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Mission
The American Bar Foundation is the nation’s leading research institute for the empirical study of law. An independent, nonprofit organization, for more than fifty years the ABF has advanced the understanding and improvement of law through research projects of unmatched scale and quality on the most pressing issues facing the legal system in the United States and the world. The Foundation is committed to broad dissemination of its research findings to the organized bar, scholars, and the public. The results are published in a wide range of forums, including leading academic journals, law reviews, and academic and commercial presses.

Research Faculty
The research program of the American Bar Foundation is implemented through the projects designed and conducted by the members of the ABF’s resident research faculty. ABF Research Professors are among the leading scholars in their disciplines, which include anthropology, economics, history, law, political science, psychology, and sociology. A research project is undertaken only after completion of a very extensive review process. The internal review committee, an external review panel, the Research Committee of the ABF Board, and ultimately the Board of Directors must conclude that the proposed study will make a significant contribution to the field and that the research can be carried out with the appropriate standards of integrity, human subjects protection, and scholarship.

Funding
The Foundation extends special thanks to the American Bar Endowment.
The American Bar Endowment’s grant of $3,750,000 in fiscal year 2009-2010 makes the Endowment the Foundation’s largest supporter. Founded in 1942, the ABE is a charitable organization dedicated to improving the quality of justice in the United States by funding research, educational, and public service projects in the field of law. ABA members who participate in the Endowment’s group insurance programs can contribute to these efforts. Those members who participate in the Endowment’s insurance plans, and allow the ABE to retain dividends payable on the group insurance policies, provide essential support for the ABE’s grant program. The Foundation would like to thank all ABA members who participate in ABE insurance plans and donate their dividends, along with the ABE, for the valuable funding they have provided.

Other sponsors include The Fellows of the American Bar Foundation and private foundations and government agencies that award grants to support specific research projects and other ABF programs. The American Bar Foundation is recognized as a 501(c)(3) nonprofit organization.

The Fellows of the American Bar Foundation
The Fellows of the American Bar Foundation is an organization of lawyers, judges, law faculty, and legal scholars who have been elected by their peers to become members of The Fellows because of their outstanding achievements in the legal profession. The Fellows support the research work of the American Bar Foundation through their annual contributions and sponsor seminars and events of direct relevance to leaders of the legal profession.
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**Special Advisors**
David K.Y. Tang  
Jimmy K. Goodman

#### 2010–2011

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Past Presidents of the American Bar Foundation

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2006–2008  David K.Y. Tang
2004–2006  Robert O. Hetlage*
2002–2004  M. Peter Moser*
2000–2002  Jacqueline Allee
1996–1998  Robert MacCrate
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1954–1955  Loyd Wright*
1953–1954  William J. Jameson*
1952–1953  Robert G. Storey*

(Elected the first president on November 21, 1952)

* Deceased
This is a time of enormous challenge for the legal profession and the system of justice. The American Bar Foundation is conducting research that directly addresses many of these challenges.

The global financial crisis that began in 2008 had dramatic short-term effects on several sectors of the legal profession, from law schools to law firms to the fiscal strength of our courts. Scholars of the legal profession are debating what the long-term effects of the economic shock will be. Does it portend a radical restructuring of law partnerships or the careers of lawyers? Do these changes have greater effects on some groups than others, such as minority lawyers or women? Will the changes in the legal marketplace force a rethinking of legal education or how it is financed?

As the leading source of research on the legal profession, the ABF is informing the debates around these important questions. The ABF’s After the JD Project is tracking the professional lives of a large national sample of lawyers who passed the bar in the year 2000. After conducting interviews with this group in 2003 and 2007, the project has secured funding for a third wave of interviews in 2012. The next set of interviews will reveal the effects of changes in the profession on this cohort of lawyers, and will allow unprecedented comparisons across race and ethnicity, gender, law school, and geographic location.

ABF projects are examining the changing shape of public interest law practice, a sector which faces increasing financial pressures due to changes in fee-shifting rules, limitations on supported activities, and problems of attorney frustration and burnout. A new research initiative on access to justice promises to offer insights into both the supply of and demand for legal services for Americans across the income spectrum.

ABF research continues to shape debates about the future of legal education. From in-depth studies of how law school shapes the thinking of law students, to research on what law graduates found valuable in legal education after they began practice, to studies of whether women and minority law professors felt fairly treated in the law school tenure process, ABF research is making a unique contribution to the dialogue about changes in the legal academy.

In these and other areas of the ABF research program, the hallmark of ABF research is independence, rigor, and relevance. Work of such quality would not be possible without the longstanding support of the American Bar Endowment and the Fellows of the American Bar Foundation. Their support has allowed us to recruit and retain the world’s leading faculty conducting advanced research on law. Our fellowship programs for undergraduate and graduate students is passing on the heritage of innovative research to new generations of scholars.

I hope the pages that follow capture some of the excitement and significance of the research being conducted at the American Bar Foundation. We feel privileged to be conducting research that offers new understandings of law and how it might be shaped to better serve the interests of justice.

Robert L. Nelson
At this year’s Law and Society Meetings, held in May in Chicago, ABF scholars received significant recognition. ABF Research Professor Shari Seidman Diamond received the Harry Kalven, Jr. Prize from the Law and Society Association for “empirical scholarship that has contributed most effectively to the advancement of research in law and society.” Diamond is a widely recognized expert in law and psychology who has conducted pathbreaking research on juries.

The awards ceremony held another ABF highlight, as the keynote speaker was Mariano-Florentino (Tino) Cuellar, a Stanford Law professor who was on leave as a Special Assistant to the President for Justice and Regulatory Policy, White House Domestic Policy Council. Cuellar was a Montgomery Summer Research Diversity Fellow at the ABF in 1992. After finishing his fellowship, Cuellar completed a J.D. at Yale and Ph.D. from Stanford, before joining the Stanford law faculty.

At the same meetings a series of panels celebrated the scholarly accomplishm entsof ABF Research Professor John P. Heinz upon his taking emeritus status. Heinz, forme r Director of the ABF, is one of the world’s foremost experts on the legal profession. He and co-author Edward O. Laumann received the Kalven Prize in 1987 in recognition of their highly influential book, Chicago Lawyers. The panels took up major themes of Heinz’s research: lawyers and networks of power, status and inequality within the legal profession, markets and organizations in legal services, and the autonomy of lawyers. Selected papers will be published in a special issue of the ABF’s scholarly journal, Law & Social Inquiry.

The ABF’s Center on Law and Globalization (a joint effort with the University of Illinois College of Law) continues to see notable accomplishments and events. ABF Research Professor Terence Halliday and co-author Bruce Carruthers received three awards for their book Bankrupt: Global Lawmaking and Systemic Financial Crisis (Stanford 2009)—from three different sections of the American Sociological Association (Sociology of Law, Economic Sociology, and Global and Transnational Sociology). The Center organized two high level conferences: in March the Center held a conference in Washington, D.C. at the headquarters of the International Monetary Fund on “Measuring Law.” It brought together legal staff from international and financial institutions with academic
specialists in measuring and appraising law. In May in Geneva, Switzerland, the Center convened a conference on public-private relationships in health, development, and trade. Center leaders Halliday and John Hagan each were awarded grants from the National Science Foundation on projects dealing respectively with criminal defense lawyers in China and regime-sponsored violence in pre- and post-invasion Iraq.

The ABF initiated a new program of research on access to justice to be headed by Senior Research Social Scientist Rebecca Sandefur, formerly of Stanford University. Sandefur and ABF colleagues Robert Nelson and Laura Beth Nielsen have met with the leadership of the Legal Services Corporation and state level court administrators to plan a series of possible projects. They convened a meeting of leading scholars in the field at the ABF in November and are moving ahead with efforts to map the supply of and demand for legal services across the nation.

ABF Research Professor Elizabeth Mertz organized a conference on “Legal Education Reform after Carnegie—Bringing Law-in-Action into the Law School Classroom,” co-sponsored by the ABF and held at the University of Wisconsin Law School in October. The conference brought together legal educators and social scientists who are introducing curricular innovations and attempting to measure their effectiveness in law school and beyond.

The Midyear Meetings of the American Bar Association held in February in Orlando, Florida, in February, showcased ABF scholars in the persons of Research Professor (on leave) Steven Levitt, who was the keynote speaker at the Fellows Awards Banquet, and Director Emeritus, Bryant Garth, who presented on his newly published book, Asian Legal Revivals (University of Chicago Press 2010, co-authored by Yves Dezalay), at the Fellows Research Seminar, chaired by former Fellows chair, James R. Silkenat.

In 2010 the ABF continued to expand its research program in diversity and law. Director Robert Nelson gave presentations from the After the JD project on the future of diversity in the legal profession to the Business Breakfast of the Fellows in San Francisco in August and before groups in Chicago, New York City, Columbia, Missouri, Washington, D.C., and Omaha. The ABF hosted four undergraduates in the Montgomery Summer Research Diversity Fellowship
University of Chicago. “Creating Capabilities: Sources and Consequences for Law and Social Policy” was organized by ABF Research Professor and Henry Schultz Distinguished Service Professor, University of Chicago James J. Heckman, and professors Martha C. Nussbaum of the University of Chicago and Robert A. Pollack of Washington University, St. Louis.

The ABF had a record breaking year for obtaining new external grants, bringing in over $857,000 in new grants. The ABF again proved successful in all grant submissions to the National Science Foundation. The last 15 ABF proposals to NSF have been funded, resulting in a success rate over the last 5 years of more than 90% compared to the current overall NSF funding rate of 23%.

ABF scholars continue to gain national and international recognition. In addition to the awards mentioned above, John Hagan was elected to the American Academy of Arts and Sciences, James Heckman was elected President of the Econometric Society (effective in 2013), Elizabeth Mertz was awarded a Fellowship in Princeton University’s Law and Public Affairs Program, and former Research Professor Austan Goolsbee was appointed Chairman of the Council of Economic Advisers.
The Research Program

The core of the ABF research program consists of thirty or more research projects that have been submitted by the research faculty for approval by the Board of the ABF as meeting our mandate to produce research that advances the understanding and potential improvement of law, legal institutions, and legal processes. Proposals are reviewed by an internal research committee composed of the members of the research faculty, an external committee of distinguished scholars from other universities (the Wheeler Committee), the research committee of the Board, and finally by the Board as a whole. Brief descriptions of individual projects can be found under the listings of the research faculty. The following describes projects by broad topical area.

The Legal Profession and Legal Education

There is more empirical expertise on the legal profession at the ABF than there is in any other scholarly institution. Emeritus Research Professor John Heinz and colleagues are studying the roles of lawyers in national politics. Elizabeth Mertz is studying the legal academy and recently published a report and article detailing striking differences in perceptions of the fairness of the tenure review process between women, minorities, and white men. John Hagan and Gabriele Plickert’s comparative research on lawyers in the U.S. and Germany reveal significant differences in the effect of gender on lawyers’ careers in these two societies. Laura Beth Nielsen and colleagues have demonstrated significant transformations in public interest law practice, coupled with continuing challenges of how to maintain attorney morale and commitment in an underresourced environment. The After the JD Project discussed above reveals that mobility among young lawyers has become norm. Nonetheless career satisfaction remains high. Still women and minorities experience appreciable levels of unequal treatment in the legal workplace. Thus, although the legal profession has opened up for women and minorities at the entry-level, equal opportunity remains a challenge with respect to advancement.

Justice, the Courts, and Dispute Resolution

ABF research on civil justice, juries, and the courts continues to shape policy debates about the changing character of the American judicial system. Prize-winning scholar Shari Diamond is nearing the completion of her book on the civil jury that promises to be the most important empirical study of the jury since Kalven and Zeisel’s American Jury (1966). ABF Research Professor Janice Nadler and colleagues continue to collect experimental data and publish results on the effect that law can have in conflict and bargaining situations, not through sanctions, but by getting parties to focus on particular outcomes. ABF Research Professor Laura Beth Nielsen and colleagues are shedding new light on the dynamics of employment discrimination litigation. In a widely cited article they found, contrary to media reports, that plaintiffs are likely to lose or take small settlements, that class actions are extremely rare, that significant numbers of plaintiffs are not represented by a lawyer, and that a majority of plaintiffs without lawyers have their cases dismissed compared to 20% of all cases. Work in progress employs interviews with plaintiffs and defendants. The data show that both sides in employment discrimination litigation are unhappy with the system, albeit for different reasons.

Law and Globalization

The ABF has emerged as a leading research institute for the study of law and globalization. John Hagan’s pathbreaking research on genocide and sexual violence as international crime, Terence Halliday’s research on the diffusion of bankruptcy regimes, and John and Jean Comaroff’s research on vigilante violence in South Africa and the global movement toward treating tribal identities as commercial commodities (Ethnicity, Inc. 2009) all received major book or career awards.
Law and Democracy

ABF research examines the role of law and lawyers in the promotion (or limitation) of democratic processes in the United States and abroad.

