

**Christine Kexel Chabot (“shuh-BOE”) (she/her)**

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**ACADEMIC POSITIONS:**

Associate Professor of Law (with tenure), Marquette University Law School (2023-present)  
(Administrative Law, Sales, Litigating the Lessons of History)

Service: Executive Committee, American Association of Law Schools Section for  
Administrative Law (elected 2023); Marquette University Committee on Research;  
Marquette University Law School Academic Programs and Regulations Committees

Distinguished Professor in Residence, Loyola University Chicago School of Law (2012-2023)  
(Administrative Law, Antitrust, and Sales)

Service: Institute for Consumer Antitrust Studies, Associate Director for Regulation (2018-  
2023); Interim Co-Director (2022-2023)

**EDUCATION:**

Notre Dame Law School, Juris Doctor, *magna cum laude*

*Notre Dame Law Review* (Articles Editor)

Northwestern University, Bachelor of Arts in English Literature

**LAW REVIEW ARTICLES:**

*The Founders’ Purse*, VIRGINIA L. REV. (forthcoming 2024)

Featured in Daniel Deacon, [Ad Law Reading Room](#), “*The Founders’ Purse*,” by Christine Kexel  
Chabot, YALE J. ON REG.: NOTICE & COMMENT (June 23, 2023)

Endorsed as “[highly recommended](#),” Lawrence Solum, LEGAL THEORY BLOG (June 21, 2023)

*The President’s Approval Power*, FORDHAM L. REV. (forthcoming 2023)

*Interring the Unitary Executive*, 98 NOTRE DAME L. REV. 129 (2022)

Cited in an amicus [brief](#) in *Securities and Exchange Commission v. Jarkesy*, No. 22-859 (S. Ct.  
2023)

Featured in Michael Ramsey, [The Year in Review](#), ORIGINALISM BLOG (January 13, 2022)

[\*The Lost History of Delegation at the Founding\*](#), 56 GEORGIA L. REV. 81 (2021)

Cited in Justice Kagan's dissent in [\*West Virginia v. EPA\*](#), No. 20-1530 (U.S. June 30, 2022) and in amicus briefs ([here](#), [here](#), and [here](#)) in *West Virginia v. EPA, Chambliss Enterprises LLC v. Walensky*, No. 21-30037 (5<sup>th</sup> Cir. 2021); and *Tiger Lily, LLC v. U.S. Dept. Housing & Urban Development*, 992 F.3d 518 (6<sup>th</sup> Cir. 2021)

Featured in Jonathan H. Adler, [\*Delegation and Nondelegation at the Founding\*](#), REASON (Oct. 16, 2020)

[\*Is the Federal Reserve Constitutional? An Originalist Argument for Independent Agencies\*](#), 96 NOTRE DAME L. REV. 1 (2020)

Reviewed in Mitu Gulati, [\*Christine Chabot on "Is the Federal Reserve Constitutional?"\*](#) CREDIT SLIPS (Oct. 28, 2019)

Cited in the [Brief](#) of Court-appointed Amicus Curiae and two additional amicus briefs ([here](#) and [here](#)) in *Collins v. Yellen*, 141 S. Ct. 1761 (2021); cited in an amicus [brief](#) in *Seila Law LLC v. Consumer Financial Protection Bureau*, 140 S. Ct. 2183 (2020)

[\*The Science of Administrative Change\*](#), 52 CONN. L. REV. 1 (2020) (with Barry Sullivan)

[\*Do Justices Time Their Retirements Politically? An Empirical Analysis of the Timing and Outcomes of Supreme Court Retirements in the Modern Era\*](#), 2019 UTAH L. REV. 527

Media Coverage: Adam Liptak, [\*Why Justice Breyer May Resist Calls for His Retirement\*](#), THE NEW YORK TIMES (May 17, 2021); Mark Walsh, [\*Speculation swirls over Supreme Court retirements\*](#), A.B.A. J. (May 1, 2018); Amanda Frost, [\*Academic highlight: Chabot on the timing of justices' retirements\*](#), SCOTUSBLOG (April 6, 2018); Adam Liptak, [\*Will Anthony Kennedy Retire? What Influences a Justice's Decision\*](#), THE NEW YORK TIMES (Feb. 19, 2018)

[\*Schooling the Supreme Court\*](#), 92 DENV. U. L. REV. 217 (2015)

[\*Selling Chevron\*](#), 67 ADMIN. L. REV. 481 (2015)

[\*A Long View of the Senate's Influence over Supreme Court Appointments\*](#), 64 HASTINGS L. J. 1229 (2013)

[\*Mavericks, Moderates, or Drifters? Supreme Court Voting Alignments, 1838 – 2009\*](#), 76 MO. L. REV. 999 (2011) (with Benjamin Chabot)

Media coverage: [\*Justice Ruth Bader Ginsburg: Should She Stay or Should She Go?\*](#) THE ECONOMIST (March 18, 2014)

*Paradigms of Power: A Comment on Blue Cross & Blue Shield United v. Marshfield Clinic*, 71 NOTRE DAME L. REV. 1093 (1996)

## **BOOK CHAPTERS AND SHORTER WORKS:**

[\*Appropriating Major Questions\*](#), YALE J. ON REG.: NOTICE & COMMENT (July 5, 2023)

*Article II Vibes*, 48 A.B.A. ADMIN. & REG. L. NEWS 8 (invited essay, Fall 2022)

[\*Sheep in Wolves' Clothing\*](#), YALE J. ON REG.: NOTICE & COMMENT (May 23, 2022)

*Is the Administrative State Unconstitutional? in THE U.S. CONSTITUTION IN FIVE MINUTES* (Equinox, invited essay 2023)

