Hillel J. Bavli

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ACADEMIC APPOINTMENTS

SMU Dedman School of Law
Professor of Law, August 2026-present
Associate Professor of Law (with tenure), May 2023-July 2026
Robert G. Storey Distinguished Faculty Fellow, August 2024-July 2025
Assistant Professor of Law, 2018-23
Courses: Torts; Evidence; Law & Statistics; Law & Social Science

Harvard University Faculty of Arts and Sciences
Teaching Fellow, 2011-16
Courses: Introduction to the Economic Analysis of Law (2016, 2015, 2012); Introduction to Quantitative Methods for the Social Sciences and Humanities (2014); Microeconomic Theory (2012, 2011)

EDUCATION

Ph.D., Statistics in Law and Government, Harvard University, 2017

A.M., Statistics, Harvard University, 2013

LL.M., Harvard Law School, 2011

J.D., Fordham University School of Law, 2006

B.A., Economics, Boston University, 2003

LEGAL EXPERIENCE

Counsel, Boies Schiller Flexner LLP, 2013-18

Litigation Associate, Boies Schiller Flexner LLP, 2013

Litigation Associate, Akin Gump Strauss Hauer & Feld LLP, 2009-10, 2007-08

Antitrust Associate, Axinn, Veltrop & Harkrider LLP, 2006-07

FELLOWSHIPS

Fellow, Harvard Institute for Quantitative Social Science, 2015-20

Visiting Fellow, Yale Law School Center for Private Law, 2017-18

Fulbright Fellow, Economics, Jerusalem, Israel, 2008-09
Center for the Study of Rationality, Hebrew University

OTHER AFFILIATIONS, APPOINTMENTS, AND SERVICE

Advisor & Co-Drafter, Argentina's Proposed First Model Code of Evidence (drafter of rules on character evidence, confrontation, hearsay, impeachment, and rape shield), 2025-present

Editorial Board Member, *Law, Probability & Risk* (Oxford University Press), 2026-present

Expert Reviewer, National Conference of Bar Examiners (NCBE), 2025-present

Faculty Representative & Subject Matter Expert, SMU Threat Management Working Group, 2024-present

Member, Advisory Committee on Forensic Science, American Statistical Ass'n, 2024-present

Member, Executive Committee, AALS Section on Evidence, 2023-present

Affiliated Faculty, Harvard Institute for Quantitative Social Science, 2020-present

Affiliated Faculty, SMU Data Science Institute, 2021-present

Invited Proposal Presenter, Advisory Committee on Evidence Rules, October 2023 Meeting – Proposal to Amend Federal Rule of Evidence 404

Panelist (Legal and Statistical Expert), Scientific & Technical Review Panel on Evaluative Forensic DNA Testimony, OSAC, NIST, U.S. Department of Commerce, 2022-23

Member, Bayes and the Law International Consortium, 2011-12

Volunteer Firefighter, Ladder Co. 1, Lawrence-Cedarhurst Fire Department, 2009-11

SELECTED AWARDS

SMU Law Graduation Hooder (by vote of graduating class), 2026, 2023, 2022 (selected)

SMU Barristers Inductee (by vote of student members), 2023

Research Grant, SMU Tsai Center for Law, Science and Innovation, 2022

Harvard University Certificate of Distinction in Teaching, 2016, 2015, 2012

Research Grant, Harvard Institute for Quantitative Social Science, 2016

Research Grant, Harvard Center for American Political Studies, 2015

Summer-Term Clerkship, Supreme Court of Rwanda, 2012

Harvard Law School Dean's Scholar Prize (Economic Analysis of Health Care Law), 2011

Winter-Term Clerkship, Supreme Court of India, 2011

Fulbright Language Grant, 2008-09

Fordham Law School Archibald R. Murray Public Service Award, 2006

BAR ADMISSIONS

New York Bar

Connecticut Bar

PUBLICATIONS

Book

CHARACTER EVIDENCE IN A WORLD OF UNCERTAINTY (under contract with Cambridge University Press)

Articles

When Character Convicts, 95 *George Washington Law Review* (forthcoming 2027)

Evidentiary Due Process, 17 *U.C. Irvine Law Review* (forthcoming 2026)

Trial by Character, 75 *Emory Law Journal* 287 (2026)

Stereotypes as Character Evidence, 77 *Stanford Law Review* 89 (2025)

