

RICHARD L. HASEN

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EDUCATION

UNIVERSITY OF CALIFORNIA, BERKELEY

B.A. (Middle Eastern Studies), 1986

President's Undergraduate Fellowship, 1985 (support for international research)
Highest Distinction in General Scholarship, 1986
Highest Departmental Honors, 1986
Phi Beta Kappa, 1986

UNIVERSITY OF CALIFORNIA, LOS ANGELES

M.A. (Political Science), 1988

University of California Chancellor's Fellow, 1988
Qualified with Distinction, International Relations, 1988

J.D., 1991
Rank: 5/337
Order of the Coif, 1991
UCLA Law Review
Chief Article Editor, 1990-91
Member, 1989-90

Ph.D. (Political Science), 1992

Dissertation: *Beyond the Pursuit of Efficiency: An Enriched Economic Analysis for
Constructing Legal Rules*

LAW TEACHING

LOYOLA LAW SCHOOL, LOS ANGELES

William H. Hannon Distinguished Professor of Law, March 2005-present

Professor of Law and William M. Rains Fellow, July 2000-2005

Associate Professor of Law, 1998-2000

Visiting Associate Professor, fall 1997

Courses: Contracts, Election Law, Legislation, Remedies, Torts

Appointments Committee, 2002-04; Lateral Appointments Committee, 2005-present (Chair 2005-09)

Computer Committee, 1998-99, 1999-2000

Dean Search Committee, 1999-2000, 2008-2000

Moot Court Programs Committee, 1998-99 (chair), 1999-2000

Rains and Dean's Fellowship Committee, 2006-present (Chair 2009-present)

Sayre Macneil Scholars Program coordinator, 1998-99

Workshop Committee 1999-2007 (co-chair 2002-03)

Co-coach, National Moot Court Team, 1997, 1998, 1999

UCLA SCHOOL OF LAW

Visiting Professor, spring 2005

Course: Election Law

Visiting Professor, spring 1998

Course: Torts

CHICAGO-KENT COLLEGE OF LAW

ILLINOIS INSTITUTE OF TECHNOLOGY

Assistant Professor of Law, 1994-98

Courses: Contracts, Election Law (seminar), Law and Economics, Torts

Recipient, Dean's Prize for Excellence in Teaching, spring 1995

(Highest evaluations among teachers of required courses)

Admissions Committee, 1994-95

Advocacy, Ethics, and ADR Self-Study Committee, 1996-97

Appointments Committee, 1995-96

Curriculum and Academic Standards Committee,

Chair, Subcommittee on the First-Year Curriculum, 1996

Library Review Committee, 1994-95

Moot Court Advisor, 1995-96

Undergraduate Education Committee, 1994-95

ADDITIONAL ACADEMIC ACTIVITIES

Member, American Law Institute (2009-present)

Chair, American Association of Law Schools Section on Legislation and the Law of the Political Process, 2006-07

Committee Member, American Association of Law Schools Scholarly Paper Competition Committee, 2009

Co-Editor, *Election Law Journal* (quarterly peer-reviewed publication), 2001-present

Co-Founder and owner (with Professor Dan Lowenstein), Election Law Internet Discussion Group, 1995-present <<http://mailman.lls.edu/mailman/listinfo/election-law/>>

Faculty Member, USC and Caltech Center for the Study of Law and Politics

Blogger, Election Law Blog <<http://electionlawblog.org>>
(approximately 15,000 posts from 2003-2009)

ACADEMIC PUBLICATIONS

BOOKS

REMEDIES—EXAMPLES AND EXPLANATIONS (2d ed. Aspen 2010)

THE GLANNON GUIDE TO TORTS: LEARNING TORTS THROUGH MULTIPLE-CHOICE QUESTIONS AND ANALYSIS (2009)

ELECTION LAW—CASES AND MATERIALS (4th edition 2008) (co-authored with Professor Daniel Hays Lowenstein and Professor Daniel P. Tokaji) (plus teacher's manual)

REMEDIES—EXAMPLES AND EXPLANATIONS (Aspen 2007)

ELECTION LAW—CASES AND MATERIALS (3d edition 2004) (co-authored with Professor Daniel Hays Lowenstein) (plus teacher's manual) (plus annual supplements 2005, 2006, and 2007 [which adds co-author Daniel P. Tokaji])

THE SUPREME COURT AND ELECTION LAW: JUDGING EQUALITY FROM *BAKER V. CARR* TO *BUSH V. GORE* (NYU Press 2003)

ELECTION LAW—CASES AND MATERIALS (2d edition 2001) (co-authored with Professor Daniel Hays Lowenstein) (plus annual supplements beginning 1998 and teacher's manual)

ARTICLES AND BOOK CHAPTERS

Constitutional Avoidance and Anti-Avoidance at the Roberts Court, 2009 SUPREME COURT REVIEW (forthcoming 2010) ([draft available](#))

Election Administration Reform and the New Institutionalism CALIFORNIA LAW REVIEW (forthcoming 2010) (book review) ([draft available](#))

