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# The Political Ideologies of Law Clerks and their Judges

Adam Bonica, Adam Chilton, Jacob Goldin, Kyle Rozema, & Maya Sen\*

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We study the political ideology of judicial law clerks using a novel dataset that combines the most comprehensive data sources on political ideology and the identity of U.S. federal law clerks. First, we examine the distribution of clerks' ideology and find that clerks tend to be disproportionately liberal, with clerks on lower courts being more liberal on average than clerks for higher courts. Second, we find that judges tend to consistently hire clerks with similar ideologies and that those ideologies track available measures of the judge's own ideology. Finally, we develop a dynamic clerk-based measure of judicial ideology and document its value as a complement to existing approaches.

*JEL*: M51

*Keywords*: Political Ideologies, Law Clerks, Judges

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# 1 Introduction

Law clerks occupy a central position in both academic and popular accounts of the American judicial process. Large literatures in law and political science document the role that clerks play in everything from the management of disputes in district courts to the drafting of opinions at the U.S. Supreme Court ([Rehnquist, 1957](#); [Newland, 1961](#); [Baier, 1973](#); [Mahoney, 1988](#); [Chen, 1994](#); [Ditslear and Baum, 2001](#); [Peppers, 2006](#); [Avery et al., 2007](#); [Peppers et al., 2008](#)). Non-academic writing about the judiciary emphasizes the importance of clerks as well, including a number of “tell-all” books written by former clerks ([Lazarus, 2005](#); [Peppers and Ward, 2013](#); [Cushman and Peppers, 2015](#)).

Despite the fascination with law clerks, a lack of data has impeded efforts to study the group empirically, leaving many of the most basic facts about them largely unknown. Because the ideology of legal actors is known to influence the decisions they make (e.g., [Sunstein et al., 2006](#); [Miles and Sunstein, 2007](#); [Chilton and Posner, 2015](#)), the political ideology of clerks is of particular interest. For example, how do clerks’ political views compare to other lawyers? Do judges hire clerks with ideological leanings that are similar to their own? Does the ideology of the clerks that judges hire tend to evolve over time? Given the potential influence of clerks on case outcomes and the doctrines set out in judicial opinions ([Chen, 1994](#); [Peppers, 2006](#); [Ward and Weiden, 2006](#); [Peppers and Zorn, 2008](#)), these questions are not just theoretical.

In this article we study the political ideology of judicial law clerks. We do so by constructing a novel dataset of clerk ideology that links the most comprehensive population-level data available on political ideology with the most extensive datasets on the identity of U.S. federal law clerks. Our data on political ideology exploits political donations disclosed to the Federal Elections Commission between 1979 and 2014,

known as the Database on Ideology, Money in Politics, and Elections (DIME) ([Bonica, 2013](#)). Using this information, [Bonica \(2014\)](#) places roughly 15 million individuals on an ideological spectrum based on who the individuals donated to and how much money they contributed. Our data on the identity of U.S. federal law clerks comes from two sources. First, we use data collected by [Katz and Stafford \(2010\)](#) on the identity of roughly 18,000 individuals that served as either U.S. district or circuit court clerks between 1995 and 2004. Second, we use data from the Supreme Court Information Office to identify the roughly 1,700 individuals who clerked on the U.S. Supreme Court between 1960 and 2015. Our final matched sample comprises information on the identity and ideology of 7,969 individuals that completed federal district, circuit, or Supreme Court clerkships.

We use these data to study the ideology of clerks in three ways. First, we explore the overall distribution of clerks' ideologies. The data reveal that clerks generally skew to the left of the ideological spectrum, but that substantial variation in clerk ideology exists by clerk subpopulations. In particular, female clerks are more liberal than male clerks, clerks who attended Top 14 law schools are more liberal than clerks from other law schools, and clerks on lower courts are more liberal than clerks on higher courts. We also compare the ideology of clerks with that of other lawyers and find that clerks more closely resemble the alumni of the elite law schools from which they overwhelmingly come rather than the population of other lawyers.

Second, we analyze how the ideology of clerks corresponds to the ideology of the judges they serve, using existing measures of judicial ideology. We first examine the degree to which clerk ideology and judge ideology correlate. Our analysis reveals that clerk ideology is strongly correlated with the ideology of their hiring judges. Interestingly, although clerks for conservative judges tend to be more conservative than the clerks for liberal judges, we find that even many of the former group are left of

center. We also investigate the extent to which judges tend to hire ideologically similar clerks over time and find strong evidence that they do. Moreover, this tendency toward consistency becomes stronger at higher levels of federal courts.

Finally, we use the data on clerk ideology to construct a new measure of the political ideology of judges. Our approach is motivated by the agency relationship between judges and their law clerks. In particular, if judges tend to hire clerks with similar ideological profiles (or if clerks prefer to work for judges who share their own ideology), then the ideology of the clerks hired by a judge provides a signal as to the ideology of the judge. We construct a clerk-based measure of judicial ideology for the 1083 district, appellate, and Supreme Court judges in our sample and validate the approach using a common alternative measure of judicial ideology ([Giles et al., 2001](#)).

While admittedly imperfect, the new measure complements existing approaches in important ways.<sup>1</sup> First, we leverage the fact that federal judges generally hire new law clerks each year to estimate judicial ideology *dynamically*. Thus, unlike most existing measures of lower-court judge ideology, which estimate ideology statically at the time of appointment ([Giles et al., 2001](#); [Epstein et al., 2007](#); [Bonica and Sen, 2016](#)), our measure captures within-judge changes in ideology over time. A second advantage of our approach is that it is available for the entirety of the federal bench. That is, although not all judges make political contributions themselves (which prevents the construction of ideology for many judges, as in [Bonica and Sen, 2016](#)) or hear cases on overlapping panels (as is required for item response theory models that are used to estimate ideology based on similarities in voting patterns, as in [Martin and Quinn, 2002](#)), the vast majority of federal judges hire multiple law clerks each year who often make contributions. To our knowledge, our approach is among the first to allow time-varying estimates of the ideology of all judges outside the Supreme

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<sup>1</sup>For a discussion of existing approaches to measuring judicial ideology, see generally [Bailey \(2016\)](#).

Court—a possibility that opens up a variety of questions for future research to explore.

This paper proceeds as follows. In Part 2 we briefly explain the role of clerks in the U.S. legal system. In Part 3 we describe the sources of our data and how we linked the political ideology measures to the identities of clerks. In Part 4 we present information on the ideological distribution of law clerks. In Part 5 we explore the relationship between the ideology of clerks and the judges who hire them. In Part 6 we develop a clerk-based measure of judicial ideology and illustrate its application. In Part 7 we briefly discuss the limitations of our results and directions for future research.

## 2 The Role of Law Clerks

Given the well-documented role that law clerks play in the American legal system, in this section we provide a brief sketch of their responsibilities and the small but growing empirical literature on them. Clerks are typically hired by individual judges to help that judge fulfill his or her duties. A clerk may help the judge by drafting memos on upcoming cases, assisting with preparations for trial or oral arguments, and writing the first draft of orders and final decisions (Newland, 1961; Baier, 1973; Peppers, 2006). The actual amount of responsibility given to clerks varies—some judges assign their clerks with little more than copy editing whereas others delegate substantial responsibility for the writing of opinions (Gulati and Posner, 2015).

Federal clerkships are prestigious, but usually temporary, appointments. Federal judges usually hire clerks to work for them in the first few years after the clerks have completed law school, meaning that most law clerks are in their mid-20s. Typically, judges hire clerks to work for one year, but some judges hire clerks to work for two years or longer. The number of clerks that judges are allowed to hire varies based on the court and the workload of the judge. For example, at the Supreme Court

the Chief Justice can hire up to five clerks per term, Associate Justices can hire up to four clerks, and retired Justices can hire up to one clerk per term.

To date, scholarship on law clerks has mostly been qualitative, documenting the clerkship hiring process and the manner in which clerks are relied upon by judges. However, a small but growing empirical literature has analyzed various aspects of the hiring and influence of clerks, such as by surveying clerks and judges ([Avery et al., 2001, 2007](#); [Peppers et al., 2008](#)) and by studying networks and peer effects among law clerks ([Katz and Stafford, 2010](#)). More recently, [Rozema and Peng \(2015\)](#) estimate a model of the Supreme Court clerk hiring process, drawing on federal appellate clerk data.

## 3 Data

Our analysis relies on a novel dataset we created that contains information on the political ideology of U.S. federal law clerks. In this section, we first describe our data on political ideology. We then discuss our two data sources on the identity of federal law clerks. Finally, we explain the process we used to link these sources of data.

### 3.1 Ideology Data

Our data on ideology come from the Database on Ideology, Money, and Elections (DIME) ([Bonica, 2014](#)), which contain information from the universe of campaign contributions disclosed by the Federal Election Commission and state agencies. These data include contributions made in local, state, and federal elections from 1979 to 2014 for individuals, political action committees, and corporations, and include approxi-

mately 100 million contributions and related information.<sup>2</sup>

We rely on DIME for its reporting of ideological scores known as common-space “CFscores,” which are calculated from individual contributions using a scaling methodology described in Bonica (2014). The approach derives ideological scores from campaign contributions by assuming that individual donors tend to contribute to candidates with whom they are in ideological agreement. For example, we infer that an individual who contributes to mostly center-left candidates will herself have a center-left political ideology. The resulting CFscores situate individuals on a unidimensional ideological scale, from extremely liberal to extremely conservative. The scale is normalized such that it has a mean of zero and a standard deviation of one with respect to the population of U.S. donors. For example, Hilary Clinton and Barack Obama, on the ideological left side of the spectrum, have CFscores of -1.16 and -1.65, respectively; Ron Paul and Scott Walker, on the ideological right, have CFscores of 1.57 and 1.28, respectively; and Chris Christie and Joseph Lieberman, ideologically more moderate, have CFscores of 0.46 and -0.54, respectively.

The CFscores have been extensively validated in prior work. As discussed by Bonica (2014), the scores yield measures comparable to widely used ideological scores for political actors. For example, CFscores have been shown to correlate strongly with existing ideological estimates for Congressional representatives to recover the rank-orderings of Supreme Court Justices yielded by existing measures, and outperform ideological scalings for lower court federal judges (Bonica and Sen, 2016). As applied to judicial clerks, an important advantage of the CFscore is that other measures of ideology are generally unavailable, with the (rare) exception of those clerks who go on to hold political office themselves.

An important concern with the CFscore methodology is that some donors

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<sup>2</sup>More information can be found at <http://data.stanford.edu/dime>.



may contribute strategically for reasons other than an affinity for the recipient’s ideological beliefs, such as a corporation that contributes to rival candidates during a single election (Bonica, 2014; Bonica et al., 2015; Bonica and Woodruff, 2015). In the context of the legal profession, one could imagine that some lawyers strategically donate to those judges before whom they expect to argue cases. However, as discussed in Bonica and Sen (2015), for individuals who are both recipients of contributions and donors themselves, the CFscores derived from donations made are strongly correlated with the CFscores derived from donations received. This correlation would emerge if contributions were primarily motivated by ideological affinity between the contributor and recipient; it would be unexpected if contributions were simply the result of strategic behavior by donors. Moreover, it is unlikely that many clerks make strategic contributions to obtain their clerkship—most clerks are recent law school graduates and the majority of the donations used to derive their CFscores occur well after their clerkship concludes.<sup>3</sup>

Another limitation with DIME CFscores is that they are only available for individuals who have made a political donation. Individuals who donate may differ in potentially unobservable ways from those who do not. Although we will return to this issue below, we note that concerns about selection into the donor population may be less severe in the context of the present study than in other applications. This is because although only about 5% of the U.S. population make a contribution during our sample period, over 40% of lawyers (Bonica et al., 2015) do so. As we will see below, the contribution rates among the clerks in our sample are in line with this figure for

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<sup>3</sup>Of course, a potential concern is that a clerk’s ideology may change between the time of the clerkship and the time that subsequent donations are made. In practice, Bonica (2014) observes little yearly variation when looking at the estimated ideology of political actors (members of Congress), a finding in line with broader literature within political science suggesting fairly stable partisan affiliations over people’s lifespans (e.g., Green et al., 2004). However, as we discuss below, the same may not be true for federal judges, for whom a lifetime appointment onto a federal court appears to be a significant life-altering event. Thus, some ideological drift has been observed for federal judges, including Supreme Court Justices (Epstein et al., 2007).

lawyers.

## 3.2 Clerkship Data

Our data on the identity of U.S. federal law clerks comes from two sources. The first source is a dataset constructed by [Katz and Stafford \(2010\)](#) that provides information on law clerks who worked for federal appellate and district court judges between 1995 and 2004. The clerkship data contain the clerk’s name, law school, and the federal judge for whom the clerk worked. The data contain 5,082 circuit court clerks and 12,672 district court clerks.

We evaluated the completeness of the [Katz and Stafford \(2010\)](#) clerkship data in two ways. First, we investigated whether there was systemic failure to locate judges by comparing the number of judges in the data with the number of judges officially appointed in each year. Officially, there were between 154 and 163 appointed circuit court judges (non-vacant seats) and between 603 and 664 appointed district court judges for all years in the sample (1995 to 2004) ([United States Courts, 2005](#); [Gryski et al., 2013](#)). The clerkship data contains between 149 and 160 circuit court judges each year, with the exception of 2001 (139 COA judges), and between 570 and 657 district court judges each year. Given that the clerkship data only includes active judges who also hire law clerks, these facts offer some evidence that Katz and Stafford located the large majority of federal judges who hired clerks.

Second, we investigated whether the clerkship data was likely to identify clerks conditional on locating a judge within a year. We compared the mean number of clerks located for each judge-year to the number of clerks we might expect judges to hire each year. Under current Judicial Conference policy, full time federal judges may hire up to five staff members, which include law clerks and judicial assistants

such as a secretary and court reporter (28 U.S.C. §331). If the circuit judge handles less than a full case load, the number of judicial staff members declines proportionally with the reduction in case load (e.g., a judge with a half case load gets two clerks) (28 U.S.C. §331). The yearly mean number of circuit court clerks per judge in the data is consistently around three. A back of the envelope calculation suggests anywhere from 462 (154 circuit court judges per year times 3 clerks per judge) to 652 (163 circuit court judges per year times 4 clerks per judge) circuit court clerks per year, which is consistent with the clerkship data. The yearly mean number of district court clerks per judge in the data is consistently around two. Before 2008, it was common for district—but not circuit—court judges to employ “career clerks” ([Milenkovski, 2008](#)), which are not in the data and explains why the number of district court clerks is around two. Overall, it appears that Katz and Stafford captured the large majority of federal court clerkships.

We supplement the Katz and Stafford data with data on Supreme Court clerks from the Supreme Court Information Office. This data contains the universe of clerks who worked at the Supreme Court between 1960 to 2015, a total of 1,691 Supreme Court clerks.

### **3.3 Linking the Clerkship and Ideology Data**

We linked the data on political ideology and the identity of clerks using a three step matching process. First, because the identifying information reported in the clerkship data was limited to name, law school attended, and year of graduation, we started by comparing the clerkship data against the Martindale-Hubbell directory. We did so because the Martindale-Hubbell directory is among the most comprehensive databases of attorneys in the United States today and has the significant benefit of

including additional information not contained in the clerkship data, including a unique identifier number, current employer, geographic location, and, in some cases, area of practice (Whisner, 2014). Fortunately, given the much smaller population of lawyers as compared to donors, a small amount of information (name, law school, and year of degree) was sufficient to uniquely match most clerks against records in the Martindale-Hubbell directory. This step also gave us additional information on the clerks (e.g., gender).

Second, we used this additional information to match the clerks data to their contribution records in DIME using an automated algorithm. The algorithm operated by scanning (1) first, last, and middle name,<sup>4</sup> (2) suffix, (3) title, (4) address, (5) firm or employer, and (6) geographic proximity.

Third, we also recovered DIME scores for federal judges who served at any point between 1995 and 2004, inclusive. For this, we took existing lists of federal judges (for example, from the Federal Judicial Center) and manually matched them against DIME CFscores.

Table 1: Proportion of Law Clerks Matched to Donations

Court	<b><i>Political Party of Appointing President</i></b>		
	Democrat	Republican	All
District Court	38.2	36.2	37.1
Appeals Court	46.2	45.1	45.5
Supreme Court	56.0	56.6	56.4
Total	41.3	40.9	41.0

<sup>4</sup>To adjust for variations across records, we used the Jaro-Winkler algorithm, which measures the distance between two strings (in this case, names); the higher the distance, the more alike two strings are.

Table 1 shows the proportion of clerks in our sample who we could match to political campaign donations, disaggregated by court level and by the political party of the president who appointed that clerk’s judge. There appears to be a positive relationship between the level of the court and the proportion of clerks who donate. For example, Supreme Court clerks donate at a much higher rate than district court clerks (nearly 60% compared to 37%). Roughly half of all appellate court clerks in our sample are contributors (46%), which is slightly higher than the overall contribution rate of lawyers as a whole (43.4%, as reported by [Bonica et al. \(2015\)](#)). It is also worth noting that, at each level, clerks for Republican-appointed judges donate at comparable rates to clerks for Democratic-appointed judges.<sup>5</sup>

## 4 The Ideology of Clerks

We begin by looking at the distribution of clerks’ ideology. We first look at the distribution of our overall sample. We then disaggregate the ideology of clerks by gender, court, and law school. Finally, we compare the ideology of clerks to the ideology of other lawyers.

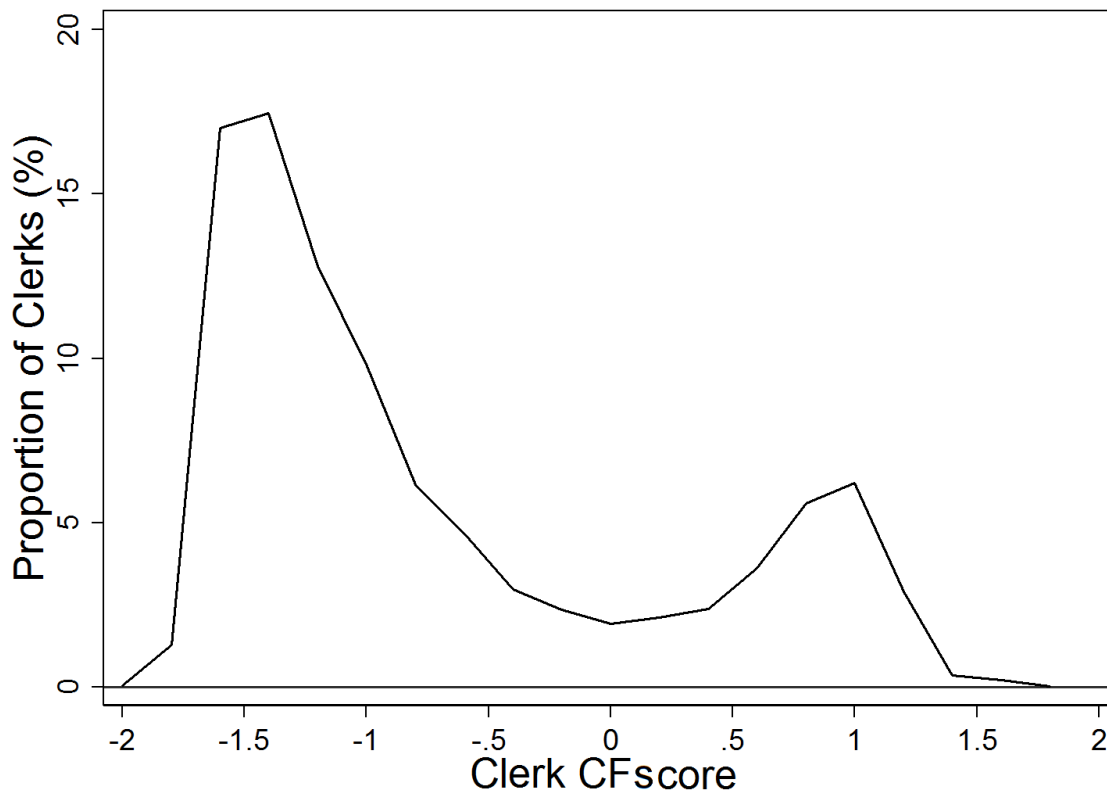
### 4.1 Clerk Ideology Overall

Figure 1 plots the overall distribution of the ideology of the clerks in our sample. The x-axis is the CFscore, which runs roughly from extremely liberal on the far left to extremely conservative on the far right. The y-axis represents the proportion of clerks that have a particular ideology. The line in Figure 1 is a density curve that shows the proportion of clerks that have a particular ideology score.

