

Mapping the Use of Empirical Evidence in Digital Platform Litigation

The Knight-Georgetown Institute (KGI) and Georgetown University's Communication, Culture & Technology (CCT) are collaborating on an interdisciplinary research project to understand how empirical research is used in technology litigation in the United States. Amid ongoing debates about platform governance, addictive design, and online harms, this research project will map how and under what circumstances **empirical evidence informs legal arguments and judicial reasoning in technology policy litigation in select state and Federal cases.**

While numerous actors and intuition influence technology policy, this project focuses on how courts engage with empirical research. The project will examine multiple strands of litigation, including consumer protection and product liability claims as well as challenges to social media and digital platform regulation, including platform design codes and transparency mandates. Through this analysis, the project seeks to clarify the role of empirical research in judicial processes and inform future scholarship, communication, policy, and designs related to platform accountability.

Key Research Questions

Key research questions include:

- What types of empirical studies are cited in legal briefs, amicus filings, and judicial decisions related to technology policy litigation?
- What are the disciplinary, methodological, and institutional characteristics of this research?
- How do courts treat such evidence—ignoring it, interpreting it, incorporating it, or relying on it determinatively?
- To what extent do interpretations of evidence match the evidence itself?
- How does the use of empirical evidence spread from one case/filing/decision to another?

Methods

The project will involve systematic analysis of court filings, briefs, and decisions. Given the rapid expansion of claims, including thousands of claims aggregated through Multi-District Litigation (MDL) related to [adolescent addiction](#) and the Judicial Council Coordination Proceedings (JCCP) [negligence claims](#) in California, the project will involve qualitative and quantitative data collection and analysis, including textual analysis and natural language processing.

Timeline

The project will launch in the Fall of 2025 and is expected to run through the Fall of 2027.

About Us

Georgetown University's **Communication, Culture & Technology (CCT)** program is an interdisciplinary Master's degree program devoted to the study and design of communication, media, and information technology in the full scope of their social, political, cultural, technical, and economic complexity. We promote a holistic, multidisciplinary analysis of communications and media systems, expanding the boundaries of theory, substantive knowledge, making, and practice. Our curriculum prepares students to be critical thinkers, exemplary scholars, and content creators who apply their knowledge in meaningful ways to the problems and challenges of a world being shaped by the globalizing forces of computational and digital communication and information technologies and international media systems. Learn more about CCT at <https://cct.georgetown.edu/>.

The **Knight-Georgetown Institute (KGI)** is dedicated to connecting independent research with technology policy and design. KGI serves as a central hub for the growing network of scholarship that seeks to shape how technology is used to produce, disseminate, and access information. KGI is designed to provide practical resources that policymakers, journalists, and private and public sector leaders can use to tackle information and technology issues in real time. Georgetown University and the Knight Foundation came together to launch the institute in 2024. Learn more about KGI at <https://kgi.georgetown.edu>.

Contact

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