AN EMPIRICAL ANALYSIS OF PSYCHOLOGICAL FACTORS AFFECTING SENTENCING DECISIONS OF JUDGES

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Abstract

Psychological factors can influence the sentencing situation and the attitude of judges, exerting direct or indirect influence on sentencing decisions. This paper empirically analyses the psychological factors that affect the sentencing decisions of judges. A total of 80 local judges from different regions of China were selected and asked to rate seventeen reasons related to sentencing decision-making. The results show that, if a judge handles an influential case in an undisturbed environment, his/her sentencing decision is not greatly affected by psychological factors, i.e. the psychological factors have an unobvious incentive or inhibition effect on the reasons for decision-making; The few judges who adjust their decisions under psychological factors tend to take more factors into consideration, reflecting the thinking mode of political judges; the motives and goals of the other judges are clear and concise, preventing them from being swayed by psychological factors. The research results provide new insights into the training of high-quality judges.

Key words: Sentencing Decision, Psychological Factors, Empirical Research, Judges.

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INTRODUCTION

The relationship between people and institutions in the rule of law has always been the focus of discussion. For a long time, the human factors in the judiciary have been left out, restricting the realization of the rule of law (Cossu, Saba, Minerba et al., 2018). Recently, the most important change in jurisprudence is that both the theoretical and practical departments have begun to pay attention to the dynamic operation of the law, paying more and more attention to human factors and strengthening the research on judges (Riddle, Golladay, Hayes et al., 2017). As a person in the judiciary, judges have evolved from copy-type passive judges to active judges. The application of law is actually the process of the judge's subjective rational thinking (Culbreth, Moran, & Barch, 2017). The life of the law lies in the implementation. The key to a real law to achieve its value depends on the sentencing decision of the judicial staff, especially the judge (Marta, Elisa, Luisa et al., 2017).

The combination of psychology and legal issues started early in some countries. In Germany, gestalt psychologists attempt to interpret human behavior using actions or ideas as a whole, thus indicating that a judgment or evaluation of the applicable law is the result of an overall observation of the surrounding environment (Ruotolo, Claessen, & Ham, 2018). In the late stage, the Anglo-American legal system countries have made great achievements in the fields of sentencing decision-making psychology, criminal psychology, jury psychology, and evidence psychology (Eldesouky, English, & Gross, 2017). In recent years, more and more scholars have begun to use interdisciplinary research methods to explore legal issues (Wildermuth, Souza, & Kozitza, 2017; Zhu, Dan, Burmeister-Lamp et al., 2018). At present, there are many research results in the academic circles around the
departmental law or system construction, but there are few studies on the personal quality requirements of legal professionals such as judges and the influencing factors in the formation of referees (Bwj, Shields, Gergel et al., 2017). In general decision theory, judgment and decision-making are two closely related processes. Judgment refers to the subject’s opinion, assessment or temporary conclusion, which can be formed consciously or spontaneously; decision-making refers to making a choice between alternative conclusions or schemes, that is, selecting one result and rejecting other options (Simmons, Gooding, & O’Donoghue, 2017). Any decision is a rational choice for uncertainty, as is judge decision making. However, compared with the complexity of the human living environment, human thinking ability and the information it has acquired are limited. The thinking process of the decision-making body is actually guided by “limited rationality”, and each judgment or decision is not as “good” or “rational” as the ideal (Locatelli, Boccara, De et al., 2017). As a professional and heavy-duty decision-making body, the judge’s attention, understanding and information collection ability in case trials are subject to many restrictions (Duo & He, 2017). These will affect the judge’s judgment and decision-making, and the judge can only make situational judgments and decisions within a limited scope.

Judging from the actual decision-making process, judges are also ordinary people, and the thinking process is inevitably affected by various background factors such as public opinions. The decision-making analysis of judges who follow the path of jurisprudence, while highlighting the most important factors in the process, is clearly not exhaustive. Empirical research and interdisciplinary research from the perspective of “how” can help reveal the actual process and internal mechanism of judge decision-making, to avoid “ambiguity and unconsciousness in judgment grounds and reasons” and to promote “self-censorship of judges”. To prevent prejudice, it can also bring some empirical arguments or inspirations for the improvement of relevant systems. This paper attempts to provide a descriptive and validated analytical framework for the public opinion on how to influence case decision-making by starting with the thinking mechanism, reason categories and cognitive styles of judges’ decision-making. The rest of this paper is organized as follows. Section 2 analyzes the psychological factors of judges, followed by cognitive psychology analysis in the decision-making of judges in Section 3. Section 4 designs experiments in which psychological factors influence judge decisions, and Section 5 summarizes the full text.

