

PSYCHOLOGICALLY SATISFYING ATTRIBUTIONS: or, Persuasive Everyday Explanations

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Explaining litigants' actions to jurors is often persuasively necessary even if not legally required. Jurors rely on litigants' reasons for their actions to assess not only litigants' credibility but also the believability of their claims, the meaning of their "facts", and the worth of each side's case.

According to "attribution theory," psychologically satisfying explanations rely on three "kinds" of information to distinguish various reasons from each other for why people act as they do. Psychologically satisfying attributions are explanations for a person's behavior that are based on the "necessary" and "right kind" of information for distinguishing who or what to identify as the cause of or reason for a person's behavior.

By providing specific kinds of information, jurors can be encouraged to develop certain kinds of explanations for litigants' behavior as well as to question and/or reject any alternative explanations provided by the opposing party.

TO CONSTRUCT A "GOOD" EXPLANATION:

First, define the event to be explained; that is, identify *who did what* action to/with *whom or what*.

An attribution explains why a person acts as he/she does with respect to something or someone else.

Event to be explained:	The <i>person</i> acted <i>this way</i> to/with <i>this stimulus/object</i> .		
(Grammatical Form)	Subject	Verb	Object
(Psychological Form)	<i>Person</i>	Action	<i>Stimulus</i>

The question: Why did *this person* act *this way* to/with *this stimulus/object*?

The police beat Rodney King. Why?

Why did *the police* ("person") *beat* ("action") *Rodney King* ("stimulus/object")?

O.J. hit Nicole. Why?

Why did *O.J.* ("person") *hit* ("action") *Nicole* ("stimulus/object")?

The plaintiff agreed to the seller's price. Why?

Why did *the plaintiff* ("person") *agree* ("action") to the *seller's price* ("stimulus/object")?

Second, specify a cause of the action (i.e., "attribute" the action).

An action is explained (or "attributed") by specifying as its cause (or blaming it on):

- *the person who did it -- a "person" attribution*
- *the stimulus/object for making the person do it -- a "stimulus" attribution*
- *the situation in which the person did it -- a "situation" attribution*
- *some combination of the person, stimulus, and/or situation*

Person Attribution:

A **person attribution** holds the *person who acts* (the "person") responsible for their own behavior; it identifies the cause of the action as due to something *internal* to the *person* (the person's feelings, thoughts, moods, attitudes, values, traits, abilities, skills, motivations, interests, desires, etc.). The focus is on some tendency, characteristic, quality, or disposition of the person as a person.

Examples:

Why did the police beat Rodney King?

Person Attribution: "That's the way the police are."

Examples: The police beat Rodney King because they hate blacks, they are out of control, they're brutes, they like to lord their power over others, they think they're invincible, they can, they think it is o.k. to do, they are too lazy to do anything else, that's how they do things, etc.

Why did O.J. hit Nicole?

Person Attribution: "That's the way O.J. is; that's his disposition."

Examples: O.J. hit Nicole because he's a violent person, he has to have his own way, that's how he controls people, that's how he handles spousal disagreements, he can't control himself, he doesn't know how to express his emotions in a civil manner, he was angry, he was jealous, he's a brute, etc.

Why did the plaintiff agree to the seller's price?

Person Attribution: "That's the way the plaintiff is; she was disposed to do it."

Examples: The plaintiff agreed to the seller's price because she doesn't like to dicker, she wanted the house, she felt it was a good deal, she thought she'd make money, she was unfamiliar with the local market, she didn't educate herself about the local market, etc.

Stimulus Attribution:

A **stimulus attribution** holds responsible *someone or something else* (the "stimulus") for the *person's* behavior; it identifies the cause of the person's action as due to something *internal* to the *stimulus* (if the stimulus represents "someone else," then the cause is that *other* person's feelings, thoughts, moods, attitudes, values, traits, abilities, skills, motivations, interests, desires, etc.; if the stimulus represents "something else," then the cause is that *object's* qualities, characteristics, features, properties, etc.). The focus is on some tendency, characteristic, quality, feature, or disposition of the stimulus as a stimulus.

Examples:

Why did the police beat Rodney King?

Stimulus Attribution: "It had to do with Rodney King; he caused us to beat him."