ABF’s world class political theorist, Research Professor Bonnie Honig, published *Emergency Politics: Paradox, Law, Democracy* (Princeton University Press 2009), which analyzed the dangers to and possibilities for democracy in times of national emergency, such as we witnessed in the aftermath of September 11. Honig has turned to the topic of civil disobedience and law in a much heralded re-examination of the Greek tragedy, *Antigone*, which has served as a central text in courses taught in law school and political science departments. Research Professor Traci Burch has been examining the effect of felon disfranchisement on presidential elections in 2004 and 2008, and is writing a book on the relationship between incarceration and community political activity. Given striking differences in incarceration rates across racial groups, the research has important implications for equal political participation for American minority groups. Terence Halliday and colleagues have been examining the roles that lawyers (and more broadly the “legal complex”) can play in the operation of democratic institutions across different societies. After publishing two books from the project, they recently learned that their third book—on British post-colonies—has been accepted for publication. Historian and Research Professor Victoria Woeste has been examining another face of law and democracy in her historical analysis of the trial of Henry Ford for group libel against a leading Jewish attorney in the 1920’s. The book has been accepted for publication by Stanford University Press.

Law and Health

Three ABF projects are making highly original contributions to the burgeoning intersection of law and medicine. Susan Shapiro and her research team were able to gain extraordinary access to stroke and intensive care units in a research hospital. They were able to observe over two hundred cases in which families struggled with decisions about the medical treatment of a loved one unable to make decisions for themselves. Shapiro’s results are striking and offer a very different perspective on the effectiveness of advanced medical directives than suggested in previous research based on retrospective accounts.

Carol Heimer is studying the world AIDS epidemic in the United States and abroad. Building on her prize-winning book on the role of law in neo-natal intensive care units, Heimer is examining the “legalization” of medicine in AIDS treatment and research. She is analyzing three important rule systems: clinical practice guidelines, rules for the conduct of research, and governance protocols. She is observing these in four different national contexts: the United States, Uganda, South Africa, and Thailand. These four countries have adopted very different strategies and have had very different levels of success in the fight against AIDS. Through this comparative research design Professor Heimer can observe the interaction of global forces (multinational organizations, patent law, etc.) with national health policies and local medical practices. Her objective is to understand whether rule systems in medicine can be constructed in ways that produce medical decisions that are more fair and effective.

Nobel Laureate economist and ABF Research Professor James Heckman is continuing his prize-winning research on the effects of early childhood education and health on life outcomes. Recent work
includes studies of notable preschool programs and collaborations with psychologists to examine the impact of non-cognitive skills and self-control on achievement, crime, and health in later life.

**Law in Our Lives**

While many of the projects described above clearly relate to the role that law plays in the lives of lawyers and other groups, some ABF projects take a special interest in the role of law in our lives. Legal historian Christopher Tomlins (on leave) recently published *Freedom Bound* (2010), a comprehensive treatment of master and servant law in Colonial America.

Historian Dylan Penningroth is investigating the activities and experiences of African-Americans in local civil courts from the Civil War through the Great Migration. This project has the potential to be a theoretical and methodological breakthrough. Using sophisticated techniques to construct a sample of 3,700 civil cases in four states—Virginia, New Jersey, Mississippi, and Illinois—including roughly 560 involving African-Americans, the project will revise the conventional understanding of the use of law by African-Americans in this period. Whereas most previous accounts depict the law as indifferent or hostile to African-Americans in this era, the research thus far suggests that African-Americans, most of them working class, were using the courts to pursue their own interests. This project has won a significant grant from the National Science Foundation.

**Criminal Justice**

The ABF continues to have a strong commitment to the field of criminal justice. Research Professor, John Hagan, past president of the American Society of Criminology, is one of the world’s leading criminologists. His research on the International Criminal Tribunal for Former Yugoslavia and on the genocide in Darfur has taken the study of crime to the transnational field of human rights enforcement. The Stockholm Prize in Criminology explicitly recognized this contribution of Hagan’s international work. With colleagues, Hagan has published new research suggesting how social science data might be used as evidence in prosecutions of sexual violence in conflict and post-conflict situations.

Hagan and colleagues continue to examine the effects of the American criminal justice system on young people. In a series of articles they have documented the negative consequences of parental incarceration on the life trajectories of youth. The imprisonment of fathers not only adds to the cumulative disadvantage of their children, the effects appear to be especially severe for the daughters of incarcerated men. The absence of biological fathers from households associated with incarceration leave daughters at special risk of abuse and neglect by non-biological father figures.


Steven Levitt (on leave), the best-selling author of *Freakonomics* and a leading economist of his generation, continues to make significant contributions to economic studies of crime. Some of this research is reported in Levitt’s new book, *Superfreakonomics*.

Tracey Meares, now of Yale Law School, is continuing several projects that were begun with ABF support. Meares and colleagues are studying legitimacy and policing. In an ambitious research design, involving more than 1,000 respondents in at least 10 different cities, they presented video clips of police-citizen encounters to respondents. The respondents were given different priming instructions concerning both the police department in the city and the characteristics of the police officer and citizen involved. Meares hopes to establish the extent to which perceptions of police-citizen encounters are shaped by membership in a minority community, prior experience with the police, priming information, and the observed content of the interaction. The study may have profound implications for the factors that shape the legitimacy of the police. The dataset will become publicly available through the ABF.
**Traci Burch**  
Ph.D., Government and Social Policy, Harvard University  

**Joint Appointment:** Assistant Professor of Political Science, Northwestern University  

**Research Interests:** U.S. politics, political behavior, race and ethnic politics, criminal justice.  
Current research examines the effects of criminal convictions and incarceration on individual and neighborhood voter participation; changes in racial categorization as a result of intermarriage and immigration; and interest group participation in the Supreme Court.  

**Current ABF Project**  
**Imprisonment and Neighborhood Political Participation**  
This project measures the number of people in prison, on probation, and on parole by neighborhood in several U.S. cities, and estimates the effect of these imprisonment and supervision rates on voting and political attitudes.

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**John L. Comaroff**  
Ph.D., Anthropology, University of London  

**Joint Appointment:** Harold W. Swift Distinguished Service Professor in Anthropology and the College, University of Chicago; also Honorary Professor of Social Anthropology, University of Cape Town.  

**Research Interests:** legal and political anthropology with a current focus on crime, policing, and informal justice, on postcolonial governance, and on the politics and economics of ethnic identity.  

**Current ABF Project**  
**Ethnicity, Inc**  
This study investigates the conditions under which ethnic groupings seek empowerment by incorporating themselves, by deploying their sovereign legal status for economic ends, and by copyrighting their cultural practices, knowledge, designs, and performances as intellectual property.

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**Stephen Daniels** (on leave, 2010)  
Ph.D., Political Science, University of Wisconsin  

**Research Interests:** law and public policy; components of the U.S. civil justice system; U.S. Supreme Court/Constitutional Law. Research has addressed legal services for the poor, public opinion on the legal system, plaintiffs’ lawyers, juries, trial courts, and the politics of tort reform, including the areas of medical malpractice, products liability, and punitive damages.  

**Current ABF Projects**  
**It’s Deja Vu All Over Again: Plaintiffs’ Lawyers and the Evolution of Tort Law and Practice in Texas** (with Joanne Martin)  
The project examines the changes in the practices of plaintiffs’ lawyers in the wake of tort reform. These changes are important because tort reform is a major arena of policy debate in the United States, and because these lawyers act as gatekeepers to the civil justice system and the rights and remedies the law provides.
Shari Seidman Diamond  
**Ph.D., Social Psychology, Northwestern University; J.D., University of Chicago**  
**Joint Appointment:** Howard J. Trienens Professor of Law and Professor of Psychology, Northwestern University School of Law  
**Research Interests:** legal decision-making, including conflicts between expertise and impartiality; discretion and control; equality and individuation; and science and law. Research addresses how these conflicts influence jury and judicial decision-making, judgments about fairness, and how courts use and fail to make use of scientific evidence.  
**Current ABF Projects**  
**Building on the Arizona Filming Project** *(with Mary R. Rose)*  
This comprehensive view of jury deliberations is based on the deliberations of 50 real civil juries. Using this unique data set, we answer a variety of theoretical and policy-related questions about the jury.  
**Condemn-Nation: The Social Psychological Foundations of the Kelo Backlash** *(with Janice Nadler)*  
Please refer to Janice Nadler’s entry for project description.  
**Optimizing the Jury Instruction Process** *(with Elizabeth L. Murphy)*  
Studies designed to develop and test the legal understanding of jurors that courts can use in revising jury instructions.

Bryant G. Garth  
**ABF Director Emeritus; Dean, Southwestern Law School; Ph.D., European University Institute; J.D., Stanford Law School**  
**Research Interests:** the legal profession: how globalization is transforming the role of law and lawyers in different areas of the world, and tracking the trajectories of lawyers within the United States.  
**Current ABF Projects**  
**After the J.D.** *(with Ronit Dinovitzer, Gabriele Plickert, Robert Nelson, and Joyce Sterling)*  
Please refer to Robert Nelson’s entry for project description.  
**Lawyers and the Construction of the Rule of Law: National and Transnational Perspectives** *(with Yves Dezalay)*  
This project, with Yves Dezalay, will result in two edited volumes that will be published by Routledge in 2011 containing empirical studies on (1) the role of lawyers in constructing the rule of law nationally and (2) the role in constructing the rule of law transnationally.

John Hagan  
**Ph.D., Sociology, University of Alberta**  
**Joint Appointment:** John D. MacArthur Professor of Sociology and Law, Northwestern University  
**Research Interests:** international criminal law, war crimes, lawyers, youth crime, war resistance.  
**Current ABF Projects**  
**Crime, War and Wealth in Pre-and Post-Invasion Iraq**  
The U.S. led invasion and occupation of Iraq by Coalition forces coincided with a transformation in crimes against persons and property. Drawing on three data sets outlining the experiences of a diverse sample of Iraqis in Baghdad and beyond, the research will assess whether and how in Iraq ethno-
sectarian strong state repression was followed by a weak state in which fears about safety, protection, and resource needs in turn caused extensive sectarian looting and violent crime by gangs and militias. The combination of data sets available for this research allows a unique “new war” case study of the sectarian and economic consequences of violent crime in a kind of strong to weak state transition that may be increasingly replacing older forms of conflict.

**Parental Incarceration and Intergenerational Social Exclusion:**

_“The Long Arm of the Law” (with Holly Foster)_

This study is designed to better understand the difference that parental incarceration makes in the life of an adolescent. American incarceration is four times larger than in the 1970s, six to ten times greater than in European and Scandinavian countries, and the majority of Americans who are imprisoned are parents. Working with data collected from the National Longitudinal Study of Adolescent Health, which includes information from over 2000 sons and daughters of fathers who have spent time in jail or prison during the peak growth years of incarceration in this country, the project will trace the impact of this parental imprisonment on their sons and daughters from mid-adolescence to early adulthood. A challenge of this project is to deepen and broaden understanding of intergenerational consequences of incarcerating parents.

**Early Post-Law School Careers of Women and Men Lawyers in U.S. and German Cities** (with Gabriele Plickert, Patricia Parker, and Hans Merkens)

This research is expanding a national U.S. study of lawyers (the American Bar Foundation’s After the JD study) to include two cities in Germany—Frankfurt and Berlin. This will be a comparative study of the entry and advancement of women and men lawyers in the business and political capitals of these two countries. The project extends ongoing comparative research on the legal profession in the U.S. and Canada to Germany.

**Terence Halliday**

Ph.D., Sociology, University of Chicago

**Research Interests:** the globalization of law in markets and politics. The research on law and markets focuses on international trade law, with special reference to the ways in which international trade organizations, such as UNCITRAL, UNIDROIT, and the Hague Conference on Private International Law, create global norms in such diverse areas as corporate bankruptcy law, maritime law and secured transactions. The research on globalization and politics, part of an international research collaborative, analyzes the support or resistance of the legal complex (e.g., lawyers, judges, prosecutors, law faculty) to the advance of political liberalism worldwide. A new project, authorized in 2008, studies the ability of China’s criminal defense lawyers to protect basic legal freedoms.

**Current ABF Projects**

**Global Norm-Making: UNCITRAL, International Organizations and Corporate Insolvency Regimes** (with Susan Block-Lieb)

This book project provides an empirically-based analysis of how global norms are produced for international trade law, which states or non-state organizations are the most influential shapers of those norms, and the politics of producing a global consensus. The book focuses on the United Nations Commission on International Trade Law and three recent products: the Legislative Guide on Insolvency; the Legislative Guide on Secured Transactions; and the Convention on Carriage of Goods by Sea (Rotterdam Rules).

**The Legal Complex and Struggles for Political Liberalism** (with Lucien Karpik and Malcolm Feeley)

This project investigates how lawyers and judges contribute to political liberalism. Together the ABF and the National Science Foundation have supported the second and third rounds of international collaborations on ways that the legal complex—legally-trained professions—fight for the moderate
state, civil society, and basic legal freedoms. In the second volume, *Fighting for Political Liberalism*, sixteen experts show how the struggle has unfolded in thirteen countries across Asia, North America, Latin America, the Middle East, and Europe. In the third volume, *Fortunes and Misfortunes of Political Liberalism: The Legal Complex in the British Post-Colonies*, scholars weigh the trajectories of countries in South Asia (Pakistan, India, Sri Lanka), Africa (Sudan, Malawi, Zambia, Namibia) and South East Asia (Malaysia, Singapore). Current work continues on questions about the politics of the legal complex and religion, gender, and public dramaturgy.

