PARTNER

MATTHEW A. SELIGMAN

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Matthew Seligman is a litigator and strategist with extensive experience at every level of the judiciary—from trial courts to the U.S. Supreme Court. He draws on his years as a legal scholar and practicing attorney to assist clients navigating their most complex and sophisticated legal issues.

Matthew is also recognized as one of the nation's foremost election law experts. His work in courts, before Congress, and in the national media addresses the highest-profile election issues facing America today. For example:

- Matthew is currently serving as the principal expert witness on constitutional law testifying on behalf of the California Bar in its disciplinary proceeding seeking the disbarment of John Eastman for his role as the legal architect of former President Trump's attempts to overturn the results of the 2020 presidential election.
- In 2023, Matthew testified before the U.S. House of Representatives on the dangers of election misinformation on social media (Written Testimony | C-SPAN Testimony).
- In 2020, Matthew represented the NAACP in its successful suit to block the United States Postal Service from slowing the delivery of election mail, facilitating the timely delivery of tens of millions of mail-in ballots.
- Matthew is frequently invited to discuss election issues on national

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television—e.g., Ali Velshi/MSNBC (discussion of risks of expansion of executive power during potential second Trump administration) (discussion of vulnerabilities of Electoral Count Act that could be exploited in a disputed presidential election); Brianna Keilar/CNN (discussion of potential criminality of then-President Trump's phone call with Georgia Secretary of State Brad Raffensperger); Smerconish/CNN (discussion of vulnerabilities of Electoral Count Act).

- Matthew's book, *How to Steal a Presidential Election* (co-authored with Harvard Law Professor Lawrence Lessig), is forthcoming from the Yale University Press. His work has also been published in the Stanford Law Review, the Michigan Law Review, the Vanderbilt Law Review, and other law reviews and peer-reviewed journals.

Matthew is a fellow at the Constitutional Law Center at Stanford Law School. Previously he was a fellow at the Center for Private Law at the Yale Law School, a Climenko Fellow and Lecturer on Law at Harvard Law School, and a Visiting Assistant Professor of Law at the Benjamin N. Cardozo School of Law. In the fall of 2020, he returned to Harvard to co-teach a course on disputed presidential elections with Professor Lawrence Lessig.

Matthew received his J.D. from Stanford Law School, where he was a member of the Supreme Court Litigation Clinic and was the Editor-in-Chief of the Stanford Journal of Law, Business, and Finance. After law school, he clerked for the Hon. Douglas H. Ginsburg on the United States Court of Appeals for the District of Columbia Circuit. He received his Ph.D. in philosophy from New York University, where he focused on moral and political philosophy. He received dual undergraduate degrees in mathematics and philosophy from Stanford University.

Associations

Constitutional Law Center, Stanford Law School, fellow

California Political Attorneys Association, member

Publications

Books

How to Steal a Presidential Election (forthcoming, Yale University Press) (co-authored with Lawrence Lessig).

The Law of January 6th (forthcoming).

Academic Publications

Court Packing, Senate Stonewalling, and the Constitutional Politics of Judicial Appointments Reform, 54 ARIZ. ST. L.J. 585 (2022).

Moral Diversity and Efficient Breach, 117 MICH. L. REV. 885 (2019).

The Error Theory of Contract, 78 MD. L. REV. 147 (2018).

Neutral Principles and Political Power: A Response to Reverse Political Process Theory, 70 VAND. L. REV. EN BANC 301 (2017).

Note, Harrington's Wake: Unanswered Questions on AEDPA's Application to Summary Dispositions, 64 STAN. L. REV. 469 (2011).

Luck, Leverage, and Equality: A Bargaining Problem for Luck Egalitarians, PHIL.

& PUB. AFF., Summer 2007, at 266.

Op-Eds

Ron DeSantis Can Steal the 2024 Election—for Himself, Slate (November 29, 2022).

How Panic on the Left Could Spark a Constitutional Crisis, Politico (November 22, 2022).

The New Bipartisan Bill to Prevent Another Jan. 6 Would Actually Work, Slate (July 21, 2022).

No, Constitutional Scholars Are Not "50/50" in Agreement With Donald Trump About Jan. 6, Slate (November 12, 2021).

John Eastman Is Right: His Election Memo Was "Crazy", Slate (October 21, 2021).

Working Papers (partial list)

A Realistic Risk Assessment of the Presidential Election of 2024 (working paper).

Disputed Presidential Elections and the Collapse of Constitutional Norms (working paper).

The Vice President's Non-Existent Unilateral Power to Reject Electoral Votes (working paper).

The Constitutionality and Continuing Risks of the Electoral Count Reform Act

(working paper).

Personalized Choice of Private Law (working paper).