The Benefits of the Democracy Canon and the Virtues of Simplicity: A Reply to Professor Elmendorf, 95 CORNELL LAW REVIEW (forthcoming 2010) ([draft available](#))

Aggressive Enforcement of the Single Subject Rule, 9 ELECTION LAW JOURNAL (forthcoming 2010) (co-authored with John G. Matsusaka) ([draft available](#))

[*You Don't Have to Be a Structuralist to Hate the Supreme Court's Dignitary Harm Election Law Cases*](#), 64 U MIAMI L. REV. 465 (2010)

[*The Democracy Canon*](#), 62 STANFORD LAW REVIEW 62 (2009)

[*Assessing California's Hybrid Democracy*](#), CALIFORNIA LAW REVIEW 1501 (2009)

[*Bush v. Gore and the Lawlessness Principle: A Comment on Professor Amar*](#), 61 FLORIDA L. REV. 979 (2009)

[*Introduction: Developments in Election Law*](#), 42 LOYOLA L.A. LAW REV. 565 (2009)

[*The Changing Nature of Campaign Financing for Presidential Primary Candidates*](#), in *Evolution and Revolution in the Nominations Process* (Jack Citrin and David Karol eds., Rowman and Littlefield pubs.2009))

Book Review (reviewing Christopher P. Manfredi and Mark Rush, [*Judging Democracy*](#) (2008)), 124 Political Science Quarterly 213 (2009).

"Regulation of Campaign Finance," in Vikram Amar and Mark Tushnet, [*Global Perspectives on Constitutional Law*](#) (Oxford University Press (2009))

[*When "Legislature" May Mean More than "Legislature": Initiated Electoral College Reform and the Ghost of Bush v. Gore*](#), 35 HASTINGS CONSTITUTIONAL LAW QUARTERLY 599 (2008)

[*"Too Plain for Argument?" The Uncertain Congressional Power to Require Parties to Choose Presidential Nominees Through Direct and Equal Primaries*](#), 102 NORTHWESTERN UNIVERSITY LAW REVIEW 2009 (2008)

[Beyond Incoherence: The Roberts Court's Deregulatory Turn in FEC v. Wisconsin Right to Life](#), 92 MINNESOTA LAW REVIEW 1064 (2008)

[Political Equality, the Internet, and Campaign Finance Regulation](#), THE FORUM, Vol. 6, Issue 1, Art. 7 (2008) (symposium submission).

[Justice Souter: Campaign Finance Law's Emerging Egalitarian](#), 1 ALBANY GOVERNMENT LAW REVIEW 169 (2008) (symposium submission)

[The Untimely Death of Bush v. Gore](#), 60 STANFORD LAW REVIEW 1 (2007)

The Newer Incoherence: Competition, Social Science, and Balancing in Campaign Finance Law After Randall v. Sorrell, 68 OHIO STATE LAW JOURNAL 849 (2007) (symposium submission)

Leaving the Empty Vessel of "Republicanism" Unfilled: An Argument for the Continued Nonjusticiability of Guarantee Clause Cases, in THE POLITICAL QUESTION DOCTRINE AND THE SUPREME COURT OF THE UNITED STATES (Mortada-Sabbah and Cain eds., Rowman and Littlefield, 2007)

First Amendment Limits on Regulating Judicial Campaigns, in RUNNING FOR JUDGE (Matthew Streb, ed., NYU Press, 2007)

Congressional Power to Renew the Preclearance Provisions, in THE FUTURE OF THE VOTING RIGHTS ACT 81-106 (Epstein, de la Garza, O'Halloran and Pildes, eds., Russell Sage 2006)

Bad Legislative Intent, 2006 WISCONSIN LAW REVIEW 843

No Exit? The Roberts Court and the Future of Election Law, 57 SOUTH CAROLINA LAW REVIEW 669 (2006) (symposium on voting rights)

The Uncertain Congressional Power to Ban State Felon Disenfranchisement Laws, HOWARD LAW JOURNAL 767 (2006) (symposium on voting rights)

Lessons from the Clash Between Campaign Finance Laws and the Blogosphere, 11 NEXUS LAW JOURNAL 23 (2006) (symposium on blogging and the law)

How Much is Enough? The "Ballot Order Effect" and the Use of Social Science Evidence in Election Law Disputes, 5 ELECTION LAW JOURNAL 40 (2006) (co-authored with R. Michael Alvarez and Betsy Sinclair)

Beyond the Margin of Litigation: Reforming U.S. Election Administration to Avoid Electoral Meltdown, 62 WASHINGTON AND LEE LAW REVIEW 937 (2005)

No Exit? The Roberts Court and the Future of Election Law, 57 SOUTH CAROLINA LAW REVIEW (forthcoming 2006) (symposium on voting rights)

The Uncertain Congressional Power to Ban State Felon Disenfranchisement Laws, HOWARD LAW JOURNAL (forthcoming 2006) (symposium on voting rights)

