

MICHAEL A. FRANCUS

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ACADEMIC APPOINTMENTS

Notre Dame Law School

Associate Professor

Courses: Contracts, Bankruptcy

South Bend, IN

2023 – Present

Harvard Law School

Climenko Fellow and Lecturer in Law

Course: First-Year Legal Research and Writing

Cambridge, MA

2021 – 2023

EDUCATION

Stanford Law School, J.D., June 2017

Class Awards

Gerald Gunther Prize for Bankruptcy; Gerald Gunther Prize for Constitutional Law: Speech and Religion

Moot Court Awards

Semifinalist, Best Oralist, Moot Court Board

Journal

Stanford Law Review, Articles Editor (Vol. 69)

University of Chicago, B.A., Political Science & Philosophy, June 2013

Awards

Phi Beta Kappa (elected Junior Year); Solomon-Manaster Scholarship (merit-based)

PUBLICATIONS

- *Designing Designer Bankruptcy*, 102 TEX. L. REV. __ (forthcoming 2024)
- *Death, Bankruptcy, and the Public Hospital*, 41 YALE J. REG. __ (forthcoming 2024)
- *Disaggregating State Bankruptcy*, 171 U. PA. L. REV. 1589 (2023)
- *Texas Two-Stepping Out of Bankruptcy*, 120 MICH. L. REV. ONLINE 38 (2022)
- *The Law of Clarity and the Clarity of Law*, 2020 U. CHI. L. REV. ONLINE 1
- *Digital Realty, Legislative History, and Textualism After Scalia*, 46 PEPP. L. REV. 1 (2019)
- *In Defense of Corruption: CNN Debates, the Press Clause, and Campaign Finance Regulation*, 68 STAN. L. REV. ONLINE 92 (2016)

WORKING PAPERS

- *Too Essential to Fail* (detailing causes of, and responses to, county insolvency, and describing possibilities for failure-proofing public finance for essential services)
- *Failing Better* (reviewing DAVID SCHLEICHER, IN A BAD STATE (2023))

CLERKSHIP

United States Court of Appeals for the Third Circuit

Law Clerk to the Honorable Stephanos Bibas (first clerk class)

Philadelphia, PA

2018

PROFESSIONAL EXPERIENCE

Kirkland & Ellis LLP

Washington, DC

Associate

2018 – 2021

- Conducted legal research, wrote memoranda, and drafted filings in a variety of matters
- Restructuring matters included a coal company bankruptcy, an international bank resolution, and a bond workout

Mayer Brown LLP

Washington, DC

Summer Associate; Associate

2016, 2017

- Researched and drafted an excessive-force brief and motion in limine on antitrust defenses

Federal Election Commission

Washington, DC

Law Clerk

2015

- Researched evolution of campaign finance disclosure rules and drafted memoranda on Matters and Advisory Opinions

BAR ADMISSIONS

- New York, District of Columbia
- United States Courts of Appeals for the Third, Fourth, Fifth, Sixth, and Ninth Circuits, and the United States District Court for the District of Columbia

PRESENTATIONS

“Too Essential to Fail”

- Northwestern Local Government Law Conference (2023)
- Notre Dame Junior Scholars Colloquium (2023)

“Designing Designer Bankruptcy”

- Notre Dame Law School Faculty Colloquium
- Wharton-Harvard Insolvency and Restructuring Conference (2023)
- American Law & Economics Association Annual Conference (2023)
- Civil Procedure Workshop (2023)
- Harvard Law & Economics Workshop (2023)
- Michigan Law conference honoring Hansmann & Kraakman’s *The Essential Role of Organizational Law* (2022)

“Disaggregating State Bankruptcy”

- National Business Law Scholars Conference (2022)
- Richmond Law Junior Faculty Forum (2022)
- Harvard Law & Economics Workshop (2022)
- Yale Law Seminar on the Structure of Organizational Law (2021)