Online Appendix I: Data Collection on SCFJ Members

Only four studies of which I am aware attempt to illuminate in any way who the SCFJ members are. Grossman's *Lawyers and Judges* (1965) and Chase's *Federal Judges* (1972) take a general approach, presenting summary tables of background characteristics like age and professional experience of the SCFJ members. These analyses do not note change over time, but they include data on the members up until publication date. Chase notes partisanship, and his study is the only one of the four to do so. Yelnosky (2014) examines committee members from 1999 through 2013, but he focuses on career background to the exclusion of other variables. Slotnick (1983) takes the unusual step for social science work on the SCFJ of naming the members of the 1982-1983 committee, but he goes no further into the individual members than their names.

Because recent studies of SCFJ ratings emphasize partisan and demographic concerns with respect to bias, I collected partisan and demographic data on all SCFJ members who served on the committee from 1953 to 2020. The traits I collected include partisanship, gender, minority status, age, legal experience, education, religion, and age.

The initial list of committee members' names came from the *Annual Report of the American Bar Association*, 1953 to 2013. With a few exceptions, each of these annual reports lists of members of the SCFJ. The ABA president appoints SCFJ members for staggered three-year terms. A strong norm prevents more than one re-appointment. The SCFJ's website lists the current SCFJ members.[1] With the names of the committee members in hand, I collected data on each. The data hunt began with the Marquis Biographies Online (Who's Who) database. The

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[1] http://www.americanbar.org/groups/committees/federal_judiciary/about_us/members.html

database includes “all biographies that have appeared in 24 *Marquis Who's Who* print titles since 1985, plus historical biographies from ... *Who Was Who in America* volumes 1607-1985” (Marquis 2013). Because they are prominent in their field, many SCFJ members appear in the Who’s Who database, which provides self-reported information regarding the member’s life dates, education, entrance to the bar, career path, awards won, civic involvement, professional and societal memberships, family, religious affiliation, and partisanship. When this information was present in the Who's Who database for a member, I coded it as the value for the respective variable of interest. This approach is consistent with Chase (1972, 151).

The Who’s Who database does not list all SCFJ members, though, and not all members listed have complete biographies. There does not appear to be a time trend in the proportion of listed and unlisted members. Many of the more recent biographies omit partisanship and religious affiliation. In the cases where a member has either no or an incomplete biography, I searched other databases, for example LexisNexis, ProQuest Historical Newspapers, and NewspaperARCHIVE.com, for information regarding the member. Additionally, for contemporary SCFJ members who still practice law, I searched for their online résumés, which provide basic professional background information. If earlier SCFJ members did not list partisanship in their Who’s Who biography, I used mentions of partisan activity in the newspaper databases as evidence for their partisanship. I also consulted the self-published autobiography of one former SCFJ member, Ben Robertson Miller (Miller 1973). If I found none, I coded partisanship as “unknown.”

For contemporary members with missing partisanship, I combined newspaper database searches with searches of their political contributions in the Center for Responsive Politics (CRP) online database, which catalogs political contributions to federal and state candidates

since 1990.[2] Most members who contributed did so uniformly to one party's candidates. The few who contributed in a nominally bipartisan fashion in practice did so much more for one party than the other. I coded the member's partisanship according to the party to that received the predominance of contributions. Again, if I could find absolutely no information on a member's partisanship in any of the databases, I coded it as "unknown." I used a similar procedure, without the CRP database, to code religion.

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[2] www.opensecrets.org

Online Appendix II: Summary Statistics for Dependent and Independent Variables

Variable	Mean	Standard Deviation	Range
Dependent Variable			
ABA Rating	3.88	1.49	0, 5
Nominee Partisanship			
Republican President	0.56	0.50	0, 1
SCFJ Partisanship			
Republican Investigator	0.41	0.49	0, 1
Nominee Professional Qualifications			
Years as Federal Judge (Standardized)	0	1	-0.59, 5.21
Years as State Judge (Standardized)	0	1	-0.47, 5.04
Years in Private Practice (Standardized)	0	1	-1.33, 2.76
Years as Government Attorney (Standardized)	0	1	-0.77, 4.16
Top 14 Law School	0.51	0.50	0, 1
Law Professor	0.32	0.47	0, 1
Federal Clerk	0.26	0.44	0, 1
Political Experience	0.21	0.41	0, 1
Nominee Demographics			
Female	0.18	0.39	0, 1
Minority	0.15	0.36	0, 1
Age (Standardized)	0	1	-2.45, 2.68
No Split Vote Era	0.23	0.42	0, 1

Table IIA. *Summary Statistics for Dependent and Independent Variables.* The table reports the mean, standard deviation, and range of the dependent and independent variables.