Examples: The police beat Rodney King because he threatened them, he defied them, he ran from them, he violated their orders, he resisted arrest, he was uncooperative, he was disobedient, he was confrontational, he was argumentative, he was aggressive, he was belligerent, he was combative, he was hostile, he was unstable, he was out of control, he was charging us, he was violent, he was on PCP, etc.

Why did O.J. hit Nicole?

Stimulus Attribution: "It had to do with Nicole; she caused me to hit her."

Examples: O.J. hit Nicole because Nicole attacked him, she was strong, she egged him into it, she incited him, she charged him, she set upon him, she induced him, she was out of control, she was abusing him, she was enraged, she was frightening him, she had lost touch with reality, she was wild, she was uncontrollable, she was ferocious, she was beastly, she was savage, she was brutal, she was destructive, etc.

Why did the plaintiff agree to the seller's price?

Stimulus Attribution: "It had to do with the seller's price."

Examples: The plaintiff agreed to the seller's price because it was a good price, the price included help with financing, the price was recorded in the contract, the price reflected current market value, the price could be compared to prices of other properties, the price included a variety of "perks," the price was lower than the initial asking price, the price left the seller with no appreciation/profit, the price covered all furnishings/appliances/amenities, etc.

Situation Attribution

A **situation attribution** holds responsible *neither the person nor the stimulus* for the *person's* behavior, but instead the *context or circumstances* in which the action occurs; it identifies the cause of the person's action as due to something *external* to the person as well as to the stimulus, that is, something in the environment, surroundings, or setting. The focus is on some feature, quality, or characteristic of, or some circumstance, accident, hazard, or happening in, the environment, setting, or context.

Examples:

Why did the police beat Rodney King?

Situation Attribution: "It had to do with the situation."

Examples: The police beat Rodney King because they had to act fast, it was at night, a crowd was forming, too much was happening, no backup was coming, people were shouting, the situation was unstable, they were ordered to do something, there had been a chase, etc.

Why did O.J. hit Nicole?

Situation Attribution: "It had to do with the circumstances/context."

Examples: O.J. hit Nicole because he tried to hold her off and accidentally missed, he reached for her arm and hit her face, he slipped, they both moved at the same time and neither expected the other to, he was shadow boxing and didn't see her, etc.

Why did the plaintiff agree to the seller's price?

Situation Attribution: "It had to do with the circumstances surrounding the sale."

Examples: The plaintiff agreed to the seller's price because it was a seller's market, there was great promise in the future, she was misled by the contract, she was misinformed by the realtor, she urgently needed a place to live, she didn't realize what she had agreed to, etc.

Other Types of Attributions

The three most common types of attributions are *person*, *stimulus*, and *situation*. However, other, more complex, types of attributions also exist. For example, the reason for a person's action might be a function of *both the person and the stimulus* if it is unique to a *relationship* (e.g., O.J. hit Nicole because that's how they fought, and liked to fight, with each other; they had a volatile relationship), or an interaction of the stimulus in a particular situation (e.g., The police beat Rodney King because he wouldn't settle down after the chase), and so forth. Regardless, to construct a psychologically compelling explanation, the *cause* of the action must be *specified*; that is, the action must be *attributed to the person, the stimulus, and/or the situation*.

Third, identify *what kind of information is needed to construct the preferred type of attribution.*

Attributions are constructed from information about the *person*, the *stimulus*, and the *situation*. In each case, the information is concerned with *uniqueness* -- *the uniqueness of the person* (versus other people), the *uniqueness of the stimulus* (versus other similar stimuli), and *the uniqueness of the situation* (versus other similar situations).

Uniqueness of the Person: Consensus Information

Do other people act as this person does? In this situation, would other police/authorities/officials beat Rodney King? Have other relational partners hit Nicole? Would other buyers agree to the seller's price under similar circumstances?

Consensus information describes whether *this person's* actions are similar to or different from how *other people* act with respect to the stimulus. Is there *agreement* or *consensus* between the person's and other's actions in this situation?

- *Low consensus* means *the person acts uniquely differently than other people*.
Other people do not agree or concur with the person as to how to act with respect to this stimulus in this situation; other people act differently.
- *High consensus* means *the person is NOT unique in his/her action*.
Other people agree or concur with the person as to how to act with respect to this stimulus in this situation; other people do/would act the same as this person.

