

LAW, COURTS, AND JUDICIAL PROCESS

SECTION NEWSLETTER

Vol. 8, No. 2

Spring, 1991

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Instructions to Contributors

The *Newsletter* publishes articles, news items, announcements, commentaries, and features of interest to members of the Law, Courts, and Judicial Process Section. The *Newsletter* is published three times each year in Fall, Spring, and Summer issues. A fourth, Winter issue, is the Section Directory and is published in February. Deadlines for submission of materials for each issue are as follows: Fall (October 15), Spring, (February 15), and Summer (June, 15). Contributions to the *Newsletter* should be sent to the appropriate editor listed below.

Articles and Commentary

Brief articles and notes describing matters of interest to the field will be published subject to review by *Newsletter* editors. Authors are encouraged to share research findings, teaching innovations, or commentary on developments in the field which would interest members of the section. Footnote and reference style should follow that of the American Political Science Review. Please send two copies of prospective articles and commentary dealing with *constitutional law and jurisprudence* to:

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Prospective articles and commentary focusing on *empirical research and quantitative analyses* of law, courts and judicial process should be sent to:

Professor Albert Matheny, Associate Editor
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Data and Analysis Information

The *Newsletter* wishes to keep the Section informed regarding availability of data sets of interest to the field. This includes newly archived data sets held by the Consortium as well as non-archived ones which individual researchers would like to share with colleagues. Special analysis and data problems or queries of interest to the field will also be published. Suggestions and information should be sent to:

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ANNOUNCEMENTS, CORRESPONDENCE, AND BIBLIOGRAPHIC INFORMATION

Announcements and section news will be included in the *Newsletter* as well as information regarding upcoming and past conferences. Organizers of panels focusing on law, courts, and professional meetings are encouraged to inform the *Newsletter* so that papers and participants may be reported. Developments in the field such as fellowships, grants, and awards also will be announced if there is sufficient time for submission of materials to the granting or awarding body. Finally, authors of judicial books should inform the *Newsletter* of their manuscript's publication. Announcements and correspondence dealing with these matters should be sent to:

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ARTICLES

LAW AS A PROFESSIONAL PROJECT

Doris Marie Provine

As members of the Section on Law, Courts, and the Judicial Process, we share a concern with how lawyers operate. Many of "our" institutions (courts, prosecutor's offices, public-interest law firms) are dominated by lawyers, and the documents and decisions we study incorporate professional norms and values. We teach students who aspire to be practicing lawyers and we participate in professional organizations with lawyers — some of us have even earned law degrees. Our proximity to licensed, trained professionals sets us apart from other segments of the political science community and arguably marginalizes us within that community (see the Sarat report, last *Newsletter*).

This sharing of territory with lawyers that is so striking to others has somehow been ordinary and unremarkable to most of us. Professionalism has not been a key concept in public law, the judicial process literature or any of the other various groupings that together constitute our domain within political science. One might almost conclude that the interpretative frameworks lawyers and political scientists bring to their work are compatible, did the history of our field not suggest otherwise.

Perhaps the clearest example of a collision between the academic traditions of law and political science occurred when C. Herman Pritchett published *The Roosevelt Court*. The reception to this early classic was explosive. Philip Kurland criticized Pritchett for his failure to understand "that there are matters beyond measurement even by the magic of mathematics."¹ He predicted that neither lawyers nor laymen would read this book, only political scientists.²

It is the division of votes into "pro government," "pro civil rights," and so on which most infuriates Pritchett's critics. If a justice wrestles half the night with his problem, and finally resolves it as he thinks he is compelled to by consider-

ations of legislative history, precedent, and logic, there is something objectionably cavalier in the pigeonhole consignment. It is like telling the lover who is certain that his girl is the sweetest and his passion the deepest in the world that the whole thing is so much biology.³

Legal academics have changed since Frank wrote these words. Realism has become orthodox in law schools, and the type of "pigeonholing" that Pritchett did, though still not of much practical interest to lawyers, has become an acceptable methodology.⁴ It is important, however, that this rapprochement not be allowed to obscure certain key differences between political scientists interested in law, on the one hand, and legal professionals engaged in training or practice on the other. Pritchett's success in introducing voting analysis as a methodological strategy may, ironically, have helped desensitize the field to these differences. The researcher who analyses records of published votes can sidestep problems of access, audience, and interpretative frameworks that might otherwise force one to think more about the significance of professionalism in law.

My own current research, which involves following judicial conversations about law rather than judicial votes, offers continual reminders of the importance of professional ideology in the construction of knowledge. My interest is settlement conferences, an activity traditionally conducted by judges and counsel out of public view with no record of the proceedings. The initial problem was to find judges who would host my visits and allow me to enter their chambers to observe, and ideally to record, these off-the-record discussions.

Many judges volunteered to help, some probably out of kindness or curiosity, but others believed they might get practical suggestions from my study on how to make their own work more effective. What they did not realize (and I

did not emphasize in gaining their cooperation) is that political scientists are primarily concerned with how judges interpret and exercise power, not with how to streamline the judicial process. This commitment will be clear in the work I publish, which will be read by those I studied. How does one deal with the clash between the expectations of subjects and scholarly commitment? The conflict can be acknowledged straightforwardly (e.g. Carol Greenhouse's "A Note to the Readers in Hopewell," prefacing her account of beliefs about social order and justice in that community).⁵ Others suggest that we interpret data only in collaboration with our sources (e.g. Dorothy Smith in "Sociological Theory: Methods of Writing Patriarchy," *Feminism and Sociological Theory*). When dealing with powerful, articulate subjects, I think the former path is more appropriate, and it is the one I have taken in this essay and elsewhere in my writing.

But the issue is not simply how the scholar should deal with disgruntled professionals who want practical tips. Participants in a settlement conference create a rough-and-ready law in their negotiations, and they do so within a practical and oral world they share *as lawyers*. The process of settlement can best be appreciated in ideological terms. Thus the conference operates with an etiquette that allows the negotiation process to proceed amicably, and with an implicit jurisprudence that makes conciliation and compromise the undisputed goal of the process. The highest compliment for a lawyer negotiator is to be "realistic" as claims are separated from any moorings they might have in ordinary morality. Clients are somewhat patronized in this lawyerly version of reality because their emotionalism is totally out of place. This is an approach to conflict and its resolution learned in the first year of law school.

The settlement process suggests how lawyers who share the experience of legal education and the demands of practice shape familiar forms of conflict in American society. This same process of professional construction and reconstruction occurs when lawyers work in concert to shape public policy. The politicking lawyers do in their professional organizations is not always self-serving in the obvious sense of being of financial benefit to lawyers; rather it is a more general aggrandizement of the skills and perspective learned in law school. Professionalism is at work, for example, when lawyers oppose lay judges for pseudo-empirical reasons,⁶ just as it is present when there is consensus between adversaries where one might expect conflict, as in

plea-bargaining and settlement negotiations.

Professionalism, like sexism, operates at multiple levels. At one level it is guild-like, shutting out or attempting to silence competitors through the invocation of expertise or special knowledge or brute force. But these systems of control also operate at a deeper level, to create an interpretative world that is closed to outsiders. Feminist scholarship helps us understand this process because it shows how patriarchy works at this deeper level to organize thought and silence potential opposition.

I think we should undertake the same type of inquiry in the context of professional power in law. We should be asking, for example, how legal education and practice shape the attitudes and behavior of people who become lawyers (and judges), and how legal credentials enable the law-trained to exercise power and authority. Our students, who flock to law school, are certainly interested in these questions, albeit primarily for instrumental reasons. They need the distance from the credentialing process we can provide to help them come to intelligent decisions about what legal education accomplishes and to ponder the kind of society we wish to construct through our educational apparatus.

Perhaps those who undertake this project will find more progressive tendencies in legal professionalism than feminist scholars would concede to patriarchy. The important point, however, is that professionalism has been subjected to far less critical inquiry from political scientists than patriarchy. Developing sophistication about how ideology channels inquiry and understanding will require us to pay attention to our own ideological commitments. We have a moral and social obligation to consider how our own training narrows the vision we have of our subjects.⁷

¹ Book Review, *Yale Law Journal*, vol. 58 (1948): 207.

² *Ibid.* 210.

³ *Iowa Law Review*, vol. 34 (1948): 144.

⁴ John Brigham and Christine Harrington, "Realism and its Consequences: An Inquiry into Contemporary Sociolegal Research," *International Journal of the Sociology of Law*, vol. 17 (1989): 41.

