

BEN JOHNSON

Katz Building, State College, PA 16802 • bbj14@psu.edu • (254) 214-5125
<https://pennstatelaw.psu.edu/faculty/johnson>

Academic Employment

Pennsylvania State University Law School (University Park)
Assistant Professor (2018 – present)

Education

PRINCETON UNIVERSITY

Ph.D. Politics (2018): Dissertation: Essays on Supreme Court Agenda-Setting

YALE LAW SCHOOL

JD (2010)

Moot Court: Harlan Fiske Stone Prize for best oral advocacy (individual prize), Potter Stewart Prize for best overall written and oral argument (team prize)

John M. Olin Fellow in Law, Economics, & Policy
Yale Law Revue, director

BOSTON UNIVERSITY

MA Economics (2004)

BAYLOR UNIVERSITY

BA University Scholars (2003)

Phi Beta Kappa, Outstanding Student in College of Arts and Sciences, Honors Program

Publications

The Origins of Supreme Court Question Selection, COLUM. L. REV. (forthcoming)

Judges Breaking the Law: An Empirical Study of Financially Interested Judges Deciding Cases, 99 N.C. L. REV. 1 (2020) (with John Newby Parton)

The Supreme Court's (Surprising?) Indifference to Public Opinion, 74 POL. RES. Q. 18 (2020) (with Logan Strother) (Winner of the American Political Science Association's Law & Courts Section 2020 Best Conference Paper Award)

The Supreme Court's Political Docket: How Ideology and the Chief Justice Control the Court's Agenda and Shape Law, 50 CONN. L. REV. 581 (2018)

Why Does the Supreme Court Uphold So Many Laws?, 2018 U. ILL. L. REV. 1001 (with Keith Whittington)

Horses & Carts and Justice & Rules: Getting the Order Right in EXPLORING THE POLITICAL ECONOMY AND SOCIAL PHILOSOPHY OF JAMES M. BUCHANAN, Rowman and Littlefield Int'l Ltd (2018)

Working Papers

The Active Vices (an empirical study of the Court's practice of preselecting questions)

The Least Responsive Branch: Supreme Court Justices Do Not Respond to Public Opinion (with Logan Strother) (using machine learning to test whether public opinion predicts justices' votes)

All Contracts Are Inefficient (a formal model of contracting that shows parties fail to maximize joint or social surplus when negotiating)

Should Like Cases Be Decided Alike?, (with Richard Jordan) (a formal model of Aristotle's foundational principle in moral and legal theory)

Can We Avoid Increasing Inequality?, (with Richard Jordan) (a formal model of economic inequality)

Selected Conference Presentations

Do Supreme Court Justices Respond to Public Opinion?
Emory Conference on Institutions and Lawmaking, Feb. 2020.

Judges Breaking the Law
Junior Federal Courts Faculty Workshop, Sept. 2019.

Further Questions for Certiorari
Southeastern Association of Law Schools, July 2019.

Further Questions for Certiorari
Richmond Junior Faculty Forum, May 2019.

Ideology and Agenda-Setting at the U.S. Supreme Court
Political Economy of Public Law, June 15-16, 2018.

Ideology and Agenda-Setting at the U.S. Supreme Court
TexMeth, Apr. 27-28, 2018.

Should Like Cases Be Decided Alike?
Politics, Philosophy, and Economics, Mar. 15-17, 2018.

Ideology and Agenda-Setting at the U.S. Supreme Court
American Political Science Association Conference, Aug. 31- Sept. 3, 2017.

Dynamic Committee Decision-Making
American Political Science Association Conference, Aug. 31- Sept. 3, 2017.

Through a Glass Darkly: Examining the Court Through the Lens of Certiorari
American Law & Economics Association Conference, May 12-13, 2017.

Can Increasing Inequality be Avoided? (with Richard Jordan)
Midwest Political Science Association Conference, April 4, 2017.

Voting to Lose: Separating Law, Ideology, and Mistakes in Supreme Court Agenda-Setting
UT Public Law Conference, Oct. 15, 2016.

Selection Effects and Supreme Court Ideal Points: Evidence from Cert Votes
American Political Science Association Conference, Sept. 4, 2016.

Careful What You Wish For: Voting to Lose at the Supreme Court
Yale Judicial Politics Graduate Student Conference, July 27, 2016.

The Court Is Not Congress: Building Reliable Measures of Doctrine
UT Public Law Conference, Sept. 26, 2015.

Measuring Justices and Opinions: Improved Methods in Judicial Ideal Point Estimation
American Political Science Association Conference, Sept. 4, 2015.

Hidden Ex-Post Costs in Bilateral Contracting: Their Implications and Legal Responses
Southern Economics Association Conference, Nov. 20, 2011.

Professional Service

Referee for *American Journal of Political Science*, *Quantitative Economics*, *Political Research Quarterly*, and *Journal of Law, Economics, and Organization*.

Professional Experience

HAYNES AND BOONE

Litigation Associate (2010 - 2012), Dallas, TX

CHAMBERS OF JUDGE MICHAEL McCONNELL

Extern (summer 2009), Salt Lake City, UT

KEEFE, BRUYETTE, & WOODS

Associate – Equity Research (2005 - 2007), Atlanta, GA

Bar Admissions

Texas (Inactive), Northern District of Texas