

## STEPHEN DANIELS

### CURRENT POSITION

American Bar Foundation, Chicago, IL, 1983-present (on leave 2010-2012)  
Senior Research Professor

### EDUCATION

Graduate: University of Wisconsin-Madison, Madison, WI  
Ph.D., Political Science (1978), Advisor: Joel B. Grossman  
Dissertation title: *The Use of Social Science, the Constitution, and the Rule of Law: An Interpretation and Analysis of the Empirical Justification of Constitutional Policy*  
M.A., Political Science (1974)  
Undergraduate: Benedictine University, Lisle, IL  
B.A., Political Science, magna cum laude (1972)

### ACADEMIC EMPLOYMENT

University of Denver, 2010-2012  
Visiting Lecturer, Sturm College of Law, 2011-2012  
Director of Research, Institute for the Advancement of the American Legal System, 2010-2011  
Northwestern University:  
Adjunct Professor of Political Science, 1997 – 2010  
Adjunct Professor of Law, 2000-2001  
University of Wisconsin – Milwaukee  
Adjunct Professor of Political Science, 1991 – 2002  
University of Wisconsin – Madison  
Visiting Associate Professor of Political Science, Spring 1985; Fall 1988  
Sangamon State University (now University of Illinois-Springfield),  
Associate Professor of Political Science and Public Affairs, 1982-84 (with tenure)  
Assistant Professor of Political Science and Public Affairs, 1978-82  
University of Tulsa  
Assistant Professor of Political Science, 1977-78

### GRANTS/CONTRACTS

"Evaluation of Broomfield, CO Municipal Judge," 2010-11, City of Broomfield, CO.  
"Jury Verdicts and Medical Malpractice," 1990-91, M.D. Anderson Foundation  
"The Social Construction of Medical Error and Malpractice Disputes," 1989-91, Fund for Research on Dispute Resolution, Ford Foundation (with Lori Andrews)  
"Medical Error and Malpractice in a Surgical Setting," 1988-91 Robert Wood Johnson Foundation (with Lori Andrews, Thomas Krizek, M.D., and Lawrence Gottlieb, M.D.)  
"An Explanatory Model of Jury Verdicts in Medical Malpractice Cases," 1987-89, Law and Social Sciences Program, National Science Foundation (with Lori Andrews)  
"Patterns and Changes in Trial Courts: An Assessment of Social Development," 1980-82, Law and Social Sciences Program, National Science Foundation

### PUBLICATIONS

#### Books:

*Inside Campaigns: Chronicles – and Lessons – from the Trenches.* (Lynne Rienner Publishers: 2011) (co-edited with James R. Bowers).  
*Hypotheticals: Supreme Court Decision-Making and Constitutional Interpretation.* (Longman Publishers: 1998) (with James R. Bowers).

*Civil Juries and the Politics of Reform.* (Northwestern University Press: 1995) (with Joanne Martin).

**Articles and Chapters/Contributions:**

- “Analyzing Carnegie’s Reach: The Contingent Nature of Innovation,” forthcoming, *Journal of Legal Education* (with Martin Katz and William Sullivan).
- “Plaintiffs’ Lawyers and the Tension between Professional Norms and the Need to Generate Business,” (with Joanne Martin) in Leslie Levin and Lynn Mather, eds., *Lawyers in Practice: Ethical Decision-Making in Context* (University of Chicago Press, 2012).
- “A Brief Moment of Opportunity: The Effects of the Economic Downturn on the Delivery of Legal Services to the Poor,” 33 *University of Arkansas-Little Rock Law Review* 435 (2011) (with Joanne Martin)
- “Plaintiffs’ Lawyers: Dealing with the Possible But Not Certain,” 60 *DePaul Law Review* 337 (2011) (with Joanne Martin).
- “Hypotheticals,” e-supplement for Lee Epstein and Thomas Walker, *Constitutional Law for a Changing American Resource Center* (CQ Press, 2011) (with James Bowers).
- “Long-Term Strategy in Local Elections,” in *Inside Campaigns*, James R. Bowers and Stephen Daniels, eds. (Lynne Rienner Publishers: 2011).
- “It is No Longer Viable from a Practical and Business Standpoint: Damage Caps, ‘Hidden Victims,’ and the Declining Interest in Medical Malpractice Cases,” 16 *International Journal of the Legal Profession* 187 (2010) (with Joanne Martin).
- “Legal Services for the Poor: Access, Self-Interest and Pro Bono,” in Rebecca Sandefur, ed., *Access to Justice*, 145-166 (JAI Press, 2009) (with Joanne Martin).
- “Pro Bono: More than a Professional Responsibility,” in Lawrence Fox, ed., *Raising the Bar*, 217-235 (ABA Press, 2007) (with Joanne Martin).
- “Alive and Well (Maybe) in Texas: Plaintiffs’ Practice in the Age of Tort Reform,” 51 *New York Law School Law Review* 286-320 (2007) (with Joanne Martin).
- “Plaintiffs’ Lawyers, Specialization, and Medical Malpractice,” 59 *Vanderbilt Law Review* 1051-1073 (2006) (with Joanne Martin).
- “The Constitutional History and Contemporary Structure of Midwestern Governance,” in Richard Sisson, et al., eds., *The American Midwest: An Interpretive Encyclopedia*, 1560-63 (Indiana University Press, 2006).
- “The Texas Two-Step: Evidence on the Link Between Damage Caps and Access,” 55 *DePaul Law Review* 635-669 (2006) (with Joanne Martin).
- “The Strange Success of Tort Reform,” 53 *Emory Law Journal* 1225-1262 (2004) (with Joanne Martin).
- “It Was the Best of Times, It Was the Worst of Times: The Precarious Nature of Plaintiffs’ Practice in Texas,” 80 *Texas Law Review* 1781-1828 (2002) (with Joanne Martin).
- “Personal Injury Law Practice,” in Kermit Hall, ed., *The Oxford Companion to American Law*. 603-604 (Oxford University Press, 2002).
- “We Live on the Edge of Extinction All the Time: Entrepreneurs, Innovation and the Plaintiffs’ Bar in the Wake of Tort Reform,” in Jerry Van Hoy, ed., *Legal Professions: Work, Structure and Organization*. 149-180 (Elsevier Science, 2001) (with Joanne Martin).
- “The Impact That It Has Had is Between People’s Ears: Tort Reform, Mass Culture, and Plaintiffs’ Lawyers,” 50 *DePaul Law Review* 453-496 (2000) (with Joanne Martin).
- “It’s Darwinism B Survival of the Fittest: How Markets and Reputations Shape the Way in Which Plaintiffs’ Lawyers Obtain Clients,” 21 *Law & Policy* 377-399 (1999) (with Joanne Martin).
- “Punitive Damages, Change, and the Politics of Ideas: Defining Public Policy Problems,” 1998 *University of Wisconsin Law Review* 71-100 (1998) (with Joanne Martin).
- “That’s 95% of the Game, Just Getting the Case: Markets, Norms and How Texas Plaintiffs Lawyers

