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430 West 116th Street
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ACADEMIC EXPERIENCE

Columbia University School of Law

- Vice Dean, 1997-2001, 2002-2005, 2011-2012
- Joseph P. Chamberlain Professor of Legislation, 1997 to date
- Director, Legislative Drafting Research Fund, 1995 to date
- Professor of Law, 1990-1997
- Associate Professor of Law, 1984-1989
- Assistant Professor of Law, 1983-1984

Primary areas of research, writing and teaching are State and Local Government Law, Election Law, Government Ethics, and Property

Princeton University

- Fellow, Program in Law and Public Affairs,
Woodrow Wilson School of Public and International Affairs, 2005-2006

Harvard University

- Visiting Scholar, A. Alfred Taubman Center for State and Local Government, John F. Kennedy School of Government, 1996-1997

University of Toronto Law School

- Distinguished Visiting Professor, October 2000

New York University School of Law

- Visiting Professor, 2001-2002

PROFESSIONAL EXPERIENCE

Chair, Conflicts of Interest Board of the City of New York,
2014-

Commissioner, Moreland Act Commission to Investigate Public Corruption,
New York State, 2013 – 2014

Reporter, Project on Principles of Government Ethics
American Law Institute, 2010-

Consultant, New York State Commission on Local Government
Efficiency & Competitiveness, 2007-2008

Consultant, Temporary New York State Commission on Constitutional Revision,
1993-1995

Member, Real Property Tax Reform Commission, City of New York, 1993

Member, Legal Audit Group, President's National Health Care Task Force, 1993
-- Advised on constitutional and legal issues raised by national
health care reform proposal

Consultant, New York State Charter Commission for Staten Island, 1992

Consultant, New York City Council Districting Commission, 1990

Consultant, Local Government Restructuring Project,
Nelson A. Rockefeller Institute of Government, 1990

Consultant, New York City Charter Revision Commission, 1987-1989
-- Prepared studies of the Voting Rights Act and constitutional
requirements affecting representation, campaign finance law,
state-local preemption, land use regulation and public contracting

Counsel, Governor's Advisory Commission on Liability Insurance,
State of New York, 1986

Assistant Counsel to Governor Hugh L. Carey, State of New York, 1980-1982

Associate, Paul, Weiss, Rifkind, Wharton & Garrison, New York. NY 1978-1980

Law Clerk to Honorable Shirley M. Hufstedler,
United States Court of Appeals for the Ninth Circuit, 1977-1978

EDUCATION

Harvard Law School
J.D., magna cum laude, 1977
Harvard Law Review
Developments Editor, 1976-1977
Editor, 1975-1976

Columbia University
B.A., summa cum laude, 1974

PUBLICATIONS

Books and Monographs

STATE AND LOCAL GOVERNMENT LAW, 8th Edition, with Laurie Reynolds (West 2016); 7th Edition, with Laurie Reynolds (2009); 6th Edition, with Laurie Reynolds (2005); 5th Edition, with William D. Valente, David. J. McCarthy, and Laurie Reynolds (2001)

DOLLARS AND DEMOCRACY: A BLUEPRINT FOR CAMPAIGN FINANCE REFORM, Report of the Commission on Campaign Finance Reform, The Association of the Bar of the City of New York (Fordham University Press 2000)

FAIRNESS AND THE FARE: EQUITY AND ADEQUACY IN THE FINANCING OF THE OPERATING AGENCIES OF THE METROPOLITAN TRANSPORTATION AUTHORITY, with Elliott D. Sclar and Walter Hook (Legislative Drafting Research Fund, Columbia Law School 1998)
– coauthored study and report undertaken pursuant to the Settlement Agreement that ended a lawsuit between the New York Urban League and the Metropolitan Transportation Authority

BALANCING ACTS: THE REALITY BEHIND STATE BALANCED BUDGET REQUIREMENTS (Twentieth Century Fund Press 1996)

CLEANING UP HAZARDOUS WASTE: IS THERE A BETTER WAY?, with Orin Kramer (I.I.I. Press 1993)
-- Coauthored study of Federal Superfund law and the broader legal, fiscal, and scientific questions raised by the hazardous waste cleanup policy

