

How the Need for Cognition Scale Predicts Behavior in Mock Jury Deliberations

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The role of Need for Cognition (NC) in mock jury deliberations was examined. Study 1 showed that when groups of 4 (2 high and 2 low in NC) deliberated together, high-NCs spoke significantly longer than low-NCs and were perceived as more active and more persuasive. High-NCs were not, however, viewed as generating arguments that were more valid or more logical. In Study 2, participants deliberated in dyads with a confederate who delivered either strong or weak arguments against the participant's position. Contrary to expectation, low-NCs were more responsive to differences in argument quality. The findings suggest that, in mock jury deliberations, high-NCs are the active participators whereas low-NCs are the quiet contemplators. Implications for legal practice and policy are discussed.

KEY WORDS: juries; decision-making; personality; need for cognition.

INTRODUCTION

Juries are an important component of the American justice system. We rely on them to decide criminal cases, settle disputes, and impose financial liability. Given their importance, it is disturbing to note that a high percentage of jurors—up to 33%—do not actively participate during deliberations (Jury Research Institute, 2001). According to mock jury research, up to 25% of jurors actually remain silent throughout the deliberation process (Kessler, 1973). If those jurors who are most active during deliberations are also the ones who make (or can identify) superior arguments during deliberations, and if they convince the other jurors to accept the related position on the case, this discrepancy in participation may not be troublesome. To date, research has not discerned how to predict who will be most active, or whether those who are most active are also better able to generate (or recognize) superior arguments.

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