- Get Clients," *American Bar Foundation Working Paper Series*, 1998 (26 pages) (with Joanne Martin).
- "Access Denied: The Subtle Effects of Tort Reform," *Trial*, 26-33 (July 1997) (with Joanne Martin).
- "Persistence Is Not Always a Virtue: Tort Reform, Civil Liability for Health Care and the Lack of Empirical Evidence," 15 *Behavioral Sciences & The Law* 3-19 (1997) (with Joanne Martin).
- "Historical Fiction: Punitive Damages, Change, and the Politics of Ideas," *American Bar Foundation Working Paper Series* (41 pages) 1996 (with Joanne Martin).
- "Don't Kill the Messenger 'Till You Read the Message: Products Liability Verdicts in Six California Counties, 1970-90," 16 *Justice System Journal* 69-95 (1993) (with Joanne Martin).
- "Why Kill All the Lawyers? Repeat Players and Strategic Advantage in Medical Malpractice Claims," *American Bar Foundation Working Paper Series* (57 pages) 1992 (with Mary Grossman and Joy Malby Bertrand).
- "An Empirical Analysis of Closed Medical Malpractice Insurance Claims: The Wisconsin Health Care Liability Insurance Plan, 1976-1988," *American Bar Working Paper Series* 1992 (49 pages) (with Mary Grossman and Joy Malby Bertrand).
- "The Pragmatic Management of Error and the Origins of Malpractice Disputes," in Robert Dingwall and Paul Fenn, eds., *Quality and Regulation in Health Care*, 112-140 Routledge, London, (UK) (1992).
- "Myth and Reality in Punitive Damages," 75 *Minnesota Law Review* 1-64 (1990) (with Joanne Martin).
- "Tracing the Shadow of the Law: Jury Verdicts in Medical Malpractice Cases," 14 *Justice System Journal* 4-39 (1990); reprinted in 40 *Defense Law Journal* 415-449 (1991).
- "Caseload Dynamics and the Nature of Change: The Civil Business of Trial Courts in Four Counties, 1870 to 1960." 24 *Law & Society Review* 299-320 (1990).
- "The Question of Jury Competence and the Politics of Tort Reform." 52 *Law and Contemporary Problems* 269-310 (1989).
- "The Aetna Article: A Comment," 52 *Law and Contemporary Problems* 323 (1989).
- "Jury Verdicts in Medical Malpractice Cases." 25 *Trial* 23-30 (May 1989).
- "The Shadow of the Law: Jury Decisions in Obstetrics/Gynecology Cases." in Victoria Rostow and Roger Bulger, eds., *Medical Professional Liability and the Delivery of Obstetrical Care*, 161-193 Washington, D.C.: National Academy Press (1989) (with Lori B. Andrews)
- "The Discontinuous Nature of Change: Institutional Constraints and Caseload Dynamics in Illinois Courts, 1880 to 1960," *American Bar Foundation Working Paper Series* (29 pages) 1988.
- "Empirical Patterns in Punitive Damage Cases: A Description of Incidence Rates and Awards." *American Bar Foundation Working Paper Series* (26 pages) 1988 (with Joanne Martin).
- "A Tangled Story: Studying State Supreme Courts." 22 *Law & Society Review* 833-863 (1988).
- "Are Jury Awards Increasing?" 26 *Judges' Journal* 10-15, 45-47 (Winter 1987) (with Joanne Martin).
- "Jury Verdicts and the 'Crisis' in Civil Justice: Some Findings from an Empirical Study," 11 *Justice System Journal* 321-348 (1986) (with Joanne Martin).
- "The Punitive Damage Dilemma in Products Liability Cases: Fact or Fiction, Part II," *Products Liability: Commentary & Cases*, September, 1986 (with Joanne Martin).
- "The Punitive Damage Dilemma in Products Liability Cases: Fact or Fiction, Part I," *Products Liability Commentary & Cases*, August 1986 (with Joanne Martin).
- "Are Caseloads Really Increasing? Not Necessarily." *Judges' Journal*, Summer 1986:35-41.
- "Punitive Damages: The Real Story." 72 *American Bar Association Journal* 60-63, August 1986.
- "Continuity and Change in Patterns of Case Handling: A Case Study of Two Rural Counties," 19 *Law and Society Review* 381-420 (1985).
- "We Are Not A Litigious Society." *Judges' Journal*, Spring 1985:18-21.
- "Ladders and Bushes: The Problems of Caseloads and Studying Court Activities Over Time," 1984 *American Bar Foundation Research Journal* 751-795 (1984).

