

VITA
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Brian H. Bornstein

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Professional Experience

- August, 2004 - present
Professor
Department of Psychology (Law-Psychology, Social-Personality, and Cognitive Programs),
University of Nebraska
Associate Director, Law-Psychology Program
- August, 2005 – August, 2007
Director, Social-Personality Program
Department of Psychology, University of Nebraska
- March, 2002 - present
Courtesy Professor
College of Law, University of Nebraska
- August, 2001-August, 2004
Associate Professor
Department of Psychology, University of Nebraska
Associate Director, Law-Psychology Program
- August, 2000-August, 2001
Visiting Research Associate Professor
Department of Psychology, University of Nebraska
- August, 1998-May, 2001
Associate Professor
Department of Psychology (Cognitive Area), Louisiana State University
- August, 1992-August, 1998
Assistant Professor
Department of Psychology, Louisiana State University
- August, 1991-May, 1992
Visiting Assistant Professor
Department of Psychology, Bucknell University

Education

2001	Master of Legal Studies, University of Nebraska
1991	Ph.D. in Psychology, University of Pennsylvania
1987	M.A. in Psychology, University of Pennsylvania
1985-86	Advanced (non-degree) coursework in German language and literature, Ludwig-Maximilians-Universität, Munich; Fulbright-Hayes Fellow
1985	B.A. in Psychology, Summa Cum Laude, Duke University

Grant History

Grant Summary Data

<i>Type</i>	<i>Number</i>	<i>Amount</i>
External	9	\$1,447,918
Internal	10	\$849,681
Total	19	\$2,297,599

Principal Investigator/Recipient

Doctoral Dissertation Research: Stability and Trait-based Predictors of Eyewitness Performance (with Jessica Snowden). NSF, 8/1/12-7/31/13.

Amount: \$18,488

Distinguished Lecturer Grant (Gary Wells visit). University of Nebraska Research Council, 10/27/10-10/29/10.

Amount: \$2,000

Reducing Courts' Failure-to-appear Rate: A Procedural Justice Approach. National Institute of Justice (#2008-IJ-CX-0022), 10/1/08-11/30/10.

Amount: \$197,507

Doctoral Dissertation Research: Religious appeals in closing arguments: Impermissible input or benign banter? National Science Foundation (SES-0351811; with Monica Miller), 1/1/04-12/31/04.

Amount: \$10,394

Intuitive Genetics and Its Relationship to Risk-taking Behavior. University of Nebraska Layman Fund, 7/1/03-6/30/04.

Amount: \$9,918

Alleviating the Stress of Trial: An Empirical Assessment. Tobacco Settlement Biomedical Research Enhancement Fund (University of Nebraska), 10/1/01-9/30/02.

Amount: \$29,774

Meta-analysis of Facial Identification Research: A Reappraisal. National Science Foundation (SES-0010140), 5/15/01-4/30/03.

Amount: \$147,720

Distributive Justice Norms Concerning Income: A Cross-National Experimental Study of Individuals' Choice of Allocation Principles. NSF (SBR-9810473), 7/1/98-6/30/2000.

Amount: \$31,268 (collaborative research, total amount: \$105,792)

The Effect of Prior Beliefs on Mock Jurors' Liability Judgments. LSU Council on Research Summer Research Award, 5/1/93-8/31/93.

Amount: \$4,000

Co-PI

Trust and Confidence Interdisciplinary Postdoctoral Fellow.

NSF (Alan Tomkins, PI), 8/1/12-6/30/14.

Amount: \$195,457

Testing a Three-stage Model of Institutional Confidence across Branches of Government.

NSF (Alan Tomkins, PI), 6/1/11-5/31/14.

Amount: \$271,280

REU Supplement (SES 1160594), 6/1/12-5/31/14

Amount: \$12,000

Community Development and Research on Discrimination and Mental Health. University of Nebraska, Office of the Vice Chancellor for Research, Cluster Grant (Richard Wiener, PI), 2008-2010.

Amount: \$99,200

Psychology and Law: Research Experiences for Undergraduates at the University of Nebraska-Lincoln.

National Science Foundation (Richard Wiener, PI), 6/1/08-5/31/11 (renewal).

Amount: \$200,000

Psychology and Law: Research Experiences for Undergraduates at the University of Nebraska-Lincoln.

National Science Foundation (Richard Wiener, PI), 2/1/05-5/31/08.

Amount: \$269,280

An Empirical Analysis of Summary Plan Description Language. Employee Benefits Research Institute and Commonwealth Fund (Richard Wiener, PI), 7/05-6/06.

Amount: \$20,000

September 11th Victims' Compensation Fund: A Survey of Claimants. University of Nebraska, Office of the Vice Chancellor for Research, and Law College Seed Grant Fund, 3/1/05-8/31/05 (Susan Poser, PI)

Amount: \$10,000

Visiting Scholar Program in Law and Psychology. University of Nebraska, Program of Excellence Award, 9/1/04-8/31/13 (Richard Wiener, PI).

Amount: \$539,640

Seed grant to develop a Translational Research Center for Rehabilitation Informatics and Decision Science. University of Nebraska, Office of the Vice Chancellor for Research, 7/15/03-7/14/04 (Will Spaulding, PI).

Amount: \$50,000

Behavioral Science Computerized Data Collection Laboratory. University of Nebraska Foundation, awarded 5/10/02 (Marc Kiviniemi, PI).

Amount: \$35,149

Making Technology Matter: Integrating Human and Machine Cognition to Produce Maximally Effective and Acceptable Technology. Louisiana Board of Regents, LEQSF Enhancement Grant, 6/1/94-5/31/95 (Robert C. Mathews, PI).

Amount: \$70,000

Under Review/In Preparation

Law and Social Science Graduate Student Exchange: Enhancing Interdisciplinary Training and Scholarship (PI).

NSF, submitted 7/16/12; under review.

Research Interests

My research efforts focus on applied cognitive psychology, particularly in the domain of psychology and law. Within this area, I have concentrated on two topics: how juries make decisions and the reliability of eyewitness memory. My third area of focus is in applying decision making principles to everyday judgment tasks, as in medical decision making and distributive justice. Thus, the majority of my research is interdisciplinary, integrating cognitive psychology with related approaches from law, political science, and sociology.

Jury decision making

- Effect of extra-legal factors
- Comprehension of expert testimony
- Awarding of damages
- Perception of identification witnesses
- The role of religion

Eyewitness memory

- Meta-analysis of eyewitness identification and face recognition literatures
- Cross-race effect
- Relationship between confidence and accuracy in eyewitness memory
- Effect of emotion on eyewitness memory

Everyday judgment and decision making

- Making medical decisions
- Distributive and procedural justice

Teaching Interests

Undergraduate

My primary teaching interests are in cognitive psychology, both broadly defined and on specific topics. I also enjoy teaching undergraduate courses on the history of psychology and introductory and experimental psychology. In addition, I have supervised 15 Undergraduate Honors theses and numerous independent research projects, and I administered the LSU psychology department's undergraduate honors program.

My overall course evaluations in undergraduate classes have averaged around 6.0 on a 7-point scale. My teaching efforts were recognized in 1996, 1997, and 1998 with nominations for Louisiana State University Outstanding Teaching Awards. In 1999 I received the LSU Psychology Department Outstanding Teacher Award, and in 2003 I was recognized by the UNL Parents Association and Teaching Council for my Contributions to Students.

Courses taught: Introductory Psychology, Human Memory, History of Psychology, Advanced Experimental Methods

Graduate

I have developed and taught several graduate seminars in psychology, some of which have been cross-listed at the UNL law college: psychology and law, jury damage awards, thinking and decision making, eyewitness memory, history of psychology, and memory research from a historical perspective. In addition, I have supervised (or am supervising) a number of masters theses and doctoral dissertations (see last page of vita for a list of students supervised). I have served on numerous graduate student

committees at the master's and doctoral level, in both various areas of psychology and other departments (e.g., education, sociology, marketing).

My overall graduate course evaluations have been consistently high (based on different scales as well as written feedback).

Courses taught (some cross-listed at the UNL Law College): Psychology and Law, Decision Making, Eyewitness Memory, Memory from a Historical Perspective, History of Psychology, Jury Damage Awards, and Religion's Role at Trial.

