

Daniel David Blinka

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Education

Ph.D., University of Wisconsin – Madison (United States History)
J.D., cum laude, University of Wisconsin Law School
M.A., University of Wisconsin -- Madison (United States History)
B.A., summa cum laude, University of Wisconsin -- Milwaukee

Scholarship

Selected Books and Chapters

Vol. 21, Wright's Federal Practice and Procedure (FRE 101 through FRE 107)
(Thomson Reuters, 2025) (supplemented annually through 2026)
Vol. 30, Wright's Federal Practice and Procedure (the "confrontation right")
(Thomson Reuters, 2020) (supplemented annually through 2026)
Wisconsin Evidence, 4th ed. (Thomson Reuters, 2017) (annual supplements).
Criminal Evidentiary Foundations, 3d ed. (LexisNexis, 2016) (with
Imwinkelried).
"Does The Modern Trial Lack Credibility in a Post Modern World?" in Bonnie
Brennen, ed., *Assessing Evidence in a Postmodern World* (Marquette U.
Press, 2013) (book chapter).
Wisconsin Civil Rules Handbook 2026 (published and updated annually since the
1990s) (Thomson/Reuters) (with Grenig)

Selected Articles

Prior Inconsistent Statements: The Simple Virtues of the Original Federal Rule,
84 FORDHAM L. REV. 1407 (2016)
Character, Liberalism, and the Protean Culture of Evidence Law, 37 SEATTLE U.
L. REV. 87 (Fall 2013).
*The Modern Trial and Evidence Law: Has the "Rambling Altercation" Become a
Pedantic Joust?* 47 GEORGIA L. REV. 666 (Spring 2013).
The Daubert Standard in Wisconsin: A Primer, 84 WISCONSIN LAWYER 14
(March 2011).
Why Modern Evidence Law Lacks Credibility, 58 BUFFALO L. REV. 357 (2010).
Ethical Firewalls, Limited Admissibility, and Rule 703, 76 FORDHAM L. REV.
1229 (2007).
*The Roots of the Modern Trial: Greenleaf's Testimony to the Harmony of
Christianity, Science, and Law in Antebellum America*, 27 JOURNAL OF
THE EARLY REPUBLIC 293 (Summer 2007) (peer reviewed journal).

Ethics, Evidence and the Modern Adversary Trial, 19 GEORGETOWN JOURNAL OF LEGAL ETHICS 1 (2006).
Expert Testimony and the Relevancy Rules in the Age of Daubert, 90 MARQ. L. REV. 173 (2006).
Jefferson and Juries: The Problem of Law, Reason, and Politics in the New Republic, XLVII AM. J. LEGAL HIST. 35 (2005).
"This Germ of Rottedness": Federal Trials in the New Republic, 1789-1807, 36 CREIGHTON LAW REVIEW 135 (2003).
Trial by Jury on the Eve of Revolution: The Virginia Experience, 71 UMKC L. REV. 529 (2003).

Works in Progress

Book: New commentary to FRE 201 (judicial notice) and Rules 301 and 302 (presumptions in criminal and civil cases), to replace current volumes 21(B) in Wright's Federal Practice and Procedure (FRE 101 through FRE 107) (Thomson Reuters).

Article: The 1807 Trials of Aaron Burr for treason and related offenses (a close look at how trials were conducted in the first decades of the early republic which reveals that criminal trials were conducted very differently than those of today and that assumptions in current case law are likely misplaced).

Other Professional Activities

Wisconsin Judicial Council's Proposed Revisions to the Wisconsin Rules of Evidence (2022 to present); preparation of

Professional Experience

- Professor of Law, Marquette University Law School (since 1998)
- Chair and member, Wisconsin Board of Bar Examiners (2008-2013, 2019-2025)
- Wisconsin Innocence Project, Advisory Board (until 2016)
- Board of Directors, Legal Aid Society of Milwaukee (until 2026)
- President, Milwaukee Bar Association (2003-2004)
- Lecturer, U.S. History, University of Wisconsin – Madison (fall 1995)
- Wisconsin Judicial Council (1991 to 1997)
Reporter, Civil Procedure and Evidence Subcommittee (since 2022)
- Special Hearing Examiner, Milwaukee Fire & Police Commission
("Jeffrey Dahmer" police disciplinary hearings, 1992)
- Special Prosecutor, State of Wisconsin (various times)
- Assistant District Attorney, Milwaukee County, WI, 1978-1985 (e.g., felony teams, Sensitive Crimes Unit, and Organized Crime Unit)

Courses Taught (selected)

Evidence	American Legal History
Advanced Evidence	Law Governing Lawyers
Criminal Law	Trial Advocacy (basic and advanced)
Constitutional Criminal Procedure	Criminal Practice Workshop

Awards and Honors (selected)

2014, 2010, 2006, 2004, 2002, 2000, 1997 James Ghiardi Award for Outstanding Classroom Teaching, Student Body Support, and Scholarship (MULS Student Bar Association)

2009, Law Professor of the Year, Wisconsin Law Journal

2000, Robert and Mary Gettel Faculty Award for Teaching Excellence (University-wide award)