Online Appendix III: Robustness Checks

Alternative Specifications

I: "GHP scores" in place of "party of appointing president" as measure of nominee ideology
II: Logit model ("well-qualified" = 1, all else = 0) instead of an ordered logit model
III: OLS regression model with 0-5 ABA rating dependent variable

The results are substantially the same using GHP scores. If anything, the use of "party of the appointing president" tends to understate the effect of ideology in the rating process. Thus, the ideological effects reported in the body of the paper reflect a conservative estimate of its magnitude. For example, a nominee 1.5 standard deviations below the ideological mean (more liberal) has a 0.71 predicted probability of a well-qualified rating when investigated by a Democratic SCFJ member. A nominee 1.5 standard deviations above the mean (more conservative) has only a 0.46 predicted probability of a well-qualified rating when investigated by a Democratic SCFJ member. The 0.25 difference is statistically significant ($X^2_{(1)}$ = 8.45, p<0.01). The larger substantive effect of ideology, as opposed to partisanship, may reflect the importance of certain issues, such as abortion rights, in the judicial nomination process. The partisanship variable groups together nominees whose views on salient issues may vary quite a lot, for example, First Circuit nominee Levin Campbell, suggested to President Nixon by liberal Republican Massachusetts Senator Edward Brooke, and L. Steven Grasz, whose background introduced the study.

Specification II replaces the six-point dependent variable with a dichotomous variable indicating whether or not the nominee received a unanimous "well-qualified" rating. The independent variables remain the same from the Model I of the original analysis. Specification III estimates OLS regression with the six-point ordinal measure of the nominee's ABA rating as dependent variable. The independent variables remain the same from the Model I of the original analysis. The results of both alternative specifications are substantially similar to the original analysis.

	I	II	III
Partisanship Variables			
GHP Score (Standardized)	-0.40** (0.14)	---	---
Republican President	---	-0.84* (0.32)	-0.50** (0.18)
SCFJ Republican	-0.16 (0.19)	-0.30 (0.28)	-0.22 (0.16)
GHP Score * SCFJ Republican	0.29 (0.20)	---	---
Republican President * SCFJ Republican	---	0.39 (0.40)	0.27 (0.23)
Professional Qualifications Variables			
Years as Federal Judge (Standardized)	0.69** (0.12)	0.58** (0.14)	0.46** (0.07)
Years as State Judge (Standardized)	0.34** (0.11)	0.28* (0.11)	0.25** (0.09)
Years in Private Practice (Standardized)	0.42* (0.17)	0.38* (0.17)	0.27* (0.12)
Years as Government Attorney (Standardized)	0.20† (0.11)	0.21† (0.12)	0.10 (0.08)
Top 14 Law School	0.19 (0.17)	0.21 (0.19)	0.17 (0.11)
Law Professor	0.11 (0.21)	-0.02 (0.20)	0.13 (0.15)
Federal Clerk	0.93** (0.23)	0.80** (0.24)	0.62** (0.14)
Political Experience	-0.72** (0.26)	-0.87** (0.28)	-0.54** (0.20)
Demographic Variables			
Minority	-0.45* (0.21)	-0.55* (0.25)	-0.29† (0.16)
Female	-0.16 (0.21)	-0.24 (0.26)	-0.11 (0.15)
Age	-0.10 (0.12)	-0.08 (0.13)	-0.04 (0.10)
Age^2	-0.30** (0.08)	-0.31** (0.09)	-0.23** (0.06)
No Split Vote Era	0.83** (0.30)	1.04** (0.28)	0.36* (0.16)
Constant	---	0.98** (0.31)	4.28** (0.19)
N	566	566	566
Log-pseudolikelihood	-650.45	-333.59	---
Wald X^2	153.77**	94.57**	---
R^2	---	---	0.20

Standard errors clustered on committee year.
Notes: †: p<0.1 *: p<0.05 **: p<0.01 (all two-tailed)
Table IIIA. *Alternative Models of Courts of Appeals ABA Ratings, 1958-2020*. Specification I replaces "party of appointing president" with "GHP score" as the measure of nominee ideology. The dependent variable is a six-point ordinal measure of the nominee's ABA rating.

Online Appendix IV: Matching

The choice of matching procedure turns on which method preserves enough observations for analysis and better reduces the imbalance between the treatment and control group. Coarsened exact matching (CEM) performed significantly better than genetic matching in reducing imbalance for these data. It also retained enough observations to support the parametric model of ABA ratings in Section 7.1.1.

