

CURRICULUM VITAE

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EDUCATION:

Undergraduate:

Marshall University, Huntington, W. Va.,
B.S. (Mathematics), magna cum laude.

Law School:

University of Michigan, Ann Arbor, Michigan,
J.D., magna cum laude, Order of the Coif.

EMPLOYMENT:

The John Henry Wigmore Professor of Law, Northwestern University (since 1992).
Professor of Law, Northwestern University (since 1984).
Visiting Professor of Law, Northwestern University (winter 1984).
Professor of Law, Duke University (winter, 1983).
Professor of Law, University of Iowa (1979-84).
Visiting Professor of Law, University of Michigan (summer, 1982).
Visiting Professor of Law, University of Iowa (1978-79).
Assistant Professor of Law, State University of New York at Buffalo (1974-77);
Associate Professor (1977-79).
Visiting Professor of Law, University of Nebraska (1973-74).

CONSULTING: Strategic and tactical advice on complex civil litigation ranging from discrete evidentiary and procedural issues to global management of nationwide litigation, with a special emphasize on scientific or otherwise complex evidentiary/procedural problems, and on managing sprawling litigation, such as the IUD, tobacco, and asbestos litigation. Clients include many Fortune 500 businesses, such as Sears, Ford, Koch Industries, Citgo, Philip Morris, and Smithfield Foods. Recent work has focused on identifying experts, helping to construct their models (such as damage models) and reports, preparing them to testify, and responding to opposing experts.

EXPERT WITNESS TESTIMONY:

1. ICC ARBITRATION #13834/cco-SEARLE LTD. (Bermuda) v. ROEMMERS S.A.I.C.F. (Argentina), December 11, 2006.

PUBLICATIONS:

Books:

1. Constitutional Criminal Procedure: An Examination of the Fourth, Fifth and Sixth Amendments and Related Areas. Little, Brown and Company (1st ed., 1985, 2nd ed. 1991, with Kuhns; 3rd ed., 1995, with Kuhns and Stuntz) (annual supplements).
2. Teacher's Manual, Constitutional Criminal Procedure: An Examination of the Fourth, Fifth and Sixth Amendments and Related Areas. Little, Brown & Company (1st ed., 1985, 2nd ed. 1991 with Kuhns; 2nd ed., 1995, with Kuhns and Stuntz).
3. An Analytical Approach to Evidence: Text, Problems, and Cases. Little, Brown & Company (1st ed., 1989, with Kuhns; 2nd ed., 1997, with Kuhns and Swift).
4. Federal Rules of Evidence With Legislative History and Case Supplement. Little, Brown & Company (1989, with Kuhns; 1996, with Kuhns and Swift).
5. Teacher's Manual, An Analytical Approach to Evidence. Little, Brown & Company (1st ed., 1989 with Kuhns; 2nd ed., 1996, with Kuhns and Swift).
6. Arthritis of the Hip and Knee: The Active Person's Guide to Taking Charge. Peachtree Press (with Brander & Stulberg) (1998).

7. Comprehensive Criminal Procedure. Aspen (with Stuntz, Hoffman, Livingston & Leipold) (1st ed. 2001, 2nd ed. 2005, 3rd ed. 2011) (annual supplements).
8. Teacher's Manual, Comprehensive Criminal Procedure. Aspen. (with Stuntz, Hoffman, Livingston & Leipold) (2001).
9. Evidence, Text, Cases, and Problems. Aspen (with Swift, Schwartz & Pardo) (3rd ed. 2002, 4th ed. 2006, 5th ed. 2011).
10. Teacher's Manual, Evidence: Text, Cases, and Problems. Aspen (with Swift, Schwartz & Pardo) (2002, 2006, 2011).
11. Criminal Procedure: Investigation and Right to Counsel (with Hoffman, Livingston, Stuntz & Leipold) (1st ed. 2005, 2nd ed. 2011) (with annual supplements).
12. Criminal Procedure: Adjudication and Right To Counsel (2011) (with Stuntz, Hoffmann, Livingston & Leipold).
13. The Nature of Juridical Proof (In preparation).