WORKERS COMPENSATION: STRENGTHENING THE SOCIAL COMPACT, with Orin Kramer (I.I.I. Press 1991)
-- Coauthored study of Workers Compensation system and the public policy questions raised concerning prevention of and compensation for workplace-related injuries

Articles

Of Constituents and Contributors
2015 U. Chi. Legal Forum 29

The Uncertain Future of the Corporate Contribution Ban
49 Val. Univ. L. Rev. 397 (2015)

- Three Questions for the “Right to Vote” Amendment
23 William & Mary Bill of Rights J. 27 (2014)
- The Anxiety of Influence: The Evolving Regulation of Lobbying
13 Elec. L. J. 160 (2014)
- The Future of Public Funding
49 Willamette L. Rev. 521 (2013)
- Coordination Reconsidered
113 Colum. L. Rev. Sidebar 88 (2013)
- Bloomberg’s Legal Legacy – Closing Remarks
City Square by the Fordham Urb. Law J. (Dec. 4, 2012)
- Super PACs
96 Minn. L. Rev. 1644 (2012)
- Updating Disclosure for the New Era of Independent Spending
27 J. L. & Pol. 683 (2012)
- Nonprofits and Disclosure in the Wake of *Citizens United*
10 Elec. L.J. 337 (2011)
- On Dejudicializing American Campaign Finance Law
27 Ga. St. U. L. Rev. 887 (2011)
- Corporations, Corruption and Complexity:
Campaign Finance After *Citizens United*
20 Cornell J. L. & Pub. Pol. 643 (2011)
- Two Challenges for Campaign Finance Disclosure After
Citizens United and *Doe v. Reed*
19 Wm. & Mary Bill of Rights J. 983 (2011)
- The Business Improvement District Comes of Age
3 Drexel L. Rev. 19 (2010)
- Election Campaigns and Democracy: A Review of James A. Gardner,
*What are Campaigns for? The Role of Persuasion in
Electoral Law and Politics*
58 Buff. L. Rev. 1175 (2010)
- Campaign Finance Disclosure 2.0
9 Elec. L.J. 273 (2010)

Skelos v. Paterson: The Surprisingly Strong Case for the Governor's
Surprising Power to Appoint a Lieutenant Governor
73 Alb. L. Rev. 675 (2010)

The Most Popular Tool: Tax Increment Financing and the Political
Economy of Local Government
77 U. Chi. L. Rev. 65 (2010)

Town of Telluride v. San Miguel Valley Corp.:
Extraterritoriality and Local Autonomy
86 Denver U. L. Rev. 1311 (2009)

Davis v. FEC: The Roberts Court's Continuing Attack
on Campaign Finance Reform
44 Tulsa L. Rev. 475 (2009)

Life of the Parties? Money, Politics and Campaign Finance Reform
8 Elec. L. J. 207 (2009)

Lobbying and Campaign Finance: Separate and Together
19 Stan. L. & Pol. Rev. 105 (2008)

WRTL II: The Sharpest Turn in Campaign Finance's Long and Winding Road
1 Albany Govt L. Rev. 101 (2008)

WRTL and *Randall*: The Roberts Court and the Unsettling
of Campaign Finance Reform Law
68 Ohio State L.J. 807 (2007)

Home Rule and Local Political Innovation
22 J. L. & Pol. 1 (2006)

A Changing Supreme Court Considers Major Campaign Finance Questions
5 Elec. L.J. 74 (2006)

Electing Delegates to a State Constitutional Convention:
Some Legal and Policy Issues
36 Rutgers L.J. 1125 (2005)

The 527 Problem . . . and the *Buckley* Problem
74 Geo. Wash. L. Rev. 949 (2005)

The Return of Spending Limits: Campaign Finance After *Landell v. Sorrell*
32 Fordham Urb. L. J. 399 (2005)

Defining the Constitutional Question in Partisan Gerrymandering
14 Cornell J. Law & Pub. Pol. 397 (2005)

Clingman v. Beaver and the First Amendment Right of a Minor Political
Party to Open Its Primary to Major Party Voters
4 Elec. L.J. 51 (2005)

Judicial Campaign Codes After *Republican Party of Minnesota v White*
153 U. Penn. L. Rev. 181 (2004)

Home Rule for the Twenty-first Century
36 Urban Lawyer 253 (2004)

