

**Michael J. Saks**  
Arizona State University  
Sandra Day O'Connor College of Law  
111 E Taylor Street  
Phoenix, AZ 85004-4467  
480-727-7193 (office) / 480-330-9688 (mobile) / Mailcode 9520  
saks@asu.edu

## **Education**

|     |                     |      |                                  |
|-----|---------------------|------|----------------------------------|
| BA  | Academic curriculum | 1965 | Philadelphia Central High School |
| BA  | English             | 1969 | Pennsylvania State University    |
| BS  | Psychology          | 1969 | Pennsylvania State University    |
| MA  | Social Psychology   | 1972 | Ohio State University            |
| PhD | Social Psychology   | 1975 | Ohio State University            |
| MSL | Law                 | 1983 | Yale Law School                  |

## **Professional Employment History**

Arizona State University: Regents Professor (2009-present), Alan A. Matheson Professor of Law (2008-2009), Professor of Law (2000-2008), Professor of Psychology (2000-present), Faculty Fellow of the Center for Law, Science & Innovation (2000-present), Public Health Law Program Faculty, Visiting Professor of Law (Spring, 1998)

University of Haifa, Israel (2016-present), Affiliated Professor

University of Iowa: Edward F. Howrey Professor of Law (1998-2000), Professor of Law (1988-1998), Visiting Professor (1986-88), Professor of Psychology (1992-2000)

Ohio State University: Drinko-Baker & Hostetler Visiting Prof of Law (Spring, 1991)

Georgetown University Law Center: Visiting Interdisciplinary Professor (1985-1986)

University of Virginia Law School: Visiting Professor (Summer LL.M. Program for Appellate Judges 1981, 1983, 1985, 1987, 1989)

National Center for State Courts: Senior Staff Associate (1978-1980)

American University School of Justice: Adjunct Professor (1980)

Boston College: Department of Psychology, Assistant Professor (1973-1979), Associate Professor (1979-1988); School of Law, Adjunct Professor (1974-78, 1985)

## **Honors, Awards, Etc.**

University Fellow, Ohio State University (1969-1973)

Dissertation Award, 2d Prize, Society for the Psychological Study of Social Issues (1975)

Alumnus of the Year (1984) Ogontz Campus Alumni Society, Pennsylvania State University

Fellow of the American Psychological Association

Fellow of the American Psychology-Law Society

Fellow of the Society for the Psychological Study of Social Issues

Award for Distinguished Contributions to Psychology in the Public Interest, American Psychological Association (1987)

President, American Psychology-Law Society (1988-89)

Listed in Who's Who in the World, Who's Who in America, etc.

University of Iowa Faculty Scholar (1990-1993)

Chair, Section on Law and Social Science, AALS (1997)  
Outstanding Alumni of the Department of Psychology, Pennsylvania State University (2016)  
Distinguished Contributions to Psychology and Law, American Psychology-Law Society (2017)

## **Professional Association Activities**

Member, National Conference of Lawyers & Scientists (AAAS & ABA)

Law School Admissions Council  
Test Development and Research Committee  
Grants Subcommittee (Chair)

American Psychological Association (1975-Present)  
Task Force on Psychology and Public Policy, Member (1980-84)  
Task Force on Ethics [Education in APA Approved Graduate Programs], Committee on the Protection of Human Participants in Research (1984-87)

American Psychology-Law Society (Division 41 of APA)  
Secretary (1979-1984)  
Member of Executive Committee (1982-1990)  
President (1988-89)  
Co-chair, Pro Bono Amicus Project (1989-1994)

Society for the Psychological Study of Social Issues  
Member of Council (Directors)  
Founding Chair of Courtwatch Committee (1978-1984)

Association of American Law Schools, President, Section on Law and Social Science (1997)  
Law & Society Association (Harry Kalven Prize Committee, 1990-91)  
Evaluation Research Society  
Policy Studies Organization  
Society for the Advancement of Social Psychology

## **Consulting and Other Professional Work (Selected)**

National Science Foundations of – U.S., Canada, Switzerland  
Best Practices Institute of the National Center for State Courts, member of Advisory Board  
Center for Justice and Democracy, member of Advisory Board  
Carnegie Commission on Science, Technology, and Government  
National Science Foundation, Law & Social Sciences Program, member of advisory panel  
U.S. Department of Health & Human Services, Task Force on Medical Liability and Malpractice  
Los Angeles County Sheriff's Department Crime Laboratory  
Judicial Evaluation Committee, District of Columbia Bar Association  
Office of Technology Assessment, U.S. Congress  
Expert witness in a number of cases on several topics  
Law firm of Ennis, Friedman, Bersoff & Ewing, Washington (assistance in drafting Brandeis Brief for U.S. Supreme Court cases)  
Law firm of Donovan, Liesure, Newton, and Irvine, New York, (strategy planning in international anti-trust case)  
Social Science and Humanities Research Council of Canada

Federal Judicial Center, Washington, D.C.  
American Bar Association/American Society of Law and Medicine  
Attorneys General Massachusetts and North Carolina  
Abt Associates, Cambridge, MA  
National Resource Center for Consumers of Legal Services, Washington  
Bureau of Applied Social Research, Columbia University  
Orient State Institute, Orient, Ohio  
College of Pharmacy, Ohio State University  
Children's Hospital, Columbus, Ohio

## **Teaching**

### **Undergraduate Courses**

Social Psychology  
Research Methods  
Introduction to Psychology  
Statistics  
Applied Social Psychology  
Law and Psychology  
Environmental and Social Determinants of Behavior

### **Graduate Courses**

Social Psychology  
Social Science and Public Policy

### **Law Courses**

Criminal Law  
Criminal Law Reform  
Evaluation and Use of Empirical Evidence  
Evidence  
Law and Psychology of the Litigation Process  
Law, Litigation, and Science  
Mental Health Law; Law and Psychiatry  
Social Science in Law (in UVa Judges' Program titled: Social Science and Judicial Process)  
Torts  
Conflict: Its Nature and Resolution (Seminar)  
Interdisciplinary Perspectives in Evidence and Procedure (Seminar)  
Law and Forensic Science (Seminar)  
Law and Technology: Assisted Death (Model act drafting seminar)  
Law and Technology: Organ Transplantation (Model act drafting seminar)  
Law and Technology: Scientific Expert Witnesses (Model act drafting seminar)  
Erroneous Convictions: Their Prevention and Remedy (Model act drafting seminar)  
Forensic Science and Erroneous Convictions  
Roots of Evidence Law (Seminar)  
Tort Reform (Seminar)

Property II  
Empirical Research and Legal Policy Making (Seminar)

## **Editorial Service**

Editor: Law & Human Behavior (1985-1987)

Editor: Jurimetrics (2003-2005)

General Editor

APA MONITOR *Judicial Notebook* (founder) (1978-84)

Advances in Applied Social Psychology Series (co-founder) (LEA, 1988-1990)

## **Member of Editorial Boards (past and current)**

Journal of Personality and Social Psychology

Law & Society Review

Law & Human Behavior

Law & Policy

Applied Social Psychology Annual

Social Behaviour: An International Journal of Applied Social Psychology (Britain)

Ethics and Behavior

Expert Evidence (Britain)

Legal & Criminological Psychology (Britain)

Journal of the Forensic Institute (Britain)

## **Ad Hoc Peer Reviewer**

Forensic Science International

International Statistical Review

Journal of Organization Behavioral and Human Performance

## **University Service**

Pennsylvania State University: University Colloquy, member, executive committee (1969); Department of Psychology, member, curriculum committee (1968-69)

Ohio State University: Council of Graduate Students; Council of Student Affairs; Advisory Committee to the Vice- President for Business and Finance; Health Insurance Subcommittee; Faculty Council; University Senate; Grievance Procedures Subcommittee; University Court

Boston College Psychology Department: Undergraduate Curriculum Committee; Faculty Search Committee; Colloquium Committee

University of Iowa: Advisory Committee to V.P. for Research; Statistical Advisory Committee to Academic V.P. College of Law Committees: Speakers; Research and Professional Development; Faculty Appointments; Internal Procedures; Teaching Improvement; Retention Committee. Committee to Review Department of Management and Organizations (1994)

Arizona State University: (Law) Dean Search Committee

## **Public Service**

Ohio Civil Liberties Union: Board of Directors, Member (1972-73); Central Ohio Chapter, Board of Directors (1971-73), Chair (1972-73).

