

August 2024

DAVID B. FROOMKIN

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ACADEMIC EMPLOYMENT

University of Houston Law Center, Assistant Professor of Law, 2024.

EDUCATION

Yale University, Ph.D. (Political Science), expected 2025.
Dissertation: "Structuring Democracy"

Yale Law School, J.D., 2022.

Yale University, M.A., M.Phil. (Political Science), 2019.

Columbia University, B.A., *cum laude*, 2015.
John Jay Scholar

TEACHING

Current: Elections and the Law of Democracy (Fall 2024), Criminal Law (Spring 2025),
Constitutional Design (Spring 2025)

Additional: Administrative Law, Legislation, Constitutional Law, Separation of Powers

PUBLICATIONS

The Second Coming of the Second Section: The Fourteenth Amendment and Presidential Elections (with Eric Eisner), 56 ARIZONA STATE LAW JOURNAL 127 (2024), available at https://arizonastatelawjournal.org/wp-content/uploads/2024/05/Froomkin_Pub.pdf.

Saving Democracy from the Senate (with A. Michael Froomkin), 2024 UTAH LAW REVIEW 397 (2024), available at <https://dc.law.utah.edu/ulr/vol2024/iss2/5/>.

The Nondelegation Doctrine and the Structure of the Executive, 41 YALE JOURNAL ON REGULATION 60 (2024), available at <https://www.yalejreg.com/print/the-nondelegation-doctrine-and-the-structure-of-the-executive/>.

Selected as an Administrative State Lunch Club reading, Mar. 7, 2022.

The New Authoritarianism in Public Choice (with Ian Shapiro), 71 POLITICAL STUDIES 776 (2023), available at <https://doi.org/10.1177/00323217211041893>.

Reprinted in UNCOMMON SENSE (Ian Shapiro ed., 2024).

Democracy (with Robert A. Dahl and Ian Shapiro), ENCYCLOPEDIA BRITANNICA, <https://www.britannica.com/topic/democracy>.

Algorithmic Accountability: The Need for a New Approach to Transparency and Accountability when Government Functions Are Performed by Algorithms (with Chloe Francis, Eli Pales, Karen Sung, and Kataeya Wooten) (January 18, 2022), available at https://law.yale.edu/sites/default/files/area/center/mfia/document/algorithmic_accountability_report.pdf.

WORKING PAPERS

The Death of Administrative Law, available at <https://papers.ssrn.com/abstract=4466397>.

Vesting and the Veto, available at <https://papers.ssrn.com/abstract=4242238>.

Taking Stock of Property Essentialism, available at <https://papers.ssrn.com/abstract=4708880>.

Due Process and Democratic Process.

Deliberative Administration.

Officers (with Eric Eisner).

The President's Duty to Commission.

PRESENTATIONS

“Officers” (with Eric Eisner), Fifteenth Annual Constitutional Law Colloquium, upcoming November 15-16, 2024.

“Deliberative Administration,” American Political Science Association 2024 Annual Meeting, upcoming September 5, 2024.

“Due Process and Democratic Process,” International Association on Regulation & Governance Inaugural Conference, June 17, 2024.

“Due Process and Democratic Process,” ABA Section on Administrative Law and Regulatory Practice 2024 Spring Conference, May 9, 2024.

“Due Process and Democratic Process,” Yale Political Theory Workshop, May 3, 2024.

“Structure and Democracy,” Yale Political Theory Workshop, November 1, 2023.

“Structure and Democracy,” New England Political Science Association 2023 Annual Meeting, April 21, 2023.

“The Site of Deliberation,” Yale Political Theory Workshop, April 14, 2023.

“Commodification and Redistribution,” Philosophy, Politics, and Economics Society 2022 Annual Meeting, November 4, 2022.

“The New Authoritarianism in Public Choice,” Philosophy of Science for the Study of Politics Seminar, Yale University, October 26, 2022 (invited talk).

“Fixing the Senate” (with A. Michael Froomkin), University of Miami Legal Theory Workshop, October 3, 2022.

“Hobbesian Libertarianism,” Yale Political Theory Workshop, February 1, 2022.

“The New Authoritarianism in Public Choice,” Philosophy of Science for the Study of Politics Seminar, Yale University, November 17, 2021 (invited talk).

“The Most-Affected Principle,” American Political Science Association 2021 Annual Meeting, October 3, 2021.

“The Constitution’s Inadequate Protection of One Person, One Vote,” Graduate Student Constitution Day Discussion, Yale University, September 21, 2021 (invited talk).