**Lawyers in the Pursuit of Basic Legal Rights: Criminal Defense in China** *(with Sida Liu)*

This project undertakes a major empirical study on criminal defense lawyers and political liberalism in China using a combination of social science methods, including interviews, media analysis, archival research, and online ethnography.

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**James J. Heckman**
Ph.D., Economics, Princeton University

**Joint Appointment:** Henry Shultz Distinguished Service Professor, Department of Economics and the College, University of Chicago

**Research Interests:** the development of a scientific basis for economic policy evaluation, using a body of new econometric tools that address this issue. Current research focuses on the economics of human development and building theoretical and empirical models of human capacity formation, with an emphasis on the role of the family in producing capacities and the effects of capacities on education, wages, health, crime, and other dimensions of lifetime achievement.

**Current ABF Project:**
**Capabilities and Self-control: Implications for Crime, Health and the Law**

This project researches the economics and psychology of capabilities with an emphasis on self-control with a particular focus on the effects of self-control on crime and health. The research investigates how these capabilities are produced and the consequences of these capabilities for the law.

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**Carol A. Heimer**
Ph.D., Sociology, University of Chicago

**Joint Appointment:** Professor of Sociology, Northwestern University

**Research Interests:** the relationship between law and other systems of rules and norms. Research has focused especially on how people work with rules in medical settings, including HIV clinics and neonatal intensive care units. The research asks what people typically do when attempts to follow one set of rules are stymied by obligations to comply with another and how medical workers who are not trained in law modify their use of rules as their environment becomes more legalized.

**Current ABF Project:**
**The Legal Transformation of Medicine:**
**How Rules Work in the International World of HIV/AIDS**

*The Legal Transformation of Medicine* is a comparative study of the role of law in medicine. In recent years, American medicine has been “legalized” as relatively informal regulation by professional peers has been supplanted by an increasingly formal regulatory system. By no means confined to the US, this rule-based regulation has diffused widely, sometimes freely adopted by medical workers eager for the legitimacy conferred by American medical science, at other times imposed on foreign scientific and clinical colleagues by American funding agencies and research organizations. The book is grounded in ethnographic work and interviews on the use of rules (broadly conceived) in HIV/AIDS clinics in the US, Uganda, South Africa, and Thailand.
**John P. Heinz**  
Research Professor Emeritus; LL.B., Yale University  

**Research Interests:** the social structure of the legal profession, the political activity of lawyers, and interest group politics.

**Current ABF Project**  
Networks Among Lawyers Active in National Policymaking (*with Ann Southworth and Anthony Paik*)
This study examines the networks of relationships among lawyers engaged in a broad range of political issues, including abortion, gun control, judicial selection, eminent domain, bankruptcy, medical malpractice, flag desecration, and class actions. Research is charting the lines of division among these lawyers, and seeks to identify those who cross political boundaries.

**Bonnie Honig**  
Ph.D., Political Science, Johns Hopkins University  

**Joint Appointment:** Sarah Rebecca Roland Chair, Political Science, Northwestern University  

**Research Interests:** legal theory, philosophy of law, democratic theory.

**Current ABF Project**  
Antigone, Interrupted: On the Role of a Classic Text in Law, Philosophy and Democratic Theory
Sophocles’ Antigone is routinely taught in law school and political science department courses on civil disobedience. The story of a woman's demand to bury her brother, Antigone has been treated as emblematic of principled disobedience or self-sacrifice for at least 200 years in the west and in post-colonial contexts as well. But what are we teaching when we teach this text? This project looks at the multiple established and possible future meanings of the original play, situating it in historical context in fifth-century Athens and also in contemporary democratic and legal theory.

**Steven D. Levitt** (*on leave, 2010*)  
Ph.D., Economics, Massachusetts Institute of Technology  

**Joint Appointment:** William B. Ogden Distinguished Service Professor of Economics, University of Chicago  

**Research Interests:** crime, the criminal justice system, and corruption, and a wide variety of issues related to racial disparity and education.

**Current ABF Project**  
Measuring the Impact of Crack Cocaine (*with Roland Fryer*)
This project is developing a statistical index to measure the extent to which crack cocaine can account for the adverse trends in many indicators of African American progress in major urban areas during the 1990s. It will shed light on important issues related to public policy and law. Among these issues are the extent to which the important social costs of crack are due primarily to the ingestion of crack *per se*, or rather to the prohibition of crack and the accompanying enforcement of the law.
Elizabeth Mertz (on leave, 2010)
Ph.D., Anthropology, Duke University; J.D., Northwestern University School of Law

Joint Appointment: John and Rylla Bosshard Professor of Law, University of Wisconsin

Research Interests: language and law, legal education, and how law translates the world around it. Examination of these questions through the methods of anthropology and linguistics.

Current ABF Project
Senior Status in the Legal Academy (with Katherine Barnes)
This project studies the experiences of post-tenure law professors in the U.S. legal academy. It began with a national survey; follow-up interviews have been performed with 100 of the survey respondents. Although they have not generally been the focus of research on law schools, it is the tenured law faculties who in large part decide the shape and culture of the law schools that produce our country’s lawyers, judges—and many of its politicians. This study provides the first in-depth empirical information we have on their attitudes and experiences.

Janice Nadler
Ph.D., Social Psychology, University of Illinois; J.D. Boalt Hall School of Law, University of California, Berkeley

Research Interests: social psychology and law, with focuses on compliance with the law; the psychology of property; perceptions of responsibility and fairness; and negotiation and conflict.

Current ABF Projects
Condemn-Nation: The Social Psychological Foundations of the Kelo Backlash (with Shari Diamond)
This project focuses on the rift between the public’s expectations about the circumstances under which government should be permitted to take private property, on the one hand, and eminent domain law, on the other. The goal of the study is to provide an initial map of common sense perceptions of justice regarding takings.

Expressive Law: Testing the Effects of Third-Party Recommendations on Behavior in Coordination Games (with Richard McAdams)
This project seeks to understand empirically the effects that law has apart from sanctions that it imposes. The project tests experimentally the theory that law influences behavior in coordination games with multiple equilibria by providing a focal point for behavior.

Robert L. Nelson
ABF Director; MacCrate Research Chair in the Legal Profession; Ph.D., Sociology, Northwestern University; J.D., Northwestern University School of Law

Joint Appointment: Professor of Sociology and Law, Northwestern University

Research Interests: the social organization of law practice and the relationship between law and social inequality. Research has addressed transformations in the legal profession, the role of corporate counsel, gender inequality, and employment discrimination.

Current ABF Projects
After the JD (with Ronit Dinovitzer, Bryant Garth, Gabriele Plickert, and Joyce Sterling)
The After the JD (AJD) project is an empirical study of a nationally representative cohort of almost 5,000 new lawyers. The AJD study design is longitudinal, following the careers of new lawyers over the first ten years following law school graduation; the first cohort of lawyers was surveyed in 2002-03,
the second in 2007-08, and the third contact is planned for 2012. While a main emphasis of the study is to broadly chart the career outcomes of these lawyers, a further emphasis of this study is to analyze the structure of the legal profession by investigating the sorting process through which lawyers come to occupy various positions within the profession. By analyzing the various forms of capital—human, social and symbolic—accumulated by lawyers over their life course, After the JD will bring to light the forms of capital that are valued and rewarded within the legal profession, the social and professional contexts that lead to differential valuations, and how these processes of opportunity and reward may be changing over time.

**Employment Discrimination Litigation**
(with Laura Beth Nielsen, John Donohue III, Peter Siegelman, and Ryon Lancaster)
Please refer to Laura Beth Nielsen’s entry for project description.

**Pursuing Law’s Promise: Researching Access to Justice in 21st Century America**
(with Rebecca L. Sandefur, Laura Beth Nielsen, and Aaron C. Smyth)
Please refer to Rebecca Sandefur’s entry for project description.

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**Laura Beth Nielsen**
Ph.D., Jurisprudence and Social Policy, University of California, Berkeley;
J.D., Boalt Hall School of Law, University of California, Berkeley

**Joint Appointment:** Associate Professor of Sociology and Law, Northwestern University

**Research Interests:** the sociology of law, with particular interests in legal consciousness and the relationship between law and inequalities of race, gender, and class, civil rights generally and employment civil rights in particular.

**Current ABF Projects**

**Pursuing Law’s Promise: Researching Access to Justice in 21st Century America**
(with Rebecca L. Sandefur, Robert L. Nelson, and Aaron C. Smyth)
Please refer to Rebecca Sandefur’s entry for project description.

**Contested Constructions of Discrimination**
(with Jill D. Weinberg and Jeremy Freese)
This quantitative and qualitative research project interrogates how laypersons as well as state and federal judges assess the presence or absence of discrimination in the workplace.

**Public Interest Law Firms**
(with Catherine R. Albiston)
This quantitative and qualitative study focuses on access to justice with an emphasis on one organizational environment.

**Employment Discrimination Litigation**
(with Robert L. Nelson, John Donohue III, Peter Siegelman, and Ryon Lancaster)
This archival, quantitative, and qualitative research project is a comprehensive examination of employment civil rights claiming behavior in the EEOC and in the Federal Courts.

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**Dylan C. Penningroth**
Ph.D., History, Johns Hopkins University

**Joint Appointment:** Associate Professor of History, Northwestern University

**Research Interests:** African American history, comparative histories of slavery and emancipation, and socio-legal history, with a particular focus on family relations, the rise of the independent black church, migration, the interaction between legal categories and popular conceptions such as respectability, race, and “slavish origins”; the cultural, social, and legal legacy of slavery in colonial Ghana and the United States.
Current ABF Project
Local Courts and African American Life, 1865-1930
This study focuses on husband-wife relations, the rise of the independent black church, migration, and the interaction between legal categories and popular conceptions such as respectability and race, examining local court records as both a source of information and a core subject of inquiry. By focusing on cases where plaintiff and defendant were both black, the project seeks to shift emphasis beyond the traditional framework of black/white race relations, while exploring the specific, often contradictory roles that racial thinking played.

Susan P. Shapiro
Ph.D., Sociology, Yale University
Research Interests: the social construction, social organization, and social control of fiduciary, trust, and principal-agency relationships. Research has examined white-collar crime, ethics, conflict of interest, the professions, the news media, and medical decision making.

Current ABF Project
Surrogate Decision Making at the End of Life: An Observational Study
This observational study of two intensive care units investigates how surrogate decision makers make medical decisions for patients unable to speak for themselves. It also examines the role of law at the bedside, in general, and that of advance directives, in particular.

Christopher L. Tomlins (on leave, 2010)
Ph.D., American History, Johns Hopkins University; University of California-Irvine, School of Law; American Bar Foundation Research Professor
Research Interests: Anglo-American legal history across a broad front, from the “early modern” era (the beginning of the sixteenth century) into the later twentieth century. Recent work gathers together several related fields of inquiry—the history of colonizing; the historical relationship between migration, labor force creation and law; the history of the relation of master and servant (labor and employment law), of the legal structure of the employment relationship, and of slavery; and the history of civic identity. Current research includes projects on the theory and method of legal history—the history of the treatise; the course of legal history “after” critical legal history; the conceptualization of legal history as “a structural history of national legal practices”; and the intersection between legal history and the critical theory of Walter Benjamin.

Victoria Saker Woeste (on leave 2010)
Ph.D., Jurisprudence and Social Policy, University of California, Berkeley; Visiting Professor of Law and American Studies, Indiana University-Indianapolis
Research Interests: the direction and scope of change in 20th century U.S. legal history, particularly in the fields of regulation and political economy.

Current ABF Project
Henry Ford’s War: Law, Antisemitism, and Speech in the Tribal 1920s
This project examines the emergence of the concept of group libel in modern American law. When Henry Ford’s antisemitic newspaper explicitly demonized American Jews and denied the legitimacy of their claims to equality and citizenship, ambivalent Jewish civil rights lawyers and religious leaders were divided over the utility of litigation as a tool for addressing discrimination in its social (as opposed to legal) forms.
Bernadette Atuahene
JD, Yale Law School; M.P.A., Harvard University

Joint Appointment: Assistant Professor, Chicago-Kent College of Law

Research Interests: law and international development, particularly the dispossession and restitution of property rights in the developing world. Research has examined the challenges faced by transitional democracies where past property dispossession is a prominent political and moral issue.

Current Research Project:
The Effects of Land Restitution in South Africa: A Qualitative Study
Under the South African Restitution of Land Rights Act (LRA), only those dispossessed of a “right in land after 1913 as a result of a racially discriminatory law or practice” are eligible to receive compensation. During eight months in the field over 150 semi-structured interviews have been conducted with urban people who were evicted from their land by the Apartheid government and who were compensated by the new political dispensation through the LRA. South Africa has two populations that are valuable for this study—beneficiaries that received compensation in the form of “reparations” (compensation without choice) and “restoration” (compensation with choice). The recently collected interview data will be used to investigate the difference between reparations and restoration as well as other important hypotheses.

