

PHILLIP I. BLUMBERG PROF. OF LAW  
UNIV. OF CONNECTICUT LAW SCHOOL  
65 ELIZABETH ST. HARTFORD CT 06105  
PETER DOT SIEGELMAN AT LAW DOT UCONN DOT EDU 860.570.5238

PETER SIEGELMAN

EDUCATION

---

Yale Law School: M.S.L. (Master of Studies in Law), 1997.  
Yale University: Ph.D. (Economics), 1991. Dissertation: *An Economic Analysis of Employment Discrimination Litigation*. Committee: James Heckman, Paul Schultz, Joel Waldfogel.  
Swarthmore College: B.A. with High Honors (History), 1978. Phi Beta Kappa. J. R. Pennock Fellowship in Public Affairs.

EMPLOYMENT

---

Tel Aviv University Law School: Visiting Lecturer (May 2018).  
University of Connecticut: Professor of Economics (by courtesy) (2012–\_\_).  
Bar Ilan University, Ramat Gan (Israel): Visiting Lecturer (May 2011).  
University of Navarra, Pamplona (Spain): Visiting Lecturer (March 2008).  
University of Michigan Law School: Visiting Prof. (Spring 2006).  
University of Connecticut Law School: Prof. (2004–2006), Roger Sherman Prof. (2006–2015); Phillip I. Blumberg Prof. (2015–\_\_); Interim director, Insurance Law Center (2014-15); Associate Dean for Research (2016–2019).  
Fordham University School of Law: Assoc. Prof. (2000–2004).  
Univ. of Connecticut Law School: Visiting Assoc. Prof. (Fall 1998 & Fall 1999).  
Amherst College, Dept. of Economics: Visiting Lecturer (Spring 1999).  
Yale Law School: Visiting Lecturer (Fall 1997).  
Yale Law School: Olin Law & Economics Research Fellow (1995/96).  
American Bar Foundation: Research Fellow (1989-1995).  
Amherst College, Department of Black Studies: Visiting Lecturer (Spring 1994).  
Yale University, Economics Dept.: Teaching Fellow (1984, 1986).  
Congressional Budget Office: Assistant Analyst, (Jun.–Dec., 1985).  
Wells Fargo Bank, San Francisco, CA: Country Risk Analyst (1979-80;1981).

SCHOLARLY PUBLICATIONS: [\* = symposium contribution]

---

*The Six Month List and the Unintended Consequences of Judicial Accountability*, 105 CORNELL L. REV. \_\_ (2019) (with Miguel de Figueiredo & Alexandra D. Lahav).

*The Curious Incident of The Falling Win Rate: Individual vs System-Level Justification and the Rule of Law*, 52 U.C. DAVIS L. REV. 1371 (April 2019); published as White Paper for the U.C. Berkeley/U.C. Irvine Civil Justice Research Initiative (with Alexandra D. Lahav).

*Insurance Law & Economics*, in Francesco Parisi (ed), OXFORD HANDBOOK OF LAW & ECONOMICS (2017) (with Daniel Schwarcz).

*\*An Economist Listens to Serial*, 48 CONN. L. REV. 1627 (July 2016).

*\*A Law Faculty Listens to Serial*, 48 CONN. L. REV. 1595 (July 2016) (symposium co-editor, with Steven Wilf).

*The Compromised Worker & The Limits of Employment Discrimination Law*, 63 BUFFALO L. REV. 565 (2016).

ELGAR RESEARCH HANDBOOK ON THE ECONOMICS OF INSURANCE LAW (co-editor, with Daniel Schwarcz) (2015).

*Insurance Agents in the 21<sup>st</sup> Century: the Problem of Biased Advice*, in ELGAR RESEARCH HANDBOOK ON THE ECONOMICS OF INSURANCE LAW (2015) (with Daniel Schwarcz).

*\*Information & Equilibrium in Insurance Markets with Big Data*, 21 CONN. INS. L. J. 318 (2015).

*Behavioral Economics and Insurance Law: The Importance of Equilibrium Analysis*, in Doron Teichman & Eyal Zamir (eds.), OXFORD HANDBOOK OF BEHAVIORAL ECONOMICS AND THE LAW (2014) (with Tom Baker).

*The Questionable Character of the Bar's Character and Fitness Inquiry*, 40 L. & SOC. INQ. 51(2014) (with Leslie Levin & Christine Zozula).

