A jury, persuaded by expert testimony, awards a woman an unprecedented sum for scalding herself on hot coffee in a fast-food restaurant.

Are outsized awards by untrained juries typical of what ails our judicial system? Not really, say two Cornell professors, whose new study suggests that juries are far more rational and fair than critics believe them to be.

The Cornell study shows that jury awards for punitive damages are no larger in relation to compensatory awards, and no more frequent, than judge awards. The finding contradicts popular opinion and a previous, less comprehensive study by other researchers.

The new study, which looks at close to 9,000 actual trials across the United States, is believed to be one of the largest of its kind. It was conducted by Theodore Eisenberg, the Henry Allen Mark Professor of Law at Cornell Law School, Martin Wells, professor of social statistics in Cornell’s School of Industrial and Labor Relation and chair of the Department of Biometry, and three analysts from the National Center for State Courts, an independent research group.

Punitive compensation—which in civil suits occasionally is granted in addition to compensatory damages for monetary loss—is understood to be a kind of punishment of the offender. But while enormous punitive awards are not the norm, they do grab headlines when they are handed down, motivating Congress and the Supreme Court to attempt to restrict the power of juries in civil cases.

Critics have guessed that punitive damage awards would be much less arbitrary and more fair if more judges, and fewer juries, determined their size.

People’s knowledge about the mass of awards is misleading,” said Eisenberg. “Policy is being determined on the notion that there are these crazy jurors out there that need to be reined in by legislatures and courts. The evidence is that juries are not out of control.”

He commented that in the case of the scalding coffee suit, some facts got lost in the media shuffle, for example, that the fast-food chain had received many complaints of

Continued on page 6

The actual temperature at which the highly unstable material could become superconducting simply cannot be predicted,” said Hoffmann. “But the analogy to superconductivity, supported by detailed calculations, is sufficiently strong to make us think it will be high.” Cuprates are compounds containing copper, oxygen and several other elements, such as barium, yttrium or bismuth.

Francis J. DiSalvo, director of the Cornell Center for Materials Research, which helped to support the research, noted that “it would really be a first for a theoretical group to predict a new class of high-temperature materials before experimentalists discovered them.”

Continued on page 4
Peter L. Stepankus, the Liberty Hyde Bailey Professor of Crop Physiology at Cornell, died July 14 in Ithaca, after a long battle with cancer. He was 59.

Stepankus was born in Chicago in 1941 and received his B.S. in horticulture from the University of Arizona in 1963 with a B.S. degree in horticulture. He received an M.S. degree in horticultural pathology from the University of Arizona in 1964 and a Ph.D. degree in plant physiology/biochemistry/horticulture from Purdue University in 1966. Upon completion of his graduate studies, he rose through the professional ranks at the University of Arizona (1966-1968) and Cornell (1968-2001), culminating in his appointment in 1987 as Liberty Hyde Bailey Professor in Cornell’s Department of Agronomy.

An international authority in the area of environmental stress physiology of plant and animal systems, his research focused on the low temperature biology (cryobiology) for the study of cold acclimation and freezing injury of herbaceous plant species, such as winter cereals (rye, wheat, barley and oat) and the development of effective crop survival and impermeability to freezing injury of biological tissues. His recent research was focused on determining the fundamental molecular and cellular mechanisms of membrane destabilization and the identification and mode of action and processes of cold-regulated genes that are involved in the cold activation of Arabidopsis thaliana.

He served on numerous editorial boards, held many posts within the Society of Cryobiology and had been an invited speaker at numerous national and international meetings sponsored by the International Botanical Congress, American Association for the Advancement of Science, Royal Microscopy Society, several Gordon Research Conferences, the American Chemical Society and The Royal Society.

OBITUARY

NOTABLE

Two faculty members in the Department of Natural Resources in the College of Agriculture and Life Sciences have been elected to leadership positions in scientific societies that address wildlife and fisheries issues.

Barbara A. Knuth, professor of natural resources and co-leader of the Human Dimensions Research Unit, has been elected secretary of the American Fisheries Society, a position that ascends in subsequent years to first vice president, president-elect, president and past-president. Daniel J. Decker, professor of natural resources and co-leader of the Human Dimensions Research Unit, has been elected vice president of The Wildlife Society, a position that ascends to president-elect, president and past-president.

BRIEFS

Michelle Evans Scholarship winner

Winifred Evans, left, and Paget Evans, right, parents of the late Michelle A. Evans ’93, pose with the winner of the first Michelle A. Evans Scholarship Award, incoming freshman Denise Fernandez. The award is similar to other awards given to students from underserved sectors throughout North America and the Caribbean. It is endowed by the Kellogg Foundation. The grants encourage academicians who seek improvement in any area of drug laws and reform.

Superconductivity continued from page 1

with pronunciation problems. In addition to the weekly classes, field trips are regularly scheduled to provide opportunities for discussion with native English speakers and insight into American culture and history. Classes will be from 5 to 7 p.m. on Tuesday evenings beginning Sept. 4 and ending Dec. 11. The program fee is $450. For more information, contact Donna Colussi, School of Continuing Education and Summer Sessions, Cornell University, B20 Day Hall, Ithaca, N.Y. 14853-2801; phone: 255-7259; e-mail: <ccsp@cornell.edu>; web: <www.sce.cornell.edu/exec>.

