

A Courtroom Experiment on Bankruptcy Litigants' Perceptions of Procedural Justice and Trust in Judges

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Behavioral Inhibition



Experience

Experience of confusing event,
such as appearing for a judge in a bankruptcy court hearing



Sense-Making

What is going on here? How should I respond?
What behavior is appropriate?



Psychological System

Inhibition of ongoing behaviors,
activation of behavioral inhibition system (BIS)



Reliance on Salient Situational Cues

Such as experience of how judge is treating you
(experience of perceived procedural justice)

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Disinhibition Hypothesis

If people indeed feel inhibited in bankruptcy courtroom hearings

and if perceived procedural justice indeed is salient situational cue that people use when forming judgments of trust in judges

then priming people with general behavioral disinhibited states (in which they care less about what others think of their actions) should attenuate fair process effect on trust in judges

Behavioral disinhibition: a state in which people do not or only weakly care about what others think of their actions

Please briefly describe a situation out of your own life in which you acted with no inhibitions

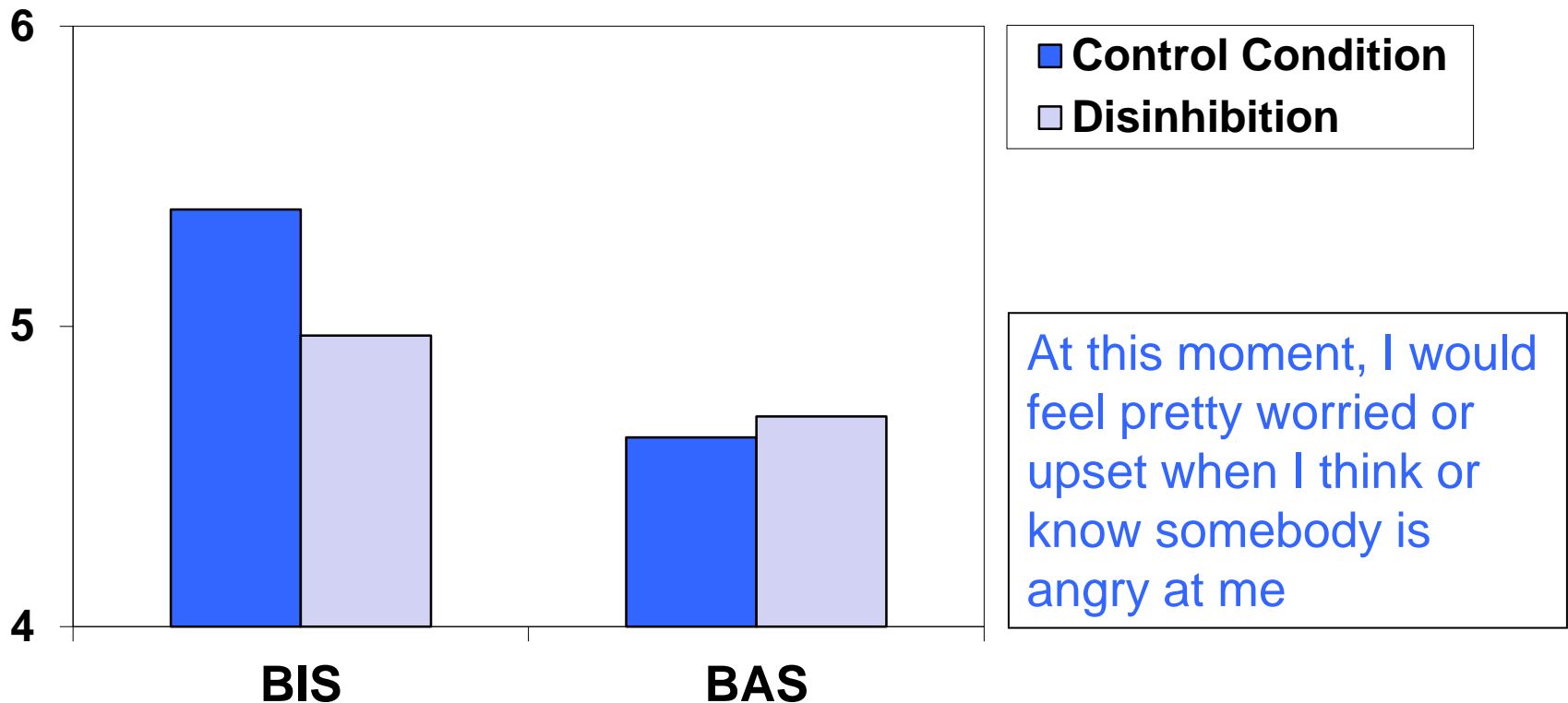
Please briefly describe the emotions that you experienced when you acted with no inhibitions