⁵ *Praying for Justice*, 1986.

⁶ I explored this phenomenon at length in *Judging Credentials: Non-lawyer judges and the politics of Professionalism* (Chicago: University of Chicago Press, 1986).

⁷ I am indebted to Carroll Seron for this insight.

A SUMMARY DESCRIPTION OF THE CONTENTS OF THE U.S. SUPREME COURT JUDICIAL DATA BASE

Harold J. Spaeth

Because of the interest that the availability of the U.S. Supreme Court judicial data base has engendered, a more detailed discussion of its contents and utility than the announcement that appeared in the Fall 1990 issue of the *Section Newsletter* seems warranted. That announcement concerned the first ICPSR edition of the data base, which was released in December containing data from the beginning of the Warren Court to the end of the third term (1988) of the Rehnquist Court. The second edition has now been supplied to the Consortium, containing data through the end of the Court's 1989 term. Consortium members who wish the current edition should identify their request with the number of the study (9422) and their terms that the current version includes: 1953-1989. I expect to provide the ICPSR with the new edition of the data base annually within six months of the end of the court's most recent term. These updates will include the entire data base, plus documentation, and should be available by the beginning of the calendar year. Users should avail themselves of the new editions as they appear not only because of data from the latest term, but also because any incidental errors that have been uncovered from earlier terms will have been corrected.

Identification Variables

Comprising this segment of the data base are citations to the *United States Reports*, *Lawyers' Edition*, and the *Supreme Court Report*, along with the case's docket number. In coding the data, I have relied on the *Lawyers' Edition*. As the bound volumes of the *United States Reports* become available, these citations are added. I derive the citations of the *Supreme Court Reporter* from the references to the *United States Reports* that appear at the beginning of each issue. The citations to these two sources lag several terms behind those of the *Lawyers' Edition*. Also note that not every case appears in each source; nor does every case necessarily have a docket number (e.g., *In the Matter of Admission of William Evans*

Benton, 71 L Ed 2d 859 (1982); *In the matter of Admission of Michael T. Rose*, 71 L Ed 2d 862 (1982), 92 L Ed 2d 764 (1985)).

The other major identification variable allows users to choose a unit of analysis. Most everyone will use either case citation or docket number. Those using either of these may also want to include cases in which one or more of the justices voted with the majority on a given issue or aspect of the case and dissented on another. The data base accommodates this preference. Of the 10,262 records that the data base contains, 70 percent are distinctive citations, an additional 10 percent are citations with multiple docket numbers, and 38 citations (.4 percent) are cases in which one or more of the justices split his or her vote. The remaining records identify cases containing multiple legal provisions or policy issues, or both.

Failure of users to select a unit of analysis will either grossly overreport the incidence of the variables in which they are interested or omit relevant records. For some research, a unit of analysis should be chosen beforehand. For other work, it is preferable to print all records containing the data of interest and then exclude redundant records. Thus, if one wishes to know the cases in which the Court declared actions unconstitutional, one would not initially choose a unit of analysis because not every record in a given case will contain this information. The decision rules stated in the documentation that govern this field may well cause the information to appear only in the second record of a given docket number of a given citation, and in another case in only the first record. Because most variables were created alphanumerically from a mnemonic standpoint, output is readily comprehensible, and deletion of irrelevant records becomes a simple task. If the data had been coded strictly numerically, a scholar who wished information about unconstitutionality — or other variables that were similarly constructed (e.g., alteration of precedent) — would confront output of pure gobbledygook.

The final variable in this set serves house-

keeping rather than analytical purposes. It simply specifies the number of records for each of the preceding units of analysis that a given case citation contains. It merely enables me to be sure that if a given citation has three docket numbers, each of which addresses four legal provisions, that — for example — I do not forget to create a record that identifies the third legal provision for the second docket number.

Background Variables

This portion of the data base embraces ten distinctive variables of scholarly concern.

1. Fifteen different writs whereby the Court takes jurisdiction are identified. Almost three-quarters are cert petitions, with appeals comprising 20 percent.
2. If administrative agency action preceded litigation, the agency (if federal) or the state (if non-federal) is identified.
3. The court in which the case originated is specified.
4. The court whose decision the Supreme Court reviewed is specified.
5. Cases decided by a three-judge federal district court are specified.
6. The disposition of the case made by the court whose decision the Supreme Court is reviewing is provided (e.g. affirmed, reversed, vacated, etc.).
7. The direction ("liberal" or "conservative") of the court's decision is stated.

These data, when coupled with the disposition the Supreme Court itself makes of the case and the liberal or conservative direction of its decision, enable analysts to assess the treatment the Supreme Court accords the decisions of lower courts in general, or in certain sorts of issues. Factors that pertain to the Court's agenda are:

8. The presence of disagreement among the judges whose decision the Supreme Court is reviewing, and
9. The reason that the court gives for granting certiorari. This variable is limited to cases that arise on cert because the Court rarely provides a reason for reviewing cases on other writs.

The final background variable (10) accommodates two fields in which the parties to the litigation are

separately identified. These identifications accord with the labels that the Court uses to describe petitioning parties and respondents. Surprisingly perhaps, the list, though open-ended, is relatively limited. Approximately two dozen descriptors with a state or federal prefix, in addition to administrative agencies, accommodate governmental parties. Approximately 150 labels encompass the universe of non-governmental litigants.

Chronological Variables

Three of these six variables have major analytical utility; the other three are purely descriptive: the dates of oral argument, reargument, and decision. To enable users to conduct comparisons across the time spanned by the data base, data may be analyzed by term or by Court. The Warren Court spanned fifteen terms, the Burger Court sixteen, and the Rehnquist court four thus far. Users may also consider their data of interest by natural court.

I have divided the data base into 21 "strong" natural courts, each of which is delineated by the addition of a new justice or the departure of an incumbent. For those who prefer to use "weak" natural courts, these also are identified. Accordingly, the Warren Court contains eleven strong and nine weak natural courts, the Burger Court seven and four, and the Rehnquist Court three and two. I begin a natural court from the date that the *Reports* specify the presence — though not necessarily the participation — of a new justice. It ends with the date the *Reports* specify a justice died, retired, or resigned. Those who wish alternative dates may create their own by using the date of decision that every record contains.

Substantive Variables

In order to distinguish the foregoing sets of variables and the outcome variables described below, I characterize the remainder as substantive variables. They essentially reduce to four distinctive considerations: legal provision, issue, the basis on which the Court rested its decision, and the direction of that decision. The first of these fields identifies the constitutional provision, statute, or court rule that the Court considered in the case. Because many cases concern more than a single legal provision — since 1,300 of the more than 10,000 records appear solely for

this reason — a separate field identifies these multiple legal provision cases.

The issue field specifies the context in which the legal basis for decision appears. Thus, the equal protection clause may pertain to sex discrimination in one case, alienage in another, race in a third, poverty in a fourth. I have identified 263 such issues which, in turn, have been gathered into thirteen groupings, termed values. Specification of issues is obviously a subjective judgment which the articulation of coding rules lessens but by no means overcomes. Users, therefore, may wish to pay particular heed to the report of the reliability of this variable, along with that of the others. This will be found in the documentation.

The authority for decision field indicates on which of seven bases the Court rested its decision: judicial review of federal action, judicial review of state action, the exercise of supervisory authority over the lower federal courts, common law, or the interpretation of state law under diversity jurisdiction. Using docket number as the unit of analysis, statutory construction is the most common basis of decision, followed by judicial review of state action and the exercise of supervisory authority over the lower federal courts.

The last of the substantive variables pertains to the direction of the Court's decisions. Direction is based on the issue in the case and is assigned compatibly with common understandings of liberal and conservative for the most part. The documentation specifies these conservative for the most part. The documentation specifies these understandings in detail and users may easily redefine them as they desire. Because dissenters sometimes disagree over the scope of a remedy or the disposition of a case rather than in their support or opposition to the issue in the case, a supplementary field identifies the 54 dockets in which this condition obtains.

Outcome Variables

Four of these variables are self-explanatory. The disposition the court made of the case; who the winning party was; whether the Court's decision formally altered precedent; and whether the decision declared an act of Congress, a state law, or a municipal ordinance unconstitutional. Because the Court occasionally renders an unusual disposition that does not match the specified codes, a supplementary field identifies these

261 records so that users may check my coding of these dispositions.

