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CIVIL JUSTICE Scholarship Award

The Civil Justice Scholarship Award, bestowed periodically to published legal academics, recognizes current, scholarly legal research and writing focused on topics in civil justice, including access to justice and the benefits of the U.S. civil justice system, as well as the right to trial by jury in civil cases.

Nomination Deadline: September 13, 2021 [Award Criteria](#) / [Nomination Form](#)

2021 Winners — Sperino, Thomas, and Wojcik

**2021 Civil Justice Scholarship Award to Sandra
Sperino, Suja Thomas, and Mark Wojcik**

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Professor Sandra Sperino



Professor Suja Thomas

Professor Sperino, of the University of Cincinnati College of Law, and **Professor Thomas**, of the University of Illinois College of Law, are honored for their book, [**Unequal: How America's Courts Undermine Discrimination Law**](#) (Oxford University Press 2017), in which they examine the ways in which courts have impeded private enforcement of anti-discrimination laws through civil litigation.

Professor Wojcik, of UIC John Marshall Law School, is honored for his article, [**Extending Batson to Peremptory Challenges of Jurors Based on Sexual Orientation and Gender Identity**](#), 40 No. Ill. U. L. Rev. 1 (2019), in which he argues that it is time to extend the U.S. Supreme Court's decision in *Batson v. Kentucky* to all federal and state trial courts, and to prohibit expressly the exclusion of jurors based on their actual or perceived sexual orientation or gender identity.

High Distinction Honorees

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- › Symposium Law Reviews
- › 2019 Symposium: Class Actions and MDLs – The Next 50 Years
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Awards

Twiggs Lectures

Papers of the Pound Institute

The Institute also recognized two publications for high distinction among the 35 nominations received: [Rights and Retrenchment: The Counterrevolution against Federal Litigation](#) (Cambridge University Press 2017), in which Professors Stephen Burbank, of the University of Pennsylvania Law School, and Sean Farhang, of the University of California, Berkeley, examine responses to the “rights revolution” that unfolded in the United States during the 1960s and 1970s, and trace the increasing hostility to the enforcement of rights through lawsuits; and [The Trouble with Trial Times Limits](#), 106 Geo. L. J. 933 (2018), in which Professor Nora Freeman Engstrom, of Stanford Law School, examines an issue that is quietly and negatively affecting trials at a time when few cases go to trial. She looks at specific trials and data that demonstrate the random implementation of time limits of trials, and how they add additional limitations on plaintiffs.

2020 Winner — Clopton and Steinman

2020 Civil Justice Scholarship Award to Zachary Clopton and Adam Steinman

Join us (202)

944-2841

info@poundinstitute.org

Make a

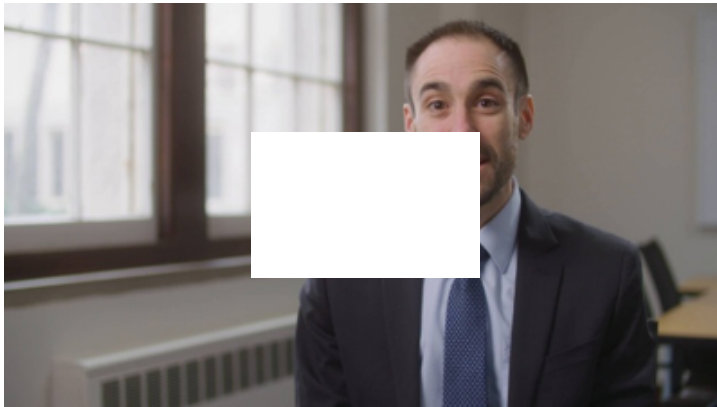
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Professor Clopton, of Northwestern Pritzker School of Law, is honored for his article [**Procedural Retrenchment and the States**](#), 106 Calif. L. Rev 411 (2018), in which he evaluated possible state-court and

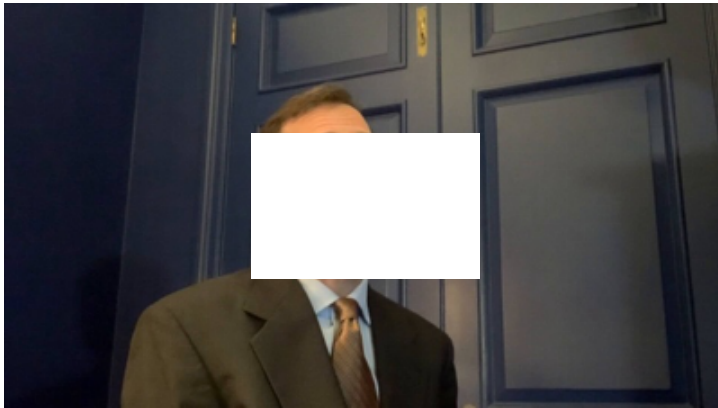


state courts. **Professor Zachary C. Clopton** to the Reports Card's recent procedural decisions, and suggested further interventions by state courts and public enforcers that could offset the recent regression in access to justice.



