

MAX M. SCHANZENBACH

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EDUCATION

YALE LAW SCHOOL	J.D. 2001
YALE (ECONOMICS)	Ph.D. 2002
UNIVERSITY OF OKLAHOMA	B.A. (Economics), with special distinction, 1996

WORK HISTORY

2010-	Northwestern University School of Law	Professor of Law; Director, Searle Center on Law, Regulation, and Economic Growth
2008-2010	Northwestern University School of Law	Benjamin Mazur Professor of Law
2008 (spring)	Harvard Law School	Bruce W. Nichols Visiting Professor of Law
2006-2008	Northwestern University School of Law	Professor of Law
2003-2006	Northwestern University School of Law	Assistant Professor of Law
2002-2003	Honorable Alan E. Norris , U.S. Court of Appeals for the Sixth Circuit, Columbus, OH	Law Clerk

ARTICLES

The Impact of Tort Reform on Employer-Sponsored Health Insurance Premiums (with Ronen Avraham and Leemore Dafny), **Journal of Law, Economics, and Organization**, (forthcoming 2013, also available as [NBER Working Paper no. 15371](#)).

Do Standards of Review Matter? The Case of Federal Criminal Sentencing (with Joshua Fischman), **Journal of Legal Studies** (forthcoming 2011).

The Impact of Tort Reform on Private Health Insurance Coverage (with Ronen Avraham), **12 American Law & Economics Review** 319 (2010).

Policing Politics at Sentencing (with Stephanos Bibas and Emerson Tiller), **103 Northwestern University Law Review** 1371 (2009).

ARTICLES (CONTINUED)

Reviewing the Sentencing Guidelines: Judicial Politics, Empirical Evidence, and Reform, (with Emerson Tiller), **75 University of Chicago Law Review** 715 (2008).

Did Reform of Prudent Trust Investment Laws Change Trust Portfolio Allocation? (with Robert Sitkoff), **50 Journal of Law & Economics** 681 (2007).

Strategic Judging under the United States Sentencing Guidelines: Positive Political Theory and Evidence, (with Emerson Tiller), **23 Journal of Law, Economics, & Organization** 24 (2007).

Prison Time and Fines: Explaining Racial Disparities in Sentencing for White-Collar Criminals (with Michael Yaeger), **96 Journal of Criminal Law & Criminology** 757 (2006).

Perpetuities or Taxes? Explaining the Rise of the Perpetual Trust (with Robert Sitkoff), **27 Cardozo Law Review** 2465 (2006).

Jurisdictional Competition for Trust Funds: An Empirical Analysis of Perpetuities and Taxes (with Robert Sitkoff), **115 Yale Law Journal** 356 (2005).

Have Federal Judges Changed Their Sentencing Practices? The Shaky Empirical Foundations of the Feeney Amendment, **2 Journal of Empirical Legal Studies** 1 (2005).

Racial and Sex Disparities in Prison Sentences: The Effect of District-Level Judicial Demographics, **34 Journal of Legal Studies** 57 (2005).

Exceptions to Employment at Will: Raising Firing Costs or Enforcing Life-Cycle Contracts? **5 American Law & Economics Review** 470 (2003).

Network Effects and Antitrust Law: Predation, Affirmative Defenses, and the Case of U.S. v. Microsoft, **2002 Stanford Technology Law Review** 4 (2002), available at http://stlr.stanford.edu/STLR/Articles/02_STLR_4/index.htm.

BOOKS AND BOOK CHAPTERS

LAWYERS, BANKS, AND MONEY: THE REVOLUTION IN MODERN TRUST LAW (Yale University Press, manuscript-in-progress) (with Robert Sitkoff).

Book Chapter, *The Employment at Will Doctrine*, **Handbook of Career Development**, SAGE publishing (2005).

OTHER WORK

The Case Against Public Sector Unions (with John O. McGinnis), **Policy Review** (August 1, 2010).

The Prudent Investor Rule and Trust Asset Allocation: An Empirical Analysis (with Robert Sitkoff), **35 ACTEC Journal 314** (2010).

Have Federal Sentencing Practices Really Changed? A Brief Analysis of the Feeney Amendment's Real Concerns, **16 Federal Sentencing Reporter** (April 2004).

WORKS IN PROGRESS

The Impact of Tort Reform on Intensity of Treatment: Evidence from the Heart Patients (with Ronen Avraham).

The Equal Bequest Puzzle: A Legal Perspective (with Robert Sitkoff).

Racial Disparities, Judicial Discretion, and the United States Sentencing Guidelines (with Joshua Fischman)

Specific Deterrence and Prison Time: Estimates from Random Judicial Assignment (with Michael Roach)

The Law and Economics of Public Sector Unions (with John McGinnis)

PARTICIPATION IN MEETINGS AND PROFESSIONAL ORGANIZATIONS

2011

Georgetown University, Empirical Health Law Conference, scheduled to present *The Impact of Tort Reform on Employer Health Insurance Premiums*.

