

JOANNA SHEPHERD BAILEY

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ACADEMIC EMPLOYMENT:

Associate Professor of Law, Emory University School of Law, Fall 2008 – present

Assistant Professor of Law, Emory University School of Law, Fall 2005 – Fall 2008 (Visiting Assistant Professor in 2004).

Assistant Professor of Economics, Clemson University, 2002 - 2004.

PUBLICATIONS:

Law Journal Publications

- *The Partisan Price of Justice: An Empirical Analysis of Campaign Contributions and Judicial Decisions*, with Michael Kang, NEW YORK UNIVERSITY LAW REVIEW (forthcoming 2011)
- *Measuring Maximizing Judges: Empirical Legal Studies, Public Choice Theory, and Judicial Behavior*, UNIVERSITY OF ILLINOIS LAW REVIEW __ (forthcoming 2011)
- *Legislatures, Judges, and Parole Boards: The Allocation of Discretion Under Determinate Sentencing*, with Nuno Garoupa and Dhammika Dharmapala, 62 FLORIDA LAW REVIEW 1037 (2010).
- *Are Appointed Judges Strategic Too?* 58 DUKE LAW JOURNAL 1589 (2009).
- *Money, Politics, and Impartial Justice*, 58 DUKE LAW JOURNAL 623 (2009).
- *The Influence of Retention Politics on Judges' Voting*, 38 THE JOURNAL OF LEGAL STUDIES 169 (2009).
- *What Else Matters for Corporate Governance?: The Case of Bank Monitoring*, with Frederick Tung and Albert Yoon, 88 BOSTON UNIVERSITY LAW REVIEW 991 (2008).
- *Tort Reform's Winners and Losers: The Competing Effects of Care and Activity Levels*, 55 UCLA LAW REVIEW 905 (2008).
 - reprinted in TORT REFORM: ESSAYS, NARRATIVES, AND OTHER MATERIALS (2010, FORTHCOMING)
- *The Demographics of Tort Reform*, with Paul H. Rubin. 4 THE REVIEW OF LAW & ECONOMICS 591 (2008).

- *Blakely's Silver Lining: Sentencing Guidelines, Judicial Discretion, and Crime* 58 HASTINGS LAW JOURNAL 533 (2007).
- *Tort Reform and Accidental Deaths*, with Paul H. Rubin. 50 THE JOURNAL OF LAW & ECONOMICS 221 (2007).
 - reprinted in ROUNDTABLE VIEWPOINTS: BUSINESS LAW (2008)
 - subject of Op-Ed, *Tort Reform Saves Lives*, WALL STREET JOURNAL by Rubin, Oct. 8, 2005.
- *Deterrence versus Brutalization: Capital Punishment's Differing Impacts Among States*, 104 MICHIGAN LAW REVIEW 203 (2005).
 - Featured in front page article: Adam Liptak, *Does Death Penalty Save Lives? A New Debate*, THE NEW YORK TIMES, November 18, 2007.
 - subject of Op-Ed, *Why Not All Executions Deter Murder*, THE CHRISTIAN SCIENCE MONITOR, Dec. 14, 2005.
- *An Empirical Study of Public Defender Effectiveness: Self-Selection by the "Marginally Indigent,"* with Judge Morris B. Hoffman and Paul H. Rubin. 3 OHIO STATE JOURNAL OF CRIMINAL LAW 223 (2005).
 - subject of Op-Ed, *Free-Market Justice*, THE NEW YORK TIMES, by Hoffman, Jan. 8, 2007.
- *Murders of Passion, Execution Delays, and the Deterrence of Capital Punishment*, 33 THE JOURNAL OF LEGAL STUDIES 283 (2004).
- *Does Capital Punishment Have a Deterrent Effect? New Evidence from Postmoratorium Panel Data*, with Paul Rubin and Hashem Dezhbakhsh. 5 AMERICAN LAW AND ECONOMICS REVIEW 344 (2003)
 - reprinted in BEZPIECZNE PANSTWO. NOWE TRENDY W POLITYCE KARN (2006).
 - reprinted in ECONOMICS, LAW AND INDIVIDUAL RIGHTS (2008)
- *Police, Prosecutors, Criminals, and Determinate Sentencing: The Truth about Truth-in-Sentencing Laws*, 45 THE JOURNAL OF LAW & ECONOMICS 505 (2002).
- *Fear of the First Strike: The Full Deterrent Effect of California's Two- and Three-Strikes Legislation*, 31 THE JOURNAL OF LEGAL STUDIES 159 (2002).
 - reprinted in BEZPIECZNE PANSTWO. NOWE TRENDY W POLITYCE KARNEJ (2006)