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<sup>5</sup>Table A1 in the Appendix provides a breakdown of clerk donation rates by law school.

Figure 1: Distribution of Clerk CFscores



There are several things worth noting about Figure 1. First, the majority of clerks in our sample are to the left of the ideological spectrum. In fact, 75% of clerks have a CFscore that is below zero. Second, the mean CFscore for the clerks in our sample is -0.60, and the median CFscore is -0.97. To put this in perspective, the mean is roughly comparable the CFscore of Bill Clinton (-0.68). Additionally, although Figure 1 shows a much higher density of liberal clerks than conservative clerks, the distribution of clerk CFscores is bimodal. For example, not only do 25% of clerks have a conservative CFscore, there are also a large number of law clerks with a CFscore of roughly 1.0, which is comparable to the CFscore of Mitt Romney (0.88). Taken together, this suggests that although clerks are largely liberal, they are still somewhat

representative of the two party divide in American politics.

## 4.2 Clerk Ideology by Gender

Figure 2: Distribution of Clerk CFscores by Gender

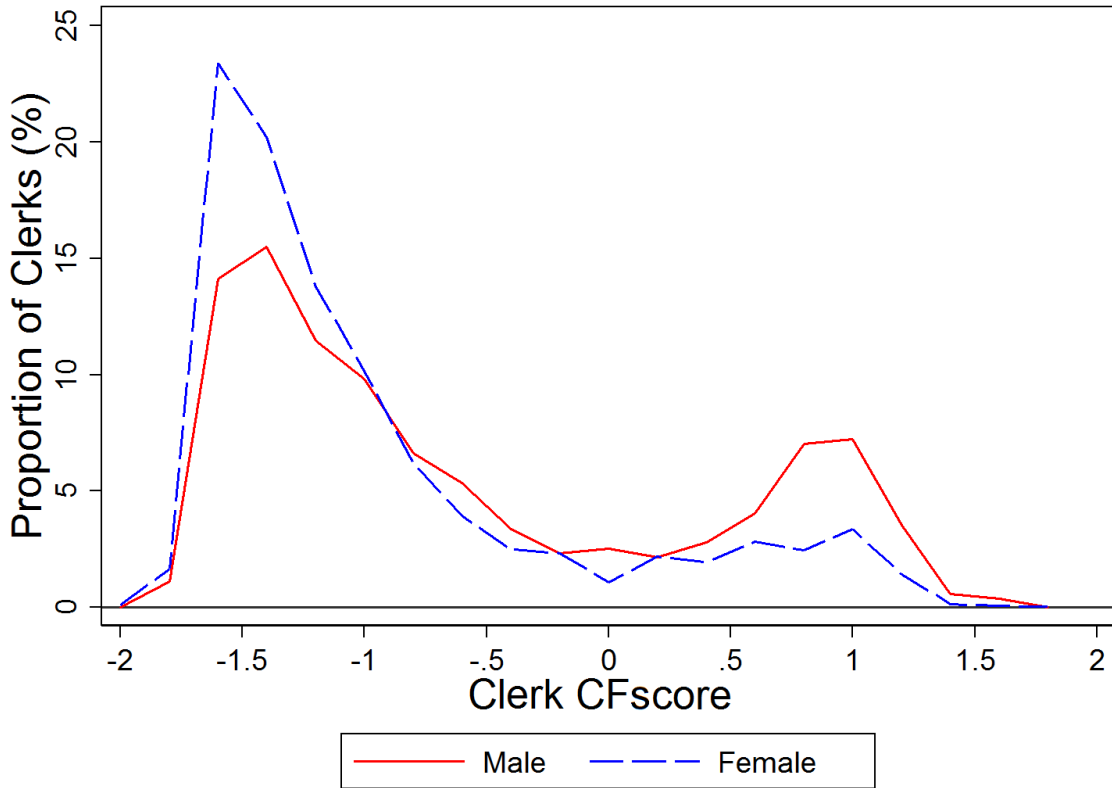


Figure 2 plots the distribution of clerk CFscores stratified by gender.<sup>6</sup> Figure 2 highlights that male clerks are, on average, more conservative than female clerks. Male clerks have a mean CFscore of -0.48, and a median CFscore of -0.85. In contrast, female clerks have a mean CFscore of -0.85, and a median CFscore of -1.14. This difference is due to the fact that there the male CFscore distribution exhibits an even more

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<sup>6</sup>In our sample, 60% of the clerks are male and 38% of the clerks are female (we were unable to identify the gender of 2%).

apparent bimodal distribution than the overall sample. In other words, a relatively large fraction of male clerks are conservative, but only a small fraction of females are noticeably conservative.

### 4.3 Clerk Ideology by Court

Figure 3: Distribution of Clerk CFscores by Court

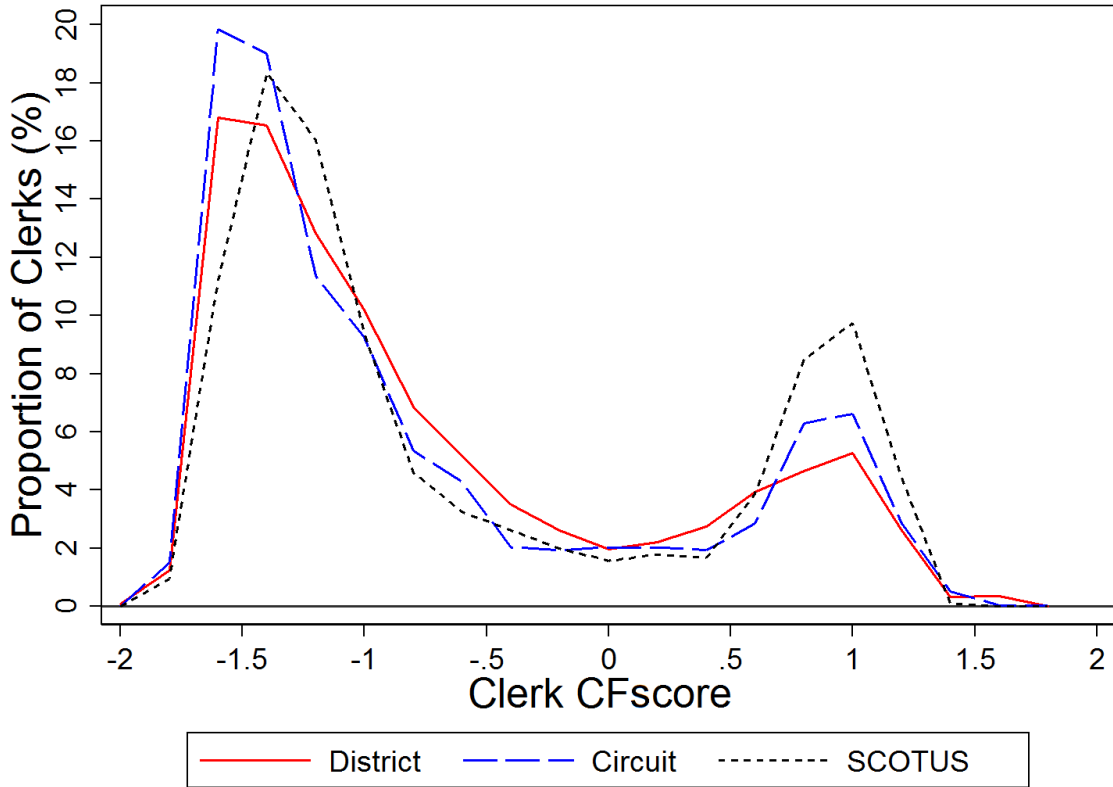


Figure 3 plots the distribution of clerk CFscores stratified by level of court. The mean clerk CFscore for clerks who worked in district courts is -0.62, for clerks who worked in appellate courts is -0.63, and for clerks who worked in the Supreme Court is -0.48. Perhaps the most striking fact about Figure 3 is that higher-level courts employ clerks who are more divided along the ideological spectrum. That is, there is a more



bimodal distribution for the Supreme Court than the circuit courts, and similarly a more bi-modal distribution for the circuit courts than the district courts. To be more exact, 32% of Supreme Court clerks, 25% of circuit court clerks, and 24% of district court clerks had a positive (and thus conservative) CFscore.

## 4.4 Clerk Ideology by Law School

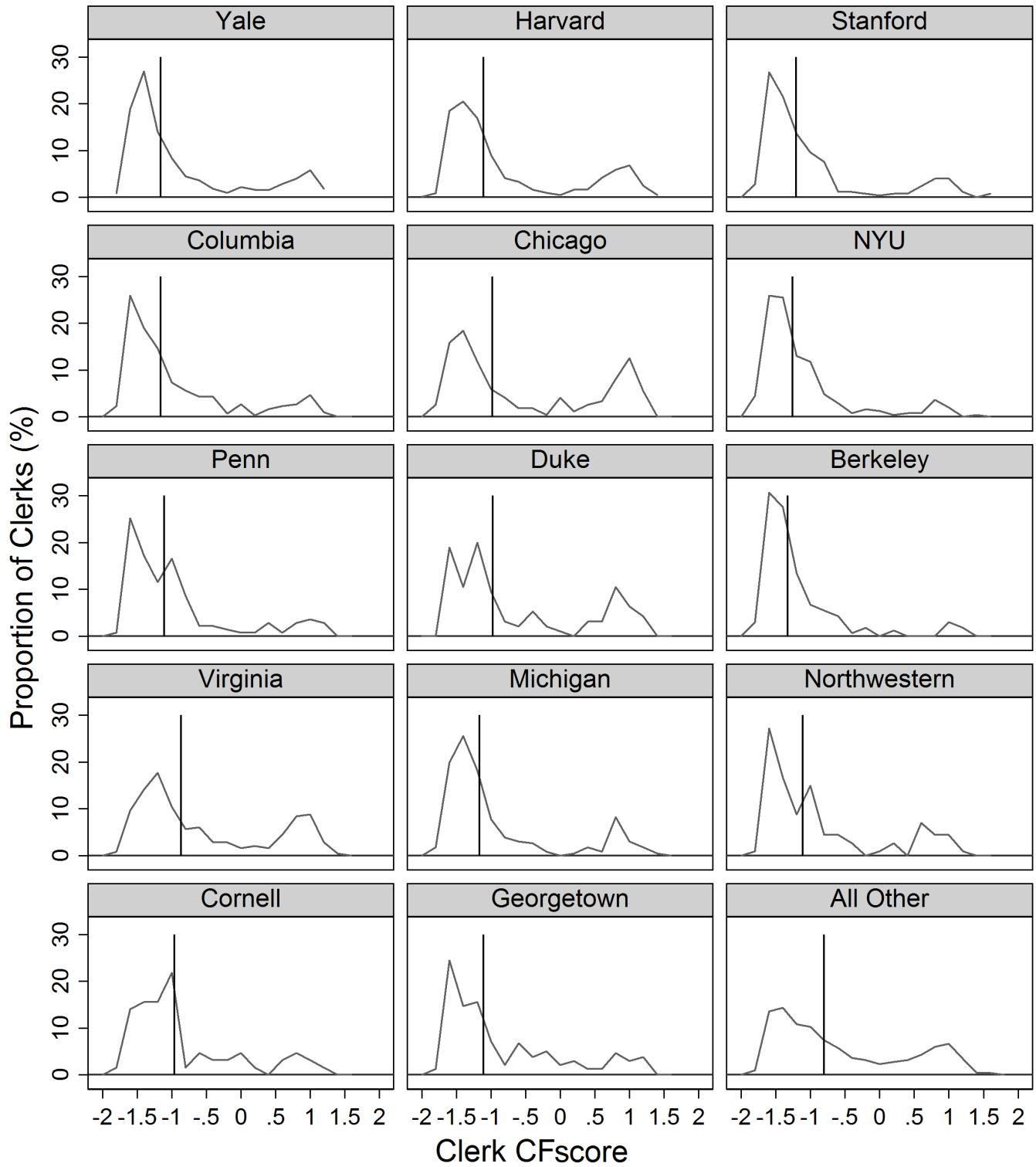
Figure 4 plots the distribution of clerk ideology stratified by law school. The Figure presents the ideology of clerks that attended the Top 14 law schools based on the 2015 U.S. News & World Report rankings. Clerks from law schools outside the listed 14 institutions are grouped in the residual “All Other” category.<sup>7</sup>

Overall, clerk ideology appears to be somewhat correlated within law schools, providing evidence that clerks either sort into law schools based on political views or law schools shape the political views of their students, or some combination of both. Clerks from law schools in areas that have a reputation of having a particularly liberal population (e.g., Berkeley, Stanford, NYU) are typically more liberal than clerks from areas that have a reputation of having a more conservative population (e.g., Virginia, Duke). However, other law schools that presumably pull from wider geographic areas (e.g., Harvard, Yale) appear to have a bimodal distribution of clerks, with ideologies that mimics that of the entire sample of clerks.

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<sup>7</sup>We focus on the Top 14 law schools because federal clerks largely come from the most prestigious law schools and because these schools have been consistently recognized as the top tier by U.S. News & World Report rankings. These schools have also been schools examined in prior research on ideology (Bonica et al., 2015; Chilton and Posner, 2015).

Figure 4: Distribution of Clerk CFscore by Law School



*Note:* Vertical line indicates the median clerk CFscore for the given law school.

To shed some light on how law-school specific clerk CFscore varies by level of court, Table 2 provides a breakdown of the median clerk CFscore by law school and level of the court. For most law schools, clerks on all levels of courts appear to be more liberal than conservative. There are notable exceptions, however, where clerks on the Supreme Court are slightly more conservative than liberal. This appears to be the case Chicago and Virginia, which are both law schools that have a reputation for having a relatively high proportion of conservative students. This evidence motivates the hypothesis that the political reputation of a law school can serve as a signal of clerk ideology in the hiring process for federal clerks.

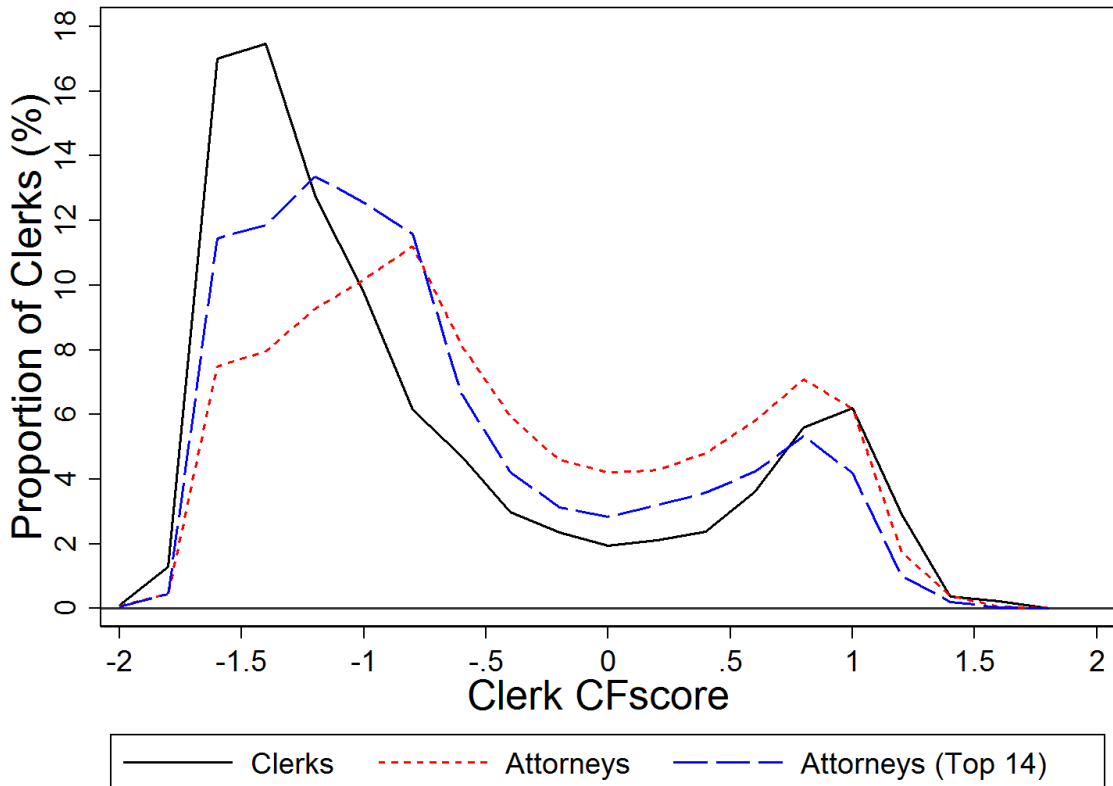
Table 2: Clerk CFscore by Law School and Court Type

Clerk Law School	<i>Clerk CFscore</i>			
	<i><b>District</b></i>	<i><b>COA</b></i>	<i><b>SCOTUS</b></i>	<i><b>Overall</b></i>
Yale	-1.23	-1.19	-1.02	-1.16
Harvard	-1.11	-1.15	-1.00	-1.11
Stanford	-1.27	-1.19	-1.14	-1.20
Columbia	-1.16	-1.27	-1.00	-1.16
Chicago	-1.22	-0.96	0.01	-0.98
NYU	-1.28	-1.26	-1.25	-1.26
Penn	-1.16	-1.18	-0.83	-1.10
Duke	-1.08	-0.90	-0.38	-0.97
Berkeley	-1.35	-1.37	-1.10	-1.33
Virginia	-0.97	-0.97	0.16	-0.86
Michigan	-1.17	-1.17	-1.08	-1.17
Northwestern	-1.35	-0.90	-0.92	-1.11
Cornell	-1.01	-0.95	NA	-0.96
Georgetown	-1.17	-1.04	-0.85	-1.11
All Other	-0.81	-0.75	-0.41	-0.79

## 4.5 Clerk Ideology Compared to Other Lawyers

Finally, we examine how the ideology of clerks compares to the ideology of lawyers overall. To do so, Figure 5 presents the ideology of law clerks alongside the ideology of all lawyers and lawyers who received their law degree from a Top 14 law school. We generated the data for the population of clerks in our sample and all other lawyers with DIME CFscore by linking the DIME CFscores with the Martindale-Hubbell directory of lawyers (for more information, see [Bonica et al. \(2015\)](#)).

Figure 5: Distribution of CFscores for Clerks and Lawyers



Although Figure 5 reveals that all three populations have roughly similar ideological distributions, it also reveals that clerks are more liberal on average than lawyers overall and than graduates from Top 14 schools. Moreover, it reveals that the

distribution of clerks more closely resembles the distribution of graduates from Top 14 law schools than it does the overall population of lawyers. For instance, the mean CFscore for clerks, attorneys from Top 14 law schools, and all attorneys are -0.60, -0.55, and -0.32, respectively. Of course, this is perhaps unsurprising because judges tend to hire clerks from elite schools.