Fellowships and Honors

Teaching

Recipient of American Psychology-Law Society Outstanding Teaching and Mentoring Award, 2011
Mentored AP-LS First-Place Dissertation Award Winner (Samantha Schwartz), 2010
Nominated for American Psychology-Law Society Teaching Award, 2009
Nominated for UNL Chancellor's Award for Exemplary Service to Students, 2004
Recipient of Certificate of Recognition for Contributions to Students, UNL Teaching Council and Parents Association, 2003
Recipient of LSU Psychology Department Outstanding Teacher Award, 1999
Nominated for Alpha Lambda Delta Outstanding Freshman Teacher Award (LSU), 1998
Nominated for LSU Outstanding Undergraduate Teaching Award, 1996, 1997

Other

Recognized by the American Judicature Society as one of the "foremost jury researchers" (http://www.ajs.org/jc/jc_scholars.asp).
Invited to create jury blog for *Psychology Today*
Faculty Fellow, University of Nebraska Public Policy Center, 11/08-present.
Fulbright Senior Specialist Roster Candidate, 2007-2011.
First Place, Sheldon Museum Calavera Contest (for "Se Llama Obama"), 2011
Honorable Mention, Sheldon Museum Calavera Contest (for "Marta Está Muerta"), 2010
Honorable Mention, Drury University One-Act Play Competition (for "Oracles," one of 4 winners out of 239 entries), 2007.
Recipient of NRSA Post-Doctoral Training Grant in Psychology and Law. National Institute of Mental Health (MH16156-20), 6/30/00-6/29/02.
University Fellowship, University of Pennsylvania, 1989-1990
National Science Foundation Graduate Fellowship, 1986-1989
Fulbright-Hayes Fellow at Ludwig-Maximilians-Universität, Munich, 1985-1986

Professional Activities and Service

University and Department Service

Member, UNL Academic Rights and Responsibilities Panel (2010-present)
Director, UNL Social-Personality Program (2005-2007)
Associate Director, UNL Law-Psychology Program (2003-present)
Ethics Committee Member and Human Subject Pool Supervisor, UNL Psychology Department
Senator, LSU College of Arts and Sciences Faculty Senate
Resource Committee, LSU Psychology Department

Undergraduate Teaching Committee, LSU Psychology Department
Psychology Job Search Committees, for various positions

Editorial Work

Psychology, Crime & Law

Co-Editor, 3/2007-present

Special Issue Guest Editor: Beliefs and Expectancies in Legal Decision Making (2012)

Psychology & Crime

Co-Editor, New York University Press Book Series, 7/2011-present

Law and Human Behavior

Editorial Board, 3/2000-present

Executive Associate Editor, 1/2005-4/2006

Special Issue Guest Editor: Emotion in Legal Judgment and Decision Making (2006)

Psychology, Public Policy, and Law

Editorial Board, 1/2007-present

Applied Cognitive Psychology

Special Issue Guest Editor: Basic and Applied Issues in Eyewitness Research: A

Münsterberg Centennial Retrospective (2008)

Member, SPSSI Judicial Notebook Committee, 12/2004-12/2008; involved reviewing court cases with psychological impact for the *APA Monitor*

Member, Editorial Advisory Board, *Encyclopedia of Psychology and Law* (Sage, 2008)

Member, Editorial Advisory Board, *Law and Psychology Abstracts* (part of Social Science

Research Network)

Coordinator of a regular column series for *Court Review* (official journal of the American Judges Association), entitled "Social Science Research for (and in) the Courts."

Ad Hoc Reviewer

Applied Cognitive Psychology, Archives of Clinical Neuropsychology, Basic and Applied Social Psychology, Behavioral Sciences & the Law, Cognition and Emotion, Cognitive Therapy and Research, Health Psychology, Journal of Applied Social Psychology, Journal of Forensic Psychology Practice, Journal of General Psychology, Journal of Police & Criminal Psychology, Journal of Politics, Memory and Cognition, Organizational Behavior and Human Decision Processes, Psychological Science, Psychonomic Bulletin & Review, Schizophrenia Bulletin, Social Psychology Quarterly, Sociological Perspectives

Macmillan, Worth, Wadsworth, Psychology Press, and Longman Publishing Companies

National Science Foundation (Law and Social Sciences and Social Psychology Programs), APA

Membership in Professional Organizations

American Psychological Society (Fellow)

American Psychology-Law Society (Division 41 of APA)

Law and Society Association

Psychonomic Society

Society for Applied Research in Memory and Cognition

Other Professional Service

Member, Saleem Shah Early Career Award Committee (AP-LS), 2011
Chair, Div. 41 (AP-LS) program at APA convention, August 2002
Co-chair, Div. 41 (AP-LS) program at APA convention, August 2001
Member, Nebraska Minority and Justice Task Force Faculty Advisory Committee, 2001-2003

Publications (* indicates student co-author)

Publication Summary Data

<i>Type</i>	<i>Number</i>
Books	10
Peer-reviewed Articles	65
Book Chapters & Other Publications	64
Conference Presentations/ Invited Addresses	156
Manuscripts under Review	6

Books

- Bornstein, B.H.**, & Wiener, R.L. (Eds.). (under contract). *Justice, conflict and wellbeing: Multidisciplinary perspectives*. New York: Springer.
- Willis-Esqueda, C., Wiener, R.L., & **Bornstein, B.H.** (Eds.) (under contract). *The witness stand and Lawrence S. Wrightsman, Jr.* New York: Springer.
- Miller, M.K., & **Bornstein, B.H.** (Eds.) (2012). *Trauma, stress and wellbeing in the legal system*. New York: Oxford University Press.
- Wiener, R.L., & **Bornstein, B.H.** (Eds.) (2011). *Handbook of trial consulting*. New York: Springer.
- Bornstein, B.H.**, & Wiener, R.L. (Eds.). (2010). *Emotion and the law: Psychological perspectives*. New York: Springer.
- Bornstein, B.H.**, & Miller, M.K. (2009). *God in the courtroom: Religion's role at trial*. New York: Oxford University Press.
- Schopp, R.F., Wiener, R.L., **Bornstein, B.H.**, & Willborn, S. (Eds.) (2009). *Mental disorder and criminal law: Responsibility, punishment and competence*. New York: Springer.
- Bornstein, B.H.**, Wiener, R.L., Schopp, R.F., & Willborn, S. (Eds.) (2008). *Civil juries and civil justice: Psychological and legal perspectives*. New York: Springer.
- Wiener, R.L., **Bornstein, B.H.**, Schopp, R.F., & Willborn, S. (Eds.) (2007). *Social consciousness in legal decision making: Psychological perspectives*. New York: Springer.
- Greene, E., & **Bornstein, B.H.** (2003). *Determining damages: The psychology of jury awards*. Washington, DC: American Psychological Association.

Peer-reviewed Articles

- Bornstein, B.H.**, Tomkins, A.J., Neeley, E.M., Herian, M.N., & *Hamm, J.A. (in press). Reducing courts' failure-to-appear rate by written reminders. *Psychology, Public Policy, & Law*.

- Bornstein, B.H.**, Deffenbacher, K.A., McGorty, E.K., & Penrod, S.D. (2012). Effects of exposure time and cognitive operations on facial identification accuracy: A meta-analysis of two variables associated with initial memory strength. *Psychology, Crime & Law*, *18*, 473-490.
- Bornstein, B.H.**, & *Hamm, J.A. (2012). Jury instructions on witness identification. *Court Review*, *48*, 48-53.
- *Neal, T.M.S., *Christiansen, A., **Bornstein, B.H.**, & *Robicheaux, T.R. (2012). The effects of jurors' beliefs about eyewitness performance on verdict decisions. *Psychology, Crime & Law*, *18*, 49-64.
- Rosenbaum, D.I., *Hutsell, N., Tomkins, A.J., **Bornstein, B.H.**, Herian, M.N., & Neeley, E.M. (2012). Using court date reminder postcards to reduce courts' failure to appear rates: A benefit-cost analysis. *Judicature*, *95*, 177-187.
- Bornstein, B.H.**, & Greene, E. (2011). Jury decision making: Implications for and from psychology. *Current Directions in Psychological Science*, *20*, 63-67.
- Greene, E., & **Bornstein, B.H.** (2011). Cloudy forecasts. *Trial*, *47(4)*, 28-33.
- *Hamm, J.A., PtylikZillig, L.M., Tomkins, A.J., Herian, M.N., **Bornstein, B.H.**, & Neeley, E.M. (2011). Exploring separable components of institutional confidence. *Behavioral Sciences & the Law*, *29*, 95-115.
- *Reichert, J., Miller, M.K., **Bornstein, B.H.**, & Shelton, D.E. (2011). How reason for surgery and patient weight affect verdicts and perceptions in medical malpractice trials: A comparison of students and jurors. *Behavioral Sciences & the Law*, *29*, 1-24 (lead article).
- *Laub, C.E., *Maeder, E.M., & **Bornstein, B.H.** (2010). The influence of a psychology and law class on legal attitudes and knowledge structures. *Teaching of Psychology*, *37*, 196-198.
- McAuliff, B.D., & **Bornstein, B.H.** (2010). All anchors are not created equal: The effects of per diem versus lump sum requests on pain and suffering awards. *Law and Human Behavior*, *34*, 164-174.
- *Robicheaux, T.R., & **Bornstein, B.H.** (2010). Punished, dead or alive: Empirical perspectives on awarding punitive damages against deceased defendants. *Psychology, Public Policy & Law*, *16*, 393-417.
- Scott, J.T., & **Bornstein, B.H.** (2009). What's fair in fair weather and foul? Distributive justice across different allocation contexts and goods. *Journal of Politics*, *71*, 831-846.
- *Flores, D.M., Miller, M.K., *Chamberlain, J., Richardson, J.T., & **Bornstein, B.H.** (2008-2009). Judges' perspectives on stress and safety in the courtroom: An exploratory study. *Court Review*, *45*, 76-89.
- Bornstein, B.H.**, & Penrod, S.D. (2008). Hugo who? G.F. Arnold's early contributions to psychology and law. *Applied Cognitive Psychology*, *22*, 759-768.
- *Chamberlain, J., Miller, M.K., & **Bornstein, B.H.** (2008). The rights and responsibilities of gay and lesbian parents: Legal developments, psychological research, and policy implications. *Social Issues and Policy Review*, *2*, 103-126.
- Deffenbacher, K. A., **Bornstein, B. H.**, McGorty, E. K., & Penrod, S. D. (2008). Forgetting the once-seen face: Estimating the strength of an eyewitness's memory representation. *Journal of Experimental Psychology: Applied*, *14*, 139-150.
- *McLean, C.P., DiLillo, D., **Bornstein, B. H.**, & Bevins, R.A. (2008). Protective eyewear use among racquetball players. *International Journal of Injury Control and Safety Promotion*, *15*, 167-170.
- Bornstein, B.H.**, & *Dietrich, H. (2007-2008). Fair procedures, yes. But don't forget fair outcomes. *Court Review*, *44(1/2)*, 72-77.
- Bornstein, B.H.**, Kaplan, D.L., & *Perry, A.R. (2007). Child abuse in the eyes of the beholder: Lay perceptions of child sexual and physical abuse. *Child Abuse & Neglect*, *31*, 375-391.
- Greene, E., **Bornstein, B.H.**, & *Dietrich, H. (2007). Granny (don't) get your gun: Competency issues in gun ownership by the elderly. *Behavioral Sciences & the Law*, *25*, 405-423.