Lessons from the Clash Between Campaign Finance Laws and the Blogosphere, 11 NEXUS LAW JOURNAL 23 (2006) (symposium on blogging and the law)

The California Recall Punch Card Litigation: Why Bush v. Gore Does Not “Suck,” in CLICKER POLITICS: ESSAYS ON THE CALIFORNIA RECALL 170-81 (Shaun Bowler and Bruce E. Cain, eds. 2006)

Rethinking the Unconstitutionality of Contribution and Expenditure Limits in Ballot Measure Campaigns, SOUTHERN CALIFORNIA LAW REVIEW 885 (2005) (symposium submission)

The Supreme Court and Election Law: A Reply to Three Commentators, 31 JOURNAL OF LEGISLATION 1 (2005) (symposium on Hasen, *The Supreme Court and Election Law*)

Congressional Power to Renew the Preclearance Provisions of the Voting Rights Act after Tennessee v. Lane, 66 OHIO STATE LAW JOURNAL 177 (2005)

Buckley is Dead, Long Live Buckley: The New Campaign Finance Incoherence of McConnell v. Federal Election Commission, 152 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 31 (2004)

Looking for Standards (in All the Wrong Places): Partisan Gerrymandering Cases after Vieth, 3 ELECTION LAW JOURNAL 626 (2004)

The Surprisingly Easy Case for Disclosure of Contributions and Expenditures Funding Sham Issue Advocacy, 3 ELECTION LAW JOURNAL 251 (2004)

A Critical Guide to Bush v. Gore Scholarship, 7 ANNUAL REVIEW OF POLITICAL SCIENCE 297 (2004)

Comments on Baker, Clark, and Direct Democracy, 13 JOURNAL OF CONTEMPORARY LEGAL ISSUES 563 (2004) (symposium submission)

The Uses, Normative Implications, and Unintended Consequences Of Voting Reform Research in Post-Bush v. Gore Equal Protection Challenges, in RETHINKING THE VOTE (Oxford University Press, Ann Crigler, Marion Just, and Edward McCaffery eds., 2004)

The Untold Drafting History of Buckley v. Valeo, 2 ELECTION LAW JOURNAL 241 (2003)

Vouchers and Buckley: The Need for “Regime Change,” 37 UNIVERSITY OF RICHMOND LAW REVIEW 1049 (2003) (symposium issue on Ackerman & Ayres, *Voting with Dollars*)

The Constitutionality of a Soft Money Ban after Colorado Republican II, 1 ELECTION LAW JOURNAL 195 (2002)

The Benefits of “Judicially Unmanageable” Standards in Election Law Cases under the Equal

- Protection Clause*, 80 NORTH CAROLINA LAW REVIEW 1469 (2002)
- A “Tincture of Justice”: Judge Posner’s Failed Rehabilitation of Bush v. Gore*, 80 TEXAS LAW REVIEW 137 (2001) (book review)
- Bush v. Gore and the Future of Equal Protection Law in Elections*, 29 FLORIDA STATE UNIVERSITY LAW REVIEW 377 (2001) (symposium submission)
- Measuring Overbreadth: Using Empirical Evidence to Determine the Constitutionality of Campaign Finance Laws Targeting Sham Issue Advocacy*, 85 MINNESOTA LAW REVIEW 1773 (2001) (symposium submission)
- Introduction, Internet Voting and Democracy Symposium*, 34 LOYOLA OF LOS ANGELES LAW REVIEW 979 (2001)
- Do the Parties or the People Own the Electoral Process?*, 149 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 815 (2001)
- Shrink Missouri, Campaign Finance, and “The Thing That Wouldn’t Leave,”* 17 CONSTITUTIONAL COMMENTARY 483 (2000)
- The Surprisingly Complex Case for Disclosure of Contributions and Expenditures Funding Sham Issue Advocacy*, 48 UCLA L. REV. 265 (2000)
- Vote Buying*, 88 CALIFORNIA LAW REVIEW 1323 (2000)
- “Timmons v. Twin Cities Area New Party,” and “Political Patronage”* in ENCYCLOPEDIA OF THE AMERICAN CONSTITUTION, (revised ed. 2000, Levy, Karst & Winkler, eds.)
- Parties Take the Initiative (and Vice Versa)*, 100 COLUMBIA LAW REVIEW 731 (2000) (symposium submission)
- Mancur Olson Meets the Beltway*, 3 GREEN BAG 2D 333 (2000) (book review)
- Pluralism with a Corporate Face: A Comment on Issacharoff and Ortiz*, 85 VIRGINIA. LAW REVIEW 1671 (1999) (symposium submission)
- Campaign Finance Laws and the Rupert Murdoch Problem*, 77 TEXAS LAW REVIEW 1627 (1999) (symposium submission)
- Introduction: Money, Politics, and Equality*, 77 TEXAS LAW REVIEW 1603 (1999) (co-authored with E. Joshua Rosenkranz)
- Introduction: Election Law At Puberty: Optimism and Words of Caution*, 32 LOYOLA OF LOS

