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inside back cover

In Memoriam: Kenneth J. Burns, Jr.
Introduction to the American Bar Foundation

Mission

The American Bar Foundation is the nation’s leading research institute for the empirical study of law. An independent, nonprofit organization, for sixty 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 $3,290,626 in fiscal year 2011-2012 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.
# Officers and Directors of the American Bar Foundation

## 2011–2012

### Officers and Directors

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<td><strong>President</strong></td>
<td>William C. Hubbard</td>
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<td>Memphis, TN</td>
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<td>David A. Collins</td>
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<td><strong>Mortimer M. Caplin</strong></td>
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<td><strong>Lauren B. Edelman</strong></td>
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<tr>
<td>Wm. T. Robinson III</td>
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<td>Laurel G. Bellows</td>
<td>President-Elect, American Bar Association</td>
</tr>
<tr>
<td>Linda A. Klein</td>
<td>Chair, House of Delegates, American Bar Association</td>
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<tr>
<td>Lucian T. Pera</td>
<td>Treasurer, American Bar Association</td>
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<tr>
<td>N. Lee Cooper</td>
<td>President, American Bar Endowment</td>
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<tr>
<td>Alan S. Kopit</td>
<td>Chair of the Council of the Fund for Justice and Education, American Bar Association</td>
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<tr>
<td>Kim A. Yuracko (through December 2011)</td>
<td>Interim Dean, Northwestern University School of Law</td>
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<tr>
<td>Daniel B. Rodriguez (as of January 2012)</td>
<td>Dean, Northwestern University School of Law</td>
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<td>Doreen D. Dodson</td>
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<td>Myles V. Lynk</td>
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<td>Cheryl I. Niro</td>
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### Executive Committee

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### Special Advisors

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<td>Leonard H. Gilbert</td>
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<td>Jimmy K. Goodman</td>
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## 2012–2013

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<td>New York, NY</td>
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Past Presidents of the American Bar Foundation

2010–2012  William C. Hubbard
2008–2010  Richard Pena
2006–2008  David K.Y. Tang
2004–2006  Robert O. Hetlage*
2002–2004  M. Peter Moser*
2000–2002  Jacqueline Allee
1996–1998  Robert MacCrate
1994–1996  John C. Deacon*
1986–1988  Randolph W. Thrower
1984–1986  F. Wm. McCalpin*
1982–1984  Seth M. Hufstedler
1980–1982  John J. Creedon
1978–1980  Robert W. Meserve*
1976–1978  Bernard G. Segal*
1974–1976  Maynard J. Toll*
1971–1974  Hon. Erwin N. Griswold*
1968–1971  Lewis F. Powell*
1965–1968  Ross L. Malone*
1964–1965  William T. Gossett*
1960–1964  Whitney North Seymour*
1959–1960  John D. Randall*
1958–1959  Ross L. Malone*
1957–1958  Charles S. Rhyne*
1956–1957  David F. Maxwell*
1955–1956  E. Smythe Gambrell*
1954–1955  Loyd Wright*
1953–1954  William J. Jameson*
1952–1953  Robert G. Storey*

(Elected the first president on November 21, 1952)

* Deceased
This year marks the 60th anniversary of the founding of the American Bar Foundation. The American Bar Endowment created the American Bar Foundation in November 1952 “to insure that research projects are undertaken in an objective manner, … thus gaining the confidence of the profession and public….” Among the first major projects undertaken by the ABF was a comprehensive survey of the American legal profession by Blaustein and Porter, published as *The American Lawyer* in 1954. The report noted that only 2.48% of lawyers were women. It went on to observe, “[T]he majority of large law offices still refuse (short of war) to interview them for jobs….Women must work twice as hard as men for half the pay.” (p.29) The report did not even mention attorneys of color, even though it was published in the year of Thurgood Marshall’s victory in the landmark decision of *Brown v. Board of Education*.

The last sixty years have seen remarkable transformations in the legal profession, the system of justice, and the importance of social science research in law. The American Bar Foundation has shaped and been shaped by those changes. As the leading authority on the social structure of the bar, the ABF has chronicled the dramatic increase in the number of women and people of color in the legal profession. But ABF research also has reported the continuing lag in the presence of these groups amongst the best paid and most influential lawyers in the profession today. ABF research continues to pursue why that is so, through our signature study of lawyer careers—the After the JD Study—which has been following the entering bar class of 2000, and through our new initiative to endow the Fellows Research Chair in Diversity and Law and to create a Research Center on Diversity and Law.

This year the ABF reached its own milestone as Judge Bernice B. Donald of the United States Court of Appeals for the Sixth Circuit became our President; the first African-American woman and only the second woman to hold this office in our sixty year history. We are fortunate to have such an extraordinary leader at the head of our Board.

The pages that follow summarize a year of significant accomplishment for the ABF, as our scholars continued to gain national recognition for their research, as we were successful in every grant application submitted to the National Science Foundation and received more than $1M in new grant funds, and as the Fellows of the ABF again broke their fundraising record by raising $1.45M in contributions. These achievements are meaningful because knowledge can blaze a trail to justice. It was that vision that led the American Bar Endowment to create the American Bar Foundation and to sustain it over these sixty years through major funding. It is that vision that inspires our work today. We thank all of our supporters for sharing the vision that research can lead the way to a more just society.

Robert L. Nelson
ABF research faculty garnered several important awards for their work in 2012. Shari Seidman Diamond was elected to the American Academy of Arts and Sciences, in recognition of her influential contributions to empirical research on law and in particular the decision-making processes of juries. John Hagan was awarded the Harry J. Kalven, Jr. Prize from the Law and Society Association. Hagan’s award recognized his long career marked by extraordinary creativity and rigor on some of the most important issues of our time, including the treatment of homeless youth, genocide in the Balkans and in Darfur, the effects of incarceration on children, and gender inequality in the legal profession. Political scientist Bonnie Honig was honored with the David Easton Award by the Foundation of Political Theory Section of the American Political Science Association for her book, *Emergency Politics: Paradox, Law, Democracy* (Princeton University Press). The Easton Award is given for a book that broadens the horizons of contemporary political science by engaging issues of philosophical significance in political science through any of a variety of approaches in the social sciences and humanities.

In October we were delighted to learn that Research Professor Dylan C. Penningroth had been selected as a 2012 MacArthur Fellow. The John D. and Catherine T. MacArthur Foundation “Genius Grant” awards provide a $500,000 no-strings attached award to a small number of exceptional individuals each year. Penningroth plans to use the award to expand the scope of his project “Local Courts and African American Life,” which is currently funded by a grant from the National Science Foundation. In his research Penningroth uses court records such as docket books and case files from county courts in the United States between 1865 and 1950 to trace African Americans’ surprising relationship with the American legal system pre- and post-slavery. Penningroth is finding that while African-Americans often were being brutalized by law (and lawlessness) during this period, they also actively employed law to get married, get divorced, make contracts, claim property, and establish churches. We see here the early emergence of African-Americans as rights-bearers and rights-users—roles that laid the basis for the 20th century civil rights movement.

In November 2012 the ABF unveiled the public phase of its Pursuing the Promise campaign to endow the Fellows Research Chair in Diversity and Law as an essential first step in creating a Research Center on Diversity and Law. With the leadership of campaign co-chairs, David Houghton and Jimmy Goodman, the campaign has obtained financial support from the entire Board of the ABF and major gifts from Microsoft, Northrop Grumman, Walmart, Kirkland and Ellis, and Sidley Austin. Five distinguished past presidents of the ABA—Dennis Archer, Martha Barnett, Robert Grey, Roberta Cooper Ramo, and Stephen Zack—are serving as honorary co-chairs for the effort. The vision of the campaign is that although the legal profession has struggled to advance diversity for several years, and has made considerable progress on some fronts, much more remains to be done. For progress to continue, rigorous research is necessary to analyze the roots of continuing barriers to diversity and to suggest what policies and practices are most likely to advance diversity.
The ABF is well positioned to lead such an effort. As the leading source of research on the legal profession, the ABF has an established track record of pioneering work in this field. To advance this initiative, the ABF formed the Research Group in Legal Diversity, co-directed by David Wilkins of Harvard, Ronit Dinovitzer of Toronto, and Robert Nelson of ABF, and invited many of the nation’s leading scholars doing empirical research on diversity and law to participate.

In May the Research Group on Legal Diversity held its first conference, entitled “The Future of Legal Diversity: Kickoff Conference of the Research Group on Legal Diversity” in Chicago. Over the course of two days, thirty presenters and commentators from across the country, representing both practitioners and scholars, shared new data and insights into issues of diversity in the legal profession. Among the many speakers featured at the conference, ABF Affiliated Scholar Monique Payne-Pikus presented research from ABF’s “After the JD” study that showed that women and especially women of color report much higher levels of social isolation in law firms—a pattern that helps explain the higher attrition of those groups from law firms. Columbia Business School Professor Damon Phillips reported research demonstrating that part-time leave policies in law firms do not necessarily result in higher rates of retention or promotion for female associates. UCLA Law Professor Jerry Kang presented findings on the potential role of implicit bias in limiting the career opportunities of minorities and women in law firms and corporate law departments, as well as surprisingly simple ways to reduce the effects of implicit bias in hiring, evaluation, and promotion decisions.

A second conference is scheduled for May 2013. The 2013 conference will be organized around the theme of talent, with a particular interest in how predicting, measuring, developing, promoting, and retaining talent in professional fields intersects with diversity along the lines of race/ethnicity, gender, sexual orientation, disability, and religion. Information on the conferences and activities of the Research Group may be found on the ABF website.

In June ABF celebrated the publication of Research Professor Victoria Saker Woeste’s new book Henry Ford’s War Against Jews and the Legal Battle Against Hate Speech (Stanford University Press) with a book launch event in Detroit, Michigan. Held in the actual courtroom in which the trial of Henry Ford for libel against a leading Jewish attorney took place in 1927, the event featured a presentation by Woeste to an audience of Michigan Fellows.

ABF’s research program on access to justice, launched in 2011, moved forward in 2012 with two important initiatives. ABF Faculty Fellow Rebecca Sandefur won a grant from the National Science Foundation to begin the Community Needs and Services Study, an analysis of the problems faced by residents of a mid-sized Midwestern city, and the legal services in that community that do or do not meet those needs. In December Sandefur also convened a Workshop in Chicago—also funded by a grant from the National Science Foundation—where fifty leading scholars and legal services administrators met to discuss new methods and frameworks for conducting research on access to justice.
Highlights

In April The ABF’s Center on Law and Globalization (a joint effort with the University of Illinois College of Law) convened a conference, funded by the Rockefeller Foundation, at the Bellagio Conference Center, Lake Como, Italy, entitled “Discourses on Darfur: Science, Law, Media.” The goal of the conference was to begin to bridge the gaps between the worlds of international criminal law, scholarship and journalism, and to lay a foundation for more effective communication between these groups. The participants included chief prosecutors of international tribunals/courts, journalists from the world’s leading newspapers, and scholars from prominent universities. The conference produced suggestions for how scholars, journalists, and lawyers can collaborate to investigate claims of genocide and crimes against humanity and thereby establish accountability for those responsible for committing such crimes. These proposals will be published in a book of conference proceedings.

The Midyear Meetings of the American Bar Association held in February in New Orleans, Louisiana, included a Fellows Research Seminar entitled “Your Voice in the Future: The Role of Advance Directives Near the End of Life,” where Research Professor Susan Shapiro and her associate Rachel Bilow shared findings from her path-breaking research on surrogate decision-making at the end of life. The session was chaired by Doreen Dodson, Chair of the Fellows of the ABF, and included commentary by attorney and ABF Fellow Robyn S. Shapiro, the Reverend Donald P. Owens, Jr., Ph.D., and Dominique Anwar, M.D. The presentations led to a lively discussion about the tension inherent in the role of law at the end of life—law needs to protect decision makers in the unlikely event that they end up in court, and yet the specific constraints in advance directives can inadvertently create undesirable outcomes for both patients and decision makers.

The Montgomery Summer Research Diversity Fellowship program marked its 25th year with a celebration on July 18. In attendance were the 2012 Fellows, Fellows alumni, faculty, staff and ABF Director Robert Nelson and Affiliated Research Professor Bryant Garth. The program offers talented undergraduates from diverse backgrounds the opportunity to spend a summer working closely with an ABF Research Professor on their research and to experience the rewards and challenges of a research-oriented career in law and social science. The program now counts over 100 alumni who are working in the legal academy, law firms, business, government and the non-profit sector. During the academic year, ABF furthered its commitment to the next generation of scholars by hosting three returning and three new doctoral fellows. In September ABF was gratified to learn that the National Science Foundation renewed its grant to the joint Law & Society Association/American Bar Foundation program of residential fellowships for doctoral students. This crucial funding will allow ABF to host and mentor a total of eight to twelve promising young scholars in the field of law and social science over the next five years.

ABF Faculty continue to achieve an extraordinary success rate with grant applications to the National Science Foundation. The six applications submitted in 2012 were 100% funded, in comparison to the overall NSF success rate of 23%. Overall, ABF faculty brought in $1,143,648 in outside research funding in fiscal year 2011-2012.
The core of the ABF research program consists of research projects conducted by teams headed by members of the research faculty. 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. Proposals must meet the ABF mandate to produce research that advances the understanding and potential improvement of law, legal institutions, and legal processes. 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. The After the JD Study of Legal Careers is engaged in its third wave of data collection on the large national cohort of lawyers who passed the bar in the year 2000, supported from major grants by the National Science Foundation and the National Association of Law Placement Foundation. Through two waves of results the project reveals high levels of mobility among young lawyers and continuing differences in the career paths of attorneys along the dimensions of race, class, and gender. The data collected in 2012 will give us an opportunity to examine the impact of the economic downturn of 2008 on this cohort of lawyers. Emeritus Research Professor John Heinz and colleagues published several articles on the roles of lawyers in national politics, including a comprehensive empirical analysis of the networks of relationships among lawyers representing political organizations from the right to the left of the political spectrum.

