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Review of Social Science in the Courtroom: Statistical Techniques and Research Methods for Winning Class-Action Suits

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terested in the multivariate statistical techniques, such as multiple regression, that are becoming increasingly common in modern litigation.

Social Science in the Courtroom is written for the neophyte social scientist who has been asked by an attorney to serve as an expert and has no idea of what litigation is like and for the attorney who has a vague inkling that a statistical study might be of some use in formulating a case but has little idea of what social science and statistics involves. The book succeeds more for the latter than for the former.

For the social scientist, the book offers a number of tips about how to work with lawyers and how to present statistical evidence. Much of the advice is sound, but it is at such an elementary level that even neophytes will find that their common sense often serves them as well as what Loewen writes. What is not common sense can, for the most part, be picked up in casual conversations with social scientists who have had experience as expert witnesses or from discussions with lawyers.

The bulk of the book is devoted to elementary statistical techniques of the kind that social scientists encounter in decent introductory courses in probability and statistics. Any social scientist who would learn anything new about statistics from this material has no business testifying about statistical matters. While the examples Loewen uses suggest some ways in which legal issues may be linked to statistical questions, the book's utility in this respect is limited both by the elementary nature of the techniques discussed and by the narrowness of the author's perspective, which is almost always that of a plaintiff's expert trying to prove some form of discrimination.

The book has more to offer lawyers who know little about social science or statistics and want a simple, non-technical introduction to the basic logic of empirical research and statistical analysis. By and large Loewen's explanations are clear and straightforward. He does a good job of explaining the logic behind basic statistical tests such as the sign test and the t test for differences between two proportions. He also provides intelligible introductions to such ideas as normal distribution, sampling, and correlation. No social scientist would want the statistical education of the lawyer one was working with to end with this book, but one might well recommend it to a statistically naive lawyer as a place from which to begin a conversation.

Social Science in the Courtroom: Statistical Techniques and Research Methods for Winning Class-Action Suits, by JAMES W. LOEWEN. Lexington, MA: D.C. Heath & Company, 1982. 256 pp. \$21.95 cloth.

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If publishers had to conform to anything like truth-in-packaging laws, the title of James Loewen's book would be something like *A Simple Introduction to Elementary Statistical Methods That Might Be of Use in Class-Action Suits for Discrimination, Homilies on the Legal System for Social Scientists, Homilies on Social Science for Lawyers, and Examples from My Own Experience*. No one who is interested in the deeper intellectual issues that surround the use of social science in the courtroom, such as the debate over when courts may appropriately turn to social science for aid in resolving fundamental value questions, has reason to read this book. The same may be said both of those who seek an empirically based understanding of the place that social science has come to occupy in modern litigation and of those who are in-

In short, lawyers, especially lawyers confronted for the first time with the need to prove racial or sexual discrimination, might find something of value here. Social scientists are much less likely to find the book useful. The most likely reason for a reader of this journal to seek out this book is to decide whether to recommend it to an attorney. Loewen, however, suggests another reason for social scientists to read it. In sensibly advising attorneys to seek experts who are not afraid to turn to others yet more expert when their own knowledge is inadequate, Loewen writes, "Some professors are so afraid to show a knowledge gap that they refrain from ever seeking advice, instead bluffing it on their own. One test to uncover such prima donnas is to suggest they look over this book. If they refuse, or read it so rapidly they miss this sentence, avoid them." Those social scientists who are confronted with Loewen's "prima donna" test, yet wish to give this egotistic suggestion no more attention than it deserves, should know that the crucial sentence is found on page 17.