

Gregory Mitchell
University of Virginia School of Law
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Academic Appointments

University of Virginia May 2006 to Present
Joseph Weintraub–Bank of America
Distinguished Professor of Law, Fall 2013-Present
Joseph C. Carter, Jr. Research Professor of Law, 2019-2022
Thomas F. Bergin Teaching Professor of Law, 2014-2017 & 2023-2026
Mortimer M. Caplin Professor of Law, 2010-2013
Class of 1948 Research Professor, 2010-2013
Daniel Caplin Professor of Law, 2008-2010
E. James Kelly, Jr.-Class of 1965 Research Professor, 2006-2009
Visiting Associate Professor of Law, Spring 2005

Florida State University 2002-Spring 2006
Sheila M. McDevitt Professor of Law, 2005-2006
Associate Professor of Law, 2004-2005
Assistant Professor of Law, 2002-2004
Courtesy Professor of Psychology, 2002-2006

Vanderbilt University Fall 2004
Visiting Associate Professor of Law

Michigan State University 2000-2002
Adjunct Professor of Psychology, 2001-2002
Assistant Professor of Law, 2000-2002

Education

Boalt Hall School of Law
University of California, Berkeley
J.D., 1993
Executive Editor, CALIFORNIA LAW REVIEW
Member, INDUSTRIAL RELATIONS LAW JOURNAL, Spring 1991

Graduate Program in Psychology
University of California, Berkeley
Ph.D., 1994, M.A., 1990 - Emphasis in Social Psychology (Dissertation Committee: Philip E. Tetlock, Tom R. Tyler and Franklin Zimring)
Jacob K. Javits Fellow, 1988-1992
MacArthur Foundation Fellow in Political Psychology, 1988-1989
Teaching Assistant, Course on Attitudes and Persuasion, Spring 1990

University of Arkansas
B.A., 1988 - Psychology, magna cum laude
Phi Beta Kappa

Publications

2024

David Meldgin, Gregory Mitchell & Frederick L. Oswald, *Modeling Gender Differences in the Job Promotion Process: Replication and Extension of Martell, Lane and Emrich (1996)*, JOURNAL OF APPLIED PSYCHOLOGY (forthcoming 2024)

Gregory Mitchell, *Small World Behavioral Law & Economics*, in Rebecca Hollander-Blumoff (ed.), THE ELGAR HANDBOOK OF LAW & PSYCHOLOGY (2024 publication expected)

Gregory Mitchell & Philip E. Tetlock, *Stretching the Limits of Science: Was the Implicit-Racism Debate a “Bridge Too Far” for Social Psychology?*, in Jon A. Krosnick, Tobey H. Stark & Anna L. Scott (eds.), THE CAMBRIDGE HANDBOOK OF IMPLICIT BIAS AND RACISM. Cambridge: Cambridge University Press (2024 expected publication)

2023

Brandon Garrett & Gregory Mitchell, *Error Aversions and Due Process*, 121 MICHIGAN LAW REVIEW 707-751 (2023)

Brandon Garrett & Gregory Mitchell, *One of the Most Sacred Premises in American Law Is Bunk*, SLATE, <https://slate.com/news-and-politics/2023/05/american-juries-fail-blackstone-maxim.html> (May 15, 2023)

Gregory Mitchell, *Constraining Prosecutors and Other Advocates Who Become Judges: A Commentary on Berryessa et al. (2022)*, LEGAL AND CRIMINOLOGICAL PSYCHOLOGY (2023), <https://doi.org/10.1111/lcrp.12235>

Gregory Mitchell, *Balancing Private and Public Interests in the Disclosure of Sexual Harassment Information*, GEORGETOWN JOURNAL OF LEGAL ETHICS (forthcoming 2023)

Gregory Mitchell & Philip E. Tetlock, *Are Progressives in Denial About Progress? Yes, But so is Almost Everyone Else*, 11 CLINICAL PSYCHOLOGICAL SCIENCE 683-704 (2023)

2022

Cory J. Clark, Thomas Costello, Gregory Mitchell & Philip E. Tetlock, *Keep Your Enemies Close: Adversarial Collaborations Will Improve Behavioral Science*, 11 JOURNAL OF APPLIED RESEARCH IN MEMORY AND COGNITION 1-18 (2022)

Cory J. Clark, Thomas Costello, Gregory Mitchell & Philip E. Tetlock, *The Road Less Traveled: Understanding Adversaries Is Hard but Smarter Than Ignoring Them*, 11 JOURNAL OF APPLIED RESEARCH IN MEMORY AND COGNITION 50-53 (2022)

Gregory Mitchell & Brandon Garrett, *Overcoming Hope and Fear in Compliance*, STARLING COMPENDIUM (May 2022)

