**Appendix**

Here we provide additional robustness checks for our empirical models by considering other measures of state supreme court justice ideology. To address potential endogeneity concerns, we re-estimate each of the models presented in Table 5 with two additional measures of state supreme court justice ideology that are unrelated to either the PAJID or Berry et al. scores. The first derives from Bonica and Woodruff’s (2015) examination of campaign donations and receipts. The second derives from Windett, Harden, and Hall’s (2015) examination of voting patterns on state supreme courts. Both of these scores exist on a liberal-to-conservative scale.

While these more recent measures of state supreme court ideology are methodologically superior compared to the PAJID scores (see Bonica and Woodruff 2015 and Windett, Harden, and Hall 2015), they have limited availability for the period under analysis (1970 to 2017). For example, while we have PAJID data for approximately 94 percent of all chief justice selection events in our original sample, Bonica and Woodruff (2015) scores exist for only 65 percent of all observations. while Windett, Harden, and Hall (2015) data exist for 32 percent of all chief justice selection events. Given the limited observations, most of our empirical models that use these data have degrees of freedom issues. For this reason, we use these models as robustness checks only.

An important note: the original PAJID scores were measured on a 0 to 100, conservative-to-liberal scale. We readjust this scale to be liberal-to-conservative to make these measures more comparable to others under consideration. To reorient the PAJID scores, we multiply each estimate by -1 then measure each revised PAJID score as the number of standard deviations it falls from the sample mean. We then center the distribution of rescaled PAJID scores to 0 by adding to each mean of the rescaled sample’s value. The result is a revised measure of PAJID that spans from -1.93 (most liberal individual) to 1.64 (most conservative) with an average ideology of 0.00.[[1]](#footnote-1)

We present results from statistical regression models in Tables A1 through A5. Each table contains regression results for a given method of chief justice selection—commission, government, peers, the public, and rotation/random selection methods. The first set of regression results appear in Table A1 and include estimates related to commission appointed chief justices. The first column of results contains estimates using PAJID data for chief justice ideology and the ideology of the median member of the court at the time of their selection. The second column contains results derived from Bonica and Woodruff (2015) ideological estimates, and the last column contains results derived from Windett, Harden, and Hall’s (2015) ideological estimates.

[Table A1 about Here]

The results for states with commission-assisted chief justices are presented in Table A1. Across the three columns of results, we only find evidence in the first that chief justice ideology is consistent with that of state elites per our hypothesis. In two of the three models, we find that chief justice ideology tracks with that of the median member of the court at the time of selection. The final column of results finds no statistically significant link between any of the variables presented and the ideology of the chief justice. It should be noted that, due to the limited number of observations in the second and third result columns, caution is warranted about firm generalizations.

[Table A2 about Here]

Table A2 contains regression results from models in which chief justices are chosen via government selection. Here, the degrees of freedom issues identified in Table A1 are even more pronounced. Our model using BW data contains only 13 observations, while our model using WHH data includes only 8 observations. That said, we find no evidence across the three models that elite ideology plays an outsize role in determining the ideology of the chief justice as we anticipated. Instead, our results show that chief justices have preferences that move in the *opposite* direction as those of voters in two of the three models. Further, in two of the three models, we find evidence that a chief justice’s ideology is significantly associated with median court ideology at the time of selection. This is further evidence that selection systems tend to produce like-minded justices over time.

[Table A3 about Here]

In Table A3, we present results from states in which chief justices are chosen via peer selection. These results allow us to draw firmer generalizations as there is no apparent sample size issue. Across all three sets of results, we find that a chief justice’s ideology at the time of their selection is associated with the ideology of the median member of a given court, all things being equal. This evidence supports our primary hypothesis.

[Table A4 about Here]

Table A4 contains statistical regression results amongst states using popular elections to select chief justices. While we argued that chief justices chosen by the electorate should reflect the latter’s preferences, we only find evidence of this relationship in the first column of results. Once again, however, limited sample sizes in the models using BW and WHH data prevent us from drawing strong conclusions about the nature of these relationships. The second column of results shows no statistically significant relationship between any of the variables presented and chief justice ideology, and none of the selection authority variables are significant in the final column of results.