Table 3: Difference Between Clerk Ideology and Lawyer Ideology

	<i>CFscore</i>			
	(1)	(2)	(3)	(4)
Indicator for Clerk	-0.224*** (0.021)	-0.152*** (0.021)	-0.028 (0.021)	-0.005 (0.020)
Top 14 Law School			-0.301*** (0.004)	
Years as a Lawyer		0.005*** (0.000)	0.006*** (0.000)	0.006*** (0.000)
Female		-0.347*** (0.003)	-0.345*** (0.003)	-0.300*** (0.003)
Law School FE	No	No	No	Yes
Observations	385,758	385,758	385,758	385,758
$R^2$	0.000	0.039	0.056	0.141
<i>Note:</i> Standard errors in parentheses. * p<0.1, ** p<0.05, *** p<0.01				

To further investigate the sources of ideological differences between clerks and the overall lawyer population, Table 3 regresses lawyer CFscore on an indicator for whether the individual was a clerk. As reflected in Figure 5, Column (1) shows that clerks are on average more liberal than other lawyers. Column (2) adds control variables for years practicing law and gender; the coefficient on the clerk indicator

declines in magnitude but is still statistically significant. Columns (3) and (4) account for the clerk’s law school, with an indicator for having attended a Top 14 law school and law school fixed effects (respectively). With these additional controls, the differences between clerk and non-clerk ideologies is close to zero and statistically insignificant, suggesting that gender, law school, and age cohort explain the ideological differences we observe between clerks and other lawyers.

## 5 The Role of Clerk Ideology in Clerkship Hiring

Given the important role that clerks play within judicial chambers, it is worth examining whether judges exclusively hire clerks who are ideological allies or whether they hire clerks broadly from across the ideological spectrum.<sup>8</sup> This is important because ideological sorting within clerk hiring might exacerbate already existing levels of polarization (Liptak, 2010). In addition, because clerks often take lead roles in the research and drafting of opinions, clerks who exclusively share the ideology of their judicial employers (or, alternatively, clerks who represent a diversity of ideological opinions) may in the end affect the decisions that judges produce. Lastly, there may be profound differences in clerk hiring by judges on different levels of courts or among certain kinds of judges (for example, extremely liberal or extremely conservative judges). To date, these have been questions which have been addressed by anecdotal evidence only.

In this section, we investigate the relation between clerk ideology and the ideology of the judge who hires them. First, we examine the consistency in the ideology of the clerks hired by a judge over time to study the importance of ideology in the

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<sup>8</sup>Some judges are open about the weight they attached to ideology in the clerkship hiring process. For example, (Liptak, 2010) quotes Justice Thomas: "I won't hire clerks who have profound disagreements with me. It's like trying to train a pig. It wastes your time, and it aggravates the pig."

clerkship hiring process. After finding evidence that the clerks hired by a judge tend to be ideologically similar to one another, we examine the correlation between judge and clerk CFscores to investigate whether judges tend to hire clerks who are in ideological alignment with their own beliefs. We also study how these effects vary across circuits and types of courts.

## 5.1 Ideological Consistency Among Hired Clerks

Before turning to the question of whether judges hire clerks who share their ideologies, an initial question to ask is whether judges even hire ideologically similar clerks in the first place. That is, if clerk ideology played no role in the process by which clerks were matched to judges, we would not expect the ideology of a clerk hired by a judge to be the same as the ideology of other clerks hired by the judge in the same year or in other years.

To study the extent to which judges hire clerks with consistent ideologies, we regress clerk ideology on the average ideology of all other clerks hired by the same judge, according to Equation (1).

$$CF_{ij} = \beta \hat{CF}_{ij} + \gamma_i + \varepsilon_{ij} \quad (1)$$

where  $CF_{ij}$  is the CFscore for clerk  $i$  who clerked for judge  $j$ . The regressor of interest,  $\hat{CF}_{ij}$ , is the mean CFscore of all clerks hired by judge  $j$  *excluding* clerk  $i$ ,  $\hat{CF}_{ij} = \frac{1}{N_j - 1} \left( \sum_{k=1}^{N_j} CF_{kj} - CF_{ij} \right)$  and  $N_j$  denotes the number of clerks in our sample who clerked for judge  $j$ . We also include a vector of law school fixed effects,  $\gamma_i$ , to account for the possibility that ideological consistency among a judge's clerks is driven by a judge's tendency to hire clerks from a particular law school.<sup>9</sup> The coefficient of

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<sup>9</sup>The results are largely unchanged when we exclude law school fixed effects.

interest,  $\beta$ , thus captures the extent to which the ideology of a given clerk resembles the ideology of the other clerks hired by the same judge, holding constant law school attended. A coefficient of zero would indicate that ideology does not enter (either directly or indirectly) into the clerkship hiring process.<sup>10</sup> In contrast, if judges hired clerks based on a fixed ideological target, we would expect to obtain a coefficient of 1; an observer’s best guess for the ideology of a randomly drawn clerk would be the average ideology of the other clerks hired by the same judge.

Table 4: Ideological Consistency in Clerk Hiring

	<i>CFscore</i>				
	<i>Level of Court</i>				<i>All Courts</i>
	<i>All Courts</i>	<i>District</i>	<i>Appeals</i>	<i>Supreme</i>	
	(1)	(2)	(3)	(4)	(5)
All Other Clerks	0.688*** (0.016)	0.617*** (0.021)	0.702*** (0.033)	0.914*** (0.046)	0.598*** (0.030)
Republican Appointed Judge					0.179*** (0.032)
All Other Clerks×Republican Appointed Judge					0.078** (0.036)
Clerk Law School FE	Yes	Yes	Yes	Yes	Yes
Observations	7,846	4,598	2,296	952	7,846
$R^2$	0.223	0.205	0.215	0.350	0.227
<i>Note:</i> Standard errors in parentheses. * p<0.1, ** p<0.05, *** p<0.01.					

<sup>10</sup>It is also possible that a judge might care about a potential clerk’s ideology but that concern not manifest itself in hiring ideologically similar clerks. As an example, for many years Justice Scalia was rumored to hire one liberal clerk each term in addition to three conservatives. See Appendix Figure A1, which presents the ideology Scalia’s clerks by year. Although we cannot confirm or reject the “one liberal per term” theory without observing the universe of hired clerks, we note that we frequently observe one (and no more than one) liberal Scalia clerk per term for years after 1988, and virtually no liberal clerks after 2005.



Table 4 displays the results. Columns (1) and (5) represent the full sample of all law clerks, while Columns (2) through (4) stratify the sample by level of court. The Table suggests that the ideological consistency among clerks hired by a judge increases with the level of the court. That is, we observe larger point estimates for Supreme Court clerks than for circuit court clerks and larger point estimates for circuit court clerks than for district court clerks.

There are several potential reasons for this pattern. First, judges higher in the judicial hierarchy may have stronger preferences for clerk ideology given the greater flexibility of judges on such courts to decide cases in ways that are consistent with their policy preferences. That is, lower court judges may be constrained by doctrine and past precedent in a way that circuit court judges are not, especially those on the Supreme Court. Second, judges across the judicial hierarchy might face different information asymmetries regarding a potential clerk’s ideology; specifically, Supreme Court justices can rely on information from appellate court judges to form better expectations regarding a potential clerk’s ideology. Third, judges higher up the judicial hierarchy can be more selective when hiring clerks, and thus may have an easier time finding qualified candidates that meet their ideological preferences.

Column (5) of Table 4 adds an interaction term for the judges appointed by Republican presidents. Unsurprisingly, the main effect associated with being a Republican appointee is positive and statistically significant (such judges tend to hire more conservative clerks). Interestingly, the coefficient on the interaction term is also positive and statistically significant, which suggests that Republican appointees have a greater tendency to be more ideologically consistent in the clerks that they hire than Democratic appointees.

Table 5 provides some additional context by examining the results from the same specification for Court of Appeals clerks, disaggregated by Circuit. The results

Table 5: Predicting Clerk CFscore from Mean of All Other Clerk CFscores by Circuit

Circuit	Coef.	Std Error	N
1st Circuit	-0.778	(0.871)	89
10th Circuit	0.023	(0.263)	120
5th Circuit	0.371**	(0.172)	252
7th Circuit	0.535***	(0.138)	140
2nd Circuit	0.557***	(0.145)	212
11th Circuit	0.647***	(0.097)	85
6th Circuit	0.671***	(0.117)	206
9th Circuit	0.671***	(0.108)	417
8th Circuit	0.718***	(0.138)	132
DC Circuit	0.748***	(0.146)	174
4th Circuit	0.821***	(0.079)	165
3rd Circuit	0.854***	(0.107)	162
<i>Note:</i> Standard errors in parentheses. * p<0.1, ** p<0.05, *** p<0.01.			

here show interesting variation by circuit. Except for the First and Tenth Circuits, all of the results are positive and statistically significant.<sup>11</sup> However, these findings do not appear to us to correlate strongly with the perceived ideological reputations of the circuits. For example, the Ninth Circuit, well-known for being liberal, is on par with the more conservative Eleventh Circuit. Among the courts where judges hire the most ideologically consistent clerks are the D.C. Circuit, as well as the Third and Fourth Circuits.

## 5.2 The Relationship Between Judge and Clerk Ideology

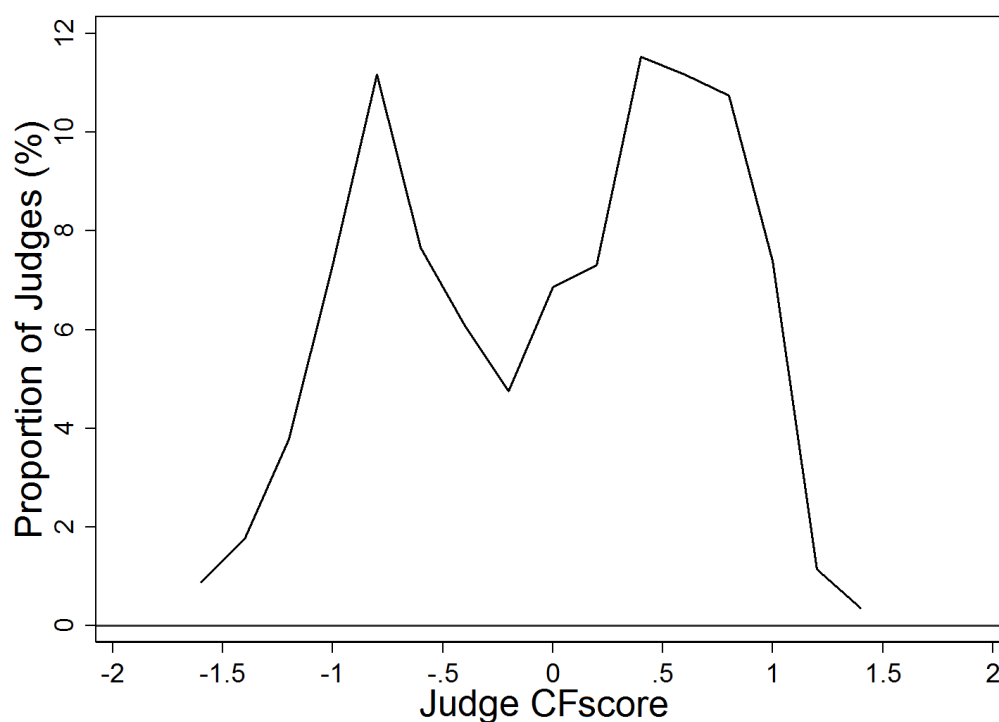
Having documented that judges tend to hire clerks with similar ideologies to their other clerks, we turn now to the question of how clerk ideology relates to the

<sup>11</sup>The result for the Fifth Circuit is only significant at the 10% level, but all of the other results are highly significant.

ideology of the hiring judge. As described above, we measure judge ideology the same way as we measure clerk ideology – using the CFscore for each judge who appears in DIME.<sup>12</sup> We supplement the CFscore data with data on the political party of the president who appointed the judge, a common proxy for judicial ideology.

We begin by examining the overall ideology of federal judges in the United States.<sup>13</sup> Figure 6 plots the distribution of judge CFscores, with each judge representing a single observation. Like the distribution of clerk CFscores, the distribution of judge CFscores is bimodal, revealing one mode at the center-right end of the distribution and one mode at the center-left of the distribution.

Figure 6: Distribution of Judge CFscores

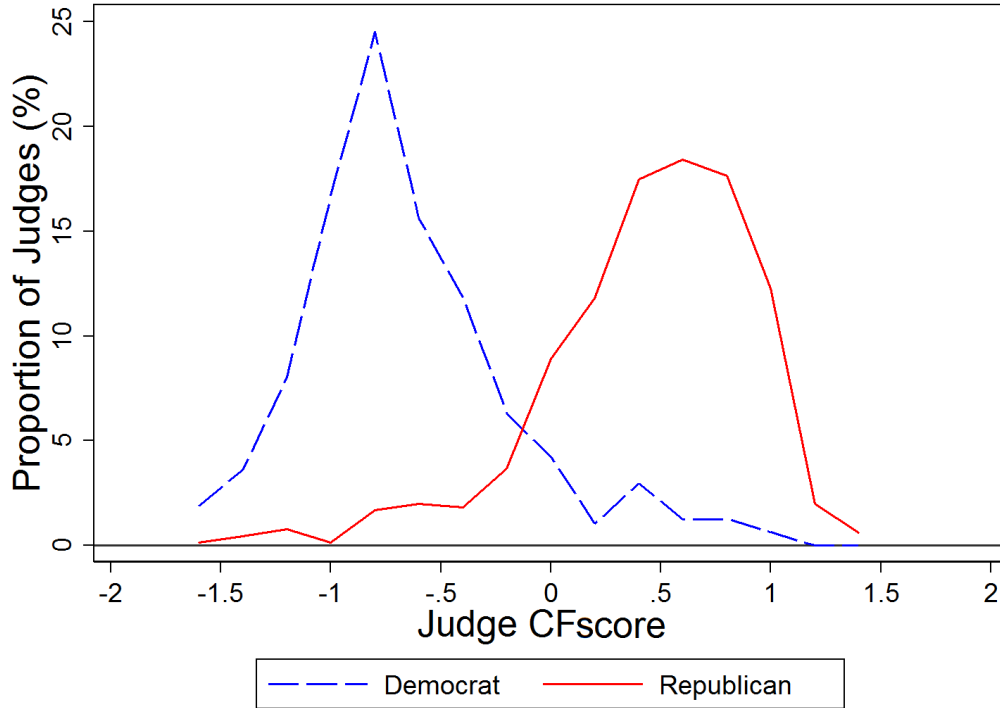


<sup>12</sup>We match 93 percent of judges to DIME. We refer readers to [Bonica and Sen \(2016\)](#) for an extended discussion of the strengths and weaknesses of using political contributions to measure judicial ideology.

<sup>13</sup>See [Bonica and Sen \(2015\)](#) for additional work along these lines.

The same pattern is borne out by Figure 7, which disaggregates the judicial CFscore distribution by the party of the appointing president. Predictably, judges appointed by Democratic presidents have a median CFscore that is left of center, whereas judges appointed by Republican presidents have a median CFscore that is right of center.<sup>14</sup> It is worth noting that there are some exceptions to this general pattern. For example, of the 651 Republican appointed judges, we measure 10.8% (70 judges) to be at least somewhat liberal (negative CFscore); of the 474 Democratic appointed judges, we measure 11.4% (54 judges) to be at least somewhat conservative (positive CFscore).

Figure 7: Distribution of Judge CFscores by Political Party of Appointing President



As Figures 6 and 7 make clear, however, judges tend to be more conservative

<sup>14</sup>This sort of bimodal distribution also characterizes ideological distributions in other branches of government, for example in Congress.

than law clerks, with a large density of judges concentrated at the more conservative end of the spectrum (with a CFscore greater than 0.5), a pattern consistent with the work of [Bonica and Sen \(2016\)](#). This might suggest a lack of correspondence between clerks (who tend to be relatively liberal) and judges (who tend to be more conservative).

With this context, we turn next to the relationship between clerk ideology and the ideology of the hiring judge. Figure 8 presents a binned scatterplot with the clerk ideology scores (on the vertical axis) juxtaposed with judge ideology scores (on the horizontal axis). The plot is simple, but shows a clear relationship: the more conservative a judge, the more conservative his or her clerks tend to be. It is interesting to note that judges with slightly positive CFscores are associated with clerks who have negative CFscores, consistent with our finding that clerks tend to be more liberal (as a group) than the judges for whom they work.

Figure 8: Relationship between Judge and Clerk CFscores

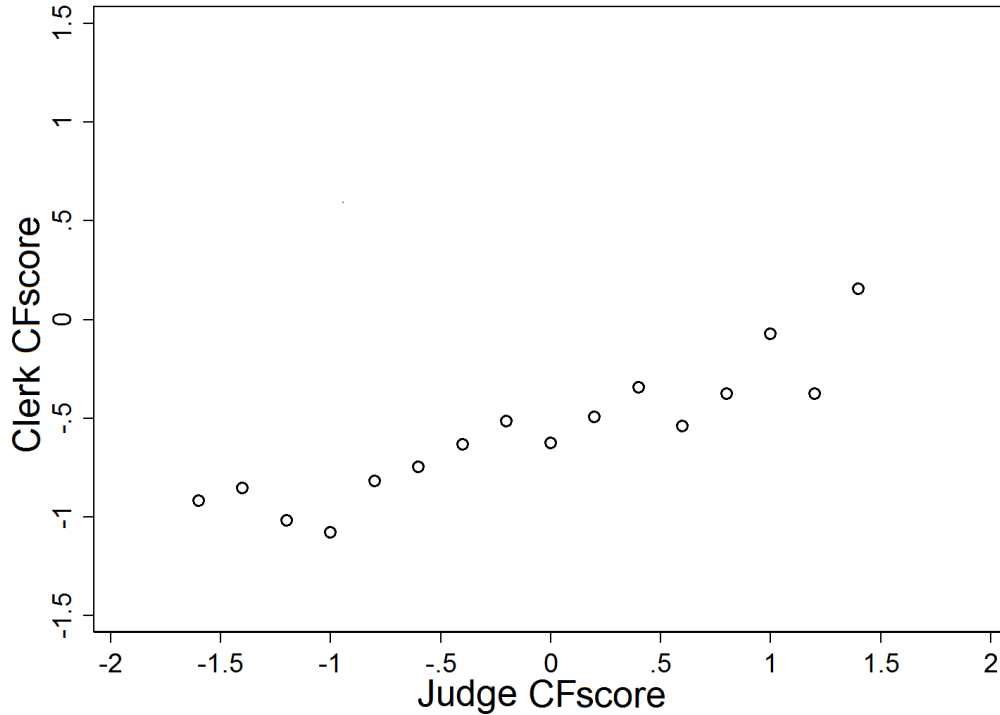


Table 6 confirms this visual evidence by regressing clerk ideology,  $CF_{ij}$ , on judge ideology,  $CF_j$ . Column (1) replicates the basic finding from Figure 8. A standard deviation shift in judicial ideology is associated with a 0.35 standard deviation shift in the average ideology of the clerks hired by that judge. Column (2) adds clerk-level controls, specifically the law school attended. The results are largely unchanged by this addition.