The variable that identifies the form the Court's decision takes should be used in conjunction with the unit of analysis. The data base contains six different kinds of decisions: signed opinion cases, orally argued per curiams, decrees, cases decided by an equally divided vote, those decided per curiam without oral argument, and memorandum cases, i.e., those that typically deny petitions for cert, and other orders found in the back of each volume of the *Reports*. The data base contains all reported cases in the first four categories. It also contains all cases of the other two types in which at least one justice wrote an opinion. Indeed it contains all non-orally argued per curiams except those decided during the 1965-1972 terms. During this period the Court failed to distinguish these cases from memorandum cases.

I apologize for the inclusion of the memorandum cases. I can imagine no serious research focusing only on those containing an opinion. The vast majority are formulaic opinions dissenting from refusals to review the death penalty and obscenity convictions. These cases appear only because I was saddled at the time with an advisory committee who reasonlessly insisted on their inclusion. Since the die was cast, I continue — perhaps foolishly — to include them. One out of every six docket numbers — 1,165 — is such. Because they occupy much disk space, they cause commands to execute much more slowly than otherwise would be the case. I strongly recommend all users to peremptorily delete them.

Voting and Opinion Variables

These fields specify the vote in each case; how each of the 25 justices who sat on the Warren, Burger, and Rehnquist Courts prior to 1990 voted in each case; the direction of said justice's vote; which justices wrote what kind of opinion in each case (the opinion or judgment of the court, regular or specify concurrence, dissent, jurisdictional dissent, or dissent from a denial or dismissal of cert or from summary affirmation of an appeal); and which justice agreed with which justices' special opinions. Given their explanatory power and their theoretical and empirical utility, these data, alone and in conjunction with other variables, appear to be the most used segment of the data base.

I again wish to acknowledge my debt to Jeff

Segal for the programs he wrote that have tremendously enhanced the analytical power of the data base. I entered the data via the relational data base program, dBASE. Though it is superbly equipped for this task, its analytical capabilities leave much to be desired. Jeff's programs transformed key fields among those described above so that they splendidly fit the analytical power of SPSS. The transformation of the entire data base into a package appropriate

for ICPSR dissemination was skillfully done by my Department's programmer and Michigan State University's representative to the Consortium, Harriet Dhanak.

Finally, I encourage users to inform me of any comments, corrections, or suggestions they may have: Department of Political Science, Michigan State University, East Lansing, MI 48824. **Bitnet:** 03369HJS at MSU.

SECTION NEWS

FROM THE SECTION CHAIR

I have kept busy organizing the panels for the 1991 meetings, choosing a nominating committee, and arranging other business of the section. These are fun things to do when you identify as much as I do with the tradition of political scientists studying law and courts. We have a community with a great deal of overlapping interests. The pleasure is in weaving these interests together into something you hope will make good sense as a field.

I believe the nominating committee is an example. It is diverse in ways that represent the substantive and methodological aspects of the section as well as the different schools that make up our membership. The membership is announced in the *Newsletter* and you should consider letting them know how the section should be run. We have also started a *Book Review* under the leadership of Herb Jacob and arranged with *The Review of Politics* to publish an annual issue dedicated to articles on law and politics broadly defined. The work on this has been shared between Don Kommers, Stuart Scheingold and Malcolm Feeley.

The Pritchett Award committee continues to evaluate books under the leadership of David O'Brien. David gives me the impression dozens of books have been nominated and although I don't have the precise figures, there is clearly interest in this award.

One of the challenges I have faced in dealing with the APSA institutional structure is that the conventional wisdom sometimes treats sections as backwaters as compared to the fellows brought into the association each year by the APSA President and the Program Committee. It is as if we are expected to cover the basics and the people selected to run the program who are not from organized sections are to add glitter. I know we can both produce our share of glitter and be held responsible for doing research on how law and courts work. I suspect that over the last ten years we have reflected where the scholarship was while, in general, the Executive Officers and the Program Committee have been drawn from more traditional elite institutions. While in the recent past many traditionally elite institutions seemed to have abandoned our field, I think we can now see evidence of change. I hope that the section will continue to represent the best scholarship on law and courts in political science and resist the temptation to be swept away by glitter institutions.

My best for now. I hope you like the 1991 program!

John Brigham

ANNOUNCEMENTS

Conference Program Information

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COMPELLING GOVERNMENT INTERESTS: THE MYSTERY OF CONSTITUTIONAL ANALYSIS

Albany Law School

September 26-28, 1991

In honor of Justice Robert H. Jackson, Albany alumnus.

Speakers will include Justice Sandra Day O'Connor and Chief Judge James L. Oakes of the Second Circuit.

Rationale for Conference

The United States Supreme Court tells us that it must weigh constitutional claims against compelling government interests — considerations of public policy so compelling that constitutional rights may be sacrificed to them.

This conference is designed to provide a critical examination of the concept and substance of compelling government interests.

Compelling government interests have been an explicit part of constitutional law since 1961. Their presence became a barrier to the application of the most protected constitutional rights and liberties, and the search for compelling government interests became a part of the structure of analysis in a wide area of constitutional law. Recently, several Justices of the U.S. Supreme Court have expressed reservations about the concept. Nevertheless, the Court continues to employ it and there may be no real alternative.

Despite the importance of compelling interest, there has been very little said about the nature, weight and application of these claims in constitutional cases. Most of the discussion and public debate has focused on the legitimacy of inferring fundamental rights from the constitution — rights like the right to abort a pregnancy. Equally important in any constitutional case is the claim that the right asserted may not have full scope because there is a powerful public interest in opposition. Interests have long been treated as the stepchildren of constitutional law — tolerated out of necessity in apparent derogation of constitutional law.

Topics

What Counts as an Interest?

Discretionary Interests: Takings, Motives and Unconstitutional Conditions

Are Some Interests Obligatory?

Relations to Entitlements and Unenumerated Rights

The Functions of Interests — Family and Criminal Law

Justice Jackson and Governmental Interests

Tiers of Scrutiny — from Strict through Rational Bases — and the Future of Interests

Papers will be Delivered By

Dean Peter Edelman (Georgetown)
Owen M. Fiss (Yale)
Stephen E. Gottlieb (Albany)
Thomas C. Grey (Stanford)
Dennis Hutchinson (Chicago)
Robert F. Nagel (Colorado)
Michael J. Perry (Northwestern)

Margaret Jane Radin (Stanford)
Kate Stith (Yale)
Kathleen M. Sullivan (Harvard)
Carl E. Schneider (Michigan)
Patricia J. Willaims (Wisconsin) and
Judge Hans Linde of the Supreme Court
of Oregon.

Commentators Include

Akhil Reed Amar (Yale)
Mary Ann Glendon (Harvard)
Stanley Ingber (Drake)

Frank I. Michelman (Harvard)
Sanford Levinson (Texas)

Inquiries should be directed to **Prof. Stephen E. Gottlieb**, or **Barbara Mabel**, Albany Law School, (518) 445-2311.

WHAT ARE CONSTITUTIONAL RIGHTS?

As part of a conference on "The Bill of Rights at 200 Years," papers are invited on the theme: What are Constitutional Rights? Historical and Modern Perspectives. The conference will be held November 1-3, 1991, in Richmond, Virginia, and is sponsored by the Center for the Study of the Presidency, Organization of American Historians, and National Trust for Historic Preservation.

Papers are invited on the following topics: James Madison and the Origins of the Bill of Rights, The Meaning of Equality: Historical and Modern Perspectives, Beyond the Right to Vote: Fair and Effective Representation, Women and the Constitution, Property and Liberty, The Quest

for Perfect Justice: Changing Concepts of Rights 1789-1991, The States and Civil Liberties: From Incorporation to State Leadership, Eastern Europe: The Relevance of American Constitutional Models, The Limits of Free Speech and Press: Defining Unprotected Content, Free Press and the Growth of the Democratic Process, Constitutional issues in the Electronic Age.

Please send a one-page abstract by **April 1, 1991**, to **Kermit L. Hall**, Professor of Law and History, University of Florida, 4131 Turlington Hall, Gainesville, FL 32611-2036; or Elizabeth P. McCaughey, Senior Research Associate, Center for the Study of Presidency, 208 E. 75th Stret, New York, NY 10021.

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SECTION SEEKS NOMINATIONS

The nomination committee for this year will be chaired by Harry Hirsch, UC-San Diego. Other members include Susette Talarico, University of Georgia; Gerald Rosenberg, University of Chicago; Judith Baer, Texas A&M University; Kristin Bumiller, Amherst College.