[Table A5 about Here]

Finally, regression results from states utilizing rotation or random selection methods for chief justice selection appear in Table A5. We posited no directional relationships between any of our selection authorities measures and the ideology of the chief justice and find no significant relationship between any of these variables and chief justice ideology in the first or third column of results. The second column of results indicates that chief justice ideology tracks with the ideology of the median justice at the time of chief justice selection, all things being equal.

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| **Table A1: Predicting Chief Justice Ideology in Commission Selection Systems (1970-2017)** | | | | | | | | | | | |
| **Variable** | | | **PAJID Scores** | | | **BW (’15) Scores** | | | **WHH (’15) Scores** | | |
|  |  | ( ) | |  | | ( ) | |  | ( ) | |  |
| Citizen Ideology | | | 0.01  (0.02) | |  | -0.02  (0.02) |  | | 0.01  (0.02) |  | |
| Elite Ideology | | | -0.07\* (0.02) | | -144.35 | -0.01  (0.02) |  | | -0.00  (0.01) |  | |
| Median Court Ideology | | | 0.27\*  (0.16) | | 277.78 | 0.97\*  (0.37) | 239.22 | | 4.79  (5.30) |  | |
| Female | | | 0.06  (0.43) | |  | 0.01  (0.38) |  | | -0.12  (0.22) |  | |
| Nonwhite | | | 0.34  (0.72) | |  | -0.01  (0.53) |  | | 0.40  (0.36) |  | |
| Intercept | | | 3.49\*  (1.47) | |  | 1.18  (1.27) |  | | 1.11  (1.80) |  | |
|  | | | 2.48  0.50  53 | | | 1.85  0.57  37 | | | 0.63  0.80  16 | | |
|  | | |
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| Notes: The dependent variable is a chief justice’s ideology at the time of selection. Each column reflects a different source of coding for the dependent variable and median court ideology. Coefficient estimates are derived via ordinary least squares. State-level fixed effects are included in each model. Asterisks denote statistical significance at the -threshold of 0.05 (one-tailed). | | | | | | | | | | | |

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| **Table A2: Predicting Chief Justice Ideology in Government Selection Systems (1970-2017)** | | | | | | | | | | | |
| **Variable** | | | **PAJID Scores** | | | **BW (’15) Scores** | | | **WHH (’15) Scores** | | |
|  |  | ( ) | |  | | ( ) | |  | ( ) | |  |
| Citizen Ideology | | | 0.06\*  (0.03) | | 108.44 | 0.08\*  (0.03) | 107.58 | | 0.01  (0.01) |  | |
| Elite Ideology | | | 0.03  (0.02) | |  | -0.01  (0.05) |  | | 0.02  (0.03) |  | |
| Median Court Ideology | | | 0.57\*  (0.26) | | 173.33 | 0.03  (0.80) |  | | 1.46\*  (0.54) | 172.60 | |
| Female | | | -0.67  (0.56) | |  | -0.74  (0.54) |  | | -0.19  (0.30) |  | |
| Nonwhite | | | -0.56  (0.75) | |  | -0.49  (0.33) |  | | -1.31\*  (0.58) | -1310.00 | |
| Intercept | | | -5.43\*  (2.96) | |  | -5.10\*  (2.60) |  | | -1.16  (1.60) |  | |
|  | | | 2.26  0.50  30 | | | 6.46  0.95  13 | | | 10.80  0.96  8 | | |
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| Notes: The dependent variable is a chief justice’s ideology at the time of selection. Each column reflects a different source of coding for the dependent variable and median court ideology. Coefficient estimates are derived via ordinary least squares. State-level fixed effects are included in each model except the third, where limited degrees of freedom prevent their inclusion. Asterisks denote statistical significance at the -threshold of 0.05 (one-tailed). | | | | | | | | | | | |