If, in these same circumstances, no one else would have beaten Rodney King, Nicole had never been hit by any other relational partner, and no one else would be willing to agree to the seller's price, then *people disagree or differ with the person's action with respect to the stimulus; there is low consensus*.

If virtually anyone would have beaten Rodney King under similar circumstances, or if a number of Nicole's relational partners have hit her, or if all sorts of people would have agreed with the seller's price in that situation, then *people agree or concur with the person's action with respect to the stimulus; there is high consensus*.

High consensus leads people to make stimulus attributions.

If anyone would beat Rodney King, then something about Rodney King (the stimulus) must be causing people to act that way.

If Nicole is hit routinely by relational partners, then something about Nicole (the stimulus) makes people act that way.

If many people would have agreed to the seller's price, then something about the price (the stimulus) causes people to agree to it.

Because others concur, the stimulus is identified as the cause of a person's action.

Uniqueness of the Stimulus: Distinctiveness Information

Does the person act differently to this stimulus versus other comparable stimuli? Do the police beat people other than Rodney King? Has O.J. hit relational partners other than Nicole? Has this plaintiff agreed to other similar sellers' prices?

Distinctiveness information describes whether the person acts similarly to other comparable stimuli to how he/she does with respect to this specific stimulus. Does this stimulus *stand out* from other comparable stimuli in terms of how the person acts?

- *Low distinctiveness* means *the person acts no differently with respect to this stimulus as with other comparable stimuli.*

This stimulus cannot be differentiated from comparable stimuli with respect to how the person acts. This stimulus is not distinct; it does not stand out.

- *High distinctiveness* means *the person acts uniquely differently with respect to this stimulus versus other comparable stimuli.*

This stimulus can be differentiated from comparable stimuli with respect to how the person acts. This stimulus is distinct; it stands out.

If the police don't beat other people (only Rodney King), if O.J. never hits any other relational partner (only Nicole), and if the plaintiff never agrees to a similar price by other sellers (only this seller), then *the stimulus is NOT comparable to other like stimuli; the stimulus stands out and, so, has high distinctiveness.*

If the police would beat anyone, O.J. has hit many of his relational partners, and the plaintiff agrees routinely to a similar price by other sellers, then *the stimulus is comparable to other like stimuli; it does not stand out and, so, has low distinctiveness.*

Low distinctiveness leads people to make person attributions.

If the police would beat anyone, then something about the police (the person) is causing this to happen.

If O.J. hits all of his relational partners, then something about O.J. (the person) is causing it to happen.

If the plaintiff agrees routinely to a similar price by other sellers, then something about the plaintiff (the person) is creating the agreement.

Because other stimuli are responded to like this stimulus, the person is identified as the cause of his/her action.

Uniqueness of the Situation: Consistency Information

Does/would the person act similarly in comparable situations? Would the police again beat Rodney King given a similar situation? Has O.J. hit Nicole at other times? Would this plaintiff agree to this seller's price given similar circumstances as those at the time?

Consistency information describes whether the person acts similarly in comparable situations. Has the person ever before and/or would he/she again act this way in other comparable situations?

- *Low consistency* means *the person has or would act differently in other comparable situations.*

This situation can be differentiated from similar situations with respect to how the person acts. The person's behavior in this situation is unique; the situation stands out.

- *High consistency* means *the person has or would act the same in other comparable situations.*

This situation cannot be differentiated from other similar situations with respect to how the person acts. The person routinely acts this way in similar situations; the situation is not unique.

If the police would beat Rodney King under similar circumstances, if O.J. has hit Nicole on many occasions, and if the plaintiff has or would agree to the seller's price in similar circumstances, then *this situation is NO DIFFERENT than other comparable situations with respect to the person's behavior; the person's behavior is highly consistent across situations.*

If the police have never before beat Rodney King when they've arrested him, this is the first time O.J. has hit any of his relational partners, and the plaintiff has never before agreed to a price such as the seller's, then *this situation stands out as being different from other situations with respect to the person's behavior; the person's behavior is of low consistency across situations.*

Low consistency leads people to make situation attributions.

If the police have never before beat Rodney King while arresting him, then something about this situation must have led them to do so.

If this is the only time O.J. has hit Nicole, then something about this time (this situation) must have caused that to happen.

If the plaintiff has never before (and wouldn't again) agreed to a price such as the seller's, then something about this situation prompted her to agree.