*You Want Insurance With That? Using Behavioral Economics to Protect Consumers from Add-On Insurance Products*, 20 CONN. INS. L. J. 1 (2013) (with Tom Baker).

*The Law & Economics of Liability Insurance*, in Jennifer Arlen (ed.), RESEARCH HANDBOOK ON THE ECONOMICS OF TORTS (2013) (with Tom Baker). Reprinted in RESEARCH HANDBOOK ON THE LAW & ECONOMICS OF INSURANCE (2015) (D. Schwarcz and P. Siegelman, eds).

*Underclaiming and Overclaiming: Bringing Law Back Into the Dispute Pyramid*, 38 L. & SOC. INQ. 836 (2013) (with Sachin Pandya).

*Cities, Property and Positive Externalities*, 54 WM. & MARY L. REV. 211 (2012) (with Gideon Parchomovsky).

*Can Propitious Selection Stabilize Insurance Markets?*, 35 J. INS. ISSUES 121 (2012) (with Tsvetanka Karagyozyova).

*You DO Have to Keep Your Promises*, 52 WM. & MARY L. REV. 1181 (2011) (with Steve Thel).

*Testing for Adverse Selection in Insurance Markets*, 77 J. RISK & INS. 39 (2010) (with Alma Cohen). Awarded 2010 Amer. Risk & Ins. Association Witt Prize for best article in the J. R. I.

*Tontines for the Invincibles*, 10 WISC. L. REV. 79 (2010) (with Tom Baker).

*Predictions and Nudges: What Behavioral Economics has to Offer the Humanities, and Vice-Versa*, [essay reviewing PREDICTABLY IRRATIONAL by Dan Ariely and NUDGE by Richard Thaler & Cass Sunstein], 21 YALE J. L. & HUM. 341 (2009) (with Anne C. Dailey).

*Bribes vs. Bombs: An Essay on Coasean Warfare*, 29 INT'L REV. OF L. & ECON. 179 (2009) (with Gideon Parchomovsky).

*\*Wilfulness vs Expectation: A Defense of Wilful Breach Doctrine*, 107 Mich. L. Rev. 1517 (2009) (with Steve Thel); reprinted in Omri Ben-Shahar and Ariel Porat, eds. FAULT IN AMERICAN CONTRACT LAW

(Cambridge University Press: 2010).

*Contributory Disparate Impact in Employment Discrimination Law*, 49 WM. & MARY L. REV. 515 (2007).

*Of Equal Rights and Half Wrongs*, 82 NYU L. REV. 738 (2007) (with Gideon Parchomovsky & Steve Thel).

*The Evolution of Employment Discrimination Law in the 1990s: An Empirical Examination*, in Laura Beth Nielsen & Robert Nelson (eds.), HANDBOOK OF RESEARCH ON EMPLOYMENT DISCRIMINATION: RIGHTS AND REALITIES (2005) (with John J. Donohue).

*Adverse Selection in Insurance Markets: An Exaggerated Threat*, 113 YALE L.J. 1223 (2004).

*Selling Mayberry: Individuals and Communities in Law and Economics*, 92 CAL. L. REV. 75 (2004) (with Gideon Parchomovsky). Reprinted in Richard Brooks et. al. (eds.), ECONOMICS OF ENVIRONMENTAL LAW (2008).

*A New Old Look at Terrorism Insurance: Jack Hirshleifer's War Damages Insurance After 50 Years* [Essay on *War Damages Insurance*, by Jack Hirshleifer, 35 REV. ECON. & STAT. 144 (1953)], 9 CONN. J. INS. L. 19 (2002).

*Towards an Integrated Theory of Intellectual Property*, 88 VA. L. REV. 102 (2002) (with Gideon Parchomovsky).

\**James Heckman as a Law & Society Scholar: An Outsider's Appreciation*, 27 L. & SOC. INQ. 11 (2002).

*Race and Radio: Preference Externalities, Minority Ownership, and the Underprovision of Programming to Black and Hispanic Listeners*. Ch. 4 in Michael R. Baye and Jon P. Nelson (eds.), ADVERTISING AND DIFFERENTIATED PRODUCTS (2001) (with Joel Waldfoegel).

\**Racial Discrimination in 'Everyday' Commercial Transactions: What Do We Know, What Do We Need to Know, and How Can We Find Out?*, in Michael Fix & Margery Turner (eds.), A NATIONAL REPORT CARD ON DISCRIMINATION IN AMERICA: THE ROLE OF TESTING (1999).

