

# Role of Expertise in Dynamic Inconsistency: Experimental Evidence with Students and State Prosecutors

Jakub Drápal\* Michal Šoltés† Emanuel Vespa‡ Daniel L. Chen§

June 11, 2025

## 1 Students: Pre-analysis Plan

### 1.1 Treatment arms

We plan to run a vignette experiment in which each participant is asked to recommend a sentence in two criminal cases, presented as two vignettes: V1 (offender Milan Pinc) and V2 (offender Dominik Loučný). Each participant will be randomly assigned to one of 20 scenarios, labeled s1 through s20. Table 1 presents the scenario labels in the first column, with the remaining two columns indicating the experimental conditions and vignettes presented in each scenario.

We next outline the treatment manipulations and conditions.

**Treatment condition A** Participants assigned to treatment condition **A** first receive a description of the criminal case and the offender’s history and are asked to recommend a sentence during the indictment phase. They then participate in the main hearing, where they receive *additional* information about the offender—specifically, what he (offenders in both vignettes are male) did after committing the crime, either during the main hearing or in the interval between the crime and the hearing. After receiving this new information, participants are asked again to recommend a sentence in their final speech.

All other treatment conditions deviate from this condition (**A**) in some aspects.

**Baseline treatment condition** The *Baseline* condition skips the indictment phase; instead, participants are provided both the pre-main hearing information (case description and offender’s history) and the *additional* information simultaneously and asked to recommend a sentence immediately in their final speech.

---

\*Charles University, Faculty of Law; drapalj@prf.cuni.cz

†Charles University, Faculty of Law; soltesm@prf.cuni.cz

‡UC San Diego, Department of Economics; evespa@ucsd.edu.

§Toulouse School of Economics; daniel.chen@iast.fr

Table 1: **Overview of Scenarios**

<b>Scenario</b>	<b>Condition 1</b>	<b>Condition 2</b>
s1	Baseline V1	FGa V2
s2	A V1	FGa V2
s3	H V1	FGa V2
s4	Baseline V1	FGb V2
s5	A V1	FGb V2
s6	H V1	FGb V2
s7	Baseline V2	FGa V1
s8	A V2	FGa V1
s9	H V2	FGa V1
s10	Baseline V2	FGb V1
s11	A V2	FGb V1
s12	H V2	FGb V1
s13	C V1	C V2
s14	D V1	E V2
s15	E V1	D V2
s16	B V1	B V2
s17	C V2	C V1
s18	D V2	E V1
s19	E V2	D V1
s20	B V2	B V1

**Treatment condition B** Participants assigned to condition **B** are explicitly reminded, when recommending a sentence during the indictment phase, that they will be able to revise their sentence during the main hearing in their final speech.

**Treatment condition C** Participants in condition **C** are reminded at the indictment phase that the offender will learn about their recommended sentence before the main hearing, which could influence the offender’s subsequent behavior.

**Treatment condition D** The additional information about the offender’s change in behavior, presented during the main hearing, is explicitly framed as **not** being a response to the recommended sentence given during the indictment phase.

**Treatment condition E** Conversely, in condition **E**, the additional information about the offender’s change in behavior is explicitly framed as **a response** to the recommended sentence from the indictment phase.

**Treatment condition FGa** After participants recommend a sentence in the indictment phase, they are informed that the head of public prosecutors suggests preparing for hypothetical scenarios involving new information during the main hearing. Participants are asked to plan what sentence they would recommend if one of three (or four for V2) hypothetical scenarios occurs (e.g., the offender found a job, pleaded guilty, sold a recently inherited house to provide financial surety, or is expecting a baby). Participants report their

planned sentence in response to each scenario. During the main hearing, one hypothetical scenario is realized, and participants are asked to recommend a sentence in their final speech.

**Treatment condition FGb** Condition **FGb** mirrors **FGa**, but the realized hypothetical scenario during the main hearing is described in greater detail. For example, in the scenario where the offender finds a job, **FGa** offers a vague description of a *stable, well-paid job*, whereas **FGb** provides additional details such as the firm’s name, the offender’s position, and their relationship with their supervisor. All additional details are designed to be redundant with respect to the sentencing recommendation.

**Treatment condition H** Condition **H** replicates the first part of **FGa** and **FGb**, including planning for hypothetical situations, but during the main hearing, no new information is revealed. Participants are still asked to recommend a sentence in their final speech.

## 1.2 Subjects

We expect approximately 1,000 law students from Charles University, Faculty of Law, to participate in the experiment.

## 1.3 Outcomes Collected

We collect recommended sentences at three points (if relevant): during the indictment phase and in the final speech. In FGa, FGb, and H treatment conditions, we also collect recommended sentences for the hypothetical situations. We do not collect any other variables. We merge the survey data with the basic administrative data (grade from a criminal law exam). Participants remain anonymous.

## 1.4 Hypotheses

Table 2: **Overview of Treatment Comparisons**

<b>Between-subject variation</b>	
Baseline	Comparison of sentence recommendation in one stage vs. in two stages
B	The effect of making explicit that the situation might change later on
C	The effect of explicitly considering that sentence recommendation might influence the offender's behavior
D	The effect of new information not being affected by the prosecutor's recommendation
E	The effect of new information being affected by the prosecutor's recommendation
H	The effect of pointing out that something might happen (but nothing changes)
<b>Within-subject variation</b>	
FGa	Dynamic Inconsistency
FGb	Dynamic Inconsistency