Civil Liberties Union of Massachusetts: Advisory Committee to the Board of Directors (1984-1986); Legislative Committee; Subcommittee on Victims' Rights, Chair

Subcommittee on Organ and Tissue Transplants, Special Legislative Commission on Experimental Biomedical Research, Massachusetts Legislature, 1975

Morse's Pond Association (local conservation group) (1975-1978)

Flaschner Judicial Institute (member of subcommittee which developed a series of continuing judicial education programs for Massachusetts trial judges) (1983-1986)

Iowa Social Science Institute (1995-2000)

Woodland Heights Association, President (1991-92)

Michael's Ranch HOA and Water Users Association, President (2002-2004)

Board of Directors, Iowa City Area Science Center (1992-2000)

Advisory Board, Center for Justice and Democracy (2001- )

Advisory Board, Best Practices Institute, National Center for State Courts (200-2002)

## **Publications**

### **1970**

Saks, M.J., Edelstein, J., Draguns, J.G., & Fundia, T.A. de. *Social Class and Social Mobility in Relation to Psychiatric Symptomatology in Argentina*. 4 REVISTA INTERAMERICANA DE PSICOLOGIA 104-121.

### **1971**

Saks, M.J. *Informational Influences on the Formation of Latitudes of Acceptance, Rejection, and Noncommitment*. Masters Thesis, Ohio State University.

### **1973**

Saks, M.J. & Ostrom, T.M. *Anonymity in Letters to the Editor*. 37 PUBLIC OPINION QUARTERLY 417-422.

## 1974

Gross, A.E., Schmidt, M.J., Keating, J.P., & Saks, M.J. *Persuasion, Surveillance, and Voting Behavior*. 10 JOURNAL OF EXPERIMENTAL SOCIAL PSYCHOLOGY 451-460.

Saks, M.J. *Ignorance of Science is No Excuse*. 10 TRIAL 18-20.

Saks, M.J. Review of: *The Exorcist*. 303 SOCIETY 5.

## 1975

Saks, M.J. & Ostrom, T.M. *Jury Size and Consensus Requirements: The Laws of Probability Versus the Laws of the Land*. 1 JOURNAL OF CONTEMPORARY LAW (Spring) 163-173

Saks, M.J., Werner, C.M., & Ostrom, T.M. *The Presumption of Innocence and the American Juror*. 2 JOURNAL OF CONTEMPORARY LAW (Winter) 46-54.

Saks, M.J. *Jury Decision-making as a Function of Group Size and Social Decision Rule*. Doctoral Dissertation, Ohio State University, DISSERTATION ABSTRACTS INTERNATIONAL, XXXVI(3).

Saks, M.J. *On Thomas Szasz* (Comment) 2(3) THE CIVIL LIBERTIES REVIEW 8-9.

Saks, M.J. Review of: W. Pfennigstorf & S. Kimball, *Legal Service Plans: A Typology*, ABA Research Journal Monograph. 1(3) NEW DIRECTIONS IN LEGAL SERVICES 19, 38

## 1976

Saks, M.J. *The Limits of Scientific Jury Selection: Ethical and Empirical*. 17 JURIMETRICS JOURNAL 3-22.

Versions reprinted in:

*Social Scientists Can't Rig Juries*. 9 PSYCHOLOGY TODAY (January) 48-57.

READINGS IN CRIMINAL JUSTICE (1977)

L.S. Wrightsman, S.M. Kassin & C.E. Willis (Eds.), *IN THE JURY BOX: CONTROVERSIES IN THE COURTROOM*, Sage Publications (1987)

Robert Krivoshey (ed.), *JURIES: FORMATION AND BEHAVIOR*, Garland Publishing Co. (1994)

Saks, M.J. & Benedict, A.R. *Evaluation and Quality Assurance of Legal Services: Concepts and Research*. In L. Brickman & R. Lempert (Eds.). *THE ROLE OF RESEARCH IN THE DELIVERY OF LEGAL SERVICES*, Washington: NRCCLS/NSF.

Saks, M.J. *Comments in Transcript of Proceedings: Conference on Determining a Research Agenda for Improving the Delivery of Legal Services*. In L. Brickman & R. Lempert (Eds.) *THE ROLE OF RESEARCH IN THE DELIVERY OF LEGAL SERVICES*. Washington, D.C.: NRCCLS/NSF

Reprinted in: *Transcript of the Conference on Determining a Research Agenda for Improving the Delivery of Legal Services to Middle Class Americans*. 11 LAW & SOCIETY REVIEW 319-386 (1976)

## 1977

Saks, M.J. *Jury Verdicts: The Role of Group Size and Social Decision Rule*, Lexington: D.C. Heath

## 1978

Saks, M.J. & Hastie, R. *Social Psychology in Court*. New York: Van Nostrand Reinhold

Republished in 1986 by Robert E. Krieger Publishers

A chapter reprinted as *Social Psychology in Court: The Judge*, in H.R. Arkes & K.R. Hammond (Eds.), JUDGMENT AND DECISION MAKING: AN INTERDISCIPLINARY READER (1986)

Republished in Chinese (1989) (translated by Guoan Yue, Department of Sociology, Nankai University, Tianjin)

Saks, M.J. & Benedict, A.R. *Evaluation and Quality Assurance of Legal Services: Concepts and Research*. 1 LAW & HUMAN BEHAVIOR 373-384. [A version of Saks & Benedict, 1976]

Saks, M.J. *Jury Case: Benchmark for Behavioral Research*. [American Psychological Association] MONITOR (December) 4

Ostrom, T.M., Werner, C.M., & Saks, M.J. *An Integration Theory Analysis of Jurors' Presumptions*. 36 JOURNAL OF PERSONALITY AND SOCIAL PSYCHOLOGY 436-450.

Saks, M.J. *Social Psychological Contributions to a Legislative Subcommittee on Organ and Tissue Transplants*. 33 AMERICAN PSYCHOLOGIST 680-690.

Reprinted in B. Raven (Ed.), POLICY STUDIES REVIEW ANNUAL, VOLUME 4 (1980).

## 1979

Saks, M.J. & Miller, M.L. *A Systems Approach to Discretion in the Legal Process*. In L. Abt & E. Stuart (Eds.) SOCIAL PSYCHOLOGY AND DISCRETIONARY LAW. New York: Van Nostrand Reinhold

Saks, M.J. Review of: J. Tapp & F. Levine *Law Justice and the Individual in Society: Psychological and Legal Issues*. 77 MICHIGAN LAW REVIEW 892-898.

Saks, M. J. *Observers Observed*. Review of: G. McCall, *Observing the Law*. 24 CONTEMPORARY PSYCHOLOGY 416-418.

## 1980

Saks, M.J. & Baron, C.H. (Eds.) *THE USE-NONUSE-MISUSE OF APPLIED SOCIAL RESEARCH IN THE COURTS*. Cambridge, MA: Abt Books.

Kidd, R. F. & Saks, M. J. (Eds.) *ADVANCES IN APPLIED SOCIAL PSYCHOLOGY, VOLUME 1*. Hillsdale, NJ: Lawrence Erlbaum Associates

Saks, M.J. *The Utilization of Evaluation Research in Litigation*. In L.A. Braskamp & R.D. Brown (Eds.) *UTILIZATION OF EVALUATIVE INFORMATION*. San Francisco: Jossey-Bass.

Portions reprinted in 14 *EVALUATION NETWORK* 32-22.

