

MICHAEL C. POLLACK
PROFESSOR OF LAW
BENJAMIN N. CARDOZO SCHOOL OF LAW
55 Fifth Avenue, Room 515
New York, NY 10003
michael.pollack@yu.edu

ACADEMIC APPOINTMENTS

2017–present **BENJAMIN N. CARDOZO SCHOOL OF LAW**
Professor of Law (2022–present)
Associate Dean for Faculty Development (2022–present)
Co-Director, Floersheimer Center for Constitutional Democracy (2019–present)
Associate Professor of Law (2020–2022)
Assistant Professor of Law (2017–2020)
Graduation Award for Best First-Year Professor (Classes of 2022, 2021, 2020)

2015–2017 **UNIVERSITY OF CHICAGO LAW SCHOOL**
Harry A. Bigelow Teaching Fellow & Lecturer in Law

EDUCATION

2011 **NEW YORK UNIVERSITY SCHOOL OF LAW**, J.D., *summa cum laude*
Law Review Alumni Association Award – Prize for second-highest GPA
Order of the Coif
Robert B. McKay Prize – Prize for excellence in constitutional law
Furman Academic Scholar – Awarded for promise in legal academia
Butler Scholar – Top ten students after four semesters
Pomeroy Scholar – Top ten students after two semesters
NEW YORK UNIVERSITY LAW REVIEW, Articles Editor
Tikvah Scholar – Awarded to support study of Jewish law and civilization

2008 **SWARTHMORE COLLEGE**, B.A. in Political Science, *Highest Honors*
Phi Beta Kappa
Joshua Lippincott Fellowship – Awarded for promise in law school

CLERKSHIPS

2014–2015 **SUPREME COURT OF THE UNITED STATES**
The Honorable Sonia Sotomayor

2011–2012 **UNITED STATES COURT OF APPEALS FOR THE D.C. CIRCUIT**
The Honorable Janice Rogers Brown

ACADEMIC PUBLICATIONS

- Forthcoming *Sidewalk Government*, 122 MICHIGAN LAW REVIEW ____ (2024).
Reviewed in: Sarah Schindler, *Who Controls the Sidewalks?*, JOTWELL, Nov. 23, 2022.
- Forthcoming *Legislating Courts*, UMKC LAW REVIEW (invited symposium essay) (2024).
- 2022 *Judges, Judging and Otherwise*, 106 JUDICATURE 27 (invited essay).
- 2021 *Property Law for the Ages*, 63 WILLIAM & MARY LAW REVIEW 561 (with Lior Jacob Strahilevitz).
Referenced in: JESSE DUKEMINIER, ET AL., PROPERTY (10th ed. 2022).
- 2021 *Reallocating Redevelopment Risk*, 73 FLORIDA LAW REVIEW 1081.
- 2021 *Courts Beyond Judging*, 46 BYU LAW REVIEW 719.
- 2020 *Lumping, Fairness, and Single People*, 2020 UNIVERSITY OF CHICAGO LAW REVIEW ONLINE 27 (invited symposium essay).
- 2020 *A Knock on Knick's Revival of Federal Takings Litigation*, 72 FLORIDA LAW REVIEW 419 (with Stewart E. Sterk).
Referenced in: JESSE DUKEMINIER, ET AL., PROPERTY (10th ed. 2022).
Reprinted in: PATRICIA E. SALKIN, ZONING & PLANNING LAW HANDBOOK (2021).
- 2019 *Taking Data*, 86 UNIVERSITY OF CHICAGO LAW REVIEW 77.
Referenced in: JESSE DUKEMINIER, ET AL., PROPERTY (10th ed. 2022).
- 2017 *Land Use Federalism's False Choice*, 68 ALABAMA LAW REVIEW 707.
- 2016 *Courts, Constituencies, and the Enforcement of Fiduciary Duties in the Nonprofit Sector*, 77 UNIVERSITY OF PITTSBURGH LAW REVIEW 281 (with Joseph Mead).
- 2013 *Judicial Deference and Institutional Character: Homeowners Associations and The Puzzle of Private Governance*, 81 UNIVERSITY OF CINCINNATI LAW REVIEW 839.
- 2011 *Chevron's Regrets: The Persistent Vitality of the Nondelegation Doctrine*, 86 NEW YORK UNIVERSITY LAW REVIEW 316 (student note).

