

Kathryn Zeiler

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Academic Appointments

Georgetown Law Center

Professor of Law, 2007-present

Associate Professor of Law, 2003-2007

Director of the Law and Economics Workshop Series, 2004-present

web: <http://www.law.georgetown.edu/faculty/kmz3/>

Harvard Law School

Visiting Professor of Law, Spring 2008

New York University School of Law

Visiting Professor of Law, 2006-2007

Education

Ph.D., Economics, June 2003, California Institute of Technology

Dissertation: *Medical Malpractice and Contract Disclosure: A Study of the Effects of Legal Rules on Behavior in Health Care Markets*

Advisors: Matthew Jackson (chair), Charles Plott, Jeffrey Dubin, Edward McCaffery
Everhart Lecture Series Committee, 1999-2002 (chair, 2001-2002)

J.D., December 2000, University of Southern California Law School

M.S., Social Sciences, June 2000, California Institute of Technology

M.S., Taxation, December 1995, Golden Gate University

B.S., Business, May 1991, Indiana University

Publications

Cautions on the Use of Economics Experiments in Law, 166(1) *Journal of Institutional and Theoretical Economics* 178 (March 2010)

Medical Malpractice Liability Crisis or Patient Compensation Crisis? 59 *DePaul Law Review, Rising Stars Symposium* 675 (Winter 2010)

Malpractice Payouts and Malpractice Insurance: Evidence from Texas Closed Claims, 1990-2003, 33 *The Geneva Papers on Risk and Insurance: Issues and Practice* 177 (2008)
(with Charles Silver, Bernard S. Black, David A. Hyman, and William M. Sage)

Empirical Health Law Scholarship: The State of the Field, 96 *Georgetown Law Journal* 649 (January 2008) (with Michelle M. Mello)

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Publications, cont.

Asymmetries in Exchange Behavior Incorrectly Interpreted as Evidence of Endowment Effect Theory and Prospect Theory?, 97 *American Economic Review* 1449 (September 2007) (with Charles R. Plott)

Physicians' Insurance Limits and Malpractice Payments: Evidence from Texas Closed Claims, 1990-2003, 36 *Journal of Legal Studies* S2 (June 2007) (with Charles Silver, Bernard S. Black, David A. Hyman and William M. Sage)

Do Defendants Pay What Juries Award?: Post-Verdict Haircuts in Texas Medical Malpractice Cases, 1988-2003, 4 *Journal of Empirical Legal Studies* 3 (March 2007) (with David A. Hyman, Bernard S. Black, Charles Silver and William M. Sage)

Common Law Disclosure Duties and the Sin of Omission: Testing the Meta-theories, 91 *Virginia Law Review* 1795 (December 2005) (with Kimberly Krawiec)

Turning from Damage Caps to Information Disclosure: A New Approach to Tort Reform, 5 *Yale Journal of Health Policy, Law, and Ethics* 385 (Winter 2005)

The Willingness to Pay-Willingness to Accept Gap, the "Endowment Effect," Subject Misconceptions, and Experimental Procedures for Eliciting Valuations, 95 *American Economic Review* 530 (June 2005) (with Charles R. Plott)

Reprinted in The International Library of Critical Writings in Economics, New Developments in Experimental Economics, Vol. 1, edited by Enrica Carbone and Chris Starmer, Edward Elgar Publishing Ltd. UK (2007)

Reprinted in Experimental Law and Economics, edited by Jennifer Arlen and Eric Talley, Edward Elgar Publishing (2008)

Work in Progress

Endowment Effect Theory, Subject Misconceptions and Enhancement Effect Theory: A Reply to Isoni, Loomes and Sugden, *American Economic Review* (forthcoming) (with Charles R. Plott) (clarifying claims made in Plott and Zeiler (2005) and demonstrating that data from training rounds, not intended for use in testing endowment effect theory, is contaminated by lack of proper controls)

Tort Reform Impacts, in TORT LAW HANDBOOK, (ed. Jennifer Arlen) (an empirical study of the impact of empirical methods on results from studies that explore the whether statutory damages caps reduce medical malpractice insurance premiums, payment severity and claim rates)

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Work in Progress, cont.