Articles:

1. Retribution in a Modern Penal Law: The Principle of Aggravated Harm, 25 Buffalo Law Review 1-35 (1975).
2. The Police and Substantive Rulemaking: Reconciling Principle and Expediency, 125 Pennsylvania Law Review 62-118 (1976).
3. Mullaney v. Wilbur, the Supreme Court, and the Substantive Criminal Law--An Examination of the Limits of Legitimate Intervention, 55 Texas Law Review 269-301 (1977).
4. Dialogue on Police Rulemaking: K. C. Davis, Police Rulemaking on Selective Enforcement: A Reply, 125 Pennsylvania Law Review 1167 (1977); R. Allen, The Police and Substantive Rulemaking: A Brief Rejoinder, 125 Pennsylvania Law Review 1172-1181 (1977).
5. The Restoration of In re Winship: A Comment on Burdens of Persuasion in Criminal Cases After Patterson v. New York, 76 Michigan Law Review 30-63 (1977).
6. The National Initiative Proposal: A Preliminary Analysis, 58 Nebraska

Law Review 965-1052 (1979).

7. Structuring Jury Decisionmaking in Criminal Cases: A Unified Constitutional Analysis of Evidentiary Devices, 94 Harvard Law Review 321-368 (1980). Reprinted in Principles of Evidence (2012).
8. Presumptions in Civil Actions Reconsidered, 66 Iowa Law Review 843-867 (1981) (reproduced in Imwinkelried & Weissenberger, An Evidence Anthology (1996) and Evidence: Common Law and Federal Rules of Evidence (2012); published in Mandarin in 19 Evidence Science 492-499 (2011).
9. More on Constitutional Process of Proof Problems, 94 Harvard Law Review 1795-1806 (1981).
10. Presumptions, Inferences and Burden of Proof in Federal Civil Actions--An Anatomy of Unnecessary Ambiguity and a Proposal for Reform, 76 Northwestern Law Review 892-912 (1982).
11. The Constitutional Requirement of Proof Beyond Reasonable Doubt in Criminal Cases: A Comment Upon Incipient Chaos in the Lower Courts, 20 American Criminal Law Review 1-30 (1982) (with DeGrazia).
12. Mayhem, 3 Encyclopedia of Crime and Justice 1027 (1983).
13. Rationality and Accuracy in the Criminal Process: A Discordant Note on the Harmonizing of the Justices' Views on Burdens of Persuasion in Criminal Cases, 74 Journal of Criminal Law and Criminology 1147-70 (1983).
14. Evidentiary Problems in--and Solutions for--The Uniform Commercial Code, 1984 Duke Law Journal 92-119 (with Hillman).
15. The Nature of Discretion, 47 Law and Contemporary Problems 1-13 (Spring 1984).
16. The Explanatory Value of Analyzing Codifications by Reference to Organizing Principles Other Than Those Employed in the Codification, 79 Northwestern Law Review 1080-1096 (1984-85).
17. Heath v. Alabama: A Case Study of Doctrine and Rationality in the Supreme Court, 76 Journal of Criminal Law and Criminology 801-831 (1985) (with Ratnaswamy).
18. Preserving the Confidentiality of Internal Corporate Investigations, 12

Journal of Corporation Law 355-381 (1986) (with Hazelwood).
Reprinted at 31 Corporate Practice Commentator 75 (1989).

