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ACADEMIC AND PROFESSIONAL EXPERIENCE

PERMANENT FACULTY APPOINTMENTS (IN REVERSE CHRONOLOGICAL ORDER):

Professor, Michigan State University College of Law (2003)
Mississippi College School of Law
J. Will Young Professor, 2001-2002
Professor of Law 1986 to 2003
Associate Professor 1983-1986
Oklahoma City University School of Law
Assistant Professor 1980-83

TEMPORARY APPOINTMENTS:

Distinguished Scholar and Visiting Professor of Law, Michigan State University College of Law (Fall Semester 2002)
University of Leiden, The Netherlands
Visiting Professor, Leiden Law Courses, 1994, 1996-2000 (short terms)
Visiting Scholar, July, 1993
University of Tennessee: Visiting Professor, Summer, 1996
University of Colorado School of Law: Visiting Professor 1995-96
University of Miami School of Law
Visiting Assistant Professor, 1979-80
Instructor, 1978-79

LAW PRACTICE:

Associate, Schwartz & Freeman, Chicago, Illinois, 1976-78
Associate, Quarles & Brady, Milwaukee, Wisconsin, 1974-76

RESEARCH AND PUBLICATIONS

IN PROGRESS:

Under contract to write volume in THE NEW WIGMORE ON EVIDENCE tentatively entitled "Decision Rules"

PUBLISHED (IN REVERSE CHRONOLOGICAL ORDER OF PUBLICATION):

(As editor)
FORENSIC EXPERTISE AND THE LAW OF EVIDENCE (1993)(with Johannes F. Nijboer and Nienke Kwak)
(As author or co-author)
Rationality and Relevancy: Conditional Relevancy and Constrained Resources, 2003
MICH. ST. L. REV. 1243
Teaching Bloody Instructions: Civil Presumptions and the Lessons of Isomorphism, 21
QUINNIPIAC L. REV. 933 (2003)(with Ronald J. Allen)
The Juridical Management of Uncertainty, 7 INT'L. J. EVIDENCE & PROOF 1 (2003) (with Ronald J. Allen)

Informational Indigestion and Rationality, 41 JURIMETRICS 513 (2001) (book review).

Othello Could Not Optimize: Economics, Hearsay and Less Adversary Systems, 22 CARDOZO L. REV. 1791 (2001), republished in DYNAMICS OF JUDICIAL PROOF: COMPUTATION, LOGIC AND COMMON SENSE 437 (Peter Tillers & Marilyn MacCrimmon eds. 2002).

Federal Rule of Evidence 801(d) and Multiple Hearsay (Instructional computer program for CALI)(co-author)(1999)

Adams and the Person in the Locked Room, 1 INTERNATIONAL COMMENTARY ON EVIDENCE 3 (August 6, 1999), at <http://www.bepress.com/ice/vol1/iss1/art3/>

Cognition and Hearsay: A Response to Professor Friedman 49 HASTINGS L. J. 599 (1998)

Computation and Juridical Proof, 1 INTERNATIONAL JOURNAL ON EVIDENCE AND PROOF 296 (1997)

The Definition of Hearsay and the Federal Rules (Instructional computer program for CALI (1997))

Inference from the Secondary Evidence of Ordinary Witnesses and Scientific Experts, in PROCEEDINGS OF THE FIRST WORLD CONFERENCE ON NEW TRENDS IN CRIMINAL INVESTIGATION AND EVIDENCE 37 (J.F. Nijboer & J. Reintjes, eds. 1997)

Bayesian Models as Arguments, in the same volume, at 47.

Simpson, Fuhrman, Grice and Character Evidence, 67 U. COLO. L. REV. 777 (1996).

The Implications of Koehler's Approach for Factfinding, 19 BEHAVIORAL & BRAIN SCI. 18 (1996) (commentary)

Foreword, *Wallace Stevens, Blackbirds and the Hearsay Rule* in Symposium: *How Would (or Should) the Supreme Court Decide the Kearley Case: The Reach and Reason of the Hearsay Rule*, 16 MISS. C. L. REV. 1 (1995) (also faculty editor and electronic discussion moderator)

Hearsay and Informal Reasoning, 47 VAND. L. REV. 43 (1994)

Statistical Methods and a Paradox of Forensic Expertise, in FORENSIC EXPERTISE AND THE LAW OF EVIDENCE 129 (Johannes F. Nijboer, et al., eds. 1993)

A Brief Word on the Statistical Evidence Debate, 66 TUL. L. REV. 1405 (1992)

Explanatory Coherence and Fact-finding, 14 BEHAVIORAL & BRAIN SCI. 739 (1991)(commentary)

Kicking Rocks with Dr. Johnson: A Comment on Professor Allen's Theory, 13 CARDOZO L. REV. 423 (1991)

Cognitive Science and the Sufficiency of "Sufficiency of the Evidence" Tests, 65 TUL. L. REV. 1113 (1991)

Adjudication and the Appearance of Statistical Evidence, 65 TUL. L. REV. 457 (1991) (The Tulane Law Review also reprinted this article and the immediately prior one, with three others, in a monograph entitled DEBATE ON STATISTICS AND EVIDENTIARY THEORY)

Cognitive Science, Bayesian Norms and Rules of Evidence, 154 J. ROYAL STAT. SOC'Y 129 (1991)(account)

Essay/Review: *Stare Decisis and the Case for Executive Restraint*, 9 MISS. C. L. REV. 79 (1988)

Second-Order Considerations, Weight and Schema Theory: A Comment on Professor Brilmayer's Theory, 66 B. U. L. REV. 715 (1986)