Gregory Mitchell & Philip E. Tetlock, *The Internal Validity Obsession*, BEHAVIORAL & BRAIN SCIENCES, 45, E83 (2022) DOI:10.1017/S0140525X21000637

2021

Gregory Mitchell & Brandon Garrett, *Battling to a Draw: Defense Expert Rebuttal Can*

Neutralize Prosecution Fingerprint Evidence, 35 APPLIED COGNITIVE PSYCHOLOGY 976-987 (2021)

2020

Brandon Garrett & Gregory Mitchell, *Testing Compliance*, 83 LAW & CONTEMPORARY PROBLEMS 47(2020)

Daniel J. Meador & Gregory Mitchell, AMERICAN COURTS, FOURTH EDITION (West Group, 2020).

2019

Andrew T. Hayashi & Gregory Mitchell, *Maintaining Scholarly Integrity in the Age of Bibliometrics*, 69 JOURNAL OF LEGAL EDUCATION 138-155 (2019)

Gregory Mitchell, *Employee Surveys on Sensitive Topics*, 16 COMPLIANCE & ETHICS PROFESSIONAL MAGAZINE 28-30 (September 2019)

Gregory Mitchell, *Judicial Decision Making: Individual and Situational Differences*, in Neil Brewer & Amy Bradfield Douglass (eds.), PSYCHOLOGICAL SCIENCE AND THE LAW (pp. 395-416) (2019)

Gregory Mitchell & Brandon Garrett, *The Impact of Proficiency Testing Information and Error Aversions on the Weight Given to Fingerprint Evidence*, 37 BEHAVIORAL SCIENCES & THE LAW 195-210 (2019)

2018

Brandon Garrett & Gregory Mitchell, *The Proficiency of Experts*, 166 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 901-960 (2018)

Brandon Garrett, Gregory Mitchell & Nicholas Scurich, 63 *Comparing Categorical and Probabilistic Fingerprint Evidence*, *Journal of Forensic Sciences* 1712-1717 (2018)

Gregory Mitchell, *An Implicit Bias Primer*, 25 VIRGINIA JOURNAL OF SOCIAL POLICY AND THE LAW 27-57(2018)

Gregory Mitchell, *External Validity*, in Bruce Frey (ed.), THE SAGE ENCYCLOPEDIA OF EDUCATIONAL RESEARCH, MEASUREMENT, AND EVALUATION (2018) (available at: <https://us.sagepub.com/en-us/nam/the-sage-encyclopedia-of-educational-research-measurement-and-evaluation/book245469>)

Gregory Mitchell, *The Price of Abstraction*, in Joshua C. Teitelbaum & Kathryn Zeiler (Eds.), RESEARCH HANDBOOK ON BEHAVIORAL LAW AND ECONOMICS (pp. 459-475) (2018)

2017

Gregory Mitchell, *Jumping to Conclusions: Advocacy and Application of Psychological Research*. In L. Jussim & J. Crawford (Eds.), THE POLITICS OF SOCIAL PSYCHOLOGY (pp. 139-155) (2017)

Gregory Mitchell, *Measuring Situational Bias or Creating Situational Bias?*, 28 PSYCHOLOGICAL INQUIRY 292-296 (2017)

Gregory Mitchell, *Libertarian Nudges*, 82 MISSOURI LAW REVIEW 695-708 (2017) (Symposium Issue on Evaluating Nudge: A Decade of Libertarian Paternalism)

Gregory Mitchell & Philip E. Tetlock, *Popularity as a Poor Proxy for Utility: The Case of Implicit Prejudice*. In S.O. Lilienfeld & I. Waldman (Eds.), PSYCHOLOGICAL SCIENCE UNDER SCRUTINY: RECENT CHALLENGES AND PROPOSED SOLUTIONS. New York: Wiley (pp. 164-195) (2017)

2016

Brandon L. Garrett & Gregory Mitchell, *Forensics and Fallibility: Comparing the Views of Lawyers and Jurors*, 119 W.V.L. REV. 100 (2016)

Jonathan Klick & Greg Mitchell, *Infantilization by Regulation*, 39 REGULATION 32-37 (2016)

Gregory Mitchell & David Klein, AMERICAN COURTS EXPLAINED: A DETAILED INTRODUCTION TO THE JUDICIAL PROCESS USING REAL CASES (West Academic Press, 2016)

Gregory Mitchell & Philip E. Tetlock, *Experimental Political Philosophy: Justice Judgments in the Hypothetical Society Paradigm*, in NEW EXPLORATIONS IN POLITICAL PSYCHOLOGY (Jon A. Krosnick & I-Chant A. Chiang eds., 2016)