- *Hatch-Maillette, M., Scalora, M., *Bader, S., & **Bornstein, B.H.** (2007). A gender-based incidence study of workplace violence in psychiatric and forensic settings. *Violence and Victims, 22*, 449-462.
- *Calkins Mercado, C., **Bornstein, B.H.**, & Schopp, R.F. (2006). Decision-making about volitional impairment in the sexually violent predator commitment context. *Law and Human Behavior, 30*, 587-602.
- Deffenbacher, K.A., **Bornstein, B.H.**, & Penrod, S.D. (2006). Mugshot exposure effects: Retroactive interference, mugshot commitment, source confusion, and unconscious transference. *Law and Human Behavior, 30*, 287-307.
- *Miller, M.K., & **Bornstein, B.H.** (2006). The use of religion in death penalty sentencing trials. *Law and Human Behavior, 30*, 675-684.
- *Wenger, A.A., & **Bornstein, B.H.** (2006). The effects of substance use and relationship closeness on mock jurors' judgments in a sexual assault case. *Sex Roles, 54*, 547-555.
- Wiener, R.L., **Bornstein, B.H.**, & *Voss, A. (2006). Emotion and the law: A framework for inquiry. *Law and Human Behavior, 30*, 231-248.
- Bornstein, B.H.**, *Miller, M.K., *Nemeth, R.J., Page, G., & *Musil, S. (2005). Juror reactions to jury duty: Perceptions of the system and potential stressors. *Behavioral Sciences & the Law, 23*, 321-346.
- *Calkins Mercado, C., Schopp, R.F., & **Bornstein, B.H.** (2005). Evaluating sex offenders under Sexually Violent Predator laws: How might mental health professionals conceptualize the notion of volitional impairment? *Aggression and Violent Behavior, 10*, 289-309.
- Bornstein, B.H.** (2004). The impact of different types of expert scientific testimony on mock jurors' liability verdicts. *Psychology, Crime & Law, 10*, 429-446.
- Bornstein, B.H.**, & *Wilson, J.R. (2004). The revelation effect in face recognition: Haven't we met before? *Memory, 12*, 140-146.
- Deffenbacher, K.A., **Bornstein, B.H.**, Penrod, S.D., & *McGorty, E.K. (2004). A meta-analytic review of the effects of high stress on eyewitness memory. *Law and Human Behavior, 28*, 687-706.
- *Abshire, J., & **Bornstein, B.H.** (2003). Juror sensitivity to the cross-race effect. *Law and Human Behavior, 27*, 471-480.
- Bornstein, B.H.** (2003). Pregnancy, drug testing, and the Fourth Amendment: Legal and behavioral implications. *Journal of Family Psychology, 17*, 220-228.
- *McGorty, E.K., & **Bornstein, B.H.** (2003). Barriers to physicians' decisions to discuss hospice: Insights gained from the United States hospice model. *Journal of Evaluation in Clinical Practice, 9*, 363-372.
- *Michelbach, P.A., Scott, J.T., Matland, R.E., & **Bornstein, B.H.** (2003). Doing justice to Rawls: An experimental study of income distribution norms. *American Journal of Political Science, 47*, 523-539.
- *O'Neil, K., Penrod, S.D., & **Bornstein, B.H.** (2003). Web-based research: Methodological variables' effects on dropout and results. *Behavior Research Methods, Instruments, and Computers, 35*, 217-226.
- Poser, S., **Bornstein, B.H.**, & *McGorty, E.K. (2003). Measuring damages for lost enjoyment of life: The view from the bench and the jury box. *Law and Human Behavior, 27*, 53-68.
- Bornstein, B.H.**, *Rung, L.M., & *Miller, M. (2002). Should physicians apologize for their mistakes? The role of remorse in a simulated malpractice trial. *Behavioral Sciences & the Law, 20*, 393-409.
- Bornstein, B.H.**, *Whisenhunt, B., *Nemeth, R.J., & *Dunaway, D. (2002). Pretrial publicity effects in a civil trial: A two-way street? *Law and Human Behavior, 26*, 3-17 (lead article).
- Bornstein, B.H.**, & Emler, A.C. (2001). Rationality in medical decision making: A review of the literature on physicians' decision-making biases. Invited article for *Journal of Evaluation in Clinical Practice, 7*, 97-107.

- Bornstein, B.H.**, & *Muller, S.L. (2001). The credibility of recovered memory testimony: Exploring the effects of alleged victim and perpetrator gender. *Child Abuse and Neglect*, 25, 1415-1426.
- Bornstein, B.H.**, & *Neely, C.B. (2001). The revelation effect in frequency judgment. *Memory & Cognition*, 29, 209-213.
- Greene, E., *Coon, D., & **Bornstein, B.H.** (2001). The effects of limiting punitive damage awards. *Law and Human Behavior*, 25, 217-234.
- Scott, J.T., Matland, R.E., *Michelbach, P., & **Bornstein, B.H.** (2001). Distributive justice norms: An experimental approach. *American Journal of Political Science*, 45, 749-767 (lead article).
- Bornstein, B.H.**, *Marcus, D., & Cassidy, W. (2000). Choosing a doctor: An exploratory study of factors influencing patients' choice of a primary care physician. *Journal of Evaluation in Clinical Practice*, 6, 255-262.
- Greene, E., & **Bornstein, B.H.** (2000). Precious little guidance: Jury instruction on damage awards. *Psychology, Public Policy, and Law*, 6, 743-768.
Reprinted in V.P. Hans (Ed.) (2006), *The jury system: Contemporary research*. Ashgate Publishing (pp. 479-504).
- Bornstein, B.H.** (1999). The ecological validity of jury simulations: Is the jury still out? *Law and Human Behavior*, 23, 75-91 (special 20th anniversary issue).
- Bornstein, B.H.**, Emler, A.C., & Chapman, G.B. (1999). Rationality in medical treatment decisions: Is there a sunk-cost effect? *Social Science & Medicine*, 49, 215-222.
- Bornstein, B.H.**, & *Nemeth, R.J. (1999). Jurors' perception of violence: A framework for inquiry. Invited article for *Aggression and Violent Behavior*, 4, 77-92.
- Bornstein, B.H.**, & *Zickafoose, D.J. (1999). I know I know it, I know I saw it: The stability of overconfidence across domains. *Journal of Experimental Psychology: Applied*, 5, 1-13 (lead article).
- *Zickafoose, D.J., & **Bornstein, B.H.** (1999). Double discounting: The effects of comparative negligence on mock juror decision making. *Law and Human Behavior*, 23, 577-596.
- Bornstein, B.H.** (1998). From compassion to compensation: The effect of injury severity on mock jurors' liability judgments. *Journal of Applied Social Psychology*, 28, 1477-1502.
- Bornstein, B.H.**, *Liebel, L.M., & *Scarberry, N. (1998). Repeated testing in eyewitness memory: A means of alleviating memory impairment due to a negative emotional event. *Applied Cognitive Psychology*, 12, 119-131.
- *Wilson, J.R., & **Bornstein, B.H.** (1998). Methodological considerations in pretrial publicity research: Is the medium the message? *Law and Human Behavior*, 22, 585-597.
- Chapman, G., & **Bornstein, B.H.** (1996). The more you ask for the more you get: Anchoring in personal injury verdicts. *Applied Cognitive Psychology*, 10, 519-540.
- Haslam, N.O., & **Bornstein, B.H.** (1996). Envy and jealousy as discrete emotions: A taxometric analysis. *Motivation and Emotion*, 20, 255-272.
- Bornstein, B.H.** (1995). Memory processes in elderly eyewitnesses: What we know and what we don't know. *Behavioral Sciences and the Law*, 13, 337-348.
- Bornstein, B.H.**, & Chapman, G. (1995). Learning lessons from sunk costs. *Journal of Experimental Psychology: Applied*, 1, 251-269 (lead article).
- Bornstein, B.H.**, & LeCompte, D.C. (1995). A comparison of forgetting for source and item recognition. *Psychonomic Bulletin & Review*, 2, 254-259.
- Bornstein, B.H.**, *Neely, C.B., & LeCompte, D.C. (1995). Visual distinctiveness can enhance recency effects. *Memory & Cognition*, 23, 273-278.
- Bornstein, B.H.** (1994). David, Goliath, and Reverend Bayes: Prior beliefs about defendants' status in personal injury cases. *Applied Cognitive Psychology*, 8, 233-258.

