

## EILEEN BRAMAN

Associate Professor  
Department of Political Science, Indiana University  
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### Education

#### **Ph.D., The Ohio State University, Department of Political Science, 2004**

Major Field: American Politics

Areas of Concentration: Judicial Politics and Bureaucracy/Regulation

Minor Field: Political Psychology

**Dissertation Title:** Motivated Reasoning in Legal Decision Making

**Committee Members:** Gregory A. Caldeira (Chair), Lawrence Baum, Thomas E. Nelson

#### **J.D., Fordham University School of Law, 1996**

#### **B.A., State University of New York at Binghamton, 1993**

(*summa cum laude*, with High Honors in Political Science)

Dual Major in Psychology and Political Science

**Undergraduate Honors Thesis:** The Political Contradictions of Modernity: A Comparative Study of the German Greens and the French National Front

### Academic Appointments

August 2004 – June 2010

Assistant Professor, Department of Political Science, Indiana University

July 2010 – Present

Associate Professor, Department of Political Science, Indiana University

### Book

Braman, Eileen. 2009. *Law, Politics and Perception: How Policy Preferences Influence Legal Reasoning*. Charlottesville: University of Virginia Press. (**Winner C. Herman Pritchett Award for Best Book on Law and Courts written by a political scientist given by the Law and Courts Section of the American Political Science Association**)

### Peer Reviewed Articles

Braman, Eileen. 2016. Exploring Citizen Assessments of Unilateral Executive Authority. *Law and Society Review*. 50(1):189-223.

Braman, Eileen and Beth Easter. 2014. Normative Legitimacy: Rules of Appropriateness in Citizens' Assessments of Individual Judicial Decisions. *Justice System Journal* 35(3);239-268.

Braman, Eileen and Abdulkader Sinno. 2009. Can a Muslim Represent You?: An Experimental Investigation of Causal Attributions for the Political Behavior of Muslim Candidates. *Politics and Religion* 2(2):247-276.

Braman, Eileen and Thomas E. Nelson. 2007. Mechanism of Motivated Reasoning?: Analogical Perception in Discrimination Disputes. *American Journal of Political Science* 51(4):940-56.

Braman, Eileen. 2006. Reasoning on the Threshold: Testing the Separability of Preferences in Legal Decision Making. *Journal of Politics* 68(2):308-321.

## **Book Chapters**

Braman, Eileen. 2017. Cognition in the Courts: A Critical Analysis of The Use of Experiments to Study Legal Decision Making. In Lee Epstein and Stefanie Lindquist (eds.) *Oxford Handbook of US Judicial Behavior*. New York: Oxford University Press.

Braman, Eileen and J. Mitchell Pickerill. 2011. Path Dependence in Studies of Legal Decision Making. In *What's Law Got to Do With It?: What Judges Do, Why They Do It and What's at Stake*, Charles Gardner Geyh (ed). Stanford: Stanford University Press.

Braman, Eileen. 2010. Searching for Constraint in Legal Decision Making. In *The Psychology of Judicial Decision Making*, David Klein and Gregory Mitchell (eds). New York: Oxford University Press.

## **Other Publications**

Braman, Eileen. 2014. Experiments in Law and Courts: Some Thoughts on Design and Context. *Law and Courts* 24(1):10-13.

Braman, Eileen. 2012. Embracing Complexity in Legal Decision Making: A Psychological Approach. *Law and Courts* 22(3):17-22.

Braman, Eileen. 2008. Catching Up to Move Ahead: Identifying and Filling Theoretical Gaps on Precedential Constraint and the Supreme Court. *Law and Courts* 18(1):13-16.

## **Book Reviews**

Braman, Eileen. 2017. Review of *These Estimable Courts: Understanding Public Perceptions of State Judicial Institutions and Legal Policy-Making* by Damon Cann and Jeff Yates. *Political Science Quarterly* 132(2):384-385

Braman, Eileen. 2013. Review of *Without Fear or Favor: Judicial Independence and Judicial Accountability in the States* by G. Alan Tarr. *Perspectives on Politics*. 11(3)960-2.

