



## Perspective Differences in Trial Process: A Comparison of Judges, Juries and Litigants

Angela M. Jones, Shayne E. Jones and Aaron Duron

*School of Criminal Justice, Texas State University, San Marcos, USA*

Classic studies on judge–juror agreement have converged on the finding that judges and jurors agree on the outcomes in most cases (71–75%). This study extends these findings by comparing trial process evaluations of judges, jurors and litigants in actual civil trials. The results suggest that judges and juries largely overlap in their perceptions of trial process measures (e.g. case complexity). However, judicial and jury perceptions often differ from litigants’ perceptions. The way in which different perspectives of the trial process predict satisfaction with the outcome is also explored. Litigant, but not judicial or jury, perceptions of the trial process were found to predict satisfaction. These results support past research concerning judge–juror agreement, but suggest there is less agreement between objective (i.e. judges and jurors) and subjective (i.e. litigants) perspectives of the trial process.

**Key words:** civil trial; judicial perceptions; jury perceptions; litigant perceptions; perspective differences; procedural justice; process agreement.

A number of studies have examined agreement between judges and jurors concerning verdict and liability decisions (Eisenberg, Hannaford-Agor, Hans, Waters, & Munsterman, 2005; Hannaford-Agor, Hans, Mott, & Munsterman, 2000; Hastie, Schkade, & Payne, 1998; Kalven & Zeisel, 1967). The researchers conducting these studies rest on the assumption that judges are both more knowledgeable and objective relative to jurors; thus, a comparison of judges and jurors allows for an examination of juror competence, particularly in complex cases. This literature largely suggests convergence across judicial and juror perspectives regarding verdict decisions, yet little research has examined other trial process perceptions or compared these perceptions to those of a more subjective nature – namely, litigant perceptions (cf. Hans, Hannaford, & Munsterman, 1999).

Judges, jurors and litigants may perceive the trial process quite differently from one another (Heuer, Penrod, & Kattan, 2007). An examination of different perspectives can shed light on what factors influence judgments about a dispute. These process perceptions may explain satisfaction, which is an established correlate of fairness and an important consideration for democratic institutions (see also Brockner et al., 2001; Tyler, 1984, 1989, 1997). The current study evaluates a number of trial process perceptions from three different perspectives to examine level of agreement and the extent to which these different perspectives predict satisfaction.

### *Judge–Juror Agreement Studies*

Kalven and Zeisel (1967) conducted the first study examining verdict agreement between

---

Correspondence: Angela M. Jones, School of Criminal Justice, Texas State University, 601 University Dr., San Marcos, 78666, TX, United States. Email: [amjones@txstate.edu](mailto:amjones@txstate.edu)

judges and jurors in the field, finding that the judges and juries agreed on the verdict decision in 78% of both civil *and* criminal cases. Others have replicated these findings. For example, Hannaford, Hans, and Munsterman (2000) examined juror–judge agreement in a field experiment where civil juries were randomly assigned to discuss evidence during the trial. They found no differences in agreement or satisfaction with the verdict between experimental groups, with judges and juries agreeing on a verdict 77% of the time overall. Heuer and Penrod (1994) conducted a field experiment where jurors were randomly assigned to trials where they could ask questions and take notes. Similar to Hannaford et al. (2000), they did not find agreement differences by condition, but overall slightly lower rates of agreement: 71% and 63% agreement in criminal and civil cases, respectively. Finally, Eisenberg et al. (2005) found 75% agreement between judges and jurors in criminal cases. As appears evident, there is substantial overlap in the verdict decisions of judges and jurors.

Beyond verdict decisions, others have examined judicial and jury decisions regarding punitive damages in civil cases (Hastie et al., 1998; Hastie & Viscusi, 1998). Comparing a sample of mock juries to judges in actual civil cases, Hastie et al. (1998) found that the judges and juries rarely agreed. The judges did not believe that punitive damages were warranted in any cases compared to 58% of the juries. The disagreement between the juries and judges may have been due to poor comprehension and application of the judge’s instructions, an indication that the juries lacked competence (Hastie et al., 1998). However, an examination of actual civil court cases revealed that judges and juries tend to award punitive damages at similar rates (5% and 4%, respectively; see Eisenberg et al., 2006).

While these studies highlight a key comparison of interest – that is, verdict and damage decisions between judges and jurors – they are unable to answer whether judges and

jurors, as well as litigants, view the trial process differently. Differences in perceptions of the trial process may affect a variety of related factors, such as satisfaction with and belief in the fairness of the outcome and the process (Lind & Tyler, 1988; Tyler, 1988, 1994, 1997).