Other Academic Publications

- *Public Choice and the Law*, with Paul H. Rubin in THE ELGAR COMPANION TO PUBLIC CHOICE ____ (Michael Reksulak, Lauralliam F. Shughart II eds., 2011, forthcoming)
- *Diversity, Tenure, and Dissent*, LEGAL WORKSHOP: DUKE LAW SCHOOL SYMPOSIUM ISSUE: EVALUATING JUDGING, JUDGES, AND JUDICIAL INSTITUTIONS (2010)
- *Elected Judges as Politicians*, LEGAL WORKSHOP, DUKE LAW SCHOOL (2010)
- *Judicial Opposition as Politics*, 166 JOURNAL OF INSTITUTIONAL AND THEORETICAL ECONOMICS 88 (2010).

- *The Economics of Capital Punishment*, in CRIMINAL LAW AND ECONOMICS 207 (Nuno Garoupa ed., 2010)
- *Delaware Corporate Law: Failing Law, Failing Markets*, with William J. Carney & George B. Shepherd in THE LAW AND ECONOMICS OF CORPORATE GOVERNANCE: CHANGING PERSPECTIVES (Alessio M. Paccas, ed., 2010, forthcoming)
- *The Economics of Crime*, with Erling Eide and Paul H. Rubin, 2 FOUNDATIONS AND TRENDS IN MICROECONOMICS 291 (2006).
- *The Relationship between Prison Populations and Crime: Causes and Impacts*, 5 CRIMINOLOGY AND PUBLIC POLICY 285 (2006).
- *The Deterrent Effect of Capital Punishment: Evidence from a Judicial Experiment*, with Hashem Dezhbakhsh, 44 ECONOMIC INQUIRY 512 (2004).
- *Antitrust and Market Dominance*, with William G. Shepherd and George B. Shepherd, 46 THE ANTITRUST BULLETIN 835 (2002).

Books

- THE ECONOMICS OF INDUSTRIAL ORGANIZATION, with William G. Shepherd (2003).

CONGRESSIONAL TESTIMONY:

- *Testimony on Crime and Deterrence: Hearing on H.R. 2934, The Terrorist Penalties Enhancement Act of 2003. Before the House Judiciary Committee; Subcommittee on Crime, Terrorism, and Homeland Security*, 108th Cong. (2004).

EDUCATION:

- Emory University, Atlanta, GA, Ph.D. in Economics; Fields of Specialization: Law & Economics & Econometrics (study at Emory School of Law), 2002. Woodruff Scholar.
- Baylor University, Waco, TX, BBA in Economics and International Business, 1997 (GPA: 4.0; Summa Cum Laude)

TEACHING EXPERIENCE:

- Torts; Law and Economics; Analytical Methods for Lawyers; Statistics for Lawyers; Economics and Public Policy; Econometrics; Statistics; Advanced Microeconomics; Introduction to Microeconomics

SELECTED SCHOLARLY PRESENTATIONS:

University Presentations

- Northwestern University School of Law, Searle Center Policy Roundtable (2010)

