Decision-making and Fairness References

Drennan/School of Government, UNC

October 2015

Web sites

- 1. National Center for State Courts, Implicit Bias, http://www.ncsc.org/ibeducation, includes links to documents about strategies for courts and individuals to address implicit bias. Updated regularly.
- 2. *Implicit Bias, A Primer for Courts*, Jerry Kang, National Center for State Courts (2009) available at
 - http://www.ncsc.org/~/media/Files/PDF/Topics/Gender%20and%20Racial%2 0Fairness/kanglBprimer.ashx, a website with other reference materials as well
- 3. Project Implicit® Web site: http://projectimplicit.net/
- 4. Implicit bias/neuroscience video:
 http://www2.courtinfo.ca.gov/comet/html/broadcasts/6433_video.htm (produced by National Center for State Courts and California Administrative Office of the Courts)

Books

- 1. Thinking Fast and Slow, Khaneman; Farrar, Straus, and Giroux (2011)
- 2. Blind Spot, Banaji and Greenwald; Delacorte Press (2013)
- 3. *Decisive*, Heath and Heath; Crown Business (2013)
- 4. Mistakes Were Made (But Not by Me), Tarvis and Aranson; Harcourt (2007)
- 5. The Invisible Gorilla, Chabris and Simon; Crown Publishing (2009)
- 6. *Predictably Irrational*, Ariely; Harper Collins (2009)

Law Review Articles

- 1. Implicit Bias in the Courtroom, Kang, et. al., 59 UCLA Law Review1124 (2012)
- 2. *Does Unconscious Racial Bias Affect Trial Judges?* Johnson, Guthrie, Rachlinski and Wistrich, 84 Notre Dame Law Review No.3 (2009)
- 3. *Blinking on the Bench: How Judges Decide Cases*, Guthrie, Rachlinski and Wistrich. 93 Cornell Law Review 1 (2007)
- 4. Forgotten Racial Equality: Implicit Bias, Decision-making, and Misremembering, Levinson, 57 Duke Law Journal 345 (2007)
- 5. Symposium on Behavioral Realism, Greenwald and Krieger, 94 California Law Review 945 (2006)
- 6. The Law of Implicit Bias, Jolls and Sunstein, 94 California Law Review 969 (2006)
- 7. *Inside the Judicial Mind*, Guthrie, Rachlinski and Wistrich; 86 Cornell Law Review, Issue 4 (2001)
- 8. *Heuristics and Biases in the Courts: Ignorance or Adaptation?* Rachlinski, 79 Oregon Law Review 61 (2000