

JAMES J. PRESCOTT

University of Michigan Law School
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EMPLOYMENT

UNIVERSITY OF MICHIGAN LAW SCHOOL, Henry King Ransom Professor of Law (2019–)
Professor of Economics (2015–) (courtesy)
Co-Director, Program in Law and Economics (2012–)
Co-Director, Empirical Legal Studies Center (2014–)
Professor of Law (2011–19)
Assistant Professor of Law (2006–11)

Research: Criminal Law
Civil Litigation and Settlement
Empirical Law and Economics
Sentencing and Corrections
Employment Law

Teaching: Criminal Law
Employment Law
Law and Economics Workshop
Negotiation
Economic Analysis of Law

EDUCATION

MASSACHUSETTS INSTITUTE OF TECHNOLOGY, Ph.D., Economics, 2006

Honors: MIT Department of Economics Fellowship (1997–99)
Jacob K. Javits Fellowship (1998–2002)

Dissertation: *Essays in Empirical Law and Economics*
(Advisers: David Autor, Michael Greenstone, Christine Jolls)

HARVARD LAW SCHOOL, J.D., 2002

Honors: Graduated *magna cum laude*
John M. Olin Fellowship in Law and Economics (1999–2002)
Treasurer (Vol. 115) and Editor, *Harvard Law Review*

Clerkship: Hon. Merrick B. Garland, U.S. Court of Appeals for the D.C. Circuit (2002–03)

STANFORD UNIVERSITY, B.A., Public Policy and Economics, 1996

Honors: Graduated with Honors and Distinction; Phi Beta Kappa (elected in junior year);
Ethics-in-Society Honors Program; Presidential Award for Excellence in the
Freshman Year; Truman Scholar Finalist (CA)

Thesis: *Why Vote? Using Principles to Solve the Paradox of the Irrational Voter*

PUBLICATIONS & MANUSCRIPTS

- Keniston, Daniel, Bradley J. Larsen, Shengwu Li, J.J. Prescott, Bernardo S. Silveira, and Chuan Yu, “Fairness in Incomplete Information Bargaining: Theory and Widespread Evidence from the Field,” *International Economics Review* (forthcoming 2024)
- Prescott, J.J., and Evan Starr, “Subjective Beliefs about Contract Enforceability,” *Journal of Legal Studies* (forthcoming 2024).
- Bridges, Grady, and J.J. Prescott, “Prosecutor Transparency Project: Racial Disparities Study (Washtenaw County, Michigan),” *Prosecutor Transparency Project*, White Paper, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4680695 (December 2023).
- Mentovich, Avital, J.J. Prescott, and Orna Rabinovich-Einy, “Legitimacy and Online Proceedings: Procedural Justice, Access to Justice, and the Role of Income,” *Law and Society Review*, 57 (2023), 189–213.
- McJunkin, Ben A., and J.J. Prescott, “Collusive Prosecution,” *Iowa Law Review*, 108(4) (2023), 1653–722.
- Prescott, J.J., “Chapter 12: Using ODR Platforms to Level the Playing Field: Improving Pro Se Litigation through ODR Design,” in *LEGAL TECH AND THE FUTURE OF CIVIL JUSTICE* (David Freeman Engstrom, ed.) (Cambridge Univ. Press) (2023), 286–304.
- Jolly, Richard, and J.J. Prescott, “Beyond Plea Bargaining: A Theory of Criminal Settlement,” *Boston College Law Review*, 62(4) (2021), 1047–116.
- Starr, Evan, J.J. Prescott, and Norman D. Bishara, “Noncompete Agreements in the U.S. Labor Force,” *Journal of Law and Economics*, 64(1) (2021), 53–84.
- Lave, Tamara Rice, J.J. Prescott, and Grady Bridges, “The Problem with Assumptions: Revisiting the Dark Figure of Sexual Recidivism,” *Behavioral Sciences & the Law*, 39(3) (2021), 279–306.
- Bulinski, Maximilian A., and J.J. Prescott, “Designing Legal Experiences: Online Communication and Resolution in Courts,” in *LEGAL INFORMATICS* (Daniel Martin Katz, Michael J. Bommarito II and Ron Dolin, eds.) (Cambridge Univ. Press) (2021), 430–48.
- Agan, Amanda Y., and J.J. Prescott, “Offenders and SORN Laws,” in *SEX OFFENDER REGISTRATION AND COMMUNITY NOTIFICATION LAWS: AN EMPIRICAL EVALUATION* (Logan, Wayne A., and J.J. Prescott, eds.) (Cambridge Univ. Press) (2021), 102–44.
- Logan, Wayne A., and J.J. Prescott, eds., *SEX OFFENDER REGISTRATION AND COMMUNITY NOTIFICATION LAWS: AN EMPIRICAL EVALUATION* (Cambridge Univ. Press) (2021).
- Starr, Evan, J.J. Prescott, and Norman D. Bishara, “The Behavioral Effects of (Unenforceable) Contracts,” *Journal of Law, Economics, and Organization*, 36(3) (2020), 633–87.
- Prescott, J.J., and Sonja B. Starr, “Expungement of Criminal Convictions: An Empirical Study,” *Harvard Law Review*, 133(8) (2020), 2460–555.
- Prescott, J.J., Benjamin Pyle, and Sonja B. Starr, “Understanding Violent-Crime Recidivism,” *Notre Dame Law Review*, 95(4) (2020), 1643–98.
- Mentovich, Avital, J.J. Prescott, and Orna Rabinovich-Einy, “Are Litigation Outcome Disparities Inevitable? Courts, Technology, and the Future of Impartiality,” *Alabama Law Review*, 71(4)

