

JACK BOEGLIN

3501 Sansom Street, Philadelphia, PA 19104
(317) 777-2797 • jboeglin@law.upenn.edu

APPOINTMENT

UNIVERSITY OF PENNSYLVANIA CAREY LAW SCHOOL

George Sharswood Fellow, Philadelphia, PA, July 2024–Present

Courses: Federal Courts (Spring 2026)
Artificial Intelligence, Accountability, and the Law (Spring 2025, Fall 2025)

EDUCATION

YALE LAW SCHOOL

J.D., May 2016

Activities: Yale Law Journal, *Articles Editor*
Coker Fellow, *Legal Writing Teaching Assistant*
Media Freedom & Information Access Clinic, *Student Advocate*
Legal Assistance Clinic, *Student Advocate*
Student Body Council, *Student Representative*
Petey Greene Inmate Tutoring Program, *Instructor*
Benjamin Scharps Prize, *Best Paper by a Third-Year Student*

BROWN UNIVERSITY

B.A., *magna cum laude*, Economics, May 2012

Activities: Brown University Orchestra, *President and Percussionist*

CLERKSHIPS

JUSTICE SONIA SOTOMAYOR, US Supreme Court, Oct. 2020-July 2021

JUSTICE RUTH BADER GINSBURG, US Supreme Court, July 2020-Sept. 2020

JUDGE GUIDO CALABRESI, US Court of Appeals for the Second Circuit, 2017-2018

CHIEF JUDGE SRIKANTH SRINIVASAN, US Court of Appeals for the DC Circuit, 2016-2017

INTERESTS

Primary: Civil Procedure, Federal Courts, Law & Tech, Torts, Constitutional Law

Secondary: AI Law, Privacy Law, Jurisprudence, Administrative Law, Appellate Practice

PUBLICATIONS

A Relational Theory of Standing Doctrine (work-in-progress)

Viewing AI Objectively (work-in-progress)

Jack Boeglin

Old Rulings, New Reasons (forthcoming MICH. L. REV.)

When the Supreme Court does away with a longstanding legal principle, courts must ask themselves whether to “reharmonize” precedent that relies on it. As I define the term, a court reharmonizes a past decision when it supports it on a new legal basis that better fits with intervening doctrinal developments or changing judicial attitudes. Although courts frequently reharmonize precedent, the practice has previously escaped sustained scholarly attention.

This Article offers a framework for when courts should (and should not) reharmonize. This framework helps to clarify the precedential doctrines employed by the federal courts, including the “special justification” and “prior panel precedent” rules. Even better, it could help clean up the doctrinal messes created by the demise of *Chevron* deference, the curtailing of substantive due process, and the hollowing out of *Bivens* doctrine.

Aligning Artificial Intelligence to the Law (forthcoming VILL. L. REV.)

As artificial intelligence (AI) continues its breathless advance into modern life, figuring out how best to align its behavior with human objectives and values has become a matter of profound societal importance. This Article advances a law-first approach to solving the AI “alignment problem.”

Recasting legal concepts as the building blocks of alignment has sizable implications in turn for other areas of scholarship on AI, including risk regulation, legal constructivism, legal personhood, tort liability, computational law, and soft law.

Confining Cases to Their Facts, 105 VA. L. REV. 865 (2019) (with Daniel B. Rice)

This Article offers the first in-depth treatment of “confining,” a judicial practice by which courts overrule everything a decision stands for except its precise result. My co-author and I offer guidelines for confining’s responsible use—ones designed to place the practice on sounder theoretical footing and to end its indiscriminate use across the federal and state court systems.

A Theory of Differential Punishment, 70 VAND. L. REV. 1499 (2017) (with Zachary B. Shapiro)

This Article proposes a solution to a longstanding problem in criminal law: Why are two people who commit the same criminal act punished differently when one of them, due to circumstances beyond her control, causes more harm than the other?

The answer comes from recognizing that there are two broad categories of justifications for punishment. “Offender-facing” justifications such as deterrence, retribution, incapacitation, and rehabilitation turn solely on facts about a criminal offender. “Victim-facing” justifications like expressive and vengeance-based theories expressly account for harms to crime victims. Only the latter set of justifications provides a reason to vary punishment depending

Jack Boeglin

on the amount of harm caused. This conclusion has dramatic implications because victim-facing justifications are not available for every criminal offense.

The Costs of Self-Driving Cars: Reconciling Freedom and Privacy with Tort Liability in Autonomous Vehicle Regulation, 17 YALE J.L. & TECH. 171 (2015)

This Article argues that liability, freedom, and privacy should be treated as interlocking pieces of the puzzle of self-driving car regulation. The more post-sale control manufacturers choose to exert over self-driving cars, the greater their liability should be for the accidents they cause. Conversely, if users want to preserve their freedom and privacy behind the wheel of a self-driving car, they may need to shoulder a greater share of responsibility for its accidents. Drawing on the laws of agency and product liability, the Article offers a framework for balancing legal liability with freedom and privacy in self-driving car regulation.

Stare Decisis and Secret Law: On Precedent and Publication in the Foreign Intelligence Surveillance Court, 124 YALE L.J. 2189 (2015) (with Julius Taranto)

This Comment argues that the courts created by the Foreign Intelligence Surveillance Act (FISA) have improperly developed a body of secret judge-made law on foreign-intelligence surveillance. Many of the justifications for *stare decisis*—such as that it protects reliance interests and bolsters perceptions of judicial legitimacy—are severely diminished when decisions are not made available for public inspection. My co-author and I thus make the case that the FISA courts should publish all opinions they consider precedential or cease treating opinions as precedential at all.

PRACTICE

COVINGTON & BURLING LLP

Appellate Litigation Associate, Washington, DC, Nov. 2021–May 2024

Led litigation strategy, authored pleadings, dispositive motions, cert petitions, and appellate briefs, and supervised teams of associates in federal and state court cases. Represented TikTok in efforts to enjoin state and federal government bans of the application in the United States.

Argued criminal appeals in the US Court of Appeals for the DC Circuit and the Appellate Court of Maryland.

Technology Regulatory Associate, London, UK, Nov. 2018–May 2020

Advised on EU tech and privacy law, represented clients in regulatory investigations, and drafted advocacy papers concerning law-enforcement access to personal data.

Summer Associate, Washington, DC, Summer 2015

NEW YORK CITY LAW DEPARTMENT

Summer Honors Intern, Appeals Division, New York City, NY, Summer 2014

STANFORD LAW SCHOOL

Research Fellow for Professor Dan Kessler, Palo Alto, CA, July 2012–July 2013

Jack Boeglin

SELECTED PRESENTATIONS

Philly Area Law Junior Faculty Forum, Temple University School of Law (March 2026)

Fellows Workshop, University of Pennsylvania Carey Law School (March 2026)

Center for Law and AI Risk Writers Retreat, Bandera, Texas (March 2026)

Institute for Law, Innovation and Technology Colloquium, Temple University (Nov. 2025)

Faculty Ad Hoc Series, University of Pennsylvania Carey Law School (July 2025)

Inaugural Roundtable on AI Safety Law, University of Alabama Law School (April 2025)

Junior Scholars Conference, Northeastern University (February 2025)

Fellows Workshop, University of Pennsylvania Carey Law School (February 2025)

AFFILIATIONS

New York Bar (active since 2016)

District of Columbia Bar (active since 2023)

Research Affiliate, Institute for Law & AI

Temple Bar Scholar, American Inns of Court