ANGELES LAW REVIEW 1095 (1999)

The “Political Market” Metaphor and Election Law, 50 STANFORD LAW REVIEW 719 (1998)
(symposium submission)

Judging the Judges of Initiatives: A Comment on Holman & Stern, 31 LOYOLA OF LOS ANGELES
LAW REVIEW. 1267 (1998)

*Entrenching the Duopoly: Why the Supreme Court Should Not Allow the States to Protect the
Democrats and Republicans from Political Competition*, 1997 SUPREME COURT REVIEW
331

Rescue, in THE NEW PALGRAVE DICTIONARY OF ECONOMICS AND THE LAW (Peter Newman, ed.,
1998)

The Surprisingly Complex Case Against Theft, 17 INTERNATIONAL REVIEW OF LAW &
ECONOMICS 367 (1997) (co-authored with Richard McAdams)

*“High Court Wrongly Elected:” A Public Choice Model of Judging and Its Implications for the
Voting Rights Act*, 75 NORTH CAROLINA LAW REVIEW 1305 (1997)

Voting Without Law? 144 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 2135 (1996)
(symposium submission)

Book Review - Election Law, Cases and Materials, 46 JOURNAL OF LEGAL EDUCATION 140
(1996)

*Clipping Coupons for Democracy: An Egalitarian/Public Choice Defense of Campaign Finance
Vouchers*, 84 CALIFORNIA LAW REVIEW 1 (1996)

The Efficient Duty to Rescue, 15 INTERNATIONAL REVIEW OF LAW & ECONOMICS 141 (1995)

*An Enriched Economic Model of Political Patronage and Campaign Contributions:
Reformulating Supreme Court Jurisprudence*, 14 CARDOZO LAW REVIEW 1311 (1993)

Comment, *Efficiency Under Informational Asymmetry: The Effect of Framing on Legal Rules*, 38
UCLA L. REV. 391 (1990)

WORKS IN PROGRESS

[The Transformation of the Campaign Financing Regime for U.S. Presidential Elections](#) (Draft
date, Nov. 2009)

The Nine Lives of *Buckley v. Valeo* (forthcoming, in FIRST AMENDMENT STORIES (Richard

Garnett and Andrew Koppelman eds., 2010))

Judges as Political Regulators: Evidence and Options for Institutional Change (forthcoming, in *Race, Reform, and Regulatory Institutions: Recurring Puzzles in American Democracy* (Gerken, Charles, and Kang eds., 2010))

CONGRESSIONAL TESTIMONY

Testimony before United States Senate Rules and Administration Committee on S. 1905, the Regional Presidential Primary and Caucus Act of 2007, Sept. 19, 2007 ([testimony](#), [transcript](#))

Testimony before United States Senate Judiciary Committee on An Introduction to the Expiring Provisions of the Voting Rights Act and Legal Issues Related to Reauthorization, May 9, 2006 ([testimony](#))

NON-ACADEMIC PUBLICATIONS

Some Skepticism About the “Separable Preferences” Approach to the Single Subject Rule: A Comment on Cooter and Gilbert, COLUMBIA LAW REVIEW *SIDEBAR*, forthcoming 2010 (with John G. Matsusaka)

[Money Grubbers: The Supreme Court Kills Campaign Finance Reform](#), *Slate*, Jan. 21, 2010

[Bad News for Judicial Elections](#), *N.Y. Times "Room for Debate" Blog*, Jan., 21, 2010

[How Liberals Can Win by Losing at the Roberts Court](#), *Slate*, Sept. 14, 2009

[The Campaign Finance End Game](#), *N.Y. Times "Room for Debate" Blog*, Sept. 8, 2009

[The Supreme Court Gets Ready To Turn on the Corporate Fundraising Spigot](#), *Slate*, June 29, 2009

[Franken's Monster: Will *Bush v. Gore* Bite Democrats in *Coleman v. Franken?*](#), *Slate*, Mar. 18, 2009

[Let Them in the House: The D.C. Voting Rights Act is Probably Unconstitutional. Congress Should Pass It](#), *Slate*, Jan. 28, 2009

[Topic A: What About Minnesota?](#), *Washington Post*, Jan. 7, 2009 (one of six contributors)

[Electing the President in 2012: Three Predictions About How the Rules Might Differ Next Time Around](#), Findlaw, Nov. 4, 2008

[Senator Obama's \\$150-Million September and \\$600-Million Campaign: Signs that Our Campaign Finance Laws are Broken or Working?](#), Findlaw, Oct. 28, 2008

[Registering Doubt: If We Can Nationalize Banks, Why Not Our Election Process?](#), *Slate*, Oct. 27, 2008

[Eight Years After Bush v. Gore, Why is There Still So Much Election Litigation and What Does This Mean for Voter Confidence in the Electoral Process?](#), Findlaw, Oct. 20, 2008

