



**Judicial Merit Selection and Party-Line Voting: Institutional
Remedies to Politicization within US Courts**

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Introduction

Over the past several decades, the way political ideology shapes judicial decision-making has become a topic of substantial scrutiny within political and legal scholarship. As Professor Daniel Epps from the Washington University School of Law notes, “Supreme Court justices are more likely to vote along party lines [now] than at any other time in American history, which is presenting a real threat to the court’s legitimacy” (How to Save the Supreme Court, 2018). Since the turn of the century, landmark cases such as *Citizens United v. Federal Election Commission*, 558 U.S. 310 (2010), *Obergefell v. Hodges*, 576 U.S. 644 (2015), and *Dobbs v. Jackson Women’s Health Organization*, No. 19-1392, 597 U.S. 215 (2022) have been decided in split-vote rulings made along strict ideological lines. These rulings have sparked fervent discussions over how politics influences the Supreme Court and its justices, with many scholars calling for judicial reforms to curb the “politicization” of the Court. Several advocacy groups, such as Demand Justice, Fix the Courts, and The Center for American Progress, have campaigned for term limits for Supreme Court justices and Supreme Court ethics reform as remedies to the politicization problem. This paper seeks to approach the politicization problem and Supreme Court reform from a new angle, examining a potential institutional remedy: the adoption of judicial merit selection.

First adopted in Missouri in 1950, the institution of judicial merit selection is a relatively new one. Throughout most of US history, judicial selection on the state level has been conducted through unconstrained gubernatorial appointments, general elections, and legislative elections. It wasn’t until the Progressive Era in the early 20th century that concerns over the influence of partisan political machines and extreme politicians on the judiciary led to widespread pushes for court reform. Organizations such as the American Judicature Society (AJS) advocated fervently

for reform through the institution of merit selection, contending that the system was the most effective way of keeping the judicial selection process independent of political influence and partisanship. Their advocacy eventually led to the institution of the first merit mechanisms in state courts of last resort.

Merit mechanisms are methods of judicial selection and retention that insert elements of accountability and “merit” into their processes. In merit selection mechanisms, state justices are appointed by the governor from a list of candidates provided by a non-partisan nominating commission whose goal is to propose potential candidates who “merit” judicial positions. In merit retention mechanisms, justices who are initially appointed by state governors are subject to retention elections at the end of their judicial terms to incentivize accountability to the citizens of a state. Since the first merit plan was instituted in Missouri, twenty more states have implemented some form of merit mechanism in their courts of last resort, with most adopting the system through the 1970s and 1980s. Today, advocates of merit selection continue to portray the system as a solution which will reduce judicial politicization and keep justices out of politics (The Fund for Modern Courts, The Center for American Progress Action Fund). This paper seeks to evaluate whether the institution of merit selection mechanisms reduces politicization in state courts of last resort and whether it would be effective as applied to the US Supreme Court.

From the founding of the nation to the present day, US Supreme Court justices have been appointed by the President with confirmation from the Senate. As has been apparent throughout the last several presidential administrations, the process of appointing Supreme Court justices is a highly political one. The Supreme Court justices appointed by current and former presidents have adhered quite strictly to the political ideologies of their appointers in their judicial

decision-making. Many scholars argue that this clear politicization and polarization of judicial selection and decision-making along party lines diminishes the judicial purpose of the courts.

Article III of the United States Constitution establishes the Judicial branch of government for the purpose of upholding the objective arbitration of justice in “all Cases, in Law and Equity, arising under this Constitution.” The Judiciary Act of 1789 vested this judicial power within the US Supreme Court. As was established in *Marbury v. Madison*, 5 U.S. 137 (1803), the US Supreme Court has the authority to exercise this power through Judicial Review -- the ability to review and strike down laws and statutes they find to violate the Constitution of the United States. It is the prerogative of the judiciary to review the political actions of the Legislative and Executive branches and determine their legitimacy.

Theoretically, in order to uphold the objective arbitration of justice, the Court exercises this power independent of political bias and influence. However, in practice, the politicized Supreme Court appears to uphold actions in line with their majority’s political ideology while overturning actions in opposition to that ideology, regardless of their objective value. This view of the politicization problem has been the primary driver of the calls for reforms of the US Supreme Court. As the ideology expressed by the Supreme Court justices in their decision-making is rooted in their politicized appointments, merit selection, which has been advocated for and implemented in state courts of last resort, may be an effective remedy which reduces the political party-line voting of justices.

This thesis thus seeks to evaluate the claims of merit-selection advocates and explore merit selection as a potential reform to the US Supreme Court. I will do so by examining whether merit selection mechanisms reduce the party-line voting of justices in state courts of last resort. I will compare the voting behaviors of justices in merit selection systems and justices in systems

of unconstrained appointment to ascertain whether merit selection systems reduce the likelihood that a justice votes along the ideological lines of the political party they are affiliated with.

Through this analysis I will address broader ideas surrounding Supreme Court reform.

I ask two substantive questions: First, do justices in merit selection systems vote less along ideological party lines than justices in systems of unconstrained appointment? Second, do states which adopt merit selection systems to replace systems of unconstrained appointment see a reduction in the rate at which justices vote along ideological party lines?

I evaluate these ideas through a content-based analysis of over two thousand votes cast in three hundred and sixty court decisions across six states. I code cases along strict guidelines to identify the ideological direction of justices' votes and further analyze whether there is a significant difference in the decision-making behaviors of justices in merit selection systems as compared to justices in systems of unconstrained appointment.

Literature Review

To establish a theoretical background this paper will examine five relevant bodies of literature which relate to first - justices as political actors; second - models of judicial decision making; third - measures of judicial ideology; fourth, the politics of judicial decision making; and fifth, judicial selection mechanisms.

Justices as Political Actors

“The distinction between ‘legal’ and ‘political’ issues turns on the amount and intensity of the contention about the interest that is being furthered rather than any distinction in the

reasoning process or the methods used to dispose of the issue” - J. W. Peltason, *Federal Courts in the Political Process* (1955).

As Peltason identifies in his early work on judicial politics, law and politics are naturally intertwined and often indistinguishable. In Peltason’s view, the only basis on which we divide the two is simply the question of how important an issue is in the public eye - the more important an issue, the greater its political nature. If it is through politics that we determine how to govern our society and through law that we codify those determinations, then the processes of both legislating and adjudicating have political connotations. While justices of the court do not have the ability to actively engage in politics, their power of definition, through which they decide which actions lay within the realm of the legal or political, is itself political action. However, does the fact that justices’ legal decisions have political ramifications mean that justices are themselves political actors? The earliest literature on the subject of judicial politics addresses this question, establishing that justices are not solely legal actors but political ones as well.

In 1948, C. Herman Pritchett published his seminal work, *The Roosevelt Court*, in which he became the first scholar within the budding field of American Political Science to examine the political context around justices and judicial decision-making. Pritchett argued that justices were not purely legal decision-makers and that social and psychological factors shaped judicial attitudes and preferences, which influenced their decisions. The *Roosevelt Court* contained a content analysis of dissents, concurrences, voting blocs, and ideological configurations of the US Supreme Court from nonunanimous decisions rendered by justices between 1937 and 1947. Pritchett claimed that his analyses identified patterns in the decision-making of individual justices which suggested that their personal beliefs on various issues led them to make biased decisions in cases involving those topics. Pritchett’s work was highly influential on the public

and scholarly thought of the time and is one of the foundational influences for the development of the field of judicial politics.

Models of Judicial Decision-Making

Following Pritchett's work, early scholars of judicial politics sought to understand and map judicial preferences, seeking to explain judicial decision-making through attitudinal rather than legal models. Glendon Schubert, one of the most significant of these early scholars, was the first to adopt Pritchett's individualistic view of justices, using it to inform his "new approach" to analyzing judicial behavior.

"The new approach [to analyzing judges] seeks to relate what we think we know, and what we can learn, about how persons behave in adjudicatory roles and institutional relationships, to a general body of theory about human decision-making behavior... The new approach focuses upon humans who act in adjudicatory roles, and is interested in understanding judges as people-or, better put, people as judges" - Glendon Schubert, *Behavioral Jurisprudence* (1968).

Schubert led a movement within political science, publishing pivotal works such as *Judicial Policy Making: The Political Role of the Courts* (1965) and *Human Jurisprudence: Public Law as Political Science* (1975), through which he created what he termed a "behavioral model of adjudicatory decision-making." Schubert's model, the first theoretical model of judicial decision-making, explained judicial rulings and opinions as an expression of a judge's personality defined by psychological, physiological, cultural, and social factors. Schubert used ideal point estimation based on court rulings and votes cast to analyze individual justices' ideological positions. His model affirmed Pritchett's assertions, demonstrating that variations in

justice's voting behaviors occurred with a pattern and consistency that could be explained as an expression of individual preference. Schubert's "psychometric model" was the first to be used by scholars to conceptualize decisions made by the US Supreme Court (Gow, 1979).

Following scholars built off of Schubert's work, applying attitudinal models to subsets Supreme Court cases involving various economic and social issues and arriving at similar conclusions (Rohde & Spaeth 1976; Ducat & Dudley 1987; Hagle & Spaeth 1992). Using "cumulative scaling" of judicial votes, these models identify whether patterns in judicial voting behavior can be attributed to the stimuli (i.e., the characteristics of a case) presented to a justice by tracking the similarities and differences in justices' responses to different stimuli and differing strengths of stimuli (Tanenhaus 1966). The models then scale the actions and reactions of justices based on stimuli type and intensity, creating a more nuanced profile of justices which can attribute judicial votes to a set of individual preferences.

Independent Measures of Judicial Ideology

While early models of judicial decision-making mapped judicial preferences through an analysis of judicial decisions, in more recent years, political science scholars have become increasingly invested in developing independent measures of judicial ideology. Through these independent measures, scholars attempt to estimate judicial preferences by evaluating factors not directly related to votes cast. Segal and Cover, in their paper *Ideological Values and the Votes of U.S. Supreme Court Justices* (1989), created the first independent measure of judicial ideology through editorial and speech content analysis of news pieces and public statements relating to and made by justices in order to estimate and quantify their ideological values. Through a content-based coding of a set of written pieces from reputable national newspapers, with

consideration given to the biases of the papers themselves, Segal and Cover's analysis was strongly supported by attitudinal models of judicial behavior.

More complex measures of judicial ideology have been developed just within the past two decades. Party-Adjusted Surrogate Judge Ideology (PAJID) scoring estimates the ideologies of justices from their partisan affiliations, the ideologies of their states, and the relative weights of elite ideology and citizen ideology based on their method of selection (Brace et al. 2000). PAJID has been used to estimate the ideologies of a number of federal and state level justices. Campaign Finance scores are another measure that has been relied upon, specifically for state supreme court justices. Adam Bonica and Michael Woodruff, in their article *A Common-Space Measure of State Supreme Court Ideology* (2014), derived Campaign Finance (CF) scores for justices from first, the campaign contributions that justices received as candidates for judicial election, second, the campaign contributions they received as candidates in an election for another position of government as well as the contributions they have made to other campaigns; and third, the CF scores of the appointing governor or legislative body for justices who are appointed and do not give or receive campaign contributions.

As is discussed by Michael Bailey in his paper *Measuring Ideology on the Courts* (2016), there is a range of methods through which scholars have measured and estimated judicial ideology, each with their own set of applications and assumptions, which create varying degrees of success in different circumstances. This idea is echoed by Bonica and Sen (2021), who note that with regard to the US Supreme Court, the most prominently relied upon source of understanding judicial ideology is the US Supreme Court Database (Spaeth et al. 2015). The US Supreme Court Database documents the entirety of the US Supreme Court's history, denoting the ideological value expressed by every US Supreme Court decision on a liberal-conservative

binary. While simplistic, this method is the basis of most work related to understanding US Supreme Court ideology and, further, the ideologies of state supreme court and court of last resort justices.

The Politics of Judicial Decision Making

These models and measures of judicial ideology have provided the framework through which political scientists of the past and present can analyze and understand judicial behavior. Through these established means scholars identify and explain judicial decision-making as a product of political, social, and institutional factors.

Walter F. Murphy, a colleague of Pritchett, was the first to explore how politics influenced judicial decisions. In his book *Congress and the Court* (1962), Murphy analyzed the impact of institutional factors on judicial behavior through the idea of Congress-Court interactions. He adopted Pritchett's characterization of justices as political actors whose decisions align with their preferences but argued that their abilities to act on their internal preferences were constrained by external factors. He described the relationship between the courts and legislature as one of mutual balancing in which both parties seek to pursue their goals while simultaneously mitigating the other.

Other works have studied judicial decision-making through issue-based analysis, considering both institutional and attitudinal factors. Gerard S. Gryska et al. (1986) found, with regards to sex discrimination cases, that "policy type, selection system, court reputation, sex of the appellant, and the presence of at least one woman on the court", are substantial determining factors that influence judicial decision-making. With respect to capital punishment cases, Brace & Hall (1995) found that the characteristics of the criminal, characteristics of the victim, party

affiliation of the justice, level of state partisan competition, and the rules that determine the selection and tenure of justices, are all factors that influence judicial decision-making.

While these studies and a number of others established that the factors that predict judicial voting behaviors vary from case to case, the two most prominent recurring factors used to understand overall judicial ideology are political party affiliation and method of judicial selection.

With regards to party affiliation, Segal and Spaeth (1995; 2001; 2002) established, through analyses of Supreme Court justices' voting behaviors, that the party of a justice's appointing president is a powerful predictor of their decision-making across a number of issues. Spaeth and Segal argue that political ideology - oftentimes defined by the groups who are most significant in the process of selecting justices; presidents, governors, legislatures, and citizens in varying systems - is the most prominent factor that shapes judicial preferences and influences judicial decision making, arguing that ideology holds primacy even over legal considerations.

Impact of Judicial Selection on Justices

With regard to methods of judicial selection, as noted by Bonnica and Sen (2021), "Empirical research has linked the variation in selection methods across states to judicial decision-making and various court characteristics... the general theme in these studies is that institutional design (i.e., the method of selection) matters." A number of studies on state courts of last resort have identified that the method of judicial selection is a shaping factor of judicial decision-making. Method of judicial selection is a variable that has been considered in studies of votes on capital punishment cases (Brace and Hall 1995); the likelihood of dissenting opinions

(Boyea 2010; Shepherd 2010); diversity on the bench (Hurwitz and Lanier 2003), and sex discrimination cases (Gryski et al. 1986).

Over recent years, research has expanded to consider not just issue-based outcomes but also the impact of judicial selection on overall judicial ideology. Brian Fitzpatrick (2017) hypothesized that judges selected by merit commissions would be more liberal than the general public of their respective states. He contended that, as demonstrated by Bonica and Sen (2017), attorneys tend to be a more liberal group than the general public, and thus merit commissions, largely made up of attorneys, could be expected to propose candidates that skew in the liberal direction. Fitzpatrick estimated judicial ideology from a combination of three factors: first, whether the judge has given more campaign contributions to candidates for public office from the Democratic or Republican Party; second, whether the judge was registered to vote as a Democrat or a Republican; third, whether the judge voted more often in Democratic or Republican primaries. He then compared the relative shares of Democrats and Republicans on the court to each state's legislatures to determine whether there was a skew in the liberal or conservative direction. His results generally supported his hypothesis, indicating that the estimated ideology of justices in merit selection systems skewed liberal.

That same year, Bonica & Sen (2017) examined the differences between judicial selection mechanisms using Campaign Finance (CF) Scores from the DIME Database to estimate Judicial Ideology (Bonica 2014). The method allowed Bonica and Sen to make more nuanced conclusions, determining that merit commissions and nonpartisan elections produce less ideologically-based selection and that unconstrained gubernatorial appointment and partisan elections result in ideology-conscious selection, which produces judges that are more likely to share the ideology of the state's average elected politician.

Most recently, Brett Parker (2022) examined how Judicial Selection Mechanisms may impact the ideological extremity of justices. He hypothesized that justices in systems of unconstrained appointment would be more ideologically extreme than justices in other systems. Relying upon Bonica's CF Scores and Generalized Propensity Score Matching (GPSM), Parker concluded that unconstrained appointment systems contained more ideologically extreme justices, with no significant differences between the other selection mechanisms.

Contributions to the Literature

This thesis seeks to build off of the impressive body of work created by preceding scholars. Adopting ideas from Fitzpatrick (2017), Bonica and Sen (2017), and Parker (2022), this thesis will examine more closely the differences between unconstrained appointment and merit selection systems. This thesis will contribute to the literature in two unique ways.

First, this thesis will conduct an analysis of how judicial selection impacts judicial ideology through a direct measure of the ideological values expressed in justices' voting. Previous works have indicated that justices' ideologies are impacted by the method of judicial selection employed by states and further that merit selection may produce less ideological justices than unconstrained appointment. However, while the cited literature uses independent measures of judicial ideology in its analyses, this paper will conduct a content-based analysis of case decisions and justice votes to scrutinize the ideological value of actual judicial decisions as was done in the US Supreme Court Database. In doing so, this thesis will create a data set that can be used to determine to what extent the decisions of "politicized" courts are actually determined by ideology.

Second, differing from previous studies and models which have evaluated judicial voting behaviors, this study will specifically address judicial ideology as expressed through party-line voting. While behavioral analyses of the US Supreme Court have considered party-line voting, analyses of state supreme court decisions have yet to use this metric. This is because most studies of judicial ideology try to estimate the ideology of justices as individual actors. This thesis will take an alternative approach and consider justices as the proxies of their political appointers, analyzing to what degree the judicial selection and party affiliation of justices can be considered determinative of their voting behaviors. Further, this paper will specifically apply this analysis to address whether merit selection systems reduce party-line voting amongst justices in state courts of last resort within the context of Supreme Court reform, a specific analysis which previous studies have not conducted.

Theory

This paper seeks to evaluate the relationship between judicial selection mechanisms and judicial decision-making to identify how the mechanism that justices are selected through impacts the ideology expressed in their decisions. How does the method of judicial selection impact the justices' party-line voting behaviors? Do justices in merit systems vote less based on party ideology than justices in systems of unconstrained appointment? Do states which adopt merit systems to replace systems of unconstrained appointment see a reduction in party-line voting? What greater implications does this have for potential reforms of the US Supreme Court? In order to answer these questions I first establish a theoretical framework for understanding the processes of judicial selection in unconstrained appointment and merit selection systems to inform the framework of my argument and research design.

Judicial Selection Mechanisms

A system of unconstrained appointment is one in which a governor has sole discretion over the appointment of justices to their state's supreme court with confirmation from the senate. This selection process is identical to the process through which the US President selects Supreme Court justices, making it an ideal point of comparison when considering the impact of potential reforms. However, unlike on the federal level, the party affiliation of the governor of a state and the party majority of a state's legislature seldom differ. As of 2024, the party of the governor and party majority of a state's legislature align in forty out of fifty US States, including the six states analyzed by this paper - California, New York, New Jersey, Delaware, Maine, and Connecticut (National Conference of State Legislatures). The three states this paper considers which employ unconstrained appointment systems are California, New Jersey, and Maine.

Merit systems are more difficult to define. As Greg Goelzhauser notes in his article *Classifying Judicial Selection Institutions* (2019) a number of different papers have differing definitions of what exactly constitutes a merit system. Thirty different states are listed across the ten studies of merit selection that Goelzhauser considers, with no study identifying the same set of merit states. Some papers identify as many as twenty-eight states with merit systems while others consider as few as sixteen states. Goelzhauser attributes this variation in the identification of merit systems to the distinctions - or lack thereof - that studies make between selection and retention characteristics. He concludes that when studying merit systems, scholars should examine whether selection, retention or both characteristics factor into a state's "merit" mechanism and to what extent. He further acknowledges that studies can be divided based on whether their analysis focuses on merit selection, which hinges on the presence of a nominating

commission, or merit retention, which hinges on the presence of retention elections, as both forms can be categorized as merit mechanisms. I account for these principles with the three merit selection states I study - New York, Connecticut, and Delaware. As I am studying merit selection specifically, method of retention is not a factor in my analyses, nor do New York, Connecticut, and Delaware use retention elections. Further, these states all employ nomination commissions in their selection processes which propose a list of candidates based on merit, prior to the governor's selection. Additionally, all of these states were listed as merit selection states in at least seven of the ten studies Goelzhauser examined, making them prime candidates for study.

Judicial Selection Process

Now that the types of selection mechanisms being considered by this paper have been properly defined, I turn to the political theory behind judicial selection. Within the context of judicial selection in merit and unconstrained appointment systems, Governors are the “selectors”. The selector's goal is to act in a manner that best applies their political ideology to issues of governance. Thus, the Selector's primary goal in the selection process is to appoint justices whose rulings will most align with their political ideology. This logic can be most easily identified in the politics surrounding presidential nominations of US Supreme Court justices, in which presidents attempt to appoint candidates who best represent their political ideologies, usually along party lines (Kahn 1995). The Governors of the six states being analyzed by this paper are the “selectors” of the justices that get appointed to the court in both unconstrained appointment and merit selection systems. However, the key distinguishing characteristic that separates merit systems from unconstrained appointment systems is the judicial nominating commission, which acts as a mitigating variable. Judicial nominating commissions are

established for the purpose of creating a list of candidates who objectively “merit” nominations. Governors in merit systems then select a justice from the nominating commission’s list of candidates. In theory, this interaction should dilute the politicization of the judicial selection process and reduce the party line ideological voting of justices. It is this theoretical outcome which this paper seeks to evaluate.

Argument

I thus return to the following questions: Do justices in merit selection systems vote less ideologically than justices in systems of unconstrained appointment? Do states which adopt merit selection systems to replace systems of unconstrained appointment see a reduction in ideologically-based voting? I posit two hypotheses:

H1: Justices in merit selection systems will vote less along ideological party lines than justices in systems of unconstrained appointment.

For this argument I define an ideological vote as one in which a justice votes in line with the political ideology of their selector, defined by the selector’s party affiliation. When scholars consider the politicization of the courts they most frequently refer to justices’ party-line voting behaviors. Party-line voting is a strong indicator how the politics of selection impacts judicial decision-making and is thus the most apt way to consider the greater questions this paper seeks to address. I posit this hypothesis in favor of the idea that merit selection reduces ideological voting. As merit selection systems inherently possess non-politicized bodies who exert influence over the selection process I expect to see that justices selected through merit selection systems

will make less ideologically based decisions than justices in systems of unconstrained appointment. The literature which takes independent measures of judicial ideology seems to echo this idea on a surface level (Bonica & Sen 2017; Parker 2022). To test this hypothesis I will compare the rate at which justices vote in line with their party-line ideology to determine whether one set of justices votes less ideologically than the other.

H2: States that adopt merit selection systems will see a reduction in the party-line ideological voting of their justices.

Just as for H1, I define an ideological vote as one in which a justice votes in line with the political ideology of their selector, defined by the selector's party affiliation. I expect that states which adopt merit selection, and thus add a mitigating factor to the ability of their governors to exercise political influence in their judicial selection, will see a reduction in the ideological voting of their justices when comparing the levels of ideological party-line voting in the eras before and after the switch. I expect that this mitigating effect will be applicable to all states regardless of their previous method of judicial selection as unconstrained appointment, partisan elections, and legislative elections all contain political elements.

Research Methodology

My research design is a quantitative study of the relationship between a state's judicial selection mechanism and the party-line voting of justices within that system. I seek to address two hypotheses: H1 - Justices in merit selection systems will vote less along ideological party lines than justices in systems of unconstrained appointment; H2 - States that adopt merit

selection systems will see a reduction in the party-line ideological voting of their justices. To do so I analyze over two thousand judicial votes cast in three hundred and sixty cases across six states. Through ideological coding of the cases and votes I create a “Party-Line Loyalty Score” (“PLLS”) to quantify the rate at which justices’ rule along party-lines. I then analyze whether any statistically significant differences in the ideological voting behaviors of justices from unconstrained appointment and merit selection systems can be elicited from the data.

Variables and Measures

The dependent variable I am studying is the ideological voting of justices which will be calculated through Party-Line Loyalty Scores. The independent variable will be the selection mechanism employed by the state. This is a binary variable with three states - California, New Jersey, and Maine - possessing unconstrained appointment systems and three more states - New York, Delaware, and Connecticut - possessing merit selection systems. The selection mechanism type of each state is gathered from publicly available information on the Brennan Center for Justice and Ballotpedia websites.

To measure ideology I create Party-Line Loyalty Scores (PLLS). The idea of party-line loyalty is one that has traditionally been used to analyze the voting behaviors of legislators and the frequency with which they abide by the party line (Dancey & Sheagley 2018). My Party-Line Loyalty Scores are based on this idea and will give a percentage rate of how often justices vote in line with the party ideology of their selector.

In the following sections I outline my research design. I discuss first, how I selected six states for case studies; second, how I sampled cases across for analysis, sorting by mechanism,

time period, and issue categories; third, how I calculated Party-Line Loyalty Scores (PLLS); and finally how I conducted tested my hypotheses using the gathered data.

Case Study Selection

In order to examine the differences between merit selection and unconstrained appointment systems and the impact of switches between those systems I select six states as case studies. With respect to my hypotheses, there are a total of twenty-six eligible states for study -- twenty-one states that appear in at least seven of the ten studies of merit selection systems that Goelzhauser (2018) discusses, and five states which use unconstrained gubernatorial appointments.

