LAW & COURTS NEWSLETTER

Note from Section Chair

TEENA WILHELM, UNIVERSITY OF GEORGIA

In the spirit of all things 2025, I asked ChatGPT to help me write this message. I told it that I needed to convey gratitude but (given that I wanted to be authentic) I also told it that I was a tad burned out by semester's end. Here are ChatGPT's helpful suggestions:

- "Much appreciated, truly. Running on fumes but grateful."
- "Thanks a ton — energy low, appreciation high."
- "Appreciate you. Brain's tired, heart's thankful."
- "Big thanks. Social battery at 2%, gratitude at 100%."
- "Thanks Fr. Kinda exhausted, still grateful."

I wasn't sure exactly how those would land, so I decided to go ahead and write my own note of appreciation. What ChatGPT cannot capture is how honored I am to serve as chair of the section this year. In truth, I'm honored to simply belong to this group.

My heartfelt thanks to all of you who have made the leadership transition so seamless. This includes former section chairs Pam Corley and Lisa Holmes, who gave valuable insight and direction. This also includes former section treasurer Mike Nelson, who tirelessly helped maintain the framework of our section over the last few years. In his efforts, Mike became the heart and soul of the Law and Courts section, and we are sincerely indebted. A shout out also to everyone who graciously volunteered for and agreed to my service requests. Our award and search committees were promptly staffed. I encourage everyone to actively participate by submitting nominations for section awards so that we can celebrate your good work in Boston next year.

I'd also like to recognize several individuals for their ongoing work in service to the section. Monica Lineberger and Jolly Emrey have just finished their term as editors of the *Law and Politics Book Review*. Theirs has been an often overlooked but significant service to our subfield, and they won't be easily replaced. Tom Clark has served as editor of the *Journal of Law and Courts* since 2021 and will complete his term this coming year. The section has undoubtedly benefitted from his editorial tenure. Maureen Stobb is wrapping up her second year as editor of the *Law & Courts Newsletter*. Her steadiness in this role is not unnoticed, including her diligence through the holiday break getting the section chair to finish this message. The webmaster team (Shane Gleason, Rachel Houston, and Allison Trochesset) also deserves recognition for their efforts, as do the listserv moderators (Matt Baker, Alison Merrill, and Adam Rutkowski). To all these folks, thank you for your long-term commitment to the section.

Beyond these general thanks, I want to say that I look forward to working with the members of the executive committee in the coming year, and more

generally becoming acquainted with our section membership as the duties of the chair entail.

Note from Editor

Maureen Stobb, Georgia Southern University

I am happy to present Volume 35, Issue 2 of *Law & Courts Newsletter*. This issue features an excerpt from the insightful work of Gbemende Johnson of the University of Georgia on executive-court relations. At a time when U.S. courts are facing unprecedented pressure from the president, Johnson provides perspective by examining the Biden Administration's engagement with the federal judiciary in his effort to gain control over the administrative state. Her forthcoming article explores Biden's successes and challenges in pursuing his policy preferences in the U.S. Supreme Court and the lower federal courts, giving us a good sense of his legacy in this important area. This excerpt focuses on Biden's imprint through judicial appointments.

The Better Get To Know feature includes Ryan Black's interviews with our featured scholar, Gbemende Johnson, and Jake Truscott, an assistant professor at the University of Florida who already has an impressive collection of scholarship. The Books to Watch For section introduces books across the subfield touching upon important topics with policy implications in key areas including police shootings, race and the law, and judicial tenure, independence and character. I also have the pleasure of including announcements about awards and honors bestowed upon members of our section.

As always, I welcome any feedback. Please send me any suggestions, comments and questions at lcnapsa@gmail.com or mstobb@georgiasouthern.edu.

"Pushing Forward:" Reshaping the Federal Judiciary

Gbemende Johnson,
University of Georgia, Athens[1]

Below is an excerpt from a two-part examination of the Biden Administration's engagement with the federal judiciary. Gaining control over the administrative state is a key component of the success of a president's policy agenda. Presidential administrative influence includes the placement of appointees in areas of policy priority, structural reorganizations, and the centralization of administrative rulemaking activity. However, the posture of the federal judiciary is also essential to the longevity of a president's administrative goals. I discuss the Biden Administration's interaction with the federal judiciary along two components: Part I, which appears below, discusses Biden's impact on shaping the "personnel" of the federal judiciary. Specifically, I use data on federal judicial appointments during the Biden Presidency to show how Biden's appointments influenced the representativeness of the federal judiciary. Part II of this project discusses challenges faced by the Biden Administration's agenda before the U.S. Supreme Court. I provide a descriptive overview of the success of the Biden Administration when appearing before the U.S. Supreme Court and highlight high-profile decisions involving administrative policy. Whereas Biden's impact on the makeup of lower federal courts has the potential to shift aggregate court outcomes toward his policy preferences, the U.S. Supreme Court's decisions in administrative law during the Biden Presidency concordantly work to shape judicial, executive, and litigant behavior in a manner contrary to Biden Administration preferences.

A president's imprint on the federal judiciary is potentially one of the most enduring aspects of her legacy. Whereas executive orders can be retracted by subsequent presidents, or a president's legislative priorities curtailed by future congressional delegations, judicial appointees have the capacity to shape the direction of federal law decades after the end of a presidential term. Recognizing this, then-Senator Majority Leader Mitch McConnell (R-KY) referred to President Trump's judicial appointments as the "most long-lasting accomplishment of the current administration"(Sherman, Freking and Daly 2020). The lifetime tenure of judgeships can make them high-value seats for judges and political actors (Binder and Maltzman 2002; Helmke and Staton 2011).[2]

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[1]This excerpt is drawn from Gbemende E. Johnson's forthcoming article, "'Pushing Forward, Pulled Back?': The Biden Presidency, the Federal Judiciary, and the Administrative State," to be published in the *Government Law Review*, Volume 19 (2026). The full article will be available upon publication at Website.

[2]Binder and Maltzman (2002, 191) conclude that, because of their lifetime tenure and broad jurisdictions, appellate appointments are "highly consequential for the shape of public

President Biden has been able to confirm nominees at a record pace, increase the diversity of the federal bench, and "flip" multiple judicial circuits from Republican to Democratic-judge appointee majorities. However, the Biden Administration and Senate Democrats still had to navigate a highly polarized Senate environment.

Conflict and Polarization

Congressional polarization has exacerbated the conflict over federal judicial nominees (Bartels 2015; Devins and Baum 2017).[3] Increasing ideological disagreement between the president and Senate not only increases confirmation times but also increases the likelihood that a nomination fails (Binder and Maltzman 2002; Primo, Binder and Maltzmann 2008). The conflict over judicial nominations reached a crescendo during the Obama Administration. Democratic leaders accused the minority Republican Party in the Senate of record levels of obstruction (Office of Senator Elizabeth Warren 2016). Cloture motions do not necessarily perfectly correspond to filibuster attempts; however, cloture motions can be used in an attempt to end nomination filibusters. In the 112th Congress (2011-2012), 26 cloture motions were introduced on judicial nominations, the highest number during any single Congress (Beth et al. 2018). Faced with this gridlock, on November 21, 2013, Senate Majority Leader Harry Reid (D-NV) decided to go "nuclear" and, through a parliamentary procedure adjustment, effectively removed the ability for senators to filibuster judicial nominees. Whereas previously a president required 60 votes for a successful cloture motion to end a filibuster of a judicial nominee, post-nuclear option, lower federal court judges could be confirmed with a bare majority (Boyd, Lynch, and Madonna 2015). In 2017, Senate Majority Leader McConnell would later take this one step further and remove the ability to filibuster Supreme Court nominees (Davis 2017).