“The Site of Deliberation,” New England Political Science Association 2021 Annual Meeting, April 24, 2021.

“Democratic Accountability and the Legal Process,” New England Political Science Association 2021 Annual Meeting, April 23, 2021.

“Fixing the Senate: A User’s Guide” (with A. Michael Froomkin), American Constitution Society Constitutional Law Scholars Forum, March 26, 2021.

“Democracy and Epistemic Free-Riding,” Political Theory Student Workshop, Yale University, October 29, 2020.

“Democratic Accountability and the Legal Process,” American Political Science Association 2020 Annual Meeting, September 10, 2020.

“Democratic Accountability and the Legal Process,” Political Theory Workshop, Yale University, April 14, 2020.

“The New Authoritarianism in Politics and Public Choice” (with Ian Shapiro), American Political Science Association 2018 Annual Meeting, August 30, 2018.

“The New Authoritarianism in Public Choice” (with Ian Shapiro), Yale Political Theory Workshop, February 14, 2018.

“Ideology as Epistemic Free-Riding,” New England Political Science Association 2017 Annual Meeting, April 22, 2017.

“The New Authoritarianism in Public Choice” (with Ian Shapiro), Midwest Political Science Association 2017 Annual Meeting, April 8, 2017.

PRIOR TEACHING

PLSC 214: Politics of American Public Policy, Yale University, Spring 2024 (Teaching Fellow).
Guest lecture: “Election Law and Electoral Reform,” April 22, 2024.

PLSC 383: Designing and Reforming Democracy, Yale University, Fall 2023 (Instructor, with Ian Shapiro) (syllabus of my own design).

PLSC 118: Moral Foundations of Politics, Yale University, Fall 2021 (Teaching Fellow).

PLSC 254: Political Parties in the American System, Yale University, Fall 2020 (Teaching Fellow).

PLSC 118: Moral Foundations of Politics, Yale University, Spring 2020 (Teaching Fellow).

PLSC 114: Introduction to Political Philosophy, Yale University, Fall 2019 (Teaching Fellow).
Guest lecture: “Hobbes’s Libertarianism,” October 14, 2019.

PLSC 343: Equality, Yale University, Spring 2017 (Grader).

LEGAL EXPERIENCE

Admitted to the New York Bar, July 3, 2024.

Summer Associate, Morrison & Foerster, Washington, DC, 2019.

OTHER EXPERIENCE

Research Assistant, Professor H el ene Landemore, Department of Political Science, Yale University, 2016-2017.

Research Assistant, Professor Seyla Benhabib, Department of Political Science, Yale University, 2016.

Research Assistant, Professor Samuel Moyn, Department of History, Columbia University, 2014.

AFFILIATIONS

Research Fellow, Center for Private Law, Yale Law School, 2022-2024.

Fellow, Information Society Project, Yale Law School, 2018, 2021.

SERVICE

Reviewer, AM. J. POL. SCI., 2020, 2021, 2022; EUR. POL. SCI. REV., 2017.

Convener, Jon Elster Reading Group, 2022; Jeremy Waldron Reading Group, 2019; Jon Elster Reading Group, 2017-2018; Political Theory Student Workshop, 2017.

Conference Organizer, “The Crisis of Democracy,” Yale University, 25-26 January 2018; “Rethinking Democracy for the 21st Century,” Yale University, 31 March 2017.

Workshop Coordinator, Political Theory Workshop, Yale Department of Political Science, 2017-2018; Center for Historical Enquiry in the Social Sciences (CHESS) Workshop, Yale University, 2016-2017.

JD Student, Media Freedom and Information Access Clinic, Yale Law School, 2018, 2021.

- Helped to draft complaint in *Bonner v. CIA*, covered by the Free Expression Legal Network (<https://freeexpression.law/2020/09/08/aided-by-mfia-clinic-fbi-agents-book-on-enhanced-interrogation-rereleased/>) and the *New Haven Register* (<https://www.nhregister.com/news/article/Yale-Law-School-helps-win-suit-against-CIA-15531411.php>).
- Helped to draft report, *Algorithmic Accountability: The Need for a New Approach to Transparency and Accountability When Government Functions Are Performed by Algorithms* (<https://law.yale.edu/mfia/projects/algorithmic-accountability/algorithmic-accountability-white-paper>), recipient of Mitchell W. Pearlman Freedom of Information Award from the Connecticut Foundation for Open Government.

Student Liaison, Hiring Committee, Yale Department of Political Science, 2019.