jurisdiction Doctrine: A Case Study on the Effects of a "Generally" too Broad, but "Specifically" too Narrow Approach to Minimum Contacts,
57 BAYLOR L. REV. 135 (2005).

Clarifying General Jurisdiction,
34 SETON HALL L. REV. 807 (2004).

Civil Procedure,
Fifth Circuit Survey, June 2001-May 2002, 34 TEX. TECH L. REV. 571 (2003) (solicited).

Civil Procedure,
Fifth Circuit Survey, June 2000 - May 2001, 33 TEX. TECH L. REV. 685 (2002) (solicited).

A Proposal for Interpreting Corresponding United States and Texas Constitutional Guarantees in the New Millennium,

51 BAYLOR L. REV. 269 (1999) (symposium).

Demystifying the Extraordinary Writ: Substantive and Procedural Requirements for the Issuance of Mandamus,

29 ST. MARY'S L.J. 525 (1998) (solicited).

Broad Form Submissions and Spencer v. Eagle Star Insurance: The Death of the Immaterial Issue,

46 BAYLOR L. REV. 841 (1994) (symposium).

CHAPTERS, SUPPLEMENTS, AND OTHER CONTRIBUTIONS

2015 SUPPLEMENT, STATE CONSTITUTIONAL LAW: LITIGATING INDIVIDUAL RIGHTS, CLAIMS, AND DEFENSES, Matthew Bender & Co. 2015 (two volumes).

2014 SUPPLEMENT, STATE CONSTITUTIONAL LAW: LITIGATING INDIVIDUAL RIGHTS, CLAIMS, AND DEFENSES, Matthew Bender & Co. 2014 (two volumes).

2013 SUPPLEMENT, CASES AND MATERIALS ON CONSTITUTIONAL LAW, 5th ed. LexisNexis, 2013 (with David Crump, Eugene Gressman, and David Day).

2013 SUPPLEMENT, STATE CONSTITUTIONAL LAW: LITIGATING INDIVIDUAL RIGHTS, CLAIMS, AND DEFENSES, Matthew Bender & Co. 2013 (two volumes).

2012 SUPPLEMENT, CASES AND MATERIALS ON CONSTITUTIONAL LAW, 5th ed. LexisNexis 2012 (with David Crump, Eugene Gressman, and David Day).

2008 SUPPLEMENT, CASES AND MATERIALS ON CONSTITUTIONAL LAW, 4th ed. LexisNexis 2008 (with David Crump, Eugene Gressman, and David Day).

The Impact of American Lockean Constitutional Theory on Economic Markets, in

SELECTED ESSAYS ON CURRENT LEGAL ISSUES 49

ATINER 2008 (David A Frenkel & Carsten Gerner-Beuerle eds.).

Civil Liberties under State Constitutions, Modern History, in

3 ENCYCLOPEDIA OF AMERICAN CIVIL LIBERTIES 1544

Routledge 2006 (Paul Finkelman ed.).

State Constitution, Privacy Provisions, in

3 ENCYCLOPEDIA OF AMERICAN CIVIL LIBERTIES 1532

Routledge 2006 (Paul Finkelman ed.).

COMMENTARIES

State Constitutional First Principles in Challenging the Texas Voter Photo Identification Law,
JURIST – Academic Commentary, Oct. 29, 2014,
<http://jurist.org/forum/2014/10/charles-rhodes-texas-voterid.php>.

Violence, Gamers, and Free Speech: Brown v. Entertainment Merchants Association,
2012 Emerging Issues 6375 (LexisNexis June 2012).

Legislative Voting and the Limits of Speech in Nevada Commission on Ethics v. Carrigan,
2012 Emerging Issues 6374 (LexisNexis June 2012).

Funeral Mourning and Protesting: Snyder v. Phelps,
2011 Emerging Issues 6161 (LexisNexis Dec. 2011).

Balancing Freedom of Speech and National Security in Holder v. Humanitarian Law Project,
2010 Emerging Issues 5393 (LexisNexis Nov. 2010).

The Historical Approach to Unprotected Speech and the Quantitative Analysis of Overbreadth in United States v. Stevens,
2010 Emerging Issues 5227 (LexisNexis July 2010).

McDonald v. City of Chicago: The Second Amendment Applies to State and Local Governments,
2010 Emerging Issues 5195 (LexisNexis July 2010).