In order to ensure I study a substantial sample size of cases and votes from each state, I narrow down the potential candidates for study to six states, focusing on three which currently use unconstrained appointment systems - California, New Jersey, Maine; and the three which previously used unconstrained appointment systems before adopting merit selection systems in the 1970s and 1980s - Delaware, Connecticut, and Hawaii. However, as Hawaii only officially became a state in 1959, its unique and limited legal history make it a non-ideal candidate for study. I ultimately opt to replace Hawaii with New York, which while possessing an election system prior to the adoption of merit selection as opposed to an appointment system, has more regular legal history, facilitating analysis.

Thus I study six states: California, New Jersey, Maine, New York, Delaware, and Connecticut. Three of these states - California, New Jersey, and Maine - have maintained unconstrained gubernatorial appointment systems since the 1950s, and will act as control states in my analyses. The remaining three states - New York, Delaware, and Connecticut - had election

or appointment systems until the 1970s and 1980s at which point they instituted merit selection systems, and will act as treatment states in my analyses.

It should be noted that while New York possesses a different initial method of judicial selection than Delaware and Connecticut, this does not undermine my analyses of it as a treatment state as H2 is concerned with the impact of the adoption of merit selection on the party-line voting of justices irrespective of prior selection mechanism. Further, while the theoretical politics of judicial elections are distinct from judicial appointments, both systems nevertheless project political influence onto the judiciary. The only difference is that the ideology influencing appointed justices comes from the appointing governor, while the ideology influencing elected justices comes from the electing citizenry. In the case of New York, merit reform was adopted to curb the same political influence and partisanship experienced in appointed courts (New York Law Journal, 2023). Whether the implementation of merit selection has its intended effect will be examined through the following analysis.

Case Sampling

For each of these six states I examine a sample set of sixty cases. These sixty cases are derived from two separate time periods: the “historical period”, a period prior to the adoption of merit selection in treatment states, from 1960 to 1973; and the “modern period”, a period following the adoption of merit selection in treatment states, from 2010 to 2024. Ultimately, I sample one hundred and eighty cases from the historical period and one hundred and eighty cases from the modern period.

I draw this total sample of three hundred and sixty cases from Westlaw’s case database. I conduct twelve separate searches filtering for state courts of last resort and time period. I use the

advanced search query: ("Civil Rights" "Criminal Procedure" "Due Process" "Economic Activity" "First Amendment" "Judicial Power" "Privacy" "Unions"). The keywords in this search query are directly derived from the “Issue” and “Issue Area” sections of the The Supreme Court Database Codebook (Spaeth et al 2015).

I use this set of keywords for two main reasons: First, using a range of keywords avoids binding this analysis to any single issue group and instead enables a holistic evaluation of overall judicial ideology. I seek to measure overall ideology so as to evaluate party-line voting as a response to the totality of issues that justices consider. Further, this range of issue types should allow for a sample of judicial decision-making that is independent of biases present in issue-specific analyses.

Second, I use the above issue types as keywords because they are ideologically divisive and cases relating to these subjects will more often have specifiable ideologies to code. As state courts of last resort consider a wide range of issues, many of the decisions the court makes exemplify no clear ideology. For example, decisions on issues related to zoning, estate and inheritance, and family law frequently do not have any “liberal” or “conservative” ideologies attached to them. Spaeth’s codebook provides no guidance on how to code these issues as they are not concerns which the US Supreme Court would evaluate. Thus, in order to avoid the issue of encountering cases with unspecifiable ideology, I use the above issue types with the clearest coding guidelines within the Supreme Court Database. This does not remove all unspecifiable cases from my samples, but does greatly reduce their frequency. If cases with unspecifiable ideologies are encountered during sampling, I move on to the next case in sequential order as listed on Westlaw until I arrive at a case with a specifiable ideology.

After the application of these search terms and filters I then use a random number generator to select thirty cases randomly from each state's range and time period to sample. For each case in this sample I document the names of the justices who made rulings, the party of the governor who appointed the justices, and the ideological direction of the justices' votes in order to ultimately calculate Party-Line Loyalty Scores.

Case Ideology Coding

For each randomly sampled case the ideological direction of a ruling was determined by a content based analysis of the ruling and justices' opinions. In order to determine whether a justices' vote has a liberal or conservative ideological direction, I turn to the Supreme Court Database established by Spaeth et al (2015). The Supreme Court Database catalogs the entire case history of the US Supreme Court, noting factual characteristics of the cases as well as the ideological directions of their rulings. The Supreme Court Database Codebook, which is accessible from the Washington University in St. Louis School of Law website, details the criteria and methodology which Spaeth used to code the ideological direction of cases. Spaeth sorted cases by issue groups (i.e. Civil Rights, Due Process, Criminal Procedure, e.t.c.) and further denoted what rulings under each issue represented liberal and conservative ideological viewpoints (i.e. liberal decisions are pro-criminal defendant, pro-indigent, pro-immigrant, e.t.c.).

Relying upon Spaeth et al (2015) I coded cases as per the criteria established in "Decision Direction" section of The Supreme Court Database Codebook. Decisions considered by this thesis are coded in a binary fashion - liberal or conservative - just as they were in the Supreme Court Database. If the decision of a case cannot be coded under either ideology its ideology will be noted as being "unspecifiable" - just as is noted in the Supreme Court Database. For all cases,

concurrences are treated as having the same ideological direction as majority opinions, unless they are “special concurrences,” which contain partial dissent, at which point the coder’s individual discretion is exercised.

The general criteria for case coding is as follows. For cases in which the main issue can be categorized under “Civil Rights,” “Criminal Procedure,” “Due Process,” “First Amendment,” or “Privacy,” decisions will be coded as liberal if they are:

- pro-person accused or convicted of crime, or denied a jury trial
- pro-civil liberties or civil rights claimant, especially those exercising less protected
- civil rights (e.g., homosexuality)
- pro-child or juvenile
- pro-indigent
- pro-Indian
- pro-affirmative action
- pro-neutrality in establishment clause cases
- pro-female in abortion
- pro-underdog
- anti-slavery
- incorporation of foreign territories
- anti-government in the context of due process, except for takings clause cases where a pro-government, anti-owner vote is considered liberal
 - except in criminal forfeiture cases or those where the taking is pro-business
- violation of due process by exercising jurisdiction over nonresident
- pro-attorney or governmental official in non-liability cases
- pro-accountability and/or anti-corruption in campaign spending
- pro-privacy vis-a-vis the 1st Amendment where the privacy invaded is that of mental incompetents
- pro-disclosure in Freedom of Information Act issues except for employment and student records

A decision will be coded as conservative if it is the reverse of the above.

For cases in which the main issue can be categorized under “Unions” or “Economic Activity” decisions will be coded as liberal if they are:

- pro-union except in union antitrust where liberal = pro-competition
- pro-government
- anti-business
- anti-employer
- pro-competition
- pro-injured person
- pro-indigent
- pro-small business vis-a-vis large business
- pro-state/anti-business in state tax cases
- pro-debtor
- pro-bankrupt
- pro-Indian
- pro-environmental protection
- pro-economic underdog
- pro-consumer
- pro-accountability in governmental corruption
- pro-original grantee, purchaser, or occupant in state and territorial land claims
- anti-union member or employee vis-a-vis union
- anti-union in union antitrust
- anti-union in union or closed shop
- pro-trial in arbitration

A decision will be coded as conservative if it is the reverse of the above.

For example, the California Supreme Court case *People v. Gilbert* (1965), held that the murder conviction of Gilbert, the defendant, had to be reversed because the trial court mishandled the admission of Gilbert's pre-trial statements, infringing upon his due process rights. I first identify the issue as pertaining to "Due Process". I then identify, as per the above criteria, that this decision is "pro-person accused or convicted of crime" on the due process issue, making the majority decision a liberal one. I code each of the three hundred and sixty cases considered by this paper in this manner.

I acknowledge that in contrast to Spaeth's research in the Supreme Court Database, in which each ideological code is verified by three separate researchers, my coding is the product of

my sole, individual analysis. Thus, in order to demonstrate the validity of my coding I blindly coded thirty US Supreme Court cases from the Supreme Court Database involving the issue areas I use as keywords in my case sampling to calculate the consistency of my coding as compared to Spaeth's.

The process of the blind coding was as follows: First, I used the "Analysis" system in the Supreme Court database to search for cases involving the keyword issues ("Civil Rights," "Criminal Procedure," "Due Process," "Economic Activity," "First Amendment," "Judicial Power," "Privacy," and "Unions") that had been appealed to the US Supreme Court from state courts of last resort. This would allow me to address similar subject matter to what I would encounter on the state level. Next, from the thousands of results provided by the database from 1946 to 2024, I used a random number generator to select thirty random cases to code. I then read the case text of these decisions on the Justia Law website, as I would do for state court of last resort cases on Westlaw, to code the ideological direction of these cases. Finally, I compared my coding to Spaeth's coding.

Ultimately, my coding matched Spaeth's coding in twenty-nine of the thirty cases, giving me 96.67% consistency with Spaeth. To further uphold the validity of my coding, I denote the justification of the codes for all three hundred and sixty cases in my Appendix along with summary factual information that informs the coding for the majority of cases as examples.

Calculation of Party-Line Loyalty Scores

In order to create Party-Line Loyalty Scores I require the ideological direction of a case and the party affiliation of the justices who voted. The ideological direction of a case is coded as per the criteria from the Supreme Court Database Codebook as discussed above. In order to

determine the party affiliation of justices I first identify justices' names as denoted in the text of each case considered. I then independently research the justices to determine their year of appointment (or election in New York) and the party of the governor who appointed them (or the party they campaigned for election under). The party affiliation of governors is derived from the National Governors Association website. The party affiliation of elected New York justices is derived from the Historical Society of the New York Courts website. From this information justices are hereafter denoted as Democratic, Republican, or Independent, assigned the party affiliation of their selector or their own campaign.

From the party affiliation of justices and the ideological direction of their votes I then calculate the Party-Line Loyalty Score (PLLS) of the justices. PLLS is calculated by determining the number of votes cast by Republican and Democratic justices in a certain state, then calculating the proportion of the votes which were in line with the justices' party ideology. Independent Justices were present in the voting data but they were infrequent and their votes are excluded from this analysis.

For the calculation, the Democratic Party's ideology is labeled as liberal and the Republican Party's ideology is labeled as conservative as was done by Fitzpatrick (2017). Thus, PLLS essentially tracks how often Democratic justices cast liberal votes and Republican justices cast conservative votes. PLLS gives a percentage score of judicial party-line voting. For example, let's consider a hypothetical state in which 210 judicial votes are cast, 140 by Democrats and 70 by Republicans. Of the 140 Democratic votes, 100 are liberal. Of the 70 Republican votes, 50 are conservative. Thus there are $100 + 50 = 150$ party-line loyal votes out of the 210 votes cast. Thus, the Party-Line Loyalty Score of justices in this hypothetical state would be $150/210 = 71.43\%$.

I repeat this calculation for all six states across both time periods. I then compare the PLLS of justices in systems of unconstrained gubernatorial appointment and merit selection systems to determine whether there is a statistically significant difference in the rate at which justices in those systems vote in line with their party-affiliated ideology. It should be noted that this calculation does not determine the PLLS of individual justices. Instead, the justices who vote on each case are treated as units from which to calculate the PLLS of a state.

Returning to the example of *People v. Gilbert* (1965), as the ideological direction of the decision is liberal, the five justices who voted with the majority - Traynor, Tobriner, Peters, Peek, and Burke - casted liberal votes and the two dissenting justices - Mosk and McComb - casted conservative votes. As Traynor, Tobriner, Peters, Peek, and Burke were all Democrats, their votes are party-line loyal and contribute to an increase in the PLLS of California. Additionally, as McComb was a Republican, his vote was also party-line loyal. Mosk, who cast a conservative vote as a Democrat, has his vote marked as not being party-line loyal, decreasing the PLLS of California. The PLLS score of California is in actuality the aggregate PLLS of justices in California's Court of Last Resort, however the justices are only considered in the aggregate, not considered individually. This process is replicated for every case sampled by this paper and is aggregated by state and mechanism categories.

Hypothesis Testing

To test my first hypothesis I calculate the PLLS of justices in each state between 2010 and 2024 then aggregate those scores by selection mechanism categories and compare the PLLS of unconstrained appointment and merit selection systems.

If my first hypothesis is correct, the data analysis should demonstrate a statistically significant difference between the Party-Line Loyalty Scores of justices in unconstrained appointment systems and justices in merit selection systems. I expect that justices in unconstrained appointment systems will have a greater PLLS than justices in merit selection systems.

To test my second hypothesis I split each state's set of sixty cases into two subsets of thirty cases from 1960 to 1973 and 2010 to 2024 respectively. These subsets will allow me to conduct "pre-treatment" and "post-treatment" evaluations of the states that adopted merit selection systems in the late 1970s and 1980s. The three states that maintained their systems (California, New Jersey, and Maine) will act as a control group to compare to the three states that changed their systems (New York, Delaware, and Connecticut). I calculate the average PLLS of justices between 1960 and 1973 and then aggregate those scores by control and treatment groups. I then examine the changes in PLLS of the control and treatment groups between the historical period (1960-1973) and the modern period (2010-2024). This analysis will allow me to determine whether differences in the Party-Line Loyalty Scores of Justices "pre-" and "post-" merit selection are caused by the change in selection mechanism and whether there is a statistically significant difference.

If my second hypothesis is correct the data should demonstrate a statistically significant difference between the Party-Line Loyalty Scores of justices in the historical period (pre-treatment) and justices in the modern period (post-treatment). I expect that justices in the historical period will have a greater PLLS than justices in the modern period.

Results and Analysis:

Analysis of three hundred and sixty cases across six states yielded ideological codes for over two thousand judicial votes cast from 1960-1973 and 2010-2024. I thereafter calculated the Party-Line Loyalty Scores of justices aggregated across time period, state, and mechanism categories. My analyses find that there are no significant differences in the PLLS of justices in unconstrained appointment and merit selection systems, suggesting that the method of selection employed by a state has no impact on the rate at which justices vote in line with the party ideology of their selectors.

However, my analyses did demonstrate a statistically significant difference in the rate at which Democratic and Republican justices voted in line with their party ideology. The data suggests that Republican justices were significantly more likely to vote conservatively than Democratic justices were to vote liberally. Essentially, Republicans had significantly higher Party-Line Loyalty Scores. My analysis reveals two possible explanations for this discrepancy in voting behaviors and further explains outliers within the data using these correlations.

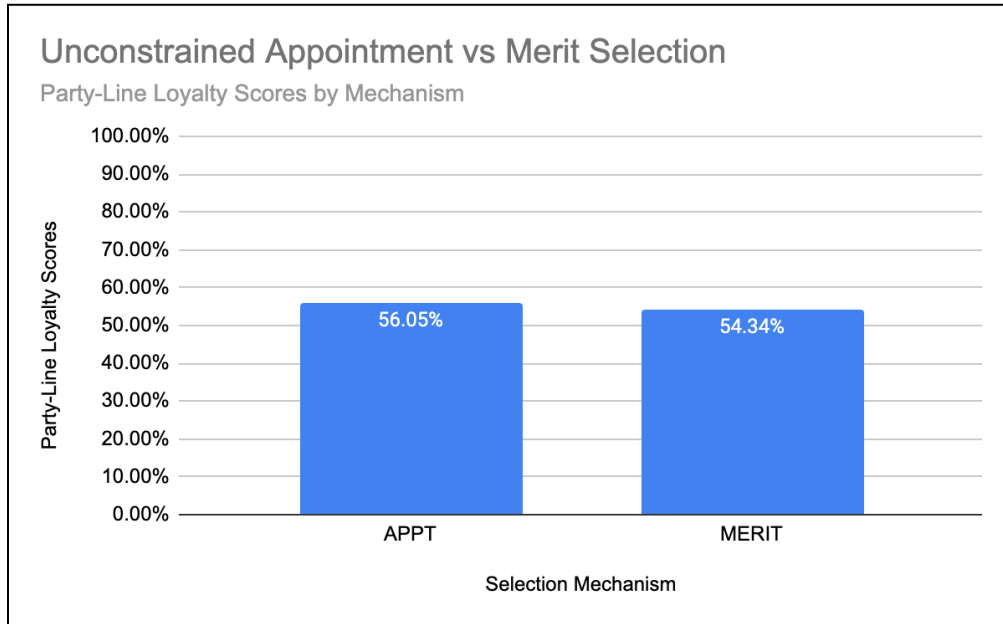
In the following sections I analyze first, the results related to H1; second, the results related to H2; third, additional analysis of the data; and fourth, an analysis of outliers in the data.

H1 Analysis

First to an analysis of the data with regards to the initial hypotheses on the relationship between selection mechanism and ideological voting. H1 postulated: “Justices in merit selection systems will vote less along ideological party lines than justices in systems of unconstrained appointment.” With respect to H1 the first analysis conducted was a comparison of the PLLS of

justices in unconstrained appointment systems and the PLLS of justices in merit selection systems in the modern period (2010-2024).

Figure 1A:

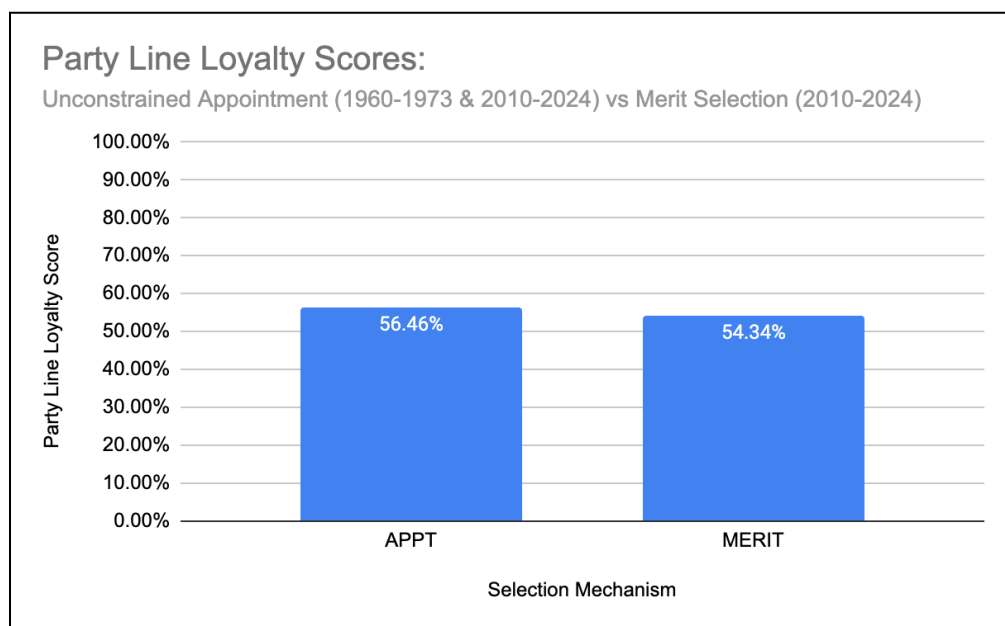


As is displayed in Figure 1A, justices in systems of unconstrained appointment had a PLLS of 56.05% and justices in merit selection systems had a PLLS of 54.34%, meaning that justices in these systems voted in line with their party-line ideology 56.05% and 54.34% of the time respectively. These scores came from samples of 512 votes by justices in unconstrained appointment systems and 519 votes by justices in merit selection systems from 2010-2024. My significance tests yielded a p-value ≈ 0.580859 , meaning that this 1.71% difference in PLLS was not statistically significant. What this demonstrates is that H1 is not supported by the data and that merit-selected justices do not behave differently than justices appointed in unconstrained systems.

This finding holds true even if the analysis is expanded to include the votes of justices in unconstrained appointment systems from 1960-1973. As is displayed in Figure 1B, the addition

of 781 votes from justices in unconstrained appointment systems in California, New Jersey, Maine, Delaware, and Connecticut, from 1960 to 1973 only altered the PLLS of justices in unconstrained appointment systems by 0.41%. The PLLS of all 1,293 votes cast by justices in unconstrained appointment systems across both the modern and historical periods of analysis was 56.46%. Compared to the PLLS of 54.34% for justices merit selection systems, the difference in judicial voting behavior is only 2.12%. The significance test for this comparison yielded $p\text{-value} \approx 0.412138$, meaning that this difference was also not statistically significant.

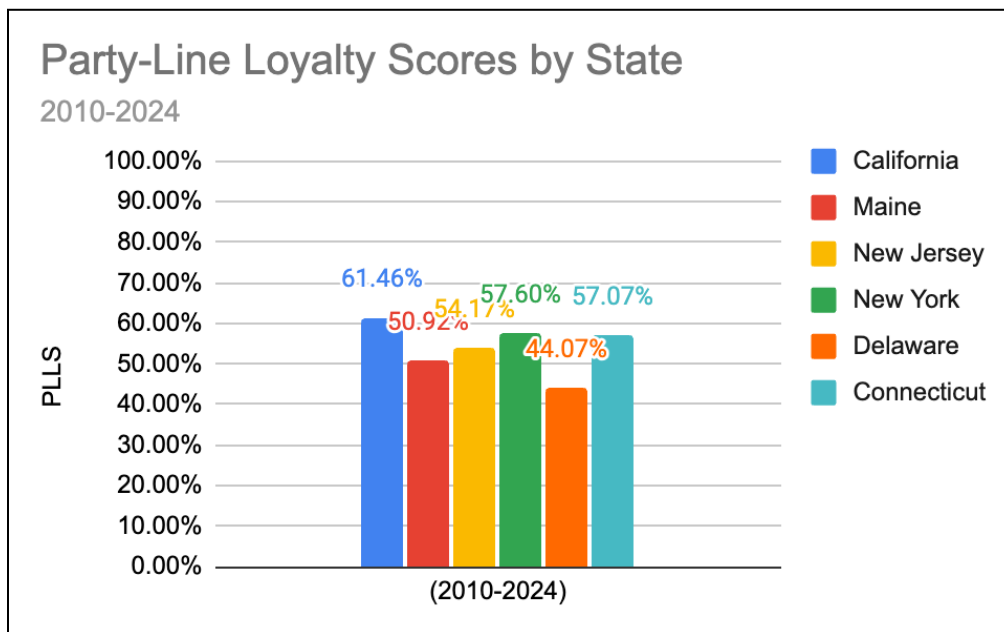
Figure 1B:



What this suggests is that, contrary to initial expectations, there is no significant difference in judicial party-line voting behaviors in unconstrained and merit appointment systems. The implementation of non-partisan nominating commissions in merit states may not fulfill their supposed goal of reducing the politicization of the courts as this analysis demonstrates no changes in the ideological party-line voting of justices. With regards to this paper's broader questions concerning potential US Supreme Court reform, it would appear that

the adoption of merit selection on the federal level would not have the intended effect of reducing partisanship in judicial decision-making.

Figure 2A:



These findings hold true when scrutinized in state by state analyses as well. As is displayed in Figure 2A, most state averages hover between a PLLS of 50 and 60%, with the lowest being 44.07% in Delaware and the highest being 61.46% in California. The states considered by this paper all have relatively similar levels of PLLS, with no variations in score being correlated with differences in mechanism, and no significant outliers that bias the data. This finding reaffirms the conclusions drawn from analysis of PLLS averages by mechanism, which demonstrate no significant differences in party-line voting.

However, it should be noted that the aggregate PLLS of justices across both unconstrained and merit systems is 55.85% indicating that, on the state level, justices do not display the extreme ideology in decision-making that is demonstrated by the US Supreme Court. Thus, this analysis cannot definitively rule out merit selection as a remedy to politicization in the

Supreme Court as the moderate levels of PLLS amongst state level justices may obscure the impact of merit selection systems on party-line voting. Thus I turn to analysis of H2.

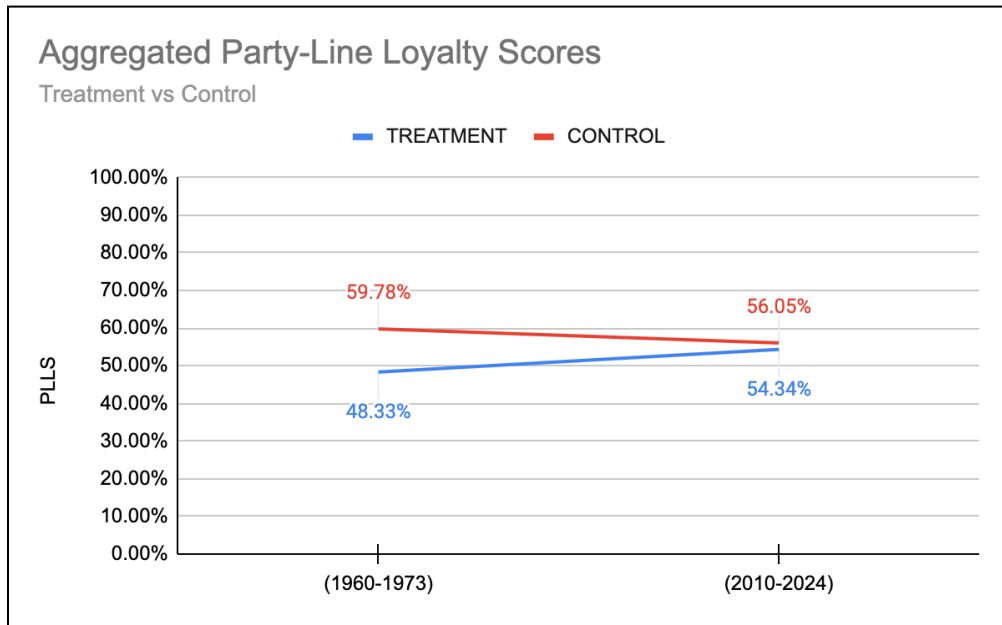
H2 Analysis

H2 postulated: “States that adopt merit selection systems will see a reduction in the party-line ideological voting of their justices.” In order to test this hypothesis I examine two sets of states: the control states - states which have maintained unconstrained appointment systems; and the treatment states - states which switched from appointment and election systems to merit selection systems. My data will allow for a comparison of PLLS scores between these two datasets in time periods before and after the transition point.