19. A Reconceptualization of Civil Trials, 66 Boston University Law Review 401-437 (1986). Reprinted in Peter Tillers & Eric D. Green (eds.) Probability and Inference in the Law of Evidence 21-60. Kluwer Academic Press (1988).
20. Analyzing the Process of Proof: A Brief Rejoinder, 66 Boston University Law Review 479-486 (1986). Reprinted in Peter Tillers & Eric D. Green (eds.) Probability and Inference in the Law of Evidence 103-111. Kluwer Academic Press (1988).
21. Rationality, Mythology, and the "Acceptability of Verdicts" Thesis, 66 Boston University Law Review 541-562 (1986).
22. The German Advantage in Civil Procedure: A Plea for Fewer Generalities and Greater Detail in Comparative Law Scholarship , 82 Northwestern Law Review 705-762 (1988) (with Rosen, Koch & Reichenberg).
23. Idealization and Caricature in Comparative Law Scholarship, 82 Northwestern Law Review 785-807 (1988).
24. Unexplored Aspects of the Theory of the Right to Trial by Jury, 66 Washington Law Quarterly 33-45 (1988), reprinted in Eugene W. Hickock, Jr, (ed.), The Bill of Rights: Original Meaning and Current Understanding (1990).
25. A Positive Theory of the Attorney-Client Privilege and the Work Product Doctrine, 19 Journal of Legal Studies 359-397 (1990) (with Grady, Polsby and Yashko).
26. The Pressures and Prospects for Change, 81 Journal of Criminal Law & Criminology 1-8 (1990).
27. Evidence, Inference, Rules, and Judgment in Constitutional Adjudication: The Intriguing Case of Walton v. Arizona, 81 Journal of Criminal Law & Criminology 726-758 (1991).
28. A Positive Theory of the Employment Discrimination Cases, 16 Journal of Corporation Law (1991) 173-209 (with Julie Allen & Mayer Freed).
29. NITA and the University, 66 Notre Dame Law Review 705-720 (1991).

30. On the Significance of Batting Averages and Strikeout Totals: A Clarification of the "Naked Statistical Evidence" Debate, the Meaning of "Evidence," and the Requirement of Proof Beyond Reasonable Doubt, 65 *Tulane Law Review* 1093-1110 (1991).
31. Procedural Due Process of Law, Criminal, *The Encyclopedia of the American Constitution*, Supplement, 1991.
32. The Nature of Juridical Proof, 13 *Cardozo Law Review* 373-422 (1991), reprinted in 19 *Evidence Science*, 751-760 (English), 761-767 (Chinese) (2011).
33. The State of Mind Necessary for a Juridical Verdict, 13 *Cardozo Law Review* 485-493 (1991).
34. The Double Jeopardy Clause, Constitutional Interpretation, and the Limits of Formal Logic, 26 *Valparaiso Law Review* 281-310 (1992).
35. The Hearsay Rule as a Rule of Admission, 76 *Minnesota Law Review* 797-812 (1992).
36. The Myth of Conditional Relevancy, 25 *Loyola L. Rev.* 871-884 (1992).
37. Work Product Revisited: A Comment on Rethinking Work Product, 78 *Virginia Law Review* 949-955 (1992).
- 37(a). Tribute to James Haddad, 83 *J. Crim. L. & Crim.* 264 (1992).
38. Protection of Legal Work Product: A Comment on Carlton Cranes Ltd v. Consolidated Hotels Ltd, 23 *Victoria University of Wellington Law Review* 1-10 (1993).
39. The Common Law Theory of Experts: Deference or Education?, 87 *Northwestern Law Review* 1131-1147 (1993) (with Joe S. Miller). Reprinted in J.F. Nijboer, C.R. Callen & N. Kwak (eds.), *Forensic Expertise and the Law of Evidence* (1993).
40. Constitutional Adjudication, the Demands of Knowledge, and Epistemological Modesty, 88 *Northwestern Law Review* 436-456 (1993).
41. Factual Ambiguity and a Theory of Evidence, 88 *Northwestern Law Review* 604-640 (1994).
42. Burdens of Proof, Uncertainty and Ambiguity in Modern Legal

