

COTLOW FIELD RESEARCH FUND

**Department of Anthropology
The George Washington University
Washington, DC 20052**

2007 PROJECT DESCRIPTION FORM

Applicant: John T. Curran

Title of Project: Ideological Diversity in the Language of Massachusetts
Judges' Jury Instructions: An Ethnography of Legal Discourse¹

The Lewis N. Cotlow Field Research Fund is a GW Anthropology Department fund, established in 1990 as a bequest by the explorer Lewis N. Cotlow to further field work and exploration. All undergraduate or graduate students at The George Washington University are eligible to apply, but preference is given to those in anthropology programs. Funds are to be used for travel, research assistance, and other expenses related to field research.

The deadline for application is 5 p.m. on the first Friday in March of the year for which support is requested. Applications must be submitted in hard copy; no electronic submissions will be accepted.

¹ Working title.

DESCRIPTION OF PROPOSED COTLOW FIELD RESEARCH PROJECT

I. Personal Information

Name: **John Curran**

Permanent / Current Address: 2115 F Street, N.W. (Guthridge 807)
Washington, DC 20052

Home Phone: 617-304-0018 E-mail: **GoNow@gwu.edu**

Degree Sought: B.A. Field of Study: Anthropology

Expected Date of Graduation: December, 2008

Faculty Advisor(s) for This Project: **Professors Alex Dent and Joel Kuipers.**

Does your proposed project involve the use of a "field language"? If so, state what it is, and note your degree of fluency in speaking or writing.

This project involves the analysis of legal discourse. To the extent that this domain constitutes a "field language," I am fluent, and well-prepared to conduct research in it.

II. Brief Abstract of the Project

Title of Project: Ideological Diversity in the Language of Massachusetts Judges' Jury Instructions: An Ethnography of Legal Discourse

Amount Requested: \$905

In 100 words or less, clearly state the goals of the proposed research.

The purpose of the proposed research is to examine the relationship between the language that Massachusetts judges use when administering jury instructions and the ideologies embodied, enacted, and reproduced through their discourse practices. This study will add to our understanding of how microlinguistic phenomena are linked with wider social processes.

² Working title.

III. Significance of the Project to Anthropology. What is the relationship of the proposed research to other anthropological research in this field and region? (250-500 word maximum)

Massachusetts allows individual judges a unique amount of discretion in the degree to which their administration of jury instructions may vary from the officially approved “pattern instructions.” In the United States, jury instructions are typically written in dense, “legalistic” language and delivered orally; for several decades, various legal reform movements have expressed concerns—validated by empirical research—regarding the comprehensibility of jury instructions to the “lay public.”³

Massachusetts is the most recent state to join a handful of jurisdictions across the country which have undertaken efforts to rewrite their official pattern instructions in “plain English.”⁴ In October, 2006, the Administrative Office of the Trial Court (AOTC) launched a joint pilot program with the Mass. Bar Association (MBA) in which District and Superior Court trial judges contribute significantly greater amounts of experience-based input to the process. The redrafting program’s design is consistent with the relative creativity and independence Massachusetts allows judges when administering jury instructions, and contrasts sharply with the closed committee structure typical of other states. Massachusetts, then, appears to offer an ideal research setting to study diversity among judges’ jury instruction practices.⁵

Since the mid-1980s, a rich and extensive body of literature has begun to emerge which applies the methods and substantive interests of linguistic anthropology to the study of language in legal contexts.⁶

A principal focus of this research has been the role of language in reproducing and contesting relations of power and domination. Conley and O’Barr’s (1990) ethnography identified a series of fundamental distinctions in the way small-claims court litigants talk about conflict; they “posited a link between differential use of speech styles, deployment of different discourses (rule-oriented vs. relational), and different legal ideologies (law as constraint vs. law as enabling).”⁷ Their study focused primarily on litigants’ ideologies of law (manifested in the differences between rule and relationally oriented modes of talk), their socioeconomic distribution, and impact in the courtroom.⁸ Conley and O’Barr also identified five contrasting judicial “approaches” to courtroom interaction, “distinguished by different conceptions of the legal process.”⁹ While successful in explicating the legal ideologies of litigants, law itself is presented in their work as ideologically uniform, despite the significant differences they note among judges’ “approaches.”¹⁰ The study proposed here will draw upon Philips’s (1998) effort to correct the evident failure in much of legal anthropology’s leading literature to link variations in judicial behavior with ideological diversity within the law.