Saks, M.J. & Stapleton, W.V. *Eliminating Bureaucratic Impediments to Social Reality Testing*. In C. Abt (Ed.) *PROBLEMS IN AMERICAN SOCIAL POLICY RESEARCH*. Cambridge, MA.: Abt Books

Kidd, R.F. & Saks, M.J. *What is Applied Social Psychology?* In R.F. Kidd & M.J. Saks (Eds.) *ADVANCES IN APPLIED SOCIAL PSYCHOLOGY, VOLUME 1*. Hillsdale, NJ: Lawrence Erlbaum Associates

Saks, M.J. *The Wrong Path*. Review of: A.G. Smith, *Cognitive Styles in Law School*. 25 *CONTEMPORARY PSYCHOLOGY* 336-337.

## 1981

Saks, M. *Small-group Decision-making and Complex Information Tasks*. Washington, DC: Federal Judicial Center.

Saks, M.J. & Kidd, R.F. *Human Information Processing and Adjudication: Trial by Heuristics*. 15 *LAW & SOCIETY REVIEW* 124-160.

Reprinted in: Arkes & Hammond (eds.) *JUDGMENT AND DECISION MAKING: AN INTERDISCIPLINARY READER* (1986)

Portions reprinted in: Weinstein, Mansfield, Abrams & Berger *EVIDENCE* (1983)

Portions reprinted in: Green & Nesson *EVIDENCE* (1983; 1995)

Reprinted in: F. Schauer (ed.) *THE PHILOSOPHY OF LAW: CLASSIC AND CONTEMPORARY READINGS WITH COMMENTARY* (1996)

Portions reprinted in: Fiss & Resnik, *ADJUDICATION AND ITS ALTERNATIVES: AN INTRODUCTION TO PROCEDURE* (2003)

Saks, M.J. *American Somoa: Court Organization Profile*. Williamsburg, VA: National Center for State Courts

Keilitz, I., Saks, M.J., & Broder, P.K. *The Evaluation of the Learning Disabilities/Juvenile Delinquency Remediation Program: Evaluation Design and Interim Results*. Williamsburg, VA: National Center for State Courts



Saks, M.J. Review of: P. Lipsitt & B.D. Sales (Eds.) *New Directions in Psycholegal Research*, 1980.  
AMERICAN LEGAL STUDIES ASSOCIATION FORUM

## 1982

Kidd, R.F. & Saks, M.J. (Eds.) *ADVANCES IN APPLIED SOCIAL PSYCHOLOGY, VOLUME 2*. Hillsdale, NJ: Lawrence Erlbaum Associates

Rich, W.D., Sutton, L.P., Clear, T.R., & Saks, M.J. *Sentencing by Mathematics: An Evaluation of the Early Attempts to Develop and Implement Sentencing Guidelines*. Williamsburg: National Center for State Courts

Saks, M.J. *Innovation and Change in the Courtroom*. In R. Bray & N. Kerr (Eds.) *THE PSYCHOLOGY OF THE COURTROOM*. New York: Academic Press

Rich, W.D., Sutton, L.P., Clear, T.R., & Saks, M.J. *Sentencing by Mathematics*, 6 *STATE COURT JOURNAL* 33-41.

## 1983

Melton, G.B., Koocher, J.P., & Saks, M.J. (Eds.) *Children's Competence to Consent*. New York: Plenum

Saks, M.J. & Van Duizend, R. *The Uses of Scientific Evidence in Litigation*. Williamsburg: National Center for State Courts

Saks, M.J. *Social Psychological Perspectives on the Problem of Consent*. In G. Melton, J.P. Koocher, & M.J. Saks (Eds.) *CHILDREN'S COMPETENCE TO CONSENT*. New York: Plenum

Saks, M.J. & Van Duizend, R. *Scientific Evidence in Litigation: Problems, Hopes, Accommodations, and Frustrations*. 7 *STATE COURT JOURNAL* 5-7, 23-28.

## 1984

Saks, M.J. *Some Data to Enlighten Some Doctrines*. Review of: B.L. Bloom & S.J. Asher (Eds.), *PSYCHIATRIC PATIENT RIGHTS AND PATIENT ADVOCACY: ISSUES AND EVIDENCE* (1982) 29 *CONTEMPORARY PSYCHOLOGY* 8-9.

Saks, M.J. & Van Duizend, R. *Scientific Evidence in Litigation*. *LAW ENFORCEMENT TECHNOLOGY* (November) 48-50. [A version of Saks & Van Duizend, *State Court Journal*, 1983]

Saks M.J. & Van Duizend, R. *The Law's Love-Hate Relationship with Experts is Mutual*. In H.D. Rosenheim (Ed.) *PROCEEDINGS OF THE FORENSIC PSYCHOLOGY CONFERENCE*, 16-18 March, 1983, Fitzsimons Army Medical Center, Aurora, Colorado.

Saks, M.J. & Wissler, R. L. *Legal and Psychological Bases of Expert Testimony*. 2 *BEHAVIORAL SCIENCES & THE LAW* 435

## 1985

Saks, M.J. *Rights of Crime Victims*. Review of: *The Rights of Crime Victims*. [Civil Liberties Union of Massachusetts] DOCKET (October).

Wissler, R.L. & Saks, M.J. *On the Inefficacy of Limiting Instructions: When Jurors Use Prior Conviction Evidence to Decide on Guilt*. 9 LAW & HUMAN BEHAVIOR 37-48

Reprinted in: Robert Krivoshey (ed.), INSTRUCTIONS, VERDICTS, AND JUDICIAL BEHAVIOR, Vol. 4, Garland Publishing Co. (1994)

## 1986

Saks, M. J. *The Impact of Information: Data as Evidence*. In M. Kaplan (Ed.) THE IMPACT OF SOCIAL PSYCHOLOGY ON PROCEDURAL JUSTICE. Springfield, IL: Charles C. Thomas

Melton, G. & Saks, M. J. *The Law as an Instrument of Socialization and Social Structure*. In NEBRASKA SYMPOSIUM ON MOTIVATION. Lincoln, NE: University of Nebraska Press.

Saks, M.J. & Hastie, R. *Social Psychology in Court*. Malabar, FL: Robert E. Krieger Publisher (Re-issue of the 1978 book)

Saks, M.J. & Saxe, L. (Eds) *Advances in Applied Social Psychology, Volume 3*. Hillsdale, NJ: Erlbaum

Task Force on Psychology and Public Policy [Reppucci, N.D., Kimmel, P., Korchin, S.J., Saks, M.J., Seidman, E., Serrano-Garcia, I., & Tangri, S.S.] *Psychology and Public Policy*, 41 AMERICAN PSYCHOLOGIST 914-921

Saks, M.J. *If There be a Crisis, How Shall We Know It?* 46 MARYLAND LAW REVIEW 63

Saks, M.J. *The Law Does not Live by Eyewitness Testimony Alone* (editorial). 10 LAW & HUMAN BEHAVIOR 279

Saks, M.J. *In Search of the "Lawsuit Crisis."* 14 LAW, MEDICINE & HEALTH CARE 77  
Reprinted in 4 CTLA FORUM [Connecticut Trial Lawyers Association] 31 (Nov-Dec 1986)

Saks, M. J. *Social Psychology of Decision-making in the Criminal Justice System*. 6 WINDSOR YEARBOOK OF ACCESS TO JUSTICE 61

## 1987

Saks, M.J. *Blaming the Jury*. Review of: V. Hans & N. Vidmar, *Judging the Jury*. 75 GEORGETOWN LAW JOURNAL 693

Melton, G.B., Monahan, J. & Saks, M.J. *Psychologists as Law Professors*. 42 AMERICAN PSYCHOLOGIST 502

Saks, M.J. *Trials and Tabulations*. Review of: DeGroot, Fienberg & Kadane (Eds.) *Statistics and the Law* (1986). 236 SCIENCE 980

Saks, M.J. *Tort Law Balances Public Interest in Health Costs, Redress for Injury*, (April, 28) DES MOINES REGISTER 7A

A version reprinted as: *Medical Malpractice Litigation: What Needs Reform?* 26 IOWA ADVOCATE 27

Saks, M.J. *Opportunities Lost: The Theory and the Practice of Using Developmental Knowledge in the Adversary Trial*. In G.B. Melton (Ed.) REFORMING THE LAW: IMPACT OF CHILD DEVELOPMENT RESEARCH. New York: Guilford.

