BALLOTPEDIA COURTS

STATE PARTISANSHIP

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Introduction

Each state within the United States has at least one supreme court, or court of last resort. Oklahoma and Texas both have two courts of last resort, one for civil appeals and one for criminal appeals. As of 2020, there are 345 justice positions on the 52 courts of last resort. The number of justices on each court varies between five and nine. As of 2020, there are 345 justice positions on state supreme courts. The number of justices on each court varies between five and nine. *Note: the total of 345 justices included one senior status position in Connecticut.*

State supreme courts are the ultimate interpreters of state laws and constitutions. They usually hear appeals of the decisions made in the lower trial or appellate courts within their state. A state supreme court's decision is final, so long as the decision does not involve the Constitution of the United States or Federal Law.

The purpose of this study is to evaluate the extent to which each state supreme court justice in the United States was affiliated with either Democratic or Republican Parties within a state at the time of their selection to the court. Few studies have attempted to evaluate the partisanship of all state supreme court justices in the United States. The most reliable studies about the partisanship of state supreme court justices, such as CFscoring (published in 2012)[1] and the PAJID scoring system (published 2000)[2] provide information for few of the justices serving on state supreme courts today.

In this study, we gathered a variety of data on 341 active state supreme court justices across the 50 states in order to understand their partisan affiliations.[3] Based on this research, we placed each justice into one of five categories indicating our *confidence* in their affiliations with either the Democratic or Republican Parties. These categories are Strong Democratic, Mild Democratic, Indeterminate, Mild Republican, and Strong Republican.

Confidence Score

The term *Confidence Score* describes our confidence in the determination of a state supreme court justice's partisan affiliations. A Confidence Score is not a measure of where a justice falls on the political or ideological spectrum, but rather a measure of how much confidence we have that a justice is or has been affiliated with a political party.

A Strong score, therefore, does not mean that we have evaluated the justice to be a staunch member of a political party; rather, a Strong score means that we have been able to trace past involvement with the political party in question.

The range of Confidence Scores that we have found from the data in our study ranges from -17 to 15 on a scale from -18 to 18. We present Confidence Scores in one of five categories, as opposed to a numerical score, in order to stress that our Confidence Scores are not intended to emphasize comparisons between individual justices. Instead, our study compiles information from readily available sources to allow readers to better understand the partisan leanings of supreme court justices in their home states. The categories for justices are:

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[1] *Bonica, Adam and Woodruff, Michael J.* "State Supreme Court Ideology and 'New Style' Judicial Campaigns." accessed October 5, 2020, from https://ssrn.com/abstract=2169664 or http://dx.doi.org/10.2139/ssrn.2169664

[2] *Brace, P., Langer, L., & Hall, M.* "Measuring the Preferences of State Supreme Court Judges. The Journal of Politics, 62(2), 387-413." accessed October 5, 2020, from http://www.jstor.org/stable/2647680

[3] At the time of research (June 15, 2020) there was one position vacant on the state supreme courts of the following states: Connecticut, Kansas, Maine, and New Hampshire.

- Strong Democrat
- Mild Democrat
- Indeterminate[4]
- Mild Republican
- Strong Republican[5]

We measure our confidence in political affiliation of state supreme court justices by considering a variety of factors, such as:

- party registration (current and former)
- donations made by the justice to partisan candidates
- donations made by the justice to political parties themselves
- donations to the justice's own campaign by political parties or bodies with clear political affiliation
- the partisanship of the body responsible for appointing the justice to the state supreme court
- political campaigns that the justice has participated in
- state trifecta status[6]

For more information on our scoring methodology, see the section on page 26 entitled "Scoring Methodology."

Definitions

We use several different terms to describe the relationship between individual justices' Confidence Scores and the makeup of state supreme courts. Below are brief definitions of the terms we use throughout the study.

- **Court Balance Score** attempts to show the balance among justices with Democratic, Republican, and Indeterminate Confidence Scores on a court. Courts with higher positive Court Balance Scores are made up of justices with higher Republican Confidence Scores. Courts with lower negative Court Balance Scores are made of justices with higher Democratic Confidence Scores. Courts closest to zero either have justices with conflicting partisanship or have justices with Indeterminate Confidence Scores. The Court Balance Score is calculated by finding the average partisan Confidence Score of all justices on a state supreme court. For example, if a state has justices on the state supreme court with Confidence Scores of 4, -2, 2, 14, -2, 3, and 4, the Court Balance is the average of those scores: 3.3. Therefore, the Confidence Score on the court is Mild Republican.

- **Pure Partisanship Score** attempts to show our total confidence in partisan affiliations on a court. Courts with a higher Pure Partisanship Score are made up of justices with stronger Confidence Scores overall, regardless of party. Pure Partisanship Score is calculated by finding the average of the *absolute values* of the Confidence Score assigned to each justice. For example, if a state supreme court has seven justices with Confidence Scores of 4, -2, 2, -14, -2, 3, and 4, the Pure Partisanship Score is the average of the absolute values of those scores: 4.4.

- **Aggregate Score** is the total partisan Confidence Score of all justices on a state supreme court or selection method. For example, if a state has seven state supreme court justices with Confidence Scores

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[4] An Indeterminate score indicates that there is either not enough information about the justice's partisan affiliations or that our research found conflicting partisan affiliations.

[5] To see more about our Confidence Score categories see section entitled Scoring Methodology on page 26.

[6] *Ballotpedia*, "State government trifectas," accessed October 5, 2020 from: https://ballotpedia.org/State_government_trifectas

of 4, -2, 2, 14, -2, 3, and 4, the Aggregate Score is the sum of those scores: 23.

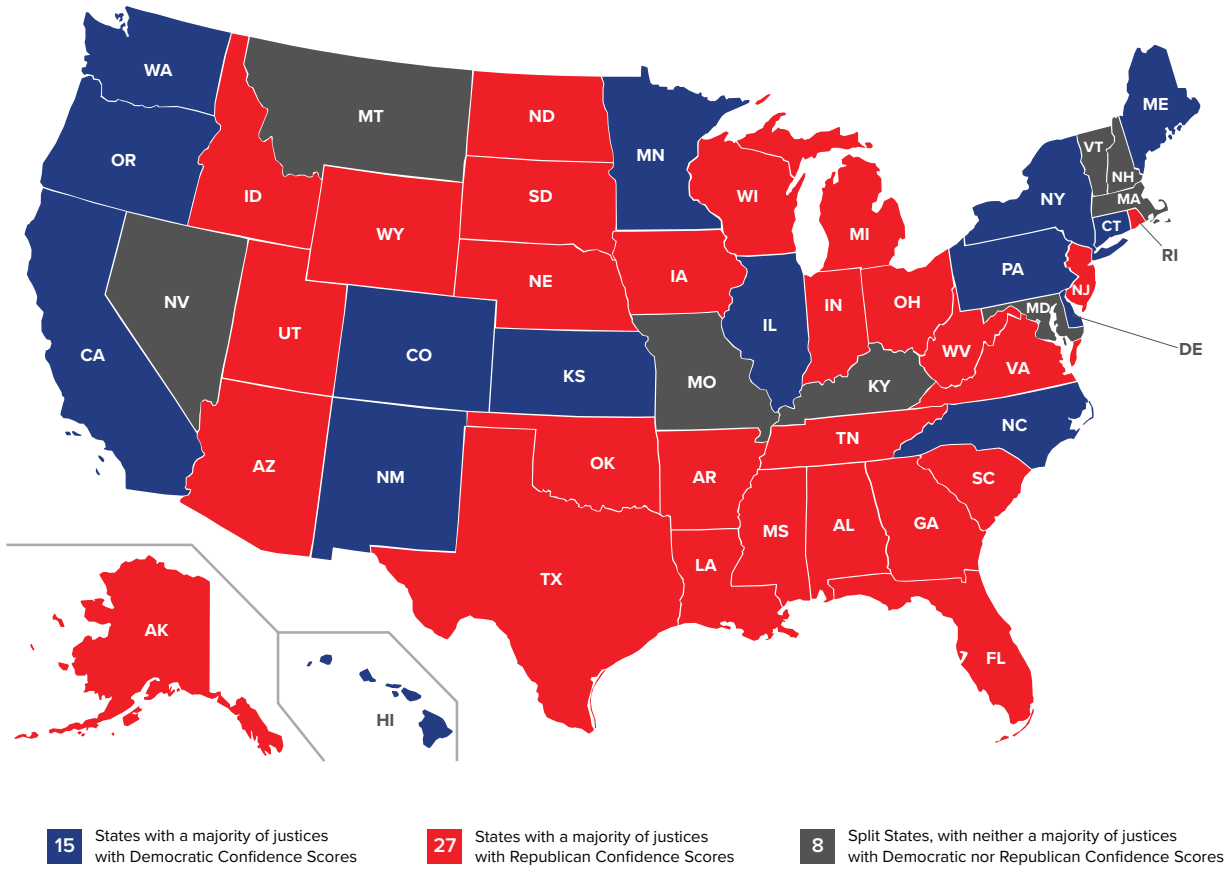
Overview of Confidence Scoring Results

Of the 341 justices studied, 179 (52.5%) are affiliated with the Republican Party, 113 (33.1%) are affiliated with the Democratic Party, and 49 (14.4%) have an indeterminate affiliation.

The proportion of justices affiliated with each party is roughly equal to the percentage of courts with a majority of justices with each party affiliation.

Partisan Majority	Number of States	Percent of States	Number of Justices	Percent of Justices
Democrat	15	30%	113	33.1%
Republican	27	54%	179	52.5%
Split/ Indeterminate	8	16%	49	14.4%

Twenty-seven states (54%) have a majority of justices with Republican Confidence Scores. Fifteen state supreme courts (30%) have a majority of justices with Democratic Confidence Scores. Eight state supreme courts (16%) are not composed of a majority of justices with Democratic Confidence Scores or Republican Confidence Scores due to the number of justices with Indeterminate Confidence Scores. We use the term *split control* to refer to the states that have neither a majority of justices with Democratic Confidence Scores nor a majority of Justices with Republican Confidence Scores.



- Washington has the greatest number of justices with Democratic Confidence Scores, with eight out of nine justices on the court.
- Texas has the greatest number of justices with Republican Confidence Scores, with 18 out of 18 justices on their two courts of last resort.