ANALYSIS OF JUDGES’ PSYCHOLOGICAL FACTORS

Characteristics of the judge’s psychology

The law only adjusts the external behavior of the person, but it does not ask its ideological concepts. But the human behavior is made under the guidance of its subjective will, and is inseparable from the inner psychological activities. From the literal point of view, psychology refers to a series of subjective activities within the human being, including feelings, thoughts, etc. On the professional level, human psychological activities refer to a function of the brain operation, which is subjective and objective. Psychology takes people’s psychological activities as the research object, mainly analyzes the characteristics and changes of people’s psychological activities and behaviors under different situations, and the differences of their psychological activities in different environments.

Judges are an unusual position. They exercise the power of sentencing decision-making on behalf of the state. They independently control the judicial power in the legal system and they are in the position of referees. Resolving disputes in accordance with the law, improving laws and regulations, and achieving fairness and justice are the basic duties and pursuits of judges. However, the application of the law by judges is not a mechanical, simple process, but a process of learning in which all interests are in their hearts. Among them, the judge’s psychology plays a crucial role in the final result of the application of the law. The judge’s psychology is also the judge’s sentencing decision-making psychology. Its connotation mainly includes a series of psychological phenomena and laws generated by the judge in the process of applying the law. The special importance of the judge’s profession requires that his psychological state tends to be rational to the maximum. Rationality is conducive to the judge’s objective and neutral treatment of the parties, and to ensure that the evaluation of the
facts is not based on their own impulses and prejudices. The special status of the judge determines the unique characteristics of his sentencing decision-making psychology. The judge identification mode is shown in Figure 1.

**Figure 1. Judge identification mode**

![Figure 1](image)

**Factors affecting the judge’s psychology**

1) Schema

The value of the schema is that it helps us understand the surrounding environment. When we move into a new environment, we are not trying to understand it, but more about finding similar situations in the brain to get an explanation. The schema can provide a cognitive framework for the judge to determine the facts of the case, so that it can better organize, extract, and process the case information, and write down the useful information to help the judge guess the incomplete case information.

Although the schema can help judges to judge facts more efficiently, it is also easy for the judge to deviate from the direction and authenticity in the cognitive process. In the processing of the schema, some information is chosen to be ignored. The schema is a simplification of the information, which is different from the reality, and the accuracy is affected. Moreover, the process of schema processing itself is also a cognitive process. Different people have different fixed patterns, and people from different industries have different patterns. Studies have shown that educational experience and professional environment have a profound impact on the formation of schemas. Legal studies have also been influenced by schemas, and some concepts like schemas, such as types and requirements, have been used. In the process of determining the facts of the case, the schema that the judge has formed plays an important role. For example, when a criminal judge is trying to deal with a contract fraud case, the two diagrams of contract dispute and contract fraud are in effect. Contract fraud and contract disputes have their own constituent elements, which can be based on the suspect’s behavior and corresponding requirements.

2) Knowledge experience

The requirements of the judge profession for knowledge and work experience are equally important. Experience is formed in the accumulation of daily life. Experience has attracted attention in the legal profession, and a “rule of thumb” has been formed in the trial process. The rule of thumb is formed by the judge in the long-term trial process, and the formula is derived according to his own experience or the axiom recognized by the society.

At the psychological level, experience makes people’s cognition more comprehensible and permanent. The law adjusts the relationship between different social subjects. It comes from the fact that the society is based on life. It is difficult for judges with no life experience to make legitimate and reasonable judgments on various disputes.

3) Emotions

Emotions are generated in the process of cognition. If you can meet some kind of needs of people, you will have a pleasant subjective feeling. Of course, people can not only generate emotions for objective things, but also determine their own goals, overcome difficulties, and consciously regulate. This is the will of human beings. Emotion can promote people to move forward, and it can also be a hindrance to progress. Emotion is a kind of tendency psychological activity of the judge, so that the judge may deviate from the track in the wrong direction. When the judge hears the case with bad emotions, it will affect the quality and efficiency of the referee. Psychology also suggests that a person’s sense of good and bad will also affect his understanding of people and things.