Elizabeth Mertz and colleagues published a major report on their national study of the legal academy, After Tenure: Post-Tenure Law Professors in the United States. Their project found striking differences in perceptions of the fairness of the tenure review process between women, minorities, and white men. Mertz, Bryant Garth, and other ABF researchers are providing new scholarship about the role of social science in legal education. John Hagan and Gabriele Plickert’s comparative research on lawyers in the U.S. and Germany reveals significant differences in the effect of gender on lawyers’ careers in these two societies. Hagan continues to publish research from his and Fiona Kay’s longitudinal study of the careers of male and female lawyers in Toronto, tracking the divergence in men’s and women’s careers over more than 20 years. 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.

Diversity and Law

Diversity in the legal profession and matters of equal justice in the legal system have been prominent concerns of ABF research throughout its history and in the current research program. Heinz and Laumann’s Chicago Lawyers (1986) strikingly demonstrated that ethnicity and religion continued to shape the social organization of the Chicago bar in the mid-1970s. One of the streams of research for which James Heckman received the Nobel Prize in Economics was that which found dramatic effects of civil rights legislation on the labor market opportunities of African-Americans in the southern textile industry. The ABF is carrying on that strong tradition with several projects that examine differential career opportunities for attorneys of color, women, and other traditionally disadvantaged groups in the legal profession. For example, recent research has revealed that the proportion of women and people of color among a law firm’s partners has a greater impact on hiring, retention, and promotion than the presence of formal mentoring programs.

ABF projects also are examining the differential treatment of racial and ethnic groups in the American legal system. Research Professor Traci Burch is examining the relationship between race, skin color and imprisonment at the state level by analyzing sentencing outcomes for black and white men who are first time offenders in Georgia. Among other findings, she has learned that incarceration sentencing outcomes in Georgia vary by both race and skin color, even when controlling for factors such as offense severity and personal characteristics. Research Professor Shari Diamond’s research on juries has shown that jury size has a significant impact on the diversity of individual juries; in one study of Chicago juries, 28% of 6-member juries lacked even one black member, while only 2.1% of 12-member juries were without black representation. As noted in other sections of this report, the ABF is pursuing efforts to further build this research program with an endowed chair in diversity and law, as well as a center for research on diversity and law. In May of 2012
ABF hosted the first conference of the Research Group in Legal Diversity, the group that is charting the research agenda for the future center.

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. As mentioned in the Highlights section of this report, Penningroth’s award of a John D. and Catherine T. MacArthur Foundation Fellowship will allow him to greatly expand the scope of this project.

Access to Justice

In 2012 the ABF began its second year of important new research in the field of access to justice, under the leadership of Faculty Fellow Rebecca Sandefur. Sandefur’s work on the Mapping of Civil Legal Assistance in the United States is supported by national leaders in legal services. Her new project on Community Needs and Services, supported by a substantial grant from the National Science Foundation, promises to provide unique insights into civil legal need at a community level, as well as the mechanisms at the community level that do or do not meet that need. A National Science Foundation funded Workshop was held at ABF in December of 2012, bringing together the best scholars in the field from across the country to discuss new methods for better understanding of and solutions to this issue of national importance. The sessions were enriched by the presence of representatives from the Legal Services Corporation, the Public Welfare Foundation and the U.S. Department of Justice, among other organizations, laying the groundwork for future collaborations among researchers and practitioners.

Access to Civil Justice Workshop attendees participated in break-out sessions to identify the most pressing research projects and strategize on their implementation.

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 continues to publish important findings from her jury research project. Diamond’s research has played a role in changing jury rules at the state and federal level. She is working on a book that will bring these results together. The book promises to be the most important empirical study of the jury since Kalven and Zeisel’s American Jury (1966). Among Diamond’s recent findings, Diamond has shown that jurors who are allowed to discuss the case as the trial progresses show better accuracy of recall, and report greater comprehension of expert testimony. In October the ABF co-hosted, with the American Bar Association and Northwestern University School of Law, the 2012 National Symposium on the American Jury System, whose theme was “The Optimal Jury Trial”. The symposium was co-chaired by Diamond. 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 Stephen Daniels and colleague Joanne Martin continue to publish findings from their research on the effect of tort reform on plaintiffs’ lawyers in the State of Texas. 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. Another newly-published article employs interviews with plaintiffs and defendants to show that both sides in employment discrimination litigation are unhappy with the system, albeit for different reasons. While plaintiffs begin the process optimistically, the study finds, they face significant obstacles in properly defending their claims; they rarely get a final ruling based on the substantive merits of a case. These experiences cause them to view the process as unfairly biased in favor of defendant-employers. Yet, employer-defendants find unfairness in the fact that an employee has the power to initiate what they consider a “meritless” suit against the company to which they are required to respond. In a new experimental study, Nielsen and colleagues are comparing the judgments of ordinary citizens and judges about whether particular fact patterns constitute illegal employment discrimination. Previous research has been stymied by the inability to systematically vary case attributes that may be perceived as supporting or refuting claims of discrimination.

Law and Globalization
The ABF continues to lead in the field of empirical research on law and globalization. In 2012 three ABF Research Professors published important books in the field. Terence Halliday’s *Fates of Political Liberalism in the British Post-Colony* (Cambridge University Press), co-edited with Lucien Karpik and Malcolm M. Feeley, is a collection of essays on the former colonies of the British Empire in South Asia, Africa, and South East Asia that gained independence after World War II. The book shows how inherent contradictions within British colonial rule were resolved after independence in contrasting liberal-legal, despotic, and volatile political orders. Jothie Rajah examines the post-colonial legal system in Singapore, in her book *Authoritarian Rule of Law: Legislation, Discourse and Legitimacy in Singapore* (Cambridge University Press). She examines political discourse around the term “rule of law” in Singapore, arguing that the state there has adopted a new form of illiberal political order: the authoritarian rule of law. *Comparative Constitutional Design* (Cambridge University Press), a collection of essays edited by Research Professor Tom Ginsburg, examines the constitution building process around the world, analyzing choices about executive power and the constitutional amendment process, among other issues.

ABF faculty were active in other ways as well. Faculty Fellow Bernadette Atuahene has been studying land reform and redistribution in South Africa, work that was recognized by a Fellowship at Princeton’s Program in Law and Public Affairs. During part of her Fellowship year, Atuahene was in residence in South Africa, where her work was covered extensively in the national press and on national radio. In addition to her scholarly work, Atuahene is producing a documentary film on land reform in South Africa. ABF’s Center on Law and Globalization continued its work with an international conference, held in Lake Como, Italy, on “Discourses on Darfur: Science, Law, Media,” as noted in the Highlights section of this report.

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. 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. They have published or have in press three books, covering a range of types of societies and historical periods. Historian and Research Professor Victoria Woeste has published *Henry Ford’s War on Jews and the Legal Battle Against Hate Speech* (Stanford University Press, 2012), a brilliant historical analysis of the trial of Henry Ford for group libel against a leading Jewish attorney in the 1920’s. ABF’s world class political theorist, Research Professor Bonnie Honig, continues to produce research that leads the field of law and humanities. After publishing the award-winning *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, she has turned to the topic of civil disobedience and law.
Research Professor Traci Burch has been examining the effect of felon disfranchisement on presidential elections in 2004 and 2008. Burch has found that even in 2008, a year of greater than average voter participation among minorities and young people, ex-felon voter turnout was much lower than previous research has shown, averaging 22.2% within the five states under study. Yet, while low, these numbers represent an increase of participation among ex-felons from 2004 rates; imposing ex-felon disfranchisement laws still would have prevented thousands of people from voting. These and other findings will be published in her book *Punishment and Participation* (University of Chicago Press) in 2013.

Given striking differences in incarceration rates across racial groups, the research has important implications for equal political participation for American minority groups. ABF Faculty Fellow Christopher Schmidt is advancing our historical understanding of American constitutionalism through research on *Brown v. Board of Education*, as well as contemporary movements of popular constitutionalism (such as the Tea Party movement).

**Law and Health**

Three ABF projects are making highly original contributions to the burgeoning intersection of law and medicine. Carol Heimer is working to complete her study of the 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 is observing 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. Among her recent findings Heimer has shown that when AIDS clinic staff gain regulatory inspectors’ trust, clinic inspections move beyond displays of surface compliance to a more cooperative interaction through which inspectors gain access to the clinic’s “backstage,” where they can assess workers’ deeper conformity to ethical and scientific norms. But this kind of interaction is less likely in situations of material scarcity and where a large cultural divide exists between inspectors and clinic workers.

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. Shapiro’s preliminary findings show that in almost half of observed cases there is almost no evidence that advance directives made a difference in patients’ care, most often because the advance directive was ignored or disregarded by decision makers. In recognition of her innovative work Shapiro has received an Investigator Award in Health Policy Research from the Robert Wood Johnson Foundation, which will provide funding for the write-up phase of her project.

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. Heckman’s research was featured in a recent White House Conference on the future of American education and has been noted by commentators such as Nicholas Kristof of the *New York Times*. In May of 2012, Heckman addressed a plenary session and joined a roundtable with Harvard Law School Professor Charles J.
Ogletree to discuss “The Economics of the Achievement Gap: The Challenges and Price of Failure,” at the ABA Section of Individual Rights and Responsibilities (IRR) Law and Education Conference held at Boston University School of Law. Video of the session, which was organized by ABF Board Member and Chair of the IRR Kay Hodge, can be viewed on the ABF’s website at http://www.americanbar.org/groups/individual_rights/events_cle/2012_spring_conference_review.html

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. 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. New findings from this project suggest that these disadvantages may cluster at the level of schools, and that the incarceration of mothers can have pronounced effects on the life course of children in affected schools. These and other findings were presented by Hagan at the Fellows of the American Bar Foundation CLE seminar, “Mass Incarceration in America: Social and Political Consequences” during the ABA Annual Meeting in August. Hagan and colleague, Holly Foster, who are generously funded by the National Science Foundation, are continuing to examine these issues with new data from an ongoing national study of adolescent health. Hagan and colleagues also are examining the relationship between mortgage foreclosures and crime rates. Hagan’s research on the International Criminal Tribunal for the 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.

Janice Nadler has launched a new empirical study of the psychology of blame in the criminal process, which has begun to unearth the influence of assessments of moral character and motive on judgments about culpability. The criminal law is rife with many assumptions about these relationships, but these assumptions have not been examined empirically. Recently, Nadler has reported findings based on controlled experiments that suggest that an actor’s bad motive and bad moral character can increase not only perceived blame and responsibility but also increase perceived causal influence and intentionality, even when the character information is totally unrelated to the action under scrutiny.

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 latest 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.

In work related to her study of incarceration and politics, Traci Burch has documented the significant effect of skin color on periods of incarceration—a dramatic demonstration of ongoing challenges to equal justice in the American criminal justice system.
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 explores the impact of mass imprisonment and other aspects of the criminal justice system on political behavior. A book stemming from the project, entitled *Punishment and Participation: How Criminal Convictions Really Threaten American Democracy*, is in preparation.

Stephen Daniels  
Ph.D., Political Science, University of Wisconsin  
**Research Interests:** law and public policy; components of the U.S. civil justice system; legal education; U.S. Supreme Court/Constitutional Law. Research has addressed curricular innovation in U.S. law schools, 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 Project**  
**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, how juries grapple with evidence and the law, 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 and Beth Murphy)*  
This project was made possible by a unique opportunity to record real jury deliberations. The book currently under completion uses the deliberations of 50 civil trials to answer a variety of theoretical and policy-related questions about the jury, and to construct an in-depth picture of the deliberating 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 Beth Murphy)
This project studies approaches courts can use in revising jury instructions.

Tom Ginsburg
Ph.D., Jurisprudence and Social Policy, University of California, Berkeley
J.D., Boalt Hall School of Law, University of California, Berkeley

Joint Appointment: Leo Spitz Professor of Law and Professor of Political Science, University of Chicago

Research Interests: the drafting, design, and implementation of national constitutions; legal reform in Northeast Asia, and comparative notions of judicial independence.

Current ABF Project
Conceptualizing, Contextualizing, and Testing the Effects of the Rule of Law (with Robert Nelson)
This project explores the determinants of attitudes toward the rule of law, using data available from the World Justice Project.

John Hagan
Ph.D., Sociology, University of Alberta

Joint Appointment: John D. MacArthur Professor of Sociology and Law, Northwestern University

Research Interests: crimes against humanity in Iraq, mass incarceration in America, and the careers of lawyers in North America and Europe.

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.

Punishment Regimes and the Multi-Level Effects of Parental Imprisonment: Inter-Institutional, Inter-Generational and Inter-Sectional Models of Inequality and Exclusion (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. The approach is intergenerational in linking imprisoned parents to children; inter-institutional in connecting state punishment regimes with local schools; and intersectional in differentiating outcomes along racial/ethnic and gender lines of inequality and exclusion.

