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the psychological processes that underlie
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first section of the book take as their
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many of the same judgments and decisions
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how our knowledge about judgment and
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This book examines decision making by appellate judges from a psychological viewpoint. The process of deciding a case, from the initial decision whether to grant certiorari to the final announcement of a decision, is analyzed using contemporary concepts from the field of psychology, especially social cognition theory.

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The Psychology Of Judicial
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This volume of essays examines the psychological processes that underlie judicial decision making. The first section of the book takes as its starting point the fact that judges make many of the same judgments and decisions that ordinary people make and considers how our knowledge about judgment and decision-making in general applies to the case of legal judges.

Over the years, psychologists have devoted uncountable hours to learning how human beings make judgments and decisions. As much progress as scholars

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have made in explaining what judges do over the past few decades, there remains a certain lack of depth to our understanding. Even where scholars can make consensual and successful predictions of a judge's behavior, they will often disagree sharply about exactly what happens in the judge's mind to generate the predicted result. This volume of essays examines the psychological processes that underlie judicial decision making.

In the mid-1970s, as a social psychologist dedicated to the application of knowledge, I welcomed our field's emerging interest in the legal system. I have always been fascinated by jury trials—something about the idea that two conceptions of the truth were in irrevocable conflict and jurors could choose only one of them. More important, the criminal justice system is a major social force that has

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been ignored by social psychologists for most of the twentieth century. As I systematically began to explore the applications of social psychological concepts to the law 20 years ago, I experienced the delight of discovery similar to that of a child under a Christmas tree. It has been satisfying to be among the cohort of researchers who have studied the legal system, especially trial juries, from a psychological perspective. I believe we have learned much that would be useful if the system were to be revised. Half the system were to be revised" . . . there's the rub. As I have stated, my original motivation was the application of knowledge. Like other social scientists, I believed-perhaps arrogantly-that the results of our research efforts could be used to make trial juries operate with more efficiency, accuracy, and satisfaction. Over the last two decades, much

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knowledge has accumulated. How can we put this knowledge to work? Judges are the gatekeepers of the legal system.

Court procedures matter. But why do they matter, and how? There is hardly another context in which decision making is so densely embedded in a host of formal and informal institutions. Courts do not themselves have the right of initiative. They must wait until a plaintiff or the attorney general brings a case forward. These same actors also define the issue. The court is not allowed to go beyond the claim, unless both parties voluntarily agree on a broader definition. Most importantly, courts are not free to determine the output. It is their task to apply the law in force to the facts of the case, as presented by the parties. In order to become decision relevant, facts must go through strictly defined procedural routes. If a fact is

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contested, it may only be taken into account if formally proven. There is an exhaustive list of evidence admissible in court. Informal rules, for instance, determine the structure and the wording of the pleadings, and of the representation of the final decision to the parties and to the legal community. This makes judicial procedure a particularly rewarding topic for the interaction between lawyers and psychologists. *The Impact of Court Procedure on the Psychology of Judicial Decision Making*, assembled through the lively interaction of a group of academics from the US and Germany, examines this fascinating topic.

A judge's role is to make decisions. This book is about how judges undertake this task. It is about forces on the judicial role and their consequences, about empirical research from a variety of academic

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disciplines that observes and verifies how factors can affect how judges judge. On the one hand, judges decide by interpreting and applying the law, but much more affects judicial decision-making: psychological effects, group dynamics, numerical reasoning, biases, court processes, influences from political and other institutions, and technological advancement. All can have a bearing on judicial outcomes. In *How Judges Judge: Empirical Insights into Judicial Decision-Making*, Brian M. Barry explores how these factors, beyond the law, affect judges in their role. Case examples, judicial rulings, judges' own self-reflections on their role and accounts from legal history complement this analysis to contextualise the research, make it more accessible and enrich the reader's understanding and appreciation of judicial decision-making. Offering research-based

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insights into how judges make the decisions that can impact daily life and societies around the globe, this book will be of interest to practising and training judges, litigation lawyers and those studying law and related disciplines.

This book describes an original, empirical study of judicial decision making. The process of determining sentences is a difficult one for judges and often unnecessarily intuitive, subjective, and complex. The present study introduces a conceptual outline and empirical technique for increasing the precision of sentencing policy, thus offering an aid to judges who sentence in the light of this policy. The primary purpose of this model of judicial decision making is to provide a framework for scaling the seriousness of any single case in relation to the facts of that case and for relating this assessment to the

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appropriate quantum of sentence. The validity of the model is tested and cross-validated in an archival study. This innovative research serves as an important prototype for a system of numerical guidance to judges and sentencers.

This book invites the legal and psychology communities to work together in solving some of our most pressing social problems. It examines four controversial areas involving people's perceptions of others. The book is therefore a guide to understanding the valuable contribution of social scientific research in policy formulation in the law, and it addresses the role of psychology in substantive law and legal decision making.

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The past twenty years have witnessed a surge in behavioral studies of law and law-related issues. These studies have challenged the application of the rational-choice model to legal analysis and introduced a more accurate and empirically grounded model of human behavior. This integration of economics, psychology, and law is breaking exciting new ground in legal theory and the social sciences, shedding a new light on age-old

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legal questions as well as cutting edge policy issues. The Oxford Handbook of Behavioral Economics and Law brings together leading scholars of law, psychology, and economics to provide an up-to-date and comprehensive analysis of this field of research, including its strengths and limitations as well as a forecast of its future development. Its 29 chapters organized in four parts. The first part provides a general overview of behavioral economics. The second part comprises four chapters introducing and criticizing the contribution of behavioral economics to legal theory. The third part discusses specific behavioral phenomena, their ramifications for legal policymaking, and their reflection in extant law. Finally, the fourth part analyzes the contribution of behavioral economics to fifteen legal spheres ranging from core doctrinal areas such as contracts, torts and property to

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areas such as taxation and antitrust policy.

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With the media spotlight on the recent developments concerning the Supreme Court, more and more people have become increasingly interested in the highest court in the land. Who are the justices that run it and how do they make their decisions?

The Psychology of the Supreme Court by Lawrence S. Wrightsman is the first book to thoroughly examine the psychology of Supreme Court decision-making. Dr.

Wrightsman's book seeks to help us understand all aspects of the Supreme Court's functioning from a psychological perspective. This timely and comprehensive work addresses many factors of influence including, the background of the justices, how they are nominated and appointed, the role of their law clerks, the power of the Chief Justice, and the day-to-day life in the Court. Dr.

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Wrightsmen uses psychological concepts and research findings from the social sciences to examine the steps of the decision-making process, as well as the ways in which the justices seek to remain collegial in the face of conflict and the degree of predictability in their votes. Psychologists and scholars, as well as those of us seeking to unravel the mystery of The Supreme Court of the United States will find this book to be an eye-opening read.

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