### *Different Perspectives on the Trial Process*

Limited research has examined and compared different perspectives in a legal setting, aside from the aforementioned verdict agreement studies. For example, Lind, Ambrose, de Vera Park, and Kulik (1990) surveyed attorneys and litigants involved in civil cases in a United States (US) district court regarding their perceptions of the trial process. Attorney–litigant differences emerged for a number of trial process perceptions, including process fairness, opportunity to be heard and amount of control over the litigation, as well as outcome favorability. Attorneys gave higher ratings of trial process and outcome variables compared to litigants. However, the opportunity to be heard, litigation control and outcome favorability similarly predicted process fairness for both the attorneys and litigants.

A comparison of judges and litigants suggests that judges are more outcome-oriented and litigants are more process-oriented (Heuer et al., 2007). While this latter finding on litigants aligns with much of the procedural justice literature (see below), the differential effects found for judges suggests that perspective must be taken into account to more fully understand what factors influence perceptions of fairness and satisfaction. Beyond legal matters, others have also found that predictors of satisfaction and fairness of a dispute vary by perspective (e.g. third party, manager, employee; Skarlicki & Kulik, 2004).

### *Trial Process and Satisfaction*

Much attention has been devoted to examining the antecedents of procedural and

distributive justice; that is, the fairness of procedures in a dispute and the fairness of outcome distributions (Lind & Tyler, 1988; Thibaut & Walker, 1978; Tyler, 1984, 1989, 1994, 1997). The majority of this research focuses on the perspective of the individuals affected by decisions (e.g. employees, defendants; Alge, 2001; Casper, Tyler, & Fisher, 1989; Chen, Chen, & Xin, 2004; Nadiri & Tanova, 2010; Reisig, Tankebe, & Meško, 2012; Wales, Hiday, & Ray, 2010), while neglecting other perspectives (cf. Heuer et al., 2007; Lind et al., 1990).

Thibaut and Walker (1978) contend that control over both the process and the decision is required for disputants to view these aspects of dispute resolution as fair. They argue that process and decision control are important for instrumental reasons, as having such control shapes the decisions made by third parties. However, research conducted since Thibaut and Walker's seminal theory suggests that simply having a voice, regardless of its effect on outcome, influences subsequent perceptions of fairness (MacCoun, 2005). These findings led Lind and Tyler (1988) to develop the group value theory of procedural justice, which posits that disputants are motivated by more than just the instrumental concerns that Thibaut and Walker premise. The group value theory proffers that relational features – specifically the respect, trust and neutrality of the authority figures overseeing disputes – influence a variety of justice judgments. Thus, procedural justice theories place greater emphasis on process over outcome in shaping perceptions of fairness and other corollaries such as legitimacy, satisfaction and compliance (Lind & Tyler, 1988).

Procedural justice theories focus on, among other things, whether or not the decisions made by authorities are based on accurate and relevant information, treatment by an authority figure and the ability to express one's voice (Folger, Rosenfield, Grove, & Corkran, 1979; Leventhal, 1980; Lind & Tyler, 1988; Tyler, 1984, 2009; Tyler & Lind, 1992; Tyler, Rasinski, & Spodick,

1985). In a legal context, other trial process variables may matter as well. For example, special verdict forms (Heuer & Penrod, 1994), judges commenting on the evidence (Heuer & Penrod, 1994) and preinstruction by judges (Heuer & Penrod, 1989) all predict a variety of justice judgments, including fairness and satisfaction – yet, little is known about how perceptions of the trial process and satisfaction may vary by perspective.

### *The Current Study*

The findings mentioned above suggest that a variety of trial process variables influence perceptions of fairness and satisfaction and that the impact of these variables may depend on perspective. While some studies examine judge–juror agreement regarding verdict and damage decisions (Eisenberg et al., 2005, 2006; Hannaford et al., 2000; Hastie et al., 1998; Kalven & Zeisel, 1967), few examine multiple perspectives of the trial process (cf. Lind et al., 1990). With this in mind, the current study examines whether or not different perspectives of the trial process converge in the context of actual civil trials. In particular, it examines the correlations between judges, juries and litigants on a number of measures related to the trial process. It also examines whether or not the relationship between process, outcome and satisfaction varies by perspective. Given the past research on verdict agreement, it was anticipated that trial process perceptions would positively correlate between judges and juries and that these perceptions would similarly predict satisfaction. However, the extent to which litigants concur with judges and juries is more difficult to predict because of the dearth of research; thus, these analyses are exploratory in nature.

