

Preliminary Schedule

7th Annual Conference on Empirical Legal Studies (CELS)

Stanford Law School

Nov. 9-10, 2012

(Note: Schedule is preliminary only. Times are subject to change and participants should aim to make both days of the conference.)

**Friday,
Nov. 9**

Day 1

**9:00am-
10:15am**

Methods Lectures I

Simon Jackman	Bayesian Data Analysis
Thomas Cohen	Bureau of Justice Statistics
Patricia Carbajales	Spatial Statistics and GIS

**10:30am-
11:45am**

Methods Lectures II

Trevor Hastie	Modern Trends in Data Mining
Douglas Rivers	Internet Surveys

**12:30pm-
2:30pm**

Session I

Bankruptcy

Michelle Miller	Social Networks and Personal Bankruptcy
Vidhan Goyal, Wei Wang	Provision of Incentives in Chapter 11 Firms
Jennifer Robbenolt, Robert Lawless	Bankrupt Apologies

Discussant

Marcus Cole
Richard
Craswell
Joseph Doherty

Civil Justice I

Christina Boyd, David Hoffman, Zoran Obradovic	Building a Taxonomy of Litigation: Clusters of Causes of Action in Federal Complaints
Adam Seth Litwin, Zev Eigen	Justice or Just between Us: Empirical Evidence of the Trade-Off between Procedural and Interactional Justice in Workplace Dispute Resolution
Jonah Gelbach	Material Facts in the Dispute Over <i>Twombly</i> and <i>Iqbal</i> : Using Defense Summary Judgment Win Rates to Measure the Quality of Cases Affected by Heightened Pleading

Discussant

Marc Galanter

Mariano-
Florentino
Cuéllar

William Hubbard

Comparative Law

Mila Versteeg, Tom Ginsburg	Why Do Countries Adopt Constitutional Review?
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Discussant

Barry Weingast

Ji Li	Suing the Leviathan: An Empirical Analysis of the Changing Rate of Administrative Litigation in China	Deborah Hensler
Chang-Ching Lin, Kuo-Chang Huang	An Empirical Exploration of Mock Jury Trials Paving the Ground for Introducing Lay Participation in Taiwan	Shari Diamond

Courts and Judging I

Chen Toubul, Oren Gazal-Ayal, Ronen Perry	Biases in Perception of Judgments	Mark Kelman
Dan Simon, Nicholas Scurich	Lay Judgments of Legal Decision-Making: The Ineffectiveness of Legal Expert Opinions	Victoria Plaut
Amir Falk, Yitzhak Benbaji, Yuval Feldman	Commonsense Morality and the Ethics of Killing in War: An Experimental Survey of the Israeli Population	Katerina Linos

Criminal Justice I

Eugene Kontorovich	The Penalties for Piracy	Allen Weiner
Itai Ater, Oren Rigbi, Yehonatan Givati	Organizational Structure, Police Activity and Crime: Evidence from an Organizational Reform in Jails	Anne Joseph O'Connell
Thomas Miles	Does the 'Community Prosecution' Strategy Reduce Crime? A Test of Chicago's Experience	Robert Weisberg

Intellectual Property I

Bhaven Sampat, Christopher Cotropia, Mark Lemley	Do Applicant Patent Citations Matter? Implications for the Presumption of Validity	David Abrams
Jason Rantanen, Lee Petherbridge, R. Polk Wagner	Unenforceable Patents	Brian Love
Christopher Seaman, David Schwartz	The Presumption of Validity in Patent Litigation: An Experimental Study	Matthew Sag

Law and Finance I

Ian Ayres, Quinn Curtis	Measuring Fiduciary and Investor Losses in 401(k) Plans	Jonathan Levin
A. Joseph Warburton, Deniz Anginer, Min Zhu	Labor Unions and the Cost of Debt	Eric Talley
Kate Litvak	The Effect of Labor on Corporate Finance: Evidence from the 1986 Immigration Reform	Paul Oyer