Efficiency After All: A Reply to Professor Flanagan's Theory of Offensive Collateral Estoppel, 1983 ARIZ. ST. L.J. 799

Notes on a Grand Illusion: Some Limits on the Use of Bayesian Theory in Evidence Law,
57 IND. L.J. 1 (1982)

Book Review, 5 OKLA. CITY U. L. REV. 711 (1980)

To Bury Mutuality, Not to Praise It: An Analysis of Park Lane Hosiery Co. v. Shore, 31
HASTINGS L.J. 755 (1980)(co-author)

SYMPOSIA, COLLOQUIA AND WORKSHOPS:

Speaker, "Using Research on Cognition in Teaching Hearsay and Confrontation,"
International Network of Evidence Scholars, University of Nottingham,
September 10-11, 2004

Organizer and Speaker, "Visions of Rationality in Evidence Law," Michigan State-DCL
College of Law Conference, April 2-6, 2003.

Speaker, Workshop on Burdens of Proof and Presumptions, AALS Faculty Development
Conference on Evidence, Arlington, VA, June, 2002

Commentator, Workshop on Artificial Intelligence and Legal Evidence, in Eighth
Conference on Artificial Intelligence and Law, St. Louis, June, 2001

Commentator and Moderator in the Artificial Intelligence program of the Second World
Conference on New Trends in Criminal Investigation and Evidence Amsterdam,
December, 1999

Speaker, "Adams and the Person in the Locked Room" Queen's University, Belfast
Conference "The Judicial Role in Criminal Proceedings", April, 1998

Commentator, Hastings College of the Law Conference on "Truth and Its Rivals:
Evidence Reform and the Goals of Evidence Law," September, 1997

Speaker, "Procedural Rights in a World of Constrained Rationality," for the Conference
on Civil Rights, Tel Aviv University, June, 1997

Speaker, "Hearsay, Institutional Facts and Conduct," University of Tennessee College of
Law, July, 1996

Commentator, "Simpson, Fuhrman, Grice and Character Evidence," University of
Colorado Law Review Symposium on the O.J. Simpson case, February, 1996

Speaker at Royal Netherlands Academy Conference on New Trends in Criminal
Investigation and Evidence, December, 1995, two workshops: "Forensic
Applications of Probability Theory" and "Inference from the Secondary
Evidence of Ordinary Witnesses and Scientific Experts."

Speaker, "Hearsay and Non-communicative Conduct," Seminar, All Souls and University
Colleges, University of Oxford, May, 1995

Speaker, "Daubert and the Theory of Evidence," University of Leiden, Criminal Law
Faculty, June, 1994

Speaker, "Hearsay and Informal Reasoning," University of Sheffield, Institute for the
Study of the Legal Profession, June, 1994

Speaker, "How Helpful Are Bayesian Models for Rule-Making or Trials?," and "Hearsay,
Non-Hearsay, and Ordinary Reasoning," Conference on Reform of the Law of
Evidence, Society for the Reform of Criminal Law, Vancouver, August, 1992

Speaker, "Statistical Methods and a Paradox of Forensic Expertise," Royal Dutch
Academy of Arts and Sciences Colloquium on the law of evidence and experts in
Europe (criminal cases), Amsterdam, August, 1992. Also, commentator on
forensic psychology, and moderator

Speaker, "The Bank Teller and the 'New Evidence Scholarship'," South Texas School of
Law Faculty Colloquium, Spring, 1991

Speaker, "Do Problems of Practical Computability Restrict the Usefulness of Statistical
Norms in the Formulation of Evidence Rules?," International Conference on

Forensic Statistics, University of Edinburgh and Royal Statistical Society,
Spring, 1990

Speaker, "Cognitive Science and the Hearsay Rule: Report on Work in Progress,"
International Program on Evidence in Litigation, Cardozo School of Law, Spring,
1988

Commentator, Boston University Symposium on Probability and Inference in the Law of
Evidence, Spring, 1986

RELATED SCHOLARLY AND PROFESSIONAL ACTIVITIES

Editor-in-Chief, INTERNATIONAL COMMENTARY ON EVIDENCE
(<http://www.bepress.com/ice>).

Association of American Law Schools, Evidence Section, Former Chair (2000-01)
Chair 1999-2000; Executive Committee (and web page editor) 1996-99

Board of Editors, Center for Computer Assisted Legal Instruction
American Bar Association

Committee on Rules of Criminal Procedure and Evidence--Criminal Justice
Section

Associate, Behavioral and Brain Sciences

Special Master, *Ella May Horton, et al. v. American Tobacco Company*, Circuit Court,
Fourth Judicial District of Mississippi, 1988

Original Draftsman, Mississippi Evidence of Child Abuse Act, 1985

Referee for National Science Foundation, Journal of the Royal Statistical Society

EDUCATION

HARVARD LAW SCHOOL, J. D. 1974

UNIVERSITY OF IOWA, B.A., 1971, with honors and high distinction (Political Science)
Phi Beta Kappa

TEACHING ASSIGNMENTS

Currently: Evidence; Civil Procedure

Other recent assignments: Federal Courts; Constitutional Law; Evidence Seminar.

Teaching assignments at other times have included the American evidence portion of
Comparative Criminal Procedure and Evidence at the University of Leiden,
Administrative Law, and Complex Litigation,

MEMBERSHIPS

BAR ADMISSIONS:

Wisconsin, 1974

Illinois, 1976

PROFESSIONAL ASSOCIATIONS

American Bar Association and its Litigation and Criminal Justice Sections

Wisconsin Bar Association

ACADEMIC ASSOCIATIONS:

Phi Beta Kappa

Mind Association