Jonathan B. Petkun

Mailing Address:
147 Livingston St., Apt. 3
New Haven, CT 06511

Email: jonathan.petkun@yale.edu
Website: https://jbpetkun.github.io/
Phone: (503) 201-2712

EDUCATION

Massachusetts Institute of Technology, Ph.D. in Economics 2013–2020
Fields: Public Economics, Labor Economics, Law & Economics, Industrial Organization
Dissertation: "Essays on the Law and Economics of Public Institutions"
Thesis advisors: Jonathan Gruber and Heidi Williams
Fellowships: National Science Foundation Graduate Research Fellow (2013–2016)

Yale Law School, J.D. 2016–2019
Colby Townsend Memorial Prize for Best Paper by a Second-Year Student (2018)
Judge Ralph K. Winter, Jr. Prize for Best Paper in Law & Economics (2018)
C. LaRue Munson Prize for Excellence in the Investigation, Preparation, and Presentation of a Civil, Criminal, or Administrative Case Under Supervision of a Clinical Program (2019)
Veterans Legal Services Clinic
Teaching Assistant: Civil Procedure (Prof. Harold H. Koh); Federal & State Courts (Prof. Judith Resnik)

Swarthmore College, B.A. with High Honors 2007
Major: Economics; Minors: Mathematics & Statistics, History
Harry S. Truman Scholarship; Phi Beta Kappa

RESEARCH & TEACHING INTERESTS

Primary: Civil Procedure, Federal Courts, Law & Economics, Empirical Legal Studies, Access to Justice, Taxation, Employment & Labor Law
Additional: Administrative Law, Property, Contracts, Business Associations, Military & Veterans Law

ACADEMIC APPOINTMENTS

Yale Law School, Arthur Liman Center for Public Interest Law
Senior Liman Research Affiliate 2020–Present
Senior Liman Research Fellow in Residence 2019–2020

Yale Law School
Instructor, Introduction to Legal Writing and Analysis Fall 2020

CLERKSHIPS

Hon. Jeffrey A. Meyer, U.S. District Court for the District of Connecticut,
Law Clerk 2021–2022

Hon. Stephen F. Williams, U.S. Court of Appeals for the District of Columbia Circuit, Law Clerk, hired by the late Judge Williams & temporarily reassigned to the chambers of Chief Judge Sri Srinivasan 2020–2021

PROFESSIONAL EXPERIENCE

Prof. Michael Greenstone, MIT & National Bureau of Economic Research,
Pre-Doctoral Research Assistant 2011–2013

United States Marine Corps Reserve, Logistics Officer & Company Commander 2011–2013

United States Marine Corps, Logistics Officer & foreign military advisor,
Honorably discharged at the rank of Captain 2007–2011

Center on Budget and Policy Priorities, Federal Fiscal Policy Intern Summer 2007

ACADEMIC WORKING PAPERS (DRAFTS AVAILABLE UPON REQUEST)

Nudges for Judges: An Empirical Analysis of the "Six-Month List" (2021) (job talk paper) (under review)

Abstract: I study a Congressionally-enacted reform known as the "six-month list," which uses social pressure to incentivize federal judges to decide cases more quickly. Using an original dataset of nearly 500,000 federal district court motions, I assess the effects of the six-month list on both the speed and quality of civil adjudications. My results indicate that the six-month list does indeed improve speed; the summary judgment motions that are most exposed to the six-month list are resolved almost a full month (15%) faster than those that are least exposed. I also find considerable heterogeneity across judges, with young judges, judges of color, and women judges being among the most responsive to the incentives created by the six-month list. Speedier adjudications notwithstanding, I find only mixed evidence of effects on the quality of adjudications. I consider a variety of reforms that would capitalize on the best features of the six-month list while minimizing its potential for unintended consequences.

Rethinking User Fees in Civil Litigation (2021) (unpublished working paper)

Abstract: This article analyzes what I term the "user fee status quo" in both federal and state court civil litigation. I argue that the user fee status quo—which combines flat and supposedly "nominal" statutory and administrative fees for usage of the courts with discretionary fee waivers to litigants claiming indigency—is flawed from both an access-to-justice perspective and from the perspective of sound public financing. From an access-to-justice perspective, even relatively "nominal" fees can be prohibitively costly for low-resource litigants with non-frivolous claims, and discretionary fee waivers are too arbitrary to guarantee access for genuinely poor petitioners. From the public finance perspective, I argue that court user fees are generally too low to make a meaningful contribution to the cost of court administration, and their uniformity does little to promote the fair and efficient allocation of judicial resources. I support aspects of my argument with an original empirical analysis of more than 400,000 IFP petitions filed in the federal district courts between 2005 and 2014, and where my claims cannot yet be tested, I sketch out a future agenda for much-needed empirical research on court fees and fee waivers.

I Want You! (but not you): Selection in Military Retention (2021) (with Christina Patterson & William Skimmyhorn) (under review)

Abstract: Government workers provide essential goods and services, but how do public sector compensation policies shape workforce quality? We expand the existing literature, which has focused on compensation levels, by studying how the structure of retention incentives affects employee quality in the U.S. military. Combining administrative data with quasi-random policy variation, we find that low-ability soldiers are relatively more responsive to both lump-sum bonuses and early retirement benefits, and both effects are large enough to affect the organization's average ability level. We provide suggestive evidence that neither access to credit nor differences in personal discount rates explain these selection patterns.

