

Policy Brief: The Danger of Unscientific Surveys Swaying Public Policy; A *methodological review of the Project Justice USA Family Court Reform Report*

This white paper summarizes findings from a peer-reviewed manuscript accepted for publication (Aichenbaum & Marsden, in press).

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Why This Matters

Advocacy groups increasingly use online, unscientific surveys to influence legislation. When these surveys lack methodological rigor, they can mislead policymakers, misrepresent public needs, and distort legislative priorities. Despite fundamental scientific flaws, the Project Justice USA Family Court Reform survey has been presented to lawmakers and the public as evidence of systemic failure specifically in Colorado family courts and in the USA in general.

Poor-quality data can:

- Lead to misinformed policy decisions
- Exaggerate or misrepresent the scope of problems
- Waste legislative resources
- Harm public trust in both institutions and reform efforts

Key Findings: Critical Flaws in the Project Justice Survey

Flaw	Policy Risk
<p>1. Recruitment Bias</p> <ul style="list-style-type: none"> • 90.5% of social media recruitment posts targeted dissatisfied litigants (e.g., “Share your story of injustice”). • Appeals focused on “survivors,” “those harmed,” or “abusers,” guaranteeing a skewed sample. • No effort was made to recruit individuals with neutral or positive experiences. 	<p>Conclusions reflect grievances of a narrow, self-selected subgroup—not the broader population.</p>
<p>2. Lack of Demographic Transparency</p> <ul style="list-style-type: none"> • The Colorado survey reports no demographic information (gender, income, case type, etc.). • External data indicate respondents were likely overwhelmingly female (inferred from extreme income disparities). 	<p>Findings cannot be evaluated for representativeness or generalizability.</p>
<p>3. Non-Representative Sampling</p> <ul style="list-style-type: none"> • Respondents were recruited from advocacy networks such as One Mom’s Battle. • Posts encouraged “state competitions” and used bandwagon cues (“Join thousands”). • The Colorado sample (≈73–188 respondents) is far below the ≈360 needed for a standard 5% margin of error. 	<p>Results do <i>not</i> represent all family court litigants.</p>
<p>4. Biased and Leading Question Design Survey items:</p> <ul style="list-style-type: none"> • Assumed abuse allegations as fact (“Were you forced to maintain contact with your abuser?”) • Implied causation (“Has family court caused trauma or PTSD?”) • Lacked operational definitions (“Did the judge ignore evidence?”) 	<p>Data reflects the <i>framing</i> of the questions more than the reality of court outcomes.</p>
<p>5. Statistical and Reporting Problems</p> <ul style="list-style-type: none"> • Inconsistent decimal precision (e.g., 55%, 65.2%, 55.49%) — a hallmark of false precision. • No reporting of sample size, analytic methods, or confidence intervals. • No peer review or public access to raw data. 	<p>Policymakers cannot verify or trust the statistical claims being made.</p>

Why This Survey Cannot Support Legislative Reform

The Project Justice report conflates:

- Allegations with proven facts
- Correlation with causation
- Emotionally driven narratives with empirical evidence

Its conclusions extend far beyond what its data can support. Using this survey as a basis for policy would be scientifically unsound and potentially harmful.

Recommendations for Policymakers

Do not rely on survey findings that lack:

- Transparent methodology
- Representative sampling
- Demographic reporting
- Validated instruments
- Independent review

Do require that advocacy surveys meet minimum scientific standards before influencing state policy.

Bottom Line

Advocacy and lived experience matter—but **policy requires evidence**. Unscientific surveys risk amplifying misinformation and undermining meaningful reform. To protect the integrity of Colorado's family court system and legislative process, only rigorous, transparent, and methodologically sound data should guide decision-making.

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