The reduced ability for an out-party senator or an oppositional in-party senator to obstruct the forward movement of a nomination can aid in the speed and overall number of confirmations when the president's party has majority control of the Senate. Post-nuclear option, the number and pace of President Obama's nominees increased noticeably. However, with the loss of the Senate majority in 2015, as seen in Figure 1, President Obama only confirmed 22 judicial nominees during his last two years in office, bringing Obama's judicial confirmation total across two terms to 329 Article III judges

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and policy and law." Helmke and Staton (2011, 323) note that "longer tenure can increase the value of a seat . . . by increasing the salary stream that will be lost and the years of prestige associated with the position. Yet increased tenure might also increase the value of hearing future cases . . . insofar as being accessed influences the prestige of court, access should be valued more by judges who will sit on the court longer."

[3]Devins and Baum (2017) also discuss how partisan sorting between Democrats and Republicans has intensified the ideological polarization on the Supreme Court.

confirmed.[4] President Trump was able to confirm (at the time) the second highest number of federal judicial appointees in a single term with 237 Article III confirmations. By the end of his term, President Biden confirmed 235 Article III judges, thanks in part to the Democratic Party maintaining their slim Senate majority during the 2022 midterm elections. Biden's confirmation total includes 1 Supreme Court Justice, 45 Court of Appeals Judges, 187 District Judges, and 2 judges for the Court of International Trade.
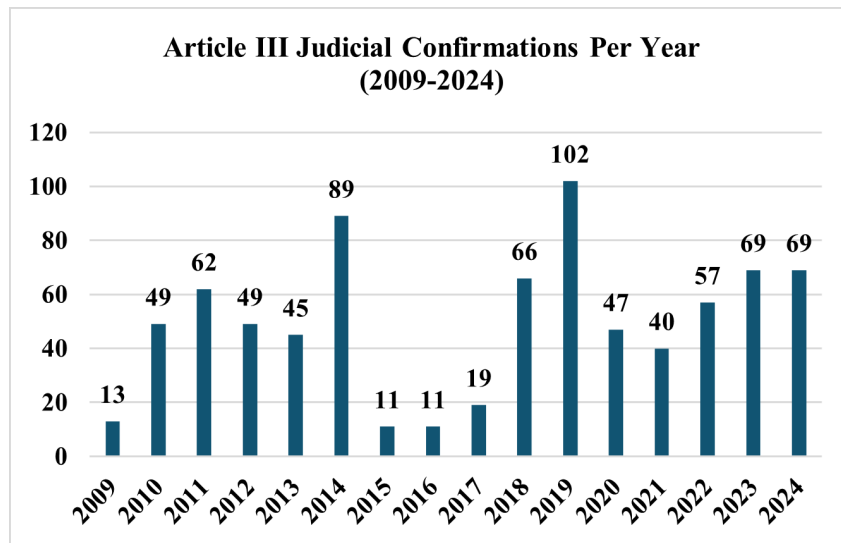

Figure 1. Judicial Confirmations Per Year (2009-2024)

Note: Data obtained from the Federal Judicial Center (2025). Judge Marvin Quattlebaum, Jr. was confirmed twice in 2018 (District Court for South Carolina in March 2018 and subsequently to the Fourth Circuit in August 2018).

President Biden, who once served as Chairman of the Senate Judiciary Committee, was initially able to move swiftly during his first months in office. During his first six months, Biden had 30 judges nominated and 8 judges confirmed. Comparatively, President Obama [5] nominated 10 judges with 0 confirmed during his first 6 months, and President Trump nominated 27 judges with 4 confirmed, including Supreme Court Justice Neil Gorsuch. Table 1 includes a measure of confirmation efficiency. Specifically, it counts the total number of judicial confirmations as a percentage of the total number of nominations made during a presidential term. Importantly, a president may have to nominate a judge multiple times prior to a successful confirmation; therefore, an individual judge may be counted more than once in the "total

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[4]Statistics refer to confirmation, meaning that an individual judge could count more than once towards the confirmation total if they were appointed to multiple federal judicial position during a single presidential term. (Federal Judicial Center 2025).

[5]Justice Sotomayor was President Obama's first confirmed federal judge on August 6, 2009.
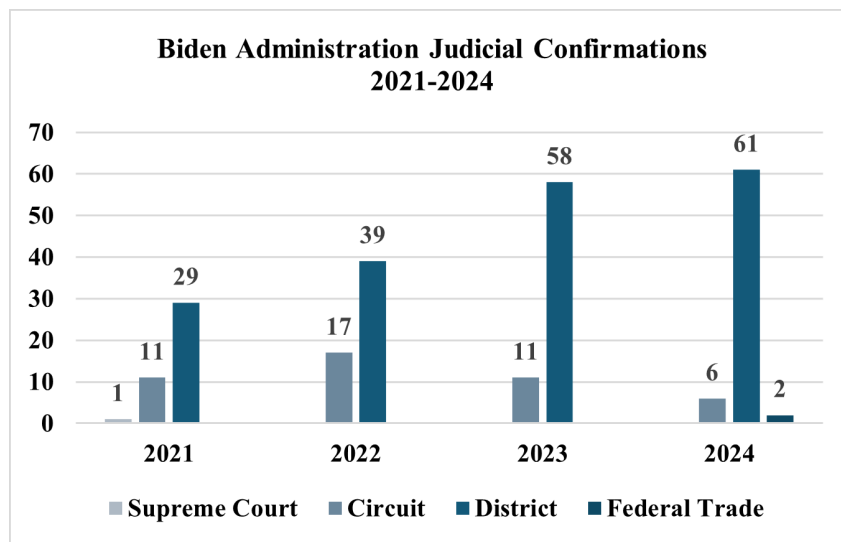
Figure 2. Biden Administration Article III Judicial Confirmations (2021-2024)

Note: Data obtained from the Federal Judicial Center (2025).

nominations figure."[6] For example, President Obama's 173 Article III judicial confirmations during his first term represented 64 percent of the judicial nominations submitted to the Senate. For his second term, 55 percent of his nominations submitted to the Senate resulted in judicial confirmations, a noticeable decrease. Approximately 71 percent of Biden's nominations submitted to Congress resulted in judicial confirmations.

Table 1. Nomination "Efficiency"

	Total Nominations	Unsuccessful Nominations	Confirmed Nominations	Percentage
Obama Term 1	269	96	173	64%
Obama Term 2	282	126	156	55%
Trump	385	151	234	61%
Biden	333	98	235	71%

Note: Data obtained from the Federal Judicial Center (2025).

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[6]For example, Louis B. Butler, Jr. was nominated four times during President Obama's first term. His nomination never received a Senate vote (Federal Judicial Center 2025). Nominations that expire at the end of a congressional session without a Senate confirmation vote are returned to the president. Withdrawn nominations are also considered unsuccessful nominations (Greene 2023).

Biden's Judicial Landscape

Upon taking office in January 2021, President Biden "inherited" far fewer judicial vacancies as compared to President Trump (McMillion 2022).[7] As shown in Table 2, President Trump entered office with over 100 inherited judicial vacancies. The significantly reduced rate of confirmations for President Obama during his last two years, referenced earlier, is a likely contributor to this figure, particularly since second-term presidents usually encounter more difficulty in confirming appellate judge nominees (Martinek, Kemper and Van Winkle 2002). These inherited vacancies provided Trump with a clear advantage in terms of his ability to shape the judicial landscape.