- "The Illinois Supreme Court: What Role Does It Play?" *Illinois Issues*, April 1984:11 (co-author), reprinted in Thad Beyle, ed., *State Government: CQ's Guide to Current Issues and Activities* (1985).
- "Illinois Appellate Judges: Ambivalent Policy-Makers." *Illinois Issues*, November 1982:22 (co-author).
- "Illinois Trial Judges: Pragmatic Fact Finders." *Illinois Issues*, January 1982:17 (co-author).
- "Civil Litigation in Illinois Trial Courts: An Exploration of Rural-Urban Differences." 4 *Law and Policy Quarterly* 190-214 (1982).
- "The Illinois Judicial System." in E. Crane, ed., *Illinois: Political Processes and Governmental Performance*. Dubuque: Kendal-Hunt, 1980 (with Frank Kopecky).
- "The Supreme Court and Obscenity: An Exercise in Empirical Constitutional Policy-Making," 17 *San Diego Law Review* 757-799 (1980).
- "Social Science and Death Penalty Cases: Reflections on Change and the Empirical Justification of Constitutional Policy." 1 *Law and Policy Quarterly* 336 -372 (1979).

### **Book Reviews:**

- Of James R. Maxeiner with Gyooho Lee and Armin Weber, *Failures of American Civil Justice in International Perspective*, *The Law and Politics Book Review*, Vol. 22 No. 7, 323-326 (June, 2012).
- Of Wayne McIntosh and Cynthia Cates, *Multi-Party Litigation: The Strategic Context*, *The Law and Politics Book Review*, Vol. 19 No. 8, 598-600 (August, 2009).
- Of Sarah Jain, *Injury: The Politics of Product Design and Safety Law in the United States*, 42 *Law & Society Review* 443-445 (2008).
- Of Herbert Kritzer, *Risks, Reputations, and Rewards: Contingency Fee Legal Practice in the United States*, *The Law and Politics Book Review*, Vol. 15 No.3, 250-54 (March 2005).
- Of Carrie Menkel-Meadow, *Dispute Processing and Conflict Resolution: Theory, Practice, and Policy*, *The Law and Politics Book Review*, Vol 14. No. 6, 44-45 (June 2004).
- Of Walter Bennett, *The Lawyer's Myth: Reviving Ideals in the Legal Profession*, *The Law and Politics Book Review*, Vol 12. No. 4 (April 2002).
- Of Austin Sarat and Thomas Kearns, eds., *Law in Everyday Life*, *The Law and Politics Book Review*, Vol 5. No. 3, 116-121 (March 1995).
- "You Can't Interview the Dead": McIntosh's *The Appeal of the Civil Law* and the Debate Over Longitudinal Studies of Courts," 16 *Law and Social Inquiry* 291-311 (1992).

### **MAJOR PUBLIC AFFAIRS ACTIVITIES**

- 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 McCall, etc. et al.* (Supreme Court of Florida, Case No. SC11-1148), constitutional challenge to cap on damages in medical malpractice cases, August 2011.
- Participant, *Amicus Curiae* Brief of Professors of Law and Social Science in Support of the Plaintiff in *G.W.I.S. v. Integrals Blackwell Regional Hospital* (Supreme Court of Oklahoma, Case No. CQ-106506), constitutional challenge to cap on damages in medical malpractice cases, December 2008.
- Expert's Affidavit (for plaintiff) in *Taylor v. St. Joseph Medical Center* (Circuit Court of Jackson County at Independence, Missouri, Case No. 0616-CV09673), constitutional challenge to cap on damages in medical malpractice cases (with Joanne Martin), September 2008.
- Participant, *Amicus Curiae* Brief and Argument of Professors in Support of Plaintiffs-Appellees in *Lebron v. Gottlieb Memorial Hospital* (Supreme Court of Illinois, Consolidated Docket Nos. 105741 & 105745), a constitutional challenge to cap on damages in medical malpractice cases,

August 2008.

Expert's Affidavit (for plaintiff) in *Miller and Miller v. Johnson, M.D.* (District Court of Douglas County, Kansas, Case No. 2004CV704, Division 6), constitutional challenge to Kansas cap on damages in medical malpractice cases (with Joanne Martin), June 2007.

Participant, *Amicus Curiae* Brief of Professors and Scholars in Support of Respondent in *Philip Morris, USA v. Williams*, 549 U.S. 346 (2007) (Supreme Court of the United States), constitutional challenge to awarding of punitive damages, September 2006.

"How Texas Plaintiffs' Lawyers Get Cases and the Importance of Referrals," testimony before the State Bar of Texas Referral Fee Task Force, Austin, TX, March 29, 2004.

Expert Witness (for plaintiff) in *State of Alabama v. Exxon Corporation* (Circuit Court of Montgomery County, Alabama, Civil Action No. CV-99-2368), for post-trial motion regarding punitive damages, March 2004 (second trial).

Participant, *Amicus Curiae* Brief of Certain Leading Social Scientists and Legal Scholars in Support of Respondents in *State Farm Mutual Automobile Ins. Co. v. Campbell and Campbell*, 538 US 408 (2003) (Supreme Court of the United States), constitutional challenge to awarding of punitive damages, September 2002.

Expert Witness (for plaintiff) in *State of Alabama v. Exxon Corporation* (Circuit Court of Montgomery County, Alabama, Civil Action No. CV-99-2368), for post-trial motion regarding punitive damages, May 2001 (first trial).

Expert Witness (for plaintiff) in *Witherspoon v. Mack Trucks, Inc.* (Circuit Court of Clarke County, Alabama, Civil Action No. 97-172-C), for post-trial motion regarding punitive damages, June 2000.

Expert's Affidavit (for plaintiff) in *Martin v. Richey* (Indiana Supreme Court, No. 53S04-9805-CV-27, decided July 8, 1999), constitutional challenge to legislation enacting a two-year statute of limitations for medical malpractice victims (with Joanne Martin), 1999.

Expert's Affidavit (for plaintiff) in *Ohio Academy of Trial Lawyers v. Hon. Richard S. Sheward, Judge* (Ohio Supreme Court, No. 97-2419, decided August 19, 1999), constitutional challenge to Ohio tort reform legislation (with Joanne Martin), 1999.