Because the person would act differently in other comparable situations, something about this specific situation is identified as the cause of the person's action.

In summary:

Event to be explained: *A person acted this way to/with this stimulus.*

	Kind of Information Required		
	<i>Others do as Person? Consensus is:</i>	<i>Stimulus Unique? Distinctiveness is:</i>	<i>Person do again? Consistency is:</i>
Type of Attribution			
<i>Person</i>	Low	Low	High
<i>Stimulus</i>	High	High	High
<i>Situation</i>	Low	High	Low

To construct a compelling **person attribution**, the following information must be provided: low consensus, low distinctiveness, and high consistency. That is, others don't/wouldn't act this way, this person acts this way not only with this stimulus but similar stimuli, and this person consistently has acted this way. The person acts this way because of *who they are as a person; the person's behavior is due to some reason intrinsic to him-/herself*.

To construct a compelling **stimulus attribution**, the following information must be provided: high consensus, high distinctiveness, and high consistency. That is, others do/would act this way too, the person acts this way only with this stimulus and not with similar stimuli, and the person consistently acts this way whenever presented with this specific stimulus. The person acts this way because of *someone or something that prompted them to do so; the person's behavior is caused by someone or something else*.

To construct a compelling **situation attribution**, the following information must be provided: low consensus, high distinctiveness, and low consistency. That is, others don't/wouldn't act this way, this person acts this way only with this stimulus and not with similar stimuli, and this person hasn't acted this way before. The person acts this way because of *the situation they are in; the person's behavior is due to some reason extrinsic to him-/herself and to the stimulus*.

Example: The police beat Rodney King. Why?
 Person = police. Stimulus = Rodney King. Situation=Arrest.

Kind of Information Required

Type of Attribution	<i>Others do as Person? Consensus is:</i>	<i>Stimulus Unique? Distinctiveness is:</i>	<i>Person do again? Consistency is:</i>
<i>Person:</i> The police are bad guys.	<i>Low:</i> No one else would have beaten Rodney King in these circumstances.	<i>Low:</i> The police beat everyone, not just Rodney King.	<i>High:</i> The police have beaten Rodney King every time they've arrested him.
<i>Stimulus:</i> Rodney King's a bad guy.	<i>High:</i> Everyone else would beat Rodney King in these circumstances.	<i>High:</i> Rodney King's unusual; the police almost never beat people they are arresting.	<i>High:</i> The police have beaten Rodney King every time they've arrested him.
<i>Situation:</i> This situation was unusually time-pressured and urgent.	<i>Low:</i> No one else would have beaten Rodney King in these circumstances.	<i>High:</i> Rodney King's unusual; the police almost never beat people they are arresting.	<i>Low:</i> The police have never before beaten Rodney King when arresting him.

To construct a person attribution and blame the police for beating Rodney King, include the following information: Everyone else is horrified that the police beat Rodney King (low consensus), but this isn't the first time they've done it; they've done it before (high consistency) and they've done it to many other people (low distinctiveness).

To construct a stimulus attribution and blame Rodney King for the police having to beat him, include the following information: This case is unusual; the police almost never beat anyone in the process of arresting them (high distinctiveness) though they've had terrible problems subduing Rodney King over the years (high consistency). And they aren't the only ones who think so. Virtually everyone who has viewed the videotape would be forced to do so too.

To construct a situation attribution and blame the time-pressured situation for King's beating, include the following information: Admittedly, others may not have acted as the police did here (low consensus). However, the situation was unusual; the police almost never beat anyone in the process of arresting them (high distinctiveness) and they've never so much as touched King when they've arrested him in the past (low consistency). In this case the police were under tremendous time-pressure to subdue and arrest King.

Example: O.J. hit Nicole. Why?
 Person=O.J. Stimulus=Nicole. Situation=Intimate Relationship.