However, additional vacancies throughout a president's term can emerge as judges take senior status, a partial retirement where judges work a reduced caseload, allowing the president to fill the now "vacant" seat. During his term, 186 Article III district and circuit judges assumed senior status (Table 3), opening the judicial landscape for Biden.

Table 2. Inherited Vacancies: 2009-2021

	Obama (2009)	Obama (2013)	Trump (2017)	Biden (2021)
U.S. Court of Appeals Vacancies	13	26	17	2
U.S District Courts Vacancies	40	59	86	43
U.S. Court of International Trade Vacancies	0	2	2	1
Total	53	105	105	46

Note: Data obtained from U.S. Courts, *Archives of Judicial Vacancies: Judges & Judgeships* (2025).

Table 3. Vacancies During Presidential Term: Senior Status and Elevations

	Obama Term 1	Obama Term 2	Trump Term 1	Biden
Senior Status				
U.S. Court of Appeals Senior Status	26	22	29	37
U.S. District Court Senior Status	126	129	106	147
U.S. Court of International Trade Senior Status	1	4	2	1
Senior Status Total	153	155	137	185
Judicial Elevations				
U.S. Supreme Court Elevations	1	0	3	1
U.S. Court of Appeals Elevations	15	5	10	13
Elevations Total	16	5	13	14

Note: Data obtained from the Federal Judicial Center (2025).

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[7]Although a judge taking senior status can give the president the opportunity for an additional appointment, the timing in which a judge takes senior status can affect whether there is sufficient time for a nominated judge to successfully traverse the confirmation process. The time-period from nomination to confirmation can range from weeks to months, with nominations not completing the confirmation process expiring at the end of a congressional session. During the first year of Biden's term, the minimum time length for the process from nomination to confirmation was 50 days for district court nominees and 56 days for circuit court nominees (McMillion 2022).

Presidents can also "create" vacancies through the nomination and promotion of a lower court judge to a higher court, which provides a "two for one" confirmation opportunity. For example, in 2021, President Biden nominated then-D.C. District Judge Ketanji Brown Jackson to serve on the U.S. Court of Appeals for the D.C. Circuit (White House 2021). The elevation of Jackson allowed President Biden to fill Jackson's former district court seat with Judge Florence Pan, making Pan the first Asian-American woman to serve on a D.C. federal court (Reuters 2021). President Biden's nomination of Ketanji Brown Jackson to fill Justice Stephen Breyer's Supreme Court seat in 2022 allowed him to subsequently nominate D.C. District Judge Pan to fill Jackson's former D.C. Appeals seat. While nominating a judge presently in the federal hierarchy may provide advantages in terms of previous Senate support and judge experience with the nomination process, presidents may understandably prefer to leave their own specific stamp on the Court of Appeals (and appear responsive to coalition preferences) by selecting nominees outside of the federal hierarchy.

Presidential Priorities

Prior to taking office, a presidential candidate can send clear and important signals to allies on the strategy she intends to pursue in filling federal judgeships, with apparently greater latitude in the post-nuclear Senate (Hollis-Brusky and Parry 2021). During his 2016 campaign, then-candidate Trump expressed his intention to work closely with conservative organizations such as the Heritage Foundation and the Federalist Society to find judicial nominees (Diamond 2016). During the Trump Administration, then-Executive Vice President of the Federalist Society, Leonard Leo, played a primary role in identifying candidates for open judgeships (O'Harrow and Boburg 2019). These judges would presumably advance a conservative legal philosophy that includes an originalist constitutional perspective and a preference for reduced administrative power in a manner reminiscent of President Ronald Reagan's call for smaller government (Hollis-Brusky and Parry 2021). All three of President Trump's Supreme Court appointments (Neil Gorsuch, Brett Kavanaugh, and Amy Coney Barrett) were previously members of the Federalist Society (Hollis-Brusky and Parry 2021). Additionally, approximately eighty-nine percent of President Trump's circuit confirmations, and forty-six percent of his district confirmations were members of the Federalist Society (Choi, Gulati and Posner 2025).

During his candidacy for the 2020 election, then-candidate Biden signaled that demographic diversity was a priority for his judicial nominees, most acutely with his call to nominate the first African-American woman U.S. Supreme Court Justice (Johnson 2021). Biden also met with advocacy groups to discuss the importance of increasing diversity of nominees across the government (Cummings 2020). After his election, the Biden Administration ex-

plicitly signaled its adherence to the goal of nominee diversity in presidential announcements that noted how Biden's judicial nominees "continue to fulfill the President's promise to ensure that the nation's courts reflect the diversity that is one of our greatest assets as a country" (White House 2024).

By the end of his term, sixty-three percent of Biden's confirmed judges were women and approximately sixty percent were non-white (Federal Judicial Center 2025). This is a marked departure from the demographics of President Trump's confirmed judges; eighty-four percent of whom were white, and twenty-four percent of whom were women (Federal Judicial Center 2025). However, President Trump appointed the greatest percentage of women out of his total nominees in comparison to any previous Republican president (Gramlich 2021). The diversity of Biden's nominees also outpaced those made by Obama during his first term. Forty-two percent of President Obama's confirmed judges were women, and thirty-six percent were non-white (Gramlich 2021). Research shows that Democratic presidents have often pursued an agenda that involves expanding demographic diversity (King, Schoenherr and Ostrander 2025).[8]

Diversity and representation matter in government positions for multiple reasons (Haire and Moyer 2015; Means 2019; Hofer and Archury 2021; Scherer 2023). The presence of descriptive representation, representation referring to a similarity of demographic characteristics between an official and the public (Pitkin 1987; Stout, Tate and Wilson 2021), can signal that government institutions are accessible and open to a variety of groups across society (Reddick, Nelson and Paine 2009; Thurston 2019). Descriptive representation can also increase feelings of institutional legitimacy towards an institution, particularly among individuals who are members of underrepresented groups (Scherer and Curry 2010).

Another significant aspect regarding President Biden's appointments is the number of women of color nominated and confirmed. During his term, approximately forty percent of Biden's confirmed judges were women of color (Figure 3), nearly double the number of women of color appointed by President Obama during his first and second term respectively. Women of color occupy a unique nexus that operates at the intersection of gender and racial hierarchies, which combine to create unique personal and professional experiences (Crenshaw 1989; Means 2023). Specifically, hurdles that women of color potentially traverse throughout their legal careers include experiences with bias, discrimination, and networking challenges that can result in the loss of women of color in the legal career pipeline (Brazelton and Chaffin-DeHaan 2019; Melaku 2019; Johnson 2021). Given these challenges, President Biden's impact on the percentage of women of color on the federal bench is notable.

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[8]King, Schoenherr and Ostrander (2025) argue that Democrats and Republicans pursue different strategies in promoting gender diversity in federal courts, with Democrats pursuing a strategy that expands the amount of judicial seats that women occupy, and Republicans "anchoring" judicial seats by filling seats held by women judges with subsequent female judicial nominees.

