

Contents

Preface	v
Introduction	
1 Crisis, What Crisis? Perception and Reality in Civil Justice	1
Brian H. Bornstein and Timothy R. Robicheaux	
Section I: Approaches To Studying Civil Juries	
2 What's the Story? Explanations and Narratives in Civil Jury Decisions	23
Reid Hastie	
3 Civil Juries in Ecological Context: Methodological Implications for Research	35
Neil Vidmar	
4 What is the Study of Jury Decision Making about and What Should it be About?	67
Richard L. Wiener	
Section II: The Relationship Between Compensatory And Punitive Damages	
5 Crossing the Punitive-Compensatory Divide	79
Catherine M. Sharkey	
6 The Relation between Punitive and Compensatory Awards: Combining Extreme Data with the Mass of Awards	105
Theodore Eisenberg, Valerie P. Hans, and Martin T. Wells	
7 Damages as Metaphor: A Commentary	117
Susan Poser	
Section III: Medical Injuries And Medical Evidence	
8 Faking It? Citizen Perceptions of Whiplash Injuries	131
Valerie P. Hans	

9 Reflections on Juryphobia and Medical Malpractice Reform 151
Stephan Landsman

**10 How Juryphobia and Fears of Fraudulent Claims Disserve Medical
Malpractice Reform Efforts 175**
Monica K. Miller

Section IV: Apologies And Restorative Justice

11 Apologies and Civil Justice 195
Jennifer K. Robbennolt

**12 Can We Talk? Therapeutic Jurisprudence, Restorative Justice, and
Tort Litigation 233**
Edie Greene

13 Constructs of Justice: Beyond Civil Litigation 257
Alan J. Tomkins and Kimberly Applequist

Conclusion

14 Signs for the Future of Civil Justice Research 273
Brian H. Bornstein

Index 281