

Christopher S. Elmendorf

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Employment (law-related)

University of California at Davis School of Law. Professor of Law (July 2007 - present); Acting Professor of Law (Jan. 2004 - June 2007).

Judge Guido Calabresi, United States Court of Appeals for the Second Circuit. Law Clerk, 2002-03.

Political Economy Research Center & National Wildlife Federation. Joint Research Fellow, 2001-02.

Education

Yale Law School. JD, 2001.

- Yale Law Journal
- Coker Teaching Fellow
- Olin Fellow in Law and Economics

Oberlin College. BA with Highest Honors in Economics, 1994.

- Majors: Economics and Environmental Studies
- GPA: 3.95
- Distinctions: Joel Deal Award (for the top graduating student in economics); Phi Beta Kappa (junior-year inductee); Wilkens Scholarship (for the top social science student in the junior class); Jesse Phillips Prize (for the top economics student in the junior class); Harry S. Truman Scholarship (\$30,000 award for students who plan a career in public service).

Academic Publications [available online at <http://ssrn.com/author=345940>]

Refining the Democracy Canon, 95 CORNELL L. REV. 1051 (2010).

Empirical Legitimacy and Election Law, in RACE, REFORM, AND REGULATORY INSTITUTIONS: RECURRING PUZZLES IN AMERICAN DEMOCRACY (Heather K. Gerken, Guy Uriel E. Charles, & Michael S. Kang eds., forthcoming 2010)

Gatekeeping vs. Balancing in the Constitutional Law of Elections: Methodological Uncertainty on the High Court, 17 WILLIAM & MARY BILL RTS. J. 507 (2008) (with Edward B. Foley) (symposium on “How We Vote”).

Undue Burdens on Voter Participation: New Pressures for a Structural Theory of the Right to Vote?, 35 HASTINGS CONST. L. Q. 643 (2008) (symposium on “Frontiers of Democracy”).

Structuring Judicial Review of Electoral Mechanics: Explanations and Opportunities, 156 U. PA. L. REV. 313 (2007).

N.Y. State Bd. of Elections v. Torres: Is the Right to Vote a Constitutional Constraint on Party Nominating Conventions?, 6 ELECTION L. J. 399 (2007).

Advisory Counterparts to Constitutional Courts, 56 DUKE L. J. 953 (2007). Paper selected for the 2006 Stanford-Yale Junior Faculty Forum.

Election Commissions and Electoral Reform: An Overview, 5 ELECTION L. J. 425 (2006).

Representation Reinforcement Through Advisory Commissions: The Case of Election Law, 80 N.Y.U. L. REV. 1366 (2005).

Securing Ecological Investments on Other People's Land: A Transaction-Costs Perspective, 44 NAT. RESOURCES J. 529 (2004) (symposium on "Private Lands Conservation: Institutions and Instruments").

Ideas, Incentives, Gifts, and Governance: Toward Conservation Stewardship of Private Land, In Cultural and Psychological Perspective, 2003 U. ILL. L. REV. 423.

State Courts, Citizen Suits, and the Enforcement of Federal Environmental Law by Non-Article III Plaintiffs, 110 YALE L. J. 1003 (2001).

Other Writings

Making Democracy Work in San Francisco, S.F. CHRONICLE, Feb. 28, 2010 (with David Schleicher).

Budgets by the People, for the People, N.Y. TIMES, July 27, 2009 (with Ethan J. Leib).

Brief of Amici Curiae Professors Christopher S. Elmendorf and Daniel P. Tokaji in Support of Petitioners, *Crawford v. Marion County Election Board*, 128 S.Ct. 1610 (2008).

"Two Models for Building Public Confidence in the Electoral Process," Election Law Blog, Nov. 9, 2008, <http://electionlawblog.org/archives/012371.html>.

"On Choosing the Right Guide: *Crawford* & The Carter-Baker Commission Revisited," Balkinization, June 3, 2008, <http://balkin.blogspot.com/2008/06/on-choosing-right-guide-crawford-carter.html>.

"Judicial Review of Electoral Mechanics After *Crawford*," Election Law @ Moritz, May 6, 2008, <http://moritzlaw.osu.edu/electionlaw/comments/articles.php?ID=417>.

"On *Lopez Torres* and Line Drawing," Election Law @ Moritz, Jan. 22, 2008, <http://moritzlaw.osu.edu/electionlaw/comments/articles.php?ID=239>.

