

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

Marquette University Law School
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ACADEMIC POSITIONS:

Associate Professor of Law (with tenure), Marquette University Law School (2023-present)
(Administrative Law, Antitrust (F25), Constitutional Law, Legislation, Originalism Seminar:
Litigating the Lessons of History, Sales)

External Service: Executive Committee, American Association of Law Schools Section
for Administrative Law (elected 2023); [Editor](#) for the Journal of American Constitutional
History **University Service:** Marquette University Committee on Research; Marquette
University Law School Academic Programs, Regulations, and Ad-Hoc Law Review
Committees

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

[Rejecting the Unitary Executive](#), forthcoming UTAH L. REV. (Fall 2025)

Cited in an amicus brief in *Wilcox v. Trump*, No. 25-5057 (D.C. Cir. 2025)

[Trump v. United States and the Half-Originalist Presidency](#), forthcoming MICH. J. L. REFORM

Cited in Adam Liptak, [Aftershocks of Supreme Court’s Immunity Ruling Echo in New Trump Cases](#), THE NEW YORK TIMES (March 10, 2025)

[The Power of the Purse and the Constitution’s Missing Text](#), forthcoming HARV. J. L. & Pub.
Pol’y (2025)

Endorsed as “[highly recommended](#),” Lawrence Solum, LEGAL THEORY BLOG (Oct. 30, 2024)

[The Founders’ Purse](#), 110 VIRGINIA L. REV. 1027 (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*](#), 92 FORDHAM L. REV. 373 (2023)

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

Endorsed as part of the “best historical research” challenging the unitary executive, Cass Sunstein, [Opinion: This Theory is Behind Trump's Power Grab](#), THE NEW YORK TIMES (Feb. 26, 2025)

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](#), 597 U.S. 697 (2022) and in amicus briefs ([here](#), [here](#), [here](#), and [here](#)) in *West Virginia v. EPA*, *Chambless Enterprises LLC v. Walensky*, No. 21-30037 (5th Cir. 2021); *Tiger Lily, LLC v. U.S. Dept. Housing & Urban Development*, 992 F.3d 518 (6th Cir. 2021); *Allstates Refractory Contractors LLC v. Su*, 79 F.4th 755 (6th Cir. 2023)

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 Noah Rosenblum, [The Case That Could Destroy the Government](#), THE ATLANTIC (Nov. 27, 2023)

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 amicus briefs ([here](#) and [here](#)) in *Seila Law LLC v. Consumer Financial Protection Bureau*, 140 S. Ct. 2183 (2020) and *Securities and Exchange Commission v. Jarkesy*, No. 22-859 (S. Ct. 2023)

[*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:

[*Saving the Consumer Financial Protection Bureau \(and the Constitution\) from the Courts*](#), YALE J. ON REG.: NOTICE & COMMENT (May 20, 2024)

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

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

[*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:

Robert Iafolla, [*Trump Agency Firing Cases March Toward a Receptive Supreme Court*](#), BLOOMBERG LAW (March 12, 2025)

Elisabeth Buchwald and Bryan Mena, [*The Federal Reserve ignored Trump's interest rate demands — and he's not taking it well*](#), CNN (Jan. 30, 2025)

[*U.S. Supreme Court Weighs Whether Colorado Can Remove Trump from Election Ballots*](#), WISCONSIN PUBLIC RADIO (Feb. 27, 2024)

[*10thirtysix*](#), Milwaukee PBS (Jan. 17, 2024) (6:18; *United States v. Rahimi*)

[*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:

Constitutional Law Schmooze, University of Maryland Carey School of Law (March 2025)

AALS Annual Meeting, *Constitutional Law: Evolution (or Revolution): Separation of Powers Jurisprudence and October Term 2023* (panelist, 2025)

AALS Annual Meeting, New Voices in Administrative Law (commentator, 2025)

Constitutional Law Colloquium, Florida State University College of Law (2024)

Symposium on the Future of Agency Independence, University of Michigan (sponsored by the Michigan Journal of Law Reform) (2024)

Faculty Colloquium, Touro Law Center (discussion of seminar Litigating the Lessons of History) (2024)

Constitution Day, Marquette University (2024) (discussion of *Trump v. United States*)

Marquette Continuing Legal Education Presentation, “What’s Old Is New: Originalism in the Courts,” Madison, WI (2024)

AdminForward, Separation-of-Powers Panel, The Institute for Policy Integrity at New York University School of Law (2024)

ABA 2024 Administrative Law Spring Conference (commentator for financial regulation panel)

Wharton Conference on Financial Regulation (2024)

Power in the Administrative State Workshop (2024)

15th Annual Hugh & Hazel Darling Foundation Originalism Works-in-Progress Conference, University of San Diego School of Law (2024)

The University of Minnesota Law School Faculty Works-In-Progress Spring Lecture Series (2024)

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 (2023)

Constitutional Law Colloquium, Loyola University Chicago School of Law (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 (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, sales, women and the law