

Denis F. McLaughlin
Professor of Law and William E. Garland Fellow

Seton Hall University School of Law
One Newark Center, Newark, N.J. 07102

Denis.McLaughlin@shu.edu
973-642-8824

Legal Education: **Villanova University School of Law, Villanova, Pa.**

Degree: J.D., *Cum Laude*, *Order of the Coif*, May 1973
Class Rank: 3/180
Honors: Recipient - Dougherty Fellowship - Full Tuition and Room & Board
 Scholarship, 1970 - 1973
Activities: Villanova Law Review, Case & Comment Editor - Vol. 18;
 Associate Editor - Vol. 17
Publication: *Railway Labor Act – “Every Reasonable Effort” Requirement of Railway*
 Labor Act, Section 2, Held Judicially Enforceable, 17 VILL. L. REV. 766
 (1972)

College: **Villanova University, Villanova, Pa.**

Degree: B.A., *Magna Cum Laude*, Social Studies, May 1970
Class Rank: 1/93 in Major, 12/494 in Class
Honors: President’s List (3.5 - 4.0) every semester
 Who’s Who Among Students in American Colleges and Universities, 1970
 Blue Key Society, Honorary Leadership and Service Organization, 1968 -
 1970

Bar Admission: New Jersey, Federal and State Bar - 1975
 Pennsylvania, Federal and State Bar - 1973

Employment:

1990- Present **Associate and Full Professor (1993)**, Seton Hall University School of Law
 Courses - Civil Procedure, Evidence, Professional Responsibility,
 Remedies, Insurance, Civil Trial Practice, New Jersey Practice, Lawyering.

 Founding Director, Denis. F. McLaughlin Advanced Trial Advocacy
 Workshop Endowed by the Law Firm of O’Toole Scrivo (2019-Present);
 Director, Judicial Externship Program (1988-1994; 2002-Present);
 Director, Trial Advocacy Programs (2002-2008); Acting Director, Law in
 Cairo Program (2009); Faculty Advisor, Seton Hall Circuit Review (2006-
 08); Director, Civil Litigation Clinic (1997-98); Faculty Director, Disability
 Law Clinic (1990-94); Faculty Supervisor, National Trial Moot Court
 Competition (1989-94).

- Fall 1986;
1987-1990 **Full-Time Visiting Professor**, Seton Hall University School of Law
Courses - Civil Procedure, Professional Responsibility, Insurance, Civil
Trial Practice, New Jersey Practice; Director, Judicial Externship Program
(1988-90), Director, Trial Moot Court Program (1986).
- 1984-1987 **Adjunct Professor**, Seton Hall University School of Law - Courses - Civil
Procedure, Insurance, Civil Trial Practice.
- 1981-1988 **Lecturer** - Legal Services of New Jersey - Developed and conducted
seminars in Substantive Law areas, Appellate Advocacy and Procedure,
Advanced Trial Advocacy, Civil Procedure, Negotiation, Basic Lawyering
and Personnel Management.
- 1976-1986 **Staff and Supervising Attorney**, Legal Aid Society of Morris County,
Morristown and Dover, New Jersey - Supervised Program Litigation.
Supervised staff attorneys, paralegals, support staff, student interns, and
volunteers. Maintained litigation caseload including Consumer, Housing,
Commercial, Public Entitlement, Family, Tort, Mental Health and
Disability Law. Initiated and directed community education projects.
- 1973-1975 **Law Clerk** - Honorable Donald W. Van Artsdalen, U.S. District Court,
Eastern District of Pennsylvania, Philadelphia, PA.

Seton Hall Law School and University Honors:

Founding Director - Denis. F. McLaughlin Advanced Trial Advocacy Workshop
Endowed by the Law Firm of O'Toole Scrivo (2019-Present)

Recipient - Student Bar Association Award for Professor of the Year – 2018, 2012, 2008,
2005, 2002, 1989

Recipient - McQuaid Medal of Honor for Distinguished University Service – 2009

Recipient - William E. Garland Fellowship – 2009 to Present

Recipient - Dean's Award for Distinguished Law School Service - 2009

Keynote Commencement Speaker - Law School Graduation - 2006

Recipient - Miriam T. Rooney Award for Distinguished Law School Service - 2005

Recipient - Student Bar Association Award for Distinguished Service – 1998

Recipient - University Award for Teaching Excellence - 1996

Keynote Orientation Speaker - 2002, 1993

Publications:

Civil Procedure - Cases, Text, Notes, and Problems (4th Ed. 2021), with Professors Larry Teply and Ralph Whitten (CAROLINA ACADEMIC PRESS, PUBLISHER)

Civil Procedure - Cases, Text, Notes, and Problems (3d Ed. 2013), with Professors Larry Teply and Ralph Whitten (CAROLINA ACADEMIC PRESS, PUBLISHER)

Civil Procedure - Cases, Text, Notes, and Problems (2d Ed. 2008), with Professors Larry Teply and Ralph Whitten (CAROLINA ACADEMIC PRESS, PUBLISHER)

Civil Procedure - Cases, Text, Notes, and Problems (2007), with Professors Larry Teply and Ralph Whitten (CAROLINA ACADEMIC PRESS, PUBLISHER)

Cases, Text, and Problems on Civil Procedure (2d. Ed. 2002), with Professors Larry Teply and Ralph Whitten (WM. HEIN & CO., INC., PUBLISHER)

2016 Annual Review of New Jersey Civil Case Law (N.J. LAW JOURNAL, PUBLISHER)

2015 Annual Review of New Jersey Civil Case Law (N.J. LAW JOURNAL, PUBLISHER)

2014 Annual Review of New Jersey Civil Case Law (N.J. LAW JOURNAL, PUBLISHER)

2013 Annual Review of New Jersey Civil Case Law (N.J. LAW JOURNAL, PUBLISHER)

2012 Annual Review of New Jersey Civil Case Law (N.J. LAW JOURNAL, PUBLISHER)

2011 Annual Review of New Jersey Civil Case Law (N.J. LAW JOURNAL, PUBLISHER)

2010 Annual Review of New Jersey Civil Case Law (N.J. LAW JOURNAL, PUBLISHER)

2009 Annual Review of New Jersey Civil Case Law (N.J. LAW JOURNAL, PUBLISHER)

2008 Annual Review of New Jersey Civil Case Law, with Professor Paula Franzese (N.J. LAW JOURNAL, PUBLISHER)

2007 Annual Review of New Jersey Civil Case Law, with Professor Paula Franzese (N.J. LAW JOURNAL, PUBLISHER)

2006 Annual Review of New Jersey Civil Case Law, with Professor Paula Franzese (N.J. LAW JOURNAL, PUBLISHER)

2005 Annual Review of New Jersey Civil Case Law, with Professors Paula Franzese and Ronald Riccio (N.J. LAW JOURNAL, PUBLISHER)

2004 Annual Review of New Jersey Civil Case Law, with Professors Paula Franzese and Ronald Riccio (N.J. LAW JOURNAL, PUBLISHER)

New Federal Rule Amendments Resolve Court Split on Expert Witness Discovery-Summary Judgment Rule Substantially Revised, 203 N.J. LAW JOURNAL 242 (2011)

U.S. Supreme Court Splintered Decision on Stream-of-Commerce Personal Jurisdiction Leaves Law Unsettled, 206 N.J. LAW JOURNAL 218 (2011)

N.J. Supreme Court Adopts Broadest View of Stream-of-Commerce Personal Jurisdiction, 201 N.J. LAW JOURNAL 975 (2010)

The New "Restyled" Federal Rules of Civil Procedure – A Review of the Restyled Rules and Other New Civil and Evidence Rule Amendments, 190 N.J. LAW JOURNAL 1150 (2007)

E-Discovery Was Not the Only Rule Change - A Review of the New Federal E-Discovery, Evidence and Other Civil and Appellate Rule Changes, 186 N.J. LAW JOURNAL 1106 (2006)

Diversity Actions: Law's Lapse Expands Supplemental Jurisdiction - The Supreme Court's Decision in Exxon Mobil Corp. v. Allapattah Services, Inc., 15 N.J. LAWYER 143 (2006)

Circuit Split on Federal Question Jurisdiction Resolved - Supreme Court Overrules Third Circuit View in Grable & Sons Metal Products, Inc. v. Darue Engineering & Manufacturing, 181 N.J. LAW JOURNAL 737 (2005)

Federal Discovery Amendments Generate National Debate, 162 N.J. LAW JOURNAL 1128 (2000)

The Redefining of Professional Ethics in New Jersey Under Chief Justice Wilentz: A Legacy of Reform, 7 SETON HALL CONSTITUTIONAL LAW JOURNAL 351 (1997), with Professor Michael Ambrosio

