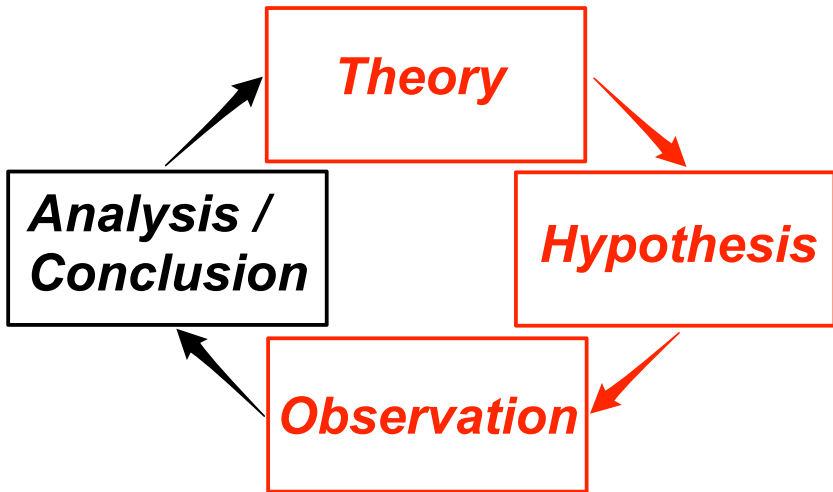
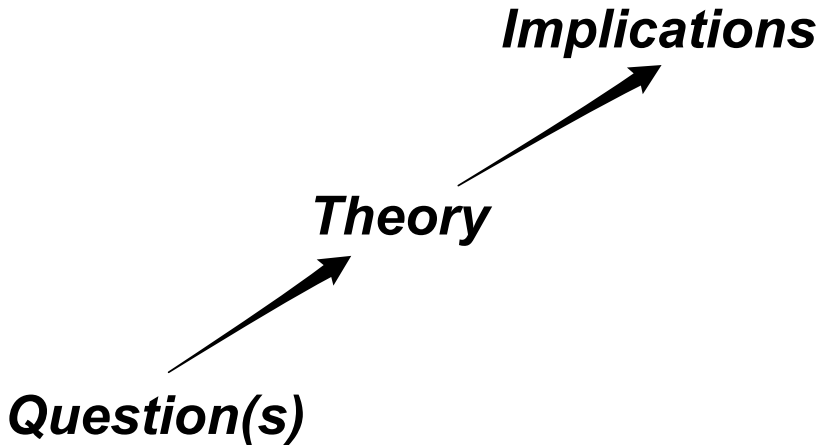


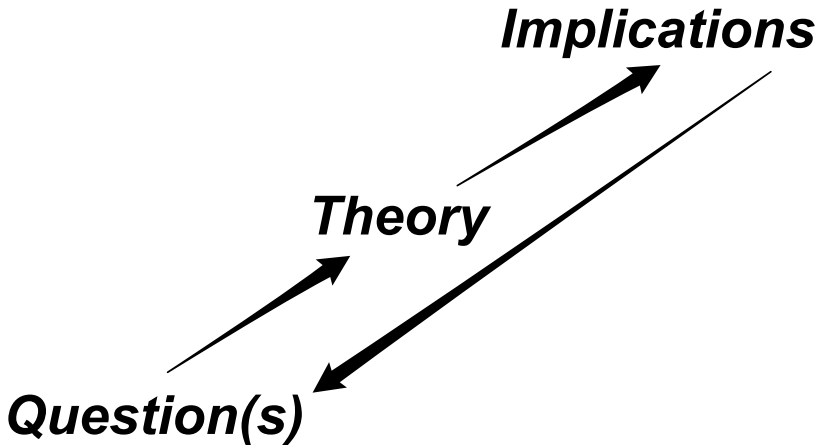
PLSC 473: American Judicial Behavior

Christopher Zorn

September 8, 2015







Questions, Good and Bad

Good Questions:

- “What...?” / “When...?” / “Where...?”
- “Do...?” / “Did...?”
- “Were...?” / “Are...?”

Less-Good Questions:

- “Who...?”
- “Will...?”
- “Should...?” / “Ought...?”

Question(s) \rightarrow Theory

1. “Suppose...”

2. “Then,

- “why...?”

- “how...?”

Answers to these questions = theory.

Theory: Origins

- Existing Theory / Theories
- Observation / Data

Also: Importance of *alternative / competing* theories / explanations.



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Los Angeles Times

TUESDAY SEP. 8, 2015

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Clashing courts: Law restricts federal judges' ability to intervene in state criminal cases



In close cases, state judges are more likely than their federal counterparts to rule against criminal defendants and other unpopular litigants, said NYU Law professor Burt Neuborne. Federal judges have lifetime tenure and cannot be recalled for an impolitic decision.

When the law is unclear, "state judges will tilt more toward the prosecution," Neuborne said. "They have a tendency in hard cases to be more politically responsive."

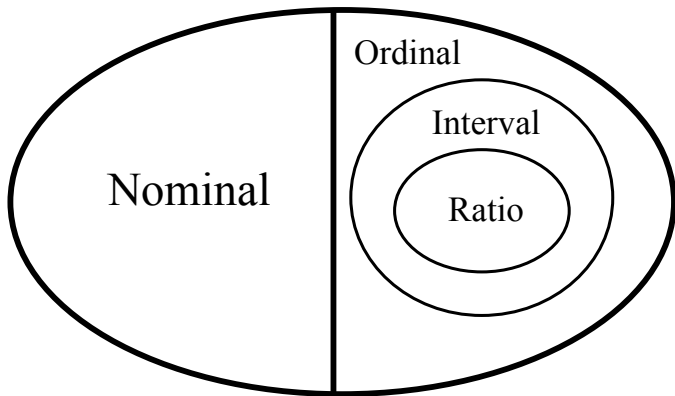
Theory \rightarrow Implications / Hypotheses

- “If so, then...”
- Minimally: imply original question...
- Implications / hypotheses
 - Are statements
 - Should be testable

“...measurement is always a theory about one's observations. In other words, measurement constitutes a proposition about the ways that numerical scores reflect substantively interesting properties of data... No measurement whatsoever is “natural,” “pre-ordained,” or exists prior to/apart from human interpretation.”

– Jacoby (1999, 272-273)

Levels of Measurement



Criteria:

- Reliability
- Validity
 - “Face” validity
 - Unbiasedness
 - Efficiency