**2:45pm-
4:45pm**

Session II

Corporate Governance I

Jeffrey Manns, Robert Anderson	An Empirical Critique of the Myth that Markets Value Merger Agreements	Rui de Figueiredo
Minor Myers	Fixing Multi-Forum Shareholder Litigation	Janet Alexander
David Webber	Private Policing of Mergers and Acquisitions: An Empirical Assessment of Institutional Lead Plaintiffs in Transactional Litigation	Michael Klausner

<u>Courts and Judging II</u>			<u>Discussant</u>
Maya Sen	Below the Bar? Racial and Gender Bias in Judicial Nominations		Lauren Edelman
Herbert Kritzer	The Partisan Character of State Supreme Court Retention Elections		Jed Stiglitz
Brandice Canes-Wrone, Jason Kelly, Tom Clark	Judicial Selection and Death Penalty Decisions		Michael Gilbert
<u>Criminal Justice II</u>			<u>Discussant</u>
Mona Lynch, Marisa Omori	Legal Change and Sentencing Norms in the Wake of <i>Booker</i> : The Impact of Time and Place on Drug Trafficking Cases in Federal Court		Elina Treyger
Sonja Starr	Estimating Gender Disparities in Federal Criminal Cases		Seth Seabury
John Sutton	Structural Bias in the Sentencing of Felony Defendants		Calvin Morrill
<u>Employment Discrimination</u>			<u>Discussant</u>
Elizabeth Tippet	Robbing a Barren Vault: The Implications of <i>Dukes v. Wal-Mart</i> for Cases Challenging Subjective Employment Practices		Richard Ford
Tamar Katz	Choice-Based Discrimination: Labor Force Type Discrimination Against Gay Men, the Obese and Mothers		Ralph Richard Banks
Catherine Albiston, Shelley Correll, Traci Tucker	Law, Norms, and the Motherhood/Caretaker Penalty		Zev Eigen
<u>Law and Politics I</u>			<u>Discussant</u>
Benjamin Lauderdale, Tom Clark	Scaling Meaningful Political Dimensions		Adam Bonica
Daniel Katz, J.J. Prescott, Michael Bommarito	Measuring the Complexity of the Law: The U.S. Code		Justin Grimmer
Cheryl Boudreau, Christopher Elmendorf, Scott MacKenzie	Lost in Space? Heuristics, Spatial Voting, and Polling-Place Information in Low-Salience Elections		Jonathan Rodden
<u>Tax</u>			<u>Discussant</u>
Joshua Blank, Nancy Staudt	Corporate Shams		Joseph Bankman
Jacob Goldin, Yair Listokin	Tax Expenditure Salience		Nancy Staudt
Andrew Hayashi	Legal Salience: An Empirical Analysis of the Decision to Seek Administrative Relief		Yun-chien Chang
<u>Torts / Medical Malpractice</u>			<u>Discussant</u>
Christoph Engel, Theodore Eisenberg	Assuring Adequate Deterrence in Tort: A Public Good Experiment		Thomas Miles
Michael Frakes	Does Medical Malpractice Deter? The Impact of Tort Reforms and Malpractice Standard Reforms on Healthcare Quality		Justin McCrary
Bernard Black, David Hyman, Myungho Paik	The Receding Tide of Medical Malpractice Litigation		Max Schanzbach