SCHOLARLY AMICUS BRIEFS AND TESTIMONY

Brief for Scholars of Federal Jurisdiction as Amici Curiae in Support of Respondents,
Trump v. International Refugee Assistance Project, 138 S. Ct. 353 (2017) (No. 16-1436) (listed amicus).

Brief of Professors of Civil Procedure and Federal Courts as Amici Curiae in Support of Respondents,
Bristol-Meyers Squibb Co. v. Superior Court, 137 S. Ct. 1773 (2017) (No. 16-466) (contributor and listed amicus).

Amicus Curiae Brief of Professor Charles W. Rhodes Supporting Respondents,
Pidgeon v. Turner, 538 S.W.3d 73 (Tex. 2017) (No. 15-0688) (author and counsel of record).

Brief of Thirty-Four Law Professors as Amici Curiae in Support of Appellants,
Altera Corporation v. Papst Licensing GmbH & Co. KG, 691 Fed. Appx. 907 (Fed. Cir. 2016)
(No. 2015-1914) (contributor and listed amicus).

Brief of Amicus Curiae South Texas College of Law 2014 State Constitutional Law Class,
Patel v. Texas Department of Licensing & Regulation, 469 S.W.3d 69 (Tex. 2016) (No. 12-0657) (principal author and counsel of record).

Brief on the Merits of Amicus Curiae the Harris-Galveston Subsidence District,
Edwards Aquifer Authority v. Day, 369 S.W.3d 814 (Tex. 2012) (No. 08-0964) (principal author
and counsel of record).

Brief of Amicus Curiae the Harris-Galveston Subsidence District in Support of the Petition for Review,
Edwards Aquifer Authority v. Day, 369 S.W.3d 814 (Tex. 2012) (No. 08-0964) (principal author
and counsel of record).

Brief of Interested Law Professors, as Amici Curiae, in Support of the Petition for Rehearing En Banc,
In re Crystal Power Company, Ltd., 641 F.3d 82 (5th Cir. 2011) (No. 11-40115) (contributor
and listed amicus).

Testimony of Professor Charles W. Rhodes,
Hearing on S.B. 332 before the House Nat. Resources Comm., 82 Tex. Leg. (April 5, 2011).

Amicus Curiae Brief of Professor Charles W. “Rocky” Rhodes,
First American Title Insurance Co. v. Combs, 258 S.W.3d 627 (Tex. 2008) (No. 05-0541)
(author and counsel of record).

Amicus Curiae Brief of Professor Charles W. “Rocky” Rhodes,
PHC-Minden, L.P. v. Kimberly-Clark Corp., 235 S.W.3d 163 (Tex. 2007) (No. 05-0823) (author
and counsel of record).

SELECTED ACADEMIC AND PROFESSIONAL PRESENTATIONS

“The Silence After *Slaughterhouse*,” New and Established Voices in Constitutional Law,
2018 Conference, Southeastern Association of Law Schools, Fort Lauderdale, Florida.

“Consent as a Longer Arm for Personal Jurisdiction,” New and Established Voices in Civil Procedure,
2018 Conference, Southeastern Association of Law Schools, Fort Lauderdale, Florida.

Panelist, Legislative Generality and the Constitution,
2018 Conference, Southeastern Association of Law Schools, Fort Lauderdale, Florida.

Moderator, The Revised Discovery Rules in Practice Discussion Group,
2018 Conference, Southeastern Association of Law Schools, Fort Lauderdale, Florida.

“The Supreme Court in Transition: The Last Term of the Roberts-Kennedy Court,”
Federal Bar Association for the Southern District of Texas, Houston, Texas, July 2018.

“Loving Retroactivity,” Property, Retroactivity, and *Obergefell* Discussion Group,
2017 Conference, Southeastern Association of Law Schools, Boca Raton, Florida.

Panel Moderator, Supreme Court Update: Individual Rights,
2017 Conference, Southeastern Association of Law Schools, Boca Raton, Florida.

“Eight is Enough—Significant Rulings of the 2016 Term of the Supreme Court,”
Federal Bar Association for the Southern District of Texas, Houston, Texas, Aug. 2017.

Panelist, President Trump and the Courts,

Houston Bar Association, Federal Practice Section, Houston, Texas, May 2017.

"The Business of Personal Jurisdiction," Assessing the New Procedural Rules Discussion Group,
2016 Conference, Southeastern Association of Law Schools, Amelia Island, Florida.

Panel Moderator, Supreme Court Update: Individual Rights,

2016 Conference, Southeastern Association of Law Schools, Amelia Island, Florida.

"A Most Unusual Year: The Supreme Court's 2015-2016 Term,"

Federal Bar Association for the Southern District of Texas, Houston, Texas, Aug. 2016.

