

Federal Judicial Center's Research Mandate: Empirical Research in Aid of Judicial Administration

The statute creating the Federal Judicial Center (FJC) directs it to conduct research and study ... the operation of the courts of the United States. (28 U.S.C. §620(b)(1)).

The Center Research Staff

To comply with its statutory mandate, the staff of the Center's Research Division, researchers with advanced degrees in one of the social sciences or law or both, develop and execute a range of analytical projects, many undertaken at the request of committees of the U.S. Judicial Conference.

Center research undertakes projects based on the needs of judicial branch policy makers and strives to employ the most appropriate and sophisticated methodology.

Principles underlying the FJC's empirical research program

Center research operates on the following principles:

- Research must respond to the information needs of the judicial branch, typically as articulated by the committees of the Judicial Conference.
- Research programs should also benefit the Center's educational programs.
- The research should generate objective information using the most appropriate methods of social science and legal research.
- The research program of a judicial branch should be independent from its administrative support services, in part to ensure that the research is not, and is not seen as, dedicated to policy positions already adopted
- Subjective information such as the views of judges, court employees, lawyers, legislators, government officials, and litigants should be included as part of the research, when appropriate.

Functions of the Center's research staff

a. Assist policy makers, typically committees of the Judicial Conference, (i) identify questions that empirical research can answer; and, (ii) answer these questions. The research staff should also try to anticipate policy makers' research needs. Types of research projects include:

- Statistical studies and analysis to determine the time burdens that particular types of cases pose for judges in order to establish valid criteria for assigning new cases to judges in each court and to determine the need for additional judgeships.
- Evaluations of whether procedural innovations achieve their goals (e.g., use of staff attorneys to conduct settlement conferences in the courts of appeals)

Assessments of the secondary impact of innovations (e.g., the impact of using video conferencing procedures for hearings conducted by the courts of appeals)

Surveys to identify local rules and practices (e.g., whether attorneys should be permitted to cite unpublished opinions in briefs filed in the courts of appeals)

- b. Develop educational resources, including manuals and reference guides, based on research work, such as *Reference Manual on Science Evidence*, *Manual for Complex Litigation*, and *Appellate Mediation Handbook*.
- c. Provide research services to support the design and evaluation of educational programs, such as surveys of judges to identify educational needs and evaluation of programs use and value (e.g., multi-year study of the use of the Federal Judicial Television Network).
- d. Assist individual courts in designing their own research and evaluation projects.