[The Ground Game](#), *Slate*, Sept. 8, 2008

[Gaming Indiana: The Quirky State Voting Law That Could Affect Tuesday's Primary](#), *Slate*, April 29, 2008

[The Collapse of the Public Financing System for U.S. Presidential Campaigns: Blame Congress, Not the Candidates](#), Findlaw, April 22, 2008

[About Face: The Roberts Court Sets the Stage for Shrinking Voting Rights, Putting Poor and Minority Voters Especially In Danger](#), Findlaw, Mar. 26, 2008

[Taking the Democratic Party to Court](#), *Slate*, Mar. 7, 2008

[Bubble Trouble on the Ballot; A complicated system and confusing ballot may have spoiled the vote for many independents](#), *L.A. Times*, Feb. 7, 2008

[Whatever Happened to 'One Person, One Vote'? Why the Crazy Caucus and Primary Rules are Legal](#), *Slate*, Feb. 5, 2008

[Voting System is Haunted by Democratic Meltdown](#), *Canberra Times* (Australia), Jan. 22, 2008
[Stephen Colbert's "Hail to the Cheese" Presidential Candidacy: Why the Comedian's Campaign Raises Serious Questions about the Role of Corporate Money In Elections](#), Findlaw, Nov. 9, 2007

[Justice Thomas: Leading the Way to Campaign Finance Deregulation](#), First Amendment Center Online, October 8, 2007

[Will California Put GOP Over Top?](#), *San Diego Union-Tribune*, September 25, 2007

[A Voting Test for the High Court](#), *Washington Post*, September 19, 2007

[Law and Dis-Order: The Imploding System for Choosing the Next President](#), Findlaw, August 29, 2007

[E-voting Paranoia, or the Right Course?](#), *Los Angeles Times*, August 7, 2007

[*Faux Judicial Restraint in Full View*](#), *The Recorder/Law.com*, June 29, 2007

[*Implausible Deniability: The Internet Foils Fudging by Three "Voter Fraud" Warriors*](#), *Slate*, June 13, 2007

[*The Fraudulent Fraud Squad: The incredible, disappearing American Center for Voting Rights*](#), *Slate*, May 18, 2007

[*Courts Need to Keep a Skeptical Eye on New Voter Identification Laws*](#), *Election Law @ Moritz Commentary*, Apr. 24, 2007

[*Back on the Campaign Trail?*](#), *Legal Times (law.com)*, Feb. 12, 2007 (on WRTL case)

[*It's Time for the House to Pick Up the Pieces in Florida's 13th District*](#), *Roll Call*, Dec. 6, 2006

[*Keeping the Voting Clean*](#), *NY Times*, Nov. 11, 2006

[*Ending Court Protection of Voters from the Initiative Process*](#), 116 *Yale Law Journal Pocket Part* 115 (2006)

[*Election Deform: The Supreme Court Messes Up Election Law. Again*](#), *Slate*, Oct. 24, 2006

[*All or Nothing? Let the Voters Decide*](#), *LOS ANGELES TIMES*, September 2, 2006

[*Some Recent and Ongoing Election Law Fights Over Ballot Access: New Skirmishes Could Determine the Balance of Power in Congress*](#), *Findlaw*, August 31, 2006

[*Pass the VRA Bailout Amendment*](#), *ROLL CALL*, July 11, 2006

[*Political Portents: Latest Supreme Court rulings on election law may foreshadow a far more conservative approach*](#), *LEGAL TIMES*, July 10, 2006

[*What Congress Should Consider Before Renewing the Voting Rights Act: A Chance to Preempt Supreme Court Invalidation, and Better Protect Minority Voting Rights*](#), *Findlaw*, May 30, 2006

[*527 Reform May Be Needed, but Not in Lobby Bills*](#), *ROLL CALL*, Mar. 27, 2006

[*Fraud Reform? How efforts to ID voting problems have become a partisan mess*](#), *SLATE*, Feb. 22, 2006

[*Hold the Line: The Texas redistricting case is not a winner for Democrats*](#), *SLATE*, Dec. 19, 2005

[Putting a Chill on the Initiative Process](#), LOS ANGELES TIMES, Dec. 12, 2005

[One Person, One Filibuster? Judge Alito's Controversial Comment on a Supreme Court Voting Rights Case](#), FINDLAW, Nov. 30, 2005

Initiative Defeats a Blow for Election Reform, SAN JOSE MERCURY NEWS, Nov. 15, 2005

Carter-Baker Election Reforms Imperiled by its Partisan Voter ID Mandate, CHRISTIAN SCIENCE MONITOR, September 22, 2005

Redistricting Measure Doesn't Belong on Ballot, LOS ANGELES DAILY JOURNAL, p. 8, August 17, 2005

Roberts' Iffy Support for Voting Rights, LOS ANGELES TIMES, August 3, 2005

We Haven't Seen the Last of Election Litigation, SEATTLE TIMES, June 10, 2005

Election Reform Isn't a High Priority Now, But It Should Be, ROLL CALL, May 17, 2005

Voter Vouchers Can Help Clean Up Politics, LOS ANGELES TIMES, May 10, 2005

Hate the Filibuster? You Might Want to Nuke the Entire Senate, ROLL CALL, April 25, 2005

The Ripple Effects of the FEC's Rules on Political Blogging: Why They Will End Up Undermining Limits on Corporation and Union Campaign Finance Activities, FindLaw's Legal Commentary, April 5, 2005

Majority Rule, TNR ONLINE (NEW REPUBLIC), April 3, 2005

FEC Takes First Stab at Internet Rules: More Clarity Needed, Personal Democracy Forum, March 24, 2005.