[\*Nondelegation at the Founding? What James Madison Told the First Congress\*](#), YALE J. ON REG.: NOTICE & COMMENT (July 19, 2020)

*Alexander Hamilton's Independent Agency*, 45 A.B.A. ADMIN. & REG. L. NEWS 12 (invited essay, Winter 2020)

[\*Why the Federal Reserve Saves the Consumer Financial Protection Bureau\*](#), PRAWFSBLAWG (March 3, 2020)

[\*Before Law Schools\*](#), PRAWFSBLAWG (Feb. 13, 2020)

[\*Will the Seila Case Provoke Bold Moves from the Roberts Court?\*](#) PRAWFSBLAWG (Feb. 6, 2020)

[\*The Administrative Law Dispute at the Heart of the Census and DACA Cases\*](#), PRAWFSBLAWG (Feb. 1, 2020)

[\*On Disappointed Presidents\*](#), PRAWFSBLAWG (Jan. 25, 2020)

[\*Could Congress Put Chief Justice Roberts on the Federal Reserve's Open Market Committee? It's Not as Crazy as You Might Think\*](#), PRAWFSBLAWG (Jan. 20, 2020)

[\*Alexander Hamilton and Independent Monetary Policy\*](#), PRAWFSBLAWG (Jan. 16, 2020)

*Discovery of Documents and Tangible Things* (with Jeffrey Kinsler), in 10 JEFFREY S. KINSLER ET AL., ILLINOIS PRACTICE: CIVIL DISCOVERY (2000)

*State of Illinois* (co-authored), in 1 A.B.A. SECTION OF ANTITRUST LAW, STATE ANTITRUST PRACTICE AND STATUTES (2d ed. 1999)

*State of Nebraska* (co-authored), in 2 A.B.A. SECTION OF ANTITRUST LAW, STATE ANTITRUST PRACTICE AND STATUTES (2d ed. 1999)

## **SELECTED MEDIA APPEARANCES:**

[\*The high-stakes cases to watch during the new SCOTUS term\*](#), WISCONSIN PUBLIC RADIO (Oct. 4, 2023)

*New Day*, CNN (January 29, 2022) (Justice Breyer's retirement)

[\*Before 'Enemy Of The People,' There Was A Horsewhip Committee\*](#), KEN RUDIN'S POLITICAL JUNKIE (June 26, 2021) (12:55; Justice Breyer's possible retirement plans)

John Fritze, [\*'Apex of his career': Justice Stephen Breyer is exerting his influence despite retirement calls\*](#), USA TODAY (\$) (June 24, 2021)

[\*Balance of Power\*](#), BLOOMBERG TV (June 1, 2021) (13:30; Amazon antitrust litigation)

*President Trump Prepares to Nominate another Justice*, BLOOMBERG RADIO (July 9, 2018)

### **SELECTED PRESENTATIONS:**

AALS Annual Meeting, New Voices in Administrative Law (commentator, 2024)

Chicago-Kent College of Law, Symposium on Teaching in a Time of Conflict and Change (November 2023)

Constitutional Law Colloquium, Loyola University Chicago School of Law (November 2023)

AALS Annual Meeting, New Voices in Administrative Law (2023)

Fordham Law Review, Symposium on the *Unitary Executive: History and Practice* (Co-organizer with Jed Shugerman, Ethan Leib, and the *Fordham Law Review*) (2023)

Constitutional Law Colloquium, Loyola University Chicago School of Law (November 2022)

Georgetown Center for the Constitution & The Project on Constitutional Originalism and Catholic Intellectual Tradition, *Towards Nondelegation Doctrines* (commentator, 2022)

National Conference of Constitutional Law Scholars (2022)

Northwestern Pritzker School of Law, Spring Faculty Workshop Series (2022)

AALS Annual Meeting, New Voices in Administrative Law (2022)

AALS Annual Meeting, New Voices in Administrative Law and Legislation (2021)

Florida International University College of Law, Faculty Workshop (2021)

Constitutional Law Colloquium, Loyola University Chicago School of Law (2020)

Constitutional Law Colloquium, Loyola University Chicago School of Law (2019)

Constitutional Law Colloquium, Loyola University Chicago School of Law (2017)

Loyola Antitrust Colloquium (commentator, 2016)

Loyola Antitrust Colloquium (commentator, 2013)

Conference on Empirical Legal Studies, Penn Law School (2013)

Constitutional Law Colloquium, Loyola University Chicago School of Law (2012)

Chicago-Kent College of Law, Faculty Workshop (2012)

Conference on Empirical Legal Studies, Northwestern (Law and Politics IV, 2011)

**HONORS:**

Notre Dame Law School Dean's Scholar, Contracts Tutorial  
Dean's Award (top exam score in section for Criminal Law and Business Associations)  
Notre Dame Law School Dean's Honor List  
Patrick and Ruth Louise McAndrews Scholarship  
Northwestern University College of Arts and Sciences Dean's List

**ADDITIONAL LEGAL EXPERIENCE:**

Adjunct Teaching Positions: Loyola University Chicago School of Law (2010-2011); Chicago-Kent College of Law (Spring 2011-2012); University of Connecticut School of Law (Spring 2009-2010); Pace Law School (Fall 2008); Michigan State University College of Law (2004-Spring 2008)  
Litigation Associate, Dickinson Wright PLLC, Ann Arbor, Michigan (2003-2008)  
Law Clerk, Hon. Jane R. Roth, United States Court of Appeals for the Third Circuit, Wilmington, Delaware (2001-2002)  
Litigation Associate, Mayer, Brown & Platt, Chicago, Illinois (1997-2001)

**RESEARCH AND TEACHING INTERESTS:**

Primary: administrative law, constitutional law, separation of powers, legal history, legislation

Secondary: civil procedure, antitrust, property, professional responsibility