- Bornstein, B.H.**, & *Rajki, M. (1994). Extra-legal factors and product liability: The influence of mock jurors' demographic characteristics and intuitions about the cause of an injury. *Behavioral Sciences and the Law*, *12*, 127-147.
- Billman, D., **Bornstein, B.H.**, & *Richards, J. (1992). Effects of expectancy on assessing covariation in data: "Prior belief" versus "meaning." *Organizational Behavior and Human Decision Processes*, *53*, 74-88.
- Bornstein, B.H.**, Terry, L., Browde, J.A., Jr., Assimon, S.A., & Hall, W.G. (1987). Maternal and nutritional contributions to infant rats' activational responses to ingestion. *Developmental Psychobiology*, *20*, 147-163.

Book Chapters

- Bornstein, B.H.**, Hullman, G., & Miller, M.K. (in press). Stress and wellbeing in the legal system: Conclusions and future directions. In M.K. Miller & **B.H. Bornstein** (Eds.), *Stress, trauma, and wellbeing in the legal system*. New York: Oxford University Press.
- *Hamm, J.A., **Bornstein, B.H.**, & *Perkins, J. (in press). Jury nullification: The myth revisited. In D. Fung (Ed.), *The psychology of policy-making*. Hauppauge, NY: Nova.
- Miller, M.K., & **Bornstein, B.H.** (in press). Trauma, stress, and wellbeing in the legal system: An overview. In M.K. Miller & **B.H. Bornstein** (Eds.), *Stress, trauma, and wellbeing in the legal system*. New York: Oxford University Press.
- Miller, M.K., & **Bornstein, B.H.** (in press). The experience of jurors: Reducing stress and enhancing satisfaction. In M.K. Miller & **B.H. Bornstein** (Eds.), *Stress, trauma, and wellbeing in the legal system*. New York: Oxford University Press.
- *Reed, K., & **Bornstein, B.H.** (in press). The experience of attorneys. In M.K. Miller & **B.H. Bornstein** (Eds.), *Stress, trauma, and wellbeing in the legal system*. New York: Oxford University Press.
- *Sicafuse, L.L., & **Bornstein, B.H.** (in press). Using the law to enhance wellbeing: Applying therapeutic jurisprudence in the courtroom. In M.K. Miller & **B.H. Bornstein** (Eds.), *Stress, trauma, and wellbeing in the legal system*. New York: Oxford University Press.
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Non-Peer-reviewed Articles

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- *Adya, M., & **Bornstein, B.H.** (2005). Genetic information and discrimination in employment: A psycho-legal perspective. *William Mitchell Law Review*, 32, 265-288.
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- *Miller, M.K., & **Bornstein, B.H.** (2005). Religious appeals in closing arguments: Impermissible input or benign banter? *Law and Psychology Review*, 29, 29-61.
- *Miller, M.K., & **Bornstein, B.H.** (2004). Juror stress: Causes and interventions. *Thurgood Marshall Law Review*, 30, 237-269.
- Bornstein, B.H.** (2001). Seize this urine test: The implications of *Ferguson v. City of Charleston* for drug testing during pregnancy. *Journal of Medicine and Law*, 6, 65-79.
- Bornstein, B.H.** (1998). The greatest memory teacher ever [Review of Philip J. Hills' *Memory's Ghost: The Nature of Memory and the Strange Tale of Mr. M.*] *Applied Cognitive Psychology*, 12, 293-294.
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Manuscripts under Review

- Bornstein, B.H.**, *Laub, C.E., Meissner, C.A., & Susa, K.J. The cross-race effect: Resistant to instructions.
- Bornstein, B.H.**, *McDonnell, G.P., *Laub, C.E., & Dodd, M. Perceptual processes in the cross-race effect: Evidence from eyetracking.
- *Dmitrov, J., Miller, M.K., **Bornstein, B.H.**, & *Zarker, A. Bibles in the jury room: Psychological theories question judicial assumptions.
- *Hamm, J.A., PytlíkZillig, L.M., Herian, M.N., **Bornstein, B.H.**, Tomkins, A.J., & Hoffman, L. Deconstructing public confidence in state courts.
- *Robicheaux, T.R., **Bornstein, B.H.**, & *Ulmer, E.R. Punishment at a discount: The effects of comparative negligence on punitive damage awards.
- *Schwartz, S.L., & **Bornstein, B.H.** Who should've known better? Judgments of negligent sexual transmission of an STD.

Invited Addresses

- Institutional Trust and Confidence: Concepts in Search of a Definition. SPSP Preconference on Law-Psychology, January 17, 2013.
- Jury simulation research: Pros, cons, trends and alternatives. Workshop on the Future of Jury Research. John Jay College of Criminal Justice, September 28, 2012.
- Innocence panel. University of Nebraska-Lincoln College of Law, April 5, 2012.
- Mental health awareness panel. University of Nebraska-Lincoln College of Law, March 8, 2012.
- Justice, conflict and well-being. University of Nebraska-Lincoln, Robert J. Kutak Center for the Teaching and Study of Applied Ethics, Lincoln, NE, October 26, 2011.
- Juror stress in Nebraska: Is there a problem? Nebraska Judges Fall Meeting, Omaha, NE, October 22, 2010.
- Reducing misdemeanants' failure to appear rate: A field study. National Center for State Courts, Williamsburg, VA, September 27, 2010.

Money matters: A psychological perspective on juries. American Society of Trial Consultants, Minneapolis, MN, June 17, 2010.

Eyewitness memory and arousal. Wayne State College (Psi Chi invited speaker), November 2, 2009.

Jury selection. Robert M. Spire Inns of Court, Omaha, Nebraska, September 21, 2009.

Eyewitness memory and arousal. Creighton University Law School Symposium on Evolving Legal Issues, April 3, 2009.

Money matters: A psychological perspective on juries. Jackson Hole, Wyoming (Wyoming Trial Lawyers Association CLE; 12-hr session over 3 days), March 18-20, 2009.

The joys and challenges of undergraduate research: Tales from the front. University of Pittsburgh-Bradford (Penn-York Undergraduate Research Association Conference), November 8, 2008.

Judges and religion. University of Kansas (Larry Wrightsman Festschrift), October 17, 2008.

Civil juries: Research issues and selected findings. University of Leicester, March 13, 2008.

Methodological issues in jury research. University of Texas-El Paso, November 13, 2007.

Is the jury still out? Methodological issues in jury research. University of Nevada-Reno, October 8, 2007.

Early approaches to psychology and law: Philosophy, theory, and application in eyewitness memory research. University of Nevada-Reno, October 8, 2007.

Civil juries: Research issues and selected findings. Saskatchewan Bar Association (Civil Section), September 27, 2007.

Is the jury still out? Methodological issues in jury research. University of Regina, September 27, 2007.

Perceptions of justice among claimants to the September 11th Victim Compensation Fund. University of Oklahoma, October 27, 2006.

Jurors of the absurd? The consequentiality of real vs. simulated jury decision making. Symposium on The Behavioral Analysis of Legal Institutions: Possibilities, Limitations, and New Directions. Florida State University College of Law, March 26, 2004.

Conference Presentations

2012 (n=11)

Bergt, S., Wylie, L., Brank, E., & **Bornstein, B.H.** (March, 2012). A comparison of own-race bias in older and younger adults. *American Psychology-Law Society*. San Juan, Puerto Rico.

Bornstein, B.H., Costanzo, M., Greene, E., Reppucci, N.D., & Roesch, R. (March, 2012). Invited panel: Outstanding teaching and mentoring award winners. *American Psychology-Law Society*. San Juan, Puerto Rico.

Hamm, J.A., **Bornstein, B.H.**, & Herian, M.N. (July, 2012). Forecasting fair experiences with the courts: Do procedural justice expectations legitimate? *International Society of Political Psychology*. Chicago, IL.