Kind of Information Required

	<i>Others do as Person? Consensus is:</i>	<i>Stimulus Unique? Distinctiveness is:</i>	<i>Person do again? Consistency is:</i>
Type of Attribution			
<i>Person:</i> O.J.'s a bad guy.	<i>Low:</i> No one else has ever hit Nicole.	<i>Low:</i> O.J.'s hit other relational partners.	<i>High:</i> O.J.'s hit Nicole many times.
<i>Stimulus:</i> Nicole incited O.J.	<i>High:</i> A number of other people have hit Nicole.	<i>High:</i> Nicole's unusual; O.J. has never hit any other relational partner.	<i>High:</i> O.J.'s hit Nicole many times.
<i>Situation:</i> It was an accident; he was shadow boxing and didn't see her.	<i>Low:</i> No one else has ever hit Nicole.	<i>High:</i> O.J. has never hit any other relational partner.	<i>Low:</i> O.J. hasn't ever hit Nicole (since the 1989 incident).
<i>Complex:</i> It was a volatile relationship; it's who we are; our relationship is just that way.	<i>Low:</i> No one else has ever hit us. [No one else has ever hit Nicole.] [No one else has ever hit O.J.]	<i>High:</i> We only hit each other. [O.J. has never hit any other relational partner.] [Nicole has never hit any other relational partner.]	<i>High:</i> They've hit each other many times. [O.J.'s hit Nicole many times.] [Nicole's hit O.J. many times.]

Example: The plaintiff agreed to the seller's price.. Why?
 Person = plaintiff. Stimulus = seller's price. Situation=house purchase

Kind of Information Required

	<i>Others do as Person? Consensus is:</i>	<i>Stimulus Unique? Distinctiveness is:</i>	<i>Person do again? Consistency is:</i>
Type of Attribution			
<i>Person:</i> The plaintiff doesn't like to dicker.	<i>Low:</i> No other buyer agreed to the seller's price.	<i>Low:</i> The plaintiff agreed to every seller's price.	<i>High:</i> The plaintiff agreed to the seller's price at multiple different times.
<i>Stimulus:</i> The price was a good one.	<i>High:</i> All sorts of buyers would agree to this seller's price.	<i>High:</i> The plaintiff agreed to no other seller's price.	<i>High:</i> The plaintiff agreed to the seller's price at multiple different times.
<i>Situation:</i> The plaintiff was misled by a realtor.	<i>Low:</i> No other buyer agreed to the seller's price.	<i>High:</i> The plaintiff agreed to no other seller's price.	<i>Low:</i> This is the first and only time the plaintiff has ever agreed to such a price.

Finally, construct arguments for the kind of consensus, distinctiveness, and consistency information required to generate the type of attribution you want jurors to make; use *all necessary information* to support the desired explanation.

Note 1. Providing only low consensus, or high distinctiveness, or high consistency information is insufficient to make an explanation psychologically compelling as this information fails to differentiate causes of behavior from each other.

For example, arguing "low consensus" only rules out stimulus attributions, but does not differentiate between person and situation attributions. In the case of the plaintiff agreeing to the seller's price, arguing that no one else would agree to that price is insufficient for distinguishing whether the plaintiff agreed because she didn't like to dicker (a person attribution) or because she was misled by a realtor (a situation attribution). To compellingly argue for a person attribution, also needed are low distinctiveness information (the plaintiff agreed to every seller's price) and high consistency information (the plaintiff agreed on many occasions to this seller's price).

Similarly, arguing "high distinctiveness" only rules out person attributions, but does not differentiate between stimulus and situation attributions. In the case of the police beating Rodney King, focusing only on high distinctiveness information (the police don't beat other people) doesn't distinguish between a stimulus attribution (Rodney King is a threatening person) and a situation attribution (the arrest was unusually time-pressured and urgent). To convincingly blame Rodney King for why the police beat him, it would also be useful to provide high consensus information (anyone would have beaten him under similar circumstances) and high consistency information (he routinely resists arrest and is routinely beaten when being arrested).

Similarly, arguing "high consistency" only rules out situational explanations, but does not differentiate between person, stimulus, and/or relational attributions. In the case of O.J. hitting Nicole, focusing only on high consistency information (he's hit Nicole many times) doesn't provide strong and compelling evidence that O.J.'s a bad guy (an abuser by nature); this focus leaves open the additional possibilities that Nicole incited O.J. to hit her and/or that their relationship was volatile by nature. To clearly point the finger at O.J. for the reason Nicole was hit, it is also necessary to point out that Nicole has never suffered abuse from anyone else (low consensus) and that O.J. has hit his other relational partners (low distinctiveness). Failing to provide this low consensus and low distinctiveness information leaves the exact cause of Nicole's being hit open to a certain degree of speculation.