State	Mild D	Strong D	Mild R	Strong R	Indeterminate	Party Control *Listed in order of (D-R-I)
Total by party	113		179		49	
Total by confidence	78	35	125	54	49	
Alabama	0	0	2	7	0	Republican (0-9-0)
Alaska	0	0	3	0	2	Republican (0-3-2)
Arizona	0	0	4	2	1	Republican (0-6-1)
Arkansas	0	0	3	1	3	Republican (0-4-3)
California	1	3	0	0	3	Democrat (4-0-3)
Colorado	2	2	1	0	2	Democrat (4-1-2)
Connecticut	4	1	0	0	2	Democrat (5-0-2)
Delaware	2	2	0	0	1	Democrat (4-0-1)
Florida	0	0	5	2	0	Republican (0-7-0)
Georgia	0	0	4	3	2	Republican (0-7-2)
Hawaii	4	0	0	1	0	Democrat (4-1-0)
Idaho	0	0	4	1	0	Republican (0-5-0)
Illinois	1	3	3	0	0	Democrat (4-3-0)
Indiana	0	0	4	1	0	Republican (0-5-0)
Iowa	0	1	4	1	1	Republican (1-5-1)
Kansas	4	0	1	1	0	Democrat (4-2-0)
Kentucky	2	0	2	0	3	Split (2-2-3)
Louisiana	2	0	3	1	1	Republican (2-4-1)
Maine	3	1	0	0	2	Democrat (4-0-2)
Maryland	3	0	0	1	3	Split (3-1-3)
Massachusetts	2	0	3	0	2	Split (2-3-2)
Michigan	2	1	0	4	0	Republican (3-4-0)
Minnesota	2	2	2	0	1	Democrat (4-2-1)
Mississippi	2	0	5	2	0	Republican (2-7-0)
Missouri	3	0	3	0	1	Split (3-3-1)
Montana	3	0	0	1	3	Split (3-1-3)
Nebraska	1	0	4	2	0	Republican (1-6-0)
Nevada	1	1	3	0	2	Split (2-3-2)

New Hampshire	1	0	1	1	1	Split (1-2-1)
New Jersey	2	0	4	0	1	Republican (2-4-1)
New Mexico	2	2	1	0	0	Democrat (4-1-0)
New York	6	0	1	0	0	Democrat (6-1-0)
North Carolina	0	6	1	0	0	Democrat (6-1-0)
North Dakota	0	0	3	1	1	Republican (0-4-1)
Ohio	2	0	0	5	0	Republican (2-5-0)
Oklahoma	3	1	7	1	2	Republican (4-8-2)
Oregon	4	3	0	0	0	Democrat (7-0-0)
Pennsylvania	1	4	2	0	0	Democrat (5-2-0)
Rhode Island	1	0	3	0	1	Republican (1-3-1)
South Carolina	0	0	4	0	1	Republican (0-4-1)
South Dakota	0	0	4	1	0	Republican (0-5-0)
Tennessee	2	0	3	0	0	Republican (2-3-0)
Texas	0	0	8	10	0	Republican (0-18-0)
Utah	0	0	4	0	1	Republican (0-4-1)
Vermont	0	1	2	0	2	Split (1-2-2)
Virginia	1	0	4	1	1	Republican (1-5-1)
Washington	8	0	0	0	1	Democrat (8-0-1)
West Virginia	0	1	3	1	0	Republican (1-4-0)
Wisconsin	1	0	2	2	2	Republican (1-4-2)
Wyoming	0	0	4	1	0	Republican (0-5-0)
Total by confidence	78	35	125	54	49	
Total by party	113		179		49	

Highlights

This report begins with state supreme court control compared with state government trifectas on page eight, and ends with pure partisanship scores by year and presidential term on page 25. The report contains 13 sections which begin with broad data on the partisan breakdown of justices across all states, then considers the data within particular states, and finally considers the trend in partisanship on state supreme courts over time. On page 32 we provide a simplified scoring index used to produce the numbers in this study.

Here are some highlights from the Ballotpedia State Supreme Court Partisanship Study

- There are 113 (33.1%) state supreme court justices in the country with Democratic Confidence Scores. There are 179 (52.5%) state supreme court justices in the country with Republican Confidence Scores. There are 49 (14.4%) state supreme court justices with Indeterminate Confidence Scores.

- As of June 2020, there are 128 justices on the state supreme courts who ascended to the bench between the years of 2016 and 2019. Of those justices, 78 (61%) recorded Republican Confidence Scores, 33 (25.8%) recorded Democratic Confidence Scores, and 17 (13.2%) recorded Indeterminate Confidence Scores.
- As of June 2020 there are 185 justices on the state supreme courts who ascended to the bench between the years of 2000 and 2015. Of those justices, 88 (47.6%) recorded Republican Confidence Scores, 70 (37.8%) of those justices recorded Democratic Confidence Scores, and 27 (14.6%) of those justices recorded Indeterminate Confidence Scores.

State Supreme Court Control Compared to State Government Trifectas

A state government trifecta is a term that describes when one political party controls the governorship and both chambers of the legislature in a state.

As of July 2020, there were 36 state government trifectas: 15 Democratic and 21 Republican. Fourteen states had divided governments. There are more courts with Republican majorities than Republican state government trifectas.[7] There are the same number of courts with Democratic majorities as there are with Democratic state trifectas.

	Democratic	Republican	Indeterminate/Split
Number of trifectas (percent of total)	15 (30%)	21 (42%)	14 (28%)
Number of court majorities (percent of total)	15 (30%)	27 (54%)	8 (16%)

Below is a table of the states showing the overlap between Confidence Score majorities and trifecta status. The columns refer to court control and the highlights correspond to the state's trifecta status:

Democrat controlled (15):	Republican controlled (27):	Split control (8):
California	Alabama	Kentucky
Colorado	Alaska	Maryland
Connecticut	Arizona	Massachusetts
Delaware	Arkansas	Missouri
Hawaii	Florida	Montana
Illinois	Georgia	Nevada
Kansas	Idaho	New Hampshire
Maine	Indiana	Vermont
Minnesota	Iowa	

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[7] *Ballotpedia*, "State government trifectas," accessed October 5, 2020 from: https://ballotpedia.org/State_government_trifectas

New Mexico	Louisiana	
New York	Michigan	
North Carolina	Mississippi	
Oregon	Nebraska	
Pennsylvania	New Jersey	
Washington	North Dakota	
	Ohio	
	Oklahoma	
	Rhode Island	
	South Carolina	
	South Dakota	
	Tennessee	
	Texas	
	Utah	
	Virginia*	
	West Virginia	
	Wisconsin	
	Wyoming	

* As of June 2020 the state of Virginia was a Democratic trifecta with a majority of justices with Republican Confidence Scores on the state supreme court.

Breakdown of Justices by Confidence Categories

Total Number of Justices	Strong Democrats	Mild Democrats	Indeterminate Justices	Mild Republicans	Strong Republicans
341	35	78	49	125	54
	10.2%	22.9%	14.4%	36.7%	15.8%

Texas has the most Strong Republican justices, with 10. Altogether, Texas has 18 seats on its two courts of last resort, and every seat is occupied by a justice with a Republican Confidence Score. In Adam Bonica and Michael Woodruff's CFscores study, Texas was the third-most right-leaning state supreme court.

Alabama has the highest percentage of justices with Strong Republican Confidence Scores (78%). The Alabama Supreme Court is composed of seven justices with Strong Republican Confidence Scores out of nine total justices. There are 24 states that have no justices with Strong Republican Confidence Scores. In Bonica and Woodruff's study, Alabama was the fourth-most right-leaning state supreme court.

Texas has the greatest number of justices with Mild Republican Confidence Scores, with eight. There are 11 states that have no justices with Mild Republican Confidence Scores.

North Carolina has the highest concentration of justices with Strong Democratic Confidence Scores (86%). North Carolina has the greatest number of justices with Strong Democratic Confidence Scores, with six. The only other

justice on the seven-member court is a justice with a mild Republican Confidence Score. There are 33 states that have no justices with Strong Democratic Confidence Scores. In Bonica and Woodruff's study, North Carolina was not in the top five most left-leaning state supreme courts.

Washington has the greatest number of justices with Mild Democratic Confidence Scores, with eight. The only other justice on the nine-member court registered an Indeterminate Confidence Score. There are 18 states that have no mild Democrat justices. In Bonica and Woodruff's study, Washington was the fifth-most left-leaning state supreme court.

According to our study, 33.1% of justices record Democratic Confidence Scores, 14.4% of justices record Indeterminate Confidence Scores, and 52.5% of justices record Republican Confidence Scores. In Bonica and Woodruff's study, conducted in 2012, 50.3% of justices recorded liberal ideological leanings and 48.6% of justices recorded conservative ideological leanings. The most common Confidence Score across the state supreme courts is Mild Republican (36.7%). The least common Confidence Score is Strong Democrat (10.2%). As a metric for comparison, Stanford's CFscores study, also conducted in 2012, found that 40 (11.8%) justices had a "very conservative ideological leaning," and 38 (11.2%) justices had a "very liberal ideological leaning." That same study found that 71 (20.9%) justices had a "strong liberal ideological leaning" and 70 (20.5%) justices had a "strong conservative ideological leaning." If the comparison of our scores and CFscores is any indicator, the relative proportional representation of each political leaning across all state supreme courts in America has shifted to Republican control from the last term of Barack Obama's presidency and into the first term of Donald Trump's presidency.

- To see more about the states with the most homogeneous courts in our study, see page 11.

The Most and Least Divided State Supreme Courts

The primary factor in determining the most and least divided state supreme courts in the country is whether the court is split or has a majority of one party on the court. Secondarily, we consider the difference between the low score and the high score of justices on the court, the ratio of justices with strong partisan Confidence Scores to justices with indeterminate Confidence Scores, and the ratio of justices with Democratic and Republican Confidence Scores on the court.

The Least Homogeneous State Supreme Courts

The least homogeneous state with a majority of Democratic-affiliated justices is Illinois, which has four justices with Democratic Confidence Scores and three justices with Republican Confidence Scores.

The least homogeneous states with a majority of Republican-affiliated justices are Michigan, Tennessee, and West Virginia. Michigan has four justices with Republican Confidence Scores and three justices with Democratic Confidence Scores. Tennessee has three justices with Republican Confidence Scores and two justices with Democratic Confidence Scores.

In Michigan, there are four justices with Strong Republican Confidence Scores on the state supreme court, one justice with a Strong Democratic Confidence Score, and two justices with Mild Democratic Confidence Scores. The difference between the high and low scores in Michigan is 25. Michigan justices are chosen through the Michigan-Ohio Method[8] of selection.

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[8] The Michigan-Ohio mode of selection includes a partisan primary election followed by a nonpartisan general election. Only Michigan and Ohio use this mode of selection.

State	Number of Justices with Republican Confidence Scores	Number of Justices with Democratic Confidence Scores	Average of Confidence Scores
Michigan	4	3	3.7
Illinois	3	4	-4
New Jersey	4	2	1
Tennessee	3	2	1.8
Vermont	2	1	-1.2

In Illinois, there are three justices with Mild Republican Confidence Scores on the state supreme court, three justices with Strong Democratic Confidence Scores, and one justice with a Mild Democratic Confidence Score. The difference between the high and low scores in Illinois is 23. Illinois justices are chosen through Partisan Election.

In New Jersey, there are four justices with Mild Republican Confidence Scores on the state supreme court, two justices with Mild Democratic Confidence Scores, and one justice with an Indeterminate Confidence Score. The difference between the high and low Confidence Scores in New Jersey is 18. New Jersey justices are chosen through Direct Gubernatorial Appointment.

In Tennessee, there are three justices with Mild Republican Confidence Scores and two justices with Mild Democratic Confidence Scores on the state supreme court. The difference between the high and low scores in Tennessee is 12. Tennessee justices are chosen through Direct Gubernatorial Appointment.

In Vermont, there is one justice with a Mild Republican Confidence Score on the state supreme court, one justice with a Strong Democratic Confidence Score, and two justices with Indeterminate Confidence Scores. The gap between the high and low Confidence Scores in Vermont is 20. Vermont justices are chosen through Assisted Appointment through a Hybrid Commission.

The split states with two or more justices with Indeterminate Confidence Scores are Kentucky, Maryland, Massachusetts, Montana, Nevada, New Hampshire, and Vermont. Of these states Kentucky, Maryland, and Montana had the greatest number of indeterminate justices, with three.

The Most Homogeneous State Supreme Courts

Alabama, Florida, Indiana, Idaho, South Dakota, Texas, and Wyoming only have justices with Republican Confidence Scores serving on the court.

Oregon only has justices with Democratic Confidence Scores on its supreme court. Delaware, Hawaii, New Mexico, New York, North Carolina, and Washington each have all but one justice with Democratic Confidence Scores.