The committee is charged with choosing a Chairperson-Elect and three members of the executive committee (1 to serve for a year, 2 for two years). Now is the best time to make your recommendations known to this diverse and distinguished committee.

The committee's selections will be announced in the summer *Newsletter* and alternative candidates for the executive committee may be nominated by five members of the section.

INTERNATIONAL LAW

The American Society of International Law will hold its annual meeting April 17-20, 1991, at the Mayflower Hotel, Washington, DC. The theme is: Law and the New World Order: Continuity and Change from an Eighty-Five Year Perspective. Other meetings planned are: Contemporary International Law Issues: Sharing Pan-European and American Perspectives, scheduled for July 4-6, 1991, in The Hague, Netherlands, and Globalism and Regionalism in the Aftermath of the Uruguay Round, to be held April 16-17, 1991, Washington, DC.

For further information contact: American Society of International Law, 2223 Massachusetts Ave, NW, Washington, DC 20008. (202) 265-4314; **FAX:** (202) 797-7133.

RESEARCH COMMITTEE ON COMPARATIVE JUDICIAL STUDIES

AT THE

WORLD CONGRESS OF THE

INTERNATIONAL POLITICAL SCIENCE ASSOCIATION

BUENOS AIRES, ARGENTINA

JULY 21-25, 1991

PROGRAM

Panel 1: *Appointment and Selection of Judges: Cross-National Studies*

"The Selection of Juries and Lay Judges in Common Law Countries." Delavan J. Dickson, University of San Diego

"Restoring Judicial Credibility: The Mode of Appointment in India." Asha Gupta, Bharti Mahila College, University of Delhi

"Judging Human Rights: The Formative Years of the European Court of Human Rights." Donald W. Jackson, Texas Christian University

"French Judges under the 5th Republic." Jacqueline L. LaFon, University of Paris XI

"Comparative Judicial Elites: What We Know and What We Seek." John R. Schmidhauser, University of Southern California

"Indian Supreme Court Justices: Selection and Appointment." George H. Gadbois, University of Kentucky

"A Comparative Study of Selection and Appointment of Higher Court Judges in SAARC Countries." V.N. Khanna, New Delhi

"Selection and Appointment of Judges to the Supreme Court and the High Courts in India: Need for a Clear and Consistent Public Policy Perspective." Samarendra N. Ray, University of North Bengal

"Judicial Recruitment in Three Democratic Supreme Courts: An Empirical Study." C. Neal Tate, University of North Texas

Panel 2: *Judicial Policy Doctrines and Processes*

"Trial Rates and Plea Bargaining in Criminal Cases: A Comparative Study." Carl Baar, Brock University

"I SCREAM, YOU SCREAM, WE ALL SCREAM: Free Exercise of Religion in Israel and the United States." Martin Edelman, State University of New York, Albany

"The Commissions of Judicial Enquiry: A Centre-Periphery Dimension." R. Madhanagopal, Madurai Kamaraj University

"The Judiciary and Modern Scientific Evidence." Pierre Patenaude, University of Sherbrooke

"The Accusatorial Process in Italy." Mary Volcansek, Florida International University

"The Constitutional Equality of American Women: Where Do We Go from Here?" Gayle Binion, University of California, Santa Barbara

"Role of the Judiciary in the Shaping of Secularism in India: An Appraisal of Judicial Response to the Right to Freedom of Religion and Protections to Minorities under the Indian Constitution." Madhukar Shyam Chaturvedi, University of Rajasthan

"Corruption and Inefficiency among Judicial Officers." Rajeev Dhavan, New Delhi

"Federal-State Conflicts over Offshore Energy Development: The American, Canadian, and Australian Experience." Edward A. Fitzgerald, Wright State University

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"The Concept of Judicial Independence: An Exercise in Cross-National Operationalization." Kenneth M. Holland, University of Vermont

"Indian Supreme Court and the Criteria of Determination of Infringement of Fundamental

Rights: An Evaluation of the Changing Pattern of Judicial Attitude Regarding the Nature of Judicial Protection to Fundamental Rights in India." D. B. Mathur, University of Rajasthan

"The Supreme Court as the Vanguard of the Intelligentsia: Charter Litigation as Post-materialist Politics." F. L. (Ted) Morton, University of Calgary

"Comparative Legal Cultures." David M. O'Brien, University of Virginia

"Office of the Ombudsman: A Study of the Working of Lokayukta in the State of Rajasthan, India." Ashok Sharma, University of Rajasthan

Panel 3 : "Law and Social Change in Eastern European and Socialist Systems"

"Post-Communism, Ethnic Pluralism, and Judicial Development in Yugoslavia." Leonard Cohen, Simon Fraser University

"Support for Rights in the Soviet Union." James L. Gibson, University of Houston and Raymond M. Duch, University of Houston

"Juris Perestroika: 1991." William Kitchin, Loyola College

"Mapping the Interactions between the Legal System and the Wider Political System Changes across Eastern Europe and the Soviet Union: Toward a Heuristic Model." Carl Pinkele, Ohio Wesleyan University and George Ginsbergs, Rutgers University

"Three Conceptions of the Rule of Law: The USA, England, Sweden, and Russia." Joseph Board, Union College



SECTION AWARD FOR

OUTSTANDING GRADUATE STUDENT

RESEARCH PAPER

Once again this year, the Section will make an award for the Outstanding Graduate Student Research Paper. Papers are eligible for the award if they are completed by a graduate student in political science between January 1, 1990 and July 1, 1991, whether prepared for a course or delivered at a conference. Any paper that falls into the field of law, courts, and judicial process, defined broadly in both subject matter and methods of inquiry, is eligible for consideration. The award will be announced at the Section meeting during the APSA convention.

Members of the selection committee are Ron Kahn, Oberlin College; Susan Lawrence, Rutgers University; and Larry Baum, Ohio State University (Chair). Papers to be considered for the award must be sent to the committee by **July 1, 1991**. Please send three copies of nominated papers to: **Lawrence Baum**, Department of Political Science, Ohio State University, Columbus, OH 43210.

If you have any questions you can call Larry at (614) 292-6088; messages can be left at (614) 292-2880.

THE LAW AND POLITICS BOOK REVIEW

The new book review journal sponsored by the Section, *The Law and Politics Book Review*, began publishing March 1. The *Review* comprehensively critiques books in the law and politics field. Reviews generally appear within six months of the book's publication; reviews will be 1,000 to 2,000 words long. New reviews are published as soon as they are received and processed in the editorial offices.

There is no subscription fee to obtain *The Review*. All you need do is have your computer dial (708) 866-6718. *The Review* will accept any baud rate up to 2400. The communication parameters on your software (e.g. on Frocomm) should be set at 8-N-1 (8 data bits, neutral parity, 1 stop bit). After you have dialed and connected, simply follow the directions on the screen. You transfer (download) the files to your own computer using ASCII, X-Modem, or Y-Modem transfer protocols. *The Review* is available 24 hours a day, seven days a week. If you get a busy signal, try a few minutes later; it indicates someone else is using it.

If you don't own a modem or don't wish to download the reviews yourself, ask your librarian to do so. It is also possible to have a departmental assistant download the reviews and distribute them to interested faculty.

The editor of *The Review* is looking for someone who could place it on a list server on Bitnet. If you wish to volunteer, know someone who might do so, or have questions or suggestions, please contact the editor of the *The Review*, **Professor Herbert Jacob**, Department of Political Science, Northwestern University, Evanston, IL 60208.

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Reviews commissioned to appear

March/April 1991

Abdullahi Ahmed An-Nacim and Francis M. Deng, *Human Rights in Africa: Cross-Cultural Perspectives*, Washington: The Brookings Institution, 1990, reviewed by Matthew Lippman (University of Illinois at Chicago).

Ellen S. Cohn and Susan O. White, *Legal Socialization: A Study of Norms and Rules*, Secaucus: Springer-Verlag, 1990, reviewed by Tom Tyler (University of California, Berkeley).

John M. Conley and William O'Barr, *Rules Versus Relationships: The Ethnography of Legal Discourse*, Chicago: University of Chicago Press, 1990, reviewed by Austin Sarat (Amherst College).

Christopher F. Edley, Jr., *Administrative Law: Rethinking Judicial Control of Bureaucracy*, New Haven: Yale University Press, 1990, reviewed by Christine Harrington (New York University).

