



There Is No Bias In
Bankruptcy,
Said Nobody Ever

17th Annual Conference On
Consumer Bankruptcy

Hon. Audrey Moorehead
Dallas Criminal Court #3

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WHAT IS IMPLICIT BIAS

- **UNCONSCIOUS BIAS VS. “CONSCIOUS BIAS”**
- **ATTITUDES/STEREOTYPES THAT AFFECT OUR UNDERSTANDING, ACTIONS, AND DECISIONS**
- **INCLUDES: RACE, ETHNICITY, AGE, GENDER, LANGUAGE, CULTURE, SOCIOECONOMIC STATUS**
- **ALSO: HEIGHT, WEIGHT, ATTRACTIVENESS, DISABILITY, POLITICAL VIEWS, MARITAL STATUS, GENDER IDENTITY, PROFESSION, APPEARANCE, ETC.**



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HOW IMPLICIT BIAS WORKS

- **HOW DOES IMPLICIT BIAS WORK?**
- **BRAIN PROCESSES LOTS OF INFORMATION**
 - **CONSCIOUS: 40 BITS PER SECOND**
 - **UNCONSCIOUS: 11 MILLION PER SECOND**
- **KEY TAKEAWAY:**
 - ❖ **WE ALL ENGAGE IN IMPLICIT BIAS**
 - ❖ **AND WE ALL ARE VICTIMS OF IT**

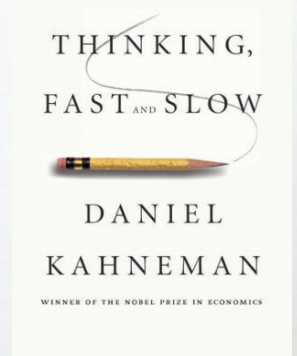


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THINKING FAST & SLOW

**OUR CONSCIOUS BRAINS OFTEN JUSTIFY A
SUBCONSCIOUS EMOTIONAL CONCLUSION ALREADY
REACHED**

- **SYSTEM ONE: EMOTIONAL JUDGMENTS MADE
INTUITIVELY AND NEARLY INSTANTANEOUSLY**
- **SYSTEM TWO: THE COGNITIVE BRAIN, WHICH
ACTIVATES LATER**



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IN-GROUP/OUT-GROUP

- **“IN-GROUP” – PEOPLE WHO ARE LIKE US, PEOPLE WITH WHOM WE IDENTIFY**
- **“OUT GROUP” – PEOPLE WITH WHOM WE DO NOT IDENTIFY**
- **THE TWO ARE JUDGED IN DIFFERENT PARTS OF THE BRAIN**
 - **OUT-GROUPS ARE JUDGED MORE HARSHLY**
- **MORAL FAILINGS JUDGED DIFFERENTLY:**
 - **IN-GROUP: DUE TO CIRCUMSTANCES, “HAD NO CHOICE”**
 - **OUT-GROUP: DUE TO POOR MORAL CHARACTER**

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THOMAS MEYER STUDY

- **60 PARTNERS PARTICIPATE IN “LEGAL ANALYSIS STUDY” OF A MILLENNIAL’S LEGAL WRITING SKILLS**
- **LEGAL MEMO HAD 22 ERRORS “BAKED IN”**
 - **FACTS, GRAMMAR, LEGAL ANALYSIS, ETC.**
- **PURPORTEDLY WRITTEN BY 3RD YEAR ASSOCIATE NAMED THOMAS MEYER, NYU GRAD**
- **HALF WERE TOLD HE WAS BLACK**
- **HALF WERE TOLD HE WAS WHITE**

RESULTS?



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