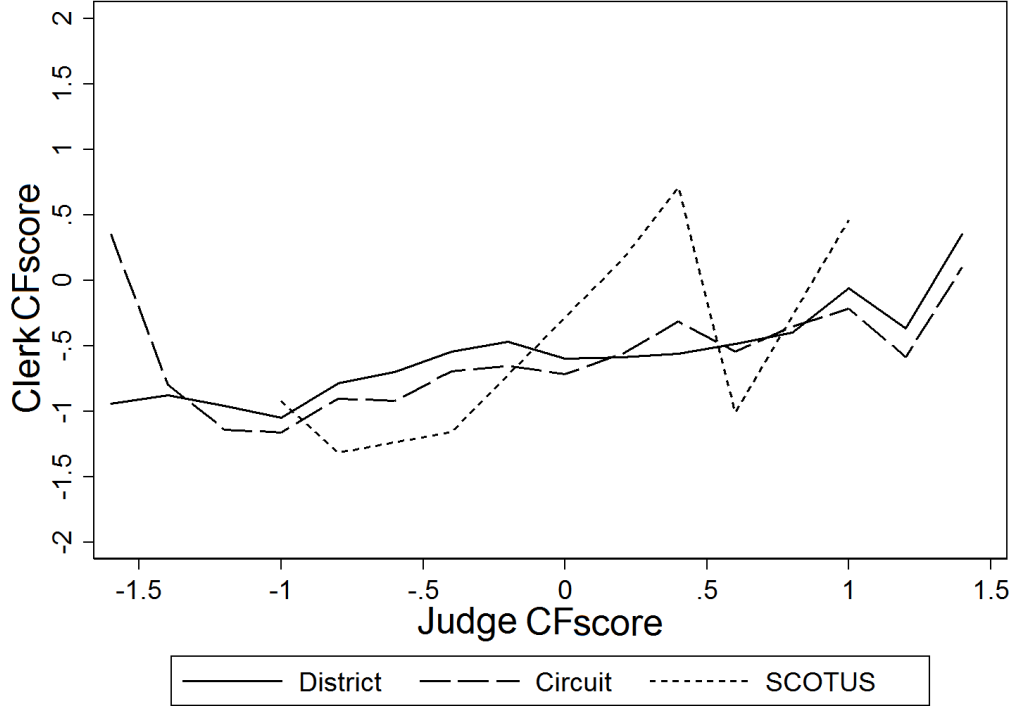
Table 6: Relationship Between Judge and Clerk Ideologies

	<i>Clerk CFscore</i>					
	<i>Level of Court</i>					<i>All</i> (6)
	<i>All</i> (1)	<i>All</i> (2)	<i>District</i> (3)	<i>Appeals</i> (4)	<i>Supreme</i> (5)	
Judge CFscore	0.345*** (0.014)	0.313*** (0.014)	0.248*** (0.018)	0.361*** (0.025)	0.728*** (0.085)	0.301*** (0.030)
Republican Appointed Judge						-0.105*** (0.033)
All Other Clerks × Republican Appointed Judge						-0.085* (0.045)
Law School FE	No	Yes	Yes	Yes	Yes	Yes
Observations	7,252	7,252	4,622	2,283	347	7,252
$R^2$	0.074	0.107	0.096	0.133	0.276	0.108
<i>Note:</i> Standard errors clustered by judge in parentheses. * p<0.1, ** p<0.05, *** p<0.01.						

We next explore whether these patterns vary by the type of court or the party of the president that appointed the judge. Figure 9 begins this analysis by plotting the distribution of clerks by the level of court. The figure shows that the basic pattern demonstrated by Figure 8 still holds: more conservative judges tend to hire more conservative clerks, on average, and this is consistent across the judicial

hierarchy. Columns (3) to (5) of Table 6 provides additional support. While clerk ideology is positively and significantly associated with judge ideology at all levels of court, the effects are more pronounced at circuit courts than at district courts, and most pronounced at the Supreme Court.

Figure 9: Correlation between Judge and Clerk CFscore by Court



Finally, we examine whether the relationship between judge and clerk ideology varies based on the party of the president who appointed the judge. Column (6) of Table 6 provides suggestive evidence that it does – the coefficient on the interaction between the judge being appointed by a Republican president and judicial ideology is negative and marginally significant. The result suggests that the clerks of Democratic appointees more closely resemble the ideologies of their judges than do the clerks of Republican appointees – a result that is not surprising given the greater prevalence of liberal versus conservative clerks.

Figure 10: Distribution of Clerk CFscore by the Party of Judge's Appointing President

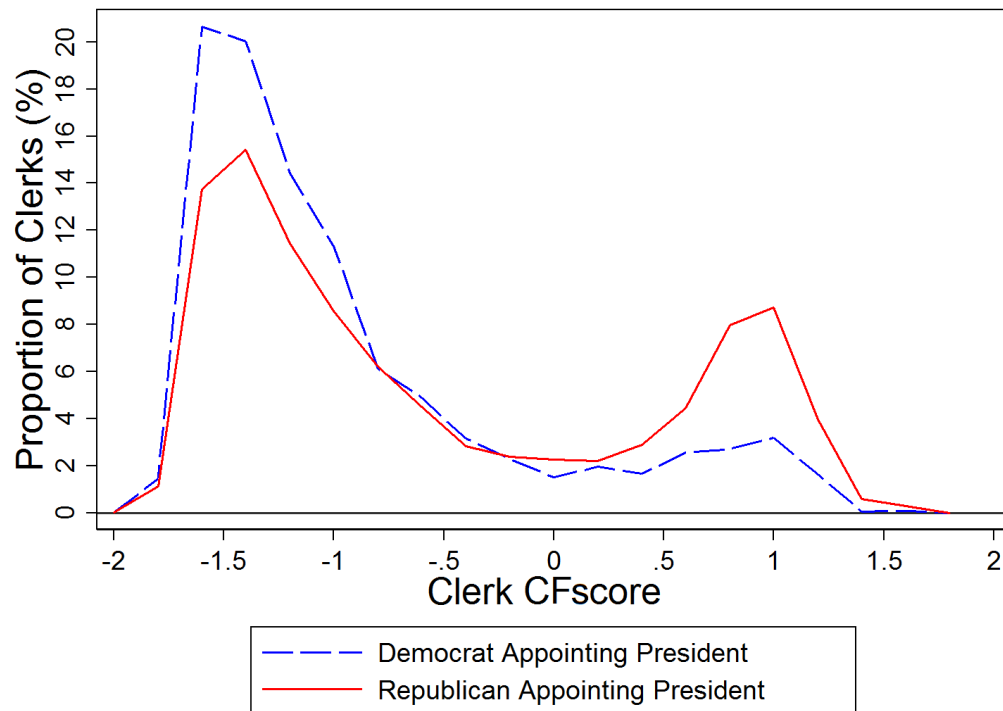
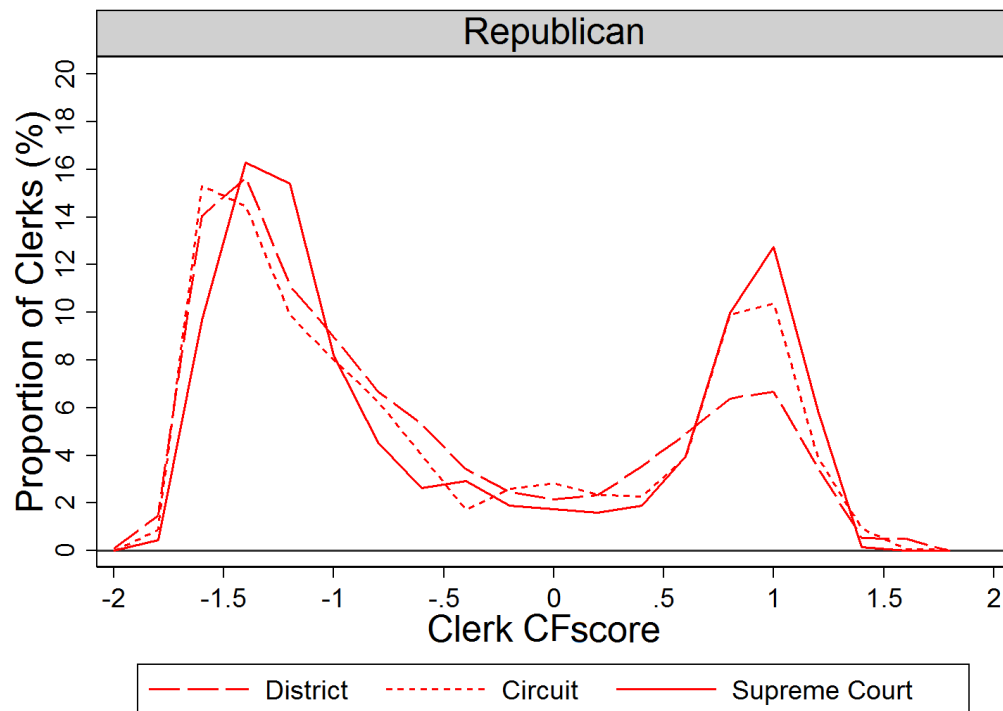


Figure 11: Clerk Ideology for Republican-Appointed Judges by Level of Court





However, Figure 10, which plots the distribution of law clerk ideology by the party of the appointing President, adds important context to this story. The figure shows that although Republican appointees hire relatively more conservative clerks than Democratic appointees, in absolute terms the former nonetheless hire more liberal than conservative clerks. This is a surprising fact and is worth emphasizing: judges appointed by Republicans are more likely to hire clerks who come from the left-side of the ideological spectrum. Although future research will be required to determine exactly why this is the case, one possibility is that this might simply be due to the fact that graduates from the top law schools—who largely serve as the potential applicant pool for most clerkships—are overwhelmingly liberal. Thus, conservative judges may not have many options in terms of hiring graduates from top law schools *and* hiring conservatives. Figure 11 presents additional evidence consistent with this theory. The hiring of liberal clerks by Republican appointees is less common for circuit court judges—who can typically select from a broader pool of applicants than district court judges—and even slightly less common for the Supreme Court, where justices have an exceptionally wide pool of qualified applicants from which to select.<sup>15</sup>

Before concluding this section, it bears emphasizing that the results presented here should be interpreted as descriptive; our analysis does not permit conclusions about the causal directions at work. In particular, the correlation between clerk and judge ideology that we observe could result from judges prioritizing the hiring of ideologically aligned clerks, or it could just as easily be clerks prioritizing ideologically aligned judges when deciding which clerkships to apply for and which to accept. Alternatively, the matching of ideologically similar clerks and judges could stem from more complicated channels. For example, it could be that judges do not care about clerk

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<sup>15</sup>Of course, it is also possible that this pattern reflects increasing attention to clerk ideology by judges when hiring clerks at higher levels of courts.

ideology but base their hiring decisions on recommendations from lower court judges or law school professors who do.

## 6 A Clerk-Based Measure of Judicial Ideology

After documenting the tight link between existing measures of judicial ideology and clerk ideology in the previous section, we now turn to leveraging our data to develop a measure of judicial ideology based on the ideology of the clerks a judge hires. The rationale behind the measure is that clerks will tend to work for judges with whom they are ideologically aligned. The mechanism behind this process could be judges seeking ideologically aligned clerks to hire, clerks seeking ideologically aligned judges to work for, or other factors driving the correlation, such as shared law school or geographic networks.

In this section, we explain why our clerk-based measures of judicial ideology offer several important advantages that make them appealing complements to existing sources of information on judicial ideology, particularly in cases where existing ideological measures are missing, unreliable, or static. We also describe how the measure is constructed, explore how it varies by judges and courts, and validate it by comparing it to an existing measure of judicial ideology.

### 6.1 Existing Measures of Judicial Ideology

There is a fairly extensive literature on the how best to address the methodological issues associated with trying to measure the ideology of judges across tiers of the federal judiciary.<sup>16</sup> For the U.S. Supreme Court, methodological issues are less of a concern: the simple fact that the nine Justices sit together makes it straightforward to

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<sup>16</sup>See [Fischman and Law \(2009\)](#) for an overview.

leverage votes on cases to generate dynamic ideological estimates. For example, [Martin and Quinn \(2007\)](#) have used Bayesian ideal-point estimation to generate measures of Supreme Court ideology that have become widely used in both law and political science.<sup>17</sup>

For the lower courts, however, methodological issues are more of a concern. This is because judges—including U.S. district court judges or circuit court judges—rarely sit together outside of their home jurisdictions, making it difficult to “bridge” votes on case outcomes across different courts to generate scalable ideological estimates.<sup>18</sup> Given this problem, alternative methods of measuring judicial ideology have been developed for federal district and circuit courts. Perhaps the best known are Judicial Common Space (JCS) Scores ([Giles et al., 2001](#); [Epstein et al., 2007](#); [Boyd, 2010](#)), which leverage the identity of the appointing political actors to produce estimates of the ideology of a given judge. Specifically, JCS Scores rely on the ideal point estimate of either the judge’s appointing President or, in the event that the President and the home-state Senator(s) are of the same party, then that of the senior co-partisan Senator (or an average of both Senators, if both are of the same party). More recently, [Bonica and Sen \(2016\)](#) use the DIME scores we leverage here to generate estimates for federal district and circuit court judges based on their political contributions.

Although the JCS and the [Bonica and Sen](#) scores are useful measures of lower-court judge ideology, they are both estimated at time of investiture and are therefore static measures of ideology.<sup>19</sup> [Martin and Quinn \(2002\)](#) have shown in the Supreme

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<sup>17</sup>Other extensions have generated Supreme Court ideological estimates that vary according to issue area ([Clark and Lauderdale, 2010](#)) or rely in part on opinion texts ([Lauderdale and Clark, 2014](#)).

<sup>18</sup>Judges from different circuits or districts occasionally “visit” other circuits or districts, but not all judges visit and the instances of visiting may be too few to use as effective “bridges.”

<sup>19</sup>JCS scores are estimated using the identity of the appointing actors, meaning that scores rarely change over the course of a judge’s career. They sometimes do change if a judge is “promoted” during his or her career (for example, a district court to a circuit court). For the [Bonica and Sen](#) measures, federal judges are prohibited from making political contributions (Code of Conduct for U.S. Judges, Canon 5), meaning that their DIME CFscores are fixed at time of investiture. [Yung \(2010\)](#) develops a time-varying measure of circuit court judge ideology, based on how frequently the judge votes with

Court context, however, that there is ideological movement over a judge’s tenure, including systematic intellectual drift (Epstein et al., 2007). Lower-court judges, although perhaps more constrained in their decision-making, may also exhibit temporal movement in ideology.

For this reason, an important feature of our clerk-based measure of ideology is that it is dynamic. Because most clerkships are one-year terms, judges must hire new clerks each year. As a result, changes in judicial ideology over time may be reflected in changes in the ideological composition of the clerks the judge hires. Although the results in the previous section show that the correlation between clerks’ ideologies and those of their hiring judge is by no means perfect, the measure may be quite useful for examining within-judge changes over time. Indeed, if judges’ changing ideologies are realized in part through their choice of law clerks, then these measures should capture meaningful ideological changes over time.

In addition, under our approach, ideology can be estimated for nearly every federal judge. Although not every judge will have made sufficient political contributions themselves to approximate their ideology from DIME, nearly every judge with several years of experience on the bench will have hired at least several clerks who do make contributions. Along these lines, the more years a judge is on the bench, the more reliable our measure becomes, as each newly hired clerk offers a potentially new data point. In contrast, most existing measures of ideology, like JCS scores, do not grow in reliability because they turn on information that is fixed at the time of a judge’s investiture. The flip side to this coin is that a judge’s clerk-based ideology score may be quite noisy in the first few years of a judge’s appointment. Relatedly, the clerk-based score for a particular judge may be unavailable in the first few years following a judge’s appointment, as recent clerks may not make political contributions for several years

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Democrat versus Republican appointees during a given term.

after the clerkship concludes.

## 6.2 Method

To obtain our clerk-based measure of judicial ideology, we average the CFscores of each clerk employed by a particular judge. That is, we define the clerk-based ideology score for judge  $j$ ,  $\text{CBI}_j$ , as

$$\text{CBI}_j = \frac{1}{N_j} \sum_{i=1}^{N_j} \text{CF}_{ij}$$

where  $\text{CF}_{ij}$  denotes the CFscore of clerk  $i$  who worked for judge  $j$  and  $N_j$  denotes the number of clerks in our sample who worked for judge  $j$ . To reduce the noisiness of the measure, we compute  $\text{CBI}_j$  only for judges for whom  $N_j \geq 4$ .

Using this approach, we compute the clerk-based ideology score for each federal judge at the district, appellate, and Supreme Court levels.

## 6.3 Judicial Ideology Based on Clerk Ideology

To illustrate the viability of using clerk ideology to measure judicial ideology, Table 7 presents the names of those 15 federal circuit court judges with the most liberal and the most conservative law clerks based on their clerks' average CFscores.<sup>20</sup> Unsurprisingly, the 15 judges with the most conservative law clerks are all Republican-appointed judges. On this list are prominent conservatives, including former “feeder judge” J. Michael Luttig of the Fourth Circuit<sup>21</sup> and Samuel Alito of the Third Circuit. The prominence of these names on lists of potential U.S. Supreme Court appointments (and of one name, Alito, who eventually did become a Supreme Court Justice) gives

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<sup>20</sup>Table A4 in the Appendix presents the same table for district court judges.

<sup>21</sup>Luttig was the former boss of 2016 Presidential candidate Senator Ted Cruz (R-TX), who clerked for Luttig in the 1995-1996 term.

some suggestive support for the idea that hiring conservative law clerks could have been an important ideological signal of political interest.

However, the list of the 15 judges with the most liberal law clerks is more surprising and, indeed, includes not one but two Republican-appointed judges: David Thompson of the Ninth Circuit and Edward Becker of the Third Circuit. Both men were Ronald Reagan appointees and were known for being strong moderates; Becker in particular enjoyed a reputation for ideological plurality in his chambers and routinely invited his law clerks to spar about different cases with him. The rest of the names on the list of judges hiring liberal clerks include known liberals such as Stephen Reinhardt (Ninth Circuit) and Marsha Berzon (Ninth Circuit). Of the 15 judges, nine are from the Ninth Circuit.

As another illustration of the validity of using clerk ideology as a measure of judicial ideology, Table 8 presents the average clerk CFscore for the more recent members of the U.S. Supreme Court from most liberal to most conservative.<sup>22</sup> Not only do most of these CFscores suggest that Supreme Court law clerks are fairly liberal on average (which was echoed in Figure 9), but the relative ranking of the justices recovers familiar patterns. On the most liberal end of the hiring spectrum is Ruth Bader Ginsburg and on the most conservative end is Clarence Thomas, with justices like Potter Stewart, Hugo Black, and Sandra Day O'Connor falling in between. Perhaps the lone surprise of this table is the fact that Anthony Kennedy's clerks (mean CFscore of 0.16) are more conservative than Chief Justice John Roberts' clerks (mean CFscore 0.12), suggesting that Kennedy's clerks are actually quite conservative relative to the Justice's own moderate reputation.<sup>23</sup>

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<sup>22</sup>The scores for every federal circuit and district judge are reported in Appendix Tables A2 and A3, respectively.

<sup>23</sup>Appendix Figure A2 illustrates the distribution of clerk ideology by justice.

Table 7: Circuit Court Judges with the most liberal and conservative clerks

Judge Name	<i>Circuit</i>	<i>Appointing Party</i>	<i>Mean CFscore</i>
Marsha S Berzon	9	Democrat	-1.39
Stephen R Reinhardt	9	Democrat	-1.38
William A Fletcher	9	Democrat	-1.37
Diane P Wood	7	Democrat	-1.34
James R Browning	9	Democrat	-1.32
Harry Pregerson	9	Democrat	-1.30
David R Thompson	9	Republican	-1.30
Michael R Murphy	10	Democrat	-1.29
Raymond C Fisher	9	Democrat	-1.29
Edward R Becker	3	Republican	-1.29
Susan P Graber	9	Democrat	-1.29
Fred I Parker	2	Democrat	-1.28
Francis D Murnaghan	4	Democrat	-1.28
Richard C Tallman	9	Democrat	-1.28
Roger L Gregory	4	Democrat	-1.28
Jerry E Smith	5	Republican	0.14
Edward Leavy	9	Republican	0.15
Daniel A Manion	7	Republican	0.16
Patrick E Higginbotham	5	Republican	0.18
Joel F Dubina	11	Republican	0.20
H Emory Widener	4	Republican	0.25
Laurence Hirsch Silberman	DC	Republican	0.38
Karen Johnson Williams	4	Republican	0.44
Edith H Jones	5	Republican	0.47
D Brooks Smith	3	Republican	0.50
David A Nelson	6	Republican	0.57
Samuel A Alito	3	Republican	0.60
J Michael Luttig	4	Republican	0.69
J L Edmondson	11	Republican	0.78
Frank Magill	8	Republican	0.91
<i>Note:</i> Restricted to circuit court judges with at least 4 nonmissing CFscores.			