- Discourse, 17 *Harvard Journal of Law and Public Policy* 627-646 (1994).
43. Expertise and Daubert, 84 *Journal of Criminal Law & Criminology* 1157-85 (1994), reprint in Paul Roberts, *International Library of Essays on Criminal Law* (2014).
 44. The Expert as Educator: Enhancing the Rationality of Verdicts in Child Sex Abuse Prosecutions, 1 *Psychology, Public Policy and Law* 323-338 (1995) (with J. Miller).
 45. Rules, Logic, and Judgment, 16 *Mississippi College Law Rev.* 61-75 (1995).
 46. Probability and Proof in State v. Skipper, 35 *Jurimetrics Journal. of Law, Science and Technology* 277 (1995).
 47. The Simpson Affair, Reform of The Criminal Justice Process, and Magic Bullets, 67 *Col. L. Rev.* 989 (1996).
 48. Two Puzzles of Proof, 1997 *The Canadian Bar Review* 65-90 (with the Hon. Gerald Seniuk).
 49. Rationality, Algorithms, and Juridical Proof: A Preliminary Inquiry, 1997 *International Journal of Evidence and Proof* (Special Issue) 254-275.
 50. Reasoning and Its Foundation: Some Responses, 1997 *International Journal of Evidence and Proof* (Special Issue) 343-347.
 51. Factual Ambiguity and a Theory of Evidence Reconsidered: A Dialogue Between Statistician and a Law Professor, 31 *Israel L. Rev.* 464-505 (1997) (with Carriquiry).
 52. Montana v. Egelhoff--Reflections on the Limits of Legislative Imagination and Judicial Authority, 87 *J. Crim. L. & Crim.* 633-654 (1997).
 53. Evidence and the Structure of Juridical Proof, in *Sources of Law and Legislation, III Proceedings of the International Association of Philosophy of Law and Social Philosophy (IVR)* (E. Attwooll & P. Comanducci, eds.) (1998) 30-40.
 54. Truth and Its Rivals, 49 *Hastings Law Journal* 309-319 (1998). Translated (Mandarin), and reprint in 23 *Graduate Law Review, China Univ. Pol. Science & Law* 129 (2008).
 55. The Expert as Educator, in Stephen Ceci & Helene Hembrooke, eds.

- Expert Witnesses In Child Abuse Cases (1998) (with J. Miller).
56. The Fourth Amendment and the Limits of Theory: Local v. General Theoretical Knowledge, 72 *St. John's Law Review* 1149 (1998) (with R. Rosenberg).
 57. Clarifying Entrapment, *International Commentary on Evidence* (1998) (<http://www.law.qub.ac.uk/ice/>) (with Luttrell and Solomon).
 58. Clarifying Entrapment, 89 *Journal of Criminal Law and Criminology* 407 (1999) (with Luttrell and Solomon).
 59. Death, Reason, And Judgment: the American Experience, *Sito Italiano Web per la Filosofia* (<http://lgxserver.uniba.it/lei/filpol/filpole/homefpe.htm>) (1998) (English and Italian versions).
 60. A Tribute to Fred Inbau, 89 *J. Crim. L. & Crim.* 1271-1274 (1999).
 61. Mort, Raison et Jugement, in I. Papadopoulos & J. Robert, *La peine de Mort* 17-28 (Editions Pantheon Assas, 2000).
 62. Clarifying the Burden of Persuasion and Bayesian Decision Rules: A Response to Professor Kaye, 4 *Int. J. of Evidence and Proof* 246-259 (2000).
 63. Forward: The Judicial Role in Criminal Proceedings, *The Judicial Role in Criminal Proceedings*, Sean Doran & John Jackson (eds.) (Hart Publishers, Oxford, 2000).
 64. Two Aspects of Law and Theory, 37 *U. San Diego L. Rev.* 743-752 (2000).
 65. Common Sense, Rationality, and the Legal Process, 22 *Cardozo L. Rev.* 1417-1431 (2001)
 66. Professor Israel, the Due Process Clause, and the Lessons of History, 45 *St. Louis U. L. J.* 467-476 (2001).
 67. Artificial intelligence and the evidential process: The Challenges of Formalism and Computation, 9 *Artificial Intelligence & Law* 99-114 (2001).
 68. Naturalized Epistemology and the Law of Evidence, 87 *Virginia L. Rev.* 1491-1550 (2001) (with Brian Leiter).