H2, which rests on an expectation that PLLS scores will decrease in treatment states as compared to control states, is not supported by the data. Preliminarily, the opposite trend appears to be true with the PLLS of justices in treatment states increasing between the pre-treatment and post-treatment periods while the PLLS of justices in control states decreases over time. However, as these changes and their differences are not statistically significant, it is likely the result of other factors.

As Figure 3A displays, the PLLS scores of treatment and control states do not diverge but rather converge with control states seeing a -3.73% change in PLLS while treatment states saw a +6.01% change in PLLS. What this seems to suggest is that the adoption of merit selection is correlated with an increase in PLLS. However, this increase in PLLS in merit selection systems is not statistically significant with a p-value ≈ 0.066499 . The decrease in PLLS in control states is also not statistically significant with a p-value ≈ 0.216983 .

Figure 3A:



When analysis is limited to Delaware and Connecticut, the treatment states which specifically switched from unconstrained appointment systems to merit selection systems, as displayed in Figure 3B, the change in PLLS becomes less pronounced and remains statistically insignificant. This demonstrates that not only does the adoption of merit selection appear to have no significant effect on the PLLS of justices in treatment states, but further the specific switch from unconstrained appointment to merit selection results in no significant changes.

This supports the conclusions of the H1 analysis that the adoption of merit selection in the US Supreme Court, whose presidential appointment system is akin to an unconstrained appointment system, would not reduce the ideological party-line voting of justices.

Figure 3B:

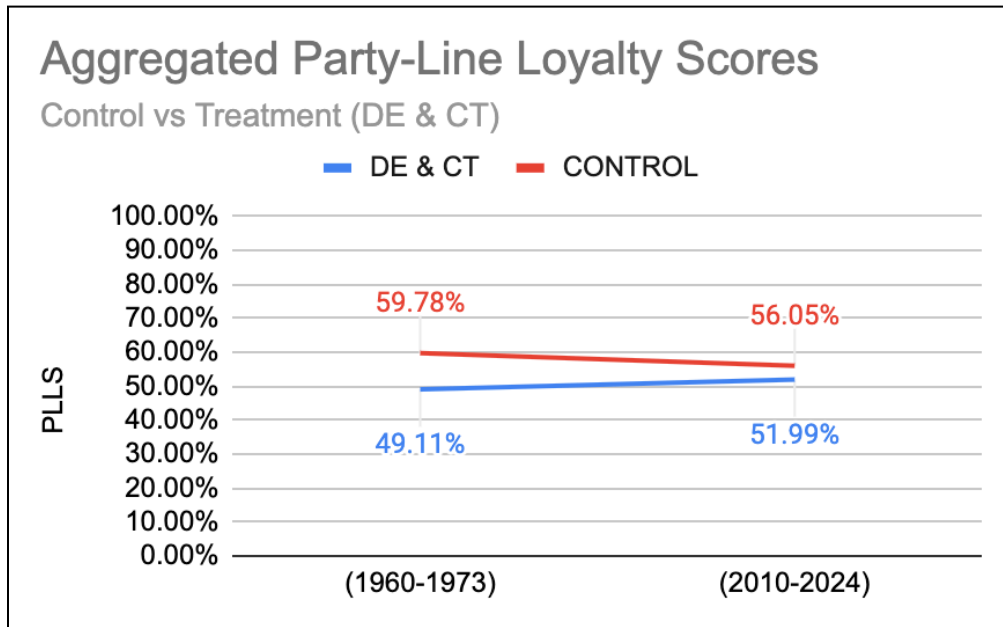
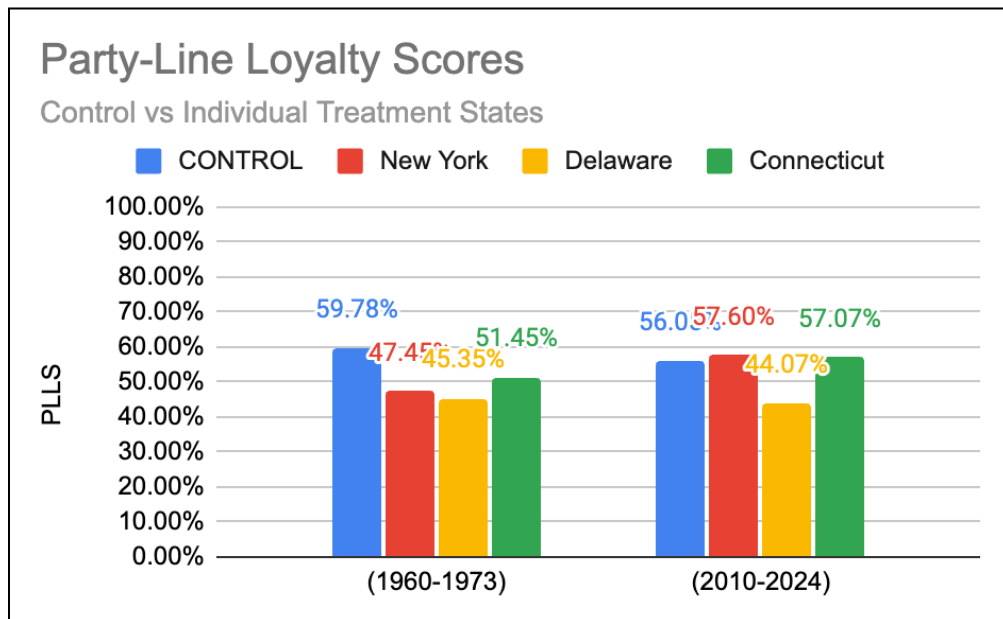


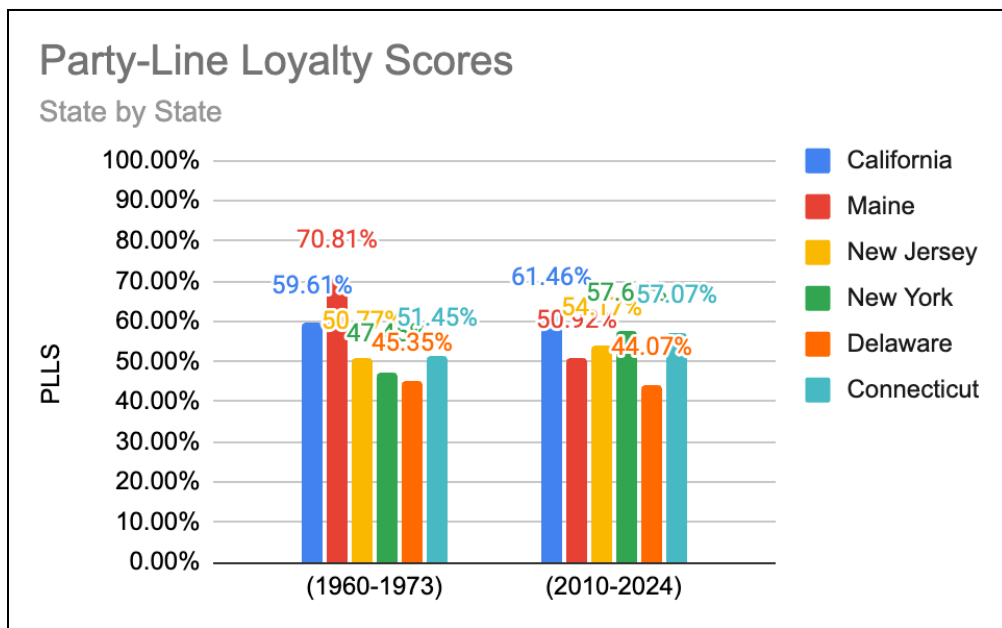
Figure 3C:



Comparisons of each of the treatment states individually to the aggregation of control states yields the same conclusion. As depicted in Figure 3C, the directionality and magnitude of

changes in PLLS amongst treatment states is inconsistent, and while New York and Connecticut see increases in PLLS, their scores converge with the aggregated PLLS of justices in appointment systems, displaying a frequency of party-line voting behavior that is consistent across mechanisms, as was found to be the case in H1.

Figure 4A:



This generally holds true for the state by state analyses as well. As is displayed in Figure 4A, the magnitude of PLLS change in most states is not statistically significant. Four of the six states - California, New Jersey, Delaware, and Connecticut - show no statistically significant change in the PLLS scores of justices between the historical and modern periods. The average magnitude of change in PLLS in California, New Jersey, Delaware, and Connecticut was 3.04% with the greatest change coming in Connecticut (5.62%) and the smallest change in Delaware (1.28%). Maine and New York appear to be exceptions with a PLLS change of 19.89% in Maine and 10.15% in New York. For the control group the average magnitude of change in PLLS was

8.38%, however this falls to 2.625% if Maine is excluded as an outlier. For treatment states the average magnitude of change was 5.68%, falling to 3.45% if New York is excluded.

The changes in PLLS in New York and Maine are statistically significant according to my tests, with p-values of ≈ 0.038184 and ≈ 0.000179 respectively. However, these changes cannot be attributed to the adoption of merit selection. While New York is a treatment state which adopted merit selection between the historical and modern periods, Maine is one of the control states which has maintained its unconstrained appointment system through this time frame. The magnitudes and directionality of the changes in PLLS in these states also fail to support any correlation between the scores and selection mechanism. Thus, based on the available data, the significant changes in PLLS in these states cannot be attributed to the mechanism change and may instead be explained by other factors. These factors will be discussed in the Additional Analysis section.

Figure 4B:

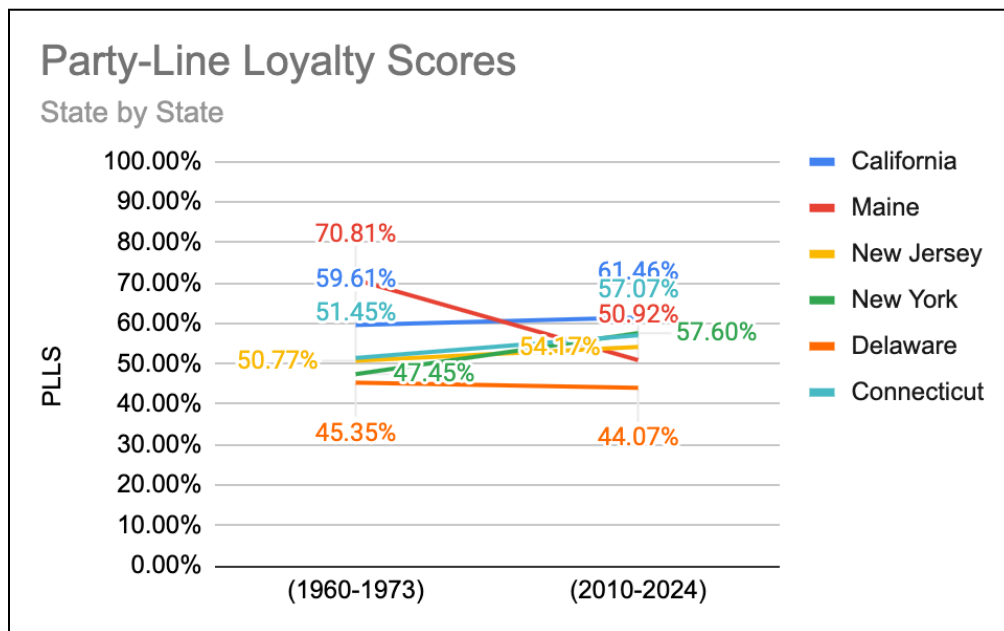


Figure 4B gives a visual representation of the directionality of the changes in PLLS in these states. In four states - California, New Jersey, New York, and Connecticut - the data displays an increase in PLLS of an average magnitude of +5.255% with New York demonstrating the greatest increase (+10.15%) and California demonstrating the lowest increase in PLLS (+1.85%). Maine and Delaware experience decreases in PLLS with an average magnitude of change of -10.585%. However, this is skewed by the fact that Maine's change in PLLS is -19.89% as compared to Delaware's -1.28% change.

Ultimately, two control states and two treatment states experience increases in PLLS while one control state and one treatment state experience decreases in PLLS. These changes in PLLS experienced by states are only statistically significant in one control state and one treatment state. These changes, while statistically significant, do not appear to be correlated with a change in mechanism. Thus, according to the data, there does not appear to be any connection between the adoption of merit selection and the direction nor magnitude of change in PLLS.

Further, the net change in PLLS across all six states is only -0.15% from the historical to modern period suggesting that while on a state to state basis the ideological voting of justices fluctuates, in their totality, justices are just as political in the modern period as they were in the historical period. This reaffirms the idea that the adoption of merit selection in treatment states has had no significant impact on party-line voting in state courts of last resort, which instead appears consistent regardless of selection mechanism.

In its totality, my data and analyses demonstrate that both H1 and H2 are unsupported. There are no statistically significant differences in the voting behaviors of justices selected through unconstrained appointment and justices selected in merit systems. Both groups are equally likely to vote along ideological party lines. Further, the adoption of merit selection in a

state has no significant impacts on state justices' party-line voting behaviors. While this trend is limited to the available data and state case studies, this may indicate that merit selection systems do not accomplish their intended goal of reducing the politicization of the courts as they fail to reduce the ideological party-line voting of justices. Thus, with regards to the greater questions surrounding US Supreme Court reform, I conclude that merit selection would not be an effective institutional remedy to the problem of political party-line voting.

Additional Analysis: Ideological Voting by Party

While analysis with regards to my initial hypotheses found no statistically significant connection between PLLS and type of judicial selection mechanism, through the process of analyzing the data I observed a separate, but statistically significant relationship between the party affiliation and PLLS of justices across both systems. The party affiliation of a justice was a statistically significant indicator of their ideological voting behaviors, with Republican justices voting along the ideological party line far more frequently than Democratic justices did. Plainly, the data indicated that Republican justices were more party-line loyal than Democratic justices as they had significantly greater Party-Line Loyalty Scores.

One possible explanation of this trend is that Republican justices are more ideological than Democratic justices drawing from the findings of Bonica and Sen (2017) who concluded that due to the general ideological leanings of lawyers, Republicans benefitted the most from the ideological selection of justices. However, I contend that this discrepancy can be explained with consideration to the overall ideological leaning of justices as a subset of people, returning to the attitudinal models created by Schubert (1965) with consideration to Spaeth's (2002) ideological primacy arguments.

Figure 5A:

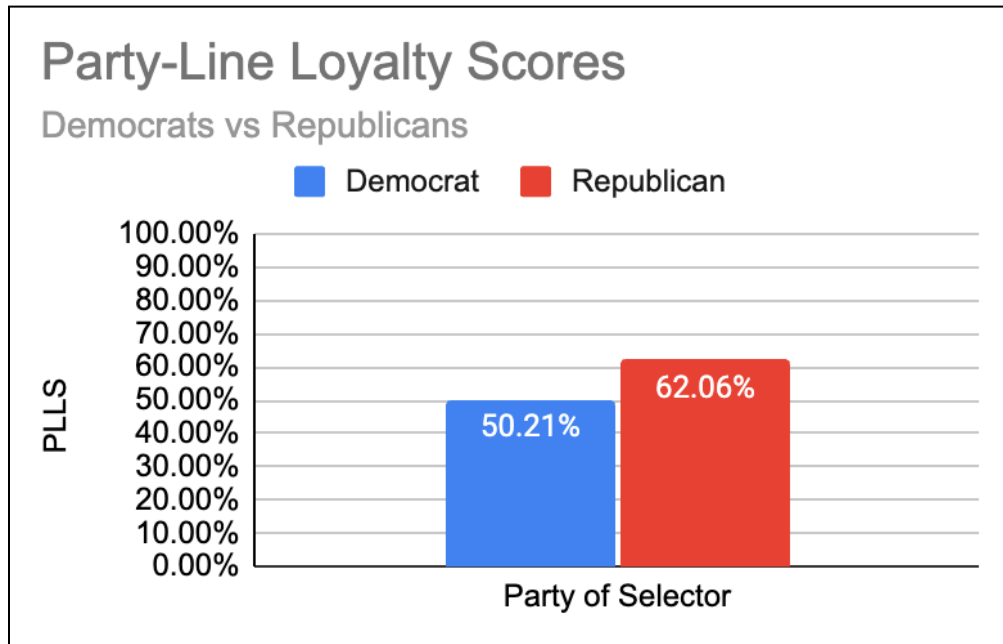
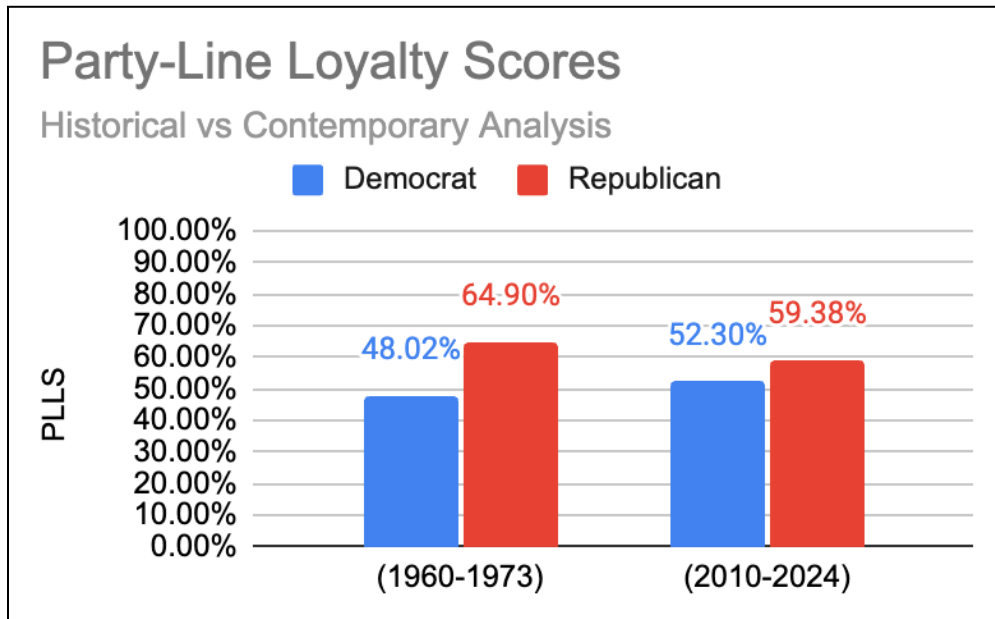


Figure 5A shows the aggregate PLLS of the 2,008 (1,191 Democrats and 817 Republicans) justices studied by this paper sorted by political party rather than mechanism or time period. There is an 11.85% difference in PLLS between Republican and Democratic justices. This difference is statistically significant according to my tests, which calculate a p-value ≈ 0 at a significance level of $\alpha = 0.05$.

This finding stays true when divided by time period, as for both the historical (1960-1973) and modern (2010-2024) periods, the difference in PLLS between Republican and Democratic justices remains statistically significant. As is illustrated by Figure 5B, in both the historical and modern periods there is a distinct gap in PLLS between Republican and Democratic justices. In the historical period this gap is 16.82% and in the modern period it is 7.08%. My significance tests demonstrate that the difference in PLLS between the two parties in the historical period is statistically significant with a p-value ≈ 0 at $\alpha = 0.05$ and that the

difference in PLLS between the two parties in the modern period is statistically significant with a p-value ≈ 0.023856 at $\alpha = 0.05$.

Figure 5B:



Thus, this statistically significant discrepancy in the PLLS of Democratic and Republican justices holds true regardless of what time period is being scrutinized. This may indicate that Republican justices are more ideological than Democratic justices.

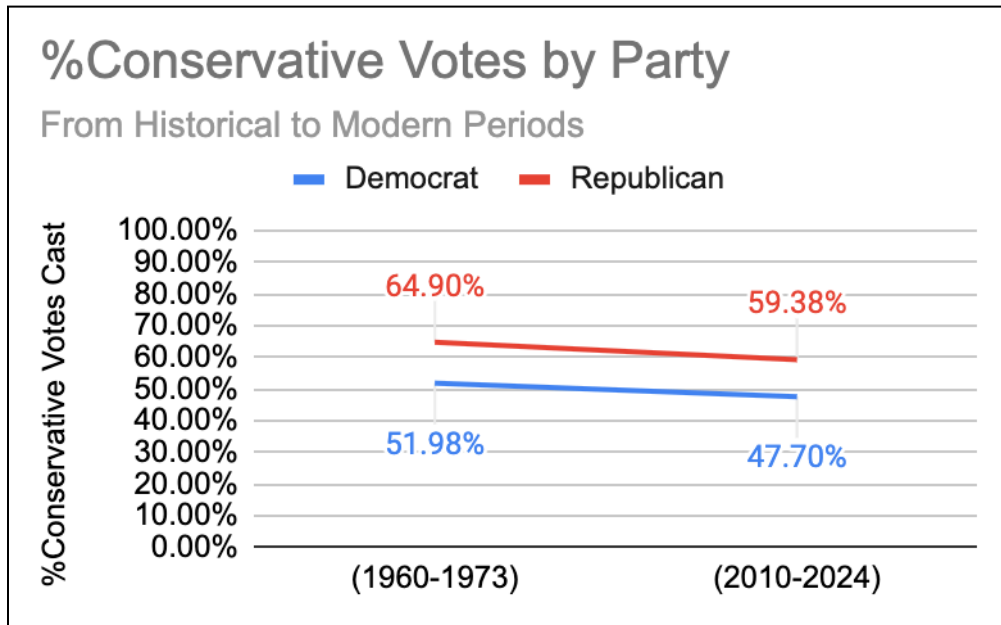
Bonica and Sen (2017) argue that the “liberal bend” in the national attorney pool disadvantages Republicans as ideologically neutral selection appears to favor Democrats. Thus Republicans benefit from ideological selection, which enables them to select justices who will vote in line with their party’ ideological preferences. This may provide a structural incentive for Republicans to appoint politically extreme or politically loyal justices to ensure their ideological goals are being reflected in judiciaries, thus leading to more party-line loyal justices being appointed on the Republican side.

However, I offer an alternative explanation. I argue that this discrepancy is not the result of structural incentives, but rather the overall ideology of state justices as individual actors. To establish this I first consider the manner in which this paper has evaluated ideology.

As discussed previously, this thesis assigns justices the party of their selector as a marker from which to measure the ideological consistency of their voting using Party-Line Loyalty Scoring. In calculating PLLS, a conservative vote for a Republican was considered to be a party-line loyal vote. Conversely, a liberal vote for a Democrat was considered a party-line loyal vote. By this metric, the justices who were appointed by Republicans tend to be significantly more party-line loyal than justices appointed by Democrats. However, the assumption made by this ideological coding is that the binary of “liberal” versus “conservative” is the equivalent of the binary of “Democrat” versus “Republican”. If instead of conducting an analysis where liberal and conservative ideological directions are related to Democratic and Republican party affiliations, I analyze judicial voting behaviors based on the ideological direction alone, I identify trends in the conservative voting of justices that explains the perceived discrepancy in voting loyalty between Democratic and Republican justices.

As is illustrated in Figure 6, if instead of analyzing justice voting using Party-Line Loyalty Scores, I use “%Conservative voting” - the percentage of votes cast by justices which were in the conservative direction - the data seems to indicate an alternate explanation. This “%Conservative voting” value is the same as PLLS for Republicans and the inverse of PLLS for Democrats.

Figure 6:



As displayed in Figure 6, during the historical period, the majority of votes cast by both Republican and Democratic justices were in the conservative direction. There is a statistically significant difference between the rates at which Republican and Democratic justices vote conservatively in the historical period with a p-value ≈ 0.000046 , and Republican justices are expectedly more conservative. However, on the ideological scale, Democratic justices appear to be more conservative than liberal. The discrepancy in degree of conservatism can be explained by Spaeth arguments on the impact of party ideology on judicial decision-making. However, I contend that the fact that Democratic justices between 1960 and 1973 voted conservatively more than liberally is due to social and psychological characteristics of the justices of the time who were more conservative in their general attitudes.

This contention appears to be supported by the trend of conservative voting behavior displayed in Figure 6, which has decreased for both Democratic and Republican justices between the historical and modern periods, with Democratic justices seeing a 4.28% decrease in

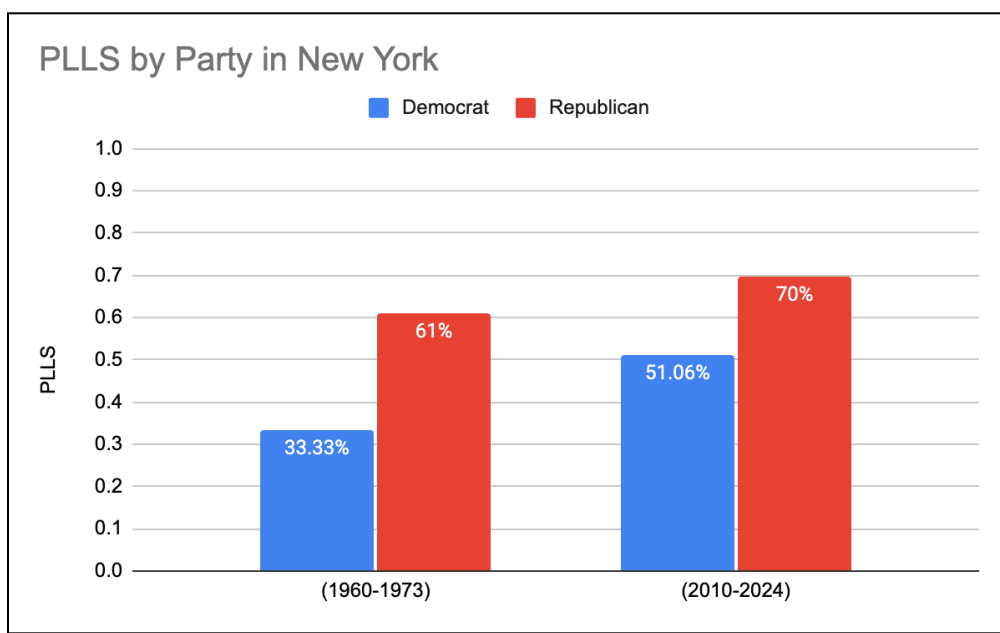
conservative voting and Republican justices seeing a 5.52% decrease in conservative voting between the historical and modern periods.