McConnell v FEC and the Transformation of Campaign Finance Law
3 Election L. J. 147 (2004)

The Disfavored Constitution: State Fiscal Limits and State Constitutional Law
34 Rutgers L. J. 907 (2003)

What Did They Do and What Does it Mean? The Three-Judge Court's Decision
in *McConnell v FEC* and the Implications for the Supreme Court
1 U. Penn, J. Const. L. 58 (2003)

Beyond Congress: The Study of State and Local Legislatures
7 N.Y.U. J. Leg. & Pub. Pol. 23 (2003)

Reforming Campaign Finance Reform: A Review of *Voting With Dollars*
91 Cal. L. Rev. 643 (2003)

The Future of Reform: Campaign Finance Reform After
the Bipartisan Campaign Reform Act of 2002
34 Ariz. St. L. J. 1179 (2002)

Facing the Urban Future After September 11, 2001
34 Urban Lawyer 563 (2002)

The Contested Right to Vote
100 Mich. L. Rev. 1506 (2002)

Smart Growth and American Land Use Law
21 St. Louis Public L. Rev. 253 (2002)

Public Funds and the Regulation of Judicial Campaigns
35 Ind. L. Rev. 819 (2002)

Soft Money Reform and the Constitution

- 1 Election L. J. 343 (2002)
- Bush v Gore* as an Equal Protection Case
29 Florida State U. L. Rev. 325 (2002)
- Nixon v Shrink Missouri Government PAC*: The Beginning of the End of the
Buckley Era?
85 Minn. L. Rev. 1729 (2001)
- Comment: Three Issues for the City in the 21st Century
32 Urban Lawyer 409 (2000)
- The Political Parties and Campaign Finance Reform
100 Colum. L. Rev. 620 (2000)
- Localism and Regionalism
48 U. Buffalo L. Rev. 1 (2000)
- Public Funding and Democratic Elections
148 U. Penn. L. Rev. 563 (1999)
- Issue Advocacy: Redrawing the Elections/Politics Line
77 Tex. L. Rev. 1751 (1999)
- A Government For Our Time? Business Improvement Districts and Urban
Governance
99 Colum. L. Rev. 365 (1999)
- The New York City Charter and the Question of Scale
42 New York Law School L. Rev. 1059 (1998)
- The Rise of Sublocal Structures in Urban Governance
82 Minn. L. Rev. 503 (1997)
- Campaign Finance, The Parties and the Court: A Comment on
Colorado Republican Campaign Committee v FEC
14 Const. Comm. 91 (1997)
- Ballot Propositions and Campaign Finance Reform
1996 Annual Survey of American Law 413 (1996)
- The Local Government Boundary Problem in Metropolitan Areas
48 Stanford L. Rev. 1115 (1996)
- Local Government and the New York State Constitution
1 Hofstra Law & Policy Symposium 79 (1996)

- Race and Representation After Miller v Johnson
1995 U. Chi. Legal Forum 23 (1995)
- Lani Guinier and the Dilemmas of American Democracy
95 Colum. L. Rev. 418 (1995)
- "What About the 'Ism'?" Normative and Formal Concerns in Contemporary Federalism
47 Vanderbilt L. Rev. 1303 (1994)
- Federalism and Health Care Reform: Is Half a Loaf Really Worse Than None?
21 Hastings Const. L. Q. 611 (1994)
- Who Rules at Home? One Person/One Vote and Local Governments
60 U. Chi. L. Rev. 339 (1993)
- The Item Veto in State Courts
66 Temple L. Rev. 1171 (1993)
- Voting Rights, Home Rule, and Metropolitan Governance:
The Secession of Staten Island as a Case Study in the Dilemmas of Local Self-Determination
92 Colum. L. Rev. 775 (1992)
- The Role of Local Control in School Finance Reform
24 Conn. L. Rev. 773 (1992)
- Home Rule, Majority Rule, and Dillon's Rule
67 Chicago-Kent L. Rev. 1011 (1992)
- Our Localism: Part I -- The Structure of Local Government Law
90 Colum. L. Rev. 1 (1990)
- Our Localism: Part II -- Localism and Legal Theory
90 Colum. L. Rev. 346 (1990)
- The Item Veto: A Problem in State Separation of Powers
2 Emerging Issues in State Constitutional Law 85 (1989)
- Taking Home Rule Seriously: The Case of Campaign Finance Reform
37 Proceedings of the Academy of Political Science 35 (1989)
- Localism in State Constitutional Law
496 The Annals of the Amer. Acad. of Pol. & Soc. Sci. 117 (1988)

