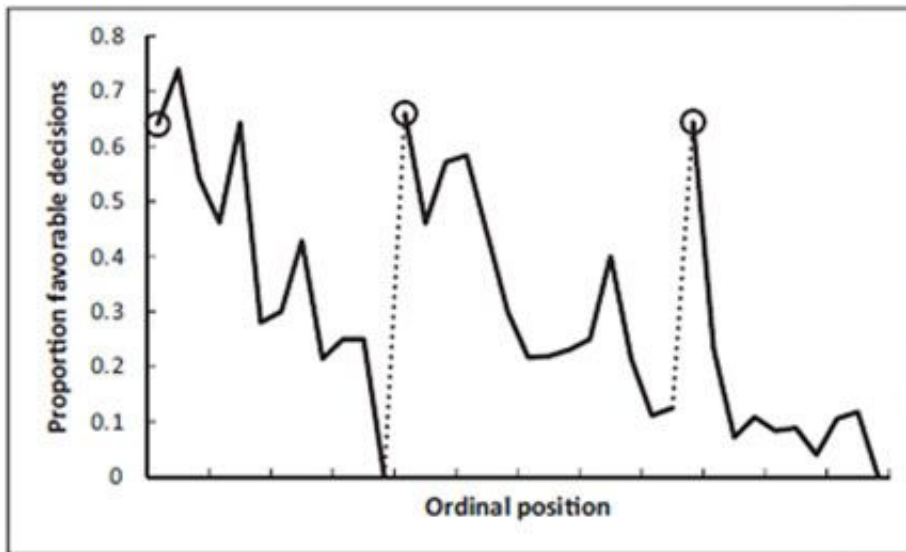


# Facing a judge? Study says go early or after lunch

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If you have to face a judge, try for first thing in the morning or right after lunch. A new study suggests that's when they're most lenient.

Seeking to test the idea that justice depends on "what the [judge](#) ate for breakfast," researchers studied 1,112 rulings by Israeli judges who were presiding over boards deciding whether to grant parole to prisoners.

"We find that the likelihood of a favorable ruling is greater at the very beginning of the work day or after a food break than later in the

sequence of cases," the researchers report in Tuesday's edition of [Proceedings of the National Academy of Sciences](#).

They found that at the beginning of a court session about 65 percent of the rulings tended to be in favor of the prisoner, but the chance of a favorable ruling declined to near zero by the end of the session. After a break for a meal, favorable rulings for the prisoners jumped back up to about 65 percent, and then began declining again.

And the pattern held true for each of the eight judges observed over 50 days, they noted.

"You're always surprised when you find effects where you don't want to find them," Jonathan Levav of Columbia University said in a telephone interview. "If you're a social scientist it gets you excited. But, as an ordinary citizen, you don't want to find this."

When people are making a lot of decisions in a row, they look for ways to simplify the process when they get mentally tired, he said, and the easiest thing is to maintain the status quo — that is, leave the prisoner in jail.

The researchers found the rulings didn't tend to be affected by the severity of the crime, the prison time served or the prisoner's gender or ethnicity. [Prisoners](#) in rehabilitation programs were more likely to get parole, and those who were repeat offenders were less likely.

Each judge took two breaks. One at mid-morning beginning as early as 9:45 a.m. or as late as 10:30 a.m., and a lunch break that began between 12:45 p.m. and 2:10 p.m.

Levav, a professor of business, said the study was part of research on the process of sequential decision-making. His co-authors are from Ben

Gurion University of the Negev in Israel.

The researchers said they suspect people would also seek ways to simplify matters when facing a series of decisions in legislative, medical, financial and other situations.

**More information:** Danziger, Leva and Avnaim-Pesso. 2011.  
Extraneous factors in judicial decisions. *PNAS*  
[dx.doi.org/10.1073/pnas.1018033108](https://doi.org/10.1073/pnas.1018033108)

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