Simply put, low consensus or high distinctiveness or high consistency information by themselves are insufficient for constructing persuasive explanations for people's actions.

Note 2. Providing high consensus or low distinctiveness or low consistency information are often sufficient by themselves to construct compelling accounts of people's actions.

High consensus information (other people would do the same thing) points most directly to a *stimulus* attribution, just as *low distinctiveness* information (this person would act this way in response to any similar stimuli) points to a *person* attribution, and *low consistency* information (this has never happened before) points to a *situation* attribution. However, while these kinds of information are uniquely able to differentiate the *basic* types of attributions, certain complex types of attributions will overlap with these "basic pointers." Thus, it is *sufficient initially* to present only high consensus or low distinctiveness or low consistency information to lead jurors to construct stimulus, person, or situation attributions respectively; nonetheless it is *stronger* to present additional information and, further, any introduction of more complex attributions will necessitate the provision of additional information.

TO REFUTE OR CHANGE ANOTHER'S EXPLANATION:

Many times, trial advocacy involves *competing* explanations. Attribution theory can be used to analyze and refute the opposing side's explanation.

First, analyze the opposing side's explanation for the person's behavior.

Determine *which type of attribution* the opposing side is forwarding (implicitly or explicitly) for a particular event.

Identify how the action is being explained (attributed). Is the opposing side blaming the reason why the action occurred on the person who did it, on someone or something making the person act as they did, or on the circumstances of the situation in which the action occurred?

Is this kind of attribution acceptable to you, or do you want jurors to construct an alternative explanation for a person's behavior? If you want to have jurors construct an alternative explanation, continue with the analysis.

Determine what *kind* of information the opposing side *must* forward, and what *kind* of information they have *explicitly* forwarded to support the attribution.

For example, if the opposing side has chosen to forward a person attribution, determine whether they have provided low distinctiveness, low consensus, and high consistency information. If such information has not been provided explicitly, determine what they would *have* to argue to forward that kind of information.

Second, analyze your side's explanation for the person's behavior.

Decide what *type* of attribution you want jurors to construct for the person's behavior.

Do you want jurors to attribute the reason for the action to the nature of the person who did it, to the stimulus they acted with respect to, or to the situation they acted in?

Determine what *kind* of information you must forward to support your attribution.

Do you need high or low consensus, high or low distinctiveness, and high or low consistency?

Third, identify the *information differences* between the opposing side's and your attribution.

For example, say the opposing side is trying to forward a stimulus attribution (Rodney King is an aggressive person), which requires high consensus, high distinctiveness, and high consistency information.

Then say you want to forward a person attribution (the cops are bad guys) and note you need low consensus, low distinctiveness, and high consistency information.

Then compare these required kinds of information. Immediately it is apparent that you can *grant* the consistency information -- high consistency is needed for *both* a stimulus and a person attribution. The key is then to focus on altering the *consensus* information (from their high to your low) and the *distinctiveness* information (from their high to your low). Thus, you might forward arguments that no one else would have hit Rodney King (changing consensus), nor is Rodney King the first person the police have ever beaten (changing distinctiveness); they just happened this time to get caught on videotape so that everyone could know the horror of his beating (changing distinctiveness) and their revulsion in what they were seeing (changing consensus).

Any required kind of information that the opposing side has *failed to provide explicitly* is particularly easy to challenge.

Any required kind of information that the opposing side has offered that *fails to distinguish attributions from each other* is particularly easy to use to your own advantage.

The *most compelling, strongest, persuasive, and psychologically satisfying explanation* offers all three kinds of information in its support.

PSYCHOLOGICALLY SATISFYING ATTRIBUTIONS: or, Persuasive Everyday Explanations

SUMMARY

TO CONSTRUCT A “GOOD” EXPLANATION:

1. Define the “event” to be explained.

Who did what action to/with whom or what?

2. Ask *why*. Identify a(the) *cause* of the person’s action.

Why did this person, act this way, to/with this other person or object?