In addition, the judge’s own internal factors include personality, temperament, foresight, and judicial values. These factors will also have varying degrees of influence in the process of applying the law to the judge.
COGNITIVE PSYCHOLOGY ANALYSIS IN JUDGES’ SENTENCING DECISION

Judge sentencing decision-making and cognitive psychology

The purpose of cognition is to solve problems. The judge's thinking path is simulated, as shown in Figure 2.

From the perspective of cognitive psychology, the sentencing decision of the court is only the preparation process of problem solving, that is, the collection of information; the discussion of the collegiate panel is the generation of the problem solution; the final judgment of the judge is the final judgment of the solution to the problem. Therefore, in general, the judge's trial and judgment of the case is also a process of information cognition and problem solving.

The judge ruled that most of the cases were not resolved by simple problems, but by solving complex problems and even a creative act. This also determines that the judge's sentencing decision-making process must also be the process of preparation, generation and judgment.

**Figure 2. Judge thinking path simulation**

Cognitive psychology analysis of judges’ sentencing decisions at different stages

1) Before the trial

If the judge has access to information about the case before the sentencing decision, it is easy to produce a "preconceived" impression. The information that the judge touches before the sentencing decision is driven by the winning interests of both parties, and they tend to deliberately and deliberately devalue each other and use extremely emotional words. If the judge once hears the other party, then he will inevitably have a negative negative impression on the other party. This will make the judge biased towards the party that had previously contacted in the future sentencing decision. When the case is difficult to distinguish, the judge will often make a judgment against the party who has a negative impression in advance.

2) Trial

In court, speech becomes the primary means by which judges obtain information about a case. Since speech is produced after human brain thinking, in the lawsuit, in order to pursue the interests of the litigants, the expressions of the litigants will inevitably tend to favor themselves. Thus, the judge must consider the authenticity of the parties: whether it is exaggerated, whether it is an understatement. It is also impossible to be convinced of the witness’s words, because witnesses may make statements that are not in conformity with objective reality due to various factors and limitations of their own memory and expression.

In addition, the case information presented in the court is directly or indirectly derived from the occurrence of the case, but as time and place change, the information in the court may change with the situation at the time of the case. Therefore, the judges must maintain the necessary cautiousness and suspicion in the trial, which is a basic psychological element that the judge must have in the trial.

3) Collegiate

The presiding judge is often proactive. Because he knows the material of the whole case very well, and in the trial, the presiding judge is the most concentrated, the most important thing is that the presiding judge has the main responsibility for the case. In contrast, other judges of the collegiate bench often do not have much initiative or even negative attitudes toward the case. The main reason is that other judges are not very familiar with the whole case; another reason is that the presiding judge has the primary responsibility, not the other judges. Therefore, other judges often have the psychology of obeying the presiding judge in the collegiate. When their opinions conflict with the opinions of the presiding judge, they will often lack the courage to argue. In this way, the main meaning of the collegiate panel lost its core content.

4) Judgment

Making a judgment is the final stage of a judge's sentencing decision, and it is also a decisive stage. Some people may think that the
judgment is that the judge can make it according to the evidence that has been determined and then according to the law. There is nothing wrong with this idea, but it is not accurate and profound. If the evidence is sufficient, the legal provisions of our country are so fine, and the judges are absolutely perfect, then the law really becomes a "vending machine" and the judge is a "salesman". However, when a judge makes a judgment, even if the law is extremely complete, it will still be interfered and affected by various factors, and the judge's heart is also complicated.

The judge's mentality in the judgment is complicated, not only because of the individual judges, but also because of the reasons of the law itself and the reasons of society, system and so on.

**EXPERIMENTAL DESIGN OF PSYCHOLOGICAL FACTORS AFFECTING JUDGES' DECISION-MAKING**

**Research methods**

The case is the basic unit of the rule of law and the smallest unit of the rule of law. It contains both legislative elements and judicial elements; it contains both substantive and procedural rules; it includes both literal laws and laws understood by the parties and legal persons in the case. The law applicable to judges also includes a vivid interpretation of the law by the law-applicable activities themselves. The case has the intuitiveness that the law does not have, and it is a vivid manifestation of the code of law in judicial practice. The important symbol of the rule of law in modern society is to demand the same judgment and equal punishment.

