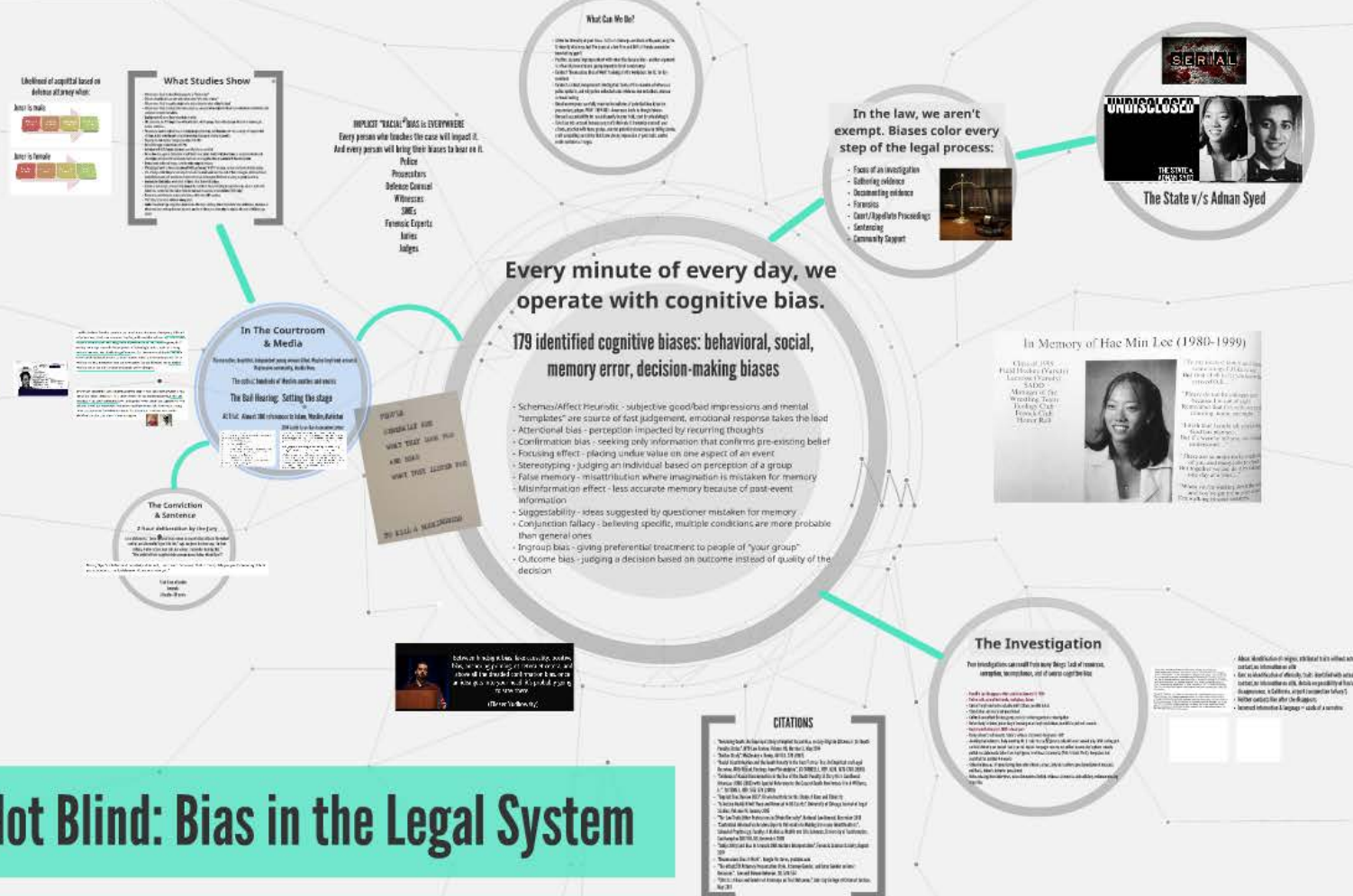


## The Law is Not Blind: Bias in the Legal System





Between hindsight bias, fake causality, positive bias, anchoring priming, et cetera et cetera, and above all the dreaded confirmation bias, once an idea gets into your head, it's probably going to stay there.

(Eliezer Yudkowsky)

SMS  
Forensic Experts  
Juries  
Judges

• Court/Appellate Proceedings  
• Sentencing  
• Community Support



# Every minute of every day, we operate with cognitive bias.

## 179 identified cognitive biases: behavioral, social, memory error, decision-making biases

- Schemas/Affect Heuristic - subjective good/bad impressions and mental "templates" are source of fast judgement, emotional response takes the lead
- Attentional bias - perception impacted by recurring thoughts
- Confirmation bias - seeking only information that confirms pre-existing belief
- Focusing effect - placing undue value on one aspect of an event
- Stereotyping - judging an individual based on perception of a group
- False memory - misattribution where imagination is mistaken for memory
- Misinformation effect - less accurate memory because of post-event information
- Suggestability - ideas suggested by questioner mistaken for memory
- Conjunction fallacy - believing specific, multiple conditions are more probable than general ones
- Ingroup bias - giving preferential treatment to people of "your group"
- Outcome bias - judging a decision based on outcome instead of quality of the decision

PEOPLE  
GENERALLY SEE  
WHAT THEY LOOK FOR  
AND HEAR  
WHAT THEY LISTEN FOR

TO KILL A MOCKINGBIRD

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](http://utcle.org/elibrary)

Title search: The Law is Not Blind: Bias in the Legal System

Also available as part of the eCourse

[The Law is Not Blind: The Danger of Biases in the Legal System](#)

First appeared as part of the conference materials for the  
39<sup>th</sup> Annual Page Keeton Civil Litigation Conference session

"The Law is Not Blind: The Danger of Biases in the Legal System"