Table 8: Average Clerk CFscore for Supreme Court Justices

Justice Name	<i><b>Appointing Party</b></i>	<i><b>Mean CFscore</b></i>
Ruth Bader Ginsburg	Democrat	-1.21
Stephen Breyer	Democrat	-1.16
Abe Fortas	Democrat	-1.15
David Souter	Republican	-1.01
Harry A Blackmun	Republican	-0.96
John Paul Stevens	Republican	-0.94
Thurgood Marshall	Democrat	-0.93
William J Brennan	Republican	-0.82
John M Harlan	Republican	-0.78
William O Douglas	Democrat	-0.75
Arthur J Goldberg	Democrat	-0.71
Stanley Reed	Democrat	-0.69
Potter Stewart	Republican	-0.69
Lewis F Powell	Republican	-0.61
Sandra Day Oconnor	Republican	-0.58
Earl Warren	Republican	-0.57
Byron R White	Democrat	-0.51
Tom C Clark	Democrat	-0.31
Hugo L Black	Democrat	-0.25
Warren E Burger	Republican	-0.12
John Roberts	Republican	0.12
Anthony Kennedy	Republican	0.16
William Rehnquist	Republican	0.21
Antonin Scalia	Republican	0.46
Samuel Alito	Republican	0.59
Clarence Thomas	Republican	0.86

*Note:* Restricted to justices with at least 4 nonmissing CFscores.



## 6.4 Judicial Ideology by District and Circuit Courts

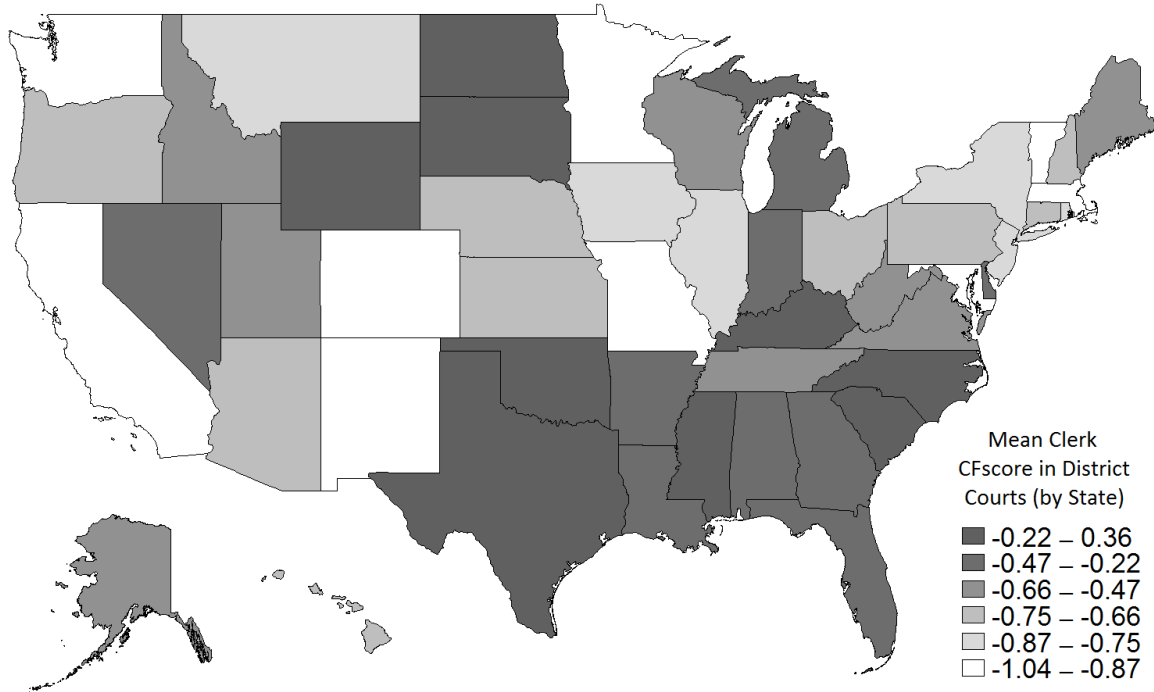
An appealing feature of creating a measure of judicial ideology based on the ideology of clerks is that it makes it possible to construct a measure of the ideology of a given district or circuit court. To illustrate this, Figure 12 provides a heat map of the political ideology of clerks by state for district and circuit courts. For the top panel (district courts by state), the mean CFscore was calculated by averaging clerk CFscores across all district courts within the state. For states with more than one federal district, the average for the state was calculated without weighting by district. That is, if a state with two districts has more observations in one district than the other district, the district with more observations will be given a larger weight. These results show that the average ideology of district court clerks in the typically conservative southern states is more conservative than most other states. These results are all relative, however. For example, of the 94 federal districts, only eight have an average conservative average clerk CFscore (that is, a CFscore greater than 0).<sup>24</sup>

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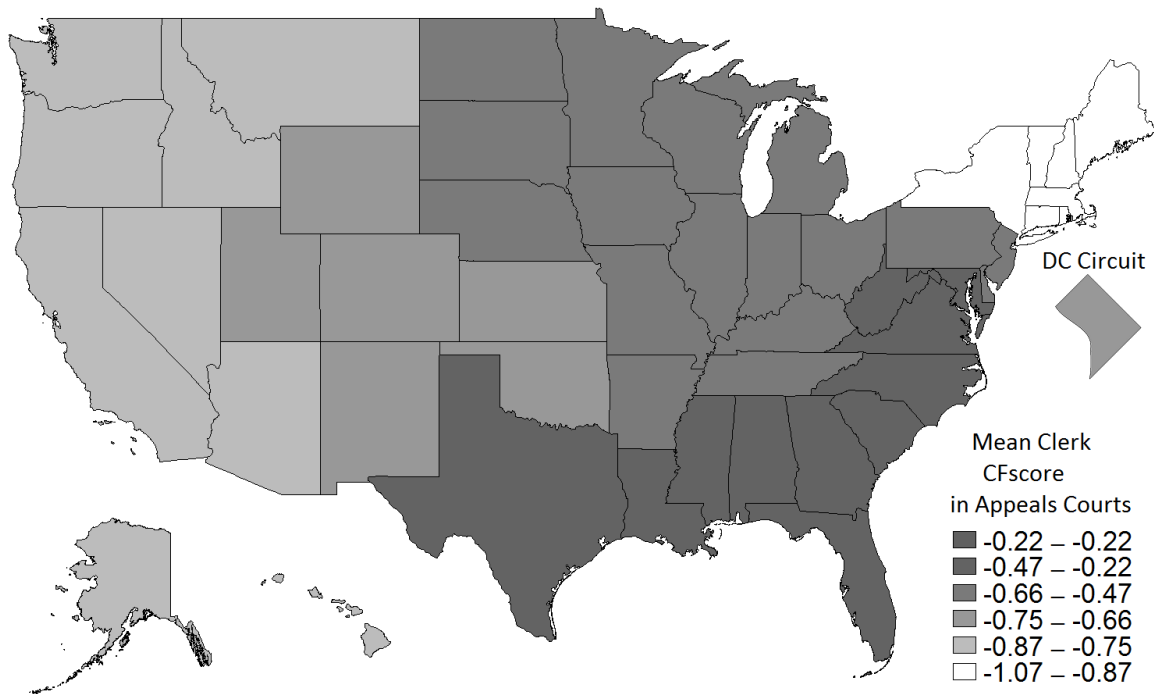
<sup>24</sup>Table A5 in the Appendix presents the average clerk CFscore by district court.

Figure 12: Map of Clerk CFscores in District and Appeals Courts

Panel A: District Courts (by state)



Panel B: Circuit Courts



The bottom panel of Figure 12 provides the average clerk CFscore for the 12 circuit courts. The mean clerk CFscore for each circuit was calculated by averaging the CFscores for all of the clerks that worked for a judge in a given circuit. Among other things, these results reveal that the First Circuit is the most liberal and the Fifth Circuit is the most conservative. That said, although the Fifth Circuit has the most conservative courts of all the circuits, the Fifth Circuit clerks are still liberal on balance: the mean CFscore for the circuit is -0.62 and the median CFscore for the circuit is -0.38.<sup>25</sup> Finally, it is worth noting that there is more variation between clerk ideology for district court clerks by state than for circuit court clerks.

## 6.5 Judicial Ideology Over Time

In addition to forming the basis for a ranking of judges or district and circuit courts by ideology, an advantage of the clerk-based ideology scores is that they provide a way to measure changes in a judge’s ideology over time. Although year-to-year changes in clerk ideology are more likely to reflect idiosyncratic noise rather than changes in judge ideology, a consistent shift in clerk ideology between the early and late stages of a judge’s career may indicate ideological evolution over time.

To illustrate the dynamic nature of the approach, we investigate changes in the ideology of the clerks hired by U.S. Supreme Court justices over time. We focus this analysis on Supreme Court justices because we have a longer window of data availability for this group; future work could extend this approach to district court or circuit judges. The specification we consider is:

$$\text{CBI}_{jt} = \alpha_j + \beta_j t + \varepsilon_{jt}$$

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<sup>25</sup>Table A6 in the Appendix presents the mean and median CFscores for each federal circuit court.

where the unit of observation is judge  $j$  in term  $t$ . We estimate the specification separately for each justice. The coefficient of interest is  $\beta_j$ , which measures whether the ideology of the justice has systematically changed over the course of his or her tenure on the Supreme Court.

Table 9: Results for Time Trend By Justice

<i><b>Justice</b></i>	<i><b>Coef.</b></i>	<i><b>SE</b></i>	<i><b>N</b></i>
John M Harlan	-0.0869*	(0.0461)	17
Hugo L Black	-0.0425	(0.0637)	13
Sandra Day O'Connor	-0.0353**	(0.0143)	61
Harry A Blackmun	-0.0336***	(0.0108)	55
Earl Warren	-0.0340	(0.0471)	13
William O Douglas	-0.0292	(0.0292)	22
David Souter	-0.0207	(0.0162)	51
Potter Stewart	-0.0202	(0.0245)	32
John Paul Stevens	-0.0178*	(0.0104)	60
William J Brennan	-0.0137	(0.0096)	64
Lewis F Powell	-0.0128	(0.0273)	33
John Roberts	-0.0121	(0.2050)	12
Ruth Bader Ginsburg	-0.0109	(0.0146)	34
Tom C Clark	-0.0107	(0.0546)	13
Thurgood Marshall	-0.0075	(0.0142)	57
Stephen Breyer	-0.0045	(0.0173)	39
Byron R White	-0.0041	(0.0120)	66
Clarence Thomas	-0.0037	(0.0134)	58
William Rehnquist	-0.0004	(0.0123)	53
Anthony Kennedy	0.0038	(0.0201)	60
Antonin Scalia	0.0256	(0.0170)	55
Warren E Burger	0.0301	(0.0244)	44
Samuel Alito	0.0574	(0.1340)	13
<i>Note:</i> Restricted to Justices with 10 or more clerks with nonmissing CFscores. * p<0.1, ** p<0.05, *** p<0.01.			

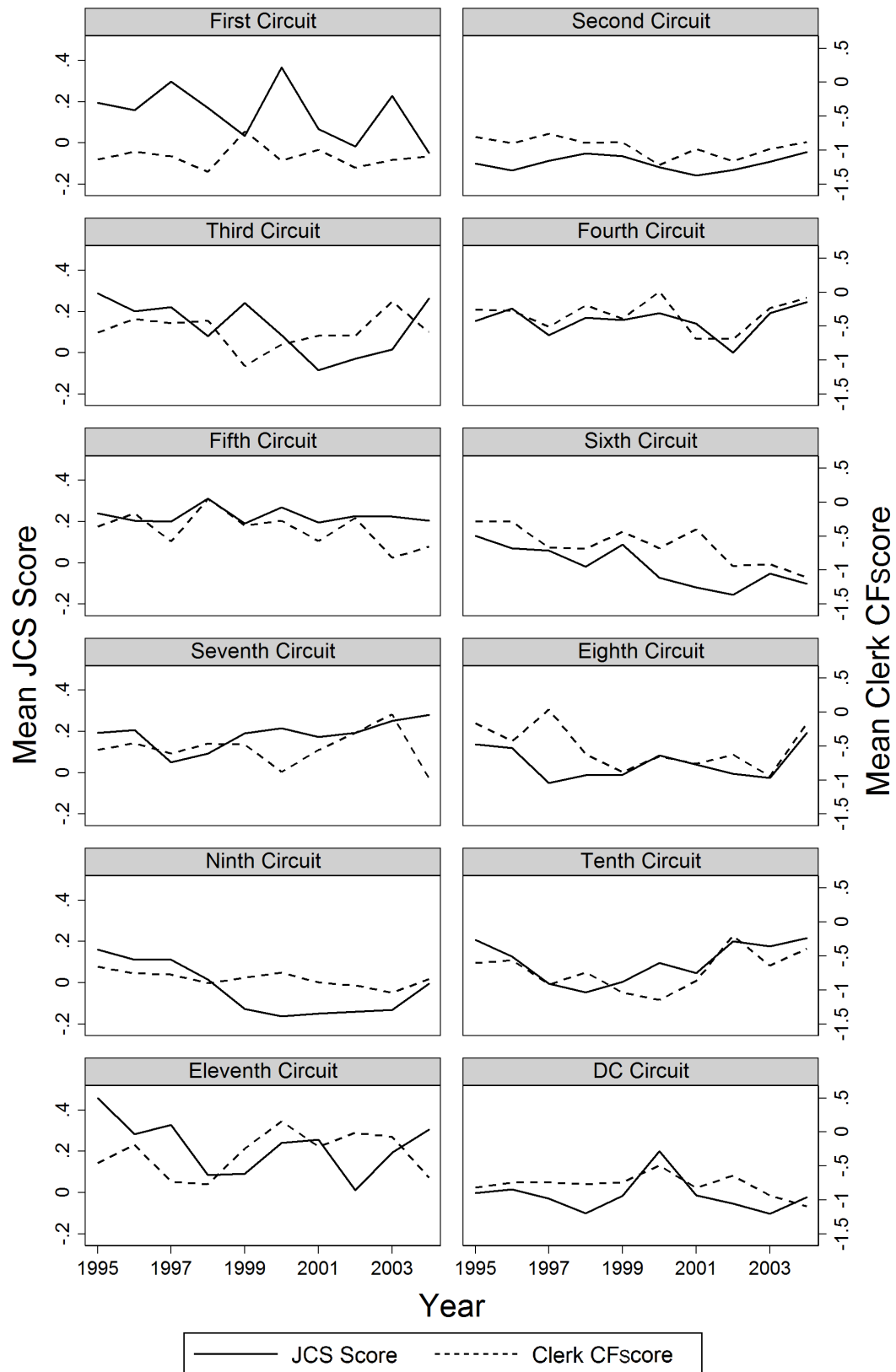
The results of the analysis are presented in Table 9. The justices are ordered by the estimated coefficient on the time trend. For most justices, no statistically

significant shift in ideology is detectable over the course of our sample. However, there are several important exceptions. In particular, the analysis supports the common narrative that Sandra Day O'Connor and Harry Blackmun became more liberal over the course of their careers. The coefficient for each of these justices is approximately -0.034, which, over the course of a 20-year tenure, would be associated with a shift in ideology comparable to the difference between Earl Warren and John Roberts.

## 6.6 Validating Our Measure of Judicial Ideology

As a final way of investigating the validity of using clerk ideology as a measure of judicial ideology, we examine how our measures compare to the widely used Judicial Common Space (JCS) scores. As previously noted, JCS scores are a measure of judicial ideology based on the ideology of the political actors that appoint a given judge. Although JCS scores represent an improvement over simply relying on the party of the appointing president, however, they are not able to account for changes in judicial ideology over time. In Figure 13, we plot the mean JCS score and the mean clerk CFscore for each of the circuit courts from 1995 to 2004. The overall correlation between our clerks-based measure and the JCS scores is 0.18.

Figure 13: Mean Judicial Common Space (JCS) Score and Clerk CFscores By Circuit



The results in Figure 13 reveal that these two measures produce comparable estimates for the ideology of each circuit. The most noticeable exception is the First Circuit, where the mean JCS is both more conservative and has a higher variance than the clerk-based measure. Overall, however, these results suggest that using clerk ideology is a reasonable proxy for the relative ideology of different federal courts. Because the clerk-based measure is able to produce comparable estimates for federal district, circuit, and Supreme Court judges that vary over the course of a judge’s career, however, there may be many applications where they provide a superior method for estimating judicial ideology than the existing measures.

## 7 Conclusion

In this article, we have explored the political ideology of judicial law clerks in United States federal courts. We documented several interesting results. First, we found that clerks tend to be disproportionately liberal, and that their ideologies resemble the alumni of the elite law schools from which a large proportion graduate rather than the population of other lawyers. Second, we found that judges tend to be at least somewhat consistent in hiring clerks with similar ideologies, and that this consistency is most pronounced for Supreme Court justices and least pronounced for district court judges. We also found that the ideology of judges is strongly predictive of the ideology of their clerks, but that even many conservative judges tend to hire clerks who are relatively liberal. Finally, we developed and validated a clerk-based measure of judicial ideology, which has the dual benefits of placing all judges in the federal judiciary on a continuous ideological spectrum and capturing changes in judicial ideology over time.

It is worth noting a few limitations of our methods and results. First, our

results are based on the 41% of federal law clerks for whom we were able to find corresponding campaign contributions. As a result, it is possible that a different picture would emerge if we were able to observe the ideological leanings of every individual that ever served as a clerk. In particular, our results will be biased if a clerk's ideology is correlated with the probability of donating in ways that are correlated with our variables of interest. For example, if liberal individuals who clerk for conservative judges are less likely to donate—e.g., because they are generally less political—our approach would make law clerks appear more conservative than they actually are. That said, we believe this concern is mitigated in our application by the fact that the donation rate among clerks is approximately eight times greater than in the overall population.

Second, our measures of ideology are based on the campaign contributions that an individual makes over the course of a lifetime. For example, a lawyer may have served as a clerk ten years before making the donations that form the basis of the ideology score we employ. A concern with this approach is thus that the ideology of individuals may be different in our data than it was when they clerked. Although this may be the case for some individuals in our dataset, we believe that it is unlikely to systematically bias our results because individual ideology has been found to be fairly consistent over time.

With these caveats, our findings shed significant light on the political ideology of judicial law clerks. This knowledge is important directly because clerks play an important role in the American judicial process, and indirectly because systematic patterns in clerk ideology by judge can complement existing measures of judicial ideology. With a more complete picture of the ideology of clerks, an interesting avenue for future research would be to investigate their influence on our legal system. Indeed, given the large amount of scholarship documenting the role that clerks have in drafting judicial



opinions, it would be interesting if the ideologies of the clerks influence the way cases are decided to a detectable degree.