**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.

**Home Foreclosures and Criminal Violence** *(with Andrea Cann Chandrasekher)*

This is a study of the patterning of bank foreclosures in Chicago and the possible relationship of foreclosures to neighborhood increases in person and property crime.

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**Terence Halliday**

Ph.D., Sociology, University of Chicago

**Joint Appointment:** Adjunct Professor of Sociology, Northwestern University; Adjunct Professor, School of Regulation, Justice and Diplomacy, Australian National University; and Fellow, College of Asia and the Pacific, Australian National University

**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 major project studies the ability of China’s criminal defense lawyers to protect basic legal freedoms.

**Current ABF Projects**

**Global Legislators: The Making of International Trade Law** *(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, *The Fates of Political Liberalism in the British Post-Colony: The Politics of the Legal Complex*, 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.

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. New social experiments on early childhood interventions are being conducted as well, and important earlier experiments are being reanalyzed.

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.

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
This book project uses ethnographic and interview data from HIV clinics in the US, South Africa, Thailand, and Uganda to discuss the changing role of law in medicine. It argues that the legalization of medicine has had two main effects: a ratcheting up of people’s sense of obligation to each other as a result of the dialogue created by discussions of laws, regulations, and other kinds of rules, and an increased confusion about what clinic workers can and cannot do as a result of uncertainty about the provenance and variably binding character of the many rules governing clinic work.
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 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 in development will look 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, 2012)

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.
Elizabeth Mertz
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 legal profession; and how law translates the world around it. Examination of these questions through the methods of anthropology and linguistics.

Current ABF Project
After Tenure: Senior Status in the Legal Academy (with Katherine Barnes)
The After Tenure project is a national study examining the post-tenure experiences of law professors in the United States. It combines a national survey of almost 1,200 professors with in-depth interviews of 100 of those who responded to the survey in order to provide a greater understanding of the professional lives of law professors. The study sheds light on tenured law professors’ attitudes and experiences, including issues surrounding professional identity, social change, and diversity in the legal academy.

Janice Nadler
Ph.D., Social Psychology, University of Illinois; J.D. Boalt Hall School of Law, University of California, Berkeley
Joint Appointment: Benjamin Mazur Summer Research Professor, Northwestern University School of Law
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
Moral Judgment and the Psychology of Legal Blame
This project proposes to empirically investigate three factors that are hypothesized to influence psychological blame: the actor’s motive, the actor’s character, and the victim’s character. A central aim of the project is to inform criminal law theory about the factors that motivate the reasoning of ordinary people when they make judgments about blame and punishment.

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.
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 commenced in 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—that are 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.

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, Director of Legal Studies, 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

Access to Justice (with Rebecca L. Sandefur, Robert L. Nelson, and Aaron C. Smyth)

This project includes empirical research projects that investigate Americans’ experiences with their civil justice problems and the institutions of remedy that exist to serve them.

Contested Constructions of Discrimination (with Jill D. Weinberg and Jeremy Freese)

Contested Constructions uses experimental research to investigate how judges and laypeople define employment discrimination and perceptions of the legal system as the appropriate forum to adjudicate discrimination claims. By using a factorial survey design, it tests whether certain variables (alone or in combination) change an individual’s assessment of hypothetical workplace disputes, including
the effect of workplace context, plaintiff characteristics, and dispute characteristics. Second, in addition to understanding the variation within members of the same group—for example, how judges vary in their assessment of these disputes—this design allows us to compare how members of different groups think about discrimination.

Public Interest Law Firms (with Catherine R. Albiston)
Using a multi-method research design, this project investigates how lawyers in public interest law organizations (PILOs) conceptualize and pursue their goals. At the organizational level of analysis, the project is identifying the form of public interest law firms and the organization of public interest practice within public interest law organizations. The research is exploring these organizations’ relationship to their organizational field, including sources of funding, opportunities for action, and existing successful models of public interest practice.

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 from 1987 to 2003. It features a random sample of 1800 court filings and in-depth interviews with plaintiffs, defendants, and lawyers in a randomly selected subsample of cases.

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 book project seeks to describe and analyze African Americans’ participation in law at the local level from the Civil War to the beginnings of the modern civil rights movement. It combines legal and historical perspectives to trace out the legal culture of ordinary African Americans and to chart the meaning and practice of a central concept in American history: civil rights. Its evidence comes from a variety of cultural and legal documents, including a random sample of more than 4,200 trial court cases drawn from 23 counties.

Jothie Rajah
Ph.D., University of Melbourne; LL.B., National University of Singapore
Research Interests: the intersections of law, language and power in the following areas: law, legitimacy and authoritarianism; international organizations and the global public sphere in constructions of norms for the rule of law; and the relationship between law, religion and national identity.

Current ABF Project
Rule of Law Discourses
This study analyzes the different ways in which global institutional actors (the UN, the World Bank, the International Commission of Jurists, the World Justice Project) define ‘rule of law’ through a close reading of the texts and practices of these institutions in order to investigate global norms for the rule of law. By focusing on the normative content of global texts and practices, the study seeks to uncover the history and politics of global discourse on the rule of law.
Research Faculty

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.

Victoria Saker Woeste
Ph.D., Jurisprudence and Social Policy, University of California, Berkeley

**Research Interests:** The direction and scope of change in 20th century U.S. legal history, particularly in the fields of regulation and political economy; the history of speech rights under the First Amendment.

**Current Research Project**

*Speech and Civil Rights in the Post World War II Era*

This project in development explores the relationship between hate speech regulation, school desegregation, and public housing desegregation laws in Midwestern U.S. cities after 1945.

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

Professor of African and African American Studies and of Anthropology, Oppenheimer Fellow in African Studies, Harvard University; Honorary Professor of Social Anthropology, University of Cape Town

**Research Interests:** Crime, policing, and the workings of the state in Africa, democracy and difference in post-revolutionary societies, and postcolonial political economy in the global south.

**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.

Bryant G. Garth
Ph.D., European University Institute; J.D., Stanford Law School

Professor, University of California-Irvine School of Law; Dean Emeritus, Southwestern Law School; Director Emeritus, American Bar Foundation

**Research Interests:** The legal profession, how globalization is transforming the role of law and lawyers in different areas of the world, law and development, transnational law, legal education.

**Current ABF Project**

*After the J.D.* (with Ronit Dinovitzer, Gabriele Plickert, Robert Nelson, and Joyce Sterling)

Please refer to Robert Nelson’s entry for project description.
Christopher L. Tomlins
Ph.D., American History, Johns Hopkins University
Chancellor’s Professor of Law, University of California-Irvine, School of Law
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. Currently in the early stages of new research on the Southampton (Virginia) slave revolt of 1831, known as the Turner Rebellion. Additional recent research has included several projects on the theory and method of legal history—the history of the treatise; the course of legal history “after” critical legal history; and the intersection between legal history and the critical theory of Walter Benjamin.

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: Associate 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 Project
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.

Corporate Purchasing of Legal Services
This project, which is a collaborative effort with the Program on the Legal Profession at Harvard Law School, examines the processes by which large corporations, and in particular the general counsel of these large corporations, go about finding, selecting, and evaluating outside counsel for a variety of legal work. Using in-depth interviews with general counsel of Fortune 500 companies, publicly available data, and a survey of general counsel, this project will provide the first systematic examination of the structure of purchasing of corporate legal services.

Sida Liu
Ph.D., Sociology, University of Chicago

Joint Appointments: Assistant Professor of Sociology and Law, University of Wisconsin-Madison; Research Fellow, Shanghai Jiao Tong University KoGuan Law School

Research Interests: legal profession; socio-legal theory; work and occupations; political sociology; globalization. Current research examines the historical change, social structure, political mobilization, and globalization of the legal profession in China and beyond.

Current ABF Project
Lawyers in the Pursuit of Basic Legal Rights: Criminal Defense in China
(with Terence C. Halliday)
Please refer to Terence Halliday’s entry for project description.

Rebecca L. Sandefur
Ph.D., Sociology, University of Chicago

Joint Appointment: Assistant Professor of Sociology, University of Illinois

Research Interests: how inequality becomes institutionalized. Past work has focused on legal contexts, integrating the subfields of the sociology of law and the sociology of inequality. This research has investigated law and inequality from two sides: from the perspective of lawyers and justice institutions and from the perspective of the public that encounters civil-law problems.

Current ABF Projects
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.
Accessing Justice in Contemporary America: The Community Needs and Services Study (with Laura Beth Nielsen and Pascoe Pleasence)
This community-sited, multi-method study investigates the American public’s experiences with problems that fall within the purview of the civil justice system.

Christopher W. Schmidt
Ph.D., History of American Civilization, Harvard University; JD, Harvard Law School
Joint Appointment: Assistant Professor, Chicago-Kent College of Law
Research Interests: the intersection of social movement mobilization and constitutional change in recent American history; the ways in which constitutional claims emerge and develop outside the courts, and the effect of these extrajudicial claims on legal doctrine. Current research focuses on the egalitarian constitutionalism of the civil rights movement; and the libertarian constitutionalism that has gained traction with the rise of populist conservatism in recent decades.
Current Research Project
This book offers a kind of biography of the Supreme Court’s most famous decision. It begins with Brown’s origins in the distinctive atmosphere of post-World War II racial liberalism, and then traces the ways in which subsequent generations of Americans fought over the meaning and significance of Brown, in effect re-creating the decision on their own terms and for their own purposes.

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.

Gabriele Plickert
Ph.D., Sociology, University of Toronto
Research Interests: Life course, mental health, social stratification, gender, crime and deviance, quantitative methods. Recent work builds on the aim to understand the complexities of social context and the consequences for individual success, well-being, and social functioning by exploring national differences in employment and the effects on personal lives among professionals, examining the effects of work satisfaction on developments of depression across the life course, and investigating the role of peers and schools on educational outcomes among high school students.
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.
Faculty Publications

Traci Burch
- *Punishment and Participation* (University of Chicago Press, forthcoming 2013)

Stephen Daniels
- Editor (with J. R. Bowers), *Inside Campaigns: Chronicles—and Lessons—from the Trenches* (Lynne Rienner, 2011)
- “Plaintiffs’ Lawyers: Dealing with the Possible But Not Certain” (with J. Martin), 60 *DePaul Law Review* 337 (2011)

Shari Seidman Diamond
- “Damage Anchors on Real Juries” (with M.R. Rose, E.L. Murphy, & J. Meixner), 8 *Journal of Empirical Legal Studies* 148 (2011)

Tom Ginsburg
- “The Empirical Turn in International Legal Scholarship” (with G. Shaffer), *106 American Journal of International Law* 1 (2012)
John Hagan

- “Children of the American Prison Generation: Student and School Spillover Effect of Incarcerating Mothers” (with H. Foster), 46 Law & Society Review 37 (2012)
- “Intergenerational Educational Effects of Mass Imprisonment in America” (with H. Foster), 85 Sociology of Education 259 (2012)
- “Fighting Human Trafficking or Instituting Totalitarian Control? The Political Co-optation of Human Rights Protection in Belarus” (with M. Zaloznaya), in K. Davis, A. Fisher, B. Kingsbury, & S. Merry, eds., Governance by Indicators: Global Power through Quantification and Rankings (Oxford University Press, 2012)

Terence Halliday

- “Why the Legal Complex is Integral to Theories of Consequentialist Roles in Global Perspective” (Cambridge University Press, forthcoming 2013)
- “The Legal Complex” (with L. Karpik), 7 Annual Review of Law and Social Science 217 (2011)

James J. Heckman

- “Understanding the Mechanisms Through Which an Influential Early Childhood Program Boosted Adult Outcomes” (with R. Pinto & P. Savelyev), American Economic Review (forthcoming)
- “Promoting Social Mobility,” Lead Article, Forum on Promoting Social Mobility, Boston Review, September/October (2012). Available online at: http://www.bostonreview.net/BR37.5/ndf_heckman_social Mobility.php
- “The Economics of Inequality: The Value of Early Childhood Education,” American Educator (Spring, 2011)

Carol A. Heimer

- “‘Wicked’ Ethics: Compliance Work and the Practice of Ethics in HIV Research,” Social Science and Medicine (forthcoming)
Faculty Publications

Bonnie Honig
• Antigone Interrupted (Cambridge University Press, forthcoming 2013)
• “Judith Butler’s Jewish Modernity” (with J. Ackerman), in Zyrtal, Steinberg, et al, eds., Thinking Jewish Modernity (forthcoming 2013)
• “By the Numbers” in M. Walzer, ed., The Jewish Political Tradition, Vol 3 (Yale University Press, forthcoming 2013)

John P. Heinz
• “Lawyers in National Policymaking” (with A. Paik & A. Southworth), in S. Cummings, ed., Law and the Possibility of Justice (Cambridge University Press, 2011)
• “Political Lawyers: The Structure of a National Network” (with A. Paik & A. Southworth), 36 Law & Social Inquiry 892 (2011)

Robert L. Nelson
• Editor (with J.C. Botero & C. Pratt), Special Issue on Measuring the Rule of Law, 3 Hague Journal of the Rule of Law (2011)

Elizabeth Mertz
• Editor (with W. Ford & G. Mattoesian), Translating the Social World for Law (Ashgate Publishing, forthcoming 2013)
• “Comparative Anthropology of Law” (with M. Goodale), in D. Clark, ed., Comparative Law and Society (Edward Elgar, 2012)

Janice Nadler

Steven D. Levitt
• “Predicting and Preventing Shootings among At-Risk Youth” (with D. Chandler & J. List), 101 American Economic Review 288 (2011)