69. Legal Phenomena, Knowledge, and Theory: A Cautionary Tale of Hedgehogs and Foxes, 77 *Chi. Kent L. Rev.* 683-734 (2002) (with Ross Rosenberg).
70. The Philadelphia Two Proposal, The Democracy Foundation: The National Initiative for Democracy (2002) (<http://www.democracysymposium.org/>).
71. The Juridical Management of Factual Uncertainty, 7 *Int. J. of Evidence and Proof* 1-30 (2003) (with Craig Callen).
72. Expertise and the Supreme Court: What is the Problem?, 34 *Seton Hall L. Rev.* 1-13 (2003).
73. The Relations Between Parties, Judges, and Lawyers in the USA, XII World Conference on Procedural Law 9-22 (2003) (with M. Redish).
74. Teaching “Bloody Instructions:” Civil Presumptions and the Lessons of Isomorphism 18 *Quinipiac L. Rev.* 933-960 (2003) (with Craig Callen).
75. The Myth of the Law-Fact Distinction, 97 *Nw. U. L. Rev.* 1769-1807 (2003) (with Michael Pardo).
76. The Error of Expected Loss Minimization, 2 *Law, Probability & Risk* 1-7 (2003).
77. Facts in Law, Facts of Law 7 *I. J. of Evidence and Proof* 153-171 (2003) (with Michael Pardo).
78. Naturalized Epistemology and the Law of Evidence: A Reply to Redmayne, 2003 *MSU-DCL L. Rev.* 885-892 (2003) (with Leiter), reprinted in Chinese in 7 *Evidence Forum* 514-540 (2004) (Part One), 8 *Evidence Forum* 501-520 (2004) (Part Two)
79. Burdens of Persuasion in Civil Cases: Algorithms v. Explanations, 2003 *MSU L. Rev.* 893-944 (2004) (with Sarah Lively).
80. The Fifth Amendment Explained and Its Future Predicted, 94 *J.Crim. L. & Crim.* 243-294 (2004) (with Kristin Mace).
81. In Praise of Yale Kamisar, But Not the Procedural Revolution He Inspired, 2 *OSU C.L. Rev.* 9-28 (2005).

82. Further Reflections on the Guillotine, 95 *Journal of Crim. L. & Crim.* 625-636 (2005) (with A. Shavell).
83. From *Winship* to *Apprendi* to *Booker*: Constitutional Command or Constitutional Blunder?, 58 *Stanford L. Rev.* 195-215 (2005).
84. Heuristics and the Law, in G. Gigerenzer & C. Engel ed., *Heuristics and the Law* 343-377 (2006).
85. *Miranda's* Hollow Core, 100 *Northwestern Univ. L. Rev.* 71-86 (2006).
86. Evidence, the Rule of Law, and the Jurisprudential and Political Foundation of Criminal Procedure, *Academic Journals of Jilin University* (2006) (30 pages).
87. The American Constitutional Structure, *Academic Journal of Jilin University* (2006) 28 pages.
88. The Narrative Fallacy, The Relative Plausibility Theory, and A Theory of the Trial, 3 *Int. Commentary on Evidence*, Issue 1, Article 5 (2006).
89. *Clark v. Arizona*: Much (Confused) Ado About Nothing, 4 *OSU J. Crim. L.* 135-142 (2006)
90. The Jurisprudential and Political Foundation of Criminal Procedure, in Yang, ed., *Reform and Prospect of Criminal Pretrial Procedure* 505-522 (2005); reprinted in 15 *Evidence Science* 162-169 (Chinese), 170-180 (Chinese) (2007).
91. The Problematic Value of Mathematical Models of Evidence, 36 *Journal of Legal Studies* 107-140 (2007) (with Michael Pardo), reprinted Paul Roberts, *Theoretical Foundations of Criminal Trial Procedure*(2014).
92. An External Perspective on the Nature of Non-Economic Compensatory Damages and Their Regulation, 56 *De Paul L. Rev* 1249-1277 (2007) (with A. Brunet & S. Roth).
93. The Judicial Treatment of Non-Economic Compensatory Damages in the Nineteenth Century, 4 *J. Empirical L. Studies* 365-395 (2007) (with A. Brunet).
94. The Misguided Defenses of *Miranda v. Arizona*, 5 *OSU J. Crim. L.* 205-214 (2007). Reprinted in *Confessions: Legal Credibility*, Amicus Books (2008).

