“As a former judge who is now part of a great academic law school, I see tremendous benefits in bringing together thoughtful judges and scholars to study judicial institutions in the light of academic research considered through the lens of day-to-day experience. Whether it is judicial independence, efficiency, bias, the selection process for judges, the use of judges or juries to decide certain cases, the use of specialized courts, or the attainment of justice — these are topics of great national and international interest. They ultimately address a society's confidence in its dispute resolution procedures as well as its commitment to certain values.”

— Dean David F. Levi, former Chief United States District Judge for the Eastern District of California

“This program offers the chance to examine the performance of our judicial institutions and reflect on the judicial decision-making process. As a trial judge in the trenches, I believe this is great way to foster interaction between the judiciary and the scholars who study it.”

— Judge William H. Pauley III, United States District Court for the Southern District of New York and a senior member of the Duke Law Board of Visitors
The Duke Law Master of Laws Degree in Judicial Studies is one of the few programs in the nation offering judges the opportunity to pursue advanced research and education opportunities. Courses focus on the history, institutions, and processes that shape the judiciary and affect judicial decision-making. Our faculty includes the nation’s preeminent scholars of judicial studies and empirical studies, as well as the study of institutions, international and comparative law, public law, legal strategy, and law and economics.

 Judges learn the analytical skills and research approaches necessary for studying the judiciary and apply those skills to studies of domestic and international judicial institutions, common and emerging legal issues, general judicial practices, and judicial reform efforts.

**AT A GLANCE**

**How long is the program?**
The program takes place over two summers, with judges studying in residence for four weeks each summer and conducting original research outside the classroom.

**Who may apply?**
Applicants must be former or sitting judges and must have a law degree from an accredited U.S. law school or equivalent foreign university.

**What is the cost?**
Tuition is approximately $16,750 per summer, plus nominal student fees. Significant scholarship assistance is available, as are subsidies for food and housing costs. Duke will assist applicants who wish to set up loans for part or all of their tuition. See the website for details.

**Where will I live while in residence at Duke?**
Housing on or near campus will be available to all students. Duke also will arrange some meals and extracurricular programs.

**When can I apply?**
Applications received by December 15, 2011, will receive priority consideration for admission to the 2012-2013 program.

> VISIT: [WWW.LAW.DUKE.EDU/JUDICIALSTUDIES](http://WWW.LAW.DUKE.EDU/JUDICIALSTUDIES)
Duke Law School is a leader in the study of the judiciary. Home to one of the top law faculties in the world, Duke has established a strong tradition in judicial studies thanks to innovative scholarship by faculty such as Jack Knight and Mitu Gulati and the leadership of Dean David F. Levi, a former federal judge who has served on and led national committees related to judicial practice and procedure.

In addition to frequent collaboration with the Federal Judicial Center to host educational programs and conferences for judges, Duke Law has hosted a number of recent conferences focusing on judicial studies and issues of interest to the judiciary. These conferences have brought together academics and judges to collaboratively and comprehensively evaluate the field of judicial studies and examine ways to bridge the gap between academic studies and actual court administration and practice.

**CONFERENCES**

**Measuring Judges and Justice**
In February 2009, the *Duke Law Journal* Symposium addressed the topic of “Measuring Judges and Justice.” The conference brought together leading academics and jurists to discuss the quantification and codification of judicial decision-making. The conference explored four general questions:

1. How, if at all, can quantitative measurements explain judicial behavior?
2. What objective criteria for evaluating judicial decision-making would help judges improve?
3. Why do judges resist the attitudinal model and other models of judicial behavior?
4. How could researchers adjust their models or methods to better reflect how the legal system operates?

Each topic was explored through a series of panel discussions among scholars and judges. Ideas were further explored in a special issue of *Duke Law Journal* dedicated to the topic (Vol. 58, April 2009).