Article III Judicial Confirmations Per Year (2009-2024)
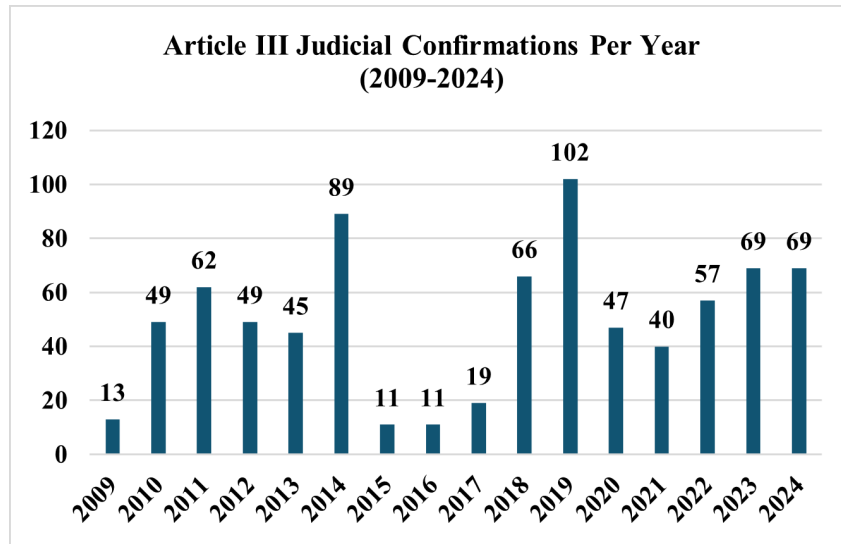
Figure 3. Appointments and Judicial Diversity

Note: Data obtained from the Federal Judicial Center (2025).

Challenges and Strategy

The speed and success that the Biden Administration experienced was aided by the administration's strategy of prioritizing federal judgeships in "friendly" blue states, to avoid blue slip opposition and delays from out-party senators (Raymond 2023). Although the filibuster is no longer an institutional tool that can block judges, the blue slip process still gives opposing senators influence on the character of judicial nominees (Tobias 2024). As part of the Senate's advice and consent responsibility, the president is expected to consult with the home state U.S. Senators of a given judicial nominee, particularly for district nominees (where the judge's seat is contained within state lines). This consultation between the president and U.S. Senators can involve the president's direct consideration of a senator's recommendation for a nominee and/or also feedback during the blue slip process. The blue slip tradition, with origins dating back as early as the 1910s, involves the Senate Judiciary Committee sending blue slips of paper to both home state senators for a given nominee, and the senators can use the slips to report favorably or unfavorably on the nominee. Withholding of the blue slip is considered a way to render disapproval towards the nominee. Binder (2007) explains that the blue slip process essentially extended the process of senatorial courtesy, the practice of deferring to the preferences of home state senators of the president's party, to senators of both parties. While not a filibuster, blue slip opposition can stall a nominee even if the nominee has supermajority support.

The general practice is that judicial nominees that do not have the support of both home state senators will not receive consideration by the Senate Judiciary Committee; however, Senate Judiciary Chairpersons have historically

adjusted the degree to which they consider blue slip opposition disqualifying (Black, Madonna and Owens 2014). For example, in the face of increased resistance to President Carter's attempt to diversify the judiciary with more women and non-white nominees, Senate Judiciary Chairman Ted Kennedy (D-MA) allowed committee action on nominees even in the face of home state opposition (Black, Madonna and Owens 2014). Also, in 2017, Senate Judiciary Committee Chairman Charles Grassley altered the blue slip policy for U.S. Circuit nominees in that approval of both home state U.S. Senators was not required for the nomination to proceed (U.S. Senate Committee on the Judiciary 2017).

This policy remained in place during the Biden Administration under the leadership of Senate Judiciary Chairman Richard Durbin (D-IL.). Blue slip approval for both senators is still required for district court judges. Organizations supportive of the Biden Administration voiced criticism of Durbin's continued adherence to the blue slip policy for district nominees in the face of what some saw as strategic opposition by Republican senators to slow down the pace of Biden's judicial appointments (Thomsen 2023). For example, in October 2022, President Biden nominated State District Attorney Scott Colom to the vacant seat for the Northern District of Mississippi (a state represented by two Republican Senators)(Pittman 2023).[9] Republican Mississippi Senator Roger Wicker reported favorably on Colom's nomination. Colom's nomination also received the support of Republican state officials such as former Republican Governors Phil Bryant and Haley Barbour (Vance 2023). However, Republican Mississippi Senator Cindy Hyde-Smith withheld her blue slip and later stated that she would not support his nomination (Pittman 2023). Colom's nomination expired at the end of 2023 and was returned to President Biden in January 2024 (Congress 2025).

It is important to note that when Biden did venture into less "friendly" territory (states with one or no Democratic senators), these judicial nominees were often approved by above average margins (for recorded votes). Specifically, the average number of yes votes when viewing roll call votes for all of Biden's confirmed district nominees in states with two Democratic senators is fifty-three; however, the yes vote average for judicial nominees in states with at least one Republican senator is sixty-eight.[10] When removing the judges who received approximately seventy-four or more yes votes (eleven judges) (McMillion 2022),[11] the average yes total for judges in states with two Democratic

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[9]Pittman (2023) noted that the seat was previously held by Judge Michael Mills, appointed by George W. Bush, who took senior status in November 2021.

[10]The difference in vote margin is statistically significant the $p<0.01$ level. This figure focuses on district nominees as the two-senator blue slip rule is still active for district nominees. This figure excludes judges confirmed through voice and judges confirmed for districts in Washington, D.C. and Puerto Rico (thirteen total exclusions). Independent U.S. Senators Krysten Sinema (AZ.), Bernie Sanders (VT.), and Angus King (ME.) are coded as Democratic Senators in this calculation. However, the results are consistent (average yes total of fifty-three) when coding them as non-Democratic Senators (McMillion 2022).

[11]McMillion (2022) noted that this is approximately two standard deviations above the

senators is approximately fifty-three and the average for states with at least one Republican senator is fifty-nine (p<0.01). It is somewhat illustrative that nine of eleven district judges who received over seventy-four yes votes were in states with two Republican senators. Although the filibuster is gone, this difference in vote totals suggests that Republican senators in those states were successful in influencing the nomination to get judges acceptable to minority party preferences.

Shifting the Judiciary

Each successful judicial nomination contributes to a President's ability to shape and tilt the overall composition of the judiciary. When Biden entered office in 2021, a majority of district judges were appointed by Democratic presidents and his judicial appointments expanded that majority. Importantly, Biden was also able to "flip" two circuits from Republican-appointee to Democratic-appointee judicial majorities. Specifically, during the Trump Administration, the Court of Appeals for the Second Circuit flipped from Democratic-appointee majority to Republican-appointee majority with Trump's appointments of judges William Nardini and Steven Menashi in 2019 (New York Times 2020). However, Biden was able to quickly "reflip" the Second Circuit (Adler 2021) with his appointments of Eunice Lee, Myran Perez, and Beth Robinson during the first year of his presidency. The Court of Appeals for the Fourth Circuit also shifted to majority-Democratic appointee judges during Biden's term, giving the Democratic Party a 7-6 advantage in terms of Circuit Court of Appeals with majority Democratic-appointee judges (Headly 2024).[12]

While this discussion has focused on how Biden has been able to shape the composition of the judiciary in terms of judgeships, the consistent linkage between judicial ideology and vote outcomes (Segal and Spaeth 2002) would bode favorably for Biden or subsequent Democratic presidents in lower federal court. Specifically, individual judicial decisions by federal judges across the federal hierarchy create a tenor of jurisprudence that can push aggregate outcomes in an ideologically conservative or liberal direction decades after the appointing president has left office, which for Biden, would help the endurance of his administration's priorities (Hettinger, Lindquist and Martinek 2006; Carp, Manning, and Holmes 2022).[13]

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mean of fifty-five yes votes overall.