Saks, M.J. *Accuracy v. Advocacy: The Dilemmas of Expert Witnesses in an Adversary System*. 90 TECHNOLOGY REVIEW 42.

A portion reprinted in WILSON QUARTERLY (1988)  
Reprinted in Italian in EDINDUSTRIA (1989)

## 1988

Benedict, A.R. & Saks, M.J. *The Regulation of Professional Behavior: Electroconvulsive Therapy in Massachusetts*, 1987 JOURNAL OF PSYCHIATRY AND LAW 247.

Saks, M.J. & Krupat, E. *Social Psychology and its Applications*. New York: Harper & Row

Saks, M.J. [*Wise physicians do not build diagnostic decisions on shaky informational foundations*] (Letter) 35 YALE LAW REPORT 14-15.

Saks, M.J. *Enhancing and Restraining Accuracy in Adjudication*, 51 LAW AND CONTEMPORARY PROBLEMS 243-279

## 1989

Risinger, D.M., Denbeaux, M.P. & Saks, M.J. *Exorcism of Ignorance as a Proxy for Rational Knowledge: The Case of Handwriting Identification "Expertise,"* 137 UNIVERSITY OF PENNSYLVANIA LAW REVIEW 731-792

Saks, M.J. *The Courts Discover Criminology. And Vice Versa*. Review of: Anderson & Winfree, *Expert Witnesses: Criminologists in the Courtroom*. 34 CONTEMPORARY PSYCHOLOGY 177-178

Saks, M.J. *Prevalence and Impact of Ethical Problems in Forensic Science*, 34 JOURNAL OF FORENSIC SCIENCES 772-793.

Sieber, J.E. & Saks, M.J. *A Census of Subject Pool Characteristics and Policies*, 44 AMERICAN PSYCHOLOGIST 1053-1061.

Saks, M. J. *Legal Policy Analysis and Evaluation*, 44 AMERICAN PSYCHOLOGIST 1110-1117.

Reprinted in: R. Lorion, I. Iscoe, P. DeLeon & G. VandenBos (eds.), PSYCHOLOGY AND PUBLIC POLICY: BALANCING PUBLIC SERVICE AND PROFESSIONAL NEED (1996)

Saks, M.J. "Foreword" to S. Lloyd-Bostock, *Law in Practice: Applications of Psychology to Legal Decision Making and Legal Skills* (American Edition) (Lyceum Books)

[Authored by Seminar students, co-taught with Sheldon Kurtz] *Model Aid-in-Dying Act*. 75 IOWA LAW REVIEW 125.

## 1990

Gittler, J., Quigley-Rick, M., and Saks, M.J. *Adolescent Health Care Decision-making: The Law and Public Policy*. Background Paper for Congressional Office of Technology Assessment and Carnegie Council on Adolescent Development.

Saks, M.J. *Expert Witnesses, Non-expert Witnesses, and Non-witness Experts*, 14 LAW & HUMAN BEHAVIOR 291.

Reprinted in part as, *The Ambiguous Role of the Expert Witness and the Nonwitness Expert*, 16(2) FAMILY LAW NEWS 1 (1993) (publication of the State Bar of California Family Law Section).

Reprinted in, Roesch & Thomsen (eds.) PSYCHOLOGY AND LAW, VOL II – CRIMINAL AND CIVIL PERSPECTIVES (2007)

Saks, M.J. *Judicial Attention to the Way the World Works*, 75 IOWA LAW REVIEW 1011.

Saks, M.J. *Uncovering the Secrets of the Common Law*. Review essay: K.L. Scheppele, *Legal Secrets: Equality and Efficiency in the Common Law* (1988). In 24 LAW & SOCIETY REVIEW 1277.

## 1991

Saks, M.J. *Turning Practice into Progress: Better Lawyering Through Experimentation*, 66 NOTRE DAME LAW REVIEW 801.

Grisso, T. & Saks, M. *Psychology's Influence on Constitutional Interpretation*, 15 LAW & HUMAN BEHAVIOR 205.

Saks, M.J. *Comment on "A Modest Proposal: Psychotherapists with Knowledge of Danger,"* 1 ETHICS & BEHAVIOR 212.

Saks, M.J. & Koehler, J.J. *What DNA "Fingerprinting" Can Teach the Law About the Rest of Forensic Science*, 13 CARDOZO L. REV. 361.

## 1992

Saks, M.J. *Normative and Empirical Issues About the Role of Expert Witnesses*. In D.K. Kagehiro & W.S. Laufer (Eds.) HANDBOOK OF PSYCHOLOGY AND LAW. New York: Springer-Verlag.

Charrow, R.P. & Saks, M.J. *Legal Responses to Allegations of Scientific Misconduct*. In D.J. Miller & M. Hersen (Eds.) RESEARCH FRAUD IN THE BEHAVIORAL AND BIOMEDICAL SCIENCES. New York: Wiley.

Saks, M.J. *Flying Blind in the Courtroom: Trying Cases Without Knowing What Works or Why*, 101 Yale L. J. 1177.

Saks, M.J. *Do We Really Know Anything About the Behavior of the Tort Litigation System – And Why Not?*, 140 PENNSYLVANIA L. REV. 1147.

Excerpts quoted at length in:

S. Daniels & J. Martin, CIVIL JURIES AND THE POLITICS OF REFORM, at 18.

S. Macaulay, L.M. Friedman & J. Stookey (eds.), LAW & SOCIETY: READINGS ON THE SOCIAL STUDY OF LAW, at 254-255.

Saks, M.J. & Blanck, P.D., *Justice Improved: The Unrecognized Benefits of Aggregation and Sampling in the Trial of Mass Torts*, 44 STANFORD L. REV. 815.

Saks, M.J. *Obedience vs. Disobedience to Legitimate vs. Illegitimate Authorities Issuing Good vs. Evil Directives*, 4 PSYCHOLOGICAL SCIENCE 221.

## 1993

Saks, M.J. *Improving APA Science Translation Amicus Briefs*, 17 LAW & HUMAN BEHAVIOR 235.

Saks, M.J. *Malpractice Misconceptions and Other Lessons About the Litigation System*, 16 JUSTICE SYSTEM JOURNAL 7.

Saks, M.J. *Malpractice Roulette* [Op-ed column], NEW YORK TIMES (July 3, 1993).

Saks, M.J. *Judicial Nullification*, 68 INDIANA LAW JOURNAL 1281.

Saks, M.J. Progress in Identification Science, Proceedings of the Second International Conference on Forensic Statistics, Tempe, AZ, March, 1993.

Saks, M.J. Book review of A.L. Caplan, *If I were a rich man, could I buy a pancreas? and other essays on the ethics of health care*. (1992), 3 ETHICS & BEHAVIOR 207.

Saks, M.J., Testimony on S. 687, The Product Liability Fairness Act, Hearing before the Subcommittee on Consumer of the Committee on Commerce, Science, and Transportation, United States Senate, One Hundred Third Congress, First Session, 93-102, September 23, 1993 (S. Hrg. 103-490)

Saks, M.J. Commentary on *Expertise for Sale: The Professor's Perspective*, 3 ETHICS & BEHAVIOR 381, 388-391

## 1994

Saks, *Verdict: Assessing the Civil Jury System*, review of R.E. Litan (ed.), *Verdict*, 77 JUDICATURE 225.

Saks, M. J., *The Implications of Daubert for Forensic Identification Science*, 1 SHEPARD'S EXPERT AND SCIENTIFIC EVIDENCE QUARTERLY 427.