The Percentage of the Population that Lives in States with Democratic- or Republican-Controlled Courts

Our data revealed trends in the distribution of the population across the country that closely tracked with the breakdown of partisan control over state supreme courts.

Party	Number of State Courts Controlled	Percentage of State Courts Controlled	Number of Justices Across All States	Percentage of Justices Across All States	Percentage of Citizens Who Live in a State with Partisan Leaning	Percentage of Citizens Who Live in a State with Partisan Majority
Democrat	15	30%	113	33.1%	42.3%	39.9%
Republican	27	54%	179	52.5%	57.7%	51.1%
Indeterminate	8	16%	49	14.4%	0%	9%

On 15 (30%) state supreme courts, justices with Democratic Confidence Scores make up a majority of the justices. There are 113 justices with Democratic Confidence Scores (33.1%) in the country. Of the U.S. population, 42.3% of citizens live in states which have a court with a Democrat Court Balance Score, and 39.9% live in a state which has a majority of justices with Democratic Confidence Scores on the court.

On 27 (54%) state supreme courts, justices with Republican Confidence Scores make up a majority on the state supreme court. There are 179 (52.5%) justices with Republican Confidence Scores in the country. Of the U.S. population, 57.7% of citizens live in states with a Republican Court Balance Score, and 51.1% of citizens live in a state which has a majority of justices with Republican Confidence Scores on the court.

On eight courts (16%) neither do justices with Democratic Confidence Scores nor justices with Republican Confidence Scores occupy a majority of the court. Forty-nine justices (14.4%) recorded an Indeterminate Confidence Score, and 9% of citizens live in a state with a split court, or a court with a majority of justices with indeterminate partisan leanings.

Partisanship of Justices Across Judicial Selection Methods

There are three broad categories of state supreme court selection:

- Assisted Appointment
- Direct Appointment
- Election

Within these three broad categories, there are eight ways of administering selection among the states. We classify them with the following subcategories:

- Assisted Appointment
  - *Assisted Appointment through Bar-Controlled Commission* is the method of assisted appointment in which the state bar Association is responsible for appointing a majority of the judicial nominating commission that sends the governor a list of nominees that they must choose from.

        - One state, Kansas, has a bar-controlled commission.
    - *Assisted Appointment through Governor-Controlled Commission* is the method of assisted appointment in which the governor is responsible for appointing a majority of the judicial nominating commission that sends the governor a list of nominees they must choose from.
        - Nine states have a governor-controlled commission: Arizona, Colorado, Connecticut, Delaware, Florida, Iowa, Maryland, Rhode Island, and Utah.
    - *Assisted Appointment through Hybrid Commission* is the method of assisted appointment in which the judicial nominating commission has no majority of members chosen by either the governor or the state bar association. These commissions determine membership in a variety of ways, but no institution or organization has clear majority control.
        - Ten states have a hybrid commission: Alaska, Hawaii, Indiana, Missouri, Nebraska, New York, Oklahoma, South Dakota, Vermont, and Wyoming.[9]

- Direct Appointment
    - *Direct Gubernatorial Appointment* is the method of appointment in which the governor has full power to appoint judges to the state supreme court.
        - Six states use direct gubernatorial appointment: California, Massachusetts, New Hampshire, New Jersey, Maine, and Tennessee.
    - *Direct Legislative Appointment* is the method of appointment in which the state legislature selects a justice to fill a seat on the state supreme court. In states using direct legislative appointment, there is a legislative committee that compiles a shortlist of justices for the entire chamber to vote upon.
        - Two states use direct legislative appointment: Virginia and South Carolina.

- Election
    - *Michigan-Ohio Method* is the method of selecting justices through nonpartisan elections preceded by a partisan primary or convention. In these states, penultimate selection takes place on partisan ballots, and the winners of each partisan primary compete in a nonpartisan election for ultimate selection to the court.
        - Two states hold partisan primaries before nonpartisan elections: Michigan and Ohio.
    - *Partisan Election* is the method of selecting state supreme court justices in which candidates appear on a ballot with an indication of their political party.
        - Seven states use this method: Alabama, Illinois, Louisiana, New Mexico, North Carolina, Pennsylvania, and Texas.
    - *Nonpartisan Election* is the method of selecting state supreme court justices through democratic elections in which the justices do not run as registered members of a political party.
        - 13 states use this method: Arkansas, Georgia, Idaho, Kentucky, Minnesota, Mississippi, Montana, Nevada, North Dakota, Oregon, Washington, Wisconsin, and West Virginia.

This section includes a summary of the Court Balance Scores and Pure Partisanship Scores for state supreme courts using each of the eight selection methods.

Court Balance Score attempts to show the balance among justices with Democratic, Republican, and Indeterminate Confidence Scores on a court. The Pure Partisanship Score attempts to show our total confidence in partisan affiliations on a court. Selection methods with a lower Pure Partisan Score have, on average, justices with lower Confidence Scores, without consideration of the specific party for which there is evidence

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[9] New Mexico has a hybrid-commission for vacancy appointments, but all judges must face a partisan election.

of their party affiliation. Selection methods that record a lower negative Court Balance Score have Democratic Confidence Scores that outweigh the Republican Confidence Scores. Selection methods that record a higher positive Court Balance Score have Republican Confidence Scores that outweigh Democratic Confidence Scores. Selection methods that record a Confidence Score closer to zero have a more equal representation of justices with a Confidence Score for each party.

Selection Method	Number of States	Number of Justices	Court Balance Score	Pure Partisanship Score	Median Score
All Selection Methods	50	341	1.7	7	4
Assisted Appointment (Bar Controlled)	1	6	-0.5	5.5	-4
Assisted Appointment (Gov. Controlled)	10	60	0.8	6.3	2
Assisted Appointment (Hybrid)	10	67	2.7	6.3	4.5
Direct Gubernatorial Appointment	5	31	-1.2	5.8	0
Direct Legislative Appointment	2	12	3.7	5	4
Michigan-Ohio Method	2	14	5.4	11	11.5
Nonpartisan Election	13	91	1	6.4	2
Partisan Election	7	60	2.7	9.8	7

Assisted Appointment Through a Bar-Controlled Commission Produced the Lowest Average Pure Partisan Score

The method of selection yielding the lowest average Pure Partisanship Score is Legislative Selection. The average Pure Partisanship Score of justices selected by the state legislature is 5, compared to the national average of 7. Only two states use legislative selection to choose state supreme court justices: South Carolina and Virginia.

The mode of selection that accounts for the second least partisan average is Assisted Appointment through a judicial nominating commission in which the majority of the members are appointed by the state bar association. The average Pure Partisanship Score for justices chosen through a bar-controlled judicial nominating commission is 5.5. Only one state (Kansas) selects its justices using Assisted Appointment through a Bar-controlled commission.

Direct Gubernatorial Appointment results in the third-lowest average Pure Partisanship Score for justices with an average score of 5.8. Five states use Direct Gubernatorial Appointment to select state supreme court justices: California, Massachusetts, New Jersey, Maine, and Tennessee.

The Michigan-Ohio Method of Selection Produced the Highest Average Pure Partisan Score

Of all selection methods, the Michigan-Ohio method produced justices with the highest Pure Partisanship Score, on average. Whereas the average Pure Partisanship Score for justices nationally is 7, justices in Michigan and Ohio record an average Pure Partisanship Score of 11. Michigan and Ohio are the only states that use the Michigan-Ohio method, which consists of a partisan primary followed by a nonpartisan general election. Of the

14 justices in Michigan and Ohio, four justices were selected by the governor to fill vacancies on the court, all of whom are members of the Michigan Supreme Court. Not including the scores for the four justices chosen to fill vacancies, the Michigan-Ohio method records an average Pure Partisanship Score of 10.3.

The method of selection which accounts for the second-highest average Pure Partisanship Score is Partisan Election, which records a score of 9.8. Seven states use this method: Alabama, Illinois, Louisiana, New Mexico, North Carolina, Pennsylvania, and Texas.

The method of selection that accounts for the third-highest average Pure Partisan Score is Nonpartisan Election, which records a score of 6.4. This method is used by 13 states: Arkansas, Georgia, Idaho, Kentucky, Minnesota, Mississippi, Montana, Nevada, North Dakota, Oregon, Washington, Wisconsin, and West Virginia.

Comparison of Appointment Methods by Court Balance Score and Median Court Score

According to our findings, there is little correlation between the selection method and increased selection of justices from a single party. Specific selection methods do not favor a specific party. There is a greater correlation between the partisan makeup of the state and the Court Balance Score in that state.

Selection Method	Median Score	Court Balance Score	Pure Partisanship Score
Assisted Appointment (Bar)	-4	-0.5	5.5
Direct Gubernatorial Appointment	0	-1.2	5.8
Assisted Appointment (Gov. Controlled)	2	0.8	6.3
Nonpartisan Election	2	1	6.4
Direct Legislative Appointment	4	3.7	5
Assisted Appointment (Hybrid)	4.5	2.7	6.3
Partisan Election	7	2.7	9.8
Michigan-Ohio Method	11.5	5.4	11

When evaluated by the median score, the most partisan mode of appointment is the Michigan-Ohio method. The Michigan-Ohio method had a median score of 11.5. Assisted Appointment through a bar-controlled judicial nominating commission is the method with the strongest Democratic tendency, with a median score of -4. The mode of appointment which yielded the lowest median score was Direct Gubernatorial Appointment which recorded a median score of 0.

The mode of appointment with the highest Court Balance Score was the Michigan-Ohio method. The Michigan-Ohio method had an average score of 5.4, indicating an average Republican balance. Direct Gubernatorial Appointment is the method with the strongest Democratic tendency, recording a Court Balance Score of -1.2. The modes of appointment with the Court Balance Scores closest to zero were Assisted Appointment through a governor-controlled commission, recording a score of 0.9, and Assisted Appointment through a bar-controlled commission, recording a score of -0.5.

The relationship between partisanship and the appointment method is not necessarily causal. According to the data from our study, partisanship on the state supreme court is rooted in partisan control of the state government rather than the appointment method. For example, though Direct Gubernatorial Appointment seems to have a higher likelihood of selecting Democratic justices, this has little to do with the method itself and more to do with the states where the method is employed. California has had mostly Democratic governors in the last 20 years; likewise, California's Democratic governors have appointed justices with Democratic Confidence Scores.

Two states which use the Partisan Election method of selection, Illinois and Alabama, achieve a very different partisan balance on the court, despite employing the same method of selection. Alabama records the highest average Republican Confidence Score of any state supreme court (11.9). Illinois records a Democratic Confidence Score (-4).

Difficulties with Our Analysis of Pure Partisanship Scores by Selection Method

These are the possible exceptions to our analysis of Pure Partisanship Scores by the selection method. Some methods are used by just one or two states. Unique circumstances in any one of those states are likely to affect our assessment of Confidence Scores as they relate to selection methods.

- In Michigan, a majority of the justices at the time of our study were chosen as vacancy appointments as opposed to the Michigan-Ohio Method.
- Legislative Selection is only used by two states: South Carolina and Virginia.
- Kansas is the only state which uses Assisted Appointment through a Bar-Controlled Commission.

Michigan-Ohio Method

In the Michigan-Ohio Method, voters select state supreme court justices who run in a partisan primary followed by a nonpartisan general election.

When grouped by selection method, the two states that primarily use the Michigan-Ohio Method have the highest average Pure Partisanship Score.