**Evaluating Judging, Judges, and Judicial Institutions**
In September 2009, a conference funded by the National Science Foundation addressed the topic of “Evaluating Judging, Judges, and Judicial Institutions.” The goal of the two-day workshop was to strengthen and broaden the theoretical foundation of empirical research into the quality and legitimacy of judicial decision-making. Invited participants — an equal number of jurists, theoretical scholars, and empiricists — identified unanswered or inadequately addressed questions that can serve as the basis for discussion on how to advance empirical study of the judiciary.
Civil Litigation Review Conference
Duke Law hosted a 2010 conference sponsored by the Judicial Conference Advisory Committee on Civil Rules that brought more than 180 federal judges, practitioners, and academics together to examine issues of access, fairness, cost, and delay in the civil litigation process. The conference explored data from empirical studies on current litigation practice and proposals for improving civil litigation in the federal trial courts, focusing in particular on data for actual litigation costs incurred by law firms and major corporations as well as recent Supreme Court decisions regarding pleading standards and discovery. In exploring solutions to challenges in these areas, the conference also framed an agenda for possible amendments to the Federal Rules of Civil Procedure that will be a basis for judicial education through the Federal Judicial Center and for further action by the Bar.

THE CENTER FOR JUDICIAL STUDIES
The Master of Judicial Studies LLM program is offered under the auspices of the Duke Law Center for Judicial Studies, which was founded in 2011 to advance the study of the judiciary through interdisciplinary scholarship and cooperative thinking from multiple perspectives. By bringing together judges, researchers, teachers, and theorists, the Center for Judicial Studies fosters an interdisciplinary exploration of the judicial process in order to help both judges and scholars better understand the judicial process and to generate ideas for how it might be improved.

To do so, the Center:
» sponsors, supports, collects, and publishes new research on judicial institutions and judging and serves as an important resource for scholars studying the judiciary;
» hosts major research conferences on specific topics within the field of judicial studies; and
» develops educational programs for judges, including the Master of Laws in Judicial Studies program, a certificate program, and specialty workshops and seminars for judges.

“Definitely the most productive, interesting and helpful program I’ve participated in.”
—Participant in Federal Judicial Conference course taught by Duke Law faculty
The Master of Laws in Judicial Studies program draws on the wide range of expertise within the Duke Law faculty. In addition, a number of distinguished visiting faculty, including judges from the United States and abroad, will teach courses and participate in related programming.

The following faculty are among those who will teach in the first year of the program.

**The Honorable Samuel A. Alito**
Associate Justice, United States Supreme Court

Justice Alito was nominated to the U.S. Supreme Court in 2005 by President George W. Bush and was confirmed to the post by the U.S. Senate in January 2006. He had previously served on the U.S. Court of Appeals for the Third Circuit, nominated by President George H.W. Bush in 1990. He has served as U.S. attorney for the District of New Jersey; deputy assistant attorney general in the U.S. Department of Justice; assistant to the solicitor general in the U.S. Department of Justice in the Reagan administration; and assistant U.S. attorney for the District of New Jersey.
Curtis A. Bradley  
Richard A. Horvitz Professor of Law and Professor of Public Policy Studies, Duke University

Professor Bradley is an expert in international law, U.S. foreign relations law, and foreign courts and is co-director of Duke Law School’s Center for International and Comparative Law. The co-author of leading casebooks on foreign relations law and on federal courts and federal-state relations, he is currently working on a book about international law in the U.S. legal system. He has served as counselor on international law in the Legal Adviser’s Office of the U.S. State Department and as a member of the Secretary of State's Advisory Committee on International Law, and he is a member of the Board of Editors of the American Journal of International Law.

John de Figueiredo  
Professor of Law and Business, Duke University

Professor de Figueiredo studies competitive strategy, political and legal strategy, law and economics, and the management of innovation. His innovative and widely acclaimed research in “non-market” strategy examines how political influence, regulatory lobbying, and strategic litigation are used to enhance competitive performance. Prior to joining Duke Law School in 2010, he was an associate professor of strategic management and associate professor of law at the UCLA Anderson School.