2015

Hart Blanton, James Jaccard, Erin Strauts, Gregory Mitchell & Philip E. Tetlock, *Toward a Meaningful Metric of Implicit Prejudice*, 100 JOURNAL OF APPLIED PSYCHOLOGY 1468–1482 (2015)

Gregory Mitchell & Philip E. Tetlock, *Implicit Attitude Measures*, in R.A. Scott & S.M. Kosslyn (Eds.), EMERGING TRENDS IN THE SOCIAL AND BEHAVIORAL SCIENCES (2015) (available at: <https://doi.org/10.1002/9781118900772.etrds0177>)

Frederick L. Oswald, Gregory Mitchell, Hart Blanton, James Jaccard & Philip E. Tetlock, *Using the IAT to Predict Ethnic and Racial Discrimination: Small Effect Sizes of Unknown Societal Significance*, 108 JOURNAL OF PERSONALITY AND SOCIAL PSYCHOLOGY 562-571 (2015)

William T. Self, Gregory Mitchell, Barbara A. Mellers, Philip E. Tetlock & J. Angus D. Hildreth, *Balancing Fairness and Efficiency: The Impact of Identity-Blind and Identity-Conscious Accountability on Applicant Screening*, PLOS ONE, DOI:10.1371 (2015)

Philip E. Tetlock & Gregory Mitchell, *Why So Few Conservatives and Should We Care?*, 52 SOCIETY 28-34 (2015)

2014

Allan G. King, Gregory Mitchell, Richard W. Black, Catherine A. Conway & Julie A. Totten, *Discovery and the Evidentiary Foundations of Implicit Bias*, 40 EMPLOYEE RELATIONS LAW JOURNAL 4-33 (2014) [reprinted at 66 LABOR LAW JOURNAL 49-64 (2015)]

Gregory Mitchell, *Alternative Behavioral Law and Economics*, in Eyal Zamir & Doron Teichman (Eds.), THE OXFORD HANDBOOK OF BEHAVIORAL ECONOMICS AND THE LAW (pp. 167-191) (2014)

2013

Brandon Garrett & Gregory Mitchell, *How Jurors Understand Fingerprint Evidence: The Relative Importance of Match Language, Method Information, and Error Acknowledgement*, 10 JOURNAL OF EMPIRICAL LEGAL STUDIES 484-511 (2013)

Fred Oswald, Gregory Mitchell, Hart Blanton, James Jaccard & Philip E. Tetlock, *Predicting Ethnic and Racial Discrimination: A Meta-analysis of IAT Criterion Studies*, 105 JOURNAL OF PERSONALITY AND SOCIAL PSYCHOLOGY 171-192 (2013)

Philip E. Tetlock, Gregory Mitchell & L. Jason Anastasopoulos, *Detecting and Punishing Unconscious Bias*, 42 JOURNAL OF LEGAL STUDIES 83-110 (2013)

2012

Allan G. King, Jeffrey S. Klein & Gregory Mitchell, *Effective Use and Presentation of Social Science Evidence*, 37 EMPLOYMENT RELATIONS LAW JOURNAL 3-21 (2012)

Gregory Mitchell, *The Importance of Replication in the Field*, 25 THE PSYCHOLOGIST 361-362 (2012)

Gregory Mitchell, *Revisiting Truth or Triviality: The External Validity of Research in the Psychological Laboratory*, 7 PERSPECTIVES ON PSYCHOLOGICAL SCIENCE 109-117 (2012)

Gregory Mitchell, *What Is Wrong With Social Psychology?*, 26 DIALOGUE 12-17 (Fall 2012)

2011

Mary R. Baker, Hunter D. Hughes, III, Gregory Mitchell & Philip E. Tetlock, *Proactive Approaches to Second-Generation Risks in Labor and Employment Cases*, 37 EMPLOYMENT RELATIONS LAW JOURNAL 28-53 (2011)

Hart Blanton & Gregory Mitchell, *Reassessing the Predictive Validity of the IAT: II. Reanalysis of Heider & Skowronski (2007)*, 13 NORTH AMERICAN JOURNAL OF PSYCHOLOGY 99-106 (2011)

Gregory Mitchell, *Should It Be Easier to Get Married?*, 2011 MICHIGAN STATE LAW REVIEW 215-226 (Symposium: E-marriage)

Gregory Mitchell, John Monahan & Laurens Walker, *The ASA's Missed Opportunity to Promote Sound Science in Court*, 40 SOCIOLOGICAL METHODS & RESEARCH 605-620 (2011)

Gregory Mitchell, John Monahan & Laurens Walker, *Case-Specific Sociological Inference: Meta-norms for Expert Opinions*, 40 SOCIOLOGICAL METHODS & RESEARCH 668-680 (2011)