Ronit Dinovitzer
Ph.D., Sociology, University of Toronto

Joint Appointment: Assistant Professor of Sociology, University of Toronto

Research Interests: the sociology of law, with a particular interest in the legal profession, focusing on the sources of inequality within the profession and the mechanisms that produce and reproduce them. Recent work has examined the gender gap in lawyer incomes, the distribution of lawyer satisfaction, and the career trajectories of urban law school graduates.

Current ABF Projects
After the JD (with Bryant Garth, Robert Nelson, Gabriele Plickert, and Joyce Sterling)
Please refer to Robert Nelson’s entry for project description.

Ryon Lancaster
Ph.D., Sociology, Northwestern University

Joint Appointment: Assistant Professor of Sociology, University of Chicago

Research Interests: organizational sociology, sociology of law, economic sociology, and historical sociology.

Current ABF Projects
Employment Discrimination Litigation
(with Laura Beth Nielsen, Robert L. Nelson, John Donohue III, and Peter Siegelman)
Please refer to Laura Beth Nielsen’s entry for project description.
Elizabeth L. Murphy  
M.A., Sociology, University of Illinois, Chicago  
**Research Interests:** jury decision making; ways to assist courts in optimizing jury trials.  
**Current ABF Projects**  
**Building on the Arizona Filming Project**  
(with Shari Seidman Diamond and Mary R. Rose)  
Please refer to Shari Seidman Diamond’s entry for project description.  
**Optimizing the Jury Instruction Process**  
(with Shari Seidman Diamond)  
Please refer to Shari Seidman Diamond’s entry for project description.  

Gabrielle Plickert  
Ph.D., Sociology, University of Toronto  
**Research Interests:** social networks, mental health, legal profession and organizations, and international comparisons. Current scholarship focuses on the work and personal career trajectories of legal professionals; comparisons of legal cultures, social networks, and ethical rulings in law firms and corporations.  
**Current ABF Projects**  
**Early Post-Law School Careers of Women and Men Lawyers in U.S. and German Cities**  
(with John Hagan, Patricia Parker, and Hans Merkens)  
Please refer to John Hagan’s entry for project description.  
**After the JD**  
(with Ronit Dinovitzer, Bryant Garth, Robert L. Nelson, and Joyce Sterling)  
Please refer to Robert Nelson’s entry for project description.  

Rebecca L. Sandefur  
Ph.D., Sociology, University of Chicago  
**Joint Appointment:** Consulting Assistant Professor of Sociology, Stanford University  
**Research Interests:** inequality, poverty and social stratification; access to justice; occupations and professions; work, mobility and labor markets. Current research examines how ordinary people think about and respond to civil justice problems and the institutions that exist to assist people with those problems in the US and other societies; how experience with civil justice problems affects social class inequality; the impact of counsel on case outcomes; the careers of lawyers who work for ordinary people, either as public servants, public interest lawyers or attorneys who provide legal services directly to individuals.  
**Current ABF Project**  
**Pursuing Law’s Promise: Researching Access to Justice in 21st Century America**  
(with Laura Beth Nielsen, Robert L. Nelson, and Aaron C. Smyth)  
Through a series of innovative empirical research projects, Pursuing Law’s Promise investigates Americans’ experiences with their civil justice problems and the institutions of remedy that exist to serve them. The goal is to produce new knowledge essential for policy makers and service providers as they seek to respond to the legal needs of the public today.
Traci Burch
- “Turnout and Party Registration among Criminal Offenders in the 2008 General Election,” Law and Society Review (forthcoming)
- “Can the New Commander-In-Chief Sustain His All Volunteer Standing Army?” The Dubois Review: Social Science Research on Race 153 (2009)
- “American Politics and the Not-So-Benign Neglect of Criminal Justice,” in G. King, K. Schlozman & N. Nie, eds., The Future of Political Science: 100 Perspectives (Routledge, 2009)

John L. Comaroff
- “Bétail, perles et pièces de monnaie: L’équivalence et les transformations de la monnaie dans les territoires coloniaux d’Afrique du Sud” (with Jean Comaroff), 34 Anthropologie et sociétés 236 (2010)
- Theory from the South: Or, How Euro-America is Evolving Toward Africa (with Jean Comaroff) (Paradigm Publishers, forthcoming 2011)

Stephen Daniels
- Co-Editor (with J. R. Bowers), Inside Campaigns (Lynne Rienner Publishers, forthcoming)
- “Plaintiffs’ Lawyers: Dealing with the Possible But Not Certain” (with J. Martin), DePaul Law Review (forthcoming)
- “It is No Longer Viable from a Practical and Business Standpoint: Damage Caps, ‘Hidden Victims,’ and the Declining Interest in Medical Malpractice Cases” (with J. Martin), 16 International Journal of the Legal Profession 187 (2009)

Shari Seidman Diamond
- “Juries and Judges in the Public’s Mind: Race, Ethnicity, and Jury Experience” (with M.R. Rose & C. Ellison), 93 Judicature 194 (2010)

Bryant G. Garth
- Editor (with Y. Dezalay), Lawyers and the Rule of Law in an Era of Globalization (Routledge, forthcoming 2011)
- Editor (with Y. Dezalay), Lawyers and the Construction of Transnational Justice Routledge, forthcoming 2011)
- Asian Legal Revivals: Lawyers in the Shadow of Empire (with Y. Dezalay), (University of Chicago Press, 2010)
- “Marketing Professional Expertise by (Re)Inventing States : Professional rivalries between lawyers and economists as hegemonic strategies in the international market for the reproduction of national state elites” (with Y. Dezalay), in “Development and Semi-periphery: Post-neoliberal Trajectories in South America and Central Eastern Europe (Anthem Press, forthcoming)
• “State Politics and Legal Markets” (with Y. Dezalay), 9 Comparative Sociology 953 (2010)
• “The Economy of Legal Practice as a Symbolic Market: Legal Value as the Product of Social Capital, Universal Knowledge, and State Authority” (with Y. Dezalay), European Socio Economic Newsletter (forthcoming 2010)
• “Marketing and Selling Transnational ‘Judges’ and Global ‘Experts’: Building the Credibility of (Quasi) Judicial Regulation” (with Y. Dezalay), 8 Socio-Economic Review 113 (2010)

John Hagan
• “Reasonable Grounds Evidence Involving Sexual Violence in Darfur” (with R. Brooks & T. Haugh), Law & Social Inquiry (forthcoming)
• “The Displaced and Dispossessed of Darfur,” (with J. Kaiser), British Journal of Sociology (forthcoming)
• “The Masculine Mystique: Living Large from Law School to Later Life” (with F. Kay) Canadian Journal of Law & Society (forthcoming)

Terence Halliday
• Editor (with L. Karpik & M. Feeley), Fortunes and Misfortunes of Political Liberalism: The Legal Complex in the Post-Colony (Cambridge University Press, forthcoming 2011)
• “What is the Scope of the Recursivity of Law?” Discussion Forum, Socio-Economic Review (forthcoming 2011)
• “Rhetorical Legitimation: Global Scripts as Strategic Devices of International Organizations” (with S. Block-Lieb & B. Carruthers), 8 Socio-Economic Review 77 (2009)

James J. Heckman
• “Estimating Marginal Returns to Education” (with P. Carneiro & E. Vyltci), American Economic Review (forthcoming 2011)
“Tests of Hypotheses Arising In the Correlated Random Coefficient Model” (with D. Schmierer), Economic Modeling (forthcoming 2010)


“Evaluating Marginal Policy Changes and the Average Effect of Treatment for Individuals at the Margin” (with P. Carneiro & E. Vytlacil), 78 Econometrica 377 (2010)


“Understanding the Early Origins of the Education-Health Gradient: A Framework that can also be Applied to Analyze Gene-Environment Interactions” (with G. Conti), 5 Perspectives on Psychological Science 585 (2010)


“The Effect of Prayer on God’s Attitude toward Mankind,” 48 Economic Inquiry 234 (2010)


Carol A. Heimer


John P. Heinz


“Political Lawyers: The Structure of a National Network” (with A. Paik & A. Southworth), Law and Social Inquiry (forthcoming 2011)

Bonnie Honig


“Between Sacred and Secular”: Michael Walzer’s, Exodus and Revolution,” in N. Sussman, Walzer Festschrift (forthcoming 2011)


“Participation and the Desire for Democracy,” in English and Italian, in GAM Magazine (a project of the Galleria Civica d’Arte Moderna e Contemporanea, Turin, Italy, October 2010)
Steven D. Levitt

- “Evaluating the Effectiveness of Child Safety Seats and Seat Belts in Protecting Children from Injury” (with J. Doyle), 48 Economic Inquiry 521 (2010)

Elizabeth Mertz

- “Is It Fair? Law Professors’ Perceptions of Tenure” (with K. Barnes), Journal of Legal Education (forthcoming)
- “At Disciplinary Edges: Editors’ Introduction” (with K. Bowie), 33S PoLAR: Political and Anthropological Review 1 (Supplemental Issue, 2010)

Janice Nadler


Robert L. Nelson

- Editor (with J. Heckman & L. Cabatingan), Global Perspectives on the Rule of Law (Routledge-Cavendish, 2010)
- After the JD II: Second Results from a National Study of Legal Careers (with R. Dinovitzer, G. Plickert, R. Sandefur, & J. Sterling), American Bar Foundation and The NALP Foundation for Law Career Research and Education (2009)
Laura Beth Nielsen

- “Consent to Sex: The Liberal Paradigm Reformulated” (with A. Stinchcombe), Journal of Political Philosophy (forthcoming 2009)

Dylan C. Penningroth


Susan P. Shapiro


Christopher L. Tomlins


Victoria Saker Woeste

- Documentary film on Aaron Sapiro, Michael Rose Productions, Inc., Los Angeles; shooting to begin January 2011
- “The Child is Father to the Man: The Formation of Aaron Sapiro’s Jewish Identity in California, 1884-1920,” American Jewish Archives Journal (forthcoming)

Faculty Fellows

Bernadette Atuahene

Ronit Dinovitzer

- “Immigration and Youthful Illegalities in a Global Edge City” (with J. Hagan and R. Levi), 88 Social Forces 337 (2009)
- “Pro Bono as an Elite Strategy in Early Lawyer Careers” (with B. Garth), in R. Granfield & L. Mather, eds., Private Lawyers and the Public Interest: The Evolving Role of Pro Bono in the Legal Profession (Oxford University Press, 2009)
- “Not that into You,” American Lawyer (with B. Garth), September 2009

Ryon Lancaster


Research
Social Scientists

Gabriele Plickert

- “How Knowledge is Power: Explaining the Association between Education and the Sense of Control” (with S. Schieman), 87 Social Forces 153 (2008)

Rebecca L. Sandefur

- “Lawyers’ Pro Bono Service and Market-Reliant Legal Aid,” in R. Granfield & L. Mather, Private Lawyers in the Public Interest (Oxford University Press, 2009)
- “Access to Civil Justice and Race, Class and Gender Inequality,” 34 Annual Review of Sociology 339 (2008)
Traci Burch
• “The Effects of Neighborhood Incarceration Rates on Political Attitudes,” University of Chicago School of Law, November 2010
• “Using Government Data to Study Current and Former Felons,” University of Washington, Seattle, WA, October 2010
• “Trading Democracy for Justice: The Spillover Effects of Incarceration on Neighborhood Voter Turnout,” Northwestern University, Evanston, IL, May 2010
• “Neighborhood Criminal Justice Involvement and Voter Turnout in the 2008 General Election,” Law and Society Association Annual Meeting, Chicago, IL, May 2010

John L. Comaroff
• “Theorizing Property in the 21st Century,” Keynote lecture, Johannesburg Workshop on Theory and Criticism, Johannesburg, South Africa, July 2010
• “Further Thoughts on Ethnicity Inc.” Distinguished Speaker Series, Monmouth University, March 2010
• “The End of Anthropology, Again? Toward the Future of an In/Discipline,” Distinguished Anthropology Lecture, University of Texas (Austin), April 2010
• “Divination, Detection, and the Problem of Sovereignty in Post-Colonial Contexts,” Keynote Address, Norwegian Institute of International Affairs (With Jean Comaroff), September 2010

Stephen Daniels
• “Plaintiffs’ Lawyers: Dealing with the Possible But Not Certain,” (with J. Martin), 16th Annual Clifford Symposium on Tort Law and Social Policy, DePaul University College of Law, Chicago, IL, April 2010
• Participant, roundtable entitled “Inside Campaigns: Political Scientists in the Electoral Trenches,” Annual Meeting of the Midwest Political Science Association, Chicago, IL, April 2009

Shari Seidman Diamond
• “The ‘Kettleful of Law’ in Real Jury Deliberations: Successes and Failures,” University of California, Berkeley, Boalt Law School, Center for Jurisprudence & Social Policy, November 2010
• “Anchors and Set Asides on Real Juries,” Judgment by the Numbers Workshop, Cornell University, Ithaca, NY, October 2010
• “Trademark Surveys,” University of Southern California Intellectual Property Institute, Los Angeles, CA, March, 2010
• “What We Say, What They Hear: What Every Chief Justice Should Know about Pattern Jury Instructions,” Conference of Chief Justices, St. Thomas, V.I., February 2010

