

CRN 04

Annual Meeting of the
Law & Society Association

Lay Participation in Legal Systems

May 22-25 2025

Chicago, Illinois



Cornell
Law School

ABOUT CRN 04

The purpose of this CRN is to bring together scholars working on different forms of lay participation in legal decision making. The legal systems of many countries incorporate laypersons in some decision-making capacity, including lay judges or assessors, mixed tribunals of law-trained and lay judges, and the jury.

Lay participation in the justice system has been justified on multiple grounds. It is said to improve decision making, to reduce the impact of biased or corrupt judges, to keep the system responsive to changing community values, to better represent the diversity of citizen experiences and perspectives, and to enhance the legitimacy of the system. Lay involvement is strongly criticized on multiple grounds as well, including charges that lay participants are incompetent or biased decision makers, lack crucial knowledge of law, or ignore the law. Scholars have also questioned whether lay participation has any real impact on legal system outcomes or whether it serves only a legitimacy function.

This CRN will help facilitate the exchange of research findings and comparative research about lay involvement in legal decision making. What are the strengths and drawbacks of different forms of lay participation as practiced in different countries? How do a country's historical and contextual factors shape the forms of lay participation? To what extent does lay participation fulfill its multiple functions?

Link: <https://www.lawandsociety.org/crn04/>

CRN 04 EVENTS

Business Meeting

Friday, May 23: 11:45 - 12:45 PM

Room: East Tower, Roosevelt 1B

Please come to hear about the latest projects of our members, and to share ideas and information about lay participation in legal decision making.

Group Dinner

Saturday, May 24, at 7:30 PM

Deadline to RSVP: May 14th

Chicago's pizza is renowned across the country! So it's only fitting that our CRN will gather at **Pizano's** (the one in the Gold Coast), which is one of the best pizza places in the city. The restaurant is about a 20-25 minute walk from the conference hotel or a 10 minute uber/cab ride.

Note: This CRN04 booklet presents information about sessions that are sponsored and cosponsored by our CRN. Presentations on juries and lay participation can also be found in other places in the program, including through CRN 54, Law, Psychological Science, and Society.

CRN 04 SESSION

How Juries Work: And How They Could Work Better (1620)

Thursday, May 22 10:00 - 11:45 AM

Author Meets Reader Session

Room: East Tower, Roosevelt 3B

In *How Juries Work*, Helm suggests that while the jury is important symbolically, the current jury systems is not necessarily well-designed to meet the demands of modern society, which increasingly requires evidence-based procedure that is carefully designed to meet normative goals. She proposes a new model of how jurors and juries function in practice, informed by psychological theory and empirical research, which provide a framework to interpret and integrate the large body of existing work on jury decision-making. Drawing on this framework, Helm highlights the deficiencies and strengths of the jury as a legal fact-finder, providing insights into how to minimize deficiencies and maximize strengths through trial procedure (including through jury composition).

Author:

Rebecca Helm, *University of Exeter*

Readers:

Kayla Burd, *University of Wyoming*

Mary R. Rose, *University Texas, Austin*

Monica Miller, *University of Nevada, Reno*

****Cross-listed with 54 - Law, Society & Psychological Science**

Challenges in Jury Selection (1208)

Thursday, May 22 12:45 - 2:30 PM

Paper Session

Room: East Tower, Monroe 5 Boardroom

Chair:

Jérémy Boulanger-Bonnely, *McGill University Faculty of Law*

Discussant:

Catherine Grosso, *Michigan State University*

Presentations:

Red Juries & Blue Juries

Richard Jolly, *Southwestern Law School*

Studying Voir Dire: Cautionary Guidance on Research Methods

Paula Hannaford-Agor, *National Center for State Courts*

Non-Presenting Co-Author:

Shari Diamond, *Northwestern Pritzker School of Law/American Bar Foundation*

Unfair Cross Section: Balancing the Scales of the Jury Box

William C. Snowden, *The Juror Project*

Lay Participation and Civil Justice (2882)

Saturday, May 24 8:00 - 9:45 AM

Roundtable Session

Room: East Tower, Grand H

Lay people participate in civil justice in a range of ways -- as jurors, as in-court advocates, as advisors and negotiators, as adjudicators, and more. This panel explores some of the key types of justice work that lay people do.

Chair:

Matthew Burnett, *American Bar Foundation*

Participant(s):

Matthew Burnett, *American Bar Foundation*

Robyn Lieberman, *Villanova University*

Rebecca Sandefur, *Arizona State University and American Bar Foundation*

Amy Widman, *Rutgers Law School - Newark*

Research on Jury Decision Making I (1202)

Saturday, May 24 8:00 - 9:45 AM

Paper Session

Room: East Tower, Roosevelt 3B

This session is one of five representing forthcoming chapters in the Elgar Research Handbook on Jury Decision Making, edited by Valerie Hans and Nancy Marder, and currently under development.