*Toward a Taxonomy of Disputes: New Evidence Through the Prism of the Priest-Klein Model*, 28 J. LEGAL STUD. 101 (1999) (with Joel Waldfoegel).

*Allocating Resources Among Prisons and Social Programs in the Battle Against Crime*, 28 J. LEGAL STUD. 1 (1998) (with John J. Donohue).

\**The Q-Word as Red Herring: Why Disparate Impact Liability Does Not Induce Hiring Quotas*, 74 TEX. L. REV. 1487 (1996) (with Ian Ayres).

THE PROBLEMS OF LUSTRATION: PROSECUTION OF WRONGDOERS BY DEMOCRATIC SUCCESSOR REGIMES, 20 L. & SOC. INQ. (1995) (Symposium Organizer/Editor).

*The Selection of Employment Discrimination Disputes for Litigation: Using Business Cycle Effects to Test the Priest-Klein Hypothesis*, 24 J. LEGAL STUD. 427 (1995) (with John J. Donohue).

*Race and Gender Discrimination in Bargaining for a New Car*, 85 AM. EC. REV. 304 (1995) (with Ian Ayres).

Book Review, 33 J. ECON. LIT. 244 (1995) [Reviewing Farrell Bloch, ANTIDISCRIMINATION LAW AND MINORITY EMPLOYMENT (1994)].

*Shaky Grounds: The Case Against the Case Against Antidiscrimination Laws* [review essay on RICHARD

EPSTEIN, FORBIDDEN GROUNDS (1992)] 19 L. & SOC. INQ. 725 (1994).

*The Urban Institute Audit Studies: Their Methods and Findings*, in Michael Fix and Raymond Struyk (eds.), CLEAR AND CONVINCING EVIDENCE: MEASUREMENT OF DISCRIMINATION IN AMERICA 187 (1993) (with James J. Heckman).

*Law and Macroeconomics: Employment Discrimination Litigation Over the Business Cycle*, 66 S. CAL. L. REV. 709 (1993) (with John J. Donohue).

*The Changing Nature of Employment Discrimination Litigation*, 43 STAN. L. REV. 983 (1991) (with John J. Donohue).

*Studying the Iceberg From Its Tip? An Analysis of Differences Between Published and Unpublished Federal Employment Discrimination Cases*, 24 L. & SOC. REV. 1133 (1991) (with John J. Donohue).

Book Review, 95 AM. J. SOCIO. 1109 (1990) [reviewing Charles Smith, AUCTIONS: THE SOCIAL CONSTRUCTION OF VALUE (1989)].

*The Economics of the Insurance Anti-Trust Suits: Toward an Exclusionary Theory*, 63 TUL. L. REV. 971 (1989) (with Ian Ayres). Reprinted in 4 NAT'L INS. L. REV. 1 (1990) and in 4 INS. L. ANTH. 501 (1989-90).

*Neoclassical Difficulties: Tort As Deterrence for Latent Injuries*, 11 L. & POLICY 309 (1989) (with W. L. F. Felstiner). Reprinted in James Short and Lee Clarke (eds.), ORGANIZATIONS, UNCERTAINTIES, AND RISKS (1992).

#### SCHOLARLY WORK: IN PROGRESS

---

*Crossing Boundaries: Trees, Trespass and the Property/Liability Rule Distinction*.

*In Defense of Ruse Checkpoints—Screening Equilibria in Criminal Procedure* (with Kiel Brennan-Marquez). Accepted at Berkeley Privacy Law Scholarship Conference.

*Third-Party Moral Hazard* (under submission) (with Gideon Parchomovsky). Presented at Rutgers/Villanova Ins. Law symposium.

*Everything You Thought About Summary Judgment is Wrong* (with Alexandra D. Lahav)

#### OTHER PUBLICATIONS

---

*Swift Injustice: Why it's a terrible idea to push immigration judges to close cases more quickly*, Slate.com, April 18, 2018 available at <https://slate.com/news-and-politics/2018/04/its-a-terrible-idea-to-push-immigration-judges-to-close-cases-more-quickly.html> (with Miguel de Figueiredo & Alexandra D. Lahav).

*How Digital Technology Spawned Retro's Revival*, The Conversation, available at <https://theconversation.com/how-digital-technology-spawned-retros-revival-54302> (with Steven Wilf).

*Predicting Subsequent Discipline from Bar Admissions Data: A Report to the LSAC* (2012) (with Leslie Levin and Christine Zozula).