John B. Gates and Charles A. Johnson, *The American Courts: A Critical Assessment*, Washington: Congressional Quarterly Press, 1991, reviewed by Malcolm Feeley (University of California, Berkeley).

Bernard Grofman, *Political Gerrymandering and the Courts*, New York: Agathon Press, 1990, reviewed by Frank Sorauf (University of Minnesota).

Arthur D. Hellman, *Restructuring Justice: The Innovations of the Ninth Circuit and the Future of the Federal Courts*, Ithaca: Cornell University Press, 1990, reviewed by Sheldon Goldman (University of Massachusetts).

James Davison Hunter and Os Guinness, *Articles of Faith, Articles of Peace: The Religious Liberty Clauses*, Washington: The Brookings Institution, 1990, reviewed by Jeremy Rabkin (Cornell University).

James A. Inciardi, *The Drug Legalization Debate*, Newbury Park: Sage Publications, 1990, reviewed by Wesley Skogan (Northwestern University).

Susan E. Lawrence, *The Poor in the Court: The Legal Services Program and Supreme Court*, Lawrenceville: Princeton University Press, 1990, reviewed by Harry Stumpf (University of New Mexico).

Wayne V. McIntosh, *The Appeal of Civil Law: A Political-Economic Analysis of Litigation*, Champagne: University of Illinois Press, 1990, reviewed by Herbert Kritzer (University of Wisconsin, Madison).

Martha Minow, *Making All the Difference: Inclusion, Exclusion, and American Law*, Ithaca: Cornell University Press, 1990, reviewed by Jennifer Nedelsky (University of Toronto).

Ingo Muller, *Hitler's Justice: The Courts of the Third Reich*, Cambridge: Harvard University Press, 1991, reviewed by Donald Kommers (University of Notre Dame).

Jennifer Nedelsky, *Private Property and the Limits of American Constitutionalism*, Chicago: University of Chicago Press, 1990, reviewed by Michael McCann (University of Washington).

Richard A. Posner, *Cardozo: A Study in Reputation*, Chicago: University of Chicago Press, 1990, reviewed by Jerry Goldman (Northwestern University).

Richard A. Posner, *The Problems of Jurisprudence*, Cambridge: Harvard University Press, 1990, reviewed by Lief Carter (University of Georgia).

Sylvia Snowiss, *Judicial Review and the Law of the Constitution*, New Haven: Yale University Press, 1990, reviewed by Robert Meister (University of California).

Laurence H. Tribe and Michael C. Dorf, *On Reading the Constitution*, Cambridge: Harvard University Press, 1991, reviewed by Richard A. Brisbin (West Virginia University).

James Boyd White, *Justice as Translation: An Essay in Cultural and Legal Criticism*, Chicago: University of Chicago Press, 1990, reviewed by John Brigham (University of Massachusetts).

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SUPREME COURT CONFERENCE VOTES

The Supreme Court's conference votes, including the certiorari, jurisdiction, and merits votes, for the Vinson Court (October 1946 term through October 1952 term) have been reprinted in the appendix (pp. 163-392) of *The Vinson Court Era*:

The Supreme Court's Conference Votes; Data and Analysis by Jan Palmer (New York: AMS Press, 1990). AMS Press is located at 56 East 13th Street, New York, NY 10003.

AMERICAN BAR ASSOCIATION COMMISSION ON COLLEGE AND UNIVERSITY NONPROFESSIONAL LEGAL STUDIES

Since 1984, the American Bar Association's Commission on College and University Nonprofessional Legal Studies has helped foster a broad, historically and culturally sensitive understanding of the law among college and university students in every field of study.

Toward this end, the Commission offers a variety of programs and services for college and university faculty and administration who work directly with students.

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The Commission's national voice is *Focus on Law Studies: Teaching about Law in the Liberal Arts*. This widely-acclaimed periodical is published twice yearly and contains essays, teaching materials and bibliographies, campus reports, book and video reviews, and news of the field. Its circulation of 4,000 includes faculty, administrators, and libraries.

Syllabus Clearinghouse

The Undergraduate Legal Studies Syllabus Clearinghouse offers more than 150 syllabi, available in topically-arranged packets at a nominal charge. The Commission welcomes submissions from faculty of all disciplines who would like to share syllabi through the Clearinghouse.

Consultation and Outreach

The staff is prepared to help with both general inquiries and specific projects in nonprofessional legal studies. The Commission regularly provide guidance and on-site consulting to colleges and universities about legal studies programs, individual courses, resource materials, and extra-curricular activities.

Conferences and Workshops

Each Spring, the Commission sponsors an invitational conference designed to explore innovative ways of thinking and teaching about the law within a liberal arts framework. These conferences assemble a highly diverse group of faculty from the humanities, the social sciences, the law, and related professions.

Conferences combine panels on scholarship with small-group workshops where participants can learn and share teaching strategies. A congenial setting typically limited to 75 participants fosters a unique conference environment — one that encourages individual involvement, networking across disciplines, and serious attention to undergraduate teaching.

Recent conferences have addressed such interdisciplinary themes as American Citizenship and the Constitution, Equality, Rights in Conflict, and Law and the Humanities.

Litigation, Justice and the Public Good is the theme for the 7th conference, to be held April 25-27, 1991 at the Catamaran Resort Hotel in San Diego, California. The conference will address the nature and role of litigation in American society. Litigation will be viewed broadly, to include historical, cultural, policy and legal perspectives. Curricular approaches and teaching strategies also will be discussed.

The Commission collaborates with other national associations to offer workshops for faculty and graduate students who wish to teach law-related subjects or incorporate legal themes into their existing courses. Held in conjunction with annual meetings, such as those of the Law & Society Association, the Academy of Criminal Justice Sciences, the American Political Science Association, and the American Historical Association, these workshops provide theoretical perspectives, pedagogical strategies, and bibliographies.

Mini-Grant Competition

The commission sponsors an annual mini-grant competition, making awards of up to \$1,200 to projects that enhance undergraduate education about law, the legal system and law's role in society. Law and legal issues should be presented using a *liberal arts* approach. We particularly encourage projects that address general education issues. Faculty from all disciplines at 4-year colleges and universities and community colleges are eligible to apply. Funded projects have included:

- course modules on cross-cultural criminal justice
- new course development on women and the law
- course materials and workshop on Canadian-U.S. differences of law and culture
- campus symposia on children and the legal system

Application deadlines for mini-grant proposals are typically in March of the year the grants are awarded.

For further information contact:

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GRANT PROGRAM OF THE FUND FOR RESEARCH ON DISPUTE RESOLUTION

The Fund for Research on Dispute Resolution awards grants covering a wide range of issues in disputing and dispute resolution. Funded by the Ford Foundation, the Fund for Research on Dispute Resolution is an independent grants program affiliated with the National Institute for Dispute Resolution. The Fund awards grants semi-annually on a competitive basis.

Last year the Fund issued a special call to encourage research on such issues as race, gender, ethnicity and class. In addition, it sought to address diversity concerns by making a special effort to reach out to minority researchers. A substantial number of the new grants are responsive to that call. The grants, totaling \$746,277, brings to \$1.5 million the amount the Fund has awarded in its two years of operation. The recent awards were supplemented by \$575,011 in contributions from grantees' institutions and other foundations.

Besides its grants program, the Fund is developing research agendas in important new directions. The new initiative of the Fund is intended to move the broad field of disputing and dispute resolution into new areas. Major topics featured are Public Bureaucracies, Privatization, Ethnic and Racial Conflict, and Environmental and Community Disputes.

Recipients of the Fund's grants have included:

- Barbara Lakeberg, Political Science Department, Brown University, \$14,520 to explore racial and ethnic relations in Norway, focussing on discrimination in housing practices. She will investigate attitudes toward racism and conflict, and the biased treatment of minorities.
- Mark Taragin and Jeffrey Carson, Department of Medicine, University of Medicine and Dentistry of New Jersey, Robert Wood Johnson Medical School, \$35,000 to analyze 7,000 medical malpractice insurance claims in terms of race, gender and age.
- Michael Travis, Department of Economics, University of Notre Dame, \$19,861 to examine the dispute resolution processes used in lemon law disputes. The researcher will determine what factors influence consumers' use of dispute resolution processes and compare the differences

between settled and arbitrated cases.

