

## DEGREES

J.S.D., University of California, Berkeley, School of Law, May 2011  
LL.M., University of California, Berkeley, School of Law, May 2007  
J.D., University of California, Berkeley, School of Law, May 1995  
B.A. English, University of California, Berkeley, May 1991

## ADMISSIONS

State Bar of California, admitted 20 November 1995, number 177856. Supreme Court of the United States; Supreme Court of California; Ninth Circuit Court of Appeals; U.S. District Courts for the Northern, Southern, Central, and Eastern Districts of California.

## ACADEMIC WORK

04/12 – present **UNIVERSITY OF CALIFORNIA, BERKELEY, SCHOOL OF LAW**

Executive Director, California Constitution Center, and Lecturer in Residence. Created the first academic research center focused on the charter and high court of the state of California. Co-founder and editor-in-chief of SCOCAblog, an online scholarly analysis publication in partnership with the Hastings Law Journal. Visiting scholar at Reykjavik University School of Law, fall 2017. Taught or co-taught these courses: California Constitutional Law seminar; various advanced legal writing courses and workshops; the State Constitution in Practice; California Supreme Court Seminar; Constitutional Design and the California Constitution; Criminal Procedure II (Adjudication). Co-created and organized the first academic conference on the California Supreme Court, presented in 2008, 2013, and 2017, along with special sessions of the California Supreme Court at Berkeley Law in 2009 and 2013. Organized, hosted, and presented at the Municipal Law Institute symposium at Berkeley Law in 2013, 2014, 2020, and 2021.

## PUBLICATIONS

- California Constitutional Law casebook, West Academic Publishing (March 2021) David A. Carrillo and Danny Y. Chou.
- Partisan Voting on the California Supreme Court (2020) 93 S. Cal. L. Rev. 763 Mark Gergen, David A. Carrillo, Benjamin Chen, and Kevin Quinn.
- Judicial Resistance to Mandatory Arbitration as Federal Commandeering (2019) 71 Fla. L. Rev. 1397 Matthew J. Stanford and David A. Carrillo.
- California Constitutional Law: Direct Democracy (2019) 92 S. Cal. L. Rev 557 David A. Carrillo, Stephen M. Duvernay, Benjamin Gevercer, and Meghan Fenzel.

- The Icelandic Federalist Papers, Berkeley Public Policy Press (2018) edited by David A. Carrillo.
- California Constitutional Law: Interpreting Restrictions on the Initiative Power (2017) 51 U.C. Davis L. Rev. Online 65, David A. Carrillo and Darien Shanske.
- California Constitutional Law: Popular Sovereignty (2017) 68 Hastings L. J. 731, David A. Carrillo, Stephen M. Duvernay, and Brandon V. Stracener.
- California Constitutional Law: Reanimating Criminal Procedural Rights After The “Other” Proposition 8 (2015) 56 Santa Clara L. Rev. 33, David A. Kaiser and David A. Carrillo.
- The California Judiciary, California Journal of Politics and Policy (2015) Volume 7, Issue 4, David Carrillo and Stephen M. Duvernay.
- California Constitutional Law: The Guarantee Clause and California’s Republican Form of Government (2014) 62 UCLA L. Rev. Disc. 104, David A. Carrillo and Stephen M. Duvernay.
- Governing California, Third Edition Berkeley Public Policy Press (2013), Ethan Rarick ed., Chapter 12: The California Judiciary.
- California Constitutional Law: Separation of Powers (2011) 45 USF L. Rev. 655, David A. Carrillo and Danny Y. Chou.
- California Constitutional Law: The Religion Clauses (2011) 45 USF L. Rev. 689, David A. Carrillo and Shane G. Smith.

## **LEGAL PRACTICE**

- 9/07 – 1/12  
6/01 – 9/03
- CALIFORNIA DEPARTMENT OF JUSTICE, OFFICE OF THE ATTORNEY GENERAL**  
Deputy Attorney General, Employment and Administrative Mandate section. Civil and administrative litigation practice defending state agencies and individual government employees in state and federal court against claims of constitutional and statutory liability under FEHA, CFRA, 42 U.S.C. § 1983, RLUIPA and Title VII. The section handles civil service disciplinary hearings and appeals before administrative law tribunals. Administrative law matters include traditional writs of mandate and administrative mandamus in state trial and appellate courts concerning discipline and termination of public employees, and regulatory license actions. The section handles third-party public records requests, personnel records subpoenas, and *Pitchess* discovery motions. Co-chaired a six-week FEHA jury trial and prevailed on appeal. Briefed and/or argued nine appeals, including a published Ninth Circuit decision upholding a grant of summary judgment in the state’s favor.
- 9/03 – 8/07
- CITY ATTORNEY OF SAN FRANCISCO**  
Deputy City Attorney, Public Protection Team. Assigned as general counsel to Police Department and Police Commission, District Attorney, and Sheriff for litigation and advice. Advice work included peace officer discipline, criminal discovery policy, local commission procedure, and drafting legislation. Commission work included advising commission members in public and closed meetings, and

drafting and defending administrative decisions. Litigation included a complex reverse discrimination action in federal district court and acting as sole counsel in 12 administrative mandamus proceedings. Co-chaired a six-week FEHA and § 1983 jury trial, resulting in a complete defense verdict affirmed on appeal in a published decision. Briefed and/or argued six appeals, three resulting in favorable unanimous published decisions.

