

How do judges make decisions when sentencing about imprisonment or awarding damages? Do they base their decisions solely on legal factors, or do they rely mainly on intuition? As shown by current research in cognitive psychology and behavioural economics, human judgment and decision making are largely based on heuristics - simplified thinking schemes, that enable us to find solutions to complex and important problems within a very short period. However, these solutions are based only on a certain piece of information, which may be useful in cases of excessive or insufficient information, but often lead to systematic deviations from the accurate judgment. One of these heuristics is the anchoring effect - when asked to elicitate a numerical value in a particular case, people "anchor" on the number presented earlier, even if it is not connected to the question whatsoever. The purpose of the project is to check the implication of this effect in relation to the law and to answer the following questions: Do judges anchor just like other people, or maybe the years of education and practice can prevent them from relying on unreliable reasoning? What are the "anchors" in adjudication, and what is their nature - are they legally relevant and admissible from a procedural point of view?

The project will include both theoretical and doctrinal research to determine the place of generating such "legal numbers" in the legal system and the methods of legal reasoning (especially in psychological aspects), as well as experiments to test, to what extent legal decision-makers at various stages of their careers and different specializations may be sensitive to the psychological effects in numerical judgment.

The reason for taking up this research topic are the limitations of the current research conducted in this field. The experiments were carried out mostly in the United States, where there is a division of labour between professional judges and juries composed of laypeople. The model of legal education and judicial career are also different. Moreover, the theoretical and legal aspects of these issues have not been researched so far.