Laura Beth Nielsen
• “Examining Empathy: Judge and Plaintiff Minority Status and the Viability of Discrimination Claims at Summary Judgment” (with J. Weinberg), 85 University of Southern California Law Review 313 (2012)
• “Funding the Cause: How Public Interest Law Organizations
Fund their Activities and Why it Matters for Social Change” (with C. R. Albiston), Law and Social Inquiry (forthcoming)

Dylan C. Penningroth

- Jothie Rajah
- “Transnational Legal Ordering through ‘Rule of Law’ Discourse,” in T. Halliday & G. Shaffer, eds., Transnational Legal Orders (forthcoming)

Susan P. Shapiro


Victoria Saker Woeste

- Henry Ford’s War on Jews and the Legal Battle Against Hate Speech (Stanford University Press, 2012)

John L. Comaroff

- Theory from the South: Or, How Euro-America is Evolving Toward Africa (with Jean Comaroff) (Paradigm Publishers, 2011)
- “Law As...”: Theory and Practice in Legal History” (with C.L. Tomlins), 1 UC Irvine Law Review 1039 (2011)

Bryant G. Garth

- “Lost in Translation: On the Failed Encounter Between Bourdieu and Law and Society Scholarship and Their Respective Blindnesses” (with Y. Dezaley), forthcoming in Critical Perspectives on Global Governance: A Festschrift for Dave Trubek (Hart, forthcoming 2013)
- “Corporate Law Firms, NGOs, and Issues of Legitimacy for a Global Legal Order” (with Y. Dezaley), 60 Fordham Law Review 2309 (2012)
- “Marketing Professional Expertise by (Re)Inventing States: Professional Rivalries between Lawyers and Economists as
Faculty Publications


Christopher L. Tomlins

• "Demonic Ambiguities: Enchantment and Disenchantment in Nathaniel Turner's Virginia,” UC Irvine Law Review (forthcoming)
• “Animals Accurs’d: Ferae Naturae and the Law of Property in Nineteenth Century North America,” University of Toronto Law Journal (forthcoming)
• “The State, the Unions and the Critical Synthesis in Labor Law History: A 25-year Retrospect,” Labor History (forthcoming)
• “After Critical Legal History: Scope, Scale, Structure,” 8 Annual Review of Law and Social Science 1 (forthcoming 2012)
• “Law As ...? Theory and Practice in Legal History” (with J. Comaroff), 1 UC Irvine Law Review 1039 (2011)

Bernadette Atuahene

• “South Africa’s Land Reform Crisis,” Foreign Affairs (July/August, 2011)

Ronit Dinovitzer


Sida Liu


Rebecca L. Sandefur


Christopher W. Schmidt


Elizabeth L. Murphy


Gabriele Plickert

• “Professional Work and the Timing of Family Formation among Young Lawyers in U.S. and German Cities” (with J. Hagan), 18 International Journal of the Legal Profession 237 (2011)
Faculty Presentations

Traci Burch
• “Mass Incarceration and Voter Turnout,” Brown University, Providence, RI, October 2012
• “Remarks on Studying Criminal Justice in Political Science,” Chicago Area Behavior Conference, Northwestern University, Evanston, IL, May 2012

Stephen Daniels
• “Law and Society,” Classics of Legal Scholarship Seminar Series, Sturm College of Law, University of Denver, Denver, CO, September 2012
• “Civic Education and the Legal Profession,” Missouri Fellows of the American Bar Foundation Meeting, Kansas City, MO, September 2011
• “An Embarrassment of Riches: The Effects of the Economic Downturn on Pro Bono Services and Legal Services to the Poor” (with J. Martin), Ben J. Altheimer Symposium, Reframing Public Service Law: Innovative Approaches to Integrating Public Service into the Legal Profession, University of Arkansas, Bowen School of Law, Little Rock, AR, March 2011

Shari Seidman Diamond
• “Total Justice,” Carmen Tortora Lectures, Quinnipiac University Law School, Hamden, CT, October 2011

Tom Ginsburg
• “Constitutional Endurance: Implications for Kenya,” Kenyatta University, Nairobi, September 2012
• Plenary Panel, “Asian Constitutionalism,” Law and Society Association Annual Meeting, Honolulu, HI, June 2012
• Keynote Plenary on “Judicialization of Politics in Asia—An Overview,” National Taiwan University Institute of Advanced Study, Taipei, Taiwan, June 2012
• “The Empirical Study of Constitutions,” ETH Zurich, Switzerland, March 2012

John Hagan
• “Death in Darfur,” Conference on Discourse on Darfur, Rockefeller Foundation, Bellagio, Italy, April, 2012
• “Social Science Evidence and the Darfur Genocide,” Conference on Social Science and International Criminal Law, University of Amsterdam, April 2012

Terence Halliday
• “Politics in Everyday Work: Motivations and Coping Strategies of Chinese Criminal Defense Lawyers,” University of Hong Kong Law School, Hong Kong, October 2011, and East Asia Law and Society Conference, Seoul, Korea, September 2011

James J. Heckman
• “Hard Evidence on Soft Skills,” Keynote Address, 2012 Chinese Economists Society Annual Conference, Henan University, Kaifeng, China, June 2012
• “Hard Evidence on Soft Skills,” Robert (Bob) J. Lampman Memorial Lecture, Institute for Research on Poverty (IRP) at the University of Wisconsin, Madison, WI, May 2012
• “Hard Evidence on Soft Skills,” Frank Knight Lecture, Cornell University, Ithaca, NY, April 2012

Carol A. Heimer
• “Blue Moon Regulation: Why the Have-Nots Occasionally Come Out Ahead,” Society for the Advancement of Socioeconomics Annual Meeting, Cambridge, MA, July 2012
• “From the Courtroom to the Examining Room: What Rights Mean in HIV Clinics,” Law and Society Association Annual Meeting, Honolulu, HI, June 2012
• “‘Wicked’ Ethics: Compliance Work and the Practice of Ethics in HIV Clinics,” Wagner School of Public Policy, NYU, New York, March 2012; Department of Sociology, University of California at Berkeley, April 2012
Faculty Presentations

**John P. Heinz**

**Bonnie Honig**
- Roundtable on Jeffrey Stout’s book, Blessed Be the Organized, American Academy of Religion Annual Meeting, Chicago, IL, November 2012
- Political Philosophy Colloquium, Princeton University, Princeton, NJ, November 2012
- Presenter, Tragic Vision, Democratic Hope: A Conference in Honor of J. Peter Euben, Duke University, Durham, NC, November 2012
- “Representational Legality: Reading Culture, Thinking Law,” Griffith Law School, Noosa, Australia, August 2012

**Steven D. Levitt**
- Keynote Speaker, University Foundation Banquet, University of Nevada, Reno, NV, September 2011

**Elizabeth Mertz**
- “Satisfaction After Tenure: Diversity in the Legal Academy,” (with K. Barnes), American Bar Foundation Seminar, Chicago, IL, April 2012
- “A New Legal Realism for the 21st Century,” Conference on “New Frontiers of Legal Realism: American, Scandinavian, European, Global” (with H. Klug), University of Copenhagen, Copenhagen, Denmark, May 2012
- “Research on Law School Education,” Faculty of Law, University of Copenhagen, Copenhagen, Denmark, May 2012

**Janice Nadler**
- “The Influence of Initial Trust Perceptions on Integrative Negotiation Outcomes,” UCLA School of Law Negotiation and Conflict Resolution Colloquium, April 2012
- “Blame, Emotion, & Moral Character,” Faculty Workshop, University of Chicago Law School, February 2012

**Robert L. Nelson**
- “Trends in Legal Diversity: Patterns and Predictors,” Regional Meeting of Leadership Council on Legal Diversity, Chicago, IL, June 2012
- “Racial and Gender Differences in Career Attainment in AJD2” (with M. Payne-Pikus & J. Hagan) and Convener, Kickoff Conference, the Research Group in Legal Diversity, Chicago, IL, May 2012

**Laura Beth Nielsen**
- “Law in Motion: The Multiple Futures of Law & Society Research,” Invited Conference Speaker, Center for the Study of Law and Society, University of California Berkeley, Berkeley, CA, November 2011
- “Conceptualizing and Measuring Justice (Conference III),” Co-convener, American Bar Foundation, Chicago, IL, October 2011

**Dylan C. Penningroth**
- “African Americans’ Use of Law Before the Civil Rights Era,” American Bar Foundation Legal Diversity Conference, Chicago, IL, May 2012
- “Black Inheritance: Rights and Genealogies after Slavery,” American Society for Legal History, St. Louis, MO, November 2012
- Panelist, “Beyond Freedom: New Directions in the Study of Emancipation,” Gilder-Lehrman Center, Yale University, New Haven, CT, November 2011

**Jothie Rajah**
- “Rule of Law’ as Global Discourse,” SIAS Summer Institute, Bloomington, IN, July 2012
- “Rule of Law Discourses as Transnational Legal Order,” Law & Society Association Annual Meeting, Honolulu, HI, June 2012
- “Of Masks and Absences: Cause Lawyering in Singapore,” Law & Society Association Annual Meeting, Honolulu, HI, June 2012
- “Indicators and Transnational Meta-Narratives on Rule of Law,” Conference on Transnational Legal Orders, Kingston, Jamaica, February 2012
Susan P. Shapiro

- “Impersonal Trust: A Retrospective Look from a New Century,” Law & Society Association Annual Meeting, Honolulu, HI, June 2012

Victorial Saker Woeste

- Southwestern University Law School, Los Angeles, CA, October 2012
- Los Angeles Museum of Tolerance, Los Angeles, CA, October 2012
- Center for Jewish History, New York, NY, October 2012

John L. Comaroff

- “Theory from the South Revisited,” Graduate Institute, Geneva, Switzerland, October 2012

Bryant G. Garth

- “After the JD and Its Lessons for Studying Lawyers’ Careers Within and Outside of the US,” Workshop on Standardizing International Research on Legal Careers, the Center on the Global Legal Profession, Indiana University Maurer School of Law, Bloomington, IN, April 2012
- “Social Capital and Legal Capital: A Perspective on Asian Legal Developments,” University of Denver Sturm College of Law, Denver, CO, February 2012

Christopher L. Tomlins

- “Freedom Bound, After Two Years: Intention, Reception, Revision, Contribution,” Conference on the Legal Histories of the British Empire: Law, Spaces, Cultures & Empire: Engagements & Legacies, National University of Singapore, Faculty of Law, July 2012

Bernadette Atuahene

- “Property-Induced Invisibility: When the Expropriation of Property Removes People from the Social Contract,” School of International and Public Affairs, Columbia University, New York, NY, October 2012
- “We Want What’s Ours: An Evaluation of South Africa’s land Restitution Program,” University of Witwatersrand, Johannesburg, South Africa, July 2012
- Keynote Speaker, Sergio Arboleda Center for Studies on Transitional Justice, Victims and Land Restitution, Bogatá, Colombia, March 2012

Ronit Dinovitzer

- “Corporate Lawyers and their Clients: Walking the line between law & business” (with S. Gunz & H. Gunz), Banff International Legal Ethics Conference V, Banff, Alberta, July 2012
Faculty Presentations

Elizabeth L. Murphy

Gabriele Plickert
- “Effects of professional work on women lawyers’ timing of family formation in German and U.S. Cities,” International Legal Profession Group Meeting, Bonn, Germany, July 2012
- “Paradoxical Choices? Gendered Career Trajectories of Law School Graduates in the U.S. and Germany,” Law and Society Association Annual Meeting, Honolulu, HI, June 2012
- “German/US Gender Comparison in Legal Careers,” Conference on Legal Diversity, American Bar Foundation, Chicago, IL, May 2012

Sida Liu
- “The Tournament of Lawyers and Firms: How Large Law Firms Expand in China,” Clifford Symposium on Tort Law and Social Policy, DePaul University College of Law, Chicago, IL, April 2012
- “Legal Service Providers in Rural China,” Empowering the Powerless? Legal Services for Vulnerable Populations in China and India Symposium, Indiana University Maurer School of Law, Bloomington, IN, February 2012
- “The Shape of Chinese Law,” Zhejiang University Guanghua Law School, Hangzhou, China, June 2011

Rebecca L. Sandefur

Christopher W. Schmidt
- “Popular Constitutionalism on the Right,” American Society of Legal History Annual Meeting, St. Louis, MO, November 2012
- “Divided by Law: The Sit-Ins, Legal Uncertainty, and the Role of the Courts in the Civil Rights Movement,” Legal History Workshop, University of Michigan Law School, Ann Arbor, MI, February 2012
Recognition and Professional Service

Traci Burch
- Member, American Political Science Association, Urban Politics Section Executive Council
- Member, Law and Society Association Diversity Committee
- Northwestern University Legal Studies Faculty Advisory Board
- Associate Editor, Law and Social Inquiry