Bryant G. Garth
• “Asian Legal Revivals” (with Yves Dezaley), Harvard Law School, October 2010
• “MacCrate v. Carnegie: Different Approaches to Legal Education Reform,” University of Tulsa School of Law, March 2010
• “Colonial Construction and the (Relative) Demise of Law and Lawyers in Asia during the Cold War,” Lund University, Sweden, March 2010
• “Empirical Research and the Globalization of Law” (Keynote address), West Coast Law and Society Association Meeting, Stanford Law School, October 2009

John Hagan
• “The Displaced and Dispossessed of Darfur.” Public Lecture, London School of Economics, October 2010
• “Fighting Human Trafficking or Instituting Totalitarian Control? The Co-optation of Human Rights Protection in Belarus,” Conference on Human Rights Indicators, New York University School of Law, September 2010
• “Children of the American Prison Generation: Student and School Effects of Incarcerating Mothers.” Conference on Urban Problems, SciencesPo, Paris, June 2010

Terence Halliday
• “Heroic Lawyering: Should Political Liberalism Be A Collective Ethic for Lawyers Worldwide?” International Legal Ethics Conference, Stanford University, July 2010

Faculty Presentations
Research Professors
• Plenary Presentation: “The Recursivity of Law as a New Paradigm for Sociolegal Theory and Research in East Asia,” Inaugural East Asian Law & Society Conference, Changing Socio-Legal Landscapes in East Asia: Common Trends & Local Variations, University of Hong Kong, Hong Kong, February 2010

James J. Heckman
• “Estimating the Technology of Cognitive and Noncognitive Skill Formation,” Keynote Lecture, Understanding Ageing: Health, Wealth, and Wellbeing to Age Fifty and Beyond, St. Catherine’s College Oxford, UK, April, 2010
• “Understanding the Sources of and Solutions to Human Inequality,” Keynote Lecture, Meeting on Early Childhood Education, Rio de Janeiro, Brazil, December, 2009
• “The Developmental Origins of Adult Health: Cognition, Personality, and Education,” 6th Annual Nestle International Nutrition Symposium, Lausanne, Switzerland, October, 2009
• “Policies to Promote Growth in Mexico,” Bank of Mexico, Mexico City, MX, October, 2009

Carol A. Heimer
• “Inert Facts and the Illusion of Knowledge: Managing Ignorance in HIV Clinics,” Scandinavian Consortium for Organizational Research (Scancor) and Center for Work, Technology, and Organization (WTO) at Stanford University, Palo Alto, CA, November 2010
• “‘Using Just One Drug Makes Them Guilty’: The Two Faces of Law in Five HIV Clinics,” Department of Political and Social Sciences, Pompeu Fabra University, Barcelona, Spain, October 2010
• “The Two Faces of Law: Regulating Treatment and Research in HIV Clinics,” Princeton University, Princeton, NJ, October 2010
• “Fractal Responsiveness: Making Deals and Living with Constraints in Multi-Layered Regulatory Systems,” Responsive Regulation Workshop, Faculty of Law, University of British Columbia, Vancouver, BC, September 2010

John P. Heinz
• “Political Lawyers: The Structure of a National Network” (with A. Southworth), Law & Society Association Annual Meeting, Chicago, IL, May 2010
• “The Characteristics and Roles of Lawyers Active in National Policymaking” (with A. Southworth & A. Paik), An Unfinished Project: Law and the Possibility of Justice: A Conference in Honor of Professor Richard Abel, UCLA School of Law, September 2009

Bonnie Honig
• “Political Theology, Jewish, and Democratic: A Discussion of Bonnie Honig’s Emergency Politics,” American Academy of Religion Annual Meeting, Atlanta, GA, October, 2010
• “Antigone versus Oedipus? On the Politics of Classicization in Political Theory, Gender and Cultural Studies (from Antigone’s Claim to Germany in Autumn),” Yale Political Theory Workshop, New Haven, CT, October 2010
• Keynote Address for “Dangerous Crossings: Politics at the Limits of the Human: A Graduate Student Conference in Political Theory at Johns Hopkins University,” October 2010
• “Antigone’s Two Laws,” Law, Culture Humanities Conference, Brown University, Providence, RI, March, 2010

Steven D. Levitt
• “Freakonomics and Beyond,” Dean’s Lecture Series, Radcliffe Institute for Advanced Study, Cambridge, MA, March 2010
• “SuperFreakonomics,” London School of Economics, November 2009
• “SuperFreakonomics,” Ubben Lecture, DePauw University, Greencastle, IN, November 2009

Elizabeth Mertz
• “Integrating Intellectual, Ethical, Practical, and Empirical Training in Legal Education, Rutgers-Camden School of Law Faculty Colloquium, New Brunswick, NJ, November 2010
• Program Chair and Presenter, “Legal Education Reform after Carnegie: Bringing Law-in-Action into the Law School Classroom,” University of Wisconsin Law School, Madison, WI, October 2010
• Chair, Roundtable: “Can We Translate Law and Society? Toward a New Legal Realist Framework,” Law & Society Association Annual Meeting, Chicago, IL, May 2010
Faculty Presentations
Research Professors

Janice Nadler
- “Moral Character and Blame,” International Society for Justice Research Conference, Banff, Alberta, Canada, August 2010
- “The Psychology of Blame,” Faculty Workshop, Brooklyn Law School, April 2010; Faculty Workshop, University of Minnesota Law School, March 2010

Robert L. Nelson
- “The Future of Diversity in the Legal Profession,” Minority Council of Nebraska Bar Association, Omaha, NE, November 2010
- “The Future of Diversity in the Legal Profession,” Georgetown University Law School, Washington, DC, October 2010

Laura Beth Nielsen
- “Conceptualizing Justice,” National Science Foundation/George Mason University, Fairfax, VA, December 2010

Dylan C. Penningroth
- “Law and the Black Church, 1865-1935,” University of Wisconsin Legal History Workshop, Madison, WI, April 2010

Susan P. Shapiro
- “My Brother’s Keeper,” Presentation to the Nebraska Fellows of the American Bar Foundation, Omaha, NE, October 2010
- “Research Methods: If I Could Do It Over Again,” Midwest Law and Society Retreat, Institute for Legal Studies, Madison, WI, October 2010
- Interdisciplinary Conference on Conflict of Interest, Basel Institute on Governance, University of Basel, Basel, Switzerland, May 2010

Christopher L. Tomlins
- Closing Commentator, “The Treatise in Legal History,” A Workshop sponsored by the Faculty of Law, University of Toronto, Canada, October 2010
- Closing Commentator, Day One of “Law’s Imperial Fields: A Workshop sponsored by the International Institute for the Sociology of Law,” Oñati, Spain, June 2010
- Chair and Participant, “Theme Session: Revisiting Gordon’s ‘Critical Legal Histories’,” Law and Society Association Annual Meeting, Chicago, IL, May 2010

Victoria Saker Woeste
- “Henry Ford’s War: Law, Antisemitism, and Speech in the Tribal 1920s,” ABF-Illinois Legal History Seminar, May 2011; Race and Ethnic Studies Institute, Texas A&M University, April 2010; Law and Society Workshop, Indiana University School of Law (co-sponsored by Jewish Studies Department), January 2010
- “Refighting the Last Battle: Louis Marshall and Civil Rights Litigation Strategies, 1914-1927,” Institute for American Thought, Indiana University-Purdue University-Indianapolis, November 2009
Faculty Fellows

Bernadette Atuahene

- “‘This is the least that we can do to wipe your tears’”: A Qualitative Study of the Financial Compensation Distributed through the South African Land Restitution Commission,” Association for Law, Property, and Society Annual Meeting, Georgetown University Law School, Washington, DC, March 2010
- Invited Presenter, Meeting of South African Land Claims Commissioners, Johannesburg, South Africa, June 2010
- Invited Presenter, South African Institute for Advanced Constitutional Studies Workshop, Johannesburg, South Africa, June 2010

Ronit Dinovitzer

- “Hierarchical Structure and Gender Dissimilarity in American Legal Labor Markets” (with J. Hagan), Law and Society Association Annual Meeting, Chicago, IL, May 2010
- “Ethical Decision Making and Professional Autonomy in Large Corporate Law Firms” (with S. Gunz and H. Gunz), The Business Law and Ethics Symposium, Washington State University, September 2009
- “The First Seven Years of a Lawyer’s Career” (with B. Garth, R. Nelson, J. Sterling, D. Wilkins), American Bar Association Mid Year Meeting, Boston, MA, February 2009

Ryon Lancaster

- “Officium Dei: The Emergence of Bureaucracy in the Medieval Church,” Department of Sociology Colloquium, Northwestern University, Evanston, IL, October 2010

Research Social Scientists

Elizabeth L. Murphy

- “Anchors and Set Asides on Real Juries” (with S. Diamond), Judgment by the Numbers Workshop, Cornell University, Ithaca, NY, October 2010
- “Personal Experience on the Jury” (with S. Diamond & M. Rose), Law and Society Association Annual Meeting, Chicago, IL, May 2010
- “Culture, Language, and Diversity on the Jury” (with S. Diamond, R. Garcia, & M. Rose), Law and Society Association Annual Meeting, Chicago, IL, May 2010
- “The Complexities of Impartiality, Commonsense and Bias on the Jury: Juror Expertise” (with S. Diamond & M. Rose), Law and Society Association Annual Meeting, Chicago, IL, May 2010

Gabriele Plickert

- “What Rules the Ethical Rule? A Snapshot of Legal Cultures in the United States and Germany,” International Legal Ethics Conference IV, Stanford University, Palo Alto, CA, July 2010

Rebecca L. Sandefur

- “Civil Justice and Socioeconomic Inequality,” Policy Seminar Series, Department of Policy Analysis and Management, Cornell University, Ithaca, NY, November, 2010
Recognition and Professional Service

Research Professors

Traci Burch
- Member, Legal Studies Faculty Advisory Board, Northwestern University
- Associate Editor, Law and Social Inquiry
- American Political Science Association Urban Politics Program Committee Chair

John L. Comaroff
- Visiting Fellow, Stellenbosch Institute for Advanced Study, Stellenbosch, South Africa
- Research Fellow, Internationales Forschungszentrum Kultuwissenschaften (International Research Center for Cultural Studies), Vienna
- Patron, Organisation of Intra-Cultural Development, 2010-11 (www.oicd.net)
- Re-appointed Honorary Professor, University of Cape Town, 2010-2015
- Guest Scholar, Swiss Program in Anthropology, 2010, Bern
- Member, International Review Committee, Max Planck Institute for Social Anthropology, Halle, Germany
- Member, Editorial Group, Journal of Anthropological Research
- Member, Editorial Group, Annual Review of Law and Social Science
- Member, Editorial Advisory Board, Hagar: International Social Science Review
- Member, College of Reviewers, Canada Research Chairs Program, Social Sciences and Humanities Research Council of Canada
- Member, International Advisory Board, Social Dynamics
- Member, Editorial Board, Afrika Spectrum

Stephen Daniels
- Member, Editorial Board, Justice System Journal
- Member, Law and Society Association, Dissertation Prize Committee
- Participant, Amicus Curiae Brief of Professors of Law and Social Science in Support of the Plaintiff in G.W.I.S. v. Integrals Blackwell Regional Hospital (Supreme Court of Oklahoma, Case No. CQ-106506), constitutional challenge to cap on damages in medical malpractice cases.

