

# Thesis outline presentation

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# Structure

Why should this be a topic of research?

What previous research is done on the topic?

What will my research contribute?

How will I perform my research?

What are flaws in my research?

# **What role do judicial assistants play in the judicial decision making process in Dutch courts?**

# Reason for research

Why should this be a topic of research?



**Before**  
administrative  
assistant



**Now**  
partners of judges

*Erasmus*

# Reason for research

Why should this be a topic of research?

Judicial assistants typically do:

- ✓ Decide on whether a case can be adjudicated without a hearing
- ✓ Prepare memo's
- ✓ Are involved during a hearing, and can sometimes even ask questions
- ✓ Partner for deliberation for judges
- ✓ Draft verdicts

**Judicial assistants can influence the outcome of a case.**

# Reason for research

Why should this be a topic of research?





# Literature review

What previous research is done on the topic?



Document analyses



Participant observation



Interviews



Surveys

# Literature review

A missing method: statistical analysis of verdicts





# My research

What will my research contribute?

- ✓ Qualitative research
- ✓ Surveys amongst judges
- ✗ Quantitative research

The starting point of my research is not a new theory or philosophy.

I will answer an older research question, using a newer method. This increases the scientific legitimacy of previous research.

# Research methodology

What's statistical research?


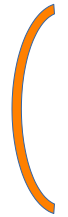


Source: Devin Pickell, 2019

*Ezra*

# Research methodology

How will I perform my research?

2. 
  - Collect and enrich cases from rechtspraak.nl in the period 2010 – 2020
  - Collect a list of judges and judicial assistants active in the period 2010 – 2020, including their professional experience
3. 
  - Determine a legal field, institution, and/or scope which to analyse, with enough judges and clerks to be representative
  - Formulate hypotheses & code verdicts to dependent variable(s)
4.
  - Perform statistical analysis suitable to the type of dependent variable (i.e. multinomial logistic regression in case of a nominal dependent variable)
5.
  - Interpret results

# Research methodology

## Controlling external influences

Holvast (2017) suggests that seven factors influence the role of the judicial assistant.

- ✓ Experience and expertise of judges and judicial assistants
- ✓ Type and complexity of cases
- ✓ Single-judge or panel decision-making
- ✗ Career perspectives and ambitions of the judicial assistant
- ✗ Trust between judge and judicial assistant
- ✗ Role perceptions
- ✗ Time pressure and workloads

Other control variables are:  
institution, time and legal area.



# Research is never perfect

What are flaws in my research?

There are five weaknesses in the design of my research:

- 1) I cannot control for everything
- 2) Not all verdicts are publicly available
- 3) There is no public register of judicial assistants
- 4) The public register of judges is incomplete

# Questions

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