### **Method**

#### *Data and Procedure*

The data used for this study were originally part of an Arizona jury reform project designed to investigate civil trial jury

discussions experimentally (see Hannaford-Agor, Hans, Mott, & Munsterman, 2000; Hans et al., 1999). The researchers randomly assigned civil juries in four Arizona counties to conditions where the juries either could or could not discuss evidence during the trial. Before each jury announced its verdict, the judge and litigants completed questionnaires regarding the trial process. The jurors completed questionnaires after they had reached a verdict. After each trial concluded, the judge indicated the actual outcome, and the judge, jurors and litigants indicated their satisfaction with that outcome. The researchers received questionnaires for a total of 192 cases.

### Measures

Judges, jurors and litigants answered a variety of questions about their civil trial experience. The current study examines the responses of the judges, jurors and litigants concerning their level of satisfaction with the outcome (1 = *not at all satisfied*, 7 = *very satisfied*), the complexity of the case (1 = *not at all complex*, 7 = *very complex*), if all relevant evidence was presented (1 = *strongly disagree*, 7 = *strongly agree*) and how well the jury comprehended the evidence (1 = *not at all well*, 7 = *very well*).<sup>1</sup> In addition, the judges' and jurors' responses on the effectiveness of each attorney (1 = *very ineffective*, 7 = *very effective*) and the judges' and litigants' responses on how much attention the jurors paid to the evidence (1 = *hardly any*, 7 = *a great deal*) are also examined. Finally, the judge indicated the outcome for each case.<sup>2</sup>

## Results

### *Satisfaction and Trial Process Agreement among Different Actors*

#### *Satisfaction*

Judicial satisfaction was found to be unrelated to jury ( $r = .03, p = .67$ ), plaintiff ( $r = .17, p = .29$ ) and defendant ( $r = -.13, p = .38$ ) satisfaction. Jury satisfaction is unrelated to

plaintiff satisfaction ( $r = -.05, p = .76$ ), but moderately and positively related to defendant satisfaction ( $r = .43, p = .002$ ).<sup>3</sup> Unsurprisingly, plaintiff and defendant satisfaction are negatively related ( $r = -.70, p = .003$ ).<sup>4</sup>

#### *Case Complexity*

Judicial perceptions of case complexity were found to be strongly and positively related to jury perceptions ( $r = .61, p < .001$ ) and moderately related to plaintiff ( $r = .44, p < .01$ ) and defendant ( $r = .39, p < .01$ ) perceptions. Juror perceptions of case complexity are moderately and positively related to plaintiff ( $r = .39, p = .01$ ) and defendant ( $r = .31, p = .02$ ) perceptions. However, there is essentially no agreement between plaintiff and defendant perceptions of case complexity ( $r = .11, p = .67$ ).

#### *Relevant Evidence*

As to whether or not all the relevant evidence was presented at trial, there is not strong agreement. Judicial perceptions were found to be moderately and positively related to jury perceptions ( $r = .31, p < .001$ ) and unrelated to plaintiff ( $r = -.02, p = .90$ ) and defendant ( $r = -.05, p = .73$ ) perceptions. Jury perceptions are also unrelated to plaintiff ( $r = -.02, p = .91$ ) and defendant ( $r = -.07, p = .59$ ) perceptions. Surprisingly, there is a moderately positive relationship between plaintiff and defendant perceptions of relevant evidence being presented at trial ( $r = .40, p = .09$ ).

#### *Jury Comprehension*

Judicial perceptions of jury comprehension were found to be largely unrelated to jury ( $r = .02, p = .77$ ), plaintiff ( $r = .01, p = .95$ ) and defendant ( $r = .06, p = .68$ ) perceptions. Jury perceptions of comprehension are unrelated to plaintiff ( $r = .03, p = .85$ ) perceptions and modestly and positively related to defendant ( $r = .25, p = .08$ ) perceptions.

There is a moderate negative relationship between plaintiff and defendant perceptions of jury comprehension ( $r = -.38, p = .14$ ).

*Attorney Effectiveness*

Both the judges and the juries were asked to indicate how effective each attorney was at trial. There is some agreement in both instances. The judges and juries were found to moderately agree that the plaintiff attorneys were effective ( $r = .39, p < .001$ ) but are in less agreement regarding the effectiveness of the defense attorneys ( $r = .19, p = .02$ ).

