

JORGE CORTES-MONROY

Jurisprudence and Social Policy
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EDUCATION

- 2018-Present **University of California, Berkeley, School of Law**
PhD, Jurisprudence and Social Policy
Dissertation Committee: Prof. Christopher Kutz (chair), Prof. Jonathan Simon, Prof. Jonathan Gould, and Prof. Hanoch Dagan
Dissertation Project: “Democratizing the Criminal Justice System: Bureaucracy, Legality, and Administration.”
Fields: Criminal Law and Procedure, Comparative Criminal Procedure, Constitutional Law, Legal Theory, Political Theory
- 2018 **University of California, Berkeley, School of Law**
Master of Laws (LL.M.)
Thesis: “Immigration and Sentencing in the Criminal Justice System of Chile.”
Advisor: Prof. Jonathan Simon
- 2016 **University of Chile, School of Law**
Licenciado en Ciencias Jurídicas y Sociales (J.D. equivalent), with distinction.
Thesis: “Negative Assessment and the Exclusion of Evidence in Criminal Cases: A Critical Consideration from a Rationalist Perspective.”
Advisor: Prof. Jonatan Valenzuela
- 2015 **University of Chile, School of Law**
Graduate Diploma in Current Issues of Criminal Procedure

TEACHING INTERESTS

Primary: Criminal Law, Criminal Procedure, Constitutional Law, Jurisprudence

Secondary: Comparative Criminal Procedure, Constitutional Theory, Theories of Law and Society

PUBLICATIONS

In Peer-Reviewed Journals

- Cortés-Monroy, Jorge. ["A Critical Consideration of Two Methodologies of General Jurisprudence."](#) *Oxford Journal of Legal Studies* 45, Issue 3 (2025): 775–800.
- Cortés-Monroy de la Fuente, Jorge, Gina Morales Acosta, and Jorge Cortés-Monroy Fernández. ["Simulación de Juicios con Casos Reales: Competencias Comunicativas en la Argumentación Jurídica"](#) (“Mock Trials: Communicative Competence in Legal Argumentation”). *Espacios en blanco. Serie indagaciones* 32, no. 1 (2022): 187-194.
- Cortés-Monroy Fernández, Jorge. ["La “Valoración Negativa” como Exclusión de la Prueba Ilícita en el Juicio Oral"](#) (““Negative Assessment” as Exclusion of Improperly Obtained Evidence in Criminal Cases”). *Ius et Praxis* 24, no. 1 (2018): 661-692.
Cited by the Supreme Court of Chile in different rulings.

Op-Eds

La justicia y la autotutela (Justice and vigilante justice). March 6th, 2015. Available in Spanish at <http://www.elmostrador.cl/noticias/opinion/2015/03/06/la-justicia-y-la-autotutela/>.

Selected Works in Progress

“Administration and Adjudication in the Rule of Law”

“Implementation and Application: Two Senses of Law Enforcement”

“Legalism and Responsiveness: Two Models of Criminal Prosecutors”

“Should judicial proof be free? Some Theoretical Considerations on the Purpose of Evidence Law”

TEACHING EXPERIENCE

University of California, Berkeley

Sole Instructor of Record

Legal Studies 103: Theories of Law and Society (Summer 2024).

University of California, Berkeley

Graduate Student Instructor

Legal Studies 170: Crime & Criminal Justice, Prof. Nicole Lindahl-Ruiz (Fall 2025); Prof. Hadar Aviram (Fall 2023)

Legal Studies 103: Theories of Law and Society, Prof. Christopher Tomlins (Spring 2024); Prof. Mark Leinauer (Fall 2022)

Legal Studies 135: Law, Judicial Politics, and Rights in Latin America, Prof. Monica Castillejo Aragon (Spring 2023; Spring 2022).

Legal Studies 100: Foundations of Legal Studies, Prof. Mark Leinauer (Fall 2021)

Legal Studies 177: American Legal and Constitutional History, Prof. Robert Brown (Spring 2021)

Legal Studies 107: Theories of Justice, Prof. Christopher Kutz (Fall 2020); Prof. Sarah Song (Fall 2019)

Legal Studies 138: The Supreme Court and Public Policy, Prof. Brittany Arsiniega (Summer 2020)

Legal Studies 105: Theoretical Foundations of Criminal Law, Prof. Meir Dan-Cohen (Spring 2020)

Universidad de Antofagasta, School of Law

Teaching Assistant

Criminal Law and Procedure, Department of Procedural Law (2017; 2015).

ACADEMIC CONFERENCES AND WORKSHOPS

Papers

2025 “Administration and Adjudication in the Rule of Law.” Law and Society Association Annual Conference, Chicago, IL, May 21-25

2024 “On Methodology and the Social Value of General Jurisprudence.” Law and Society Association Annual Conference, Denver, CO, June 6-9.