Braman, Eileen. 2010. Review of *Strategy on the United States Supreme Court* by Saul Brenner and Joseph M. Whitmeyer, *Constitutional Conscience: The Moral Dimension of Judicial Decision* by H. Jefferson Powell, and *Beyond the Formalist-Realist Divide: The Role of Politics in Judging* by Brian Z. Tamanaha. *Perspectives on Politics* 8(2):681-683.

Braman, Eileen. 2008. Review of *The Supreme Court Review 2006*, Edited by Dennis J. Hutchinson, David A. Strauss and Geoffrey R. Stone. *Law and Politics Book Review* 18(1):83-87.

Braman, Eileen. 2006. Review of *Congress and the Constitution*, Edited by Neal Devins and Keith E. Whittington. *Perspectives on Politics* 4(2):382-384.

Braman, Eileen. 2006. Review of *The Judiciary and American Democracy: Alexander Bickel, the Countermajoritarian Difficulty and Contemporary Constitutional Theory*, Edited by Kenneth D. Ward and Cecilia R. Castillo. *Law and Politics Book Review* 16(2):126-132.

## **Current Research Interests**

Legal Decision Making  
Congress/Court Relations  
Public Perceptions of Judicial and Executive Authority  
Preemptive Self-Regulation on the Part of Private Industry Actors\

## **Professional Papers**

Braman, Eileen and Jeffery A. Segal. 2018. Are Judicial Preferences Separable? A Look at Threshold Decision Making on the Rehnquist and Roberts Courts. Presented at the Annual Conference of the Midwest Political Science Association. April 9 -12, 2018.

Braman, Eileen 2016. Thinking About Government Authority: Constitutional Rules and Political Context. Presented at the Annual Conference of the American Political Science Association in Philadelphia. September 1-4, 2016.

Braman, Eileen 2015. Immigration and Gun Control: Exploring Citizens Assessments of Proposed Congressional Action. Presented at the Annual Conference of the Midwest Political Science Association in Chicago. April 16– 19, 2015.

Braman, Eileen. 2014. Exploring the Role of Constitutional Rules Public Opinion and Personal Preferences in Assessments of Executive Authority. Presented at the Annual Conference of the Midwest Political Science Association in Chicago. April 3 – 6, 2014.

Braman, Eileen and Beth Easter. 2012. Disaggregating Legitimacy: Rule Following vs. Public Support. Presented at the Annual Conference of the Midwest Political Science Association in Chicago. April 12 – 15, 2012.

Braman, Eileen. 2010. Democratic Crisis and Constraint: Considering the Normative Implications of Empirical Research on Legal Decision Making. Presented at the Annual Conference of the Midwest Political Science Association in Chicago. April 22 - 25 2010.

Braman, Eileen and Mitchell Pickerill. 2009. Path Dependence in Studies of Legal Decision Making. Presented at the What's Law Got to Do With It? Conference at Indiana University Law School, Bloomington, March 27 – 28, 2009.

Braman, Eileen. 2008. Choosing Determinative Issues in Legal Decision Making: An Experimental Approach. Presented at the Annual Conference of the American Political Science Association in Boston. August 28 - 31, 2008.

Braman, Eileen. 2008. A Motivated Reasoning Approach to the Commerce Clause Interpretation of the Rehnquist Court. Presented at the Annual Conference of the Midwest Political Science Association in Chicago. April 3 – 6, 2008.

Braman, Eileen. 2007. Constraint in Legal Decision Making. Presented at the Exploring the Judicial Mind Conference at the University of Virginia, Charlottesville. March 29 – 30, 2007.

Braman, Eileen and Abdulkader Sinno. 2006. Can a Muslim Represent You?: Attributions for the Political Behavior of Muslim Candidates. Presented at the Annual Conference of the American Political Science Association in Philadelphia. August 30 – September 3, 2006.