Expert's Affidavit (for plaintiff) in *Best v. Taylor Machine Works* (Illinois Supreme Court, 689 N.E. 2d. 1057 [Ill. 1997]), constitutional challenge to Illinois tort reform legislation (with Joanne Martin), 1997.

"Punitive Damages in Financial Injury Cases," testimony before the Committee on the Judiciary, U.S. Senate, Washington, D.C., June 23, 1997.

Comment on Proposed Amendment to Disciplinary Rule 2-101 of the *Code of Professional Responsibility*, Supreme Court of Ohio, December 1, 1997 (discussing empirical evidence relevant to an amendment which would have imposed a 30-day restriction on direct mail communication by attorneys to accident victims).

Congressional Staff Briefing on *Civil Juries and the Politics of Reform* and Products Liability Legislation, presentation at U.S. Capitol, Washington, D.C., March 12, 1996 (sponsored by Rep. Lloyd Doggett [D-TX] and Sen. Ernest Hollings [D-SC]).

Press Briefing on *Civil Juries and the Politics of Reform* and Products Liability Legislation, National Press Club, Washington, D.C., March 12, 1996 (sponsored by Public Citizen).

"Punitive Damages Tort Reform," testimony before the Committee on the Judiciary, U.S. Senate, Washington, D.C., April 4, 1995.

"Punitive Damages and Products Liability," testimony before the Committee on Commerce, Science and Transportation, U.S. Senate, Washington, D.C., April 4, 1995.

"Punitive Damages in State Courts," testimony before the Wisconsin Senate Committee on Judiciary and Insurance, Madison, WI, May 19, 1993.

"Myth and Reality in Punitive Damages," testimony before the Committee on Commerce, Science and

- Transportation, U.S. Senate, Washington, D.C., Sept 12, 1991.
- “Aggregate Patterns in Punitive Damages and Products Liability Verdicts,” testimony before the Subcommittee on Commerce, Consumer Protection and Competitiveness, U.S. House of Representatives, Washington, D.C., May 20, 1987.
- “Jury Verdicts and the ‘Crisis’ in Civil Justice,” testimony before the Alabama Governor’s Commission on the Insurance Crisis and Tort Reform, Montgomery, AL November 13, 1986.
- “Civil Jury Awards in State Courts,” testimony before the Massachusetts Governor’s Commission on the Insurance Crisis, Boston, MA, August 5, 1986.

## **PAPERS PRESENTED**

- “An Embarrassment of Riches: The Effects of the Economic Downturn on Pro Bono Services and Legal Services to the Poor,” 2011 Ben J. Altheimer Symposium, Reframing Public Service Law: Innovative Approaches to Integrating Public Service into the Legal Profession, University of Arkansas-Little Rock Bowen School of Law, March 31, 2011 (with Joanne Martin)
- “Plaintiffs’ Lawyers and the Tension between Professional Norms and the Need to Generate Business,” Annual Meeting of the Law & Society Association, Chicago, IL, May 27-30, 2010 (with Joanne Martin).
- “Plaintiffs’ Lawyers and the Tension between Professional Norms and the Need to Generate Business,” Lawyers in Practice: Ethical Decision Making in Context, conference co-sponsored by the Baldy Center for Law & Social Policy and the University of Connecticut April 23, 2010, Buffalo NY (with Joanne Martin).
- “Plaintiffs’ Lawyers: Dealing with the Possible But Not Certain,” 16<sup>th</sup> Annual Clifford Symposium on Tort Law and Social Policy, DePaul University College of Law, April 8-9, 2010 (with Joanne Martin)
- “Reputation, Specialization and the Referral of Cases Among Lawyers: Is It Just About Money?” Annual Meeting of the Law & Society Association, Denver, CO, May 28-31, 2009 (with Joanne Martin).
- “The Juice Simply isn’t Worth the Squeeze in Those Cases Anymore: Damage Caps, Hidden Victims, and the Declining Interest in Medical Malpractice Cases,” Annual Meeting of the Law & Society Association, Montreal, Canada, May 29-June 1, 2008 (with Joanne Martin).
- “Law School Clinics as Legal Service Providers,” Annual Meeting of the Law & Society Association, Montreal, Canada, May 29-June 1, 2008 (with Joanne Martin).
- “The Turbulent Evolution of the Plaintiffs’ Bar: A Decade of Change,” Annual Meeting of the Law & Society Association, Baltimore, MD. July 6-9, 2006 (with Joanne Martin).
- “Tort Reform and Lawyer Referral Networks: Disrupting the Flow,” Annual Meeting of the Law & Society Association, Baltimore, MD. July 6-9, 2006 (with Joanne Martin).
- “The Making of a Plaintiffs’ Lawyer,” Annual Meeting of the Law & Society Association, Baltimore, MD. July 6-9, 2006 (with Joanne Martin).
- “Alive and Well (Maybe) in Texas: Plaintiffs’ Practice in the Age of Tort Reform,” Symposium on the Plaintiffs’ Bar, Center for Professional Values and Practice, New York Law School Law, New York, NY, March 31-April 1, 2006 (with Joanne Martin).
- “Plaintiffs’ Lawyers, Specialization, and Medical Malpractice,” Roscoe Pound Foundation/Vanderbilt Law School Symposium on Medical Malpractice, Nashville, TN, October 20-22, 2005 (with Joanne Martin).
- “Legal Services for the Poor: Supply, Self-Interest, and Institutionalizing Pro Bono” (with Joanne Martin), Annual Meeting of the Law & Society Association, Las Vegas, Nevada, June 2-5, 2005.
- “The Texas Two-Step: Evidence on the Link between Damage Caps and Access,” 11<sup>th</sup> Annual Clifford Symposium on Tort Law and Social Policy, DePaul University College of Law, April 14-15,

