

**DAVID SCHLEICHER**  
Professor of Law  
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## Experience

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**YALE LAW SCHOOL**, New Haven, CT 2014, 2015-  
Professor, 2017-  
Associate Professor, 2015-2017  
*Irving S. Ribicoff Visiting Associate Professor of Law*, 2014

**GEORGE MASON UNIVERSITY SCHOOL OF LAW**, Arlington, VA 2008-15  
*Associate Professor of Law*, 2011-15  
*Assistant Professor of Law*, 2008-11

**GEORGETOWN UNIVERSITY SCHOOL OF LAW**, Washington D.C. 2013  
*Visiting Associate Professor of Law*

**NEW YORK UNIVERSITY SCHOOL OF LAW**, New York, NY 2011  
*Visiting Professor of Law*

**HARVARD LAW SCHOOL**, Cambridge, MA, 2006-2008  
*Climenko Fellow and Lecturer on Law*

**JUDGE CARLOS LUCERO**, Court of Appeals for the Tenth Circuit, Denver, CO, 2005-2006  
*Law Clerk*

**PAUL, WEISS, RIFKIND, WHARTON & GARRISON**, New York, NY 2004-2005  
*Associate*

## Academic Articles, Chapters, and Books

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*Exclusionary Zoning's Confused Defenders*, University of Wisconsin Law Review (forthcoming 2021)

*Constitutional Law for NIMBYs: A Review of 'Principles of Home Rule for the 21st Century' by the National League of Cities*, 81 Ohio State Law Journal 883 (2021)

*Building Coalitions out of Thin Air: Transferable Development Rights and "Constituency Effects" in Land Use Law*, 12 Journal of Legal Analysis 79 (2020)

*For What? Bernard Siegan and the Case Against Zoning*, foreword to BERNARD SIEGAN, LAND USE WITHOUT ZONING (re-issued in 2020)

*Vermont is a Constitutional Problem*, 61 ARIZ. L. REV. 253 (2019)

*Junk Cities: Resolving Insolvency Crises in Overlapping Local Governments*, 107 CAL. L. REV. 459 (2019) (with Aurelia Chaudhury and Adam J. Levitin)

*Surreply: How and Why We Should Become Un-Stuck!*, 127 YALE L. J. F. 571 (2018),

*Stuck! The Law and Economics of Residential Stability*, 127 YALE L. J. 78 (2017)

*Federalism and State Democracy*, 95 TEX. L. REV. 763 (2017)

## Academic Works (continued)

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*How Land Use Law Impedes Transportation Innovation* in EVIDENCE AND INNOVATION IN HOUSING LAW AND POLICY (Lee Anne Fennell and Benjamin Keys Eds., Cambridge University Press, forthcoming 2017)

*The Boundary Problem and the Changing Case Against Deference in Election Law Cases*, 15 ELECTION L. J. 247 (2016)

*Local Regulation of the Sharing Economy*, in WHO IS AN EMPLOYEE AND WHO IS THE EMPLOYER? (Lexis/Matthew Bender, forthcoming 2017) (with Daniel Rauch).

*The Irony of Exclusionary Zoning*, in THE NEW ENTREPRENEURIAL GROWTH AGENDA (Kauffman Foundation Books 2016)

Republished in Zoning and Planning Law Handbook (Thomson-Reuters 2017)  
Forthcoming

*Like Uber, But for Local Government Law: The Future of Local Regulation of the 'Sharing Economy'*, 76 OHIO ST. L. J. 901 (2015) (with Daniel Rauch)

LOCAL GOVERNMENT LAW: CASES AND MATERIALS (5<sup>th</sup> Ed. 2015) (with Lynn A. Baker and Clayton P. Gillette)

*Planning an Affordable City*, 101 IOWA L. REV. 91 (2015) (with Roderick M. Hills, Jr.)

Republished in revised form as Hills and Schleicher, *Can 'Planning' Deregulate Land Use*, 24 REGULATION MAGAZINE 36 (2015).

*Things Aren't Going That Well Over There Either: Party Polarization and Election Law in Comparative Perspective*, 2015 U. CHI. L. FORUM 433 (2015)

*Welcome to New Columbia: The Fiscal, Economic and Political Consequences of Statehood for DC*, 23 WILL. & MARY BILL OF RIGHTS J. 89 (2014)

*The Seventeenth Amendment and Federalism in an Age of National Political Parties*, 65 HASTINGS L. J. 1043 (2014)

*Local Government Law's "Law and \_\_\_" Problem*, 40 FORDHAM URB. L. J. 1951 (2014)

*City Unplanning*, 122 YALE L. J. 1670 (2013).