- Robin Wagner-Pacifici, Department of Sociology and Anthropology, Swarthmore College, \$30,000 to analyze the role of language in the transformation of community conflicts into violent disputes and explore the connections between power, language use and the emergence of violence in the MOVE/Philadelphia case.
- Karen Roberts and Sandra Gleason, Social Science Research Bureau, Michigan State University, \$43,245 to investigate workers' compensation claims filed by disabled workers in Michigan. The research explores concepts of economic and procedural fairness.
- Carol Watson, School of Business Administration, Rider College, \$33,000 to study the origins of gender differences in negotiating behavior and the impact of power on those differences and on negotiation outcomes. The research will experimentally test the hypothesis that status and power, not gender, affect differences in negotiation behavior.
- Mary Beth West and Michele Herman, School of Law, University of New Mexico, \$70,000 to study the effects of race and gender on small claims adjudication and mediation to explore whether bias affects objective and subjective outcomes in both processes and whether the disparity is even greater in mediation.
- Janet Currie and Sheena McConnell, Department of Economics, University of California at Los Angeles, \$30,000 to examine what impact labor laws mandating different dispute resolution procedures have on setting wages, rates of employment and number of bargaining impasses.
- Stephen Daniels, American Bar Foundation, \$57,060 for a study of two hospital units to explore why some patients initiate claims in response to medical error and malpractice, while many others do not.
- Marc Galanter, Joel Rogers and Stuart Macaulay, Dispute Processing Research Program, University of Wisconsin, \$89,152 to investigate the increase in the nation's business disputes and commercial litigation since 1960.
- Patricia Gwartney-Gibbs, Center for the Study of Women in Society, University of Oregon, \$65,816 to examine the role and impact of gender in work place disputes in order to identify possible sex differences in the origins, processes and outcomes of these disputes.
- Herbert Jacob, Center for Urban Affairs and Policy Research, Northwestern University \$65,092 to examine the effects of "bargaining in the shadow of the law" in the context of divorce negotiations and how the parties' understandings of child support and custody laws influence the negotiated outcomes.
- Joan Kelly, the Northern California Mediation Center, \$41,054 to compare how mediation and litigation affected the outcomes of divorce cases that involve such factors as child custody, financial support and property division.
- Elizabeth Loftus, Department of Psychology, University of Washington, \$61,258 to support a two year study examining the question of lawyer overconfidence and whether it can be a barrier to out-of-court negotiated settlements.
- Nancy Thoennes and Patricia Tjaden, Center for Policy Research, Denver, Colorado \$62,443 to study social worker and family negotiations in cases of child abuse and neglect.
- Michelle White, Department of Economics, University of Michigan, \$25,000 to construct an economic model to determine whether negligence or a strict liability standard was more efficient in preventing medical malpractice cases against a large urban hospital over the past ten years.

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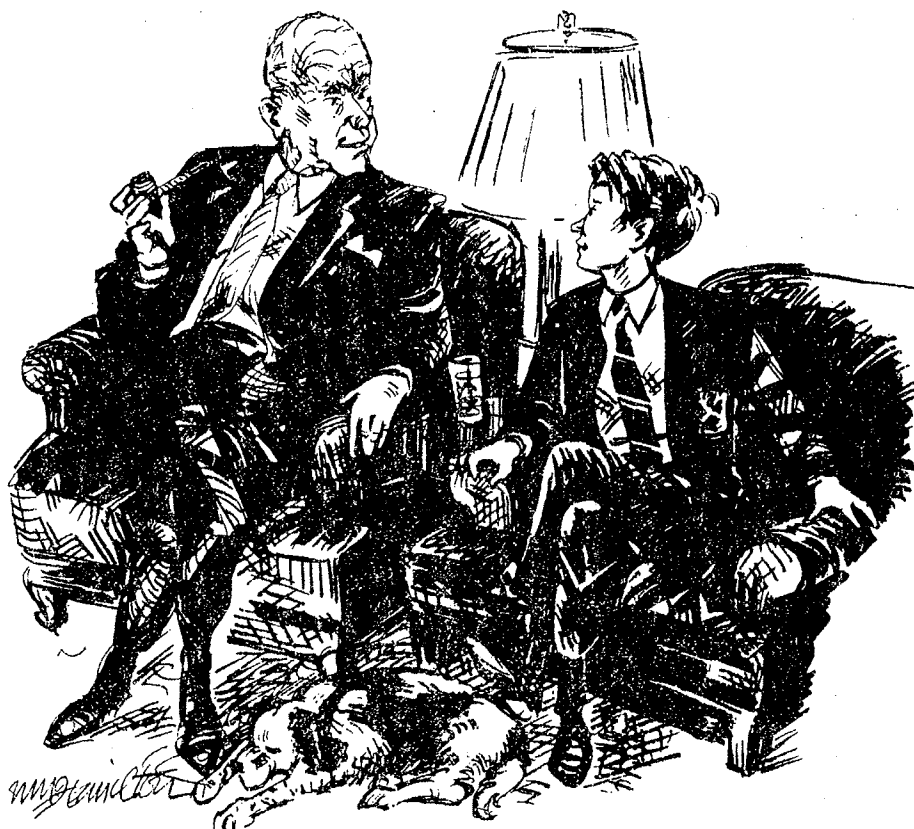
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(312) 702-9493
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**NATIONAL SCIENCE FOUNDATION
LAW & SOCIAL SCIENCES PROGRAM
FISCAL YEARS 1988-1989**

SELECTED AWARDS

PRINCIPAL INVESTIGATOR(S) SUBMITTING INSTITUTIONS STATE	PROJECT TITLE	EFFECTIVE DATE	DURATION	AWARD AMOUNT
Lori B. Andrews Stephen Daniels American Bar Foundation Illinois	An Explanatory Model of Jury Verdicts in Medical Malpractice Cases	11/15/87	12 months	\$ 45,000
Penelope Canan George Pring University of Denver Colorado	The Impact of Lawsuits Against Public Participation	12/01/87	30 months	175,000
John S. Carroll Massachusetts Institution of Technology (MIT)	A Process Tracing Study of Taxpayer Decisions in Response to 1986 Tax Reform	12/15/87	24 months	23,996
F. C. Davidson Rice University Texas	DIVISION OF SOCIAL & ECONOMIC PROGRAM Collaborative Research on the Implementation and Effects of the 1965 Voting Rights Act	08/15/88	12 months	80,000 0
Terence Dungworth Rand Corporation California	POLITICAL SCIENCE PROGRAM Creation of Public Use Tapes and Documentation for the RAND Jury Verdicts Data Base	11/15/87	12 months	22,398 103,789
Lauren Edelman University of Wisconsin - Madison Wisconsin	Organizational Response to Legal Change SOCIOLOGY PROGRAM	09/01/88	24 months	0 65,175

PRINCIPAL INVESTIGATOR(S) SUBMITTING INSTITUTIONS STATE	PROJECT TITLE	EFFECTIVE DATE	DURATION	AWARD AMOUNT
Robert M. Emerson Susan L. McCain Univ. of California, Los Angeles California	The Pro Se Litigant: Self-Representation in Consequential Civil Cases DIVISION OF SOCIAL & ECONOMIC SCIENCE	08/15/88	24 months	\$103,683
David M. Engel SUNY at Buffalo New York	Conflict and Continuing Relationship Between Schools and Parents or Children with Disabilities	10/15/87	18 months	85,451
James L. Gibson Univ. of Houston, Univ. Park Texas	U.S. Supreme Court Judicial Data Base: Phase II	03/01/88	12 months	90,172
Michael Graetz Yale University Connecticut	Collaborative Research on the Relationship between Income Tax Auditing and Compliance ECONOMICS PROGRAM DIVISION OF SOCIAL & ECONOMIC SCIENCE	03/15/88	24 months	8,670 8,669 32,830
Jerry R. Green Suzanne A. Scotchmer NBER Massachusetts	Patent Law, Competition and the Advancement of Technical Knowledge ECONOMICS PROGRAM DIVISION OF SOCIAL & ECONOMIC SCIENCE	06/15/88	12 months	0 32,627 20,065
Thomas Grisso Univ MA Medical Sch - Worcester Massachusetts	Dangerousness as a Juvenile Court Judgment	07/01/88	12 months	40,000
Bernard N. Grofman Univ. of California, Irvine California	Collaborative Research on the Implementation and Effects of the Voting Rights Act POLITICAL SCIENCE PROGRAM GEOGRAPHY & REGIONAL SCIENCE PROGRAM	08/15/88	12 months	0 78,267 15,000
Carol W. Kohfeld Univ. of Missouri - St. Louis Missouri	Collaborative Research on Police and Criminal Interaction	07/15/88	12 months	44,648