Correcting Federal Rule of Evidence 404 to Clarify the Inadmissibility of Character Evidence, 92 *Fordham Law Review* 2441 (2024)

The Incongruence Principle of Evidence, 99 *Indiana Law Journal* 245 (2023)

Character Evidence as a Conduit for Implicit Bias, 56 *U.C. Davis Law Review* 1019 (2023)

An Objective-Chance Exception to the Rule Against Character Evidence, 74 *Alabama Law Review* 121 (2022)

An Aggregation Theory of Character Evidence, 51 *Journal of Legal Studies* 39 (2022) (peer-reviewed, University of Chicago Press)

Credibility in Empirical Legal Analysis, 87 *Brooklyn Law Review* 501 (2022)

Causation in Civil Rights Legislation, 73 *Alabama Law Review* 159 (2021)

Cause and Effect in Antidiscrimination Law, 106 *Iowa Law Review* 483 (2021)

Counterfactual Causation, 51 *Arizona State Law Journal* 879 (2019)

The Effects of Comparable-Case Guidance on Awards for Pain and Suffering and Punitive Damages: Evidence from a Randomized Controlled Trial, 37 *Yale Law & Policy Review* 405 (2019) (with Reagan Mozer)

The Admissibility of Sampling Evidence to Prove Individual Damages in Class Actions, 59 *Boston College Law Review* 655 (2018) (with John K. Felter)

Shrinkage Estimation in the Adjudication of Civil Damage Claims, 13(2) *Review of Law & Economics* 1 (2017) (with Yang Chen) (peer-reviewed, De Gruyter)

The Logic of Comparable-Case Guidance in the Determination of Awards for Pain and Suffering and Punitive Damages, 85 *University of Cincinnati Law Review* 1 (2017)

Sampling and Reliability in Class Action Litigation, 2016 *Cardozo Law Review de novo* 207 (2016)

Reductive Sampling: A Framework for Victim Participation and the Reparations Phase of the ICC Trial, 10 *Harvard Africa Policy Journal* 60 (2015)

Aggregating for Accuracy: A Closer Look at Sampling and Accuracy in Class Action Litigation, 14 *Law, Probability & Risk* 67 (2015) (peer-reviewed, Oxford University Press)

Psychological Variables Relevant to Models of Legal Evolution toward Efficiency, 3 *ERASMUS Law & Economics Review* 21 (2007)

Applying the Laws of Logic to the Logic of Law, 33 *Fordham Urban Law Journal* 937 (2006)

A Model of Abstract Cooperation in Games of Uncertainty, 32 *Fordham Urban Law Journal* 831 (2005)

SELECTED PRESENTATIONS

Trial by Character, *Excited Utterance: The Evidence and Proof Podcast*, Episode 181 (September 28, 2026)

Interpreting Character Evidence and Profile Evidence: Relevance and Risks *in* Regulating Inferences: Examining the Admissibility of Group-to-Individual Inferences in U.S. Evidence Law *and in* Current Issues in U.S. Evidence: Problems that Arise from the Use of Juries and Adversarial Systems, *Michele Taruffo Girona Evidence Week, University of Girona*, Spain (June 5-6, 2025)

The Influence of Character Evidence on Trial Outcomes, *Evidence Summer Workshop*, *Vanderbilt Law School* (May 5, 2025)

Trial by Character, *Larry E. Ribstein Law & Economics Workshop Series*, *George Mason University Antonin Scalia Law School* (March 25, 2025)

Stereotypes as Character Evidence *in* Predictive Evidence: New Developments, New Concerns?, *Annual Meeting of the Association of American Law Schools* (January 10, 2025)

Stereotypes as Evidence, *Evidence Summer Workshop*, *Vanderbilt Law School* (May 16, 2024)

Comments on Biedermann and Champod, Why the Post-Identification Era is Long Overdue, *Evidence Summer Workshop*, *Vanderbilt Law School* (May 16, 2024)

Correcting Federal Rule of Evidence 404(b)(2) to Clarify the Inadmissibility of Character Evidence, *Fall Meeting of the United States Judicial Conference Advisory Committee on the Federal Rules of Evidence* (October 27, 2023)

Character Evidence as a Conduit for Implicit Bias, *Center for Law & Social Science*, *USC Gould School of Law* (October 31, 2022)