[12]At the end of Biden's term, Democrat-appointee judges comprised the majority in the First, Second, Fourth, Ninth, and Tenth Circuits. The D.C. Circuit and Federal Circuit for the Court of Appeals also had Democratic-appointee judge majorities. Six of the twelve judges of the Third Circuit are currently Democratic presidential appointees (Federal Judicial Center 2025).

[13]Manning, Carp and Holmes (2020) state that conservative outcomes in lower federal court decisions correlate with judges appointed by Republican presidents, particularly for judges appointed by President Trump.

However, it is also important to stress challenges regarding the nominees who shape the judiciary. A clear aspect of Biden's legacy will be his impact on the diversity of the federal judiciary. But as noted earlier, a key challenge has been with district seats in red states or circuit seats with Republican home state senators for the judicial nominee. Biden's replacement of a Democratic-appointed judge with his nominee helps entrench the Democrat's hold on a given seat; however, the ability to transfer a seat from Republican to Democratic-appointee control is what truly expands one party's numerical advantage in the federal judiciary. For example, during his term Biden appointed judges Dana Marie Douglas and Irma Carrillo Ramirez to the Court of Appeals for the Fifth Circuit. However, these appointments did not change the balance of power of the traditionally conservative Fifth Circuit given that Douglas and Ramirez replaced two judges who were previously appointed by President Obama (Raymond 2022; Choi 2023).

A second challenge is that even with numerical advantages, strategic litigants can take advantage of "vulnerabilities" in the judicial map to advance a legal agenda that challenges the priorities of the sitting president. For example, litigants hoping to disrupt a presidential agenda can file legal challenges in districts nested within circuits where the majority of judges are appointed by out-party presidents. This has been the case with the conservative Fifth Circuit, which has ruled against Biden Administration preferences in high-profile disputes involving gun laws, immigration, and reproductive rights (Barnes and Marimow 2023). Oppositional decisions by a federal circuit can be particularly problematic for a president if the circuit issues nation-wide injunctions against the implementation of a president's policy (Bond and Escobar 2023).

In addition, and as will be discussed in the next section, even if lower federal court judges have sincere preferences congruent to those of the sitting president, the presence of an ideologically distant high court (in this case the Supreme Court) can hinder a president's ability to govern through administrative means.

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Better Get to Know: Gbemende Johnson

Interview by: Ryan Black, Michigan State

Gbemende Johnson (Website) is Associate Professor of Political Science at University of Georgia. She earned her PhD in Political Science from Vanderbilt University in 2012.

Tell me a little about your background and how you got to where you are today.

I grew up in Gary, Indiana and when I was 12 my family moved to Atlanta, Georgia (my father's family is from Georgia). In the 9th grade I took a Civics class and fell in love with the subject. From then on, I knew I wanted to major in Political Science, which is what I did at Georgia State University. I had the opportunity to take great classes with scholars such as Pamela Corley, David Nixon, Peter Lindsay, and I worked with the wonderful Bob Howard who was the Pre-Law advisor. During my senior year, I interned with the United States Commission on Civil Rights. When I was working there, my key task was to research the desegregation status of school districts in Florida and to find out whether districts had achieved a "unitary" status declaration from a federal court. This assignment required research into federal desegregation litigation. In reading those cases, I became fascinated with the degree of engagement and oversight the courts performed in trying to achieve compliance from districts (some of whom were quite stubborn). This work/research pushed me in the graduate school direction. I owe a huge thank you to David Nixon and Pamela Corley for helping me as I applied to graduate school. There was quite a bit that I "didn't know, I didn't know" and they were so very helpful in helping me navigate the process. I attended Vanderbilt for my PhD work, initially working with the great C. Neal Tate. After his unexpected passing, David Lewis and Tracey George (amazing mentors) became my dissertation Co-Chairs (hence my work on the intersection of judicial and executive power). After Vanderbilt, I spent 10 years in upstate New York at Hamilton College and I recently came back down south to the University of Georgia.

If you weren't a political scientist, what would you be instead?

Either an archeologist or a geologist. I find old things very fascinating. For some reason I have always been interested in artifacts from colonial America. Separately, I find coal fascinating in a geological sense — its properties, formation, burn characteristics, why some areas are rich in coal deposits, etc.

What are you working on now?

A few things but the big one is my NSF FOIA project, which is a dataset of Freedom of Information Act Litigation. The formal grant period is winding down, so currently there is a lot of data cleaning going on.

Best book on your office shelves people may be surprised by?

A newer book (edited volume), *Doing Research as a Native: A Guide for Fieldwork in Illiberal and Repressive States* by Kira Jumet and Merouan

Mekouar. This book provides great methodological and practical insight into ways to manage and conduct fieldwork in challenging environments and with individuals living in stressful (and dangerous) social contexts.

What's some good work other than your own that you've read recently and would recommend?

I recently taught a new graduate course (Courts and the Executive Branch) that centered on judicial-executive relations. I assigned seminal pieces such as Keith Whittington's *The Political Foundations of Judicial Supremacy* and some great recent articles by scholars such as Elizabeth Lane, Susanne Schorpp, Rebecca Reid, Christopher Kromphardt, Michael Salamone, Matthew D. Montgomery, Natalie C. Rogol, Anna McCaghren Fleming, Audrey Baricovich, Lauren Mattioli, Michael Nelson, Amanda Driscoll, Aylin Aydin-Cakir, Jessica Schoenherr, and Nicholas Waterbury (to name a few!).

What's your workspace setup like?

Well, first Kudos to Christina Boyd who helped me to arrange my desk in a uniquely shaped office space (it's shaped a bit like a Tetris piece). Basically, I have an L-shaped desk configuration with a lap-top connected to two large screens. The more screens the better in my opinion

What apps, software, or tools can't you live without?

Dropbox has been essential for managing co-authored projects and working with RAs. I also like trying different project management programs — the most recent one that I have used is Trello.

What do you listen to while you work?

I usually listen to something "low-frequency" so that it's not too distracting. This includes a lot of "chill-hop" instrumentals or even random instrumentals from SoundCloud. If I need something with words, one of my favorite "listen while working" artists is John Splithoff. But other good artists that help the work day include Chris Botti and Samara Joy. And if something up tempo is needed, Beyonce and Bon Jovi.

Favorite research and teaching hacks?

Research Hack: This isn't a hack, but research what you find interesting, and you rarely get bored. Teaching Hack: This probably isn't a hack either but an assignment that I find useful. This came from Heather Sullivan. At the beginning of the semester, I have my students write a 500-word political autobiography. Basically, with this assignment, students must discuss how they first became "aware" of "politics." I really enjoy reading these. Students will discuss what they learned about politics from their parents, school debates, experience navigating a certain policy, etc. I learn so much from this assignment because students will share things that the students may not share otherwise and when you let a student know that you read their bio closely, it can have a positive impact on future interactions in the class. This assignment works best for class sizes of 45 students or less.

How do you recharge? What do you do when you want to forget

about work?

My favorite recharge activity was walking in the woods with my dog Rheneas. The woods were our happy place. Rheneas recently crossed the Rainbow Bridge earlier this year, so the walks feel a bit different now, but they are still helpful.

What's in your "culture queue" that you'd like to recommend to our readers?

Two shows I recently watched and recommend — The Residence and Reacher. Very different shows but both well done. Especially The Residence (a murder mystery centered in the White House). In terms of documentaries, I'm a big fan of nature documentaries so the Planet Earth/Blue Planet series is always good. Also, NOVA on PBS is always good viewing if you still feel like learning after work.

What everyday thing are you better at than everyone else? What's your secret?