Offer-of-Judgment Rules and Civil Litigation

- Economics Institute of the Academy of Sciences of the Czech Republic and Charles University Dept. of Economics, Prague (2010)
The Partisan Price of Justice
- University of Illinois College of Law, Conference to Honor Tom Ulen (2010)
Measuring Maximizing Judges
- George Mason Robert A. Levy Fellows Workshop in Law & Liberty (2010)
The Partisan Price of Justice
- University of Chicago Law School, Law & Economics Faculty Workshop (2009)
The Business of Judicial Elections
- Northwestern University School of Law, Law & Political Economy Colloquium (2009)
The Business of Judicial Elections
- Georgetown University Law School, Law & Economics Faculty Workshop (2009)
The Business of Judicial Elections
- Northwestern University School of Law, Judicial Behavior Workshop (2009)
Are Appointed Judges Strategic Too?
- Duke Law School, Workshop on Judicial Behavior (2009)
Are Appointed Judges Strategic Too?
- University of Southern California School of Law, CLEO Faculty Workshop (2007)
The Influence of Retention Politics on Judges' Decisions
- University of North Carolina School of Law, Faculty Colloquium (2007)
The Influence of Retention Politics on Judges' Decisions
- NYU School of Law, Comparative Law & Economics Forum (2007)
The Influence of Retention Politics on Judges' Decisions
- University of Michigan School of Law, Law & Econ Colloquium (2007)
The Demographics of Tort Reform
- Northwestern University School of Law, Law & Econ Colloquium (2006)
The Demographics of Tort Reform
- Florida State University School of Law, Law & Econ Colloquium (2006)
Cross-Monitoring and Corporate Governance
- Stanford Law School, Law & Econ Colloquium (2006)
Tort Reform and Accidental Deaths
- Univ. of Illinois College of Law, Comparative Law & Economics Forum (2005)
Tort Reform and Accidental Deaths
- George Mason University, Law & Econ Colloquium (2005)
Tort Reform and Accidental Deaths
- University of Georgia, Law & Econ Colloquium (2005)
Deterrence versus Brutalization: Capital Punishment's Differing Impacts Among States
- University of Alabama, Department of Economics Faculty Colloquium (2004)
Diversity, Segregation, and Crime: An Industrial Organization Analysis of Competition
- University of Toronto School of Law, Law & Economics Colloquium (2004)
Deterrence versus Brutalization: Capital Punishment's Differing Impacts Among States
- Georgetown University Law School, Olin Law & Economics Workshop (2004)
Capital Punishment and Deterrence: Evidence from a Judicial Experiment
- Georgia Tech University, Department of Economics Faculty Colloquium (2001)
Police, Prosecutors, Criminals, and Determinate Sentencing

Conferences and Meetings

- American Law & Economics Association Annual Meetings, San Diego, CA (2009)
Are Appointed Judges Strategic Too?
- Conference on New Institutional Economics, Max Planck Institute, Germany (2009)
Judicial Opposition as Politics
- Conference on Empirical Legal Studies, New York, NY (2007)
Tort Reform's Unintended Consequences
- American Law & Economics Association Annual Meetings, Boston, MA (2007)
The Demographics of Tort Reform
- European Association of Law and Economics Annual Conference, Madrid (2007)
The Demographics of Tort Reform
- Law and Society Association Annual Meetings, Baltimore, MD (2006)
Cross-Monitoring and Corporate Governance
- Canadian Law and Economics Association Annual Meetings, Toronto, CA (2006)
Cross-Monitoring and Corporate Governance
- American Law & Economics Assoc. Annual Meetings, New York, NY (2005)
Blakely's Silver Lining: Sentencing Guidelines, Judicial Discretion, and Crime
- American Economics Association Annual Meetings, Washington, D.C. (2005)
Blakely's Silver Lining: Sentencing Guidelines, Judicial Discretion, and Crime
- National Academy of Sciences, National Research Council Semi-Annual Meeting, Washington, D.C. (2004)
Capital Punishment and Deterrence
- American Law & Economics Assoc. Annual Meetings, New York, NY (2005)
Deterrence versus Brutalization: Capital Punishment's Differing Impacts Among States
- Southern Economics Association Annual Conference, New Orleans, LA (2004)
Deterrence versus Brutalization: Capital Punishment's Differing Impacts Among States
- American Law & Economics Assoc. Annual Meetings, Chicago, IL (2004)
Capital Punishment and Deterrence
- American Law & Economics Assoc. Annual Meetings, Toronto, CA (2003)
Major League Baseball, Market Regulations, and the Export of Employment
- American Law & Economics Assoc. Annual Meetings, Washington, D.C. (2001)
The Deterrent Effect of California's Two- and Three-Strikes Legislation

OTHER PROFESSIONAL ACTIVITIES:

- Peer-Reviewer (Referee) for: JOURNAL OF LEGAL STUDIES, JOURNAL OF EMPIRICAL LEGAL STUDIES, REVIEW OF LAW & ECONOMICS, INTERNATIONAL REVIEW OF LAW & ECONOMICS, SUPREME COURT ECONOMIC REVIEW, ECONOMICA, JOURNAL OF INDUSTRIAL ORGANIZATION, MANAGERIAL & DECISION ECONOMICS, CONTEMPORARY ECONOMIC POLICY, PUBLIC FINANCE REVIEW.