Gregory Mitchell, Laurens Walker & John Monahan, *Beyond Context: Social Facts as Case-Specific Evidence*, 60 EMORY LAW JOURNAL 1109-1155 (2011)

2010

Philip E. Tetlock & Gregory Mitchell, *Situated Identities Constrain Morally-Defensible Choices*, 5 PERSPECTIVES ON PSYCHOLOGICAL SCIENCE 206-208 (2010)

David Klein & Gregory Mitchell, Editors, *THE PSYCHOLOGY OF JUDICIAL DECISION MAKING* (Oxford University Press, 2010)

Gregory Mitchell, *Evaluating Judges*, in THE PSYCHOLOGY OF JUDICIAL DECISION MAKING (pp. 221-248) (David Klein & Gregory Mitchell eds., 2010)

Gregory Mitchell, *Good Causes and Bad Science*, 63 VANDERBILT LAW REVIEW EN BANC 133-147(2010)

Gregory Mitchell, *Good Scholarly Intentions Do Not Guarantee Good Policy*, 95 VIRGINIA LAW REVIEW IN BRIEF 109-115 (2010)

Gregory Mitchell & Philip E. Tetlock, *Cognitive Styles and Judging*, in THE PSYCHOLOGY OF JUDICIAL DECISION MAKING (pp. 279-284) (David Klein & Gregory Mitchell eds., 2010)

2009

Hart Blanton, James Jaccard, Jonathan Klick, Barbara A. Mellers, Gregory Mitchell & Philip E. Tetlock, *Strong Claims and Weak Evidence: Reassessing the Predictive Validity of the IAT*, 94 JOURNAL OF APPLIED PSYCHOLOGY 567-582 (2009)

Hart Blanton, James Jaccard, Jonathan Klick, Barbara A. Mellers, Gregory Mitchell & Philip E. Tetlock, *Transparency Should Trump Trust: Rejoinder to McConnell and Leibold (2009) and Ziegert and Hanges (2009)*, 94 JOURNAL OF APPLIED PSYCHOLOGY 598-603 (2009)

Ronald Fisher, Neil Brewer & Gregory Mitchell, *The Relation Between Consistency and Accuracy of Witness Testimony*, in HANDBOOK OF PSYCHOLOGY OF INVESTIGATIVE INTERVIEWING: CURRENT DEVELOPMENTS AND FUTURE DIRECTIONS (pp. 121-136) (Tom Williamson, Ray Bull & Tim Valentine eds., 2009).

Daniel J. Meador & Gregory Mitchell, AMERICAN COURTS, THIRD EDITION (West Group, 2009).

Gregory Mitchell, *Second Thoughts*, 40 MCGEORGE LAW REVIEW 687-722 (2009) (invited lecture)

Gregory Mitchell & Philip E. Tetlock, *Facts Do Matter: A Reply to Bagenstos*, 37 HOFSTRA LAW REVIEW 737-761 (2009)

Gregory Mitchell & Philip E. Tetlock, *Disentangling Reasons and Rationalizations: Exploring Fairness in Hypothetical Societies*, in SOCIAL AND PSYCHOLOGICAL BASES OF IDEOLOGY AND SYSTEM JUSTIFICATION (pp.126-157) (John Jost, A.C. Kay & H. Thorisdottir eds., 2009)

John Monahan, Laurens Walker & Gregory Mitchell, *The Limits of Social Framework Evidence*, 8 LAW, PROBABILITY & RISK 307-321 (2009)

Philip E. Tetlock & Gregory Mitchell, *Implicit Bias and Accountability Systems: What Must Organizations Do to Prevent Discrimination?*, 28 RESEARCH IN ORGANIZATIONAL BEHAVIOR 3-38 (Barry Staw & Arthur Brief eds., 2009)

Philip E. Tetlock & Gregory Mitchell, *A Renewed Appeal for Adversarial Collaboration*, 28 RESEARCH IN ORGANIZATIONAL BEHAVIOR 71-72 (Barry Staw & Arthur Brief eds., 2009)

Philip E. Tetlock & Gregory Mitchell, *Adversarial Collaboration Aborted But Our Offer Still Stands*, 28 RESEARCH IN ORGANIZATIONAL BEHAVIOR 77-79 (Barry Staw & Arthur Brief eds., 2009)

2008

Adam J. Hirsch & Gregory Mitchell, *Law & Proximity*, 2008 UNIVERSITY OF ILLINOIS LAW REVIEW 557-598.