Still, returning to the idea of ideological primacy in the courts, the difference in %Conservative voting between Democratic and Republican justices remains statistically significant in the modern period with a p-value ≈ 0.000193 . The difference between the comparative rates of conservative voting for Democratic and Republican justices between the historical and modern periods barely shifts, only decreasing from 12.92% in the historical era to 11.68% in the modern era. This instead indicates a slight trend of increasing liberal decision-making across the justices of these six states, regardless of party affiliation.

Analysis of Outliers

This additional analysis lends potential explanations for the statistically significant changes in PLLS documented in New York and Maine in the H2 analysis.

Figure 7A:



As is demonstrated in Figure 7A, between the historical and modern periods, the PLLS of Democratic justices in New York increased dramatically. This 17.73% increase in PLLS is equivalent to a 17.73% increase in liberal voting, or conversely, a 17.73% decrease in conservative voting. This substantial increase in the liberal voting behaviors of Democratic justices aligns with the general idea that justices have become more liberal over time, a conclusion which is especially applicable to New York, which in the modern period is predominantly Democratic. This fact, in combination with a slight increase in the PLLS of Republican justices, is thus the root cause of the 10.15% increase in overall PLLS demonstrated by the state. This reaffirms my previous conclusion that method of selection was not the factor causing this increase in PLLS.

The same analysis can be applied to Maine. As is depicted in Figure 7B, Maine's 19.89% decrease in PLLS can be explained by drastic shifts in the voting behaviors of justices.

Figure 7B:

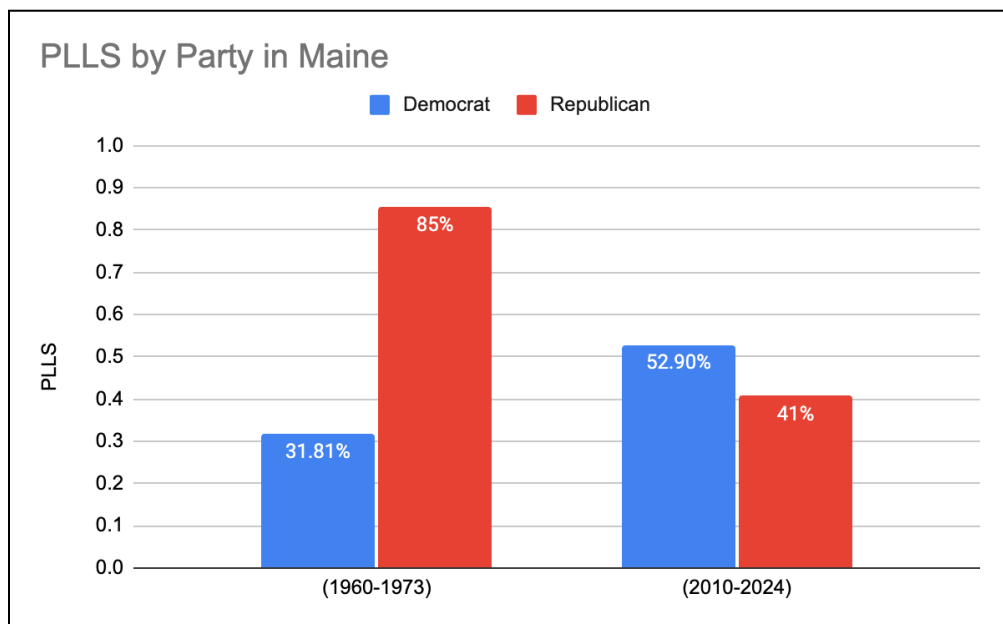


Figure 7B illustrates a substantial increase in the PLLS (or liberal voting) of Democratic justices but an even greater decrease in the PLLS (or conservative voting) of Republican justices. This can be explained by the drastic shift in the political demographics of Maine's Court of Last Resort. In the historical period, 72.67% or 117 of total votes cast were cast by Republican justices while only 27.33% or 44 of the votes cast were by Democratic justices. In contrast, in the modern period, only 12.22% or 27 of the total votes cast were by Republican justices while 26.24% or 58 were by Independent justices and 61.54% or 136 were cast by Democratic justices. This dramatic shift in court demographics and transition from an overwhelmingly Republican to an overwhelmingly Democratic court can explain this dramatic shift in PLLS, even amongst Republicans. And, as Republican justices are generally more party-line loyal than Democratic justices, when they are overwhelmed numerically, the PLLS of the state naturally decreases.

Thus, both of the statistically significant changes in PLLS demonstrated by my data analysis can be attributed to this additional analysis of judicial voting behavior as a function of individual and party ideologies, reaffirming the conclusions of the H1 and H2 analyses: that the adoption of merit selection has no significant effect on judicial party-line voting. Further, the adoption of merit selection would not be a sufficient remedy to reduce party-line voting in the US Supreme Court.

Limitations

The research and analyses conducted by this thesis have several limitations that should be addressed in future research.

The first and most notable limitation is the size of the data pool. Due to the time constraints imposed on this paper, its analysis was limited to six states and three hundred and sixty cases (as well as an additional thirty for validity) yielding two thousand judicial votes. In order to collect and code this data it took me, an individual researcher, twenty-eight days. An additional month or two of time dedicated to data collection could have potentially yielded twice or three times as much data to analyze. This would have greatly increased the validity of the findings presented in this paper and may have revealed relationships in the data that were previously obscured by the smaller sample size.

Second, it should be noted that this thesis does not account for the potential variation in the PLLS of individual justices. The smallest unit of PLLS considered by this paper was the aggregate PLLS of justices in a single state during a single time period. This means that my analyses did not explore how that average was constructed. For example, a state with an average PLLS score of 50% may attain that score with a set of justices who all have a PLLS score of 50% or a set of justices where half have a PLLS score of 100% and the other half have a PLLS score of 0%. Even though the average PLLS in the state would be 50% in both cases, there is clear ideological extremity displayed in one example that is not present in the other. As the primary concern of this thesis is to understand the relationship between judicial selection mechanisms and justice behavior holistically this does not necessarily diminish its findings. However, as there was not enough time to explore the individual behaviors of different justices this paper is unable to account for outliers whose extreme voting behaviors may bias the data.

Finally, this paper does not consider the impact that legal factors have on judicial decision-making, solely attributing judicial decisions to ideological factors. This paper does not examine the effect that the characteristics of the cases considered by justices has on their voting. Thus it cannot distinguish whether a justice ruled in a specific direction on a case due to legal factors or ideological ones. This does not account for cases in which legal factors may overwhelm any ideological considerations in the decision-making process. This paper also assumes that every decision made by a justices can be attributed equal ideological weight, not accounting for specific characteristics of cases that may make one case more divisive than another.

Conclusion

Do judicial selection mechanisms shape the way justices express party-line political ideology through their votes? Do changes in those mechanisms alter judicial voting behaviors? Can changing the method through which justices are selected provide an institutional remedy to the increasingly politicized US Supreme Court? This paper was guided by these questions, studying judicial ideology, decision-making, and selection, and analyzing the differences between the party-line voting of justices in unconstrained and merit appointment systems. This thesis sought to determine whether justices in merit selection systems voted less frequently along the party-line than justices in unconstrained appointment systems and further, whether the implementation of merit selection systems would reduce the ideological voting of justices. Studying the behaviors of justices in state courts of last resort, this paper scrutinized these ideas under the broader framework of identifying a potential remedy to political party-line voting in the US Supreme Court.

This paper analyzed first, whether there were differences in party-line voting between justices in unconstrained appointment systems and merit selection systems, and second, whether states which adopted merit selection systems experienced reductions in party-line voting amongst appointed justices. I hypothesized that the comparison of merit selection and unconstrained appointment systems as well as the adoption of merit selection in states would demonstrate that merit selection reduced the ideological party-line voting of justices. My findings contrasted my expectations and provided no support for my initial hypotheses. However, they provided additional findings that were supported by the literature.

With regards to my first hypothesis - “Justices in merit selection systems will vote less along ideological party-lines than justices in systems of unconstrained appointment” - my

analyses demonstrated no statistically significant difference between the party-line voting behaviors of justices in unconstrained appointment and merit selection systems. Further, the aggregate PLLS of justices in unconstrained appointment and merit systems from 2010-2024 only diverged by 1.71%. This consistency in PLLS across mechanisms leads me to conclude that merit selection, contrary to the arguments of its advocates, fails to reduce the party-line voting of justices and does not reduce the politicization of the courts.

With regards to my second hypothesis - “States that adopt merit selection systems will see a reduction in the party-line ideological voting of their justices” - my analyses demonstrated no statistically significant changes in PLLS that could be attributed to the adoption of merit selection. Further, the general trend of most states, including treatment states, displayed an increase in PLLS from the historical period to the modern period, an increase which the adoption of merit selection did not deter. From these results I further conclude that within the context of Supreme Court reform, the adoption of merit selection would not be an effective remedy to the issue of justices’ party-line voting tendencies.

I conducted additional analysis outside of the initial scope of my thesis to address a statistically significant relationship I observed within the data between party affiliation and PLLS. I further used that analysis to explain the outliers encountered in the analyses of H1 and H2. My data demonstrated that justices in state courts of last resort, regardless of political affiliation, lean towards conservatism in their decision-making, especially in the historical period. Republican and Democratic justices display significant differences in the levels of conservatism they express in their voting, but Democratic justices are ultimately more conservative than was initially expected. Still, ideology plays a clear role in dividing the rate at which Republican and Democratic justices vote conservatively and over time both Republican

and Democratic justices (in the six states considered by this thesis) have demonstrated increased liberal voting behaviors. Analysis of these changes in the ideological direction of justice voting as well as court demographics provided explanations for the two outlier states which demonstrated statistically significant change in PLLS, Maine and New York. This reaffirms the conclusion that these changes in PLLS were unrelated to the adoption of merit selection and further that merit selection has no impact on the ideological party-line voting of justices.

This thesis contributes to the existing literature on judicial politics by creating a data set that can be used to measure judicial ideology from a sample of cases between 1960-1973 and 2010-2024. Previous research conducted with regards to measuring judicial ideology on the state level has not applied Spaeth's (2015) Supreme Court Database Codebook to state court of last resort decisions, in spite of its place as a foundational work with regards to understanding and documenting US Supreme Court rulings. This paper is the first to do so. And, from this newly created data set, this paper has examined whether merit selection systems reduce the party-line voting of justices as compared to systems of unconstrained appointment under the broader question of potential US Supreme Court reform. This paper is the first to analyze specifically whether the method of judicial selection affects the party-line voting behaviors of justices in state courts of last resort. Through its analyses on these topics, this thesis has established a workable framework for evaluating judicial party-line voting as well as developed conclusions with regards to the impact of methods of judicial selection on judicial party-line voting.

Furthermore, this thesis has demonstrated results which contradict widely-held beliefs on the impact and efficacy of judicial merit selection, demonstrating that merit selection did not reduce the party-line voting of justices. From this, I conclude that merit selection does not reduce

the ideological voting in state courts of last resort and would further fail to be an effective reform to the US Supreme court.

This research is just one small step towards understanding the complex political processes involved in judicial selection and judicial decision-making. As discussions around the politicization of the courts and the political voting of justices continue, the questions and findings of this thesis may contribute to future developments in the field of judicial politics and with regards to potential US Supreme Court reforms.

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Appendix

Table 1A: State by State Data (PLLS)

State	Modern/ Historical	Selection Mechanism	Party	Line Votes/ Total Votes	Percentage Loyalty Scores	Total Votes Cast
California	Modern	Appt	Dem	44/76	57.89% L	205
			Rep	82/129	63.56% C	
California	Historical	Appt	Dem	90/158	56.96% L	203
			Rep	31/45	68.88% C	
New York	Modern	Merit	Dem	72/141	51.06% L	217
			Rep	53/76	69.74% C	
New York	Historical	Elect	Dem	32/96	33.33% L	223
			Rep	61/100	61% C	
Connecticut	Modern	Merit	Dem	55/104	52.88% C	227
			Rep	50/80	62.5% L	
Connecticut	Historical	Appt	Dem	55/119	46.22% L	138
			Rep	16/19	84.21% C	
Maine	Modern	Appt	Dem	72/136	52.9% L	221
			Rep	11/27	40.7% C	
Maine	Historical	Appt	Dem	14/44	31.81% L	161
			Rep	100/117	85.47% C	
Delaware	Modern	Merit	Dem	23/80	28.75% L	118
			Rep	29/38	76.32% C	
Delaware	Historical	Appt	Dem	21/56	37.5% L	86
			Rep	18/30	60% C	
New Jersey	Modern	Appt	Dem	53/73	72.6% L	144
			Rep	25/71	35.21% C	
New Jersey	Historical	Appt	Dem	67/108	62% L	193
			Rep	31/85	36.47% C	

Table 1B: State by State Data (Court Demographics)

State	Modern/ Historical	Selection Mechanism	Total Votes Cast	Dem Votes	Rep Votes	Ind Votes	%Dem	%Rep
California	Modern	Appt	205	76	129	-	37.07%	62.93%
California	Historical	Appt	203	158	45	-	77.83%	22.17%
New York	Modern	Merit	217	141	76	-	64.98%	35.02%
New York	Historical	Elect	223	96	100	27	43.05%	44.84%
Connecticut	Modern	Merit	227	104	80	43	45.81%	35.24%
Connecticut	Historical	Appt	138	119	19	-	86.23%	13.77%
Maine	Modern	Appt	221	136	27	58	61.54%	12.22%
Maine	Historical	Appt	161	44	117	-	27.33%	72.67%
Delaware	Modern	Merit	118	80	38	-	67.80%	32.20%
Delaware	Historical	Appt	86	56	30	-	65.12%	34.88%
New Jersey	Modern	Appt	144	73	71	-	50.69%	49.31%
New Jersey	Historical	Appt	193	108	85	-	55.96%	44.04%

Table 1C: State by State Data (Ideological Direction of Voting)

State	Modern/ Historical	Selection Mechanism	Total Votes Cast	L votes	C votes	%L	%C
California	Modern	Appt	205	91	114	44.39%	55.60%
California	Historical	Appt	203	104	99	51.23%	48.77%
New York	Modern	Merit	217	95	122	43.78%	56.22%
New York	Historical	Elect	223	81	142	36.32%	63.68%
Connecticut	Modern	Merit	227	107	120	47.14%	52.86%
Connecticut	Historical	Appt	138	58	80	42.03%	57.97%
Maine	Modern	Appt	221	122	99	55.20%	44.80%
Maine	Historical	Appt	161	31	130	19.25%	80.75%
Delaware	Modern	Merit	118	32	86	27.12%	72.88%
Delaware	Historical	Appt	86	33	53	38.37%	61.63%
New Jersey	Modern	Appt	144	99	45	68.75%	31.25%
New Jersey	Historical	Appt	193	121	72	62.69%	37.31%

Table 2: Summary Statistics by Mechanism and Time Period

Control/Treatment	Time Period	Selection Mechanism	Party	Line Votes/Total Votes	PLLS
Control	Modern	APPT	Dem	169/285	59.30%
			Rep	118/227	51.98%
			Total	287/512	56.05%
Control	Historical	APPT	Dem	171/310	55.16%
			Rep	162/247	65.59%
			Total	333/557	59.78%
Treatment	Modern	MERIT	Dem	150/325	46.15%
			Rep	132/194	68.04%
			Total	282/519	54.34%
Treatment	Historical	APPT+ELECTION	Dem	108/271	39.85%
			Rep	95/149	63.76%
			Total	203/420	48.33%
Treatment	Historical	APPT	Dem	76/175	43.43%
			Rep	34/49	69.39%
			Total	110/224	49.11%

Table 3A: Significance Tests - Initial Calculations

Test Name	D1	D2	P1	P2	P2-P1
Modern APPT vs Modern MERIT Loyalty Scores	512	519	0.5605	0.5434	-0.0171
ALL APPT vs MERIT Loyalty Scores	1293	519	0.5646	0.5434	-0.0212
Historical Pre-Treatment vs Modern Post-Treatment Loyalty scores	519	420	0.5434	0.4833	-0.0601
Historical APPT vs Modern APPT Loyalty scores	512	557	0.5605	0.5978	0.0373
ALL DEM vs REP PLLS	1191	817	0.5021	0.6206	0.1185
Historical Dem vs Rep PLLS	581	396	0.4802	0.649	0.1688
Modern Dem vs Rep PLLS	610	421	0.523	0.5938	0.0708
NY Loyalty Historical vs Modern	217	196	0.576	0.4745	-0.1015
ME Loyalty Historical vs Modern	163	161	0.5092	0.7081	0.1989
Modern %Conservative voting Dem vs Rep	610	421	0.477	0.5938	0.1168
Historical %Conservative voting Dem vs Rep	581	396	0.5198	0.649	0.1292

Table 3B: Significance Tests - Standard Error Calculations

Test Name	Se1	Se2	root(ses)
Modern APPT vs Modern MERIT Loyalty Scores	0.02193472872	0.02186472864	0.03097093287
ALL APPT vs MERIT Loyalty Scores	0.01378844804	0.02186472864	0.02584932606
Historical Pre-Treatment vs Modern Post-Treatment Loyalty scores	0.02186472864	0.02438388959	0.03275118975
Historical APPT vs Modern APPT Loyalty scores	0.02193472872	0.02077645228	0.03021246918
ALL DEM vs REP PLLS	0.01448806191	0.01697631874	0.02231813916
Historical Dem vs Rep PLLS	0.0207272244	0.02398436991	0.03169965033
Modern Dem vs Rep PLLS	0.02022297833	0.02393585847	0.03133519065
NY Loyalty Historical vs Modern	0.03354781992	0.03566780904	0.04896579238
ME Loyalty Historical vs Modern	0.03915639242	0.03583037939	0.05307578689
Modern %Conservative voting Dem vs Rep	0.02022297833	0.02393585847	0.03133519065
Historical %Conservative voting Dem vs Rep	0.0207272244	0.02398436991	0.03169965033

Table 3C: Significance Tests - P-value Calculations

Test Name	Z-Score	plus/minus	p-value
Modern APPT vs Modern MERIT Loyalty Scores	-0.5521306082	0.06194186573	≈ 0.580859
ALL APPT vs MERIT Loyalty Scores	-0.8201374362	0.05169865212	≈ 0.412138
Historical Pre-Treatment vs Modern Post-Treatment Loyalty scores	-1.83504784	0.06550237949	≈ 0.066499
Historical APPT vs Modern APPT Loyalty scores	1.234589592	0.06042493835	≈ 0.216983
ALL DEM vs REP PLLS	5.309582449	0.04463627832	≈ 0
Historical Dem vs Rep PLLS	5.324979873	0.06339930067	≈ 0
Modern Dem vs Rep PLLS	2.259440537	0.0626703813	≈ 0.023856
NY Loyalty Historical vs Modern	-2.072875676	0.09793158476	≈ 0.038184
ME Loyalty Historical vs Modern	3.747471524	0.1061515738	≈ 0.000179
Modern %Conservative voting Dem vs Rep	3.727438626	0.0626703813	≈ 0.000046
Historical %Conservative voting Dem vs Rep	4.075754737	0.06339930067	≈ 0.000193

Table 4: Case Coding Appendices

Due to the sheer volume of information involved in the case coding process this table will run for the next 34 pages consecutively unnumbered. The orientation of these tables will be horizontal so as to fully capture the totality of the data. This Table is for the benefit of potential future research that seeks to scrutinize or build from the findings of this paper. All case codes were code as per the “Case Ideology Coding Section of this Thesis.

