Nicholas R. Bednar

University of Minnesota Law School Associate Professor

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ACADEMIC APPOINTMENTS

University of Minnesota Law School Associate Professor

Since June 2023

May 2016

EDUCATION

Vanderbilt University

Ph.D., Political Science
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

Minnesota Law Review: Lead Articles Editor.

Lockhart Award for Excellence in Scholarship, Leadership, and Service

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

JOURNAL PUBLICATIONS

Presidential Control and Administrative Capacity, 77 STANFORD LAW REVIEW ___ (forthcoming 2025)

- 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.

Bureaucratic Autonomy and the Policymaking Capacity of U.S. Federal Agencies, 1998-2021, __ POLITICAL SCIENCE RESEARCH AND METHODS (forthcoming 2024) (peer reviewed).

Presidential Investments in the Administrative State, 118 AMERICAN POLITICAL SCIENCE REVIEW 442 (2024) (with David E. Lewis) (peer reviewed).

- Reviewed by Anne Joseph O'Connell, Agency Capacity, JOTWELL (Oct. 27, 2023).
- Featured on the London School of Economics United States Politics and Policy Blog.

- The Public Administration of Justice, 44 CARDOZO LAW REVIEW 2139 (2023).
 - Reviewed by Eyal Lurie Pardes, *The Adjudicatory Capacity to Make Decisions*, THE REGULATORY REVIEW (Dec. 22, 2022).
- 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, Chevron as a Legal Framework, JOTWELL (Oct. 24, 2017).
- 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.

BOOK CHAPTERS

Policy Implementation and the Judiciary, in The Handbook of Policy Implementation (Fritz Sager, Céline Mavrot, and Lael R. Keiser eds., forthcoming 2024) (with Sharece Thrower and Paul Gardner).

SHORT PUBLICATIONS

- Eighth Circuit Vacates EPA Rule After Agency Relied on Ninth Circuit Order, 49 ADMINISTRATIVE & REGULATORY LAW NEWS 14 (Winter 2024).
- Sixth Circuit Considers the Legacy of Benzene, 49 ADMINISTRATIVE & REGULATORY LAW NEWS 22 (Fall 2023).
- Chevron and Candor, Yale Journal on Regulation: Notice & Comment (2023).
- 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

"In Defense of Independence."

"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

- 2024 Association of American Law Schools ("New Voices in Administrative Law").
- 2023 Vanderbilt University American Politics Seminar; Section 3, Insurrection, and the 2024 Election (University of Minnesota, moderator).
- 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 Squaretable.

TEACHING EXPERIENCE

University of Minnesota Law School

Legislation and Regulation (Spring 2024).

Torts (Fall 2023).

Vanderbilt University

Game Theory (Fall 2023, Fall 2019) (Teaching Assistant).

Public Policy (Spring 2023, Spring 2022) (Teaching Assistant).

Math Camp (Fall 2021; Fall 2020) (Instructor to graduate students).

Statistics II (Spring 2021) (Recitation Instructor to graduate students).

Statistics I (Fall 2020) (Recitation Instructor to graduate students).

iLaw

Administrative Law (Summer 2016) (Teaching Assistant).

SELECTED PROFESSIONAL AND UNIVERSITY SERVICE

Committee Service:

Judicial Clerkship Committee (University of Minnesota).	2023 - 2024
Clerk of Faculty	2023 - 2024

Conference Organization:

Section 3, Insurrection, and the 2024 Election (University of Minnesota).	Oct. 2023
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.

PROFESSIONAL EXPERIENCE

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

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

BAR ADMISSIONS

Minnesota Since 2016