John Monahan, Laurens Walker & Gregory Mitchell, *Contextual Evidence of Gender Discrimination: The Ascendance of "Social Frameworks"*, 94 VIRGINIA LAW REVIEW 1705-1739 (2008)

Philip E. Tetlock & Gregory Mitchell, *Calibrating Prejudice in Milliseconds*, 71 SOCIAL PSYCHOLOGY QUARTERLY 12-16 (2008)

Philip E. Tetlock, Gregory Mitchell & Terry L. Murray, *The Challenge of Debiasing Personnel Decisions: Avoiding Both Under- and Over-Correction*, 1 INDUSTRIAL AND ORGANIZATIONAL PSYCHOLOGY: PERSPECTIVES ON SCIENCE AND PRACTICE 439-443 (2008)

2006

Gregory Mitchell & Philip E. Tetlock, *Antidiscrimination Law and the Perils of Mindreading*, 67 OHIO STATE LAW JOURNAL 1023-1121 (2006)

Gregory Mitchell & Philip E. Tetlock, *An Empirical Inquiry into the Relation of Corrective Justice to Distributive Justice*, 3 JOURNAL OF EMPIRICAL LEGAL STUDIES 421-466 (2006)

Jonathan Klick & Gregory Mitchell, *Government Regulation of Irrationality: Moral and Cognitive Hazards*, 90 MINNESOTA LAW REVIEW 1620-1663 (2006)

2005

Gregory Mitchell, *Libertarian Paternalism Is an Oxymoron*, 99 NORTHWESTERN UNIVERSITY LAW REVIEW 1245-1277 (2005)

Gregory Mitchell, *Empirical Legal Scholarship as Scientific Dialogue*, 83 NORTH CAROLINA LAW REVIEW 167-204 (2005)

Gregory Mitchell, *Beyond Fireside Inductions*, 32 FLORIDA STATE UNIVERSITY LAW REVIEW 315-321 (2005) (Symposium: The Behavioral Analysis of Legal Institutions)

Gregory Mitchell, *Asking the Right Questions About Judge and Jury Competence*, 32 FLORIDA STATE UNIVERSITY LAW REVIEW 519-527 (2005) (Symposium: The Behavioral Analysis of Legal Institutions)

2004

Gregory Mitchell, *Case Studies, Counterfactuals, and Causal Explanations*, 152 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 1517-1608 (2004)

2003

Gregory Mitchell, *Tendencies Versus Boundaries: Levels of Generality in Behavioral Law and Economics*, 56 VANDERBILT LAW REVIEW 1781-1812 (2003)

Gregory Mitchell, *Mapping Evidence Law*, 2003 MICHIGAN STATE LAW REVIEW 1065-1148 (Symposium: Visions of Rationality in Evidence Law)

Gregory Mitchell, Philip E. Tetlock, Daniel G. Newman & Jennifer S. Lerner, *Experiments Behind the Veil: Structural Influences on Judgments of Social Justice*, 24 POLITICAL PSYCHOLOGY 519-547 (2003)
2002

Gregory Mitchell, *Why Law and Economics' Perfect Rationality Should Not Be Traded for Behavioral Law and Economics' Equal Incompetence*, 91 GEORGETOWN LAW JOURNAL 67-167 (2002)

Gregory Mitchell, *Taking Behavioralism Too Seriously? The Unwarranted Pessimism of the New Behavioral Analysis of Law*, 43 WILLIAM AND MARY LAW REVIEW 1907-2021 (2002)

Pre-2000

Tom R. Tyler & Gregory Mitchell, *Legitimacy and the Empowerment of Discretionary Legal Authority: Abortion and the United States Supreme Court*, 43 DUKE LAW JOURNAL 703-815 (1994)

Gregory Mitchell, Comment, *Against "Overwhelming" Appellate Activism: Constraining Harmless Error Review*, 82 CALIFORNIA LAW REVIEW 1335-1369 (1994)

Gregory Mitchell, Philip E. Tetlock, Barbara Mellers & Lisa Ordóñez, *Judgments of Social Justice: Compromises Between Equality and Efficiency*, 65 JOURNAL OF PERSONALITY AND SOCIAL PSYCHOLOGY 629-639 (1993)

Philip E. Tetlock & Gregory Mitchell, *Liberal and Conservative Approaches to Justice: Conflicting Psychopolitical Portraits*, in PSYCHOLOGICAL PERSPECTIVES ON JUSTICE 234-255 (Barbara Mellers & Jonathon Baron eds., 1993)

Philip E. Tetlock, Charles McGuire, Jr. & Gregory Mitchell, *Psychological Perspectives on Nuclear Deterrence*, 42 ANNUAL REVIEW OF PSYCHOLOGY 239-276 (1991)

Works in Progress

A New Regulatory Regime: In-House Testing (with Brandon Garrett)

On the Relationship Between Automatic Associations and Discrimination: An Adversarial Collaboration (with multiple co-authors)