Table IVA shows the pre- and post-CEM mean imbalance between Republican and Democratic nominees. Because a negative value indicates that the Democratic nominees have a higher mean value for that trait, Table IVA displays the general Democratic advantage in most experience-related variables. The improvement in balance between the two groups is obvious in the post-match column. All indicator variables are perfectly balanced, and the absolute value of the mean difference decreases for all continuous variables except years in private practice.

	Pre-match	**Post-match**
Professional Qualifications Variables		
Years as Federal Judge (Standardized)	-0.07	0.03
Years as State Judge (Standardized)	-0.10	0.05
Years in Private Practice (Standardized)	0.04	-0.06
Years as Government Attorney (Standardized)	-0.03	-0.03
Top 14 Law School	-0.03	0
Law Professor	-0.03	0
Federal Clerk	-0.003	0
Political Experience	-0.002	0
Demographic Variables		
Minority	-0.17	0
Female	-0.13	0
Age	-0.18	-0.01
No Split Vote Era	-0.01	0

N	566	67
Multivariate imbalance	0.98	0.44

Table IVA. *Means of Pre-Matched and Post-Matched Data.* Party of the appointing president is the treatment variable. Mean differences are Republican mean minus Democratic mean. Thus, positive numbers indicate a higher mean for the trait in Republican nominees. The multivariate imbalance statistic is an overall value of the imbalance between Republican and Democratic nominees. A 1 indicates total imbalance, while a 0 indicates perfect balance.

Table IVB shows the results from genetic matching. They are substantially worse than the CEM results. Genetic matching reduces the imbalance between Republican and Democrats on only three variables. It increases the absolute value of the imbalance on the remaining nine variables. For some variables, e.g., federal clerkship experience, the increase is quite large. Therefore, genetic matching, despite its preservation of many more observations than CEM, is not appropriate to preprocess these data.

	Pre-match	**Post-match**
Professional Qualifications Variables		
Years as Federal Judge (Standardized)	-0.07	-0.04
Years as State Judge (Standardized)	-0.10	-0.09
Years in Private Practice (Standardized)	0.04	0.11
Years as Government Attorney (Standardized)	-0.03	-0.12
Top 14 Law School	-0.03	-0.08
Law Professor	-0.03	-0.08
Federal Clerk	-0.003	-0.10
Political Experience	-0.002	-0.01
Demographic Variables		
Minority	-0.17	-0.19
Female	-0.13	-0.15
Age	-0.18	-0.08
No Split Vote Era	-0.01	0.06
N	566	484

Table IVB. *Means of Pre-matched and Genetically Matched Data.* Party of the appointing president is the treatment variable. Mean differences are Republican mean minus Democratic mean. Thus, positive numbers indicate a higher mean for the trait in Republican nominees.

Table IVC reports the summary statistics for the CEM processing of the Democratic and Republican nominee subgroups for section 7.1.2. Within the subgroups, CEM performed quite well, reducing the imbalance between groups on all variables except one, the Democratic nominee subgroup's age. Seventeen of 24 variables across the subgroups have no imbalance. Despite the Democratic subgroup's imbalance with respect to age, CEM reduced the multivariate imbalance measure to its minimum value for Democratic nominees.

	D Pre-match	**D Post-match**	**R Pre-match**	**R Post-match**
Professional Qualifications Variables				
Years as Federal Judge (Standardized)	0.05	0	0.11	0
Years as State Judge (Standardized)	0.24	0	0.07	-0.01
Years in Private Practice (Standardized)	-0.05	-0.08	0.30	0.03
Years as Government Attorney (Standardized)	-0.14	-0.10	-0.30	-0.02
Top 14 Law School	-0.11	0	-0.06	0
Law Professor	0.03	0	-0.07	0
Federal Clerk	-0.13	0	-0.13	0
Political Experience	-0.13	0	-0.11	0
Demographic Variables				
Minority	-0.04	0	-0.02	0
Female	-0.10	0	-0.09	0
Age	0.14	-0.28	0.15	-0.11
No Split Vote Era	0.07	0	0.32	0
N	242	15	325	20
Multivariate imbalance	0.98	0.00	0.97	0.33

Table IVC. *Means of Pre-Matched and Post-Matched Partisan Subgroups.* Party of SCFJ investigator is the treatment variable. Mean differences are Republican investigator mean minus Democratic investigator mean. Thus, positive numbers indicate a higher mean for the trait among nominees investigated by Republican SCFJ members. The multivariate imbalance statistic is an overall value of the imbalance between nominees investigated by Republican and Democratic SCFJ members. A 1 indicates total imbalance, while a 0 indicates perfect balance.

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