Volunteer teachers needed: Teachers – experienced in ESL (English as a second language) – are needed to teach a two-hour session each week at one of three levels: beginner, intermediate or advanced. The level, day and location are chosen as far as possible by the volunteer. The course, sponsored by the Cornell Campus Club, runs for about 12 sessions from Sept. 10. If you are interested in volunteering, contact Gail Saff, phone 277-5289.

The Cornell Public Service Center has announced the first fellows in the new Cornell Civic Leaders Fellowship Program. The program will enable four community leaders involved in economic and community development efforts to join the Cornell community and support undergraduate students and teachers for an academic year. The Cornell Civic Leaders Fellowship Program is made possible by a grant from the Mid Atlantic Consortium – Leadership for Institutional Change and the Kellogg Foundation. The program is designed to encourage higher education institutions to build collaborative relationships with their local communities and will allow each fellow to award $5,000 to each selected civic fellow.

Applicants for the program were received from Tompkins County as well as the greater Rochester and Southern Tier areas. A committee that included community leaders and university representatives selected the four fellows. The four fellows are listed below, along with the names and descriptions of their proposals.

• Michael Biegel – Rochester – Community Interest-driven Learning Program. The program focuses on providing transitional housing in the greater Rochester area for a varied group of residents, including low-income and drug and alcohol recovery or people with mental or physical disabilities. Other objectives include seeking to build collaborative relationships with program delivery agencies, government offices and neighborhood groups. The program will begin accepting volunteers for a three-year start-up period for each residence, and seeking financing options for both initial and ongoing support.

• Gino Bush – Ithaca – Community Volunteer at Ithaca High School. The volunteer program is focused on providing transitional housing in the greater Rochester area for a varied group of residents, including low-income and drug and alcohol recovery or people with mental or physical disabilities. Other objectives include seeking to build collaborative relationships with program delivery agencies, government offices and neighborhood groups. The program will begin accepting volunteers for a three-year start-up period for each residence, and seeking financing options for both initial and ongoing support.

• Carl Feuer – Ithaca – The Working Poor in Tompkins County. Feuer’s proposal seeks to “cross the need to expand services to working people in Tompkins County be paid at least a living wage. In that pursuit, he will identify those jobs, industries or sectors that are most heavily low paying and analyze the demographics of the working poor – who they are and how extensive or serious pov-

Community-based fellows named for new CU program

The Cornell Public Service Center has announced the first fellows in the new Cornell Civic Leaders Fellowship Program. The program will enable four community leaders involved in economic and community development efforts to join the Cornell community and support undergraduate students and teachers for an academic year.

The Cornell Civic Leaders Fellowship Program is made possible by a grant from the Mid Atlantic Consortium – Leadership for Institutional Change and the Kellogg Foundation. The program is designed to encourage higher education institutions to build collaborative relationships with their local communities and will allow each fellow to award $5,000 to each selected civic fellow.

Applicants for the program were received from Tompkins County as well as the greater Rochester and Southern Tier areas. A committee that included community leaders and university representatives selected the four fellows. The four fellows are listed below, along with the names and descriptions of their proposals.

• Michael Biegel – Rochester – Community Interest-driven Learning Program. The program focuses on providing transitional housing in the greater Rochester area for a varied group of residents, including low-income and drug and alcohol recovery or people with mental or physical disabilities. Other objectives include seeking to build collaborative relationships with program delivery agencies, government offices and neighborhood groups. The program will begin accepting volunteers for a three-year start-up period for each residence, and seeking financing options for both initial and ongoing support.

• Gino Bush – Ithaca – Community Volunteer at Ithaca High School. The volunteer program is focused on providing transitional housing in the greater Rochester area for a varied group of residents, including low-income and drug and alcohol recovery or people with mental or physical disabilities. Other objectives include seeking to build collaborative relationships with program delivery agencies, government offices and neighborhood groups. The program will begin accepting volunteers for a three-year start-up period for each residence, and seeking financing options for both initial and ongoing support.

• Carl Feuer – Ithaca – The Working Poor in Tompkins County. Feuer’s proposal seeks to “cross the need to expand services to working people in Tompkins County be paid at least a living wage. In that pursuit, he will identify those jobs, industries or sectors that are most heavily low paying and analyze the demographics of the working poor – who they are and how extensive or serious pov-

• Paul Glover – Ithaca – Survey of Community Dental Clinics. Glover’s proposal was focused on exploring and summarizing the data on the hundreds of dental clinics serving underserved sectors throughout North America. It is hoped that this information will lead to the formation of a dental clinic in Ithaca. Additionally, fellows named for the fellow will be selected by the Kellogg Foundation. The grants encourage academicians who seek improvement in any area of drug laws and reform.

In a biographical note in the joint report, Hoffmann says that his interest in chemistry was stimulated by his grandmother, a born Nobel laureate, Maria Skłodowska Curie. She adds: “And I learned nearly all I know about silver fluorides from another Pole, Włodzimierz Grochala.” The research also was supported by the National Science Foundation and the Cornell Theory Center.

###