Comment on *Pregnant Man?* (by Darren Rosenblum), 22 YALE J. L. & FEMINISM 254 (2010).

*Tontines for the Young Invincibles*, REGULATION, Winter, 2010 at 20 (with Tom Baker).

*Can The Hair Club for Men Help Solve the Food Safety Problem?* Freakonomics Blog (with Ian Ayres), March 27, 2009.

*Time for Tontines*, N.Y. TIMES, March 9, 2009 (Op-Ed, with Tom Baker).

*Plagiarism Should Disqualify Candidate for Federal Judge*, CT. LAW TRIBUNE, July 28, 2008.

*A 'Peace Dividend' Dream for the Middle East*, L.A. TIMES, Nov. 26, 2002 (Op-Ed, with Gideon Parchomovsky).

*Congress Should OK Terrorism-Insurance Bill*, NEWSDAY, September 17, 2002 (Op-Ed, with Tom Baker).

*Race on the Radio: Preference Externalities and the Underprovision of Radio to Minority Listeners* (Working Paper, with Joel Waldfogel).

*Is the U.S. at the Optimal Rate of Crime? Allocating Resources Among Prisons, Police and Social Programs*, American Bar Foundation Working Paper (1995) (with John J. Donohue).

*Another Look at Employment Discrimination Litigation: A Reply to Epp*. American Bar Foundation Working Paper (1990).

*Insurers Win Battle, But War Continues*, 13 LEGAL TIMES 25 (Nov. 27, 1989).

*Protecting the Textile and Apparel Industries*, Congressional Budget Office Staff Paper (1985) (with Daniel Kaplan).

#### TEACHING

---

Tel Aviv University: Insurance Law & Economics (May 2018).

Bar Ilan University, Ramat Gan, Israel (2011): Law & Economics of Contract.

Universidad de Navarra, Pamplona, Spain (2008): U.S. Contract Law.

Univ. of Conn. Law School (2004–\_\_): Contracts, Employment Discrimination, Law & Economics, Insurance Law & Economics, Quantitative Methods for Lawyers, Institutional Design in the Law of Work, Corporate Finance, Remedies, Excel for Lawyers.

Univ. of Michigan Law School (2006): Employment Discrimination, Law & Economics.

Fordham Law School (2000-2004): Contracts; Law & Economics, Advanced Business Law, Employment Discrimination.

Amherst College: Law & Economics of Discrimination (Econ., 1994), Employment Discrimination (Black Studies, 1999).

Yale Law School: Law & Statistics (1999).

Yale College: Introductory Micro- and Macroeconomics (teaching fellow).

#### PUBLISHED STUDENT NOTES & ARTICLES SUPERVISED

---

Elizabeth Germano, *A Law and Economics Analysis of the Duty of Utmost Good Faith (Uberrimae Fidei) in Marine Insurance Law for Protection and Indemnity Clubs*, 47 ST. MARY'S L. J. 727 (2016)(LLM Thesis).

Qihao He, *Catastrophe Insurance in China* (Supervisor: SJD Dissertation, 2016).

Meghan M. Sweeney, *"We'd Love to Match Them, But...": How Temporary Employment Agencies Understand and Use Race and Ethnicity*, 11 CONN. PUB. INT. L.J. 51 (2011) (article).

Karen Patterson, *Accommodating employees with mental impairments: an empirical study of*

*employer practices*, 5 INT'L. J. PRIVATE L. 40 (2012) (article).

Jennifer Brooks-Crozier, *The Nature and Nurture of Violence: Early Intervention Services for the Families of MAOA-Low Children as a Means to Reduce Violent Crime and the Costs of Violent Crime*, 44 CONN. L. REV. 531 (2012).

Wyatt R. Jansen, *Impermissible Windfalls?: Unemployment Insurance, Back Pay, and the Two Classes of Title VII Plaintiffs*, 18 CONN. INS. L.J. 307 (2011).

Jeanne Hayes, *Female Infertility in the Workplace: Understanding the Scope of the Pregnancy Discrimination Act*, 42 CONN. L. REV. 1299 (2010).

Christopher Hatch, *Fourth and Short on Equality: The Disparate Impact of the NFL's Use of the Wonderlic Intelligence Test and the Case for a Football-Specific Test*, 41 CONN. L. REV. 1669 (2009).

Cynthia S. Duncan, *The Need for Change: an Economic Analysis of Marijuana Policy*, 41 CONN. L. REV. 1701 (2009).

