

Nicholas R. Bednar

University of Minnesota Law School

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Associate Professor

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ACADEMIC APPOINTMENTS

University of Minnesota Law School
Associate Professor

Since June 2023

EDUCATION

Vanderbilt University

Ph.D., Political Science

Aug. 2023

M.A., Political Science

Dec. 2021

Dissertation: *Maintaining the American State*

Committee: David E. Lewis (Chair), Brenton Kenkel, Gillian Metzger,
Rachel Potter, Guillermo Toral, and Sharece Thrower.

University of Minnesota Law School

J.D., *Magna Cum Laude*, Order of the Coif

May 2016

Minnesota Law Review: Lead Articles Editor.

Lockhart Award for Excellence in Scholarship, Leadership, and Service:

Awarded to one graduating student by the faculty.

University of Minnesota – Twin Cities

B.A., Political Science and History, *with Distinction*

Dec. 2012

University of College Cork

Certificate in Irish Politics

May 2012

PUBLICATIONS

Presidential Investments in the Administrative State, __ AMERICAN POLITICAL SCIENCE REVIEW (forthcoming) (with David E. Lewis) (peer reviewed).

— Featured on the *London School of Economics United States Politics and Policy Blog*.

Bureaucratic Autonomy and the Policymaking Capacity of U.S. Federal Agencies, 1998-2021, __ POLITICAL SCIENCE RESEARCH AND METHODS (forthcoming) (peer reviewed).

The Public Administration of Justice, 44 CARDOZO LAW REVIEW __ (forthcoming).

— Featured on *The Regulatory Review*.

Policy Implementation and the Judiciary, in THE HANDBOOK OF POLICY IMPLEMENTATION (forthcoming) (with Sharece Thrower and Paul Gardner).

What to Do About Chevron—Nothing, 72 VANDERBILT LAW REVIEW EN BANC 151 (2019).

— Invited response to Kent Barnett, Christina L. Boyd, and Christopher J. Walker, *Administrative Law's Political Dynamics*, 71 VANDERBILT LAW REVIEW 1463 (2018).

Justifying Delay: Why Agencies Delay Compliance Dates and How They Do It, 4 JOURNAL OF REGULATORY COMPLIANCE 1 (2019).

— Contribution to the 2018 *Journal of Regulatory Compliance* Symposium.

The Winter of Discontent: A Circumscribed Chevron, 45 MITCHELL HAMLINE LAW REVIEW 393 (2019).

— Contribution to special separation-of-powers issue.

Chevron's Inevitability, 85 GEORGE WASHINGTON LAW REVIEW 1392 (2017) (with Kristin E. Hickman).

— Reviewed by Adrian Vermeule in *Jotwell*.

The Clear-Statement Chevron Canon, 66 DEPAUL LAW REVIEW 819 (2017).

Deferring to the Rule of Law: A Comparative Look at United States Deference Doctrines, 47 UNIVERSITY OF MEMPHIS LAW REVIEW 1047 (2017) (with Barbara Marchevsky).

— Contribution to the 2017 *University of Memphis Law Review* Symposium.

Asylum's Interpretative Impasse: Interpreting 'Persecution' and 'Particular Social Group' Using International Human Rights Law, 26 MINNESOTA JOURNAL OF INTERNATIONAL LAW 145 (2017) (with Margaret Penland).

Social Group Semantics: The Evidentiary Requirements of 'Particularity' and 'Social Distinction' in Pro Se Asylum Adjudications, 100 MINNESOTA LAW REVIEW 355 (2015) (Note).

— Recipient of the Volume 35/36 Note and Comment Award.

SHORT PUBLICATIONS

Chevron's Latest Step, YALE JOURNAL ON REGULATION: NOTICE & COMMENT (2022).

Chevron Critics and Clarity, 27 THE PUBLIC LAWYER 2 (2019).

Coping with Chevron: Justice Gorsuch's Majority and Justice Breyer's Dissent in SAS Institute, YALE JOURNAL ON REGULATION: NOTICE & COMMENT (2018).

DACA on the Docket, MINNESOTA LAW REVIEW DE NOVO (2017).

Defying Auer Deference: Skidmore as a Solution to Conservative Concerns in Perez v. Mortgage Bankers Association, MINNESOTA LAW REVIEW DE NOVO (2015).

CURRENT RESEARCH AND WORKING PAPERS

"Bureaucratic Capacity in the Administrative Presidency."