- 2005, Chicago, IL (with Joanne Martin).
- “The Strange Success of Tort Reform,” 2004 Thrower Symposium, The Future of Tort Reform, Emory University School of Law, Atlanta, GA, February 19, 2004 (with Joanne Martin).
- “Coming of Age in Texas: Markets, Politics, and Self-Identity in the Development of the Plaintiffs’ Bar,” Annual Meeting of the Law & Society Association, Pittsburgh, PA, June 5-8, 2003.
- “Whatever Happened to the Litigation Explosion in Texas? The Strange Success of Tort Reform,” Annual Meeting of the Law & Society Association, Vancouver, BC, May 29-June 1, 2002 (with Joanne Martin).
- “It Was the Best of Times, It was the Worst of Times: The Precarious Nature of Plaintiffs’ Practice in Texas,” The Center on Lawyers, Civil Justice, and the Media, University of Texas Law School, Conference on What We Know and Don’t Know about the Impact of Legal Services on the American Economy and Polity, Austin, TX, February 1-2, 2002.
- “The Dynamic Nature of the Plaintiffs’ Bar: Entrepreneurs and Innovation,” Annual Meeting of the Law & Society Association, Miami Beach, FL, May 26-29, 2000 (with Joanne Martin).
- “The Impact That It Has Had is Between People’s Ears: Tort Reform, Mass Culture, and Plaintiffs’ Lawyers,” 6th Annual Clifford Symposium on Tort Law and Social Policy, DePaul University College of Law, March 31-April 1, 2000, Chicago, IL (with Joanne Martin).
- “Clouds and Silver Linings: The Response of Plaintiffs’ Lawyers to Tort Reform,” Annual Meeting of the Law and Society Association, Chicago, IL, May 27-30, 1999 (with Joanne Martin and Jerry Van Hoy).
- “Without Cases We Don’t Have Any Business: Reputation, Markets and How Texas Plaintiffs’ Lawyers Get Clients,” The ABF Fellows Seminar, Midyear Meeting of the American Bar Association, Los Angeles, CA, February 6, 1999 (with Joanne Martin).
- “That’s 95% of the Game, Just Getting the Case: Markets, Norms, and How Texas Plaintiffs’ Lawyers Get Clients,” Annual Meeting of the Law & Society Association, St. Louis, MO, June 5- 8, 1997 (with Joanne Martin).
- “Historical Fiction: Punitive Damages, Change, and the Politics of Ideas,” National Conference on the Future of Punitive Damages, University of Wisconsin Law School, Madison, WI, October 25-27, 1996 (with Joanne Martin)
- “The Man Who Mistook His Lawnmower for a Hedge Trimmer (and collected \$500,000): Examining Products Liability Verdicts,” Annual Meeting of the Law & Society Association, Philadelphia, PA 1992 (with Joanne Martin).
- “Myth and Reality in Punitive Damages,” Annual Meeting of the Georgia Fellows of the American Bar Foundation, Atlanta, GA December 1989.
- “Jury Verdicts in Medical Malpractice Cases,” presented at the Annual Meeting of the Law & Society Association, Madison, WI 1989.
- “The Shadow of the Law: Jury Verdicts in Obstetrics/Gynecology Cases,” The ABF Fellows Seminar, Midyear Meeting of the American Bar Association, Denver, CO 1989 (with Lori Andrews).
- “The Question of Jury Competence and The Politics of Tort Reform,” Conference on Jury Competence, Duke University School of Law, Durham, NC November 18-19, 1988.
- “Patterns and Changes in the Work of State Civil Juries: Cases Involving Financial Harm,” Annual Meeting of the Law & Society Association, Vail, CO 1988.
- “Caseload Dynamics in State Trial Courts: The Effects of Environmental Factors and Institutional Constraints,” Conference on Longitudinal Research on Trial Courts, SUNY-Buffalo, Buffalo, NY August 1987.
- “The Cultural Logic of a Manufactured Crisis: The Great American Liability Insurance Famine of 1986,” Annual Meeting of the Law & Society Association, Washington, D.C. 1987

(with Robert Hayden).

- “Empirical Patterns in Punitive Damage Cases: A Description of Incidence Rates and Awards,” Annual Meeting of the Law & Society Association, Washington, D.C. 1987 (with Joanne Martin).
- “Jury Verdicts and the 'Crisis' in Civil Justice,” Annual Meeting of the Midwest Political Science Association, Chicago, IL 1987 (with Joanne Martin).
- “The Interplay of Situational Factors in the Illinois Supreme Court: Conceptual Notes and a Case Study,” Annual Meeting of the American Political Science Association, Washington, D.C. 1986.
- “Civil Juries, Jury Verdict Reporters, and the Going Rate,” Annual Meeting of the Law & Society Association, Chicago, IL 1986.
- “Explaining Caseload Dynamics: The Use of Evolutionary Models,” Annual Meeting of the Law & Society Association, Chicago, IL 1986.
- “Punitive Damages: Storm on the Horizon?” The ABF Fellows Seminar, Midyear Meeting of the American Bar Association, Baltimore, MD 1986.
- “The Changing Roles of State Trial Courts: Menard County, Illinois, 1870-1960.” Annual Meeting of the Midwest Political Science Association, Chicago, IL 1985 (with James Bowers).
- “Ladders and Bushes: The Problems of Caseloads and Studying Court Activities Over Time.” Annual Meeting of the Law and Society Association, Boston, MA 1984.
- “Social Development and Litigation Studies: A Critique.” Annual Meeting of the Law & Society Association, Denver, CO 1983.
- “The Civil Business of State Trial Courts: A Rural-Urban Comparison.” Annual Meeting of the Law & Society Association, Toronto, Ontario 1982.
- “The Trial Courts of 'Spoon River': Patterns and Changes, 1870-1963.” Annual Meeting of the Law & Society Association, Amherst, MA 1981.
- “Civil Litigation in Illinois Trial Courts.” Annual Meeting of the Midwest Political Science Association, Chicago, IL 1980.
- “Civil Liberties and Civil Rights on the Shifting Sands of Social Science.” Annual Meeting of the American Political Science Association, New York, NY 1978.
- “The Use of Social Science in the Death Penalty Cases.” Annual Meeting of the Midwest Political Science Association, Chicago, IL 1978.