PRINCIPAL INVESTIGATOR(S) SUBMITTING INSTITUTIONS STATE	PROJECT TITLE	EFFECTIVE DATE	DURATION	AWARD AMOUNT
Herbert M. Kritzer Univ. of Wisconsin - Madison Wisconsin	Propensity to Sue in Comparative Perspective	05/15/88	24 months	\$ 79,896
Kenneth C. Land Lawrence E. Cohen Duke University North Carolina	Structural Covariants of Crime Rates: Studies of Invariance <i>SOCIOLOGY PROGRAM</i>	06/01/88	24 months	50,000
Larry LeFlore Univ. of Southern Mississippi Mississippi	Disproportionate Involvement of Blacks in the Juvenile Justice System: An Explanation <i>DIV OF RESEARCH INITIATION & IMPROVEMENT DIRECT BIOLOGICAL, BEHAV & SOCIAL SCIENCE</i>	02/01/88	24 months	0
Richard O. Lempert Univ. of Michigan - Ann Arbor Michigan	A Sociological Inquiry into Public Housing Evictions	06/01/88	12 months	79,440
Daniel S. Lev University of Washington Washington	Political Authority, Social Change, and Legal Evolution in Indonesia	10/15/87	12 months	25,929
Daniel Linz Univ. of California - Santa Cruz California	Collaborative Research on the Influence of Pretrial Publicity on Jury Decisionmaking	07/01/88	15 months	43,009
Elizabeth F. Loftus Univ. of Washington - Sch. of Med Washington	Rationality, Equity or Deliberation in Mock-Jury Damage Awards	09/01/88	12 months	49,959 4,000
Clare V. McKanna San Diego State University Fdn California	The Influence of Ethnicity on Crime and Punishment <i>DIVISION OF SOCIAL & ECONOMIC SCIENCE</i>	06/15/88	18 months	0 65,250

PRINCIPAL INVESTIGATOR(S) SUBMITTING INSTITUTIONS STATE	PROJECT TITLE	EFFECTIVE DATE	DURATION	AWARD AMOUNT
Eric H. Monkkonen Univ. of California - Los Angeles California	The Influence of State Law and Local Governance on Local Finance	05/01/88	24 months	\$ 70,626
Daniel S. Nagin Steven Klepper Carnegie Mellon University Illinois	Tax Compliance: The Role of Opportunity, Sanctions and Tax Practitioners ECONOMICS PROGRAM DIVISION OF SOCIAL & ECONOMIC SCIENCE	11/15/87	33 months	33,174 33,173 65,000
Robert L. Nelson William P. Bridges American Bar Foundation Illinois	Labor Markets and Sex-Based Wage Discrimination	06/01/88	14 months	28,459
Steven D. Penrod Edward Hirt University of Wisconsin - Madison Wisconsin	Collaborative Research on the Influence of Pretrial Publicity on Jury Decisionmaking DIVISION OF SOCIAL & ECONOMIC SCIENCE	07/01/88	15 months	76,000 4,000
Doris M. Provine Syracuse University New York	Dynamics of Judicial Intervention to Promote Settlement DIVISION OF SOCIAL & ECONOMIC SCIENCE	08/01/88	12 months	12,500 54,945
Dean G. Pruitt SUNY at Buffalo New York	The Role of Caucusing in Mediation	05/15/88	12 months	29,860
John Henry Schlegel SUNY at Buffalo New York	American Legal Realism and Empirical Social Science	12/01/87	12 months	40,991
John T. Scholz Kathleen McGraw SUNY at Stony Brook New York	Norms, Self Interest and Taxpayer Decisions: Adaptations to 1986 Tax Reform DIVISION OF SOCIAL & ECONOMIC SCIENCE DIVISION OF SOCIAL & ECONOMIC SCIENCE	04/01/88	00 months	0 34,383 40,000

PRINCIPAL INVESTIGATOR(S) SUBMITTING INSTITUTIONS STATE	PROJECT TITLE	EFFECTIVE DATE	DURATION	AWARD AMOUNT
John T. Scholz Kathleen McGraw SUNY at Stony Brook New York	Norms, Self Interest and Taxpayer Decisions: Adaptations to 1986 Tax Reform DIVISION OF SOCIAL & ECONOMIC SCIENCE DIVISION OF SOCIAL & ECONOMIC SCIENCE	09/15/88	12 months	0 \$7,772 539
Andrew Schotter Lewis A. Kornhauser New York University New York	An Experimental Study of Bilateral Accidents	06/01/88	12 months	65,207
Jeffrey Segal Albert D. Cover SUNY at Stony Brook New York	A Neoinstitutional Theory of Senate Voting on Supreme Court Justices POLITICAL SCIENCE PROGRAM	08/01/88	12 months	28,841 28,021
Carroll Seron CUNY Baruch College New York	Incorporating and Selling Legal Services Plans: The Decline of Solo Practice DIVISION OF SOCIAL & ECONOMIC SCIENCE	07/01/88	12 months	0 11,996
Kent Smith Karyl Kinsey American Bar Foundation Illinois	The Determinants of Perceptions of Sanctions and Tax Noncompliance DIVISION OF SOCIAL & ECONOMIC SCIENCE	01/01/88	12 months	21,717 55,000
Kent Smith Karyl Kinsey American Bar Foundation Illinois	The Determinants of Perceptions of Sanctions and Tax Noncompliance DIVISION OF SOCIAL & ECONOMIC SCIENCE	05/01/88	00 months	0 7,969
John R. Snortum Claremont McKenna College California	U.S.-Western Europe Cooperative Research: Cultural and Legal Variables Affecting General Deterrence of Drunk Driving OFFICE OF DIVISION DIRECTOR	01/15/88	12 months	1,000 10,535

PRINCIPAL INVESTIGATOR(S) SUBMITTING INSTITUTIONS STATE	PROJECT TITLE	EFFECTIVE DATE	DURATION	AWARD AMOUNT
Donald R. Songer Univ. of S.C. at Columbia South Carolina	Planning for a Multi-User Data Base for the U.S. Courts of Appeals	11/15/87	12 months	\$ 35,643
Harold J. Spaeth Michigan State University Michigan	U.S. Supreme Court Judicial Data Base	02/15/88	10 months	20,719
John Sprague Washington University Missouri	Collaborative Research on Police and Criminal Interaction	07/15/88	12 months	2,348
John L. Sullivan University of Minnesota Minnesota	Collaborative Research on Attitudinal Tolerance and Civil Liberties in Four Nations <i>POLITICAL SCIENCE PROGRAM</i>	12/01/87	06 months	2,500 3,500
S. G. Vincentnathan Aurora University Illinois	Social Structure and Dispute Settlement, Award in Indian and U.S. Currencies <i>DIVISION OF SOCIAL & ECONOMIC SCIENCE</i> <i>DIVISION OF INTERNATIONAL PROGRAMS</i>	04/15/88	30 months	0 4,750 30,050
Russell H. Weigel Amherst College Massachusetts	Experimental Study of Opportunities and Risks in Taxpayer Compliance <i>DIVISION OF SOCIAL & ECONOMIC SCIENCE</i>	12/01/87	18 months	11,078 11,078
George D. Westernmark Santa Clara University California	The Interaction Between State Courts and the Local Legal System <i>DIVISION OF SOCIAL & ECONOMIC SCIENCE</i>	08/01/88	18 months	45,955
Louis L. Wilde Jeffrey A. Dubin California Institute of Technology California	Collaborative Research on the Relationship between Income Tax Auditing and Compliance <i>ECONOMICS PROGRAM</i> <i>DIVISION OF SOCIAL & ECONOMIC SCIENCE</i>	03/15/88	24 months	14,000 14,000 84,000