- (2020), 893–979 (winner of 2021 Dispute Resolution Advancement Award presented by the Hugh L. Carey Center for Dispute Resolution at St. John’s School of Law).
- Prescott, J.J., and Sonja B. Starr, “The Power of a Clean Slate,” *Regulation*, 43(2) (2020), 28–34.
- Prescott, J.J., and Alexander Sanchez, “Platform Procedure: Using Technology to Facilitate (Efficient) Civil Settlement,” in *SELECTION AND DECISION IN JUDICIAL PROCESS AROUND THE WORLD: EMPIRICAL INQUIRIES* (Yun-chien Chang, ed.) (Cambridge Univ. Press, 2020), 30–72.
- Spier, Kathryn E., and J.J. Prescott, “Contracting on Litigation,” *RAND Journal of Economics*, 50(2) (2019), 391–417.
- Prescott, J.J., and Benjamin Pyle, “Identifying the Impact of Labor Market Opportunities on Criminal Behavior,” *International Review of Law and Economics*, 59 (2019), 65–81.
- McJunkin, Ben A., and J.J. Prescott, “Sex Offenders: Technological Monitoring and the Fourth Amendment,” *Search & Seizure Law Report*, 46(7) (2019), 75–88.
- Prescott, J.J., “Community Notification Policies,” in *THE SAGE ENCYCLOPEDIA OF CRIMINAL PSYCHOLOGY* (Robert D. Morgan, ed.) (Thousand Oaks, Calif.: Sage Publications), Vol. 1 (2019): 138–43.
- Prescott, J.J., “Comment on ‘Judicial Compensation and Performance,’” *Supreme Court Economic Review*, 25 (2019), 149–54.
- O’Neil, Meghan M., and J.J. Prescott, “Targeting Poverty in the Courts: Improving the Measurement of Ability to Pay,” *Law and Contemporary Problems*, 82 (2019), 199–226.
- McJunkin, Ben A., and J.J. Prescott, “Fourth Amendment Constraints on the Technological Monitoring of Convicted Sex Offenders,” *New Criminal Law Review*, 21 (2018), 379–425.
- Prescott, J.J., “Assessing Access to Justice Outreach Strategies,” *Journal of Institutional and Theoretical Economics* (JITE), 174(1) (2018), 34–63.
- Prescott, J.J., “Improving Access to Justice in State Courts with Platform Technology,” *Vanderbilt Law Review*, 70 (2017), 1993–2050.
- Hou, Youyang, Cliff Lampe, Maximilian Bulinski, and J.J. Prescott, “Factors in Fairness and Emotion in Online Case Resolution Systems,” *Proceedings of the 2017 ACM Conference on Human Factors in Computing Systems* (May 2017).
- Prescott, J.J., and Kathryn E. Spier, “A Comprehensive Theory of Civil Settlement,” *New York University Law Review*, 91 (2016), 59–143.
- Prescott, J.J., “Portmanteau Ascendant: Post-Release Regulations and Sex Offender Recidivism,” *Connecticut Law Review*, 47 (2016), 1035–78
- Bulinski, Maximilian A. and J.J. Prescott, “Online Case Resolution Systems: Enhancing Access, Fairness, Accuracy, and Efficiency,” *Michigan Journal of Race and Law*, 21 (2016), 205–49.
- Prescott, J.J., “Criminal Sanctions and Deterrence,” in *ENCYCLOPEDIA OF LAW AND ECONOMICS* (2019), vol. 1 (A-E) (Alain Marciano and Giovanni Battista Ramello, eds.) (New York: Springer) (first published online in 2016), 498–510.
- Prescott, J.J., Norman D. Bishara, and Evan Starr, “Understanding Noncompetition Agreements: The 2014 Noncompete Survey Project,” *MSU Law Review*, 2016, 369–464

- Gerstein, Charlie, and J.J. Prescott, “Process Costs and Police Discretion,” *Harvard Law Review Forum*, 128 (2015), 268–88.
- Agan, Amanda Y., and J.J. Prescott, “Sexual Offenses,” in *ENCYCLOPEDIA OF LAW AND ECONOMICS* (2019), vol. 3 (O-Z) (Alain Marciano and Giovanni Battista Ramello, eds.) (New York: Springer) (first published online in 2015), 1871–84.
- Prescott, J.J., Kathryn E. Spier, and Albert H. Yoon, “Trial and Settlement: A Study of High-Low Agreements,” *Journal of Law and Economics*, 57 (2014), 699–746.
- Agan, Amanda Y., and J.J. Prescott, “Sex Offender Law and the Geography of Victimization,” *Journal of Empirical Legal Studies*, 11 (2014), 786–828.
- Prescott, J.J., “Do Sex Offender Registries Make Us Less Safe?” *Regulation*, 35(2) (2012), 48–55.
- Prescott, J.J., “Child Pornography and Community Notification: How an Attempt to Reduce Crime Can Achieve the Opposite,” *Federal Sentencing Reporter*, 24 (2011), 93–101.
- Prescott, J.J., and Jonah E. Rockoff, “Do Sex Offender Registration and Notification Laws Affect Criminal Behavior?” *Journal of Law and Economics*, 53 (2011), 161–206.
- Prescott, J.J., “The Challenges of Calculating the Benefits of Providing Access to Legal Services,” *Fordham Urban Law Journal*, 37 (2010), 303–46.
- Prescott, J.J., and Sonja B. Starr, “Improving Criminal Jury Decision Making After the *Blakely* Revolution,” *University of Illinois Law Review*, 2006, 301–56.
- Jolls, Christine M., and J.J. Prescott, “Disaggregating Employment Protection: The Case of Disability Discrimination,” *NBER Working Paper 10740* (2004).
- Prescott, J.J., “Tort as a Debt Market: Agency Costs, Strategic Debt, and Borrowing against the Future,” *Harvard Law Review*, 115 (2002), 2294–316 (Student Note).
- Prescott, J.J., “Prevailing Party—*Buckhannon Board & Care Home, Inc. v. West Virginia Department of Health & Human Resources*, 121 S. Ct. 1835 (2001),” *Harvard Law Review*, 115 (2001), 457–67 (Student Supreme Court Case Comment).
- Prescott, J.J., “Second Circuit holds that Punitive Damages are Unavailable against Municipalities—*Ciraolo v. City of New York*, 216 F.3d 236 (2d Cir. 2000),” *Harvard Law Review*, 114 (2000), 666–72 (Student Recent Case Comment).

WORKS IN PROGRESS

- Garrett, Brandon L., and J.J. Prescott, “Determinants of Success in Post-Conviction Litigation by the Innocent,” draft available.
- Prescott, J.J., “The Possibilities of Offender Choice in Sentencing: Eliciting Forward-Looking Information,” draft available.
- Prescott, J.J., “Measuring the Consequences of Criminal Jury Trial Protections,” draft available (revise and resubmit, *Journal of Legal Studies*).
- Prescott, J.J., “Empirical Evidence of Prosecutorial Charging Manipulation: And What It Tells Us about What Prosecutors Are Trying to Do,” draft available.