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## 8 Appendix

Table A1: Proportion of Law Clerks Matched to Donations by Law School

<i><b>Law School</b></i>	<i><b>Proportion</b></i>
Yale	55.5
Harvard	53.4
Stanford	54.0
Columbia	50.1
Chicago	55.2
NYU	46.4
Penn	42.8
Duke	39.6
Berkeley	49.1
Virginia	47.3
Michigan	42.5
Northwestern	47.9
Cornell	40.8
Georgetown	46.3
All Other	35.5

Table A2: Circuit Court Judges Mean Clerk CFscore

Judge Name	<i>Circuit</i>	<i>Appointing Party</i>	<i>Mean CFscore</i>
Alito, Samuel A	3	Republican	0.60
Ambro, Thomas L	3	Democrat	-0.48
Anderson, R Lanier	5	Republican	-0.39
Anderson, Stephen H	10	Republican	-0.50
Arnold, Morris S	8	Republican	-0.31
Arnold, Richard S	8	Democrat	-0.87
Baldock, Bobby R	10	Republican	-0.19
Barkett, Rosemary	11	Democrat	-1.10
Barksdale, Rhesa H	5	Republican	-0.46
Batchelder, Alice M	6	Republican	0.05
Bea, Carlos T	9	Republican	-0.48
Beam, Clarence Arlen	8	Republican	0.08
Becker, Edward R	3	Republican	-1.29
Beezer, Robert R	9	Republican	-0.54
Benavides, Fortunato P	5	Democrat	-1.05
Berzon, Marsha S	9	Democrat	-1.39
Birch, Stanley Francis	11	Republican	-0.80
Black, Susan Harrell	11	Republican	-0.30
Boggs, Danny J	6	Republican	-0.21
Boudin, Michael	1	Republican	-1.17
Bowman, Pasco M	8	Republican	-0.78
Briscoe, Mary Beck	10	Democrat	-0.51
Brorby, Wade	10	Republican	-0.65
Browning, James R	9	Democrat	-1.32
Brunetti, Melvin T	9	Republican	-0.79
Bye, Kermit Edward	8	Democrat	-0.49
Cabranes, Jose A	2	Democrat	-0.81
Calabresi, Guido	2	Democrat	-1.26
Carnes, Edward Earl	11	Republican	-0.34
Clay, Eric Lee	6	Democrat	-0.79
Clifton, Richard R	9	Republican	-0.34
Coffey, John L	7	Republican	0.11
Cole, R Guy	6	Democrat	-0.95
Cummings, Walter J	7	Democrat	-0.98
Cyr, Conrad K	1	Republican	-1.22
Daughtrey, Martha Craig	6	Democrat	-1.11
<i>Note:</i> Restricted to Circuit Court Judges with at least 4 nonmissing CFscores.			

Table A2: (cont.) Circuit Court Judges Mean Clerk CFscore

Judge Name	<i>Circuit</i>	<i>Appointing Party</i>	<i>Mean CFscore</i>
Davis, W Eugene	5	Republican	-0.56
Demoss, Harold R	5	Republican	0.00
Dennis, James L	5	Democrat	-0.29
Dubina, Joel F	11	Republican	0.20
Duhe, John M	5	Republican	-0.71
Easterbrook, Frank H	7	Republican	-0.84
Ebel, David M	10	Republican	-0.77
Edmondson, J L	11	Republican	0.78
Edwards, Harry T	DC	Democrat	-1.17
Ervin, Sam J	4	Democrat	-0.83
Evans, Terence T	7	Democrat	-0.37
Fagg, George G	8	Republican	-0.75
Fernandez, Ferdinand Francis	9	Republican	-0.80
Fisher, Raymond C	9	Democrat	-1.29
Flaum, Joel M	7	Republican	-0.96
Fletcher, Betty Binns	9	Democrat	-1.23
Fletcher, William A	9	Democrat	-1.37
Fuentes, Julio M	3	Democrat	-1.21
Garland, Merrick B	DC	Democrat	-0.93
Garwood, Will	5	Republican	0.05
Garza, Emilio M	5	Republican	-0.59
Gibbons, Julia Smith	6	Republican	-0.74
Gilman, Ronald Lee	6	Democrat	-0.94
Ginsburg, Douglas H	DC	Republican	-0.39
Gould, Ronald M	9	Democrat	-0.51
Graber, Susan P	9	Democrat	-1.29
Greenberg, Morton I	3	Republican	-0.82
Gregory, Roger L	4	Democrat	-1.28
Hall, Cynthia Holcomb	9	Republican	-1.25
Hamilton, Clyde H	4	Republican	-0.48
Hansen, David R	8	Republican	-0.06
Hartz, Harris L	10	Republican	-0.89
Hatchett, Joseph Woodrow	5	Republican	-0.76
Hawkins, Michael Daly	9	Democrat	-0.35
Henderson, Karen Lecraft	DC	Republican	-0.26
Higginbotham, Patrick E	5	Republican	0.18
<i>Note:</i> Restricted to Circuit Court Judges with at least 4 nonmissing CFscores.			

Table A2: (cont.) Circuit Court Judges Mean Clerk CFscore

Judge Name	<i>Circuit</i>	<i>Appointing Party</i>	<i>Mean CFscore</i>
Hug, Procter Jr	9	Democrat	-0.66
Hull, Frank Mays	5	Democrat	-0.57
Jacobs, Dennis G	2	Republican	-0.41
Jolly, Grady E	5	Republican	-0.14
Jones, Edith H	5	Republican	0.47
Kanne, Michael S	7	Republican	-0.30
Katzmann, Robert Allen	2	Democrat	-0.75
Kearse, Amalya L	2	Democrat	-0.79
Kelly, Paul J	10	Republican	-0.26
Kennedy, Cornelia G	6	Democrat	-0.42
King, Carolyn Dineen	5	Democrat	-0.66
King, Robert B	4	Democrat	-1.12
Kleinfeld, Andrew J	9	Republican	-0.35
Kozinski, Alex	9	Republican	0.02
Leavy, Edward	9	Republican	0.15
Leval, Pierre N	2	Democrat	-1.11
Lewis, Timothy K	3	Republican	-1.15
Lipez, Kermit Victor	1	Democrat	-1.03
Loken, James B	8	Republican	-0.04
Lucero, Carlos F	10	Democrat	-0.85
Luttig, J Michael	4	Republican	0.69
Lynch, Sandra Lea	1	Democrat	-0.96
Magill, Frank	8	Republican	0.91
Manion, Daniel A	7	Republican	0.16
Marcus, Stanley	11	Democrat	-0.68
Martin, Boyce F	6	Democrat	-0.71
Mckee, Theodore A	3	Democrat	-1.06
Mckeown, M Margaret	9	Democrat	-1.17
Mcmillian, Theodore	8	Democrat	-1.09
Merritt, Gilbert S	6	Democrat	-0.55
Michael, M Blane	4	Democrat	-0.73
Milburn, H Ted	6	Republican	0.09
Miner, Roger J	2	Republican	-0.28
Moore, Karen Nelson	6	Democrat	-1.18
Motz, Diana Gribbon	4	Democrat	-1.11
Murnaghan, Francis D	4	Democrat	-1.28
<i>Note:</i> Restricted to Circuit Court Judges with at least 4 nonmissing CFscores.			



Table A2: (cont.) Circuit Court Judges Mean Clerk CFscore

Judge Name	<i>Circuit</i>	<i>Appointing Party</i>	<i>Mean CFscore</i>
Murphy, Diana E	8	Democrat	-1.23
Murphy, Michael R	10	Democrat	-1.29
Nelson, David A	6	Republican	0.57
Nelson, Thomas G	9	Republican	-1.04
Niemeyer, Paul V	4	Republican	-0.68
Noonan, John T	9	Republican	-0.59
Norris, Alan E	6	Republican	-0.17
Nygaard, Richard L	3	Republican	0.07
Oscannlain, Diarmuid F	9	Republican	0.04
Paez, Richard A	9	Democrat	-1.06
Parker, Barrington D	2	Republican	-1.02
Parker, Fred I	2	Democrat	-1.28
Parker, Robert M	5	Democrat	-0.56
Politz, Henry A	5	Democrat	-0.64
Pooler, Rosemary S	2	Democrat	-1.18
Posner, Richard A	7	Republican	-0.41
Pregerson, Harry	9	Democrat	-1.31
Randolph, A Raymond	DC	Republican	-1.02
Rawlinson, Johnnie B	9	Democrat	-0.64
Reinhardt, Stephen R	9	Democrat	-1.38
Rendell, Marjorie O	3	Democrat	-1.06
Ripple, Kenneth F	7	Republican	-0.07
Rogers, John M	6	Republican	-0.93
Rogers, Judith W	DC	Democrat	-1.15
Roth, Jane R	3	Republican	-1.12
Rovner, Ilana Diamond	7	Republican	-0.89
Ryan, James L	6	Republican	-0.56
Rymer, Pamela Ann	9	Republican	-0.45
Sack, Robert David	2	Democrat	-1.12
Schroeder, Mary M	9	Democrat	-1.09
Scirica, Anthony J	3	Republican	-0.99
Selya, Bruce M	1	Republican	-1.14
Sentelle, David B	DC	Republican	-0.06
Shedd, Dennis W	4	Republican	0.74
Silberman, Laurence Hirsch	DC	Republican	0.38
Siler, Eugene E	6	Republican	-0.06
<i>Note:</i> Restricted to Circuit Court Judges with at least 4 nonmissing CFscores.			

Table A2: (cont.) Circuit Court Judges Mean Clerk CFscore

Judge Name	<i>Circuit</i>	<i>Appointing Party</i>	<i>Mean CFscore</i>
Silverman, Barry G	9	Democrat	-0.67
Sloviter, Dolores K	3	Democrat	-0.67
Smith, D Brooks	3	Republican	0.50
Smith, Jerry E	5	Republican	0.14
Smith, Lavenski R	8	Republican	-0.83
Stahl, Norman H	1	Republican	-1.07
Stewart, Carl E	5	Democrat	-0.68
Straub, Chester J	2	Democrat	-1.13
Suhrheinrich, Richard F	6	Republican	0.10
Tacha, Deanell Reece	10	Republican	-0.75
Tallman, Richard C	9	Democrat	-1.28
Tashima, A Wallace	9	Democrat	-1.07
Tatel, David S	DC	Democrat	-1.22
Thomas, Sidney R	9	Democrat	-1.15
Thompson, David R	9	Republican	-1.30
Tjoflat, Gerald Bard	5	Republican	-0.76
Torruella, Juan R	1	Republican	-0.96
Trott, Stephen S	9	Republican	-0.61
Tymkovich, Timothy M	10	Republican	0.09
Vanantwerpen, Franklin S	3	Republican	-1.35
Wald, Patricia M	DC	Democrat	-0.92
Walker, John M	2	Republican	-1.13
Wardlaw, Kim Mclane	9	Democrat	-1.26
Widener, H Emory	4	Republican	0.25
Wiener, Jacques L	5	Republican	-0.59
Wilkins, William W	4	Republican	-0.10
Wilkinson, J Harvie	4	Republican	0.12
Williams, Karen Johnson	4	Republican	0.44
Williams, Stephen F	DC	Republican	-1.16
Wilson, Charles Reginald	11	Democrat	-0.57
Winter, Ralph K	2	Republican	-0.61
Wollman, Roger L	8	Republican	-0.26
Wood, Diane P	7	Democrat	-1.34
<i>Note:</i> Restricted to Circuit Court Judges with at least 4 nonmissing CFscores.			

Table A3: District Court Judges Mean Clerk CFscore

Judge Name	<i>District</i>	<i>Appointing Party</i>	<i>Mean CFscore</i>
Adams, Henry Lee	FL MD	Democrat	-0.43
Adelman, Lynn	WI ED	Democrat	-1.12
Alesia, James H	IL ND	Republican	-0.20
Alsup, William Haskell	CA ND	Democrat	-0.46
Amon, Carol Bagley	NY ED	Republican	-0.74
Andersen, Wayne R	IL ND	Republican	-0.61
Anderson, G Ross	SC ST	Democrat	-0.22
Anderson, Joseph F	SC ST	Democrat	-0.44
Armstrong, Sandra Brown	CA ND	Republican	-1.27
Arterton, Janet Bond	CT ST	Democrat	-1.43
Aspen, Marvin E	IL ND	Democrat	0.11
Atlas, Nancy Friedman	TX SD	Democrat	-0.40
Babcock, Lewis Thorton	CO ST	Republican	-1.25
Baer, Harold Jr	NY SD	Democrat	-0.98
Baird, Lourdes G	CA CD	Republican	-0.95
Barbadoro, Paul James	NH ST	Republican	-0.67
Barbour, William H	MS SD	Republican	-0.14
Barker, Sarah Evans	IN SD	Republican	-0.77
Barry, Maryanne Trump	NJ ST	Democrat	-1.12
Bartle, Harvey Iii	PA ED	Republican	-0.81
Bartlett, D Brook	MO WD	Republican	-0.34
Bassler, William G	NJ ST	Republican	-0.64
Battey, Richard Howard	SD ST	Republican	1.27
Batts, Deborah A	NY SD	Democrat	-1.34
Beaty, James A	NC MD	Democrat	-0.28
Beistline, Ralph R	AK ST	Republican	0.90
Belot, Monti L	KS ST	Republican	-0.21
Benson, Dee	UT ST	Republican	0.34
Berman, Richard M	NY SD	Democrat	-0.86
Berrigan, Helen Ginger	LA ED	Democrat	-0.82
Bertelsman, William O	KY ED	Democrat	0.26
Bissell, John W	NJ ST	Republican	-0.95
Black, Bruce D	NM ST	Democrat	-0.94
Blackkburn, Sharon Lovelace	AL ND	Republican	-0.40
Blake, Catherine C	MD ST	Democrat	-0.97
Block, Frederic	NY ED	Democrat	-0.67
<i>Note:</i> Restricted to District Court Judges with at least 4 nonmissing CFscores.			

Table A3: (cont.) District Court Judges Mean Clerk CFscore

Judge Name	<i>District</i>	<i>Appointing Party</i>	<i>Mean CFscore</i>
Borman, Paul D	MI ED	Democrat	0.03
Bowen, Dudley H	GA SD	Democrat	-0.18
Boyle, Terrene W	NC ED	Republican	0.04
Bramlette, David C	MS SD	Republican	-0.54
Breyer, Charles R	CA ND	Democrat	-1.32
Brieant, Charles L	NY SD	Republican	-0.74
Brimmer, Clarence A	WY ST	Republican	0.12
Brinkema, Leonle M	VA ED	Democrat	-0.83
Briones, David	TX WD	Democrat	-0.15
Broadwater, W Craig	WV ND	Democrat	-0.80
Brody, Anita B	PA ED	Republican	-0.66
Brody, Morton Aaron	ME ST	Republican	-0.22
Broomfield, Robert C	AZ ST	Republican	-1.24
Brown, Anna J	OR ST	Democrat	-0.92
Brown, Garrett E	NJ ST	Republican	0.21
Brown, Paul N	TX ED	Republican	0.26
Bryan, Robert J	WA WD	Republican	0.35
Buchmeyer, Jerry	TX ND	Democrat	-0.79
Buchwald, Naomi Reice	NY SD	Democrat	-1.04
Bucklew, Susan Cawthon	FL MD	Democrat	-0.76
Bucklo, Elane E	IL ND	Democrat	-0.63
Buckwalter, Ronald L	PA ED	Republican	-0.10
Bullock, Frank W	NC MD	Republican	0.30
Burgess, Franklin Douglas	WA WD	Democrat	-1.04
Burrage, Michael	OK WD	Democrat	1.19
Burrell, Garland E	CA ED	Republican	-0.74
Butler, Charles R	AL SD	Republican	-0.57
Cahn, Edward N	PA ED	Republican	-0.74
Camp, Jack T	GA ND	Republican	-0.41
Campbell, Tena	UT ST	Democrat	-1.14
Caputo, A Richard	PA MD	Democrat	-0.82
Carnes, Julie E	GA ND	Democrat	-0.55
Carr, James Gray	OH ND	Democrat	-0.75
Carter, David O	CA CD	Democrat	-1.31
Carter, Gene	ME ST	Republican	-0.07
Casellas, Salvador E	PR ST	Democrat	-0.43
<i>Note:</i> Restricted to District Court Judges with at least 4 nonmissing CFscores.			

Table A3: (cont.) District Court Judges Mean Clerk CFscore

Judge Name	<i>District</i>	<i>Appointing Party</i>	<i>Mean CFscore</i>
Casey, Richard Conway	NY SD	Democrat	0.01
Castillo, Ruben	IL ND	Democrat	-1.01
Cauthron, Robin J	OK WD	Republican	-0.50
Cebull, Richard F	MT ST	Republican	-1.13
Cerezo, Carmen Consuelo	PR ST	Democrat	-1.11
Chasanow, Deborah K	MD ST	Democrat	-0.70
Chatigny, Robert N	CT ST	Democrat	-0.70
Chesler, Stanley R	NJ ST	Republican	-1.16
Chesney, Maxine M	CA ND	Democrat	-1.02
Chin, Denny	NY SD	Democrat	-0.91
Cindrich, Robert J	PA WD	Democrat	-0.79
Cleland, Robert Hardy	MI ED	Republican	0.51
Clement, Edith Brown	LA ED	Republican	0.05
Clemon, U W	AL ND	Democrat	-1.16
Coar, David H	IL ND	Democrat	-0.91
Cobb, Howell	TX ED	Republican	0.55
Cohn, Avern	MI ED	Democrat	-0.96
Collier, Curtis L	TN ED	Democrat	-0.37
Collier, Lacey A	FL ND	Republican	-0.18
Collins, Audrey B	CA CD	Democrat	-1.18
Collins, Raner C	AZ ST	Democrat	-1.59
Conlon, Suzanne B	IL ND	Republican	-0.25
Conmy, Patrick A	ND ST	Republican	-0.50
Conway, Anne C	FL MD	Republican	-0.69
Conway, John E	NM ST	Republican	-1.28
Cooper, Clarence	GA ND	Democrat	-1.03
Cooper, Florence Marie	CA CD	Democrat	-0.99
Cooper, Mary L	NJ ST	Republican	-1.14
Cote, Denise	NY SD	Democrat	-0.79
Coughenour, John C	WA WD	Republican	-0.87
Covello, Alfred Vincent	CT ST	Republican	0.24
Crabb, Barbara B	WI WD	Democrat	-0.95
Cummings, Samuel R	TX ND	Republican	0.65
Currie, McGowan Cameron	SC ST	Democrat	-0.22
Dalzell, Stewart	PA ED	Republican	-1.17
Damrell, Frank C	CA ED	Democrat	-0.33
<i>Note:</i> Restricted to District Court Judges with at least 4 nonmissing CFscores.			

Table A3: (cont.) District Court Judges Mean Clerk CFscore

Judge Name	<i>District</i>	<i>Appointing Party</i>	<i>Mean CFscore</i>
Daniel, Wiley Y	CO ST	Democrat	-1.27
Davidson, Glen H	MS ND	Republican	0.03
Davis, Andre M	MD ST	Democrat	-1.16
Davis, Edward B	FL SD	Democrat	-0.97
Davis, Michael J	MN ST	Democrat	-1.21
Dawson, Robert T	AR WD	Democrat	0.55
Dearie, Raymond J	NY ED	Republican	-1.07
Dement, Ira	AL MD	Republican	-0.45
Diclerico, Joseph A	NH ST	Republican	-0.17
Dimitrouleas, William P	FL SD	Democrat	0.29
Dimmick, Carolyn R	WA WD	Republican	-0.38
Dlott, Susan J	OH SD	Democrat	-1.01
Doherty, Rebecca F	LA WD	Republican	0.22
Dominguez, Daniel R	PR ST	Democrat	-0.09
Donald, Bernice B	TN WD	Democrat	-1.24
Dorsey, Peter C	CT ST	Republican	-1.25
Doty, David S	MN ST	Republican	0.21
Droney, Christopher F	CT ST	Democrat	-0.44
Dubois, Jan E	PA ED	Republican	-0.88
Duffy, Kevin Thomas	NY SD	Republican	-0.44
Duffy, Patrick Michael	SC ST	Democrat	-0.76
Duggan, Patrick J	MI ED	Republican	-0.33
Dwyer, William L	WA WD	Republican	-0.82
Eagan, Claire V	OK ND	Republican	0.50
Echols, Robert L	TN MD	Republican	-0.14
Economus, Peter C	OH ND	Democrat	-0.90
Edenfield, Berry Avant	GA SD	Democrat	-0.08
Edgar, R Allan	TN ED	Republican	-0.97
Ellis, T S	VA ED	Republican	-0.87
Ellison, Keith Paty	TX SD	Democrat	-1.52
Enslen, Richard A	MI WD	Democrat	-1.03
Evans, Orinda D	GA ND	Democrat	0.04
Faber, David A	WV SD	Republican	0.21
Fallon, Eldon E	LA ED	Democrat	-0.19
Farnan, Joseph J	DE ST	Republican	0.77
Fawsett, Patricia C	FL MD	Republican	-0.70
<i>Note:</i> Restricted to District Court Judges with at least 4 nonmissing CFscores.			