In Michigan, four of seven justices studied were appointed by the governor to fill a vacancy on the court. They were not selected through a partisan primary followed by a nonpartisan election. In fact, the justices with the strongest Confidence Scores were all chosen as an exception to the state's ordinary selection method. These justices chosen as exceptions all received Strong Republican scores, while those chosen through the ordinary selection method received Mild to Strong Democratic Confidence Scores. The average Pure Partisanship Score of justices chosen to fill vacancies in Michigan is 12.8. Excluding the justices chosen as an exception to the state's selection method, the Michigan Supreme Court's Pure Partisan Score is 8.4.

Without considering exceptions to the Michigan-Ohio method, the Pure Partisan Score of justices chosen through the Michigan-Ohio method is 11, which still results in the highest Pure Partisan Score of all selection methods.

Legislative Selection in South Carolina and Virginia

Two states use the Direct Legislative Selection method: South Carolina and Virginia. Legislative selection resulted in an average Pure Partisanship Score of 5. The national average is 7.

South Carolina has four justices with Mild Republican affiliation and one justice with Indeterminate partisan affiliation. The Court Balance Score for South Carolina is 4.2, Mildly Republican. The pure partisanship score of South Carolina's justices is 4.6, compared to the national average of 7.

Virginia has one justice with Strong Republican affiliation, three justices with Mild Republican affiliation, one justice with Mild Democratic affiliation, and two justices with Indeterminate partisan affiliation. The Court Balance Score for Virginia is 3.3, Mildly Republican. The pure partisan score of Virginia's justices is 5.3, compared to the national average of 7.

Kansas and Assisted Appointment Through a Bar-Controlled Commission

Kansas is the only state in the country that appoints its state supreme court justices through a judicial nominating commission with a majority of members appointed by the State Bar Association. The Court Balance Score for Kansas is -0.5, or Indeterminate. The State has an average Pure Partisanship Score of 5.5.

Partisan Balance Rules

- Delaware is the only state in the country with a constitutional requirement mandating partisan balance on the state supreme court.
- States like New Jersey and Massachusetts have informal, but no constitutional rules which mandate balance on the state supreme court.
- In the section below, we provide data to consider whether such partisan balance requirements work in practice.

Delaware

In 1851, Delaware amended its state constitution and became the first state in the country to constitutionally mandate partisan balance on its state supreme court. Delaware's constitution reads:

> three of the five Justices of the Supreme Court in office at the same time, shall be of one major political party, and two of said Justices shall be of the other major political party.[10]

As of 2020, Delaware remains the only state with such a requirement in its constitution.[11]

Below is a table which shows the justices on the Delaware Supreme Court, the Governor responsible for the appointment, and our Confidence Score for each justice:

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[10] *delaware.gov*, "Delaware Constitution, Article 4, Section 3." accessed October 5, 2020 from: https://delcode.delaware.gov/constitution/constitution-05.shtml#:~:text=(1)(a)%20To%20receive,jury%2C%20if%20supported%20by%20evidence%2C

[11] This provision of the Delaware constitution will come before the state supreme court because of a case called Carney v. Adams.

State	Governor	Justice	Leaning
Delaware	Appointed by John Carney (D)	Tamika Montgomery-Reeves	Mild Democrat
Delaware	Appointed by Jack Markell (D)	Karen Valihura	Indeterminate
Delaware	Appointed by John Carney (D)	Gary Traynor	Mild Democrat
Delaware	Appointed by Jack Markell (D)	James T. Vaughn	Strong Democrat
Delaware	Appointed by John Carney (D)	Collins Seitz	Strong Democrat

Delaware's constitution mandates that there must be partisan balance on the state supreme court. Our confidence measure shows that there are two Strong Democrats on the court, two Mild Democrats, and one Indeterminate justice. Although Gary Traynor is a registered Republican, the Federal Election Commission records that he has consistently donated to Democratic political campaigns and has no recorded donations to Republican campaigns.

Karen Valihura is also a registered Republican in the state. Unlike Traynor, she has donated to Republican campaigns throughout her career but provides no further evidence of partisanship.

New Jersey

The National Center for State Courts describes New Jersey's informal process of ensuring partisan balance on its state supreme court as follows:

> New Jersey's courts also have a tradition of political balance. Governors, regardless of their party affiliation, have generally followed a policy of replacing outgoing judges with someone of the same party or philosophy. On the supreme court, the traditional balance is three Democrats and three Republicans, with the chief justice belonging to the party of the appointing governor.[12]

The state of New Jersey has two rules governing judicial appointments, one written, one unwritten. The written law requires that justices are subject to reappointment by the governor and reconfirmation by the legislature after an initial seven-year term. The unwritten rule is that the governor of the state of New Jersey is to appoint justices in a way that alternates the party of the justice each time he receives the opportunity to appoint a new justice to the court or to ensure partisan balance on the court.

Below is a table which shows the justices on the New Jersey Supreme Court, the Governor responsible for the appointment, and our Confidence Score for each justice:

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[12] *National Center for State Courts.* (n.d.). "*Judicial Selection in the States: New Jersey.*" accessed October 5, 2020 from http://www.judicialselection.us/judicial_selection/index.cfm?state=NJ#:~:text=Judicial%20Selection%20in%20the%20States%3A%20New%20Jersey&text=The%20superior%20court%20is%20the,reach%20the%20age%20of%2070

State	Governor	Justice	Leaning
New Jersey	Appointed by Chris Christie (R)	Lee A. Solomon	Mild Republican
New Jersey	Appointed by John Corzine (D)	Stuart Rabner	Mild Democrat
New Jersey	Appointed by Chris Christie (R)	Anne Patterson	Mild Republican
New Jersey	Appointed by Christine Todd Whitman (R)	Jaynee LaVecchia	Mild Republican
New Jersey	Appointed by James McGreevey (D)	Barry T. Albin	Mild Democrat
New Jersey	Appointed by Chris Christie (R)	Walter F. Timpone	Indeterminate
New Jersey	Appointed by Chris Christie (R)	Faustino J. Fernandez-Vina	Mild Republican

While John Corzine (D) was governor of New Jersey, he appointed two justices to the court, Helen Hoens and Stuart Rabner. One of his nominees, Stuart Rabner, was Gov. Corzine's chief legal counsel and the attorney general for the state of New Jersey. Gov. Corzine also reappointed two Republican-leaning justices nominated to the bench by Governor Christine Todd Whitman (R) and one Democratic-leaning justice appointed to the bench by Governor James McGreevey (D).

Governor Chris Christie (R) broke precedent in attempting to appoint another Republican-leaning justice to the state supreme court without first reappointing Justice Rabner. Gov. Christie also did not reappoint Helen Hoens, who was first appointed by Governor Christine Todd Whitman, and stated that he did so because he knew the Senate would reject her nomination. Justice Hoens is only the second justice in the history of New Jersey to sit on the court and not receive renomination after her second term. The only previous justice not to receive renomination was Justice John E. Wallace, a Gov. James McGreevey (D) appointment who Gov. Christie also did not renominate.

Gov. Christie's Republican appointments recorded lower partisan Confidence Scores than the justices appointed by Whitman and Corzine. Christie's appointments record an average Pure Partisan Score of 4.5. Whitman's justices register an average Pure Partisan Score of 7. Corzine's justices register an average Pure Partisan Score of 9. McGreevey's justices record an average Pure Partisan Score of 7.

Although some states have rules to ensure partisan balance on the state supreme court, such rules don't prove a failsafe solution to creating balance on the court. Even within those rules, governors tend to find ways of appointing justices of their own party who have greater attachment to the party and justices of the opposite party who have fewer partisan ties.

Retention Elections

Pure Partisanship scores are roughly 0.3 points lower for states that have retention elections. The average Pure Partisan scores for justices in states that use retention elections is 6.8, while the average for states that do not use retention elections is 7.1.

State supreme court justices facing retention elections experienced better chances of being re-elected than their incumbent counterparts in other systems of appointment. Since 2008, there have been 155 justices who

faced retention elections. Incumbent justices won 152 (98%) of these elections. Since 2008, incumbent justices in non-retention elections have faced 196 elections. The incumbent justices won 176 (90%) of these elections. Incumbent justices experienced a 93% win rate across all selection methods.

Since 2008, Iowa is the only state that has seen retention elections where justices were not retained. Iowa supreme court justices Marsha K. Ternus, Michael J. Streit, and David L. Baker lost their retention elections in 2010. This was widely recognized as a reaction to their participation in a decision to remove the state ban on same-sex marriage in the 2009 decision of *Varnum v. Brien*. Ternus was appointed by Republican Governor Terry Branstad, while Baker and Streit were appointed by Democratic governors. They were replaced by Bruce Zager, Thomas Waterman, and Edward Mansfield, all three of whom were appointed by Republican governor Terry Branstad in 2011. Zager's seat was filled in 2018 by Susan Christensen, who was appointed by Republican Governor Susan Reynolds. Waterman and Christensen registered Mild Republican Confidence Scores, while Mansfield registered an Indeterminate Confidence Score.

In at least two other states there have been unsuccessful attempts to unseat sitting justices with campaigns against their retention. In 2014, Justice Lloyd Karmeier faced opposition in his retention election bid for his seat on the Illinois Supreme Court. He was retained by 0.8 percent of the vote. Karmeier recorded a Mild Republican Confidence Score. Illinois has been a Democratic trifecta for 14 out of the last 18 years.

In 2014, Tennessee Senate Speaker Ron Ramsey (R) led the opposition to the retention of Chief Justice Gary R. Wade and Justices Cornelia Clark and Sharon Lee. All three justices were appointed by Democratic Governor Phil Bredesen. They were narrowly retained on August 7, 2014. Justices Clark and Lee both recorded Mild Democratic Confidence Scores. Tennessee has been a Republican trifecta for the last 10 years.

Retention elections are meant to hold justices accountable after their first years on the state supreme court. According to courts.missouri.gov, "The nonpartisan plan also gives the voters a chance to have a say in the retention of judges selected under the plan.... The purpose of this vote is to provide another accountability mechanism of the nonpartisan plan to ensure quality judges."[13] But few justices are rejected through retention elections after serving on the state supreme court. For example, no incumbent justice has lost a retention election in Missouri history.[14]

Vacancy Appointments

We refer to the method of selection as "exception" when a justice is appointed to fill a vacancy by a method other than the state's ordinary method of selection. We consider justices appointed to fill vacancies exceptions because they rise to the bench in a way different from the state's ordinary method of selection to the court. In every state except Illinois, vacancies to the state supreme court afford the governor more power than usual over the selection of a justice. Most Assisted Appointment states use the existing judicial nominating commission to provide the governor with a list of nominees from which they may choose. All states, except Illinois, give the governor power to appoint a justice of his choice. Partisan vacancy appointments are important because they give the justice the advantage of incumbency when they run in retention elections.

The average Partisan Leaning Score of state supreme court justices in the United States is 1.7, and the average Partisan Leaning Score of exceptions is 1.5. Across all states, the average Pure Partisan Score of justices appointed to fill a vacancy on the court is 8.3, whereas the average Pure Partisan Score for all justices across

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[13] *courts.mo.gov.* "Nonpartisan Court Plan." accessed October 5, 2020, from https://www.courts.mo.gov/page.jsp?id=297

[14] *Ballotpedia*, "Retention election." accessed October 5, 2020, from https://ballotpedia.org/Retention_election

the United States is 7.1. The percentage of state supreme court justices initially appointed to fill a vacancy on the court is 21.4%.