Braman, Eileen and Michael J. Ensley. 2006. The Role of Self Interest and Sociotopic Concerns in Support for Healthcare Regulation. Presented at the Annual Conference of the American Political Science Association in Philadelphia. August 30 – September 3, 2006.

Braman, Eileen and Michael J. Ensley 2006. Determinants of support for State Intervention: A Look at Remedies against HMOs. Presented at the Annual Conference of the Midwest Political Science Association in Chicago. April 20 – 23, 2006.

Braman, Eileen. 2005. Codification in Inter-branch Relations: Can Judge-Made Law Facilitate Legislative Policy Goals?. Presented at the Annual Conference of the American Political Science Association in Washington DC. August 31 – September 4, 2005.

Braman, Eileen. 2005. Justifying Outcomes? How Legal Decision Makers May Get to Where they Want to Go. Presented at the Annual Conference of the Midwest Political Science Association in Chicago. April 21 – 24, 2005.

Braman, Eileen. 2004. Mechanism of Motivated Reasoning? A Look at the Separability of Preferences in Legal Decision-Making. Presented at the Annual Conference of the Midwest Political Science Association in Chicago. April 20 – 23, 2004.

Braman, Eileen and Thomas E. Nelson. 2003. Mechanism of Motivated Reasoning?: Looking at the Analogical Perceptions of Undergraduates and Law Students in Discrimination Disputes. Presented at the Annual Conference of the American Political Science Association in Philadelphia. August 28 – 31, 2003.

Braman, Eileen, Thomas E. Nelson and Stephanie Maruska. 2002. Analogical Perception in Legal Reasoning. Presented at the Annual Conference of the American Political Science Association in Boston. August 29 - September 1, 2002.

Nelson, Thomas E., Stephanie Maruska and Eileen Braman. 2002. What is the Issue? Legal and Media Constructions and Political Attitudes. Presented at the Annual Conference of the American Political Science Association in Boston. August 29 - September 1, 2002.

### **Invited Research Presentations**

Exploring the Role of Constitutional Rules, Public Opinion and Personal Preferences in Assessments of Executive Authority, Invited Presentation at Cornell University Law School, November 14, 2014.

Disaggregating Legitimacy: Rule Following vs. Public Support (with Beth Easter). Invited Presentation at the Indiana University Center for Law, Society and Culture Workshop, Maurer Law School, March 22, 2012.

No Eyes but Our Own: How Political Views Influence Normative Legal Reasoning Processes, Invited Presentation at Northwestern University Law School (Seare Law and Political Economy Colloquium Series), October 20, 2008.

Also presented at Binghamton University November 14, 2008

Exploring the Boundaries of Discretion in Legal Decision Making, Invited Presentation at The Indiana University Law and Society Workshop, Indiana Law School, February 1, 2006.

Seeing What They Want?: Analogical Perception in Discrimination Disputes, Stony Brook University, Department of Political Science, November 21, 2005.

Empirical Studies of Legal Decision Making, Invited Guest Lecture, History of Law Seminar (Prof. Stephen Conrad), Indiana University Law School. November, 16, 2005.

Testing the Separability of Preferences in Legal Decision Making, Invited Presentations at the Workshop in Political Theory and Policy Analysis, Indiana University, February 7, 2005. Weekly Faculty Workshop, Indiana University School of Law, January 21, 2005.

Analogical Perception in Legal Decision Making, Invited Presentation at the Center for Law and Social Policy, Ohio State University School of Law, October 15, 2004.

## **Service**

Member, 2018 Best Paper Committee. Law and Courts Section of the American Political Science Association

Participant 2012. Roundtable on Psychological Approaches to Legal Decision Making. Annual Conference of the Midwest Political Science Association in Chicago. April 12-15.

Member, 2011 C. Herman Pritchett Award Selection Committee. Law and Courts Section of the American Political Science Association.

