

# Professor Richard Marcus: The Scariest, Funniest, Most Fashionable Civ Pro Icon

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In the Fall of 2003, I walked into Professor Marcus's Civil Procedure class with a pit in my stomach. I had not gotten the email about the summer reading homework, *The Buffalo Creek Disaster*, and barely knew what the book was about. The minute he started calling on people, I knew I was screwed. This guy was terrifying, and he was going to catch me unprepared. Luckily, I survived the first day unscathed, and I *never* made that mistake again.

Professor Marcus wasn't just a brilliant and scary teacher. He was (and is) one of the country's most renowned civil procedure scholars. He literally wrote the book on the subject, and he served on the Federal Rules Advisory Committee.<sup>1</sup> But beyond these accolades, Professor Marcus had an almost spiritual connection to the Rules. His reverence for them was both comical and profound. He didn't just teach us how the Rules worked, he made us believe they mattered the way a poem or a song lyric matters. That's incredible for a bunch of rules governing how lawyers fight their cases.

His intensity came through in every cold call. Professor Marcus could interrogate like no one else. He was intimidating, but he was never unfair. He taught us to take school, the law, and our profession with the utmost seriousness. But he balanced that rigor with humor and taught us to laugh at the absurdities of the legal system. I can still recall his jokes. *Is a contract a contact?*

Professor Marcus brought that same humor to the sartorial. He exclusively wore thrift-store jackets—the kind with elbow patches and endless variations on plaid. He once lectured us about how thrifted jackets were just as good as the expensive ones, and we were fools if we fell for the trappings of fancy suits and all that came with them (this was no doubt a veiled commentary on career choices too). That Halloween of 2003, many students in my section dressed up as Rick Marcus: mismatched thrift store jackets, elbow patches, fake beards, and of course, serious faces. He walked into class that day, saw a sea of Marcus

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1. See *generally* RICHARD L. MARCUS, MARTIN H. REDISH, EDWARD A. PFANDER & SERGIO J. CAMPOS, *CIVIL PROCEDURE: A MODERN APPROACH* (8th ed. 2021).

imitators, and took in the scene for a full two minutes before opening his mouth. He was both amused and touched. The man who scared the living hell out of us was also someone we liked enough to emulate, at least as part of a Halloween prank.

One of his most iconic fashion statements was the “GOT RULES?” T-shirt he wore under his jacket—a parody of the “GOT MILK?” ads of the time. The first time he wore the shirt to class, he stood in front of us and shouted, “*Do you want rules? ‘Cause I got rules!*” Around the same time, a group of my section-mates and I were forming a study group, mostly to make sure we survived Civil Procedure. We decided to call our group “Want Rules?” After long nights comparing outlines and cramming for his exams, we became more than study companions. We are lifelong friends, our kids are now friends, and one of the members of Want Rules is now my husband of over eighteen years.

A few years after law school, during a nerdy evening fueled by a generous helping of wine, my husband and I were reminiscing about how great Professor Marcus was. We pulled up some of his old exams online and spent the night looking at them through a new lens: real life. Those exams mirrored the strategic questions we faced in our jobs. Somehow, Professor Marcus had prepared us not just for finals, but for actual litigation. We laughed at ourselves for spending our night that way, but we also felt grateful to have learned early on how the law actually works.

Many of us owe our careers to Professor Marcus’s support outside the classroom. When it came time to apply for clerkships or jobs, he didn’t just write letters of recommendation. He sat down for meetings with us, took the time to understand who we were outside of school, and helped us envision our futures. He then wrote long and personal letters that truly reflected who we were and our strengths as future lawyers. He did not have to go to those lengths, but he did. I polled some of my classmates on the subject, and one of them wrote: “Out of all the professors who wrote me letters of recommendation, he was the only one to follow up multiple times to ask me how my job search was going. He also inquired in depth about things on my resume, genuinely wanting to get to know me and my background/story better. We were so lucky to have him!”

That was the magic of Professor Marcus. He was scary, but kind. He challenged us fiercely, but fairly. He made us better. He taught us to respect the law, question it, and above all, to love it. The rules were sacred to him and so was being a teacher in the true sense of the word.

Thank you, Professor Marcus—for the jackets, the jokes, the rigor, the Want Rules? legacy, and for making us love Civil Procedure.

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