"United States Supreme Court Update: The 2014-2015 Term,"

Federal Bar Association for the Southern District of Texas, Houston, Texas, July 2015.

Panelist, Originalism v. Organic Approach: Exploring the Constitutional Divide,

Garland R. Walker American Inn of Court, Houston, Texas, Jan. 2015.

"Toward a New Equilibrium in Personal Jurisdiction," Civil Procedure Roundtable,

2014 Conference, Southeastern Association of Law Schools, Amelia Island, Florida.

Panel Moderator, Supreme Court Update: Business and Regulatory Issues,

2014 Conference, Southeastern Association of Law Schools, Amelia Island, Florida.

"A Backward Glance: The Supreme Court's 2013-14 Term,"

Federal Bar Association for the Southern District of Texas, Houston, Texas, Aug. 2014.

"On *Fisher*, Scrutiny, and Fish Bowls," Affirmative Action in the Wake of *Fisher* Discussion Group,
2013 Conference, Southeastern Association of Law Schools, Palm Beach, Florida.

"Trends and Highlights from the Supreme Court's 2012-13 Term,"

Federal Bar Association for the Southern District of Texas, Houston, Texas, July 2013.

"The Speaker and the Speech: Dimensions of the First Amendment,"

Freedom of Expression Scholars Conference, Information Society Project at Yale Law School,
New Haven, Connecticut, May 2013.

Panelist, Equal Protection under the Law and the Redefinition of Marriage,

Gulf Coast Family Law Specialists, Houston, Texas, April 2013.

"The 2011-12 Term of the Supreme Court: Notable Decisions and Discernible Trends,"

Federal Bar Association for the Southern District of Texas, Houston, Texas, Sept. 2012.

"Critical Reading Challenges in Civil Procedure and Potential Implications for Course Structure,"
Pedagogical Choices and Challenges in Civil Procedure Discussion Group,

2012 Conference, Southeastern Association of Law Schools, Amelia Island, Florida.

"Navigating the Path of the Supreme Appointment," Supreme Court Nomination Discussion Group,
2011 Conference, Southeastern Association of Law Schools, Hilton Head, South Carolina.

"Nineteenth Century Personal Jurisdiction Doctrine in a Twenty-First Century World," American Civil Procedure in the 21st Century Discussion Group,
2011 Conference, Southeastern Association of Law Schools, Hilton Head, South Carolina.

"The October 2010 Supreme Court Term in Review,"
Federal Bar Association for the Southern District of Texas, Houston, Texas, Aug. 2011.

Panelist, Greg Coleman Memorial Supreme Court Term in Review,
The Federalist Society, Houston Lawyers Chapter, Houston, Texas, July 2011.

Panelist, Will Social Media Re-write Traditional Venue Law?,
Reynolds National Center for Courts & Media Winter Conference, Houston, Texas, Jan. 2011.

Panelist, Speaking Freely, Living Securely: An Update on Freedom of Speech in the Post-9/11 Era,
American Bar Association Section of Individual Rights and Responsibilities Fall Conference,
Memphis, Tennessee, Oct. 2010.

"Moderating Five Degrees of Judicial Conservatism After Five Years of the Roberts Court," The
Roberts Court and the Future of American Constitutional Law Discussion Group,
2010 Conference, Southeastern Association of Law Schools, Palm Beach, Florida.

Panelist, Obama, Empathy, and the Constitution,
2010 Conference, Southeastern Association of Law Schools, Palm Beach, Florida.

"Supreme Court Update: Significant Cases Decided by the Court during the October 2009 Term,"
Federal Bar Association for the Southern District of Texas, Houston, Texas, Aug. 2010.

"The Many Faces of Sovereign Immunity,"
Garland R. Walker American Inn of Court, Houston, Texas, Nov. 2009.

Panel Moderator, The Free Exercise Clause,
2009 Conference, Southeastern Association of Law Schools, Palm Beach, Florida.

"The October 2008 Term of the Supreme Court: Significant Released and Forthcoming Decisions and
the Nomination of Judge Sotomayor,"
Federal Bar Association for the Southern District of Texas, Houston, Texas, June 2009.

Featured Panelist (with Professor Lino A. Graglia), The U.S. Constitution: The Presidency,
Wiley Lecture Series at Texas A&M University, College Station, Texas, Sept. 2007.