The New York State Agency Shop Fee and the Constitution
41 Indus. & Labor Rel. Rev. 279 (1988)

State-Local Relations and Constitutional Law
13 Intergovernmental Perspective 10 (1987)

Distrust of Democracy
63 Tex. L. Rev. 1347 (1985)

The Federal Election Campaign Act and the 1980 Election
84 Colum. L. Rev. 2083 (1984)

Developments in the Law -- Section 1983 and Federalism
90 Harv. L. Rev. 1133 (1977) (editor)

Case Comment on Rizzo v. Goode in The Supreme Court, 1975 Term
90 Harv. L. Rev. 238 (1976)

Developments in the Law -- Class Actions
89 Harv. L. Rev. 1318, 1454-1536 (1976)

Case Comment on Local 1547, IBEW v. Local 959, Teamsters
89 Harv. L. Rev. 440 (1975)

Book Chapters and Other Published Papers

“Local Autonomy and Constitutional Law: An Uncertain Relationship,” in **LAW BETWEEN BUILDINGS: EMERGENT GLOBAL PERSPECTIVES IN URBAN LAW** (Nisha Mistry and Nestor M. Davidson, eds., Routledge 2017)

“CON: Resolved, Congress should remove the caps on the amount that individuals can contribute to candidates for federal office,” in **DEBATING REFORM: CONFLICTING PERSPECTIVES ON HOW TO FIX THE AMERICAN POLITICAL SYSTEM** (Richard J. Ellis & Michael Nelson, eds., Sage CQ Press 2017)

“Mind the Gap’: The Promise and Limits of Home Rule in New York,” in **NEW YORK’S BROKEN CONSTITUTION: THE GOVERNANCE CRISIS AND THE PATH TO RENEWED GREATNESS** (Peter J. Galie, Christopher Bopst, and Gerald Benjamin, eds., SUNY Press 2016)

“Constitutional Revision in New York: The Democracy Agenda,” in **MAKING A MODERN CONSTITUTION: THE PROSPECTS FOR CONSTITUTIONAL REFORM IN NEW YORK** (Rose Mary Bailly & Scott N. Fein, eds., NYS Bar Ass’n 2016)

- “The United States,” in **CHECKBOOK ELECTIONS? POLITICAL FINANCE IN COMPARATIVE PERSPECTIVE** (Pippa Norris & Andrea Abel van Es, eds., Oxford Univ. Press 2016)
- “‘More Speech’ as a First Amendment Violation: *Arizona Free Enterprise Club’s Freedom Club PAC v. Bennett* and the Challenge to Public Funding” in **ELECTION LAW STORIES** (Joshua A. Douglas & Eugene D. Mazo, eds., Foundation Press 2016)
- “On Dejudicializing American Campaign Finance Law” in **MONEY, POLITICS AND THE CONSTITUTION: BEYOND CITIZENS UNITED** (Monica Youn, ed. The Century Foundation 2011)
- Campaign Finance: Can Congress Authorize the Opponents of Self-Financed Candidates to Receive Extra-Large Contributions
ABA Preview of Supreme Court Cases, Vol. 35, No. 7, April 14, 2008
- Public Financing and Presidential Elections
Insights on Law & Society (ABA Div. for Pub. Educ.), Vol. 9, No. 1 (Fall 2008)
- “The Central Place of States and Local Governments in American Federalism,” in **THE HANDBOOK OF MUNICIPAL BONDS** (Sylvan G. Feldstein & Frank J. Fabozzi, eds., John Wiley & Sons, Inc., 2008)
- “Courts, Constitutions, and Public Finance: Some Recent Experiences from the States,” in **FISCAL CHALLENGES: AN INTERDISCIPLINARY APPROACH TO BUDGET POLICY** (Elizabeth Garrett, Elizabeth A. Graddy & Howell E. Jackson, eds., Cambridge Univ. Press 2008)
- “Adding Adequacy to Equity,” in **SCHOOL MONEY TRIALS: THE LEGAL PURSUIT OF EDUCATIONAL ADEQUACY** (Martin R. West & Paul E. Peterson, eds., Brookings Inst. Press 2007)
- “State and Local Finance” in **STATE CONSTITUTIONS FOR THE TWENTY-FIRST CENTURY, VOLUME 3: THE AGENDA OF STATE CONSTITUTIONAL REFORM** (G. Alan Tarr & Robert F. Williams, eds., SUNY Press 2006)
- “Soft Money, Congress, and the Supreme Court,” in **PARTY FUNDING AND CAMPAIGN FINANCING IN INTERNATIONAL PERSPECTIVE** (K.D. Ewing & S. Issacharoff, eds., Hart Pub., 2006)
- “Campaign Finance” in **THE LIMITS OF MARKET ORGANIZATION** (R. Nelson, ed., Russell Sage Foundation 2005)

