

How Different Are the Trump Judges?

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Abstract

Donald J. Trump’s presidency broke the mold in many ways, including how to think about judicial appointments. Unlike other recent presidents, Trump was open about how “his” judges could be depended on to rule in particular ways on key issues important to voters he was courting (e.g., on issues such as guns, religion, and abortion). Other factors such as age and personal loyalty to Trump seemed important criteria. With selection criteria such as these, one might expect that Trump would select from a smaller pool of candidates than other presidents. Given the smaller pool and deviation from traditional norms of picking “good” judges, we were curious about how the Trump judges performed on a basic set of measures of judging. One prediction is that Trumpian constraints on judicial selection produced a different set of judges that underperform compared to judges appointed by other presidents. Using data on active federal appeals court judges from January 1, 2020 to June 30, 2023, we examine data on judges across three different measures: opinion production, influence (measured by citations), and independence or what we refer to as “maverick” behavior. Contrary to the prediction of underperformance, Trump judges outperform other judges, with the very top rankings of judges predominantly filled by Trump judges.

I. Introduction

President Trump has said that he considered one of his greatest achievements in office to have appointed a record number of judges.¹ Trump may have understated his achievement.

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¹ See Moiz Syed, *Charting the Long-Term Impact of Trump’s Judicial Appointments*, PRO PUBLICA (Oct. 30, 2020); Andrew Seger & Phil Mattingly, *Trump Transformed the Federal Judiciary: He Could Push the Courts Further Right in a Second Term*, CNN (July 13, 2024).

The intransigence of a Republican-majority Senate with respect to President Obama's nominations at the end of his second term meant that President Trump entered his presidency facing a large number of vacancies on the federal bench.² Aided or guided by some combination of Leonard Leo, the Federalist Society and his White House counsel, Don McGahn, he filled them with gusto.³ In a single term, he appointed more federal judges than some of his predecessors managed in two terms.⁴

Appointing many judges who share one's political preferences is but one step towards influencing the direction of the law. If many of those judges are, for example, viewed as unqualified and politically biased, other judges might be reluctant to follow their reasoning. Those other judges, wanting their own cases to stand on solid reasoning and be influential with others, will cite judges whose reasoning they respect and trust.

From prior research, we know there can be variation in terms of the influence individual judges have, with some judges being influence superstars and others having little or no influence. Data shows that two of President Reagan's appointees to the Seventh Circuit, Richard Posner and Frank Easterbrook, for example, have had (and likely continue to have) dramatically more influence than any of their contemporaries.⁵ Prior to them, there have been other giants of the judiciary such as Benjamin Cardozo, Henry Friendly and Learned Hand, whose opinions continue to be taught to every law student.⁶

In the case of President Trump's judicial appointments, there are two stories that have been told by critics. One is that his appointments have largely been unqualified,

² See Micah Schwartzman & Mark Joseph Stern, *How Trump Will Transform the Federal Courts: One Young Judge at a Time*, SLATE (May 9, 2017).

³ See Andy Kroll, Andrea Bernstein & Ilya Marritz, *We Don't Talk About Leonard: The Man Behind the Right's Supreme Court Supermajority*, PRO PUBLICA (Oct. 11, 2023); Jeffrey Toobin, *The Conservative Pipeline to the Supreme Court*, THE NEW YORKER (April 10, 2017). We note here that some press articles have credited many of the judicial appointments in the first two years of the Trump era specifically to his White House counsel, Don McGahn. Peter Nicholas, *Trump's Fury at Don McGahn is Misplaced*, THE ATLANTIC (May 22, 2019); Tom McCarthy, *Ex-White House Lawyer Endured 'Some Crazy Shit' From Trump, Book Reveals*, THE GUARDIAN (Aug. 26, 2020). The relationship between McGahn, Leonard Leo, the Federalist Society and Trump, in terms of the specific choices of judges, is not clear to us from the existing writing on judicial selections during the Trump years. But we hope to gain great clarity on this.

⁴ See Shira Scheindlin, *Trump's Judges Will Call the Shots for Years to Come. The Judicial System is Broken*, THE GUARDIAN (Oct. 25, 2021); John Gramlich, *How Trump Compares With Other Recent Presidents in Appointing Federal Judges*, PEW RESEARCH CENTER (Jan. 13, 2021).

⁵ See, e.g., Stephen J. Choi & Mitu Gulati, *Choosing the Next Supreme Court Justice: An Empirical Ranking of Judge Performance*, 78 S. CAL. L. REV. 23 (2004). On measuring prestige and influence among judges, see also William A. Landes, Lawrence Lessig & Michael Solimine, *Judicial Influence: A Citation Analysis of Federal Courts of Appeals Judges*, 27 J. LEGAL STUD. 271 (1998); David A. Klein & Darby Morrisroe, *The Prestige and Influence of Individual Judges on the U.S. Courts of Appeals*, 28 J. LEGAL STUD. 371 (1999); Mitu Gulati & Veronica Sanchez, *Giants in a World of Pygmies: Testing the Superstar Hypothesis with Judicial Opinions in Casebooks*, 87 IOWA. L. REV. 1141 (2002).

⁶ Richard A. Posner, *BENJAMIN CARDOZO: A STUDY IN REPUTATION* (1990).

political hacks and buffoons.⁷ The other is that Trump’s appointments, having been delegated to Leonard Leo and the Federalist Society (and/or Trump’s White House Counsel, Don McGahn), have been a set of young, highly capable, ideologues, who are going to dominate the judiciary for decades to come.⁸ Articulating this second view, Ian Millhiser of Vox wrote:

Trump hasn’t simply given lots of lifetime appointments to lots of lawyers. He’s filled the bench with some of the smartest, and most ideologically reliable, men and women to be found in the conservative movement . . .

It’s tempting to assume that Trump’s judicial appointees share the goonish incompetence of the man who placed them on the bench, but this assumption could not be more wrong. His picks include leading academics, Supreme Court litigators, and already prominent judges who now enjoy even more power within the judiciary.⁹

Our interest in this Essay is twofold. It is to use data on the performance of Trump’s judges to both examine how his appointments have done compared to other presidents’ appointments and to see the extent to which his judges have achieved anything akin to superstar status in opinion productivity and influence.

Regarding Trump’s appointments to the federal appeals courts, there are some basic facts. In a single term, Trump appointed 54 judges at the appeals court level. Obama, in two terms, had one more, 55.¹⁰ The Trump judges were young, on average four

⁷ E.g., Jason Linkins, *The Rise of Right-Wing Hacks in the Federal Courts*, THE NEW REPUBLIC (Sept. 12, 2022); Elizabeth Warren, *Trump’s Capture of Our Courts is a Top Priority*, TEEN VOGUE (Mar. 2, 2020); Maggie Jo Buchanan, *Trump’s Ideological Judges Have Led to Politicized Courts*, AMERICANPROGRESS.ORG (Oct. 23, 2020), <https://www.americanprogress.org/article/trumps-ideological-judges-led-politicized-courts/>; Shira Scheindlin, *Trump’s Crazy Choices For the Courts*, N.Y. TIMES (Nov. 9, 2017).

⁸ See Ian Millhiser, *What Trump Has Done to the Courts, Explained*, VOX (Dec. 29, 2020); Rich Lowry, *How Trump Judges Got in the Way of Trump*, POLITICO (Dec. 9, 2020); see also Ian Millhiser, *The Smartest People in Trumpland*, THINK PROGRESS (Aug. 9, 2017).

⁹ Millhiser, *What Trump Has Done*, *id.*

¹⁰ On the impact of having younger judges, see Micah Schwartzman & David Fontana, *Trump Picked the Youngest Judges to Sit on the Federal Bench. Your Move, Biden*, WASHINGTON POST (Feb. 16, 2021); John Gramlich, *How Trump Compares to Other Presidents in Appointing Federal Judges*, PEW RESEARCH CENTER (Jan. 13, 2021). President Biden hasn’t finished his appointments as of this writing. But, by our calculations, his confirmed nominees to the federal circuit courts have been on the younger side (on average one year older than the Trump nominees). Borrowing from Professor Micah Schwartzman’s data, below is a list of recent Presidents and the ages of their circuit court appointees:

President Rank	President Name	Average Age of Circuit Judge Nominees
26	Theodore Roosevelt	51.5
27	William H. Taft	57.6

years younger than the judges appointed by any president since Richard Nixon.¹¹ Relative to other recent presidents, Trump judges have, in their past experience, more federal clerkships (80% of Trump judges), including Supreme Court clerkships (40% of Trump judges).¹² They were also less diverse on race and gender grounds than the appointees of Presidents Obama and Biden.¹³ From the foregoing we might be able to make some guesses as to how these judges are likely to have performed on the bench – and commentators did that.¹⁴ But, now, four years after Trump lost the 2020 election, we can look at data on performance.

We are not the first to have examined the actions of Trump judges. Prior research on Trump judges has primarily focused on the direction of votes in cases in particular subject areas rather than influence levels. This is not surprising, since Trump made, prior to the 2016 election and since, numerous promises about the kinds of judges he would appoint

28	Woodrow Wilson	52.7
29	Warren G. Harding	60.0
30	Calvin Coolidge	55.9
31	Herbert Hoover	56.8
32	Franklin D. Roosevelt	53.5
33	Harry S. Truman	55.8
34	Dwight D. Eisenhower	56.3
35	John F. Kennedy	54.4
36	Lyndon B. Johnson	52.6
37	Richard M. Nixon	54.5
38	Gerald Ford	51.6
39	Jimmy Carter	52.6
40	Ronald Reagan	50.4
41	George H.W. Bush	49.5
42	William J. Clinton	52.0
43	George W. Bush	50.5
44	Barack Obama	53.2
45	Donald J. Trump	47.7
46	<i>Joe Biden (estimated)</i>	<i>48.7</i>

¹¹ Syed, *supra* note 1.

¹² Millhiser, *What Trump Has Done*, *supra* note 8, wrote:

A common metric used by legal employers to identify the most gifted lawyers is whether those lawyers secured a federal clerkship, including the most prestigious clerkships at the Supreme Court. Approximately 40 percent of Trump’s appellate nominees clerked for a Supreme Court justice, and about 80 percent clerked on a federal court of appeals. That compares to less than a quarter of Obama’s nominees who clerked on the Supreme Court, and less than half with a federal appellate clerkship. In other words, based solely on objective legal credentials, the average Trump appointee has a far more impressive résumé than any past president’s nominees.

By our calculations for judges appointed to the federal circuit courts by Biden so far, roughly 10% had Supreme Court clerkships and about 50% had circuit court clerkships. In other words, on this one measure, less credentialed than the Trump judges.

¹³ See Diversity of the Federal Bench, American Constitution Society (last visited, Aug. 25, 2024), <https://www.acslaw.org/judicial-nominations/diversity-of-the-federal-bench/>

¹⁴ See Millhiser, *What Trump Has Done*, *supra* note 8; Schwartzman & Fontana, *supra* note 2.

and what policy preferences they would support in their decisions. Among them were promises that his judges would be pro-religion (implicitly, pro-Christianity) and pro-guns (the Second Amendment). On both these fronts, Trump judges have vindicated his claims regarding how they would behave.¹⁵ Researchers have also examined the votes of Trump judges, as compared to non-Trump judges, in areas such as challenges to Covid-era public health restrictions and civil rights cases.¹⁶ Again, the Trump judges have, for the most part, shown themselves to be more conservative. The direction of votes though is but one aspect of judicial behavior. At the appellate level in particular, a key part of the job of judges is to write opinions explaining the reasons for their decisions. If those explanations resonate with other judges, they will follow them, thereby expanding the impact of the judge well beyond the case in which they cast their vote.

As noted earlier, there has been an assumption by some of those writing about Trump's judicial appointments that these judges have been some combination of unqualified and hyper political.¹⁷ And those hyper political inclinations have been, it has been suggested, worsened by the fact that some of these judges are auditioning¹⁸--that is, seeking Trump's attention and approval so that they have a better chance of being elevated. Further, numerous accounts report Trump placing a high value on his selections being loyal to his interests and agenda.¹⁹

Finally, there is the matter of differences among individual Trump judges. In the years that these judges have been on the bench, a subset of them have come in for particular attention, because groups at different ends of the political spectrum believe that these are the judges most worthy of lobbying for (or against) as candidates for the Supreme Court. Among those mentioned in discussions of possible names for a Trump's short list,

¹⁵ See Stephen J. Choi, Mitu Gulati & Eric A. Posner, *Trump Lower Court Judges and Religion: An Initial Appraisal*, J. LEGAL STUD. (forthcoming 2025), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4488397; Rebecca L. Brown, Lee Epstein & Mitu Gulati, *Guns, Judges and Trump*, DUKE L. J. ONLINE (forthcoming 2024), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4873330

¹⁶ See Zalman Rothschild, *Free Exercise Partisanship*, 107 CORNELL L. REV. 1067 (2022) (examining cases involving challenges to public health orders during the Covid-19 pandemic); Kenneth A. Manning, Robert A. Carp & Lisa M. Holmes, *The Decision-Making Ideology of Federal Judges Appointed by President Trump*, UMass Dartmouth Working Paper (2020) (examining the votes in civil rights, labor law and criminal cases), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3716378. But see Kenny Mok & Eric A. Posner, *Constitutional Challenges to Public Health Orders in the Federal Courts During the Covid-19 Pandemic*, 102 BOSTON U. L. REV. 1279 (2022) (finding no difference in the voting patterns of Trump judges and other Republican judges for challenges to public health orders based on constitutional provisions other than the religion clauses).

¹⁷ Brown et al., *supra* note 15; Choi et al., *supra* note 15.

¹⁸ See Brown et al., *supra* note 15 (discussing the auditioner effect with Trump judges in gun cases)

¹⁹ See Buchanan, *supra* note 7 ("President Donald Trump has made clear that he values [personal loyalty](#) to himself above all other traits in those around him, both when it comes to his political aides and who he calls "his" judges"); see also Peter Shane, *The Most Important Question for Trump Judicial Nominees*, SLATE (July 5, 2017).

three come up frequently: Lawrence Van Dyke, James Ho, and Stuart Kyle Duncan.²⁰ Some have them on their Supreme Court wish lists.²¹ Others abhor them. Either way, we are interested in what the data says.