TO SUE IS HUMAN: A PROFILE OF MEDICAL MALPRACTICE LITIGATION, Yale University Press (forthcoming) (with Bernard S. Black, David A. Hyman, Charles Silver and William M. Sage) (using data from roughly 16,000 claims from Texas covered by medical professional liability policies that were resolved from 1988 to 2005, this book provides the most detailed empirical study of the performance of the medical malpractice system and health care insurance markets to date)

Exploring the Use of Officer and Director Liability in Encouraging Adoption of Patient Safety Protocols (with Lorian Hardcastle and Constantine Manthous)

Willingness to Pay-Willingness to Accept Gaps: The Legal Implications of Recent Empirical Developments (exploring how recent experimental findings related to endowment effect theory affect applications of the theory to law)

Enhancement, Endowment, and References as Explanations of Exchange Asymmetries: A Comment on Knetsch and Wong (with Charles R. Plott) (arguing that experiments designed to challenge results in Plott and Zeiler (2007, AER) cannot rule out enhancement effect theory as an alternative explanation)

RESEARCH HANDBOOK ON BEHAVIORAL LAW AND ECONOMICS, Edward Elgar Publishing (forthcoming) (ed. with Joshua C. Teitelbaum)

SMART REGULATION OF HEALTH CARE SERVICES AND HEALTH CARE INSURANCE MARKETS (analyzing regulation of health care services and health care insurance markets from a market imperfections perspective)

The Role of Insurance Price Regulations in Medical Malpractice Insurance Crises: An Empirical Investigation (studying the relationship of medical malpractice insurance price regulations and premium cycles)

Grants, Fellowships and Affiliations

Senior Academic Fellow, Petrie-Flom Center, Harvard Law School, July - December 2010

Affiliate, Georgetown Center for Business and Public Policy, 2010-2011

Georgetown Law Center Empirical Research Grant, Spring 2008

Georgetown Law Center Empirical Research Grant, Spring 2006

Visiting Scholar in Residence, Northwestern University School of Law, October 2005

Visiting Scholar in Residence, University of Texas School of Law, September 2005

California Institute of Technology Industrial Relations Center Hicks Award, 2002-2003

Eleanor Searle Memorial Prize, 2001-2002

Social Science Research Council Program in Applied Economics Fellow, 2001-2002

USC Center for Communications Law and Policy Student Fellow, 2000-2001

Olin Student Fellow, Summer 1999, Summer 2000

Legion Lex Scholarship, 1996-1997, 1997-1998, Fall 2000

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Teaching

Georgetown Law Center:

Torts (Fall 04, Fall 07, Spring 09, Spring 10, Spring 11)

Law and Economics Seminar (Fall 04, Spring 06, Fall 07, Fall 08, Fall 09)

Economic Analysis of Health Care Law (Fall 03, Spring 05, Spring 06, Fall 08, Fall 09, Fall 10, Spring 11)

Behavioral Law and Economics Seminar (Spring 04)

Gerzensee Study Center, Switzerland: Introduction to Empirical Legal Studies (Summer 10)

Hebrew University: U.S. Approaches to Tort Law (Winter 09-10)

ETH Zurich: Introduction to Empirical Legal Studies (Summer 08)

Harvard Law School: Torts (Spring 08)

New York University School of Law: Torts (Fall 06), Economic Analysis of Health Care Law (Spring 07)

Paper Presentations

Southern Economics Association Annual Meeting, November 2011

University of Bologna, Center of Law and Economics Seminar, May 2011

Emory Law School, Faculty Colloquium, November 2010

University of Michigan Law School, Louis and Myrtle Moskowitz Workshop on Empirical Health Law and Business Research, May 2010

McDonough Business School, Georgetown Center for Business & Public Policy Law School Workshop, April 2010

Temple Law School, Law and Human Behavior Colloquium, April 2010

University of Texas Law School (Austin), Law and Economics Workshop, April 2010

27th Seminar on the New Institutional Economics, Eltville, Germany, June 2009

HEC Montreal, Institute of Applied Economics Workshop, April 2009

“Rising Stars” Clifford Symposium, DePaul University Law School, April 2009

Cornell Law School, Law and Economics Workshop, February 2009

Penn Law School, Law and Economics Workshop, November 2008

Stanford Law School, Faculty Workshop, July 2008

Searle Center Research Symposium on Insurance Markets and Regulation, Northwestern University School of Law, April 2008

Harvard Law School, Faculty Colloquium, April 2008

New York University School of Law, Law and Economics Workshop, March 2008

Yale Law School, Law and Economics Workshop, March 2008

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Paper Presentations, cont.