Shari Seidman Diamond
- Awarded the Harry J. Kalven, Jr. Prize for 2010 from the Law and Society Association for “empirical scholarship that has contributed most effectively to the advancement of research in law and society.”
- Member, Seventh Circuit, Pattern Criminal Jury Instructions Committee
- Member, Board of Trustees, Law & Society Association
- Member, Board of Directors, Society for Empirical Legal Studies
- Chair, Honorary Degrees Committee, Northwestern University
- Member, Dean’s Search Committee, Northwestern University
- Faculty Director, JD/PhD Program, Northwestern University School of Law

Bryant G. Garth
- Co-Editor, Journal of Legal Education
- Chair, Law School Survey of Student Engagement (LSSSE) Advisory Committee
- Member, Special Committee on the Professional Education Continuum, ABA Section on Legal Education
- Chair, Publications Committee, ABA Section of Legal Education
- Member, Association of American Law Schools Advisory Committee on ABA Accreditation Standards
- Member, Executive Nominating Committee, Association of American Law Schools
- Member, Executive Director Search Committee, Law and Society Association

John Hagan
- Elected to American Academy of Arts and Sciences, 2010
- Co-Director, Center for Law and Globalization, American Bar Foundation and University of Illinois College of Law
- Appointed Member, National Scientific Advisory Council, National Survey of Adolescent Health
- Editor, Annual Review of Law and Social Science
- Associate Editor, Canadian Journal of Criminology
- Criminology Editor, Journal of Criminal Law and Criminology, Northwestern University School of Law
- Member, Editorial Boards, Social Problems, Sociological Forum, European Journal of Criminology, Criminal Justice, Criminology, Theoretical Criminology, and Canadian Journal of Law & Society
Terence Halliday

• Co-Director, Center on Law and Globalization, American Bar Foundation and University of Illinois College of Law
• Non-State Delegate, United Nations Commission on International Trade Law (UNCITRAL) Working Group V on Insolvency Law
• Co-Convenor, Collaborative Research Network, The Legal Complex and Political Liberalism, Law and Society Association
• Winner, 2010 Prize for Best Scholarly Book published in 2008 and 2009, American Sociological Association, Section on Global and Transnational Sociology
• Co-Winner, 2010 Prize for Best Book published in 2008 and 2009, American Sociological Association, Section on Sociology of Law
• Winner, 2010 Viviana Zelizer Distinguished Scholarship Award for the outstanding book published in the field of economic sociology in 2008 and 2009, American Sociological Association, Section on Economic Sociology

James J. Heckman

• President-Elect, Econometric Society (effective 2013)
• Member, National Academy of Education, 2010
• Fellow, American Association for the Advancement of Science, 2009
• Lifetime Member, Irish Economic Association, 2009

Carol A. Heimer

• Co-Editor, Regulation and Governance
• Member, Editorial Committee, book series on “Risk and Regulation,” Centre for Analysis of Risk and Regulation, London School of Economics
• Member, Special Committee on Bioethics and Law, American Bar Association

John P. Heinz

• Member, Board of Directors, Chicago Appleseed Fund for Justice

Bonnie Honig

• Co-convener of the National American Political Science Association Meetings
• Program co-chair, APSA Annual Convention, San Francisco, CA, 2009-2011
• Member, Editorial Board, Journal of Citizenship Studies, 2010-2012
• Invited Member, Future Citizenship Network, http://www.futurecitizenship.com
• Member, Editorial Board, Ethics & Global Politics

Steven D. Levitt

• Director, Becker Center on Chicago Price Theory, University of Chicago
• Editor, Journal of Political Economy

Elizabeth Mertz

• Fellow, Program in Law and Public Affairs, Princeton University
• Co-Editor, PoLAR: Political and Legal Anthropology Review
• Research Committee Coordinator & Consultant, National Quality Improvement Center on the Representation of Children in the Child Welfare System
• Member, Editorial Board, Language and Law Book Series, Oxford University Press
• Member, Editorial Board, Legal Education Book Series, Ashgate Press
• Member, American Association of Law Schools Research Committee; Organizer of AALS Research Committee Program on Implicit Bias at 2011 AALS Meetings

Janice Nadler

• Member, Executive Board, Dispute Resolution Research Center, Northwestern University

Robert L. Nelson

• Member, Study Team, National Quality Improvement Center on Child Representation in the Child Welfare System, University of Michigan
• Chair, Sociology of Law Section, American Sociological Association
• Co-Chair, Scholarship Committee, World Justice Project, ABA Presidential Initiative
• Advisor, ABA Commission on Women, Women of Color Research Initiative
• Co-Principal Investigator and Member, Advisory Committee, National Science Foundation/Law & Society Association/American Bar Foundation, Doctoral Fellowships in Law and Inequality
• Member, Sociological Research Association
• Member, Faculty Advisory Board, Center for Legal Studies, Northwestern University
Recognition and Professional Service

Laura Beth Nielsen
- Secretary, Law and Society Association
- Editor, Law & Social Inquiry
- Director, Center for Legal Studies, Northwestern University

Dylan C. Penningroth
- Member, Board of Directors, American Society for Legal History, 2009-11
- Member, Program Committee, American Society for Legal History, 2009-10
- Member, Editorial Board, Journal of American History, 2008-10

Susan P. Shapiro
- Chair, Nominations Committee, Law & Society Association, 2010-11

Christopher L. Tomlins
- Editor, Cambridge Historical Studies in American Law and Society (monograph series, for Cambridge University Press)
- Member, Law & Society Association Kalven Prize Committee, 2010-
- Member, Editorial Board, Law and Society Review, 2010-
- Member, Editorial Committee, Annual Review of Law and Social Science, 2009-
- Member, Fellowships and Awards Committee, American Society for Legal History, 2005-
- Member, ABA Standing Committee on Public Education, 2008-
- Co-Organizer, University of California Irvine School of Law Conference, Law As…: Theory and Method in Legal History (April 2010)

Victoria Saker Woeste
- Member, Wayne D. Rasmussen Award Committee, Agricultural History Society
- Manuscript Reviewer, Agricultural History
- Elected to Board of Directors, American Society for Legal History, 2010-2012
- Member, Cromwell Prize Committee, American Society for Legal History, 2010-2012

Faculty Fellows

Bernadette Atuahene
- Council on Foreign Relations International Affairs Fellow

Ronit Dinovitzer
- University of Toronto, Dean’s Merit Award, 2010
- Member, Editorial Board, Law & Social Inquiry, 2005-2010
- Secretary/Treasurer, American Sociological Association, Sociology of Law Section, 2009-2011
- Member, Law School Admission Council Grants Committee, 2009-2011
- Member, Career Checkpoint, American Bar Foundation/American Bar Association, 2010

Ryon Lancaster
- Winner (with B. Uzzi), Richard C. Scott Award for Best Article, Section on Organizations, Occupations, and Work, American Sociological Association, 2006

Research Social Scientists

Gabriele Plickert
- Reviewer, Social Science & Medicine; Journal of Social and Personal Relationships

Rebecca L. Sandefur
- Member, Publications Committee, Pacific Sociological Association
- Faculty, Graduate Student Workshop, Law and Society Association
- Collaborator, Cost of Justice Research Alliance, Canadian Forum on Civil Justice
- Member, Right to Counsel Committee, California Commission on Access to Justice
- Member, Research Advisory Board of the Civil Right to Counsel Leadership and Support Initiative
Presentations at the ABF 2010

- Peg Birmingham, DePaul University, “Between Violence and Politics: Before the Law,” January 6
- Bernard Black, Northwestern University, “Waiting for the Big One: The Economics of Plaintiff-Side Personal Injury Litigation,” January 13
- Daniel Galvin, Northwestern University, “Parties as Political Institutions: Explaining Asymmetrical Organizational Change in the Democratic and Republican Parties,” January 20
- Ian Hurd, Northwestern University, “International Law and National Interests: The Case of Article 2(4),” February 3
- Alison Lacroix, University of Chicago Law School, “Federalists, Federalism, and Federal Jurisdiction,” February 19
- Susanne Karstedt, University of Leeds, “Defining Criminals and Constructing Memories: Sentenced Nazi War Criminals in West Germany in the Early Post-War Years,” February 26
- Winnifred Sullivan, University at Buffalo Law School, “Spiritual Governance,” March 10
- Lindsay Smith, Northwestern University, “Identifying Democracy: Citizenship, DNA, and Identity in post-dictatorship Argentina,” March 17
- Grégoire Mallard, Northwestern University, “A Hermeneutic Theory of International Law: Explaining Changes in the Field of Nuclear Nonproliferation,” March 31
- David Gerber, Chicago-Kent College of Law, “Competition Law and Global Markets,” April 7
- David Frank, University of California Irvine, “Cross-National Variations in the Criminal Regulation of Sex, 1965-2005,” April 14
- Jean Comaroff, University of Chicago, “Detective Fictions: In Pursuit of Sovereignty in the Postcolony,” May 12
- Traci Burch, ABF Research Faculty & Northwestern University, “The ‘Neighborhood Effects’ of Incarceration on Political Attitudes,” September 15
- 2010 ABF Doctoral Fellow Presentations, September 29
- Jamie Longazel, University of Delaware & ABF Doctoral Fellow, “I’ve Lost My City’: Law, Community, and Immigration in the Wake of Neoliberalism,” October 20
- Yuval Feldman, Bar-Ilan University Faculty of Law, “The Incentives Matrix: The Comparative Effectiveness of Rewards, Liabilities, Duties, and Protections for Reporting Illegality,” November 8
- Willoughby Anderson, Schiff Harden, “The Past on Trial: The Sixteenth Street Baptist Church Bombing and Civil Rights History,” November 8
- Betsey Stevenson, University of Pennsylvania, “Unexpected Effects of Legal Change on Women’s Employment: Sport and Divorce,” November 10
- Christopher W. Schmidt, ABF Visiting Faculty & Chicago-Kent College of Law, “Divided by Law: The Sit-Ins, Legal Uncertainty, and the Role of the Courts in the Civil Rights Movement,” November 17
- Mark Osiel- ABF Visiting Scholar, University of Iowa, “After International Law: Non-Juridical Responses to Mass Atrocity,” December 1
Law & Social Inquiry

Editorial Policy

Law & Social Inquiry is a quarterly, interdisciplinary, peer reviewed scholarly journal of international standing in law and social science. Contributors include law professors, social scientists, and practicing lawyers. Procedures for submission and consideration of manuscripts are the same as those followed by most refereed academic journals. Submitted manuscripts are reviewed by the editor and then by three or more expert scholars in a process known as “double-blind peer review” (the identities of both the authors and the reviewing scholars are known only to the journal’s editors). Publication decisions are made by Law & Social Inquiry’s editorial committee, made up of the journal’s editor and associate (advisory) editors.

In addition to the high quality of the original research that it publishes, Law & Social Inquiry is widely known for its review essays and review symposia. The essays go beyond the typical brief book review to place the work under examination in its intellectual context and to provide readers with a synthesis of the major intellectual debates in the field relevant to the book. Currently, each issue of the journal also includes a “book notes” section that presents brief descriptions of twenty or thirty recently published books of interest to those working in the field of sociolegal studies. Additionally, each year Law & Social Inquiry holds a student paper competition for graduate and law students, which includes a monetary prize and publication of the winning paper.

Law & Social Inquiry is not intended to serve (and does not serve) as a dedicated outlet for the research of American Bar Foundation research fellows and affiliates. Nevertheless, ABF researchers and affiliates have always played an important role in the journal’s success, both as contributors and, particularly, as editors.

Editors

The overall editor of Law & Social Inquiry is Laura Beth Nielsen, who edits the journal’s research article section. Howard Erlanger of the University of Wisconsin Law School is the editor of the journal’s review section. Bernadette Atuahene, Traci Burch and Christopher Schmidt are currently serving as the journal’s associate editors. Jill Weinberg is currently a student editor. Lila Stromer provided expert assistance in the production and administration of the journal from her position as Managing Editor, through October 2010, after which Amy E. Schlueter became Editorial Coordinator.

Contents


Researching Law

Researching Law: An ABF Update is a quarterly newsletter designed to acquaint a wide audience with the research activities of the American Bar Foundation. The articles that appear in this publication present the findings of ABF projects in a concise, nontechnical format but in sufficient length to convey the full flavor of the research reported on. The topics covered in 2010 include: “Achieving Diversity on the Jury: Jury Size and the Peremptory Challenge” (Shari Diamond); “Asian Legal Revivals: Lawyers in the Shadow of Empire” (Bryant Garth), “The Social Costs of Incarceration” (John Hagan and Traci Burch), and “Empirical Legal Scholarship in Law Reviews and Multi-Method Research in Empirical Legal Studies” (Laura Beth Nielsen and Shari Diamond). The newsletter is distributed to a wide audience, including The Fellows of the American Bar Foundation, policy makers, libraries, foundations, government agencies, and media outlets. Issues are also posted on the ABF website and may be downloaded. The articles in Researching Law are written and edited by Katharine W. Hannaford.
The Liaison Research Services Program was created in 1975 to address two primary goals: to compile and disseminate information about the legal profession and to provide research expertise to entities of the organized bar by designing and conducting discrete, short-term projects focusing on issues of concern and interest to these groups.

To address the first of these goals, the American Bar Foundation has, since 1956, periodically produced *The Lawyer Statistical Report* with the cooperation of Martindale Hubbell, which provides the data files for this project. This report is unique to the literature about the profession in that it provides detailed demographic information on the numbers of lawyers and law firms nationally and on a state-by-state basis. It presents distributions of lawyers across practice settings, among law firms of various sizes, and practice settings by age and gender. Clara N. Carson is currently compiling the latest edition of *The Lawyer Statistical Report* which is an analysis of the 2005 national lawyers’ database.

To address the second goal of providing research expertise to entities of the organized bar, the Foundation works closely with the American Bar Association on a variety of research initiatives. In general, the Foundation provides useful, professional research advice and services in a variety of formats.

- **New Research.** From time to time, the Foundation, through its Liaison Research Services Program, will take on a few modest research projects for ABA entities. In determining what research projects might be possible in a given year, the Foundation will give priority to research that fits within the overall mission of the ABF and that is feasible to conduct in a shorter period of time.

- **Information from Existing Projects.** The Foundation and the Association might find overlap between an existing ABF research project and an ABA project or initiative. In these cases, the Liaison Research Services Program can develop a liaison relationship between Foundation Research Fellows and ABA entities. Research Professors may provide general expertise or specific data that have been collected from previous or current research projects, to inform the work of an ABA entity.

