The Legal Process and the Promise of Justice:
A Conference to Honor the Work of Malcolm M. Feeley
Thursday, October 22nd – Friday October 23rd

A Conversation in Law and Society:
Malcolm Feeley interviewed by Jonathan Simon
Friday, October 23rd
DAY ONE

WELCOME

9:10 – 9:30  JONATHAN SIMON, DIRECTOR, CENTER FOR THE STUDY OF LAW AND SOCIETY
SUJIT CHOUDHRY, DEAN, UC BERKELEY SCHOOL OF LAW
CALVIN MORRILL, ASSOCIATE DEAN FOR JURISPRUDENCE AND SOCIAL POLICY

SESSION I:  The Process is the Punishment

9:30 – 11:30  ROSANN GREENSPAN, UC BERKELEY (CHAIR)
MARTIN SHAPIRO, UC BERKELEY (DISCUSSANT)
HADR AVIRAM, UC HASTINGS
“Adversarial Bias and the Criminal Process: Infusing the Organizational Perspective on Criminal Courts with Insights from Behavioral Science”
ISSA KOHLER-HAUSMANN, YALE UNIVERSITY
“Malcolm Feeley’s Concept of Law”
KAY LEVINE, EMORY UNIVERSITY
“Process as Intergenerational Punishment: Are Children Casualties of Parental Court Experiences?”
SHAHI TALESH, UC IRVINE
“The Process is the Problem”

LUNCH BREAK

11:30 – 12:45

GREETINGS

12:45 - 1:00  CARLA HESSE, DEAN OF SOCIAL SCIENCES
REBECCA GOLBERT, BERKELEY INSTITUTE FOR JEWISH LAW & ISRAEL STUDIES
CHARLES WEISSELBERG, SHO SATO PROGRAM
HARRY SCHEIBER, INSTITUTE FOR LEGAL RESEARCH
### SESSION II: Court Reform on Trial

**1:00 – 3:00**

**JONATHAN SIMON, UC BERKELEY (CHAIR/DISCUSSANT)**

**ERIC FELDMAN, UNIVERSITY OF PENNSYLVANIA**  
“Vaping on Trial: E-Cigarettes, Law, and Society”

**LAWRENCE FRIEDMAN, STANFORD UNIVERSITY**  

**DAVID JOHNSON, UNIVERSITY OF HAWAI'I & SETSUO MIYAZAWA, AOYAMA GAKUIN UNIVERSITY/UC HASTINGS**  
“Japanese Court Reform on Trial”

**DAVID NELKEN, KING’S COLLEGE, LONDON**  
“Court Reform and Comparative Criminal Justice”

**ASHLEY RUBIN, FLORIDA STATE UNIVERSITY**  
“The Birth of the Penal Organization: Why Prisons Were Born to Fail”

### COFFEE BREAK

**3:00 – 3:30**

### SESSION III: Judicial Policy Making and the Modern State

**3:30 – 5:30**

**ROBERT A. KAGAN, UC BERKELEY (CHAIR/DISCUSSANT)**

**LAUREN EDELMAN, UC BERKELEY**  
“Judicial Deference in the Modern State”

**PAUL FRYMER, PRINCETON UNIVERSITY**  
“Judges, Labor, and Economic Inequality”

**CHRISTINE HARRINGTON, NEW YORK UNIVERSITY**  
“Swept Under the Law: Sex, Drugs & …Prison Reform”

**CANDACE MCCOY, CUNY, GRADUATE CENTER & JOHN JAY COLLEGE**  
“After Ferguson: Anticipating the Pitfalls for Judicial Policymaking in Reforming America’s Police”

**STEPHEN RUSHIN, UNIVERSITY OF ALABAMA**  
“Judicial Policymaking and Police Reform”
DAY TWO

SESSION IV: The Legal Complex and Political Liberalism

10:00 – 12:00  GORDON SILVERSTEIN, YALE UNIVERSITY (CHAIR/ DISCUSSANT)

TERENCE HALLIDAY, AMERICAN BAR FOUNDATION/ NORTHWESTERN UNIVERSITY
“The International Legal Complex: Wang Yu and the Global Response to Repression of China’s Political Lawyers”

MENACHEM HOFNUNG, HEBREW UNIVERSITY OF JERUSALEM
Policy Making by Out of Court Settlements: Palestinian Informers at the Israeli High Court of Justice

MARK FATHI MASSOUD, UC SANTA CRUZ/LAPA FELLOW, PRINCETON UNIVERSITY
“The Legal Profession’s Promise of Justice: Materialism and Idealism in Legal and Socio-Legal Work”

EDWARD RUBIN, VANDERBILT UNIVERSITY
“The Varieties of Judicial Independence and the Judiciary’s Role in Political Reform”

KIM SCHEPPELE, PRINCETON UNIVERSITY
“The Legal Complex and Lawyers-in-Chief”

LUNCH BREAK

12:00 – 2:00

A CONVERSATION IN LAW & SOCIETY: MALCOLM FEELEY INTERVIEWED BY JONATHAN SIMON (IN RM 140, BOALT HALL)

2:00 – 3:30

CLOSING RECEPTION (IN THE KADISH LIBRARY)

3:30 – 5:00

Conference is hosted and sponsored by the Center for the Study of Law and Society. Organizing Committee: Jonathan Simon, Rosann Greenspan and Hadar Aviram. We are grateful to our co-sponsors: Office of the Dean, Berkeley Law; Division of Social Sciences; Jurisprudence & Social Policy Program; Berkeley Institute for Jewish Law and Israel Studies; Sho Sato Program, and the Institute for Legal Research.