





Michael E. Toner

Partner



 202.719.7545

 mtoner@wiley.law



Michael, a former Chairman of the Federal Election Commission (FEC), is a seasoned election law expert and political veteran with a wealth of experience advising candidates, political committees, trade associations, and corporate clients on federal and state election law compliance. *Chambers USA* recognizes Michael among the nation's top-tier of election lawyers, bringing "invaluable" (2015) and "unequal" (2011) insight into the field, and citing sources who note that he is a "terrific, first-class election lawyer" (2022), "is really good at handling relationships" (2022), is "excellent" (2013), and is a "superstar" (2012). *Chambers USA* further notes that "he calibrates risk, practicality and the law better than 99% of other outside counsel" (2016) and "his background of government service gives him great insight into the workings of the Federal Election Commission and the way it thinks" (2014).

In addition to advising clients on a wide variety of regulatory compliance matters, Michael also has an active litigation practice and has led litigation teams in a number of areas in recent years, including campaign finance and First Amendment litigation, election administration cases, and commercial litigation, including actions involving the financial services industry and constitutional takings claims.

An active author, Michael has contributed chapters to a large number of books over the years including, *A Return to Normalcy? The 2020 Election That (Almost) Broke America*, *The Blue Wave: The 2018 Midterms and What They Mean for the 2020 Election*, *Trumped: The 2016 Election That Broke All the Rules*, *The Surge*, *Barack Obama and the New America*, *Pendulum Swing*, *The Year of Obama*, *The Sixth Year Itch*, and *Divided States of America: The Slash and Burn Politics*

Practice Areas



Election Law & Government Ethics
Litigation

Credentials



Education

J.D., *cum laude*, Cornell Law School
M.A., Johns Hopkins University
B.A., with distinction, University of Virginia

Bar and Court Memberships

District of Columbia Bar
Supreme Court of the United States
U.S. Court of Appeals for the Fourth Circuit
U.S. District Courts for the District of Columbia and Eastern District of Virginia
U.S. Court of Federal Claims
U.S. Court of Appeals for the Sixth Circuit
U.S. Court of Appeals for the D.C. Circuit

of the 2004 Presidential Election. His articles have been published in *The Washington Post*, *USA Today*, *The Boston Globe*, *The Chicago Tribune*, *The Washington Times*, *The Hill*, *Campaigns & Elections*, *Roll Call*, and University of Virginia Professor Larry Sabato's *Crystal Ball*. He has appeared as a guest commentator on Fox News Channel, ABC News, CBS Evening News, MSNBC, Bloomberg News, Fox Business Network, C-SPAN, The BBC, and National Public Radio.

Representative Matters

- Advises corporations, trade associations, campaign committees, political party committees, and individuals on complying with federal and state election laws, federal and state lobbying laws, ethics and gift restrictions, Office of Congressional Ethics (OCE) matters and congressional investigations.
- Counsels members of Congress, Executive branch officials, Executive branch nominees, and others regarding compliance with ethics laws and rules, including financial statements and other disclosure obligations associated with confirmation proceedings.

Professional Experience

- Chairman (2006) and Commissioner (2002-2007), Federal Election Commission
- Chief Counsel (2001-2002) and Deputy Counsel (1997-1999), Republican National Committee (RNC)
- General Counsel, Bush-Cheney Transition Team in Washington, DC and Bush-Cheney 2000 Presidential Campaign
- Counsel, Dole-Kemp Presidential Campaign (1996)
- Outside Counsel, former Tennessee U.S. Senator Fred Thompson's Presidential Campaign (2007-2008)
- Outside Counsel, former Minnesota Governor Tim Pawlenty's Presidential Campaign (2011)
- Outside Counsel, former Florida Governor Jeb Bush's Presidential Campaign (2015-2016)
- Adjunct Law Professor, William & Mary Law School
- Lecturer, University of Virginia

Affiliations

- Board of Advisors, University of Virginia Center for Politics
- The Council on Governmental Ethics Laws (COGEL)
- President of the Board of Trustees, National Presbyterian School
- Public Affairs Council (PAC)
- State Government Affairs Council (SGAC)

Recognitions

- Listed by *Chambers USA* as one of “America's Leading Lawyers for Business” in Political Law, which commends him for being “heralded as an authority in campaign finance” (2010-2023)
- Included in *The Best Lawyers in America* directory for Government Relations Practice (2012-2023)
- Named one of “Washington's Best Lawyers” (2011, 2013) and one of “Washington's Top Lawyers” (2015, 2017, 2018) by *Washingtonian* magazine; named to *Washingtonian's* “Top Lawyers Hall of Fame” (2022)
- Named one of DC's “Super Lawyers” for Political Law (2012-2013) and Legislative & Governmental Affairs (2014-2020, 2023) by *Super Lawyers* magazine
- One of 10 named by *Campaigns & Elections* to “The Influencers 50: Enforcers” (2013)