Philips (1998) observed systematic variations in the interactional strategies and stylistic features of language which trial court judges employed while hearing guilty pleas. She found that judges’ linguistic behavior

³ For more, see note 26; also Levi, 1993.

⁴ California has been the first and only state to undertake comprehensive revisions of all its civil and criminal instructions (see BAJI, 1st revision). Alaska, North Dakota, Michigan, and Missouri have also rewritten portions of their model instructions in “plain-English.”

⁵ For more on the discretion and autonomy Massachusetts judges are allowed, see Mass. Superior Ct. Civil Jury Instructions at § 24.2, noting that “usually” “each judge modifies” even the most “evolved” instructions on routine matters (evidence, burdens of proof, presumptions, etc.) “to suit the judge’s particular style and the needs of a case.” See also “Chapter 5: Procedural Aspects of Jury Instructions” in Mass. Superior Ct. Criminal Jury Instructions (1st Supp. 2003).

⁶ Danet, et al., 1976; Atkinson & Drew, 1979; Conley & O’Barr: 1982, 1990; Merry, 1990; Levi, 1990; Mertz, 1994; Philips, 1998. (Legal anthropology has attracted an “enormous diversity in the range of issues investigated, the theoretical orientations advocated, [and] the research methods used.” Danet: 1990 at 538). It is worth noting that a remarkable number of major works in contemporary legal anthropology have come from ethnographic research conducted in Massachusetts courts. See Danet, Merry, Yvengson, Ewick & Silbey, Bumiller, Sarat & Felsteiner (1986).

⁷ Elizabeth Mertz, “Legal Language: Pragmatics, Poetics, and Social Power,” Mertz, “Legal Language: Pragmatics, Poetics, and Social Power, *Annual Review of Anthropology*, Vol. 23, (1994), pp. 435-455.

⁸ Conley and O’Barr, 1990: 13, 2.

⁹ Id. at 82.

¹⁰ “The ethnographic evidence we present reveals both **the ideology of the law** as practiced in the courts and the diverse, often conflicting ideologies held by the litigants.” [emphasis added] at 150.

was informed by a “complex interpenetration” of legal, political, and “control” ideologies¹¹, and that differences among their ideological stances reflected (in a more complex way than traditional Marxist theories of ideology would suggest) wider social processes of ideological conflict and struggle.¹²

Similar to jury instructions, guilty plea procedures require individual judges to enact their interpretation of written laws that, in turn, interpret the constitution’s due process requirements. However, ambiguities among the “governing” procedural rules, statutory law, and case law have allowed for significant variation in the content and style of the spoken procedure both (1) among different judges, and (2) from the written law.¹³ Philips found that:

Trial court judges represent their implementation of the law as involving little or no gap among written forms of law and between written law and spoken law, which gives their words authority. But, as should be evident from this idea of the degree of gap, I argue here that there are significant gaps between the genres of law I examine...

[T]his diversity is obscured and hidden from members of the lay public because they see only the spoken law and do not have access to the interpretive practices of the judges as they index the written law in their spoken procedures. In this way the impression that the law is monolithic and singular is sustained.¹⁴

Philips does not directly engage the topic of entextualization processes in legal discourse; in fact, only a few studies ever have.¹⁵ Research on the processes by which jury instructions are entexted will likely reveal a rich, textured diversity of ideological dispositions—linguistic, cultural, political, and legal—among judges.

IV. Methodology. What are the specific research questions you plan to ask? What data will you collect and how? How will you analyze the data? How do you plan to use these data to address and resolve your research questions? *Be specific.* (250-500 words maximum)

The research design and methodology I plan to use are adapted from Philips (1998), and grounded in a set of standard methods developed by legal anthropologists working in North American courts since the 1980s. The proposed research will employ classic methods of participant observation, attending specifically to the situated details of discursive practice.¹⁶ Such an approach has been used successfully in court settings by Mateosian, Mertz, Hirsch, and Philips.¹⁷

Fieldwork will involve observing and recording the proceedings of similar jury trials at several courthouses in the Superior and Boston Municipal Court systems.¹⁸ Merry’s (1990) study of working-class litigants in Salem and Cambridge District Court established an influential example in legal anthropology of using a “multi-sited” research design “in order to view the various points and opinions which make up complex networks.” (2001)

¹¹ Silbey (1998) argues that use of the term “ideology” in the analysis and interpretation of legal phenomena is “part of more comprehensive development toward a ‘constitutive’ theory of law.”