Grants

Co-Principal Investigator, *Peer Review of Social Framework Analysis*, Searle Freedom Trust, \$50,000, May 2010-April 2011 (with Christopher Winship, Department of Sociology, Harvard University)

Co-Principal Investigator, *What Companies Need to Do to Curb Bias in Employment Practices: A Multi-Method Exploration of the Perceived and Actual Efficacy of Process Versus Outcome Accountability*, Society for Human Resource Management Foundation, \$50,000, December 2009-December 2010 (with Philip E. Tetlock, University of Pennsylvania)

Co-Principal Investigator, *Taking a Careful Scientific Second Look Before Making a Big Policy Leap: An Epistemic Audit of the Unconscious-Bias Research Program*, Searle Freedom Trust, \$250,000, August 2009-July 2011 (with Philip E. Tetlock, University of Pennsylvania)

Funding for conference on “The Psychology of Judging,” National Science Foundation, \$32,781, March, 2007 (with David E. Klein, University of Virginia Department of Politics; peer-reviewed)

Co-Principal Investigator, *The Development and Maintenance of Legal Reasoning*, Michigan State University Intramural Research Grant Program New Faculty Grant, \$50,000, January 2002-June 2003 (with David Z. Hambrick, Michigan State University Department of Psychology, Principal Investigator; competitively awarded grant)

Presentations and Panels

A Review of Empirical Research on Implicit Bias, Twenty-fifth Annual NYU Workshop on Employment Law for Federal Judges (September 2023)

Panelist, Valuing Diverse Experiences and Interrupting Implicit Bias, Institute of Judicial Administration’s 64th Annual New Appellate Judges Seminar, New York University School of Law (July 2023)

The Ethics of Nondisclosure Agreements, Legal Ethics Continuing Education, University of Virginia School of Law Reunion (May 2023)

Balancing Private and Public Interests in the Disclosure of Sexual Harassment Information, William & Mary Law School (February 2023)

Threats That Go Too Far, Legal Ethics Continuing Education, University of Virginia School of Law Reunion (May 2022)

Clients with Impairments, Legal Ethics and Current Topics, University of Virginia School of Law Reunion (May 2021)

Panelist, Implicit Bias, Twenty-third Annual NYU Workshop on Employment Law for Federal Judges (April 2021)

Fingerprint Evidence, Law & Social Science Colloquium, University of Virginia Law School (September 2020)

Who Lies When?, University of Virginia Law School Faculty Enrichment Series (June 2020)

Panelist, Implicit Bias, Twenty-third Annual NYU Workshop on Employment Law for Federal Judges (March 2020)

Presenter and Commenter, Corporate Crime 20 Years After the Creation of Justice Department Prosecution Policy, Duke Law School (November 2019)

Inadvertent Disclosure of Client Information, Legal Ethics and Current Topics, University of Virginia School of Law Reunion 2019 (May 2019)

Panelist, Implicit Bias, Twenty-second Annual NYU Workshop on Employment Law for Federal Judges (March 2019)

Panelist, Institutional Racism, One Year After Charlottesville: Replacing the Resurgence of Racism with Reconciliation, Carter G. Woodson Institute and University of Virginia School of Law (September 2018)

Panelist, Implicit Bias, Twenty-first Annual NYU Workshop on Employment Law for Federal Judges (March 2018)

Panelist, Hindsight Bias, Federal Circuit Judicial Conference (March 2018)

The Proficiency of Experts (with Brandon Garrett), University of Virginia School of Law (July 2017)

Panelist, Fact or Fiction – Implicit Bias in the Workplace and Courtroom: Psychological Tests, Screening and Jury Selection, Practising Law Institute, New York (May 2017)

Panelist, Implicit Bias, Twentieth Annual NYU Workshop on Employment Law for Federal Judges (March 2017)

Panelist, Discussion of THE PSYCHOLOGICAL FOUNDATIONS OF EVIDENCE LAW, University of Virginia School of Law (February, 2017)

Panelist, Black Law Student Association Symposium on Implicit Racial Bias, William & Mary Law School (February, 2017)

Panelist, Implicit Bias: A New Look at an Old Problem, University of Memphis Cecil C. Humphreys School of Law (November, 2016)

Libertarian Nudges, Conference on Evaluating Nudge: A Decade of Libertarian Paternalism, University of Missouri School of Law (October, 2016)

Panelist, Evidence Issues/Use of Experts/“Implicit Bias” Issues, Nineteenth Annual NYU Workshop on Employment Law for Federal Judges (March 2016)

The Danger of Closed Minds, and How to Avoid Them, Virginia Mediation Network Annual Fall Training Conference (October 2015)

The Folly of Evidence Law’s Epistemic Rules, University of Nevada Las Vegas & University of Minnesota (November 2014)