I don't think I'm better at this than anyone else, but this is something that a few people have told me is unusual (I'm not sure if it is). I can't end the day without knowing what I will wear for the next day or the next few days. I literally can't sleep if I don't figure this out. When I was little my Mom would always tell us (myself and my 4 siblings) to "pick out what you are wearing for school tomorrow" the night before. I've been doing it ever since and it helps save time in the morning (thanks, Mom).

What's your biggest struggle in being a faculty member? How do you try to address it?

Guilt. If I'm doing one thing, I feel bad that I'm not doing something else. If I'm grading, I should be researching, if I'm researching, I should be grading, etc. If I'm doing service, I should be grading or researching. Addressing it is hard but someone (I unfortunately can't remember who) told me to think of things as "glass" balls and "plastic" balls. The glass balls can't be dropped (grant deadline/student letter of recommendation submission). The plastic balls are important but there may be a bit more flexibility in navigating them so seek out accommodations for them when needed.

What's the best advice you ever received?

This came from one of my mentors (Marc Hetherington). Instead of trying to make anxiety disappear think of it as a companion that is going to walk in the room with you. It can walk behind you or beside you — just don't let it stand in your way

What's the greatest idea you've had that you don't want to do yourself?

I'm drawing a blank here — everything that I think is interesting I want to do.

Which junior and senior persons would you like to see answer these same questions?

Marcy Shieh, Tao Dumas, Isaac Unah

Is there anything else you'd like to add that might be interesting to readers?

A piece of anthracite coal is approximately 300 million years old. If you want to learn more, you can visit the Anthracite Coal Heritage Museum in Taylor, PA.

Better Get to Know: Jake Truscott

Interview by: Ryan Black, Michigan State

Jake Truscott (Website) is Assistant Professor of Political Science at the University of Florida. He earned his PhD in Political Science in 2023 from the University of Georgia.

Tell me a little about your background and how you got to where you are today.

I'm originally from a city northeast of Sacramento, California called Roseville (the same hometown as Molly Ringwald). I got my undergraduate degrees from the University of Nevada, Reno and my PhD from the University of Georgia (Go Dawgs). While I was an undergrad, I interned for a U.S. Senate Campaign, the 2nd Judicial District Court of Nevada, and the U.S. Supreme Court in DC.

If you weren't a political scientist, what would you be instead?

As anyone who knows me would tell you, I have an unhealthy obsession with the New York Mets. There was (admittedly) more than one occasion during the dark days I was on the job market that I genuinely considered pursuing an analytics job with the team. If things hadn't worked out the way they did, I'd imagine that's along the lines of where I would've ended up.

What are you working on now?

Most of my work right now can collectively be described as exploring traditional questions of judicial politics using computational methods and non-traditional data sources like text and audio. The cornerstone project of that broader research agenda is (what we're tentatively calling) the "American Legal Lexicon" — a study of the latent and explicit properties of language employed in the American legal community. Mike Romano and I are principally focused on leveraging advancements in high-performance computing and machine learning to derive meaningful inferences related to how judges and other legal actors articulate their jurisprudence through written opinions.

Best book on your office shelves people may be surprised by?

So, the *best* book I have on my shelves is probably *John Adams* by David McCullough. It is an incredible history of Adams as a lawyer, statesman, founder, and president — and the HBO miniseries with Paul Giamatti is simply fantastic. It's a bit of a controversial take but I would happily defend the idea that Adams deserves more credit for his efforts during the Revolution and Early Republic that are usually attributed to Jefferson, Franklin, and Hamilton (Lin-Manuel should've made the musical about John).

That being said, the book that may *surprise* the most is my copy of *Active Liberty* by Justice Breyer — which the Justice graciously signed with "Be Well" when I interned at the Court (or maybe it says best wishes? I'm not entirely sure. . . it's about as legible as a doctor writing a prescription).

What's some good work other than your own that you've read recently and would recommend?

Jonathan King (UGA) has some great work coming down the pipeline related to nominations in the lower federal courts — a coauthored paper with Jessica Schoenherr was recently published in PRQ.

I recently saw Joe Ura (Clemson) present a co-authored working paper at MPSA related to a meta-analysis of how the field measures perceptions of Supreme Court legitimacy that I believe is going to be a very good contribution to the literature.

Logan Strother (Purdue) is currently working to develop a comprehensive database of cases decided by the U.S. Court of Federal Claims — an institution that is certainly underdiscussed and underappreciated for capturing the full scope of American law.

What's your workspace setup like?

I am a two-monitor person (side-by-side) — both screens are usually populated with R code or an Overleaf document. My office walls are covered in a combination of memorabilia for the Mets and the University of Georgia (which always seems to be a bit of an initial shock for my students at UF), as well as old political cartoons regarding the Supreme Court.

I also can't stand fluorescent lights. I had an older math teacher in high school who lit the classroom with a series of wall lamps with the justification that "a series of studies showed that replacing fluorescent lights with soft white lights improved student performance." For some reason that's just stuck with me — so my office has two standing lamps with soft white bulbs.

What apps, software, or tools can't you live without?

Nothing too groundbreaking here — R, Spotify, the NYT Wordle and Mini (crossword), and the MLBTV app.

What do you listen to while you work?

It's been changing a bit lately, but I love listening to live recordings of Pink Floyd or Dead & Company. Occasionally I'll mix in some Fleetwood Mac, Blues Traveler, or whatever Spotify wants to randomly give me that day.

Favorite research and teaching hacks?

I'm a bit obsessive when it comes to code/file management. I often have R routines that eclipse 1,000 lines of code and contain several inter-dependent and interwoven functions, so I am constantly making sure my files are organized and adding comments to document the purpose of each row in my routines. Especially if I need to troubleshoot or come back to stuff later down the line, I've found it's very helpful to limit those potential obstacles of having files all over the place and code you really can't remember why it's there or what it does.

How do you recharge? What do you do when you want to forget about work?

I try to make a point of exercising every day — usually 2-3 mile run where

I am completely disconnected from work.

I also do an annual binge of The West Wing — can we acknowledge for just a moment how insane it is that Martin Sheen never won an Emmy for playing President Bartlet?

Between late-March and September, I try to make a point of watching all 162 regular season games for the New York Mets. Sometimes it makes me happy — most of the time it just reminds me that there are worse things in the world than journal rejections (e.g., being a Mets fan).

What's in your "culture queue" that you'd like to recommend to our readers?

Make sure to read for fun. Reading hundreds of pages every week for graduate seminars made it difficult to want to read anything else. After I graduated, I made a point to reclaim that love for reading things that had absolutely nothing to do with research. I don't have a particular book to plug here — just anything that makes you love to read it!

History That Doesn't Suck — A podcast narrated by Professor Greg Jackson (Utah Valley University) is my go-to whenever I'm driving, running, or doing housework. Some of the episodes are a bit cheesy and over-dramatic, but it's the most entertaining and non-surface-level panoramic of American History that I've ever listened to.

The West Wing — Is it (at times) an entirely unrealistic soapbox for Aaron Sorkin? Yes. Is it the greatest political drama ever made? Yes.

Legalytics Substack — Adam Feldman is an incredible bridge between political science and the legal field (more broadly). His new substack does an excellent job articulating contemporary legal trends in the state and federal courts through a legal lens that is digestible for broader audiences. I'd highly recommend it as a teaching tool.

Disconnect and Recharge for an Hour — I mentioned earlier that I try to make a point of exercising every day. It's not so much about the exercise as it is just being able to disconnect for an hour — no emails, no writing, just me and my podcasts.

