

Decision Processes Colloquia

Monday, March 16, 2026

Where: 8th Floor, Jon M. Huntsman Hall

When: 12:00 – 1:20 pm

John List

Kenneth C. Griffin Distinguished Service Professor of Economics
University of Chicago

Field Experiments on Trial

ABSTRACT:

Field experiments have transformed how economists study behavior in natural settings, but can they transform how courts adjudicate high-stakes legal disputes? In this talk, I draw on my firsthand experience as an expert witness in two of the largest legal cases in modern history to argue that they can, and indeed, already have.

The first case involves the 2010 BP Deepwater Horizon oil spill, where my coauthors and I designed and implemented a large contingent valuation study. Published in *Science* (Bishop et al., 2017), our study estimated \$17.2 billion in damages to the Gulf's natural resources and provided rigorous evidence that stated-preference responses are consistent with rational economic choices, helping inform a consent decree valued at over \$20 billion. I now have a new academic study showcasing our approach within a decision theoretic framework.

The second case is *FTC v. Meta* (2025), in which I proposed something never done in an antitrust case: a large-scale field experiment to determine which platforms consumers treat as substitutes for Facebook and Instagram. In his November 2025 ruling, Judge James Boasberg called this the "single best evidence" of consumer substitution patterns and dismissed the FTC's monopoly claims.

Together, these two cases illustrate how field experiments can move from the academy to the courtroom, providing judges and policymakers with credible causal evidence where billions of dollars and sweeping regulatory consequences hang in the balance. I discuss the unique methodological challenges of designing experiments for legal proceedings and what these cases reveal about the future of evidence-based adjudication.