*Attention Paid by Jury*

Judges' perceptions of how well the jury paid attention were found to be largely unrelated to plaintiff ( $r = -.07, p = .65$ ) and defendant ( $r = -.06, p = .65$ ) perceptions. There is however a modest, positive relationship between plaintiffs and defendants on this outcome ( $r = .28, p = .24$ ).

**Perspective Differences in Predictors of Satisfaction**

Beyond examining the convergence of trial process perceptions, an investigation was conducted of whether or not these perceptions predict satisfaction relative to the outcome for

each perspective. Three trial process measures that were completed by all judges, juries and litigants were examined: case complexity, relevant evidence and jury comprehension.

As shown in Table 1, the only notable relationship between judicial perceptions of trial process and satisfaction is jury comprehension. Even after controlling for outcome, the judges were more satisfied with the outcome when they felt that the jury had comprehended the evidence. Outcome does not predict judicial satisfaction.

Unlike with the judges, jury satisfaction is dependent upon case complexity and relevant evidence (Table 2). The juries were more satisfied with the outcome when the case was less complex and when all the relevant evidence was presented at trial. Furthermore, these two trial process perceptions remain significant when outcome is added to the model, which is also a significant predictor. The juries were more satisfied when the defendant won.

The analyses examining plaintiff satisfaction mirror those of the judges (Table 3). Only jury comprehension predicts satisfaction for the plaintiffs, even after controlling for outcome. The plaintiffs were more satisfied when they felt that the jury had comprehended the evidence. Surprisingly, the outcome is not a significant predictor of plaintiff satisfaction.

Table 1. Judicial satisfaction regressed on trial process perceptions and outcome.

	<i>b</i>	Lower CI	Upper CI	<i>se<sub>b</sub></i>	<i>t</i>	<i>p</i>	$\beta$
Step 1	$F(3, 152) = 25.52, p < .001, \text{adj. } R^2 = .32 (n = 155)$						
Case complexity	-.03	-.10	.04	.03	-0.82	.41	-.06
Relevant evidence	.04	-.04	.11	.04	0.98	.33	.07
Jury comprehension	.39	.30	.49	.05	7.98	<.001	.55
Step 2	$F(4, 150) = 19.14, p < .001, \text{adj. } R^2 = .32 (n = 154)$						
Case complexity	-.02	-.09	.04	.04	-0.70	.49	-.05
Relevant evidence	.04	-.04	.11	.04	0.99	.33	.07
Jury comprehension	.39	.29	.49	.05	7.93	<.001	.55
Trial outcome	.06	-.17	.30	.12	0.55	.58	.04

Note: For trial outcome, 1 = defendant won case.

Table 2. Jury satisfaction regressed on trial process perceptions and outcome.

	<i>b</i>	Lower CI	Upper CI	<i>se<sub>b</sub></i>	<i>t</i>	<i>p</i>	$\beta$
Step 1	<i>F</i> (3, 166) = 7.58, <i>p</i> < .001, adj. <i>R</i> <sup>2</sup> = .11 ( <i>n</i> = 169)						
Case complexity	-.15	-.26	-.04	.06	-2.66	.009	-.21
Relevant evidence	.23	.10	.36	.07	3.41	.001	.27
Jury comprehension	.01	-.16	.18	.09	0.11	.91	.01
Step 2	<i>F</i> (4, 160) = 9.66, <i>p</i> < .001, adj. <i>R</i> <sup>2</sup> = .17 ( <i>n</i> = 164)						
Case complexity	-.13	-.24	-.02	.06	-2.33	.02	-.18
Relevant evidence	.24	.11	.36	.06	3.68	<.001	.29
Jury comprehension	.03	-.14	.20	.09	0.39	.70	.03
Trial outcome	.43	.21	.65	.11	3.88	<.001	.28

Note: Jurors were asked to indicate the level of difficulty they experienced in understanding the evidence, not the degree to which they comprehended the evidence. For trial outcome, 1 = defendant won case.

Table 3. Plaintiff satisfaction regressed on trial process perceptions and outcome.