Is the person’s action *caused by* (or to be blamed on):

- the person who did it -- a “person” attribution
- the other person or object for “making” the person do it? -- a “stimulus” attribution
- the situation in which the person did it? -- a “situation” attribution
- some combination of the person, others/objects, and the situation

3. Identify the *kind of information* needed to construct your explanation.

- **Decide what “consensus” information you need.** Should you argue:
 1. “other people act like this person”, or
 2. “other people do *not* act in this way”
- **Decide what “distinctiveness” information you need.** Should you argue:
 1. “this person acts like this with lots of other people/things”, or
 2. “this person acts like this *only* with this other person/object?”
- **Decide what “consistency” information you need.** Should you argue:
 1. “this person has acted like this before”, or
 2. “this person almost never acts like this”

4. Generate arguments to defend the three kinds of information you need for your explanation.

TO REFUTE OR CHALLENGE ANOTHER'S EXPLANATION:

1. Identify *what event* is being explained.

Who did what action to/with whom or what?

What person, acted in what way, to/with whom or what?

2. Determine *who* or *what* is specified as being (implicitly or explicitly) the *cause* of the person's action.

Is the person's action said to be caused by the person, the stimulus, the situation, or some combination of these?

3. Analyze the *kind of information* forwarded for this other explanation.

- **Determine the kind of information *necessary to establish* this other explanation.**

What consensus, distinctiveness, and consistency information must be forwarded to make this explanation compelling?

- **Determine the kind of information *explicitly forwarded* to establish this other explanation.**

What *consensus*, *distinctiveness*, and *consistency* information has been forwarded in support of this explanation?

4. Analyze the *explanation* you want to forward for the person's behavior.

- What *type* of attribution do you want to make?
- What *kind* of information must you forward to support that attribution?

5. Identify the *information differences* between the other person's and your attribution for the person's behavior.

6. Generate arguments (a) to attack the other's *needed* information that is *different* from what you need, and (b) to *support* all information you need to defend your explanation.

ATTRIBUTION EXERCISE #1: Constructing an Explanation

1. Write out one event from a past or current trial that you want to explain more persuasively than before.

Person Action to/with Stimulus

2. Who/What do you want to blame?

Person? Stimulus? Situation?

3. What kind of information do you need to provide for that attribution?

Consensus must be: Low? High?

Distinctiveness must be: Low? High?

Consistency must be: Low? High?

4. Write out examples of the appropriate kind of consensus, distinctiveness, and consistency information. Try out different phrasings, different qualifiers, etc.

Examples of _____ Consensus Information:

Examples of _____ Distinctiveness Information:

Examples of _____ Consistency Information:

5. Write out the justification for your explanation. Include each kind of information and use your best phrasing for each.

ATTRIBUTION EXERCISE #2: Refuting an Explanation

1. Write out one event from a past or current trial that you want to explain differently than the opposing side has.

Person Action to/with Stimulus

2. Who/What has the opposing side blamed?

Person? Stimulus? Situation?

3. What kind of information does the opposing side need to provide for that attribution?

Consensus must be: Low? High?

Distinctiveness must be: Low? High?

Consistency must be: Low? High?

4. Write out the appropriate kind of consensus, distinctiveness, and consistency information forwarded or needed to support the opposing side's explanation and note whether the opposing side has done so explicitly. (Don't worry about different phrasings -- just go for the idea.)

_____ Consensus Information that is _____ (Implicit/Explicit)

_____ Distinctiveness Information that is _____ (Imp./Exp.)

_____ Consistency Information that is _____ (Imp./Exp.)

5. Identify the type of attribution you want jurors to construct.

Person? Stimulus? Situation?

6. What kind of information do you need to provide for that attribution?

Consensus must be: Low? High?
 Distinctiveness must be: Low? High?
 Consistency must be: Low? High?

7. What information *differences* are there between the opposing side's and your explanation?

	Opposing Side	My Side
Consensus must be:	_____	_____
Distinctiveness must be:	_____	_____
Consistency must be:	_____	_____

8. Write out the appropriate kind of consensus, distinctiveness, and consistency information you need to forward to refute the opposing side's explanation. Only write out statements for those kinds of information that you need to "alter" or "provide explicitly".

_____ Consensus Information is needed by _____ (Me/Both)

_____ Distinctiveness Information is needed by _____ (Me/Both)

_____ Consistency Information is needed by _____ (Me/Both)

9. Write out *their* explanation *only as they provide it explicitly*. Then write out *your* explanation that you will use to *refute* theirs and in your explanation, include each kind of information and use your best phrasing for each.

Their explanation:

Your explanation: