

COULD BIRTH ORDER TRAITS INFLUENCE DELIBERATIONS?

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"A child of five would understand this.
Send someone to fetch a child of five."
Groucho Marx, American comedian,
1890-1977

Have you ever wondered if your birth order shaped your personality? Social science research data claims that it influences certain traits that you exhibit as adults in your interactions with others. This newsletter examines some common personality characteristics in accordance with one's position in the family dynamic, and how those traits may carry over into the deliberation room.

The adjectives and descriptions used in this newsletter are taken from surveys completed anonymously by 225 jury-eligible residents throughout California. Significantly, many of their assessments correspond to established research findings on birth order.

The Only Child

The Only Child often responds that it would have been "great" to have had at least one or more siblings. In reflecting back on their childhoods, they mention some feelings of loneliness or solitude. They acknowledge their independent spirit and sometimes indulgent experiences. As adults, they value having loyal friendships and disclose that socializing is an important priority in their lives. They express sensitivity to feeling abandoned or betrayed. All in all, the Only Child commonly describe themselves as satisfied, imaginative, determined and smart.

Effect on deliberations: With their independent nature, an outgoing Only Child could be one to hang a jury, and not feel peer pressure about being the disruptive vote. Not having grown up with siblings, the Only Child may have less practice at compromising. Hence, this person could be the juror who leaves deliberations more dissatisfied with the compromises agreed upon.

The First Born of Two

The First Born of Two expresses a common theme of feeling a heightened responsibility toward others throughout childhood that has followed them into adulthood. This person takes on the role of accepting tasks and tackling problems. They explain themselves as organized, resourceful, reliable and forthright. They are at ease socially. The First Born has some aversion to risk taking. In describing their relationship with the younger sibling, the First Born lists out an equal number of favorable and unfavorable descriptors. The range of feelings associated with the younger child varies from disapproval of the spoiled one to pride and admiration of that daring and independent sibling.

Effect on deliberations: Based on how First Borns describe themselves, they are a strong candidate for *presiding juror* or *foreperson* in deliberations as they would not hesitate to take the baton of leader. In fact, they may feel entitled to be foreperson. They could provide the steady guidance to achieve a verdict, thereby avoiding the chance of a hung jury. In the end, their skills correlate to a person who values accomplishing tasks.

The Second Born of Two

Second Borns in a two sibling family describe themselves as inquisitive, fun loving, playful and usually not one to be pushed around. They believe that they are more even tempered than their older sibling. Often, the behavior of the older sibling influenced the behavioral direction of the Second Born. If the older sibling was more rebellious, the Second Borns more readily accepted authority and conformed to what was expected both academically and otherwise, rather than cause additional aggravation within the family. Throughout their childhood, the shadow of the older sibling seemed more encompassing than sometimes desired.

Effect on deliberations: Having had a sibling, this person appears comfortable with the process of getting consensus, listening to other's opinions, and deferring to or challenging an opinion. Whether a Second Born is a *persuader* (challenges) or a *participant* (defers) in the deliberation room could partly depend upon their self confidence which has some link to childhood interactions with the First Born.

The First Born of Three

The First Born of Three perceives themselves as being outspoken, outgoing, stubborn, and responsible. Feeling responsible and involved in the family dynamic appears to be a common thread between genders. Whereas females state that they tend to be bossier toward others, the males respond that they can be brash. First Borns describe the Second of Three as being the most academic, with the Baby of the Three seeming the most social, independent, affectionate, and spoiled.

Effect on deliberations: Because responsibility appears paramount with the First Born of Three, this person could present as a strong *persuader* in deliberations. Having grown up with two younger siblings, First Borns believe that they can naturally guide, organize and/or direct others. The foreperson position would not be a daunting role for them to accept.

The Middle Child of Three

This person typically describes themselves as quiet, sensitive, creative and good hearted. Having been caught in the middle growing up, as adults, they find themselves more intent on being noticed by others and assert themselves when necessary. They exhibit a respectful and courteous manner toward others. Their descriptions of their older sibling correspond to how the First Born of Three perceive themselves but in a less glowing way; that is, leader, bossy, independent and controlling. This Middle Child also bestows the spoiled label on the Third Born. Such universal evaluation could be a testament validating the depth of sibling rivalry.

Effect on deliberations: As observers within the family dynamic, this person could be the juror who takes on the role of the collaborator. Indeed, during deliberations, a Middle Child of Three could guide a hold-out juror to gracefully move from an outcast position toward consensus. Willing to compromise to quell conflict, a Middle Child who identifies with these qualities could be an asset in any deliberation room.

The Third Born of Three

Upbeat, friendly, adventurous, active, strong-willed, imaginative and tolerant provides the nutshell profile of how Third Borns of Three describe themselves. They feel at ease in most social situations and relish fun environments. They perceive themselves as open minded and creative. Some Third Borns of Three describe the First Born as the mean sibling when growing up, but smart and successful adults. According to the Third Born, the Middle Child seems to be the quiet one of the three; or, perhaps just less conspicuous within the familial mix.

Effect on deliberations: Based on information provided by the Third Born, this person grew up hearing various opinions to all sides of the issue. Power grabbing may occur less frequently with the Third Born. Thus, they might easily accept the role of *participant*, supporting a *persuader*. In considering birth order alone, most Third Borns would not be shy in expressing their opinions, and possibly entertain the group while doing so.

Multiple Siblings, Larger Families

With multiple siblings in larger families, some similar but varied themes emerge among the various birth order constellations. The following briefly summarizes the survey responses drawn from families with four, five or more siblings.

The Oldest Born

Having so many siblings under them, they note that their childhood experiences made them a more responsible adult, whether obedient or anarchist to the parental rules growing up. They tend to be regarded as the smartest child in the family, and sometimes the most aggressive and goal oriented. In the deliberation room, they could be committed and measured with their analysis.

The Second Borns

Mature, dependable, bossy and loyal most aptly describes how the Second Borns with multiple siblings see themselves. They acknowledge that the parental aspirations may have focused more on the star power of the First Born. In the deliberation room, they could keep the discussion on track, timely, and focused.

The Middle Children

Compassionate, level-headed and independent, these folks are the peacemakers and negotiators. They state that they have more respect for protocol in comparison to their other siblings who may have questioned authority. In the deliberation room, they would be adept at building coalitions in a systematic and diplomatic way.

The Later Borns

Active, confident, talkative, creative and sly present those characteristics listed by the Later Borns. They describe their childhood personalities as being more insubordinate than that of their older siblings. Hence, they might be less self-conscious about saying something that reflects thinking outside of the box.

The Tail Enders

Tail enders speak of the benefit they gained from all the love and attention that they received during their childhoods. As a result, they note that this has made them more confident and secure as adults. In the deliberation room, this person could be extroverted, energized by the group setting, secure with their opinions, but easily bored.

Conclusion

Overall, the jury-eligible residents who participated in this survey recognize that the absence or presence of siblings contributes to their definitions of who they are as adults. From their honest assessments, we can infer how birth order might influence deliberations. The next time that counsel develops a voir dire plan, it would be insightful to include the question, "When you were growing up, what was your position in the birth order?"

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