

About the David G. Trager Public Policy Symposium

This symposium is named for the Honorable David G. Trager, Senior Judge, United States District Court for the Eastern District of New York, who served with great distinction as Dean of Brooklyn Law School from 1983 to 1993. Judge Trager continues to be a dedicated member of the Brooklyn Law School family through his active role on the Board of Trustees and as a member of the adjunct faculty.

About the *Journal of Law and Policy*

The *Journal of Law and Policy* is a scholarly journal of analysis and commentary whose mission is to promote the debate of law-related issues and public policy through the publication of articles written by legal scholars, law students, and distinguished members of the legal and policymaking communities.

About the Center for the Study of Law, Language and Cognition

Brooklyn Law School's Center for the Study of Law, Language and Cognition is devoted to exploring how developments in the cognitive sciences – including psychology, neuroscience and linguistics – have dramatic implications for the law at both theoretical and practical levels. The Center is the only one of its kind in the nation. Since its inception, prominent scholars and specialists from around the world have come to Brooklyn Law School to share their research and engage in discussion and debate.

Symposium Co-Chairs

Brooklyn Law School Professors Michael T. Cahill and Miriam H. Baer organized this symposium.

BROOKLYN
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David G. Trager Public Policy Symposium

Sharing the Blame: The Law and Morality of Punishing Collective Entities

Co-Sponsored by
Journal of Law and Policy
*Center for the Study of Law,
Language and Cognition*

250 JORALEMON STREET | BROOKLYN, NEW YORK 11201



Sharing the Blame:
The Law and
Morality of Punishing
Collective Entities

Friday, February 5, 2010

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9:00 am – 4:15 pm

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Agenda

- 8:30 am** Registration and Continental Breakfast
- 9:00 am** Welcoming Remarks
Dean Joan G. Wexler
Joseph Crea Dean and Professor of Law
Brooklyn Law School
- 9:15 am** The Psychology of Group Identity
- Speakers*
Bertram F. Malle
Professor of Psychology
Brown University
- Steven J. Sherman**
Chancellor's Professor of Psychological and
Brain Sciences
Indiana University – Bloomington
- Tom R. Tyler**
Chair of Psychology and University Professor
of Psychology
New York University
- Moderator*
Lawrence M. Solan
Don Forchelli Professor of Law and Associate Dean
for Academic Affairs
Brooklyn Law School
- 11:00 am** Break

11:15 am The Morality of Imposing Collective Responsibility

Speakers

Meir Dan-Cohen

Milo Reese Robbins Professor of Law
UC Berkeley School of Law

John Hasnas

Associate Professor of Business Ethics, McDonough
School of Business, Georgetown University and
Visiting Associate Professor of Law, Georgetown
University Law Center

Marion Smiley

J.P. Morgan Chase Professor of Ethics
Brandeis University

Moderator

Michael T. Cahill

Professor of Law
Brooklyn Law School

1:00 pm Luncheon

2:00 pm Roundtable Discussion: Corporate Criminal Liability and the Problem of Multiple Groups

Speakers

Jayne W. Barnard

James Gould Cutler Professor of Law
William & Mary Law School

James A. Fanto

Professor of Law
Brooklyn Law School

Peter J. Henning

Professor of Law
Wayne State University Law School

Leonard Orland

Oliver Ellsworth Professor of Law
University of Connecticut School of Law

Moderator

Miriam H. Baer

Assistant Professor of Law
Brooklyn Law School

4:00 pm Concluding Remarks

Honorable David G. Trager

Senior Judge, United States District Court for the
Eastern District of New York

About the Program

This Symposium will discuss the nature, ethics, and law of imposing punishment on collective entities. Does it make sense to impose blame on a group as a group, as opposed to its individual members? Even if blame is appropriate, how do we decide the proper form and amount of punishment? How do we even conceive of a group as having its own independent existence or identity? The answers to these questions have significant implications for the scope and enforcement of criminal law.

Over the course of several panels, the Symposium will seek to derive broad general insights from various academic disciplines and will consider the practical legal applications of those findings. It will address the psychological processes that lead people to treat groups as having independent existence, and the moral and philosophical consequences of doing so. Later discussion will apply these lessons to the specific legal context of corporate crime.

RSVP

RSVP by January 29, 2010
at www.brooklaw.edu/rsvp

Location

Brooklyn Law School
250 Joralemon Street
Brooklyn, New York
www.brooklaw.edu/map

Cost

The program is free for those who do not want CLE credit. All attendees, however, must RSVP.

- \$60 (\$10 per CLE credit) for Brooklyn Law School graduates who hold a 2010-2011 BLS Alumni Association Membership Card. If you would like to join, please visit: www.brooklaw.edu/AlumniFriends.aspx
- \$300 (\$50 per CLE credit) for all others.

If you are registering for CLE credit, you can pay online or by mail with a check payable to Brooklyn Law School. Send it to: Brooklyn Law School, Office of External Affairs, 250 Joralemon Street, Brooklyn, New York 11201

Our financial aid policy is available upon request. Please e-mail CLE@brooklaw.edu or call 718-780-7953.

CLE Credit

This course provides six (6.0) CLE credits in the State of New York. The credits are transitional and non-transitional and the category is Ethics and Professionalism.