For a flavor of the kind of attention Van Dyke, Ho and Duncan have garnered, the headline of a *New Republic* piece about Van Dyke was “The Rude Trump Judge Who’s Writing the Most Bonkers Opinions in America.”²² Ian Millhiser, writing in *Vox* about Ho, called him “The Edgelord of the Federal Judiciary,” with the explanatory subtitle: “Imagine a Breitbart Comments Forum Come to Life and Give Immense Power Over Innocent People. That’s James Ho.”²³ As for Duncan, there is his infamous trip to Stanford Law School where he called student protesters “Appalling Idiots.”²⁴

Other Trump circuit judges in the mix for elevation to the High Court who have garnered less public attention, include Joan Larsen, Amul Thapar, Neomi Rao, Andrew

²⁰ See Joe Patrice, *First Trump Supreme Court Nomination Wish List is Out And It’s Properly Horrifying*, ABOVEHELAW.COM (May 9, 2024); Shannon Bream & Bill Mears, *Potential Candidates for Supreme Court Under Second Donald Trump Term*, FOX NEWS (June 13, 2024); John McCormack, *Will Donald Trump Release a 2024 SCOTUS Short List?*, THE DISPATCH (June 25, 2024); Jay Willis, *Trump’s Next Supreme Court Picks Would Break the Mold*, N.Y. TIMES (July 9, 2024).

²¹ *Id.*; see also Jonathan Allen, *Vivek Ramaswamy Releases Conservative Pool of Supreme Court Picks*, NBC NEWS (July 17, 2023).

²² Matt Ford, *The Rude Trump Judge Who’s Writing the Most Bonkers Opinions in America*, THE NEW REPUBLIC (Jan. 31, 2022); see also Nate Raymond, *Trump-Appointed Judge Says 9th Circuit Playing ‘Dirty’ to Prevent Deportations*, REUTERS (Aug. 15, 2022).

²³ Ian Millhiser, *The Edgelord of the Federal Judiciary*, *Vox* (Aug. 26, 2023) (“Imagine a Breitbart Comments Forum Come to Life and Give Immense Power Over Innocent People. That’s James Ho”). Millhiser writes:

Ho’s work, in other words, is often indistinguishable from that of a professional troll. He revels in taking deliberately provocative positions. He often joins a fairly extreme opinion written by a colleague, and then writes separately to take an even more extreme position. His judicial opinions mingle Fox News talking points, men’s rights activism, Federalist Society fantasies, and discredited legal doctrines that are now taught to law students to warn them of the Supreme Court’s worst mistakes.

For more, see Kathryn Rubino, *Judge James Ho Uses Fifth Circuit Decision to Audition for the Supreme Court, Again. Lose Gracefully . . . Nah*, ABOVEHELAW.COM (Nov. 21, 2023); Michael Hall, *Is James Ho Too Brash for Even Trump to Make Him a Supreme Court Justice?* TEXAS MONTHLY (Sept. 2024); Jay Willis, *James Ho Accidentally Makes Powerful Case for Robust Judge-Shopping Reforms*, BALLSANDSTRIKES.ORG (April 18, 2024) (“Against all odds, the federal judge who once unironically used the phrase “woke Constitution” has written something even dumber”); Pamela King, *Why the Latest Abortion Pill Ruling Has Enviro Rolling Their Eyes*, POLITICO (Aug. 19, 2023).

²⁴ See David Lat, *Yale Law School is No Longer #1—For Free Speech Debacles*, ORIGINAL JURISDICTION (Mar. 11, 2023), <https://davidlat.substack.com/p/yale-law-is-no-longer-1for-free-speech> ; Joe Patrice, *Federal Judge Calls Stanford Law School Students ‘Appalling Idiots’ After Refusing to Answer Their Questions*, ABOVEHELAW.COM (Mar. 13, 2023). For more on Duncan, see James Larock, *The Worst Judge in America is Kyle Duncan*, BALLSANDSTRIKES.ORG (Aug. 3, 2023) (characterizing Duncan as one of Trump’s “unhinged” judicial appointees).

Oldham, Kevin Newsom, James Katsas, Barbara Lagoa, Britt Grant, Allison Rushing and David Stras.²⁵

Of these, James Ho stands out in terms of both being on more short lists and appearing to go out of his way to court public attention.²⁶ A top student at Stanford and the University of Chicago Law School, he went on to clerk for two federal judges, one of whom was Justice Clarence Thomas at the Supreme Court. He then was chief counsel to the Senate Judiciary Committee under Republican Senator John Cornyn. Since being on the federal bench, he has written a series of controversial dissents and concurrences on hot-button topics such as abortion, religion and gun rights.²⁷

Writing dissents and concurrences is a relatively rare thing for busy federal appeals court judges. Conventional wisdom, particularly after Robert Bork's failed nomination multiple decades ago, was that one stayed under the radar if one wanted to get elevated.²⁸ Assuming that Ho is seeking promotion, "under the radar" does not seem to be his strategy nor that of Van Dyke or Duncan and a few other Trump judges.²⁹ Among Ho's other recent actions courting the ire of the left have been his public announcements that he is freezing his hiring of law clerks from Yale and Columbia Law School owing to the cultures of those institutions in dealing with free speech.³⁰ We note though that there are other prominent

²⁵ See, e.g., note 20 (citing lists).

²⁶ Among other lists, Ho was on Trump's 2020 short list as well. See Remarks by President Trump on Judicial Appointments (Sept. 9, 2020), <https://trumpwhitehouse.archives.gov/briefings-statements/remarks-president-trump-judicial-appointments/>. Also, both Senators Josh Hawley and Ted Cruz have specifically mentioned Ho as someone they would support for the High Court. See <https://www.cruz.senate.gov/newsroom/press-releases/sen-cruz-praises-confirmation-of-jim-ho-for-fifth-circuit> and McCormack, *supra* note 20.

²⁷ See Mattathias Schwartz, *How a Conservative Court in New Orleans is Driving the Conservative Agenda*, N.Y. TIMES (Aug. 26, 2024) (noting some of these opinions).

²⁸ The strategy of avoiding attention, particularly on hot button issues, probably arose in the wake of Robert Bork's failed nomination, where Bork was attacked (and lost support) in part on the basis of his vast academic writing. For discussion and examination of the "Bork Effect", see S. Scott Gaille, *Publishing by United States Court of Appeals Judges: Before and After the Bork Hearings*, 26 J. LEGAL STUD. 371 (1997); Ayo Ogundele & Linda C. Keith, *Reexamining the Impact of the Bork Nomination to the Supreme Court*, 52 POL. RES. Q. 403 (1999). *But see* Scott Bassinger & Maxwell Max, *The Changing Politics of Supreme Court Confirmations*, 40 AMER. POL. RES. 1 (2012).

²⁹ See Schwartz, *supra* note 27 ("James C. Ho, who has made a name for himself, in his pointed opinions and sometimes more pointed public statements, as the champion of a more aggressive style of conservative jurisprudence."). Kevin Newsom, dubbed by David Lat as the "great concurrer" is another among those who appear to be pursuing and garnering individual attention. See David Lat, *The "Great "Concurrer": Judge Kevin Newsom*, ORIGINAL JURISDICTION (Aug. 21, 2024), <https://davidlat.substack.com/p/judge-kevin-newsom-eleventh-circuit-podcast-interview-scotus-originalism-ai-feeder-judge>

³⁰ Ho discussed his freezes in a lengthy interview with David Lat. See David Lat, *Is Yale Law School Turning Over a New Leaf?* ORIGINAL JURISDICTION (Oct. 20, 2022), <https://davidlat.substack.com/p/is-yale-law-school-turning-over-a>

Trump judges on shortlists who, assuming that they are seeking elevation, have been following the “under the radar” strategy.³¹

The foregoing in mind, we ask two questions of the data on what the Trump judges have done in their time on the federal circuit courts.

First, how effective have the Trump judges been, as compared to the appointments of other presidents (Republican and Democratic)? To gauge effectiveness, we use two measures of productivity and influence. How many “reported” majority opinions have these judges issued and how often are these opinions being cited by other courts?

Second, how independent are the Trump judges? Here, our measure is to examine how often the Trump judges write individual opinions (dissents and concurrences) and the degree to which disagreements in the form of dissents in particular correlate with the political party of the opposing judge (i.e., do Trump judges tend to dissent more against Obama judges than other Trump judges).

To assess Trump judges against other judges and each other, we chose not to compare the mean Trump judge against the mean non-Trump judge. For purposes of determining judicial influence, we believe that looking at the mean judge is less informative than looking at the top range of judges. The impact of a judge, particularly a federal circuit court judge, is not evenly distributed among judges. Instead, certain “superstar” judges, such as President Reagan’s appointments, Richard Posner and Frank Easterbrook, have an outsized influence on the law. To capture the importance of superstars, we rank federal circuit court judges and observe which judges are at the top of our rankings as well as how far beyond the mean judge are these top judges. A top ranked judge who is many standard deviations above the mean is likely more influential than a top ranked judge who is only a single standard deviation above the mean. Using our rankings, we can then assess how frequently Trump judges as opposed to other judges are at the top of the rankings—in other words, are Trump judges disproportionately (or not) superstars in a tournament of judges?³²

A note here regarding the measures and the results. There is observable data on what judges do. Our view is that that it is worth aggregating and examining. So as not to bias the results in ways that suit our preferences, we committed at the outset to our team that we would base our measures in this Essay on a set of measures we had developed many years earlier.³³ Then, we would report them and let the chips fall where they may.

³¹ See Schwartz, *supra* note 27 (quoting Yale Professor, Akhil Amar as saying, “If you’re MAGA and you think Donald Trump is going to win the election, you can be in the right lane or hard-right lane. The hard-right lane is the better lane to be in if you want to get yourself nominated.”).

³² On the tournament conception, see Stephen J. Choi & Mitu Gulati, *A Tournament of Judges?*, CAL. L. REV. (2000); see also Stephen J. Choi, Mitu Gulati & Eric A. Posner, *Professionals or Politicians: The Uncertain Case for an Elected Rather Than Appointed Judiciary*, 26 J. L. ECON. & ORG. 290 (2010).

³³ See *Choosing the Next Supreme Court Justice*, *supra* note 5. As we discuss below, some of our measures are similar although not identical to the measures in the original work.

The fact that we use these measures does not mean that they are the best ones or the only ones. Some may view them as measuring vice rather than virtue or something in between. Others may think it necessary to dig deeper into the data before anything normative can be said. We do not mean to be taking a normative view of what the results say. Although we do think they say something.

Not all judges are at a similar stage of their judicial career and not all have the same incentives to produce high quality legal opinions that have an impact on the law. To create a more level playing field, we focus on judges of comparable ages and with similar incentives to influence the law to audition for promotion to the Supreme Court. Drawing from the literature on judges, we define “auditioner” judges as those judges who are 55 or younger in 2020. We posit that the auditioner judges will have similar levels of legal (but possibly not judicial) experience and at least the potential of getting promoted to the Supreme Court. For our ranking tournaments, we focus on these auditioner judges.

In our tournaments, we look at who scores the best on each of the measures of productivity, influence and independence (or maverick-ness). Trump has said that he will soon be announcing his short list of those he is considering seriously for Supreme Court; these results potentially give us a window into what he is looking for.³⁴

Our hope in putting these numbers out is it will get the conversation going beyond rhetoric and discussions of traditional credentials such as where judges went to law school and who they clerked for. There is real data out there about these judges and how they have performed as judges. It tells us something.

Some caveats:

- The results are preliminary and subject to revision. We have done random checks on the results but are doing more. Also, we periodically find glitches in the Westlaw measures (e.g., opinions and citations might be incorrectly credited to a judge or opinion) that we cannot be confident we have fully corrected.
- Despite our focus on only auditioner judges, the judges in our tournaments may not in fact be on the same playing field. An individual judge’s level of seniority, the culture of their circuit, the kinds of cases that get thrown up in their circuit, and the

³⁴ One commentator has suggested that Trump may be slow walking the release of his short list. Jay Willis, *Why is Donald Trump Stalling With His Supreme Court Shortlist?* BALLSANDSTRIKES.ORG (Aug. 22, 2024).

political balance of their circuit, are all factors that might impact what cases they get assigned to write.³⁵ In addition, there are likely biases in citation practices.³⁶

- The set of judges for whom we have the best data is dominated by Trump appointees. That is partly because his judges, appointed during 2016-2020, have been on the bench just about the right amount of time to have generated a meaningful track record. Ideally, we'd have been able to compare them to an equivalent set of Obama and Biden appointees. However, many of Obama's appointees were older even when appointed and have aged out of our comparison set. And many of Biden's judges are too recent.
- Our measures are not the only ones and not necessarily the best ones.³⁷ As Larry Solum and Patrick Shin have argued, one has to be cautious before concluding these are measures of merit. For some, they may be measuring vice rather than virtue. For us, the goal is to offer up the results – we are not wedded to a particular normative interpretation of them.

Caveats in mind, we find the following:

- Trump judges dominate the top scorers tables. With the caveat that we are comparing 43 Trump judges to roughly 34 judges appointed by other presidents, where 20 of the latter are recent Biden appointees, the Trump judges dominate our top 10 lists on all three of our measures.

³⁵ See Nina Varsava, *Opinion Authorship and Precedential Status*, 101 WASH. U. L. REV. 1595 (2024) (finding gender and race biases in opinion publication decisions); Nina Varsava, Michael A. Livermore, Keith Carlson & Daniel N. Rockmore, *Judicial Dark Matter*, 91 U. CHI. L. REV. ___ (forthcoming 2024) (suggesting biases in which decisions are reported and which are not).