What everyday thing are you better at than everyone else? What's your secret?

It might be a bit of a stretch, but I am very good at trivia knowledge that's only useful for (1) bar trivia, (2) nightly Jeopardy episodes, and (3) conversation starters (or enders?). I would like to give all due credit to my mother for instilling a competitive edge that makes me entirely incapable of watching Jeopardy without feeling like it's something to be conquered.

What's your biggest struggle in being a faculty member? How do you try to address it?

I'm still very new to faculty life so there's been a lot of adjustment, but I think the hardest thing for me has been trying to not overextend. A big part of it was just that uncomfortable feeling that "I'm still new" and in the back of my mind I should give as much of my time to my students and advisees

as possible, even if that means not accomplishing the work I really need to get done that day. The feeling has alleviated a bit in my second year — and my junior and senior coworkers have been an incredible resource in navigating that balance.

What's the best advice you ever received?

I'll give credit to Teena Wilhelm and Rich Vining (UGA) at any opportunity — they were absolutely the rational voices in the room throughout my candidacy and time on the market. It took a lot longer than I'd like to admit, but they helped me learn that nothing in academia is personal. This is an industry rooted in rejection and failure — but just because a paper is rejected or you don't get an interview for a job you really wanted, none of this means you're a bad person or a bad researcher. It took a while for that lesson to really sink in, but that clarity really helped give me perspective.

What's the greatest idea you've had that you don't want to do yourself?

An MLBTV package that's not subject to blackout restrictions would be nice!

Which junior and senior persons would you like to see answer these same questions?

I'd love to see Jonathan King (UGA) and Michael Romano (Shenandoah University) answer these same questions.

Is there anything else you'd like to add that might be interesting to readers?

I work with Adam Feldman at EmpiricalSCOTUS to release an annual data report of the Supreme Court following the conclusion of each term. Hearing that it's being used as a teaching tool is awesome — thank you!

Books to Watch For

Ryan C. Black, Ryan Owens and Patrick C. Wohlfarth. **Cognitive Aging and the Federal Circuit Courts: How Senescence Influences the Law and Judges.** Oxford University Press, November 2024. Website. Today's federal circuit court judges are older than ever. Yet scholars know next to nothing about the consequences of cognitive aging on these judges. The central effort of this book is to examine the effects of cognitive aging on federal circuit court judges. The book uncovers a number of sobering trends. Judges require more time to craft their opinions as they age. They tend to rely more on cognitive shortcuts when they bargain over opinion content. Their written opinions become less cognitively complex as they age. Aging judges increasingly rely on their law clerks to write their opinions and borrow more language from party briefs. Their judicial colleagues are less likely to cite older judges' opinions. Aging judges apply Supreme Court precedent in an increasingly ideological manner. And their legal influence on panels wanes while susceptibility to persuasion increases. Cognitive aging appears to influence nearly everything federal circuit court judges do. These findings speak to a broader policy debate about judicial tenure. The authors test public support for a handful of reforms and find surprisingly high support for them. There is no utopia nor perfect cure for the problems associated with cognitively aging judges. But incremental changes that remain loyal to judicial independence might alleviate some of the most pernicious consequences.

Tom S. Clark, Adam N. Glynn, and Michael Leo Owens. **Deadly Force: Police Shootings in Urban America.** Princeton University Press, June 2025. Website. Police shootings in America spark outrage and protest and raise questions about police use of lethal force. Yet despite the attention given to high-profile shootings, it is extremely difficult to draw wider conclusions about the frequency and outcomes of police gunfire because there is no systematic and centralized source of information on these incidents. This pioneering book draws on original data, compiled by the authors, to examine police shootings, both fatal and non-fatal, in hundreds of American cities. It documents racial disparities in shooting incidents and shows that the media spotlight on the most shocking fatal shootings tell only part of the story of police gunfire in our cities. The authors find that there are patterns in when, where, and whom the police shoot, and they present strong evidence of unjustifiable disparities. It's not just that young, unarmed Black men are disproportionately subjected to gunfire during encounters with police officers; there is also a disproportionate concentration of shootings in the places where most Black and Hispanic urbanites live, even accounting for violent crime rates and other factors. As a consequence, Black and Hispanic residents of large cities are disproportionately exposed to police gunfire, even when they are not themselves the targets of it. The authors offer other insights as well, exploring the connection between police department funding and rates of shootings, and considering the

influence of a city's political leadership on police use of gunfire. It is only through a deeper understanding of police shootings, the authors argue, that we can reduce their incidence and make effective reform possible.

Deardorff, Michelle D. **Race and the Law in the United States: A Contemporary Perspective.** Cambridge University Press, May 2025. Website. This undergraduate text explores how the legal history and judicial decisions of the United States contribute to the dynamic societal debates Americans are having around race today. It pairs historical cases and primary sources with contextual commentary to ensure students comprehend how decisions from the past deeply impact the laws they have inherited, as well as shape contemporary issues and political movements. This framework also highlights the distinctive characteristics of the various time periods and how they connect to other eras to provide students with a full appreciation of the events and environments influencing cases. Written in an accessible and engaging style, it avoids the traditional focus of many case law books and instead promotes a sound understanding of the legal concepts and dynamics that inform current discussions of racial identities, challenging the usual development of doctrinal law and court decisions defining race. The text also avoids emotionally charged language, allowing the primary texts to speak for themselves and encouraging students to form their own opinions on contemporary issues. In doing so, the text addresses aspects of racial discourse in the U.S. that the law and existing law textbooks overlook, and explores key concepts such as federalism, sovereignty, liberty, and equality. An Instructor Manual is available online, with additional teaching resources and assessment materials for each chapter, to foster meaningful class discussions about future choices and how to pursue a more equal nation.

Feldman, Stephen M. **Who Belongs: White Christian Nationalism and the Roberts Court.** New York University Press. Website. The Roberts Court has embarked on a constitutional revolution, but what is the end goal? Decades ago, conservative scholars and jurists announced their long-term objective: to undo "the mistakes of 1937" and restore the "Constitution in exile." The conservative justices of the Roberts Court seem intent on fulfilling that objective. Invoking the original public meaning of the Constitution, they claim to follow an objective and apolitical constitutional understanding that preceded the ostensible corruptions of 1937. Yet, apart from the justices' questionable assertions about originalism, what is their vision of the original, exiled Constitution? *Who Belongs* argues that, while the conservative justices aim to undo the purported mistakes of 1937, they do not intend to return to the constitutional principles typically invoked before then. Indeed, the justices often invoke principles and rights recognized and strengthened during the post-1937 era —— rights to religious freedom, free speech, and equal protection —— but they reinterpret those principles and rights to protect and empower a narrow segment of the American people, namely white, Christian, heterosexual

men, the segment of the people the Court generally favored before 1937 (being wealthy helps, too). The Roberts Court is purposefully limiting who fully belongs to "We the People," protecting the rights of white, Christian, heterosexual men, while narrowing and diminishing the rights of non-Christians (including Jews and Muslims), women, people of color, and LGBTQ+ individuals. In the end, the conservative justices are interpreting individual rights in the service of minority rule.

Driscoll, Amanda, Jay N. Krehbiel, and Michael J. Nelson. **The Efficacy of Judicial Review: The Rule of Law and the Promise of Independent Court.** Cambridge University Press, 2025. Website. Over the past century, countries around the world have turned to constitutional courts to safeguard the rule of law. But under what conditions can courts effectively fulfill this role? Drawing on survey experiments conducted in the United States, Germany, Hungary, and Poland, this book shows that judicial independence is essential to judicial efficacy. Independent courts uniquely enable citizens to hold executives accountable when they violate the rule of law, while weak courts struggle to generate public support for legal constraints on executive power. Although judicial efficacy is neither universal nor automatic, this study concludes that courts perceived as independent can serve as effective checks on executive authority and advance the rule of law.