Saks, M.J. *Medical Malpractice: Facing Real Problems and Finding Real Solutions*. Review of Weiler et al., *A Measure of Malpractice: Medical Injury, Malpractice Litigation, and Patient Compensation* (Harvard University Press, 1993). 35 WILLIAM & MARY L. REV. 693.

Faigman, D.L., Porter, E., and Saks, M.J. *Check Your Crystal Ball at the Courthouse Door, Please: Exploring the Past, Understanding the Present, and Worrying about the Future of Scientific Evidence*. 15 CARDOZO L. REV. 1799.

## 1995

Saks, M.J. *The Phantom of the Courthouse*. Review of Cecil & Willging, *Court-Appointed Experts: Defining the Role of Experts Appointed Under Federal Rule of Evidence 706* (Federal Judicial Center, 1993). 35 JURIMETRICS J. 233.

Saks, M.J. Review of: Adler, *The Jury: Trial and Error in the American Courtroom* (1994) and Abramson, *We, the Jury: The Jury System and the Ideal of Democracy* (1994), 6 BIMONTHLY REVIEW OF LAW BOOKS 1-5 (July-August, 1995).

Diamond, S.S., Dimitropoulos, L., Landsman, S., & Saks, M.J. *The Effects of Bifurcating Claims for Punitive Damages in Product Liability Cases*. A REPORT TO G.D. SEARLE

Saks, M.J. *Jury Reform: Is it About Time* (published comments excerpted from an on-line roundtable), THE AMERICAN LAWYER 48-51 (September).

## 1996

Saks, M.J. & Melton, G.B., *Is It Possible to Legislate Morality? Encouraging Psychological Research Contributions to Problems of Research Ethics*, In Stanley, Sieber & Melton (Eds.), *RESEARCH ETHICS: A PSYCHOLOGICAL APPROACH*. Lincoln, NE: University of Nebraska Press.

Saks, M.J., *The Smaller the Jury, the Greater the Unpredictability*, 79 JUDICATURE 263.

Kurtz & Saks, *The Transplant Paradox: Overwhelming Public Support for Organ Donation vs. Under-Supply of Organs: The Iowa Organ Procurement Study*, 21 JOURNAL OF CORPORATION LAW 767.

Saks, M. J. *The Role of Research in Implementing the U.N. Convention on the Rights of the Child*, 51 AMERICAN PSYCHOLOGIST 1262.

Saks, M.J., Larsen, H. & Hodne, C.J., *Is There a Growing Gap Among Law, Law Practice, and Legal Scholarship? A Systematic Comparison of Law Review Articles One Generation Apart*, (From symposium issue in honor of Thomas F. Lambert, Jr.), XXX SUFFOLK L. REV. 353.

Risinger, R.M. & Saks, M.J., *Science and Nonscience in the Courts: Daubert Meets Handwriting Identification Expertise*, 82 IOWA LAW REVIEW 21.

## 1997

Faigman, D., Kaye, D., Saks, M.J. & Sanders, J. (eds.) *MODERN SCIENTIFIC EVIDENCE: THE LAW AND SCIENCE OF EXPERT TESTIMONY* (Two volumes, West Publishing Co.).

Saks, M.J. *Scientific Method: The Logic of Drawing Inferences from Empirical Evidence*. In Faigman, Kaye, Saks & Sanders (Eds.) MODERN SCIENTIFIC EVIDENCE: THE LAW AND SCIENCE OF EXPERT TESTIMONY, Volume I. (West Publishing Co.)

Wissler, R.L., Evans, D.I., Hart, A.J., Morry, M. & Saks, M.J. *Explaining "Pain and Suffering" Awards: The Role of Injury Characteristics and Fault Attributions*, 21 LAW & HUMAN BEHAVIOR 181.

Hart, A.J., Evans, D.L., Wissler, R.L., Feehan, J., & Saks, M.J. *Injuries, Prior Beliefs, and Damage Awards*, 15 BEHAVIORAL SCIENCES AND THE LAW 63.

Saks, M.J., Hollinger, L., Wissler, R., Evans, D. & Hart, A.J. *Reducing Variability in Civil Jury Awards*, 21 LAW & HUMAN BEHAVIOR 243.

Reprinted in, Roesch & Thomsen (eds.) PSYCHOLOGY AND LAW, VOL II – CRIMINAL AND CIVIL PERSPECTIVES (2007)

Hart, A.J., Wissler, R.L., & Saks, M.J. *2 Perceptions of Illness and Injury: The Role of Experience*, 2 CURRENT RESEARCH IN SOCIAL PSYCHOLOGY 30-37.

[<http://www.uiowa.edu/~grpproc/crisp/crisp.2.4.htm>]

Saks, M.J. & Marti, M. Weighner, *A Meta-analysis of the Effects of Jury Size*, 21 LAW & HUMAN BEHAVIOR 451.

Reprinted in, The International Library of Essays in Law and Society, volume entitled, THE JURY SYSTEM: CONTEMPORARY SCHOLARSHIP (V. Hans, ed., 2006).

## 1998

Saks, M.J. *What Do Jury Experiments Tell Us About How Juries (Should) Make Decisions?*, 6 SOUTHERN CALIFORNIA INTERDISCIPLINARY LAW JOURNAL 1-53.

Wells, G. & Saks, M.J. AN ACT TO IMPROVE THE ACCURACY OF EYEWITNESS IDENTIFICATION PROCEDURES.

Landsman, S., Diamond, S.S., DiMitropoulos, L., & Saks, M.J., *Be Careful What You Wish For: The Effects of Bifurcating Claims for Punitive Damages in Product Liability Cases*, 1998 WISCONSIN L. REV. 297

Saks, M.J. *Merlin and Solomon: Lessons from the Law's Formative Encounters with Forensic Identification Science*, 49 HASTINGS LAW JOURNAL 1069

Risinger, Denbeaux & Saks, *Brave New "Post-Daubert World" — A Reply to Professor Moenssens*, 29 SETON HALL L. REV. 405

Saks, *Public Opinion about the Civil Jury: Can Reality be Found in the Illusions?*, 48 DEPAUL L. REV. 221.

Diamond, Landsman & Saks, *Juror Judgements about Liability and Damages: Sources of Variability and Ways to Increase Consistency*, 48 DEPAUL L. REV. 301.

Saks, *Comments on the Vidmar and Diamond Studies*, 48 DEPAUL L. REV. 423.

## 1999

Faigman, Kaye, Saks & Sanders, MODERN SCIENTIFIC EVIDENCE, Supplement for Volumes 1 & 2.

Faigman, Kaye, Saks & Sanders, MODERN SCIENTIFIC EVIDENCE, Volume 3.

Saks, M.J., Tort Lawyers and their Plaintiffs (Introduction by the Special Editor to Mini-Symposium on Contingency Legal Practice), 21 LAW & POLICY 345.

Roselle L. Wissler, Allen J. Hart & Michael J. Saks, *Decision-making about General Damages: A Comparison of Jurors, Judges, and Lawyers*, 98 MICHIGAN LAW REVIEW 751-826.

## 2000

Faigman, Kaye, Saks & Sanders, *How Good is Good Enough?: Expert Evidence Under Daubert and Kumho*, 50 CASE WESTERN RESERVE L. REV. 645-667.

Faigman, Kaye, Saks & Sanders (eds.), MODERN SCIENTIFIC EVIDENCE, Supplement for Volumes 1, 2 & 3 (West)

Saks, M.J. *The Aftermath of Daubert: An Evolving Jurisprudence of Expert Evidence*, 40 JURIMETRICS JOURNAL 229.

Saks, M.J., *Banishing Ipse Dixit: The Impact of Kumho Tire on Forensic Identification Science*, 57 WASHINGTON & LEE L. REV. 879

Roselle L. Wissler, Patricia F. Kuehn & Michael J. Saks, *Instructing Jurors on General Damages in Personal Injury Cases: Problems and Possibilities*, 6 PSYCHOLOGY, PUBLIC POLICY & LAW 712.