¹² Interestingly, Phillips was unable to find any dualistically organized relations of domination and subordination among ideologies. Philips, Susan U., *Ideology in the Language of Judges: How Judges Practice Law, Politics, and Courtroom Control*, (1998), at xiv; 7; 122.

¹³ Philips, *id.* at xii. See also Haviland (2003) (imputing common features among language ideologies he observed during an Oregon murder trial to a universal structural flaw in the U.S. legal system).

¹⁴ Philips, *id.* at 28.

¹⁵ Mertz (1995) has also studied the role of language ideologies in legal discourse; much of research is based on fieldwork in law school classrooms. See also Hirsch (1998); Donald Brenneis (1986) “Decontextualization and Recontextualization in Legal Discourse,” paper presented at the 85th Annual Meeting of the American Anthropological Association, Philadelphia, PA.

¹⁶ Elsewhere, the term ‘microethnography’ has been used to describe a similar approach (Philips: 1982), oriented toward the “details of embodied actions as a means of characterizing participant-grounded ways of enacting and interpreting meaning.” (LeBaron & Koschmann: 2003). I avoid the term, however, due to the apparent irregularity of its meaning across the literature (specifically, the methods and evidence involved [See Thompson; Cox; also King, 1978 at 8, 16.]).

¹⁷ These studies share in common an important methodological difference that distinguishes the “discursive practice” (DP) approach from standard ethnographic practice; although both rely on observation, DP regards interviews with informants as secondary.

¹⁸ Conley and O’Barr (2004) address criticisms regarding the validity of the case method’s basic unit of analysis.

I also plan to conduct semi-structured interviews with the judges whose courtrooms I observe¹⁹; these participants will be asked to fill out a social background questionnaire prior to the interview. Informal interviews with litigants, court staff, and members of the community will add additional insight, information, and context. I expect to give litigant interviews less emphasis in the data collection process; other researchers have noted these are especially difficult to arrange.²⁰ Written sources—including official filings in the cases observed, court administrative documents, and (perhaps most importantly), legal texts—will provide an important dimension for analysis.

I expect to observe between four and seven judges. This comports with the sample size in the summer-long pilot studies undertaken by Philips (n=4) and Conley and O’Barr (n=6).²¹ Although neither mention the number of courtroom hours recorded in their pilots, Philips’s final project only recorded 7 hours (44 guilty pleas).²² She explained her decision to focus on guilty pleas in the following way: “I wanted to look at many instances of the same procedure to understand the nature of variation in judicial behavior, which I felt had not been done and could not as easily be done with trial data.” However, innovations in state trial procedures over the past decade settle the earlier problems associated with collecting this data.²³ Massachusetts’ “one-day jury trial”²⁴ makes it possible to observe several jury trials by a different judge in a single day. If, in the course of fieldwork, it becomes evident that particular types of cases (or certain similarities among them) should receive more attention, adequate funding for local transportation, coupled with the “one-day jury trial” system, will enable me to visit different courthouses during the day, based on their dockets.²⁵

I will approach judges’ delivery of jury instructions as a distinct discourse unit.

My primary research questions include the following:

- What stylistic discourse features in the judges’ spoken procedure detach its “source” texts (statutes, case law, pattern manuals, attorney recommendations, etc.) from their pragmatic context of performance? And to what effect?²⁶
 - Research in psycholinguistics examining “Plain English” and pattern jury instructions²⁷—the only anthropology-related domain, it seems, to have studied jury instructions—has exhaustively identified the microlinguistic features associated with “legal language.” This literature can be used in new ways to identify the features involved in the entextualization process.

¹⁹ Two rules allow for electronic recording in Mass. courts, subject to certain administrative restrictions: Court Special Rule 211(A)(5)(a); *see also* the SJC’s Guidelines on the Public’s Right of Access to Judicial Proceedings and Records.

²⁰ Conley and O’Barr, (1990) at 32-33. Given the notoriously complicated issues of methodology and research design associated with studies of jurors, it would be inadvisable to expend much effort in this direction. *See* Conley (2000). Similarly, questions regarding the outcomes of cases would lay outside the interests of my theoretical framework. Nor is it feasible, within my time frame, to study each case in depth.

²¹ Conley & O’Barr’s final sample included 14 judges. Their study is among the largest in contemporary legal anthropology, collecting data from 536 cases in 6 American cities. However, the authors repeatedly cite inadequate sample size as the primary reason their study was unable to fully answer the questions it raised. To my knowledge, not a single major study of American courts in legal anthropology has achieved a fully satisfactory sample size.