**5:00pm-
6:30pm**

Poster Session

José Mulder	It Ain't What You Get, It Is the Way That You Get It - An Empirical Analysis of Victim Compensation
Jim Hawkins	The CARD Act on Campus
Yilan Xu	Does Mortgage Deregulation Increase Foreclosures?: Evidence from Cleveland
Issachar Rosen-zvi, Talia Fisher, Theodore Eisenberg	Institutional Influences on Appellate Panels: Presiding Justice and Opinion Justice Effects, and Perceptions of Israel Supreme Court Justices
Benjamin Bricker	Precedent in Civil Law Constitutional Courts
Conrad Ciccotello, Mark Chen, Zinat Alam	Boards in Practice: Director Location, Qualifications, and Credible Contracting
Re-Jin Guo, Timothy Kruse, Tom Nohel	Activism an the Shift to Annual Director Elections
Christoph Engel, Daniel Nagin	Who is Afraid of the Stick? Experimentally Testing the Deterrent Effect of Sanction Certainty
Ethan Elkind, Michael Enion, Sean Hecht	Local Agency Bias in California Appellate Court Opinions on the California Environmental Quality Act
On Amir, Orly Lobel	Risk Management for the Future: Age, Risk, and Choice Architecture
Isabel Reich, Victoria Stodden	Software Patents as a Barrier to Scientific Transparency: An Unexpected Consequence of Bayh-Dole
Andrew Wistrich, Chris Guthrie, Jeffrey Rachlinski	Predictably Incoherent Justice
Hansoo Choi	Too Big to Jail
Dhammika Dharmapala, Vikramaditya Khanna	Freeze-Outs Before Cross-Listings: An Analysis of the Mardi Gras Strategy
Katerina Linos, Kimberly Twist	Citizen Responses to the Supreme Courts Health Care and Immigration Rulings: Comparing Experimental and Observational Methods
Robert Hume	Why Recusals Don't Matter: Strategic Voting and Split Decisions on the United States Supreme Court
Sofia Amaral-Garcia	Medical Accidents: Predicting Compensation
David Simson	Restorative Justice and its Effects on (Racially Disparate) Punitive School Discipline
Cherie Metcalf	Property Rights & Attitudes Toward Environmental Regulation: An Empirical Investigation
Omar Al-Ubaydli, Patrick McLaughlin	The Industry-Specific Regulatory Constraint Database (IRCD): A Numerical Database on Industry-Specific Regulations for All U.S. Industries and Federal Regulations, 1997-2010
Alfred Yawson, Chelsea Liu, Yossi Aharony	Corporate Litigation and Corporate Governance Restructuring
David Franklyn, David Hyman	Trademarks as Keywords: Much Ado About Something?
Rajeev Bhattacharya, Stephen O'Brien	Arbitrage Risk and Market Efficiency -- Applications to Securities Class Actions
Xuanming Pan	Toward Legal Empowerment - An Empirical Account of Paralegal Services in China's Labor Rights Protection
Fredrick Vars	Irregular <i>Kelo</i> Takings: A Potential Response to Natural Disasters

**6:45pm-
8:30pm**

Keynote Dinner

Ian Ayres	Confessions of a Predictive Analytics Consultant
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**Saturday, Day 2
Nov. 10**

**8:45am- Session III
10:45am**

Contracts

Michael Roberts	The Role of Dynamic Renegotiation and Asymmetric Information in Financial Contracting	<u>Discussant</u> Alexander Stremitzer
Florencia Marotta-Wurgler, Robert Taylor	Set in Stone? Change and Innovation in Consumer Standard Form Contracts	Barbara Fried
David Hoffman, Tess Wilkinson-Ryan	The Psychology of Contract Precautions	Richard Brooks

Corporate Governance II

Andrew Winton, Tracy Wang	Competition and Corporate Fraud Waves	<u>Discussant</u> Jennifer Arlen
E. Han Kim, Vikramaditya Khanna, Yao Lu	CEO Connectedness and Corporate Frauds	Michal Barzuza
Amir Licht, Christopher Poliquin, Jordan Siegel	What Makes Firms Lawful? A Natural Experiment in Institutional Substitutes	Robert Jackson

Courts and Judging III

Emerson Tiller, Kristin Hickman, Morgan Hazelton	Panel Effects in Administrative Law: A Study of Rules, Standards, and Judicial Whistleblowing	<u>Discussant</u> Linda Cohen
Frank McIntyre, Shima Baradaran	Race, Prediction, and Pretrial Detention	Hadar Aviam
Bryan McCannon	Prosecutor Elections, Mistakes, and Appeals	David Ball

Criminal Justice III

Alexander Peysakhovich, Aurélie Ouss	Public Costs and Over Punishment	<u>Discussant</u> Daniel Kessler
David Abrams	The Imprisoners Dilemma: A Cost Benefit Approach to Incarceration	Frank Zimring
Benjamin Hansen	Punishment and Recidivism in Drunk Driving	Joshua Fischman