	Case	Date	Judges	Appointed in	Appointed by (R/D)	MO	LC	Reasoning
NJ	Scrimale v. Dale Boat Yacht, Inc.	January 23, 1997	Proctor	1996 R	M	L		Decision is pro-employee, anti-employer in worker's compensation case
			Wernthal	1996 D	M	L		Background: Plaintiff filed dependency claim seeking compensation for funeral and the children for death of her husband. The Division of Workers' Compensation awarded compensation. The County Court affirmed and appeal was taken. The Superior Court, Appellate Division, 96 N.J. Super. 86, 1997 R.
			Jacobs	1996 R	M	L		Holding: The Supreme Court, Proctor J., held that the evidence showed that the mechanic had suffered from fatigue for a year prior to death; mechanic had assisted in uncontrolled loading of load on truck cable; mechanic suffered emotional disturbance at being assisted in an unsafe to start ship's engine
			Hall	1999 D	M	L		
			Schactro	1990 D	M	L		
NJ			Herman	1990 R	M	L		Decision is anti-government on tax issue
			Herman	1990 R	M	L		Background: Proceeded by taxpayers seeking reduction in assessment of their property to the common level of assessments in the taxing districts. The State Division of Tax Appeals held that required showing for relief had not been made and the Supreme Court certified the appeal on its own motion
			Proctor	1990 R	M	C		Holding: The Supreme Court, Wernthal, C.J., held that where taxpayers claimed that their improved land was assessed at less than full fair value before the reappraisal, it exceeded the common level of assessments in the taxing districts, and there were a substantial number of appraised values under
			Jacobs	1990 R	M	C		Holding: The Supreme Court, Jacobs J., held that the Juvenile Court was not required to find specifically that the boys had an intent to kill
			Jacobs	1990 D	M	C		
NJ	In re State in Interest of Shennick	January 23, 1991	Proctor	1990 R	M	C		Decision is anti-juvenile criminal defendants
			Wernthal	1990 D	M	C		Background: Two boys under the age of 16 years and a 17-year-old boy were charged with juvenile delinquency, on ground that they assaulted and robbed a victim, who died as result of the assault. The Essex County Juvenile Court adjudicated that they were juvenile delinquents, and they appealed to
			Jacobs	1990 R	M	C		Holding: The Supreme Court, Jacobs J., held that the Juvenile Court was not required to find specifically that the boys had an intent to kill
			Jacobs	1990 R	M	C		
			Jacobs	1990 D	M	C		
NJ	State v. Redinger	December 4, 1973	Jacobs	1973 R	M	C		Decision is anti-criminal defendant
			Sullivan	1973 R	M	C		Background: From order of the Superior Court, Law Division, dismissing indictment charging one defendant with two counts of perjury, State appealed
			Parsons	1973 R	M	C		Holding: After granting direct certification, the Supreme Court, Sullivan J., held that prosecution of one defendant who was not barred under doctrine of collateral estoppel, that acquittal of one defendant of another felony, does not bar prosecution of the other defendant of the same felony
			Parsons	1973 R	M	C		
			Parsons	1974 D	M	C		
NJ	Board of Health of Scotch Plains Twp. v. November 23, 1970	November 23, 1970	Conrad	1970 R	M	C		Decision is pro-criminal defendant
			Wernthal	1970 D	M	C		Background: Defendant was convicted in the Municipal Court of violating ordinance of Board of Health of Scotch Plains by increasing rates of his garbage collection services without first obtaining approval of the Board and he appealed. Court addressed question of whether the Board of Health
			Jacobs	1970 D	M	C		Holding: The Supreme Court, Proctor J., held that the Board of Health was without power to issue licenses or regulate rates for collection and disposal of refuse.
			Jacobs	1970 D	M	C		
			Jacobs	1970 D	M	C		
NJ	State v. Romeo	August 6, 1964	Proctor	1964 R	M	C		Decision is anti-criminal defendant
			Wernthal	1964 R	M	C		Background: Defendant was convicted before the Essex County Court, 74 N.J. Super. 520, 181 A.2d 560, of kidnapping, and he appealed to the Superior Court, Appellate Division, and the appeal was certified to the Supreme Court on its own motion. Court addressed question of whether defendant
			Jacobs	1964 R	M	C		Holding: The Supreme Court, Hall, J., held that where federal agents, armed with search warrants and warrants for arrest of named individuals, raided store suspecting of being used in violation of federal gambling tax statutes and questioned defendant, for whom warrant had not been issued, and then
			Jacobs	1964 R	M	C		
			Jacobs	1964 R	M	C		
NJ	State v. Albano	June 30, 1965	Proctor	1965 R	M	C		Decision is pro-criminal defendant
			Herman	1965 R	M	C		Background: Defendant was convicted in the Municipal Court of second degree murder and he appealed. Court addressed question of whether defendant was given due process
			Herman	1965 R	M	C		Holding: The Supreme Court held that charges to effect trial, where evidence brought against defendant tended to establish facts which if true would justify or warrant a guilty conviction and defendant is in position to deny evidence of his own knowledge and facts to take stand on his own to
			Herman	1965 R	M	C		
			Herman	1965 D	M	C		
NJ	State v. Nielsen	November 6, 1961	Proctor	1961 R	M	C		Decision is pro-criminal defendant
			Jacobs	1961 R	M	C		Background: Defendant was convicted in the Municipal Court of second degree murder and he appealed. Court addressed question of whether defendant was given due process
			Jacobs	1961 R	M	C		Holding: The Supreme Court held that charges to effect trial, where evidence brought against defendant tended to establish facts which if true would justify or warrant a guilty conviction and defendant is in position to deny evidence of his own knowledge and facts to take stand on his own to
			Jacobs	1961 R	M	C		
			Jacobs	1961 R	M	C		
NJ	F. W. Wolkstein Co. v. Director of Hw	August 18, 1965	Proctor	1965 R	M	L		Decision is pro-government on taxation issue
			Wernthal	1965 D	M	L		Background: Plaintiff sought a writ of mandamus and a writ of certiorari to compel the Director of the Department of Transportation to issue a license to a corporation to operate a bus line
			Wernthal	1965 D	M	L		Holding: The Supreme Court, Hall, J., held that where taxpayer claimed that their improved land was assessed at less than full fair value before the reappraisal, it exceeded the common level of assessments in the taxing districts, and there were a substantial number of appraised values under
			Wernthal	1965 D	M	L		
			Wernthal	1965 D	M	L		
NJ	State v. Hidyol	March 15, 1965	Proctor	1965 R	M	C		Decision is anti-criminal defendant
			Wernthal	1965 D	M	C		Background: Proceeding to conspiracy to obtain due administration of the motor vehicle traffic laws. The Camden County Court entered a judgment of conviction and the defendants appealed
			Wernthal	1965 D	M	C		Holding: The Supreme Court certified matter on its own motion before argument in the Appellate Division and held that evidence sustained the conviction, and that where it was agreed between parties that the voluntariness of statements was questioned on the narrow legal issue of a person's waiver
			Wernthal	1965 D	M	C		
			Wernthal	1965 D	M	C		
NJ	Cortman v. Shenberg	May 19, 1969	Wernthal	1969 D	M	L		Decision is pro-filing person
			Jacobs	1968 R	M	L		Background: Action against landlord for injuries received by tenants' infant son when he was burned by exposed hot water pipe as he was crawling around floor in apartment. Court addressed question of whether evidence created a jury question as to whether exposed pipe constituted a condition v
			Jacobs	1968 R	M	L		Holding: The Supreme Court, Jacobs J., held that evidence created a jury question as to whether exposed pipe constituted a condition which was dangerous to the tenants and members of their family and whether landlords were negligent in permitting it to remain exposed and without protective covering
			Jacobs	1969 D	M	L		
			Jacobs	1969 D	M	L		
NJ	State v. Murphy	November 20, 1961	Proctor	1961 R	M	C		Decision is pro-criminal defendant
			Wernthal	1961 R	M	L		Background: Defendant was charged by indictment with conspiracy, from an order of the Hudson County Court, Law Division-Criminal, 63 N.J. Super. 184, 164 A.2d 298, denying a motion by the Western Commission of New York Harbor to quash a subpoena duces tecum issued by the County C
			Wernthal	1961 R	M	L		Holding: The Supreme Court, Wernthal, C.J., held that in the interests of justice the defendants were entitled to have the copies of the transcript produced, even though the Western Commission had by informal oral made such transcripts confidential.
			Jacobs	1968 R	M	L		
			Jacobs	1968 R	M	L		
NJ	Brough v. Farwood v. Reeco	November 7, 1960	Proctor	1960 R	M	L		Decision is pro-government, anti-business
			Wernthal	1960 D	M	L		Background: Proceedings by Black-to-Black transfer of liquor license. The Superior Court, Appellate Division, 59 N.J. Super. 306, 157 A.2d 712, reversed Director's order that transfer be granted, and certification was granted. Court addressed question of whether municipal governing b
			Jacobs	1968 R	M	L		Holding: The Supreme Court, Jacobs J., held that municipal governing body had authority to decline to license operation of any tavern or package store in borough's business center, and in honoring widespread local sentiment favoring keeping such area free of taverns and package store gover
			Jacobs	1967 D	M	L		
			Jacobs	1967 D	M	L		
NJ	State v. Abbott	November 6, 1961	Proctor	1960 R	M	C		Decision is pro-criminal defendant
			Schactro	1968 R	M	L		Background: Convicted of forcible sexual assault and battery in the Essex County Court, the defendant appealed. Court addressed question of whether trial court's instruction given on the issue of intent was prejudicially erroneous.
			Schactro	1968 R	M	L		Holding: The Supreme Court, Wernthal, C.J., held that the doctrine of intent was applicable only if the defendant intended to use deadly force and that the instruction given on the issue of intent was prejudicially erroneous.
			Schactro	1967 D	M	L		
			Schactro	1967 D	M	L		
NJ	Delaware River and Bay Authority v. K	June 28, 1965	Wernthal	1966 R	M	C		Decision is anti-union
			Jacobs	1966 D	M	C		Background: Proceeded by Interstate Authority for restraining order barring state by employees. The Chancery Division entered restraining order and denied Union's motion to dissolve, and Union appealed. Court addressed question of whether employees were public employees, and had no right t
			Jacobs	1967 R	M	C		
			Jacobs	1967 R	M	C		
			Jacobs	1969 D	M	C		

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State	Case	Date	Jurisdiction	Appointed by	MO	LC	Reasoning
CA	In re Ferguson	April 24, 1991	Gibson	1938 D	M	C	Decision is a pre-arrest detention in retail protection and freedom of religion claim.
	McComb		1940 D	M	C	Background: Plaintiff was arrested and held in custody for kidnapping. Plaintiff's religious freedom was violated by the kidnapping conviction.	
	Peaks		1938 R	M	C	Holding: Court found that Peaks did not need to enter retail property to the religious practices of members if they determined said practices were disruptive to the "peace, safety, and morals of the public."	
	Peaks		1938 D	M	C		
	Peaks		1938 D	M	C		
CA	Peaks v. Wendick	June 8, 1991	Gibson	1938 D	M	C	Decision is a pre-arrest detention.
	McComb		1938 D	M	C	Background: Juror found defendant guilty of burglary in the second degree, robbery in the first degree, and murder in the first degree, and held the penalty on the murder count of death. This is an appeal pursuant to Pen. Code § 1259.4(b)(1) from the ensuing judgment and from an order denying Defendant's motions as denied. Defendant was later held and his guilt was clearly established.	
	McComb		1938 R	M	C		
	McComb		1938 D	M	C		
	McComb		1938 D	M	C		
CA	Zelen v. Amersbach	July 2, 1991	Tolander	1938 D	M	C	Decision is a pre-arrest detention in retail protection.
	Gibson		1938 D	M	C	Background: A published "cover" story of Cancer by Henry Miller, is prohibited under the California penal code which grants property rights to the copyright owner. The Court addressed questions of whether "secondary" retail was appropriate and whether the book could legally be prohibited as porn.	
	Tolander		1938 D	M	C	Holding: The Supreme Court, Tolander, J., held that defendant's retail was appropriate, that the state obscenity statute could constitutionally be applied to the book and that the book did not constitute obscenity.	
	McComb		1938 D	M	C		
	McComb		1938 D	M	C		
CA	Peaks v. Ferguson	October 3, 1991	Tolander	1938 D	M	C	Decision is a pre-arrest detention.
	Peaks		1938 D	M	C	Background: The Supreme Court, Tolander, J., held that defendant's retail was appropriate, that the state obscenity statute could constitutionally be applied to the book and that the book did not constitute obscenity.	
	Peaks		1938 D	M	C		
	Peaks		1938 D	M	C		
	Peaks		1938 D	M	C		
CA	Peaks v. Oliver	May 8, 1991	Gibson	1938 D	M	C	Decision is a pre-arrest detention and religious freedom.
	McComb		1938 D	M	C	Background: Plaintiff was arrested and held in custody for kidnapping. Plaintiff's religious freedom was violated by the kidnapping conviction.	
	McComb		1938 D	M	C		
	McComb		1938 D	M	C		
	McComb		1938 D	M	C		
CA	In re Brown	July 10, 1991	Wright	1938 D	M	C	Decision is a pre-arrest detention.
	McComb		1938 R	M	C	Background: Plaintiff was arrested and held in custody for kidnapping. Plaintiff's religious freedom was violated by the kidnapping conviction.	
	McComb		1938 R	M	C		
	McComb		1938 D	M	C		
	McComb		1938 D	M	C		
CA	Peaks v. Oliver	December 15, 1991	Tolander	1938 D	M	C	Decision is a pre-arrest detention.
	Peaks		1938 D	M	C	Background: Plaintiff was arrested and held in custody for kidnapping. Plaintiff's religious freedom was violated by the kidnapping conviction.	
	Peaks		1938 D	M	C		
	Peaks		1938 D	M	C		
	Peaks		1938 D	M	C		
CA	Whe v. Southern Pac. Co.	January 20, 1991	Tolander	1938 D	M	C	Decision is a pre-arrest detention.
	Peaks		1938 D	M	C	Background: Plaintiff was arrested and held in custody for kidnapping. Plaintiff's religious freedom was violated by the kidnapping conviction.	
	Peaks		1938 D	M	C		
	Peaks		1938 D	M	C		
	Peaks		1938 D	M	C		
CA	In re Williams	January 15, 1991	Tolander	1938 D	M	C	Decision is a pre-arrest detention.
	Peaks		1938 D	M	C	Background: Plaintiff was arrested and held in custody for kidnapping. Plaintiff's religious freedom was violated by the kidnapping conviction.	
	Peaks		1938 D	M	C		
	Peaks		1938 D	M	C		
	Peaks		1938 D	M	C		
CA	Holby v. Public Utilities Commission	July 19, 1991	Tolander	1938 D	M	C	Decision is a pre-arrest detention.
	Peaks		1938 D	M	C	Background: Plaintiff was arrested and held in custody for kidnapping. Plaintiff's religious freedom was violated by the kidnapping conviction.	
	Peaks		1938 D	M	C		
	Peaks		1938 D	M	C		
	Peaks		1938 D	M	C		
CA	Peaks v. Fyans	June 15, 1991	Gibson	1938 D	M	C	Decision is a pre-arrest detention.
	McComb		1938 D	M	C	Background: Plaintiff was arrested and held in custody for kidnapping. Plaintiff's religious freedom was violated by the kidnapping conviction.	
	McComb		1938 D	M	C		
	McComb		1938 D	M	C		
	McComb		1938 D	M	C		
CA	James v. Superior Court of Nevada County	June 27, 1991	Wright	1938 D	M	C	Decision is a pre-arrest detention.
	Tolander		1938 D	M	C	Background: Plaintiff was arrested and held in custody for kidnapping. Plaintiff's religious freedom was violated by the kidnapping conviction.	
	Peaks		1938 D	M	C		
	Peaks		1938 D	M	C		
	Peaks		1938 D	M	C		
CA	Peaks v. Ribeiro	February 11, 1991	Wright	1938 D	M	C	Decision is a pre-arrest detention.
	McComb		1938 D	M	C	Background: Plaintiff was arrested and held in custody for kidnapping. Plaintiff's religious freedom was violated by the kidnapping conviction.	
	McComb		1938 D	M	C		
	McComb		1938 D	M	C		
	McComb		1938 D	M	C		
CA	County of Alameda v. Callison	September 21, 1991	Wright	1938 D	M	C	Decision is a pre-arrest detention.
	McComb		1938 D	M	C	Background: Plaintiff was arrested and held in custody for kidnapping. Plaintiff's religious freedom was violated by the kidnapping conviction.	
	McComb		1938 D	M	C		
	McComb		1938 D	M	C		
	McComb		1938 D	M	C		
CA	Daniels v. Santa Clara County	May 21, 1991	Tolander	1938 D	M	C	Decision is a pre-arrest detention.
	Gibson		1938 D	M	C	Background: Plaintiff was arrested and held in custody for kidnapping. Plaintiff's religious freedom was violated by the kidnapping conviction.	
	Tolander		1938 D	M	C		
	Tolander		1938 D	M	C		
	Tolander		1938 D	M	C		

State	Case	Date	Justice	Appointed in	Appointed by (R/O)	MO	L/C	Reasoning
NY	People v. Glatton	April 18, 1967	Beitel	1967 R	M	M	C	Decision is anti-criminal defendant on search and seizure issue
			Burns	1966 D	M	M	C	Background: Defendant was convicted in the Criminal Court of the City of New York, New York County, Warren E. Poyne, J., of possession of narcotics instruments and the Supreme Court in the first Judicial Department, Appellate Term, affirmed and defendant appealed. Court addressed question of holding. The Court of Appeals, Beitel, J., held that where police officers were summoned to rooming house to investigate disturbance and night manager admitted officers into room from which noise originated and officers saw defendant in room in possession of narcotics instruments, statute authorizing search of premises was satisfied.
			Scotchpi	1966 D	M	M	C	Holding: The Court of Appeals, Beitel, J., held that where police officers were summoned to rooming house to investigate disturbance and night manager admitted officers into room from which noise originated and officers saw defendant in room in possession of narcotics instruments, statute authorizing search of premises was satisfied.
			Burns	1966 D	M	M	C	Holding: The Court of Appeals, Beitel, J., held that where police officers were summoned to rooming house to investigate disturbance and night manager admitted officers into room from which noise originated and officers saw defendant in room in possession of narcotics instruments, statute authorizing search of premises was satisfied.
			Van Voorhis	1966 R	D	D	L	Holding: The Court of Appeals, Beitel, J., held that where police officers were summoned to rooming house to investigate disturbance and night manager admitted officers into room from which noise originated and officers saw defendant in room in possession of narcotics instruments, statute authorizing search of premises was satisfied.
NY	People v. Carlsomano	December 28, 1967	Beitel	1967 R	M	M	C	Decision is anti-criminal defendant on the process issue
			Burns	1967 D	M	M	C	Background: Defendant was convicted on the charge of a writ of error coram nobis by a defendant convicted of first-degree murder and other felonies. The Nassau County Court, Albert A. Oppido, J., denied the application. 48 Misc.2d 115, 248 N.Y.S.2d 468, and appeal was taken. Court addressed question of holding. The Court of Appeals, Beitel, J., held that where a defendant is convicted of a crime and the defendant is not a citizen of the State of New York, the defendant is not entitled to a writ of error coram nobis.
			Scotchpi	1967 D	M	M	C	Holding: The Court of Appeals, Beitel, J., held that where a defendant is convicted of a crime and the defendant is not a citizen of the State of New York, the defendant is not entitled to a writ of error coram nobis.
			Burns	1967 D	M	M	C	Holding: The Court of Appeals, Beitel, J., held that where a defendant is convicted of a crime and the defendant is not a citizen of the State of New York, the defendant is not entitled to a writ of error coram nobis.
			Van Voorhis	1967 R	M	M	C	Holding: The Court of Appeals, Beitel, J., held that where a defendant is convicted of a crime and the defendant is not a citizen of the State of New York, the defendant is not entitled to a writ of error coram nobis.
NY	People v. Katz	December 28, 1967	Beitel	1967 R	M	M	L	Decision is pro-criminal defendant
			Burns	1967 D	M	M	C	Background: Defendant was convicted in the Criminal Court of the City of New York, Queens County, James Russell Cheel, J., of violating section of Administrative Code of City of New York and the Appellate Court addressed question of whether action of the Administrative Code providing it shall be holding. The Court of Appeals, Keating, J., held that section of the Administrative Code providing it shall be unlawful for any person to encounter or obstruct any street with any article or thing whatsoever was unconstitutional on basis of its susceptibility to arbitrary enforcement and its use of void pro
			Scotchpi	1967 D	M	M	C	Holding: The Court of Appeals, Keating, J., held that section of the Administrative Code providing it shall be unlawful for any person to encounter or obstruct any street with any article or thing whatsoever was unconstitutional on basis of its susceptibility to arbitrary enforcement and its use of void pro
			Burns	1967 D	M	M	C	Holding: The Court of Appeals, Keating, J., held that section of the Administrative Code providing it shall be unlawful for any person to encounter or obstruct any street with any article or thing whatsoever was unconstitutional on basis of its susceptibility to arbitrary enforcement and its use of void pro
			Van Voorhis	1967 R	M	M	C	Holding: The Court of Appeals, Keating, J., held that section of the Administrative Code providing it shall be unlawful for any person to encounter or obstruct any street with any article or thing whatsoever was unconstitutional on basis of its susceptibility to arbitrary enforcement and its use of void pro
NY	People v. Aponte	April 21, 1971	Beitel	1967 R	M	M	L	Decision is anti-criminal defendant
			Burns	1967 D	M	M	C	Background: Defendant was convicted in the Criminal Court of the City of New York, Queens County, James Russell Cheel, J., of violating section of Administrative Code of City of New York and the Appellate Court addressed question of whether action of the Administrative Code providing it shall be holding. The Court of Appeals, Keating, J., held that section of the Administrative Code providing it shall be unlawful for any person to encounter or obstruct any street with any article or thing whatsoever was unconstitutional on basis of its susceptibility to arbitrary enforcement and its use of void pro
			Scotchpi	1967 D	M	M	C	Holding: The Court of Appeals, Keating, J., held that section of the Administrative Code providing it shall be unlawful for any person to encounter or obstruct any street with any article or thing whatsoever was unconstitutional on basis of its susceptibility to arbitrary enforcement and its use of void pro
			Burns	1967 D	M	M	C	Holding: The Court of Appeals, Keating, J., held that section of the Administrative Code providing it shall be unlawful for any person to encounter or obstruct any street with any article or thing whatsoever was unconstitutional on basis of its susceptibility to arbitrary enforcement and its use of void pro
			Van Voorhis	1967 R	M	M	C	Holding: The Court of Appeals, Keating, J., held that section of the Administrative Code providing it shall be unlawful for any person to encounter or obstruct any street with any article or thing whatsoever was unconstitutional on basis of its susceptibility to arbitrary enforcement and its use of void pro
NY	State Comm for Human Rights v. M.	November 27, 1968	Beitel	1968 R	M	M	L	Decision is pro-tenant, anti-landlord on civil rights issue
			Burns	1968 D	M	M	C	Background: Application was made by the State Commission for Human Rights (now The State Division of Human Rights) against landlords to enforce an order, made after a public hearing, directing landlords to offer apartment to Negro, on ground that the landlords had discriminated in the rent of
			Scotchpi	1968 D	M	M	C	Holding: The Court of Appeals, Keating, J., held that the evidence sustained findings of Commission that landlords had discriminated against the potential tenant
			Burns	1968 D	M	M	C	Holding: The Court of Appeals, Keating, J., held that the evidence sustained findings of Commission that landlords had discriminated against the potential tenant
			Van Voorhis	1968 R	M	M	C	Holding: The Court of Appeals, Keating, J., held that the evidence sustained findings of Commission that landlords had discriminated against the potential tenant
NY	Bishop v. Supreme Court	October 1, 1964	Burns	1964 R	M	M	C	Decision is anti-criminal defendant
			Scotchpi	1964 D	M	M	C	Background: Proceeding on application for prohibition to prevent trial on charge of capital offense as a felony. The Appellate Division held that the defendant could not be again subjected to prosecution on same offense charge, where he had been charged with same offense as a misdemeanor a
			Burns	1964 D	M	M	C	Holding: The Court of Appeals held that there was no violation of the petitioner's constitutional rights.
			Van Voorhis	1964 R	M	M	C	Holding: The Court of Appeals held that there was no violation of the petitioner's constitutional rights.
			Burns	1964 D	M	M	C	Holding: The Court of Appeals held that there was no violation of the petitioner's constitutional rights.
NY	People v. Cordere	July 10, 1964	Burns	1964 R	M	M	C	Decision is anti-criminal defendant
			Scotchpi	1964 D	M	M	C	Background: Proceeding for writ of error coram nobis to vacate a judgment which convicted defendant on his plea of guilty to second degree murder. The County Court, Dutchess County, W. Vincent Gasky, J., 38 Misc.2d 441, 297 N.Y.S.2d 386, denied the application, and the defendant appealed.
			Burns	1964 D	M	M	C	Holding: The Court of Appeals, Beitel, J., held that it was neither error of law nor deprivation of due process for judge to accept plea of guilty to murder in second degree at end of People's case consisting of proof on which court would have been required to send to jury first degree murder charge, v
			Van Voorhis	1964 R	M	M	C	Holding: The Court of Appeals, Beitel, J., held that it was neither error of law nor deprivation of due process for judge to accept plea of guilty to murder in second degree at end of People's case consisting of proof on which court would have been required to send to jury first degree murder charge, v
			Burns	1964 D	M	M	C	Holding: The Court of Appeals, Beitel, J., held that it was neither error of law nor deprivation of due process for judge to accept plea of guilty to murder in second degree at end of People's case consisting of proof on which court would have been required to send to jury first degree murder charge, v
NY	People v. Herterman	April 6, 1967	Beitel	1967 R	M	M	C	Decision is anti-criminal defendant
			Burns	1967 D	M	M	C	Background: The indictment charged that defendant and his confederates stole a motor truck from named corporation. There was evidence that, while under police observation, defendant and his confederates, both of whom had been drunk, attempted to fit the motor truck, which was on the city
			Scotchpi	1967 D	M	M	C	Holding: This court held that defendant's rights were not so infringed.
			Burns	1967 D	M	M	C	Holding: This court held that defendant's rights were not so infringed.
			Van Voorhis	1967 R	M	M	C	Holding: This court held that defendant's rights were not so infringed.
NY	People v. Hooper	May 15, 1968	Beitel	1968 R	M	M	C	Decision is anti-criminal defendant
			Burns	1968 D	M	M	C	Background: The defendant was convicted of attempted grand larceny in the first degree. The Supreme Court, New York County, Irving H. Saypol, J., rendered judgment, and the defendant appealed. The Appellate Division affirmed, and defendant appeared in the Court of Appeals. The defendant as
			Scotchpi	1968 D	M	M	C	Holding: Criminal Procedure not violated. Judgment of lower court affirmed.
			Burns	1968 D	M	M	C	Holding: Criminal Procedure not violated. Judgment of lower court affirmed.
			Van Voorhis	1968 R	M	M	C	Holding: Criminal Procedure not violated. Judgment of lower court affirmed.
NY	People v. DiStasi	February 20, 1969	Beitel	1969 R	M	M	C	Decision is anti-criminal defendant
			Burns	1969 D	M	M	C	Background: Defendant was convicted of second degree murder of her husband. The defendant contended in the Court of Appeals that the People did not establish her guilt beyond reasonable doubt, and that her constitutional right to counsel and privilege against self-incrimination were violated when
			Scotchpi	1969 D	M	M	C	Holding: guilt was established beyond reasonable doubt, that defendant willingly gave examples of her handwriting to police while not in custody, and that she had no standing to challenge the taking of the magazine, and that some of the statements and actions of defendant's confederates were in fu
			Burns	1969 D	M	M	C	Holding: guilt was established beyond reasonable doubt, that defendant willingly gave examples of her handwriting to police while not in custody, and that she had no standing to challenge the taking of the magazine, and that some of the statements and actions of defendant's confederates were in fu
			Van Voorhis	1969 R	M	M	C	Holding: guilt was established beyond reasonable doubt, that defendant willingly gave examples of her handwriting to police while not in custody, and that she had no standing to challenge the taking of the magazine, and that some of the statements and actions of defendant's confederates were in fu
NY	People v. Ruggiero	May 20, 1965	Burns	1965 R	M	M	C	Decision is anti-criminal defendant
			Scotchpi	1965 D	M	M	C	Background: Defendant was convicted of spending in violation of the Vehicle and Traffic Law, Consolidated Laws, C. 71, s. 1180(3). The Court of Special Sessions, held by a Justice of the Village of Middletown, Meredith Menn, P., entered judgment, and the defendant appealed. Court addressed
			Burns	1965 D	M	M	C	Holding: Where there is no record of the testimony and the proceedings had upon a trial without that of the justice, the judgment of conviction should be reversed and a new trial ordered.
			Van Voorhis	1965 R	M	M	C	Holding: Where there is no record of the testimony and the proceedings had upon a trial without that of the justice, the judgment of conviction should be reversed and a new trial ordered.
			Burns	1965 D	M	M	C	Holding: Where there is no record of the testimony and the proceedings had upon a trial without that of the justice, the judgment of conviction should be reversed and a new trial ordered.
NY	People v. Borch	April 26, 1962	Burns	1962 R	M	M	C	Decision is anti-criminal defendant
			Scotchpi	1962 D	M	M	C	Background: Defendant was convicted in the Criminal Court of the City of New York, Queens County, James Russell Cheel, J., of violating section of Administrative Code of City of New York and the Appellate Court addressed question of whether action of the Administrative Code providing it shall be holding. The Court of Appeals, Keating, J., held that section of the Administrative Code providing it shall be unlawful for any person to encounter or obstruct any street with any article or thing whatsoever was unconstitutional on basis of its susceptibility to arbitrary enforcement and its use of void pro
			Burns	1962 D	M	M	C	Holding: The Court of Appeals, Keating, J., held that section of the Administrative Code providing it shall be unlawful for any person to encounter or obstruct any street with any article or thing whatsoever was unconstitutional on basis of its susceptibility to arbitrary enforcement and its use of void pro
			Van Voorhis	1962 R	M	M	C	Holding: The Court of Appeals, Keating, J., held that section of the Administrative Code providing it shall be unlawful for any person to encounter or obstruct any street with any article or thing whatsoever was unconstitutional on basis of its susceptibility to arbitrary enforcement and its use of void pro
			Burns	1962 D	M	M	C	Holding: The Court of Appeals, Keating, J., held that section of the Administrative Code providing it shall be unlawful for any person to encounter or obstruct any street with any article or thing whatsoever was unconstitutional on basis of its susceptibility to arbitrary enforcement and its use of void pro
NY	People v. Edwards	May 31, 1967	Beitel	1967 R	M	M	C	Decision is anti-criminal defendant
			Burns	1967 D	M	M	C	Background: Defendant was prosecuted for possession of a dangerous weapon as a misdemeanor. Penal Law, Consolidated Laws, C. 40, s. 1607. A police officer testified that at request of a warrant of a certain apartment he went there to have defendant leave. Both the servant and the mother, but officer the
			Scotchpi	1967 D	M	M	C	Holding: upheld charge against defendant of possession of dangerous weapon as a misdemeanor
			Burns	1967 D	M	M	C	Holding: upheld charge against defendant of possession of dangerous weapon as a misdemeanor
			Van Voorhis	1967 R	M	M	C	Holding: upheld charge against defendant of possession of dangerous weapon as a misdemeanor