Hamm, J.A., PytlikZillig, L., Tomkins, A.J., **Bornstein, B.H.**, Herian, M.N., & Hoffman, L. (July, 2012). Public trust and confidence in state courts: A model re-evaluation. *International Society of Political Psychology*. Chicago, IL.

Herian, M.N., **Bornstein, B.H.**, Neeley, E.M., & Tomkins, A.J. (May, 2012). Reducing misdemeanants' failure to appear rate: A field study. *24th Annual Conference of the National Consortium on Racial and Ethnic Fairness in the Courts*. Omaha, NE.

Hoffman, D., & **Bornstein, B.H.** (May, 2012). Eyewitness testimonies and age: Does the level of detail provided expose any biases? *Midwest Psychological Association*. Chicago, IL.

Kimbrough, C., **Bornstein, B.H.**, & McAuliff, B.D. (March, 2012). Effects of plaintiff's recommendations, cautionary instructions, and deliberation on jury awards for pain and suffering. In C. Titcomb (Symposium Chair), *Looking beyond our assumptions of how jurors think: Cognitive processing and jury decision making*. *American Psychology-Law Society*. San Juan, Puerto Rico.

- Kimbrough, C., **Bornstein, B.H.**, & Tomkins, A.T. (March, 2012). The verdict is in: Judge and administrator perceptions of state court governance, confidence, and trends. *American Psychology-Law Society*. San Juan, Puerto Rico.
- Loke, J., Hamm, J.A., Kimbrough, C., Herian, M.N., PytlikZillig, L., & **Bornstein, B.H.** (November, 2012). Sophisticated trustors: Investigating the relationship among knowledge, experience, and trust in water regulatory institutions. *Water and Science*. Lincoln, NE.
- McDonnell, G.P., Laub, C.E., Bornstein, B.H., & Dodd, M.D. (November, 2012). Perceptual processes in the cross-race effect: Evidence from eyetracking. *Object, Perception, Attention, and Memory Conference*. Minneapolis, MN.
- Reed, K., & **Bornstein, B.H.** (January, 2012). Perceptions of child sexual abuse perpetrators. *Society for Personality and Social Psychology*. San Diego, CA.

2011 (n=13)

- Bornstein, B.H.**, Gervais, S.J., Dietrich, H., & Escamilla, J. (November, 2011). All else being equal: Overcoming the egalitarian norm. *Justice, Conflict, and Wellbeing: Interdisciplinary Work in Social Sciences and the Law*. Lincoln, NE.
- Bornstein, B.H.**, et al. (June, 2011). Reducing courts' failure-to-appear rate: A procedural justice approach. *National Institute of Justice Conference*. Washington, DC.
- Bornstein, B.H.**, et al. (March, 2011). Reducing misdemeanants' failure-to-appear rate. In A.J. Tomkins (Chair), Public trust and confidence in the courts in the U.S. *4th International Congress on Psychology and Law*. Miami, FL.
- Escamilla, J., & **Bornstein, B.H.** (April, 2011). Merit and the allocation of resources. *17th Annual Undergraduate Research Conference*. Lincoln, NE.
- Hamm, J.A., **Bornstein, B.H.**, Anderson, R., & Henkes, J. (March, 2011). Improving jury instructions. *4th International Congress on Psychology and Law*. Miami, FL.
- Hoffman, D., & **Bornstein, B.H.** (April, 2011). Eyewitness testimonies and age: Does the level of detail provided expose any biases? *Research Experience for Undergraduates Conference*. Lincoln, NE.
- Kelley, L.A., & **Bornstein, B.H.** (April, 2011). Instructions and the cross-race effect. *Research Experience for Undergraduates Conference*. Lincoln, NE.
- Laub, C.E., & **Bornstein, B.H.** (March, 2011). Legal analysis concerning the use of eyewitness testimony in the court system. *4th International Congress on Psychology and Law*. Miami, FL.
- Laub, C.E., & **Bornstein, B.H.** (March, 2011). Strategies to help mock jurors appreciate the limitations of identification witness testimony: Modality effects and safeguards. *4th International Congress on Psychology and Law*. Miami, FL.
- Reichert, J., Miller, M.K., **Bornstein, B.H.**, & Shelton, D. (March, 2011). How reason for surgery and patient weight affect verdicts and perceptions in medical malpractice trials. *4th International Congress on Psychology and Law*. Miami, FL.
- Schwartz, S.L., & **Bornstein, B.H.** (March, 2011). Who should've known better? Judgments of negligent sexual transmission of an STD. *4th International Congress on Psychology and Law*. Miami, FL.
- Wiener, R.L., & **Bornstein, B.H.** (November, 2011). Introduction to justice, conflict and wellbeing. *Justice, Conflict, and Wellbeing: Interdisciplinary Work in Social Sciences and the Law*. Lincoln, NE.
- Wylie, L., Brank, E., & **Bornstein, B.H.** (March, 2011). Patronizing communication toward older eyewitnesses. *4th International Congress on Psychology and Law*. Miami, FL.

2010 (n=11)

- Bornstein, B.H.**, Tomkins, A., Neeley, E., Herian, M., Hamm, J.A., Klug, L., Rajendran, S., & Hutsell, N. (March, 2010). Reducing courts' failure-to-appear rate by written reminders. In

- B.H.Bornstein** (Symposium Chair), Procedural justice, trust in the courts, and defendants' failure to appear. *American Psychology-Law Society*, Vancouver, BC.
- Hamm, J.A., Tomkins, A.T., Pytlik Zillig, L., Herian, M., **Bornstein, B.H.**, & Neeley, E. (March, 2010). Identifying separable components of confidence in the courts: Development of an institutional confidence measure. In **B.H.Bornstein** (Symposium Chair), Procedural justice, trust in the courts, and defendants' failure to appear. *American Psychology-Law Society*, Vancouver, BC.
- Hamm, J. A., Tomkins, A., PytlikZillig, L., Herian, M., **Bornstein, B.**, & Neeley, E. (May, 2010). Exploring separable components of confidence in the courts. *Water for Food Conference*, Lincoln Nebraska.
- Hamm, J. A., Tomkins, A., PytlikZillig, L., Herian, M., Bornstein, B., & Neeley, E. (October, 2010). Measuring public trust in institutions: Applying research in the courts to a water resource domain. *Greater Platte River Basins Symposium*, Lincoln, Nebraska.
- Laub, C., **Bornstein, B.H.**, & Dodd, M. (May, 2010). Do perceptual processes underlie the cross-race effect? An eyetracking approach. *Law & Society Association*, Chicago, IL.
- McAuliff, B.D., Lapin, J., Nasserian, J., & **Bornstein, B.H.** (March, 2010). "Much ado about nothing": The effects of per diem versus lump sum arguments on damage awards. *American Psychology-Law Society*, Vancouver, BC.
- Neeley, E., Herian, M.N., Tomkins, A.J., **Bornstein, B.H.**, Hamm, J.A., PytlikZillig, L.M., Rajendran, S., & Klug, L. (March, 2010). Race, ethnicity and reducing courts' failure-to-appear rates. In **B.H.Bornstein** (Symposium Chair), Procedural justice, trust in the courts, and defendants' failure to appear. *American Psychology-Law Society*, Vancouver, BC.
- Thimsen, S., & **Bornstein, B.H.** (May, 2010). Splitting punitive damage awards: Does it make a difference? *Law & Society Association*, Chicago, IL.
- Tomkins, A.T., **Bornstein, B.H.**, Hamm, J.A., Pytlik Zillig, L., Herian, M., Neeley, E., Rajendran, S., & Klug, L. (March, 2010). A field study of procedural justice and confidence/trust in the courts: A survey of misdemeanants. In **B.H.Bornstein** (Symposium Chair), Procedural justice, trust in the courts, and defendants' failure to appear. *American Psychology-Law Society*, Vancouver, BC.
- Tomkins, A.J., **Bornstein, B.H.**, Herian, M.N., Neeley, E., & Hamm, J. (2010, October). Reducing misdemeanants' failure-to-appear rate: A field study of procedural justice and public trust & confidence in the courts. In K. Burke & S. Leben (Chairs), Making a better judge through procedural fairness: The next steps. *American Judges Association*, Denver.
- Wylie, L., Brank, E., & **Bornstein, B.H.** (March, 2010). Patronizing communication toward older eyewitnesses. *American Psychology-Law Society*, Vancouver, BC.