³⁶ See John Szmer, Laura P. Moyer, Susan B. Haire & Robert Christensen, *Who Shapes the Law? Race and Gender Bias in Judicial Citations*, 118 AMER. POL. SCI. REV. 1067 (2024); Racheal Hinkle & Michael J. Nelson, *How Policy Influence Varies with Race and Gender in the US Courts of Appeals*, 8 RES. & POLITICS 1 (2021); Stephen J. Choi & Mitu Gulati, *Bias in Judicial Citations: A Window into the Behavior of Judges?* 37 J. LEGAL STUD. 87 (2008).

³⁷ For some of the critiques of these measures and the very idea of measuring judicial performance, there is a volume in the Florida State Law Review. See Steven G. Gey & Jim Rossi, *Empirical Measures of Judicial Performance: An Introduction*, 32 FLA. ST. L. REV. 1004 (2005). Included among the critiques in that volume and elsewhere are, e.g., Lawrence B. Solum, *A Tournament of Virtue*, 32 FLA. ST. L. REV. 1365 (2005); Patrick S. Shin, *Judging Merit*, 78 S. CAL. L. REV. 137 (2004); Marin K. Levy, Kate Stith & Jose A. Cabranes, *The Cost of Judging Judges by the Numbers*, 28 YALE L. & POL'Y REV. 313 (2010); Scott Baker, Adam Feibelman & William P. Marshall, *The Continuing Search for a Meaningful Model of Judicial Rankings*, 58 DUKE L. J. 1465 (2009); Robert Anderson, *Distinguishing Judges: An Empirical Ranking of Judicial Quality in the United States Court of Appeals*, 76 MO. L. REV. 315 (2011); Joshua B. Fishman, *Reuniting "Is" and "Ought" in Empirical Legal Scholarship*, 162 U. PENN. L. REV. 118 (2013).

- The vilified trio of Ho, Van Dyke, and Duncan score exceptionally well. However, so do some of the Trump appointees with more modest public identities, such as Amy St. Eve and Michael Scudder, who do not find themselves on any of the shortlists yet. When one combines measures, Ho dominates.
- None of the Trump judges come close to the dominance Richard Posner and Frank Easterbook had in their heyday. That begs the question of whether we have moved away from the era of having superstar judges.³⁸
- Compared to our prior research on judges, using roughly the same measures, something new is going on with the degree to which a subset of Trump judges are writing individual opinions in the form of concurrences and dissents. In some cases, these judges are concurring from their own majority opinions.

II. Dataset

We start with all federal circuit court judges who were active at some point from January 1, 2020 to June 30, 2023. We group the judges into those who potentially could be promoted to the Supreme Court (termed “auditioners”) and those who we treat as non-promotable. We define an auditioner as a federal circuit court judge who was active at some point in the 2020 to mid-2023 period and who was 55 years or younger in 2020.³⁹ Table 1 reports the breakdown of auditioner and non-auditioner active federal circuit court judges by circuit.

³⁸ We take this question from Orin Kerr, who posed it in a recent X/twitter thread. X(Aug. 8, 2024). <https://twitter.com/OrinKerr/status/1821679343938236460> . Kerr poses the question:

I have an impression that the legal cultures of earlier ages were more defined by the work of a few "great judges" who stood out as giants from the rest, especially on lower courts and state courts, than is the case today. If others share that impression, I'm curious, why the change?

³⁹ On the auditioner concept, see Lee Epstein, Richard A. Posner & William A. Landes, *THE BEHAVIOR OF FEDERAL JUDGES* 337 (2012); Ryan Black & Ryan J. Owens, *How Circuit Judges Alter Their Behavior for Promotion to the Supreme Court*, 60 *AMER. J. POL. SCI.* 30 (2016); see also Brown et al., *supra* note 15 (using the 55 as the age cut off for auditioning judges). We define our category of auditioners as those who were 55 or younger at the start of our data collection (in 2020). The assumption being that those in the vicinity of 55 are making choices about matters such as how to write opinions with the possibility of promotion in mind. By 60 though, we assume, given the modern trend towards appointing younger judges (and Trump's explicit statements about appointing young judges), that the possibility of promotion is no longer there. See Jeremy Childs, *Trump Wants to Shape Legal System for '50 Years' by Appointing Young Judges*, *ROLLING STONE* (May 18, 2024).

Table 1. Judges by Circuit

Circuit	Number of Non-Auditioners	Number of Auditioners	Number of Active Judges
1	5	3	8
2	7	9	16
3	7	6	13
4	11	4	15
5	13	8	21
6	9	8	17
7	7	5	12
8	9	2	11
9	20	17	37
10	10	3	13
11	6	7	13
D.C.	9	5	14
Total	113	77	190

Table 2 reports the auditioner judges by appointing president.

Table 2. Composition of the Auditioners

Appointing President	Number of Auditioners	Percent
Obama	11	14.3
Trump	43	55.8
Bush (George W.)	3	3.9
Biden	20	26.0
Total	77	100

We run three separate tournaments based on productivity, influence, and a type of independence that corresponds to the “maverick” nature of a judge.

III. Productivity

To measure productivity, we start with the total number of reported opinions by a judge: the sum of majority, concurring, and dissenting opinions.⁴⁰ We treat an opinion that concurs in part and dissents in part as a dissenting opinion. Writing a reported opinion likely takes more effort on the part of a judge than writing one that goes unreported. Judges who wish to conserve effort will choose to write opinions that are shorter and subject to less scrutiny, and therefore less likely to be reported—and avoid writing concurrences and dissents.⁴¹ Table 3 reports the top 10 auditioner judges by overall number of reported opinions. We also compute the Z-score, a measure of how far from the mean number of reported opinions a judge is based on the standard deviation of all active judges from the mean. A Z-score of 2, for example, indicates that a judge is two standard deviations from the mean active judge.

Table 3. Reported Opinions

Judge	Circuit	President	Number of Opinions	Number of Majority Opinions	Z-Score for Number of Opinions
Michael Scudder	7	Trump	166	158	2.30
Amy St. Eve	7	Trump	155	144	2.05
David Stras	8	Trump	139	90	1.70
David Barron	1	Obama	138	115	1.68
Jonathan Kobes	8	Trump	135	120	1.61
Andrew Oldham	5	Trump	129	76	1.48
James Ho	5	Trump	127	66	1.43
Kevin Newsom	11	Trump	125	83	1.39
Jennifer Elrod	5	Bush (George W.)	112	85	1.10
Stuart Duncan	5	Trump	107	96	0.99

Note the prevalence of Trump-appointed judges in the above Table. Eight of the top ten judges are appointed by Trump. There is one non-Trump judge, Jennifer Elrod and one Democratic judge, David Barron.

Circuit norms may affect productivity. In an earlier study that ranked circuit court judges from the early 2000s,⁴² we found that judges in the Seventh Circuit tended to write more opinions than judges in other circuits. One could argue that regardless of circuit

⁴⁰ “Reported” decisions are those so designated by a reporter series such as West. See Brown et al., *supra* note 15. We gather reported opinions for each judge from 2020 to June 30, 2023 using Westlaw’s classification of a “reported” opinion. See Varsava, *supra* note 35.

⁴¹ Judges can also specify that particular opinions of theirs are to be “published”, and the publishing companies such as West almost always comply with the authoring judge’s opinion. See Varsava, *supra* note 35.

⁴² See Choi & Gulati, *Choosing*, *supra* note 5.

norms, a judge who writes 100 opinions is in fact expending more effort than a judge who writes 50 opinions. Nonetheless, to determine those judges who exceed their circuit norms for productivity, we calculate the “excess” number of opinions for each judge, defined as: number of opinions for a specific judge minus the mean number of opinions for all active judges for the specific judge’s circuit.⁴³ We also compute a Z-Score based on the standard deviation of the excess number of opinions. Table 4 reports the excess number of opinions for the top 10 judges.⁴⁴

Table 4. Reported Opinions adjusted for Circuit Court

Judge	Circuit	President	Excess Number of Opinions	Z-Score
Michael Scudder	7	Trump	77.2	2.24
Amy St. Eve	7	Trump	66.2	1.92
Andrew Oldham	5	Trump	63.1	1.83
James Ho	5	Trump	61.1	1.77
David Barron	1	Obama	54.3	1.57
Kevin Newsom	11	Trump	53.1	1.54
Jennifer Elrod	5	Bush (George W.)	46.1	1.34
Steven Menashi	2	Trump	44.2	1.28
Stuart Duncan	5	Trump	41.1	1.19
Daniel Bress	9	Trump	34.9	1.01
Lawrence VanDyke	9	Trump	34.9	1.01

Adjusting for circuit norms for productivity does not change the ranking of the two top judges in our productivity tournament. Michael Scudder (first place) and Amy St. Eve (second place), both judges on the Seventh Circuit, remain at the top. Using the excess number of opinions does change the ranking order for the next several judges. Two Fifth Circuit judges, Andrew Oldham (third place) and James Ho (fourth place), come next in the excess number of opinions ranking. The sole Democratic judge, David Barron, rounds out the top five.⁴⁵

⁴³ Our measure of excess number of opinions is similar to, although not identical with, our number of opinions adjusted for inter-circuit differences measure in our original work on this topic. See Choi & Gulati, *Choosing*, *supra* note 5, at 44-47. Both measures attempt to control for inter-circuit productivity differences among judges.

⁴⁴ We have 11 judges in the Top 10 in Table 4 due to a tie between Daniel Bress and Lawrence VanDyke for 10th place.

⁴⁵ When we compare the pool of auditioner judges, 9 (or 20.9%) of the 43 Trump auditioners are in the top 10 in terms of excess number of opinions while 2 (or 5.9%) of the non-Trump auditioners are in the top 10 (difference significant at the 10% confidence level).

To compare auditioners with approximately equivalent experience as a circuit court judge, we compare the cohort of Obama auditioner judges commissioned toward the end of his presidency (6 judges in 2014) with the auditioner judges Trump appointed early in his presidency in 2017 (5 judges). One Obama judge (Barron) and one Trump judge (Newsom) are in the top 10 in terms of excess number of opinions. We

For both the measures of productivity that we report above, Scudder is not only the top ranked judge, he is also more than two standard deviations from the mean auditor. Only one other judge, St. Eve, is above two standard deviations from the mean and only for the ranking based on total reported opinions without adjustment for circuit differences (reported in Table 3). No single judge is an extreme outlier from other active judges.

In contrast, in our earlier study, almost two decades ago, we found that Richard Posner's circuit-adjusted number of reported opinions was 3.6 standard deviations above the mean.⁴⁶ Figure 1 depicts the distribution of auditor judge Z-scores with Duncan, Ho, and VanDyke specifically identified in comparison with Posner's Z-score from our earlier study.

also compare the cohort of Biden auditor judges appointed in 2020 (9 judges) with the auditor judges Trump appointed late in his presidency in 2020 (5 judges). No Biden judge and one Trump judge (VanDyke) are in the top 10 in terms of excess number of opinions. Because of the small number of judges, it is hard to draw strong conclusions from this comparison. Nonetheless, we find no evidence that the Trump judges are worse than similar cohorts of Obama or Biden judges.

⁴⁶ See Choi & Gulati, *Choosing*, *supra* note 5.

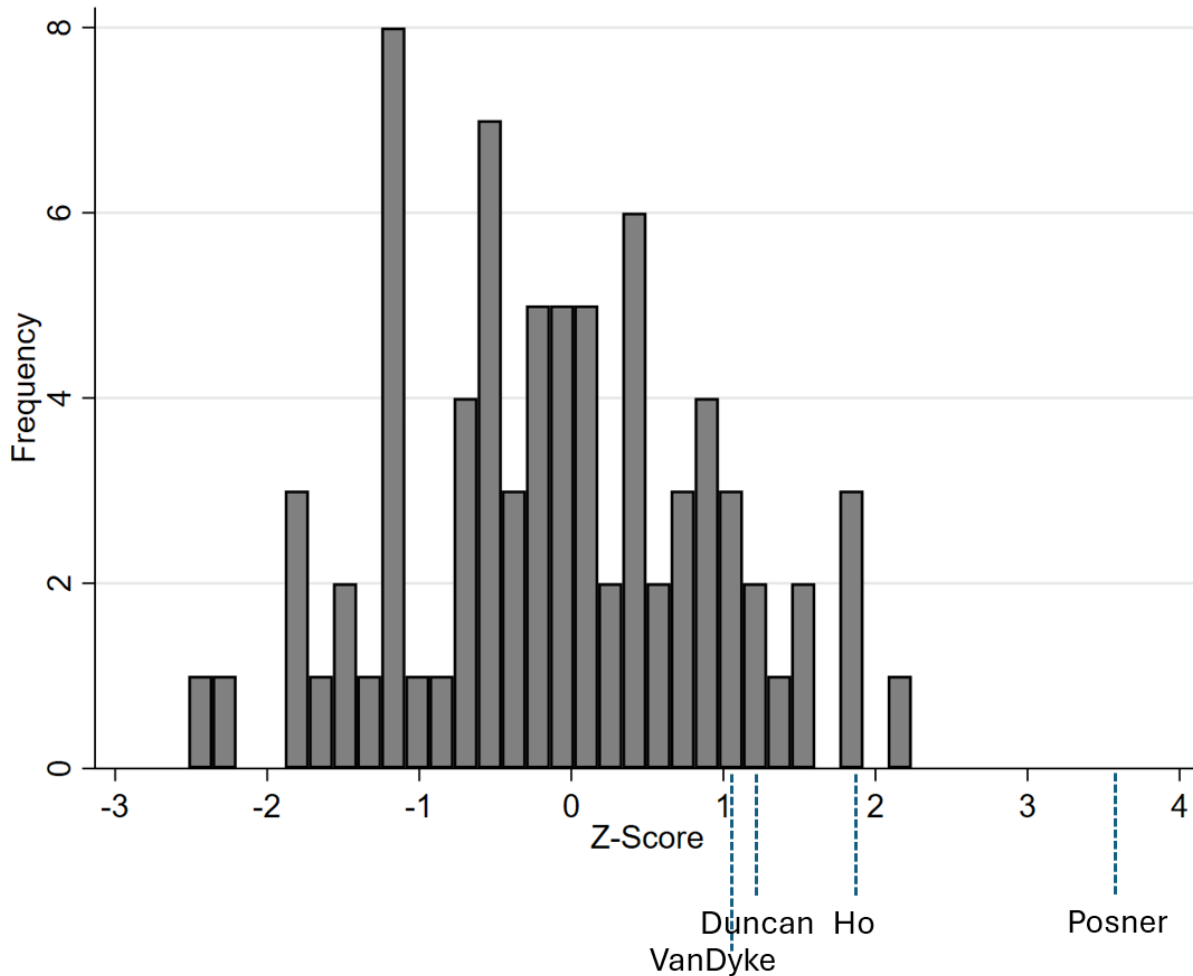


Figure 1: Z-Score for Excess Number of Reported Opinions

One issue with our productivity ranking is that many auditioner judges, in particular many Biden-appointed judges, are active for only part of the 2020 to mid-2023 period. Plus, they are all newer to the bench and perhaps less likely to receive meaty case assignments – that is, cases where one can write influential reported opinions. Looking at the total number of reported opinions will tend to leave these judges at the bottom of the rankings. As a robustness test, we focus on the per-month productivity of our auditioner judges. We adjust for inter-circuit differences by computing the excess per-month productivity defined as the total number of reported opinions per month for a judge minus the average total number of reported opinions per month for the specific circuit of that judge. Unreported, the judges in the top 10 in terms of excess number of total reported opinions in Table 4 remain the same top 10 judges when we look at per month productivity.