- University of Michigan Law School, Law and Economics Workshop, January 2008
- AALS Annual Meeting, January 2008
- Federal Trade Commission, Bureau of Economics Seminar, December 2007
- George Mason School of Law, November 2007
- Harvard Law School, Health Law Policy Workshop, October 2007
- ETH, Zurich, Workshop and Lecture Series in Law and Economics, October 23-24, 2007
- Duke/UNC, First Annual Triangle Law and Economics Conference, April 2007
- Georgetown Law Center, Conference to launch the O'Neill Institute in National and Global Health Law Center, April 2007
- University of Illinois College of Law, Law and Economics Colloquium, February 2007
- New York University School of Law, Faculty Colloquium, January 2007
- New York University School of Law, Informal Law and Economics Workshop, November 2006
- Conference on Empirical Legal Studies, October 2006
- University of Virginia Law School, Faculty Colloquium, October 2006
- Harvard Law School, Law and Economics Seminar, October 2006
- Brooklyn Law School, Faculty Workshop, September 2006
- American Law and Economics Association Annual Meeting, May 2006
- Boalt Hall School of Law (University of California, Berkeley), Law and Economics Colloquium, April 2006
- Fordham Law School, Advanced Business Law Seminar, April 2006
- New York University Law School, Law and Economics Colloquium, March 2006
- University of San Diego Law School, Law and Economics Colloquium, March 2006
- University of California-San Diego, Political Science Faculty Colloquium, March 2006
- George Mason University Law School, Levy Workshop, February 2006
- University of Chicago Law School, Law and Economics Workshop, January 2006
- Washington University Law School, St. Louis, Law and Politics Colloquium, January 2006
- Yale Law School, Quinnipiac-Yale Workshop on Dispute Resolution, November 2005
- George Washington School of Law, Law and Economics Colloquium, November 2005
- Northwestern University School of Law, Faculty Workshop, October 2005
- Midwest Law and Economics Association Annual Meeting, October 2005

National Bureau of Economic Research, Summer Institute Program on Law and Economics, July 2005

Law and Society Association Annual Meeting, June 2005

American Law and Economics Association Annual Meeting, May 2005

University of Virginia Economics Department, Bankard Workshop in Public Economics, April 2005

University of Virginia Law School, Invited Talk on Health Care Regulation, April 2005

University of Texas School of Law, Faculty Colloquium, March 2005

Columbia University Law School, Law and Economics Workshop, February 2005

University of North Carolina - Chapel Hill School of Law, Faculty Colloquium, November 2004

Northwestern University School of Law, Faculty Colloquium, November 2004

Florida State University College of Law, Faculty Colloquium, November 2004

Cornell University Law School, Junior Empirical Legal Scholars Conference, October 2004

University of Southern California Law Center, Center for Law, Economics and Organization Workshop, September 2004

University of Virginia Law School, Faculty Colloquium, July 2004

Law and Society Association Annual Meeting, May 2004

American Law and Economics Association Annual Meeting, May 2004

American Enterprise Institute (Event: Is Medical Malpractice Reform Good For Your Health?), Washington, D.C., September, 2003

Social Science Research Council Fellows' Conference, Virginia, May 2002

Law School Committee Service

Faculty Workshop Coordinator (Spring 2011)

Chair, Rank & Tenure Committee (2009-2010)

Appointments Committee:

 Entry-Level (Fall 2007)

 Reading and Development (2008-2009)

Long-Range Planning Committee (Fall 2007, 2008-2009)

Library Director Search Committee (Spring 2008)

Technology Long-Range Planning Committee (2005-2006)

Technology Committee (2004-2005)

Future Law Professors Committee (2003-2004)

Task Force on Diversity and Community (2003-2004)

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Professional Service and Association Membership

Co-editor, *Behavioral Science and Policy*, Policy Board (civil justice)

Referee for: *American Economic Review*; *American Law and Economics Review*; *Connecticut Insurance Law Journal*; *Econometrica*; *Economic Journal*; *Economic Theory*; *Economics Letters*; *Experimental Economics*; *Health Affairs*; *International Review of Law and Economics*; *Journal of the American Medical Association*; *Journal of Economic Behavior & Organization*; *Journal of Environmental Economics and Management*; *Journal of Institutional and Theoretical Economics*; *Journal of Law & Economics*; *Journal of Law, Economics, & Organization*; *Journal of Public Economics*; *Journal of Risk & Uncertainty*; *Law and Social Inquiry*; *Public Choice*; *Resource and Energy Economics*; *Supreme Court Economic Review*; *University of British Columbia Law Review*, University of Chicago Press, Oxford University Press, Princeton University Press

Grant proposal reviewer for National Science Foundation (2008); U.S. Department of Veterans Affairs, Health Services Research & Development Service, Scientific Merit Review Board (2009)

Member of the American Law and Economics Association

Member of Board of Directors, Class of 2012

Torts, Insurance and Health Law Area Co-organizer (2011 Annual Meeting)

Behavioral Law and Economics Area Co-organizer (2008 Annual Meeting)

Member of the Society for Empirical Legal Studies

Association of American Law Schools:

Committee Member of Law and Social Sciences Section (2008-2009)

Committee Member of Law and Economics Section (2006-2007)

Chair of Law and Economics Section (2005-2006)

Professional Experience

Auditor and Tax Consultant, Ernst & Young, LLP (1991-1996)

Consultant, New York State Department of Insurance (2007-2008)