[illegible]

[illegible]

CT	State v. Dawlin	June 25, 1971	Thm	M	L	Decision is pro-criminal defendant. Background: Defendants' conviction of second-degree murder was affirmed by the Supreme Court, 155 Conn., 124, 230 A.2d 573. The United States Supreme Court, 243 U.S. 1970 D	M	Did not participate	Background: The Supreme Court, Thm, J., held that failure of defendant to contest a his first trial when a search warrant was obtained did not preclude defendant from raising such issue at trial. The Court further held that defendant, who, on some occasions, used automobiles that had been searched.
CT	State v. Williams	October 23, 1968	Fing	M	L	Temporarily sat. Fingzger* 1971 R	M	Did not participate	Temporarily sat. Fingzger* 1971 R
CT	State v. Williams	October 23, 1968	Fing	M	C	1967 D	M	Decision is anti-criminal defendant. Background: Criminal prosecution on information in three counts charging defendant with having injected drugs in the courts, carrying a pistol without a permit, and having weapons in a vehicle. The Superior Court, Fairfield County, Conn., J., entered a judgment of conviction on all three counts and affirmed the Supreme Court, Acorn, J., held, after all, that police officer, passing in high court, was not a very moving, and he was a person whom he knew and considered trustworthy and also pointed to acknowledge and stated that he was a person (Thm) who was armed and that (reductio) that	Decision is anti-criminal defendant. Background: Criminal prosecution on information in three counts charging defendant with having injected drugs in the courts, carrying a pistol without a permit, and having weapons in a vehicle. The Superior Court, Fairfield County, Conn., J., entered a judgment of conviction on all three counts and affirmed the Supreme Court, Acorn, J., held, after all, that police officer, passing in high court, was not a very moving, and he was a person whom he knew and considered trustworthy and also pointed to acknowledge and stated that he was a person (Thm) who was armed and that (reductio) that
CT	State v. Stallings	November 28, 1966	Ryan	M	C	1966 D	M	Decision is anti-criminal defendant. Background: Defendants were convicted in Superior Court, Hartford County, Blawie, J., of murder in the first degree, and he appealed. Court addressed question of whether statute providing that when complaint is brought in criminal offense punishable by imprisonment for more than five years court is required to hold preliminary hearing. The Supreme Court, Acorn, J., held that statute providing that when complaint is brought in criminal offense punishable by imprisonment for more than five years court is required to hold preliminary hearing in a problem cause and fit that problem cause to bind accused over to Court that	Decision is anti-criminal defendant. Background: Defendants were convicted in Superior Court, Hartford County, Blawie, J., of murder in the first degree, and he appealed. Court addressed question of whether statute providing that when complaint is brought in criminal offense punishable by imprisonment for more than five years court is required to hold preliminary hearing. The Supreme Court, Acorn, J., held that statute providing that when complaint is brought in criminal offense punishable by imprisonment for more than five years court is required to hold preliminary hearing in a problem cause and fit that problem cause to bind accused over to Court that
CT	Drazos v. M.B. Foster Elec. Co.	December 3, 1968	Ring	M	L	1967 D	M	Decision is pro-civil party. Background: Accused to receive damages for personal injuries allegedly caused by defendant's negligence. The Superior Court, Tolland County, Stoe, J., granted second defendant's motion for summary judgment and reduced judgment for first defendant, and plaintiff appealed. Hiding: The Supreme Court, Thm, J., held that plaintiff's statement that it was difficult to obtain affidavits from persons who had personal knowledge and awareness that facts were within exclusive knowledge of defendants were insufficient to prevent summary judgment for defendant when plaintiff	Decision is pro-civil party. Background: Accused to receive damages for personal injuries allegedly caused by defendant's negligence. The Superior Court, Tolland County, Stoe, J., granted second defendant's motion for summary judgment and reduced judgment for first defendant, and plaintiff appealed. Hiding: The Supreme Court, Thm, J., held that plaintiff's statement that it was difficult to obtain affidavits from persons who had personal knowledge and awareness that facts were within exclusive knowledge of defendants were insufficient to prevent summary judgment for defendant when plaintiff
CT	Proble v. New York, N. H. & H. R. Co.	March 3, 1971	Acorn	M	L	1965 D	M	Decision is pro-civil party. Background: Accused to receive damages for personal injuries sustained when bridge allegedly opened and maintained by defendant collapsed while plaintiff was operating truck across it. The Superior Court, New London County, John Clark Fitzgerald, J., rendered summary judgment in favor of defendant, and plaintiff appealed. Hiding: The Supreme Court, Hosen, J., held that where facts set out in defendant's affidavits in support of their motion for summary judgment concerned matters within exclusive knowledge of defendants, relating plaintiff reasonably continues to permit investigation of facts contained in defendant's affidavits.	Decision is pro-civil party. Background: Accused to receive damages for personal injuries sustained when bridge allegedly opened and maintained by defendant collapsed while plaintiff was operating truck across it. The Superior Court, New London County, John Clark Fitzgerald, J., rendered summary judgment in favor of defendant, and plaintiff appealed. Hiding: The Supreme Court, Hosen, J., held that where facts set out in defendant's affidavits in support of their motion for summary judgment concerned matters within exclusive knowledge of defendants, relating plaintiff reasonably continues to permit investigation of facts contained in defendant's affidavits.
CT	State v. Kinnick	March 18, 1970	Ring	M	L	1967 D	M	Decision is pro-criminal defendant. Background: Intervenor charging the defendant with the crime of conspiracy brought in the Superior Court in New Haven County and tried to the jury before Davis, J., verdict and judgment of guilty and appeal by the defendant. Court addressed question of whether accurate's claim that he knew at the time that he was charged with the crime of conspiracy was sufficient to entitle him to a retrial. The Supreme Court held that accused, who, at time of questioning, was being held by police in his bond, had already been charged with a crime, and had retained and spoken to counsel, was entitled to assistance of this counsel, and in view of failure to provide such assistance, accused	Decision is pro-criminal defendant. Background: Intervenor charging the defendant with the crime of conspiracy brought in the Superior Court in New Haven County and tried to the jury before Davis, J., verdict and judgment of guilty and appeal by the defendant. Court addressed question of whether accurate's claim that he knew at the time that he was charged with the crime of conspiracy was sufficient to entitle him to a retrial. The Supreme Court held that accused, who, at time of questioning, was being held by police in his bond, had already been charged with a crime, and had retained and spoken to counsel, was entitled to assistance of this counsel, and in view of failure to provide such assistance, accused
CT	State v. Bagnone	November 5, 1971	Ryan	M	L	1966 D	M	Decision is pro-criminal defendant. Background: Accused to receive damages for personal injuries sustained when bridge allegedly opened and maintained by defendant collapsed while plaintiff was operating truck across it. The Superior Court, New London County, John Clark Fitzgerald, J., rendered summary judgment in favor of defendant, and plaintiff appealed. Hiding: The Supreme Court, Hosen, J., held that where facts set out in defendant's affidavits in support of their motion for summary judgment concerned matters within exclusive knowledge of defendants, relating plaintiff reasonably continues to permit investigation of facts contained in defendant's affidavits.	Decision is pro-criminal defendant. Background: Accused to receive damages for personal injuries sustained when bridge allegedly opened and maintained by defendant collapsed while plaintiff was operating truck across it. The Superior Court, New London County, John Clark Fitzgerald, J., rendered summary judgment in favor of defendant, and plaintiff appealed. Hiding: The Supreme Court, Hosen, J., held that where facts set out in defendant's affidavits in support of their motion for summary judgment concerned matters within exclusive knowledge of defendants, relating plaintiff reasonably continues to permit investigation of facts contained in defendant's affidavits.
CT	State v. Huntington	October 28, 1964	Ring	M	L	1967 D	M	Decision is pro-criminal defendant. Background: Intervenor charging the defendant with the crime of conspiracy brought in the Superior Court in New Haven County and tried to the jury before Davis, J., verdict and judgment of guilty and appeal by the defendant. Court addressed question of whether accurate's claim that he knew at the time that he was charged with the crime of conspiracy was sufficient to entitle him to a retrial. The Supreme Court held that accused, who, at time of questioning, was being held by police in his bond, had already been charged with a crime, and had retained and spoken to counsel, was entitled to assistance of this counsel, and in view of failure to provide such assistance, accused	Decision is pro-criminal defendant. Background: Intervenor charging the defendant with the crime of conspiracy brought in the Superior Court in New Haven County and tried to the jury before Davis, J., verdict and judgment of guilty and appeal by the defendant. Court addressed question of whether accurate's claim that he knew at the time that he was charged with the crime of conspiracy was sufficient to entitle him to a retrial. The Supreme Court held that accused, who, at time of questioning, was being held by police in his bond, had already been charged with a crime, and had retained and spoken to counsel, was entitled to assistance of this counsel, and in view of failure to provide such assistance, accused
CT	State v. Adams	November 6, 1962	Ring	M	C	1967 D	M	Decision is anti-criminal defendant. Background: Intervenor charging defendant with crime of possession of obscene literature and pictures brought to the Court of Common Pleas, New Haven County, and tried to the court, Doherty, J. From a judgment of guilty the defendant appealed. Hiding: The Supreme Court of Errors, Blawie, C. J., held, after all, that defendant was properly convicted where cumulative effect and dominant theme of magazines which were displayed by defendant for sale lacked any sexual purpose other than to appeal to the "prurient interest of the average	Decision is anti-criminal defendant. Background: Intervenor charging defendant with crime of possession of obscene literature and pictures brought to the Court of Common Pleas, New Haven County, and tried to the court, Doherty, J. From a judgment of guilty the defendant appealed. Hiding: The Supreme Court of Errors, Blawie, C. J., held, after all, that defendant was properly convicted where cumulative effect and dominant theme of magazines which were displayed by defendant for sale lacked any sexual purpose other than to appeal to the "prurient interest of the average
CT	State v. Duran	June 25, 1971	Ryan	M	C	1966 D	M	Decision is pro-criminal defendant. Background: Defendants' conviction of second-degree murder was affirmed by the Supreme Court, 155 Conn., 124, 230 A.2d 573. The United States Supreme Court, 243 U.S. 1970 D	Decision is pro-criminal defendant. Background: Defendants' conviction of second-degree murder was affirmed by the Supreme Court, 155 Conn., 124, 230 A.2d 573. The United States Supreme Court, 243 U.S. 1970 D
CT	State v. Van Vleetburg	December 15, 1970	Acorn	M	C	1961 D	M	Decision is anti-criminal defendant. Background: Intervenor charging defendant with crime of possession of obscene literature and pictures brought to the Court of Common Pleas, New Haven County, and tried to the court, Doherty, J. From a judgment of guilty the defendant appealed. Hiding: The Supreme Court of Errors, Blawie, C. J., held, after all, that defendant was properly convicted where cumulative effect and dominant theme of magazines which were displayed by defendant for sale lacked any sexual purpose other than to appeal to the "prurient interest of the average	Decision is anti-criminal defendant. Background: Intervenor charging defendant with crime of possession of obscene literature and pictures brought to the Court of Common Pleas, New Haven County, and tried to the court, Doherty, J. From a judgment of guilty the defendant appealed. Hiding: The Supreme Court of Errors, Blawie, C. J., held, after all, that defendant was properly convicted where cumulative effect and dominant theme of magazines which were displayed by defendant for sale lacked any sexual purpose other than to appeal to the "prurient interest of the average

State	Case	Date	Judges	Appealed in	Appealed by (R/D)	MD	L/C	Reasoning
ME	State v. Kelly	July 31, 1973	Justice	1970 D	M		C	Decision is art-criminal defendant
			Dufresne	1965 R	M		C	Background: The Superior Court, Lincoln County, found defendant guilty of two murders and defendant appealed. Court addressed question of whether corpus affect had been established so as to permit admissibility of defendant's incriminatory statements and whether permitting jury to determine said question would violate defendant's rights.
			Webster	1966 R	M		C	Holding: The Supreme Judicial Court, Westbrook, J., held that the corpus affect had been established so as to permit admissibility of defendant's incriminatory statements, and that permitting jury to determine said question under standard of proof was fair beyond reasonable doubt.
			Pomeroy	1969 D	M		C	
			Archbold	1971 D	M		C	
ME	Godwin v. Shapiro Bros. Shoe Co.	October 20, 1967	Webster	1963 R	N/A			Decision is pro-employee
			Webster	1966 R	M			Background: The employer and the Employment Security Commission appealed and the claimant cross-appealed from a determination of the Superior Court, Kennebec County, that stop award earnings were earnings from regular employment and that Commission had no authority to make a red award.
			Dufresne	1965 R	M		L	Holding: The Supreme Judicial Court, Waterville, J., held that stop award earnings earned by claimant, who was ejected in department where he worked and by factory where he worked, during period of partial employment were earnings from regular employment when statute requiring that such earnings be paid was not violated.
			Webster	1964 R	M		L	
			Webster	1964 R	M		L	
ME	Tine v. State	May 14, 1970	Webster	1963 R	N/A			Decision is art-criminal defendant
			Webster	1966 R	M			Background: Prosecution proceeded. The Superior Court, Penobscot County, denied relief and appeal was taken. Court addressed question of whether defendant waived his right to a trial by jury in a second prosecution proceeding in which defendant was charged with the same offense.
			Dufresne	1965 R	M		C	Holding: The Supreme Judicial Court, Waterville, J., held that the State's location of defendant's residence was not a factor in determining whether defendant waived his right to a trial by jury.
			Webster	1966 R	M		C	
			Webster	1966 R	M		C	
ME	In re Spring Valley Development	February 9, 1973	Webster	1970 D	M		L	Decision is pro-government police power with regards to environmental issue
			Dufresne	1965 R	M		L	Background: The Environmental Improvement Commission issued order which denied applicant the right to proceed with its development of 62-acre tract lying on site of pond unit. Such time as the applicant had made proper application to the Commission and had received the Commission's approval.
			Webster	1966 R	M		L	Holding: The Supreme Judicial Court, Waterville, J., held that the State's location of Development law which requires persons intending to conduct or operate a development which may substantially affect local environment to notify, before commencing the construction or operation, the Environmental Commission.
			Webster	1966 R	M		L	
			Webster	1966 R	M		L	
ME	State v. Graves	November 14, 1966	Webster	1963 R	N/A			Decision is art-criminal defendant
			Dufresne	1965 R	M		C	Background: Defendant was convicted in the Superior Court, Androscoggin County, of indecent liberties and sodomy, and he brought exceptions. Court addressed question of whether promiscuous photographs which defendant showed to complaining witness bore logically upon indecent liberties and sodomy charges and had probative weight was for trial court to determine.
			Dufresne	1965 R	M		C	Holding: The Supreme Judicial Court, Waterville, J., held that whether promiscuous photographs which defendant showed to complaining witness bore logically upon indecent liberties and sodomy charges and had probative weight was for trial court to determine.
			Dufresne	1965 R	M		C	
			Dufresne	1965 R	M		C	
ME	Webster v. State	June 3, 1969	Webster	1964 R	M		C	Decision is art-criminal defendant
			Dufresne	1965 R	M		C	Background: Defendant was convicted in the Superior Court, Androscoggin County, of indecent liberties and sodomy, and he brought exceptions. Court addressed question of whether promiscuous photographs which defendant showed to complaining witness bore logically upon indecent liberties and sodomy charges and had probative weight was for trial court to determine.
			Dufresne	1965 R	M		C	Holding: The Supreme Judicial Court, Waterville, J., held that whether promiscuous photographs which defendant showed to complaining witness bore logically upon indecent liberties and sodomy charges and had probative weight was for trial court to determine.
			Dufresne	1965 R	M		C	
			Dufresne	1965 R	M		C	
ME	State v. Howe	April 14, 1966	Webster	1963 R	N/A			Decision is art-criminal defendant
			Dufresne	1965 R	M		C	Background: The defendant was accused of operating a motor vehicle while under the influence of intoxicating liquor. The Superior Court, Kennebec County, denied defendant's motions to quash the complaint and to arrest judgment of conviction, and the defendant also appealed.
			Dufresne	1965 R	M		C	Holding: The Supreme Judicial Court, Waterville, J., held that the defendant's motion to quash the complaint and to arrest judgment of conviction was not sustained by reason of police being nearby.
			Dufresne	1965 R	M		C	
			Dufresne	1965 R	M		C	
ME	Austin v. State	July 26, 1964	Webster	1964 R	M		C	Decision is art-criminal defendant
			Dufresne	1965 R	M		C	Background: Prisoner was of error. Court addressed question of whether the defendant's indictment sufficiently set forth the crime of kidnapping as defined in Chapter 130, Section 14 Revised Statutes of Maine upon which a sentence of imprisonment for life could be imposed.
			Dufresne	1965 R	M		C	Holding: The Supreme Judicial Court, Waterville, J., held that kidnapping indictment was not defective for not alleging the holding for ransom or reward.
			Dufresne	1965 R	M		C	
			Dufresne	1965 R	M		C	
ME	In re Opinion of the Justices	April 21, 1961	Webster	1964 R	M		L	Decision is pro-plaintiff
			Dufresne	1965 R	M		L	Background: Opinion of the Justices is given in response to questions propounded by the State regarding the validity of a proposed bill for the hospitalization of the mentally ill.
			Dufresne	1965 R	M		L	Holding: The Supreme Judicial Court submitted answers indicating that the proposed bill would be constitutional except the provision that the writ of habeas corpus should not be available to any patient committed under the bill. Court holds that habeas corpus must always be available.
			Dufresne	1965 R	M		L	
			Dufresne	1965 R	M		L	
ME	State v. Sinclair	December 7, 1967	Webster	1963 R	N/A			Decision is art-criminal defendant
			Dufresne	1965 R	M		C	Background: Defendant was convicted in the Superior Court, Kennebec County, on charge of larceny and larceny and he appealed.
			Dufresne	1965 R	M		C	Holding: The Supreme Judicial Court, Waterville, J., held that evidence sustained conviction, and that failure of appointed counsel to challenge prospective juror did not amount to denial of effective representation, even though excuse of juror was allegedly requested by defendant.
			Dufresne	1965 R	M		C	
			Dufresne	1965 R	M		C	
ME	State v. Holman	July 9, 1973	Webster	1963 R	N/A			Decision is art-criminal defendant
			Dufresne	1965 R	M		C	Background: Defendant was convicted in the Superior Court, Kennebec County, of larceny and larceny and he appealed.
			Dufresne	1965 R	M		C	Holding: The Supreme Judicial Court, Waterville, J., held that the defendant's motion to quash the complaint and to arrest judgment of conviction was not sustained by reason of police being nearby.
			Dufresne	1965 R	M		C	
			Dufresne	1965 R	M		C	
ME	State v. Loomis	August 8, 1969	Webster	1963 R	N/A			Decision is art-criminal defendant
			Dufresne	1965 R	M		C	Background: Defendant was convicted in the Superior Court, Kennebec County, of larceny and larceny and he appealed.
			Dufresne	1965 R	M		C	Holding: The Supreme Judicial Court, Waterville, J., held that the defendant's motion to quash the complaint and to arrest judgment of conviction was not sustained by reason of police being nearby.
			Dufresne	1965 R	M		C	
			Dufresne	1965 R	M		C	
ME	Lemieux v. State	April 4, 1968	Webster	1963 R	N/A			Decision is art-criminal defendant
			Dufresne	1965 R	M		C	Background: Defendant was convicted in the Superior Court, Kennebec County, of larceny and larceny and he appealed.
			Dufresne	1965 R	M		C	Holding: The Supreme Judicial Court, Waterville, J., held that the defendant's motion to quash the complaint and to arrest judgment of conviction was not sustained by reason of police being nearby.
			Dufresne	1965 R	M		C	
			Dufresne	1965 R	M		C	
ME	State v. Norrup	April 2, 1973	Webster	1963 R	N/A			Decision is art-criminal defendant
			Dufresne	1965 R	M		C	Background: Defendant was convicted in the Superior Court, Kennebec County, of larceny and larceny and he appealed.
			Dufresne	1965 R	M		C	Holding: The Supreme Judicial Court, Waterville, J., held that the defendant's motion to quash the complaint and to arrest judgment of conviction was not sustained by reason of police being nearby.
			Dufresne	1965 R	M		C	
			Dufresne	1965 R	M		C	
ME	State v. Tower	April 30, 1973	Webster	1963 R	N/A			Decision is art-criminal defendant
			Dufresne	1965 R	M		C	Background: Defendant was convicted in the Superior Court, Kennebec County, of larceny and larceny and he appealed.
			Dufresne	1965 R	M		C	Holding: The Supreme Judicial Court, Waterville, J., held that the defendant's motion to quash the complaint and to arrest judgment of conviction was not sustained by reason of police being nearby.
			Dufresne	1965 R	M		C	
			Dufresne	1965 R	M		C	
ME	Barnes v. State	May 20, 1970	Webster	1963 R	N/A			Decision is art-criminal defendant
			Dufresne	1965 R	M		C	Background: Defendant was convicted in the Superior Court, Kennebec County, of larceny and larceny and he appealed.
			Dufresne	1965 R	M		C	Holding: The Supreme Judicial Court, Waterville, J., held that the defendant's motion to quash the complaint and to arrest judgment of conviction was not sustained by reason of police being nearby.
			Dufresne	1965 R	M		C	
			Dufresne	1965 R	M		C	
ME	State v. Richards	October 28, 1972	Webster	1963 R	N/A			Decision is art-criminal defendant
			Dufresne	1965 R	M		C	Background: Defendant was convicted in the Superior Court, Androscoggin County, of possessing herbicide and antiparasitics, and he appealed. Court addressed question of whether search conducted by police officer was reasonable.
			Dufresne	1965 R	M		C	
			Dufresne	1965 R	M		C	
			Dufresne	1965 R	M		C	