Do Military Housing Allowances Inflate Local House Prices? (2020) (with Paul Goldsmith-Pinkham) (unpublished working paper)

Abstract: Governments frequently face a choice not just of whether and how much of a good or service to provide, but also how accomplish its provision. In the case of housing for military families, the U.S. military chooses between direct in-kind provision of on-base housing and cash transfers in the form of lump-sum housing allowances. We assess one common critique of cash transfers, which is that they tend to "bid up" housing prices for civilians living in proximity to a military base—what economists call a "pecuniary externality." We exploit statutory and regulatory changes to the military's housing allowance formula as a "natural experiment" for the effect of housing allowance generosity on local housing prices. We find evidence of sizeable price effects, and we argue that our research may have particular implications for the efficacy of universal basic income (UBI) proposals.

RESEARCH IN PROGRESS

Quantifying One-Percent Litigation (with Jonah Gelbach & Roger Michalski)

Abstract: Despite their limited subject matter jurisdiction, federal trial courts handle a wide variety of matters, from relatively narrow disputes between private individuals with little or no legal representation to complex litigation involving many parties with sophisticated attorneys. Such diversity forms the backdrop for many of the most important debates in civil procedure, with some commentators having argued that the rules of civil procedure are overly tailored to the needs of elite lawyers and litigants with complex or high-stakes claims, while others will argue that the diversity of matters before the courts merits reconsideration of the principle of transsubstantivity altogether. We aim to ground these debates by empirically documenting the distribution of complexity and resource-intensitivity in federal civil litigation, with a special emphasis on the so-called "1%" of litigation. From a dataset of more than 2 million federal district court docket sheets, we will use natural language processing techniques in order to identify and characterize cases at the "right tail" of complexity or resource-intensivity, as well as the individuals—the parties, lawyers, and judges—associated with such cases. We will consider how the distribution of litigation complexity and resource-intensivity varies across districts and case types, and we will discuss how researchers might measure the extent to which outlier cases or individuals disproportionately influence developments in procedural or substantive law.

Motions to Seal: An Empirical Analysis (with Jonathan Anderson & Susan Navarro Smelcer) (awarded $10,000 mini-grant by the Systematic Content Analysis of Litigation Events (SCALES) Open Knowledge Network)

Abstract: We will perform a large-N empirical analysis of sealing motions in U.S. federal courts. Motions to seal implicate two competing values. On the one hand, the legitimacy of our justice system depends upon openness and transparency. On the other hand, when litigants have a legitimate privacy interest in the information contained in court filings, it would be unfair to force them to choose between maintaining their privacy and advancing a claim or defense. With grant funding from the SCALES Open Knowledge Network, we will use natural language processing to identify and characterize motions to seal in federal court docket data. By documenting when, why, and to what effect parties file or oppose motions to seal, we hope to create a more informed conversation regarding transparency and privacy in litigation.

FELLOWSHIPS, HONORS, & AWARDS

C. LaRue Munson Prize for excellence in the investigation, preparation, and presentation of a civil, criminal, or administrative law case under the supervision of a Yale Law School clinical program	2019
Colby Townsend Memorial Prize for best paper by a second-year student, Yale Law School	2018
Judge Ralph K. Winter, Jr. Prize for best paper in law & economics, Yale Law School	2018
George & Obie Shultz Research Support Grant, MIT	2016
National Science Foundation Graduate Research Fellowship	2013–2016
Phi Beta Kappa (Swarthmore College)	2007
Harry S. Truman Scholarship	2006
Rufus Choate Scholar (Dartmouth College)	2004
Military decorations include Navy & Marine Corps Commendation Medal, Navy & Marine Corps Achievement Medal, and Iraq and Afghanistan Campaign Medals	2007–2011

EXTERNAL GRANTS (SELECTED)

Systematic Content Analysis of Litigation Events-Open Knowledge Network (SCALES-OKN) (with Jonathan Anderson & Susan Navarro Smelcer) ($10,000)	2021

INVITED PRESENTATIONS

Notre Dame Law & Economics Workshop, "Nudges for Judges: An Empirical Analysis of the 'Six-Month' List"'	Mar. 2021

FJC Judicial Education Workshop for Judges of the Seventh Circuit, "Judging: Managerial or Not" (with Judith Resnik) Oct. 2019

TEACHING

Instructor, Introduction to Legal Analysis & Writing, Yale Law School Fall 2020
Teaching Assistant to Prof. Judith Resnik, Federal & State Courts in the Federal System, Yale Law School Spring 2019
Teaching Assistant to Prof. Harold H. Koh, Civil Procedure, Yale Law School Fall 2018

ACADEMIC CONFERENCE PRESENTATIONS & WORKSHOPS (SELECTED)

Annual Meeting of the American Law & Economics Association (ALEA) (paper accepted, Fall 2021); Chicagoland Junior Scholars Conference (Fall 2020); Annual Meeting of ALEA (*paper accepted before cancellation due to COVID*, Fall 2020); Conference on Data Science & Law (ETH Zürich, Summer 2019); Conference on Empirical Legal Studies (Fall 2018); Annual Meeting of the Canadian Law & Economics Association (Fall 2018); Fifth International Conference on Economic Analysis of Litigation (Summer 2018); MIT Public Finance Lunch Seminar (Spring 2018; Spring 2016; Fall 2015).

LANGUAGES & SOFTWARE

Foreign Languages: Spanish (intermediate beginner)
Software Languages: Python, R, Stata, SQL, LaTeX

SERVICE & ASSOCIATIONS

Referee: AMERICAN ECONOMIC REVIEW: INSIGHTS; AMERICAN ECONOMIC JOURNAL: APPLIED ECONOMICS
Student Advisory Committee on Faculty Hiring, Yale Law School 2017–2019
Yale Law Student Working Group on Proposed Changes to the Code of Conduct for U.S. Judges and Judicial Conduct and Disability Rules Fall 2018
Co-President, MIT Graduate Economics Association 2016

2007–2011

BAR ADMISSIONS

New York (2020)