²² Philips (1998: 4-8); Conley & O’Barr spent a total of 39 days in court. Their final data set included 156 transcribed cases; due to practical reasons, they were able to obtain complete interview data for only 19 cases (1990: 32-33).

²³ Note that Phillips’ research was conducted between 1978-80 in Pima County, Arizona.

²⁴ The “one-day jury trial” is not unique to Massachusetts; Connecticut, Texas, and Ohio have instituted similar systems.

²⁵ Philips (2007, personal comm.) has underscored the importance of “getting the same kind of data from different judges.”

²⁶ Kuipers (1990) at 170.

²⁷ Charrow and Charrow (1979); *see also* Severance & Loftus (1982).

- What systematic patterns of variation exist across different contexts?²⁸
 - ...among different judges' instructions?²⁹
 - ...different occasions by the same judge?
 - ...as to substantive matters of law, among (1) relevant statutes, as written; (2) the state's official Model Jury Instructions; (3) instructions that appellate-level courts have approved in precedential cases; (4) the jury instructions administered by colleagues in similar cases. ("intertextual gap")³⁰
 - How much do they quote from these sources?
 - Do they abbreviate, omit, or extend certain topics?
- Do the variations among judges show evidence of the ideological stances suggested in the existing literature: (1) comprehension vs. accuracy; (2) rule vs. relational orientations; (2) narrative vs. paradigmatic organization; (3) record vs. procedure ideologies.³¹
- What ideological frameworks inform the judicial behavior of judges? How are these ideologies enacted in the way they present jury instructions? How are they related to wider social processes?

Data Management

Field notes will be recorded in shorthand and later typed using Microsoft Word. Before each session, I will synchronize my watch with the minidisc recorder's timer. By doing this, I will be able to mark in my field notes the exact times at which events occur.

I will transcribe all the recordings of interviews and court proceedings. The transcriptions will also be kept in Microsoft Word files; I will also use AtlasTi to segment, code, and analyze recordings. Transcripts will be backed up regularly, and printed out as completed.

Access

My father served as an associate justice on the Boston Municipal Court from 2002-2006; he received an appointment to the Superior Court in November, 2006. He has agreed to provide some assistance in the preliminary stages of this project by introducing me to other judges, court administrative personnel, and members of the area legal community.

V. Ethics. Describe (in 150-200 words) how you will ensure that your research project is conducted with attention to the ethical guidelines of the discipline of anthropology (and your project's particular field within the discipline) and the guidelines of GW's Institutional Review Board (if your project involves living human beings). For the former, consult the Web site of the American Anthropological Association and its section on research ethics (<http://www.aaanet.org>). For the latter, review GW's IRB guidelines (<http://www.gwumc.edu/research/human.htm>).

I will conduct this research in full accordance with guiding ethical principles in the discipline of anthropology, which have been formulated by the American Anthropological Association, since the 1960s. These guidelines involve, first and foremost, the avoidance of any kind of harm to the participants.

I will inform all participants of my goals and what the product of the research will be (scholarly presentations and writings), and I will seek their verbal willingness to participate. If anyone does not wish to participate, I will abide by their wishes. Additionally, I will protect their anonymity by omitting or changing place names and personal names unless explicitly asked to do otherwise by an individual informant.

The AAA code of ethics stipulates that researchers must "consult actively with the affected individuals or group(s), with the goal of establishing a working relationship that can be beneficial to all parties involved."

My research will principally consist observation and informal and semi-structured interviews. It does not involve procedures that are out-of-the-ordinary for the people involved. I will only attend and observe events or meetings when I have been explicitly allowed to do so. If I feel that my presence might have a negative effect, I will

²⁸ Kuipers (1990) at 170.

²⁹ In this way, the proposed research will address how "variations in the bureaucratic and institutional processes by which access to such richly entexted discourse is structured." Kuipers (1990) at 171.

³⁰ Briggs & Bauman (1992).

³¹ Philips (1998).

revise my strategy in a way that will avoid harm. If I have any specific doubts, I will seek immediate advice from my advisor.

VI. Product. What kinds of results do you expect to come from the proposed research? (E.g., publishable article, presentation at a professional meeting, film, museum exhibit, etc.).

I will present my findings at the annual Lewis N. Cotlow Field Research Symposium. I will write a paper to submit for publication in anthropological journals and for presentation at relevant conferences. I also plan to use my findings to write my senior thesis. It is not likely that this paper will be used for future policy analysis and implementation in the courts.

VII. Schedule: State clearly your timetable of specific research activities.

Fieldwork for this project will take place during the summer of 2007.