		Wheeler	1953 R	M	L	Holding: The Supreme Judicial Court, Wenick, J., held that even if police officer might have had a duty and a purported authority to enter immobilized automobile as an incident of arranging for its removal from highway following accident, this authorization fell short of authorizing intrusion into interior.
		Wheathebe	1966 R	M	L	
		Ponney	1969 D	M	L	
		Wheeler	1971 D	M	L	
		Wheeler	1970 D	M	L	Decision is anti-criminal defendant
ME	State v. Bunham	Dufresne	1965 R	M	C	Background: Defendant was convicted in Superior Court, Kennebec County, of larceny from the person and he appealed. Court addressed question of whether defendant was denied effective assistance of counsel.
		Wheathebe	1953 R	M	C	Holding: The Supreme Judicial Court, Wheathebe, J., held that alleged incompetency of counsel in failing to cause a proper service of subpoena on defense witness, in failing to request continuance when defense witness failed to appear, and in deciding to proceed with trial without testimony of the
		Ponney	1966 R	M	C	
		Ponney	1969 D	M	C	
		Archibald	1971 D	M	C	
ME	Dennis v. Blair	Wheathebe	1965 R	M	C	Decision is anti-employee as established duty.
		Blumen	1965 R	M	C	Background: Defendant appealed his employer for refusing assistance when employee left through door of employer's private house.
		Dufresne	1962 R	M	C	Holding: The Supreme Judicial Court, Williamson, C.J., held that employee who was walking in employer's private house in the dark and who could not see where he was stepping at time he fell through hole in floor was guilty of negligence which precluded recovery.
		Wheathebe	1949 R	M	C	
		T. Gray	1954 R	M	C	
ME	Birne v. State	Wheathebe	1953 R	M	C	Decision is anti-criminal defendant
		Blumen	1966 R	M	C	Background: Proceeding a petition for writ of habeas corpus postconviction, Court addressed question of whether State had, in violation of petitioner's due process, knowingly used false information.
		Wheathebe	1962 R	M	C	Holding: The Supreme Judicial Court, Ponney, J., held that evidence supported finding that prohibited newly discovered evidence would not have been helpful to petitioner at the murder trial and that State had not, in violation of petitioner's due process, knowingly used false information.
		Williamson	1949 R	M	C	
		Ponney	1959 D	M	C	
ME	State v. Alford	Dufresne	1970 D	M	C	Decision is anti-criminal defendant
		Wheathebe	1973 D	M	C	Background: Proceeding a motion to arrest indictment charging defendant with illegal possession of a STD and to suppress evidence, Court addressed question of whether police had authority to arrest defendant in such enclave and to prosecute him under state law.
		Dufresne	1965 R	M	C	Holding: The Supreme Judicial Court, Wheathebe, J., held that state, that the customs border station enclave named by United States Customs Agents was not under exclusive jurisdiction of United States and City police had authority to arrest defendant in such enclave and to prosecute him under
		Wheathebe	1966 R	M	C	
		Ponney	1969 D	M	C	
		Archibald	1971 D	M	C	
ME	Lozbe v. State	Wheathebe	1953 R	M	C	Decision is anti-criminal defendant
		Dufresne	1966 R	M	C	Background: Petition for postconviction habeas corpus, wherein petitioner was serving sentence for breaking, entering and larceny imposed by the Superior Court, Kennebec County. The single justice ordered writ discharged and petitioner appealed. Court addressed question of a
		Wheathebe	1965 R	M	C	Holding: The Supreme Judicial Court, Wheathebe, J., held that there was no evidence that petitioner was denied due process because of perjury of his trial and that there was no merit in petitioner's claim of inadequate representation.
		Williamson	1949 R	M	C	
		T. Gray	1954 R	M	C	
ME	State v. Littlefield	Wheathebe	1953 R	M	C	Decision is anti-criminal defendant
		Dufresne	1965 R	M	C	Background: The defendants were convicted of treason, entering and larceny in the nighttime and procured their exception from Superior Court, Cumberland County, to admission of evidence and to refusal to direct verdicts of not guilty, and appealed from denial of their motions for new trials. Co
		Rudan	1956 D	M	C	Did not participate Holding: The Supreme Judicial Court, Rudman, J., held, inter alia, that evidence established that defendant's admissions of breaking, entering and larceny in the nighttime were voluntary.
		Blumen	1952 R	M	C	
		Wheathebe	1949 R	M	C	
ME	Wood v. State	T. Gray	1954 R	M	C	Decision is anti-criminal defendant
		Wheathebe	1953 R	M	C	Background: Defendant was convicted of larceny from the person and he appealed. Court addressed question of whether defendant was denied effective assistance of counsel.
		Dufresne	1965 R	M	C	Background: Defendant was convicted of larceny from the person and he appealed. Court addressed question of whether defendant was denied effective assistance of counsel.
		Blumen	1962 R	M	C	Holding: Supreme Judicial Court, Wheeler, J., held that there was no evidence that defendant's admission of larceny from the person was not voluntary and that defendant's admission of larceny from the person was not voluntary.
		Williamson	1949 R	M	C	Did not participate
		T. Gray	1954 R	M	C	
ME	State v. Pratt	Dufresne	1970 D	M	L	Decision is pro-criminal defendant
		Wheathebe	1965 R	M	L	Background: Proceeding a motion to arrest indictment charging defendant with illegal possession of a STD and to suppress evidence, Court addressed question of whether police had authority to arrest defendant in such enclave and to prosecute him under state law.
		Dufresne	1966 R	M	L	Background: Defendant was convicted of larceny from the person and he appealed. Court addressed question of whether defendant was denied effective assistance of counsel.
		Wheathebe	1965 R	M	L	Background: Defendant was convicted of larceny from the person and he appealed. Court addressed question of whether defendant was denied effective assistance of counsel.
		Ponney	1969 D	M	L	Did not participate
		Archibald	1971 D	M	L	
ME	State v. Appleton	Dufresne	1970 D	M	C	Decision is anti-criminal defendant
		Wheathebe	1965 R	M	C	Background: Defendant was convicted in the Superior Court, Androscoggin County, of unlawful possession of methamphetamine and marijuana, and he appealed. Court addressed question of whether conviction was legitimate.
		Wheathebe	1963 R	M	C	Holding: The Supreme Judicial Court, Dufresne, C.J., held, inter alia, that informant's delivery of methamphetamine to other addict on day of his arrested purchase of same at defendant's apartment caused informant credibly, value of same probable force, in that such action in and of itself involved
		Ponney	1969 D	M	C	
		Archibald	1971 D	M	C	
ME	State v. Colman	Dufresne	1970 D	M	C	Decision is anti-criminal defendant
		Wheathebe	1965 R	M	C	Background: Defendant was convicted before the Superior Court, Lincoln County, of grand larceny and they appealed. Court addressed question of whether the procedure was legitimate.
		Dufresne	1965 R	M	C	Holding: The Supreme Judicial Court, Wheathebe, J., held that trial judge's instruction concerning probable effect which might be given to finding that defendant had been in possession of recently stolen goods did not deny due process on theory that it deprived defendants of benefit of presumption
		Wheathebe	1966 R	M	C	
		Ponney	1969 D	M	C	
		Archibald	1971 D	M	C	
		Wheathebe	1966 R	M	C	
		Williamson	1949 R	M	C	
ME	Lumsden v. State	Wheathebe	1966 R	M	C	Decision is anti-criminal defendant
		Wheathebe	1965 R	M	C	Background: Habeas corpus proceeding. The Superior Court, York County, denied writ, and petitioner appealed.
		Wheathebe	1964 R	M	C	Holding: The Supreme Judicial Court, Dufresne, J., held that defendant, against whom two indictments were returned in single term, was not entitled to elect on which charge he would be first tried and that indictments for attempts to break and enter commercial establishments with intent to commit a
		Williamson	1949 R	M	C	
		Wheathebe	1962 R	M	C	
ME	State v. Warren	Wheathebe	1965 R	M	L	Decision is pro-criminal defendant
		Dufresne	1965 R	M	L	Background: Defendant was convicted in the Superior Court, Penobscot County, for conspiracy and five appeals. Court addressed question of whether defendant's trial contained reversible errors.
		Wheathebe	1966 R	M	L	Did not participate Holding: The Supreme Court, Archibald, J., held that where the entire strength of the State's case relied on testimony of a single witness, and witness called by State to corroborate testimony of principal witness twice refused to answer a question on grounds of self-incrimination in the presence of fi
		Ponney	1969 D	M	L	
		Archibald	1971 D	M	L	
ME	Tissie v. State	Dufresne	1965 R	M	C	Decision is anti-criminal defendant
		Wheathebe	1966 R	M	C	Background: Defendant was convicted in the Superior Court, Penobscot County, for conspiracy and five appeals. Court addressed question of whether defendant's trial contained reversible errors.
		Williamson	1949 R	M	C	Holding: The Supreme Judicial Court, Blumenthal, J., held that defendant's testimony of conspiracy was not corroborated by testimony of principal witness twice refused to answer a question on grounds of self-incrimination in the presence of fi
		T. Gray	1954 R	M	C	
		Wheathebe	1966 R	M	C	Did not participate

State	Case	Date	Judges	Appointed in	Appointed by (RD)	MD	LC	Reasoning
DE	Grati v. State	February 26, 1981	Woodst	1981 D	M	C	C	Decision is an informal defendant
DE	Grati v. State	February 26, 1981	Woodst	1981 D	M	C	C	Background: The applicant was convicted of embezzlement and was sentenced to imprisonment for three years on August 1, 1980. On February 5, 1981, the appeal from denial of post-conviction relief was taken. Court addressed question of whether the defendant should be sustain burden, on issue of whether the applicant was convicted of embezzlement, and also had completed sentence for embezzlement, and also had been convicted at state level previous time on charges of same general nature. Held: to sustain burden on issue of increased of appeal, if not on any 16
DE	Cannon v. State	March 7, 1981	Woodst	1981 D	M	C	C	Decision is an informal defendant
DE	Cannon v. State	March 7, 1981	Woodst	1981 D	M	C	C	Background: The defendant was convicted of dueling during in the Court of Common Pleas of Sussex County and on appeal to the Superior Court of Sussex County, and he appealed. Court addressed question of whether provision of the Uniform Act that a police officer may stop any person
DE	M. A. Harbert, Inc. v. Conman	February 9, 1981	Woodst	1981 D	M	C	C	Decision is pro-employee in injury case
DE	M. A. Harbert, Inc. v. Conman	February 9, 1981	Woodst	1981 D	M	C	C	Background: The defendant was convicted of dueling during in the Court of Common Pleas of Sussex County and on appeal to the Superior Court of Sussex County, and he appealed. Court addressed question of whether provision of the Uniform Act that a police officer may stop any person
DE	Hamilton v. State	December 16, 1971	Woodst	1981 D	M	C	C	Decision is pro-employee in injury case
DE	Hamilton v. State	December 16, 1971	Woodst	1981 D	M	C	C	Background: The defendant was convicted of dueling during in the Court of Common Pleas of Sussex County and on appeal to the Superior Court of Sussex County, and he appealed. Court addressed question of whether provision of the Uniform Act that a police officer may stop any person
DE	Wilmington Housing Authority v. WMS	March 16, 1981	Woodst	1981 D	M	C	C	Decision is pro-employee in injury case
DE	Wilmington Housing Authority v. WMS	March 16, 1981	Woodst	1981 D	M	C	C	Background: The defendant was convicted of dueling during in the Court of Common Pleas of Sussex County and on appeal to the Superior Court of Sussex County, and he appealed. Court addressed question of whether provision of the Uniform Act that a police officer may stop any person
DE	Pope v. State	May 10, 1981	Woodst	1981 D	M	C	C	Decision is an informal defendant
DE	Pope v. State	May 10, 1981	Woodst	1981 D	M	C	C	Background: The defendant was convicted of dueling during in the Court of Common Pleas of Sussex County and on appeal to the Superior Court of Sussex County, and he appealed. Court addressed question of whether provision of the Uniform Act that a police officer may stop any person
DE	Merritt v. State	April 20, 1980	Woodst	1981 D	M	C	C	Decision is an informal defendant
DE	Merritt v. State	April 20, 1980	Woodst	1981 D	M	C	C	Background: The defendant was convicted of dueling during in the Court of Common Pleas of Sussex County and on appeal to the Superior Court of Sussex County, and he appealed. Court addressed question of whether provision of the Uniform Act that a police officer may stop any person
DE	At Mad Corp. v. Newton	November 20, 1980	Woodst	1981 D	M	C	C	Decision is an informal defendant
DE	At Mad Corp. v. Newton	November 20, 1980	Woodst	1981 D	M	C	C	Background: The defendant was convicted of dueling during in the Court of Common Pleas of Sussex County and on appeal to the Superior Court of Sussex County, and he appealed. Court addressed question of whether provision of the Uniform Act that a police officer may stop any person
DE	Corporation v. State Tax Court	May 5, 1980	Woodst	1981 D	M	C	C	Decision is an informal defendant
DE	Corporation v. State Tax Court	May 5, 1980	Woodst	1981 D	M	C	C	Background: The defendant was convicted of dueling during in the Court of Common Pleas of Sussex County and on appeal to the Superior Court of Sussex County, and he appealed. Court addressed question of whether provision of the Uniform Act that a police officer may stop any person
DE	State v. Hether	July 31, 1980	Woodst	1981 D	M	C	C	Decision is an informal defendant
DE	State v. Hether	July 31, 1980	Woodst	1981 D	M	C	C	Background: The defendant was convicted of dueling during in the Court of Common Pleas of Sussex County and on appeal to the Superior Court of Sussex County, and he appealed. Court addressed question of whether provision of the Uniform Act that a police officer may stop any person
DE	Roberts Piano Co. v. D. Ford	June 20, 1981	Woodst	1981 D	M	C	C	Decision is an informal defendant
DE	Roberts Piano Co. v. D. Ford	June 20, 1981	Woodst	1981 D	M	C	C	Background: The defendant was convicted of dueling during in the Court of Common Pleas of Sussex County and on appeal to the Superior Court of Sussex County, and he appealed. Court addressed question of whether provision of the Uniform Act that a police officer may stop any person
DE	Matter v. State	September 6, 1977	Woodst	1981 D	M	C	C	Decision is an informal defendant
DE	Matter v. State	September 6, 1977	Woodst	1981 D	M	C	C	Background: The defendant was convicted of dueling during in the Court of Common Pleas of Sussex County and on appeal to the Superior Court of Sussex County, and he appealed. Court addressed question of whether provision of the Uniform Act that a police officer may stop any person
DE	Leon N. Wheeler & Associates, Inc. v. K	April 6, 1971	Woodst	1981 D	M	C	C	Decision is an informal defendant
DE	Leon N. Wheeler & Associates, Inc. v. K	April 6, 1971	Woodst	1981 D	M	C	C	Background: The defendant was convicted of dueling during in the Court of Common Pleas of Sussex County and on appeal to the Superior Court of Sussex County, and he appealed. Court addressed question of whether provision of the Uniform Act that a police officer may stop any person
DE	Weekly v. State	September 6, 1980	Woodst	1981 D	M	C	C	Decision is an informal defendant
DE	Weekly v. State	September 6, 1980	Woodst	1981 D	M	C	C	Background: The defendant was convicted of dueling during in the Court of Common Pleas of Sussex County and on appeal to the Superior Court of Sussex County, and he appealed. Court addressed question of whether provision of the Uniform Act that a police officer may stop any person
DE	State Highway Dept. v. Delaware Power	January 12, 1981	Woodst	1981 D	M	C	C	Decision is an informal defendant
DE	State Highway Dept. v. Delaware Power	January 12, 1981	Woodst	1981 D	M	C	C	Background: The defendant was convicted of dueling during in the Court of Common Pleas of Sussex County and on appeal to the Superior Court of Sussex County, and he appealed. Court addressed question of whether provision of the Uniform Act that a police officer may stop any person
DE	Culak v. Municipal Court for City of Wl	June 5, 1980	Woodst	1981 D	M	C	C	Decision is an informal defendant
DE	Culak v. Municipal Court for City of Wl	June 5, 1980	Woodst	1981 D	M	C	C	Background: The defendant was convicted of dueling during in the Court of Common Pleas of Sussex County and on appeal to the Superior Court of Sussex County, and he appealed. Court addressed question of whether provision of the Uniform Act that a police officer may stop any person
DE	Culak v. State	July 2, 1979	Woodst	1981 D	M	C	C	Decision is an informal defendant
DE	Culak v. State	July 2, 1979	Woodst	1981 D	M	C	C	Background: The defendant was convicted of dueling during in the Court of Common Pleas of Sussex County and on appeal to the Superior Court of Sussex County, and he appealed. Court addressed question of whether provision of the Uniform Act that a police officer may stop any person
DE	Gonzalez v. Whelan	March 11, 1980	Woodst	1981 D	M	C	C	Decision is an informal defendant
DE	Gonzalez v. Whelan	March 11, 1980	Woodst	1981 D	M	C	C	Background: The defendant was convicted of dueling during in the Court of Common Pleas of Sussex County and on appeal to the Superior Court of Sussex County, and he appealed. Court addressed question of whether provision of the Uniform Act that a police officer may stop any person
DE	G.A. News of Land v. State ex. Bk	January 26, 1971	Woodst	1981 D	M	C	C	Decision is an informal defendant
DE	G.A. News of Land v. State ex. Bk	January 26, 1971	Woodst	1981 D	M	C	C	Background: The defendant was convicted of dueling during in the Court of Common Pleas of Sussex County and on appeal to the Superior Court of Sussex County, and he appealed. Court addressed question of whether provision of the Uniform Act that a police officer may stop any person
DE	Gibbs v. State	March 9, 1980	Woodst	1981 D	M	C	C	Decision is an informal defendant
DE	Gibbs v. State	March 9, 1980	Woodst	1981 D	M	C	C	Background: The defendant was convicted of dueling during in the Court of Common Pleas of Sussex County and on appeal to the Superior Court of Sussex County, and he appealed. Court addressed question of whether provision of the Uniform Act that a police officer may stop any person
DE	Rosello v. State	November 9, 1980	Woodst	1981 D	M	C	C	Decision is an informal defendant
DE	Rosello v. State	November 9, 1980	Woodst	1981 D	M	C	C	Background: The defendant was convicted of dueling during in the Court of Common Pleas of Sussex County and on appeal to the Superior Court of Sussex County, and he appealed. Court addressed question of whether provision of the Uniform Act that a police officer may stop any person
DE	Ernest D. Sabatino & Sons, Inc. v. AX	September 17, 1970	Woodst	1981 D	M	C	C	Decision is an informal defendant
DE	Ernest D. Sabatino & Sons, Inc. v. AX	September 17, 1970	Woodst	1981 D	M	C	C	Background: The defendant was convicted of dueling during in the Court of Common Pleas of Sussex County and on appeal to the Superior Court of Sussex County, and he appealed. Court addressed question of whether provision of the Uniform Act that a police officer may stop any person
DE	Rentch v. State	January 3, 1970	Woodst	1981 D	M	C	C	Decision is an informal defendant
DE	Rentch v. State	January 3, 1970	Woodst	1981 D	M	C	C	Background: The defendant was convicted of dueling during in the Court of Common Pleas of Sussex County and on appeal to the Superior Court of Sussex County, and he appealed. Court addressed question of whether provision of the Uniform Act that a police officer may stop any person
DE	Brown v. State	December 27, 1980	Woodst	1981 D	M	C	C	Decision is an informal defendant
DE	Brown v. State	December 27, 1980	Woodst	1981 D	M	C	C	Background: The defendant was convicted of dueling during in the Court of Common Pleas of Sussex County and on appeal to the Superior Court of Sussex County, and he appealed. Court addressed question of whether provision of the Uniform Act that a police officer may stop any person
DE	Jenkins v. State	March 2, 1970	Woodst	1981 D	M	C	C	Decision is an informal defendant
DE	Jenkins v. State	March 2, 1970	Woodst	1981 D	M	C	C	Background: The defendant was convicted of dueling during in the Court of Common Pleas of Sussex County and on appeal to the Superior Court of Sussex County, and he appealed. Court addressed question of whether provision of the Uniform Act that a police officer may stop any person

DE	Singer v. Superior Court is said for A	March 31, 1980	Woodst	M	C	Decision is affirmational defendant was found guilty of second-degree murder and the appellate Court addressed question of whether defendant was entitled to a witness for State was improper and a violation of due process. Holding: The Supreme Court, Hernandez, J., held that grant of immunity to a witness for State was neither a consideration for a accomplice, nor was it improper on ground that consolidated either a directed verdict or an impermissible comment on evidence.
DE	Brown v. State	January 31, 1980	Woodst	M	C	Decision is affirmational defendant was found guilty of second-degree murder and the appellate Court addressed question of whether defendant was entitled to a witness for State was improper and a violation of due process. Holding: The Supreme Court, Hernandez, J., held that grant of immunity to a witness for State was neither a consideration for a accomplice, nor was it improper on ground that consolidated either a directed verdict or an impermissible comment on evidence.
DE	Brown v. State	January 31, 1980	Woodst	M	C	Decision is affirmational defendant was found guilty of second-degree murder and the appellate Court addressed question of whether defendant was entitled to a witness for State was improper and a violation of due process. Holding: The Supreme Court, Hernandez, J., held that grant of immunity to a witness for State was neither a consideration for a accomplice, nor was it improper on ground that consolidated either a directed verdict or an impermissible comment on evidence.
DE	Melson v. Court of Criminals 19 and R	September 29, 1980	Woodst	M	C	Decision is affirmational defendant was found guilty of second-degree murder and the appellate Court addressed question of whether defendant was entitled to a witness for State was improper and a violation of due process. Holding: The Supreme Court, Hernandez, J., held that grant of immunity to a witness for State was neither a consideration for a accomplice, nor was it improper on ground that consolidated either a directed verdict or an impermissible comment on evidence.
DE	Brown v. State	December 10, 1980	Woodst	M	C	Decision is affirmational defendant was found guilty of second-degree murder and the appellate Court addressed question of whether defendant was entitled to a witness for State was improper and a violation of due process. Holding: The Supreme Court, Hernandez, J., held that grant of immunity to a witness for State was neither a consideration for a accomplice, nor was it improper on ground that consolidated either a directed verdict or an impermissible comment on evidence.
DE	Weekly v. State	September 6, 1980	Woodst	M	C	Decision is affirmational defendant was found guilty of second-degree murder and the appellate Court addressed question of whether defendant was entitled to a witness for State was improper and a violation of due process. Holding: The Supreme Court, Hernandez, J., held that grant of immunity to a witness for State was neither a consideration for a accomplice, nor was it improper on ground that consolidated either a directed verdict or an impermissible comment on evidence.
DE	Weekly v. State	September 6, 1980	Woodst	M	C	Decision is affirmational defendant was found guilty of second-degree murder and the appellate Court addressed question of whether defendant was entitled to a witness for State was improper and a violation of due process. Holding: The Supreme Court, Hernandez, J., held that grant of immunity to a witness for State was neither a consideration for a accomplice, nor was it improper on ground that consolidated either a directed verdict or an impermissible comment on evidence.
DE	Weekly v. State	September 6, 1980	Woodst	M	C	Decision is affirmational defendant was found guilty of second-degree murder and the appellate Court addressed question of whether defendant was entitled to a witness for State was improper and a violation of due process. Holding: The Supreme Court, Hernandez, J., held that grant of immunity to a witness for State was neither a consideration for a accomplice, nor was it improper on ground that consolidated either a directed verdict or an impermissible comment on evidence.

State	Case	Date	Justices	Appointed in	Appointed by (R/D)	MD	LC	Reasoning				
CA	Williams v. Superior Court	July 13, 2017	Weidegar, J.					Decision is pro-employee				
			Caniti-Sakauye, C.J.									
			Chin, J.	1994 R	M	L						
			Corrigan, J.	2011 R	M	L						
			Liu, J.	1996 R	M	L						
			Corrigan, J.	2006 R	M	L						
			Liu, J.	2011 D	M	L						
			Cuellar, J.	2015 D	M	L						
			Kruger, J.	2015 D	M	L						
				2015 D	M	L						
CA	In re Coley	August 30, 2012	Caniti-Sakauye, C.J.					Decision is anti-criminal defendant				
			Weidegar, J.	2011 R	M	C						
			Liu, J.	1994 R	M	C						
			Corrigan, J.	2011 D	M	C						
			Kennard, J.	2006 R	M	C						
			Kennard, J.	1989 R	M	C						
			Chin, J.	1996 R	M	C						
			Baxter, J.	1991 R	M	C						
CA	Jackson v. Superior Court	December 11, 2017	Liu, J.	2011 D	M	C		Decision is anti-criminal defendant				
			Caniti-Sakauye, C.J.	2011 R	M	C						
			Corrigan, J.	2006 R	M	C						
			Kruger, J.	2015 D	M	C						
			Cuellar, J.	2015 D	M	C						
			Chin, J.	1996 R	M	C						
			McGuiness, J.	1996 R	M	C						
CA	People v. Hajjaj	November 4, 2010	GEORGE, C.J.					Decision is pro-consumer at the expense of business				
			Kennard, J.	1991 R	M	L						
			Baxter, J.	1989 R	M	L						
			Weidegar, J.	1991 R	M	L						
			Chin, J.	1994 R	M	L						
			Chin, J.	1996 R	M	L						
			Moreno, J.	2001 D	M	L						
			Corrigan, J.	2006 R	M	L						
			Corrigan, J.	2006 R	M	L						
			Liu, J.	2011 D	M	L						
CA	OTO, L.L.C. v. Kho	August 29, 2019	Corrigan, J.	2006 R	M	L		Decision was pro-labor				
			Liu, J.	2011 D	M	L						
			Cuellar, J.	2015 D	M	L						
			Groban, J.	2019 D	M	L						
			Kruger, J.	2015 D	M	L						
CA	People v. Cortez	May 9, 2016	Chin, J.	1996 R	D	C		Decision is anti-defendant				
			Chin, J.	1996 R	M	C						
			Liu, J.	2011 D	M	C						
			Cuellar, J.	2015 D	M	C						
			Weidegar, J.	1984 R	M	C						
			Weidegar, J.	2015 D	M	C						
			Kruger, J.	2015 D	M	C						
			Corrigan, J.	2006 R	M	C						
			Caniti-Sakauye, C.J.	2011 R	M	C						
CA	People v. Superior Court (Lara)	February 1, 2018	Chin, J.	1996 R	M	L		Pro-juvenile retroactivity decision				
			Corrigan, J.	2006 R	M	L						
			Liu, J.	2011 D	M	L						
			Cuellar, J.	2015 D	M	L						
			Kruger, J.	2015 D	M	L						
			ROBLE, J.		M	L		Pro- undocumented immigrant decision				
			Caniti-Sakauye, C.J.	2011 R	M	L						
			Baxter, J.	1991 R	M	L						
			Weidegar, J.	1994 R	M	L						
			Chin, J.	1996 R	M	L						
CA	In re Garcia	January 2, 2014	Caniti-Sakauye, C.J.					Pro- undocumented immigrant decision				
			Corrigan, J.	2006 R	M	L						
			Liu, J.	2011 D	M	L						