#### **OTHER PRESENTATIONS**

- “The Juice isn’t Worth the Squeeze: The Impact of Tort Reform on Plaintiffs’ Lawyers and Access to Civil Justice,” The ABF Fellows CLE Research Seminar, Midyear Meeting of the American Bar Association, Dallas, TX, February 9, 2013.
- “Law and Society,” Classics of Legal Scholarship Seminar Series, Sturm College of Law, University of Denver, September 12, 2012.
- “Civic Education and the Legal Profession,” Presentation to the Missouri Fellows of the American Bar Foundation, Kansas City, MO, September 23, 2011.
- “Changing Legal Practice in the Wake of Medical Malpractice Reform,” Center for the Empirical Study of Legal Practice, William Mitchell College of Law, St. Paul, MN, October 15, 2008 (with Joanne Martin).
- “Law School Clinics as Legal Service Providers,” Faculty Seminar, William Mitchell College of Law, St. Paul, MN, October 16, 2008 (with Joanne Martin).
- “Public Opinion and Medical Malpractice,” Annual Meeting of the Michigan Fellows of the American Bar Foundation, Grand Rapids, MI, September 28, 2007.
- “Prayer in Public Schools,” Confronting the Controversies, First United Methodist Church, Downers Grove, IL, Feb. 4, 2007 (part of a series of presentations dealing with religious beliefs and

- current public policy issues).
- “Texas Plaintiffs’ Lawyers and Tort Reform,” Presentation to Tort and Insurance Practice Section Task Force on the Contingency Fee,” Annual Meeting of the American Bar Association, Chicago, IL, August 5, 2005.
  - “The Strange Success of Tort Reform,” Presentation to the Missouri Fellows of the American Bar Foundation, Kansas City, MO, September 23, 2005.
  - “Research on the Texas Plaintiffs’ Bar in Texas,” Presentation to the Texas Trial Lawyers Association,” Austin, TX, October 28, 2005.
  - “Legal Services for the Poor and *Pro Bono*,” The ABF Fellows Seminar, Midyear Meeting of the American Bar Association, Salt Lake City, UT, February 12, 2005 (with Joanne Martin).
  - “The Strange Success of Tort Reform,” Annual Meeting of the Kansas Fellows of the American Bar Foundation, Mission Hills, KS November 6, 2004.
  - “Whatever Happened to the Litigation Explosion in Texas? The Strange Success of Tort Reform,” Institute for Legal Studies, Law School, University of Wisconsin-Madison, March 12, 2003 (with Joanne Martin).
  - “Whatever Happened to the Litigation Explosion in Texas? The Strange Success of Tort Reform,” American Society of Trial Consultants Regional Meeting, Chicago, IL February 14, 2003.
  - “Tort Out of Court: Plaintiffs’ Lawyers,” Section on Torts and Compensation Systems, 2002 Annual Meeting of the American Association of Law Schools, New Orleans, LA, January 2-6, 2002 (with Joanne Martin).
  - “The Dynamic Nature of the Plaintiffs’ Bar,” 2000 Texas Trial Lawyers Association Beat the Heat Seminar, Whitefish, MT, July 16-22, 2000 (with Joanne Martin).
  - “What’s Going on in Texas Personal Injury Practices: Research Findings,” 1999 Texas Trial Lawyers Association Roundtable, The Plaintiffs’ Practice in Texas: Assessment, Strategies and Political Factors,” Austin, TX, September 24, 1999 (with Joanne Martin).
  - “Tort Reform and Jury Bias,” presentation at the Colorado Trial Lawyers Association Seminar: Addressing Juror Bias, Denver, CO, May 8, 1998.
  - “Personal Injury Lawyers and Big Cases,” presentation at the Annual Meeting of the Maryland Fellows of the American Bar Foundation, Baltimore, MD, November 19, 1997.
  - “Civil Juries, Plaintiffs’ Lawyers and the Rhetoric of Reform,” presentation at the Conference on Overcoming Juror Bias, National College of Advocacy, the Association of Trial Lawyers of America, Chicago, IL, September 26, 1997.
  - “The Better Angels of Our Nature: A Tribute to Senator Paul Simon,” presentation at A Bow Tie Tribute to Senator Paul Simon, sponsored by the Illinois Library Association, Lisle, IL, April 19, 1997.
  - “Trumping Reality: Tort Reform and the Politics of Ideas,” Law and Policy Seminar, Department of Political Science, Johns Hopkins University, Baltimore, MD, February 10, 1997.
  - “Presentation on *Civil Juries and the Politics of Reform*,” to the Dallas Trial Lawyers Association,” Dallas, TX, March 28, 1996 (with Joanne Martin).
  - “Products Liability: Legislate or Litigate,” presentation at the Annual Meeting of the Fellows of the American Bar Foundation, Miami, FL, February 1995.
  - “Jury Verdicts,” presentation at the Annual Meeting of the Maryland Fellows of the American Bar Foundation, Baltimore, MD, November 18, 1993.
  - “Research on Medical Malpractice,” presentation for the Wisconsin Hospital Association/Wisconsin State Medical Society Joint Task Force on the Patients’ Compensation Fund, Madison, WI, August 2, 1991.
  - “The Pragmatic Management of Error,” Section of Plastic and Reconstructive Surgery, Department of Surgery University of Chicago, July 27, 1989.