95. Reference Classes Reconsidered, 11 I. J. Evidence and Proof 307-317 (2007) (with Michael Pardo).
96. Juridical Proof and the Best Explanation, 27 Law & Philosophy 223-268 (2008) (with Michael Pardo); reprint in Spanish 27 Derecho y Filosofía, No. 3 (2008). pp. 223-268.
97. Utility and Truth in the Scholarship of Mirjan Damaska, in J. Jackson, M. Langer, and P. Tillers (eds.), Crime, Procedure and Evidence in a Comparative and International Context: Essays in Honor of Mirjan R. Damaska, 342-362 (2008) (with Georgia Alexakis).
98. Moral Choices, Moral Truth, and the Eight Amendment, 31 Harv. J.L. & Pub. Pol. 25-34 (2008).
99. Originalism and Criminal Procedure, 11 Chapman L. Rev. 277-305 (2008).
100. Theorizing About Self-Incrimination, 30 Cardozo L. Rev. 729-751 (2008)
101. Deadly Dilemmas, 41 Texas Tech. L. Rev. 65-92 (2008) (with Larry Laudan).
102. Explanationism All the Way Down, 2008 Episteme 320-328.
103. From The Enlightenment to Crawford to Holmes, 39 Seton Hall L. Rev. 1-16 (2009).
104. Laudan, Stein, and the Limits of Theorizing about Juridical Proof, 29 Law and Phil 195-230 (2010).
105. Deadly Dilemmas II: Bail and Crime, 85 Chi. Kent L. Rev. 23-42 (2010) (with Larry Laudan).
106. Free Will in Criminal Law and Procedure, in Friedrich Toepel (ed.), Free Will in Criminal Law and Procedure 1-14 (2010).
107. Response to Commentators, Friedrich Toepel (ed.), Free Will in Criminal Law and Procedure 63-67 (2010).
108. *Conley* as a Special Case of *Twombly* and *Iqbal*: Exploring the Intersection of Evidence, Procedure, and the Nature of Rules 115 Penn. St. L. Rev. 1-47 (2010) (with Alan E. Guy).
109. Daubert and Its Discontents, 76 Brooklyn L. Rev. 131-166 (2010) (with Esfand Nafisi).
110. Modeling Criminal Law, 29 Law & Phi. 469-481 (2010).

111. The Past, Present and Future of the JCLC, JCLC (Forthcoming)
112. Advanced Evidence Lectures, Beijing, China, December, 2009:
 Relevance and Admissibility, 18 Evidence Science 365-374 (English), 375-382 (Chinese) (2010) Mandarin).
 Evidence and Inference/Probability and Plausibility, 19 Evidence Science 112-120 (English) 121-128 (Mandarin)
113. No Plausible Alternative to a Plausible Story of Guilt as the Rule of Decision in Criminal Cases in Juan Cruz & Larry Laudan, eds., Prueba y Esándares de Prueba en el Derecho (“Proof and Standards of Proof in the Law”). (Mexico City: UNAM, 2010).
114. Bayes Wars Redivivus — An Exchange, 8 Int. Com. On Evidence 1-40 (2010) (with multiple authors).
115. Advanced Evidence Lectures, Beijing, China, May, 2010:
 The Theoretical Foundations and Implications of Evidence, 18 Evidence Science 485-494 (English), 495-502 (Mandarin) (2010).
 The Relationships Among Evidence Law, Procedural Law, and Substantive Law 18 Evidence Science 750-760 (English) 761-768 (Mandarin) (2010).
 The Nature of Juridical Proof, 19 Evidence Science No. 6 (Published in English and Mandarin) (2011).
116. The Jurisprudential and Political Foundation of Criminal Procedure, 15 Evidence Science 170-180 (2010) (English), 162-169 (Chinese) Mandarin).
117. To Tow or Not to Tow: The Deterrence Effect of a Municipal Ordinance, 47 Crim. L. Bulletin 410-437 (2011) (with Alexia Marks).
118. The Devastating Impact of Prior Crimes Evidence—And Other Myths of the Criminal Justice Process, 101 J. Crim. L. & Crim. 493-528 (2011) (with Larry Laudan).
119. Deadly Dilemmas III: Some Kind Words for Preventive Detention, 101 J. Crim. L. Crim. 781-802 (2011) (with Larry Laudan).