Current Developments in Stereotyping Evidence, American Employment Law Council Annual Meeting (October 2013)

Improving Organizational Forecasts (with Philip E. Tetlock), University of Houston Second Annual Conference on Corporate Compliance (June 2013)

Alternative BLEs, Conference on Behavioral Law and Economics: Substance and Methodology, Notre Dame University School of Law (April 2013)

Settling Cases Brought by the EEOC, Annual Meeting of the Society of Industrial-Organizational Psychologists (April, 2012)

Lay Interpretations of Fingerprint Examiner Testimony, University of Illinois College of Law (April, 2012)

Panelist, Effective Use and Management of Social Science Evidence, American Employment Lawyer Council Annual Meeting (October 2011)

Panelist, Developments in Expert Evidence, Littler Mendelson Class Action Summit (September 2011)

Panelist, Communicating Research, and General Discussant, Future of Law & Social Science Workshop (sponsored by National Science Foundation (May 2011)

Resisting Your First Instincts: How Smart Lawyers Can Avoid Stupid Mistakes, Charlottesville-Albemarle Bar Association (April 2011)

Panelist, Translating Research into Action: A Crucial Role for the Legal Academy, 2011 AALS Annual Meeting (January 2011)

Should It Be Easier to Get Married?, E-marriage Symposium, Michigan State University College of Law (November, 2010)

Panelist, Proactive Management of Litigation Risk in Employment Litigation, American Employment Lawyer Council Annual Meeting (October 2010)

In Defense of Thinking, Mortimer M. Caplin Chair Lecture, University of Virginia School of Law (October 2010)

Beyond Context: Social Facts as Case-Specific Evidence, Michigan State University College of Law (February 2010) & Temple University Beasley School of Law (March 2010)

Evaluating Judges, University of Virginia Faculty Workshop (November 2009)
The Legal Relevance of Psychological Research on Memory Validity, 31st Congress of the International Academy of Law and Mental Health (July 2009)

Social Framework Evidence, Olin Conference on Combating Workplace Discrimination (conference presenter, moderator and organizer, April 2009)

Metacognition and Rationality, Seminar on Law and Economics, University of Illinois School of Law (March 2009)

Commenter, Law & Psychology Roundtable, Washington University at St. Louis (March 2008)

Second Thoughts, Distinguished Speaker Lecture, McGeorge School of Law (February 2008)

The Ascendance of Social Frameworks, University of Virginia Faculty Retreat (January 2008) & St. Louis University School of Law (March 2008)

Reassessing the Predictive Validity of the Race IAT, Ohio State University Psychology Department (November 2007)

What Must Organizations Do to Check Implicit Bias?, University of Pennsylvania School of Law, Law and Economics Workshop (March 2007) & Ohio State University Moritz College of Law (November 2007)

Panelist, The Hows and Whys of Empirical Legal Scholarship, Southeastern Association of Law Schools (SEALS) Conference (July 2005)

Government Regulation of Irrationality: Moral and Cognitive Hazards, University of Virginia Faculty Workshop (March 2005)

An Empirical Inquiry into the Relation of Corrective Justice to Distributive Justice, Vanderbilt University Law School Dean's Lunch (November 2004)

Libertarian Paternalism Is an Oxymoron, New York University, Department of Economics, Colloquium on Market Institutions and Economic Processes (November 2004)
Unconfounding Intuitions About Corrective and Distributive Justice, Florida State University College of Law Faculty Workshop (June 2004)

Case Studies, Counterfactuals, and Causal Explanations, Southeastern Association of Law Schools (SEALS) Conference, Young Scholars Workshop (July 2003)

Panelist, Construing Science in Context: What Do Judges Need to Know?, Southeastern Association of Law Schools (SEALS) Conference (July 2003)

Mapping Evidence Law, University of Florida Levin School of Law Faculty Workshop (March 2003) & Michigan State University DCL College of Law Conference on Visions of Rationality in Evidence Law (April 2003)

An Idiosyncratic View of Psychological Theory in the Law, MSU Clinical Psychology Group (April 2001)

Judicial Accountability and Public Perceptions of the Judicial System, MSU-DCL Law Review Forum on the Impact of the 2000 Elections on the Future of Our Courts (November 2000)

Legitimacy and Discretionary Legal Authority, Federal Judicial Center, Washington, DC (January 1994)