2009 (n=9)

- Bornstein, B.H.**, Cutler, B.L., Petrila, J., Roesch, R., & Zapf, P. (March, 2009). Psychology and law editorial roundtable. *American Psychology-Law Society*, San Antonio, Texas.
- Bornstein, B.H.**, & Miller, M.K. (March, 2009). God in the courtroom: Religion's role at trial. In The American Psychology-Law Society book series (R. Roesch, Symposium Chair). *American Psychology-Law Society*, San Antonio, Texas.
- Bornstein, B.H.**, & Poser, S. (March, 2009). Victims, Lawyers, and Money: Legal Representation in the September 11th Victim Compensation Fund. *American Psychology-Law Society*, San Antonio, Texas.
- Hamm, J., **Bornstein, B.H.**, & Laub, C. (March, 2009). Juror instruction on earwitness testimony. *American Psychology-Law Society*, San Antonio, Texas.
- Laub, C., **Bornstein, B.H.**, Marcon, J., & Meissner, C.A. (May, 2009). The effect of instructions on the cross-race effect: Does the type of task matter? *Law and Society Association*, Denver, Colorado.

- Nemeth, R., Hertrampf, M., Schlosser, A., & **Bornstein, B.H.** (April, 2009). Degree of distinctiveness in the isolation effect paradigm: Early-, mid-, and late-list dissociations. *Midwestern Psychological Association*, Chicago, IL.
- Riemer, A., Tomkins, A., Samal, A., & **Bornstein, B.H.** (June, 2009). Research in the cross-section of community psychology and global climate change: A call for action. *Society for Community Research and Action* (Div. 27 of APA), Montclair, NJ.
- Robicheaux, T.R., Christiansen, A., & **Bornstein, B.H.** (March, 2009). Weapon focus. *American Psychology-Law Society*, San Antonio, Texas.
- Thimsen, S., **Bornstein, B.H.**, & Robbennolt, J. (March, 2009). Apologies. *American Psychology-Law Society*, San Antonio, Texas.

2008 (n=6)

- Duckworth, T., McAuliff, B.D., Nefas, C., Dang, N., & **Bornstein, B.H.** (March, 2008). Do different per diem arguments make cents without a lump sum? *American Psychology-Law Society*, Jacksonville, Florida.
- Flores, D.M., Miller, M.K., Chamberlain, J., Richardson, J.T., & **Bornstein, B.H.** (March, 2008). Judges' perspectives on stress and safety in the courtroom: An exploratory study. *American Psychology-Law Society*, Jacksonville, Florida.
- Laub, C., **Bornstein, B.H.**, Marcon, J., & Meissner, C.A. (March, 2008). The effect of instructions on the cross-race effect. In C.A. Meissner (Symposium Chair), The cross-race effect in face identification: New research on theoretical and practical aspects of the phenomenon. *American Psychology-Law Society*, Jacksonville, Florida.
- Robicheaux, T.R., & **Bornstein, B.H.** (March, 2008). Postmortem punishment? Deceased defendants, punitive damages, and jurors' intentions. *American Psychology-Law Society*, Jacksonville, Florida.
- Robicheaux, T.R., & **Bornstein, B.H.** (March, 2008). Defendants get hurt, too! The effects of defendant injury severity on liability decisions in negligence cases. *American Psychology-Law Society*, Jacksonville, Florida.
- Thimsen, **Bornstein, B.H.**, Greene, E., & Hergert, B. (March, 2008). Awarding punitive damages: Does knowing where the money will go affect juror decisions? *American Psychology-Law Society*, Jacksonville, Florida.

2007 (n=7)

- Aharonian, A., Delaney, M., **Bornstein, B.H.** (May, 2007). The revelation effect in eyewitness memory. *Western Psychological Association*, Vancouver.
- Bornstein, B.H.**, Greene, E., & Dietrich, H. (March, 2007). Granny (don't) get your gun. *Off the Witness Stand*, John Jay College of Criminal Justice, New York, New York.
- Bornstein, B.H.**, & Penrod, S.D. (March, 2007). Hugo Who? G.F. Arnold's Alternative Early Approach to Psychology and Law. *Off the Witness Stand*, John Jay College of Criminal Justice, New York, New York.
- Flores, D., Miller, M.K., Chamberlain, J., Richardson, J., & **Bornstein, B.H.** (July, 2007). Judges' perspectives on stress and safety in the courtroom. *Law and Society Association*, Berlin.
- Lyons, J., & **Bornstein, B.H.** (March, 2007). Crying on the stand: Effects of child witness gender, age, and demeanor on juror decisions in a child abuse trial. *Off the Witness Stand*, John Jay College of Criminal Justice, New York, New York.
- Maeder, E.M., Laub, C.E., & **Bornstein, B.H.** (April, 2007). The influence of a psychology and law course on legal attitudes and knowledge structures. *Great Plains Conference on the Teaching of Psychology*, Vermilion, SD.

Thimsen, S., **Bornstein, B.H.**, & Robbenolt, J. (August, 2007). Apologies and deciding to sue. *American Psychological Association*, San Francisco, CA.

2006 (n=11)

Bornstein, B.H., Poser, S., Rodriguez, J.M., Neal, T., & Laub, C.E. (March, 2006). Perceptions of procedural and distributive justice in the September 11th Victim Compensation Fund. *American Psychology-Law Society*, St. Petersburg, Florida.

Chamberlain, J.C., Miller, M.K., & **Bornstein, B.H.** (July, 2006). State courts weigh in on the rights and responsibilities of gay parents. *Law and Society Association*, Baltimore, Maryland.

Clevenger, K., & **Bornstein, B.H.** (March, 2006). Mock jurors' decisions about acquaintance rape. *American Psychology-Law Society*, St. Petersburg, Florida.

Laub, C. E., & **Bornstein, B. H.** (2006, August). Do mock jurors appreciate the limitations of earwitness testimony? *American Psychological Association*, New Orleans, Louisiana.

Laub, C.E., **Bornstein, B.H.**, Delgado, D., & Deffenbacher K. A. (March, 2006). The effect of instructions on a cross-race recognition task. *American Psychology-Law Society*, St. Petersburg, Florida.

McAuliff, B., Vargas, J., Samis, A., & **Bornstein, B.H.** (March, 2006). "You do the math!" The effects of per diem arguments and lump sums on mock jurors' pain and suffering awards. *American Psychology-Law Society*, St. Petersburg, Florida.

Miller, M.K., & **Bornstein, B.H.** (July, 2006). Does religion predict juror decisions? Implications for peremptory challenges. *Law and Society Association*, Baltimore, Maryland.

Miller, M.K., & **Bornstein, B.H.** (2006, June). Selling violent video games: Free speech and free enterprise vs. protecting the children. *Society for the Psychological Study of Social Issues*, Long Beach, CA.

Miller, M.K., & **Bornstein, B.H.** (March, 2006). Jurors' commonsense notions of assumption of the risk in medical malpractice trials. *American Psychology-Law Society*, St. Petersburg, Florida.

Miller, M.K., Chamberlain, J.C. & **Bornstein, B.H.** (2006, April). Psychological research supports recent California rulings determining the rights and responsibilities of lesbian parents. *Western Social Science Association*, Phoenix, AZ.

Uhl, E., Perry, A., & **Bornstein, B.H.** (March, 2006). Should big boys cry? Effects of child witness age, gender, and demeanor on mock juror decisions in a domestic abuse trial. *American Psychology-Law Society*, St. Petersburg, Florida.

2005 (n=10)

Miller, M.K., & **Bornstein, B.H.** (June, 2005). Juror stress: Causes and interventions. *Law and Society Association*, Las Vegas, NV.

Penrod, S.D., **Bornstein, B.H.**, Deffenbacher, K., McGorty, K., & Adya, M. (June, 2005). Meta-analyses of the effects of estimator and system variables in 469 eyewitness and facial recognition studies. *European Conference on Psychology and Law*, Riga, Latvia.

Bornstein, B.H. (May, 2005). Workplace discrimination: A commentary. *Legal Decision Making in Everyday Life: Controversies in Social Consciousness*, Lincoln, NE.

Adya, M., & **Bornstein, B.H.** (March, 2005). Genetic information use in hiring decisions: Psycho-legal possibilities arising from the Human Genome Project. *American Psychology-Law Society*, La Jolla, CA.

Bornstein, B.H. (March, 2005). Consulting on damage awards. In M. Phillips (Symposium Chair), Theoretical and methodological issues in trial consulting. *American Psychology-Law Society*, La Jolla, CA.

- McCabe, S.G., & **Bornstein, B.H.** (March, 2005). The past, present and future: Legal and ethical concerns of trial and jury consulting. *American Psychology-Law Society*, La Jolla, CA.
- McGorty, E.K., **Bornstein, B.H.**, & Penrod, S.D. (March, 2005). The effect of cognitive processing on facial identification accuracy: A meta-analysis. *American Psychology-Law Society*, La Jolla, CA.
- Miller, M.K., & **Bornstein, B.H.**, & Fanning, N. (March, 2005). Encouraging jurors to punish an “eye for an eye” or to “turn the other cheek”: The use of religion in death penalty sentencing trials. *American Psychology-Law Society*, La Jolla, CA.
- Penrod, S.D., **Bornstein, B.H.**, McGorty, E.K., & Adya, A. (March, 2005). Determinants of identification accuracy in 469 eyewitness and facial recognition studies. *American Psychology-Law Society*, La Jolla, CA.
- Robicheaux, T., **Bornstein, B.H.**, & Zwart, E. (March, 2005). Can we partially punish? The effects of comparative negligence on punitive damage awards. *American Psychology-Law Society*, La Jolla, CA.