Chair:

Richard Jolly, *Southwestern Law School*

Discussant:

Nancy Marder, *IIT Chicago-Kent College of Law*

Presentations:

Increasing a Sense of Duty: Jury Service and Citizen Participation

Mary R. Rose, *University Texas, Austin*

Non-Presenting Co-Author:

Shari Diamond, *Northwestern University Pritzker School of Law/American Bar Foundation*

Taking Stock: What Research Tells Us about the Use of Peremptory Challenges

Catherine Grosso, *Michigan State University*

Non-Presenting Co-Author:

Barbara O'Brien, *Michigan State University College of Law*

The Role and Practices of Trial Consultants

Leslie Ellis, *The Caissa Group*

The Role of Quotas in Jury Representation: Historical Lessons from Ancient Athens to Argentina and England

Hiroshi Fukurai, *UC Santa Cruz*

Research on Jury Decision Making II (1203)

Saturday, May 24 10:00 - 11:45 AM

Paper Session

Room: East Tower, Roosevelt 3B

This session is one of five representing forthcoming chapters in the Elgar Research Handbook on Jury Decision Making, edited by Valerie Hans and Nancy Marder, and currently under development.

Chair:

Jérémy Boulanger-Bonnelly, *McGill University Faculty of Law*

Discussant:

Valerie Hans, *Cornell University*

Presentations:

Controlling the Jury, or Promoting Procedural Legitimacy and Transparency? An Analysis of Juror Verdict Procedures

Kayla Burd, *University of Wyoming*

Co-Presenter:

Hannah Phalen, *University of Wyoming*

Forepersons: What We Know

Shari Diamond, *Northwestern University Pritzker School of Law/American Bar Foundation*

Non-Presenting Co-Author:

Mary R. Rose, *University Texas, Austin*

Presentations:

Jury Decisions on Compensatory Damages

Ashley G. Vaughan, *University of Texas at El Paso*

The Decision that is No Decision: On the Meaning of Hung Juries and Jury Nullification

Sonali Chakravarti, *Wesleyan University*

Trial by Jury (3181)

Saturday, May 24 12:45 - 2:30 PM

Paper Session

Room: East Tower, Roosevelt 3B

This paper session includes papers on trial by jury, including how redundancy of charges and the reasonable doubt standard affect jury decisions, judge-jury agreement, and the role of forepersons.

Chair:

Gabriela Almeida, *Núcleo de Antropologia do Direito - NADIR/USP*

Discussant:

Valerie Hans, *Cornell University*

Presentations:

Agreement and Disagreement Among Argentine Judges and Juries

Maria Porterie, *Instituto de Estudios Comparados en Ciencias Penales y Sociales*

Non-Presenting Co-Author:

Aldana Romano, *INECIP*

Agreement and Disagreement Among Argentine Judges and Juries

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Between Presiding Jurors and Spokespersons: The Role of Jury Presiding jurors in Argentina

Aldana Romano, *INECIP*

Non-Presenting Co-Author:

Maria Porterie, *Instituto de Estudios Comparados en Ciencias Penales y Sociales*

Overkill: Redundant Charges and Jury Decision Making

Barbara O'Brien, *Michigan State University College of Law*

Non-Presenting Co-Author:

Catherine Grosso, *Michigan State University*

Reasonable Doubt as a Cudgel and Shield

David Gibson

****Cross-listed with 54 - Law, Society & Psychological Science**

Lay Understanding of Key Legal Concepts (3743)

Saturday, May 24 4:45 - 6:30 PM

Paper Session

Room: East Tower, Michigan 2

This panel explores how lay people and legal actors consider key legal concepts or procedures. Meixner uses archival data to explore sentencing mitigation, including how race, gender, and legal representation-interact with sentencing mitigation. Jaeger uses experimental vignette methods to test how lay jurors consider the concept of reasonableness. Bachar uses vignette experiments to test how the breadth of settlement confidentiality provisions shapes litigants' perceptions about non-disclosure agreements. Serota presents nationally representative survey data on mens rea, addressing how the public views mental states, punishment, and criminal responsibility. Bystranowski analyzes Reddit posts about instances of legal trouble due to ignorance, considering connections between ignorance of law and culpability perceptions.

Chair/Discussant:

Gilat Bachar, *Temple Law School*

Presentations:

Biased Mitigation?