Teaching and Service

Associate Editor, JOURNAL OF EMPIRICAL LEGAL STUDIES, 2006-2011

Occasional Referee for National Science Foundation, Israel Science Foundation, Swiss National Science Foundation, Netherlands Organisation for Scientific Research, university presses, conference programs, and journals, including American Psychologist, Archives of Scientific Psychology, Children & Youth Services Reviews, Criminal Justice Policy Review, Current Directions in Psychological Science, Group Processes and Intergroup Relations, Journal of Applied Research in Memory and Cognition, Journal of Empirical Legal Studies, Journal of Experimental Psychology: Applied, Journal of Experimental Psychology: General, Journal of Experimental Social Psychology, Journal of Law and Empirical Analysis, Journal of Legal Education, Journal of Philosophy, Science and Law, Journal of Research in Personality, Jurimetrics, Justice System Journal, Law and Human Behavior, Law, Probability & Risk, Law & Social Inquiry, Law & Society Review, New Ideas in Psychology, Perspectives on Psychological Science, Psychological Review, Psychological Science, Psychology, Crime and Law, Review of Philosophy and Psychology, Social Justice Research, Social and Personality Psychology Compass, Science & Justice, Spanish Journal of Psychology, Social Psychology and Personality Science, and Social Theory and Practice

University of Virginia

Courses: Causation in the Law (co-taught with Barbara Spellman), Civil Procedure, Class Actions and Public Policy: Mass Torts, Employment Discrimination and Securities Fraud (co-taught with Laurens Walker), Employment Discrimination, Evidence, Judgment & Decision-Making, Law & Psychology, Law & Psychology of Dispute Resolution, Lying & Lie Detection, Moral Psychology & Law (co-taught with Jonathan Haidt & John Monahan), and Professional Responsibility

Committees: Academic Placement (2016-2017), Ad Hoc Committee on Student Journals (Chair 2022-2023), Admissions (2007-2008), Appointments (Chair 2012-2013), Curriculum (Chair 2021-2022, Chair 2022-2023), Empirical Project Review (2006-2007, 2007-2008, 2010-2011, 2011-2012, 2014-2015), Faculty Enrichment (2014-2015, Chair 2018-2019), Faculty Enrichment and Visibility (2019-2020), Faculty Retreat and Workshops (2011-2012, Chair 2015-2016, Chair 2020-2021), Graduation Awards (2015-2016, Chair 2019-2020), Junior Faculty Development (2007-2008), Lateral Appointments (2008-2009), Lecturers & Clinics (2010-2011), Lectureships and Speakers (2016-2017), Scholarship Promotion Committee (2018-2019), Student Scholarship (2009-2010), Summer Workshops (2008), Tenure (2017-2018), Tenure Subcommittee (2007-2008, 2009-2010, 2017-2018) and Women's Leadership Council (university committee, 2008-2013)

All-University Teaching Award, 2014

Florida State University

Courses: Civil Procedure, Complex Civil Litigation, Contracts II, Evidence, and Employment Discrimination

Committees: Academic Enrichment (2002-2003), Academic Waivers (2002-2003), Appointments (2003-2004, 2005-2006), University Library Committee (2002-2004), Library Steering Subcommittee (2003-2004), Library Patrons Subcommittee (2002-2003) and Library Resources Subcommittee (Chair, 2003-2004)

Faculty Advisor to Dispute Resolution Society and Mock Trial Team (2002-2005)

First Year Class Teacher of the Year and Co-Teacher of the Year 2003-2004; Second Year Class Teacher of the Year 2005-2006

Michigan State University

Courses: Civil Procedure I, Civil Procedure II, Complex Civil Litigation and Evidence

Selected Teacher of the Year for Academic Years 2000-2001 and 2001-2002

Committees: Faculty Appointments (2000-2002), Faculty-Student Liaison (2000-2002) and Writing Skills (2000-2001)

Faculty Advisor to Public Interest Law Society and Trial Practice Program

External Examiner for Psychology Dissertation Committees

Vanderbilt University

Course: Evidence

Other Legal Experience

Doramus, Trauger & Ney
Associate
Nashville, Tennessee
June 1994-June 2000

U.S. District Judge Thomas A. Wiseman, Jr.
Judicial Clerk
June 1993-June 1994

Middle District of Tennessee, Nashville, Tennessee

Expert Consulting
LASSC, Inc.
Charlottesville, Virginia

2006-present

Bar Admissions

Tennessee (1994), Middle District of Tennessee (1994), U.S. Court of Appeals for the Sixth Circuit (1996), Eastern District of Tennessee (1997), and U.S. Supreme Court (1999)

Associations and Memberships

American Psychology-Law Society
Association for Psychological Science (elected Fellow, 2017)
Behavioral & Brain Sciences Associate
Society for Human Resource Management
Berkeley Law Foundation
NBLSA Thurgood Marshall Mock Trial Competition Review Board, 2005-2006, 2010-2012
Harry Phillips American Inn of Court, 1997-1998
Board of Directors, Hands On Nashville, 1999-2000