

2017 Monsanto Lecture

Thursday, February 16, 4 p.m. Wesemann Hall

The Complicated Business of State Supreme Court Elections and Implications For Tort Reforms: An Empirical Perspective



Professor Michael Heise
Cornell Law School

Abstract:

While proponents of judicial elections emphasize existing First Amendment jurisprudence and similarities between publicly-elected state judges and other publicly-elected state officials, opponents emphasize judicial campaign contributions' corrosive effects, including their potential to unduly influence judicial outcomes, and emphasize business contributions' especially troublesome influence. Data inform whether judicial campaign contributions influence judicial outcomes and, if so, whether such an influence is unique to business-related contributions. Findings from this study make clear that business contributors are not unique in their ability to influence judicial outcomes as contributions from "non-" (and "anti-") business interests achieve similar results. That business *and* non-business interests can successfully influence judicial outcomes through campaign contributions complicates the related normative issues as such a finding may, concurrently, heighten and dilute unease with campaign contributions to judicial candidates.

About Professor Heise

Michael Heise, Professor of Law at Cornell Law School, specializes in empirical legal scholarship and bridging empirical methodologies, legal theory, and policy analysis. He writes in public and private law areas, including civil justice reform, judicial decisionmaking, and law and education policy. Professor Heise's teaching areas include torts, constitutional law, empirical methods for lawyers, insurance law, and law and social science. One of the nation's leading empirical legal scholars, Heise has published more than 70 scholarly articles and book chapters, most of them empirical, on an array of topics ranging from the constitutionality of school choice to disparities in federal criminal sentencing.

Heise earned degrees from Stanford University (A.B., 1983), University of Chicago (J.D., 1987), and Northwestern University (Ph.D., 1990). Prior to teaching law, he served in the Bush Administration as Deputy Chief of Staff to the U.S. Secretary of Education and, before government service, was an associate in the appellate litigation group at DLA Piper (then Rudnick & Wolfe). Professor Heise has received numerous awards for his scholarship and teaching, including the Law & Society Association's Best Article Prize in 1999. Professor Heise has co-edited the *JOURNAL OF EMPIRICAL LEGAL STUDIES* since 2005.