Below is a table comparing the leanings of vacancy appointments to justices appointed by the ordinary method of selection:

Partisan Category	Number of Exceptions	Percentage of total Exceptions by Category	Total Justices in Category	Percentage of Total Number of Justices in Category
Strong Republican	17	23.6%	54	15.8%
Strong Democrat	12	16.6%	35	10.3%
Mild Republican	21	29.3%	124	36.7%
Mild Democrat	15	20.8%	78	22.9%
Indeterminate	7	9.7%	49	14.3%

There are 17 justices with Strong Republican Confidence Scores who have been appointed to fill vacancies, 12 justices with Strong Democratic Confidence Scores, 21 justices with Mild Republican Confidence Scores, 15 justices with Mild Democratic Confidence Scores, and seven justices with Indeterminate Confidence Scores. When considering all justices regardless of appointment method, 54 have been appointed with Strong Republican Confidence Scores, 35 have been appointed with Strong Democratic Confidence Scores, 123 have been appointed with Mild Republican Confidence Scores, 79 have been appointed with Mild Democratic Confidence Scores, and 49 have been appointed with Indeterminate Confidence Scores.

To fill vacancies: 7.5% more justices with Strong Republican Confidence Scores were appointed than average, 6.3% more justices with Strong Democrats Confidence Scores were appointed, and 4.6% fewer justices were appointed with Indeterminate Confidence Scores than average.

Highest Confidence Scores

Many states hold partisan elections for state supreme court, yet the judicial code of conduct discourages justices from political activity. In this section, we list some of the justices who recorded the highest Confidence Scores.

The code of conduct for United States Judges reads as follows:

> Canon 1: A Judge Should Uphold the Integrity and Independence of the Judiciary
> Canon 2: A Judge Should Avoid Impropriety and the Appearance of Impropriety in All Activities
> Canon 3: A Judge Should Perform the Duties of the Office Fairly, Impartially and Diligently
> Canon 4: A Judge May Engage in Extrajudicial Activities That are Consistent With the Obligations of Judicial Office
> Canon 5: A Judge Should Refrain From Political Activity[15]

While the judicial code of conduct is binding on every justice in the United States, and all seek to live up to

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[15] *uscourts.gov.* "Code of Conduct for United States Judges." accessed October 5, 2020 from https://www.uscourts.gov/judges-judgeships/code-conduct-united-states-judges

its ideals, it is unclear to what extent Canons 4 and 5 should modify a judge's behavior outside of the court. For example, should an aspiring judge refrain from partisan political activity? What exactly is the line between "extrajudicial activities" and "political activities?" Although the judicial code of conduct asks judges to refrain from political activity, six states hold partisan elections for state supreme court seats, and two states hold partisan primaries before a nonpartisan general election. In short, partisan activity and judicial selection have become blended in several states across the country.

Our justice Confidence Scores rely on data drawn from a justice's political activity before they took the bench and should not be taken as a measure of the extent to which a justice has broken the fifth canon of the judicial code of conduct. Our confidence measure seeks to inform citizens of the partisan affiliations of justices before their selection to the state supreme court.

The justices for whom we have the most confidence of their Democratic political affiliation are Anne Burke from Illinois and Chris Garrett from Oregon. The justices for whom we have the most confidence in their Republican affiliation are Pat Dewine from Ohio and Kelly Wise from Alabama.

Indeterminate Justice Confidence Scores

Our study recorded 47 justices with Indeterminate Confidence Scores, or 13.7% of all justices. Twenty-one states (42%) have no indeterminate justices, and 29 states (58%) have at least one indeterminate justice.

Below is a table which shows the number of justices with Indeterminate Confidence Scores by state:

Number of Indeterminate Justices	List of States
1	Arizona, Delaware, Iowa, Louisiana Minnesota, Missouri, New Hampshire, New Jersey, North Dakota, Rhode Island, South Carolina, Utah, Virginia, Washington
2	Alaska, Colorado, Connecticut, Georgia, Maine, Massachusetts, Nevada, Oklahoma, Vermont, Wisconsin
3	Arkansas, California, Kentucky, Maryland, Montana

There are two reasons why a justice might record an Indeterminate Confidence Score in our study.

1. Conflicting data: Some justices have conflicting data because they changed their political affiliation. Others may provide conflicting data because they only loosely affiliate with their political party, but have, in some instances, affiliated with the opposite party. Most commonly, justices have recorded Indeterminate Confidence Scores because they are affiliated with one party, but have been appointed by a governor of the opposite party, or have been selected in a state with a trifecta controlled by the opposite party.

2. Inadequate data: Other justices record Indeterminate Confidence Scores because the data on their political affiliation is either not available because of a lack of coverage of state supreme court races in the state, or because the justice is a recent appointment in a state that does not rely on political parties in its method of selection.

Of the justices with Indeterminate Confidence Scores, 19 have Indeterminate Confidence Scores due to inadequate data, and 28 have Indeterminate Confidence Scores due to conflicting data.

Below is a table displaying the justices who recorded Indeterminate Confidence Scores due to inadequate data and conflicting data:

Indeterminate due to conflicting data (28)		Indeterminate due to inadequate data (19)	
Alaska	Peter Maassen	Alaska	Susan Carney
Arizona	Ann Timmer	Arkansas	Josephine Hart
Arkansas	Robin Wynne	California	Carol Corrigan
Arkansas	Dan Kemp	Connecticut	Christine Vertefeuille
California	Ming Chin	Kentucky	Samuel T. Wright III
California	Tani G. Cantil-Sakauye	Kentucky	John Minton
Colorado	Carlos Armando Samour Jr.	Louisiana	Marcus Clark
Colorado	Brian Boatright	Maine	Thomas Humphrey
Connecticut	Richard Robinson	Maryland	Brynja McDivitt Booth
Delaware	Karen Valihura	Minnesota	Anne McKeig
Georgia	John Ellington	Missouri	George Draper
Georgia	Michael P. Boggs	Montana	Laurie McKinnon
Iowa	Edward Mansfield	Oklahoma	Noma D. Gurich
Kentucky	Lisabeth Tabor Hughes	Rhode Island	Maureen McKenna Goldberg
Maine	Catherine Connors	Vermont	Harold Eaton
Maryland	Jonathan Biran	Vermont	Karen R. Carroll
Maryland	Michele D. Hotten	Virginia	S. Bernard Goodwyn
Massachusetts	Kimberly S. Budd	Washington	Susan Owens
Massachusetts	Frank Gaziano	Wisconsin	Ann Walsh Bradley
Montana	Dirk M. Sandefur		
Montana	Ingrid Gustafson		
Nevada	Lidia Stiglich		
Nevada	Abbi Silver		
New Hampshire	James Bassett		
New Jersey	Walter F. Timpone		
North Dakota	Gerald VandeWalle		
Oklahoma	David B. Lewis		
South Carolina	Donald Beatty		

Below are examples of partisanship data of the justices for whom we assigned Indeterminate Confidence Scores:

Indeterminates Due to Conflicting Data

Below are some examples of state supreme court justices with indeterminate scores due to conflicting partisan data.

- **Michael P. Boggs, Georgia, Nonpartisan Election**

Justice Boggs has donated $2,400 to Democrats and $2,175 to Republicans. He is a former Democratic Member of the Georgia State Legislature. He was appointed to the Georgia Supreme Court by Gov. Nathan Deal (R) at a time when the state was under the control of a Republican Trifecta. He was nominated by President Barack Obama (D) to a federal court but rejected by Democrats in the Senate. Sen. Patrick J. Leahy, who led the Judiciary Committee said, "It had become clear after talking to his colleagues that Mr. Boggs, under fire from Democrats for his conservative positions, could not win committee support... Mr. Boggs earns the unusual distinction as the first Obama judicial nominee this term to fail because of Democratic opposition."[16]

- **Lidia Stiglich, Nevada, Nonpartisan Election**

Justice Stiglich is a former member of the Democratic Party. She has donated $2,698.10 to Democratic candidates, among whom was Hillary Clinton in 2016. She is former legal counsel for Lieutenant Gov. Brian K. Krolicki (R). She received campaign donations from the Nevada Board of Education, which donates most frequently to Democratic candidates. She also received endorsements from Republicans, among whom were Lieutenant Gov. Mark Hutchison (R) and Gov. Brian Sandoval (R).

Indeterminates Due to Lack of Data

Below are some examples of state supreme court justices with indeterminate scores due to conflicting partisan data.

- **Samuel T. Wright III, Kentucky, Nonpartisan Elected**

Justice Wright has donated $500 to Republican candidates. Kentucky was a split state government at the time of Wright's election. Wright was not affiliated with a political party at the time of his election to the court.

- **Harold Eaton, Vermont, Assisted Appointment**

Justice Eaton has donated $400 to Republican candidates. Vermont was under a Democratic-controlled trifecta at the time of his appointment to the court. He was appointed to the supreme court by Gov. Peter Shumlin (D). He was appointed to the Vermont Superior Court by Jim Douglas (R).

Pure Partisan Scores

The average Pure Partisanship Score of state supreme court justices across the United States is 7.1. The average Court Balance Score of the state supreme courts is 1.7.

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[16] *The New York Times.* "Obama Not Bailing on a Judicial Nominee." accessed October 8, 2020 from https://www.nytimes.com/politics/first-draft/2014/09/22/?entry=86

Pure Partisan Scores by Presidential Term

According to our data, there has been a correlation between state supreme court justice partisanship and the party of the president. In the first four years of George W. Bush's presidency, the court balance score across the United States was 1.2, a Republican average. In the last four years of Bush's presidency, the average score was a -0.6, a Democratic average. Following that period, Barack Obama (D) was elected president. In the last four years of Obama's presidency, the average court balance score was 1.8, a Republican average. Following that period Donald Trump (R) was elected president.

Timeframe	Total Number of Justices	Pure Partisan Aggregate	Pure Partisan Average	Partisan Aggregate	Court Balance Score
1978-2000	27	163	6.0	39	1.4
2001-2004	29	218	7.5	36	1.2
2005-2008	37	236	6.4	-24	-0.6
2009-2012	57	386	6.8	74	1.3
2013-2016	83	563	6.8	149	1.8
2017-2020	108	829	7.7	293	2.7
Total	341	2,395	7.0	567	1.7

From 2017-2020 more state supreme court justices took the bench than in any four-year period since 1978.[17] The average Pure Partisanship Score of justices jumped almost a full point from the last four years of Barack Obama's presidency through the first four years of Donald Trump's presidency. Those justices provided more partisan data than in previous years, leaning 0.9 points further in the direction of the Republican Party.

Pure Partisan Scores by Year

Year	Total Judges	Partisan Average	Number of Republicans	Number of Democrats	Republican Average	Democrat Average
2000	9	3.2	6	1	6.2	-8
2001	5	-0.6	2	3	11	-8.3
2002	2	-1	1	1	5	-7
2003	10	0.9	5	4	7.4	-7.5
2004	12	2.7	8	4	7.6	-7.3
2005	7	2.1	3	2	7	-4.5
2006	8	-4.3	2	5	8.5	-10.6
2007	10	-2.8	2	5	6	-7
2008	12	1.9	7	4	7	-7
2009	10	2.4	6	3	7.2	-7.3
2010	11	3.5	7	3	8.9	-8.3

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[17] Our study was completed in June of 2020, so the total number of justices who rose to the bench in 2020 only considers those justices who joined the court prior to June 2020.