2024 “On Methodology and the Social Value of General Jurisprudence.” JSP Forum, UC Berkeley, January 25.

2023 “Law as a System of Action and the Reorientation of Jurisprudence.” Law and Society Association Annual Conference, San Juan, Puerto Rico, June 1-4.

2019 “The Expressive Function of International Criminal Law.” JSP Gateway Conference, UC Berkeley, April 5.

Commentator

- 2025 Law and Society Association Philosophy & Legal Theory Collaborative Workshop, “Rationalising Obligations” by Andreas Vassiliou, University of Oxford, Lincoln College, May 20
- 2023 UC Berkeley JSP Forum, “Alienation and the Commodification of Consumer Attention” by Isabella Mariani, Berkeley JSP, February 16.
- 2022 UC Berkeley JSP Forum, “Impossible Commands: Hobbes and Spinoza on Rights and Resistance” by Haley Anderson, Berkeley JSP, April 26.
- 2022 UC Berkeley Kadish Center Workshop in Law, Philosophy, and Political Theory, “Authoritarian Constitutionalism in Liberal Democracies” by Duncan Kennedy, Harvard University, February 25.
- 2022 UC Berkeley Kadish Center Workshop in Law, Philosophy, and Political Theory, “Puzzles of Progressive Constitutionalism” by Jonathan Gould, UC Berkeley Law School, January 21.
- 2021 UC Berkeley Kadish Center Workshop in Law, Philosophy, and Political Theory, “Structural Biases in Structural Constitutional Law” by Prof. Jonathan Gould, UC Berkeley Law School, March 19.
- 2020 UC Berkeley Kadish Center Workshop in Law, Philosophy, and Political Theory, “The Regulatory Roots of Inequality in America” by Prof. Steven Vogel, UC Berkeley Political Science, February 28.
- 2019 UC Berkeley Kadish Center Workshop in Law, Philosophy, and Political Theory, “Jurisprudential Reflections on Cosmopolitan Law” by Prof. Evan Fox-Decent, McGill Law School, May 3.
- 2019 UC Berkeley Kadish Center Workshop in Law, Philosophy, and Political Theory, “The Politics of Sovereignty” by Prof. David Dyzenhaus, University of Toronto Law School, February 22.

RESEARCH EXPERIENCE

University of California, Berkeley, School of Law

Graduate Student Researcher, Summer 2020

Assisted Prof. Kinch Hoekstra on a project on Thomas Hobbes and recognition theory.

University of California, Berkeley, School of Law

Graduate Student Researcher, Summer 2019

Assisted Prof. David Lieberman on comparative constitutional law and the right of access to justice.

University of Chile, School of Law (Santiago, Chile)

Research Assistant, Summer 2017

Assisted Prof. Jonathan Valenzuela on a book project on the theory of Evidence Law.

University of Auckland, School of Law (Auckland, New Zealand)

Visiting Researcher, 2016-2017

Independent research on theoretical issues of fact-finding in criminal law contexts and the rule of exclusion of improperly obtained evidence (Criminal Law and Evidence Law).

SERVICE

JSP Orientation Panel for First Years, Fall 2024 (UC Berkeley Law School).

PROFESSIONAL EXPERIENCE

- 2015 **Estudio Jurídico Abogados, Asesores y Consultores LL.P.** (Antofagasta, Chile)
Associate Attorney
Drafted criminal complaints, joint plaintiff's petitions and other motions, and requests for investigative activities and proceedings to the Prosecutor's Office.
- 2014 **Ministerio Público de Chile, Fiscalía Local de Las Condes** (Santiago, Chile)
Clerk at the Sex Crimes and Domestic Violence Unit of the Chilean Office of the Criminal Prosecutor
Assisted in deciding schemes of investigation and coordinating the activity of law enforcement agencies and prosecutors; drafted accusations and briefs for preliminary and suppression hearings; interviewed suspects, victims, and witnesses; and set up measures to protect victims and witnesses.

FELLOWSHIPS / GRANTS / AWARDS

Berkeley Center for Private Law Theory Doctoral Fellow (2025-2026).
Outstanding Graduate Student Instructor Award, UC Berkeley Graduate Division (2025).
Doctoral Completion Fellowship, University of California, Berkeley (2024-2025).
Selznick Graduate Fellowship, University of California, Berkeley (2018-Present).

LANGUAGES

English: Professional proficiency
Spanish: Native proficiency
German: Beginner

REFERENCES

Christopher Kutz
C. William Maxeiner Distinguished Professor of
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University of California, Berkeley
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New York University School of Law
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