The so-called empirical analysis is a research method that conducts empirical research and quantitative analysis according to certain procedural norms. As a research method, empirical research includes three basic elements, namely, procedure, experience and quantification. The so-called procedure refers to the whole process of empirical research, from the discovery and presentation of problems, to the collection and selection of samples, to the collation and analysis of samples, and finally the conclusions of the analysis. The so-called experience means that empirical research emphasizes the objective observation of research objects, and the focus of its research focuses on the "real" level rather than the "should" level. The so-called quantification refers to the quantitative analysis of the research object in the empirical analysis, and the numerical description of the variables in the sample model. The legal empirical analysis refers to the research method of empirical research and quantitative analysis of all legal information that can be standardized in accordance with certain procedures. The use of empirical research methods in the field of legal research has its unique advantages over theoretical research and speculative research. What is lacking in the current practice of nuisance crimes is the summary of criminal justice effects, which is the summary of criminal justice experience, and these are the advantages of legal empirical research. Therefore, this paper uses the method of empirical research.

**Experimental design**

Under the "political" judicial concept, the two characteristics of "overexposure" and "prominent theme" predetermine that the public opinion in the "public case" will affect or even interfere with the judgment process of the case, which was originally the rule of law. The influential cases selected in the experimental design avoid the two basic characteristics of the "public case".

Without knowing that the experiment is about psychological factors and prohibiting mutual discussion, 80 Chinese grassroots judges from different regions were asked to rate the relevant 1-17 reasons and judge whether the repenters ultimately want to bear legal responsibility. The specific contents of these 17 dependent variables are shown in Table 1.

Among them, items 1-10 are the reasons for supporting A to claim compensation or compensation, and items 11-17 are the reasons for supporting B's repentance. Since the law does not specify the issues involved, these reasons will be the first-order reason for the weight or importance advocated by the agents of both parties in the trial. These reasons are followed by a score of 1-5, with a rating of 1-2 divided into oppositions, a rating of 3 divided into neutral. Participants made corresponding choices based on their own level of approval for each reason. After completing the rating of these reasons, the participants were asked to determine whether repentant B needs to take responsibility and should be liable for compensation. In the actual judicial process, the judge must also set a supplementary norm or
Table 1. The specific content of the 17 dependent variables

| Whether the following relevant reasons are true                                                                 | General | Totally opposed | Not agreeing | Compare consent | Totally agree |
|---------------------------------------------------------------------------------------------------------------------|---------|-----------------|--------------|-----------------|---------------|
| 1. It is an obligation not to harm others.                                                                         |         | 3               | 1            | 2               | 4             | 5             |
| 2. The recipient’s reliance on the interests suffered losses, and the retributors were required to bear the liability for damages. |         | 3               | 1            | 2               | 4             | 5             |
| 3. A series of follow-up actions based on trust endow the donor's promise to be obligatory.                        |         | 3               | 1            | 2               | 4             | 5             |
| 4. The donor’s repentance is a very irresponsible act.                                                              |         | 3               | 1            | 2               | 4             | 5             |
| 5. This behavior brings psychological harm from hope to disappointment to the recipient.                          |         | 3               | 1            | 2               | 4             | 5             |
| 6. Hematopoietic stem cells have certain property attributes.                                                      |         | 3               | 1            | 2               | 4             | 5             |
| 7. For the recipient, it may affect life.                                                                           |         | 3               | 1            | 2               | 4             | 5             |
| 8. For donors, the benefits that can be affected are relatively small.                                               |         | 3               | 1            | 2               | 4             | 5             |
| 9. Compared to seeing danger, the nature of repentance is even worse.                                               |         | 3               | 1            | 2               | 4             | 5             |
| 10. In this case, the retributors have a great responsibility for this.                                              |         | 3               | 1            | 2               | 4             | 5             |
| 11. The bone marrow is the object of protection of personality rights and is not a legal matter.                   |         | 3               | 1            | 2               | 4             | 5             |
| 12. Bone marrow donation is a public good.                                                                         |         | 3               | 1            | 2               | 4             | 5             |
| 13. The right to revoke can be derived from this self-determination.                                                |         | 3               | 1            | 2               | 4             | 5             |
| 14. Donating bone marrow is a public good and should not be ethically abducted.                                     |         | 3               | 1            | 2               | 4             | 5             |
| 15. Compassion and understanding should be given to repenters.                                                       |         | 3               | 1            | 2               | 4             | 5             |
| 16. Volunteers should be advised to withdraw their consent at the last minute before the bone marrow transplant.    |         | 3               | 1            | 2               | 4             | 5             |
| 17. If you punish the repentant, it will have a great negative impact on the existence and development of the future donation system. |         | 3               | 1            | 2               | 4             | 5             |

second-order reason for this responsibility in the rational part of the judgment.