Year	Total Judges	Partisan Average	Number of Republicans	Number of Democrats	Republican Average	Democrat Average
2011	16	-2.9	3	9	7.3	-7.3
2012	20	2.9	10	5	8.8	-7
2013	14	1.5	8	6	8.4	-7.7
2014	15	1.3	7	5	7.6	-6.8
2015	24	-0.6	11	10	6	-8
2016	30	4.1	20	4	8.1	-8.7
2017	36	3.7	23	8	7.7	-5.9
2018	33	2.4	19	10	9.2	-9
2019	29	1.8	16	11	9.9	-9.7
2020	10	3.1	6	3	7.3	-4.7
Totals/ Averages	323	1.7	172	106	8	-7.8

The year with the highest average Democratic Confidence Score was 2006, recording an average Court Balance Score of -4.6. In 2006, eight justices were appointed to the courts, five of whom recorded Democratic Confidence Scores, two of whom recorded Republican Confidence Scores, and one of whom recorded an Indeterminate Confidence Score.

The year with the highest average Republican Confidence Score was 2016, recording an average Court Balance Score of 4.1. In 2016, 30 total justices were appointed to the court, 20 of whom recorded Republican Confidence Scores, four of whom recorded Democratic Confidence Scores, and six of whom recorded Indeterminate Confidence Scores.

The average number of justices appointed to the court from 2016-2019 was 32. According to our Confidence Scores, 78 (61%) of those justices recorded Republican Confidence Scores, 33 (25.8%) of those justices recorded Democratic Confidence Scores, and 17 (13.2%) recorded Indeterminate Confidence Scores.

The average number of justices appointed to the state supreme courts from 2000-2015 was 12. Eighty-eight (47.6%) of those justices recorded Republican Confidence Scores, 70 (37.8%) of those justices recorded Democratic Confidence Scores, and 27 (14.6%) of those justices recorded Indeterminate Confidence Scores.

Scoring Methodology

Data gathered on each justice is placed into one of two tiers, based on how representative we believe that data may be about partisanship.

- Factors in Tier 1 are most representative of partisanship. We assign them a three-point value. These are categorized as “strong indicators.”
- Factors in Tier 2 are less representative of partisanship. We assign them a two-point value. These are categorized as “mild indicators.”

In the end, each justice receives a total score between -18 and 18. We sought an alternative to numerical scores, and we devised categories for each justice based on the score we gave them.

We chose to divide the scores into quintiles, following this division with these labels:

- Strong Republican Affiliation: 10 to 18
- Mild Republican Affiliation: 4 to 9
- Indeterminate Affiliation: -3 to 3
- Mild Democrat Affiliation:-4 to -9
- Strong Democrat Affiliation: -10 to -18

Simplified Scoring Index

The table below displays a simplified version of the scoring system for our state supreme courts project:

State	Justice Name	Confidence Score	Current Party Registration	Worked on Political Campaign	Donations to partisan campaigns > $2,000	Held partisan political office	Past Party Registration	Donation to partisan campaigns < $2,000	Contributions to his or her own campaign by partisan bodies	Partisanship of body responsible for appointment
Alabama	Tommy Bryan	Strong R	R	No	R	No	>	>	R	Elected
Alabama	William Sellers	Strong R	R	No	R	No	>	>	R	R
Alabama	Jay Mitchell	Strong R	R	No	<	No	>	R	R	Elected
Alabama	Tom Parker	Strong R	R	No	R	R	>	>	R	Elected
Alabama	Greg Shaw	Strong R	R	No	R	No	>	>	R	Elected
Alabama	Brad Mendheim	Strong R	R	No	R	No	>	>	R	R
Alabama	Kelli Wise	Strong R	R	No	R	R	--	>	R	--
Alabama	Michael Bolin	Mild R	R	No	<	No	--	R	R	--
Alabama	Sarah Stewart	Mild R	R	No	No	No	>	No	R	--
Alaska	Daniel Winfree	Mild R	None	No	<	No	None	R	None	R
Alaska	Joel Bolger	Mild R	None	No	None	No	None	None	None	R
Alaska	Craig Stowers	Mild R	None	No	None	No	None	None	None	R
Alaska	Susan Carney	Indeterminate	None	No	<	No	None	D	None	Independent
Alaska	Peter Maassen	Indeterminate	None	No	<	No	None	D	None	R
Arizona	Bill Montgomery	Strong R	None	No	<	R	R	R	None	R
Arizona	Clint Bolick	Mild R	None	No	R	No	Independent	>	None	R
Arizona	Ann Timmer	Indeterminate	None	No	<	No	None	D	None	R
Arizona	Robert Brutinel	Mild R	None	No	<	No	R	R	None	R
Arizona	Andrew Gould	Mild R	None	No	none	no	R	none	none	R
Arizona	John Lopez IV	Strong R	None	No	R	R	R	>	None	R
Arizona	James Beene	Mild R	None	No	<	No	R	R	None	R
Arkansas	Courtney Hudson Goodson	Mild R	None	No	<	No	None	R	Both	Elected
Arkansas	Josephine Hart	Indeterminate	None	No	None	No	None	None	None	Elected
Arkansas	Dan Kemp	Mild R	None	No	<	No	None	R	Both	Elected
Arkansas	Shawn Womack	Strong R	None	No	R	R	R	>	R	Elected
Arkansas	Robin Wynne	Indeterminate	None	No	<	Yes	None	D	Nonpartisan	Elected
Arkansas	Rhonda Wood	Mild R	None	No	R	No	None	>	R	Elected
Arkansas	Karen Baker	Indeterminate	None	No	<	No	None	Both	R	Elected

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California	Carol Corrigan	Indeterminate	None	No	None	No	None	None	Both	R
California	Goodwin Liu	Strong D	None	No	D	D	D	>	None	D
California	Ming Chin	Indeterminate	None	No	<	No	None	D	None	R
California	Tani G. Cantil-Sakauye	Indeterminate	None	No	<	no	R	D	none	R
California	Mariano-Florentino Cuéllar	Strong D	None	No	D	D	D	>	None	D
California	Leondra Kruger	Mild D	None	No	None	No	None	None	None	D
California	Joshua Groban	Strong D	None	D	<	D	D	D	No	D
Colorado	Nathan Coats	Mild R	None	No	<	No	None	R	None	R
Colorado	William Hood	Strong D	None	D	D	No	None	>	None	D
Colorado	Brian Boatright	Indeterminate	None	No	<	No	R	R	None	D
Colorado	Monica Marquez	Strong D	None	No	<	D	D	D	None	D
Colorado	Carlos Armando Samour Jr.	Indeterminate	None	No	<	No	R	D	None	D
Colorado	Richard Gabriel	Mild D	D	No	<	No	>	D	None	D
Colorado	Melissa Hart	Mild D	None	No	D	No	D	>	None	D
Connecticut	Christine Vertefeuille	Indeterminate	None	No	None	No	N/A	None	None	R
Connecticut	Richard Robinson	Indeterminate	None	No	<	No	N/A	R	None	D
Connecticut	Steven Ecker	Mild D	None	No	No	No	N/A	Both	None	D
Connecticut	Raheem Mullins	Mild D	None	No	None	No	N/A	None	None	D
Connecticut	Maria Kahn	Mild D	None	None	<	No	N/A	D	None	D
Connecticut	Andrew J. McDonald	Strong D	None	No	<	D	D	D	None	D
Connecticut	Gregory D'Auria	Mild D	None	No	None	D	D	None	None	D
Connecticut	Vacant									
Delaware	Tamika Montgomery-Reeves	Mild D	D	No	None	No	>	D	None	D
Delaware	Karen Valihura	Indeterminate	R	No	<	No	>	R	None	D
Delaware	Gary Traynor	Mild D	R	No	D	No	>	>	None	D
Delaware	James T. Vaughn	Strong D	D	No	D	No	>	>	None	D
Delaware	Collins Seitz	Strong D	D	No	D	No	>	>	None	D
Florida	Renatha Francis	Mild R	None	No	None	No	N/A	None	None	R
Florida	John Couriel	Strong R	None	No	R	No	R	>	R	R
Florida	Carlos Muniz	Strong R	None	No	<	R	R	R	None	R
Florida	Jorge Labarga	Mild R	None	No	None	No	R	None	None	R

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Florida	Ricky Polston	Mild R	None	No	<	No	None	R	None	R
Florida	Charles T. Canady	Mild R	None	No	None	R	R	None	None	R
Florida	C. Alan Lawson	Mild R	None	No	None	No	None	None	None	R
Georgia	Carla McMillin	Mild R	None	No	<	No	N/A	R	None	R
Georgia	Charlie Bethel	Strong R	None	No	R	R	R	>	R	R
Georgia	Sarah Warren	Strong R	None	No	R	R	R	>	Nonpartisan	R
Georgia	John Ellington	Indeterminate	None	No	D	No	N/A	>	Nonpartisan	None
Georgia	Nels Peterson	Strong R	None	No	<	R	N/A	R	R	R
Georgia	David Nahmias	Mild R	None	No	Nonpartisan	No	None	Nonpartisan	Nonpartisan	R
Georgia	Michael P. Boggs	Indeterminate	None	No	Both	D	D	Both	Nonpartisan	R
Georgia	Harold Melton	Mild R	None	No	None	R	R	None	Nonpartisan	R
Georgia	Keith Blackwell	Mild R	None	No	R	No	None	>	None	R
Hawaii	Sabrina McKenna	Mild D	None	No	None	No	N/A	None	None	D
Hawaii	Richard Pollack	Mild D	None	No	None	No	N/A	None	None	D
Hawaii	Paula Nakayama	Mild D	None	No	None	No	N/A	None	None	D
Hawaii	Michael Wilson	Mild D	None	No	None	No	N/A	None	None	D
Hawaii	Mark Recktenwald	Strong R	None	R	R	R	R	>	None	R
Idaho	Robyn Brody	Mild R	None	No	<	No	N/A	R	Both	None
Idaho	Roger Burdick	Mild R	None	No	None	No	R	None	R	R
Idaho	John Stegner	Strong R	None	R	<	No	R	R	None	R
Idaho	Gregory Moeller	Mild R	None	No	<	No	N/A	R	None	R
Idaho	G Richard Bevan	Mild R	None	No	None	No	R	None	None	R
Illinois	Rita Garman	Mild R	R	No	R	No	>	>	R	None
Illinois	Mary Jane Theis	Strong D	D	No	D	No	>	>	None	None
Illinois	Thomas Kilbride	Mild D	D	No	D	No	>	>	D	None
Illinois	P. Scott Neville	Strong D	D	No	D	No	>	>	D	D
Illinois	Anne M. Burke	Strong D	D	D	D	No	>	>	D	D
Illinois	Michael J. Burke	Mild R	R	No	R	No	>	>	None	None
Illinois	Lloyd Karmeier	Mild R	R	No	<	No	>	R	R	--
Indiana	Christopher Goff	Mild R	None	No	<	No	R	Both	None	R
Indiana	Steven David	Mild R	None	No	<	No	None	R	None	R
Indiana	Geoffrey Slaughter	Mild R	None	No	R	D	R	>	None	R
Indiana	Loretta Rush	Mild R	None	No	<	No	N/A	R	None	R
Indiana	Mark Massa	Strong R	None	None	R	R	R	>	None	R

