



The ADR/Arbitration Section presents

## What Were They Thinking: How Judges Juries, Arbitrators (and Lawyers) Really Make Decisions

### Speaker

## Charles Ehrlich

Formerly a litigation partner at Pettit & Martin, Chuck Ehrlich joined the insurance industry in 1994. As General Counsel and Senior Vice President of Claims, Chuck was responsible for billions of dollars in claims in the US and abroad. With matters in jurisdictions ranging from the Superior Court of San Francisco to the commercial courts of Paris, Chuck developed a keen interest in how lawyers, clients, judges, and arbitrators actually make decisions. Chuck presently works as an expert in insurance cases and as an arbitrator. He is certified by the American Arbitration Association and ARIAS – US. He has served as a Judge Pro Tem of the Superior Court of California.

Studies of decision-making show surprising things: The outcome of your case may not turn on the law or the facts but on how likeable your client is; if something bad happened on your client's watch, the burden of proof is not what the jury instructions say; a "good" case may fail without a good story. Unconscious biases critically affect the decisions of courts and arbitrators, as well as the decisions we make as lawyers. This program reviews key unconscious biases that affect decision making, examines scientific evidence and real world situations that illustrate how such biases can be outcome determinative, and discusses methods to recognize and neutralize those biases. Participants will gain a strong understanding of these issues that they will be able to apply on a daily basis.

### Topics

- Unconscious mental biases that affect legal strategy and decision making.
- How those unconscious biases can be outcome-determinative.
- How to recognize and account for those biases in order to obtain, and make, better decisions as lawyers and adjudicators.

### Wednesday September 30, 2020

MCLE Registration: 3:30 - 4:00 p.m.

MCLE Program: 4:00 - 5:15 p.m.

### MCLE: 1 Hour

To receive MCLE credit, you must sign in during the designated MCLE registration period. This activity is approved for Minimum Continuing Legal Education credit by the State Bar of California. BASF is a certified provider. Provider #103

### Pre-registration is required.

### Cost

\$35 BASF Section Members, Government & Nonprofit Attorneys

\$40 BASF Members

\$65 Others

FREE for BASF Student Members

All prices increase \$10 on the day of the program.

### VIEWING OPTIONS



**Live Webcast:** [www.sfbar.org/online-cle](http://www.sfbar.org/online-cle)



**Webcast Recording** will be available July 30th.

### BASF Members:

Be sure to log in to get your discounts!

Refunds will be given up to 48 hours in advance, less a \$10 handling fee.

### Special Requests:

People with disabilities should contact BASF regarding reasonable accommodations.

Register online: [www.sfbar.org/calendar](http://www.sfbar.org/calendar)

Event Code: G204102