- **Research Advice.** The Foundation is in a unique position to consult with ABA entities on how best to structure a research initiative. The Foundation can provide general guidance, review survey instruments, help to find appropriate academics to work on a research project, and consult on results.

The Foundation and the Association have a unique relationship that informs each organization’s efforts to enhance the public’s understanding of the law, legal institutions and legal processes. Through the Liaison Research Services Program, the Foundation collaborates with the Association and its entities in meaningful ways, thus bringing the expertise of the leading institution for the empirical study of the law to bear on the myriad programs, initiatives and activities of the ABA. From participating in initiatives organized by the ABA Presidents to working with Sections, Divisions and Committees on unique research projects, the research of the American Bar Foundation informs the organized bar, the legal community, and the public.
The American Bar Foundation was pleased to host four outstanding undergraduate students in the summer of 2010 who participated in the Summer Research Diversity Fellowship Program. The program offers students, who are selected from across the country in a highly competitive application process, the opportunity to explore the field of sociolegal research and observe law practice in the private and public sector.

The summer program is supported in part by the Kenneth F. and Harle G. Montgomery Foundation, the Solon E. Summerfield Foundation, and the National Science Foundation. Additional sponsors of the 2010 program were:

- Seyfarth Shaw LLP
- James D. Montgomery & Associates, Ltd
- The Lloyd A. Fry Foundation

The 2010 Summer Research Diversity Fellows were:

- **Angela Addae**, a rising senior at Fisk University, who worked with Research Professor Dylan C. Penningroth.
- **Joseph Bishop**, a rising senior at Clemson University, who worked with Research Professor Stephen Daniels.
- **Stephanie Caro**, a rising senior at Stanford University, who worked with Research Professor Terence Halliday.
- **Eduardo-Antonio Navarro**, a rising senior at the University of Iowa, who worked with Research Professor John Hagan.

Left to right: Eduardo-Antonio Navarro, Stephanie Caro, Joseph Bishop, Angela Addae
Sponsored Programs

The ABF research program is supported by an annual grant from the American Bar Endowment (see page 2) and contributions from The Fellows of the American Bar Foundation and other supporters. The ABF also seeks grants for specific research projects and other Foundation programs from government agencies and private foundations. The following external sponsors provided support for projects in 2010.

**Access Group, Inc.**
- *After the JD: Legal Careers in Transition*  
  (Ronit Dinovitzer, Robert Nelson, Bryant Garth, and Joyce Sterling)

**American Bar Association Litigation Research Fund**
- *Optimizing the Jury Decision-Making Process*  
  (Shari Diamond)

**M. D. Anderson Foundation**
- *My Brother's Keeper: Surrogate Decision-Making at the End of Life*  
  (Susan Shapiro)

**Law School Admission Council**
- *After the JD: Legal Careers in Transition*  
  (Ronit Dinovitzer, Robert Nelson, Bryant Garth, and Joyce Sterling)
- *Early Post-Law School Careers of Women and Men Lawyers in U.S. and German Cities*  
  (John Hagan, Gabriele Plickert, Patricia Parker, and Hans Merkens)
- *From Law School to Later Life: A 20-Year Panel Study of the Careers of Women and Men Lawyers*  
  (John Hagan, Fiona Kay, and Ronald J. Daniels)
- *Senior Status, Gender, and Race in the Legal Academy*  
  (Elizabeth Mertz, Wamucii Njogu, and Carol Greenhouse)

**Lloyd A. Fry Foundation**
- *Summers Diversity Research Fellowships in Law and Social Science*

**Google Grants**
- In support of the ABF website:  
  www.americanbarfoundation.org

**Kenneth F. and Harle G. Montgomery Foundation**
- *Summer Diversity Research Fellowships in Law and Social Science*

**National Association for Law Placement**
- *After the JD: Legal Careers in Transition*  
  (Ronit Dinovitzer, Robert Nelson, Bryant Garth, and Joyce Sterling)

**National Conference of Bar Examiners**
- *After the JD: Legal Careers in Transition*  
  (Ronit Dinovitzer, Robert Nelson, Bryant Garth, and Joyce Sterling)

**National Science Foundation**
- *After the JD III: The Trajectories of Legal Careers*  
  (Ronit Dinovitzer, Robert Nelson, Bryant Garth, and Joyce Sterling)
- *Crime, War and Wealth in Pre- and Post-Invasion Iraq*  
  (John Hagan)
- *Lawyers in the Pursuit of Basic Legal Rights: Criminal Defense in China*  
  (Terence Halliday and Sida Liu)
  Supplemental grant also awarded under the NSF Research Experiences for Undergraduates Program
- *Local Courts and African American Life, 1865-1930*  
  (John Hagan). Funded under the American Recovery and Reinvestment Act of 2009 (Public Law 111-5)
- *Ethnicity, Inc.*  
  (John Comaroff and Jean Comaroff)
- *Doctoral Fellowships in Law and Social Science*  
  (Laura Beth Nielsen; submitted through the sponsorship of the Law and Society Association)
- *Expressive Law: Testing the Effects of Third Party Recommendations on Behavior in Coordination Games*  
  (Janice Nadler and Richard McAdams)
- *My Brother’s Keeper: Surrogate Decision-Making at the End of Life*  
  (Susan Shapiro)
- *Parental Incarceration and Intergenerational Social Exclusion: The Long Arm of the Law*  
  (John Hagan and Holly Foster)
  Supplemental grant also awarded under the NSF Research Experiences for Undergraduates Program

**Solon E. Summerfield Foundation**
- *Summer Research Diversity Fellowships in Law and Social Science for Undergraduate Students*

**Alexander Von Humboldt Foundation, TransCoop Program**
- *Early Post-Law School Careers of Women and Men Lawyers in U.S. and German Cities*  
  (John Hagan, Gabriele Plickert, Patricia Parker, and Hans Merkens)

The American Bar Foundation gratefully acknowledges the following sponsors to the Center on Law and Globalization, a Partnership of the American Bar Foundation and the University of Illinois College of Law, in support of its second year of programming.
- *The Dutch Ministry of Foreign Affairs*
- *Mia Farrow*
- *The International Victimology Institute Tilburg (INTERVICT)*

2010 Annual Report 39
The Fellows of the American Bar Foundation is an honorary organization of attorneys, judges and legal scholars whose public and private careers have demonstrated exceptional dedication to the welfare of their communities and to the highest principles of the legal profession.

Established in 1955, The Fellows encourage and support the research of the American Bar Foundation and sponsor seminar programs on topics of direct relevance to the legal profession. Membership in The Fellows is limited to one third of one percent of the bar membership in each state. Fellows are nominated by other Fellows, and nominations are approved by the State Chairs, Fellows Officers and ABF Board of Directors.

Fellows Programming

The 2010 Fellows CLE Research Seminar, “Asian Legal Revivals,” was held in February during the ABA Midyear Meeting in Orlando, Florida. Presenting the program was Bryant G. Garth, Dean and Professor of Law, Southwestern Law School and Director Emeritus, American Bar Foundation. Panelists included Marc Galanter, John and Rylla Bosshard Professor Emeritus of Law and South Asian Studies, University of Wisconsin—Madison and Centennial Professor, London School of Economics and Political Science, and Carole Silver, American Bar Foundation Affiliated Scholar and Professor of Law, Indiana University Maurer School of Law. The program was moderated by James R. Silkenat, Vice President of the World Justice Project and Partner at Sullivan & Worcester LLP. Drawing on Bryant Garth’s book (with Yves Dezalay, 2010 University of Chicago Press), Asian Legal Revivals: Lawyers in the Shadow of Empire, the panel examined the roles of colonial relationships, cold war influences and the rule of law in a group of Asian countries.

Also in February, The Fellows co-sponsored the ABA Young Lawyers Division Speed Mentoring Program. A take-off on speed dating, the one-hour program brought Fellows and young lawyers together for a unique networking experience.

In August, during the ABA Annual Meeting in San Francisco, California, The Fellows sponsored the CLE Research Seminar “Does Anyone Win at the EEOC? Findings from the American Bar Foundation Employment Discrimination Litigation Research Project.” Laura Beth Nielsen, Research Professor, American Bar Foundation and Associate Professor of Sociology and Director of Legal Studies, Northwestern University, and Robert L. Nelson, Director and MacCrate Research Chair in the Legal Profession, American Bar Foundation and Professor of Sociology and Law, Northwestern University, presented the program. Panelists included C. Elizabeth Hirsh, Assistant Professor of Sociology, Cornell University and Assistant Professor of Sociology and Canada Research Chair, University of British Columbia; Christopher Ho, Senior Staff Attorney with The Legal Aid Society Employment Law Center; Barbara L. Johnson, Partner at Paul, Hastings, Janofsky & Walker, LLP; and Cindy O’Hara, Senior Trial Attorney, Equal Employment Opportunity Commission. The CLE seminar was co-sponsored by the ABA Section of Dispute Resolution and the ABA Business Law Section Business and Corporate Litigation Committee Employment Litigation Subcommittee.

The Fellows Research Advisory Committee organizes the Fellows Research Seminars each year and serves as a bridge between the research program of the American Bar Foundation and the profession, including the practicing bar, the judiciary, and legal education.

Fellows Events

The 54th Annual Fellows Awards Banquet, held at Isleworth Country Club on February 6, 2010, featured presentations to the following honorees:

• Outstanding Service Award: Brooksley E. Born, Washington, D.C.

• Outstanding Scholar Award: Professor Marc Galanter, Madison, Wisconsin

• Outstanding State Chair Award: Linda A. Klein, Atlanta, Georgia

The banquet’s keynote address was delivered by Steven D. Levitt, Research Professor, American Bar Foundation and William B. Ogden Distinguished Service Professor of Economics and Director of the Becker Center on Chicago Price Theory, University of Chicago. Professor Levitt, with Stephen J. Dubner, co-authored the best-selling books Freakonomics and SuperFreakonomics.
At the Fellows Opening Reception at the ABA Annual Meeting in San Francisco in August, The Fellows honored Professor Hermia Hill Kay of UC Berkeley School of Law for her fifty years of exceptional legal scholarship and stalwart support of the American Bar Foundation. The Fellows met again the following morning for the Annual Business Breakfast. The breakfast featured keynote speaker Robert L. Nelson, Director and MacCrate Research Chair in the Legal Profession, American Bar Foundation and Professor of Sociology and Law, Northwestern University, who presented “After the JD: The Pursuit of Diversity in the Legal Profession.” Fellows Chair David S. Houghton recapped the work of The Fellows and the Foundation during his term as chair, and presided over the election of new officers: Chair, Kay H. Hodge, Chair-Elect, Doreen D. Dodson and Secretary, Professor Myles V. Lynk. Also in August, The Fellows hosted a reception for Life Fellows, recognizing those Fellows whose longstanding support and contributions continue to sustain the work of the Foundation.

Many Fellows State Chairs organized local events where Fellows heard presentations on current Foundation research and socialized among colleagues and friends. Maryland Fellows gathered in May for a reception honoring the current and former United States Attorneys for the District of Maryland. The District of Columbia Fellows met in February for their annual dinner which this year featured keynote speaker Elizabeth Warren, Chair of the Congressional

Troubled Asset Relief Program (TARP) Oversight Panel and Leo Gottlieb Professor of Law at Harvard University, and honored Carolyn Lamm, Past President of the American Bar Association and Past President of the District of Columbia Bar. Local Fellows events were also hosted in Colorado, Kansas, Missouri, New York, Oklahoma, Washington, West Virginia and Wisconsin, among other states.

2010–2011 Fellows Officers
Chair: Kay H. Hodge, Boston, Massachusetts
Chair-Elect: Doreen D. Dodson, St. Louis, Missouri
Secretary: Professor Myles V. Lynk, Durham, North Carolina

2009–2010 Fellows Officers
Chair: David S. Houghton, Omaha, Nebraska
Chair-Elect: Kay H. Hodge, Boston, Massachusetts
Secretary: Doreen D. Dodson, St. Louis, Missouri
Life Fellow Contributions for the Fellows of the American Bar Foundation

Each year, Life Fellows’ contributions support the innovative and influential research being done by the Foundation. This continued financial support is vital to the Foundation’s work.

Life Fellow Giving Societies*

Giving Societies are opportunities for Life Fellows to continue contributing to the Foundation once they have completed their initial fellows pledge. Giving societies are as follows:

- A Life Fellow who contributes a minimum of $250 annually will be named a Sustaining Life Fellow.
- A Life Fellow who contributes an aggregate of $5,000 will be named a Life Patron Fellow.
- A Life Fellow who contributes an aggregate of $10,000 will be named a Life Benefactor Fellow.
- A Life Fellow who contributes an aggregate of $25,000 will be named a Life Leadership Fellow.

*Changes to aggregate amounts were made in 2002.

We extend our appreciation to the many Life Fellows below who invested in the American Bar Foundation during fiscal year 2010 (September 2009 – August 2010). Their generosity continues a longstanding culture of philanthropy that supports the empirical research work of the American Bar Foundation.

Contributions can be pledged over a period of years. Life Fellows who contribute annually will be recognized in the Life Patron Fellows, Life Benefactor Fellows, Sustaining Life Fellows, and Sustaining Life Leaderships.