	<i>b</i>	Lower CI	Upper CI	<i>se<sub>b</sub></i>	<i>t</i>	<i>p</i>	$\beta$
Step 1	<i>F</i> (3, 37) = 16.02, <i>p</i> < .001, adj. <i>R</i> <sup>2</sup> = .53 ( <i>n</i> = 40)						
Case complexity	.01	.09	.11	.05	0.82	.82	.03
Relevant evidence	.05	-.04	.14	.04	1.18	.24	.13
Jury comprehension	.25	.16	.33	.04	6.12	<.001	.71
Step 2	<i>F</i> (4, 25) = 6.46, <i>p</i> = .001, adj. <i>R</i> <sup>2</sup> = .43 ( <i>n</i> = 29)						
Case complexity	.04	-.08	.16	.06	0.67	.51	.10
Relevant evidence	.02	-.11	.14	.06	0.28	.78	.04
Jury comprehension	.22	.09	.35	.06	3.49	.002	.61
Trial outcome	-.25	-.76	.25	.25	-1.03	.31	-.17

Note: For trial outcome, 1 = defendant won case.

Jury comprehension also predicts defendant satisfaction (Table 4). The defendants were more satisfied when they felt that the jury had comprehended the evidence. Outcome also predicts satisfaction for the defendants, who were more satisfied when they won.

**Discussion**

Most studies examining agreement in a legal setting focus on the verdict and damage decisions of judges and jurors (e.g. Eisenberg et al., 2005), rather than focusing upon other legal actors and other potentially important variables. For example, the procedural justice literature largely focuses on the perspective of the recipients of decisions, such as citizens

in encounters with police officers (Reisig et al., 2012) and defendants (Casper et al., 1989). Consequently, this area of research largely neglects to consider other perspectives (cf. Heuer et al., 2007). The current study addresses these limitations by examining the trial process perceptions of a broader array of legal actors (judges, jurors and litigants).

The results of the current study indicate that civil trial process perceptions vary greatly by perspective. Regarding satisfaction, only defendant and jury perceptions were found to be positively correlated. The perceptions of case complexity largely overlap, with one exception – the perceptions of plaintiffs versus defendants. Judicial

Table 4. Defendant satisfaction regressed on trial process perceptions and outcome.

	<i>b</i>	Lower CI	Upper CI	<i>se<sub>b</sub></i>	<i>t</i>	<i>p</i>	$\beta$
Step 1	<i>F</i> (3, 47) = 41.09, <i>p</i> < .001, adj. <i>R</i> <sup>2</sup> = .71 ( <i>n</i> = 50)						
Case complexity	−.03	−.11	.05	.04	−0.70	.49	−.06
Relevant evidence	−.03	−.11	.05	.04	−0.70	.49	−.06
Jury comprehension	.33	.26	.39	.03	9.95	<.001	.84
Step 2	<i>F</i> (4, 37) = 27.48, <i>p</i> < .001, adj. <i>R</i> <sup>2</sup> = .72 ( <i>n</i> = 41)						
Case complexity	−.06	−.16	.04	.05	−1.30	.20	−.12
Relevant evidence	−.04	−.12	.04	.04	−1.07	.29	−.09
Jury comprehension	.27	.18	.35	.04	6.51	<.001	.71
Trial outcome	.34	.01	.68	.16	2.10	.04	.20

Note: For trial outcome, 1 = defendant won case.

perceptions of all the relevant evidence being presented at trial are positively related to jury perceptions, but unrelated to litigant perceptions. The plaintiffs and defendants have similar perceptions of all the relevant evidence being presented at trial and how much attention the jury paid. Regarding jury comprehension, jury and defendant perceptions overlap whereas defendant and plaintiff perceptions are negatively related. Finally, judges and juries somewhat agree on both plaintiff and defendant attorney effectiveness. No other correlations emerged across perspectives.

The regression analyses reveal that trial outcome influences jury and defendant satisfaction, with both being higher when the defendants win. However, trial outcome does not influence plaintiff and judicial satisfaction. Jury comprehension is a strong predictor of satisfaction for all perspectives, except that of the juries; as perceptions of jury comprehension increase, so do judge, plaintiff and defendant satisfaction. This relationship remains after controlling for trial outcome. Finally, case complexity reduces jury satisfaction whereas all the relevant evidence being presented at trial increases it, even after controlling for trial outcome.

On a practical level, the results of the current study indicate that courts can increase satisfaction among judges, plaintiffs and defendants by ensuring that juries comprehend the evidence (at least as self-reported).

Future research might examine better ways of measuring jury comprehension during trial. Attorneys can increase jury satisfaction by reducing the complexity of the case and providing all the relevant evidence in order to aid juries in drawing a clear conclusion. These findings are supported by the story model of juror decision-making, which proposes that jurors look to develop a cohesive and consistent story that can uniquely explain what happened (Pennington & Hastie, 1986).