## 2001

Victoria Phillips, Michael J. Saks & Joseph Peterson, *Signal Detection Theory and Decision-making in Forensic Science*, 46 JOURNAL OF FORENSIC SCIENCES 294.

Michael J. Saks et al., *Toward a Model Act for the Prevention of Erroneous Convictions*, 35 NEW ENGLAND L. REV. (Annual Symposium Issue) 669.

Roselle L. Wissler, Katie A. Rector & Michael J. Saks, *The Impact of Jury Instructions on the Fusion of Liability and Compensatory Damages*, 25 L. & HUMAN BEHAVIOR 125.

Michael J. Saks, *Equal Protection after Bush v. Gore*, 85 JUDICATURE (July-August 2001), at 8,42.

Saks & Vidmar, *A Flawed Search for Bias in the American Bar Association's Ratings of Prospective Judicial Nominees: A Critique of the Lindgren Study*, XVII J. L. & POL. 219 (2001).

*Model Prevention and Remedy of Erroneous Convictions Act*, 33 ARIZ. STATE L. J.665 (2001).



Saks, *Scientific Evidence and the Ethical Obligations of Attorneys* (Symposium: "Toward More Reliable Jury Verdicts: Developments in Law, Technology, and Media Impact Since the Trials of Dr. Sam Sheppard"), 49 CLEV. STATE L. REV. 421 (2001).

## 2002

Risinger, Saks, Rosenthal & Thompson, *The Daubert/Kumho Implications of Observer Effects in Forensic Science: Hidden Problems of Expectation and Suggestion*, 90 U. CAL. L. REV. 1 (2002).

Faigman, Kaye, Saks & Sanders (eds.), MODERN SCIENTIFIC EVIDENCE: THE LAW AND SCIENCE OF EXPERT TESTIMONY, 2<sup>ND</sup> ED. (Four volumes, West, 2002).

Saks, *Ethical Standards of and Concerning Expert Witnesses*, in MODERN SCIENTIFIC EVIDENCE: THE LAW AND SCIENCE OF EXPERT TESTIMONY, 2<sup>ND</sup> ed. (Faigman, Kaye, Saks & Sanders, eds., West, 2002).

Saks, *Evidence*, in THE OXFORD COMPANION TO AMERICAN LAW (2002).

Saks, *Trial Outcomes and Demographics: Easy Assumptions versus Hard Evidence*, 80 U. TEXAS L. REV. 1877 (2002).

Michael J. Saks, *Expert Witnesses in Europe and America*, in ADVERSARIAL VERSUS INQUISITORIAL JUSTICE: PSYCHOLOGICAL PERSPECTIVES ON CRIMINAL JUSTICE SYSTEMS (P.J. van Koppen & S.D. Penrod eds., Kluwer Plenum, 2002).

Peter J. van Koppen & Michael J. Saks, *Preventing Bad Psychological Scientific Evidence in The Netherlands and The United States*, in ADVERSARIAL VERSUS INQUISITORIAL JUSTICE: PSYCHOLOGICAL PERSPECTIVES ON CRIMINAL JUSTICE SYSTEMS (P.J. van Koppen & S.D. Penrod eds., Kluwer Plenum, 2002).

Saks, *The Life and Times of Criminal Identification*, review of Simon Cole, *Suspect Identities: A History of Fingerprinting and Criminal Identification* (2001) (Harvard Univ. Press), 43 JURIMETRICS J. 141 (2002).

Saks, Review of "Ethics in Forensic Science: Professional Standards for the Practice of Criminalistics" (2001) (CRC Press), 43 JURIMETRICS J. 359 (2002).

## 2003

Faigman, Kaye, Saks & Sanders, MODERN SCIENTIFIC EVIDENCE 2D ED., Supplement (West, 2003).

Saks & Thompson, *Assessing Evidence: Proving Facts*, in HANDBOOK OF PSYCHOLOGY IN LEGAL CONTEXTS (2d ed., Carson & Bull, eds., 2003) (Wiley).

Saks, *Foreword*, in Douglas D. Koski (ed.), THE JURY TRIAL IN CRIMINAL JUSTICE (Carolina Academic Press).

Saks, Risinger, Rosenthal & Thompson, *Context Effects in Forensic Science: A Review and Application of the Science of Science to Crime Laboratory Practice in the United States*, 43 SCIENCE & JUSTICE 77.

Saks, *Commentary on "Individuality of Handwriting,"* 48 J. FORENSIC SCIENCES 916 (2003).

Saks, *The Legal and Scientific Evaluation of Forensic Science* (Symposium: Expert Admissibility: Keeping Gates, Goals and Promises) 33 SETON HALL L.REV. 1167 (2003).

Saks, [*On Capping General Damages in Medical Malpractice Cases*], syndicated op-ed column, numerous newspapers (August, 2003).

Saks & Vidmar, *Asserted but Unproven: A Further Response to the Lindgren Study's Claim that the American Bar Association's Ratings of Judicial Nominees are Biased*, XIX THE JOURNAL OF LAW & POLITICS 177 (2003).

Risinger & Saks, *Litigation-Directed Research in the Criminal Justice System*, XX ISSUES IN SCIENCE AND TECHNOLOGY 35 (Fall, 2003).

Risinger & Saks, *Rationality, Research and Leviathan: Prosecution-Sponsored Research and the Criminal Process* (Symposium: Visions of Rationality in Evidence Law), 4 MICH. ST. U. L.REV. 1023.

Saks & Risinger, *Baselines, The Presumption of Guilt, Admissibility Rulings, and Erroneous Convictions*, (Symposium: Visions of Rationality in Evidence Law), 4 MICH. ST. U. L.REV. 1051.

## 2004

Saks, *The Psychology of Medical Malpractice Litigation*, 15 THE PRACTICAL LITIGATOR 47 (Jan. 2004).

Saks, *Johnson v. Commonwealth: How Dependable is Identification by Microscopic Hair Comparison*, 26 THE ADVOCATE [Journal of Criminal Justice Education and Research] 14 (Jan. 2004)

Saks, *Comment on "Empiricism and Tort Law,"* 2004 ILLINOIS L. REV. 463

## 2005

Saks & VanderHaar, *On the "General Acceptance" of Handwriting Identification Principles*, 50 JOURNAL OF FORENSIC SCIENCES 119.

Saks, Faigman, Kaye & Sanders, ANNOTATED REFERENCE MANUAL ON SCIENTIFIC EVIDENCE - SECOND (West) (2005).

Saks, Strouse & Schweitzer, *A Multi-attribute Utility Analysis of Legal Policy Responses to Medical Adverse Events*, 54 DEPAUL LAW REVIEW 277 (Symposium: Starting Over?: Redesigning the Medical Malpractice System).

Saks & Koehler, *The Coming Paradigm Shift in Forensic Identification Science*, 309 SCIENCE 892 (2005).

Faigman, Kaye, Saks & Sanders (eds.), MODERN SCIENTIFIC EVIDENCE: THE LAW AND SCIENCE OF EXPERT TESTIMONY (Four volumes, West, 2005).

Michael J. Saks & Jonathan J. Koehler, Comments on Bruce Budowle's Presentation at the Sackler Colloquium on Forensic Science, Digital Proceedings of the National Academy of Sciences (Sackler Colloquium) (2005).

Saks & Faigman, *Evidence after Daubert*, in 1 ANNUAL REVIEW OF LAW & SOCIETY (2005).

Moriarty & Saks, *Forensic Science: Grand Goals, Tragic Flaws, and Judicial Gatekeeping*, 44 JUDGES JOURNAL 16 (Fall, 2005).

## 2006

Saks & Lanyon, *Pitfalls and Ethics of Expert Testimony*, in M. Costanzo, D. Krauss, & K. Pezdek (Eds.), EXPERT PSYCHOLOGICAL TESTIMONY FOR THE COURTS. Mahwah, NJ: Erlbaum.