Chad M. Oldfather. **Judges, Judging, and Judgment: Character, Wisdom, and Humility in a Polarized World.** Cambridge University Press, January 2025. Website. In Judges, Judging, and Judgment, Chad M. Oldfather offers an accessible, interdisciplinary account of the constraints and pressures on judges in our polarized world. Drawing on law, political science, psychology, and philosophy, Oldfather examines how these constraints have changed over time and the interpretive methodologies that have gained traction in response. The book emphasizes the inescapable need for judges to exercise judgment and highlights the value of selecting judges who possess good judgment and character. The book builds on prior work that emphasizes the importance of judicial character, specifically practical wisdom, and intellectual humility. The work underscores the need to foster a legal culture that values and rewards judges of character. *Judges, Judging, and Judgment* is a valuable resource for academics, students, lawyers, judges, and anyone else interested in the legal system's inner workings.

Awards and Honors

Please join me in congratulating our Section award winners. Awards were presented at the 2025 APSA annual meeting awards ceremony.

Law and Courts Best Conference Paper Award
Andrew O'Donohue, Harvard University. "Law versus Democracy: Minoritarian Courts, Audience Costs, and Democratic Backsliding in Turkey."
Honorable Mention. Anthony Taboni, Princeton University. "The Path of Law: Legal Uncertainty and Issues of First Impression in the U.S. Courts of Appeals."

Law and Courts Best Graduate Student Paper Award
Matthew Dahl, Yale University. "Chain Novel, or Markov Chain? Estimating the Authority of U.S. Supreme Court Case Law."' *Journal of Empirical Legal Studies* 21(4): 861-898.
Honorable Mention. Abigail Hassett, University of South Carolina. "Unified We Stand: Judicial Ambition, Partisan Politics, and the Senate Confirmations of Lower Court Nominees."

Law and Courts Best Journal Article Award
Jake S. Truscott, University of Florida. "Analyzing the Rhetoric of Supreme Court Confirmation Hearings." *Journal of Law and Courts* 12(1): 45-66.

C. Herman Pritchett Award
Ryan C. Black, Michigan State University, Ryan J. Owens, Florida State University, Patrick C. Wohlfarth, University of Maryland. *Cognitive Aging and the Federal Circuit Courts: How Senescence Influences the Law and Judges.* Oxford University Press.

Law and Courts Lifetime Achievement Award
Charles Cameron, Princeton University.

Law and Courts Lasting Contribution Award
Timothy R. Johnson, University of Minnesota Twin Cities, Paul J. Wahlbeck, George Washington University and James F. Spriggs, Washington University in St. Louis. "The Influence of Oral Arguments on the U.S. Supreme Court." *American Political Science Review* 100(1): 99-113. 2006.

Law and Courts Service Award
Reggie Sheehan, Michigan State University.

Law and Courts Teaching and Mentoring Award
Teaching Award
Vanessa Baird, University of Colorado Boulder.

Mentoring Award
Ryan Black, Michigan State University.

Best Journal Article Award
Matthew Dahl, Yale University. "Chain novel, or Markov chain? Estimating the authority of U.S. Supreme Court case law." *Journal of Empirical Legal Studies* 21(4): 861-898.

 I also want to recognize the noteworthy achievements of members of our section for being named on a list of the "Top Ten Political Science Scholars" in North America for research productivity. James L. Gibson, Washington University Saint Louis, was listed at number 1, and Gregory A. Caldiera, The Ohio State University, was listed at number 2 for "Top Publications." The list was published in: Barceló Joan, Christopher Paik, Peter van der Windt, and Haoyu Zhai. 2025. "A Global Ranking of Research Productivity of Political Science Departments." *PS: Political Science & Politics* 58(3): 574-585. Website.

Call for Submissions

Special Call for Symposium Submissions. The members of the Editorial Board and I would like to invite submissions to the upcoming symposium, "Reflections on Dahl's Decision-Making in Democracy: The Supreme Court as a National Policy-maker." The symposium is tentatively planned for Fall 2026. Contributors may reflect on the legacy, implications, and influence of Dahl's article, and/or discuss connections between their own work and the classic piece. Submissions may examine Dahl's influence on the study of American courts and/or on comparative judicial politics. In the latter case, contributors may consider how and to what extent high courts play a role in setting policy, the relationship between the policies high courts set and the preferences of both lawmaking and public majorities, and explanations for that relationship within and across jurisdictions.

Law and Courts Newsletter publishes articles, research notes, features, commentaries, and announcements of interest to members of APSA's Law and Courts Section. The various substantive topics falling under the umbrella of "law & courts" are welcome, as are methodological approaches from across the discipline of political science. I am particularly interested in receiving the following types of submissions:

Descriptions of Datasets. Creators of publicly-available datasets potentially useful for Section members' research or teaching may submit descriptions of their datasets. Although the datasets should be relatively new, it is acceptable for the data to have been used and described in previously published research. Submissions should describe (and link to) the dataset, give

practical advice about viewing and analyzing the data, and explain how the data might be used in Section members' research or teaching (including for undergraduate student research). Submissions describing relevant software or other tools are also encouraged.

Research Notes. These submissions should be approximately 2,000 words in length (a target, not a limit), and may be theory-focused or empirics-focused. The former should present theoretical arguments relevant to law & courts literature, but need not involve concurrent empirical testing. The latter should present empirical results—including adequately powered "null results"—with only the most necessary literature review and theoretical discussion included directly. Replications and extensions are also welcome. I hope that these notes will inspire research ideas for readers, spur collaboration among Section members on projects greater in scope, and prevent duplication of effort caused by the file drawer problem (i.e., the systematic non-publication of null results).

Reviews of Recent Developments in the Literature. These submissions should be literature reviews of approximately 4,000 words focused on recent developments in active areas of law & courts research. A review should summarize and analyze recent developments in a line of research, and suggest open questions and opportunities for further research. Authors should aim their reviews at readers who research and teach in law & courts, but are not necessarily specialists in the area of research discussed. I seek such submissions particularly from graduate students, whose prospectuses, dissertation chapters, etc., may form the basis for such reviews. I hope that these reviews will provide Section members with a convenient means of keeping up with the literature across the law & courts field.

In addition, the *Newsletter* solicits research articles (including research about the Section), commentaries about the profession, proposals for symposia, and announcements (including of newly-published books) that are of interest to Section members.

Instructions for Authors

Submissions are accepted on a rolling basis. Scholarly submissions will typically be reviewed by the editor and one editorial board member. Submissions and questions about possible submissions should be emailed to lcnapsa@gmail.com. Initial submissions should be sent in PDF format and may be written in Word (LibreOffice, etc.) or TeX. Authors should follow *APSR* formatting, as described in the *APSA Style Manual*. Submissions need not be blinded. Please avoid footnotes and endnotes unless absolutely necessary, and aim for concision. Appendices are encouraged for information that is relevant but not of primary importance. Upon publication, I ask that authors consider posting replication data and code for articles involving statistical analysis.

Section members who have written books they would like to see featured should email basic information about the book, including a 1-2 paragraph description, to lcnapsa@gmail.com.

–Maureen Stobb, Editor

Newsletter and Section Information