

# MICHAEL A. FRANCUS

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## ACADEMIC APPOINTMENTS

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### University of Virginia Law School

*Visiting Professor*

Courses Taught: Contracts, Bankruptcy

Charlottesville, VA

2024 – 2025

### Notre Dame Law School

*Associate Professor*

Courses Taught: Contracts, Bankruptcy

Teaching Interests: Corporations, Secured Transactions, Torts

Service: Clerkship Committee, 2023-2024

South Bend, IN

2023 – Present

### Harvard Law School

*Climenko Fellow and Lecturer in Law*

Course Taught: First-Year Legal Research and Writing

Cambridge, MA

2021 – 2023

## EDUCATION

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### 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

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- *Too Essential to Fail*, 42 YALE J. REG. \_\_ (forthcoming 2025)
- *Designing Designer Bankruptcy*, 102 TEX. L. REV. 1205 (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

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- *Failing Better* (reviewing DAVID SCHLEICHER, *IN A BAD STATE* (2023))

## CLERKSHIP

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**United States Court of Appeals for the Third Circuit** Philadelphia, PA  
*Law Clerk to the Honorable Stephanos Bibas* (first clerk class) 2018

## PROFESSIONAL EXPERIENCE

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**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

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

## PRESENTATIONS

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### “Too Essential to Fail”

- Corporate Restructuring and Insolvency Workshop (2024)
- Northwestern Local Government Law Conference (2023)
- Notre Dame Junior Scholars Colloquium (2023)

### **“Designing Designer Bankruptcy”**

- Notre Dame Law School Faculty Colloquium (2023)
- 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)
- Featured on the [Oxford Business Law Blog](#) (Feb. 16, 2024)

### **“Death, Bankruptcy, and the Public Hospital”**

- Northeastern Junior Scholars Conference (2024)
- Michigan Junior Scholars Conference (2024)
- Notre Dame Law School Law & Economics Workshop (2023)
- Featured on the [Harvard Bankruptcy Roundtable](#) (July 5, 2023)

### **“Disaggregating State Bankruptcy”**

- Notre Dame Law School Faculty Workshop (2022)
- Northwestern Law School Faculty Workshop (2022)
- Emory Law School Faculty Workshop (2022)
- 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)

### **Miscellaneous**

- Panelist, BYU Winter Bankruptcy Conference, “Mass Tort Panel” (March 2024)
- Panelist, Hoover Institution, Public Pensions: Past, Present, and Future, “Pension Politics and Law” (2024)
- Panelist, AALS Hot Topic Panel, “Opioids, Bankruptcy, and Public Health” (2024)
- Moderator, Notre Dame Panel, “The Opioid Bankruptcy” (2023)
- Presenter, Financial Restructuring Roundtable, “Mass Torts, From the Ground Up” (selected as the junior scholar call for papers winner) (April 2024)