— Recipient of the 2023 Malcolm Jewell Award for the best graduate student paper presented at the Southern Political Science Association annual meeting.

— Recipient of the 2020 Vanderbilt Political Science Best Paper Award.

"Agency Policymaking Among Appointees, Actings, and Vacancies" (with Chris Piper).

"Presidential Regulatory Priorities" (with Sharece Thrower).

SELECTED GRANTS, HONORS, AND AWARDS

Inaugural Dissertation Research Grant Russell Sage Foundation	July 2022
Presidents and Executive Politics Section Grant American Political Science Association	July 2022
J. Leiper Freeman Memorial Award Vanderbilt University (Faculty Selected)	June 2020
Student Service Award Minnesota Justice Foundation	May 2016
Human Rights Center Fellowship University of Minnesota Human Rights Center	May 2014

ACADEMIC PRESENTATIONS

- 2023 Vanderbilt University American Politics Seminar.
- 2022 American Bar Association Administrative Law Conference (Panel on “Adjudicatory Independence: Diagnosis, Prognosis, and Cure”); American Political Science Association Annual Meeting; Administrative Law New Scholarship Roundtable (University of Minnesota); The Evolving Executive (Vanderbilt University); Midwest Political Science Association Annual Meeting; Southern Political Science Association Annual Meeting; Vanderbilt University American Politics Seminar.
- 2021 Center for the Study of Democratic Institutions (Vanderbilt University); *Duke Law Review* Symposium (Presentation on “*Chevron* and the Department of Justice”); Vanderbilt University American Politics Seminar.
- 2020 Southern Political Science Association Annual Meeting.
- 2018 *Journal of Regulatory Compliance* Symposium.
- 2016 University of Minnesota Law School Faculty Squartable.

PROFESSIONAL EXPERIENCE

Chief Judge John R. Tunheim, U.S. District Court Judicial Law Clerk	Minneapolis, MN Aug. 2017 – Aug. 2018
Judge Tracy M. Smith, Minnesota Court of Appeals Judicial Law Clerk	St. Paul, MN Aug. 2016 – Aug. 2017
Myers Thompson P.A. Summer Associate	Minneapolis, MN May 2015 – Aug. 2015
Advocates for Human Rights Refugee and Immigrant Program Law Clerk	Minneapolis, MN June 2014 – Aug. 2014

TEACHING EXPERIENCE

University of Minnesota Law School
Torts (Fall 2023).

Vanderbilt University
Math Camp (graduate) (Instructor) (Fall 2021; Fall 2020).
Statistics I (graduate) (Recitation Instructor/Teaching Assistant) (Fall 2020).
Statistics II (graduate) (Recitation Instructor/Teaching Assistant) (Spring 2021).
Game Theory (mixed) (Teaching Assistant) (Fall 2023, Fall 2019).
Public Policy (undergraduate) (Teaching Assistant) (Spring 2023, Spring 2022).

iLaw
Administrative Law (Teaching Assistant) (Summer 2020)

RESEARCH ASSISTANT POSITIONS

Vanderbilt University 2018 – 2023
David E. Lewis (Presidency and Bureaucracy).
Brad Smith (Statutory Interpretation and Formal Models).
Sharece Thrower (Judicial Politics, Bureaucracy, and Machine Learning)
Nicholas Zeppos (Private Governance and the Media).

William and Mary Law School 2022
Neal Devins (Bureaucracy and Quantitative Methods).

University of Minnesota Law School 2014 – 2016
Kristin E. Hickman (Administrative Law and Bureaucracy).
Steve Meili (Immigration and International Human Rights).
Robert Stein (Statutory Interpretation and Supreme Court History).

RESEARCH AFFILIATIONS

Georgetown University – Department of Government
Affiliate Researcher Since 2021

Vanderbilt University – Center for the Study of Democratic Institutions
Affiliate Researcher Since 2019

SELECTED PROFESSIONAL AND UNIVERSITY SERVICE

Conference Organization:
The Evolving Executive Conference (Vanderbilt University). Sep. 2022
Vanderbilt Graduate Idea Symposium. Dec. 2021

Journal Referee:
Journal of Political Science; Presidential Studies Quarterly.

Professional Memberships:
American Bar Association.
American Political Science Association.
Association of American Law Schools.
Midwest Political Science Association.
Southern Political Science Association.

BAR ADMISSIONS

Minnesota

Since 2016