Please write down, as specifically as you can, what you think physically will happen to you as you behave with no inhibitions

I feel free and loose, for example, when having discussions with others

I can be who I am, without having to worry about what others might think of my behavior, for instance when I am at home or with my family

Reminders of Disinhibited Behavior Weaken State Behavioral Inhibition and do not affect alternative concepts



No effects on BAS scales, situational self-monitoring, accountability, situational self-awareness, positive and negative affective states
Effect on fear of negative evaluation

Perceived Procedural Justice

Moorman (1991) applied to courtroom context, less abstract wording

I think the judge

- used all the necessary information
- treated me in the same way as others
- carefully considered my concerns and the concerns of others
- carefully explained his/her decision to me
- responded in a good way when I had questions

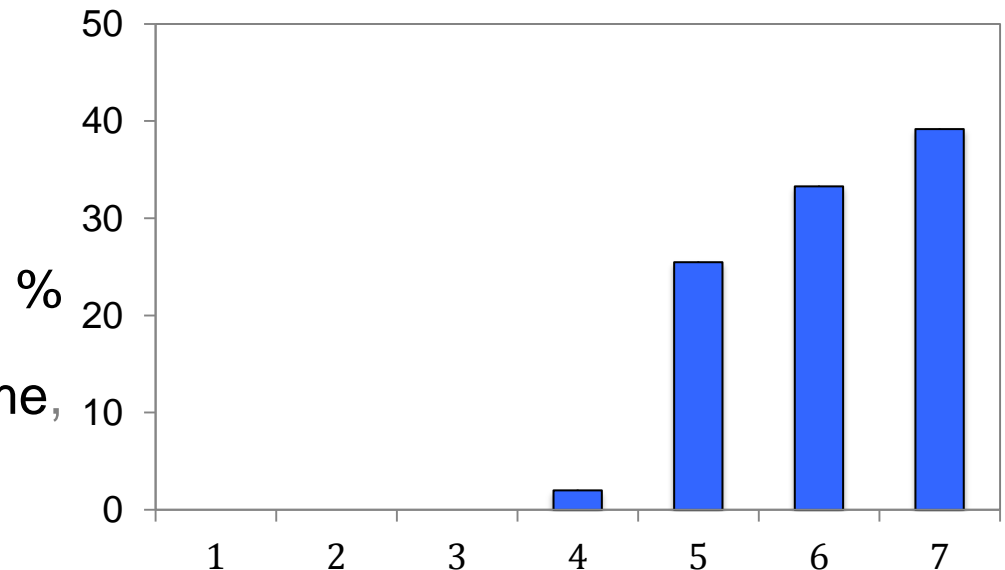
1 = not at all, 7 = very much

Cronbach's alpha = .75

M = 6.35, SD = 0.70

Not affected by disinhibition prime,

$F < 1, p > .54, \eta_p^2 = .01$



Trust in Judges

- I have the feeling that judges in the Netherlands can be trusted
- I trust that Dutch judges take honest decisions
- I think that judges handle their tasks in a sincere manner