Klick, Jonathan, and J.J. Prescott, “The Effect of Sex Offender Laws on the Sexual Abuse and Health of Minors,” 25-page funding narrative available.

Prescott, J.J., and Eric B. Laber, “The Effects of Judge, Prosecutor, and Defendant Race and Gender Interactions on Defendant Outcomes,” 15-page funding narrative available.

Bailey, Martha J., and J.J. Prescott, “The Regulation of Vice in the 1960s: The Case of Contraception as ‘Obscene,’” précis available.

Prescott, J.J., “Data Set: New Orleans District Attorney’s Office Data, 1988-1999,” including arrest, charging, conviction, and sentencing data with judge, prosecutor, and defendant identifiers and over 30,000 defendant observations.

Prescott, J.J., “A Fifty-State Compendium of Sex Offender Regulation.”

OTHER WRITING

Prescott, J.J., Steward Schwab, and Evan Starr, “First Evidence on the Use of Training Repayment Agreements in the US Labor Force,” PROMARKET, March 27, 2024, <https://www.promarket.org/2024/03/27/first-evidence-on-the-use-of-training-repayment-agreements-in-the-us-labor-force/>.

Lee, Song Mi, Cliff Lampe, J.J. Prescott, and Sarita Schoenebeck “Characteristics of People Who Engage in Online Harassing Behavior,” *CHI EA '22: CHI Conference on Human Factors in Computing Systems Extended Abstracts* (April 2022).

Buhl, William, J.J. Prescott, and Miriam Aukerman, “Michigan Poised to Double Down on Failed Sex Offender Registry,” DETROIT FREE PRESS, Dec. 10, 2020, <https://www.freep.com/story/opinion/contributors/2020/12/10/michigan-sex-offender-registry-legislation/6507848002/>.

Prescott, J.J., Benjamin Pyle, and Sonja Starr, “It’s Time to Start Releasing Some Prisoners With Violent Records,” SLATE, April 13, 2020, <https://slate.com/news-and-politics/2020/04/combating-covid-release-prisoners-violent-cook.html>.

Prescott, J.J., and Sonja B. Starr, “The Case for Expunging Criminal Records,” N.Y. TIMES, March 20, 2019, at A27, <https://www.nytimes.com/2019/03/20/opinion/expunge-criminal-records.html>.

Prescott, J.J., “Unclogging Courts by Resolving Simple Cases Online,” THE BRIDGE, May 19, 2016, <https://www.bridgemi.com/guest-commentary/unclogging-courts-resolving-simple-cases-online>.

Prescott, J.J., Kathryn E. Spier, and Albert H. Yoon, “审判与和解：高低协议研究” [Trial and Settlement: A Study of High-Low Agreements] (translated by Yajie Xin. 比较): *Comparative Studies*, no. 80 (2015), 154–189.

Prescott, J.J., “In Michigan, Access to Justice a Click Away,” DETROIT NEWS, March 12, 2015, at 3B, <http://www.detroitnews.com/story/opinion/2015/03/11/prescott-court-innovations/70166738>.

Prescott, J.J. (principal drafter), Miriam J. Aukerman, Michael J. Steinberg, Kary L. Moss, and John R. Minock, “Distinguished Brief: People of the State of Michigan v. David Mark Cole,” *Thomas M. Cooley Law Review*, 30(3) (2013), 313–68.

GRANTS AND AWARDS

American Civil Liberties Union (\$250,000) (“Prosecutor Transparency Project”) (2021)

Distinguished University Innovator Award, University of Michigan (2020)

Vital Projects at Proteus (\$20,000) (2019) (“Understanding Recidivism Rates for Homicide Offenders”) (Co-PI: Benjamin D. Pyle)

National Science Foundation, Cyber-Human Systems (\$909,213) (2018) (“Drawing from Theories of Justice to Respond to Online Harassment”) (Co-PIs: Sarita Yardi Schoenebeck and Clifford Lampe)

University of Michigan, Poverty Solutions at Ford School of Public Policy (\$25,000) (2017) (“Targeting Poverty in the Courts: Improving the Measurement of Ability to Pay”) (Co-PI: Meghan M. O’Neil)

University of Michigan, Global Challenges for Third Century Initiative (Phase Two: \$2,767,500) (2014) (“Technology-Aided Access to Courts through Enhanced Online Functionality”)

University of Michigan, Office of the Vice President for Research (\$15,000) (2013) (“A Survey of Employment Non-Competition Agreements: Incidence, Knowledge, Perceptions, and Mobility”)

Distinguished Brief Award, Thomas M. Cooley Law Review (“recognizes the most scholarly brief filed before the Michigan Supreme Court, as determined by a panel of judges”) (2013) (*People v. Cole*, No. 143046, opinion filed May 25, 2012)

University of Michigan, Global Challenges for Third Century Initiative (Phase One: \$275,000) (2013) (“Technology-Aided Access to Courts through Enhanced Online Functionality”)

University of Michigan, Office of the Vice President for Research (\$15,000) (2011) (“The Role of the Prosecutor in Criminal Justice Outcome Disparities”)

Population Studies Center, University of Michigan (\$4,000) (2011) (“The Effects of Sex Offender Laws on Teenage Sexual Health and on the Geography of Crime Commission”)

National Fellow, Hoover Institution, Stanford University, Stanford, CA (2010–11)

National Science Foundation, Law and Social Sciences Program (\$145,000) (2010) (“Evaluating the Impact of Set-Aside Laws on Ex-Offender Recidivism and Socioeconomic Outcomes”) (Co-PI: Sonja Starr)

University of Michigan, Office of the Vice President for Research (\$15,000) (2009) (“Evaluating the Impact of Set-Aside Laws on Ex-Offender Recidivism and Socioeconomic Outcomes”)

National Poverty Center, University of Michigan (\$7,500) (2009) (“Evaluating the Impact of Set-Aside Laws on Ex-Offender Recidivism and Socioeconomic Outcomes”)

ABA Section on Litigation, Litigation Research Fund (\$12,000) (2008) (with Albert Yoon) (“Settlement and Trial? A Study of High-Low Agreements”)

PROFESSIONAL ACTIVITIES

Affiliations: Elected Member, American Law Institute (2023–)
 Board of Directors, Collateral Consequences Resource Center (2023–)
 Co-Editor-in-Chief, *American Law and Economics Review* (2017–)
 Fellow of the Society for Empirical Legal Studies (2019–)
 Research Faculty Affiliate, Pop. Studies Center, Univ. of Michigan (2009–)
 Affiliate, University of Chicago Crime Lab (2016–)
 Faculty Affiliate, National Archive of Criminal Justice Data (2017–)
 Senior Academic Affiliate, Edgeworth Economics, LLC (2012–)
 Faculty Expert, Poverty Solutions, University of Michigan (2017–)

