

PSY720 SOCIAL PSYCH & LEGAL SYSTEMS: JURIES

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Course Requirements

General Requirements: Complete readings (which will concentrate on recent research on juries, complemented by some older classics), complete weekly commentaries, organize a set of readings and class discussion around your writing topic, complete papers

Writing Requirements:

Major Written: New Research/Proposals on jury questions or Research grant proposals or Legal briefs built on jury research

Minor Written: Commentaries in advance of 9 class meetings, file a 300 word commentary on readings in response to assigned readings. Submit commentary, critiques, evaluations, ideas for discussion. These are due 24 hours in advance of class and are intended for the presenters. Commentaries should be numbered sequentially and the class date to which the commentary refers should be noted. Electronic submission only--see email address above--subject line should indicate class date.

Textbooks: None

Readings: Assignments include relevant appendices.

Classroom Presentations: Conduct in-class presentations built around assigned readings and additional resource materials--these will be based on 1000 word summaries. Presentations, pedagogical objectives, and readings must be arranged in advance with instructor

No Exam: No final.

Grades: 15% classroom participation, 20% class presentations, 25% commentaries, 15% timely reading of assignments (assessed at end of semester), 25% papers.

READINGS

2/7 The Death Qualified Jury

[Gross](#), S. R. (1984). Determining the neutrality of death-qualified juries. *Law and Human Behavior*, 8, 7-30.

[Cowan](#), C.L. & Thompson, W. & Ellsworth, P. (1984). The effects of death qualification on jurors' predisposition to convict and on the quality of deliberation. *Law and Human Behavior*, 8, 53-80. [

[Bersoff](#), D.N. (1987). Social science data and the Supreme Court. *Psychology and Law*, 42(1), 52-58. [

2/14 DQJ

[Lockhart](#) vs. [McCree](#) APA Amicus Brief. (1987). *American Psychologist*, 42, 59-68.

[Lockhart](#) vs [McCree](#) 476 U.S. 162 (1986).

[Elliott](#), B. (1991). Social science data and the APA: The [Lockhart](#) brief as a case in point. *Law and Human Behavior*, 15

[Elliot, R.](#) (1991). Social science data and the A.P.A. THE LOCKHART CASE as a case in point. *Law and Human Behavior*, 15, 59-76.

[Ellsworth, P.](#) (1991). To tell what we know or wait for Godot? *Law and Human Behavior*, 15, 77-9.

2/21 Survey of Jury Research

[Devine, Dennis J.](#); Clayton, Laura D.; Dunford, Benjamin B.; Seying, Rasmy; Pryce, Jennifer. (2001). Jury decision making: 45 years of empirical research on deliberating groups. *Psychology, Public Policy, & Law*, 7, 622-727.

2/28 Juries and Risk Analysis

[Viscusi, W. Kip.](#) (2000). CORPORATE RISK ANALYSIS: A RECKLESS ACT? 52 *Stanford Law Review*, 547

[NSF grant proposal](#) -- juries and risk analysis

3/7 No class due to AP-LS conference

3/14 Scientific Evidence and Juries -- readings will be posted on 2/29

[NSF proposa -- expert evidencel](#)

[Kovera, M.B.](#), McAuliff, B.D., & Hebert, K.S. (1999). Reasoning about scientific evidence: Effects of juror gender and evidence quality on juror decision in a hostile work environment case. *Journal of Applied Psychology*, 84, 362-375.

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Daniel A. Krauss, Bruce D. Sales (2001). THE EFFECTS OF CLINICAL AND SCIENTIFIC EXPERT TESTIMONY ON JUROR DECISION MAKING IN CAPITAL SENTENCING *Psychology, Public Policy, and Law* June 2001 Vol. 7, No. 2, 267-310

3/28 Spring Break

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NOTE: Weekly comments should cover the CLASS reading and reading for your GROUP--because not all group members will read the same materials, please emphasize giving other group member a summary of your reading)

EVERYONE IN CLASS READ: [Solomon M. Fulero](#) and Norman J. Finkel. (1991). Barring Ultimate Issue Testimony An "Insane" Rule? *Law and Human Behavior*, 15, 495-507.

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EVERYONE: over next three weeks, complete the NIH research ethics/IRB training at: <http://cme.nci.nih.gov> (Save a copy/print your certificate!)

GROUP READINGS

Risk Groups -

1. [Reid Hastie](#), David A. Schkade, & John W. Payne. (1999) Juror Judgments in Civil Cases: Hindsight Effects on Judgments of Liability for Punitive Damages. *Law and Human Behavior*, 23, 597-614.)
2. [Tetlock, Philip E.](#); Kristel, Ori V.; Elson, S. Beth; Green, Melanie C.; Lerner, Jennifer S. (2000). The psychology of the unthinkable: Taboo trade-offs, forbidden base rates, and heretical counterfactuals. *Journal of Personality & Social Psychology*. 78, 853-870.)
3. [Valerie P. Hans](#) & William S. Lofquist. (1992). Jurors' Judgments of Business Liability in Tort Cases: Implications for the Litigation Explosion Debate. *Law & Society Review*, 26, 85-115)

Scientific Evidence Groups: --

[Sophia I. Gatowski](#), Shirley A. Dobbin, James T. Richardson, Gerald P. Ginsburg, Mara L. Merlino, and Veronica Dahir. (2001). Asking the Gatekeepers: A National Survey of Judges on Judging Expert Evidence in a Post-*Daubert* World. *Law and Human Behavior*, 25, 433-458.

Ultimate Issue Group--Everyone

[U.S. v Plaza](#) -- decision in January by Federal Judge Pollak

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Expert Witness Group

[Cooper, Joel](#); Bennett, Elizabeth A.; Sukel, Holly L. (1996). Complex scientific testimony: How do jurors make decisions? *Law & Human Behavior*, 20, 379-394.

[Cooper, Joel](#); Neuhaus, Isaac M. (2000). The "Hired Gun" effect: Assessing the effect of pay, frequency of testifying, and credentials on the perception of expert testimony. *Law & Human Behavior*, 24, 149-171.

[Mauet](#) on Cross-examination

[Groscup IRB materials](#)

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Risk Group: [MacCoun, R. J.](#) (1996). Differential Treatment of Corporate Defendants by Juries: An Examination of the 'Deep-Pockets' Hypothesis.