Saks & Marti, *A Meta-analysis of the Effects of Jury Size*, 21 LAW & HUMAN BEHAVIOR 451(1997) – Reprinted in, The International Library of Essays in Law and Society, volume entitled, THE JURY SYSTEM: CONTEMPORARY SCHOLARSHIP (V. Hans, ed., 2006).

Park & Saks, *Evidence Scholarship Reconsidered: Results of the Interdisciplinary Turn*, 47 BOSTON COLLEGE L. REV. 949 (2006).

Saks, Book Review of *Forensic Evidence: Science and the Criminal Law, 2nd ed.* 51 J. FORENSIC SCI. 1446 (2006).

Faigman, Kaye, Saks & Sanders (eds.), MODERN SCIENTIFIC EVIDENCE: THE LAW AND SCIENCE OF EXPERT TESTIMONY (Four volumes, West, 2006-2007).

## 2007

Saks & Koehler, *Out to Lunch: Saks & Koehler Reply to Rudin & Inman's Commentary*, CAC NEWS: NEWS OF THE CALIFORNIA ASSOCIATION OF CRIMINALISTS 18-19 (First Quarter, 2007)

N. J. Schweitzer, Douglas J. Sylvester, Michael J. Saks, *Rule Violations and the Rule of Law: A Factorial Survey of Public Attitudes*, 56 DEPAUL LAW REVIEW 615 (Symposium: Is the Rule of Law Waning in America?)

Schweitzer & Saks, *The "CSI Effect": Popular Fiction about Forensic Science Affects the Public's Expectations about Real Forensic Science*, 47 JURIMETRICS JOURNAL 357 (2007).

Saks, Book Review of William R. Uttal, *Human Factors in the Courtroom: Mythology Versus Science* (2006), 47 JURIMETRICS JOURNAL 369 (2007)

Saks, *The Need for a Paradigm Shift: What DNA Can Teach the Traditional Forensic Sciences*, in *Rettsmedisinsk sakkyndighet i fortid, natid og fremtid* (Per Brandtzæg & Ståle Eskeland, eds.) (Cappelen, Oslo).

Saks, *Remediating Forensic Science*, 48 JURIMETRICS J. 119 (2007)

Saks, *Jury Size and Decision Rule*, in ENCYCLOPEDIA OF PSYCHOLOGY AND LAW (2007)

## 2008

Joseph Sanders, Michael Saks, & N.J. Schweitzer, *Trial Factfinders and Expert Evidence*, in MODERN SCIENTIFIC EVIDENCE (Faigman et al., eds.) (West Publishing Co.)

Faigman, Saks, Sanders & Cheng, eds., MODERN SCIENTIFIC EVIDENCE: THE LAW AND SCIENCE OF EXPERT TESTIMONY (West Publishing Co.) (Annual update) (Five volumes)

Saks & Koehler, *The Individualization Fallacy in Forensic Science*, 61 VANDERBILT L. REV. 199 (2008)

Saks & Faigman, *Failed Forensics: How Forensic Science Lost Its Way and How it Might Yet Find it*, 4 ANNUAL REVIEW OF LAW AND SOCIAL SCIENCE 149-171 (2008)

Smith & Saks, *The Case for Overturning Williams v. Florida and the Six-Person Jury: History, Law and Empirical Evidence*, 60 FLORIDA L. REV. 441 (2008)

Saks, *Protecting Factfinders from Being Overly Misled, While Still Admitting Weakly Supported Forensic Science into Evidence*, 43 TULSA L. REV. 609 (Symposium: *Daubert*, Innocence and the Future of Forensic Science)

McQuiston & Saks, *Communicating Opinion Evidence in the Forensic Identification Sciences: Accuracy and Impact*, 59 HASTINGS L. J. 1159 (Symposium: The Faces of Forensics: Identification and Behavior)

Saks, *Explaining the Tension Between the Supreme Court's Embrace of Validity as the Touchstone of Admissibility of Expert Testimony and Lower Courts' Rejection of Same*, 5 EPISTEME 329-342 (2008) (Symposium on Law and Evidence)

## 2009

Schweitzer & Saks, *The Gatekeeper Effect: Judges' Influence on the Persuasiveness of Expert Testimony*, 15 PSYCHOLOGY, PUBLIC POLICY, AND LAW 1- 18 (2009)

Saks, *Law & Science*, in OXFORD INTERNATIONAL ENCYCLOPEDIA OF LEGAL HISTORY (2009)

Domitrovich & Saks, *NAS Calls for "Overhauling" a "Badly Fragmented" Forensic Science System: Major Reforms and New Research*, National Judicial College News (NJC website 4/10/09)

Domitrovich & Saks, *The National Conference of State Trial Judges: Celebrating 50 Golden Years, Planning for the Next 50*, 92 JUDICATURE 331 (2009)

Faigman, Saks, Sanders & Cheng, eds., MODERN SCIENTIFIC EVIDENCE: THE LAW AND SCIENCE OF EXPERT TESTIMONY (West Publishing Co.) (Annual update) (Five volumes)

Saks, *The Past and Future of Forensic Science and the Courts*, 93 JUDICATURE 94 (2009).

McQuiston-Surrett & Saks, *The Testimony of Forensic Identification Science: What Expert Witnesses Say and What Factfinders Hear*, 33 LAW & HUMAN BEHAVIOR 436-453 (2009)

Saks, *What's Wrong with Forensic Science*, FORENSIC SCIENCE, MEDICINE, AND PATHOLOGY (Australia) (2009) (abstract)

Saks, *Judging Expertise*, 35 JOURNAL OF CORPORATION LAW 135-157 (2009) (symposium papers from Institute for Law and Economic Policy conference)

## 2010

Saks, *Forensic Identification: From a Faith-Based "Science" to a Scientific Science*, 201 FORENSIC SCI. INT'L 14 (2010) (special issue, on the occasion of the Meeting of the International Organization of Forensic Odonto-Stomatology)

Koehler & Saks, *Individualization Claims in Forensic Science: Still Unwarranted*, 75 BROOKLYN L. REV. 1187 (2010) (Festschrift for Margaret Berger)

## 2011

N. J. Schweitzer, Michael J. Saks, Emily R. Murphy, Adina L. Roskies, Walter Sinnott-Armstrong, and Lyn M. Gaudet, *Neuroimages as Evidence in a Mens Rea Defense: No Impact*, 17 PSYCHOLOGY, PUBLIC POLICY, AND LAW 357 (2011)

Michael J. Saks & Samantha Neufeld, *Convergent Evolution in Law and Science: The Structure of Decision-making Under Uncertainty*, 10 LAW, PROBABILITY AND RISK 133 (2011)

N. J. Schweitzer & Michael J. Saks, *Neuroimage Evidence and the Insanity Defense*, 29 BEHAVIORAL SCIENCES AND THE LAW 592 (2011)

Faigman, Saks, Sanders & Cheng, eds., MODERN SCIENTIFIC EVIDENCE: THE LAW AND SCIENCE OF EXPERT TESTIMONY (West Publishing Co.) (Annual update) (Five volumes) (2010-2011)

William C. Thompson, Simon Ford, Jason R. Gilder, Keith Inman, Allan Jamieson, Roger Koppl, Irving L. Kornfield, Dan E. Krane, Jennifer L. Mnookin, D. Michael Risinger, Norah Rudin, Michael J. Saks and Sandy L. Zabell, Commentary on: Thornton JI. Letter to the editor—a rejection of “working blind” as a cure for contextual bias [55 J. Forensic Sci. 1663 (2010)], 56 J. FORENSIC SCI. 562 (2011).

## 2012

Michael J. Saks & Ashley M. Votruba, *Significance and Implications of "Quantifying the Weight of Evidence from a Forensic Fingerprint Comparison: A New Paradigm," Neumann et al.* [175 J. Royal Statistical Society A Part 2 371 (2012)]. 175 J. ROYAL STATISTICAL SOCIETY A PART 2 408 (2012).