In line with procedural justice research, the effect of jury comprehension on judicial, plaintiff and defendant satisfaction was found to be much larger than the effect of trial outcome (Folger et al., 1979; Heuer & Penrod, 1989, 1994; Leventhal, 1980; Lind & Tyler, 1988; Tyler, 1984, 2009; Tyler et al., 1985; Tyler & Lind, 1992). The legal actors in the examined cases gave much weight to at least one component of the process (i.e. jury comprehension, but also case complexity and all the relevant evidence being presented at trial for jurors), regardless of whether or not the outcome was in their favor. These findings indicate that the process matters to other perspectives besides decision recipients (cf. Heuer et al., 2007).

However, trial process perceptions are not consistent across perspectives. Additionally, the relationship between trial process perceptions and satisfaction was found to depend on the perspective. These results align with

research on perspective differences in the legal domain (Heuer et al., 2007; Lind et al., 1990) and suggest the necessity of evaluating all perspectives involved in legal decision-making. Recent attempts at examining other perspectives have led to an explosion of research examining third-party reactions to injustice in organizational settings (e.g. Blader, Wiesenfeld, Fortin, & Wheeler-Smith, 2013; Dunford, Jackson, Boss, Tay, & Boss, 2014; Hegtvædt, Johnson, Ganem, Waldron, & Brody, 2009), but research is still rather limited in legal settings. The evidence presented herein suggests that there is much disagreement over the process and what influences satisfaction.

### **Limitations and Future Directions**

The current study suffers from some limitations. First, the data were originally collected with the purpose of examining whether or not there are differences between jurors who either could or could not discuss evidence during a trial. Thus, the items examined in the current study are proxies for the constructs (i.e. procedural justice) which the current study intended to measure. It is recommended that in future studies original data collection is conducted using more precise measures. Second, relatively few responses were obtained for some items, especially from litigants. However, this study has high external validity because it is one of only a few that contain data on actual civil trials from multiple sources, a rarity given the difficulty and cost involved. Most procedural justice research is conducted in lab settings or relies on surveys that inquire about general experiences or attitudes, instead of immediately following actual disputes (Farrell, Pennington, & Cronin, 2013).

Regardless of these limitations, the current study expands upon past studies that evaluate agreement among various legal actors and procedural justice perceptions in a civil trial context. Researchers are encouraged to continue examining whether or not

the perceptions of different legal actors, including attorneys, diverge in other legal settings, such as criminal trials. Satisfaction and process perceptions may differ among those involved in criminal trials, where the defendant's freedom or life may be at stake (though cf. Casper et al., 1989). Compared to the current sample of civil trial defendants, the defendants in criminal trials may place greater value on whether or not all the relevant evidence is presented at trial and whether or not they perceive that the jury comprehended the evidence – or they may simply be more concerned with the outcome. Such perceptions may or may not be shared by defense and prosecuting attorneys. These issues all need to be explored in future research.

### **Declaration of conflicts of interest**

Angela M. Jones has declared no conflicts of interest.

Shayne E. Jones has declared no conflicts of interest.

Aaron Duron has declared no conflicts of interest.

### **Ethical approval**

All procedures performed in studies involving human participants were in accordance with the ethical standards of the institutional and/or national research committee and with the 1964 Helsinki declaration and its later amendments or comparable ethical standards.

### **Informed consent**

Informed consent was obtained from all individual participants included in the study.

### **Notes**

1. For jurors, jury comprehension was assessed by reporting how difficult it was to understand the evidence in the trial (1 = *very difficult*, 7 = *very easy*).
2. The full data set and codebook are available from the ICPSR website (<https://www.icpsr.umich.edu/icpsrweb/ICPSR/studies/2687?q=arizona+jury+reform+project>).
3. The distributions for plaintiff and defendant satisfaction were non-normal and



dichotomized. For plaintiff satisfaction, values ranging from 1 to 3 were coded as 0 and values of 4 to 7 were coded as 1. For defendant satisfaction, values ranging from 1 to 6 were coded as 0 and values of 7 were coded as 1. This coding was used in all analyses as it better reflects the binary distributions of plaintiff and defendant satisfaction. Plaintiff and defendant satisfaction were coded the same way: values of 1 to 3 were coded as 0 and values of 4 to 7 were coded as 1 for both plaintiff and defendant satisfaction. A similar pattern of results was observed.

4. This particular set of analyses concerning plaintiff and defendant satisfaction should be examined with caution due to a small sample overlap on satisfaction responses across legal actors ( $n = 13-51$ ).