On Becoming A Lawyer, 26 SETON HALL LAW REVIEW 505 (1996)

The Budget Isn't the Only Game in Town; Congress and Courts Keep Changing the Rules, 143 N.J. LAW JOURNAL 551 (1996)

Rule Changes Pending in Congress: The Shape of Things to Come, 143 N.J. LAW JOURNAL 683 (1996)

New Federal Rules of Civil Procedure - A Guide For Lawyers - Part One, 3 N.J. LAWYER 49 (1994)

New Federal Rules of Civil Procedure - A Guide For Lawyers - Part Two, 3 N.J. LAWYER 89 (1994)

Controversial Rule 11 is Substantially Revised, 3 N. J. LAWYER 168 (1994)

The Federal Supplemental Jurisdiction Statute: A Constitutional and Statutory Analysis, 24 ARIZONA STATE UNIV. LAW JOURNAL 849-993 (1992)

Civil Procedure Rule Changes on the Books, 130 N.J. LAW JOURNAL 90 (1992)

Federal Courts Commence Civil Practice Changes, 127 N.J. LAW JOURNAL 463 (1991)

The Use of Expert Witnesses in Establishing Liability in Legal Malpractice Cases, 61 TEMPLE UNIV. LAW REVIEW 1351 (1988), with Professor Michael Ambrosio

Railway Labor Act – “Every Reasonable Effort” Requirement of Railway Labor Act, Section 2, Held Judicially Enforceable, 17 VILLANOVA LAW REVIEW 766 (1972)

Professional Appointments, Writings, and Presentations:

Member - New Jersey Supreme Court Advisory Committee on the Rules of Evidence, 2008- Present

Author – Report to the New Jersey Supreme Court on Rule 603 - Oath and Affirmation Requirement of Witnesses - 2016

Co-Author - Report to the New Jersey Supreme Court on Rule 803(c)(27) - Admissibility of Hearsay Statements by Minor Children in Sexual Misconduct Cases – 2020

Co-Author - Report to the New Jersey Supreme Court on Rule 608 - Impeachment of Witnesses by Prior Non-Conviction Misconduct – 2018

Co-Author - Report to the New Jersey Supreme Court on Rule 702 – Standards for Admissibility of Expert Witness Testimony – 2014

Restyling Working Group – Restyling Project of the New Jersey Rules of Evidence, Articles I through XI – 2012 – 2018; With N.J. Appellate Division Judges Philip Carchman, Jack Sabatino, and Harvey Weissbard. Final Restyling Project and Report 2018.

Member - New Jersey Supreme Court Advisory Committee for the Superior Court, Special Civil Part, 1996 – 2008

Lecturer – Annual Review of New Jersey Civil Case Law, N.J. Law Journal Continuing Legal Education Program, 2004 – 2016. Multiple state-wide lecture presentations annually.

Lecturer – Annual Review of New Jersey Civil Case Law, N.J. Attorney General’s Advocacy Institute, 2007 – 2016, Trenton, N.J.

Lecturer – Annual Review of New Jersey Civil Case Law, N.J. Office of the Governor’s Counsel - 2007 – 2016, Trenton, N.J.

Lecturer – Annual Review of New Jersey Civil Case Law, N.J. Office of Legislative Services - 2013 – 2014, Trenton, N.J.

Lecturer – Annual Review of New Jersey Civil Case Law, N.J. Judicial College - 2013

Lecturer – New Jersey Civil Procedure, N.J. and PA BAR/BRI Bar Review course, 2005 – 2016

Trainer - National Institute of Trial Advocacy, 2004 – 2016 – Deposition and Trial Advocacy Programs

Keynote Speaker – Villanova University School of Law, Class of 2018 Graduation Ceremony - April 2018

Lecturer - [“Law to Fact” Podcast](#) – “Professor Denis McLaughlin on Hearsay” – 2018 –

Lecturer – Seton Hall Law School CLE – “United States Supreme Court Year in Review” (with Professor Edward Hartnett) – November 2017

Lecturer – “Expert Witness Testimony in Civil and Criminal Cases” – The Honorable Richard J. Hughes Inn of Court, Union County (N.J.) Bar Association – September 2016

Speaker – United States District Court for the District of New Jersey, “Professionalism Day” - October 2014

Lecturer - Seton Hall University International Institute for Clergy Formation, 1999 - 2000