



Challenges of Empirical Research

Donna Shestowsky, J.D., Ph.D.

Director of Lawyering Skills Education

Martin Luther King Jr. Professor of Law

UC Davis School of Law



Empirical Research is . . .

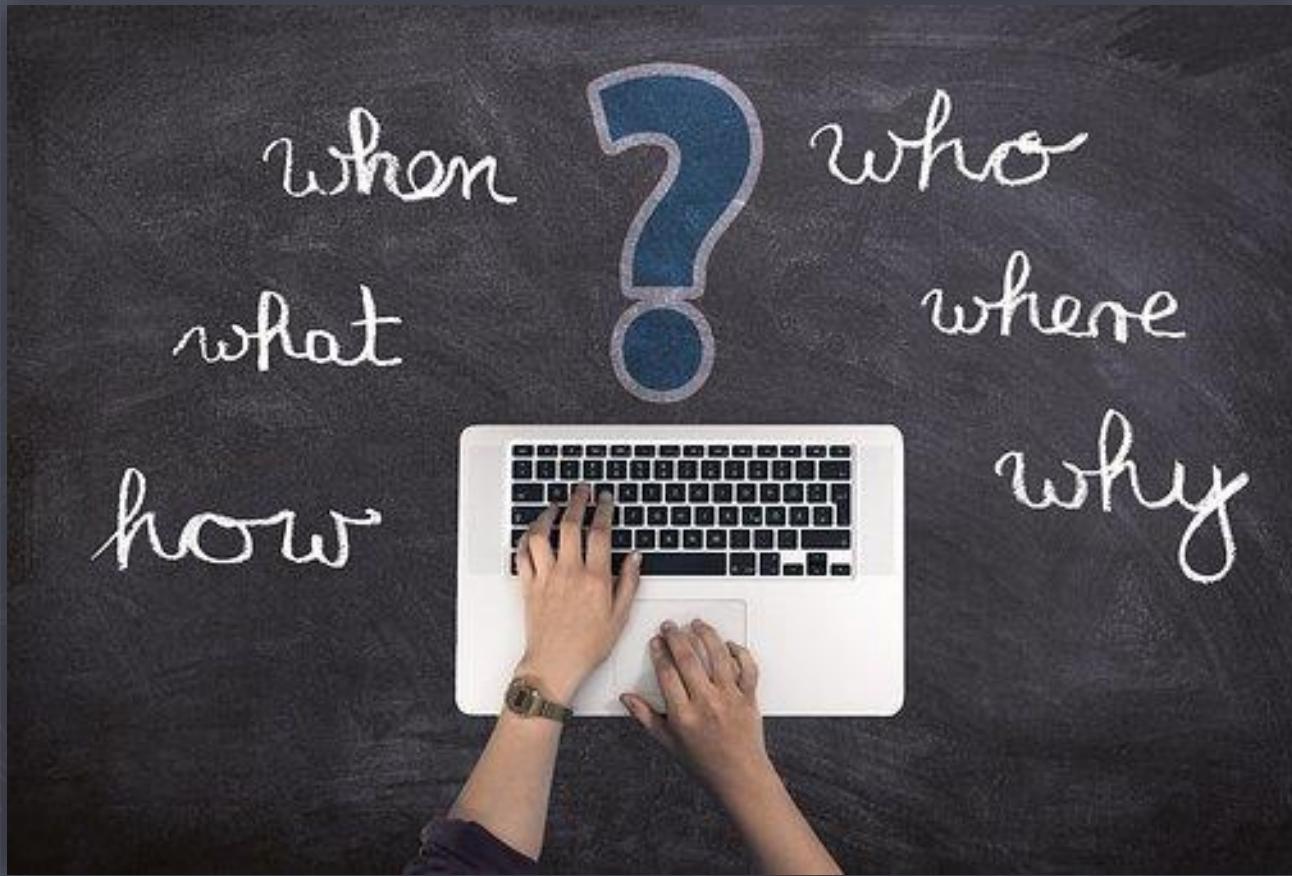
Help with ideas and funding

Approval from your institution

Research team

Data = Not always easy to get published

Where do I start?