2004 (n=7)

- Krondak, S., Miller, M.K., & **Bornstein, B.H.** (May, 2004). Use of persuasive strategies in safer sex education programs. *American Psychological Society*, Chicago, IL.
- Adya, M., & **Bornstein, B.H.** (March, 2004). Genetic discrimination in hiring decisions: An initial examination. *American Psychology-Law Society*, Scottsdale, AZ.
- Adya, M., & **Bornstein, B.H.** (March, 2004). Privacy: A multidimensional scaling perspective. *American Psychology-Law Society*, Scottsdale, AZ.
- McAuliff, B.D., **Bornstein, B.H.**, & McCabe, S. (March, 2004). Counting the hours, days, and months: The effect of per diem arguments and cautionary instructions on mock jurors' pain and suffering awards. *American Psychology-Law Society*, Scottsdale, AZ.
- McGorty, E.K., & **Bornstein, B.H.** (March, 2004). Corporate defendants on trial: The effects of representation, company size, and professional relatedness. *American Psychology-Law Society*, Scottsdale, AZ.
- Miller, M.K., **Bornstein, B.H.**, & Herschlag, L.B. (March, 2004). Religious appeals in closing arguments: Impermissible input or benign banter? *American Psychology-Law Society*, Scottsdale, AZ.
- Wenger, A.A., & **Bornstein, B.H.** (March, 2004). The effect of substance use and relationship closeness on jurors' perceptions of victims in cases of alleged sexual assault. *American Psychology-Law Society*, Scottsdale, AZ.

2003 (n=15)

- Adya, M., **Bornstein, B.H.**, Bailey, D., & Bertrand, D. (July, 2003). Conceptions of privacy: A multidimensional perspective. *International Interdisciplinary Conference on Psychology & Law* (sponsored by AP-LS, EAP&L, and ANZAPP&L), Edinburgh, Scotland.
- Adya, M., **Bornstein, B. H.**, & Roebke, J. (July, 2003). The effects of long and short continuances in cases with heavy or light pretrial publicity exposure. In M. Adya (Symposium Chair), *Current Directions in PTP. International Interdisciplinary Conference on Psychology & Law* (sponsored by AP-LS, EAP&L, and ANZAPP&L), Edinburgh, Scotland.
- Adya, M., Claussen-Schulz, A., McGorty, K., Franssen, V. J., Penrod, S. D., & **Bornstein, B. H.** (July, 2003). Meta-Analysis: The Effects of Transformation on Facial Recognition. *Society for Applied Research in Memory and Cognition*, Aberdeen, Scotland.
- Bornstein, B.H.**, Zabawa, S., Miller, M., & Hope, D. (July, 2003). Juror perceptions of stress and minority involvement in the court system: An introduction. In B.H. Bornstein (Symposium Chair), *Juror perceptions of stress and minority involvement in the court system: An empirical*

- assessment. *International Interdisciplinary Conference on Psychology & Law* (sponsored by AP-LS, EAP&L, and ANZAPP&L), Edinburgh, Scotland.
- Bornstein, B.H.** (July, 2003). Jurors of the absurd: Consequentiality and simulated decision making. In Applications of jury research: Selecting the right questions and methods (S.D. Penrod, Symposium Chair). *International Interdisciplinary Conference on Psychology & Law* (sponsored by AP-LS, EAP&L, and ANZAPP&L), Edinburgh, Scotland.
- Dunn, K., Penrod, S.D., & **Bornstein, B.H.** (July, 2003). The relationship between methodological and structural jury decision making variables: A meta-analysis. *International Interdisciplinary Conference on Psychology & Law* (sponsored by AP-LS, EAP&L, and ANZAPP&L), Edinburgh, Scotland.
- Dunn, K., Penrod, S.D., & **Bornstein, B.H.** (July, 2003). Individual and deliberated decisions in mock juror decision-making: A meta-analysis. *Western Psychological Association*, Vancouver, Canada.
- Ernst, D., Venable, J., & **Bornstein, B.H.** (May, 2003). Prejudice against Muslims and Jews. *American Psychological Society*, Atlanta.
- McCabe, S., McAuliff, B.D., & **Bornstein, B.H.** (July, 2003). The effect of per diem arguments at trial. *International Interdisciplinary Conference on Psychology & Law* (sponsored by AP-LS, EAP&L, and ANZAPP&L), Edinburgh, Scotland.
- McGorty, E.K., Adya, M., **Bornstein, B.H.**, & Penrod, S.D. (July, 2003). Own-age and same-sex biases in eyewitness and facial identification: A meta-analysis. *International Interdisciplinary Conference on Psychology & Law* (sponsored by AP-LS, EAP&L, and ANZAPP&L), Edinburgh, Scotland.
- McGorty, E.K., **Bornstein, B.H.**, & Wenger, A.A. (July, 2003). Embodying the corporation at trial: The effects of defendant representation, damage severity, and company size. *International Interdisciplinary Conference on Psychology & Law* (sponsored by AP-LS, EAP&L, and ANZAPP&L), Edinburgh, Scotland.
- Mercado, C.C., **Bornstein, B.H.**, & Schopp, R.F. (July, 2003). Volitional impairment and sexual predator commitment. *International Interdisciplinary Conference on Psychology & Law* (sponsored by AP-LS, EAP&L, and ANZAPP&L), Edinburgh, Scotland.
- Miller, M., Robeson, D., **Bornstein, B.H.**, & Tomkins, A. (July, 2003). Juror perceptions of minority involvement and treatment in the legal system. In B.H. Bornstein (Symposium Chair), Juror perceptions of stress and minority involvement in the court system: An empirical assessment. *International Interdisciplinary Conference on Psychology & Law* (sponsored by AP-LS, EAP&L, and ANZAPP&L), Edinburgh, Scotland.
- Nemeth, R.J., & **Bornstein, B.H.** (July, 2003). The impact of gruesome evidence on mock juror decision making: The role of evidence characteristics and emotional response. *International Interdisciplinary Conference on Psychology & Law* (sponsored by AP-LS, EAP&L, and ANZAPP&L), Edinburgh, Scotland.
- Nemeth, R.J., Lindsay, B., & **Bornstein, B.H.** (July, 2003). Elements of jury duty that may (but may not) cause juror stress. In B.H. Bornstein (Symposium Chair), Juror perceptions of stress and minority involvement in the court system: An empirical assessment. *International Interdisciplinary Conference on Psychology & Law* (sponsored by AP-LS, EAP&L, and ANZAPP&L), Edinburgh, Scotland.

2002 (n=7)

- Miller, M.K., **Bornstein, B.H.**, & Hunt, J.S. (March, 2002). Self-concept enhancing mechanisms and alcohol abuse prevention. *Nebraska Symposium on Motivation*, Lincoln, NE.
- Adya, M., Claussen Schulz, A., **Bornstein, B.H.**, & Penrod, S.D. (March, 2002). The effect of transformation on facial identification accuracy - a meta-analysis. *American Psychology-Law Society*, Austin, TX.

- Claussen Schulz, A., **Bornstein, B.H.**, Penrod, S.D., & Moehr, M. (March, 2002). Dangerous decisions: Predicting jurors' judgments of risk in death penalty cases. *American Psychology-Law Society*, Austin, TX.
- Hatch-Maillette, M. A., Scalora, M. J., & **Bornstein, B.H.** (March, 2002). Perceptions of workplace violence in psychiatric settings: Does gender play a role? *American Psychology-Law Society*, Austin, TX.
- Nemeth, R.J., **Bornstein, B.H.**, Whisenhunt, B., & Dunaway, D. (March, 2002). Pretrial publicity effects in a civil trial: A two-way street? *American Psychology-Law Society*, Austin, TX.
- O'Neil, K., Page, G., Penrod, S.D., & **Bornstein, B.H.** (March, 2002). Companies' risky decisions: Jurors' reactions to cost-benefit analyses. *American Psychology-Law Society*, Austin, TX.
- Slawson, H., & **Bornstein, B.H.** (March, 2002). Evaluating the validity of web-based research: A study on civil jury decision making. Paper to be presented at the *American Psychology-Law Society*, Austin, TX.

2001 (n=3)

- Nemeth, R.J., **Bornstein, B.H.**, & Neely, C.B. (November, 2001). The effect of degrees of visual distinctiveness in the middle of a list. *Psychonomic Society*, Orlando, FL.
- Bornstein, B.H.**, & Rung, L. (August, 2001). The effects of defendant remorse on jury decisions in a malpractice case. *American Psychological Association*, San Francisco, CA.
- Claussen-Schulz, A., & **Bornstein, B.H.** (August, 2001). A model of lay future dangerousness judgments in capital cases. *American Psychological Association*, San Francisco, CA.