Table A3: (cont.) District Court Judges Mean Clerk CFscore

Judge Name	<i>District</i>	<i>Appointing Party</i>	<i>Mean CFscore</i>
Feldman, Martin L	LA ED	Republican	-0.90
Fenner, Gary A	MO WD	Democrat	-0.62
Fish, A Joe	TX ND	Republican	-0.16
Fitzpatrick, Duross	GA MD	Republican	-0.35
Fitzwater, Sidney A	TX ND	Republican	0.36
Folsom, David	TX ED	Democrat	-0.51
Forester, Karl S	KY ED	Republican	0.17
Forrester, J Owen	GA ND	Republican	0.36
Frank, Donovan W	MN ST	Democrat	0.51
Friedman, Bernard A	MI ED	Republican	-0.76
Friedman, Paul L	DC ST	Democrat	-1.41
Furgeson, W Royal	TX WD	Democrat	-0.85
Fuste, Jose Antonio	PR ST	Republican	-1.19
Gadola, Paul V	MI ED	Republican	-0.24
Garaufis, Nicholas G	NY ED	Democrat	-1.21
Garbis, Marvin Joseph	MD ST	Republican	-0.68
Garcia, Hipolito Frank	TX WD	Democrat	0.90
Garcia, Orlando Luis	TX WD	Democrat	-0.95
Garcia-gregory, Jay A	PR ST	Democrat	-1.14
Gershon, Nina	NY ED	Democrat	-1.21
Gertner, Nancy	MA ST	Democrat	-1.10
Gex, Walter J	MS SD	Republican	1.19
Gilbert, J Phil	IL SD	Republican	-1.09
Giles, James T	PA ED	Democrat	-1.25
Gillmor, Helen W	HI ST	Democrat	-0.92
Gilmore, Vanessa D	TX SD	Democrat	-0.80
Gleeson, John	NY ED	Democrat	-0.86
Gold, Alan Stephen	FL SD	Democrat	-1.18
Gonzalez, Irma E	CA SD	Republican	-1.36
Goodwin, Joseph Robert	WV SD	Democrat	-0.39
Gorton, Nathaniel Matheson	MA ST	Republican	-0.97
Graham, Donald L	FL SD	Republican	-0.50
Greenaway, Joseph A	NJ ST	Democrat	-1.10
Griesa, Thomas P	NY SD	Republican	-1.25
Gwin, James S	OH ND	Democrat	-0.95
Haden, Charles H	WV SD	Republican	-0.79
<i>Note:</i> Restricted to District Court Judges with at least 4 nonmissing CFscores.			

Table A3: (cont.) District Court Judges Mean Clerk CFscore

Judge Name	<i>District</i>	<i>Appointing Party</i>	<i>Mean CFscore</i>
Haggerty, Ancer Lee	OR ST	Democrat	-1.26
Haight, Charles S	NY SD	Republican	-0.65
Hall, Janet Celeste	CT ST	Democrat	-0.81
Hamilton, David F	IN SD	Democrat	-0.88
Hamilton, Jean C	MO ED	Republican	-0.92
Hamilton, Phyllis J	CA ND	Democrat	-1.44
Harmon, Melinda F	TX SD	Republican	-0.90
Harrington, Edward F	MA ST	Republican	-0.98
Hatter, Terry J	CA CD	Democrat	-0.69
Head, Hayden W	TX SD	Republican	0.48
Heartfield, Thad	TX ED	Democrat	-0.09
Hellerstein, Alvin K	NY SD	Democrat	-0.72
Henderson, Thelton E	CA ND	Democrat	-1.14
Hendren, Jimm Larry	AR WD	Republican	-0.55
Herlong, Henry M	SC ST	Republican	0.49
Herndon, David R	IL SD	Democrat	-0.64
Heyburn, John Gilpin	KY WD	Republican	-0.42
Hibbler, William J	IL ND	Democrat	0.17
Higgins, Thomas A	TN MD	Republican	-0.46
Highsmith, Shelby	FL SD	Republican	0.98
Hilton, Claude M	VA ED	Republican	-0.05
Hinkle, Robert Lewis	FL ND	Democrat	-1.15
Hinojosa, Ricardo H	TX SD	Republican	0.80
Hogan, Michael R	OR ST	Republican	-0.10
Hogan, Thomas F	DC ST	Republican	-0.75
Holmes, Sven Erik	OK ND	Democrat	-0.67
Holschuh, John D	OH SD	Democrat	-0.41
Hood, Denise Page	MI ED	Democrat	-0.83
Hood, Joseph M	KY ED	Republican	-0.26
Hornby, D Brock	ME ST	Republican	-0.90
Houck, C Weston	SC ST	Democrat	-0.54
Howard, George Jr	AR ED	Democrat	-0.84
Howard, Malcolm J	NC ED	Republican	-0.44
Hoyt, Kenneth M	TX SD	Republican	-0.03
Huck, Paul C	FL SD	Democrat	-0.90
Hudspeth, Harry Lee	TX WD	Democrat	-0.06
<i>Note:</i> Restricted to District Court Judges with at least 4 nonmissing CFscores.			



Table A3: (cont.) District Court Judges Mean Clerk CFscore

Judge Name	<i><b>District</b></i>	<i><b>Appointing Party</b></i>	<i><b>Mean CFscore</b></i>
Huff, Marilyn L	CA SD	Republican	-0.64
Hughes, Lynn Nettleton	TX SD	Democrat	0.27
Hull, Thomas Gray	TN ED	Republican	0.56
Hunt, Roger L	NV ST	Democrat	-0.21
Hunt, Willis B	GA ND	Democrat	-0.30
Hupp, Harry L	CA CD	Republican	-1.15
Hurley, Daniel T	FL SD	Democrat	-0.31
Hutton, Herbert J	PA ED	Republican	-0.20
Illston, Susan Y	CA ND	Democrat	-1.11
Irenas, Joseph E	NJ ST	Republican	-1.07
Jack, Janis Graham	TX SD	Democrat	-0.90
Jackson, Carol E	MO ED	Republican	-1.31
Jackson, Raymond A	VA ED	Democrat	-1.20
Jackson, Thomas Penfield	DC ST	Democrat	-0.39
Jenkins, Martin J	CA ND	Democrat	-1.21
Jensen, D Lowell	CA ND	Republican	-0.88
Johnson, Norma Holloway	DC ST	Democrat	-0.49
Johnson, Sterling Jr	NY ED	Republican	-1.12
Jones, Barbara S	NY SD	Democrat	-0.71
Jones, James Parker	VA WD	Democrat	-1.10
Jones, Napoleon A	CA SD	Democrat	-1.28
Jones, Robert Edward	OR ST	Republican	-0.63
Jordan, Adalberto Jose	FL SD	Democrat	-1.37
Joyner, J Curtis	PA ED	Republican	-0.79
Justice, William Wayne	TX ED	Democrat	-1.12
Kahn, Lawrence E	NY ND	Democrat	-0.89
Kane, Yvette	PA MD	Democrat	-0.72
Kaplan, Lewis A	NY SD	Democrat	-0.79
Katz, Marvin	PA ED	Republican	-1.25
Kauffman, Bruce W	PA ED	Democrat	-0.66
Kay, Alan C	HI ST	Republican	-0.34
Kazen, George P	TX SD	Democrat	-1.03
Keeley, Irene M	WV ND	Republican	0.18
Keep, Judith N	CA SD	Democrat	-0.53
Keeton, Robert E	MA ST	Democrat	-0.66
Keller, William D	CA CD	Republican	-0.27
<i>Note:</i> Restricted to District Court Judges with at least 4 nonmissing CFscores.			

Table A3: (cont.) District Court Judges Mean Clerk CFscore

Judge Name	<i>District</i>	<i>Appointing Party</i>	<i>Mean CFscore</i>
Kendall, Joe	TX ND	Republican	-1.01
Kennedy, Henry Harold	DC ST	Democrat	-1.01
Kennelly, Matthew F	IL ND	Democrat	-1.26
Kent, Samuel B	TX SD	Republican	-0.51
Kern, Terry C	OK ND	Democrat	-0.72
Kessler, Gladys	DC ST	Democrat	-0.89
Kimball, Dale A	UT ST	Democrat	-1.17
King, Garr M	OR ST	Democrat	-0.91
King, George H	CA CD	Democrat	-1.37
Kocoras, Charles P	IL ND	Democrat	-0.88
Koeltl, John G	NY SD	Democrat	-1.44
Kollar-kotelly, Colleen	DC ST	Democrat	-1.41
Kopf, Richard G	NE ST	Republican	-0.98
Korman, Edward R	NY ED	Republican	-1.03
Kovachevich, Elizabeth A	FL MD	Republican	0.23
Kyle, Richard H	MN ST	Republican	-1.24
Laffitte, Hector M	PR ST	Republican	-0.61
Lagueux, Ronald R	RI ST	Republican	-0.79
Lamberth, Royce C	DC ST	Republican	-0.17
Land, Clay D	GA MD	Republican	-0.14
Larimer, David G	NY WD	Republican	-0.77
Lasnik, Robert S	WA WD	Democrat	-1.19
Lawson, David M	MI ED	Democrat	0.87
Lazzara, Richard Alan	FL MD	Democrat	0.39
Lechner, Alfred J	NJ ST	Republican	0.03
Lee, Gerald Bruce	VA ED	Democrat	-0.40
Lee, Tom Stewart	MS SD	Republican	-0.02
Legg, Benson Everett	MD ST	Republican	-0.77
Legge, Charles A	CA ND	Republican	-1.45
Leinenweber, Harry D	IL ND	Republican	-0.86
Leisure, Peter K	NY SD	Republican	-0.55
Lemelle, Ivan L	LA ED	Democrat	-0.40
Lenard, Joan A	FL SD	Democrat	-1.23
Letts, J Spencer	CA CD	Republican	-1.14
Levi, David F	CA ED	Republican	-0.84
Lew, Ronald S	CA CD	Republican	-1.55
<i>Note:</i> Restricted to District Court Judges with at least 4 nonmissing CFscores.			

Table A3: (cont.) District Court Judges Mean Clerk CFscore

Judge Name	<i><b>District</b></i>	<i><b>Appointing Party</b></i>	<i><b>Mean CFscore</b></i>
Lifland, John C	NJ ST	Republican	-0.78
Lindberg, George W	IL ND	Republican	-0.60
Lindsay, Reginald C	MA ST	Democrat	-1.02
Little, F A	LA WD	Republican	-0.77
Lodge, Edward J	ID ST	Republican	-1.11
Longstaff, Ronald E	IA SD	Republican	0.01
Lovell, Charles C	MT ST	Republican	-0.68
Lozano, Rudolpho	IN ND	Republican	0.02
Ludwig, Edmund V	PA ED	Republican	-0.63
Lungstrum, John Watson	KS ST	Republican	-0.95
Lynn, Barbara M	TX ND	Democrat	-0.50
Magnuson, Paul A	MN ST	Republican	-0.96
Manella, Nora M	CA CD	Democrat	-1.32
Manning, Blanche M	IL ND	Democrat	-1.27
Marbley, Algenon L	OH SD	Democrat	-1.17
Marovich, George M	IL ND	Republican	-0.13
Marrero, Victor	NY SD	Democrat	-0.81
Marshall, Consuelo B	CA CD	Democrat	-1.22
Marten, J Thomas	KS ST	Democrat	-0.88
Martin, Beverly B	GA ND	Democrat	-1.23
Martin, John S	NY SD	Republican	-1.37
Martinez, Philip R	TX WD	Republican	0.12
Matia, Paul R	OH ND	Republican	-1.04
Matsch, Richard P	CO ST	Republican	-0.34
Matz, A Howard	CA CD	Democrat	-1.19
Mcauliffe, Steven James	NH ST	Republican	-1.31
Mcavoy, Thomas J	NY ND	Republican	-0.11
McBryde, John H	TX ND	Republican	0.87
Mccalla, Jon P	TN WD	Republican	-0.56
Mcdade, Joe Billy	IL CD	Republican	-0.27
Mckeague, David W	MI WD	Republican	-0.18
Mckelvie, Roderick R	DE ST	Republican	-0.79
Mckenna, Lawrence M	NY SD	Republican	-0.91
Mckibben, Howard D	NV ST	Republican	-0.50
Mckinley, Joseph H	KY WD	Democrat	-0.66
Mckinney, Larry J	IN SD	Republican	-0.66
<i>Note:</i> Restricted to District Court Judges with at least 4 nonmissing CFscores.			

Table A3: (cont.) District Court Judges Mean Clerk CFscore

Judge Name	<i><b>District</b></i>	<i><b>Appointing Party</b></i>	<i><b>Mean CFscore</b></i>
McLaughlin, Mary A	PA ED	Democrat	-1.46
McMahon, Colleen	NY SD	Democrat	-0.28
McNamee, Stephen M	AZ ST	Republican	0.05
Means, Terry R	TX ND	Republican	1.16
Melancon, Tucker L	LA WD	Democrat	-0.20
Melloy, Michael Joseph	IA ND	Republican	-1.23
Merryday, Steven D	FL MD	Republican	0.15
Messitte, Peter J	MD ST	Democrat	-1.17
Middlebrooks, Donald M	FL SD	Democrat	-0.91
Mihm, Michael M	IL CD	Republican	-0.92
Miles-lagrange, Vicki	OK WD	Democrat	-0.30
Miller, Robert L	IN ND	Republican	0.45
Miller, Walker D	CO ST	Democrat	-0.45
Mills, Michael P	MS ND	Republican	0.59
Mills, Richard	IL CD	Republican	-0.62
Molloy, Donald W	MT ST	Democrat	-0.55
Mollway, Susan Oki	HI ST	Democrat	-1.10
Montgomery, Ann D	MN ST	Democrat	-0.60
Moody, James M	AR ED	Democrat	0.93
Moody, James S	FL MD	Democrat	0.60
Moon, Norman K	VA WD	Democrat	-1.00
Moore, Michael K	FL SD	Republican	-0.81
Moore, William T	GA SD	Democrat	-0.69
Mordue, Norman A	NY ND	Democrat	0.73
Moreno, Federico A	FL SD	Republican	-0.20
Morgan, Henry Coke	VA ED	Republican	0.06
Morrow, Margaret Mary	CA CD	Democrat	-1.26
Moskowitz, Barry T	CA SD	Democrat	-1.07
Motz, J Frederick	MD ST	Republican	-1.09
Mukasey, Michael B	NY SD	Republican	-0.76
Mullen, Graham C	NC WD	Republican	-0.52
Munley, James M	PA MD	Democrat	-0.34
Murguia, Carlos	KS ST	Democrat	-1.27
Murguia, Mary H	AZ ST	Democrat	-0.36
Murphy, G Patrick	IL SD	Democrat	-1.15
Murphy, Harold L	GA ND	Democrat	0.08
<i>Note:</i> Restricted to District Court Judges with at least 4 nonmissing CFscores.			

Table A3: (cont.) District Court Judges Mean Clerk CFscore

Judge Name	<i>District</i>	<i>Appointing Party</i>	<i>Mean CFscore</i>
Nelson, Edwin L	AL ND	Republican	-0.40
Nickerson, William M	MD ST	Republican	-0.56
Nixon, John T	TN MD	Democrat	-1.31
Norgle, Charles Rondald	IL ND	Republican	-1.11
Norton, David C	SC ST	Republican	-0.36
Nowlin, James R	TX WD	Republican	0.79
Nugent, Donald C	OH ND	Democrat	-0.72
Oliver, Solomon Jr	OH ND	Democrat	-1.09
Osteen, William Lindsay	NC MD	Republican	-0.07
Otoole, George A	MA ST	Democrat	-1.16
Padova, John R	PA ED	Republican	-0.94
Pallmeyer, Rebecca R	IL ND	Democrat	-1.24
Pannell, Charles A	GA ND	Democrat	0.60
Parker, James A	NM ST	Republican	-0.93
Patel, Marilyn Hall	CA ND	Democrat	-1.35
Patterson, Robert P	NY SD	Republican	-1.19
Paul, Maurice M	FL ND	Republican	-0.31
Pauley, William H	NY SD	Democrat	0.52
Payne, Robert E	VA ED	Republican	-0.39
Pechman, Marsha Jean	WA WD	Democrat	-1.37
Perry, Catherine D	MO ED	Democrat	-0.91
Phillips, Virginia A	CA CD	Democrat	-1.39
Piersol, Lawrence L	SD ST	Democrat	-0.77
Pisano, Joel A	NJ ST	Democrat	-0.52
Platt, Thomas C	NY ED	Republican	-0.57
Politan, Nicholas H	NJ ST	Republican	-1.26
Polozola, Frank J	LA MD	Democrat	0.60
Polster, Dan A	OH ND	Democrat	-1.22
Ponsor, Michael A	MA ST	Democrat	-0.97
Porteous, G Thomas	LA ED	Democrat	-0.84
Prado, Edward C	TX WD	Republican	-0.95
Pratt, Robert W	IA SD	Democrat	-1.14
Pregerson, Dean D	CA CD	Democrat	-1.08
Preska, Loretta A	NY SD	Republican	-0.98
Pro, Philip M	NV ST	Republican	-0.82
Quist, Gordon J	MI WD	Republican	-0.19
<i>Note:</i> Restricted to District Court Judges with at least 4 nonmissing CFscores.			

Table A3: (cont.) District Court Judges Mean Clerk CFscore

Judge Name	<i>District</i>	<i>Appointing Party</i>	<i>Mean CFscore</i>
Raggi, Reena	NY ED	Republican	-0.75
Rainey, John D	TX SD	Republican	0.03
Rakoff, Jed S	NY SD	Democrat	-0.86
Rambo, Sylvia H	PA MD	Democrat	-0.23
Randa, Rudolph T	WI ED	Republican	0.44
Real, Manuel L	CA CD	Democrat	-0.46
Reasoner, Stephen M	AR ED	Republican	-0.46
Reinhard, Philip G	IL ND	Republican	0.09
Rice, Walter H	OH SD	Democrat	-1.03
Roberts, Richard W	DC ST	Democrat	-0.68
Roberts, Victoria A	MI ED	Democrat	-1.29
Robertson, James	DC ST	Democrat	-1.11
Robinson, Mary Lou	TX ND	Democrat	-0.66
Robinson, Sue Lewis	DE ST	Republican	-0.13
Robreno, Eduardo C	PA ED	Republican	-0.01
Roettger, Norman Charles	FL SD	Republican	0.90
Roll, John Mccarthy	AZ ST	Republican	-0.56
Rosen, Gerald E	MI ED	Republican	-0.91
Rosenbaum, James M	MN ST	Republican	-1.15
Rosenthal, Lee H	TX SD	Republican	-0.62
Ross, Allyne R	NY ED	Democrat	-1.01
Rothstein, Barbara Jacobs	WA WD	Democrat	-1.49
Rufe, Cynthia M	PA ED	Republican	-1.51
Russell, Thomas B	KY WD	Democrat	-0.25
Ryskamp, Kenneth L	FL SD	Republican	0.07
Sands, W Louis	GA MD	Democrat	-0.10
Saris, Patti B	MA ST	Democrat	-1.10
Scheindlin, Shira A	NY SD	Democrat	-0.78
Schell, Richard A	TX ED	Republican	-0.46
Schiller, Berie M	PA ED	Democrat	-1.08
Schlesinger, Harvey Erwin	FL MD	Republican	-0.09
Schreier, Karen Elizabeth	SD ST	Democrat	-0.42
Schwartz, Allen G	NY SD	Democrat	-1.12
Scullin, Frederick J	NY ND	Republican	0.03
Sear, Morey L	LA ED	Republican	-0.36
Seay, Frank H	OK ED	Democrat	-0.21
<i>Note:</i> Restricted to District Court Judges with at least 4 nonmissing CFscores.			