Michael H. Bradley  
F.M. Kirby Professor of Investment Banking and Professor of Law, Emeritus, Duke University

Professor Bradley’s research interests lie at the intersection of corporate finance and corporate law. He has published papers in legal and business journals on corporate capital structure, mergers and acquisitions, takeover defenses and tactics, government regulation of the securities market, insider trading, fiduciary duties of corporate managers, corporate governance and corporate bankruptcy. He serves on the editorial boards of The Journal of Applied Corporate Finance, The Journal of Corporate Finance and Governance, and The Journal of Financial Research.

Mitu Gulati  
Professor of Law, Duke University

Professor Gulati’s current research focuses on the evolution of contract language, the history of international financial law and the measurement of judicial behavior. His recent work on the judiciary has explored, among other topics, the benefits and costs of lifetime tenure for judges; the role of gender in judicial decision-making and performance; and the efficacy of various models for measuring judicial ability.

» SEE WWW.LAW.DUKE.EDU/JUDICIALSTUDIES FOR MORE INFORMATION ABOUT OUR FACULTY
Laurence R. Helfer  
Harry R. Chadwick, Sr. Professor of Law, Duke University

Professor Helfer is a leading expert in international law whose scholarly interests include interdisciplinary analysis of international law and institutions, human rights, and international intellectual property law and policy. He is co-director of Duke Law School’s Center for International and Comparative Law, a member of the faculty steering committee of the Duke Human Rights Center, and a member of the Board of Editors of the American Journal of International Law and the Journal of World Intellectual Property.

Margaret Lemos  
Professor of Law, Duke University

Professor Lemos is a scholar of constitutional law, legal institutions, and procedure. Her scholarship focuses on the institutions of law interpretation and enforcement and their effects on substantive rights. She writes in four related fields: federalism; administrative law, including the relationship between courts and agencies; statutory interpretation; and civil procedure. Prior to joining Duke Law, she served on faculty of the Cardozo School of Law, where she was voted “best first-year teacher” in 2010 and in 2011. She also has served as a Furman Fellow at New York University School of Law and a Bristow Fellow at the Office of the Solicitor General.

Jack Knight  
Frederic Cleaveland Professor of Law and Political Science, Duke University

A renowned political scientist and legal theorist, Professor Knight’s scholarly work focuses on modern social and political theory, law and legal theory, and political economy. He studies, among other things, the motivations and decisions of judges, the effects of extensive prior judicial experience as a prerequisite for service on the U.S. Supreme Court, and other aspects of how courts make decisions and how judges choose their positions in opinions. His book The Choices Justices Make (coauthored by Lee Epstein) (Congressional Quarterly Press, 1997) won the American Political Science Association’s C. Herman Prichett Award for the best book published on law and courts.

David F. Levi  
Dean and Professor of Law, Duke University

Dean Levi joined Duke Law School in 2007. Prior to his appointment as dean, he was the Chief United States District Judge for the Eastern District of California with chambers in Sacramento. His scholarship and teaching focus on judicial behavior and ethics. By appointment of the Chief Justice, he has served as chair of two Judicial Conference committees: He was chair of the Civil Rules Advisory Committee from 2000 to 2003 and chair of the Standing Committee on the Rules of Practice and Procedure from 2003 to 2007. He is now serving a term as a member of that committee.

“Professors Bradley and Helfer did a fabulous job of teaching very difficult material.”
— Participant in Federal Judicial Conference course taught by Duke Law faculty

» See www.law.duke.edu/judicialstudies for more information about our faculty
**Francis McGovern**  
Professor of Law, Duke University  

Professor McGovern is a leading practitioner, scholar, and teacher in the field of alternative dispute resolution who has spoken and taught around the world on a range of topics related to ADR. As a court-appointed special master or neutral expert, he has developed solutions in most of the significant mass claim litigation in the U.S., including the DDT toxic exposure litigation in Alabama, the Dalkon-Shield controversy, and the silicone gel breast implant litigation. As a case manager, he organizes the pretrial administration of a case and the ADR techniques to help the parties agree on efficient discovery approaches and schedules.