Family Law

I. Glenn Cohen, Travis Coan	Can You Buy Sperm Donor Identification? An Experiment	<u>Discussant</u> Melissa Murray
Ira Ellman, Robert MacCoun, Sanford Braver	Public Intuitions About Fair Child Support Allocations: Converging Evidence for an 'Ability to Contribute' Rule	Michael Wald
Robert Daines, Tyler Shumway	Pornography and Divorce	Victoria Stodden

Law and Finance II

Gang (Nathan) Dong	Mortgage Securitization: The Good, the Bad, or the Irrelevant?	<u>Discussant</u> Dirk Jenter
Allen Ferrell, K. J. Martijn Cremers	Thirty Years of Shareholder Rights and Stock Returns: Beta, Not Alpha?	Paul Pflleiderer
Justin Sydnor, Paige Skiba, Susan Carter	The Difference a Day Makes: Measuring the Impact of Payday Loan Length on the Probability of Repayment	Ryan Bubb

Law and Politics II

Rebecca Morton,
Stephan Tontrup
Gary Cox

Process Utility, Participation, and the Value of
Democracy to Humans
The Power of the Purse and the Reversionary
Budget

Guido Tabellini, Massimo
Bordignon, Tommaso
Nannicini

Moderating Political Extremism: Single Round vs
Runoff Elections Under Plurality Rule

Discussant

Aaron Edlin

Matthew Spitzer

Sean Gailmard

**11:00am-
1:00pm**

Session IV

Corporate Governance III

Jonathan Karpoff,
Sangho Yi, William
Johnson

Why Do IPO Firms Have Takeover Defenses?

Discussant

Katherine Litvak

Lixiong Guo, Ronald
Masulis

Board Structure and Monitoring: New Evidence
from CEO Turnover

Robert Daines

Christel Karsten

What Drives the Variation in Takeover Contracts:
The Economics or the Lawyers?

George Triantis

Courts and Judging IV

Gregory Wawro,
Jonathan Kastellec,
Sean Farhang

Opinion Assignment and Control of the Law on
the U.S. Courts of Appeals

Discussant

Lee Epstein

Ryan Black, Ryan Owens

Elevation Adaptation: How Circuit Court Judges
Alter Their Behavior for Promotion to the
Supreme Court

Tonja Jacobi

Christopher Zorn,
Gregory Caldeira, John
(Jack) Wright

Organized Interests and Agenda Setting in the
U.S. Supreme Court Revisited

Christina Boyd

Criminal Justice IV

Barbara O'Brien,
Catherine Grosso,
George G. Woodworth
Michael Shaffer, Samuel
Gross

Unconvincing Protestations: The Persistent Role
of Race in Capital Charging and Sentencing in
North Carolina, 1990-2009

Discussant

David Faigman

Christopher Griffin, Frank
Sloan, Lindsey Chepke

Exonerations in the United States, 1989-2012

Lawrence
Marshall

Evaluating Racial and Ethnic Disparities in
Criminal Process: Evidence from North
Carolina

Joan Petersilia

Health Care / Law and
Science

Eric Helland, Jonathan
Klick, Mary Evans
Daniel Chen, Glen
Taksler, S. Reinhardt
Dan Kahan, Hank
Jenkins-Smith, Tor
Tarantola

The Causal Effect of Fetal Alcohol Exposure on
Height: Evidence from State Prohibition Laws
Effects of Disclosure Laws on Pharmaceutical
Company Payments to Physicians
Geoenvironment and the Science Communication
Environment: A Cross-Cultural Experiment

Discussant

Jasjeet Sekhon

Michael
Guttentag

Eric Biber

Law and Finance III

Richard Hynes, Steven
Walt, Susan Kerr

Abnormal Returns to Public and Private
Acquirers of Failed Banks: Evaluating the

Discussant

Jeff Strnad

Christoffersen	Effectiveness of the FDIC	
Stavros Gadinis	From Independence to Politics in Banking Regulation	Jacob Gersen
Jeffrey Gordon	Money Market Funds Run Risk: Will Floating Net Asset Value Fix the Problem?	Joseph Grundfest