"The Local School District in American Law,"
in **BESIEGED: SCHOOL BOARDS AND THE FUTURE OF EDUCATION POLITICS** (W. Howell, ed., Brookings Inst. Press 2005)

"Federalism and the Future of Health Care Reform," with Sherry Glied,
in **THE PRIVATIZATION OF HEALTH CARE REFORM: Legal and Regulatory Perspectives** (M. Gregg Bloche, ed., Oxford Univ. Press 2003)

"Federalism in Political Structure and Power: The New Role of Federal Law in Constraining Political Processes in American State and Local Governments,"
in **GOVERNMENT STRUCTURES IN THE U.S.A. AND THE SOVEREIGN STATES OF THE FORMER U.S.S.R.** (James E. Hickey, Jr. and Alexej Ugrinsky, eds., Greenwood Press 1996)

"Paradoxes of Federalism,"
in **HARMONIZATION OF LEGISLATION IN FEDERAL SYSTEMS: CONSTITUTIONAL, FEDERAL AND SUBSIDIARITY ASPECTS -- THE EUROPEAN UNION AND THE UNITED STATES OF AMERICA COMPARED** (Ingolf Pernice, ed., Nomos Verlagsgesellschaft Baden-Baden, 1996)

"The Unfunded Mandates Reform Act of 1995," Report of the Committee on Federal Legislation, Ass'n of the Bar of the City of New York, 50 Record of the Ass'n 669 (1995)

"State Constitutions in the Federal System;" "Principal Provisions of State Constitutions: A Brief Overview;" "Intergovernmental Relations;" "Local Government and the State Constitution: A Framework for Analysis;" "The Voting Rights Act and the Election of Delegates to a Constitutional Convention;" "The Election of Delegates to a Constitutional Convention: Some Alternatives," in **DECISION 1997: CONSTITUTIONAL CHANGE IN NEW YORK** (Rockefeller Inst. Press 1997)

"Some Clarity, More Uncertainty," 105 Mich. L. Rev. First Impressions 58 (2006),
Online Symposium on Partisan Gerrymandering,
<http://yalelawjournal.org/2006/12/11/briffault.html>

"Beyond City and Suburb: Thinking Regionally," 116 Yale L. J. Pocket Part 203 (2006), <http://yalelawjournal.org/2006/12/11/briffault.html>

Magazine and Newspaper Op-Ed Articles

"Anti-gerrymandering rule would be a big step for N.Y."
Albany Times-Union, Oct. 30, 2014

- “McCutcheon and the Future of Campaign Finance”
JURIST, Forum, Nov. 4, 2013, <http://jurist.org/forum/2013/11/richard-briffault-mccutcheon-campaign.php>
- “Sticking Up for the Small Donor,”
The Atlantic, July 27, 2012 (online)
<http://www.theatlantic.com/politics/archive/2012/07/sticking-up-for-the-small-donor/260410/>
- “Give Voters a Voice in Redistricting,”
Albany Times-Union, Feb. 24, 2012
- “The Need for Public Subsidies”
Boston Review, July 22, 2011 (online)
http://www.bostonreview.net/BR36.4/ndf_richard_briffault_campaign_finance_reform.php
- “Nothing Illegal About Ravitch,”
Albany Times-Union, July 20, 2009
- Lawyer’s Bookshelf: “Fighting for the City: A History of the Corporation Counsel’s Office” (book review)
New York Law Journal, Jan. 29, 2008
- “School Financing Highlights Significant Cases”
New York Law Journal, Sept. 10, 2007
- “An Historic Moment for Separation of Powers”
New York Law Journal, Sept. 12, 2005
- “Confronting Regulatory and Liability Issues”
New York Law Journal, Sept. 7, 2004
- “With Strings Attached: The Limits on Local Control”
Education Next, Summer 2004
- “A Fickle Federalism”
The American Prospect, March 2003
- “The Ruling Comes With a Dark Cloud,”
Newsday, December 14, 2000
- “Supremes’ Challenge: Don’t Be Partisan,”
New York Daily News, December 12, 2000
- “We Must Stay Calm in Election Mess,”

