

CELS 2019
RCTs in the Law Short Course
Course Outline

Thursday, November 14

12:00-12:30 Introduction: Field research, different kinds of validity, and how RCTs are different

- Why field RCTs are hard
- Why field RCTs in the U.S. legal profession are really hard
- Why doing field RCTs is nothing like doing other kinds of empirical research
- Why field RCTs, especially in the U.S. legal profession, are worth it

Reading: Reading 1: D. James Greiner and Andrea Matthews, 12 Ann. Rev. L. & Soc. Sci. 296 (2016)

Reading 2: Short Summary of In Defense of Youth

Reading 3: Massachusetts Bail Fund tweet

Reading 4: Excerpts from Trochim, William. Social Research Methods Knowledge Base. Atomic Dog Publishing. 2000.

Session by Mat McCubbins and Jim Greiner

12:30-1:15 Initial conversations: Field research as creative improvisation

- First contacts
- System investigation
- Identification of other required study partner
- Partner assessment, including gauging line versus management commitment
- Relationship development
- Stakeholder identification
- Stakeholder meetings
- Stakeholder persuasion
- Relationship maintenance

Reading: Reading 5: Pretrial Risk Assessment Scores Module & Question 1

Reading 6: Short Project Description: The Final Stage Reentry Project

Session by Jim Greiner

1:15-2:30 Study design: Identifying primitives, framing studies (including for funding), classic and hybrid designs

- Identifying study primitives (units, treatment, timing of treatment assignment, method of randomization, outcomes)

- Incorporating IV designs (with randomization, the assumptions might actually be plausible!)

Reading: Reading 5: Pretrial Risk Assessment Scores Module & Question 2

Reading 6: Short Project Description: The Final Stage Reentry Project

Reading 7: Trochim, William and Douglas Land. 1982. Designing Designs for Research.

Reading 8: Excerpts from Trochim, William. Social Research Methods Knowledge Base. Atomic Dog Publishing. 2000.

Session by Chris Griffin and Mat McCubbins

2:30-2:45 Break

2:45-3:30 Data sources, measurement

- Pre-existing administrative data: how to obtain and use it
- Survey data: questionnaires, vectors, non-response follow-up
- Field partner data collection, especially at intake

Reading: Reading 5: Pretrial Risk Assessment Scores Module & Question 3

Reading 6: Short Project Description: Final Stage Reentry Project

Reading 8: Excerpts from Trochim, William. Social Research Methods Knowledge Base. Atomic Dog Publishing. 2000

Session by Mat McCubbins and Jim Greiner

3:30-4:15 Study framing, grants, and fundraising

- Multiple ways to frame any project (program evaluation, policy assessment, theoretical contribution)
- Identifying and targeting funders, maintaining relationships

Reading: Reading 5: Pretrial Risk Assessment Scores Module & Question 4

Reading 6: Short Project Description: The Final Stage Reentry Project

Reading 9: (Old) Short Project Description: Financial Distress Research Project

Reading 10: NSF grant application, Lay Deployment of Professional Legal Knowledge

Session by Jim Greiner

4:15-5:00 Project selection: What RCTs should you pursue?

- Feasibility
- Intellectual yield
- Attention generated
- Relationship construction
- Message spreading

Session by Jim Greiner

Friday, November 15

8:00-8:30 Compliance with treatment assignment

Session by Mat McCubbins

8:30-9:00 Statistical power

- Standard and non-standard outcomes
- Population size, study duration
- Lawyer & judge overestimation of unit volume

Reading: Reading 11: Memorandum from Andrew Miller to D. James Greiner re
The Financial Distress Research Project: Preliminary Modeling
and Power Calculations

Session by Jim Greiner

9:00-10:00 Ethics, institutional review boards

- Basic ethical concepts
 - Scarcity
 - Equipoise
 - Study/no-study comparison
- IRBs and the Common Rule
- Educating IRBs regarding basic legal concepts
- Consent and waiver

Reading: Reading 5: Pretrial Risk Assessment Scores Module & Question 5
Reading 12: Memorandum from Chelsea Simpson to Jim Greiner re
Common Rule Summary
Reading 13: Consent form, Financial Distress Research Project
Reading 14: Harvard Committee for the Use of Human Subjects Research
Protocol (blank form)

Session by April Faith-Slaker