Law and Psychology I

Angela Evans, Thomas Lyon	Pragmatic Failure and Referential Ambiguity When Attorneys Ask Child Witnesses 'Do You Know/Remember' Questions	Jonathan Wand
Daniel Ames, Susan Fiske	Intentional Harms are Worse, Even When They're Not	Donna Shestowsky
Christopher Robertson, David Yokum, Matt Palmer	Can Jurors Self-Diagnose Bias Due to Publicity? A Randomized Control Trial	Valerie Hans

Lawyering / Legal Profession

Stephen Galoob, Su Li	Are Legal Ethics Ethical? - A Survey Experiment	Deborah Rhode
Andrew Wistrich, Jeffrey Rachlinski	How Lawyers' Intuitions Prolong Litigation	Orly Lobel
Elizabeth Mertz, Katherine Barnes	Mapping the Satisfaction Gap: Pathways to Demographic Differences in Job Satisfaction	Kevin Quinn

2:00pm-4:00pm

Session V

Civil Justice II

Neil Rickman, Paul Fenn	'No Win, No Fee' and the Costs of Civil Litigation	Nora Freeman Engstrom
Nuno Garoupa, Sofia Amaral-Garcia	Do Administrative Courts Favor the Government? Evidence from Medical Malpractice in Spain	Morgan Hazelton
Wei Zhang	Justice in the Shadow of Power: Understanding the Limits of Civil Justice Reform in China Through Entrepreneurs' (Un)Willingness to Use Courts	Ji Li

Corporate Governance IV

David Oesch, Fabrizio Ferri, Yonca Ertimur	Shareholder Votes and Proxy Advisors: Evidence from Say on Pay	David Larcker
Darius Palia, Valentin Dimitrov	Short-Term Institutional Investors and Mispricing	Bernard Black
David Musto, Philip Bond, Ronel Elul	Does Junior Inherit? Refinancing and the Blocking Power of Second Mortgages	Quinn Curtis

Courts and Judging V

Brent Boyea, Damon Cann, Jeff Yates	Does the Attitudinal Model of Supreme Court Decision Making Depend on Litigation Choices? Applying the Priest-Klein Selection Hypothesis to Litigation in the High Court	Carolyn Shapiro
Joshua Teitelbaum	Inside the <i>Blackwall</i> Box: Explaining U.S. Marine Salvage Awards	Daniel Klerman

Criminal Justice V

Adam Cox, Thomas Miles	Policing Immigration	F. Daniel
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Margaret Boittin	Incentives, Fear of Arrest, and HIV/AIDS: Evidence from a Randomized Field Experiment Amongst Lawbreakers	Siciliano Mathew McCubbins
Hanming Fang, Shamena Anwar	Testing for Racial Prejudice in the Parole Board Release Process: Theory and Evidence	Prasad Krishnamurthy
<u>Intellectual Property II</u>		<u>Discussant</u>
Melissa Wasserman, Michael Frakes	Does Agency Funding Affect Decisionmaking?: An Empirical Assessment of the PTO's Granting Patterns	Jonathan Masur
Christopher Buccafusco, Christopher Sprigman, Zachary Burns	What's a Name Worth? Experimental Tests of the Value of Attribution in Intellectual Property	Michael Frakes
<u>Law and Politics III</u>		<u>Discussant</u>
Fernando Hidalgo, Miguel de Figueiredo, Yuri Kasahara	When Do Voters Punish Corrupt Politicians? Experimental Evidence from Brazil	Beatriz Magaloni
Abby Wood, Douglas Spencer	In the Shadows of Sunlight: The Effects of Transparency on State Political Campaigns	Bruce Cain
Andrea Chandrasekher, John Hagan	The Effect of Foreclosures on Crime: An Instrumental Variables Approach	Clayton Nall
<u>Law and Psychology II</u>		<u>Discussant</u>
Alexander Morell, Andreas Glöckner, Emanuel Towfigh	Sticky Rebates: Loyalty Rebates Impede Rational Switching of Consumers	Scott Hemphill
Jennifer Arlen, Stephan Tontrup	The Endowment Effect: Voluntary Debiasing Through Agents and Markets	Alison Morantz
Francis Shen	Mind, Body, and the Criminal Law	Andrea Roth