Professor Steinman, of The University of Alabama School of Law, is honored for his article [**Access to Justice, Rationality, and Personal Jurisdiction**](#), 71 Vand. L. Rev. 1401 (2018), in which he analyzed the United States Supreme Court's recent decisions on personal jurisdiction in civil litigation, examined the situations where personal jurisdiction doctrine is most likely to threaten access to justice and the enforcement of

substantive law, and proposed ways to work within the Court's case law to preserve meaningful access and enforcement.



High Distinction for an Article



**Professor Deborah
Brake**

The Institute also recognized an article for high distinction among the nominations received: *The Shifting Sands of Employment Discrimination: From Unjustified Impact to Disparate Treatment in Pregnancy and Pay*, 105 Geo. L. J. 559 (2017), by Professor Deborah Brake,

of the University of Pittsburgh School of Law. In an interesting and well-written article addressing one of the most frustrating aspects of employment discrimination law, pay discrimination, Brake argues for using recent developments in the law of

pregnancy discrimination to shift the understanding of discriminatory intent in the jurisprudence of equal pay.”

2019 Winner — Alexandra Lahav

2019 Civil Justice Scholarship Award to Alexandra Lahav, *In Praise of Litigation*



Alexandra Lahav

The Officers and Trustees of the Pound Civil Justice Institute have given the Institute's 2019 Civil Justice Scholarship Award to Professor Alexandra Lahav of the University of Connecticut School of Law, in recognition of her book, *In Praise of Litigation* (Oxford University Press, 2017).

Lahav is the Ellen Ash Peters Professor of Law at the University of Connecticut School of Law. She teaches civil procedure, torts, complex litigation, professional responsibility, and related subjects. She is a nationally recognized expert on the civil justice system and tort law. In her winning work, *In Praise of Litigation*, Lahav argues that lawsuits are good for society and are

needed in a healthy democracy. She finds that most critiques of “litigiousness” in America today are based not on facts, but on anecdotes, and that most “tort reform” proposals will make it harder for citizens to fight for their rights. In other recent work on the civil justice system, Professor Lahav has studied the changing win-rate patterns in federal courts, the effects of incentives on judicial decision-making, and the optimal design of procedural systems. She has also studied the role of litigation tactics in changing the law in the antebellum period of American history. Currently, she is spearheading a project on evaluating litigation risk. [Read more about Lahav’s book here.](#)



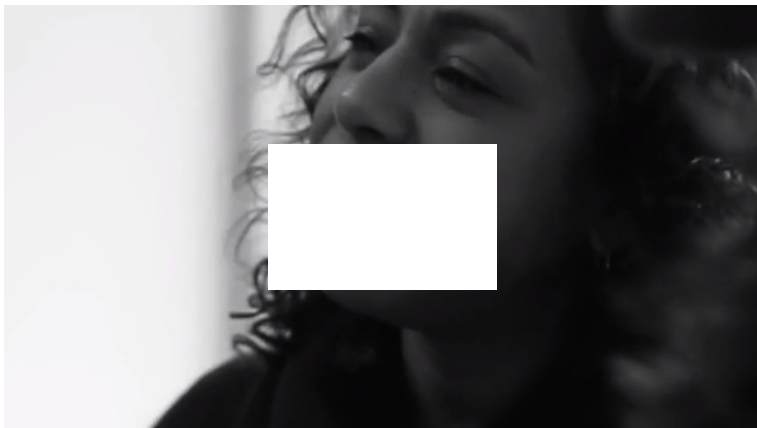
High Distinction for Two Publications

The committee also recognized two works for high distinction among the nominations received: one for a book and one for an article. In the book category, the committee honored **Professor Suja Thomas** of the University of Illinois College of Law for her book *The Missing American Jury: Restoring the Fundamental*

Constitutional Role of the Criminal, Civil and Grand Juries
(Cambridge University Press, 2016).



In the article category, they recognized **Professor Myriam Gilles** of the Benjamin N. Cardozo School of Law at Yeshiva University for her article *The Day Doctrine Died: Private Arbitration and the Rule of Law*, 371 U. ILL. L. REV. 371 (2016).



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