After reading this material, the participants were asked to rate the 10 reasons for supporting A and the 7 reasons for supporting B again, and answered whether they had made a different judgment from the first time. Of the 59 valid test volumes screened, sample group 1 (12 in total) claimed to change the rating of the reason and the outcome of the case, and sample group 2 (42 in total) claimed to maintain the results of the judgement, sample group 3 (total of 5 people) claimed that neither the rating nor the change in the judgment of the outcome of the case was changed. However, the volume shows that although sample group 3 claims no change, the actual rating of the reason has changed more or less. In other words, there is no significant difference in the three sample groups for the change in the reason rating, and sample group 2 can absorb the sample group 3.

ANALYSIS OF EXPERIMENTAL RESULTS OF PSYCHOLOGICAL FACTORS AFFECTING JUDGES' SENTENCING DECISION

Analysis of the results of social psychological factors affecting judges' sentencing decisions

Statistical analysis shows that the addition of public opinions has no significant impact on the participants' judgment as to whether the donor should be held responsible and what responsibility should be assumed. This statistical result is shown in Figure 3 and Figure 4.
The test's rating of the reason also echoed this result. The number of support for reason 1-10 is significantly higher than the number of support for reason 11-17. Reasons 1-10 have a mean rating of around 4, while the reason 11-17 is even lower. Table 2 shows the average rating.
of the reasons for the participants before and after the psychological factors were added, reflecting the degree of approval of the subjects as a whole.

Table 2 shows that the reason for close to 4 points is the reason for supporting the recipient. These reasons are mostly different manifestations of first-order moral reasons, such as abstract moral principles (reason 1), extended application of moral legal principles. Reason 7 is the reason for the nature of the measure of interest. Although all of these first-order reasons changed after the public opinion was added, the t-test of the non-independent sample showed that the public opinion only had a significant impact on the reason 7 rating ($t=2.125$, $p<0.05$).

The changes in the ratings of all the reasons for the participants showed a certain tendency. Reasons 1-10 are reasons to support recipients, and reasons 11-17 are reasons to support donors. Due to the significant consideration of the survey results, the relevant public comments were described as supporting the recipients in one direction, so it is expected that the number of people who agree with the reasons 1-10 will increase, while the number of people who agree with the reasons 11-17 will decrease. However, the statistical results are shown in Figures 5 and 6, and the change in the number of people is not obvious. For some reasons, there is even the opposite change. After the public opinion is added, the number of people who agree with the reasons 5, 6, 7, and 10 is declining, and the number of people who agree with the reasons 11, 13, 15, and 17 is on the rise.

Figure 5. Appreciation of reasons 1-10 before and after the addition of psychological factors

Analysis of the results of personality psychological factors affecting judges' sentencing decisions

Cognitive psychological factors are some more basic, more subtle and more individualized reasons for action. As mentioned earlier, these factors are diverse and will change as the sentencing decision-making environment changes. They will motivate judges to pursue different but entangled goals while making decisions: fair sense, moral ideals, social effects, self-interest and image, etc. Personality psychological factors generally play a role through the judge’s psychological mechanism or “pre-understanding”, so in the experiment can be converted into various mental states that may appear at the time of decision-making. This experiment categorizes and lists 17 possible mental states, and their ratings represent the extent to which judges consider the relevant personality psychological factors.

