

JACOB E. GERSEN

Harvard Law School
1563 Mass. Ave.
Cambridge, MA 02138
617-495-1414
jgersen@law.harvard.edu

Assistant: Alyssa Lary
alary@law.harvard.edu

EXPERIENCE

HARVARD UNIVERSITY

Sidley Austin Professor, Harvard Law School	2018-
Professor, Harvard Law School	2011-2018
Affiliated Professor of Government, Faculty of Arts and Sciences	2014-
Founder & Director, The Food Law Lab at Harvard Law School	2013-
Affiliated Faculty, Institute for Quantitative Social Science	2012-
Samuel Williston Visiting Assistant Professor of Law, Harvard Law School	2009

UNIVERSITY OF CHICAGO

Professor, University of Chicago Law School	2010-2011
Assistant Professor, University of Chicago Law School	2005-2010
Clerk, Hon. Stephen F. Williams, U.S. Court of Appeals for the District of Columbia	2004-05
Jenner & Block, Summer Associate, Washington, DC	Summer 2004
Munger, Tolles & Olson, Summer Associate, Los Angeles, CA	Summer 2003

EDUCATION

J.D., The Law School, University of Chicago	June 2004
High Honors, Order of the Coif, University of Chicago Law Review	
Ph.D., Department of Political Science, University of Chicago	August 2001
Dissertation: <i>Strategy & Cognition: Regulating Catastrophic Risk</i>	
M.A., Political Science, University of Chicago	June 1998
A.B. with Honors, Magna Cum Laude, Public Policy, Brown University	June 1996

PUBLICATIONS

BOOKS

Cambridge Handbook of Marketing and the Law (Gersen & Steckel, eds. 2023)
Food Law: Cases and Materials (with Michael Roberts & Margot Pollans, eds., 2018)

ARTICLES & CHAPTERS

Academic Freedom and Discipline: The Case of the Arguably Peaceful Protestors, 76 STAN. L. REV. 1537 (2024)

Temporary Justice (with Jeannie Suk Gersen), in RESEARCH HANDBOOK ON LAW AND TIME (Fagan & Levmore, eds., 2024)

The Coca-Cola Bottle: A Fragile Vessel for Building a Brand (with C. Scott Hemphill), in CAMBRIDGE HANDBOOK OF MARKETING AND THE LAW (Gersen & Steckel, eds., 2023)

Eating Law (with Steve Ansolabehere in CAMBRIDGE HANDBOOK OF MARKETING AND THE LAW (Gersen & Steckel, eds., 2023)

Administrative Law's Shadow, 76 GEO. WASH. L. REV. 1071 (2020)

Administering Sex in Governance Feminism (Halley & Kotiswaran, eds. 2018)

Agency Design and Political Control of Administrative Agencies, 126 YALE L.J. 1002 (2017) (with Christopher Berry)

The Sex Bureaucracy, 104 CALIF. L. REV. 881 (2016) (with Jeannie Suk Gersen)

Timing of Consent, in THE TIMING OF LAWMAKING (FAGAN & LEVMORE, eds. 2016) (with Jeannie Suk Gersen)

Thin Rationality Review, 114 MICH. L. REV. 1355 (2016) (with Adrian Vermeule)

Over-Accountability, 6 J. LEGAL ANALYSIS 185 (2014) (with Matthew Stephenson)

Administrative Law Goes to Wall Street: The New Structure and Process, 65 ADMIN. L. REV. 689 (2013)

Delegating to Enemies, 112 COLUM. L. REV. 2194 (2012)

Education Law in the United States, 79 U. CHI. L. REV. 467 (2012) (with Richard Epstein)

Election Timing and Public Policy, 6 Q.J. POLIT. SCI. 103 (2011) (with Chris Berry)

Designing Agencies, in RESEARCH HANDBOOK IN PUBLIC LAW AND PUBLIC CHOICE (Farber & O'Connell, eds., 2010)

The Timing of Elections, 77 U. CHI. L. REV. 37 (2010) (with Chris Berry)

Unbundled Powers, 95 VA. L. REV. 301 (2010)

Fiscal Consequences of Electoral Institutions, 52 J. L. & ECON. 469 (2009) (with Chris Berry)

Hiding in Plain Sight? Timing and Transparency in the Administrative State, 76 U. CHI. L. REV. 1157 (2009) (with Anne Joseph O'Connell)

Soft Law: Lessons from Congressional Practice, 61 STAN. L. REV. 573 (2008) (with Eric A. Posner)

The Unbundled Executive, 75 U. CHI. L. REV. 1385 (2008) (with Chris Berry)

Deadlines in Administrative Law, 156 U. PA. L. REV. 923 (2008) (with Anne Joseph O'Connell)

Timing Rules and Legal Institutions, 121 HARV. L. REV. 543 (2007) (with Eric A. Posner)

Chevron as a Voting Rule, 116 YALE L.J. 676 (2007) (with Adrian Vermeule)

Legislative Rules Revisited, 74 U. CHI. L. REV. 1705 (2007)

Overlapping and Underlapping Jurisdiction in Administrative Law, 2006 SUP. CT. REV. 201 (2007)

Markets and Discrimination, 82 N.Y.U. L. REV. 689 (2007)

Temporary Legislation, 74 U. CHI. L. REV. 247 (2007)

COMMENTS

Substitution Strategies, 121 HARV. L. REV. F. 21 (2007)

Improving Deference: Chevron as a Voting Rule, 116 YALE L.J. POCKETPART 235 (2007) (with Adrian Vermeule)

FELLOWSHIPS AND AWARDS

Searle Visiting Fellow, Northwestern University School of Law	Fall 2007
Research Grant, Stigler Center for the Study of the Economy and the State	2007-08
John. M. Olin Prize for Outstanding Graduate in Law and Economics	June 2004
Microsoft, Pfizer, Verizon, and Visa Student Fellowship	2003-04
Environmental Protection Agency S.T.A.R. Graduate Fellowship	2000-03
John M. Olin Student Fellowship	2002-03

Mellon Foundation Dissertation Fellowship	2000
National Science Foundation Graduate Research Fellowship	1997-2000
Co-winner, Law & Social Inquiry Graduate Student Paper Competition	1999
William J. and Myrtle N. Hawley Fellowship, University of Chicago	1996-97

RESEARCH INTERESTS

Administrative Law & Regulation, Risk, Legislation, Political Institutions, Law and Politics

TEACHING

Legislation & Regulation, Torts, Environmental Law, Administrative Law, Food Law, Executive Branch, Law & Politics, Law & Rhetoric

SELECTED PRESENTATIONS

Harvard Law School, Harvard Business School, Stanford University, Columbia Law School, UC Berkeley Law School, University of Virginia Law School, Georgetown University, University of Pennsylvania, University of Texas, Northwestern University, Cornell Law School, California Institute of Technology, Brown University, American Law and Economics Association, American Political Science Association, Conference on Empirical Legal Studies, Midwest Political Science Association, Political Economy & Public Law, Public Choice Society, Stanford/Yale Junior Faculty Forum

REFEREE

Journal of Law & Economics; American Journal of Political Science; Journal of Law, Economics & Organization; Journal of Politics; Journal of Legal Analysis; Journal of Political Philosophy; Journal of Legal Studies