

Much Litigation Hinges on Reliable “Soft” Data from a Survey

Many attorneys do a great job of collecting and analyzing “hard” facts for their cases. But very few lawyers and decision-makers in court are similarly skilled when it comes to “soft” data on attitudes, opinions, behaviors, and perceptions—especially “soft” data where groups of respondents are involved, and a modicum of statistical skill is required to make sense of the survey’s results. This lack of sophistication about surveys is critical because “soft” data are essential for arguing complex legal cases that address the attitudes, opinions, behaviors, or perceptions of a group. Ever since 1932, when the University of Michigan’s Institute for Social Research introduced the Likert Scale, surveys have played an increasingly important role in American society, academia, and our nation’s businesses; but we have learned a great deal since those early days of asking respondents to rate their attitude between “strongly agree” and “strongly disagree.” Attitude surveys have improved so dramatically that they can now predict objective metrics measuring quality, productivity, patient satisfaction, and even profit, as a recent paper in *California Management Review* describes. Similar work in *Forbes* shows that employee surveys evaluating intrinsic motivation can even predict stock return—an important demonstration of the linkage between “soft” survey data and “hard” financial outcomes. Now the lead author of that 7-year study from the Workplace Research Foundation is offering an 8-week asynchronous distance learning class at the University of Michigan’s Institute for Social Research that allows students and employees to enroll even if they live far outside of Ann Arbor and have very little flexibility in their work schedules. Dr. Palmer Morrel-Samuels, author of several HBR articles on survey methodology, is introducing a web-based version of a class that has been foundational to U of M’s Summer Institute at ISR for 66 years: Introduction to Survey Methodology. If you know of someone who might be interested in learning how to design reliable surveys that can withstand legal scrutiny and can generate results that are comprehensible to laypeople who lack statistical training, please refer them to the course information at www.si.isr.umich.edu/courses#itsrt.

About the Instructor: Dr. Morrel-Samuels teaches survey design and research methodology at the University of Michigan. He has designed surveys for more than 7 million employees, has testified to congress on the linkages between employee survey results and objectively measured outcomes, and has patented several web-based survey tools. He is currently assisting the EEOC on several landmark discrimination cases involving workplace surveys. He can be reached by email (palmer@umich.edu) or phone (734-368-3348).