Should the FEC Regulate Blogging?, Personal Democracy Forum, March 7, 2005

Taking the Politics Out of Elections, LOS ANGELES TIMES, February 8, 2005.

Crisis of Trust Over Voting Difficulties Must Be Addressed, ROLL CALL, January 10, 2005

Money and Influence Flow Through a Ballot Measure Loophole, LOS ANGELES TIMES, January 4, 2005.

The Mayoral Election: Off to Court We Likely Go, SAN DIEGO UNION-TRIBUNE, December 17, 2004.

Time to Fix Election System, THE RECORDER, Law.com, November 4, 2004.

Voter I.D. Cards Could Stop Electoral Challenges, NPR's Day-to-Day, November 1, 2004

Florida 2000: The Sequel, SLATE, October 18, 2004

Has Campaign Finance Reform Failed?, Legal Affairs Debate Club, October 2004 (weeklong debate with attorney Robert Bauer)

Nov. 2 Debacle in the Making, LOS ANGELES TIMES, September 14, 2004

Ending Felon Disenfranchisement in the United States: Litigation or Legislation, Democratic Audit of Australia, September 2004

Supreme Court Got It Right in Pa. Redistricting Case, ROLL CALL, May 3, 2004

Balancing Money in Politics, LOS ANGELES TIMES, April 19, 2004

Commentary: Legality of TV Ads by Third Party Groups, NPR's Day-to-Day, March 15, 2004

A GOP Flip-Flop on Political Ads, LOS ANGELES TIMES, March 14, 2004.

Level Playing Field: The law may allow ads attacking the Democratic presidential nominee to go unanswered, SLATE, January 28, 2004.

Reformers, Cheer While You Can, LOS ANGELES TIMES, December 11, 2003

"Drawing a Line:" Supreme Court Should Keep Hands Off Tempting Electoral Target, LEGAL TIMES, December 8, 2003, Vol. XXIV, No. 49.

Lost Votes: "Shelley" Holding Will Mean Ballot-Counting Disparity, But Could Have Been Worse, Forum Column, LOS ANGELES DAILY JOURNAL, October 1, 2003 (reprinted in THE FORUM)

Some High Court Modesty is in Order, LOS ANGELES TIMES, September 15, 2003

Elect to Resolve Balloting Quandary, LOS ANGELES DAILY JOURNAL, August 18, 2003

Chads Hang Over Recall, LOS ANGELES TIMES, August 8, 2003

Horse Before Cart in Recall Challenges, SACRAMENTO BEE, July 29, 2003

The California Recall Gubernatorial Debate and the Courts, available on Findlaw at: http://writ.news.findlaw.com/commentary/20030722_hasen.html

Time Running Out for Court to Hear McCain-Feingold, ROLL CALL, Feb. 6, 2003

Let Courts Fill in Gaps, NATIONAL LAW JOURNAL, November 4, 2002

Now Let Jersey Voters Vote: State Court Should Have the Last Word, LOS ANGELES TIMES, October 3, 2002

Bug-Free Ballot Boxes, LOS ANGELES TIMES, September 15, 2002

Demise of Open Primaries Puts Parties Above Voters, LOS ANGELES DAILY JOURNAL, March 11, 2002

Compton Decision: Too Clever by Half, LOS ANGELES TIMES, Feb. 13, 2002

High Court Decision is Really Good News for Campaign Reformers, ROLL CALL, June 28, 2001

Ballot Suit Will Test Limits of Bush vs. Gore, SACRAMENTO BEE, April 19, 2001

The More the High Court Strays, The More the Harm, LOS ANGELES TIMES, Dec. 11, 2000

Bush's Case is a Real Test for Scalia's Philosophy, LOS ANGELES TIMES, Nov. 27, 2000

The Campaign Finance Mess, LOYOLA LAWYER, Winter 2001(reprinted in 30 EXEMPT ORGANIZATIONS TAX REV. 257 (2000))

Issue Ads Just a Sham, LOS ANGELES DAILY NEWS, Nov. 7, 2000

Crossover Votes Count for Nothing, LOS ANGELES TIMES, Feb. 4, 2000

Ending Nameless Dread: Pamphleteers in Organized Campaigns Should Reveal Their Identities, LOS ANGELES DAILY JOURNAL Apr. 29, 1999