IV. Influence

Influence is our second tournament metric. We treat judges who write opinions that have a greater impact on the law as more influential. As our measure of influence, we look

at outside circuit citations to a specific judge’s opinions. Outside circuit citations include citations from federal courts in other circuits (including the US Supreme Court, bankruptcy and tax courts) and state courts. Courts in the same circuit, in particular the lower federal district courts, will necessarily have to cite the circuit court’s opinion because it is precedent. Accordingly, looking at outside circuit citations allows us to determine how often other judges find a specific judge’s opinion worthwhile to cite even if there is no precedential value to the citation.

For each specific judge’s majority opinion in our dataset, we tabulate the total number of case citations as tracked by Westlaw’s KeyCite from outside circuit federal as well as state courts. We collect citations from citing cases filed between January 1, 2020 and June 30, 2020. Table 5 reports the total number of outside circuit citations for the auditioner judges as well as the Z-Score for each judge based on the standard deviation from the mean total number of outside circuit citations for all active judges in our sample.

Table 5. Total Outside Circuit Case Citations

Judge	Circuit	President	Total Outside Circuit Case Citations	Z-Score
Eric Murphy	6	Trump	499	1.79
Amy St. Eve	7	Trump	451	1.55
Kevin Newsom	11	Trump	430	1.45
John Nalbandian	6	Trump	302	0.80
Cheryl Krause	3	Obama	293	0.76
David Porter	3	Trump	289	0.74
Chad Readler	6	Trump	275	0.67
Stuart Duncan	5	Trump	272	0.65
Britt Grant	11	Trump	256	0.57
James Ho	5	Trump	219	0.38

Similar to our productivity measure, Trump judges dominate the top 10 list in Table 5.⁴⁷ Nine out of the ten judges in the top 10 are Trump judges. Eric Murphy (Sixth Circuit

⁴⁷ When we compare the pool of auditioner judges, 9 (or 20.9%) of the 43 Trump auditioners are in the top 10 in terms of total outside circuit case citations while 1 (or 2.9%) of the non-Trump auditioners is in the top 10 (difference significant at the 5% confidence level).

To compare auditioners with approximately equivalent experience as a circuit court judge, we compare the cohort of Obama auditioner judges commissioned toward the end of his presidency (6 judges in 2014) with the auditioner judges Trump appointed early in his presidency in 2017 (5 judges). One Obama judge (Krause) and one Trump judge (Newsom) are in the top 10 in terms of total outside circuit case citations. We also compare the early cohort of Biden auditioner judges appointed in 2020 (9 judges) with the auditioner judges Trump appointed late in his presidency in 2020 (5 judges). No Biden judge and no Trump judge are in the top 10 in terms of total outside circuit case citations. Because of the small number of judges, it is hard to draw strong conclusions from this comparison. Nonetheless, we find no evidence that the Trump judges are worse than similar cohorts of Obama or Biden judges.

and Amy St. Eve (Seventh Circuit) are first and second respectively. The only Democrat appointed judge in the Top 10, Cheryl Krause, is number five in the top 10 and has less than sixty percent of the number of outside circuit case citations as Eric Murphy.⁴⁸

In our earlier study, Richard Posner (Z-Score of 2.61) and Frank Easterbrook (Z-Score of 2.52) were the top two judges in terms of total number of outside circuit citations.⁴⁹ In comparison, no auditioner judge is more than 2 standard deviations from the mean as reported in Table 5. While Eric Murphy and Amy St. Eve are the top among today's auditioners, they are not as extreme outliers in terms of influence as either Posner or Easterbrook. Figure 2 depicts the distribution of auditioner judge Z-scores with Duncan, Ho, and VanDyke specifically identified in comparison with Posner's Z-score from our earlier study.

⁴⁸ As an alternative measure to the outside circuit citations to the top 10 citation receiving majority opinions is to look at the mean number of outside circuit citations per majority opinion. While this measure controls for the number of opinions, it is unclear why a judge who receives a high mean number of outside circuit citation per majority opinion but writes only a handful of majority opinions should be considered as highly influential. Nonetheless, looking the mean number of outside circuit citations per majority opinion helps to level the playing field for judges, particularly the Biden appointees, who are on the bench for less than the full period of our dataset from 2020 to mid-2023. We re-ran our ranking based on the mean number of outside circuit citations to majority opinions. Unreported, six of the top 10 judges in terms of total outside circuit citations as reported in Table 5 are also in the top 10 judges for mean outside circuit citations: Porter, Krause, Murphy, Nalbandian, Newsom, and Grant. Nine of the of the top 10 judges in terms of total outside circuit citations as reported in Table 5 are also in the top 20 judges for mean outside circuit citations. Only one judge of the top 10 from Table 5 drops out of the top 20 judges for mean outside circuit citations: James Ho who is ranked 30th.

⁴⁹ See Choi & Gulati, *Choosing*, *supra* note 5.

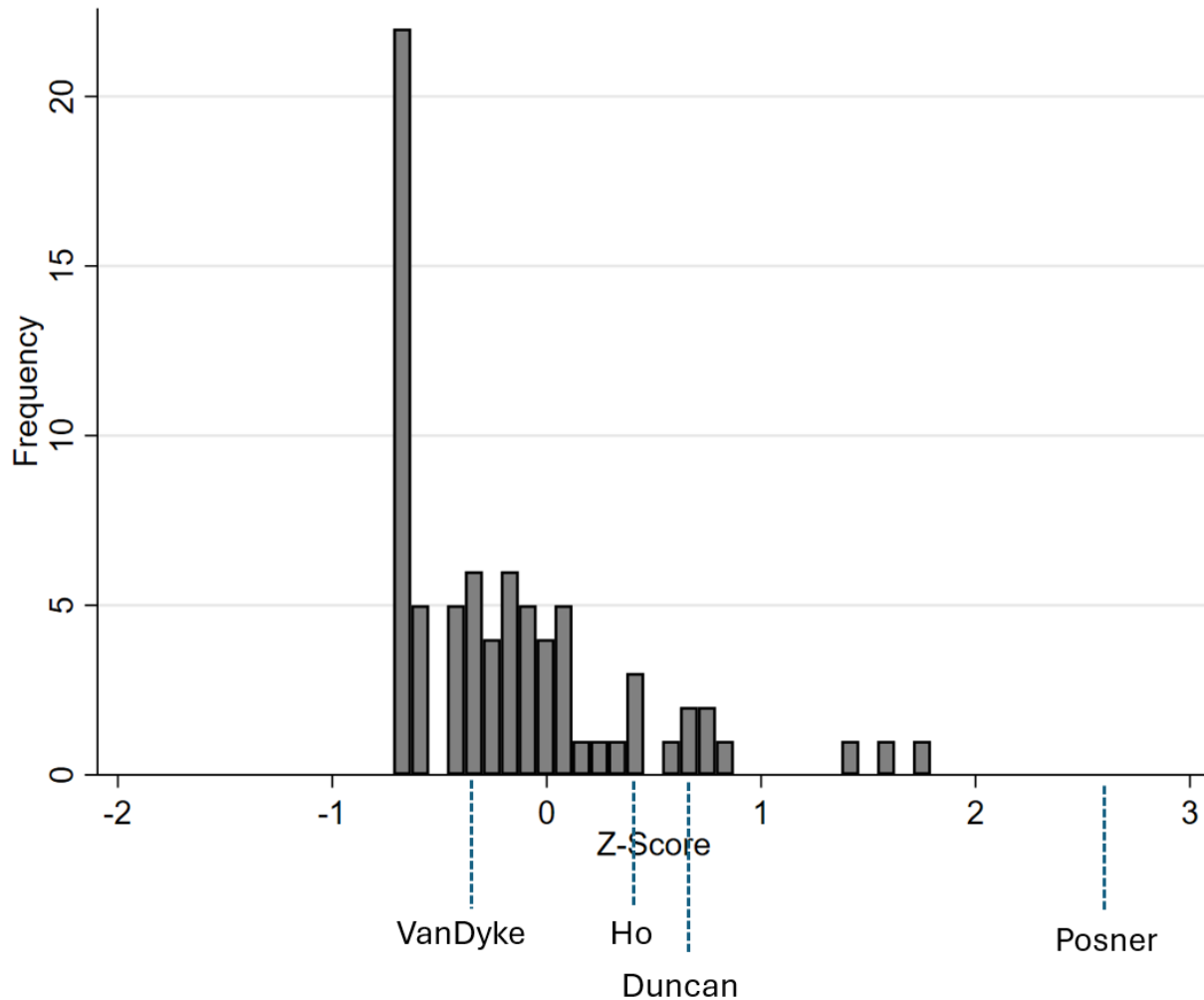


Figure 2: Z-Score for Total Outside Circuit Citations

It is possible that a judge who writes opinions that receive only a modest number of outside circuit citations may still score highly in terms of total number of outside citations due to a large number of opinions written. To get at whether individual opinions are influential, we focus on each auditioner judge’s top 10 majority opinions in terms of outside circuit citations. We sum the number of outside circuit citations to the top 10 majority opinions as our measure. Table 6 reports our ranking of auditioner judges based on the number of outside circuit citations to the top 10 opinions and the Z-Score of this measure.⁵⁰

⁵⁰ Our measure of total outside circuit case citations to a judge’s top 10 opinions is similar to, but not identical with, one of our measures of opinions quality in our original work on this topic. In that earlier work, we looked a total outside circuit citations to a judge’s top 20 opinions. See Choi & Gulati, *Choosing*, *supra* note 5, at 53. Because many of the Biden judges, in particular, have fewer than 20 reported majority opinions, we use the lower top 10 opinion measure for this work.

Table 6. Outside Circuit Citations by Other Circuit Court Judges to Top 10 opinions

Judge	Circuit	President	Outside Circuit Citations to Top 10 Majority Opinions	Z-Score
Eric Murphy	6	Trump	410	1.72
David Porter	3	Trump	259	0.86
Cheryl Krause	3	Obama	257	0.85
Kevin Newsom	11	Trump	250	0.81
Amy St. Eve	7	Trump	249	0.81
Chad Readler	6	Trump	239	0.75
John Nalbandian	6	Trump	238	0.74
Stuart Duncan	5	Trump	191	0.47
James Ho	5	Trump	171	0.36
Andrew Oldham	5	Trump	167	0.34

When we focus on just a judge’s top 10 opinions in terms of outside circuit citations, we obtain a ranking list similar to when we look at total outside circuit citations. Nine judges are among the top 10 judges in both rankings. The top ranked judge based on the top 10 outside circuit citation-receiving opinions, Eric Murphy of the Sixth Circuit, is the same top ranked judge for total outside circuit citations. Amy St. Eve, Kevin Newsom, John Nalbandian, David Porter, Chad Readler, Stuart Duncan, and James Ho are all Trump appointees who are in the Top 10 for both types of outside circuit citation rankings. The lone Democratic appointee, Cheryl Krause, also makes both rankings.⁵¹

We have identified those auditioner judges that received the most outside circuit citations, either in total or with respect to the top 10 opinions. But what if many if not most of these citations are negative? We may be wrong to call a judge influential if the judge receives mostly negative citations. As a benchmark of citation quality, we first tabulate the

⁵¹ When we compare the auditioner judges, 9 (or 20.9%) of the 43 Trump auditioners are in the top 10 in terms of the number of outside circuit case citations to a judge’s top 10 opinions while 1 (or 2.9%) of the non-Trump auditioners are in the top 10 (difference significant at the 5% confidence level).

To compare auditioners with approximately equivalent experience as a circuit court judge, we compare the cohort of Obama auditioner judges appointed toward the end of his presidency (6 judges in 2014) with the auditioner judges Trump appointed in 2017 (5 judges). One Obama judge (Krause) and one Trump judge (Newsom) are in the top 10 in terms of the number of outside circuit case citations to a judge’s top 10 opinions. We also compare the cohort of Biden auditioner judges appointed in 2020 (9 judges) with the auditioner judges Trump appointed late in his presidency in 2020 (5 judges). No Biden judge and no Trump judge is in the top 10 in terms of number of outside circuit case citations to a judge’s top 10 opinions. Because of the small number of judges, it is hard to draw strong conclusions from this comparison. Nonetheless, we find no evidence that the Trump judges are worse than similar cohorts of Obama or Biden judges.

average percent of outside circuit citations for all the active judges in our sample that are negative. We define a negative citation as one with a “red” Westlaw KeyCite. The mean percent of outside circuit citations that receive a red Westlaw KeyCite for all active judge opinions is 5.6%. We then compute the percent of outside circuit citations that receive a red Westlaw KeyCite for each of the nine judges that are in the Top 10 rankings for both of our influence measures above. The results are in Table 7.