120. Rationality and the Taming of Complexity, 62 *Alabama L. Rev.* 1047-1068 (2011), reprinted in *Legal Theory and the Natural Sciences Vol VI* (Ashgate 2004).
121. How to Think About Errors, Costs, and their Allocation, 64 *Fl. L. Rev.* 885 (2012), reprinted online 12 *Engage* 106 (the Federalist Society).
122. The Conceptual Challenge of Expert Evidence, Leonardo David López Escobar (ed.), *Derecho Probatorio Contemporáneo: Prueba Científica y Técnicas Forenses* (Contemporary Law of Evidence: Scientific Proof and Forensic Techniques) 215 (2012); published in English at 14 *Discusiones Filosóficas* #23 (July December 2013).
123. American Exclusionary Rule(s), 20 *Evidence Science* 112-121, 122-128 (2012) (Published in English and Mandarin).
124. Difficulties with Exclusionary Rules, 24 *Evidence Science* 758-768 (English), 750-757(Chinese)(2012).
125. Taming Complexity: Rationality, The Law Of Evidence, And The Nature Of The Legal System, 12 *Law, Probability & Risk* 99-113 (2013), , reprinted in Maksymilian Del Mar & Burkhard Schafer, *Legal Theory and Natural Sciences* (2014).
126. Standards of Proof and the Limits of Legal Analysis, to be published in Spanish as: *Los estándares de prueba y los límites del análisis jurídico*, in Carmen Vázquez (Ed.), *Estándares de prueba y prueba científica. Ensayos de epistemología jurídica* 41-64 (2013) Madrid, Barcelona, Buenos Aires, Sao Paulo: Marcial Pons. ISBN: 978-84-15664-53-6
127. Reforming the Law of Evidence of Tanzania (Part I): The Social and Legal Challenges, 31 *BU Int. L. J.* 217 (2013) (with Timothy Frye, Jess Notebaert & Jeff VanDam).
128. Complexity, the Generation of Legal Knowledge and the Future of Litigation, 60 *UCLA* 1384-1411 (2013).
129. Evidence, Probability, and the Burden of Proof (with A. Stein), 55 *Arizona L. Rev.* 557 (2013).
130. Burdens of Proof, 13 *Law, Probability and Risk* 195 (2014).
131. Reforming the Law of Evidence of Tanzania (Part II): Conceptual Overview and Practical Steps, 32 *Boston Univ. Int. L. J.* 1 (2014) (with Timothy Frye, Jess Notebaert & Jeff VanDam).

132. The Gravitational Pull of *Miranda's* Blackhole: The Curious Case of *J.D.B. v. North Carolina*, 46 Texas Tech. L. Rev. 143 (2014).
133. Ignoring Issues of Morality or Convicting the Innocent, Is Capital Punishment a Good Idea or a Bad Idea?, 47 Texas Tech. L. Rev. 199 (2014).
134. Unpublished Chinese Lectures to date:
 - Presumptions, *** Evidence Science *** (published in English and Mandarin)
 - Hearsay, *** Evidence Science *** (published in English and Mandarin)
 - Constitutional Law and the Problem of Complexity in Contemporary Criminal Procedure, *** Evidence Science *** (Published in English and Mandarin).

Book Reviews:

1. Of: Norval Morris, The Future of Imprisonment, 73 Michigan Law Review 1517-1531 (1975).
2. Of: A. Moenssens, R. Moses & F. Inbau, Scientific Evidence in Criminal Cases, 25 Buffalo Law Review 441-444 (1976).
3. Of: J. Cederbaums & S. Arnold, Scientific and Expert Evidence in Criminal Advocacy, 25 Buffalo Law Review 444-449 (1976).

UNIVERSITY SERVICE

Ad Hoc Committee for the Revision of the Faculty Senate By-Laws Providing for Election to and Representation in the Faculty Senate (Buffalo, 1976-77).

Counsel to Judicial Commission Hearing Panel in the Oaks Case (Iowa, 1979).

University Faculty Senate (Iowa, 1980-84).