ICLE (Inst. of Continuing Legal Educ.) Tech. Advisory Board (2016–)
Research Associate, Ctr. for Research in Econometric Theory and
Applications (CRETA), National Taiwan University (2018–22)
Associate Editor, *International Review of Law and Economics* (2012–18)
Board of Directors, American Law and Economics Association (2015–18)
Co-President, Society of Empirical Legal Studies (2018–19)
Board of Directors, Society of Empirical Legal Studies (2016–19)
Board of Directors, Innovations for Poverty Action (2010–18)
Working Group, Nat’l Task Force on Fines, Fees, and Bail (2016–18)
Member, MI Advisory Comm., US Commission on Civil Rights (2013–17)
Editorial Board, *American Law and Economics Review* (2014–17)
Member, State Bar of California (admitted in 2002)
Member, American Bar Association
Member, American Economic Association
Member, American Law and Economics Association

Referee Service: *Journal of Legal Studies*
Journal of Law and Economics
Journal of Law, Economics, and Organization
Journal of Empirical Legal Studies
American Law and Economics Review
International Review of Law and Economics
Journal of Legal Education
Review of Law and Economics
Quarterly Journal of Economics
Review of Economics and Statistics
Journal of Labor Economics
American Economic Journal: Applied Economics
Journal of Public Economics
Economic Journal
Economic Inquiry
Law and Society Review
Law and Social Inquiry
Industrial and Labor Relations Review
Crime and Delinquency
Justice Quarterly

TESTIMONY AND EXPERT ACTIVITIES

Vernon Keith Robinson v. Des Moines Public Schools (No. LACL 136651), Iowa District Court for Polk County: expert report, August 31, 2023; expert report, March 24, 2024; deposition, April 4, 2024.

John Does A–H, Mary Doe, and Mary Roe v. Gretchen Whitmer and Col. Joseph Gasper (No. 22-cv-10209), U.S. District Court for the Eastern District of Michigan: expert report on class data (with German Marquez Alcala and R. Karl Hanson), June 21, 2023; amended report, August 7, 2023.

Legislative Testimony before *Idaho House’s Judiciary, Rules & Administration Committee*, on proposed expungement legislation, February 17, 2023.

John Does #11 v. William B. Lee and David B. Rausch, U.S. District Court for the Middle District of Tennessee, Nashville Division: expert report, Feb 9, 2023.

John Doe and Randall Menges v. Lawrence Wasden et al., U.S. District Court for the District of Idaho: expert report, May 26, 2022.

John Does A–H, Mary Doe, and Mary Roe v. Gretchen Whitmer and Col. Joseph Gasper, U.S. District Court for the Eastern District of Michigan: expert report, Dec. 29, 2021.

Commonwealth of Pennsylvania v. Torsilieri, Court of Common Pleas, Chester County, PA: expert report, Apr. 1, 2021; hearing testimony, June 29, 2021.

Constan v. City of Dearborn Heights et al., Wayne County Circuit Court, Michigan: expert report, Dec. 6, 2020.

Legislative Testimony before *Michigan Senate’s Judiciary and Public Safety Committee* (Lansing, MI, via Zoom), on proposed Clean Slate (expungement) legislation, June 4, 2020.

Legislative Testimony before *Michigan House of Representatives’ Judiciary Committee* (Lansing, MI, via Zoom), on proposed reforms to Michigan’s Sex Offender Registration and Notification Laws, May 27, 2020.

NARSOL v. Joshua Stein, U.S. District Court for the Middle District of North Carolina: expert report, Feb. 27, 2020; deposition, July 10, 2020.

John Does #1–5 v. Richard Swearingen, U.S. District Court for the Southern District of Florida: expert report, Feb. 24, 2020; deposition, Sept. 22, 2020.

John Does #1–7 v. Greg Abbott and Col. Steven McCraw, U.S. District Court for the Northern District of Texas, Dallas Division: expert report, May 25, 2018.

United States v. David Keith Wills, U.S. District Court for the Southern District of Texas, Corpus Christi Division: expert declaration, Jan. 14, 2018; hearing testimony, Jan. 29, 2018.

Lucinda J. Shuell v. Mobile Medical Response, Inc., American Arbitration Association, Case No. 01-16-0001-9155: expert report, Dec. 21, 2017.

Southern Motors Chevrolet, Inc. v. General Motors, U.S. District Court for the Southern District of Georgia, Savannah Division: expert report, June 30, 2015.

State of Georgia v. Beverly Hall, Superior Court of Fulton County for the State of Georgia: expert report, July 11, 2014.

McGuire v. City of Montgomery, Alabama et al., U.S. District Court for the Middle District of Alabama: expert report, Sept. 13, 2013; deposition, Oct. 30, 2013; rebuttal expert report, Dec. 17, 2013; trial testimony, Mar. 31, 2014, and Apr. 1, 2014.

John Does #1–5 and Mary Doe v. Richard Snyder and Col. Kriste Etue, U.S. District Court for the Eastern District of Michigan: expert report, Mar. 16, 2012; deposition, Dec. 12, 2013.

UNIVERSITY SERVICE

University of Michigan: Digital Innovation Advisory Group (2014–16); Online Course Selection Committee (2013–14); UM Civil Liberties Board (2010–13).

University of Michigan Law School: Founder and Organizer, Student Research Roundtable (2007–18); Career Planning and Clerkships (2022–); Alumni Survey Director (2014–); Tenure Review Committee (2021–22); Personnel Committee (2019–21); Technology Committee (2010–20); Alumni Academic Placement Committee (2010–14; 2016–18); Institutional Advancement Committee (2009–11; 2012–13); Graduate Programs and Foreign Affiliations (2011–12);

Academic Standards and Practices Committee (2009–10); Clinical Committee (2008–09); Student Careers and Professional Affairs Committee (2007–08); Curriculum Committee (2006–07).