## References

- Alge, B. J. (2001). Effects of computer surveillance on perceptions of privacy and procedural justice. *Journal of Applied Psychology, 86*, 797–804. doi:10.1037//0021-9010.86.4.797
- Blader, S. L., Wiesenfeld, B. M., Fortin, M., & Wheeler-Smith, S. L. (2013). Fairness lies in the heart of the beholder: How the social emotions of third parties influence reactions to injustice. *Organizational Behavior and Human Decision Processes, 121*, 62–80. doi:10.1016/j.obhdp.2012.12.004
- Brockner, J., Ackerman, G., Greenberg, J., Gelfand, M. J., Francesco, A. M., Chen, Z. X., ... Shapiro, D. (2001). Culture and procedural justice: The influence of power distance on reactions to voice. *Journal of Experimental Social Psychology, 37*, 300–315. doi:10.1006/jesp.2000.1451
- Casper, J. D., Tyler, T. R., & Fisher, B. (1989). Maintaining allegiance toward legal authorities: The role of prior attitudes and the use of fair procedures. *American Journal of Political Science, 33*, 629–652. doi:10.2307/2111066
- Chen, C. C., Chen, Y.-R., & Xin, K. (2004). Guanxi practices and trust in management: A procedural justice perspective. *Organization Science, 15*, 200–209. doi:10.1287/orsc.1030.0047
- Dunford, B. B., Jackson, C. L., Boss, A. D., Tay, L., & Boss, R. W. (2014). Be fair, your employees are watching: A relational response model of external third-party justice. *Personnel Psychology, 68*, 319–352. doi:10.1111/peps.1208
- Eisenberg, T., Hannaford-Agor, P. L., Hans, V. P., Waters, N. L., & Munsterman, G. (2005). Judge-Jury agreement in criminal cases: A partial replication of Kalven and Zeisel's *The American Jury*. *Journal of Empirical Legal Studies, 2*, 171–206. doi:10.1111/j.1740-1461.2005.00035.x
- Eisenberg, T., Hannaford-Agor, P. L., Heise, M., LaFountain, N., Munsterman, G., Ostrom, B., & Wells, M. T. (2006). Juries, judges, and punitive damages: Empirical analyses using the Civil Justice Survey of State Courts 1992, 1996, and 2001 data. *Journal of Empirical Legal Studies, 3*, 263–295. doi:10.1111/j.1740-1461.2006.00070.x
- Farrell, A., Pennington, L., & Cronin, S. (2013). Juror perceptions of the legitimacy of legal authorities and decision making in criminal cases. *Law & Social Inquiry, 38*, 773–802. doi:10.1111/j.1747-4469.2012.01323.x
- Folger, R., Rosenfield, D., Grove, J., & Corkran, L. (1979). Effects of "voice" and peer opinions on responses to inequity. *Journal of Personality and Social Psychology, 37*, 2253–2261. doi:0022-3514/79/3712-2253\$00.75
- Hannaford-Agor, P., Hans, V. P., Mott, N. L., & Munsterman, G. (2000). The timing of opinion formation by jurors in civil cases: An empirical examination. *Tennessee Law Review, 67*, 627–652.
- Hannaford, P. L., Hans, V. P., & Munsterman, T. G. (2000). Permitting jury discussions during trial: Impact of the Arizona reform. *Law and Human Behavior, 24*, 359–382. doi:10.1023/A:1005540305832
- Hans, V. P., Hannaford, P. L., & Munsterman, G. T. (1999). The Arizona jury reform permitting civil jury trial discussions: The views of trial participants, judges, and jurors. *University of Michigan Journal of Law Reform, 32*, 349–377.
- Hastie, R., Schkade, D. A., & Payne, J. W. (1998). A study of juror and jury judgments in civil cases: Deciding liability for punitive damages. *Law and Human Behavior, 22*, 287–314. doi:10.1023/A:1025754422703
- Hastie, R., & Viscusi, K. (1998). What juries can't do well: The jury's performance as a risk manager. *Arizona Law Review, 40*, 901–921.
- Hegtvedt, K. A., Johnson, C., Ganem, N. M., Waldron, K. W., & Brody, L. M. (2009). When will the unaffected seek justice to others? Perceptions of and responses to another's injustice. *Australian Journal of Psychology, 61*, 22–31. doi:10.1080/00049530802607613
- Heuer, L., & Penrod, S. (1989). Instructing jurors: A field experiment with written and preliminary instructions. *Law and Human Behavior, 13*, 409–430. doi:10.1007/BF01056412