*From Here All the Way Down, Or How To Write a Festschrift Piece*, 47 TULSA L. REV. 401 (2013).

*Informing Consent: On Voter Ignorance and Election Law*, 2012 U. ILL. L. REV. 363 (2013) (with Christopher S. Elmendorf).

*Districting for Realistically Uninformed Voters*, 121 YALE L. J. 1846 (2012) (with Christopher S. Elmendorf).

*The Location Market*, 21 GEO. MASON L. REV 637 (2012) (with Daniel B. Rodriguez)

Republished in the Land Use and Environmental Law Review 2013-14 (forthcoming)

*Balancing the "Zoning Budget"*, 63 CASE WEST. L. REV 81 (2011) (with Roderick M. Hills Jr.)

Republished in revised form as Hills and Schleicher, *Balancing the Zoning Budget*, 34 REGULATION MAGAZINE 24 (2011).

*What if Europe Held an Election and No One Cared?*, 52 HARV. INT'L L.J. 109 (2011).

## Academic Works (continued)

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*Mapping Election Law's Interior* in RACE, REFORM, AND REGULATORY INSTITUTIONS: RECURRING PUZZLES IN AMERICAN DEMOCRACY (Gerken, Charles, and Kang eds.) (2011).

*The City as a Law and Economic Subject*, 2010 U. ILL. L. REV. 1507 (2010)

*The Steep Costs of Using Non-Cumulative Zoning to Preserve Land for Urban Manufacturing*, 77 U. CHI. L. REV. 249 (2010) (with Roderick M. Hills Jr.)

Republished in revised form as Hills and Schleicher, *A Hidden Gift to Manufacturing*, 33 REGULATION MAGAZINE 30 (2010).

*I Would, But I Need the Eggs: Why Political Corruption Does Not Cause Exit From Big American Cities and Why Political Competition Fails to Check Local Corruption*, 42 LOY. U. CHI. L.J. 277 (2010)

*Irrational Voters, Rational Voting*, (Book review of BRYAN CAPLAN, THE MYTH OF THE RATIONAL VOTER: WHY DEMOCRACIES CHOOSE BAD POLICIES), 7 ELECTION L. J. 149 (2008).

*Why is There No Partisan Competition in City Council Elections: The Role of Election Law*, 14 J. L. & POL. 419 (2007).

*"Politics as Markets" Reconsidered: Natural Monopolies, Competitive Democratic Philosophy and Primary Ballot Access in American Elections*, 14 SUP. CT. ECON. REV. 163 (2006)

*Liberal International Law Theory and the United Nations Mission in Kosovo: Ideas and Practice*, 14 TULANE J. INT'L & COMP. L. 179 (2006).

Book Review, *Transatlantic Governance in the Global Economy*, Edited by Mark A. Pollack and Gregory C. Shaffer, 43 HARV. INT'L L.J. 605 (2002) (student note).

## Selected Popular Writing

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*A Golden Moment in the Golden State?* Niskanen Center, Jan. 31, 2019,

*Cities in Distress: What Chicago's Bankruptcy Might Look Like*, Law360, July 11, 2018 (with Adam Levitin)

*Stuck in Place*, Democracy: A Journal of Ideas, Fall 2016

*High costs may explain crumbling support for US infrastructure*, Real Clear Policy, March 31, 2015 (with Tracey Gordon)

*State's Wrongs: Conservatives' illogical, inconsistent effort to repeal the 17th Amendment*, Slate, Feb 27, 2014

*All Politics is National: How state and local elections fail us, and what we can do about it*, The Atlantic, July 13, 2012

*Making Democracy Work in San Francisco*, SAN FRANCISCO CHRONICLE, February 28, 2010 (with Christopher Elmendorf)

Blooged at Balkanization, the Dream Revisited, the Election Law Blog, The London School of Economics British Politics and Policy Blog, Prawfsblawg, and the Volokh Conspiracy.

Podcast appearances include: Vox's The Weeds, Strict Scrutiny, Here's the Thing With Alex Baldwin, Our Holmes, Model Citizen, The Law and Political Economy Podcast and MacroMusings,

Host of the Digging a Hole: The Legal Theory Podcast

## Education

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**HARVARD LAW SCHOOL, J.D.** June 2004  
Honors: *Magna cum laude*  
*Harvard International Law Journal*, Managing Editor

**LONDON SCHOOL OF ECONOMICS, M.Sc. in Economics** June 2001

**DARTMOUTH COLLEGE, A.B. with honors in Economics and Government** May 2000  
Honors: *Magna cum laude; Phi Beta Kappa*