Tsvetanka Karagyozyova, *Three Essays on Heterogeneity, Insurance, and Asset Pricing*, Ph.D. Dissertation, Univ. of Connecticut Economics Department (2<sup>nd</sup> reader, 2007).

Michael Pereira, *Risk Management for the Age of Information - the New Financial Order: Risk in the 21st Century*, 9 FORDHAM J. CORP. & FIN. L. 715 (2004) (Review Essay).

Guy McPherson, *It's the End of the World as We Know it (And I Feel Fine): Rent Regulation in New York City and the Unanswered Questions of Market and Society*, 72 FORDHAM L. REV. 1125 (2004).

Scott D. Simon, *If You Can't Beat 'Em, Join 'Em: Implications for New York's Scalping Law in Light of Recent Developments in the Ticket Business*, 72 FORDHAM L. REV. 1171 (2004).

Laya Sleiman, *A Duty to Make Reasonable Efforts and a Defense of the Disparate Impact Doctrine in Employment Discrimination Law*, 72 FORDHAM L. REV. 2677 (2004).

Eric D. Beal, *Posner and Moral Hazard*, 7 CONN. INS. L.J. 81 (2000).

#### SELECTED OTHER ACTIVITIES

---

Area Organizer (Program Selection Committee: Civil Procedure, Courts, Judges) for Soc. for Empirical Legal Studies (2019).

Area Organizer (Program Selection Committee: Contract Law) for Amer. Law & Econ. Assoc. Spring Meetings, 2011 & 2012.

Co-convenor (with Alexandra Lahav), *Actuarial Litigation: Using Statistical Methods in the Resolution of Mass Torts* (Symposium, U. Conn. Law School, April 2011).

Editorial Board, *Law & Social Inquiry* (2008-2011).

Faculty Advisor, UConn Law & Public Policy Certificate Program (joint Law/Public Policy) & JD/MBA Program (2008-2014).

Consulting expert, consolidated challenge to Connecticut death penalty statute.

Co-Principal Investigator (with John J. Donohue, Laura Beth Nielsen and Robert Nelson), *The Changing Dynamics of Employment Discrimination Disputes* (funded by National Science Foundation Law Program in Law and Social Science) (2004).

Advisory Board, Stein Public Interest Scholars, Fordham Law School (2004).

Consulting expert, New York Attorney General (discrimination in automobile financing) (2002-04).

Consulting expert, U.S. Justice Department (police racial profiling) (1999-2001).

Invited panelist: The Role of Testing in a National Report Card on Race, The Urban Institute (March, 1999).

Statistical Consultant, 7<sup>th</sup> Circuit Settlement Conference Project (Dec., 1994).

Invited participant: Rockefeller Foundation panel on the future of discrimination research (Nov., 1994).

Co-Editor, LAW & SOCIAL INQUIRY (1992-95); Associate Editor (1990-92).

Member, Illinois State Bar Association Task Force on Minorities and the Justice System (July-Dec., 1993).

Invited panelist: "Clear and Convincing Evidence: The Use of Testing to Measure Discrimination," Amer. Assoc. for the Adv. of Science Annual Meeting (Feb., 1993).

Co-recipient of Russell Sage Foundation grant (with James Heckman) to evaluate the use of paired audits in assessing hiring discrimination (Oct., 1992).

Consultant to insurance company offering liability policies for employment discrimination suits (May, 1992).

American Bar Foundation Policy Committee (1992-93, 1994-95).

Editor/ghost-writer for introductory macroeconomics textbook authored by Prof. Ray Fair, Yale Univ. (1986-87).

Co-organizer/analyst/writer for nonpartisan faculty/graduate student committee to investigate labor dispute at Yale (Fall, 1984).

Student Ambassador from Richmond, CA to sister city (Shimada, Japan) (Summer, 1973).

#### PROFESSIONAL MEMBERSHIPS

---

American Economics Association, American Law & Economics Association, Society for Empirical Legal Studies.

#### REFEREE FOR

---

Amer. Econ. J.: Econ. Policy, Amer. Econ. Rev., Amer. L. & Econ. Rev., Conn. Ins. L. J., Geneva Papers in Risk & Ins., Harvard L. Rev., Int'l Rev. of L. & Econ., Israel Science Foundation, J. L. & Econ., J. Empirical Legal Stud., J. Legal Stud., J. Risk & Ins., L. & Social Inquiry, National Science Foundation, Oxford Economic Papers, Yale. L. J.

Feb. 18, 2019