"*Burdick* or *Carrington*?: 'Fencing Out' and the Voter ID Litigation," Election Law @ Moritz, Sept. 12, 2006, <http://moritzlaw.osu.edu/electionlaw/comments/2006/060912.php>.

"Next Time, Start with the People," Balkinization, Nov. 10, 2005, <http://balkin.blogspot.com/2005/11/next-time-start-with-people.html> (with Heather Gerken).

Selected Talks and Scholarly Presentations

"Why Sensible Judicial Enforcement of the Amendment/Judicial Distinction Requires Constitutional Reform," Loyola Los Angeles School of Law (conference on "Rebooting California: Initiatives, Conventions, and Government Reform"). Sept. 2010.

Moderator and Discussant, *Citizens United v. FEC* (workshop sponsored by the American Constitution Society Bay Area Lawyer Chapter). April 2010.

“‘The Politics of First Best’: Depolarization by Design and the Voting Rights Act,” University of Georgia Law School (faculty workshop), April 2010.

Panelist, Independent Election Administration (conference on Helping America Vote, New York University School of Law). April 2010.

“Constitutional Reform in California: Prospects and Perils,” Davis, CA (public lecture co-sponsored by Saving California Communities and the Davis chapter of the League of Women Voters). Feb. 2010.

Panelist, Comparing Avenues to Reform: Initiatives, Revision Commission, or Convention, Sacramento Convention Center (conference on Getting to Reform: Avenues to Constitutional Change in California, co-sponsored by the Institute of Governmental Studies, University of California, Berkeley; the Bill Lane Center for the American West, Stanford University; and the Center for California Studies, California State University, Sacramento). Oct. 2009.

Commentator, NHRIs and Compliance at the National Level, Harvard Law School (conference on “Multi-Disciplinary Perspectives on National Human Rights Institutions, State Compliance and Social Change”). Sept. 2009.

“Policing the Politics of Electoral Reform: Some Unanswered Questions About Partisanship, Public Confidence, and the Prospects for a Salutary Judicial Role,” Duke Law School (conference on “The Future of Elections Scholarship,” sponsored by the Tobin Foundation). Feb. 2009.

“Empirical Legitimacy and Election Law,” University of Texas School of Law (Constitutional Law and Legal Theory Colloquium). Feb. 2009.

“Undue Burdens on Voter Participation: New Pressures for a Structural Theory of the Right to Vote?,” University of California at Hastings School of Law (symposium on “Frontiers of Democracy”). March 2008.

“Undue Burdens on Voter Participation: New Pressures for a Structural Theory of the Right to Vote?,” Georgetown University Law Center (faculty workshop). Feb. 2008.

“Advisory Counterparts to Constitutional Courts,” Yale Law School (Stanford-Yale Junior Faculty Forum). May 2006.

“Reforming the Politics of Election Law Reform: The Contribution of Nonpartisan Electoral Bodies,” Moritz College of Law (conference on “Independent Election Administration: Who Draws the Lines, and Who Counts the Votes?”). Sept. 2005.

“Representation Reinforcement Through Advisory Commissions: The Case of Election Law,” University of California at Davis School of Law (faculty workshop). Oct. 2004.

“Securing Ecological Investments on Other People’s Land,” Politics and Economy Research Center (forum on “Private Lands Conservation: Institutions and Instruments”). Dec. 2002.

Teaching

Law of the Political Process; Administrative Law; Property; Statutory Interpretation; and, on occasion, Water Law and Seminar in Administrative Law.

Service

Member, Judicial Clerkships Committee, University of California at Davis School of Law (academic year 2009-10)

Member, Educational Policy Committee, University of California at Davis School of Law (academic year 2009-10)

Member, Admissions Committee, University of California at Davis School of Law (academic year 2008-09).

Member, Faculty Appointments Committee, University of California at Davis School of Law (academic year 2006-07).

Member, Affirmative Action and Diversity Committee, University of California at Davis (academic years 2005-06 & 2006-07).

Faculty Advisor, *U.C. Davis Law Review* (academic years 2005-06, 2006-07, and 2007-08).

Faculty Advisory, Environmental Law Society, University of California at Davis School of Law (2004-present).

Member, Libraries Committee, University of California at Davis School of Law (academic year 2004-05).

Peer reviews conducted for the *Election Law Journal* (2006-present).

Pro-bono services provided to Repair California, a coalition advocating for a constitutional convention to revise California's constitution (2009).

Bar Admission

California.