



# MATTHEW C. STEPHENSON

ASSISTANT PROFESSOR OF LAW, HARVARD LAW SCHOOL

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## CURRICULUM VITAE

### **Professional Positions**

Assistant Professor, Harvard Law School, 2004-present

Law Clerk, Justice Anthony Kennedy, United States Supreme Court, 2004-2005

Law Clerk, Senior Judge Steven Williams, United States Court of Appeals for the District of Columbia Circuit, 2003-2004

### **Education**

Harvard University, Ph.D. (Political Science), 2003

Harvard Law School, J.D., *magna cum laude*, 2003

Harvard College, B.A. (East Asian Studies), *magna cum laude*, 1997

### **Articles and Book Chapters**

*Complementary Constraints: Separation of Powers, Rational Voting, and Constitutional Design*, 123 HARVARD LAW REVIEW (forthcoming 2010) (with Jide Nzelibe)

*Political Accountability under Alternative Institutional Regimes*, 22 JOURNAL OF THEORETICAL POLITICS (forthcoming 2010) (with Jide Nzelibe)

*Statutory Interpretation by Administrative Agencies*, in DANIEL FARBER & ANNE JOSEPH O'CONNELL EDS., RESEARCH HANDBOOK IN PUBLIC LAW AND PUBLIC CHOICE, (Edward Elgar Publishing, forthcoming 2010)

*Lobbyists as Imperfect Agents: Implications for Public Policy in a Pluralist System* 47 HARVARD JOURNAL ON LEGISLATION (forthcoming 2010) (with Howell Jackson)

*Legal Realism for Economists*, 23 JOURNAL OF ECONOMIC PERSPECTIVES 191 (2009)

*Chevron Has Only One Step*, 95 VIRGINIA LAW REVIEW 597 (2009) (with Adrian Vermeule)

*The Price of Public Action: Constitutional Doctrine and the Judicial Manipulation of Legislative Enactment Costs*, 118 YALE LAW JOURNAL 2 (2008)

*Optimal Political Control of the Bureaucracy*, 107 MICHIGAN LAW REVIEW 53 (2008)

*Evidentiary Standards and Information Acquisition in Public Law*, 10 AMERICAN LAW & ECONOMICS REVIEW 351 (2008)

*The Administrative Law of Borrowed Regulations: Legal Questions Regarding the Bankruptcy Law's Incorporation of IRS Standards*, 1 NORTON BANKRUPTCY LAW ADVISER 1 (2008) (with Kristin E. Hickman)

*Bureaucratic Decision Costs and Endogenous Agency Expertise*, 23 JOURNAL OF LAW, ECONOMICS & ORGANIZATION 469 (2007)

*Regulatory Quality Under Imperfect Oversight*, 101 AMERICAN POLITICAL SCIENCE REVIEW 605 (2007) (with Ethan Bueno de Mesquita)

*Judicial Reform in Developing Countries: Constraints and Opportunities*, in FRANÇOIS BOURGUIGNON & BORIS PLESKOVIC EDS., ANNUAL WORLD BANK CONFERENCE ON DEVELOPMENT ECONOMICS: BEYOND TRANSITION (World Bank, 2007)

*The Strategic Substitution Effect: Textual Plausibility, Procedural Formality, and Judicial Review of Agency Statutory Interpretations*, 120 HARVARD LAW REVIEW 528 (2006)

*A Costly Signaling Theory of "Hard Look" Judicial Review*, 58 ADMINISTRATIVE LAW REVIEW 753 (2006)

*Legislative Allocation of Delegated Power: Uncertainty, Risk, and the Choice Between Agencies and Courts*, 119 HARVARD LAW REVIEW 1035 (2006)

*Legal Institutions and Informal Networks*, 18 JOURNAL OF THEORETICAL POLITICS 40 (2006) (with Ethan Bueno de Mesquita)

*Public Regulation of Private Enforcement: The Case for Expanding the Role of Administrative Agencies*, 91 VIRGINIA LAW REVIEW 93 (2005)

*Court of Public Opinion: Government Accountability and Judicial Power*, 20 JOURNAL OF LAW, ECONOMICS & ORGANIZATION 379 (2004)

*Mixed Signals: Reconsidering the Political Economy of Judicial Deference to Administrative Agencies*, 56 ADMINISTRATIVE LAW REVIEW 657 (2004)

*"When the Devil Turns...": The Political Foundations of Independent Judicial Review*, 32 JOURNAL OF LEGAL STUDIES 59 (2003)

*Informative Precedent and Intrajudicial Communication*, 96 AMERICAN POLITICAL SCIENCE REVIEW 755 (2003) (with Ethan Bueno de Mesquita)

- Reprinted in JON R. BOND ET AL. EDS, INSTITUTIONAL GAMES AND THE U.S. SUPREME COURT (University of Virginia Press, 2006)

*A Tale of Two Theories: The Legal Basis for the EPA's Proposed Revision to the Routine Maintenance, Repair, and Replacement Exemption*, 33 ENVIRONMENTAL LAW REPORTER 10789 (2003)

*A Trojan Horse Behind Chinese Walls?: Problems and Prospects of U.S.-Sponsored "Rule of Law" Reform Projects in the People's Republic of China*, 18 UCLA PACIFIC BASIN LAW JOURNAL 64 (2000)

- Updated and reprinted in THOMAS CAROTHERS ED., PROMOTING THE RULE OF LAW ABROAD: IN SEARCH OF KNOWLEDGE (Carnegie Endowment for International Peace, 2006)

### **Short Comments and Replies**

*The Costs of Voting Rule Chevron: A Comment on Gersen and Vermeule's Proposal*, 116 YALE L. J. POCKET PART 238 (2007)

*The Legislative Choice between Agencies and Courts: A Response to Farber and Vermeule*, 119 HARV. L. REV. F. 173 (2006)

### **Casebooks**

LEGISLATION AND REGULATION (under contract with Foundation Press, forthcoming 2010) (with John F. Manning)

### **Work in Progress**

*Judicial Deference to Inconsistent Agency Statutory Interpretations* (with Yehonatan Givati)

*Judicial Review and Democratic Failure* (with Justin Fox)

*Information Revelation and Information Acquisition in the Design of Bureaucratic Oversight Systems* (with Ethan Bueno de Mesquita)