Double Standard, BRILL'S CONTENT, February 1999

Campaign Finance Just Gets Messier, NATIONAL LAW JOURNAL, November 2, 1998

Getting Something for Nothing, LOS ANGELES DAILY JOURNAL, May 19, 1998

CONFERENCES & PRESENTATIONS

Chair and Co-Presenter, *The Past, Present and Future of Election Law: A Symposium Honoring the Work of Daniel Hays Lowenstein*, January 2010

Presenter, "The Aftermath of *Caperton v. Massey*," Seattle University School of Law Conference on State Judicial Elections, Seattle, September 2009

Discussant, "Election Law in the 2008 Election," American Political Science Association

- Annual Meeting, Toronto, September 2009
- Presenter, “The Democracy Canon,” University of Miami Law Review Symposium on the 2008 Election, Miami, FL, January 2009
- Presenter, “More Supply More Demand: Campaign Financing in the 2008 Presidential Election,” COGEL Conference, Chicago, IL, December 2008
- Presenter, “More Supply More Demand: Campaign Financing in the 2008 Presidential Election,” UCDC/AEI-Brookings/*Election Law Journal* Conference on the 2008 Presidential Election, Washington D.C., December 2008
- Presenter, “More Supply, More Demand: Campaign Financing in the 2008 Presidential Election,” Faculty Workshop, U.C. Davis School of Law, October 2008
- Presenter, “Political Equality, the Internet, and Campaign Financing,” Faculty Workshop, Hebrew University, Jerusalem, July 2008
- Presenter, “Political Equality, the Internet, and Campaign Financing,” American Constitution Society, Los Angeles Lawyers Chapter, June 2008
- Presenter, “Political Equality, the Internet, and Campaign Financing,” University of London Conference on Comparative Political Financing, May 2008
- Presenter, “*Too Plain for Argument?*” *The Uncertain Congressional Power to Require Parties to Choose Presidential Nominees Through Direct and Equal Primaries*, Harvard University, Kennedy School Institute of Politics Roundtable on the Presidential Nominations Process, April 2008
- Presenter, “Political Equality, the Internet, and Campaign Financing,” UC Berkeley, Institute for Governmental Studies, Symposium on the 2008 Presidential Nominations Process, April 2008
- Presenter, “When Legislature May Mean More than Legislature,” Hastings Constitutional Law Quarterly Symposium on Election Law, March 2008
- Speaker, American Constitution Society, Protecting the Right to Vote, San Diego, California, March 2008 (with Sec of State Debra Bowen)
- Speaker, Voting Rights symposium for students, USC Law School, February 2008
- Speaker, “The Untimely Death of Bush v. Gore,” St. Thomas More Honor Society, Loyola Law School, February 2008

Speaker, "The Untimely Death of Bush v. Gore," UCLA Law School Lunch Colloquium, January 2008

Lecturer, "Election Law Issues in the 2008 Election," Mid-Year Conference of State Supreme Court Chief Justices, January 2008

Instructor, Pre-Election Challenges, National Center for State Courts, Williamsburg, VA, April 2007 (prepared videotaped course to assist state judges in handling election litigation)

Panelist, Comments on Supreme Court Oral Argument in WRTL Case, CATO Institute, Washington, D.C., April 2007

Speaker, Election Administration Issues in the 2006 Election, William and Mary Law School Election Law Society, Williamsburg, VA, April 2007

Speaker, Election Administration Issues in the 2006 Election, AEI-Brookings Election Law Project Event, Washington D.C, March 2007

Speaker, Election Administration Issues in the 2006 Election, USF Law School American Constitution Society Chapter, San Francisco, March 2007

Moderator and Discussant, The Roberts Court and the Future of The Supreme Court's Regulation of Politics, American Association of Law Schools annual Meeting, January 2007

Speaker, The Newer Incoherence: The Supreme Court's New Opinion in Randall v. Sorrell, University of Illinois law school faculty workshop, October 2006

Speaker, Voting Rights Issues in the 2006 Election, PILF, Loyola Democrats, and Federalist Society, Loyola Law School, October 2006

Presenter, The Newer Incoherence: The Supreme Court's New Opinion in Randall v. Sorrell, Ohio State University Symposium on the Roberts Court and Election Law, September 2006

Presenter, The Roberts Court and the Constitutionality of the Voting Rights Act, California Political Association Annual Meeting, September 2006

Testimony on Constitutional Issues Related to Renewal of the Voting Rights Act, Senate Judiciary Committee, May 2006

Presenter, First Amendment Issues in Lobbying Reform, University of California DC Center Conference on Lobbying, April, 2006

Presenter, *Beyond the Margin of Litigation*, AEI-Brookings Election Law Project Kickoff Event, Washington D.C, January 2005

Presenter, *The Future of the Voting Rights Act*, South Carolina Law School, November 2005

Presenter, *The Future of the Voting Rights Act*, Howard Law School, November 2005

Presenter, *Beyond the Margin of Litigation*, Ohio State Law School Symposium on Nonpartisan Election Administration, September 2005