Character Evidence as a Conduit for Implicit Bias, *Annual Conference of the Berkeley Center on Comparative Equality and Anti-Discrimination Law, University of California, Berkeley, and University of Hong Kong* (June 22, 2022)

Character Evidence as a Conduit for Implicit Bias, *Harvard/Yale/Stanford Junior Faculty Forum*, *Harvard Law School* (June 10, 2022)

Character Evidence as a Conduit for Implicit Bias, *Evidence Summer Workshop*, *Vanderbilt Law School* (May 6, 2022)

Objective Chance and the Rule against Character Evidence, *Evidence Summer Workshop, Vanderbilt Law School* (August 6, 2021)

Causation in Civil Rights Legislation, *Annual Conference of the Berkeley Center on Comparative Equality and Anti-Discrimination Law, University of California, Berkeley, and University of Cape Town* (June 16, 2021)

Causal Sets in Antidiscrimination Law, *Michigan Law School 2020 Junior Scholars Conference*, *University of Michigan Law School* (April 17, 2020)

Counterfactual Causation, *Department Seminar, SMU Department of Statistical Science* (March 1, 2019)

The Effects of Comparable-Case Guidance on Awards for Pain and Suffering and Punitive Damages: Evidence from a Randomized Controlled Trial, *Denver Law Review Symposium*: *Driven by Data: Empirical Legal Studies in Civil Litigation and Health Law, University of Denver Sturm College of Law* (February 8, 2019)

Guiding Jurors with Prior-Award Information: A Randomized Controlled Trial, *Conference on Empirical Legal Studies, Cornell Law School* (October 15, 2017)

Guiding Jurors with Prior-Award Information: A Randomized Controlled Trial, *Annual Meeting of the American Law & Economics Association, Yale Law School* (May 12, 2017)

LAW SCHOOL AND UNIVERSITY SERVICE

SMU Dedman School of Law Executive Committee, Summer 2025-present

Curriculum/Academic Standards Committee, SMU Dedman School of Law, Summer 2025-present

Faculty Advisory Board, SMU Data Science Institute, Fall 2022-present

Faculty Advisory Board, Deason Criminal Justice Reform Center, Fall 2019-present

Faculty Advisor, 1L Inn of Court, Fall 2022-present

Faculty Appointments Committee, SMU Dedman School of Law, Summer 2024-Summer 2025

Ph.D. Committee for Statistical and Data Science, SMU, Summer 2023-24

Promotion and Tenure Procedure Committee, SMU Dedman School of Law, Summer 2023-Spring 2024

Faculty Advisory Board, Rowling Center for Business Law & Leadership, Fall 2018-Spring 2023

Admissions Committee, SMU Dedman School of Law, Summer 2022-23

Library & Technology Committee, SMU Dedman School of Law, Summer 2022-23
University Task Force regarding Formation of New Ph.D. Program, Spring 2021-Fall 2021
SMU Academic Technology Council, Summer 2021-Fall 2021
Admissions Committee, SMU Dedman School of Law, Summer 2021-Fall 2021
Faculty Advisor, 1L Inn of Court (Storey), Fall 2021
Admissions Committee, SMU Dedman School of Law, Fall 2020-Spring 2021
Faculty Advisor, 1L Inn of Court (Jones), Fall 2020-Spring 2021
Faculty Advisor, SMU Law Review 2020-21 Symposium, Summer 2020-Spring 2021
Admissions Committee, SMU Dedman School of Law, Fall 2019-Spring 2020
Faculty Sponsor, SMU Law Review 2019-20 Symposium, Spring 2019
Research Director Search Committee, Deason Criminal Justice Reform Center, Spring 2019
Career Services Committee, SMU Dedman School of Law, Fall 2018-Spring 2019
Public Service Committee, SMU Dedman School of Law, Fall 2018-Spring 2019
Faculty Secretary, SMU Dedman School of Law, Fall 2018-Spring 2019

REFEREE ACTIVITY

Journal of Law, Economics, & Organization
National Science Foundation, Law and Science Program
Yale Law Journal
Jurimetrics
Law & Society Review
Journal of Empirical Legal Studies
Aspen Publishing
Northwestern University Law Review

PUBLISHED PHOTOGRAPH SET

Gihembe Refugee Camp on World Refugee Day, 2012