- “The Pragmatic Management of Medical Error and the Origins of Malpractice Disputes,” presented at the Annual Meeting of the Law & Society Association, Madison, WI June 9, 1989.
- “The Social Construction of Medical Error,” presentation for Section of Plastic and Reconstructive Surgery, Department of Surgery, University of Chicago, Chicago, IL January 19, 1989.
- “A Model for Patterns in Medical Malpractice Jury Verdicts,” Center for Health Economics, University of Wisconsin-Madison, December 7, 1988.
- “An Observation Study of the Social Construction of Medical Error,” Chicago Association for the Study of Health Behavior,” Chicago, IL December 1, 1988.
- “An Analysis of Obstetrical Jury Awards,” The Effects of Medical Professional Liability on the Delivery of Maternal and Child Health Care, National Institute of Medicine, Washington, DC June 20, 1988.
- “The Politics of Dying,” Symposium on Sustaining Live or Prolonging Death, Illinois State Bar Association, Chicago, May 13, 1988.
- “Jury Verdicts and the ‘Crisis’ in Civil Justice,” National Association of Trial Lawyer Executives National Legislative Conference, New Orleans, LA November 20, 1987.
- “Jury Verdicts and Medical Malpractice,” 2nd Annual Health Care Law Conference, Illinois Institute for Continuing Legal Education and the Institute for Health Law of Loyola University of Chicago, Chicago, IL November 5-6, 1987.
- “Jury Verdicts and the Politics of Tort Reform,” The American Board of Trial Advocates Seminar, California State Bar Convention, Los Angeles, CA September 20, 1987.
- “A Study of Punitive Damages,” Southern Conference on Liability Insurance and Tort Reform, Cumberland School of Law, Birmingham, AL November 21, 1986.
- “Jury Verdicts and Civil Justice Reform in Illinois,” Crossroads ‘86 Conference on State Politics, Sangamon State University, Springfield, IL October 17, 1986.
- “Research on Jury Verdicts and Punitive Damages.” presentation at Alliance of American Insurers, Schaumburg, IL April 14, 1986
- “An Historical Study of Civil and Criminal Dispositions in Two Downstate Illinois Counties.” Workshop on Plea Bargaining, Annual Meeting of the Law and Society Association, Boston, MA 1984 (with Robert Hayden)
- “The ‘Master Pattern’ of Case Dispositions.” Language, Law, and Society Workshop, University of Chicago, Chicago, IL May 11, 1984 (with Robert Hayden)
- “The ‘Master Pattern’ of Case Dispositions and the Myth of the Golden Age of Trials.” Disputes Processing Research Program Colloquium, Law School, University of Wisconsin-Madison, Madison, WI April 10, 1984 (with Robert Hayden)
- “Ladders and Bushes: Studying Court Activities Over Time.” Seminar on Law and Social Policy, Center for Urban Affairs and Policy Research, Northwestern University, Evanston, IL November 9, 1983

## **OTHER PROFESSIONAL ACTIVITIES**

### **American Political Science Association:**

- Panel Member, “Authors Meet Readers: Haltom and McCann’s Distorting the Law: Politics, Media, and the Litigation Crisis,” Annual Meeting of the American Political Science Association, Washington, D.C., September 1-4, 2005
- Member, Nominating Committee, Law and Courts Section of the American Political Science Association, 2001-02.
- Participant, Roundtable on "Sources of Data for Judicial Research," at the Annual Meeting of the American Political Science Association, Washington, DC, 1986

### **Chicago Appleseed Fund for Justice:**

Member, Advisory Board for the Center for Judicial Performance and Integrity, 2012-present  
Member, Judicial Performance Commission, Chicago, IL, 2010-2012

**Chicago Council of Lawyers:**

Member, Research Advisory Committee for the Judicial Campaign Finance Reform Project,  
Chicago, IL, 2001-2004

**Justice System Journal:**

Member, Editorial Board, 2004 –present

**Law and Society Association:**

Dissertation Prize Committee, 2008-2009

Panelist, "Author Meets Reader – *Medical Malpractice and the American Jury*, by Neil Vidmar,  
Annual Meeting of the Law & Society Association, Las Vegas, Nevada, June 2-5, 2005

Chair and Discussant, panel entitled "Complaining, Campaigning, and Legislating: Alternative  
Challenges to Judicial Decision-Making," Annual Meeting of the Law & Society Association,  
Chicago, IL, May 27-30, 2004

Chair and discussant, panel entitled "Claiming Social Assistance," Annual Meeting of the  
Law & Society Association, Vancouver, BC, May 30-June 1, 2002

Chair and discussant, panel entitled "New Empirical Approaches to Courts," Annual Meeting  
of the Law & Society Association, Miami Beach, FL, May 2000

Chair, panel entitled "Alternative Dispute Resolution," Annual Meeting of the Law & Society  
Association, Phoenix, AZ, June, 1994

Participant, Roundtable on "Methodological Approaches to Jury Research," Annual Meeting  
of the Law & Society Association, Philadelphia, PA, 1992

Chair, Roundtable on "The Issues of Change in Longitudinal Studies of Trial Courts: A Comparison  
of Findings," Annual Meeting of the Law & Society Association, Vail, CO, 1988

Participant, Roundtable on "The Context of Legal Practice," Annual Meeting of the Law &  
Society Association, Washington, D.C., 1987

Chair, panel entitled "Approaches to the Study of Courts," Annual Meeting of the Law & Society  
Association, Chicago, IL, 1986

Chair, panel entitled "A Retrospective on Longitudinal Studies of Civil Litigation" Annual  
Meeting of the Law & Society Association, Boston, MA, 1984

Chair, panel entitled "Social Change and State Trial Court Litigation" Annual Meeting of  
the Law & Society Association, Denver, CO, 1983

**Midwest Political Science Association:**

Participant, roundtable entitled "Inside Campaigns: Political Scientists in the Electoral  
Trenches," Annual Meeting of the Midwest Political Science Association, Chicago, IL April 2-5,  
2009