Table 7. Quality of Outside Circuit Citations

Judge	Circuit	President	% Negative Outside Circuit Citations	% Outside Circuit Citations from Republican Circuit Judges
Eric Murphy	6	Trump	2.2%	21.6%
Amy St. Eve	7	Trump	7.8%	25.0%
Kevin Newsom	11	Trump	4.2%	28.9%
John Nalbandian	6	Trump	5.6%	42.1%
Cheryl Krause	3	Obama	14.3%	40.0%
David Porter	3	Trump	2.4%	40.4%
Chad Readler	6	Trump	2.5%	38.5%
Stuart Duncan	5	Trump	8.5%	30.5%
James Ho	5	Trump	6.8%	35.5%

Note that 5 of the 8 Trump judges in Table 7 have a lower or equal percent of outside circuit citations that receive a red key citation compared with the 5.6% mean for all active judges. The three Trump judges with a greater percent are only a few percentage points higher than the mean. In other words, we find no evidence that the Trump judges’ high influence rankings are driven by negative citations. In contrast, the sole Democrat judge, Cheryl Krause, has 14.3 percent of her outside circuit citations with a red Westlaw KeyCite flag.

To take another cut at the measure, we focus on the subset of outside circuit citations from another circuit court judge (i.e., if a judge in the Seventh Circuit cites a judge’s opinion from the Fifth Circuit). We compute for each auditioner judge the mean percent of outside circuit citations from another circuit court that is from a Republican citing judge. A Trump judge may have high outside circuit citations because other Republican judges tend to cite the Trump judges. The mean percent of outside circuit citations in an opinion by a judge from another circuit court due to a Republican citing judge is 34.3%. Table 7 reports on how each of the nine judges that are in the Top 10 for both of our influence measures do in terms of our three metrics of citation quality.

Note from Table 7 that 4 out of the 8 Trump judges have a lower or equal percent of outside circuit citations from other Republican judges than the mean. The four Trump judges with a greater percent range from 1.2 to 7.8 percentage points above the mean. In

contrast, the sole Democrat judge, Cheryl Krause, has 40 percent of her outside circuit citations from Republican judges, 5.7 percentage points above the mean.⁵²

V. The Maverick

Our third measure seeks to measure independence and has been the most controversial of the three measures we use.⁵³ Independence is generally considered a desirable quality for judges. But how to measure independence? For some, independence may mean a judge with a strong belief in a particular ideology who will not deviate regardless of collegiality, political headwinds, age, and other factors. A partisan Trumpian judge who espouses all the ideals of former President Trump and his political party may therefore be considered “independent” by other fellow partisans.⁵⁴

Our approach to examining independent judges is to look for the maverick judge, which is arguably a different dimension: a judge who is willing to deviate from other judges, and particularly so those closest to them in terms of political ideology. Deviations could be going further to the right or left. The point is that one is deviating.

To estimate independence (or maverick status), we use a judge’s dissents and concurrences since those are the places where judges assert their individual views.⁵⁵ A judge who simply writes majority opinions and never asserts their views through a dissent or concurrence, by our measures, is not much of a maverick.⁵⁶

⁵² Perhaps our Trump judges perform well in our influence tournament because other Trump circuit court judges are boosting their citation numbers. The mean percent of outside circuit citations from another circuit court due to a Trump citing judge is 19.0%. Unreported, the mean percent of outside circuit citations from another circuit due to a Trump citing judge is only 18.5% for the eight Trump judges in Table 7. Three of the ten are below the mean of 19.0%. while the Trump judge receiving the greatest fraction of his circuit court citations from other Trump Judges, John Nalbandian, is only 6 percentage points above the mean of 19.0%. The sole Democrat, Cheryl Krause, had 26.7% of her outside circuit citations from Trump judges, 7.6 percentage points above the mean of 19.0%.

⁵³ *Supra* note 37 (citing articles).

⁵⁴ According to one conservative organization screening judges to determine those worthy to be elevated to the Supreme Court, the goal is to look for judges who will not, when elevated, become a “David Souter”. See Phillip Jauregui, *A Shortlist of Supreme Court Picks Donald Trump Should Consider*, WASHINGTON TIMES (May 8, 2024).

⁵⁵ Our focus on number of dissents and concurrences corresponds with one of the independence measures we used in our original work on this topic. See Choi & Gulati, *Choosing*, *supra* note 5, at 63-65.

⁵⁶ Our sense from talking to a number of judges is that, in some circles, writing a lot of individual dissents or concurrences is seen as un-collegial because it represents a failure to compromise. In addition, it means that the judges in the majority now have to do extra work to respond so as to protect their majority opinion from the risk of reversal. From this “collegiality” perspective, therefore, a high number of individual concurrences and dissents is a negative indicator. For a more detailed discussion of measuring collegiality and its value, see Jonathan R. Nash, *Measuring Judicial Collegiality Through Dissent*, 70 BUFF. L. REV. 1 (2022); Harry T. Edwards & Michael A. Livermore, *Pitfalls of Empirical Studies that Attempt to Understand the Factors Affecting Judicial Decisionmaking*, 58 DUKE L. J. 1895 (2009).

For our first metric of maverick-ness, we look to the total number of dissents and concurrences authored by the judge during our sample period from 2020 to mid-2023. Judges do not have to write dissents or concurrences. A judge who does write either type of opinion displays a willingness to stand apart from the majority opinion. Because there is no requirement to author a dissent or concurrence, we do not adjust for circuit differences.⁵⁷ Table 8 reports the top 10 judges in terms of number of dissents and occurrences. We also report the Z-Score based on the standard deviation from the mean number of dissents and occurrences for all active judges in our sample.⁵⁸

Table 8: Total Number of Dissents and Concurrences

Judge	Circuit	President	Dissents and Concurrences	Dissents	Concurrences	Z-Score (Dissents and Concurrences)
James Ho	5	Trump	61	20	41	3.56
Andrew Oldham	5	Trump	53	26	27	2.96
David Stras	8	Trump	49	22	27	2.66
Patrick Bumatay	9	Trump	44	33	11	2.29
Kevin Newsom	11	Trump	42	8	34	2.14
Lawrence VanDyke	9	Trump	39	26	13	1.91
Robin Rosenbaum	11	Obama	38	23	15	1.84
Julius Richardson	4	Trump	30	16	14	1.24
Eric Murphy	6	Trump	28	13	15	1.09
Jennifer Elrod	5	Bush (George W.)	27	17	10	1.01

As with our other measures, the Trump judges dominate the top 10 ranked judges in terms of number of dissents and concurrences. James Ho and Andrew Oldham are the top two judges. James Ho in particular stands out with a Z-Score of over 3 standard deviations above the mean active judge (with Andrew Oldham similarly at 2.96 standard deviations). Relative to our productivity and influence measures where no judge was three standard deviations above the mean, Ho and Oldham are far beyond other auditioner judges.

Ho stands out in particular because he wrote the most concurrences out of all judges in the top 10 ranked judges in Table 8 at 41 concurrences. He wrote more than double the number of concurrences as the number of his dissents. Only Kevin Newsom

⁵⁷ Put differently, the circuit norm is assumed to be zero concurrences and dissents.

⁵⁸ One could argue that our focus on dissents and concurrences as a measure of independence and on the total number of reported opinions as a measure of productivity double counts dissents and concurrences (which are a component of the total number of opinions). We believe that it makes sense to account for dissents and concurrences as both an aspect of productivity (since it takes extra and optional effort for a judge to write a dissent and concurrence) and independence (since it exposes the judge to potential critique when the judge writes an extra opinion that is often solo authored). Nonetheless, others may wish to run their own tournaments, perhaps using the number of reported majority opinions alone as a measure of productivity.

has a higher ratio of concurrences to dissents among the top 10 ranked judges in Table 8 (with 34 concurrences and 8 dissents).⁵⁹

As a robustness test to level the playing field for judges who served for only part of our data period from 2020 to mid-2023, we focus on the per month number of dissents and concurrences of our auditioner judges. Unreported, the judges in the top 10 in terms of number of dissents and concurrences in Table 8 remain the same top 10 judges when we look at per month dissents and concurrences.

The other aspect of a maverick judge is a judge who does not follow the party line. To obtain our more refined measure of independence we divide our judges into Republicans and Democrats based on the party of the appointing president. We computed the percentage of dissents in which each judge opposed a majority opinion judge of the same political party.

To determine partisanship, we next compute an “expected” percentage of dissents against same-party judges if judges were to dissent randomly without regard to party (termed the “expected same-party opposing fraction”). For each judge we determined the political party of the other active judges on each circuit from 2020 to mid-2023 (including those who eventually took senior status or retired). For judges active over the entire 2020 to mid-2023 period, we gave a weight of 3.5. For judges active for only part of the time period (for example, just for 2020) we gave a correspondingly lower weight based on the number of months the judge was active in the 2020 to mid-2023 period (for example, a weight of 1 if the judge was active for only 12 months). We also tabulated, for each judge, the actual same-party opposing fraction defined as the fraction of dissents by that judge against same-party judges.

We then computed a partisanship score as follows:⁶⁰

Partisanship Score = (Actual Same-Party Opposing Fraction) – (Expected Same-Party Opposing Fraction)

⁵⁹ It has been suggested to us that one could dig deeper into the data on dissents and concurrences to look specifically at dissents and concurrences, a type of opinion that is beginning to receive greater attention because of its increased use in recent years. These are dissents or concurrences from denials of rehearing en banc, which arguably serve to garner attention for the denial from the Supreme Court. See Eugene Volokh, *Disgrantee, A New Legal Nonce Word*, REASON (July 18, 2024); Eugene Volokh, *Concurrence and Dissent*, VOLOKH CONSPIRACY (Sept. 12, 2011).

⁶⁰ In our earlier work we looked at both (a) when a judge dissents against a same party judge and (b) when a judge writes a majority opinion where a same party judge writes a dissent. For purposes of this analysis, we focus on just (a) when a judge dissents against a same party judge. See Choi & Gulati, *Choosing*, *supra* note 5, at 63-66. This measure focuses on when a judge makes the active decision to write a dissent which, we believe, carries with it more attention and reputational impact than when a judge writes a majority opinion. We use this measure later in the paper to weigh the number of dissents and concurrences that a judge writes—giving more weight to dissents written by a judge who is more “neutral” (in the sense of not systematically favoring or disfavoring same party judges in choosing when to dissent).

A more negative Partisanship Score means that a judge tends to dissent less against same party judges and a more positive score means the judge tends to dissent more against same party judges compared with the expected dissent fraction. If a Republican-nominated judge on the Seventh Circuit (for whom we compute an expected dissent percent against other Republican judges is 61.7%) only dissented against other Republicans 50% of the time, she would score a -0.17 under our measure, dissenting against same-party judges seventeen percentage points less than a non-partisan judge would. The more negative the partisanship score, the more aligned particular judges are with their party line. On the other hand, if the Republican-nominated judge on the Seventh Circuit dissented against other Republicans ninety-five percent of the time, she would score a +0.28, being twenty-eight percentage points more likely to dissent against a judge of the same political party.

Table 9 reports the judges ranked in order of absolute closeness to zero for the partisanship score—in other words the most non-partisan under our measure. A score of zero suggests no bias either against or for one’s own political party of appointment.

Table 9: Partisanship

Judge	Circuit	President	abs(Partisanship Score)	Partisanship Score
Eric Miller	9	Trump	0.002	0.002
Lawrence VanDyke	9	Trump	0.002	0.002
Jennifer Elrod	5	Bush (George W.)	0.006	0.006
Andrew Oldham	5	Trump	0.027	-0.027
James Ho	5	Trump	0.027	-0.027
Robin Rosenbaum	11	Obama	0.041	-0.041
Daniel Bress	9	Trump	0.042	-0.042
David Stras	8	Trump	0.043	-0.043
Raymond Lohier	2	Obama	0.045	0.045
Ryan Nelson	9	Trump	0.051	-0.051

Note that there is overlap between the top judges in terms of number of dissents and concurrences and in terms of non-partisanship. Six of the ten judges that score in the top 10 in terms of non-partisanship also rank in the Top 10 in terms of number of dissents and concurrences. James Ho, Andrew Oldham, David Stras, Lawrence VanDyke, Richard Rosenbaum, and Jennifer Elrod show up in both top 10 rankings.

To combine the two maverick rankings, we compute a weighted number of dissents and concurrences as follows:

$$\text{Number of Dissents and Concurrences} \times (1 - \text{abs(Partisanship Score)})$$

Judges who dissent without regard to political party (and thus match the expected dissent rate against same party judges) receive a weight of one for their number of dissents and concurrences. Conversely, judges who deviate from the expected dissent rate, either for or against same party judges, receive a weight of less than one, diminishing their weighted number of dissents and concurrences score. Table 10 reports the top 10 auditioner judges in terms of weighted number of dissents and concurrences and their respective Z-scores based on the standard deviation from the mean for all active judges in the sample.

Table 10: Weighted Number Dissents and Concurrences

Judge	Circuit	President	Weighted Number of Dissents and Concurrences	Z-Score
James Ho	5	Trump	59.3	3.78
Andrew Oldham	5	Trump	51.5	3.14
David Stras	8	Trump	46.9	2.76
Lawrence VanDyke	9	Trump	38.9	2.11
Patrick Bumatay	9	Trump	36.8	1.94
Robin Rosenbaum	11	Obama	36.4	1.90
Kevin Newsom	11	Trump	34.4	1.74
Jennifer Elrod	5	Bush (George W.)	26.8	1.12
Julius Richardson	4	Trump	22.8	0.79
David Barron	1	Obama	19.9	0.55

The six judges who are in the top 10 for both number of dissents and concurrences and non-partisanship are all in the top 10 judges in the weighted number of dissents and concurrences ranking. Two of the judges, James Ho (first) and Andrew Oldham (second), are more than three standard deviations from the mean active judge.⁶¹

While we take the writing of a dissent or concurrence as a sign of independence, others may see dissents and concurrences as a lack of collegiality and a sign of

⁶¹ When we compare the auditioner judges, 7 (or 16.2%) of the 43 Trump auditioners are in the top 10 in terms of weighted number of dissents and concurrences while 3 (or 8.8%) of the non-Trump auditioners are in the top 10 (difference not significantly different from zero).