Table A3: (cont.) District Court Judges Mean Clerk CFscore

Judge Name	<i><b>District</b></i>	<i><b>Appointing Party</b></i>	<i><b>Mean CFscore</b></i>
Sedwick, John W	AK ST	Republican	-1.00
Seitz, Patricia A	FL SD	Democrat	-1.01
Sessions, William K	VT ST	Democrat	-0.84
Seybert, Joanna	NY ED	Democrat	-0.40
Seymour, Margaret B	SC ST	Democrat	-0.43
Shabaz, John C	WI WD	Republican	-0.73
Shanahan, Thomas M	NE ST	Democrat	-0.80
Shanstrom, Jack D	MT ST	Republican	-0.83
Sharp, Allen	IN ND	Republican	-0.47
Sharp, George Kendall	FL MD	Republican	0.63
Shaw, Charles Alexander	MO ED	Democrat	-1.11
Shubb, William B	CA ED	Republican	-0.65
Sifton, Charles P	NY ED	Democrat	-0.96
Silver, Roslyn O	AZ ST	Democrat	-0.79
Simandle, Jerome B	NJ ST	Republican	-0.35
Skretny, William M	NY WD	Republican	0.16
Sleet, Gregory M	DE ST	Democrat	-0.75
Smith, C Lynwood	AL ND	Democrat	-0.30
Smith, Fern M	CA ND	Republican	-1.32
Smith, George C	OH SD	Republican	0.35
Smith, Ortrie D	MO WD	Democrat	-1.02
Smith, Rebecca Beach	VA ED	Republican	-1.27
Smith, Walter S	TX WD	Republican	1.18
Snyder, Christina A	CA CD	Democrat	-0.99
Solis, Jorge A	TX ND	Republican	-0.37
Sparks, Sam	TX WD	Republican	-0.69
Sparr, Daniel B	CO ST	Republican	-1.11
Spatt, Arthur D	NY ED	Republican	0.06
Spencer, James R	VA ED	Republican	-0.20
Sporkin, Stanley	DC ST	Republican	-0.92
Sprizzo, John E	NY SD	Republican	-0.28
Squatrito, Dominic J	CT ST	Democrat	-0.35
Stadtmueller, J P	WI ED	Republican	-0.57
Stamp, Frederick P	WV SD	Republican	-0.67
Standish, William L	PA WD	Republican	-0.06
Stanton, Louis L	NY SD	Republican	-1.23
<i>Note:</i> Restricted to District Court Judges with at least 4 nonmissing CFscores.			

Table A3: (cont.) District Court Judges Mean Clerk CFscore

Judge Name	<i>District</i>	<i>Appointing Party</i>	<i>Mean CFscore</i>
Steeh, George Caram	MI ED	Democrat	-0.57
Steele, John E	FL MD	Democrat	-0.50
Stein, Sidney H	NY SD	Democrat	-1.21
Story, Richard W	GA ND	Democrat	0.02
Stotler, Alicemarie H	CA CD	Republican	-0.77
Strand, Roger G	AZ ST	Republican	-0.70
Sullivan, Emmet G	DC ST	Democrat	-0.84
Surrick, R Barclay	PA ED	Democrat	-0.42
Swain, Laura Taylor	NY SD	Democrat	-0.53
Tarnow, Arthur J	MI ED	Democrat	-0.95
Tauro, Joseph L	MA ST	Republican	-0.91
Taylor, Anna Diggs	MI ED	Democrat	-0.60
Tevrizian, Dickran M	CA CD	Republican	-0.76
Thompson, Alvin W	CT ST	Democrat	-1.24
Thompson, Anne E	NJ ST	Democrat	-1.15
Thompson, Myron H	AL MD	Democrat	-1.11
Thornburg, Lacy H	NC WD	Democrat	-0.05
Thrash, Thomas W	GA ND	Democrat	-0.53
Tidwell, G Ernest	GA ND	Democrat	-0.95
Tilley, Norwood Carlton	NC MD	Republican	-0.68
Timlin, Robert James	CA CD	Democrat	-0.97
Tinder, John Daniel	IN SD	Republican	0.02
Torres, Ernest C	RI ST	Republican	-1.01
Trager, David G	NY ED	Democrat	-0.90
Trimble, James T	LA WD	Republican	-0.56
Tunheim, John R	MN ST	Democrat	-1.37
Underhill, Stefan R	CT ST	Democrat	-0.55
Ungaro-benages, Ursula	FL SD	Republican	-0.15
Urbina, Ricardo M	DC ST	Democrat	-0.17
Vanaskle, Thomas I	PA MD	Democrat	-0.27
Vanbebber, G Thomas	KS ST	Republican	-0.38
Vance, Sarah S	LA ED	Democrat	-1.21
Vansickle, Fred L	WA ED	Republican	-1.44
Vazquez, Martha	NM ST	Democrat	-1.41
Vollmer, Richard W	AL SD	Republican	0.12
Vratil, Kathryn Hoefer	KS ST	Republican	-0.36
<i>Note:</i> Restricted to District Court Judges with at least 4 nonmissing CFscores.			



Table A3: (cont.) District Court Judges Mean Clerk CFscore

Judge Name	<i>District</i>	<i>Appointing Party</i>	<i>Mean CFscore</i>
Waldman, Jay C	PA ED	Republican	-1.21
Walker, Vaughn R	CA ND	Republican	-1.28
Walls, William H	NJ ST	Democrat	-1.05
Walter, Donald E	LA WD	Republican	0.71
Wanger, Oliver W	CA ED	Republican	-0.74
Ware, James	CA ND	Republican	0.08
Wells, Lesley Brooks	OH ND	Democrat	-1.18
Werlein, Ewing Jr	TX SD	Republican	0.40
Whelan, Thomas J	CA SD	Democrat	-0.61
Whipple, Dean	MO WD	Republican	-0.87
White, George W	OH ND	Democrat	-0.68
Whyte, Ronald M	CA ND	Republican	-0.52
Wilken, Claudia A	CA ND	Democrat	-1.29
Williams, Alexander Jr	MD ST	Democrat	-1.13
Williams, Ann Claire	IL ND	Democrat	-1.09
Wilson, Samuel G	VA WD	Republican	0.19
Wilson, Stephen V	CA CD	Republican	-0.78
Wilson, William Roy	AR ED		-0.70
Wingate, Henry T	MS SD	Republican	-0.12
Winmill, B Lynn	ID ST	Democrat	-0.12
Wolf, Mark L	MA ST	Republican	-1.32
Wolin, Alfred M	NJ ST	Republican	-0.73
Wood, Kimba M	NY SD	Republican	-1.23
Woodlock, Douglas P	MA ST	Republican	-0.83
Wright, Susan Webber	AR ED	Republican	-0.17
Yohn, William H	PA ED	Republican	-0.96
Young, Richard L	IN SD	Democrat	0.19
Young, William G	MA ST	Republican	-1.02
Zagel, James B	IL ND	Republican	-0.98
Zatkoff, Lawrence P	MI ED	Republican	-0.17
Zilly, Thomas S	WA WD	Republican	-1.35
Zloch, William J	FL SD	Republican	-1.02
Zobel, Rya W	MA ST	Democrat	-1.38
<i>Note:</i> Restricted to District Court Judges with at least 4 nonmissing CFscores.			

Table A4: District Court Judges with the most liberal and conservative clerks

Judge Name	<i>District</i>	<i>Appointing Party</i>	<i>Mean CFscore</i>
Raner C Collins	AZ ST	Democrat	-1.59
Ronald S Lew	CA CD	Republican	-1.55
Keith Paty Ellison	TX SD	Democrat	-1.52
Cynthia M Rufe	PA ED	Republican	-1.51
Barbara Jacobs Rothstein	WA WD	Democrat	-1.49
Mary A Mclaughlin	PA ED	Democrat	-1.46
Charles A Legge	CA ND	Republican	-1.45
Phyllis J Hamilton	CA ND	Democrat	-1.44
Fred L Vansickle	WA ED	Republican	-1.44
John G Koeltl	NY SD	Democrat	-1.43
Janet Bond Arterton	CT ST	Democrat	-1.43
Colleen Kollar-kotelly	DC ST	Democrat	-1.41
Martha Vazquez	NM ST	Democrat	-1.41
Paul L Friedman	DC ST	Democrat	-1.41
Virginia A Phillips	CA CD	Democrat	-1.39
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Joseph J Farnan	DE ST	Republican	0.77
James R Nowlin	TX WD	Republican	0.79
Ricardo H Hinojosa	TX SD	Republican	0.80
David M Lawson	MI ED	Democrat	0.87
John H McBryde	TX ND	Republican	0.87
Ralph R Beistline	AK ST	Republican	0.90
Norman Charles Roettger	FL SD	Republican	0.90
Hipolito Frank Garcia	TX WD	Democrat	0.90
James M Moody	AR ED	Democrat	0.93
Shelby Highsmith	FL SD	Republican	0.98
Terry R Means	TX ND	Republican	1.16
Walter S Smith	TX WD	Republican	1.18
Michael Burrage	OK WD	Democrat	1.19
Walter J Gex	MS SD	Republican	1.19
Richard Howard Battey	SD ST	Republican	1.27
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<i>Note:</i> Restricted to District Court Judges with at least 4 nonmissing CFscores.			
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Table A5: Average CFscore by District Court

<i>District</i>	<i>Median</i>	<i>Mean</i>	<i>District</i>	<i>Median</i>	<i>Mean</i>	<i>District</i>	<i>Median</i>	<i>Mean</i>
AK ST	-1.07	-0.49	KS ST	-1.13	-0.69	OH ND	-1.07	-0.83
AL MD	-1.03	-0.73	KY ED	0.31	0.12	OH SD	-0.86	-0.52
AL ND	-0.36	-0.45	KY WD	-0.57	-0.46	OK ED	-0.21	-0.21
AL SD	-0.87	-0.27	LA ED	-0.81	-0.48	OK ND	-0.75	-0.43
AR ED	-0.56	-0.34	LA MD	0.58	0.39	OK WD	-0.06	-0.04
AR WD	-0.51	-0.06	LA WD	0.36	-0.05	OR ST	-1.01	-0.69
AZ ST	-1.12	-0.69	MA ST	-1.25	-1.00	PA ED	-1.14	-0.81
CA CD	-1.22	-0.98	MD ST	-1.11	-0.90	PA MD	-0.97	-0.54
CA ED	-1.20	-0.69	ME ST	-1.05	-0.60	PA WD	-0.79	-0.64
CA ND	-1.30	-1.06	MI ED	-0.58	-0.38	PR ST	-1.17	-0.82
CA SD	-1.21	-0.97	MI WD	-0.59	-0.25	RI ST	-1.18	-0.83
CO ST	-1.07	-0.87	MN ST	-1.30	-0.88	SC ST	-0.40	-0.21
CT ST	-1.08	-0.75	MO ED	-0.99	-0.95	SD ST	-0.42	-0.13
DC ST	-1.14	-0.76	MO WD	-0.88	-0.73	TN ED	-0.61	-0.33
DE ST	-0.50	-0.27	MS ND	0.64	0.15	TN MD	-1.02	-0.81
FL MD	-0.42	-0.19	MS SD	0.63	0.17	TN WD	-1.19	-0.82
FL ND	-0.64	-0.72	MT ST	-0.97	-0.75	TX ED	-0.44	-0.24
FL SD	-0.81	-0.57	NC ED	0.32	-0.12	TX ND	-0.35	-0.07
GA MD	-0.16	-0.32	NC MD	-0.40	-0.14	TX SD	-0.39	-0.30
GA ND	-0.55	-0.40	NC WD	-0.78	-0.44	TX WD	-0.30	-0.12
GA SD	-0.38	-0.40	ND ST	-0.50	-0.17	UT ST	-1.00	-0.55
HI ST	-1.19	-0.74	NE ST	-0.95	-0.69	VA ED	-0.96	-0.63
IA ND	-0.90	-0.80	NH ST	-1.32	-0.70	VA WD	-0.88	-0.48
IA SD	-1.10	-0.75	NJ ST	-1.11	-0.80	VT ST	-1.28	-0.89
ID ST	-0.70	-0.54	NM ST	-1.23	-1.03	WA ED	-1.23	-1.13
IL CD	-1.07	-0.65	NV ST	-0.86	-0.49	WA WD	-1.30	-1.01
IL ND	-1.13	-0.79	NY ED	-1.09	-0.84	WI ED	-0.80	-0.32
IL SD	-1.18	-1.03	NY ND	0.12	-0.15	WI WD	-1.25	-0.87
IN ND	-0.65	0.05	NY NE	-0.50	-0.50	WV ND	-0.43	-0.24
IN SD	-0.76	-0.43	NY SD	-1.12	-0.84	WV SD	-0.71	-0.60
			NY WD	-0.95	-0.57	WY ST	0.86	0.36

Table A6: Median and Mean Clerk CFscore by Circuit

<i>Circuit</i>	<i>Clerk CFscore</i>	
	<i>Median</i>	<i>Mean</i>
1	-1.23	-1.07
2	-1.22	-0.95
3	-0.98	-0.59
4	-0.75	-0.31
5	-0.62	-0.38
6	-0.94	-0.62
7	-0.92	-0.53
8	-0.90	-0.49
9	-1.23	-0.84
10	-1.05	-0.69
11	-0.58	-0.35
DC	-1.22	-0.76

Figure A1: Ideology of Justice Scalia Clerks

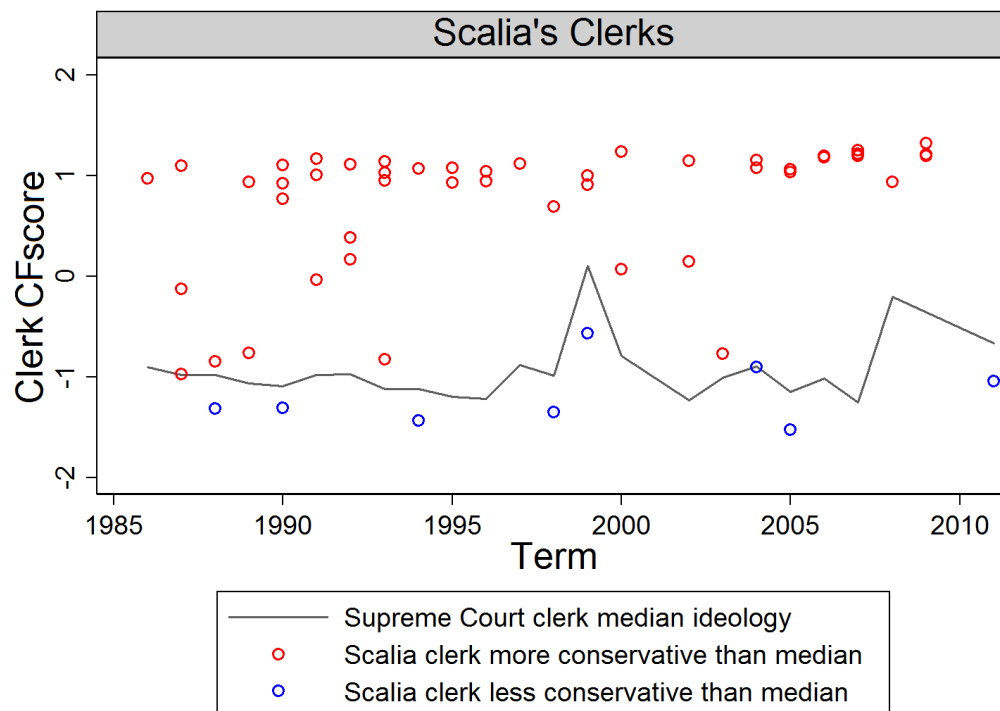
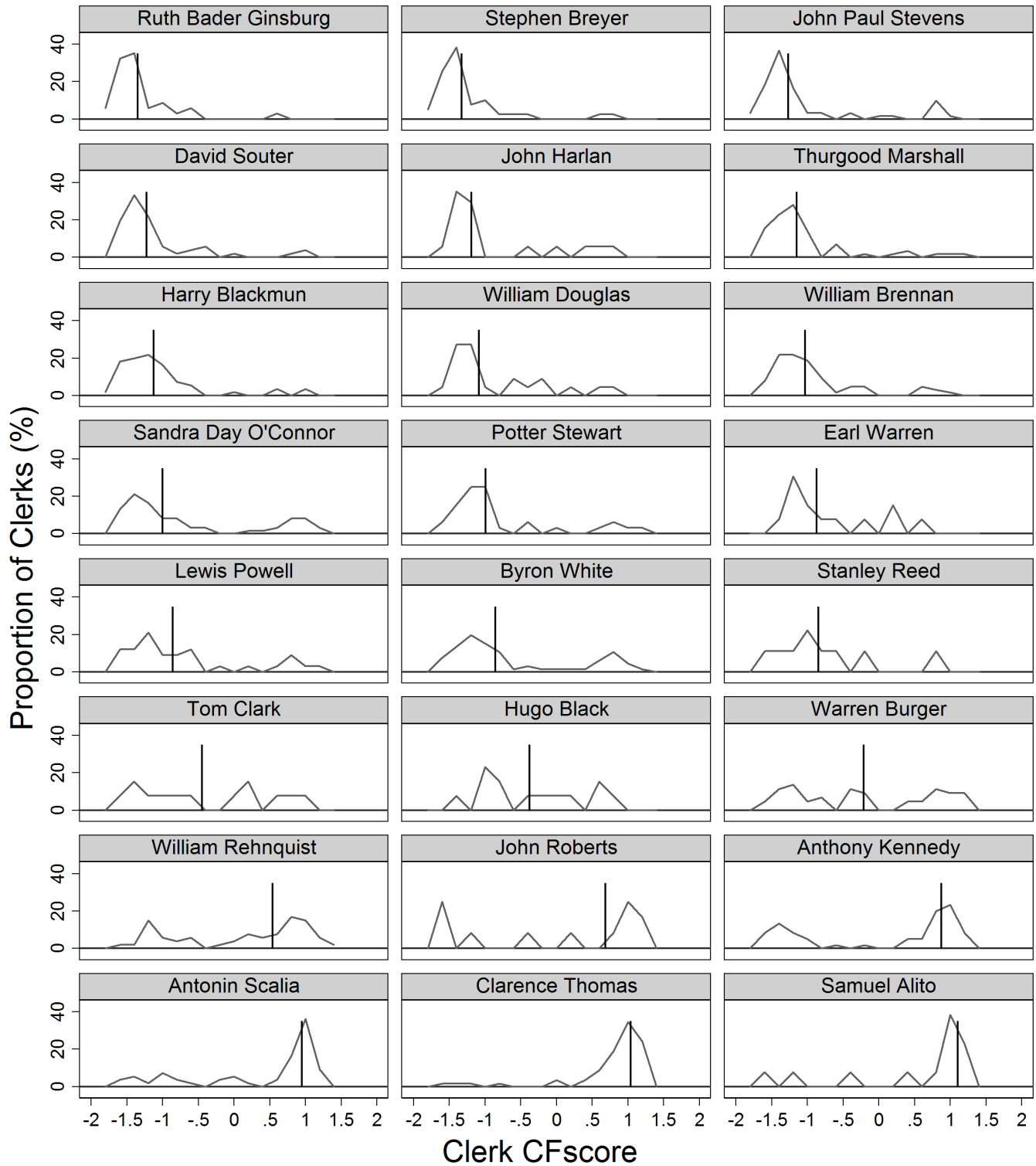


Figure A2: Distribution of Clerk CFscores by Justice



*Note:* Vertical line indicates the median clerk CFscore for the given justice.