John Meixner, *University of Georgia School of Law*

**Breadth and Legitimacy of Non-disclosure
Agreements: Litigants' Perceptions**

Gilat Bachar, *Temple Law School*

Community Views & Criminal Minds

Michael Serota, *LMU Loyola Law School Los Angeles*

Non-Presenting Co-Author:

Daniel McCarthy, *University of Surrey*

**Law, Ignorance, and Counterfactual Salience –
Evidence from 120k Reddit Posts**

Piotr Bystranowski, *Max Planck Institute for Research on Collective Goods*

The Criteria of Reasonableness

Christopher Jaeger, *Baylor Law School*

****Cross-listed with 54 - Law, Society & Psychological Science**

Research on Jury Decision Making III (1440)

Saturday, May 24 4:45 - 6:30 PM
Paper Session
Room: East Tower, Roosevelt 3B

This session is one of five representing forthcoming chapters in the Elgar Research Handbook on Jury Decision Making, edited by Valerie Hans and Nancy Marder, and currently under development.

Chair/Discussant:

Nancy Marder, *IIT Chicago-Kent College of Law*

Presentations:

Advancing Research on Gender in Jury Decision Making

Jennifer Hunt, *University of Kentucky*

Non-Presenting Co-Author(s):

Taylor Bettis, *University of Kentucky*

Alexis Le Grand, *University of Kentucky*

Jury Biases and Decision-Making

Grace Robinette, *University of Nevada, Reno*

Non-Presenting Co-Author:

Monica Miller, *University of Nevada, Reno*

Virtual Juries

Neal Feigenson, *Quinnipiac University*

When All Eyes are Watching: Research on Juror Decision-Making in High-Profile Trials

Morgan Moffett, *National Center for State Courts*

Non-Presenting Co-Author:

Paula Hannaford-Agor, *384 Colonial Trail East*

Research on Jury Decision Making IV (2536)

Sunday May 25 8:00 - 9:45 AM

Paper Session

Room: East Tower, Grand Suite 2B

This session is one of five representing forthcoming chapters in the Elgar Research Handbook on Jury Decision Making, edited by Valerie Hans and Nancy Marder, and currently under development.

Chair:

Valerie Hans, *Cornell University*

Discussant:

Richard Jolly, *Southwestern Law School*

Presentations:

Introducing New Jury Systems: The Case of Argentina

Andrés Harfuch, *AAJJ-INECIP*

Non-Presenting Co-Author(s):

Lucia Branc, Facultad de Derecho - *Universidad de Buenos Aires*

Lucas Turek, Facultad de Derecho - *Universidad de Buenos Aires*

Juries and Punitive Damages

Jennifer Robbennolt, *University of Illinois, Champaign-Urbana*

The Jury's Role in Democratic Governance

John Gastil, *Penn State U, Dept of Comm Arts*

Non-Presenting Co-Author:

Brooke Hubsch, *Pennsylvania State University*

The Military Jury System in Canada and the United States

Marie Comiskey, *Centre for Criminology & Sociolegal Studies, University of Toronto*

Two Peas in a Pod? A Comprehensive Comparison of Juries and Mixed Tribunals

Sanja Kutnjak Ivkovich, *Michigan State University*

Non-Presenting Co-Author:

Stefan Machura, *Bangor University*

Lay Participation around the Globe (1562)

Sunday May 25 10:00 - 11:45 AM
Paper Session
Room: East Tower, Michigan 1B

Papers in this session take up issues involving lay participation around the world, including issues arising in jury systems and other forms of citizen participation.

Chair:

Mary R. Rose, *University Texas, Austin*

Discussant:

Sanja Kutnjak Ivkovich, *Michigan State University*

Presentations:

Juror Decision-Making in Brazilian Femicide Trials

Gabriela Almeida, *Núcleo de Antropologia do Direito - NADIR/USP*

Jury Trial in Brazil: The Urgent Need for Reform Inspired by the Argentine Model

Lisandra Panzoldo, *Panzoldo Advocacia*

The State and Fate of the Canadian Civil Jury

Jérémy Boulanger-Bonnelly, *McGill University Faculty of Law*

Trial by jury in Argentina: The Federal Jury Law

Agustín Arias Deceglie, *AAJJ-INECIP*

Voir Dire Hearings in Neuquen State, Argentina

Carla Pandolfi, *public prosecution service of Neuquen province*

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LAY PARTICIPATION WEBSITE

Cornell Law School hosts our group's webpage and email list. See <https://www.lawschool.cornell.edu/academics/centers-programs/lay-participation-in-law/>. If you are interested in joining us as a member of our CRN, contact the CRN organizers at their emails above.