FRANK FAGAN

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ACADEMIC APPOINTMENTS

Current   **South Texas College of Law, Houston**
Associate Professor (Fall 2022-)
Courses: Corporations, Corporate Finance

EDHEC Augmented Law Institute, France
Research Associate (Fall 2022-)

Previous   **EDHEC Business School, France**
Associate Professor (2017-2022)
Courses (within the school's LL.M. program): Contracts, Law & Economics
Teaching Award: 2017, 2019

EDHEC Augmented Law Institute, France
Scientific Director (2020-2022)

University of South Australia, School of Law
Lecturer (2016-2017)
Courses: Legislation & Regulation, Advanced Statutory Interpretation
Teaching Award: 2016

EDUCATION

Law   J.D. 2013   University of Pittsburgh School of Law
Magna cum laude
Editor-in-chief, *University of Pittsburgh Law Review*

Ph.D. 2011   Erasmus University Rotterdam School of Law (joint)
European Doctorate in Law and Economics
Erasmus Mundus Fellowship (European Union)

M.A. 2005   Erasmus University Rotterdam School of Law (joint)
European Master in Law and Economics

Economics   Ph.D. 2011   University of Bologna Department of Economics (joint)
European Doctorate in Law and Economics

M.A. 2005   University of Bologna Department of Economics (joint)
European Master in Law and Economics

Computers   B.S. 1999   Grove City College

PUBLICATIONS

Books

RESEARCH HANDBOOK ON LAW AND TIME (edited with Saul Levmore)
Edward Elgar (forthcoming 2024)

THE ECONOMICS AND REGULATION OF DIGITAL MARKETS (edited with James Langenfeld)
Emerald (2023)

THE LAW AND ECONOMICS OF PRIVACY, PERSONAL DATA, ARTIFICIAL INTELLIGENCE, AND
INCOMPLETE MONITORING (edited with James Langenfeld) Emerald (2022)

THE LAW AND ECONOMICS OF PATENT DAMAGES, ANTITRUST, AND THE LEGAL PROCESS (edited
with James Langenfeld) Emerald (2021)

THE TIMING OF LAWMAKING (edited with Saul Levmore)
Edward Elgar (2017)

LAW AND THE LIMITS OF GOVERNMENT: TEMPORARY VERSUS PERMANENT LEGISLATION
Edward Elgar (2013)

Articles

A View of How Language Models Will Transform Law, 90 TENNESSEE LAW REVIEW
(forthcoming 2025)

A Litigator's Introduction to Attacking and Defending Algorithms, 109 THE ADVOCATE
(forthcoming 2024) (invited symposium)

*LegalBench: A Collaboratively Built Benchmark for Measuring Legal Reasoning in Large
Language Models*, Advances in Neural Information Processing Systems (2023), with Neel
Guha, et al.

When More Isn't Always Better:
The Ambiguity of Fully Transparent Judicial Action and Unrestricted Publication Rules,
75 INTERNATIONAL REVIEW OF LAW & ECONOMICS (2023), with Florian Baumann

SPACS, PIPEs, and Common Investors,
25 UNIVERSITY OF PENNSYLVANIA JOURNAL OF BUSINESS LAW 103-39 (2023),
with Saul Levmore

Law's Computational Paradox,
26 VIRGINIA JOURNAL OF LAW & TECHNOLOGY 1-72 (2022)

The Un-Modeled World: Law and the Limits of Machine Learning,
4 MIT COMPUTATIONAL LAW REPORT 1-17 (2022)

Competing Algorithms for Law: Sentencing, Admissions, and Employment
    88 UNIVERSITY OF CHICAGO LAW REVIEW 367-412 (2021), with Saul Levmore

Chinese translation: F. Zheng & K. Luo, Oriental Law (东方法学) (forthcoming)

Natural Language Processing for Lawyers and Judges (review essay)
    119 MICHIGAN LAW REVIEW 1399-1410 (2021)

Optimal Social Media Content Moderation and Platform Immunities,
    50 EUROPEAN JOURNAL OF LAW & ECONOMICS 437-49 (2020)

Waiving Good Faith: A Natural Language Processing Approach,
    16 NYU JOURNAL OF LAW & BUSINESS 633-82 (2020)

The Impact of Artificial Intelligence on Rules, Standards, and Judicial Discretion
    93 SOUTHERN CALIFORNIA LAW REVIEW 1-36 (2019), with Saul Levmore

Standardized Data Collection: Legal Requirements, Guidelines, or Competition?
    2 GNLU JOURNAL OF LAW & ECONOMICS 69-78 (2019)

*Reducing Ethical Misconduct of Attorneys with Mandatory Ethics Training: A Dynamic
    Panel Approach* 15 REVIEW OF LAW & ECONOMICS 1-23 (2019)

Common Law Efficiency When Joinder and Class Actions Fail as Aggregation Devices
    47 EUROPEAN JOURNAL OF LAW & ECONOMICS 1-14 (2019), with Urmee Khan

The End of Bargaining in the Digital Age
    103 CORNELL LAW REVIEW 1469-1526 (2018), with Saul Levmore

Systemic Social Media Regulation
    16 DUKE LAW & TECHNOLOGY REVIEW 393-439 (2018)