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Indiana	Mark Massa	Strong R	None	None	R	R	R	>	None	R
Iowa	Matthew McDermott	Strong R	None	No	R	R	R	>	None	R
Iowa	Edward Mansfield	Indeterminate	None	No	D	No	N/A	>	None	R
Iowa	Thomas Waterman	Mild R	None	No	<	No	None	R	None	R
Iowa	Brent Appel	Strong D	None	No	D	D	D	>	None	D
Iowa	Christopher McDonald	Mild R	None	No	<	No	R	R	None	R
Iowa	Susan Christensen	Mild R	None	No	<	No	R	Both	None	R
Iowa	Dana Oxley	Mild R	None	No	None	No	None	None	None	R
Kansas	Evelyn Wilson	Mild D	None	No	<	No	None	D	None	D
Kansas	Marla Luckert	Mild R	None	No	None	No	None	None	None	R
Kansas	Daniel Biles	Mild D	None	No	<	No	None	D	None	D
Kansas	Carol Beier	Mild D	None	No	<	No	D	D	None	D
Kansas	Caleb Stegall	Strong R	None	No	<	R	R	R	None	R
Kansas	Eric Rosen	Mild D	None	No	None	No	D	None	None	D
Kansas	Vacant									
Kentucky	Christopher Nickell	Mild D	None	No	<	No	R	D	D	Elected
Kentucky	Debra Hambree Lambert	Mild R	None	No	<	No	N/A	R	R	Elected
Kentucky	Samuel T. Wright III	Indeterminate	None	No	<	No	N/A	R	Nonpartisan	Elected
Kentucky	Laurence Vanmeter	Mild R	None	No	<	No	N/A	R	None	Elected
Kentucky	John Minton	Indeterminate	None	No	None	No	N/A	None	Nonpartisan	R
Kentucky	Lisabeth Tabor Hughes	Indeterminate	None	No	None	No	N/A	None	D	R
Kentucky	Michelle Keller	Mild D	None	No	<	No	N/A	D	D	D
Louisiana	Scott Crichten	Mild R	R	No	<	No	>	R	Both	Elected
Louisiana	Jefferson Hughes	Mild R	R	No	<	No	>	R	Both	Elected
Louisiana	Marcus Clark	Indeterminate	R	No	N/A	No	>	N/A	Both	Elected
Louisiana	Bernette Johnson	Mild D	D	No	N/A	D	>	N/A	Both	Elected
Louisiana	James Genovese	Mild R	R	No	R	No	>	>	Both	Elected
Louisiana	John L. Weimer	Mild D	D	No	D	No	>	>	Both	Elected
Louisiana	William J. Crane	Strong R	R	No	<	No	>	R	R	--
Maine	Catherine Connors	Indeterminate	None	No	R	R	N/A	>	None	D
Maine	Andrew Horton	Mild D	None	No	<	No	N/A	D	None	D
Maine	Ellen Gorman	Mild D	None	No	N/A	No	N/A	N/A	None	D

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Maine	Andrew Mead	Mild D	None	No	N/A	No	N/A	N/A	None	D
Maine	Joseph Jabar	Strong D	<	No	D	D	D	>	None	D
Maine	Thomas Humphrey	Indeterminate	None	No	N/A	No	N/A	N/A	None	R
Maine	Vacant									
Maryland	Brynja McDivitt Booth	Indeterminate	None	No	N/A	No	N/A	N/A	None	R
Maryland	Mary Ellen Barbara	Mild D	None	No	<	D	N/A	D	None	D
Maryland	Robert McDonald	Mild D	None	No	N/A	D	N/A	N/A	None	D
Maryland	Jonathan Biran	Indeterminate	None	No	D	No	N/A	>	None	R
Maryland	Shirley Marie Watts	Mild D	None	No	N/A	No	N/A	N/A	None	D
Maryland	Michelle D. Hotten	Indeterminate	None	No	<	No	N/A	D	None	R
Maryland	Joseph Getty	Strong R	None	No	R	R	R	>	R	R
Massachusetts	Barbara Lenk	Mild D	None	No	<	No	N/A	D	None	D
Massachusetts	Ralph Gants	Mild D	None	No	<	No	N/A	D	None	D
Massachusetts	Elspeth Cypher	Mild R	None	No	<	No	N/A	R	None	R
Massachusetts	David Lowy	Mild R	N/A	No	None	R	N/A	None	None	R
Massachusetts	Frank Gaziano	Indeterminate	None	No	<	No	N/A	D	None	R
Massachusetts	Scott Kafker	Mild R	None	No	R	R	N/A	>	None	R
Massachusetts	Kimberly S. Budd	Indeterminate	None	No	D	No	N/A	>	None	R
Michigan	Megan Cavanaugh	Mild D	None	No	<	No	D	D	D	None
Michigan	Elizabeth Clement	Strong R	None	No	None	R	R	None	R	R
Michigan	Brian Zahra	Strong R	None	No	R	No	R	>	R	R
Michigan	David Viviano	Strong R	None	No	<	No	R	R	R	R
Michigan	Richard Bernstein	Strong D	None	D	D	No	D	>	D	None
Michigan	Bridget Mary McCormack	Mild D	None	No	D	No	D	>	D	None
Michigan	Stephen Markman	Strong R	None	No	<	R	R	R	R	R
Minnesota	Lorie Gildea	Mild R	None	No	<	No	N/A	R	Nonpartisan	R
Minnesota	Anne McKeig	Indeterminate	None	No	None	No	N/A	None	Nonpartisan	R
Minnesota	Margaret Chutich	Mild D	None	No	D	D	N/A	>	None	D
Minnesota	Barry Anderson	Mild R	None	No	<	No	R	R	Nonpartisan	R
Minnesota	Natalie Hudson	Mild D	None	No	None	D	N/A	None	None	D
Minnesota	Paul Thissen	Strong D	None	No	D	D	D	>	None	D
Minnesota	David Lillehaug	Strong D	None	D	D	No	D	>	None	D
Mississippi	T. Kenneth Griffis	Strong R	None	No	R	No	N/A	>	R	R

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Mississippi	Mike Randolph	Mild R	None	No	R	No	R	>	Nonpartisan	R
Mississippi	Josiah Coleman	Mild R	None	No	None	No	N/A	None	None	Elected
Mississippi	Leslie King	Mild D	None	No	<	D	D	D	None	R
Mississippi	Jimmy Maxwell	Mild R	None	No	No	No	N/A	None	None	R
Mississippi	Dawn H. Beam	Mild R	None	No	None	No	N/A	None	None	R
Mississippi	Jim Kitchens	Mild D	No	No	D	No	N/A	>	D	Elected
Mississippi	David Ishee	Mild R	None	No	None	No	N/A	None	None	R
Mississippi	Robert Chamberlin	Strong R	None	No	<	R	R	R	Nonpartisan	R
Missouri	Patricia Breckenridge	Mild R	None	No	<	No	R	R	None	R
Missouri	George Draper	Indeterminate	None	No	No	No	N/A	None	None	D
Missouri	Zel Fischer	Mild R	None	No	<	No	R	R	None	R
Missouri	Mary Rhodes Russell	Mild D	None	No	None	No	N/A	None	None	D
Missouri	Laura Denvir Stith	Mild D	None	No	<	No	N/A	D	None	D
Missouri	Paul C. Wilson	Mild D	None	No	None	D	N/A	None	None	D
Missouri	Wesley Brent Powell	Mild R	None	No	No	R	N/A	R	None	R
Montana	Ingrid Gustafson	Indeterminate	Nonpartisan	No	<	No	N/A	None	None	R
Montana	Laurie McKinnon	Indeterminate	None	No	None	No	N/A	None	R	Elected
Montana	Jim Shea	Mild D	None	No	<	No	N/A	D	None	D
Montana	James Rice	Strong R	Nonpartisan	No	R	R	R	>	R	R
Montana	Beth Baker	Mild D	No	No	<	No	N/A	D	D	Elec
Montana	Mike McGrath	Mild D	None	No	D	No	D	>	D	Elected
Montana	Dirk M. Sandefur	Indeterminate	None	No	<	No	N/A	R	D	Elected
Nebraska	Lindsey Miller-Lerman	Mild D	D	No	D	No	>	>	None	D
Nebraska	John Freudenberg	Strong R	R	No	None	R	>	None	None	R
Nebraska	Jeffrey Funke	Mild R	R	No	None	No	>	None	None	R
Nebraska	William Cassel	Mild R	N/A	No	<	No	R	R	None	R
Nebraska	Stephanie Stacy	Mild R	R	No	<	No	>	R	None	R
Nebraska	Michael Heavican	Strong R	R	No	R	R	>	>	None	R
Nebraska	Jonathan Papik	Mild R	R	No	None	No	>	None	None	R
Nevada	Abbi Silver	Indeterminate	R	No	<	No	>	D	None	None
Nevada	James Hardesty	Mild D	D	No	D	No	>	>	D	None
Nevada	Kris Pickering	Mild R	R	No	R	No	>	>	R	None

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Nevada	Kris Pickering	Mild R	R	No	R	No	>	>	R	None
Nevada	Mark W. Gibbons	Mild R	R	No	<	No	>	R	None	None
Nevada	Ron Parraguirre	Mild R	R	No	<	R	>	R	None	None
Nevada	Elissa Cadish	Strong D	D	No	<	No	>	D	D	None
Nevada	Lidia Stiglich	Indeterminate	D	No	D	R	>	>	D	R
New Hampshire	Patrick Donovan	Strong R	Nonpartisan	R	R	No	None	>	None	R
New Hampshire	Anna Barbara Hantz Marconi	Mild R	Nonpartisan	No	R	No	None	>	None	R
New Hampshire	James Bassett	Indeterminate	Nonpartisan	No	R	No	R	>	None	D
New Hampshire	Gary Hicks	Mild D	Nonpartisan	No	D	No	D	>	None	D
New Hampshire	Vacant									
New Jersey	Lee A. Solomon	Mild R	Nonpartisan	No	R	R	None	>	None	R
New Jersey	Stuart Rabner	Mild D	Nonpartisan	No	<	D	D	D	None	D
New Jersey	Anne Patterson	Mild R	Nonpartisan	No	R	No	None	>	None	R
New Jersey	Jaynee LaVecchia	Mild R	Nonpartisan	No	<	R	None	R	None	R
New Jersey	Barry T. Albin	Mild D	Nonpartisan	No	D	No	D	>	None	D
New Jersey	Walter F. Timpone	Indeterminate	Nonpartisan	No	D	No	D	>	None	R
New Jersey	Faustino J. Fernandez-Vina	Mild R	Nonpartisan	No	None	No	R	None	None	R
New Mexico	Michael Vigil	Strong D	D	No	D	No	>	>	D	None
New Mexico	Barbara J. Vigil	Mild D	D	No	None	No	>	None	D	None
New Mexico	Judith Nakamura	Mild R	R	No	<	No	>	R	R	R
New Mexico	Shannon Bacon	Mild D	D	No	<	No	>	D	None	D
New Mexico	David K. Thomson	Strong D	D	No	D	D	>	>	None	D
New York	Michael Garcia	Mild R	Nonpartisan	No	R	R	R	>	None	D
New York	Rowan Wilson	Mild D	Nonpartisan	No	D	No	D	>	None	D
New York	Paul G. Feinman	Mild D	Nonpartisan	No	None	No	D	None	None	D
New York	Jenny Rivera	Mild D	Nonpartisan	No	<	No	None	D	None	D
New York	Leslie E. Stein	Mild D	Nonpartisan	No	None	No	D	None	None	D
New York	Janet DiFiore	Mild D	Nonpartisan	No	<	No	D	D	None	D
New York	Eugene Fahey	Mild D	Nonpartisan	No	<	No	D	D	None	D
North Carolina	Mark Davis	Strong D	D	No	D	D	>	>	D	D
North Carolina	Cheri Beasley	Strong D	D	No	<	No	>	D	D	D
North Carolina	Anita Earls	Strong D	D	No	D	D	>	>	D	None