Participant, roundtable entitled "Political Scientists as Experts on the Law: When Journalists Come  
Calling," Annual Meeting of the Midwest Political Science Association, Chicago, IL April  
25-28, 2002

Discussant, panel entitled "Law and Legal Culture," Annual Meeting of the Midwest Political  
Science Association, Chicago, IL, 1993

Participant, "Roundtable: Qualitative Methods," at the Annual Meeting of the Midwest Political  
Science Association, Chicago, IL 1990

**National Center for State Courts:**

Session Moderator and Planning Group, "Williamsburg Conference on Civil Justice: A Focus on  
Torts," Williamsburg, VA, October 2, 1993

**Robert Wood Johnson Foundation:**

Member, Review Panel for IMPACS Program, 1997

**Roscoe Pound Institute:**

Member, Academic Advisory Board, 2000 – 2006

Panelist, 2004 Forum for State Appellate Court Judges: “Still Co-Equal? State Courts, Legislatures, and the Separation of Powers,” July 3, 2004, Boston, Massachusetts

**Social Science History Association:**

Participant, Roundtable on "Social Science and the Study of Constitutions and Constitutionalism," Annual Meeting of the Social Science History Association, New Orleans, LA, 1987

Discussant, panel entitled "Commercial Litigation in State Courts" Annual Meeting of the Social Science History Association, Washington, DC, 1983

**State of Wisconsin:**

Member, Medical Malpractice Closed Claims Study Working Group, Office of the Commissioner of Insurance, 1988-1990

**Texas Trial Lawyers Association:**

Panelist, “The Litigation Explosion: Myth or Reality,” Annual Meeting of the Texas Trial Lawyers Association, Houston, TX, November 18-19, 2004

Panelist, “High Profile Cases and the Public’s Perception of the Legal System,” Annual Meeting of the Texas Trial Lawyers Association, Houston, TX November 18-19, 2004

**University of Chicago:**

Outside Reviewer for University of Chicago Social and Behavioral Sciences Institutional Review Board (human subjects committee), May 2001

**University of Denver:**

Member, Steering Committee for the development of the Educating Tomorrow’s Lawyers Initiative, 2010-2011

Member, Planning Committee for 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

**University of Wisconsin:**

Participant, "Roundtable: Identifying and Balancing the Interests of Health Care Providers and Health Consumers," Conference on Medical Malpractice Claims in Wisconsin, Disputes Processing Research Program of the University of Wisconsin Law School and the State Justice Institute, Madison, WI, September 29, 1989

**Vanderbilt University:**

Participant, Medical Malpractice Seminar, Center for Health Policy, Nashville, TN December 1, 1989

**Reviewer:**

*Law and Society Review, Law and Social Inquiry, Journal of Empirical Legal Studies, Journal of Politics, Justice System Journal, Western Political Quarterly, Law and Policy, Judicature, Regulation & Governance, University of Michigan Press, Oxford University Press, Stanford University Press, Yale University Press, and Law and Social Sciences Program, National Science Foundation.*

**MAJOR SERVICE ACTIVITIES**

**American Bar Foundation:**

Academic Coordinator, Summer Undergraduate Diversity Fellowship Program, 2009-present

Appointments Committee, 1985-87, Co-Chair 1999-2000, Chair 2000-01

Computer Committee, Chair, 1984

Graduate Student Advisory Committee, 1991-92, 1995-96

Institutional Review Board (human subjects), 1995-1998, Chair, 1998-2005, Chair, 2007-2010,  
Chair, 2012-present.  
Long Range Planning Committee, 1992-93  
Policy Committee, 1985-87, 2004-2005  
Research Committee, 1983-85, 1987-88, 1990-91, 1995-96, 2005-06  
Speakers/Colloquium Committee, 2006-2008  
Search Committee for Director, 2003-2004

**Sangamon State University (now University of Illinois-Springfield):**

Academic Affairs Computer Advisory Committee, 1980-83  
Chair, Political Studies Program, 1981-83  
Competitive Awards Program Review Committee, 1980-83  
Faculty Senate, 1979-80  
Institutional Representative for University's membership in the International Consortium for Political  
and Social Research, 1980-83  
Search Committee, University Foundation Director, 1982-83  
University Personnel Committee, 1982-83

**PUBLIC SERVICE:**

**Downers Grove, IL:**

*Public Library:*

President, Downers Grove (IL) Public Library Board of Trustees, 1988-92, 1993-2010  
Member, Downers Grove (IL) Public Library Board of Trustees, 1986-2010.  
library has approximately 90 employees and a budget of \$3.5 million;  
recipient, 1994 Illinois Library Association Intellectual Freedom Award;  
library successfully passed \$8.2 million referendum, March 1995;  
library completed 2-year, \$8.2 million building project on time and under budget, 1999.  
Member, Board of Directors, Downers Grove Public Library Foundation, 2005-2010.

*Community:*

Chair and Founding Member, Downers Grove Community Advocates  
(a local public interest group) 2005-2010  
Member, Downers Grove School Board Caucus, 1997-2007  
Member, School District 58, (elementary), Goals Advisory Committee, 1993, Superintendent  
Search Advisory Committee, 1998.  
Member, Village of Downers Grove, Total Community Development Committee on  
Education and Committee on Public Facilities, 1993.  
Great Books Coordinator, Pierce Downer Elementary School PTA, 1986-87.

*Youth Athletics:*

Coach, Downers Grove Park District Youth Soccer Program, 1986-90.  
Coach, Downers Grove Youth Baseball (Little League and Babe Ruth League), 1986-91.  
Coach, Indian Boundary YMCA Youth Basketball Program, 1987-91.

**Springfield, IL:**

Representative of Springfield Chapter, Board of Directors of Illinois Civil Liberties Union,  
1980-81.  
Steering Committee, Springfield, IL Chapter of the American Civil Liberties Union, 1979-82.

**REFERENCES:**

Upon request