Stephen Daniels
- Member, Chicago Appleseed Fund for Justice Advisory Board for the Center for Judicial Performance and Integrity
- Member, Chicago Appleseed Fund for Justice Judicial Performance Commission, Chicago, IL, 2010-2012
- Member, Steering Committee for the development of the IAALS, University of Denver Educating Tomorrow’s Lawyers Initiative, 2010-2011
- Member, Planning Committee for IAALS, University of Denver Educating Tomorrow’s Lawyers 2012 Conference, “The Development of Professional Identity in Legal Education: Rethinking Learning and Assessment,” 2011-2012
- Advisor, Educating Tomorrow’s Lawyers Initiative, 2011–present
- Participant, Amicus Curiae Brief of Professors Neil Vidmar, et al. in Support of Plaintiffs in Deborah Watts v. Lester E. Cox Medical Centers et al. (Supreme Court of Missouri, Case No. 91867), constitutional challenge to cap on damages in medical malpractice cases, October 2011
- Participant, Amicus Curiae Brief of Professors Neil Vidmar, et al. in Support of Plaintiffs in Estate of Michelle Evette McCull, et al. (Supreme Court of Florida, Case No. SC11-1148), constitutional challenge to cap on damages in medical malpractice cases, August 2011
- Member, Editorial Board, Justice System Journal 2004–present

Shari Seidman Diamond
- Elected member, American Academy of Arts & Sciences, 2012
- Special Advisor, ABA Commission on the American Jury Project, 2012-2013
- Faculty Director, JD/PhD Program, Northwestern U. Law School
- Member, Seventh Circuit, Pattern Criminal Jury Instructions Committee
- Member, Honorary Degrees Committee, Northwestern University, 2011-2012
- Chairperson, Dean’s Search Committee, Northwestern University, 2011
- Co-President, Society for Empirical Legal Studies, 2010-2011; Member, Board of Directors, 2008-2012
- Member, Executive Director Search Committee, Law & Society Association 2010-2011

Tom Ginsburg
- Named Leo Spitz Chair of International Law, University of Chicago, July 2011

John Hagan
- Harry J. Kalven, Jr. Prize, Law & Society Association
- Peterson-Krivo Mentoring Award, American Sociological Association, Crime, Law & Deviance Section

Terence Halliday
- Co-Director, Center on Law and Globalization, American Bar Foundation and University of Illinois College of Law
- Team Leader, External Assessment of the International Monetary Fund's Financial Integrity Group program on Reports of Observance of Standards and Codes for Anti-Money Laundering and Combating the Financing of Terrorism
- Co-Organizer, Second Hague Colloquium, Systematic Sexual Violence and Victims' Rights, Organized by the Center on Law and Globalization of the University of Illinois College of Law and American Bar Foundation in cooperation with Grotius Centre for International Legal Studies, Leiden University/Campus The Hague and The International Victimology Institute, Tilburg (INTERVICT) and the Department of Criminal Law, Tilburg University, April 2011
- Co-Convenor, Collaborative Research Network, The Legal Complex and Political Liberalism, Law and Society Association
- Elected Member, International Insolvency Institute

James J. Heckman
- President, The Econometric Society, 2013 (Cycle: Second Vice-President, 2010-2011; First Vice-President, 2011-2012; President, 2013)
- Member, Research Council, Becker-Friedman Institute for Research in Economics, 2011–2014
- Associate Editor, IZA Journal of Labor Economics, 2012–

Carol A. Heimer
- Member, Editorial Board, Sociological Theory
- Member, Executive Board, Regulation and Governance

John P. Heinz
- Lifetime Achievement Award, Chicago Council of Lawyers and the Chicago Appleseed Fund for Justice, October 2011
- Member, Board of Directors, Chicago Appleseed Fund for Justice

Bonnie Honig
- David Easton Prize, American Political Science Association
- Okin-Young Award, American Political Science Association
- Member, Editorial Board, Journal of Citizenship Studies, 2010-2012
Recognition and Professional Service

- Member, Editorial Board, Ethics & Global Politics

Steven D. Levitt
- Editor, Journal of Political Economy

Elizabeth Mertz
- Chair, Law and Society Association Nominations Committee
- Association of American Law Schools Committee on Professional Development (Organizer, pilot program training law professors in qualitative empirical methods)
- American Association of Law Schools Committee on Special Programs for the Annual Meetings
- Member, Editorial Board, Emerging Legal Education Book Series, Ashgate Press
- Co-Organizer, International Research Network on Legal Education, Law & Society Association
- Member, Editorial Board, Language and Law Book Series, Oxford University Press

Janice Nadler
- Member, Executive Board, Dispute Resolution Research Center, Northwestern University

Robert L. Nelson
- Co-Director, Research Group on Legal Diversity, American Bar Foundation
- Member, Study Team, National Quality Improvement Center on Child Representation in the Child Welfare System, University of Michigan
- Immediate Past 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

Laura Beth Nielsen
- Secretary, Law and Society Association
- Editor, Law & Social Inquiry
- Primary Drafter, Amicus Brief on behalf of the American Sociological Association, in support of respondents in Wal-Mart Stores, Inc. v. Dukes, Supreme Court, docket #10-277 (2011)
- Drafted, Amicus Brief on behalf of the Institute for Women’s Policy Research, George Washington University, in support of respondents in Wal-Mart Stores, Inc. v. Dukes, Supreme Court, docket #10-277 (2011)

Dylan C. Penningroth
- Fellow, MacArthur Foundation
- Faculty Senate, Northwestern University
- Legal Studies Faculty Advisory Board, Northwestern University
- Associated Student Government Faculty Honor Roll
- Planning Committee, Northwestern University History Department
- Graduate Affairs Committee, Northwestern University History Department

Jothie Rajah
- Fellow, SIAS Summer Institute 2011-2012, Regulating the World Society: Law, Governance and the Quest for Global Justice, National Humanities Center/Institute of Advanced Studies, Berlin, Germany
- Member, Conference Steering Committee, First International Conference on the Legal Histories of the British Empire, July 2012, supported by the American Society of Legal History, the Australian and New Zealand Legal History Association, and the Osgood Society for Canadian Legal History
- Co-Convenor (with W. Pue & B. Blum), Collaborative Research Network 15, British Colonial Legalities, Law & Society Association
- Honorable Mention, Law & Society Association Dissertation Committee, 2011
- Harold Luntz Graduate Thesis Award for Excellence in the PhD, University of Melbourne Law School, 2011

Susan P. Shapiro
- Robert Wood Johnson Foundation Investigator Award in Health Policy Research, 2012

Victoria Saker Woeste
- Judge, California Supreme Court Historical Society Law Student Essay Competition
- Member, Board of Directors, American Society for Legal History, 2010-2012
- Member, Cromwell Prize Committee, American Society for Legal History, 2010-2012
- Chair, J. Willard Hurst Book Prize Committee, Law and Society Association
- Manuscript reviewer, Agricultural History, Enterprise and Society, Law and Social Inquiry, 2012
- Associate Editor, Law and Social Inquiry
John L. Comaroff

- Member, Editorial Board, Annual Review of Law and Social Science
- Patron, Organisation of Intra-Cultural Development
- Member, International Review Committee, Max Planck Institute for Social Anthropology
- Honorary Professor, University of Cape Town, 2010-2015
- Member, Editorial Group, Journal of Anthropological Research
- Member, Editorial Advisory Board, Hagar: International Social Science Review
- Member, International Advisory Board, Social Dynamics
- Member, Editorial Board, Afrika Spectrum

Bryant G. Garth

- Co-Editor, Journal of Legal Education
- Chair, Law School Survey of Student Engagement (LSSSE) Advisory Committee
- Chair, ABA Section on Legal Education and Admission to the Bar Publications Committee

Christopher L. Tomlins

- Scholar-Advisor to the American Bar Association Division of Public Education Project, Civility and Free Expression in a Constitutional Democracy—A National Dialogue (part of the National Endowment for the Humanities program, Bridging Cultures)
- Editor, Cambridge Historical Studies in American Law and Society (monograph series, for Cambridge University Press), 1994-
- Co-editor, Cambridge New Histories of American Law (monograph series, for Cambridge University Press), (with Michael Grossberg), 2008-
- Organizer, University of California Irvine School of Law Conference, Law As... II: History as Interface for the Interdisciplinary Study of Law, March 2012
- Member, American Antiquarian Society, 2011-
- Member, Law & Society Association, Board of Trustees, 2011- (three year term)
- Member, Editorial Board, Law and Society Review, 2010-
- Member, Editorial Committee, Annual Review of Law and Social Science, 2009- (five-year term)
- Member, International Editorial Advisory Board, Labour/Le Travail, 1995-
- Member, Fellowships and Awards Committee, American Society for Legal History, 2005-
- Chair, Honors Committee, American Society for Legal History, 2010-
- Member, Projects and Proposals Committee, American Society for Legal History, 2010-
- Chancellor's Professor of Law, University of California Irvine, 2009-
- Director, Irvine Program in Law and Graduate Studies, 2010-

Bernadette Atuahene

- Fellow, Program in Law and Public Affairs, Princeton University
- Fellow, Woodhull Institute for Ethical Leadership
- Editor, SSRN Transitional Justice eJournal
- Council on Foreign Relations International Affairs Fellow

Ronit Dinovitzer

- University of Toronto, Dean’s Merit Award, 2012
- Law School Admission Council Grants Committee, 2009-2012
- Department of Sociology, Executive Committee, 2010-12
- Department of Sociology (UTM), Third Year Review Committee, 2012
- Department of Sociology (UTM), Lecturer Search Committee, 2012
- Department of Sociology (UTM), PTR Committee, 2011, 2012
- Undergraduate Ethics Review Committee (UTM), 2010-2012

Sida Liu

- Woodrow Wilson Center Fellowship, Woodrow Wilson International Center for Scholars
- Dissertation Prize Committee Member, Law & Society Association
- Deputy Director, Law & Society Center, Shanghai Jiao Tong University

Rebecca L. Sandefur

- 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

Christopher W. Schmidt

- Associate Editor, Law & Social Inquiry
- Co-Chair, American Bar Foundation/Illinois Legal History Seminar
- Legal History Section Editor, Jotwell (online)
- Co-Organizer, Symposium on “The Supreme Court and the Public,” Chicago-Kent College of Law, 2012
- Kathryn T. Preyer Memorial Prize Committee, American Society for Legal History
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. Law & Social Inquiry's content represents multiple disciplines such as anthropology, criminology, economics, history, law, philosophy, political science, sociology and social psychology. Past articles have been awarded such distinctions as the 2011 Law & Society Article Prize. 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 blind peer review process. Publication decisions are made by Law & Social Inquiry's editorial committee.

In addition to the high quality of the original research that it publishes, Law & Social Inquiry is widely known for its review essays and 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. Each issue of the journal also includes “Book Notes” that present brief descriptions of twenty or thirty recently published books of interest to those working in the field of sociolegal studies. Law & Social Inquiry holds an annual student paper competition for graduate and law students, which includes a monetary prize and publication of the winning paper. Law & Social Inquiry offers—advance online publication using Early View on the Wiley Online Library.

Law & Social Inquiry does not serve as a dedicated outlet for the research of American Bar Foundation professors and affiliated scholars, but they play an important role in the journal’s success, both as contributors and as editors.

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 2012 include: “Conceptions of Law in the Civil Rights Movement” (Christopher Schmidt); “Lawyers, Structure and Power: A Tribute to John Heinz” (Terence Halliday and Robert Nelson), “Your Voice in the Future: The Role of Advance Directives Near the End of Life” (Susan Shapiro - Fellows CLE Research Seminar), and “Henry Ford’s War on Jews and the Legal Battle Against Hate Speech” (Victoria Saker Woeste). 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/or 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. The 2005 version of the *Lawyer Statistical Report* is available for purchase. The 2011 version is in production.

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.

1. **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.

2. **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 Faculty 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.

3. **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.
Montgomery Summer Research Diversity Fellowships in Law and Social Science for Undergraduate Students

2012 marked the twenty-fifth summer the American Bar Foundation has hosted four outstanding undergraduate students as Montgomery Summer Research Diversity Fellows. The fellowship 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. Since 1988, 102 undergraduates have participated in the program.

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 2012 program were:

Seyfarth Shaw LLP  AT&T

The 2012 Summer Research Diversity Fellows were:

- **Larissa Davis**, a rising senior at Amherst College, who worked with Research Professor Robert L. Nelson.

- **Nikita Koraddi**, a rising senior at the University of California, Berkeley, who worked with Research Professor John Hagan.

- **Deborah Oh**, a rising senior at the University of Southern California, who worked with Research Professor Jothie Rajah.

- **Merritt Steele**, a rising junior at Cornell University, who worked with Faculty Fellow Rebecca Sandefur.