5/99 – 5/01

**SEYFARTH SHAW LLP**

Senior Litigation Associate, Litigation Practice Group. Assigned principal responsibility for cases in state and federal courts, involving breach of contract, product liability, and insurance coverage. Responsible for conducting discovery and litigating cases up to trial, including: preparing and responding to discovery, motions for summary judgment, motions in limine, trial briefs; conducting mediations, arbitrations and settlement conferences; preparing for and taking or defending depositions of experts, percipient witnesses and plaintiffs.

6/98 – 5/99

**NOSSAMAN LLP**

Litigation Associate, Litigation Practice Group. Responsibility for pretrial discovery in complex first party bad faith insurance coverage actions against multiple carriers for environmental contamination liability. Defended 14 depositions for 21 total days of testimony. Researched and wrote motions for and against summary adjudication, to strike allegations from a complaint, and for protective orders. Prepared and responded to all types of pretrial discovery in state and federal court. Conducted complex document productions, and negotiated multi-party discovery disputes with opposing counsel.

11/95 – 6/98

**DISTRICT ATTORNEY OF CONTRA COSTA COUNTY**

Deputy District Attorney. Felony trial team: prosecuted 7 felony jury trials, 16 preliminary examinations, one grand jury presentment; managed an ongoing caseload of pre-assigned complex felony cases. Misdemeanor trial team: prosecuted 28 misdemeanor jury trials, worked in pretrial, trial, and appellate research, writing, and argument of various motions; managed an ongoing caseload of pre-assigned cases. Juvenile crimes unit: prosecuted 40 felony and misdemeanor court trials, and charged felony petitions. Welfare fraud unit: prosecuted one felony jury trial and six felony preliminary examinations, and charged felony cases.

**PROFESSIONAL ACTIVITY**

Commissioner, California Law Revision Commission, 2019 to present.

Director, Constitutional Rights Foundation, 2018 to present.

Bar Association of San Francisco, Finance Committee, 2018 to present.

Special Master (Penal Code § 1524) State Bar of California, Alameda and San Francisco counties, 2012 to present.

Director, Bar Association of San Francisco, 2016–18.

Director, California Bar Foundation, 2015–18.

Member and Development Committee co-chair, National Advisory Council for the Institute of Governmental Studies, UC Berkeley, 2008–18.

Director, Foundation for Democracy and Justice, 2014–17.

Member, Standing Committee on Appellate Courts, State Bar of California, October 2013–17.  
Director, Boalt Hall Alumni Association, September 2011–17.  
Director, Justice and Diversity Center, Bar Association of San Francisco, 2013–15.  
Director, Volunteer Legal Service Corporation, Alameda County Bar Association, 2014–15.  
Chair, Judicial Appointments Evaluation Committee, Alameda County Bar Association, 2013;  
member 2009–12.  
Member, Judiciary Committee, Bar Association of San Francisco, 2010–12.  
Member, Committee of Bar Examiners, State Bar of California, 2011–12.  
Delegate, 2009 Conference of Delegates, Executive Committee and study group co-team leader, Bar Association of San Francisco.  
Commissioner, Commission on Judicial Nominees Evaluation, State Bar of California, 2007–09.

### **CIVIL TRIALS**

*Paul Lozada v. City and County of San Francisco*, San Francisco Superior Court 03- 425888.  
*Elizabeth Vazquez v. California Department of Developmental Services*, Sonoma Superior Court 221354.

### **CIVIL APPEALS**

*Michael-Sandness v. Valverde*, 2012 WL 2914181.  
*McCollum v. California Dept. of Corrections and Rehabilitation* (9th Cir. 2011) 647 F.3d 870.  
*Bruno v. Valverde*, 2010 WL 4102243.  
*Robertson v. Department of Motor Vehicles*, 2010 WL 2031272.  
*Brown v. Department of Motor Vehicles* (2010) 183 Cal.App.4th 1531.  
*Nesby v. City and County of San Francisco*, 2009 WL 414605.  
*Nelson v. City and County of San Francisco*, 2008 WL 510554.  
*Bettencourt v. City and County of San Francisco* (2007) 146 Cal.App.4th 1090.  
*Lozada v. City and County of San Francisco* (2006) 145 Cal.App.4th 1139.  
*Parra v. City and County of San Francisco* (2006) 144 Cal.App.4th 977, rev. denied (S149041).  
*City and County of San Francisco v. Superior Court (Donaville)* (2004) San Francisco Superior Court Appellate Division case number 6028.  
*Vazquez v. California Department of Developmental Services*, 2004 WL 1575062.  
*Daw v. Department of Motor Vehicles*, 2002 WL 31518954.  
*Garza v. Gourley*, 2003 WL 22255711.  
*White v. Superior Court* (2002) 102 Cal.App.4th Supp. 1.  
*De Guzman v. The Judicial Council of California*, First District Court of Appeal case number A100069, Sixth District Court of Appeal case number H025527, Third District Court of Appeal case number C043460.