To compare auditioners with approximately equivalent experience as a circuit court judge, we compare the cohort of Obama auditioner judges appointed toward the end of his presidency (6 judges in 2014) with the auditioner judges Trump appointed early in his presidency in 2017 (5 judges). Two Obama judges (Rosenbaum and Barron) and one Trump judge (Newsom) are in the top 10 in terms of weighted number of dissents and concurrences. We also compare the cohort of Biden auditioner judges appointed in 2020 (9 judges) with the auditioner judges Trump appointed late in his presidency in 2020 (5 judges). No Biden judge and one Trump judge (VanDyke) are in the top 10 in terms of weighted number of dissents and concurrences. Because of the small number of judges, it is hard to draw strong conclusions from this comparison. While the later Obama cohort has more judges in the Top 10 compared with the early Trump cohort, the late Trump cohort has more judges in the top 10 compared with the early Biden cohort.

disagreeability. We take a different approach in thinking about independence but recognize that our third measure in particular may have more variance in people's views on what constitutes good judging. We nonetheless believe there is value in the attempt to quantify independence, if only to set out a foil against which people can argue over the meaning of independence and come up with competing metrics of independence.

VI. All Together Now

How should we balance the three different tournaments? Balancing requires judgment on how much to weigh productivity, influence, and maverick-ness. Some may disagree with us and put little weight on productivity. Others may wish to focus exclusively on influence. Rather than choose one particular weighting, we report the top ranked judges using a variety of weights for our three measures to construct a composite ranking.

To construct the composite, we multiply each of our three measures by a constant to normalize the distribution such that the maximum value for each measure is 1. Normalizing each measure gives roughly the same weight to variations in each variable in generating a composite measure. We then generate a weighted sum of the normalized measures to generate a composite ranking score as follows:

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$$\text{Score} = x\text{Productivity} + y\text{Quality} - z\text{Independence}$$

Such that
 $x + y + z = 1$

Figure 1 depicts the top three judges based on different weightings.

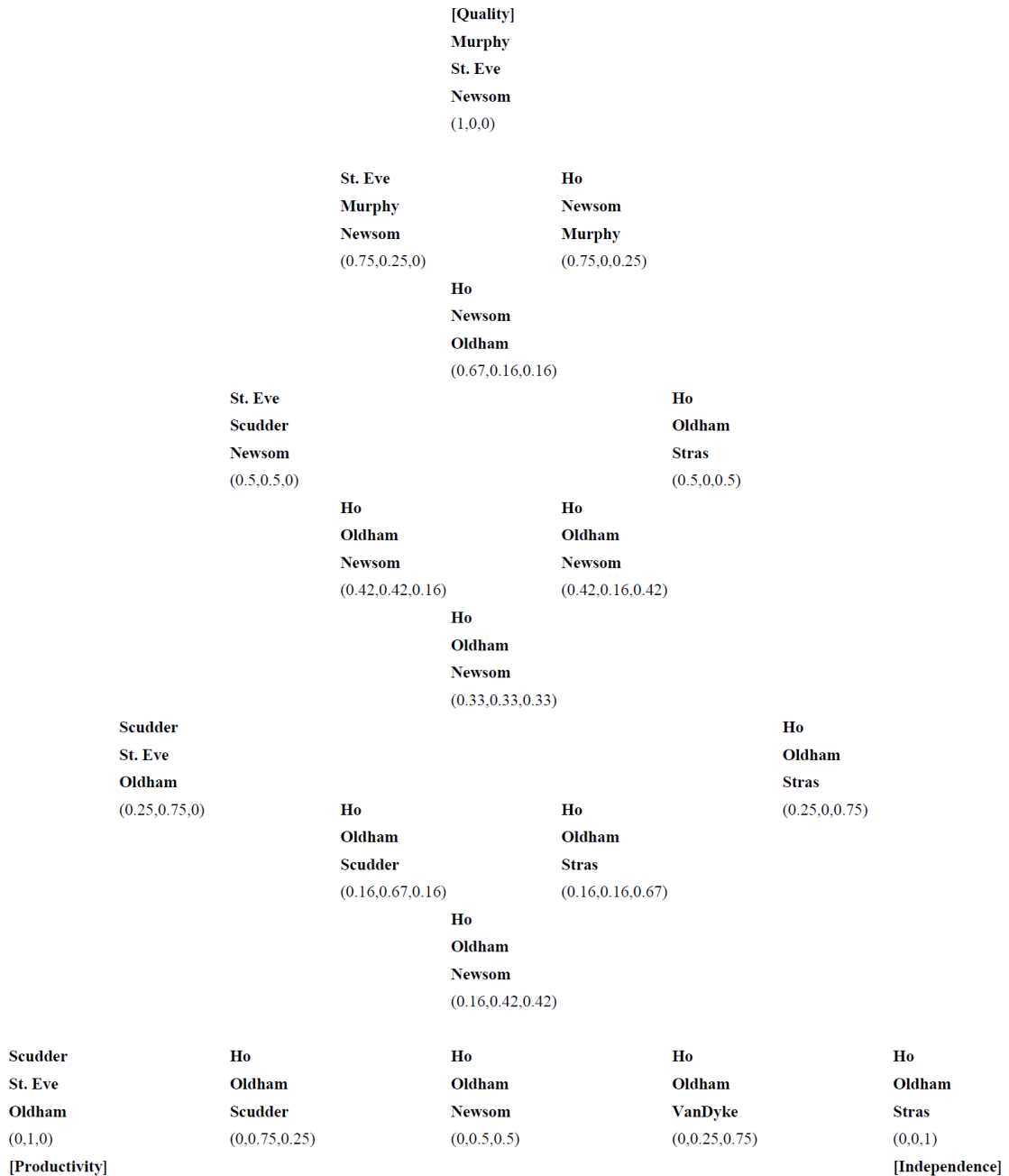


Figure 1

While no single judge has the highest score across all weightings, one judge dominates across a large fraction of possible weightings: James Ho. The other judges who

are at the top of any of the weightings are Eric Murphy, Michael Scudder, and Amy St. Eve. Note also that there are a few other names that show up in second and third place slots – Andrew Oldham, David Stras, Michael Scudder, Kevin Newsom and Lawrence Van Dyke.

Note here that the fact that there are some judges who do not show up in our discussion does not necessarily mean that they don't do well. Judges on some of the shortlists such as Amul Thapar, Neomi Rao, Joan Larsen and Don Willett, to take a few examples, do well, but are below our top ten tables. Different weightings would paint a different picture. For that reason, we report the full lists in the Appendix.

VII. Conclusion

First, a note on the Biden judges, who we have not discussed much. We have less data on them, and they have had less time on the bench. But some of them, particularly early appointees in 2020, are arguably comparable to Trump judges from 2019. And none of the Biden appointees, even when we try to control for their lower amount of time on the bench, make it to the top tiers in our rankings. Unlike the early Biden appointees, one late Trump appointee, Lawrence VanDyke, is in the top rankings for both productivity and independence. There are multiple possibilities here.

There could be a reversal aversion effect. Judges, we suspect, dislike being reversed. During the period of our study, the Supreme Court was dominated by conservatives, 6-3. Maybe one way of minimizing the risk of reversal for Biden judges, who might have had a greater fear of reversal than their Republican counterparts, was to produce opinions that were less likely to be reported.⁶²

Another possibility is that what we are seeing is a different emphasis in the type of judges the Democrats and Republicans sought out. The Democratic judge pickers for Biden, from the start, emphasized a focus on public defenders, civil rights lawyers and diversity.⁶³ There was perhaps not a strong focus on judicial philosophy, as perhaps there was with the Republican choices.⁶⁴ Maybe that is what we are seeing in the data. Those judges who come in with a clear ideology and agenda will be more influential. That said, maybe with more experience, some of the Biden judges may rise in our rankings. Stardom, in terms of influence, may take time to develop.

Second, we wonder whether part of what we are seeing is a change in strategy for at least a subset of judges. In the old days, maybe partly related to the presence of the

⁶² See David S. Law, *Strategic Judicial Decisionmaking: Ideology, Publication and Asylum Law in the Ninth Circuit*, 73 U.CIN. L. REV. 817 (2005).

⁶³ See Colleen Long, *Biden Seeking Professional Diversity in His Judicial Picks*, AP NEWS (Feb. 10, 2022).

⁶⁴ And if it was the case that the Trump appointments in the first two years (as a result of Dan McGahn's influence then) were different in terms of philosophy and ideology from those in the next two years, as has been suggested to us by some insiders, we should be able to investigate this differential with more data.

filibuster, perhaps there was a stronger norm of judicial modesty.⁶⁵ Judges who expressed their views too loudly got penalized – perhaps why Richard Posner or Frank Easterbrook, despite being recognized as brilliant, never got elevated to the High Court by Republican presidents.⁶⁶ But to the extent that today, at least in terms of Donald Trump’s choices, what is rewarded is success in grabbing headlines in a particular way (e.g., expressing pro-gun or anti-abortion preferences) or ruling in an explicitly pro-Trump fashion, those seeking for promotion will compete in these ways. Conversely, to the extent that the Democratic establishment is not likely to reward attention-seeking behavior, we would expect to see starkly different behavior from the different set of judges.

Time and data will tell. If Harris wins the election, for example, we should see a change in auditioning behavior, particularly for those judges who will have aged out of contention for elevation by the time another Republican president is elected. We might also see a different dynamic if there is a Trump presidency, but a Senate controlled by the Democrats. And so on and so forth. The questions are interesting enough that we plan to continue collecting fresh data on a regular basis. As of this writing, there is already another year of data to be examined.

⁶⁵ For an examination of this effect, see Jeremy R. Nash & Joanna Shepherd, *Filibuster Change and Judicial Appointments*, 17 J. EMP. LEGAL STUD. 646 (2020).

⁶⁶ See Robert Boynton, ‘*Sounding Off*’: A Review of Richard Posner’s *Public Intellectuals*, THE WASHINGTON POST BOOK WORLD (Jan. 20, 2002); John Fabian Witt, *The Provocative Life of Judge Richard Posner*, N.Y. TIMES (Oct. 7, 2016).

Appendix Tables

Appendix Table 1: Number of Opinions

Judge	Circuit	President	Number of Opinions	Number of Majority Opinions	Z-Score for Number of Opinions
Michael Scudder	7	Trump	166	158	2.30
Amy St. Eve	7	Trump	155	144	2.05
David Stras	8	Trump	139	90	1.70
David Barron	1	Obama	138	115	1.68
Jonathan Kobes	8	Trump	135	120	1.61
Andrew Oldham	5	Trump	129	76	1.48
James Ho	5	Trump	127	66	1.43
Kevin Newsom	11	Trump	125	83	1.39
Jennifer Elrod	5	Bush (George W.)	112	85	1.10
Stuart Duncan	5	Trump	107	96	0.99
Julius Richardson	4	Trump	101	71	0.86
Eric Murphy	6	Trump	96	68	0.75
Don Willett	5	Trump	94	75	0.70
Chad Readler	6	Trump	90	65	0.62
John Nalbandian	6	Trump	83	57	0.46
Daniel Bress	9	Trump	80	60	0.39
Lawrence VanDyke	9	Trump	80	41	0.39
Britt Grant	11	Trump	79	68	0.37
Ryan Nelson	9	Trump	79	59	0.37
Amul Thapar	6	Trump	79	55	0.37
Patrick Bumatay	9	Trump	78	34	0.35
Elizabeth Branch	11	Trump	77	65	0.33
Thomas Kirsch	7	Trump	77	61	0.33
Robin Rosenbaum	11	Obama	72	34	0.22
Barbara Lagoa	11	Trump	71	55	0.19
Neomi Rao	12	Trump	71	48	0.19
Steven Menashi	2	Trump	70	45	0.17
Kenneth Lee	9	Trump	62	47	0.00
Stephanos Bibas	3	Trump	61	50	-0.03
Allison Rushing	4	Trump	60	35	-0.05
Stephanie Thacker	4	Obama	59	49	-0.07
Eric Miller	9	Trump	58	41	-0.09
Thomas Hardiman	3	Bush (George W.)	50	43	-0.27
Justin Walker	12	Trump	50	35	-0.27
Paul Watford	9	Obama	50	33	-0.27
Cory Wilson	5	Trump	50	50	-0.27

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Joel Carson	10	Trump	49	40	-0.29
Danielle Forrest	9	Trump	48	37	-0.31
Michael Park	2	Trump	47	35	-0.34
Andrew Brasher	11	Trump	46	36	-0.36
Raymond Kethledge	6	Bush (George W.)	46	34	-0.36
Joan Larsen	6	Trump	45	39	-0.38
Allison Eid	10	Trump	44	18	-0.40
Gustavo Gelpí	1	Biden	43	40	-0.42
Cheryl Krause	3	Obama	43	39	-0.42
David Porter	3	Trump	42	32	-0.45
Raymond Lohier	2	Obama	41	28	-0.47
William Nardini	2	Trump	40	39	-0.49
Srikanth Srinivasan	12	Obama	40	37	-0.49
Candace Jackson-Akiwumi	7	Biden	39	28	-0.51
Michelle Friedland	9	Obama	38	31	-0.54
Toby Heytens	4	Biden	33	28	-0.65
Paul Matey	3	Trump	33	20	-0.65
Jacqueline Nguyen	9	Obama	32	26	-0.67
Peter Phipps	3	Trump	30	16	-0.71
Joseph Bianco	2	Trump	26	23	-0.80
Bridget Bade	9	Trump	25	17	-0.82
Robert Luck	11	Trump	20	12	-0.93
John Owens	9	Obama	18	13	-0.98
Veronica Rossman	10	Biden	14	10	-1.07
Andre Mathis	6	Biden	8	5	-1.20
Holly Thomas	9	Biden	7	6	-1.22
Lara Montecalvo	1	Biden	6	6	-1.24
Gregg Costa	5	Obama	5	5	-1.27
Alison Nathan	2	Biden	5	4	-1.27
Myrna Pérez	2	Biden	5	2	-1.27
Eunice Lee	2	Biden	4	4	-1.29
Florence Pan	12	Biden	4	3	-1.29
Gabriel Sanchez	9	Biden	4	2	-1.29
Dana Douglas	5	Biden	3	3	-1.31
Beth Robinson	2	Biden	3	3	-1.31
Julianna Childs	12	Biden	2	2	-1.33
Stephanie Davis	6	Biden	2	2	-1.33
Lucy Koh	9	Biden	2	2	-1.33
John Lee	7	Biden	2	1	-1.33
Jennifer Sung	9	Biden	2	1	-1.33
Salvador Mendoza	9	Biden	1	1	-1.35