OTHER EMPLOYMENT

- Academic: Visiting Lecturer, University of Tokyo Faculty of Law (Summer 2009)
Visiting Researcher, Georgetown University Law Center (2004–2006)
Special Guest, Brookings Institution, Economic Studies Program (2004–2005)
Fellow in Law and Economics, Univ. of Michigan Law School (Winter 2005)
Post-Graduate Olin Research Fellow, Harvard Law School (2003–2004)
Research Assistant, Brookings Institution, Economic Studies (1996–1997)
- Law Practice: Summer Associate, Gibson, Dunn & Crutcher, LLP, New York, NY (2002)
Summer Associate, Munger, Tolles & Olson, LLP, Los Angeles, CA (2001)
Summer Associate, Morrison & Foerster, LLP, San Francisco, CA (2001)
Summer Associate, Gibson, Dunn & Crutcher, LLP, Los Angeles, CA (2000)

SELECTED PRESENTATIONS

- 2023:** Univ. of Michigan Law School’s 2023 Junior Scholars Conference (Ann Arbor, MI) (April) (Discussant on three papers in “Panel I: Empirical Legal Studies”)
ACLU Panel on Technology and Access to Justice (Mitchell Hamline Law School) (online) (April) (Panelist: Tech for Justice: Bridging the Gap through Innovation)
Center for Finance, Law, and Policy (Blue Bag Lunch) (online) (April) (“Noncompetes, Enforceability, and Employee Behavior”)
Symposium: Access to Justice (2023 Stanford Law Review Symposium) (Palo Alto, CA) (February) (Discussant on “Lawyerless Courts” Panel)
- 2022:** Symposium: Is Virtual Justice Just? (The 12th John A. Speziale Alternative Dispute Resolution Symposium) (Quinnipiac University Law School and Connecticut Bar Foundation) (online) (Nov) (Panelist: ODR Outside of CT)
Univ. of Michigan Law School (Legal Theory Workshop) (Ann Arbor, MI) (Aug) (“Subjective Beliefs about Contract Enforceability”)
NBER Law and Economics Meetings (Cambridge, MA) (July) (Discussant on Steven Shavell, “On the Law of the Household: The Principles Used by Parents in Disciplining their Children”)
Symposium: The Law of the People? Rethinking Criminal Justice through Virtual Spaces (Univ. of Illinois College of Law) (online) (March) (“Criminal Law, ‘ODR,’ and the Potential of Online Procedures”)
Berkeley Law School (Law and Economics Workshop) (Berkeley, CA) (March) (“Subjective Beliefs about Contract Enforceability”)
Univ. of Texas School of Law (Law and Economics Workshop) (online) (January) (“Subjective Beliefs about Contract Enforceability”)

- 2021:** Duke Empirical Criminal Law Roundtable (online) (December) (Discussant on Megan T. Stevenson, “Cause, Effect, and the Structure of the Social World”)
- American Law and Economics Association Annual Meetings (Univ. of Chicago) (online) (October) (“Subjective Beliefs about Contract Enforceability”)
- Northwestern University IDEAL Workshop: Evaluation and Accountability: Technologies for Law (online) (April) (“Evaluating the Effects of Court-Technology Innovations”)
- Record Clearing Research Webinar (National Record Clearing Project) (Community Legal Services – Philadelphia) (online) (March) (“Expungement of Criminal Convictions: An Empirical Study”)
- Dispute Resolution Works-in-Progress Consortium (online) (March) (Discussant on Gilat Bachar, “The Psychology of Secret Settlements”)
- Stanford Law Legal Tech and the Future of Civil Justice Series (Panel: “Legal Tech, A2J, and the Unrepresented”) (online) (February) (“Using ODR Platforms to Level the Playing Field: Improving Pro Se Litigation Through Technology”)
- Michigan Journal of Law Reform Symposium (“The Poverty Penalty: America’s Overuse of Fines and Fees) (online) (January) (Panelist: Civil and Criminal Fines and Fees)
- 2020:** Duke Empirical Criminal Law Roundtable (online) (December) (Discussant on Ben Grunwald, “How to Reduce the Prison Population by X%”)
- Columbia Law School (Law and Economics Workshop) (online) (November) (“Subjective Beliefs about Contract Enforceability”)
- Conference: National Legal Aid & Defender Association (online) (November) (Panelist: “Record Clearing in 2020: Challenges and Opportunities”)
- Conference: APPAM Annual Meetings (online) (November) (Discussant on Aria Golestani, Emily Owens, and Kerri Raissian, “Specialization in Criminal Courts: An Evaluation of the Impact of Domestic Violence Courts in Nashville and Davidson County, Tennessee”)
- Michigan Law Insights from the Quad (online) (November) (Panelist: “Criminal Justice Reform” with Eve Primus and Margo Schlanger)
- Harvard Law School (Empirical Law and Economics Workshop) (online) (October) (“Noncompetes and Employee Mobility”)
- Clean Slate Initiative Panel, National Expungement Week (online) (September) (Panelist)
- The 2020 University of Michigan Distinguished Innovator Award Address (Ann Arbor, MI) (September) (“Matterhorn: Technology, Access to Justice, and Democratizing American Courts”)
- 2019:** Conference: The Choice Redux: Market, Organization, Democracy, Algorithm or Community? (Univ. of Michigan Ross School of Business) (Ann Arbor, MI) (December) (“Gigs & Regs: Platform Choices for Competitive & Fair Labor Markets”)
- Conference on Empirical Legal Studies (Claremont McKenna College) (Claremont, CA) (November) (“Expungement of Criminal Convictions: An Empirical Study”)
- Notre Dame Law Review Symposium (Notre Dame Law School) (South Bend, IN) (November) (“Understanding Violent-Crime Recidivism”)
- Detroit Police’s Committee on Race and Equality Meeting (Detroit Police Department) (Detroit MI) (October) (“Expungement in Michigan”)

- Columbia Law School (Courts Workshop) (New York, NY) (May) (“Is Judicial Bias Inevitable? Courts, Technology, and the Future of Impartiality”)
- Univ. of Michigan Law School’s 2019 Junior Scholars Conference (Ann Arbor, MI) (April) (Discussant on three papers in “Panel I: Observation and Documentation”)
- Univ. of Southern California Gould School of Law (Law and Economics Workshop) (Los Angeles, CA) (April) (“Expungement of Criminal Convictions: An Empirical Study”)
- Univ. of Michigan Institute for Research on Women & Gender (Ann Arbor, MI) (March) (Book Discussant on David Halperin and Trevor Hoppe, “The War on Sex”)
- Univ. of British Columbia Allard School of Law (Law and Economics Workshop) (Vancouver, BC) (March) (“Noncompetes and Employee Mobility”)
- Conference: The Choice: Market, Organization, Democracy, Algorithm or Community? (Univ. of Michigan Ross School of Business) (Ann Arbor, MI) (February) (“Law and ‘The Choice’”) (focus on analytics, prediction, and algorithms in the law)
- 2018:** 2018 eCourts Conference (National Center for State Courts) (Plenary Panel with Judge Alexis Krot and Elizabeth Lucas) (Las Vegas, NV) (December) (“‘Right-sizing’ Penalties Through Technology”)
- Notre Dame Law School (Law and Economics Workshop) (South Bend, IN) (November) (“Noncompetes and Employee Mobility”)
- Symposium: Shining a Light on Dispute Resolution: Transparency, Metrics, and Empirical Research (Texas A&M Univ. School of Law) (Fort Worth, TX) (November) (“Court-Connected Mediation and Online Dispute Resolution”)
- NBER Law and Economics Meetings (Cambridge, MA) (July) (Discussant on Jian Jia and Liad Wagman, “Platform, Anonymity, and Illegal Actors: Evidence of Whac-a-Mole Enforcement from Airbnb”)
- Univ. of Bonn (Law and Economics Workshop) (Bonn, Germany) (May) (“Noncompetes and Employee Mobility”)
- Symposium: Alternatives to Incarceration (Univ. of Haifa, Faculty of Law) (Haifa, Israel) (May) (“Targeting Poverty in the Courts: Improving the Measurement of Ability to Pay Fines”)
- Univ. of Michigan Law School (Law and Economics Workshop) (Ann Arbor, MI) (March) (“Noncompetes in the U.S. Labor Force”)
- Stanford Law School (Law and Economics Workshop) (Palo Alto, CA) (February) (“Noncompetes in the U.S. Labor Force”)
- Supreme Court Economic Review Research Roundtable on the Economics of Legal Error (George Mason Univ. Antonin Scalia Law School) (Arlington, VA) (February) (Discussant on Gregory DeAngelo and Bryan C. McCannon, “Judicial Compensation and Performance”)
- Univ. of Virginia Batten School of Policy (Faculty Research Workshop) (Charlottesville, VA) (January) (“Noncompetes in the U.S. Labor Force”)
- 2017:** Harvard Law School (Law and Economics Workshop) (Cambridge, MA) (November) (“Noncompetes and Employee Mobility”)
- Univ. of Toronto, Faculty of Law (Law and Economics Workshop) (Toronto, ON) (November) (“Noncompetes and Employee Mobility”)

George Mason Univ. Antonin Scalia Law School (Manne Forum) (Arlington, VA) (September) (Senior Commentator on Megan Stevenson, “Assessing Risk Assessment”)

Empirical Studies of Judicial Systems International Conference (Symposium: Do Courts Rule Efficiently? Empirical Inquiries) (Institutum Iurisprudentiae Academia Sinica) (Taipei, Taiwan) (June) (“Platform Procedure: Using Technology to Facilitate (Efficient) Civil Settlement”)

Seminar on Empirical Methods for the Law (Journal of Institutional and Theoretical Economics, Max Planck Institute for Research on Collective Goods, Bonn, and the Univ. of Bonn, Germany) (Syracuse, Italy) (June) (“Assessing Access to Justice Outreach Strategies”)

Duke Univ. School of Law (Culp Colloquium) (Durham, NC) (May) (Commentator on Andrea Chandrasekher, “Police Contract Status and Labor Unrest,” and Sherod Thaxton, “Disentangling Disparity: Exploring Racially Disparate Effect and Treatment in Capital Charging”)

UC Irvine School of Law Civil Justice Research Institute (Symposium: Practitioners and Scholars in Dialogue: What Do We Know About the Civil Justice System?) (UC Irvine School of Law) (Irvine, CA) (April) (Panel: Innovative Practices)

Vanderbilt Law Review Symposium on State Courts (Vanderbilt Law School) (Nashville, MI) (March) (“Improving Access to Justice in State Courts with Platform Technology”)

Michigan State Law Review Symposium (“Empirical Legal Studies and Legal Analytics: Shall the Twain Meet?”) (Michigan State Univ. College of Law) (East Lansing, MI) (March) (Panel: “ELS and Legal Analytics: Partners in the Same Pursuit or Never the Twain Shall Meet?”)

Univ. of Michigan Complexity and the Law Conference (Ann Arbor, MI) (February) (“UM’s Online Court Project: Big Data, Analytics, and Research Opportunities”)

Univ. of Arizona James E. Rogers College of Law QuantLaw Conference (Tucson, AZ) (February) (“Noncompetes and Employee Mobility”)

2016: Conference on Empirical Legal Studies (Duke Univ. School of Law) (Durham, NC) (November) (“Noncompetes and Employee Mobility”)

National Task Force on Fines, Fees, and Bail Practices Business Meeting (National Center for State Courts) (Lunch Presentation) (Arlington, VA) (November) (“Online Case Resolution”)

National Association for Justice Information Systems 2016 Conference (Tucson, AZ) (November) (“Online Case Resolution Systems: Enhancing Access, Fairness, Accuracy, and Efficiency”)

Georgetown Univ. Law Center (Law and Economics Workshop) (Washington, DC) (October) (“Noncompetes and Employee Mobility”)

George Mason Univ. Antonin Scalia Law School (Law and Economics Workshop) (Arlington, VA) (October) (“Noncompetes and Employee Mobility”)

Justice Codes Symposium (John Jay College of Criminal Justice) (New York, NY) (October) (“Citizens and Online Court Access”)

Columbia Law School (Law and Economics Workshop) (New York, NY) (September) (“Noncompetes and Employee Mobility”)