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North Carolina	Michael Morgan	Strong D	D	No	<	D	>	D	D	None
North Carolina	Paul Martin Newby	Mild R	R	No	<	No	>	R	R	None
North Carolina	Sam Ervin	Strong D	D	No	<	D	>	D	D	None
North Carolina	Robin Hudson	Strong D	D	No	D	No	>	>	D	None
North Dakota	Lisa Fair McEvers	Mild R	N/A	No	<	No	R	R	None	R
North Dakota	Jerod Tufte	Strong R	N/A	No	R	R	R	>	R	None
North Dakota	Jon Jay Jensen	Mild R	N/A	No	None	No	N/A	None	None	R
North Dakota	Daniel Crothers	Mild R	N/A	No	<	No	N/A	R	None	R
North Dakota	Gerald VandeWalle	Indeterminate	N/A	No	None	R	N/A	None	None	D
Ohio	Melody Stewart	Mild D	D	No	<	No	>	D	D	None
Ohio	Pat DeWine	Strong R	R	No	R	R	>	>	R	None
Ohio	Pat Fischer	Strong R	R	No	<	No	>	R	R	None
Ohio	Maureen O'Connor	Strong R	R	No	<	R	>	R	R	None
Ohio	Sharon L. Kennedy	Strong R	R	No	R	No	>	>	R	None
Ohio	Michael P. Donnelly	Mild D	D	No	<	No	>	D	D	None
Ohio	Judith French	Strong R	R	No	<	R	>	R	Both	None
Oklahoma	Scott Rowland	Mild R	R	No	<	No	>	D	None	R
Oklahoma	Gary Lumpkin	Mild R	R	No	None	No	>	None	None	R
Oklahoma	David B. Lewis	Indeterminate	R	No	None	No	>	None	None	D
Oklahoma	Rob Hudson	Mild R	R	No	None	No	>	D	None	R
Oklahoma	Dana Kuehn	Mild R	R	No	None	No	>	None	None	R
Oklahoma	Tom Colbert	Mild D	D	No	None	No	>	None	None	D
Oklahoma	Yvonne Kauger	Mild D	D	No	None	No	>	None	None	D
Oklahoma	M. John Kane IV	Mild R	R	No	None	No	>	None	None	R
Oklahoma	James Edmondson	Mild D	D	No	<	No	>	D	None	D
Oklahoma	James R. Winchester	Mild R	R	No	None	No	>	None	None	R
Oklahoma	Noma D. Gurich	Indeterminate	Nonpartisan	No	None	No	None	None	None	D
Oklahoma	Douglas L. Combs	Strong D	D	No	<	D	>	D	None	D
Oklahoma	Richard Darby	Mild R	R	No	None	No	>	None	None	R
Oklahoma	Dustin P. Rowe	Strong R	R	No	R	R	>	>	None	R
Oregon	Martha Walters	Mild D	D	No	<	No	>	D	None	D
Oregon	Chris Garrett	Strong D	D	No	D	D	>	>	D	D
Oregon	Lynn Nakamoto	Strong D	D	No	<	No	>	D	None	D

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Oregon	Thomas Balmer	Strong D	D	No	D	D	None	>	Nonpartisan	D
Oregon	Meagan A. Flynn	Mild D	Nonpartisan	No	None	No	None	None	None	D
Oregon	Adrienne Nelson	Mild D	Nonpartisan	No	None	No	None	None	None	D
Oregon	Rebecca Duncan	Mild D	Nonpartisan	No	None	No	None	None	None	D
Pennsylvania	Christine Donohue	Strong D	D	No	D	No	>	>	D	None
Pennsylvania	David N. Wecht	Strong D	D	No	D	No	>	>	D	None
Pennsylvania	Kevin M. Dougherty	Strong D	D	No	D	No	>	>	D	None
Pennsylvania	Max Baer	Mild D	D	No	None	No	>	None	D	None
Pennsylvania	Debra Todd	Strong D	D	No	D	No	>	>	D	None
Pennsylvania	Sallie Mundy	Mild R	R	No	None	No	>	None	R	D
Pennsylvania	Thomas Saylor	Mild R	R	No	<	No	>	R	R	None
Rhode Island	Paul Suttell	Mild R	Nonpartisan	No	None	R	R	None	None	R
Rhode Island	William Robinson	Mild R	Nonpartisan	No	<	No	None	R	None	R
Rhode Island	Francis Flaherty	Mild D	Nonpartisan	No	D	D	D	>	None	R
Rhode Island	Gilbert V. Indeglia	Mild R	Nonpartisan	No	None	R	R	None	None	R
Rhode Island	Maureen McKenna Goldberg	Indeterminate	Nonpartisan	No	None	No	None	None	None	R
South Carolina	George C. James	Mild R	None	No	<	No	N/A	R	None	R
South Carolina	John C. Few	Mild R	None	No	<	No	N/A	R	None	R
South Carolina	John Kittredge	Mild R	None	No	None	No	N/A	None	None	R
South Carolina	Kaye Hearn	Mild R	None	No	None	No	N/A	None	None	R
South Carolina	Donald Beatty	Indeterminate	None	No	None	D	D	None	None	R
South Dakota	Janine Kern	Mild R	None	No	Nonpartisan	R	N/A	Nonpartisan	None	R
South Dakota	Mark Salter	Mild R	R	No	<	No	>	Both	None	R
South Dakota	David Gilbertson	Mild R	Independent	No	None	None	None	None	None	R
South Dakota	Steven Jensen	Mild R	None	No	None	R	R	None	None	R
South Dakota	Patricia DeVaney	Strong R	R	No	<	R	>	R	None	R
Tennessee	Jeff Bivins	Mild R	None	No	<	No	N/A	R	None	R
Tennessee	Holly Kirby	Mild R	None	No	R	No	N/A	>	None	R
Tennessee	Roger A. Page	Mild R	None	No	<	No	N/A	R	None	R
Tennessee	Cornelia Clark	Mild D	None	No	D	No	N/A	>	None	D
Tennessee	Sharon G. Lee	Mild D	None	No	D	No	N/A	>	None	D
Texas (Court of Criminal Appeals)	Mary Lou Keel	Mild R	R	No	<	No	>	R	R	None

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Texas (Court of Criminal Appeals)	Scott Walker	Strong R	R	No	R	No	>	>	R	None
Texas (Court of Criminal Appeals)	Sharon Keller	Mild R	R	No	<	No	>	R	R	None
Texas (Court of Criminal Appeals)	David Newell	Mild R	R	No	<	No	>	R	None	None
Texas (Court of Criminal Appeals)	Bert Richardson	Mild R	R	No	<	No	>	R	None	None
Texas (Court of Criminal Appeals)	Michael Keasler	Mild R	R	No	<	No	>	R	None	None
Texas (Court of Criminal Appeals)	Barbara Hervey	Mild R	R	No	<	No	>	R	R	None
Texas (Court of Criminal Appeals)	Michelle Slaughter	Mild R	R	No	None	No	>	None	R	None
Texas (Court of Criminal Appeals)	Kevin Patrick Yeary	Mild R	R	No	<	No	>	R	No	None
Texas (Supreme Court)	Jane Bland	Strong R	R	No	R	No	>	>	R	R
Texas (Supreme Court)	Nathan Hecht	Strong R	R	No	R	No	>	>	R	None
Texas (Supreme Court)	Jeffrey Boyd	Strong R	R	No	<	R	>	R	R	None
Texas (Supreme Court)	Brett Busby	Strong R	R	No	R	No	>	>	R	None
Texas (Supreme Court)	Paul Green	Strong R	R	No	<	No	>	R	R	None
Texas (Supreme Court)	Eva Guzman	Strong R	R	No	R	No	>	>	R	R
Texas (Supreme Court)	Debra Lehrmann	Strong R	R	No	<	No	>	R	R	R
Texas (Supreme Court)	Jimmy Blacklock	Strong R	R	No	None	R	>	None	R	R
Texas (Supreme Court)	John Devine	Strong R	R	No	R	No	>	>	R	R
Utah	John A. Pearce	Mild R	None	No	<	R	R	D	None	R
Utah	Deno Himonas	Mild R	None	No	None	No	N/A	None	None	R

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Utah	Thomas Rex Lee	Mild R	R	No	<	No	>	R	None	R
Utah	Matthew Durrant	Mild R	None	No	None	No	N/A	None	None	R
Utah	Paige Petersen	Indeterminate	None	No	<	No	N/A	D	None	R
Vermont	Paul L. Reiber	Mild R	None	No	<	No	N/A	R	None	R
Vermont	Karen R. Carroll	Indeterminate	None	No	None	No	N/A	None	None	R
Vermont	Beth Robinson	Strong D	None	D	D	D	D	>	None	D
Vermont	Harold Eaton	Indeterminate	None	No	<	No	N/A	R	None	D
Vermont	William Cohen	Mild R	None	No	<	R	R	D	None	R
Virginia	Bill Mims	Mild R	None	No	R	R	R	>	None	None
Virginia	Donald Lemons	Mild R	None	No	None	No	N/A	None	None	R
Virginia	Cleo Powell	Mild D	None	No	None	D	D	None	None	None
Virginia	Teresa Chafin	Mild R	None	No	No	No	N/A	None	No	R
Virginia	S. Bernard Goodwyn	Indeterminate	None	None	N/A	No	N/A	None	No	D
Virginia	Stephen R. McCullough	Strong R	None	None	R	R	R	>	No	R
Virginia	D. Arthur Kelsey	Mild R	None	None	<	No	--	R	No	R
Washington	Sheryl McCloud	Mild D	None	None	D	No	--	>	D	--
Washington	Susan Owens	Indeterminate	None	None	<	No	--	D	None	--
Washington	Steven Gonzalez	Mild D	None	None	N/A	No	--	None	None	D
Washington	G. Helen Whitener	Mild D	None	None	N/A	No	--	None	None	D
Washington	Raquel Montoya-Lewis	Mild D	None	None	<	No	--	D	None	D
Washington	Charles W. Johnson	Mild D	None	None	N/A	No	--	None	D	--
Washington	Debra Stephens	Mild D	None	None	N/A	No	--	None	D	D
Washington	Barbara A. Madsen	Mild D	None	None	N/A	No	--	None	D	--
Washington	Mary Yu	Mild D	None	None	N/A	No	--	None	D	D
West Virginia	Margaret Workman	Strong D	None	D	D	D	D	>	None	--
West Virginia	Tim Armstead	Strong R	None	None	R	R	R	>	None	--
West Virginia	John Hutchinson	Mild R	None	None	<	No	D	R	None	R
West Virginia	Beth Walker	Mild R	None	None	R	No	>	>	None	--
West Virginia	Evan Jenkins	Mild R	None	None	D	R	R	>	R	--
Wisconsin	Brian Hagedorn	Strong R	None	No	<	R	R	R	R	--
Wisconsin	Patience Roggensack	Indeterminate	None	No	<	No	None	D	R	None

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Wisconsin	Ann Walsh Bradley	Indeterminate	None	No	No	No	D	Nonpartisan	None	None
Wisconsin	Daniel Kelly	Strong R	None	R	R	No	R	>	R	R
Wisconsin	Rebecca Bradley	Mild R	None	No	<	No	None	R	R	None
Wisconsin	Rebecca Dallet	Mild D	None	No	D	No	None	>	D	None
Wisconsin	Annette Ziegler	Mild R	None	No	<	No	None*	R	R	None
Wyoming	Keith G. Kautz	Mild R	None	No	No	No	None	R	None	R
Wyoming	Michael K. Davis	Mild R	None	No	No	No	None	None	None	R
Wyoming	Kate M. Fox	Mild R	None	No	No	No	None	None	None	R
Wyoming	Lynne Boomgaarden	Mild R	None	No	No	No	None	R	None	R
Wyoming	Kari Gray	Strong R	None	No	R	R	R	>	None	R

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