Michael J. Saks & Samantha Neufeld, *Parallels in Law and Statistics: Decision Making Under Uncertainty*, 52 JURIMETRICS J. 117 (2012).

N.J. Schweitzer & Michael J. Saks, *Jurors and Scientific Causation: What Don't they Know and What Can be Done about It?*, 52 JURIMETRICS J. 433 (2012)

Wissler, Williams & Saks, *Dual Processing Models of Admissibility: Legal Tests for the Admissibility of Scientific Evidence Resemble Cognitive Science's System 1 and System 2*, 17 VIRGINIA J. L., SCIENCE & TECHNOLOGY 11 (2012)

Michael J. Saks, *What Do Polls Really Tell Us about the Public's View of The Affordable Care Act?*, HEALTH AFFAIRS BLOG (September 21, 2012) <http://healthaffairs.org/blog/2012/09/21/what-do-polls-really-tell-us-about-the-publics-view-of-the-affordable-care-act/>

## 2013

Saks, *History of the Law's Reception of Forensic Individualization Science*, ENCYCLOPEDIA OF FORENSIC SCIENCES, 2nd Edition, Siegel & Saukko (eds.) (Elsevier). (2013)

Geoffrey C. Hazard, Jr., Michael J. Saks and Joseph Sanders, *Ethical Standards of and Concerning Expert Witnesses*, in Faigman et al. (Eds.) MODERN SCIENTIFIC EVIDENCE: THE LAW AND SCIENCE OF EXPERT TESTIMONY(West)

Rachel A. Lindor et al., *Regulatory and Reimbursement Innovations for Molecular Diagnostics: Parallel Review and Coverage with Evidence Development*, 5 SCIENCE TRANSLATIONAL MEDICINE 176 (13 Mar 2013)

Roskies, Schweitzer & Saks, *Commentary: Against Expectations, Evidence Suggests Neuroimages in the Courtroom Are Not Biasing*, 17 TRENDS IN COGNITIVE SCIENCE 99 (2013)

Ashley M. Votruba & Michael J. Saks, *Medical Adverse Events and Malpractice Litigation in Arizona: By-the-Numbers*, 45 ARIZONA STATE L. J. 1537 (2013)

## 2014

Michael J. Saks, N.J. Schweitzer, Kent Kiehl & Eyal Aharoni, *The Impact of Neuroimages in the Sentencing Phase of Capital Trials*, 11 JOURNAL OF EMPIRICAL LEGAL STUDIES 105 (2014)

William Thompson, D. Michael Risinger, Allan Jamieson, Irving Kornfield III, Dan Krane, Jennifer Mnookin, Robert Rosenthal, Michael Saks, Sandy Zabell, Itiel Dror, Regarding Champod, editorial: "Research Focused Mainly on Bias will Paralyse Forensic Science,") 54 SCIENCE & JUSTICE 508 (2014)

## 2015

Williams & Saks, *Why Don't the Gatekeepers Guard the Gates? Comments Prompted by Edmond, What Lawyers Should Know about the Forensic 'Sciences,'* 36 ADELAIDE LAW REVIEW (Australia) 109 (2015)

Saks & Votruba, "... and the courts have been utterly ineffective," 54 JUDGES' JOURNAL 28 (Summer, 2015)

Itiel E. Dror, William C. Thompson, Christian A. Meissner, Irv Kornfield, Dan Krane, Michael J. Saks, and Michael Risinger, *Context Management Toolbox: A Linear Sequential Unmasking (LSU) Approach for Minimizing Cognitive Bias in Forensic Decision-making* (Letter), 60 J. FORENSIC SCIENCE 1111 (2015)

Roger Koppl et al., Do Observer Effects Matter? A Comment on Langenburg, Bochet, and Ford, 6 FORENSIC SCIENCE POLICY & MANAGEMENT 1 (2015)

Michael J. Saks et al., Amicus Brief on the Scientific Status of Forensic Bitemark Identification (2015) (filed with the California Supreme Court, the Mississippi Supreme Court, and the Texas Forensic Science Commission)

## 2016

Saks & Spellman, *THE PSYCHOLOGICAL FOUNDATIONS OF EVIDENCE LAW*. New York: NYU Press. (Looks at the law of evidence through the lens of social and cognitive science research in order to understand and evaluate evidence law's assumptions, methods, effectiveness—and to suggest possible improvements.) (2016)

Saks, Danvers, Wissler, Voytyuk, Williams, Baker, & Votruba, *Psychological Aspects of Food Biodesign*, 56 *JURIMETRICS* 165 (2016)

Saks et al., *Forensic Bitemark Identification: Weak Foundations, Exaggerated Claims*, 3 *J. LAW & THE BIOSCIENCES* 538-575 (2016)

Koehler, Schweitzer, Saks & McQuiston, *Science, Technology, or the Expert Witness: What Influences Jurors' Judgments about Forensic Science Testimony?*, 22 *PSYCHOLOGY, PUBLIC POLICY AND THE LAW* 401 (2016)

## 2017

Grando, Murcko, Mahankali, Saks, Zent, Chern, Dye, Sharp, Young, Hiestand, Hassanzadeh, *A Study to Elicit Behavioral Health Patients' and Providers' Opinions on Health Records Consent*, 45 *J. LAW MEDICINE & ETHICS* 238 (2017)

## 2018

Saks, *Applying Social Psychology to Law and the Legal Process*. In T. Grisso & S. Brodsky (eds.), *THE ROOTS OF MODERN PSYCHOLOGY AND LAW: A NARRATIVE HISTORY* (Oxford Univ Press) (2018)

Saks, *Challenges of Validating Feature-Comparison Forensic Sciences*, 48 *SETON HALL L. REV.* 733 (2018) (special issue: Risinger symposium)

Valerie Hans & Michael J. Saks, *Educating Judges and Juries to Evaluate Scientific Evidence in the Courtroom*, in Diamond & Lempert (eds.), 147 *DAEDALUS* 164 (FALL, 2018) (special issue: Science and the Legal System).

Saks, Grando, Murcko, Millea, *Granular Patient Control of Personal Health Information: Federal and State Law Considerations*, 58 *JURIMETRICS* 411 (2018)

Williams, Votruba, Neuberg & Saks, *Capital and Punishment: Resource Scarcity Increases Endorsement of the Death Penalty*, 40 *EVOLUTION AND HUMAN BEHAVIOR* 65 (2018).

Saks, *Methodological Triangulation*, 2 *NATURE HUMAN BEHAVIOR* 806 (2018).

### **Manuscripts in Press**

Saks, A Beam of Dry Light for an Experimenting Society, in *The Guide Project: How to Design the Future* (Joel Garreau, ed.).

Saks & Landsman, *CLOSING DEATH'S DOOR: LEGAL INNOVATIONS AND PATIENT SAFETY*. (The starting point of this work is the finding that medical errors are the third leading cause of death in the U.S., and the recognition from data of recent decades that tort litigation is a relatively minor factor in the regulation of medical injury. After reviewing those and other data, and some legal and healthcare system history, the book turns to its central purpose: exploring innovative ways that the law could have a greater impact in reducing iatrogenic injuries.)

### **Manuscripts under Review**

Hiral Soni et al., *Perceptions and Preferences about Granular Data Sharing and Privacy of Spanish and English Speaking Behavioral Health Patients* (Journal of the American Medical Informatics Association).

Megan Hiestand et al., *Mental Health Provider Perspectives on Health Data Sharing* (Journal of the American Medical Informatics Association)

### **Manuscripts in Progress**

Saks, Votruba, Neufeld & Landsman, *Social Psychology of Medical Error and Injury*

Saks & Votruba, *The Use of Scientific Evidence in Causation-in-Fact Vaccine Cases before the U.S. Court of Federal Claims*