**Judge Lee H. Rosenthal**  
U.S. District Court, Southern District of Texas  

Judge Rosenthal was appointed a U.S. District Court Judge for the Southern District of Texas, Houston Division, in 1992. She previously was a partner at Baker & Botts in Houston, where she tried civil cases and handled appeals in the state and federal courts. She has served as a member and chair of the Judicial Conference Advisory Committee on Civil Rules and is now completing an extended term as chair of the Judicial Conference Committee on the Rules of Practice and Procedure. She is a member of the American Law Institute, where she serves as an adviser for the Employment Law Project and the Aggregate Litigation Project.

**Neil S. Siegel**  
Professor of Law and Political Science  

Professor Siegel is one of the nation’s leading young scholars of constitutional law and theory and is co-director of Duke’s Program in Public Law. His recent research investigates economic theories of constitutional law and the theory of collective action federalism. He served as special counsel to Sen. Joseph R. Biden during the confirmation hearings of Supreme Court Justices John G. Roberts and Samuel A. Alito.

**Neil Vidmar**  
Russell M. Robinson II Professor of Law and Professor of Psychology, Duke University  

Professor Vidmar’s scholarly research involves the empirical study of law across a broad spectrum of topics in civil and criminal law. A social psychologist by training, he is a leading expert on jury behavior and outcomes and has extensively studied medical malpractice litigation, punitive damages, dispute resolution, and the social psychology of retribution and revenge.

**Ernest A. Young**  
Alston & Bird Professor of Law, Duke University  

Professor Young is a leading scholar on the constitutional law of federalism. He has written extensively on the Rehnquist Court’s “Federalist Revival” and the difficulties confronting courts as they seek to draw lines between national and state authority. He also is an active commentator on foreign relations law, where he focuses on the interaction between domestic and supranational courts and the application of international law by domestic courts.
The degree program consists of 22 credits, four of which are earned through the writing of a thesis based on original research. Each summer features four weeks of courses comprising nine credits. Courses will vary depending on faculty and current events. Following is a list of the courses that are likely to be offered over the two-summer program.

**Scholars’ Seminar** – Each class session features a presentation of scholarship from a highly regarded legal scholar who has studied the judiciary. Participants work in small groups to prepare responses and lead class discussions on each presentation. Topics and techniques range from biography to quantitative analysis.

**Judges’ Seminar** – Similar in structure to the Scholars’ Seminar, this course focuses on presentations by visiting judges who have handled unique cases or challenges in their courts, such as high-publicity mass tort cases, novel national security cases, or strategies for coping with large caseloads and diminished resources. Sessions examine how judicial institutions and individual judges approach particularly complex or interesting problems.

**Study of the Judiciary** – This course focuses on the study of the judiciary, and addresses empirical, biographical, and jurisprudential areas of inquiry. Participants read papers and evaluate studies on many aspects of the judiciary. Teaching is divided among scholars with various perspectives on the study of the judiciary, including those who criticize certain approaches to the general field.

**Analytic Methods** – This course focuses on developing literacy in quantitative and formal analysis in the social sciences, including statistics, empirical evidence, and game theory. The course is designed for those without social science backgrounds and provides a foundation for reading and interpreting statistics, studies, and other quantitative methods or evidence judges may encounter.
Statutory and Constitutional Interpretation –
This course examines how judges do and should interpret statutes and constitutions, both in theory and in practice. Part of the course focuses on theories of statutory and constitutional interpretation, and part of the course focuses on empirical studies of how judges interpret statutes and constitutional texts in practice.

Federalism – This course explores the history and political theory of federalism, divergent models of federalism (e.g., dual federalism, process federalism, cooperative federalism), the relationship between federalism and political identity, and the role of courts in enforcing federalism, with some attention to comparisons with other federal systems in Europe, Canada, and Australia.

Forensic Finance for Judges – The purpose of this course is to familiarize sitting judges with the latest developments in finance in general and corporate finance in particular. Topics include the time value of money, valuation techniques, capital market efficiency, behavioral finance, options, derivatives, corporate capital structure, governance, and control transactions. The goal is to provide judges with information that will allow them to better understand reports and testimony of financial expert witnesses and to assess their credentials and evidence in Daubert Motions and related judicial proceedings.

