Improving Access to Data From Empirical Legal Studies

Jason Rantanen
University of Iowa College of Law

In contrast with studies published in fields such as economics and political science, empirical studies published in law reviews have low data accessibility. For example, using a dataset every empirical study published in top law journals from 2010-2022, Matthews & Rantanen (2024) found that only 15% had a dataset that was readily available. By comparison, articles published in top political science and economics journals made at least some form of their data available 99% of the time.

The lack of public availability of data for these studies is problematic. It limits the ability of other scholars to validate and attempt to replicate the observations of the original study authors. It also prevents other scholars from building on the work from the original study, constantly forcing them to re-collect the same basic data.

This project presents a model for addressing this data accessibility gap. Using this model, we have identified as many datasets as possible from prior empirical studies of the United States Court of Appeals for the Federal Circuit. The next step is to collect those datasets so that they can be archived for future use. In addition, we will provide dataset documentation so that future researchers may draw on these studies.