- Concordia Univ. School of Law (Criminal Justice Reform Conference) (Boise, ID) (June) (“Online Case Resolution Systems: Enhancing Access, Accuracy, and Fairness”)
- UC Irvine Department of Informatics (Friday Seminar Series) (Irvine, CA) (May) (“Online Case Resolution Systems: Enhancing Access, Fairness, Accuracy, and Efficiency”)
- Northwestern Univ. School of Law (Colloquium on Law and Economics) (Chicago, IL) (April) (“Noncompetes and Employee Mobility”)
- Univ. of Connecticut School of Law (Faculty Workshop) (Hartford, CT) (March) (“A Comprehensive Theory of Civil Settlement”)
- NYU Law School (Law and Economics Colloquium) (New York, NY) (March) (“A Comprehensive Theory of Civil Settlement”)
- UCLA Law School (Law and Economics Workshop) (Los Angeles, CA) (February) (“A Comprehensive Theory of Civil Settlement”)
- Michigan Journal of Race & Law Symposium (“Innocent Until Proven Poor”) (Univ. of Michigan Law School) (Ann Arbor, MI) (February) (“Online Case Resolution Systems: Enhancing Access, Accuracy, and Fairness”)
- 2015:** Univ. of Texas School of Law (Law and Economics Workshop) (Austin, TX) (November) (“Noncompetes in the U.S. Labor Force”)
- Connecticut Law Review Symposium (“The Other One Percent: Prison Reform from Sentencing to Parole”) (Univ. of Connecticut School of Law) (Hartford, CT) (November) (“Post-Release Regulations and Sex Offender Recidivism”)
- Conference on Empirical Legal Studies (Washington Univ. Law School) (St. Louis, MO) (October) (“Noncompetes in the U.S. Labor Force”)
- Conference on Empirical Legal Studies (Washington Univ. Law School) (St. Louis, MO) (October) (Discussant on Thomas H. Cohen, “Does Change in Risk Matter? Examining Whether Changes in Offender Risk Characteristics Influence Recidivism Outcomes”)
- Michigan State Law Review Symposium (“Legal Quanta”) (Michigan State Univ. College of Law) (East Lansing, MI) (October) (“Noncompetes in the U.S. Labor Force”)
- Univ. of Michigan School of Information (Information Alliance for Community Development (IACD) speaker series) (Ann Arbor, MI) (September) (“Michigan’s Online Court Project: Improving Access, Accuracy, and Fairness”)
- American Law and Economics Association Annual Meetings (Columbia Law School) (New York, NY) (May) (Discussant on Andrea Cann Chandrasekher, “The Effect of Police Slowdowns on Crime”)
- NBER Mid-Year Law and Economics Meetings (Cambridge, MA) (February) (“Tailored Suits: Contracting on Litigation”)
- Harvard Law School (Law and Economics Workshop) (Cambridge, MA) (February) (“A Comprehensive Theory of Civil Settlement”)
- 2014:** Third Annual Robina Conference: The Future of Criminal Law? (Univ. of Minnesota Law School) (Minneapolis, MN) (“Policing Public Order without the Criminal Law”)
- Univ. of Virginia School of Law (Law and Economics Workshop) (Charlottesville, VA) (March) (“Neighborhood Offending: Is Sex Offense Victimization Risk Higher Where Sex Offenders Reside?”)

- 2013:** Conference on Empirical Legal Studies (Univ. of Pennsylvania Law School) (Philadelphia, PA) (October) (“Neighborhood Offending: Do Sex Offenders Reside and Offend in the Same Places?”)
- Conference on Empirical Legal Studies (Univ. of Pennsylvania Law School) (Philadelphia, PA) (October) (Discussant on Kuo-Chang Huang, “The Effect of Stakes on Settlement: An Empirical Lesson from Taiwan”)
- Tel Aviv Faculty of Law (Law and Economics Workshop) (Tel Aviv, Israel) (May) (“Criminal Choice in Sentencing”)
- Cornell-Tel Aviv Conference: Empirical Legal Studies (Tel Aviv Faculty of Law) (Tel Aviv, Israel) (May) (Discussant on Michael Frakes, “The Impact of Criminal Law on the Incidence of Crime: Evidence from Expansions in the Scope and Severity and Statutory Rape Laws”)
- Notre Dame Law School (Law and Economics Workshop) (South Bend, IN) (March) (“Criminal Choice in Sentencing”)
- 2012:** NBER Law and Economics Meetings (Cambridge, MA) (July) (Discussant on Dara Lee, “The Digital Scarlet Letter: The Effect of Online Criminal Records on Crime and Recidivism”)
- American Law and Economics Association Annual Meetings (Stanford Law School) (Palo Alto, CA) (May) (“Criminal Choice in Sentencing”)
- Univ. of Toledo College of Law (Faculty Workshop) (Toledo, OH) (March) (“Criminal Choice in Sentencing”)
- 2011:** Conference on Empirical Legal Studies (Northwestern Univ. Law School) (Chicago, IL) (November) (Discussant on Jonah Gelbach, “The Effects of Heightened Pleading on Motion to Dismiss Adjudication”)
- Univ. of Chicago Law School (Law and Economics Workshop) (Chicago, IL) (November) (“Criminal Choice in Sentencing”)
- Columbia Law School (Law and Economics Workshop) (New York, NY) (October) (“Settlement and Trial? A Study of High-Low Agreements”)
- Stanford Law School (Faculty Workshop) (Palo Alto, CA) (March) (“Settlement and Trial? A Study of High-Low Agreements”)
- Cornell Law School (Empirical Colloquium) (Ithaca, NY) (March) (“Settlement and Trial? A Study of High-Low Agreements”)
- NBER Mid-Year Law and Economics Meetings (Cambridge, MA) (February) (Discussant on Howard Chang & Hilary Sigman, “An Empirical Analysis of Cost Recovery in Superfund Cases: Implications for Brownfields and Joint and Several Liability”)
- 2010:** Conference on Empirical Legal Studies (Yale Law School) (New Haven, CT) (November) (“Settlement and Trial? A Study of High-Low Agreements”)
- Conference on Empirical Legal Studies (Yale Law School) (New Haven, CT) (November) (Discussant on Sasha Romanosky, Rahul Telang, and Alessandro Acquisti, “Do Data Breach Disclosure Laws Reduce Identity Theft?”)

American Law and Economics Association Annual Meetings (Woodrow Wilson School of Public Policy) (Princeton, NJ) (May) (“Settlement and Trial? A Study of High-Low Agreements”)

Univ. of Haifa Law School (Law and Economics Workshop) (Haifa, Israel via Internet) (May) (“Settlement and Trial? A Study of High-Low Agreements”)

Univ. of Virginia Law and Economics of Crime Conference (Charlottesville, VA) (March) (“Determinants of Success in Post-Conviction Litigation by the Innocent”)

Rice Univ. and Univ. of Houston (Applied Economics Workshop) (Houston, TX) (March) (“Do Sex Offender Registration and Notification Laws Affect Criminal Behavior?”)