Left to right: Nikita Koraddi, Merritt Steele, Deborah Oh, Larissa Davis
Presentations at the ABF 2012

- Celeste Watkins-Hayes, Northwestern University, “Betwixt and Between: Urban Institutional Ties and Middle Class Women Living with HIV/AIDS,” January 25
- Quincy Stewart, Northwestern University, “Big Bad Racists, Subtle Prejudice and Minority Victims: An Agent-Based Model of the Dynamics of Racial Inequality,” February 1
- Joanna Grisinger, Northwestern University, “The Unwieldy American State: Administrative Politics Since the New Deal,” February 22
- Jamie Rowen, UC Berkeley Law School, “Mobilizing Truth: The Transitional Justice Social Movement,” March 7
- Tianna Paschel, University of Chicago, “Institutionalizing Blackness: Law 70, Black Mobilization and the Unintended Consequences of Multicultural Reforms in Colombia,” March 28
- Jill Weinberg, American Bar Foundation/Northwestern University, “Constructing Consent: Sex, Sports and the Politics of Pain,” April 4
- Tracey Meares, Yale University Law School, “The Two Different Worlds We Live In,” April 16
- Wendy Espeland, Northwestern University, “Fear of Falling: How Rankings are Changing Legal Education in the U.S.,” April 18
- Katherine Barnes, Univ. of Arizona College of Law and Elizabeth Mertz, ABF, University of Wisconsin Law School, “Satisfaction After Tenure: Diversity in the Legal Academy,” April 25
- Osagie Obasogie, UC Hastings College of Law, “‘Race’ Ipsa Loquitur: How Blind People Understand Race and its Implications for Equal Protection,” May 9
- Sumi Cho, DePaul University College of Law, “The Moral Economy of Post-racialism,” May 23
- Michael Dawson, Department of Political Science, University of Chicago, “Trayvon Martin, Katrina, and the Implications of the Vast Racial Divide in Public Opinion for American Civic and Political Life,” May 30
- ABF Doctoral Fellows and Visiting Scholar, “Introducing Our New ABF Colleagues,” September 19:
  - Karen Ellis, Law and Social Science Doctoral Fellow, Political Science, University of Chicago, “Financing Freedoms!: Islam, Law, and the Possibilities for Politics”
  - Sarah Morando, Law and Social Science Doctoral Fellow, Sociology, University of California, Los Angeles, “Tears and More Tears: The Humanitarian Path to Citizenship”
  - Jamie Rowen, ABF Doctoral Fellow, Jurisprudence and Social Policy, University of California, Berkeley School of Law, “Mobilization and Resistance in the Wake of State Sponsored Violence”
  - Nadia Sawicki, ABF Visiting Scholar, Beazley Institute for Health Law and Policy, Loyola Chicago School of Law, “Prejudice and Persuasion in Medicine, Public Health, and the Law”
  - Bryant G. Garth, UC-Irvine School of Law/American Bar Foundation, “Interviewing myself: in search of a research agenda,” October 3
  - Justin B. Richland, University of Chicago, “Perpetuities As (and Against) Rule: Law, Tradition, Jurisdiction,” October 17
  - Jens Ludwig, University of Chicago, “The Effects of School Desegregation on Crime,” October 31
  - Emily Kadens, University of Texas-Austin School of Law, “The Continuing Problem of Custom,” November 7
  - Iza Hussin, University of Chicago, “The Politics of Islamic Law—Colonial and Contemporary Cases from Malaysia,” November 14
  - Jean Comaroff and John Comaroff, Harvard University/ABF Affiliated Research Professor, “Directions, Inspirations, and Dead Ends,” November 28
  - Catherine R. Albiston, University of California, Berkeley School of Law, “Law, Norms, and the Motherhood/Caretaker Penalty,” December 5
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.

- The Rockefeller Foundation Bellagio Center
- Royal Netherlands Academy of Sciences
- 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 2012.

### 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)

### AT&T
- Montgomery Summer Diversity Research Fellowships in Law and Social Science

### 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)
- Senior Status, Gender, and Race in the Legal Academy (Elizabeth Merritt, Wamuci Njogu, and Carol Greenhouse)

### Legal Services Corporation and Friends of Legal Services Corporation
- Accessing Justice in Contemporary America (Robert Nelson, Rebecca Sandefur)

### Google Grants
- Ongoing in-kind support of the American Bar Foundation website (http://www.americanbarfoundation.org/index.html)

### Harry Frank Guggenheim Foundation
- Home Foreclosures and Criminal Violence (John Hagan and Andrea Cann Chadrasekher)

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

### Museum of Tolerance
- A Simon Wiesenthal Center Museum
- Co-sponsor, Henry Ford’s War on Jews and the Legal Battle Against Hate Speech (Victoria Saker Woeste)

### National Association for Law Placement Foundation
- 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
- Accessing Justice in Contemporary America: The Community Needs and Services Survey (Rebecca Sandefur, Robert Nelson)
- Supplemental grant also awarded under the NSF Research Experiences for Undergraduates Program
- Workshop: Access to Justice: Re-envisioning and Reinvigorating Research (Rebecca Sandefur)
- After the JD III: The Trajectories of Legal Careers (Ronit Dinovitzer, Robert Nelson, Bryant Garth, and Joyce Sterling)
- Supplemental grant also awarded under the NSF Research Experiences for Undergraduates Program
- Crime, War and Wealth in Pre- and Post-Invasion Iraq (John Hagan)
- Supplemental grant also awarded under the NSF Research Experiences for Undergraduates Program
- Lawyers in the Pursuit of Basic Legal Rights: Criminal Defense in China (Terence Halliday and Sida Liu)

### Seyfarth Shaw LLP
- Montgomery Summer Diversity Research Fellowships in Law and Social Science

### 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)

### World Justice Project
- Rule of Law Research Partnership (Robert Nelson, Tom Ginsburg, Jack Knight, Margaret Levi, and Beatriz Magaloni)
- 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.

- Ethnicity, Inc. (John Comaroff and Jean Comaroff)
- Law and Social Science Dissertation Fellowships and Mentoring Program (Laura Beth Niels; joint program with the Law and Society Association)
- Punishment Regimes and the Multi-Level Effects of Parental Imprisonment: Inter-institutional, Inter-generational and Inter-sectional Models of Inequality and Exclusion (John Hagan and Holly Foster)

### Robert Wood Johnson Foundation
- Investigator Award in Health Policy Research: Gatekeepers at Life’s End: Surrogate Decision-Making in Intensive Care (Susan Shapiro)

### United States District Court, Eastern District of Michigan
- and Chief Judge Gerald E. Rosen
- Co-sponsor, Henry Ford’s War on Jews and the Legal Battle Against Hate Speech (Victoria Saker Woeste)

### 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 2012.
The Fellows Research Chair in Diversity and Law

The American Bar Foundation has launched the “public” phase of the campaign to endow The Fellows Research Chair in Diversity and Law. The Fellows Research Chair will anchor a program of research to investigate urgent questions surrounding diversity in the legal profession, as well as issues of equal justice in the legal system and equality of opportunity in society. The Fellows Research Chair in Diversity and Law will be the first-ever endowed chair established by The Fellows of the American Bar Foundation. The Fellows Research Chair is an essential first step toward the creation of the American Bar Foundation Research Center on Diversity and Law. The Center will build on the ABF’s position as the preeminent research institute for the empirical study of law, and will address pressing issues on law and equality our society confronts as we look toward the future.

The ABF gratefully acknowledges these founding pledges and contributions made to the campaign to endow The Fellows Research Chair in Diversity and Law.*

Susan Frelich Appleton
Laurel G. Bellows
Mortimer M. Caplin
George B. Cauthen
David A. Collins
Doreen D. Dodson
Hon. Bernice B. Donald
Lauren B. Edelman
Ellen J. Flannery
George S. Frazza and the Frazza Family Foundation
Jean and Leonard Gilbert
Jimmy K. Goodman
John P. Heinz
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William C. Hubbard
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Robert L. Nelson
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Richard Pena
Hon. Ellen F. Rosenblum
William Rowe
E. Thomas Sullivan
Walter L. Sutton, Jr.
David K.Y. Tang
David B. Wolfe
Stephen Zack

The American Bar Endowment Charitable Gift Fund on behalf of I.S. Leevy Johnson
Deere & Company Global Legal Services
Jenner & Block
The Kenneth & Harle Montgomery Foundation on behalf of Bryant G. Garth
The Leadership Council on Legal Diversity
Lorman Educational Services
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Corporate and Law Firm Leadership Circle: Gifts and Pledges of $50,000 and above

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Microsoft Corporation
Northrop Grumman Corporation
Sidley Austin Foundation
Wal-Mart Stores, Inc.

For additional information about the campaign, please contact
Lucinda Underwood, Director of Development, or Jennie Casavant, Director of The Fellows.

*Current as of mid-December 2012

Research Funds

The Robert O. Hetlage Scholarship Fund supports the participation of students and young faculty in the research programs of the American Bar Foundation, including the Summer Research Diversity Fellowship Program for undergraduate minority students, the Doctoral Fellowship Program for dissertation research, and a Young Scholars Program to support research in the first five years of an academic career.

The William Reece Smith, Jr. Research Fund advances ABF research on the topics of professionalism, pro bono legal services, and the role of the legal profession internationally to advance human rights and access to justice.

The Liz and Peter Moser Research Fund in Legal Ethics, Professional Responsibility and Access to Legal Services supports path-breaking, empirical research in the field of legal ethics, professional responsibility, and access to legal services.
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 Fellows CLE Research Seminar, “Your Voice in the Future? The Role of Advance Directives Near the End of Life,” was held in February during the ABA Midyear Meeting in New Orleans and presented by ABF Research Professor Susan P. Shapiro. Moderating the program was Doreen Dodson, Partner at The Stolar Partnership LLP in St. Louis, Missouri, and Chair of The Fellows. Panelists included Dr. Dominique Anwar, Associate Professor of Medicine, Director of the Palliative Care Program, Section of Internal Medicine and Geriatrics at Tulane University School of Medicine; The Rev. Donald P. Owens, Jr., Ph.D, James A. Knight, M.D. Chair of Humanities and Ethics in Medicine, Associate Professor of Medicine and Psychiatry, Chaplain—Episcopal Ministry to Medicine at Tulane University School of Medicine; and Robyn S. Shapiro, Partner at Drinker Biddle in Milwaukee, Wisconsin. Susan Shapiro presented her research, drawing on three years of observation in two intensive care units of health care providers and surrogate decision makers and other family and friends of patients lacking decisional capacity. Her research documents how medical decisions are made day-to-day, when and how advance directives are invoked, and their impact, if any, on the decision-making progress. The panel discussed the latest evidence on the role of advance directives in end of life decision-making.

In August, during the ABA Annual Meeting in Chicago, Illinois, The Fellows sponsored the CLE Research Seminar, “Mass Incarceration: Social and Political Consequences.” Traci Burch, Research Professor at the ABF and Assistant Professor of Political Science at Northwestern University, and John Hagan, Research Professor at the ABF and the John D. MacArthur Professor of Sociology and Law at Northwestern University, presented the program. The program was moderated by Stephen Saltzburg, the Wallace and Beverly Woodbury University Professor at George Washington Law School. Panelists included Ronald L. Marmer, Chair of the ABA Section of Litigation; Maria H. Sandoval, Law Offices of Maria H. Sandoval in San Juan, Puerto Rico; and Becky Pettit, Professor at the University of Washington—Seattle. The CLE seminar was co-sponsored by the ABA Section of Litigation and the ABA Section of State and Local Government Law.

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 56th Annual Fellows Awards Banquet, held in New Orleans at The National World War II Museum on February 4, 2012, featured presentations to the following honorees:

- **Outstanding Service Award:**
  - Senator David H. Gambrell, Atlanta, Georgia

- **Outstanding Scholar Award:**
  - Professor Joan C. Williams, San Francisco, California

- **Outstanding State Chair Award:**
  - Michael H. Byowitz and Sharon Stern Gerstman, New York State Co-Chairs

- **Distinguished Honorary Fellow Award:**
  - Justice Antonin Scalia
At the Fellows Opening Reception at the ABA Annual Meeting in Chicago, The Fellows gathered at the ninth floor club of the Chicago Symphony Center for socializing. **Doreen D. Dodson**, Chair of the Fellows, made a few brief remarks. The Fellows met again the following morning for the Annual Business Breakfast. The breakfast featured keynote speaker **Austan Goolsbee**, the Robert P. Gwinn Professor of Economics at the University of Chicago, former ABF Research Professor, and former Chairman of the Council of Economic Advisers in the Obama Administration. Fellows Chair **Doreen D. Dodson** recapped the work of The Fellows and the Foundation during her term as chair, as well as discussed new Fellows business.

Many Fellows State Chairs organized local events where Fellows heard presentations from noteworthy speakers and socialized among colleagues and friends. The Washington Fellows gathered in November for their annual dinner, which featured ABA past president and past ABF board member **William Neukom**. After dinner the Washington Fellows honored **Justice Gerry Alexander** for a lifetime of judicial service, which came to an end this past year. The Maryland Fellows met in May for their yearly reception, where they honored the State and Federal Attorneys General, including **Benjamin R. Civiletti**, **Stephen H. Sachs**, **George A. Nilson**, and **J. Joseph Curran, Jr.** Local Fellows events were also hosted in Kansas, Missouri, Nebraska, New York, Minnesota, Washington, D.C., Delaware, Colorado, Tennessee, Massachusetts, and Michigan.

### 2012–2013 Fellows Officers
- **Chair**: **Professor Myles V. Lynk**, Tempe, Arizona
- **Chair-Elect**: **Don D. Slesnick**, Coral Gables, Florida
- **Secretary**: **Cheryl I. Niro**, Chicago, Illinois

### 2011–2012 Fellows Officers
- **Chair**: **Doreen D. Dodson**, St. Louis, Missouri
- **Chair-Elect**: **Professor Myles V. Lynk**, Tempe, Arizona
- **Secretary**: **Don D. Slesnick**, Coral Gables, Florida
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 **Life Leadership 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 $10,000 will be named a **Sustaining Life Fellow**
- A Life Fellow who contributes an aggregate of $25,000 will be named a **Life Patron Fellow**

*Changes to aggregate amounts were made in 2002.*

We extend our appreciation to the many Life Leadership, Life Benefactor, Life Patron and Sustaining Life Fellows below who invested in the American Bar Foundation during fiscal year 2012 (September 2011 – August 2012). 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 at the Sustaining Level and higher will be recognized in the ABF Annual Report and on the Fellows Website. All Fellows are acknowledged in the Fellows Roster.