SELECTED OP-EDS

- 2023 *NYC Sidewalk Obligations Must Go Beyond Construction*, LAW360, August 7, 2023.
- 2023 *We Need a Department of Sidewalks*, SLATE, July 12, 2023.

2022 *NYC Mayor Eric Adams' Rat Plan is a New Tax on Trash*, NEW YORK LAW
JOURNAL, Oct. 28, 2022.

WORKS IN PROGRESS

SIDEWALK GOVERNMENT: THE LEGAL FUTURE OF AMERICA'S MOST OVERLOOKED RESOURCE
(under contract with Harvard University Press)

Decentering Property in Fourth Amendment Law (with Matthew Tokson)

Municipal Civil Disobedience

TEACHING EXPERIENCE

BENJAMIN N. CARDOZO SCHOOL OF LAW

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|---------------------|------------------------------|
| Spring 2018–present | Property Law |
| Fall 2018–present | State & Local Government Law |
| Fall 2019–present | Elements of Law |
| Winter 2019–present | Lawyering in DC |

UNIVERSITY OF CHICAGO LAW SCHOOL

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| 2015–2017 | Legal Research and Writing |
| Spring 2017 | Land Use & Social Policy Seminar |

SELECTED PRESENTATIONS

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| <i>Sidewalk Government</i> | New York City Bar Association Transportation Committee (April 2023) |
| | International and Comparative Urban Law Conference at UBC School of Law (July 2022) |
| | Cardozo School of Law Faculty Brown Bag Workshop (July 2022) Cardozo School of Law Junior Faculty Workshop (December 2021) |
| <i>Property Law for the Ages</i> | Association for Law, Property, and Society Annual Meeting (May 2021) |
| | University of Chicago Law School Works-in-Progress Workshop (April 2021) |
| | Cardozo School of Law Junior Faculty Workshop (January 2021) Cardozo School of Law Faculty Brown Bag Workshop (August 2020) |
| <i>Reallocating Redevelopment Risk</i> | Local Government Works-in-Progress Workshop at Cardozo Law School (November 2020) |
| | Cardozo School of Law Junior Faculty Workshop (October 2020) |

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| <i>A Knock on Knick</i> | ABA Section on Real Property, Trust, and Estate Law Professors' Corner (February 2020) |
| <i>Lumping, Fairness, and Single People</i> | Coase-Sandor Institute for Law and Economics at the University of Chicago (November 2019) |
| <i>Courts Beyond Judging</i> | University of Wisconsin Law School Public Law in the States Conference (June 2021) University of Richmond School of Law Junior Faculty Forum (May 2019) NYU School of Law Furman Scholars Workshop (February 2019) Property Works-in-Progress Conference at Boston University Law School (October 2018) State & Local Government Works-in-Progress Conference at Fordham Law School (2018) Cardozo School of Law Junior Faculty Workshop (April 2018) |
| <i>Taking Data</i> | Southeastern Association of Law Schools New Scholars Workshop (August 2018) Law & Society Association Annual Meeting (June 2018) University of Richmond School of Law Junior Faculty Forum (May 2018) AALS New Voices in Property Law Panel (January 2018) Cardozo School of Law Junior Faculty Workshop (September 2017) |
| <i>Land Use Federalism's False Choice</i> | The University of Chicago Law School Works-in-Progress Workshop (September 2016) Southeastern Association of Law Schools Prospective Law Teachers' Workshop (August 2016) |

WORK EXPERIENCE

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| 2012–2014 | UNITED STATES DEPARTMENT OF JUSTICE, CIVIL DIVISION Trial Attorney, Federal Programs Branch Special Commendation for Outstanding Service (2014) |
| 2011 | UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF THE SOLICITOR GENERAL Summer Law Intern |
| 2010 | JENNER & BLOCK Summer Associate, Washington D.C. |
| 2010 | UNITED STATES DEPARTMENT OF JUSTICE, CIVIL DIVISION Summer Law Intern, Appellate Staff |
| 2009 | NEW YORK CITY COUNCIL, OFFICE OF THE GENERAL COUNSEL Legal Intern |

ACADEMIC AND PROFESSIONAL SERVICE

- 2021–present Contributor, State & Local Government Law Blog
- 2021–present Member, Association of Urban Law Scholars
- 2020–present Mentor, Law Clerks for Diversity
- 2023, 2019 External Examiner, Constitutional Law in the American Polity, Swarthmore College
- 2019 Member, New York City Charter Revision Task Force, NYC Bar Association

BAR ADMISSIONS

- 2013 New York State