

Empirical Law and Economics

Fall 2020

Law 940-001

T 4:30 pm – 6:30 pm

Gittis Hall 213

Description: In this seminar, we will learn the basics of law and economics and applied econometrics, with a special focus on the identification of causal relationships between law and behavior.

Attendance: You should probably come to class

Participation: It will be more fun if you participate

Grading: Your grade will be entirely determined by your performance on the paper described Below

Paper: There are two basic kinds of papers you can write for this class. The first kind of paper is a low risk, low reward paper which is, essentially, a literature review examining the empirical work on a topic not directly examined in class. The second kind of paper is a high risk, high reward paper. Papers in this category will state an interesting research hypothesis related to a field of law or policy, develop a research design to credibly examine this hypothesis, collect and analyze data to implement this research design, draw tentative conclusions based on the results of your analysis, highlight shortcomings of the analysis, and draw any relevant policy conclusions that follow from your analysis. There is no length minimum or maximum for either type of paper. You should have at least a basic idea of what kind of paper and what topic you plan to pursue by the beginning of November. You should also talk to me about the paper by the end of November. The final paper is due by the end of the fall exam period.

Schedule

September 8: No physical class – watch pre-recorded lecture: Basics of Law and Economics

No reading, but you could look through David Friedman's Law's Order (available for free at http://www.davidfriedman.com/Laws_Order_draft/laws_order_ToC.htm)

September 15: Basics of Statistics/Econometrics

You could take a look at the Federal Judicial Center's Reference Manual on Scientific Evidence (available for free at <https://www.fjc.gov/sites/default/files/2015/SciMan3D01.pdf>)

September 22: Crime – Police

Jonathan Klick and Alexander Tabarrok (2005), "Using Terror Alert Levels to Estimate the Effect of Police on Crime," *Journal of Law and Economics*, 48(1): 267-279.

John MacDonald, Jonathan Klick, and Ben Grunwald (2016), "The Effect of Private Police on Crime: Evidence from a Geographic Regression Discontinuity Design," *Journal of the Royal Statistical Society Series A*, 179(3): 831-846.

Marco Fabbri and Jonathan Klick (2018), "The Ineffectiveness of Observe and Report Patrols on Crime," Working Paper

September 29: No physical class – Watch pre-recorded lecture Crime: Punishment

Eric Helland and Alexander Tabarrok (2007), "Does Three Strikes Deter? A Non Parametric Estimation," *Journal of Human Resources*, 42(2): 309-330.

David Abrams (2012), "Estimating the Deterrent Effect of Incarceration Using Sentencing Enhancements," *AEJ: Applied Economics*, 4(4): 32-56.

Benjamin Hansen (2015), "Punishment and Deterrence: Evidence from Drunk Driving," *American Economic Review*, 105 (4): 1581-1617.

October 6: Torts

Jonathan Klick and John MacDonald (2020), "Deterrence and Liability for Intentional Torts," *International Review of Law and Economics*, 63: forthcoming.

Eric Helland and Alexander Tabarrok (2012), "Product Liability and Moral Hazard: Evidence from General Aviation," *Journal of Law and Economics*, 55, (3): 593-630.

October 13: Medical Malpractice

Jonathan Klick and Thomas Stratmann (2007), "Medical Malpractice Reform and Physicians in High Risk Specialties," *Journal of Legal Studies*, 36(S2): S121-S142

Frakes, Michael, and Jonathan Gruber (2019), "Defensive Medicine: Evidence from Military Immunity," *American Economic Journal: Economic Policy*, 11 (3): 197-231.

October 20: Contracts

Jonathan Klick, Bruce Kobayashi, and Larry Ribstein, "The Effect of Contract Regulation: The Case of Franchising." Working Paper.

Jonathan Klick and Joshua Wright (2015), "The Effect of Any Willing Provider and

Freedom of Choice Laws on Prescription Drug Expenditures,” *American Law and Economics Review*, 17(1): 192-213.

October 27: Property

Jonathan Klick and Gideon Parchomovsky (2017), “The Value of the Right to Exclude: An Empirical Assessment,” *University of Pennsylvania Law Review*, 165(4): 917-966.

Jonathan Klick and J.B. Ruhl (2019), “The Costs of Critical Habitat – The Case of Arizona’s Pygmy Owl,” working paper

November 3: Corporate Governance

Jonathan Klick and Robert Sitkoff (2008), “Agency Costs, Charitable Trusts, and Corporate Control: Evidence from Hershey’s Kiss-Off,” *Columbia Law Review*, 108(4): 749-838

November 10: Courts

Eric Helland and Jonathan Klick (2007), “The Effect of Judicial Expedience on Attorney Fees in Class Actions,” *Journal of Legal Studies*, 36(1): 171-187

Jef DeMot, Michael Faure, and Jonathan Klick (2015), “Appellate Caseload and the Switch to Comparative Negligence,” *International Review of Law and Economics*, 42(1): 147-156

Eric Helland and Jonathan Klick (2018), “Medicare Secondary Payer and Settlement Delay,” *Journal of Empirical Legal Studies*, 15(2): 356-377.

November 17: Health

Jonathan Klick and Thomas Stratmann (2003), “The Effect of Abortion Legalization on Sexual Behavior: Evidence from Sexually Transmitted Diseases,” *Journal of Legal Studies*, 32(2): 407-434.

Jonathan Klick and Thomas Stratmann (2008), “Abortion Access and Risky Sex Among Teens: Parental Involvement Laws and Sexually Transmitted Diseases,” *Journal of Law, Economics and Organization*, 24(1): 2-21.

Jonathan Klick, Sven Neelsen, and Thomas Stratmann (2012), “The Relationship Between Abortion Liberalization and Sexual Behavior: International Evidence,” *American Law and Economics Review*, 14(2): 457-487.

November 24: Legal Origins

Rafael La Porta, Florencio Lopez-De-Silanes, and Andrei Shleifer (2008), "The Economic Consequences of Legal Origins," *Journal of Economic Literature*, 46(2): 285-332. Eric

Helland and Jonathan Klick (2011), "Legal Origins and Empirical Credibility," in Michael Faure and Jan Smits, eds, *Does Law Matter? On Law and Economic Growth*.

December 1: Alcohol

Mary Evans, Eric Helland, Jonathan Klick, and Ashwin Patel (2015), "The Developmental Effect of State Alcohol Prohibitions at the Turn of the Twentieth Century," *Economic Inquiry*, 54(2): 762-777.

Jonathan Klick and John MacDonald (2020), "Sobering Up After the 7th Inning: Alcohol and Crime Around the Ballpark," Working Paper.

December 8: Statistics in the Courtroom