American Economic Association Annual Meetings (Atlanta, GA) (January) (“Empirical Evidence of Prosecutorial Charging Manipulation” and Discussant on Richard Boylan and Naci Mocan, “Intended and Unintended Consequences of Prison Reform”)

2009: Harvard Law School (Law and Economics Workshop) (Cambridge, MA) (October) (“Settlement and Trial? A Study of High-Low Agreements”)

Univ. of Michigan Population Studies Center (Brown Bag) (Ann Arbor, MI) (October) (“Do Sex Offender Registration and Notification Laws Affect Criminal Behavior?”)

Univ. of Toronto Faculty of Law (Law and Economics Workshop) (Toronto, ON) (September) (“Settlement and Trial? A Study of High-Low Agreements”)

NBER Law and Economics Summer Institute (Cambridge, MA) (July) (“Settlement and Trial? A Study of High-Low Agreements”)

UC Hastings College of Law (Faculty Workshop) (San Francisco, CA) (February) (“Do Sex Offender Registration and Notification Laws Affect Criminal Behavior?”)

Stanford Law School (Law and Economics Workshop) (Palo Alto, CA) (January) (“Do Sex Offender Registration and Notification Laws Affect Criminal Behavior?”)

American Economic Association Annual Meetings (San Francisco, CA) (January) (“Do Sex Offender Registration and Notification Laws Affect Criminal Behavior?” and “The Effects of Judge, Prosecutor, and Defendant Race and Gender Interactions on Defendant Outcomes”)

2008: American Bar Association Litigation Section Access to Justice Symposium (Atlanta, GA) (December) (“The Challenges of Calculating the Benefits of Providing Access to Legal Services”)

Searle Center Research Symposium on Empirical Studies of Civil Liability (Northwestern Univ. Law School) (Chicago, IL) (October) (“Settlement and Trial? A Study of High-Low Agreements”)

Conference on Empirical Legal Studies (Cornell Law School) (Ithaca, NY) (October) (“Do Sex Offender Registration and Notification Laws Affect Criminal Behavior?”)

Conference on Empirical Legal Studies (Cornell Law School) (Ithaca, NY) (October) (Discussant on John F. Pfaff, “The Myths and Realities of Correctional Severity: Evidence from the National Corrections Reporting Program on Sentencing Practices”)

Harvard Law School (Law and Economics Workshop) (Cambridge, MA) (September) (“Do Sex Offender Registration and Notification Laws Affect Criminal Behavior?”)

Law and Society Annual Meetings (Montreal, Canada) (May) (“The Effects of Judge, Prosecutor, and Defendant Race and Gender Interactions on Defendant Outcomes”)

American Law and Economics Association Annual Meetings (Columbia Law School) (New York, NY) (May) (“The Effects of Judge, Prosecutor, and Defendant Race and Gender Interactions on Defendant Outcomes”)

Univ. of Chicago Law School (Criminal Law Colloquium) (Chicago, IL) (April) (“Do Sex Offender Registration and Notification Laws Affect Criminal Behavior?”)

Brooklyn Law School (Faculty Workshop) (Brooklyn, NY) (April) (“Do Sex Offender Registration and Notification Laws Affect Criminal Behavior?”)

Univ. of Haifa Law School (Law and Economics Workshop) (Haifa, Israel via Internet) (March) (“Do Sex Offender Registration and Notification Laws Affect Criminal Behavior?”)

Univ. of Virginia School of Law (Law and Economics Workshop) (Charlottesville, VA) (February) (“Do Sex Offender Registration and Notification Laws Affect Criminal Behavior?”)

NBER Mid-Year Law and Economics Meetings (Cambridge, MA) (February) (Discussant on Betsey Stevenson, “Beyond the Classroom: Using Title IX to Measure the Return to High School Sports”)

2007: Northwestern Univ. Law School (Law and Economics Colloquium) (Chicago, IL) (December) (“Do Sex Offender Registration and Notification Laws Affect Criminal Behavior?”)

Conference on Empirical Legal Studies (NYU Law School) (November) (Discussant on Stéphane Mechoulan, “The External Effects of Black-Male Incarceration on Black Females”)

NBER Working Group on Crime (Cambridge, MA) (September) (“Do Sex Offender Registration and Notification Laws Affect Criminal Behavior?”)

National Federal Sentencing Guidelines Seminar (Salt Lake City, UT) (May) (“Using U.S. Sentencing Commission Data in Empirical Research”)

American Law and Economics Association Annual Meetings (Harvard Law School) (Cambridge, MA) (May) (“The Effects of Sex Offender Notification laws”)

2006: Conference on Empirical Legal Studies (Univ. of Texas Law School) (Austin, TX) (October) (“Empirical Evidence of Prosecutorial Charging Manipulation”)

Conference on Empirical Legal Studies (Univ. of Texas Law School) (Austin, TX) (Discussant on Brandon Garrett, “Judging Innocence”)

Junior Empirical Legal Scholars Conference (Cornell Law School) (Ithaca, NY) (September) (“Empirical Evidence of Prosecutorial Charging Manipulation”)

Law and Society Annual Meetings (Baltimore, MD) (July) (“Measuring the Consequences of Criminal Jury Trial Protections”)

Various Job Talks (January and February) (“Measuring the Consequences of Criminal Jury Trial Protections”) (Michigan; Harvard; Stanford; NYU; Columbia; Univ. of Pennsylvania; UCLA; Georgetown; USC; Washington Univ.; Univ. of Texas)

2005: Various Job Talks (September through December) (“Measuring the Consequences of Criminal Jury Trial Protections”) (Yale; Univ. of Virginia; Duke; Cornell; Boston Univ.; Minnesota; Univ. of Colorado; William and Mary; Univ. of Miami)

MIT Department of Economics Labor Seminar (Cambridge, MA) (November) (“Measuring the Consequences of Criminal Jury Trial Protections”)

Florida State College of Law (Faculty Enrichment Series) (Tallahassee, FL) (June) (“Measuring the Consequences of Criminal Jury Trial Protections”)

Brookings Institution, Economic Studies Program (Brown Bag Lunch Talk) (Washington, DC) (June) (“Measuring the Consequences of Criminal Jury Trial Protections”)

American Law and Economics Association Meetings (NYU Law School) (May) (“Measuring the Consequences of Criminal Jury Trial Protections”)