Institutions – This course examines research on the design of legal and judicial institutions with a focus on the optimal design of key structural features. Topics covered will include the impact of different institutional structures (such as elected versus appointed judiciaries or common law versus civil law) on matters such as economic growth rates or levels of litigant satisfaction.

International Law in U.S. Courts – This course considers the role of international law — both treaty-based and customary — in the federal and state courts of the United States. Topics to be considered include the circumstances under which treaties operate as “self-executing” federal law, the relationship between customary international law and federal common law, the “act of state” doctrine that limits U.S. court evaluation of foreign government activities, human rights litigation against foreign officials and multinational corporations, and the pre-emption of state laws that interfere with the foreign affairs prerogatives of the national government.

Judicial Writing Workshop – This workshop examines the opinions of judges who are famous for great writing. Presentations will be made by visiting judges who are considered to be some of the best judicial writers in the country. Participants also will submit one of their own opinions anonymously for evaluation by a workshop group in the class.

Advanced Research Methods – This short course expands on the topics covered in the first year’s Methods course, examining in particular some of the techniques that participants might want to use in thesis papers. This also is an opportunity to consider whether a particular topic lends itself to empirical analysis, and, if so, of what kind (quantitative, survey, or other).

Thesis Preparation – This short course includes meetings with a thesis adviser, as well as opportunities to discuss your thesis proposal with a small group.
HOW TO APPLY

To apply for the Master of Laws in Judicial Studies, applicants must hold a JD or an LLM from an accredited U.S. law school or an equivalent degree from another country, and be a current or former judge. Complete application instructions and the application form are available on the Judicial Studies program website at www.law.duke.edu/judicialstudies/degree.

APPLICATION CHECKLIST:

- **LLM Program in Judicial Studies Application Form.** This form may be signed and submitted in hard copy form through the mail or electronically signed and submitted via email to judicialstudies@law.duke.edu. The form may be downloaded at www.law.duke.edu/judicialstudies/degree.

- **$70 non-refundable application processing fee.** This fee may be submitted by check or money order, and must be submitted through the mail. To verify your identity, please include your name and birthdate on your check or money order.

- **Resume or curriculum vitae**

- **Personal statement**

- **Two references**

- **TOEFL report** (for international applicants only, if applicable)

**APPLICATION DEADLINE**

We encourage you to submit your application as soon as possible. Completed applications received before December 15, 2011, will be given priority. For an application to be considered complete, we must receive the application form, personal statement, resume, fee, and references.

Please send your completed application to judicialstudies@law.duke.edu, or mail a hard copy to:

Center for Judicial Studies
Duke University School of Law
210 Science Drive
Box 90362
Durham, NC 27708-0362
“By fostering dialogue between judges and law professors, the center will also build important bridges between the judiciary and the academy.”

— Judge Anthony Scirica of the U.S. Court of Appeals for the Third Circuit, commenting on the Center for Judicial Studies at Duke
Early summer is a lovely time to be in Durham, N.C., and Judicial Studies students will be able to enjoy their time away from the classroom. A number of extracurricular outings will be organized, and may include a Durham Bulls baseball game; a guided tour of Duke University’s renowned Nasher Museum of Art or another nearby museum; excursions to local Civil War sites and other historical landmarks; and trips to the North Carolina Pottery Center in Seagrove, or North Carolina beaches. Students also will have the opportunity to dine in some of Durham’s excellent restaurants; dubbed “America’s Foodiest Small Town” by Bon Appetit magazine, Durham boasts world-class cuisine as well as a number of funky and creative breweries, coffee shops, and cafes.

Detailed information on housing, travel, and activities will be posted on the Judicial Studies program website and will be provided to applicants as the program’s start date nears.
“We know that our faculty will learn much from the judges who come to study here at Duke. And so will the judges learn much from our faculty. Our new Judicial Center and the Master of Laws Program in Judicial Studies will strengthen the historically close and productive relationship between the academy and the bench. Together we can continue to build a learned profession, one that constantly strives to improve the justice system through knowledge and service.”

— Dean David F. Levi