Newsday, November 14, 2000

“Court Of Appeals: The Year In Review Government And Municipal Law:
Constitutional Questions Spur Dissents,”
New York Law Journal, October 2, 2000

“Court Of Appeals: The Year In Review Government And Municipal Law:
Statutory Interpretation and Unanimity,”
New York Law Journal, October 4, 1998

“Government & Municipal Law: Local Officials Did Not Fare Well in Past Term,”
New York Law Journal, October 5, 1998

“Beware the Lure of Democracy If It Results in Poor Initiatives,”
New York Newsday, October 27, 1997

"New York Court of Appeals Roundup: The School Finance Cases"
New York Law Journal, August 10, 1995

"Focus: Even Bigger Than Albany's Budget Gap Is . . . The Democracy Deficit,"
New York Newsday, April 9, 1995

"Money's Weak Right to Talk,"
New York Newsday, April 4, 1990

LEGISLATIVE AND REGULATORY TESTIMONY

Federal Election Commission, Forum on Corporate Political Spending and
Foreign Influence, June 23, 2016

Federal Election Commission, Public Hearing on the *McCutcheon v. FEC*
Advance Notice of Proposed Rulemaking, February 11, 2015

Hearing on New York Attorney General’s Proposed Charity Disclosure
Regulations, January 15, 2013

Hearing of New York State Senate Committee on Investigations and Government
Operations Concerning the State’s Authority to Tax the Sale of Cigarettes
on Tribal Lands, January 26, 2010

Hearing on Prevention of Deceptive Practices and Voter Intimidation in Federal
Elections: S. 453, United States Senate, Committee on the Judiciary,
June 7, 2007

Hearing of New York City Council Committee on Governmental

Operations Concerning Campaign Finance Reform, December 11, 2003

Hearing on the Authority of Congress to Regulate Federal Election Campaigns,
United States House of Representatives, Committee on the Judiciary,
Subcommittee on the Constitution, May 5, 1999

COMMUNITY ACTIVITIES

Member, Board of Trustees, Metropolitan Montessori School, 2013-2017

Member, American Law Institute, 2011-

Member, Government Reform Policy Committee,
Spitzer Gubernatorial Transition, 2006

Member, Mayor's Committee on City Marshals, City of New York, 2003-2013

Executive Director, Commission on Campaign Finance Reform,
Association of the Bar of the City of New York, 1998-2000

Member, Board of Directors, Citizens Union of the City of New York,
1996-2002, 2003-2009
Vice-Chair, 2008-2009, 2010-

Member, Board of Directors, Citizens Union Foundation, 2009-
Vice-Chair, 2009-2010

Member, Executive Committee, Section on State and
Local Government Law, Association of American Law Schools
Chair of the Section, 1994, 2009

Member, Association of the Bar of the City of New York
Task Force on New York State Constitutional Convention,
2015-
Committee on Government Ethics, 2011-2014
Task Force on New York State Constitutional Convention,
1994 -1997
Committee on Federal Legislation, 1993-1996
Committee on Municipal Affairs, 1987-1990
Special Committee on Election Law, 1985-1987
Committee on Labor and Employment Law, 1984-1987
Committee on the Civil Court, 1983-1984

Member, Advisory Board of the Mayor's Office for Homeless and
SRO Housing Services, City of New York, 1987-1988

Member, Mayor's Early Childhood Education Commission,
City of New York, 1985-1986

BAR ADMISSIONS

New York State, 1979

U.S. District Court, Southern District of New York, 1979

U.S. District Court, Eastern District of New York, 1979