Life Leadership Fellows
Jacqueline Allee
Kenneth J. Burns, Jr.
W. Loeber Landau
Robert MacCrone
William H. Neukom
Joseph A. Woods, Jr.

Life Benefactor Fellows
Howard J. Abel
Brooksley Elizabeth Born
The Saltisburg Fund, Don and Karen Lake Buttrey
Dan O. Callaghan
Mortimer M. Caplin
James H. Carter
Elen J. Flannery
Roy A. Hammer
Jon Hoffheimer
Richard R. Howe
Douglas A. Jacobson
Jerry Lastelick
William B. McGuire
Edward G. O’Connor
Donald R. Osborn
Ronald S. Rolfe
Robert A. Stein
David K.Y. Tang
Randolph W. Thrower
Alvin Weiss
Donna C. Willard-Jones
William F. Womble

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Samuel Adams
Myles J. Ambrose
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Sylvia Bacon
Janice Gambone Barone
Gregory M. Bergman
Glenn R. Coates
John F. Cogan, Jr.
William W. Crawford
Robert R. Feagin III
Leonard H. Gilbert
James T. Haight
Edwin A. Hammond
John Hawsworth
Gerald J. Hayes
Harry J. Haynsworth IV
John P. Heinz
Benjamin H. Hill III
John R. Holden
Zona F. Hostetter
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Betty A. Thompson
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Michael E. Abram
Patti L. Abramson

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Gerald Alsen
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Lee Rimes Benton
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Judith Best
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O. Francis Biondi
Jenny W. Blackwell
Jenni A. Blair
Susan Low Bloch
Dennis J. Block
Kathleen L. Bogas
L. Stewart Bohan
Wilber H. Boies
Larry P. Boyd

Life Fellowship Giving Societies

- A Life Fellow who contributes an aggregate of $25,000 will be named a Sustaining Life Fellow.
- A Life Fellow who contributes an aggregate of $10,000 will be named a Life Patron Fellow.
- A Life Fellow who contributes an aggregate of $5,000 will be named a Life Benefactor Fellow.
- A Life Fellow who contributes an aggregate of $25,000 will be named a Life Leadership Fellow.

*Changes to aggregate amounts were made in 2002.

We extend our appreciation to the many Life Fellows below who invested in the American Bar Foundation during fiscal year 2010 (September 2009 – August 2010). Their generosity continues a longstanding culture of philanthropy that supports the empirical research work of the American Bar Foundation.

Contributions can be pledged over a period of years. Life Fellows who contribute annually will be recognized in the ABF Annual Report and on the Fellows Website. All Life Fellows are acknowledged in the Fellows Roster.

- Albert L. Cohn
- Howard Coleman Coker
- Clark H. Cole
- Murray L. Cole
- Thomas A. Cole
- Kevin H. Collins
- Ian M. Cominsky
- Sydney M. Cone III
- J. William Conger
- David G. Conlin
- David M. Cook
- Edward H. Cooper
- Stephen H. Cooper
- William Thomas Coplin, Jr.
- John G. Corlew
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- Chris S. Coutroulis
- J. Donald Cowan, Jr.
- Jerry J. Cox
- Stephen A. Cozen
- Harold Cramer
- Juliette L. Crawford
- John J. Creedon
- M. Joe Crosthwait, Jr.
- Beryl P. Crowley
- Thomas R. Curtis
- Harold T. Daniel, Jr.
- Stephen J. Dannhauser
- J. Mason Davis, Jr.
- Susan Barnes De Resendiz
- Tom De Waard
- William V. Deatherage
- Patrick D. Deemer
- Dick DeGuerin
- Thomas J. DelMarino
- James Vinson Derrick, Jr.
- Ellen Conedera Dial
- Thomas A. Dickson
- Bernard J. DiMuro
- Robert D. Dinerstein
- Richard DiSalle

Bernice B. Donald
Kathleen C. Donelli
Thomas M. Dowling
H. Mitchell Dunn, Jr.
John W. Dunn
Douglas M. Dunn
Antoineette Dupont
Louise Durfee
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Paul E. Freehling

42 American Bar Foundation
On August 25, 2010, Barbara Adell Curran, whose association with the American Bar Foundation spanned five decades, passed away at the age of 82. Curran, who earned a J.D. from the University of Connecticut School of Law in 1953 and a LL. M. from Yale University in 1961, was hired by ABF as staff attorney in 1961. In the course of her career at ABF, Curran conducted research in the areas of consumer credit legislation, legal services for the poor, legal needs of the public, and gender bias in the courts. From 1971 to 1977 Curran directed a comprehensive national study on the legal needs of the public. The study culminated in Curran’s book, *The Legal Needs of the Public* (1977), which remains widely cited more than thirty years after its publication. In 1976 she was appointed as ABF’s first female Associate Executive Director, a position she held until 1987. Curran also carried forward one of ABF’s signature projects, *The Lawyer Statistical Report* (1985, 1991, 1995, 2000, 2005, with Clara Carson), a detailed demographic and geographic snapshot of the U.S. legal profession, based on information supplied by Martindale-Hubbell.

Barbara Curran was a Life Patron Fellow of the American Bar Foundation.
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Lucinda Underwood, Director of Communications, Development, and Operations
Linda Lorenz, Executive Assistant
Wencia Smithen, Controller

Manager of Information Services
James Fields

IS Senior Support Specialist
Edgar Tuazon

Senior Writer; Editor, Researching Law & ABF Annual Report; Grants Officer
Katharine W. Hannaford

Development Associate
Timothy Watson

Publications
Lila M. Stromer, Managing Editor, Law & Social Inquiry (through October '10)
Amy E. Schlueter, Editorial Coordinator, Law and Social Inquiry (as of November '10)

Technical Services Consultant
Clara N. Carson

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Candy Khin, Fellows Data Specialist
Anita Lee-Bjerke, Fellows Coordinator

Accounting Assistant
Tessie Harrell

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Roz Caldwell, Senior Administrative Associate
Anne Godden-Segard
Allison Lynch

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Elizabeth L. Murphy
Gabriele Plickert

Senior Research Social Scientist
Rebecca L. Sandefur

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Vesla Weaver, University of Virginia
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Personnel

Law Firms Working Group, sponsored by the American Bar Foundation and Indiana University

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Leonard Bierman, Mary’s Business School at Texas A&M University
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* Member, Law Firms Working Group Steering Committee

World Justice Forum II Scholars Group

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Margaret Levi, University of Washington
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Members of the Wheeler External Research Review Panel

Professor Richard Brooks, Yale Law School
Professor Stewart Macaulay, University of Wisconsin School of Law
Professor Michael McCann, Comparative Law and Society Studies Center, University of Washington
Professor Sally Engle Merry, Marion Butler McLean Professor in the History of Ideas, Wellesley College
Professor Jennifer Robbennolt, University of Illinois College of Law
Professor Robert Sampson, Department of Sociology, Harvard University
## Statements of Financial Position

**Years Ended August 31, 2010 and 2009**

<table>
<thead>
<tr>
<th>Assets</th>
<th>August 31, 2010</th>
<th>August 31, 2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash and cash equivalents</td>
<td>$318,046</td>
<td>$272,952</td>
</tr>
<tr>
<td>Long-term investments at market value</td>
<td>17,701,612</td>
<td>17,677,506</td>
</tr>
<tr>
<td>Receivables and other</td>
<td>186,916</td>
<td>175,440</td>
</tr>
<tr>
<td>Prepaid expenses</td>
<td>25,642</td>
<td>15,249</td>
</tr>
<tr>
<td>Property and equipment</td>
<td>426,591</td>
<td>483,108</td>
</tr>
<tr>
<td>(Original cost of $2,053,750 in 2010 and $2,034,459 in 2009, less accumulated depreciation of $1,627,159 in 2010 and $1,551,351 in 2009)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Assets</strong></td>
<td><strong>18,658,806</strong></td>
<td><strong>18,624,255</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Liabilities</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Accounts payable and accrued expenses</td>
<td>509,793</td>
<td>506,871</td>
</tr>
<tr>
<td>Short-term debt</td>
<td>100,000</td>
<td>500,000</td>
</tr>
<tr>
<td>Deferred revenues</td>
<td>39,000</td>
<td>4,999</td>
</tr>
<tr>
<td>Deferred rent liability</td>
<td>819,949</td>
<td>802,735</td>
</tr>
<tr>
<td>Pension liability</td>
<td>624,242</td>
<td>364,646</td>
</tr>
<tr>
<td><strong>Total Liabilities</strong></td>
<td><strong>2,092,984</strong></td>
<td><strong>2,179,251</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Net Assets</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Unrestricted</td>
<td>12,617,116</td>
<td>12,586,873</td>
</tr>
<tr>
<td>Temporarily restricted</td>
<td>1,602,692</td>
<td>1,524,067</td>
</tr>
<tr>
<td>Permanently restricted</td>
<td>2,346,014</td>
<td>2,334,064</td>
</tr>
<tr>
<td><strong>Total Net Assets</strong></td>
<td><strong>16,565,822</strong></td>
<td><strong>16,445,004</strong></td>
</tr>
</tbody>
</table>

| Total Liabilities and Net Assets | $18,658,806 | $18,624,255 |

**Notes:**
These financial statements were abstracted from the Foundation's August 31, 2010 financial statements which are currently being audited by Blackman Kallick, LLP.
Because the information does not include all disclosures required by the generally accepted U.S. accounting principles, it does not purport to present the Foundation's financial condition or results of operations.
A copy of the audited financial statements will be provided upon request at the Foundation's office.
# Statements of Activities

**Years Ended August 31, 2010 and 2009**

<table>
<thead>
<tr>
<th>Revenues</th>
<th>August 31, 2010</th>
<th>August 31, 2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>American Bar Endowment</td>
<td>$3,750,000</td>
<td>$3,750,000</td>
</tr>
<tr>
<td>National Science Foundation grants</td>
<td>299,542</td>
<td>300,206</td>
</tr>
<tr>
<td>The Fellows of the ABF</td>
<td>1,142,527</td>
<td>1,047,604</td>
</tr>
<tr>
<td>LSAC research grants</td>
<td>101,507</td>
<td>104,750</td>
</tr>
<tr>
<td>Other grants/contributions</td>
<td>107,684</td>
<td>163,520</td>
</tr>
<tr>
<td><strong>Total Grants and Contributions</strong></td>
<td><strong>5,401,259</strong></td>
<td><strong>5,366,080</strong></td>
</tr>
<tr>
<td>ABF Endowment spending allowance</td>
<td>974,480</td>
<td>1,196,000</td>
</tr>
<tr>
<td>Law and Social Inquiry subscriptions</td>
<td>14,000</td>
<td>11,000</td>
</tr>
<tr>
<td>Royalties and publications</td>
<td>7,760</td>
<td>784</td>
</tr>
<tr>
<td>Interest income</td>
<td>292</td>
<td>481</td>
</tr>
<tr>
<td>Other income</td>
<td>9,429</td>
<td>15,871</td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td><strong>6,407,220</strong></td>
<td><strong>6,590,216</strong></td>
</tr>
</tbody>
</table>

## Functional Expenditures

<table>
<thead>
<tr>
<th></th>
<th>August 31, 2010</th>
<th>August 31, 2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Research activities</td>
<td>2,781,897</td>
<td>3,188,010</td>
</tr>
<tr>
<td>Fellows’ Services (net of revenues from events)</td>
<td>427,268</td>
<td>401,346</td>
</tr>
<tr>
<td>Law &amp; Social Inquiry</td>
<td>148,334</td>
<td>142,742</td>
</tr>
<tr>
<td>Academic Affairs and Fellowships</td>
<td>160,513</td>
<td>205,920</td>
</tr>
<tr>
<td>Administration, Facilities and Dissemination</td>
<td>2,623,006</td>
<td>2,537,502</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td><strong>6,147,537</strong></td>
<td><strong>6,483,211</strong></td>
</tr>
</tbody>
</table>

## Results from Operations

|                         | 259,683 | 107,005 |

## Other Foundation Activity—Non-Operating and Restricted

<table>
<thead>
<tr>
<th></th>
<th>August 31, 2010</th>
<th>August 31, 2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Investment activity net of allowance</td>
<td>(23,040)</td>
<td>(3,117,705)</td>
</tr>
<tr>
<td>Restricted gifts</td>
<td>11,950</td>
<td>33,899</td>
</tr>
<tr>
<td>Changes in minimum pension liability</td>
<td>(127,775)</td>
<td>(1,253,368)</td>
</tr>
<tr>
<td><strong>Total Change in Net Assets</strong></td>
<td><strong>120,818</strong></td>
<td><strong>(4,230,169)</strong></td>
</tr>
</tbody>
</table>

**Notes:** $42,527 of Fellows revenue transferred to the Fellows Research Chair on Diversity and Law fund.
Allocation of Funding
FY 2009-2010
American Bar Foundation Research Projects

- 19% Legal Profession
- 16% Legal History and Social Role of Law
- 11% Discrimination
- 23% Law and Globalization
- 14% Criminal Justice
- 17% Civil Justice