Judicial Politics Section Head, 2009 Annual Meeting of the Midwest Political Science Association

Participant, 2008 Roundtable on "Asking and Answering Questions About Law and Courts" Annual Meeting of the American Political Science Association, Boston, MA, August 28-31.

Chair, 2007 (Member, 2008) Outstanding Professional Achievement Award Selection Committee. Midwest Political Science Association Women's Caucus.

Member, 2006 Lifetime Achievement Award Selection Committee. American Political Science Association, Law and Courts Section.

Panel Participant, 2006 "How to Get Your First Academic Job," Sponsored by the Midwest Political Science Association Women's Caucus. Annual Meeting of the Midwest Political Science Association Chicago, IL. April 20-23.

Referee, National Science Foundation (Law and Social Science Program)

Editorial Board, *Journal of Politics*, 2007-2009

Editorial Board, *Justice System Journal*, 2006-2016.

## **Reviewer**

*American Journal of Political Science, American Political Science Review, American Politics Research, Journal of Politics, Journal of Law and Courts, Justice System Journal, Law and Society Review, Political Behavior, Political Communication, Political Psychology, Political Research Quarterly, Political Science Quarterly, Politics and Policy, Polity*

## **Honors & Awards**

2010 Recipient, C. Herman Pritchett Award for Best Book on Law and Courts given by Law and Courts Section of the American Political Science Association for *Law, Politics and Perception: How Policy Preferences Influence Legal Reasoning*

2002 Runner-up, Alice Paul Award for Best Dissertation Proposal Submitted by a Female Graduate Student given by the Women's Caucus of the American Political Science Association

1993 Recipient, State University of New York at Binghamton Award for Excellence in Political Science

Phi Beta Kappa

## **Grants/Fellowships**

2017 Award Recipient Indiana University Institute for Advanced Study. Individual Research Award for Associate Professors.

2016 Timed Experiment for Social Sciences (TESS). Award to run Experiments with National Sample of Participants.

Spring 2002 Award Recipient, Alumni Grant for Graduate Research and Scholarship Ohio State University-wide competition for dissertation research funding. Award money used to fund decision making research using legally educated subjects.

Spring 2002 and Spring 2001 Award Recipient, PEGS Departmental Grant Ohio State Political Science Department competition for research support funds.

## **Professional Affiliations**

Member, American Political Science Association

Member, Midwest Political Science Association

Member, International Society of Political Psychology

Member, New York State Bar (Admitted to practice law in New York State)

## **Teaching Experience**

Associate and Assistant Professor, Indiana University (Autumn 2004-Present)

Instructor, Department of Political Science, The Ohio State University (Summer 2001-Spring 2004)

### **Undergraduate Courses Taught**

Political Psychology

Constitutional Law & Government Powers

Civil Liberties

Introduction to American Government

Judicial Politics

Women and the Law

### **Graduate Courses**

Introduction to the Study of American Politics: Approaches and Issues

Political Psychology (taught as joint graduate/undergraduate seminar)

Decision Making in Institutions

### **Additional Graduate Teaching Experience**

Facilitator, 1999, 2000, 2002 and 2003 International Society of Political Psychology Summer Institutes at Ohio State University

Dissertation Committees: Beth Easter (2014, co-chair), Benjamin Woodson (2013, Stony Brook), Eric French (2013), Louis Fucilla (2015), Gordon Abner (2017), Alex Badas (2018, chair)

**Other Significant Work Experience**

Attorney (September 1996 - July 1998)  
Law Offices of Polstein, Ferrara, Dwyer and Speed  
New York, New York

Legal Intern (Spring 1995)  
Office of the United States Attorney for the Eastern District of New York (Civil Division)  
Brooklyn, New York

Legal Intern (Summer 1994)  
The Honorable John S. Lockman, New York State Supreme Court  
Mineola, New York

Intern (Summer 1992)  
The New York City Mayor's HIV Health and Human Services Planning Council  
New York, New York