- Heuer, L., & Penrod, S. (1994). Trial complexity: A field investigation of its meaning and its effects. *Law and Human Behavior, 18*, 29–51. doi:10.1007/BF01499142
- Heuer, L., Penrod, S., & Kattan, A. (2007). The role of societal benefits and fairness concerns among decision makers and decision recipients. *Journal of Quantitative Criminology, 31*, 573–610. doi:10.1007/s10979-006-9084-2
- Kalven, H., Jr., & Zeisel, H. (1967). The American Jury. *Washington and Lee Law Review, 24*, 158–175.
- Leventhal, G. S. (1980). What should be done with equity theory? In K. Gergen & M. Greenberg (Eds.), *Social exchange: Advances in theory and research* (Vol. 9, pp. 91–131). New York: Springer. doi:10.1007/978-1-4613-3087-5\_2
- Lind, E. A., Ambrose, M., de Vera Park, M., & Kulik, C. T. (1990). Perspective and procedural justice: Attorney and litigant evaluations of court procedures. *Social Justice Research, 4*, 325–336. doi:10.1007/BF01126779
- Lind, E. A., & Tyler, T. R. (1988). *The social psychology of procedural justice*. New York: Springer U.S.
- MacCoun, R. J. (2005). Voice, control, and belonging: The double-edged sword of procedural fairness. *Annual Review of Law and Social Science, 1*, 171–201. doi:10.1146/annurev.lawsocsci.1.041604.115958
- Nadiri, H., & Tanova, C. (2010). An investigation of the role of justice in turnover intentions, job satisfaction, and organizational citizenship behavior in hospitality industry. *International Journal of Hospitality Management, 29*, 33–41. doi:10.1016/j.ijhm.2009.05.001
- Pennington, N., & Hastie, R. (1986). Evidence evaluation in complex decision making. *Journal of Personality and Social Psychology, 51*, 242–258. doi:10.1037/0022-3514.51.2.242
- Reisig, M. D., Tankebe, J., & Meško, G. (2012). Procedural justice, police legitimacy, and public cooperation with the police among young slovene adults. *Journal of Criminal Justice and Security, 14*, 147–164.
- Skarlicki, D. P., & Kulik, C. T. (2004). Third-party reactions to employee (mis) treatment: A justice perspective. *Research in Organizational Behavior, 26*, 183–229. doi:10.1016/S0191-3085(04)26005-1
- Thibaut, J., & Walker, L. (1978). A theory of procedure. *California Law Review, 66*, 541–566. doi:10.15779/Z38W
- Tyler, T. R. (1984). The role of perceived injustice in defendants' evaluations of their courtroom experience. *Law and Society Review, 18*, 51–74. doi:10.2307/3053480
- Tyler, T. R. (1988). What is procedural justice?: Criteria used by citizens to assess the fairness of legal procedures. *Law & Society Review, 22*, 103–135. doi:10.2307/3053563
- Tyler, T. R. (1989). The psychology of procedural justice: A test of the group-value model. *Journal of Personality and Social Psychology, 57*, 830–838. doi:10.1037/0022-3514.57.5.830
- Tyler, T. R. (1994). Psychological models of the justice motive: Antecedents of distributive and procedural justice. *Journal of Personality and Social Psychology, 67*, 850–863. doi:10.1037/0022-3514.67.5.850
- Tyler, T. R. (1997). Citizen discontent with legal procedures: A social science perspective on civil procedure reform. *The American Journal of Comparative Law, 45*, 871–904. doi:10.2307/841024
- Tyler, T. R. (2009). Legitimacy and criminal justice: The benefits of self-regulation. *Ohio State Journal of Criminal Law, 7*, 307–359.
- Tyler, T. R., & Lind, E. A. (1992). A relational model of authority in groups. *Advances in Experimental Social Psychology, 25*, 115–191. doi:10.1016/S0065-2601(08)60283-X
- Tyler, T. R., Rasinski, K. A., & Spodick, N. (1985). Influence of voice on satisfaction with leaders: Exploring the meaning of process control. *Journal of Personality and Social Psychology, 48*, 72–81. doi:10.1037/0022-3514.48.1.72
- Wales, H. W., Hiday, V. A., & Ray, B. (2010). Procedural justice and the mental health court judge's role in reducing recidivism. *International Journal of Law and Psychiatry, 33*, 265–271. doi:10.1016/j.ijlp.2010.06.009