CA	People v. Murkishaw	February 22, 2011	Chin, J. Moreno, J. Cantli-Sakaue, C.J.	1986 R 2001 D 2011 R	M M M	L C C	Pro-death penalty, anti-defendant			
			Baxter, J. Werdegar, J. Chin, J.	1991 R 1984 R 1996 R	M M M	C C C				
			Corrigan, J. Kennard, J.	2006 R 1989 R	M M	C C				
CA	People v. Mataele	July 21, 2022	Lu, J. Cantli-Sakaue, C.J.	2011 D 2011 R	D M	L C	Decision is Pro-Death Penalty, Anti-Defendant on procedural issues			
			Corrigan, J.	2006 R	M	C				
			Kruger, J.	2015 D	D	L				
			Groban, J.	2019 D	M	C				
			GUERRERO, J.	2022 D	M	C				
			JENKINS, J.	2020 D	M	C				
CA	People v. Gray	August 14, 2023	Lu, J. Evans, J.	2011 D 2022 D	M M	L L	Decision is Pro-Defendant, Pro-Due Process Rights			
			Corrigan, J.	2006 R	M	L				
			Kruger, J.	2015 D	M	L				
			Groban, J.	2019 D	M	L				
			GUERRERO, J.	2022 D	M	L				
			JENKINS, J.	2020 D	M	L				
CA	Association for Los Angeles Deputy	August 26, 2019	Lu, J. Cantli-Sakaue, C.J.	2011 D 2011 R	M M	L L	Decision is pro-criminal defendant, anti-police, on Brady disclosure issue			
			Corrigan, J.	2006 R	M	L				
			Kruger, J.	2015 D	M	L				
			Groban, J.	2019 D	M	L				
			Cuellar, J.	2015 D	M	L				
			Chin, J.	1996 R	M	L				
CA	People v. Cordova	October 26, 2015	Lu, J. Cantli-Sakaue, C.J.	2011 D 2011 R	M M	C C	Decision is anti-criminal defendant on due process issue			
			Corrigan, J.	2006 R	M	C				
			Kruger, J.	2015 D	M	C				
			Werdegar, J.	1994 R	M	C				
			Cuellar, J.	2015 D	M	C				
			Chin, J.	1996 R	M	C				
CA	People v. Albillar	December 20, 2010	Kennard, J. GEORGE, C.J.	1989 R 1991 R	M M	C C	Decision was anti-criminal defendant			
			Baxter, J.	1991 R	M	C				
			Chin, J.	1996 R	M	C				
			Corrigan, J.	2006 R	M	C				
			Moreno, J.	2001 D	D	L				
			Werdegar, J.	1984 R	D	L				
CA	Martinez v. Combs	May 20, 2010	Kennard, J. GEORGE, C.J.	1989 R 1991 R	M M	C C	Decision is anti-employee, pro-employer in lawsuit			
			Baxter, J.	1991 R	M	C				
			Chin, J.	1996 R	M	C				
			Corrigan, J.	2006 R	M	C				
			Moreno, J.	2001 D	M	C				
			Werdegar, J.	1994 R	M	C				
CA	People v. Zaragoza	July 11, 2016	Lu, J. Cantli-Sakaue, C.J.	2011 D 2011 R	M M	L L	Decision is anti-death penalty			
			Corrigan, J.	2006 R	M	L				
			Kruger, J.	2015 D	M	L				

			Werdegar, J.	1984 R	M	L			
			Cuellar, J.	2015 D	M	L			
			Chin, J.	1996 R	M	L			
CA	Regents of University of California v	March 22, 2018	Liu, J.	2011 D	M	L	Decision is pro-student, anti-university		
			Canli-Sakauye, C.J.	2011 R	M	L			
			Corrigan, J.	2006 R	M	L			
			Kruger, J.	2015 D	M	L			
			Cuellar, J.	2015 D	M	L			
			Chin, J.	1996 R	M	L			
			RICHMAN, J.*	article VI, section 6 of the California Constitution.					
CA	People v. Jennings	August 12, 2010	Kennard, J.	1989 R	M	C	Decision is anti-criminal defendant, pro-death penalty		
			GEORGE, C.J.	1991 R	M	C			
			Baxter, J.	1991 R	M	C			
			Chin, J.	1996 R	M	C			
			Corrigan, J.	2006 R	M	C			
			Moreno, J.	2001 D	M	C			
			Werdegar, J.	1994 R	M	C			
CA	People v. Powell	August 13, 2018	Liu, J.	2011 D	M	C	Decision is pro-death penalty		
			Canli-Sakauye, C.J.	2011 R	M	C			
			Corrigan, J.	2006 R	M	C			
			Kruger, J.	2015 D	M	C			
			Cuellar, J.	2015 D	M	C			
			Chin, J.	1996 R	M	C			
			Johnson, J.*	article VI, section 6 of the California Constitution.					
CA	People v. Alexander	July 15, 2010	Kennard, J.	1989 R	M	C	Decision is anti-criminal defendant, pro-death penalty		
			GEORGE, C.J.	1991 R	M	C			
			Baxter, J.	1991 R	M	C			
			Chin, J.	1996 R	M	C			
			Corrigan, J.	2006 R	M	C			
			Moreno, J.	2001 D	M	C			
			Werdegar, J.	1994 R	M	C			
CA	In re Morgan	August 30, 2010	Kennard, J.	1989 R	M	L	Decision is pro-criminal defendant, pro-indigent		
			GEORGE, C.J.	1991 R	M	L			
			Baxter, J.	1991 R	M	C			
			Chin, J.	1996 R	M	L			
			Corrigan, J.	2006 R	M	C			
			Moreno, J.	2001 D	M	L			
			Werdegar, J.	1994 R	M	L			
CA	People v. Ware	December 1, 2022	Liu, J.	2011 D	M	L	Decision is pro criminal defendant		
			Canli-Sakauye, C.J.	2011 R	M	L			
			Corrigan, J.	2006 R	M	L			
			Kruger, J.	2015 D	M	L			
			Groban, J.	2019 D	M	L			
			GUERRERO, J.	2022 D	M	L			
			JENKINS, J.	2020 D	M	L			
CA	People v. Murtishaw	February 22, 2011	Kennard, J.	1989 R	M	C	Decision is anti-criminal defendant		
			Canli-Sakauye, C.J.	2011 R	M	C			
			Baxter, J.	1991 R	M	C			
			Chin, J.	1996 R	M	C			
			Corrigan, J.	2006 R	M	C			
			Moreno, J.	2001 D	M	C			
			Werdegar, J.	1994 R	M	C			
CA	City of San Jose v. Superior Court	March 2, 2017	Werdegar, J.	1994 R	M	L	Decision is pro-disclosure under CRPA		
			Canli-Sakauye, C.J.	2011 R	M	L			

		Chin, J.	1986 R	M	L				
		Corrigan, J.	2006 R	M	L				
		Liu, J.	2011 D	M	L				
		Cuellar, J.	2015 D	M	L				
		Kruger, J.	2015 D	M	L				
CA	People v. Shazier	August 18, 2014 Werdegar, J. Cantil-Sakauye, C.J.	1994 R	M	C	Decision is anti-criminal defendant			
		Chin, J.	2011 R	M	C				
		Corrigan, J.	1996 R	M	C				
		Liu, J.	2006 R	M	C				
		Baxter, J.	2011 D	M	C				
		BIGelow, J.*	1991 R	M	C				
CA	Murray v. Alaska Airlines, Inc.	August 23, 2010 Kernard, J. GEORGE, C.J.	1989 R	D	L	Decision is anti-employee			
		Baxter, J.	1991 R	D	L				
		Chin, J.	1991 R	M	C				
		Corrigan, J.	1996 R	M	C				
		Moreno, J.	2006 R	M	C				
		Werdegar, J.	2001 D	M	C				
CA	Alvarado v. Dart Container Corp. of	March 5, 2018 Cantil-Sakauye, C.J.	1994 R	D	L	Decision is pro-employee, anti-employer			
		Chin, J.	2011 R	M	L				
		Corrigan, J.	1996 R	M	L				
		Liu, J.	2006 R	M	L				
		Cuellar, J.	2011 D	M	L				
		Kruger, J.	2015 D	M	L				
		Perren, J.*	2015 D	M	L				
CA	Briggs v. Brown	August 24, 2017 Corrigan, J. Werdegar, J.	article VI, section 6 of the California Constitution. 2006 R	M	C	Decision is pro-death penalty			
		Liu, J.	1994 R	M	C				
		Kruger, J.	2011 D	M	C				
		Cuellar, J.	2015 D	M	C				
		Hoch, J.J.*	2015 D	D	L				
		Iloia, J.*	article VI, section 6 of the California Constitution. article VI, section 6 of the California Constitution.						
CA	People v. Garcia	August 25, 2011 Baxter, J. Werdegar, J. Cantil-Sakauye, C.J.	1991 R	M	C	Decision is pro-death penalty			
		Chin, J.	1984 R	M	C				
		Corrigan, J.	2011 R	M	C				
		Kernard, J.	1986 R	M	C				
		Kernard, J.	2006 R	M	C				
		Kane, J.*	1989 R	M	C				
CA	People v. Silveria	August 13, 2020 Liu, J. Cantil-Sakauye, C.J.	article VI, section 6 of the California Constitution. 2011 D	M	C	Decision is pro-death penalty			
		Corrigan, J.	2011 R	M	C				
		Kruger, J.	2006 R	M	C				
		Groban, J.	2015 D	M	C				
		Cuellar, J.	2019 D	M	C				
		Chin, J.	2015 D	M	C				
		Chin, J.	1996 R	M	C				
CA	In re Albert C.	July 10, 2017 Werdegar, J. Cantil-Sakauye, C.J.	1994 R	M	C	Decision is anti-criminal defendant, anti-juvenile, on due process issue			
		Chin, J.	2011 R	M	C				
		Corrigan, J.	1996 R	M	C				
		Liu, J.	2006 R	M	C				
		Cuellar, J.	2011 D	M	C				
		Kruger, J.	2015 D	M	C				
		Kruger, J.	2015 D	M	C				

NY	State v. VNU, Inc.	February 14, 2023	Carrasco, J.	WILSON	2013 D	D	L	Decision is anti-business, pro-consumer
		2022 D		WILSON	2017 D	M	L	Background: State, on behalf of public university, brought action for breach of contract against manufacturer of damaged aerial vehicles (UAVs). A Delaware corporation headquartered in Michigan, alleging that university purchased two UAVs from manufacturer, intending to use UAVs to deliver medication to a patient.
		2018 D		GARCIA	2018 D	M	C	Holding: Court finds in favor of university, determining that it has the jurisdiction to consider case as the manufacturer conducted business with substantial connection to NY State
NY	People v. Santiago	February 25, 2014	RIVERA	Singh	2018 D	M	L	Decision is anti-criminal defendant
		2013 D		Trothman	2016 D	M	L	Background: Defendant was convicted in the County Court, Dutchess County, Gerard V. Hayes, J., of murder in the second degree, and she appealed. Court addressed question of whether Prosecution behavior unfairly biased the jury in a manner divorced from its fact-finding duties.
		2009 D		DEFORE	2009 D	D	L	Holding: Court finds against the defendant, that prosecution behavior did not unfairly impact the trial and due process
NY	Lynch v. City of New York	June 30, 2014	RIVERA	ABDUS-SALAM	2013 D	M	C	Decision is anti-state employees
		2009 D		LEPMAN	2009 D	M	C	Background: Police officers and firefighters sought declaration that city's refusal to make increased take-home pay (THP) contribution for officers hired after July 1, 2008, who pension fee finished pension benefit, but no annuity component, violated state retirement law.
		2009 R		DEFORE	2009 R	M	C	Holding: City was not required to make THP pension contributions on behalf of police officers and firefighters appointed after July 1, 2009
		2003 R		RSNUTH	2003 R	M	C	
		2006 R		PELOTT	2006 R	M	C	
NY	State v. Floyd Y.	November 19, 2013	RIVERA	ABDUS-SALAM	2013 D	M	C	Decision is pro-criminal defendant due process rights
		2013 D		LEPMAN	2013 D	M	L	Background: Criminal case offense was heard by the Supreme Court, New York County, Patricia M. Nimetz, J., to be a dangerous sex offender requiring confinement under the Mental Hygiene Law. Court considers question of whether, and to what extent, a court may admit hearsay evidence when holding the admitted hearsay evidence violates the defendant's due process rights
		2009 R		DEFORE	2009 R	M	L	
		2003 R		RSNUTH	2003 R	M	L	
		2009 R		PELOTT	2009 R	M	L	
NY	People v. Tappa	April 2, 2019	STEN, J.	ABDUS-SALAM	2015 D	M	C	Decision is anti-criminal defendant on due process issue
		2015 D		DEFORE	2015 D	M	C	Background: Defendant was convicted in the Supreme Court, Bronx County, Miriam Katz, J., of attempted assault in the first degree. Defendant appealed. Court addresses question of whether a portion of a hearing witness prior grand jury testimony was properly admitted as a part recollection re: holding. The admission of the officer's testimony from Grand Jury trial did not violate the Confrontation clause.
		2018 D		GARCIA	2018 D	D	L	
		2017 D		WILSON	2017 D	D	L	
		2018 D		WILSON	2018 D	M	C	
		2015 D		FEINMAN	2015 D	M	C	
NY	People v. Manning	November 20, 2019	STEN, J.	DEFORE	2015 D	M	C	Decision is anti-criminal defendant on due process issue
		2015 D		DEFORE	2015 D	M	C	Background: Criminal case offense was heard by the Supreme Court, Dutchess County, Gerard V. Hayes, J., of murder in the second degree, and she appealed. Court addressed question of whether Prosecution behavior unfairly biased the jury in a manner divorced from its fact-finding duties.
		2018 D		GARCIA	2018 D	M	C	
		2017 D		WILSON	2017 D	D	L	
		2018 D		WILSON	2018 D	M	C	
		2015 D		FEINMAN	2015 D	M	C	
NY	People v. Rodriguez	March 22, 2019	Carrasco, J.	LEPMAN	2009 D	D	L	Decision is anti-criminal defendant
		2009 D		DEFORE	2009 D	M	C	Background: Defendant was convicted in the Supreme Court, New York County, Edward J. McLaughlin, J., of attempted murder in the second degree, assault in the first degree, and robbery in the first and second degrees, and was sentenced to aggregate term of 40 years imprisonment. Defendant
		2003 R		RSNUTH	2003 R	M	C	Holding: Court has the ability to remand case for resentencing
		2006 R		PELOTT	2006 R	M	C	
		2009 R		PELOTT	2009 R	M	C	
NY	Kear v. New York State Urban Dev	June 24, 2010	Carrasco, J.	JONES	1994 D	M	L	Decision is pro-government, anti-owners in buildings dispute case
		2000 D		LEPMAN	2000 D	M	L	Background: Owners of property who project the need for repairs challenging determination of state development corporation, which approved acquisition by eminent domain of property for private university's development project. Court addressed the question of whether the State's exercise of its po
		2003 R		RSNUTH	2003 R	M	L	Holding: The State has sufficient basis for its eminent domain/condemnation clause actions
		2006 R		PELOTT	2006 R	M	L	
		2009 R		PELOTT	2009 R	M	L	
NY	Kuzmich v. 50 Murray Street Acqui	June 25, 2019	STEN, J.	JONES	2015 D	M	C	Decision is pro-landlord, anti-tenant
		2015 D		DEFORE	2015 D	D	L	Background: Landlord appealed from order of the Supreme Court, New York County, Carol R. Edmond, J., 2017 WL 2842391, deciding that tenant's apartments were subject to rent stabilization. Court addressed question of whether tenant's apartments, which are located in buildings receiving tax b
		2018 D		GARCIA	2018 D	M	C	Holding: The apartments are not subject to luxury abatement
		2017 D		WILSON	2017 D	M	C	
		2018 D		WILSON	2018 D	M	C	
		2015 D		FEINMAN	2015 D	M	C	
NY	State v. Nelson D.	November 26, 2013	RIVERA	LEPMAN	2009 D	M	L	Decision is pro-criminal defendant due process issue
		2009 D		DEFORE	2009 D	M	L	Background: The State filed an article 10 action seeking to subject prisoner, a convicted sex offender who suffered from mental retardation, to civil management. The Supreme Court, Bronx County, Michael A. Cozza, J., entered order that prisoner, as a sex offender requiring strict and intensive sup
		2003 R		RSNUTH	2003 R	D	C	Holding: order to of D&ST doesn't permit comment
		2006 R		PELOTT	2006 R	D	C	
		2009 R		PELOTT	2009 R	D	C	
NY	Toussaint v. Port Authority of New	March 22, 2022	Carrasco, J.	ABDUS-SALAM	2013 D	M	L	Decision is anti-employee, pro-employee, in workplace injury case
		2013 D		LEPMAN	2013 D	M	C	Background: Construction worker who was struck by power supply brought action against the owner, asserting claim for violation of workplace safety statute applicable to owners and contractors, and asserting claim for violation of statute imposing duty on owners to comply with specific health and sa
		2017 D		GARCIA	2017 D	D	L	Holding: Employees not liable for accident
		2018 D		GARCIA	2018 D	M	C	
		2021 D		Singh	2021 D	M	C	
		2016 D		Trothman	2016 D	D	L	
		2018 D		DEFORE	2018 D	M	C	
NY	People v. Papasano	December 12, 2013	RIVERA	LEPMAN	2009 D	M	C	Decision is anti-criminal defendant
		2009 D		DEFORE	2009 D	M	C	Background: The People moved to suppress defendant's statements who paid a bribe to attempted assault without being informed of mandatory postverdict supervision (PVS). The Supreme Court, Erie County, John L. McDonald, J., resentence defendant to a determinate term of 15 years without PVS. Defend
		2003 R		RSNUTH	2003 R	M	C	Holding: No constitutional right had been deprived
		2006 R		PELOTT	2006 R	M	C	
		2009 R		PELOTT	2009 R	M	C	
NY	Bath v. New York State Office of	November 19, 2013	RIVERA	ABDUS-SALAM	2013 D	M	C	Decision is anti-employee in workers compensation case
		2013 D		LEPMAN	2013 D	M	L	Background: Injured worker sought judicial review of decision of Workers' Compensation Board, holding that workers' compensation carrier could take credit against worker's third party settlement recovery.
		2009 R		DEFORE	2009 R	M	C	Holding: The Court of Appeals, Third, Circuit, that carrier was entitled to offset full amount of settlement proceeds.
		2003 R		RSNUTH	2003 R	M	C	
		2006 R		PELOTT	2006 R	M	C	
		2009 R		PELOTT	2009 R	M	C	
NY	People v. Williams	April 5, 2016	FAHEY	ABDUS-SALAM	2015 D	D	L	Decision is anti-criminal defendant on due process issue
		2015 D		GARCIA	2015 D	M	C	Background: Defendant entered a negotiated guilty plea in the Supreme Court, New York County, Edward J. McLaughlin, J., to third-degree criminal sale of controlled substances, and after that court found that defendant had violated a condition of his pre-arresting release, defendant was sentenced.
		2018 D		PELOTT	2018 D	M	C	Holding: Defendants due process rights were not violated
		2006 R		PELOTT	2006 R	M	C	
		2013 D		ABDUS-SALAM	2013 D	M	C	
		2018 D		DEFORE	2018 D	M	C	
		2013 D		RIVERA	2013 D	D	L	

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State	Case	Date	Justices	Appointed in	Appointed by (R/D)	M/D	LC	Reasoning								
ME	In re Child of Radience K.	May 21, 2019	Heim	2014 R		M	L	Decision is pro-child/juvenile, anti-parental rights, in child safety case								
			Saulfley	1997 I		M	L									
			Mead	2007 D		M	L									
			Gorman	2007 D		M	L									
			Jabbar	2009 D		M	L									
ME	In re Child of Troy C.	November 13, 2018	Humphrey	2015 R		M	L	Decision is pro-child/juvenile, anti-parental rights, in child safety case								
			Alexander	1998 I		M	L									
			Saulfley	1997 I		M	L									
			Mead	2007 D		M	L									
			Gorman	2007 D		M	L									
ME	Kezer v. Central Maine Medical Ce	April 5, 2012	Jabbar	2009 D		M	L	Decision is anti-employee in disability claim case								
			Humphrey	2015 R		M	L									
			Alexander	1998 I		M	C									
			Saulfley	1997 I		M	C									
			Mead	2007 D		M	C									
ME	Task v. Fraternal Order of Police	September 25, 2018	Gorman	2007 D		M	L	Decision is pro-union, anti-police								
			Jabbar	2009 D		M	L									
			Humphrey	2015 R		M	L									
			Alexander	1998 I		M	L									
			Saulfley	1997 I		M	L									
ME	State v. Hurd	November 16, 2010	Mead	2007 D		M	L	Decision is pro-criminal defendant								
			Gorman	2007 D		M	L									
			Jabbar	2009 D		M	L									
			Alexander	1998 I		M	L									
			Saulfley	1997 I		M	L									
ME	State v. Ducasce	November 9, 2010	Mead	2007 D		M	L	Decision is anti-criminal defendant								
			Gorman	2007 D		M	C									
			Jabbar	2009 D		M	C									
			Levy	2002 I		M	L									
			Silver	2005 D		D	C									
ME	State v. Dube	March 18, 2014	Alexander	1998 I		M	L	Decision is pro-juvenile, pro-privacy with regards to mental health records,								
			Saulfley	1997 I		M	L									
			Mead	2007 D		M	L									
			Gorman	2007 D		M	L									
			Jabbar	2009 D		M	L									
ME	In re Child of Kenneth S.	February 17, 2022	Levy	2002 I		M	L	Decision is pro-child/juvenile, anti-parental rights, in child protection case								
			Silver	2005 D		M	L									
			Mead	2007 D		M	L									
			Gorman	2007 D		M	L									
			Jabbar	2009 D		M	L									
ME	State v. Cardilli	June 17, 2021	Starfill	2021 D		M	L	Decision is anti-defendant accused of crime								
			Comors	2020 D		M	L									
			Horton	2020 D		M	L									
			Mead	2007 D		M	C									
			Gorman	2007 D		M	C									
ME	State v. Nighingale	November 9, 2023	Jabbar	2009 D		M	C	Decision is anti-defendant accused of crime								
			Mead	2007 D		M	C									
			Horton	2020 D		M	C									
			Starfill	2021 D		M	C									
			Comors	2020 D		M	C									

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State	Case	Date	Justices	Appointed in	Appointed by (R/D)	M/D	L/C	Reasoning				
DE	Stigle v. State	June 25, 2015	Stirne Holland	2014 D 1986 R		M M	C C	Decision is anti-criminal defendant with regards to potential due process issues				
			Valihura	2014 D		M	C					
DE	Potter v. State, Dept. of Correction	November 13, 2013	Steele Jacobs	2000 D 2003 D		M M	C C	Decision is anti-employee on labor and due process issues				
			Ridgley	2004 D		M	C					
DE	Morales v. State	January 28, 2016	Stirne Holland	2014 D 1986 R		M M	C C	Decision is anti-criminal defendant with regards to potential due process issues				
			Valihura	2014 D		M	C					
			Vaughn	1985 R		M	C					
			Seitz	2015 D		M	C					
DE	Coates v. State	October 5, 2012	Holland Jacobs	1986 R 2003 D		M M	C C	Decision is anti-criminal defendant with regards to potential due process issues				
			Ridgley	2004 D		M	C					
DE	Butcher v. State	August 7, 2017	Stirne Traylor	2014 D 2018 R*		M M	L L	Decision is pro-defendant on due process issue				
			Valihura	2014 D		M	L					
			Vaughn	1985 R		M	L					
			Seitz	2015 D		M	L					
DE	Purnell v. State	June 17, 2021	Traylor Valihura	2018 R* 2014 D		M M	L L	Decision is pro-accused criminal defendant on due process and trial issues				
			Vaughn	1985 R		D	C					
			Seitz	2015 D		M	L					
			Montgomery-Reeves	2019 D		M	L					
DE	Pummer v. R.T. Vanderbilt Co., Inc	July 19, 2012	Holland Jacobs	1986 R 2003 D		M M	C C	Decision is anti-employee, pro-employer				
			Ridgley	2004 D		M	C					
			Steele	2000 D		M	C					
DE	Monroe v. State	December 8, 2010	Berger Steele	1994 D 2000 D		M M	C C	Decision is anti-accused criminal defendant on sixth amendment issue				
			Holland	1986 R		M	C					
DE	Benson v. State	April 20, 2020	Seitz Traylor	2003 D 2015 D		M M	C C	Decision is anti-criminal defendant on due process, right to an attorney issues				
			Montgomery-Reeves	2018 R		M	C					
DE	Trice v. State	July 9, 2014	Stirne Berger	2019 D 1994 D		M M	C C	Decision is anti-criminal defendant on potential due process issue				
			Ridgley	2004 D		M	C					
DE	Forehand v. State	June 22, 2010	Holland Jacobs	1986 R 2003 D		M D	C L	Decision is anti-criminal defendant on due process and 8th amendment considerations				
			Ridgley	2004 D		M	C					
			Steele	2000 D		D	L					
DE	Taylor v. State	September 8, 2021	Berger Traylor	1994 D 2018 R*		M M	C L	Decision is pro-criminal defendant on 4th amendment search and seizure grounds				
			Valihura	2014 D		M	L					
			Vaughn	1985 R		M	L					
			Seitz	2015 D		M	L					
DE	Wright v. State	May 19, 2014	Montgomery-Reeves Holland	2019 D 1986 R		M M	L L	Decision is pro-criminal defendant's due process rights and anti-death penalty				
			Jacobs	2003 D		M	L					
			Ridgley	2004 D		M	L					
			Berger	1994 D		M	L					
DE	Crosby-Avant v. State	May 29, 2018	Stirne	2014 D		M	C	Decision is anti-criminal defendant				

DE	Gray v. State	October 9, 2015	Holland	1986 R	M	C	Decision is anti-criminal defendant on Brady issue						
			Vaughn	1985 R	M	C							
			Seitz	2015 D	M	C							
DE	Hernandez-Martinez v. State	November 29, 2023	Seitz	2015 D	M	L	Decision. is pro-criminal defendant						
			Vallhura	2014 D	M	L							
			Griffiths	2023 D	M	L							
DE	Goode v. State	April 4, 2016	Shrine	2014 D	M	C	Decision is anti criminal defendant						
			Holland	1986 R	M	C							
			Seitz	2015 D	M	C							