Appendix Table 2 Excess Number of Opinions

Judge	Circuit	President	Excess Number of Opinions	Z-Score
Michael Scudder	7	Trump	77.2	2.24
Amy St. Eve	7	Trump	66.2	1.92
Andrew Oldham	5	Trump	63.1	1.83
James Ho	5	Trump	61.1	1.77
David Barron	1	Obama	54.3	1.57
Kevin Newsom	11	Trump	53.1	1.54
Jennifer Elrod	5	Bush (George W.)	46.1	1.34
Steven Menashi	2	Trump	44.2	1.28
Stuart Duncan	5	Trump	41.1	1.19
Daniel Bress	9	Trump	34.9	1.01
Lawrence VanDyke	9	Trump	34.9	1.01
Ryan Nelson	9	Trump	33.9	0.98
Patrick Bumatay	9	Trump	32.9	0.95
Julius Richardson	4	Trump	31.5	0.91
Eric Murphy	6	Trump	31.0	0.90
Don Willett	5	Trump	28.1	0.81
Neomi Rao	12	Trump	27.1	0.79
Chad Readler	6	Trump	25.0	0.73
Stephanos Bibas	3	Trump	23.0	0.67
Michael Park	2	Trump	21.2	0.61
John Nalbandian	6	Trump	18.0	0.52
Kenneth Lee	9	Trump	16.9	0.49
Raymond Lohier	2	Obama	15.2	0.44
William Nardini	2	Trump	14.2	0.41
Amul Thapar	6	Trump	14.0	0.41
Eric Miller	9	Trump	12.9	0.37
Thomas Hardiman	3	Bush (George W.)	12.0	0.35
Britt Grant	11	Trump	7.1	0.21
Justin Walker	12	Trump	6.1	0.18
Elizabeth Branch	11	Trump	5.1	0.15
Cheryl Krause	3	Obama	5.0	0.15
Paul Watford	9	Obama	4.9	0.14
David Porter	3	Trump	4.0	0.12
Danielle Forrest	9	Trump	2.9	0.08
Joseph Bianco	2	Trump	0.2	0.01
Robin Rosenbaum	11	Obama	0.1	0.00
Barbara Lagoa	11	Trump	-0.9	-0.03
Joel Carson	10	Trump	-3.8	-0.11
Srikanth Srinivasan	12	Obama	-3.9	-0.11

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Paul Matey	3	Trump	-5.0	-0.15
Michelle Friedland	9	Obama	-7.1	-0.21
Peter Phipps	3	Trump	-8.0	-0.23
Allison Eid	10	Trump	-8.8	-0.26
Allison Rushing	4	Trump	-9.5	-0.28
Stephanie Thacker	4	Obama	-10.5	-0.31
Thomas Kirsch	7	Trump	-11.8	-0.34
Jacqueline Nguyen	9	Obama	-13.1	-0.38
Cory Wilson	5	Trump	-15.9	-0.46
Raymond Kethledge	6	Bush (George W.)	-19.0	-0.55
David Stras	8	Trump	-19.1	-0.55
Joan Larsen	6	Trump	-20.0	-0.58
Bridget Bade	9	Trump	-20.1	-0.58
Alison Nathan	2	Biden	-20.8	-0.60
Myrna Pérez	2	Biden	-20.8	-0.60
Eunice Lee	2	Biden	-21.8	-0.63
Beth Robinson	2	Biden	-22.8	-0.66
Jonathan Kobes	8	Trump	-23.1	-0.67
Andrew Brasher	11	Trump	-25.9	-0.75
John Owens	9	Obama	-27.1	-0.79
Toby Heytens	4	Biden	-36.5	-1.06
Holly Thomas	9	Biden	-38.1	-1.10
Veronica Rossman	10	Biden	-38.8	-1.13
Florence Pan	12	Biden	-39.9	-1.16
Gustavo Gelpí	1	Biden	-40.8	-1.18
Gabriel Sanchez	9	Biden	-41.1	-1.19
Julianna Childs	12	Biden	-41.9	-1.21
Lucy Koh	9	Biden	-43.1	-1.25
Jennifer Sung	9	Biden	-43.1	-1.25
Salvador Mendoza	9	Biden	-44.1	-1.28
Candace Jackson-Akiwumi	7	Biden	-49.8	-1.45
Robert Luck	11	Trump	-51.9	-1.51
Andre Mathis	6	Biden	-57.0	-1.65
Gregg Costa	5	Obama	-60.9	-1.77
Dana Douglas	5	Biden	-62.9	-1.82
Stephanie Davis	6	Biden	-63.0	-1.83
Lara Montecalvo	1	Biden	-77.8	-2.26
John Lee	7	Biden	-86.8	-2.52

Appendix Table 3: Total Outside Circuit Case Citations

Judge	Circuit	President	Total Outside Circuit Citations	Z-Score
Eric Murphy	6	Trump	499	1.79
Amy St. Eve	7	Trump	451	1.55
Kevin Newsom	11	Trump	430	1.45
John Nalbandian	6	Trump	302	0.80
Cheryl Krause	3	Obama	293	0.76
David Porter	3	Trump	289	0.74
Chad Readler	6	Trump	275	0.67
Stuart Duncan	5	Trump	272	0.65
Britt Grant	11	Trump	256	0.57
James Ho	5	Trump	219	0.38
Andrew Oldham	5	Trump	219	0.38
Michael Scudder	7	Trump	217	0.37
Don Willett	5	Trump	208	0.33
Julius Richardson	4	Trump	189	0.23
Andrew Brasher	11	Trump	180	0.19
Ryan Nelson	9	Trump	166	0.12
Stephanos Bibas	3	Trump	164	0.11
Daniel Bress	9	Trump	161	0.09
Jennifer Elrod	5	Bush (George W.)	159	0.08
Thomas Hardiman	3	Bush (George W.)	159	0.08
Elizabeth Branch	11	Trump	145	0.01
Amul Thapar	6	Trump	145	0.01
David Stras	8	Trump	144	0.01
David Barron	1	Obama	140	-0.01
Joan Larsen	6	Trump	129	-0.07
Jacqueline Nguyen	9	Obama	129	-0.07
William Nardini	2	Trump	125	-0.09
Neomi Rao	12	Trump	120	-0.11
Kenneth Lee	9	Trump	117	-0.13
Jonathan Kobes	8	Trump	115	-0.14
Raymond Lohier	2	Obama	110	-0.16
Steven Menashi	2	Trump	110	-0.16
Stephanie Thacker	4	Obama	108	-0.17
Paul Watford	9	Obama	105	-0.19
Michael Park	2	Trump	104	-0.19
Robin Rosenbaum	11	Obama	90	-0.26
Patrick Bumatay	9	Trump	89	-0.27
Allison Rushing	4	Trump	86	-0.28

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Joel Carson	10	Trump	85	-0.29
Cory Wilson	5	Trump	83	-0.30
Eric Miller	9	Trump	82	-0.30
Lawrence VanDyke	9	Trump	82	-0.30
Joseph Bianco	2	Trump	81	-0.31
Raymond Kethledge	6	Bush (George W.)	81	-0.31
Srikanth Srinivasan	12	Obama	67	-0.38
Michelle Friedland	9	Obama	66	-0.38
Barbara Lagoa	11	Trump	64	-0.39
Bridget Bade	9	Trump	63	-0.40
Paul Matey	3	Trump	61	-0.41
Danielle Forrest	9	Trump	52	-0.45
Thomas Kirsch	7	Trump	32	-0.55
Robert Luck	11	Trump	30	-0.56
Allison Eid	10	Trump	28	-0.57
Justin Walker	12	Trump	25	-0.59
Candace Jackson-Akiwumi	7	Biden	20	-0.62
Toby Heytens	4	Biden	15	-0.64
Gustavo Gelpí	1	Biden	14	-0.65
John Owens	9	Obama	12	-0.66
Peter Phipps	3	Trump	12	-0.66
Florence Pan	12	Biden	5	-0.69
Alison Nathan	2	Biden	3	-0.70
Holly Thomas	9	Biden	3	-0.70
Beth Robinson	2	Biden	2	-0.71
Veronica Rossman	10	Biden	2	-0.71
Julianna Childs	12	Biden	1	-0.71
Eunice Lee	2	Biden	1	-0.71
Gabriel Sanchez	9	Biden	1	-0.71
Gregg Costa	5	Obama	0	-0.72
Stephanie Davis	6	Biden	0	-0.72
Dana Douglas	5	Biden	0	-0.72
Lucy Koh	9	Biden	0	-0.72
John Lee	7	Biden	0	-0.72
Andre Mathis	6	Biden	0	-0.72
Salvador Mendoza	9	Biden	0	-0.72
Lara Montecalvo	1	Biden	0	-0.72
Myrna Pérez	2	Biden	0	-0.72
Jennifer Sung	9	Biden	0	-0.72

Appendix Table 4: Total Outside Circuit Citations to Top 10 Opinions

Judge	Circuit	President	Outside Circuit Citations to Top 10 Majority Opinions	Z-Score
Eric Murphy	6	Trump	410	1.72
David Porter	3	Trump	259	0.86
Cheryl Krause	3	Obama	257	0.85
Kevin Newsom	11	Trump	250	0.81
Amy St. Eve	7	Trump	249	0.81
Chad Readler	6	Trump	239	0.75
John Nalbandian	6	Trump	238	0.74
Stuart Duncan	5	Trump	191	0.47
James Ho	5	Trump	171	0.36
Andrew Oldham	5	Trump	167	0.34
Andrew Brasher	11	Trump	166	0.33
Britt Grant	11	Trump	163	0.32
Don Willett	5	Trump	162	0.31
Jacqueline Nguyen	9	Obama	128	0.12
Julius Richardson	4	Trump	128	0.12
Stephanos Bibas	3	Trump	120	0.07
Jennifer Elrod	5	Bush (George W.)	119	0.06
Thomas Hardiman	3	Bush (George W.)	114	0.04
Daniel Bress	9	Trump	110	0.01
Joan Larsen	6	Trump	105	-0.02
David Stras	8	Trump	105	-0.02
Amul Thapar	6	Trump	99	-0.05
Raymond Lohier	2	Obama	97	-0.06
Ryan Nelson	9	Trump	89	-0.11
Michael Park	2	Trump	89	-0.11
Neomi Rao	12	Trump	88	-0.11
Elizabeth Branch	11	Trump	86	-0.12
David Barron	1	Obama	81	-0.15
William Nardini	2	Trump	81	-0.15
Michael Scudder	7	Trump	80	-0.16
Paul Watford	9	Obama	80	-0.16
Allison Rushing	4	Trump	79	-0.16
Kenneth Lee	9	Trump	78	-0.17
Patrick Butta	9	Trump	76	-0.18
Raymond Kethledge	6	Bush (George W.)	73	-0.20

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Steven Menashi	2	Trump	73	-0.20
Robin Rosenbaum	11	Obama	71	-0.21
Cory Wilson	5	Trump	71	-0.21
Joel Carson	10	Trump	70	-0.21
Joseph Bianco	2	Trump	69	-0.22
Stephanie Thacker	4	Obama	68	-0.23
Lawrence VanDyke	9	Trump	63	-0.25
Bridget Bade	9	Trump	59	-0.28
Jonathan Kobes	8	Trump	57	-0.29
Paul Matey	3	Trump	55	-0.30
Eric Miller	9	Trump	55	-0.30
Danielle Forrest	9	Trump	52	-0.32
Srikanth Srinivasan	12	Obama	51	-0.32
Michelle Friedland	9	Obama	49	-0.33
Barbara Lagoa	11	Trump	44	-0.36
Robert Luck	11	Trump	30	-0.44
Allison Eid	10	Trump	28	-0.45
Thomas Kirsch	7	Trump	27	-0.46
Justin Walker	12	Trump	23	-0.48
Candace Jackson-Akiwumi	7	Biden	20	-0.50
Toby Heytens	4	Biden	15	-0.53
Gustavo Gelpí	1	Biden	14	-0.53
John Owens	9	Obama	12	-0.55
Peter Phipps	3	Trump	12	-0.55
Florence Pan	12	Biden	5	-0.59
Alison Nathan	2	Biden	3	-0.60
Holly Thomas	9	Biden	3	-0.60
Beth Robinson	2	Biden	2	-0.60
Veronica Rossman	10	Biden	2	-0.60
Julianna Childs	12	Biden	1	-0.61
Eunice Lee	2	Biden	1	-0.61
Gabriel Sanchez	9	Biden	1	-0.61
Gregg Costa	5	Obama	0	-0.61
Stephanie Davis	6	Biden	0	-0.61
Dana Douglas	5	Biden	0	-0.61
Lucy Koh	9	Biden	0	-0.61
John Lee	7	Biden	0	-0.61
Andre Mathis	6	Biden	0	-0.61
Salvador Mendoza	9	Biden	0	-0.61
Lara Montecalvo	1	Biden	0	-0.61
Myrna Pérez	2	Biden	0	-0.61