"The Impact of American Lockean Constitutional Theory on Economic Markets,"
4th International Conference on Law, Athens, Greece, July 2007.

"Public Displays of Religious Imagery and Symbols," Separation of Church & State—Why?
Texas Lyceum Public Conference, Austin, Texas, July 2007.

Presenter and Advocate's Role as John W. Davis, Re-enactment of Final Oral Arguments in *Brown v. Board of Education* on its 50th Anniversary,
Houston Bar Association, Houston, Texas, May 2004.

Panelist, The Constitutional Convention of 1787,
Garland R. Walker American Inn of Court, Houston, Texas, Dec. 2003.

Panelist, Religion v. The Constitution,
Garland R. Walker American Inn of Court, Houston, Texas, Nov. 2002.

"In Search of Specificity for General Jurisdiction," Young Scholars Workshop,
2002 Conference, Southeastern Association of Law Schools, Kiawah, South Carolina.

"Strategies for Persuasive Briefwriting," Civil Appellate Practice Seminar,
Travis County Bar Association, Austin, Texas 2000.

"Mandamus Practice in the Supreme Court of Texas," Appellate Practice: A Practical Skills Course,
State Bar of Texas, Austin, Texas 1998.

"Mandamus in the Texas Supreme Court: Tips and Internal Procedures,"
State Bar of Texas Advanced Civil Appellate Practice Course, Austin, Texas, 1997.

"Challenging the Damage Award on Appeal," Damage Control Institute,
Houston Bar Association, Houston, Texas, 1997.

MEDIA APPEARANCES AND INTERVIEWS

Some four hundred interviews on media outlets, including the following representative appearances:

Television and Radio

CNN Newsroom
National Public Radio's Morning Edition
BBC Radio's World Business Report
Bloomberg Radio
National Public Radio's Day to Day
Court TV
Texas Standard Public Media Broadcast
Nevada Public Radio
Vancouver CKNW Radio's The World Today
Texas State Radio Network
KUHT-TV 8 Houston Public Media
KPRC-TV NBC 2 Houston
KTRK-TV ABC 13 Houston
KRIV-TV FOX 26 Houston
KHOU-TV CBS 11 Houston
KUHF 88.7 FM Houston Public Media
KTRH 740 AM News Radio Houston
KURV 710 AM News Talk Rio Grande Valley
KTSA 550 AM Talk Radio San Antonio
CJOB Radio Winnepeg

Print and Electronic Media

Associated Press News
Washington Post
USA Today
Dallas Morning News
Houston Chronicle
Philadelphia Inquirer
San Francisco Chronicle
San Antonio Express-News
Austin American-Statesman
Christian Science Monitor
Daily Mirror (U.K.)
Canadian Press
Danish Mandag Morgen
Washington Times
Fort Worth Star-Telegram
Texas Observer
BNA U.S. Law Week
ABA Journal
American Lawyer
Texas Tribune
Washington Examiner

EDUCATION

Baylor University School of Law (1989-1992)

J. D., *cum laude* (graduated in top 1.5%)

Honors: Editor-in-Chief of *Baylor Law Review*
President's Award as Outstanding 3L
Order of the Barristers

Baylor University (1986-1990)

B.B.A., *summa cum laude* (graduated in top 2%)

Honors: National Merit Scholar
Beta Gamma Sigma and Beta Alpha Psi honorary fraternities

PROFESSIONAL HISTORY

Locke Liddell & Sapp LLP (now Locke Lord LLP), Austin, Texas (1998-2001)

Senior Counsel in the Appellate Practice Group, arguing several appeals as lead counsel.

The Supreme Court of Texas, Austin, Texas (1996-1998)

Staff Attorney for Justice Greg Abbott.

Liddell, Sapp, Zivley, Hill & LaBoon, L.L.P. (now Locke Lord LLP), Dallas, Texas (1993-1996)

Litigation Associate, focusing on complex litigation, labor and employment, and appeals.

The Supreme Court of Texas, Austin, Texas (1992-1993)

Briefing Attorney for Justice Raul A. Gonzalez.

INSTITUTIONAL AND PROFESSIONAL AFFILIATIONS

- Board Certified, Civil Appellate Law, Texas Board of Legal Specialization
- Southeastern Association of Law Schools, Committee Vice-Chair and Committee Member
- Charter Life Member, Baylor Law Review Association
- Master of the Bench, Garland Walker American Inn of Court
- National Eagle Scout Association
- Member of the State Bar of Texas, the Houston Bar Association, and the American Bar Association