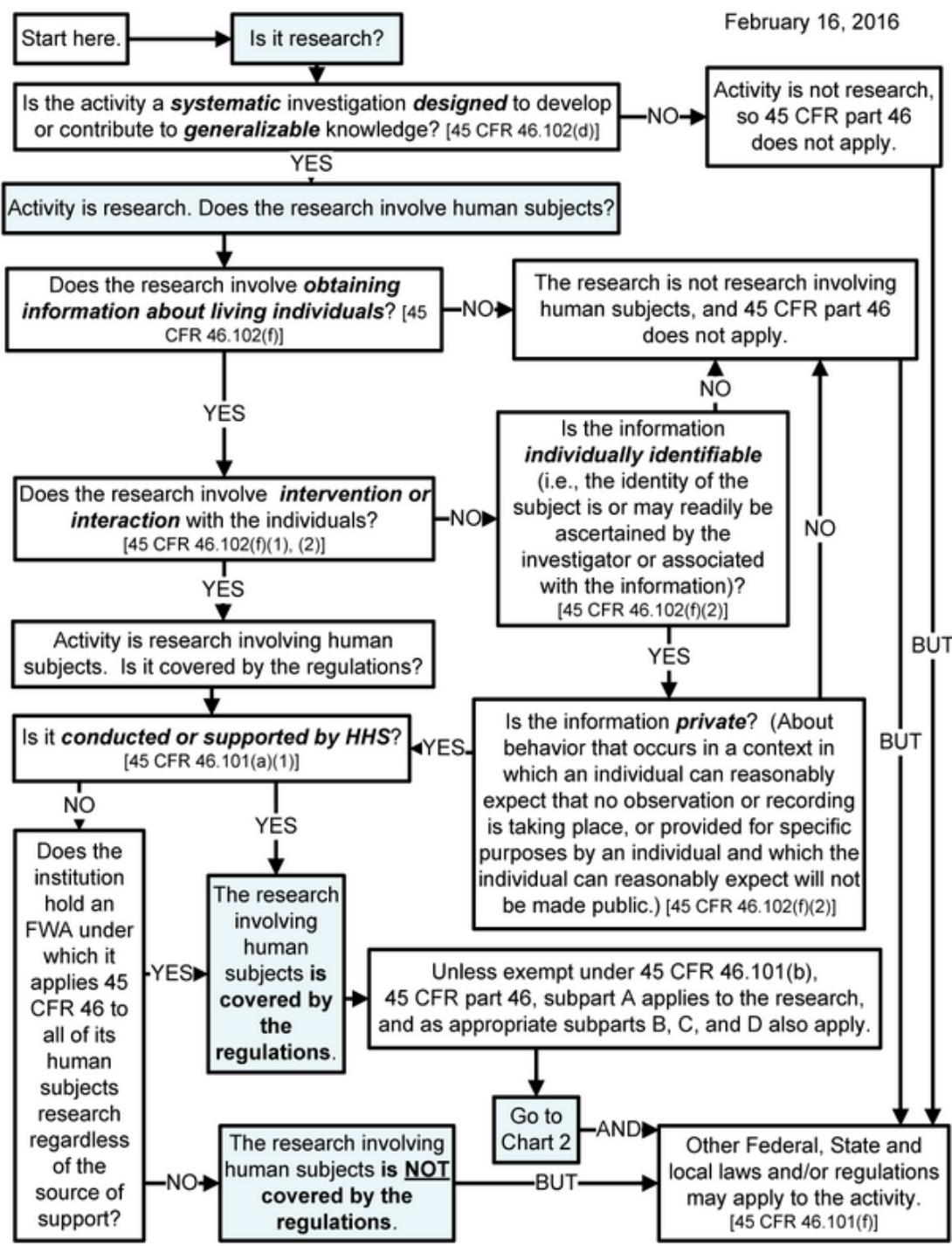


Funding Ideas



- ▶ Internal campus opportunities
- ▶ External relations
- ▶ Organizations you belong to
- ▶ **AAA-ICDR Foundation:** <https://www.aaaicdrfoundation.org/grants>
 - Other Foundations: <https://inequality.cornell.edu/research/grant-opportunities-in-the-social-sciences/#foundations>
- ▶ **National Science Foundation (NSF)** - Funds approximately 20% of federally supported basic research conducted at America's colleges and universities.://www.nsf.gov/funding/
 - Law & Social Sciences Program
- ▶ **Grants.gov** - Lists discretionary funding opportunities from 26 US government agencies
- ▶ **COS** - Community of Science claims the "largest, most comprehensive database of available funding," with 700 member institutions
- ▶ **Pivot:** Provides "access to the most comprehensive global source of funding opportunities—totaling billions of dollars and growing", see: <https://www.proquest.com/products-services/Pivot.html>

Does your Research Involve Human Subjects?



IRB Approval

- ▶ Typical submission includes: a consent form, a detailed protocol, additional supporting documents (e.g., surveys, advertisements interview guides, etc.).
- ▶ Locate forms and list of deadlines on your university's Office of Research site.
- ▶ If you collect data, need human subjects certification (e.g., short online course).

The above can take several months. . .

Writing Survey Questions

- ▶ Never do this alone!
 - Use vetted resources:
 - ▶ Examples: RSI/ABA Model forms; peer-reviewed articles
 - Get feedback, and then get feedback again
 - Conduct a pilot study or focus group

Building a Team

- ▶ Team leader/ PI
- ▶ Academics from law or other fields
- ▶ Students from law or other fields
- ▶ Professionals from outside academia
 - Examples: court personnel, mediators, lawyers
- ▶ Who else? What are your needs in:
 - Survey design, statistics, accounting, administrative tasks, IT, participant recruitment



Research Team – Litigant Study Example

1. Colleagues and friends: study design; survey feedback; self-imposed peer review for articles
2. Faculty support/staff: copying; mailing; phone/email contact with participants; organizing returned consent forms and surveys
3. Law students: phone interviews
4. Undergraduates: data entry for written survey
5. Accountants: payments to participants; budget management with funding sources
6. Psychology professors and grad students: statistical consulting and analyses; creating tables and graphs

And others.....

The Future?

- ▶ Universities/ Organizations: create funding opportunities; establish recognition awards to motivate/encourage
- ▶ Courts, lawyers, neutrals: solicit collaborations; remove barriers re: data collection
- ▶ Professors: conduct outreach to grad students and junior faculty; encourage publication of empirical work in your school's journals, help editors find peer reviewers to help evaluate