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### Life Leadership Fellows

- Jacqueline Allee
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- Lott H. Thomas
- Beverly A. Thompson
- Bill Wagnon
- John Bronson Walsh
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### Life Fellow Contributions to the American Bar Foundation

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- Steven Alan Bennett
- Morgan Ray Bentley
- Lee Rimes Benton
- Richard G. Berndt
- Robert L. Berner, Jr.
- Mark R. Bernstein
- Robert Bertsche
- Last Bhsin
- David F. Bienvenu
- John H. Biner
- Donald W. Bivens
- Victoria B. Bjorklund
- Jenny W. Blackwell
- Jenni A. Blair
- Susan Low Bloch
- Sally W. Bloomfield
- Bill H. Boies
- Bruce H. Bokor
- Mary M. Bonacorsi
- Amelia H. Boss
- Raymond P. Boucher
- D. C. Bradford
- Alexander L. Brainerd
- David N. Brannin
- Steve A. Brand
- Patricia Breckenridge
- James W. Brehl
- Bobbe Jean Bridge
- Edward W. Brooke

### Other Contributions

- Jonathan D. Schiller
- Janice Giambino Barone
- Gregory M. Bergman
- Larry W. Sonsini
- Horace E. Stacy, Jr.
- Frederick P. Stamp, Jr.
- Sidney A. Stubbs, Jr.
- James M. Sturdivant
- Voia J. Talafiferro
- Richard B. Teitelman
- Lott H. Thomas
- Beverly A. Thompson
- Bill Wagnon
- John Bronson Walsh
- Phillip A. Wittmann

### Changes to Aggregate Amounts

Changes to aggregate amounts were made in 2002.
Gerald M. Edenfield
Karl John Egidi
Dorothy Eisenberg
David Wayne Elrod
A. L. Emch
Jo Ann Engelhardt
Panama Chapman Enslen
Elizabeth Espin-Stern
Allen D. Evans
Glenn Phillip Falk
Laura Viviana Farber
Hubert F. Farbes, Jr.
Susan Beth Farber
Peter V. Fazio, Jr.
J. Kay Fayet
Robert A. Ferencz
Lucas A. Ferrara
Henry L. Feuerzeig
Richard C. Fields
E. Anthony Figg
Felicia A. Finsot
Wayne Fisher
Thomas M. Fitzpatrick
Norman Patrick Flanagan
J. D. Fleming, Jr.
Philip A. Fleming
Gloria Farha Flentje
Jack Focht
Adrian M. Foley, Jr.
Don P. Foster
Dori F. Foster-Morales
William E. Fox
Eric M. Friedman
Paul E. Freeny
Robert B. Frieberg
Donald Fried
Martin L. Fried
Gregory A. Friedman
Linda A. Frey
William C. Frey
Donal D. Funk
W. Royal Furgeson, Jr.
John A. Gaberino, Jr.
James Galdston
William F. Gallagher
Michelle Greer Galloway
David H. Gambrell
Marie L. Garibaldi
Timothy F. Gavigan
Gary Elliott Garsek
Herbert S. Garten
Stephen F. Gates
Gibson Gayle, Jr.
Liza A. Genecov
Miles C. Gerberding
Kenneth W. Gideon
Ruth Bader Ginsburg
John A. Girardi
Rosemary E. Giuliani
Patricia L. Glaser
Lawrence L. Goldberg
Jeffrey Bruce Goldsmith
Andrew Kinnan Golemon
Pew R. Goodenow
Holly Gotcher
Thomas A. Gottschalk
John Paul Graff
Maurice B. Graham
Fred King Granade
Mark E. Grantham
Arthur W. Gray, Jr.
William R. Gray
Paul W. Green
Rene Yoshida Grohi
Stuart Z. Grossman
Michael T. Grubb
Gary R. Gurwin
Harold A. Haddad
Donald T. Hague
Donald A. Haley
Jeremiah P. Hallisey
Philip M. Halpern
James T. Halverson
James Hamilton
Sam F. Hamra Jr.
Steward F. Hancock, Jr.
Grayson P. Haney
Marjory J. Harbur
V. Burns Hargis
John F. Harrington, Jr.
John P. Harrison
Robert A. Helman
Michael B. Himmel
James R. Hobbs
Patrick E. Hobbs
E. Clifton Hodge, Jr.
Kay H. Hodge
Jennifer Bruch Hogan
Steven Lyon Holley
Sheila S. Hollis
L. Tyree Holt
Howard M. Holtzman
Henry H. Hopkins
Kathryn Han Hopkins
Mark L. Horwitz
Barry L. Howard
Barbara Kerr Howe
Seth M. Hulstefeld
Proctor Hug, Jr.
Karen Humphreys
Michelle Hunter
Steven R. Hutchins
W. Thomas Hutton
Antonia B. Ianniello
Theodore B. Ice
Louise K. Y. Ing
John B. Isbister
Bruce R. Jacob
Valerie Ford Jacob
Kenneth M. Jacobson
Robert F. James
Wallace B. Jefferson
William H. Jefferson, Jr.
John S. Jenks, Ret.
Jorge R. Jimenez
Florian Stefan Joerg
Justin M. Johnson
Witbro C. Johnson
John C. Johnson III
John E. Johnston, Jr.
Quintin Johnstone
Candace M. Jones
Charles E. Jones
E. Stewart Jones, Jr.
Lamont Jones
Vincent W. Jones
James F. Jorden
Paul A. Kastler
Melvin L. Katten
Martin Johnson Kats
Herma Hill Kay
John B. Kann
Irene M. Keeley
Daniel Kegan
Charles C. Keller
Kent R. Keller
Hugh W. Kelly
Sara A. Kelsey
David E. Keltner
James A. Kenney III
John J. Kenney
Alfred B. King
John Patrick Kent
Ted M. Kerr
Michael P. Kessler
Philip J. Kessler
Herren N. Kirchman-Stout
Loren Kieve
David G. Klaiber
Richard F. Knight
Thomas E. Kopil
Edward M. Koren
Jane Kreusler-Walsh
Scott C. Krift
William F. Kroener III
Pamela Bannen Krupka
Donald A. Krupka
Robert R. Krusk
Kenneth F. Kunzman
Joseph P. La Sala
Charles W. Lane III
Robert Todd Lang
Zachariar Larson
Maryanne R. Lavan
Frederick M. Lawrence
Allegre J. Lawrence-Hardy
E. Bruce Leonard
Ann B. Lesk
Jerome B. Libin
Mark G. Lichty
Meryl R. Lieberman
Stephen N. Libraugh, Jr.
Susan B. Lindenauber
William J. Linkous, Jr.
Jeffrey Alan Lips
Martin Lipton
Dochmore Lodge
Raymond S. Londa
Thomas F. Lordingan
Deborah J. Long
Virginia A. Long
Robert A. Longhi
George T. Lowy
Marla J. Luckert
Juanita B. Lucas
Ronald T. Luke
Lynn L. Luke
Warren Lupel
Graydon Dean Lusthey, Jr.
Barbara M.G. Lynn
Ted B. Lyon, Jr.
Michael M. Lyons
Wm. David Lytle
Eric N. Macey
Andrew Maakendle
Becky Kmett Maxmillan
Marc J. Manderseid
Sam H. Mann, Jr.
Alan Mansfield
Daniel H. Margolis
Francis S. Margo
Amy Cashore Mariani
Herman A. Marshall III
Lori A. Martin
Susan R. Martyn
Arvin P. Martin
Joseph Matthews
Marietta Rome Morris Maxfield
Michael C. Mayhall
Adrian A. Mazurak
Stephen A. Mazurak
Kenneth W. McAlister
W. James McNally, Jr.
John M. McCollum
Steven M. McCorkle
John P. McDonald
John Mead
Gregory Messer
Albert J. Mezzanotte, Jr.
Harold E. Miers
Wendell A. Miles
Richard W. Miller, Jr.
Claveland D. Miller
Judith A. Miller
Sara P. Sandford
Gary L. Sasso
William I. Schaprio
Andrew Schepard
Sanford J. Schlesinger
Stephen W. Schussler
Howard Schneider
Bart M. Schwartz
David A. Schwartz
Jon M. Sebaly
John Sexton
Daniel F. Shank
Floyd Shapiro
Sue M. Sherry
Thomas R. Sharp
Mary Jo Shartsis
L. David Shear
Rita A. Shelly
Manny J. Shin
Leopold Zangher Sner
David E. Shipley
Wallace E. Shipp, Jr.
Edward R. Shohat
Robert E. Short
Martin B. Shulkin
Joel D. Siegal
James R. Silkenat
Raislyn O. Silver
Geraldine A. Simmonds
Georganna L. Simpson
Sarah M. Singleton
Woon-Wah Siu
Alexander S. Spoehr
John A. Spofford
James F. Stapp
Christopher S. Stilke
Victor H. Stoffman
Barbara Stoll
Franklin B. Stone
Zellie J. Stoner
John A. Story
John A. Straw
Barbara Stull
Mark A. Styrm
Mary Jane Sublett
Sharon A. Summers
Philip V. Sussman
James R. Sullivan
Ellen P. Swanson
Helen J. Switzer
Charles A. Stark
Erin S. Starke
Janice D. Starlin
John Anthony Tarantino
S. Shepherd Tate
Harvey
Mandelott Tettelbaum
Sandra Thompson
Parker D. Thompson
Henry C. Thumman
John Hampton Tinney
Matt Tisdall
Paul H. Title
J. David Tracy
John O. Tramontine
Thomas A. Trowe
Reginald M. Turner, Jr.
Stanley A. Twardy, Jr.
Warren K. Urbon
Allan Van Fleet
E. Markus
Frank J. Vecchione
Paul R. Verkuil
John H. Vernon III
Miriam Ann Vogel
Stephen J. Vogel
Gene E. Voight
Stephen R. Volk
Timothy B. Walker
Liza M. Walsh
Chung Min Wang
Johnnie M. Walters
Herbert S. Wander
G. Lane Ware
Roger E. Warin
Michael J. Washburn
Seth P. Waxman
Pauline A. Weaver
Donald E. Wehr
Thomas Wells, Jr.
William F. Wenk
Edwin J. Wesely
J. T. Westermeyer
Joan G. Wester
Barbara
Brandon Weyher
Michael A. White
Bruce Lord Wilder
Clay R. Williams
Westley G. Williams, Jr.
Benjamin F. Wilson
Stewart R. Wilson
Saul A. Wolfe
Travis D. Wood
Lauren J. Wu
Jimmy Wu
Brooke Wunnicke
Ellen G. Yost
James B. Young
Michael Z. Zeller
Andrea Zopp
Howard Zucker
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Personnel

Administration
Robert L. Nelson, Director
Eileen C. Gallagher, Assistant Director for Governance, Liaison, and Legal Affairs
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

Publications
Amanda Ehrhardt, Editorial Coordinator, Law and Social Inquiry & Administrative Associate for Academic Affairs

Technical Services Consultant
Clara N. Carson

The Fellows of the American Bar Foundation
Jennie Fisher Casavant, Director of the Fellows and Assistant Director of Development
Timothy Watson, Assistant Director of the Fellows
Candy Khin, Fellows Database Administrator
Erin Christmas, Fellows Coordinator

Accounting Assistant
Tessie Harrell

Administrative Associates
Roz Caldwell, Senior Administrative Associate
Anne Godden-Segard
Kathryn Harris, Administrative Associate for Academic Affairs, Development & Communications
Amy E. Schlueter, Administrative Associate for Development & Communications; Program Coordinator, Center on Law & Globalization

Research Social Scientists
Elizabeth L. Murphy
Gabriele Plickert

Research Support Staff
Ashin Azim
Savina Balasubramanian
Alison Baulos
Javier Burdman
Molly Cunningham
Anya Degenshein
Paul Durlak
Brad Epperly
Carlos Felizardo
Mary Beth Finch
Anna Hanson
Spencer Headworth
Corinne Hirai
Terence Leong
Stephanie Maras
David McElhattan
Jaime Morse
Amy Myrick
Alexandra Neame
Sally Nuamah
Jeeyoon Park
Monique Payne Pikus
Josh Robison
Diana Rodriguez-Franco
Jessica Salerno
Rashmeet Singh
Frances Tung
Nicholas Warther
Jill Weinberg
John Whitaker
Silas Wong

Collaborating Scholars
Catherine R. Albiston, University of California, Boalt Hall School of Law
Katherine Barnes, University of Arizona, Rogers College of Law
Ellen Berrey, SUNY Buffalo
Rachel Billow, Independent Scholar
Kenworthy Bil, Northwestern University School of Law
Susan Block-Lieb, Fordham University
Jean Comaroff, Harvard University
Gabriella Conti, Harris School of Public Policy Studies, University of Chicago
Yves Dezalay, Centre Nationale de Recherche Scientifique, Paris
John Donohue, III, Yale Law School
Angela Duckworth, University of Pennsylvania
Zachary Elkins, University of Texas
Malcolm Feeley, University of California, Berkeley
Holly Foster, Texas A&M University
Jeremy Freese, Northwestern University
Roland Fryer, Harvard University
Nuno Garoupa, University of Illinois
Steve Hoffman, SUNY Buffalo
Lucien Karpik, Écoles des Mines & EHESS, Paris
Fiona Kay, Queens University
Michael Levi, University of Cardiff
Ron Levi, University of Toronto
Joanne Martin, American Bar Endowment
Richard McAdams, University of Illinois College of Law
Mary Hunter McDonnell, Northwestern University School of Law
James Melton, IMT Institute, Lucca, Italy
Hans Merkens, Freie Universität, Berlin
Tom Miles, University of Chicago
Soogeun Oh, Ewha Woman’s University, Seoul, Korea
Anthony Paik, University of Iowa
Alberto Palloni, University of Wisconsin
Patricia Parker, University of Toronto
Monique Payne-Pikus, DePaul University
Judeleigh Petty, Vanderbilt University
Pascoe Pleasence, University College London
Mary R. Rose, University of Texas, Austin
Wenona Rymond-Richmond, University of Massachusetts, Amherst
Joachim Savelsberg, University of Minnesota
Gregory Shaffer, University of Minnesota
Peter Siegelman, University of Connecticut Law School
Ann Southworth, University of California, Irvine School of Law
Joyce S. Sterling, University of Denver College of Law
Stephen Suomi, National Institutes of Health
J.D. Trout, Loyola University Chicago
Mila Versteeg, University of Virginia Law School
David B. Wilkins, Harvard Law School
### Research Group on Legal Diversity