American Law and Economics Meetings, May 2011, scheduled to present *Racial Disparities, Judicial Discretion, and the United States Sentencing Guidelines*.

2010

Albany Symposium on the Past and Future of Empirical Sentencing Research (commentator)

University of Chicago, Law and Economics of Race Conference, presented *Racial Disparities, Judicial Discretion, and the United States Sentencing Guidelines*

UCLA School of Law, Law and Economics workshop, presented *Do Standards of Review Matter? The Case of Federal Criminal Sentencing*

2009

University of Southern California, Law, Economics, and Organization workshop, presented *Do Standards of Review Matter? The Case of Federal Criminal Sentencing*

American Law & Economics Association, annual meeting, presented *The Impact of Tort Reform on Employer Health Insurance Premiums*

University of Texas School of Law, presented *The Equal Bequest Puzzle: A Legal Perspective*.

University of Virginia School of Law, presented *The Equal Bequest Puzzle: A Legal Perspective*.

Cornell Law School, presented *The Equal Bequest Puzzle: A Legal Perspective*.

2008

University of Michigan, Law and Economics Workshop, presented *The Impact of Tort Reform on Private Health Insurance Coverage*.

University of Pennsylvania, Law and Economics Workshop, presented *The Impact of Tort Reform on Private Health Insurance Coverage*.

Harvard Law School, Law and Economics Workshop, presented *The Impact of Tort Reform on Private Health Insurance Coverage*.

“The Law of Succession in the 21st Century,” conference at UCLA, presented *The Equal Bequest Puzzle: A Legal Perspective*.

2007

University of Southern California, Law and Economics Workshop, presented *The Impact of Tort Reform on Private Health Insurance Coverage*.

2006

Yale Law School, Law, Economics, and Organization Workshop, presented *Judging under the Sentencing Guidelines*.

Journal of Empirical Legal Studies Junior Faculty Workshop, Cornell Law School, (commentator).

University of Minnesota Law School Faculty Workshop, presented *Judging under the Sentencing Guidelines*.

Harvard Law School, Law and Economics Workshop, presented *Strategic Judging under the Sentencing Guidelines*.

Boalt Hall School of Law, Law and Economics Workshop, presented *Did Reform of Prudent Trust Investment Laws Change Trust Portfolio Allocation?*

2005

University of Virginia, Law and Economics Workshop, presented *Did Reform of Prudent Trust Investment Laws Change Trust Portfolio Allocation?*

Journal of Empirical Legal Studies Junior Faculty Workshop, Cornell Law School, presented *Did Reform of Prudent Trust Investment Laws Change Trust Portfolio Allocation?*

NBER Summer Institute Law and Economics Section (commentator).

American Law & Economics Association, annual meeting, presented *Strategic Judging under the Sentencing Guidelines*.

University of Illinois College of Law, presented at “The Impact of *Booker*: A Dialogue between Scholars and Practitioners” (roundtable).

Stanford University, Law and Economics Workshop, co-presented *Jurisdictional Competition for Trust Funds: An Empirical Analysis of Perpetuities and Taxes*.

University of Chicago, Spring 2005 Law and Economics Workshop, presented *A Positive Political Theory of Criminal Sentencing: Strategic Judging and the United States Sentencing Guidelines*.

2004

Columbia University, Law and Economics Workshop, presented *A Positive Political Theory of Criminal Sentencing: Strategic Judging and the United States Sentencing Guidelines*.

Tel Aviv University, presented *A Positive Political Theory of Criminal Sentencing: Strategic Judging and the United States Sentencing Guidelines*.

American Law & Economics Association, annual meeting, presented *Racial and Sex Disparities in Prison Sentences: The Effect of District-Level Judicial Demographics*.

AWARDS

Dean’s Teaching Award (2008)

REFEREEING

American Economic Journal: Economic Policy; Economic Inquiry; International Review of Law and Economics; Journal of Law and Economics; Journal of Law, Economics, and Organization; Journal of Labor Economics; Journal of Legal Analysis; Journal of Legal Studies; Journal of Empirical Legal Studies; Journal of Political Economy; Journal of Quantitative Criminology; Quarterly Journal of Economics; Review of Economics and Statistics.

SERVICE

Dean Search Committee (2010-2011)

Personnel Committee (2003-2007; 2008/09 chair; subcommittee 2010/11)

Clerkships committee (2003-2005; 2006/07; 2009/10)

Michael Roach's dissertation committee (Northwestern University Department of Economics)