Preparation Period: Correspondence with presiding judge, letters to judges. Speak with local attorneys.
Begin developing an interview schedule.

Week One: Arrive in Massachusetts
Contact personnel with whom I have corresponded with prior to arrival. After meeting with presiding judge, make final list of those that are going to be included in the research.

Week Two: Observation
Conduct informal interviews with court personnel, litigants, attys., community members.
Distribute social background questionnaires.
Refine interview schedule according to new questions developed from observation.

Week Three: Conduct semi-structured interviews with judges.
Career history interviews.

Week Four: Collect more observational data
Interviews.
Research in the Social Law Library.

Week Five: Collect more observational data
Interviews.
Research in the Social Law Library.

Week Six: Collect more observational data.
Interviews.
Research in the Social Law Library.

Week Seven: Preparation for Discourse analysis.
Collect written information: Obtain records, pamphlets, etc.
Research in the Social Law Library. Photograph research sites, informants if possible.

Week Eight: Conclude research and prepare for departure.
Transcription and coding

Fall 2007: Compile and analyze field notes. Write paper on findings.

VIII. Budget. Provide a detailed budget for the proposed activities. Among the expenses you may need to include are transportation, room and board, and research supplies. The Cotlow Fund cannot be used to pay tuition or academic fees

or to purchase equipment such as cameras or laptops. *Past awards have typically been about \$1500, and only in exceptional cases have exceeded \$2000.*

Administrative Fees: \$250

Tapes, transcripts, document requests.

Local Travel: \$250

Gasoline –

Due to the wide geographical distribution of district courts in eastern Massachusetts, neither bicycle nor public transportation is not a viable option. Fortunately, the Administrative Office of Boston Municipal Courts (BMC) publishes a table to assist traveling judges in calculating the distance between each court in the system (for reimbursement purposes). I may be able to use this table to more accurately account for the precise cost of gasoline.

Parking fees –

Required at Somerville, Boston, Brookline, Chelsea, and Cambridge courthouses.

Tolls –

With only one exception, travel to and from the locations involved in this project require use of the Massachusetts Turnpike. Although my home (Wellesley, MA) is located roughly in the geographical center of the fieldwork area, each round-trip between my home and the fieldwork site will cost \$4.00. (\$1 per toll; 2 tolls per one-way trip; 2 one-way trips per visit).

Supplies / Expendables: \$200

Printer cartridges (2-3) (HP Deskjet 5700 series) 24.99 each.

Cassette Tapes & Recordable Media.

Research access fee: \$205

The Social Law Library (SLL) is a private research institution which provides resources to the judiciary and practicing bar of Massachusetts. Its collections include many state-specific materials which are simply unavailable on Lexis-Nexis or in other locations. See, for example, Research Guides #17 and #18 that the SLL publishes on Jury Instructions.³² Items listed include “Model Jury Instructions for use in the District Court” (MCLE).³³ None of the materials listed are available on the internet or in GW’s Jacob Burns Law Library. Access to this library is critically important for the success of the project.

IX. Staff. If others are to participate in the project as investigators or assistants, please give their names and qualifications.

No staff is required.

X. Outside Support. List any other sources of funding for the project, with amounts and restrictions (if any).

No outside support is available.

XI. References cited and select bibliography (one page maximum).

Atkinson, John & Drew, Paul, Order in Court: The Organization of Verbal Interaction in Judicial Settings, London: MacMillan, (1979).

Bauman, Richard & Briggs, Charles, “Poetics and Performance as Critical Perspectives on Language and Social Life,” *19 Annual Review of Anthropology* 59 (1990).

³² <http://www.sociallaw.com/guides/res17.pdf> ; <http://www.sociallaw.com/guides/res18.pdf>

³³ See Model Jury Instructions for Use in the District Court (Mass. Continuing Legal Educ. 1995 & 1997 supp.); available only by purchase for \$165.00; Massachusetts Superior Court Civil Practice Jury Instructions (Mass. Continuing Legal Educ. 1997 & 2003 supp.); available only by purchase for \$195.00.

Charrow and Charrow, *Making Legal Language Understandable: A Psycholinguistic Study of Jury Instructions* (1979) 79 *Columbia Law Review* 1306 at p.1307.

Conley, John M., "A Legal and Cultural Commentary on the Psychology of Jury Instructions," 6 *Psychology, Public Policy, and Law*, 822, September (2000).