Leonard Biernam, Texas A&M University  
Jamillah Bowman, ABF Doctoral Fellow, Stanford JD/PhD  
Elizabeth Chambliss, New York Law School  
Ronit Dinovitzer, ABF Faculty Fellow, University of Toronto, Sociology  
Bryan Garth, ABF Director Emeritus, Southwestern Law School  
Elizabeth Gorman, University of Virginia, Sociology  
Mitu Gulati, Indiana University School of Law  
John Hagan, ABF Research Professor, Northwestern University, Sociology and Law  
John Heinz, ABF Research Professor Emeritus, Northwestern Law Emeritus  
William Henderson, Indiana University School of Law  
Jerry Kang, UCLA School of Law  
Fiona Kay, Queens University, Canada, Sociology  
Elizabeth Mertz, ABF Research Professor, University of Wisconsin Law School  
Robert Nelson, ABF Director, Northwestern University, Sociology and Law  
Shaun Ossei-Owusu, ABF Doctoral Fellow, UC Berkeley-African American Studies  
Monique Payne-Pickus, ABF Affiliated Scholar  
Dylan Penningroth, ABF Research Professor, Northwestern University, History  
Damon Phillips, Columbia University, Business  
Gabrielle Pickert, ABF Research Social Scientist  
Lauren Rivera, Kellogg School of Management  
Mary R. Rose, University of Texas, Austin  
Rebecca Sanchez, ABF Research Social Scientist, University of Illinois, Sociology  
Carroll Seron, University of California Irvine, Social Ecology  
Carole Silver, ABF Affiliated Scholar, Indiana University School of Law  
Joyce Sterling, University of Denver College of Law  
Andrés Tilcsik, Harvard University  
David Wilkins, ABF Affiliated Scholar, Harvard Law School  
Victoria Saker Woeste, ABF Research Professor  
Albert Yoon, University of Toronto, Faculty of Law  
(Additional scholars will be added to this research group as the program progresses.)

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

Arthur Alderson, Indiana University  
Jonathan Beavestock, University of Nottingham School of Geography  
Laura Beny, University of Michigan Law School  
Leonard Biernam, Mary Berry School at Texas A&M University  
Steven Boutcher, University of California, Irvine  
Andrew Canter, Stanford Law School  
Elizabeth Chambliss, New York Law School  
Nicole DeBruin, Northwestern University School of Law  
Ronit Dinovitzer, University of Toronto  
Samuel Estreicher, New York University School of Law  
James Faulconbridge, Lancaster University  
Victor Fleischer, University of Illinois College of Law  
Marc Galanter, University of Wisconsin Law School/London School of Economics  
John Gordanier, Amherst College  
Elizabeth Gorman*, University of Virginia  
Gillian Hadfield, University of Southern California Law School  
Michael Heise, Cornell Law School  
William D. Henderson*, Indiana University Maurer School of Law  
Deborah Hensler, Stanford Law School  
Michael Hoyler, Loughborough University  
Lynn Mather, University at Buffalo Law School  
Andrew Morriss, University of Illinois College of Law  
Daniel Muzio, Lancaster University Management School  
Jonathan Nash, Tulane Law School  
Robert L. Nelson*, American Bar Foundation  
Sara Peters, Stanford Law School  
Kevin Quinn, Harvard Institute for Quantitative Social Science  
Mitt Regan, Georgetown University Law Center  
Lauren Robel*, Indiana University Maurer School of Law  
Tanina Rostain, New York Law School  
Carole Silver, Indiana University Maurer School of Law  
Peter Taylor, Loughborough University  
Christopher Tuggle, University of Missouri—Columbia  
Gita Wilder*, NALP Foundation for Law Career Research and Education  
* Member, Law Firms Working Group Steering Committee

### World Justice Project Scholars Group

Juan Carlos Boster, World Justice Project  
Brad Epperly, University of Washington  
Tom Ginsburg, American Bar Foundation and University of Chicago  
Jack Knight, Duke University  
Margaret Levi, University of Washington  
Beatriz Magaloni, Stanford University  
Robert Nelson, American Bar Foundation and Northwestern University  
Alejandro Ponce, World Justice Project  
Christine Pratt, World Justice Project

### Visiting Scholars

Susan Block-Lieb, Professor, Fordham University School of Law  
Ari Bryan, ACLS New Faculty Fellow, University of California, Berkeley  
Haley Duschinski, Associate Professor, Ohio University  
Erika George, Professor, University of Utah College of Law  
Shobita Parthasarathy, Associate Professor, Public Policy, University of Michigan  
Becky Pettit, Associate Professor, Sociology, University of Washington  
Nadia Sawicki, Assistant Professor, Loyola University Chicago School of Law  
Carole Silver, Professor, Indiana University Maurer School of Law  
Lea VanderVelde, Professor, University of Iowa College of Law

### Doctoral Fellows

Karen Ellis, Political Science, University of Chicago  
Camilo Arturo Leslie, Sociology, University of Michigan  
Sarah Morando, Sociology, University of California, Berkeley  
Shaun Ossei-Owusu, Africa Diaspora Studies, University of California, Berkeley  
Destiny Peery, Psychology and Law, Northwestern University  
Meredith Martin Rountree, Sociology, University of Texas, Austin  
Jamie Rowen, Jurisprudence and Social Policy, University of California, Berkeley  
Rashmee Singh, Criminology, University of Toronto  
Kimberly Welch, History, University of Maryland  
Jennifer Woodward, Political Science, SUNY- Albany

### 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, 2012 and 2011

<table>
<thead>
<tr>
<th></th>
<th>August 31, 2012</th>
<th>August 31, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Assets</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash and cash equivalents</td>
<td>$109,799</td>
<td>$485,882</td>
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<tr>
<td>Long-term investments at market value</td>
<td>20,277,066</td>
<td>19,078,439</td>
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<tr>
<td>Receivables and other</td>
<td>234,475</td>
<td>403,272</td>
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<tr>
<td>Property and equipment</td>
<td>312,865</td>
<td>364,042</td>
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<tr>
<td>Prepaid expenses</td>
<td>25,228</td>
<td>17,192</td>
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<tr>
<td><strong>Total Assets</strong></td>
<td>$20,959,432</td>
<td>$20,348,828</td>
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<tr>
<td><strong>Liabilities</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accounts payable and accrued expenses</td>
<td>415,629</td>
<td>499,054</td>
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<tr>
<td>Short-term loan</td>
<td>75,000</td>
<td>–</td>
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<tr>
<td>Deferred revenues</td>
<td>56,380</td>
<td>27,112</td>
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<tr>
<td>Deferred rent liability</td>
<td>748,101</td>
<td>792,088</td>
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<tr>
<td>Minimum pension liability</td>
<td>910,599</td>
<td>402,627</td>
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<tr>
<td><strong>Total Liabilities</strong></td>
<td>2,205,710</td>
<td>1,720,880</td>
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<tr>
<td><strong>Net Assets</strong></td>
<td></td>
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</tr>
<tr>
<td>Unrestricted</td>
<td>13,885,802</td>
<td>14,118,377</td>
</tr>
<tr>
<td>Temporarily restricted</td>
<td>2,138,504</td>
<td>1,917,251</td>
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<tr>
<td>Permanently restricted</td>
<td>2,729,416</td>
<td>2,592,319</td>
</tr>
<tr>
<td><strong>Total Net Assets</strong></td>
<td>18,753,722</td>
<td>18,627,947</td>
</tr>
<tr>
<td><strong>Total Liabilities and Net Assets</strong></td>
<td>$20,959,432</td>
<td>$20,348,827</td>
</tr>
</tbody>
</table>

**Notes:**

These financial statements were abstracted from the Foundation’s August 31, 2012 financial statements which are currently being audited by Plante & Moran, PLLC, formerly, Blackman Kallick, LLP.

Because the information does not include all disclosures (footnotes) required by the generally accepted U.S. accounting principles, it does not purport to present the Foundation’s financial condition or results of operations without these disclosures. Upon completion of the independent audit, a copy of the audited statements and accompanying footnotes will be provided upon request.
## Statements of Activities

**Years Ended August 31, 2012 and 2011**

<table>
<thead>
<tr>
<th></th>
<th>August 31, 2012</th>
<th>August 31, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenues</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>American Bar Endowment</td>
<td>$3,290,626</td>
<td>$3,524,213</td>
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<tr>
<td>National Science Foundation grants</td>
<td>585,726</td>
<td>281,455</td>
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<tr>
<td>The Fellows of the ABF</td>
<td>1,446,876</td>
<td>1,275,068</td>
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<tr>
<td>Other grants/contributions</td>
<td>210,983</td>
<td>130,803</td>
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<tr>
<td><strong>Total Grants and Contributions</strong></td>
<td>$5,534,211</td>
<td>$5,211,539</td>
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<tr>
<td>ABF Endowment spending allowance</td>
<td>970,959</td>
<td>1,052,207</td>
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<tr>
<td>Law and Social Inquiry (journal)</td>
<td>20,763</td>
<td>19,048</td>
</tr>
<tr>
<td>Royalties and other publications</td>
<td>9,136</td>
<td>1,866</td>
</tr>
<tr>
<td>Other income</td>
<td>291,434</td>
<td>34,686</td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td>$6,826,503</td>
<td>$6,319,347</td>
</tr>
<tr>
<td><strong>Expenses</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Research activities</td>
<td>4,082,548</td>
<td>3,127,435</td>
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<tr>
<td>Fellows’ Services (net of revenues from events)</td>
<td>426,233</td>
<td>504,840</td>
</tr>
<tr>
<td>Law &amp; Social Inquiry</td>
<td>136,924</td>
<td>158,696</td>
</tr>
<tr>
<td>Liaison Research Services</td>
<td>1,737</td>
<td>8,612</td>
</tr>
<tr>
<td>Academic Affairs and Fellowships</td>
<td>269,157</td>
<td>239,678</td>
</tr>
<tr>
<td>Development and Communication</td>
<td>343,617</td>
<td>360,040</td>
</tr>
<tr>
<td>Administration and Facilities</td>
<td>1,709,309</td>
<td>1,588,447</td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td>$6,969,526</td>
<td>$5,987,747</td>
</tr>
<tr>
<td><strong>Results from Operations</strong></td>
<td>(143,023)</td>
<td>331,600</td>
</tr>
<tr>
<td><strong>Other Foundation Activity – Non-Operating and Restricted</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Investment activity net of spending allowance</td>
<td>641,155</td>
<td>1,230,487</td>
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<tr>
<td>Restricted contributions</td>
<td>137,097</td>
<td>246,073</td>
</tr>
<tr>
<td>Changes in minimum pension liability</td>
<td>(509,453)</td>
<td>253,963</td>
</tr>
<tr>
<td><strong>Total change in net assets</strong></td>
<td>125,777</td>
<td>2,062,123</td>
</tr>
</tbody>
</table>
Allocation of Funding

FY 2011–2012
American Bar Foundation Research Projects

12% Legal History and Social Role of Law
11% Discrimination
28% Legal Profession/Access to Justice
22% Law and Globalization
15% Criminal Justice
12% Civil Justice
Kenneth J. Burns, Jr.
October 3, 1926 – November 9, 2012

Kenneth Jones Burns, Jr., a past President and Life Leadership Fellow of the American Bar Foundation, died on November 9, 2012 in Lake Bluff, Illinois, at the age of 85.

Mr. Burns served on active duty in the United States Naval Reserve in both World War II and the Korean War. He graduated with a B.S. from Northwestern University in 1948. He was a 1951 graduate of Northwestern Law School, from which he joined the firm of Jenner & Block. Beginning in 1972, he was Senior Vice-President, General Counsel, and Secretary of Anchor Hocking Corp. in Lancaster, Ohio, and Vice President, General Counsel, and Secretary of IMCERA Group, Inc. (formerly International Minerals & Chemical Corp.) in Northbrook, Illinois, retiring in 1993.

Mr. Burns devoted many years in service to the organized bar, beginning as Chairman of the Junior Bar Conference of the American Bar Association in 1961. He later served as Assistant Secretary (1967-1971) and Secretary (1971-1975) of the ABA, and President (1983-1985) of the American Bar Endowment. Mr. Burns became a Fellow of the American Bar Foundation in 1972. In 1998 he was elected President of the American Bar Foundation, a position he held until 2000.

He is survived by his wife of 63 years, Edith Mitten Burns, six children, 18 grandchildren and five great-grandchildren.
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