Presenter, *Beyond the Margin of Litigation*, American Political Science Association Annual Meeting, Washington D.C. September 2005

Respondent, Symposium on Richard L. Hasen, *The Supreme Court and Election Law*, Notre Dame Law School, 2004

Presenter, *Buckley is Dead, Long Live Buckley*, Symposium on the Law of Democracy, University of Pennsylvania Law School, 2004

Presenter, *Congressional Power to Reenact the Preclearance Provisions of the Voting Rights Act*, Columbia University/NYU Symposium on the Future of the Voting Rights Act, September 2003

Presenter, *Post-Bush v. Gore* Litigation and Social Science, USC Conference on Election Reform, 2003

Presenter, *The Benefits of Unmanageable Standards in Election Law Cases*, University of North Carolina Law School Symposium on *Bush v. Carr*: 40 Years Later, 2002

Presenter, Roundtable on *Baker v. Carr*, 40 Years Later, American Political Science Association Annual Meeting, August 29, 2002

Discussant, Panel on Legislation, American Political Science Association Annual Meeting, September 1, 2001

Presenter, *Legal Implications, Normative Implications, and Unintended Consequences of Voting Reform Research in Light of Bush v. Gore*, Election Reform 2000 and Beyond, University of Southern California Center for Law and Politics Conference, April 28, 2001

Presenter, “*Bush v. Gore* and the Future of Equal Protection Law in Elections,” at Florida State University Conference on the Law of Presidential Elections (March 2001), McGeorge Retrospective on the 2000 Election (March 2001), and University of San Diego Law School/UCSD Political Science Department Law, Economics, and Politics Workshop

Series, March 2001

Presenter, Absentee Voting, Caltech-MIT Voting Project Meeting March 2001

Debater, Federalist Society Debate on Campaign Finance Reform, October 2000 (debating Prof. Volokh)

Presenter, Campaign Finance Laws and Tax Laws, ABA Section for Tax Meeting, Los Angeles, October 2000

Symposium Organizer, Internet Voting and Democracy, Loyola Law School, October 2000

Presenter, Vote Buying, Stanford/Yale Junior Faculty Forum, May 1999 (invited to present paper after it was chosen in blind competition)

Presenter, Parties Take the Initiative (and Vice Versa), Columbia University School of Law Symposium on Law and Political Parties, November 1999

Panel Chair, Empirical Considerations in Campaign Finance, American Political Science Association Annual Meeting, Atlanta, September 1999

(Written) Symposium Organizer, "Election Law as Its Own Field of Study," LOYOLA OF LOS ANGELES LAW REVIEW, June 1999

Symposium Organizer, Money, Politics and Equality, University of Texas at Austin School of Law, November 1998

Presenter, Campaign Finance Laws and the Rupert Murdoch Problem, American Political Science Association annual meeting, September 1998

Panelist, Twentieth Century Fund/Brennan Center *Buckley* Conference, NYU School of Law, November 1997

Presenter, Entrenching the Duopoly, STANFORD LAW REVIEW Symposium on Law and the Political Process, October 1997

Presenter, "Voting Without Law," University of California at Berkeley, Boalt School of Law, Lecture Series on Rationality and Society, December 1996

Discussant, Panel on Campaign Finance Reform, American Political Science Association Annual Meeting, San Francisco, September 1996

Presenter, "Voting Without Law," University of Pennsylvania Symposium on Law, Economics, & Norms, February 1996

Presenter, “Clipping Coupons for Democracy,” Summit on Campaign Finance Reform, Concord, New Hampshire, January 1996

PRO BONO AMICUS BRIEFS (REPRESENTATIVE CASES)

Crawford v. Marion County Election Board (2007) (United States Supreme Court)

Wisconsin Right to Life v. FEC (2006) (United States Supreme Court)

Padilla v. Lever (2006) (United States Court of Appeals for the Ninth Circuit)

McConnell v. FEC (2003) (United States Supreme Court)

Southwest Voter Registration and Education Project v. Shelley (2003) (United States District Court for the Central District of California and United States Court of Appeals for the Ninth Circuit)

OTHER EMPLOYMENT

Associate, Horvitz & Levy, Los Angeles, 1992-94 (Academic consultant 1994-present)

Law Clerk, Hon. David R. Thompson, United States Court of Appeals for the Ninth Circuit, 1991-92

Summer Associate, Munger, Tolles, & Olson, Los Angeles, 1990

Summer Associate, Irell & Manella, Los Angeles, 1990

Summer Associate, Horvitz & Levy, Los Angeles, 1989

PROFESSIONAL & SCHOLARLY ASSOCIATIONS

California Bar, 1992

American Law and Economics Association

American Law Institute

American Political Science Association

Referee, *International Review of Law and Economics*

Referee, *Social Science Quarterly*

Reviewer, National Academies of Sciences, October 2009 Report on Voter Registration Databases

Board of Referees, *Encyclopedia of Law and Economics*

Board of Advisors, Campaign Legal Center