

# SCOTT BAKER

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## ACADEMIC APPOINTMENTS

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William F. & Jessica L. Kirsch Professor of Law, Washington University, February 2017–present

Professor of Economics (courtesy), Washington University, July 2009– present

Professor of Law, Washington University, July 2009-February 2017

Professor of Law, University of North Carolina, July 2005–July 2009

Professor of Economics (courtesy), University of North Carolina, July 2006-July 2009

Associate Professor of Law, University of North Carolina at Chapel Hill, July 2002-July 2005

## OTHER ACADEMIC AND LEGAL POSITIONS

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Vice Dean for Faculty Research and Development, Washington University, July 2019–present

Fellow, Becker-Friedman Center, University of Chicago, Fall 2012

Interim Director, Intellectual Property and Technology Law Program, Washington University, January 2010-July 2010

Law clerk, The Honorable E. Grady Jolly, United States Court of Appeals for the Fifth Circuit, July 2001-July 2002

Co-Editor, *International Review of Law and Economics*, 2014-2017

## EDUCATION

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Ph.D., Economics, University of North Carolina, 2001

J.D., University of Chicago, 2000

B.A., Miami University, 1994

## PUBLICATIONS (NOT INCLUDING SOME SHORTER WORKS)

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Scott Baker and Lewis Kornhauser. A theory of claim resolution. forthcoming at *Journal of Law, Economics, & Organization*

Scott Baker. Comment on judicial choice among cases for certiorari. *Supreme Court Economic Review*, 27:155–166, 2019

Scott Baker and Albert H. Choi. Reputation and litigation: Why costly legal sanctions can work better than reputational sanctions. *Journal of Legal Studies*, 47(1):45–82, 2018

Scott Baker and Alex Raskolnikov. Harmful, harmless, and beneficial uncertainty in law. *Journal of Legal Studies*, 46(2):281–307, 06 2017

Scott Baker. Toward a theory of motion practice and settlement. *Journal of Institutional and Theoretical Economics*, 173(1):144–162, 2017

Adam B. Badawi and Scott Baker. Appellate lawmaking in a judicial hierarchy. *Journal of Law and Economics*, 58(1):139–172, 2015

Scott Baker and Albert Choi. Contract’s role in relational contract. *Virginia Law Review*, 101:559–607, 2015

Scott Baker and Anup Malani. Trial court budgets, the enforcer’s dilemma, and the rule of law. *University of Illinois Law Review*, 2014:1573–1602, 2014

Scott Baker and Gary Biglaiser. A model of cause lawyering. *Journal of Legal Studies*, 43(1):37–63, 2014

Scott Baker and Pauline T. Kim. A dynamic model of doctrinal choice. *Journal of Legal Analysis*, 4(2):329–363, 2012

Scott Baker and Claudio Mezzetti. A theory of rational jurisprudence. *Journal of Political Economy*, 120(3):513–551, 2012

Scott Baker, Pak Y. Lee, and Claudio Mezzetti. Intellectual property disclosure as threat. *International Journal of Economic Theory*, 7(1):21–38, 2011

Scott Baker. Refining the judicial pay/judicial performance debate: A response to professors cross, czarnetzki, henderson, marks, and zorn. *Boston University Law Review*, 88:855–873, 2008

Scott Baker. Should we pay federal circuit judges more? *Boston University Law Review*, 88:63–112, 2008

Claudia M. Landeo, Maxim Nikitin, and Scott Baker. Deterrence, lawsuits, and litigation outcomes under court errors. *The Journal of Law, Economics, and Organization*, 23(1):57–97, 2006

Kim Krawiec and Scott Baker. Incomplete contracts in a complete contract world. *Florida State University Law Review*, 33:725–755

Scott Baker, Stephen Choi, and Mitu Gulati. The rat race as an information-forcing device. *Indiana Law Review*, 81:53–82, 2006

Scott Baker and Claudio Mezzetti. Disclosure as a strategy in the patent race. *Journal of Law and Economics*, 48(1):173–194, 2005

Scott Baker and John M. Conley. Fall from grace or business as usual? a retrospective look at lawyers on wall street and main street. *Law & Social Inquiry*, 30(4):783–821, 2005

Scott Baker and Kim Krawiec. The economics of limited liability: An empirical study of new york law firms. *University of Illinois Law Review*, 2005:107–170, 2005

Scott Baker. A risk-based approach to mandatory arbitration. *Oregon Law Review*, 83:861–898, 2004

Scott Baker and Kim Krawiec. The penalty default canon. *George Washington University Law Review*, 72:663–723, 2004

Scott Baker and Claudio Mezzetti. Prosecutorial resources, plea bargaining, and the decision to go to trial. *The Journal of Law, Economics, and Organization*, 17(1):149–167, 04 2001

Doug Lichtman, Scott Baker, and Kate Kraus. Strategic disclosure in the patent system. *Vanderbilt Law Review*, 53:2175–2216, 2000

## **PAPERS UNDER REVIEW AND WORKING PAPERS**

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Scott Baker and Anup Malani. Compromising accuracy to encourage regulatory participation. Revised and resubmitted to *Journal of Legal Studies*

Scott Baker and Claudio Mezzetti. Analogical persuasion. 2019

## **TEACHING**

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### **Law**

Contracts, Torts, Property, Trade Dress and Design Law, Survey of Intellectual Property, Patents, Corporations, Financial Literacy for Lawyers, Game Theory and the Law (seminar), Innovation in Private Law and Legal Scholarship (seminar, co-taught with A. Davis), Rationality and the Law (seminar, co-taught with M. Corrado and G. Brennan)

### **Economics**

Contract Theory (Ph.D. Course)

## **HONORS, AWARDS, AND GRANTS**

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David M. Becker Professor of the Year Award, 2019-2020 Academic Year

Israel Treimann Faculty Fellow 2011-2012 Academic Year.

Tilburg University Grant for studies in the law and economics of innovation (with C. Mezzetti)

McCall Award for Law School Teacher of Year (2005) (University of North Carolina School of Law)

## **SERVICE AND PROFESSIONAL AFFILIATIONS**

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### **Referee**

American Law and Economics Review, Journal of Law, Economics, and Organization, Rand Journal of Economics, Journal of Law and Economics, Journal of Legal Studies, Rand Technical Working Paper Series, Review of Law and Economics, National Science Foundation,

**Tenure Review**

Northwestern, Vanderbilt, Indiana, University of Southern California, Virginia

**Professional Affiliations**

Member, California Bar (inactive), Member, American Law and Economics Association