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Jennifer Sung	9	Biden	0	-0.61
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Appendix Table 5: Number of Dissents and Concurrences

Judge	Circuit	President	Number of Dissents and Concurrences	Number of Dissents	Number of Concurrences	Z-Score (Number of Dissents and Concurrences)
James Ho	5	Trump	61	20	41	3.56
Andrew Oldham	5	Trump	53	26	27	2.96
David Stras	8	Trump	49	22	27	2.66
Patrick Bumatay	9	Trump	44	33	11	2.29
Kevin Newsom	11	Trump	42	8	34	2.14
Lawrence VanDyke	9	Trump	39	26	13	1.91
Robin Rosenbaum	11	Obama	38	23	15	1.84
Julius Richardson	4	Trump	30	16	14	1.24
Eric Murphy	6	Trump	28	13	15	1.09
Jennifer Elrod	5	Bush (George W.)	27	17	10	1.01
Allison Eid	10	Trump	26	16	10	0.94
John Nalbandian	6	Trump	26	15	11	0.94
Chad Readler	6	Trump	25	15	10	0.86
Allison Rushing	4	Trump	25	16	9	0.86
Steven Menashi	2	Trump	25	10	15	0.86
Amul Thapar	6	Trump	24	12	12	0.79
Neomi Rao	12	Trump	23	15	8	0.71
David Barron	1	Obama	23	14	9	0.71
Ryan Nelson	9	Trump	20	11	9	0.49
Daniel Bress	9	Trump	20	16	4	0.49
Don Willett	5	Trump	19	8	11	0.41
Paul Watford	9	Obama	17	8	9	0.26
Eric Miller	9	Trump	17	8	9	0.26
Thomas Kirsch	7	Trump	16	11	5	0.19
Barbara Lagoa	11	Trump	16	4	12	0.19
Kenneth Lee	9	Trump	15	9	6	0.11
Justin Walker	12	Trump	15	11	4	0.11
Jonathan Kobes	8	Trump	15	12	3	0.11
Peter Phipps	3	Trump	14	10	4	0.04
Paul Matey	3	Trump	13	6	7	-0.04
Raymond Lohier	2	Obama	13	5	8	-0.04
Raymond Kethledge	6	Bush (George W.)	12	7	5	-0.12
Michael Park	2	Trump	12	6	6	-0.12
Elizabeth Branch	11	Trump	12	9	3	-0.12

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Britt Grant	11	Trump	11	5	6	-0.19
Stephanos Bibas	3	Trump	11	4	7	-0.19
Stuart Duncan	5	Trump	11	5	6	-0.19
Danielle Forrest	9	Trump	11	6	5	-0.19
Amy St. Eve	7	Trump	11	9	2	-0.19
Candace Jackson-Akiwumi	7	Biden	11	7	4	-0.19
David Porter	3	Trump	10	5	5	-0.27
Andrew Brasher	11	Trump	10	1	9	-0.27
Stephanie Thacker	4	Obama	10	6	4	-0.27
Joel Carson	10	Trump	9	8	1	-0.34
Michael Scudder	7	Trump	8	1	7	-0.42
Robert Luck	11	Trump	8	3	5	-0.42
Bridget Bade	9	Trump	8	7	1	-0.42
Thomas Hardiman	3	Bush (George W.)	7	5	2	-0.49
Michelle Friedland	9	Obama	7	1	6	-0.49
Jacqueline Nguyen	9	Obama	6	3	3	-0.57
Joan Larsen	6	Trump	6	4	2	-0.57
John Owens	9	Obama	5	3	2	-0.64
Toby Heytens	4	Biden	5	0	5	-0.64
Cheryl Krause	3	Obama	4	2	2	-0.72
Veronica Rossman	10	Biden	4	4	0	-0.72
Joseph Bianco	2	Trump	3	2	1	-0.79
Srikanth Srinivasan	12	Obama	3	2	1	-0.79
Myrna Pérez	2	Biden	3	0	3	-0.79
Andre Mathis	6	Biden	3	2	1	-0.79
Gustavo Gelpí	1	Biden	3	3	0	-0.79
Gabriel Sanchez	9	Biden	2	1	1	-0.87
Jennifer Sung	9	Biden	1	1	0	-0.94
Holly Thomas	9	Biden	1	1	0	-0.94
Florence Pan	12	Biden	1	0	1	-0.94
Alison Nathan	2	Biden	1	1	0	-0.94
William Nardini	2	Trump	1	0	1	-0.94
John Lee	7	Biden	1	1	0	-0.94
Lucy Koh	9	Biden	0	0	0	-1.02
Lara Montecalvo	1	Biden	0	0	0	-1.02
Gregg Costa	5	Obama	0	0	0	-1.02
Julianna Childs	12	Biden	0	0	0	-1.02
Cory Wilson	5	Trump	0	0	0	-1.02
Dana Douglas	5	Biden	0	0	0	-1.02
Stephanie Davis	6	Biden	0	0	0	-1.02

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Salvador Mendoza	9	Biden	0	0	0	-1.02
Eunice Lee	2	Biden	0	0	0	-1.02
Beth Robinson	2	Biden	0	0	0	-1.02

Appendix Table 6: Partisanship

Judge	Circuit	President	abs(Partisanship Score)	Partisanship Score
Eric Miller	9	Trump	0.002	0.002
Lawrence VanDyke	9	Trump	0.002	0.002
Jennifer Elrod	5	Bush (George W.)	0.006	0.006
Andrew Oldham	5	Trump	0.027	-0.027
James Ho	5	Trump	0.027	-0.027
Robin Rosenbaum	11	Obama	0.041	-0.041
Daniel Bress	9	Trump	0.042	-0.042
David Stras	8	Trump	0.043	-0.043
Raymond Lohier	2	Obama	0.045	0.045
Ryan Nelson	9	Trump	0.051	-0.051
Britt Grant	11	Trump	0.070	-0.070
Elizabeth Branch	11	Trump	0.097	0.097
Thomas Hardiman	3	Bush (George W.)	0.116	-0.116
David Barron	1	Obama	0.134	0.134
Veronica Rossman	10	Biden	0.134	0.134
Bridget Bade	9	Trump	0.145	0.145
Joan Larsen	6	Trump	0.151	-0.151
Patrick Bumatay	9	Trump	0.163	-0.163
Kenneth Lee	9	Trump	0.176	-0.176
Danielle Forrest	9	Trump	0.176	-0.176
Kevin Newsom	11	Trump	0.180	0.180
Gustavo Gelpí	1	Biden	0.184	0.184
Stuart Duncan	5	Trump	0.194	-0.194
Jonathan Kobes	8	Trump	0.200	-0.200
John Owens	9	Obama	0.205	-0.205
Candace Jackson-Akiwumi	7	Biden	0.205	-0.205
Steven Menashi	2	Trump	0.207	0.207
Neomi Rao	12	Trump	0.211	-0.211
Justin Walker	12	Trump	0.213	-0.213
Peter Phipps	3	Trump	0.216	-0.216
Stephanie Thacker	4	Obama	0.220	-0.220
Joel Carson	10	Trump	0.225	-0.225
John Lee	7	Biden	0.230	-0.230
Julius Richardson	4	Trump	0.239	-0.239
John Nalbandian	6	Trump	0.251	-0.251
Don Willett	5	Trump	0.265	-0.265
Stephanos Bibas	3	Trump	0.266	-0.266
Michael Scudder	7	Trump	0.274	0.274
Thomas Kirsch	7	Trump	0.279	-0.279

Preliminary Results; Subject to Revision

Allison Eid	10	Trump	0.315	-0.315
David Porter	3	Trump	0.316	-0.316
Andre Mathis	6	Biden	0.317	-0.317
Paul Matey	3	Trump	0.317	0.317
Chad Readler	6	Trump	0.343	-0.343
Allison Rushing	4	Trump	0.372	-0.372
Amy St. Eve	7	Trump	0.393	-0.393
Cheryl Krause	3	Obama	0.406	-0.406
Andrew Brasher	11	Trump	0.425	0.425
Amul Thapar	6	Trump	0.428	-0.428
Jennifer Sung	9	Biden	0.453	0.453
Michael Park	2	Trump	0.459	-0.459
Jacqueline Nguyen	9	Obama	0.462	0.462
Raymond Kethledge	6	Bush (George W.)	0.484	-0.484
Eric Murphy	6	Trump	0.484	-0.484
Michelle Friedland	9	Obama	0.538	-0.538
Paul Watford	9	Obama	0.538	-0.538
Joseph Bianco	2	Trump	0.541	0.541
Holly Thomas	9	Biden	0.547	-0.547
Gabriel Sanchez	9	Biden	0.547	-0.547
Barbara Lagoa	11	Trump	0.570	-0.570
Robert Luck	11	Trump	0.570	-0.570
Srikanth Srinivasan	12	Obama	0.587	-0.587
Dana Douglas	5	Biden	.	.
Beth Robinson	2	Biden	.	.
Stephanie Davis	6	Biden	.	.
Julianna Childs	12	Biden	.	.
Gregg Costa	5	Obama	.	.
Salvador Mendoza	9	Biden	.	.
Eunice Lee	2	Biden	.	.
Lara Montecalvo	1	Biden	.	.
Toby Heytens	4	Biden	.	.
Alison Nathan	2	Biden	.	.
Lucy Koh	9	Biden	.	.
Myrna Pérez	2	Biden	.	.
Cory Wilson	5	Trump	.	.
Florence Pan	12	Biden	.	.
William Nardini	2	Trump	.	.

Appendix Table 7: Weighted Number of Dissents and Concurrences

Judge Name	Circuit	President	Weighted Number of Dissents and Concurrences	Z-Score
James Ho	5	Trump	59.3	3.78
Andrew Oldham	5	Trump	51.5	3.14
David Stras	8	Trump	46.9	2.76
Lawrence VanDyke	9	Trump	38.9	2.11
Patrick Bumatay	9	Trump	36.8	1.94
Robin Rosenbaum	11	Obama	36.4	1.90
Kevin Newsom	11	Trump	34.4	1.74
Jennifer Elrod	5	Bush (George W.)	26.8	1.12
Julius Richardson	4	Trump	22.8	0.79
David Barron	1	Obama	19.9	0.55
Steven Menashi	2	Trump	19.8	0.54
John Nalbandian	6	Trump	19.5	0.51
Daniel Bress	9	Trump	19.2	0.49
Ryan Nelson	9	Trump	19.0	0.47
Neomi Rao	12	Trump	18.2	0.40
Allison Eid	10	Trump	17.8	0.38
Eric Miller	9	Trump	17.0	0.31
Chad Readler	6	Trump	16.4	0.26
Allison Rushing	4	Trump	15.7	0.20
Eric Murphy	6	Trump	14.4	0.10
Don Willett	5	Trump	14.0	0.06
Amul Thapar	6	Trump	13.7	0.04
Raymond Lohier	2	Obama	12.4	-0.07
Kenneth Lee	9	Trump	12.4	-0.07
Jonathan Kobes	8	Trump	12.0	-0.10
Justin Walker	12	Trump	11.8	-0.12
Thomas Kirsch	7	Trump	11.5	-0.14
Peter Phipps	3	Trump	11.0	-0.18
Elizabeth Branch	11	Trump	10.8	-0.20
Britt Grant	11	Trump	10.2	-0.25
Danielle Forrest	9	Trump	9.1	-0.34
Paul Matey	3	Trump	8.9	-0.36
Stuart Duncan	5	Trump	8.9	-0.36
Candace Jackson-Akiwumi	7	Biden	8.7	-0.37
Stephanos Bibas	3	Trump	8.1	-0.42
Paul Watford	9	Obama	7.8	-0.44
Stephanie Thacker	4	Obama	7.8	-0.44

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Joel Carson	10	Trump	7.0	-0.51
Barbara Lagoa	11	Trump	6.9	-0.52
David Porter	3	Trump	6.8	-0.52
Bridget Bade	9	Trump	6.8	-0.52
Amy St. Eve	7	Trump	6.7	-0.54
Michael Park	2	Trump	6.5	-0.55
Raymond Kethledge	6	Bush (George W.)	6.2	-0.58
Thomas Hardiman	3	Bush (George W.)	6.2	-0.58
Michael Scudder	7	Trump	5.8	-0.61
Andrew Brasher	11	Trump	5.7	-0.61
Joan Larsen	6	Trump	5.1	-0.67
John Owens	9	Obama	4.0	-0.76
Veronica Rossman	10	Biden	3.5	-0.80
Robert Luck	11	Trump	3.4	-0.80
Michelle Friedland	9	Obama	3.2	-0.82
Jacqueline Nguyen	9	Obama	3.2	-0.82
Gustavo Gelpí	1	Biden	2.4	-0.88
Cheryl Krause	3	Obama	2.4	-0.89
Andre Mathis	6	Biden	2.0	-0.92
Joseph Bianco	2	Trump	1.4	-0.97
Srikanth Srinivasan	12	Obama	1.2	-0.98
Gabriel Sanchez	9	Biden	0.9	-1.01
John Lee	7	Biden	0.8	-1.02
Jennifer Sung	9	Biden	0.5	-1.04
Holly Thomas	9	Biden	0.5	-1.05
Florence Pan	12	Biden	.	.
Eunice Lee	2	Biden	.	.
Lara Montecalvo	1	Biden	.	.
Toby Heytens	4	Biden	.	.
William Nardini	2	Trump	.	.
Gregg Costa	5	Obama	.	.
Julianna Childs	12	Biden	.	.
Lucy Koh	9	Biden	.	.
Dana Douglas	5	Biden	.	.
Cory Wilson	5	Trump	.	.
Alison Nathan	2	Biden	.	.
Beth Robinson	2	Biden	.	.
Stephanie Davis	6	Biden	.	.
Myrna Pérez	2	Biden	.	.
Salvador Mendoza	9	Biden	.	.

Preliminary Results; Subject to Revision