PRINCIPAL INVESTIGATOR(S) SUBMITTING INSTITUTIONS STATE	PROJECT TITLE	EFFECTIVE DATE	DURATION	AWARD AMOUNT
Kirk R. Williams Murray A. Straus Univ. of New Hampshire - Durham New Hampshire	Panel Survey of Deterrence Processes SOCIOLOGY PROGRAM	05/01/88	12 months	\$ 17,314 17,313
Ann D. Wiltte NBEP Massachusetts	The Impact of Law and Administrative Rules on Tax Compliance ECONOMICS PROGRAM DIVISION OF SOCIAL & ECONOMIC SCIENCE	07/15/88	12 months	500 500 49,937
Jennifer Arlen Emory University Georgia	Efficient Tort Damages for Serious Permanent Physical Injury	09/01/89	12 months	26,928
Lucian Bebchuk NBEP Massachusetts	Problems in the Economic Analysis of Law ECONOMICS PROGRAM	07/15/89	12 months	0 12,000
Greg A. Caldeira Ohio State Univ. Research Fdn Ohio	Collaborative Research on Organized Group Influence on Federal Judicial Nominations POLITICAL SCIENCE PROGRAM DIVISION OF SOCIAL & ECONOMIC SCIENCE	05/01/89	12 months	13,174 25,000 4,000
Penelope Canan George Pring University of Denver Colorado	The Impact of Lawsuits Against Public Participation DIVISION OF SOCIAL & ECONOMIC SCIENCE	07/01/89	00 months	0 4,000
John S. Carroll MIT Massachusetts	A Process Tracing Study of Taxpayer Decisions in Response to 1986 Tax Reform DIVISION OF SOCIAL & ECONOMIC SCIENCE	07/01/89	00 months	0 4,000
Williamson B. C. Chang University of Hawaii - Manoa Hawaii	Law and the Transformation of Water Rights GEOGRAPHY & REGIONAL SCIENCE PROGRAM	09/01/89	24 months	0 60,000

PRINCIPAL INVESTIGATOR(S) SUBMITTING INSTITUTIONS STATE	PROJECT TITLE	EFFECTIVE DATE	DURATION	AWARD AMOUNT
F. C. Davidson Rice University Texas	Collaborative Research on the Implementation and Effects of the 1965 Voting Rights Act	12/01/88	00 months	\$ 22,398
Virginia Drachman Tufts University Massachusetts	Career Patterns of Women Lawyers in Modern America: Row Award	12/15/88	24 months	64,039
Lauren Edelman University of Wisconsin - Madison Wisconsin	Organizational Response to Legal Change	12/01/88	00 months	65,175
Ronald P. Fisher Brian L. Cutler Florida International University Florida	The Relation Between Consistency and Accuracy of Eyewitness Testimony DIVISION OF SOCIAL & ECONOMIC SCIENCE DECISION, RISK & MANAGEMENT SCIENCE PROC.	09/01/89	24 months	0 10,791 63,432
James L. Gibson U of Houston - Univ Park Campus Texas	Computer-Assisted Content Analysis of Judicial Opinions	11/01/88	12 months	14,678
James L. Gibson U of Houston - Univ Park Campus Texas	U.S. Supreme Court Judicial Data Base II DIVISION OF SOCIAL & ECONOMIC SCIENCE	04/15/89	00 months	12,760 4,000
Janet A. Gilboy American Bar Foundation Illinois	The Dynamics of Decisionmaking in Immigration Enforcement	08/01/89	12 months	22,787
Jerry R. Green Suzanne A. Scotchmer NBER Massachusetts	Patent Law, Competition and the Advancement of Technical Knowledge	12/01/88	00 months	13,112

PRINCIPAL INVESTIGATOR(S) SUBMITTING INSTITUTIONS STATE	PROJECT TITLE	EFFECTIVE DATE	DURATION	AWARD AMOUNT
Bernard N. Grofman University of California - Irvine California	Collaborative Research on the Implementation and Effects of the Voting Rights Act	12/01/88	00 months	\$ 53,268
Valerie P. Hans University of Delaware Delaware	Public Views of Corporate Responsibility for Wrong Doing SOCIOLOGY PROGRAM DIVISION OF SOCIAL & ECONOMIC SCIENCE	05/01/89	12 months	25,513 20,000 4,000
Deborah R. Hensler E. Allan Lind Rand Corporation California	A Panel Study Analysis of Claiming Behavior	11/15/88	24 months	195,000
Harmon M. Hosch Howard C. Daudistel Malcolm D. Holmes Joseph B. Graves University of Texas at El Paso Texas	Social Influence and the Impact of Ethnicity on Jury Decisionmaking DIVISION OF SOCIAL & ECONOMIC SCIENCE	12/01/88	24 months	34,973
Michael R. Leippe Adelphi University New York	The Accuracy, Credibility, and Impact of Children's Eyewitness Testimony DIVISION OF SOCIAL & ECONOMIC SCIENCE	09/01/89	12 months	36,596 4,000
Elizabeth F. Loftus Univ. of Washington - Sch of Med Washington	Rationality, Equity or Deliberation in Mock-Jury Damage Awards DIVISION OF SOCIAL & ECONOMIC SCIENCE	09/01/89	12 months	49,993
Robert J. MacCoun Rand Corporation California	Decisionmaking and Civil Jury Verdicts in Personal Injury Cases	08/15/89	12 months	80,000
Richard J. Maiman University of Southern Maine Maine	Collaborative Research on Legal Interventions in Divorce Cases	08/01/89	12 months	\$5,329

PRINCIPAL INVESTIGATOR(S) SUBMITTING INSTITUTIONS STATE		PROJECT TITLE	EFFECTIVE DATE	DURATION	AWARD AMOUNT
Lynn Mather Dartmouth College New Hampshire		Collaborative Research on Legal Interventions in Divorce Cases DIVISION OF SOCIAL & ECONOMIC SCIENCE	08/01/89	12 months	\$ 30,563 4,000
Michael W. McCann University of Washington Washington		The Impact of Reform Litigation on Social Change	06/01/89	24 months	69,842
Craig A. McEwen Bowdoin College Maine		Collaborative Research on Legal Interventions in Divorce Cases DIVISION OF SOCIAL & ECONOMIC SCIENCE DIVISION OF SOCIAL & ECONOMIC SCIENCE	08/01/89	12 months	11,475 4,000 20,305
Terance D. Miethe Virginia Poly Institute & State U Virginia		Opportunity, Choice, and Social Control: Testing an Integrated Theory of Criminal Victimization SOCIOLOGY PROGRAM	06/01/89	18 months	161,353
Michael C. Musheno Arizona State University Arizona		AIDS Disputes and Conflict Management	09/01/89	24 months	25,000 13,150
Doris M. Provine Syracuse University New York		DIVISION OF SOCIAL & ECONOMIC SCIENCE Dynamics of Judicial Intervention to Promote Settlement DIVISION OF SOCIAL & ECONOMIC SCIENCE	08/01/89	12 months	65,000 27,555 4,000
Jennifer F. Reinganum University of Iowa Iowa		Collaborative Research on Asymmetric Information Models of Law Enforcement and Regulatory Compliance ECONOMICS PROGRAM	07/15/89	12 months	0 40,658
James N. Schubert Steven A. Peterson Glendon Schubert Alfred University New York		The Role of Oral Argument in Supreme Court Decision Making	05/15/89	12 months	109,668

PRINCIPAL INVESTIGATOR(S) SUBMITTING INSTITUTIONS STATE	PROJECT TITLE	EFFECTIVE DATE	DURATION	AWARD AMOUNT
Carroll Seron CUNY Baruch College New York	Marketing and the Transformation of Small-Firm Practice POLITICAL SCIENCE PROGRAM DIVISION OF SOCIAL & ECONOMIC SCIENCE	07/15/89	12 months	5,000 100,000 4,000
Steven Shavell NBER Massachusetts	Theoretical Study of the Economics of Law ECONOMICS PROGRAM	07/01/89	12 months	22,704 22,703
Susan Welch John Gruhl University of Nebraska Lincoln Nebraska	The Impact of the Bakke Decision on Minority Enrollment	11/15/88	18 months	55,364
Michelle J. White Univ. of Michigan - Ann Arbor Michigan	Economic Models of Legal Complexity and Liability Rules ECONOMICS PROGRAM	11/15/88	12 months	15,058 15,057
Louis L. Wilde California Institute of Technology California	Collaborative Research on Asymmetric Information Models of Law Enforcement and Regulatory Compliance ECONOMICS PROGRAM	07/15/89	12 months	0 30,654
Suzanne H. Woolsey National Academy of Science District of Columbia	Panel on the Understanding and Control of Violence DIVISION OF SOCIAL & ECONOMIC SCIENCE	05/01/89	12 months	100,000 50,000
John R. Wright University of Iowa Iowa	Collaborative Research on Organized Group Influence on Federal Judicial Nominations POLITICAL SCIENCE PROGRAM	05/01/89	12 months	34,347 25,000
Majorie S. Zatz Arizona State University Arizona	Comparative Analysis of Social and Legal Change	07/15/89	12 months	34,518