Sample group 1 (the judge who made the change) and sample group 2 (the judge who did not change) need to self-rate these 17 mental states, each of which is divided into 5 levels from weak to strong (low, relatively low, medium, high, very high, respectively, expressed in 1-5 points). Different sample groups are also required to evaluate two different mental states. The average rating of the statistics is shown in Table 3. The mean value of the additional personality psychological factors is shown in Figure 7.
Table 3. Personality psychological factors consider the mean

| Mental state / individual factor consideration | Sample population 1 | Sample population 2 |
|-----------------------------------------------|----------------------|----------------------|
| Factor 1: The degree of willingness to listen to the public | 2.8                  | 2.6                  |
| Factor 2: Degree of consideration for personal self-interest | 3.2                  | 3.0                  |
| Factor 3: Consideration of personal beliefs and sense of justice | 3.9                  | 3.9                  |
| Factor 4: The extent to which authority affects individual decisions | 2.2                  | 2.1                  |
| Factor 5: Ideas for contributing to the trial and realization of the rule of law | 4.2                  | 4.1                  |
| Factor 6: Intention to guide the public through the referee | 4.3                  | 4.0                  |
| Factor 7: The degree of consideration of one's own influence | 3.6                  | 2.3                  |
| Factor 8: Confidence in the end result | 4.0                  | 4.0                  |
| Factor 9: Adherence to trial independence | 4.3                  | 2.3                  |
| Factor 10: Degree of consideration of interpersonal relationships within the court | 3.6                  | 4.1                  |
| Factor 11: The degree of consideration of the hospital leadership | 4.4                  | 3.7                  |
| Factor 12: The degree of consideration for shaping a good image | 3.6                  | 3.9                  |
| Factor 13: Worried about the extent to which referees are strongly condemned by the public | 3.9                  | 4.0                  |
| Factor 14: Consider the extent of similar cases | 3.5                  | 3.4                  |
| Factor 15: More prudent refereeing due to public opinion | 4.1                  | 3.9                  |
| Factor 16: Willing to spend time on the case when the workload is light | 4.2                  | 3.8                  |
| Factor 17: Willing to spend time on the case when the workload is heavy | 4.0                  | 3.6                  |
| Overall mean | 3.7                  | 3.3                  |

Table 3 shows that sample group 1 has a significantly higher mean rating for 17 mental states than sample group 2. Of the 17 factors, both groups gave 3, 5, 6, 8, and 9 a higher rating (close to or higher than 4), which represented the concept of justice (Factor 3), legal referee, and promotion of the rule of law. The basic requirements are agreed upon and have been internalized as part of the judge's attitude or professional ideology. In response to this, the statistics show that factor 1 (actively listening to public opinion) and factor 4 (the impact of trial authority on the referee) are the two factors that are least seen by the judge. Unexpectedly, the average rating of the group's leadership opinion (Factor 11) and the internal interpersonal relationship (Factor 10) were also lower, which may be because the experiment failed to fully simulate the real scene. The high mean of factor 15 indicates that public opinion clearly influences the prudence of judges' decisions and encourages them to invest more time in relevant cases (Factors 16, 17).

Except for factors 8, 9, sample group 1 rated the other 15 factors higher than sample group 2, indicating that the judge who made the change was accustomed to considering more factors. Different factors motivate judges to pursue different goals, which indicates that the decision of sample group 1 will be more contextualized, more flexible, and thus more difficult to predict. Figure 7 further shows that sample group 1 tends to change its own decisions based on individual case pressure and different outcomes. Sample group 2 prefers to stick to its own judgments and less consider other interpersonal relationships, self-images and other psychological factors. Sample group 2 only considers factor 8 (inner confidence and integrity referee) and factor 9 (independent sentencing decision) to be higher than sample group 1, indicating that their cognitive awareness is higher in their self-awareness.

CONCLUSION

The psychological process and influencing factors of judges' sentencing decisions are very
complicated and even difficult to say. However, rational legal persons should realize that the scientificty of the legal acquisition process does not lie in concealing all irrational elements, but in the candid rational analysis of irrational elements. Experiments show that when the judges judge the influential cases in the undisturbed experimental environment, the psychological factors have little effect on the conclusion of the case, and the incentive or inhibition effect on the relevant sentencing decision reasons is not obvious, but can significantly affect the judges. Tests related to psychological factors also show that judges who make changes due to the public opinion of this opinion tend to consider more factors, which reflects the thinking mode of political judges, who are closer to the "fox type" in cognitive style. Other judges have more ambiguous and simple motives and goals, and the coherence of motivation and goal system is more stable and more resistant to the influence of public opinions. This reflects the thinking mode of technical judges. The influence of psychological factors on individual judgments is closely related to the judge’s mode of thinking or cognitive style, and this effect is often done in a hidden state. A wise judgment will be obtained through self-knowledge. Insight into this can help judges consciously conduct self-censorship to defend against the effects of hidden prejudice factors.

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