Semi-Confidential Settlements in Civil, Criminal, and Sexual Assault Cases
    103 CORNELL LAW REVIEW 311-55 (2018), with Saul Levmore

Political Paralysis and Timing Rules
    91 NYU LAW REVIEW ONLINE 43-52 (2016)

Big Data Legal Scholarship: Toward a Research Program and Practitioner's Guide
    20 VIRGINIA JOURNAL OF LAW & TECHNOLOGY 1-81 (2016)

*From Policy Confusion to Doctrinal Clarity: Successor Liability from the Perspective of Big
    Data* 9 VIRGINIA LAW & BUSINESS REVIEW 391-451 (2015)

Sunsets and Federal Lawmaking: Evidence from the 110th Congress
    41 INTERNATIONAL REVIEW OF LAW & ECONOMICS 1-6 (2015), with Fırat Bilgel

The Fiscal Cliff as Reelection Strategy: Rethinking the Temporary Taxation Debate
116 WEST VIRGINIA UNIVERSITY LAW REVIEW 783-817 (2014)

Tannenwald Foundation, Prize for Student Excellence in Tax Scholarship, 2012
After the Sunset: The Residual Effect of Temporary Legislation
36 EUROPEAN JOURNAL OF LAW & ECONOMICS 209-226 (2013)

The Role of Lawmakers, Lobbyists, and Interest Groups in the Normative Evaluation of Timing Rules 160 UNIVERSITY OF PENNSYLVANIA LAW REVIEW ONLINE 61-72 (2011), with M. Faure

Book Contributions

"Moral and Evidentiary Statutes of Limitations" in Frank Fagan and Saul Levmore (eds.), RESEARCH HANDBOOK ON LAW AND TIME (Edward Elgar 2024)

"Lending in China" in James Langenfeld and Frank Fagan (eds.), THE LAW AND ECONOMICS OF PRIVACY, PERSONAL DATA, ARTIFICIAL INTELLIGENCE, AND INCOMPLETE MONITORING: RESEARCH IN LAW & ECONOMICS VOL. 30 189-99 (Emerald 2022)

"Two-Sided Social Media and Bad Faith Political Speech" in James Lagenfeld and Frank Fagan (eds.) THE LAW AND ECONOMICS OF PATENT DAMAGES, ANTITRUST, AND THE LEGAL PROCESS: RESEARCH IN LAW & ECONOMICS VOL. 29 137-47 (Emerald 2021)

"Legislative Sunrises: Transitions, Veiled Commitments, and Carbon Taxes" in Frank Fagan and Saul Levmore (eds.), THE TIMING OF LAWMAKING 130-48 (Edward Elgar 2017), with Saul Levmore

"Legal Cycles and Stabilization Rules" in Frank Fagan and Saul Levmore (eds.), THE TIMING OF LAWMAKING 11-33 (Edward Elgar 2017)

"Renovating the Efficiency of Common Law Hypothesis" in Frank Fagan and Saul Levmore (eds.), THE TIMING OF LAWMAKING 280-98 (Edward Elgar 2017)

INVITED LECTURES

Chair at Conference Panels: American Law & Economics Association, 2019; European Law & Economics Association 2019, 2020

Program Committees: European Law & Economics Association 2022; ACM Fairness, Accountability, and Transparency (FAccT) 2022

Presentations at Annual Conferences: American Law & Economics Association, 2017, 2020; Artificial Intelligence & Simulated Behavior Convention, 2019; Computational Legal Studies 2022; European Law & Economics Association 2017, 2018, 2019, 2020, 2021; German Law & Economics Association, 2021; International Meeting in Law & Economics 2018

Presentations at Workshops: Authority for Communications Guarantees, Rome (Italy), 2018; ETH Zurich, Center for Law & Economics (Switzerland), 2019; Maastricht University (Netherlands), 2020; Science Po, Paris (France), 2018; Singapore Management University, 2021; University of Chicago Coase-Sandor Institute, 2024; University of Eastern Piedmont (Italy), 2021; University of Oslo (Norway), 2018; University of Pittsburgh, 2020; University of Virginia OWCAL, 2019

Panelist: *Algorithms and Fairness*, Stanford Law School, 2023

PROFESSIONAL SERVICE

Editorships

2019 – Present RESEARCH IN LAW & ECONOMICS (book series co-editor) (Emerald)
2021 – Present AI Law Blawg, Blog (self-published), http://ailawblawg.com
2023 – Present *Law, Ethics, and Technology* (associate editor) (ELS Publishing)

Report Contributor

World Economic Forum, *Advancing Digital Safety: A Framework to Align Global Action*, White Paper (June 2021)

Referee

Artificial Intelligence & Law	Law & Social Inquiry
Cambridge University Press	International Review of Law & Economics
Columbia Law Review	Netherlands Organization for Scientific Research
Journal of Cross-Disciplinary Research in Computational Law	Regulation & Governance
	Review of Law & Economics
Edward Elgar Publishing	Springer Nature
European Journal of Law & Economics	Supreme Court Economic Review
Hart Law Publishing	

OTHER EXPERIENCE

Legal Service

2016 – 2018   Legal Advisor, U.S. Department of Labor
2013 – 2015   Attorney, U.S. Department of Labor

Corporate Finance

2001-2004   Principal, Commerce Street Capital, LLC
1999-2000   Analyst, JP Morgan Securities, LLC