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| **Table A3: Predicting Chief Justice Ideology in Peer Selection Systems (1970-2017)** | | | | | | | | | | | |
| **Variable** | | | **PAJID Scores** | | | **BW (’15) Scores** | | | **WHH (’15) Scores** | | |
|  |  | ( ) | |  | | ( ) | |  | ( ) | |  |
| Citizen Ideology | | | -0.00  (0.01) | |  | 0.00  (0.01) |  | | 0.01  (0.01) |  | |
| Elite Ideology | | | 0.01\*  (0.01) | | 250.00 | 0.01  (0.00) |  | | -0.00  (0.00) |  | |
| Median Court Ideology | | | 0.58\*  (0.08) | | 198.11 | 0.73\*  (0.10) | 167.27 | | 1.60\*  (0.27) | 170.37 | |
| Female | | | 0.03  (0.15) | |  | -0.11  (0.11) |  | | -0.11  (0.08) |  | |
| Nonwhite | | | -0.27  (0.21) | |  | -0.09  (0.16) |  | | -0.21  (0.13) |  | |
| Intercept | | | -1.34\*  (0.45) | |  | -0.48  (0.37) |  | | -0.02  (0.34) |  | |
|  | | | 4.05  0.32  246 | | | 6.29  0.53  175 | | | 9.34  0.79  85 | | |
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| Notes: The dependent variable is a chief justice’s ideology at the time of selection. Each column reflects a different source of coding for the dependent variable and median court ideology. Coefficient estimates are derived via ordinary least squares. State-level fixed effects are included in each model. Asterisks denote statistical significance at the -threshold of 0.05 (one-tailed). | | | | | | | | | | | |

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| **Table A4: Predicting Chief Justice Ideology in Popular Selection Systems (1970-2017)** | | | | | | | | | | |
| **Variable** | | | **PAJID Scores** | | | **BW (’15) Scores** | | | **WHH (’15) Scores** | |
|  |  | ( ) | |  | | ( ) | |  | ( ) |  |
| Citizen Ideology | | | -0.03\*  (0.01) | | -128.36 | 0.01  (0.02) |  | | -0.01  (0.01) |  |
| Elite Ideology | | | -0.02\*  (0.01) | | -93.44 | -0.01  (0.01) |  | | -0.01  (0.01) |  |
| Median Court Ideology | | | 0.67\*  (0.18) | | 227.78 | 0.41  (0.36) |  | | 0.54  (0.72) |  |
| Female | | | -0.44\*  (0.25) | | -107.14 | 0.03  (0.27) |  | | -0.21  (0.12) |  |
| Nonwhite | | | 0.05  (0.52) | |  | -0.25  (0.50) |  | | -0.96\*  (0.26) | -32233.33 |
| Intercept | | | 1.93\*  (0.74) | |  | 0.33  (0.84) |  | | 1.22\*  (0.54) |  |
|  | | | 3.47  0.53  50 | | | 2.27  0.54  33 | | | 7.97  0.92  20 | |
|  | | |
|  | | |
| Notes: The dependent variable is a chief justice’s ideology at the time of selection. Each column reflects a different source of coding for the dependent variable and median court ideology. Coefficient estimates are derived via ordinary least squares. State-level fixed effects are included in each model. Asterisks denote statistical significance at the -threshold of 0.05 (one-tailed). | | | | | | | | | | |

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| **Table A5: Predicting Chief Justice Ideology in Rotation/Random Selection Systems (1970-2017)** | | | | | | | | | | |
| **Variable** | | | **PAJID Scores** | | | **BW (’15) Scores** | | | **WHH (’15) Scores** | |
|  |  | ( ) | |  | | ( ) | |  | ( ) |  |
| Citizen Ideology | | | 0.00  (0.02) | |  | -0.01  (0.01) |  | | -0.00  (0.02) |  |
| Elite Ideology | | | -0.01  (0.01) | |  | 0.00  (0.01) |  | | -0.01  (0.02) |  |
| Median Court Ideology | | | 0.14  (0.24) | |  | 1.12\*  (0.38) | 180.77 | | 1.02  (0.76) |  |
| Female | | | -0.30  (0.35) | |  | -0.32  (0.22) |  | | -0.28  (0.30) |  |
| Nonwhite | | | -0.59  (0.65) | |  | 0.44  (0.42) |  | | -- |  |
| Intercept | | | 0.77  (0.81) | |  | 0.77  (0.64) |  | | 0.81  (0.85) |  |
|  | | | 2.91  0.41  68 | | | 5.97  0.65  51 | | | 1.59  0.50  27 | |
|  | | |
|  | | |
| Notes: The dependent variable is a chief justice’s ideology at the time of selection. Each column reflects a different source of coding for the dependent variable and median court ideology. Coefficient estimates are derived via ordinary least squares. State-level fixed effects are included in each model. Asterisks denote statistical significance at the -threshold of 0.05 (one-tailed). | | | | | | | | | | |

1. Because each transformation of the original PAJID score is linear, our transformed PAJID scores are perfectly collinear with the original ones (). [↑](#footnote-ref-1)