2000 (n=6)

- Wilson, J.R., & **Bornstein, B.H.** (November, 2000). Extending the revelation effect to faces: Haven't we met before? *Psychonomic Society*, New Orleans, LA.
- Matland, R.E., Scott, J.T., Michelbach, P.A., & **Bornstein, B.H.** (September, 2000). Cross-cultural perspectives on distributive justice. *International Society for Justice Research*, Tel-Aviv, Israel.
- Matland, R.E., Aalberg, T., Scott, J.T., **Bornstein, B.H.**, Michelbach, P.A., & Listhaug, O. (2000). An experimental study of distributive justice norms in the United States and Norway. *American Political Science Association*.
- Zickafoose, D.J., **Bornstein, B.H.**, O'Bryant, S. (March, 2000). Intuitions about arousal and eyewitness memory: Effects on mock jurors' verdicts and perceptions of eyewitness and expert witness credibility. *American Psychology-Law Society*, New Orleans, LA.
- Muller, S., & **Bornstein, B.H.** (March, 2000). Mock jurors' response to testimony on recovered memories. *American Psychology-Law Society*, New Orleans, LA.
- Michelbach, P.A., Scott, J.T., Matland, R.E., & **Bornstein, B.H.** (March, 2000). Choosing what's right: An experimental approach to distributive justice. *Southwest Social Science Association*, Galveston, TX.

1998-99 (n=6)

- Matland, R.E., Aalberg, T., Scott, J.T., **Bornstein, B.H.**, Michelbach, P.A., & Listhaug, O. (November, 1999). Choosing justice in the United States and Norway: A cross-national experimental study of distributive justice norms. *Southern Political Science Association*, Savannah, GA.
- Witt, C.J., & **Bornstein, B.H.** (July, 1999). Voice identification as a function of source language. *Society for Applied Research in Memory and Cognition*, Boulder, CO.
- Scott, J.T., Matland, R.E., Michelbach, P.A., & **Bornstein, B.H.** (October, 1998). Distributive justice norms: An experimental approach. *Southern Political Science Association*, Atlanta, GA.

Imai, S., & **Bornstein, B.H.** (May, 1998). Vividness in source monitoring. *Southwestern Cognition Conference*, Houston, TX.

Bornstein, B.H. (March, 1998). The external validity of jury simulations: Is the jury still out? *American Psychology-Law Society*, Redondo Beach, CA.

Coon, D., Greene, E., & **Bornstein, B.H.** (March, 1998). Tort reform: Unintentional effects of limiting punitive damages. *American Psychology-Law Society*, Redondo Beach, CA.

1996-97 (n=7)

Neely, C.B., Wilson, J.W., & **Bornstein, B.H.** (November, 1997). The effect of speech idiosyncrasies on voice recognition: Is it a laughing matter? *Psychonomic Society*, Philadelphia.

Hilsabeck, R.C., **Bornstein, B.H.**, Santa Maria, M.P., Angeli, T.M., & Graf, J.S. (November, 1997). Relationships among performance on neuropsychological measures of cognitive ability and measures of heuristics and biases in decision making. *National Academy of Neuropsychology*, Las Vegas, NV.

Angeli, T.M., Santa Maria, M.P., Gouvier, W.D., Hilsabeck, R.C., **Bornstein, B.H.**, Graf, J.S., & Pinkston, J.B. (October, 1997). Postconcussive symptomatology and socially dysfunctional symptoms correlate with forward but not backward digit span. *Louisiana Psychological Association*, Baton Rouge, LA.

Neely, C.B., & **Bornstein, B.H.** (November, 1996). Enhancing visual recency by qualitative and quantitative methods. *Psychonomic Society*, Chicago, IL.

Chapman, G.B., **Bornstein, B.H.**, & Emler, A.C. (October, 1996). The sunk cost fallacy in medical management decisions. *Society for Medical Decision Making*, Toronto, Ontario.

Wilson, J.R., & **Bornstein, B.H.** (May, 1996). Putting the trial back into pretrial publicity. *Southwestern Cognition Conference*, Austin, TX.

Zickafoose, D.J., & **Bornstein, B.H.** (May, 1996). Calibration for general knowledge and eyewitness memory. *Southwestern Cognition Conference*, Austin, TX.

Pre-1996 (n=7)

Bornstein, B.H. (November, 1995). The impact of different types of expert testimony on jurors' judgments. *Society of Judgment and Decision Making*, Los Angeles, CA.

Bornstein, B.H., & LeCompte, D.C. (November, 1995). Stimulus characteristic effects on source monitoring. *Psychonomic Society*, Los Angeles, CA.

Neely, C.B., & **Bornstein, B.H.** (May, 1995). The limits of visual distinctiveness. *Southwestern Cognition Conference*, College Station, TX.

Chapman, G.B., & **Bornstein, B.H.** (November, 1993). Learning a lesson through sunk cost. *Society of Judgment and Decision Making*, Washington, DC.

Bornstein, B.H., & Chapman, G.B. (June, 1993). Differential anchoring effects in personal injury verdicts. *American Psychological Society*, Chicago, IL.

Bornstein, B.H. (May, 1993). Pitying the plaintiff: The effect of sympathy on legal decision making. *Southwestern Cognition Conference*, Arlington, TX.

Bornstein, B.H. (November, 1991). David vs. Goliath: The effect of defendant's wealth on liability attributions. *Society of Judgment and Decision Making*, San Francisco, CA.

Work in Progress (selected)

*Laub, C.E., *Kimbrough, C., & **Bornstein, B.H.** Is an ear as good as an eye? Safeguards to help jurors use different kinds of identification testimony. Manuscript in revision.

*Wylie, L., Brank, E., & **Bornstein, B.H.** Now dear, what do you remember?" Patronizing communication and older eyewitnesses' memory performance. Manuscript in revision.

*Wylie, L., Patihis, L., *McCuller, L., Loftus, E.F., Brank, E., & **Bornstein, B.H.** The misinformation effect in elderly witnesses. Manuscript in preparation.

Students SupervisedDoctoral Committee Chair

Craig Neely (LSU, 1999)
 Jeff Wilson (LSU, 2000)
 Doug Zickafoose (LSU, 2001)
 Robert Nemeth (LSU, 2002)
 Kevin O'Neil (UNL, 2001)
 Aletha Claussen Schulz (UNL, 2002)
 Cindi Calkins Mercado (UNL, 2003)
 Monica Miller (UNL, 2004)
 Meera Adya (UNL, 2004)
 Kiernan McGorty (UNL, 2007)
 April Seifert (UNL, 2007)
 Carolyn Brown-Kramer (UNL, 2009)
 Cindy Laub (UNL, 2010)
 Samantha Schwartz (UNL, 2010)
 Sarah Thimsen (UNL, 2012)
 Tim Robicheaux (UNL)
 Jessica Snowden (UNL)
 Hannah Dietrich (UNL)
 Joe Hamm (UNL, co-chair)
 Chris Kimbrough (UNL)

Undergraduate Honors Thesis Supervisor

Emily Elliott (LSU)
 Brittan Barker (LSU)
 Rebecca Caire (LSU)
 Stephanie Peterson (LSU)
 Lahna Rung (LSU)
 Jordan Abshire (LSU)
 Suellen Chavet (UNL)
 Bridget Faimon (UNL)
 Ashley Wenger (UNL)
 Joshua Hawkins (UNL)
 Tess Schrader (UNL)
 Kelly Clevenger (UNL)
 Melissa Smart (UNL; co-supervisor)
 Ashley Christiansen (UNL)
 Cassandra Dorr (UNL)
 Erika Anschutz (UNL)
 Shaina Bergt (UNL; co-supervisor)

Doctoral Committee Member (Non-Chair; UNL Psychology unless noted)

Marc Patry, 2001
 Mary Hatch-Maillette, 2002
 Kerri Dunn, 2002
 Carson Simoes, 2003
 Jerry Baumgartner, 2003
 Mary Bodvarsson (UNL, Ed Psych/CL&D), 2005
 Mario Callegaro (UNL, SRM), 2007
 Amy Humke, 2008
 Andrea Perry, 2008
 Evelyn Maeder, 2009
 Megan Beringer Jones, 2011
 Jason Cantone, 2011
 Erin Richter (UNL, left program)
 Tarek al-Baghal (UNL, SRM), 2012
 Yimoon Choi
 Leroy Scott
 Joe Hamm
 Deidre Pettinga (Fielding Graduate University, 2012)

Master's Thesis (or Equivalent) Supervisor

Craig Neely (LSU)
 Jeff Wilson (LSU)
 Doug Zickafoose (LSU)
 Robert Nemeth (LSU)
 Monica Miller (UNL)
 Meera Adya (UNL)
 Kiernan McGorty (UNL)
 Sean McCabe (UNL)
 Tim Robicheaux (UNL)
 Joe Hamm (UNL)
 Ani Aharonian (UNL)
 Krystia Reed (UNL)
 Kimberly Nielsen (UNL)
Master's Thesis (or Equivalent) Committee Member
 Leah Skovran (UNL)
 Lindsey Wylie (UNL)