1 = not at all, 7 = very much

Cronbach's alpha = .89

M = 5.48, SD = 1.37

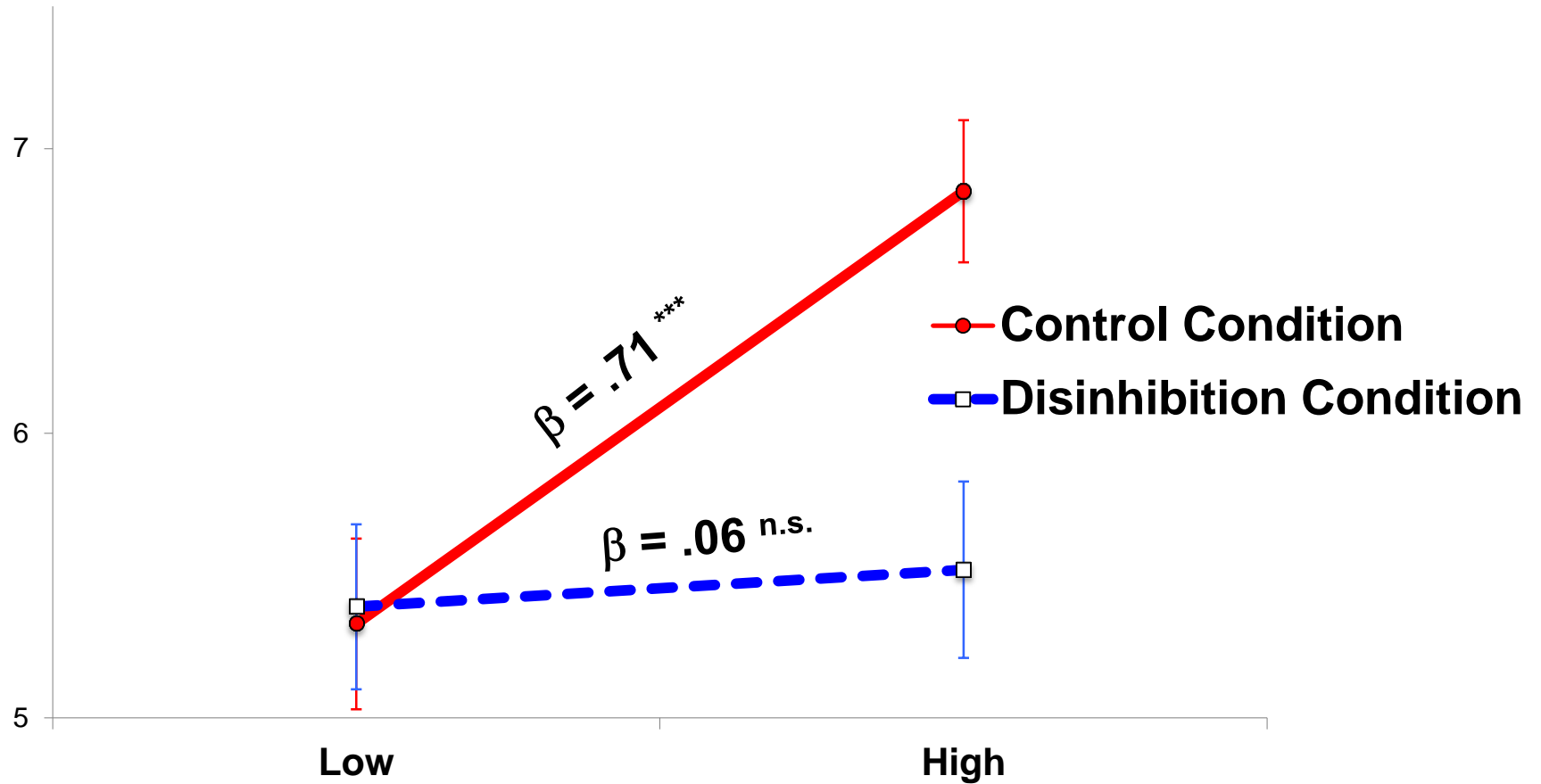
GLM analysis:

main effect of procedural justice, $F(1, 42) = 7.58, p = .009, \eta_p^2 = .15$

main effect of disinhibition prime, $F(1, 42) = 5.39, p = .025, \eta_p^2 = .11$

interaction effect, $F(1, 42) = 5.32, p = .026, \eta_p^2 = .11$

Trust in Judges



Perceived Procedural Justice

Implication

Implication is not that disinhibition is good/recommendable

Implication is insight into why fair process matters when people are forming judgments of trust in societal authorities

cf. gravity experiments



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