Vice-President, University Faculty Senate (Iowa, 1980-81).

Ad Hoc Legislative Action Committee, Chair (Iowa, 1980-81).

Presidential Candidate Screening Committee (Iowa, 1981-82).

President, University Faculty Senate (Iowa, 1981-82).

Academic Council (Duke, 1983).

General Faculty Committee (Northwestern University, 1991-94).

Committee on Athletics and Recreation (Northwestern University, 1993-2002).

Presidential Search Committee (Northwestern University, 1993-94).

Program Review Council (Northwestern University, 1994-97).

Adviser, Journal of Criminal Law & Criminology (1985-1993; 2002-).

Research Ethics Review Committee (Northwestern Medical School 1994-99).

Committee on Integrity in Athletics (Northwestern University, 1999-2000).

Various Law School Committees.

OTHER PROFESSIONAL ACTIVITY

Professional Organizations and Activities:

Nebraska State Bar Association (since 1974).

American Bar Association (since 1979).

Iowa Bar Association (since 1979).

Illinois Bar Association (since 1986).

Member, Committee on Rules of Criminal Procedure and Evidence, Criminal
Justice Section, ABA.

Member, American Law Institute (since 1986).

Commissioner of the Supreme Court of Illinois, serving on the Inquiry Board of
the Attorney Registration and Disciplinary Commission (1989-1992), and
on the Hearing Board (1992).

Lecturer, Federal Judicial Center, 1987, The Self-Incrimination Clause, and
Searches and Seizures.

Sixth Circuit Workshop, 1988, The Fifth Amendment.

Liaison to American Bar Association Standing Committee on the Federal
Judiciary for the purpose of appraising the judicial record of Supreme
Court nominees (1989-1993).

Psychology, Public Policy, and Law (Board of Consulting Editors, 1995-).

Journal of Criminal Law and Criminology (Faculty Advisor, 1988-93, 2001-);
Board of Advisers 1995-).

International Commentary on Evidence (Advisory Board, 1997-).

International Journal of Evidence and Proof, (Advisory Board, 2000-).

International Criminal Law Review (Advisory Board, 2001-).

Admitted to Practice:

Nebraska.

Iowa.

Illinois.

Supreme Court of the United States.

United States Courts of Appeals for the Eighth and Eleventh Circuits.

U.S. District Court for the Northern District of Illinois.

Grants, Awards, Honors, and Fellowships:

University of Iowa Faculty Scholar, 1980-84.

Nellie Ball Trust Fund, Research Grant, 1980-84.

Northwestern University Corporate Counsel Center Research Grant, 1985-87.

Citizen of the Year, Constitutional Rights Foundation (1990).

Stanford Clinton, Jr., Research Professor, 1990-91.

University Distinguished Visiting Scholar, University of
Adelaide, South Australia, 1991.

Distinguished Lecturer, Marshall University, 1991.

Distinguished Alumnus, Marshall University, 1994.

Fellow, Northwestern University Center for the Humanities, 1994-95.

Fellow, Procedural Law Research Center, China Political Science and Law
University, Beijing

Searle Fellowship, 2006, 2007.

Yangtze River Scholar, 2007-.

Meador Lecturer, 2010

China Friendship Award 2014

Miscellaneous:

Constitutional Rights Foundation-Chicago, Board of Directors (1992-).

Yeager Society of Scholars, Marshall University, Board of Directors (1992-);
President (1999-2001).

John Thomas Graziano Fund, Children's Memorial Hospital, Board of Directors
(1993-8).

Saddle & Cycle Club, Board of Governors (1993-2002), Vice President, 1996-98;
President (1999-2001).

Joffrey Ballet of Chicago, Board of Directors (2003-), Chair, Joffrey Circle
Committee (2001-2003); Chair, Education and Outreach Committee
(2003-2005); Chair Ad Hoc Board Committee for the Joffrey School for
the Dance (2005-2007).

Who's Who in America, and numerous other Who's Who listings.

Dean's Teaching Award, 2002-2003; 2004-2005; 2005-2006.

President, International Association of Evidence Science 2010-.