_____. "A Classic in Spite of Itself: The Cheyenne Way and the Case Method in Legal Anthropology," *Law and Social Inquiry*, Volume 29 (2004), pages 179–217.

_____. Just Words: Law, Language, and Power, 2nd ed. Chicago: University of Chicago Press, (1998).

Brenda Danet, "Language and Law: An Overview of 15 Years of Research," in Handbook of Language and Social Psychology, (Howard Giles & William P. Fobinson eds., 1990) at 538.

Ewick, Patricia & Susan S. Silbey, "Subversive Stories and Hegemonic Tales: Toward a Sociology of Narrative," *Law and Society Review*, 29:197-226, (1998).

Hill, J. H., & Irvine, J. T. (Eds.), Responsibility And Evidence In Oral Discourse, New York: Cambridge University, (1992).

Hirsch, Susan F., Pronouncing and Persevering: Gender and the Discourses of Disputing in an African Islamic Court, Chicago: University of Chicago Press, (1998).

Kuipers, Joel C., Power in Performance: The Creation of Textual Authority in Weyewa Ritual Speech, Philadelphia: University of Pennsylvania Press, (1990).

Levi, Judith N. (ed.) & Walker, Anne Graffam (ed.), Language in the Judicial Process (Law, Society and Policy), New York: Plenum Press, 1990.

Matoesian, Greg, "Intertextuality, Affect, and Ideology in Legal Discourse," *Text* 19 (1), 73-109, (1999).*

Merry, Sally Engle, Getting Justice and Getting Even: Legal Consciousness among Working-Class Americans, (Chicago: University of Chicago Press), 1990.

_____. "Ethnography in the Archives," Pp. 128-142 in June Starr & Mark Goodale (eds.), Practicing Ethnography in Law: New Dialogues, Enduring Methods. (New York: Palgrave/St. Martin's), 2002.

Mertz, Elizabeth, "Language, Law, and Social Meanings: Linguistic/Anthropological Contributions to the Study of Law," 26 *Law & Society Rev.* 413 (1992).

_____. "Recontextualization as Socialization: Text and Pragmatics in the Law. School Classroom," in M. Silverstein & G. Urban (Eds.), Natural Histories of Discourse, Chicago: University of Chicago, (1996).

_____. "Legal Language: Pragmatics, Poetics, and Social Power," *Annual Review of Anthropology*, Vol. 23, (1994), pp. 435-455.

Philips, Susan U. 1993. "Evidentiary Standards for American Trials: Just the Facts," in *Responsibility and Evidence in Oral Discourse*, Hill & Irvine eds.

Philips, Susan U. 1998. *Ideology in the Language of Judges: How Judges Practice Law, Politics, and Courtroom Control*.

Philips, Susan U. 2007. Personal communication (3/10/07).

Tiersma, Peter, Legal Language, (Chicago: Univ. Chicago Press), 1999.

XII. Transcript. Please submit a copy of your academic transcript (official or unofficial) with this form.

Please see attached.

XIII. Permits. Various permits may be necessary to conduct the proposed research (e.g., research visas, research permits, antiquities permits, Historical Preservation Committee approvals, health forms, research on human subjects forms). Anyone planning to conduct research with humans — even if through an impersonal survey form or using data about humans collected by someone else — must fill out and submit a set of forms about the “protection of human subjects” before undertaking the research. In most cases, if you have been thoughtful about ethical aspects of your research, and you convey this clearly on the forms, the Committee will speedily approve your project. The forms are available on the Web: <http://www.gwumc.edu/research/human/htm>. Unless you are doing biomedical research, you should use the forms labeled “non-medical.” If you have questions, there is a phone number on the Web to call, but please do so only after carefully reading the instructions and trying your best to proceed according to the guidelines. If you have the requisite paperwork, attach copies to this application; if you do not yet have it, summarize the steps you have taken to obtain it. If no permits or committee approvals are necessary, state that below.

No special permits are required for conducting social science research in the Massachusetts courts system. I plan to meet with the presiding administrative justice of the Office of the Trial Court, who may require participating judges to meet with her before I begin my research.

Permission to make electronic recordings (as well as some document requests) may require special approval. *See* District Court Special Rule 211(A)(5)(a); *see also* SJC’s Guidelines on the Public’s Right of Access to Judicial Proceedings and Records.

I have begun the proper paper work (“Human Subjects” forms) to obtain permission to conduct research on human subjects, and will file them with GW’s Institutional Review Board. I will seek expedited review. I will preserve the anonymity of all participants, and change place-names where necessary. I will abide by the AAA rules for ethical research.