Women Ruling the Bench: Steps to Achieving Gender Parity on State Courts

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Abstract

Across the United States, each state practices one of several methods of selecting judges to their courts. Many of these processes have not changed for decades and some argue this results in minorities, both gender and racial, receiving fewer spots on the bench. I focus explicitly on the gender aspect of judicial selection: Why are there fewer women judges in some states than in others? Previous literature on this topic is mixed. I analyzed data gathered from the American Judicature Society and other sources. Among the five methods (appointment, combination, merit selection, non-partisan election, partisan election), because of the many challenges elections pose to female candidates I hypothesize that the non-electoral methods will result in a greater share of women selected to the bench. Preliminary results do not confirm the hypothesis. Women seem to fair as well in election states as they do in appointment states.
Introduction

In the world of politics, certain familiar methods are practiced to obtain a position of power. For instance, it is common knowledge that our President is chosen through the Electoral College, swayed by the popular vote of the citizens of the United States. Our Vice President is chosen by the Presidential candidate to campaign as partners. These are just a few of the standard and common political selection methods that have become well-known to us. The lesser-known world of state judicial selections, however, is unknown to many. That is because the selection method for state judicial positions follows different practices from other political positions. In fact, each state follows different judicial selection processes from one another.

There are five unique ways by which judges may be selected, with each of the 50 states using their preferred method. The five methods in question are appointment, merit selection, non-partisan election, partisan election, or a combination of two or more of these methods. With no common method across state lines, many wonder whether or not this process is flawed. This leads to the question, are minorities, both racial and gender, being underrepresented on the bench?

My thesis will focus on the gender aspect of this question. There is a lack of women represented on state judicial benches of each and every state. In total, 23 states, almost half of our country, have less than 20% of their judicial seats held by women. Only 27 of the 50 states have over 20% of their judicial seats held by women. The highest state has only 37.21%. Why the difference? I believe it is because of the varying methods of selections used.
Through the research process, I analyze the different methods used by each state to choose their judges. I review literature directing me to THREE central themes related to this question: The importance of this issue, the methods of selections used to select judges, and whether or not women judges rule differently than their male counterparts. The aim of this research is to isolate causes for why some states have fewer women judges than do others.
Literature Review

Issue Importance

There is a variety of reasons that the issue of why some states have more women judges than others is important. In their article titled The Effects of Race and Gender on the Judicial Ambitions of State Trial Court Judges (2009), Jennifer M. Jensen and Wendy L. Martinek find that women and nonwhite justices have a much higher and greater desire to move up in a judicial career than do white males. Among the reasons they list for the importance of diversity on the bench, Jensen and Martinek include such examples as the impact diversity has on court cases and keeping the judicial institution a legitimate source of power.

“Although the judiciary is not designed as a democratic institution, there remain ample reasons to be concerned about the numeric under-representation of women . . . in public office, including threats to institutional legitimacy and the effect of nontraditional candidates and officeholders on citizens’ levels of political interest and political activism.” (Jensen and Martinek, 2009).

In order to keep the judicial institution a legitimate source of power, judges need to start mirroring the rest of the country by diversifying. There is a need for diversity on the bench because our population is diverse. Without diversity on the bench, diverse defendants risk their right to a fair trial, risking the legitimacy of the judicial role. In addition to these factors, without diversity, it is predicted that the level of political interest
in judicial races would further diminish, leaving very few people who care enough about the judicial selection process. Even in the appointment process political interest in important, because of the fact of the underlying politics involved in the appointment process. Politicians are influential in who is appointed as a judge, and politicians in turn are influenced by their communities. The opinions of the people in their districts can play into who they suggest be appointed as judge.

Neil Munro (2011) looks at the role of empathy and gender. He points out that “laboratory scientists have tried but failed to detect significant gender differences in decision making,” (Munro, 2011). Munro writes that “‘You really can’t see a clear gender effect’ in the studies, Judith Resnik, a feminist writer and the Arthur Liman professor of law at Yale Law School, acknowledged.” It is added, however, “The ‘political legitimacy’ of the courts requires that the bench include judges from a variety of backgrounds, she said. ‘It’s a mechanism for saying; this is everybody’s court, not just for one group, such as those who are both white and male.’”

Although the numbers are still low for female judges as a whole across the United States, Brian Frederick and Matthew J. Streb (1999) point out that “moreover, women are steadily increasing their numbers on state courts compared to a generation ago.” However, in recent years, contrary to Frederick and Streb’s article, the National Women’s Law Center state that although the number of women in law school has reached nearly 50% since 1992, the number of women judges has been decreasing (2013).

Just the presence of a woman on the bench is not even to change things, however. Rosemary Hunter (2008) points out that women have faced adversity when selected as a judge. Women judges, at every level, still feel as though they have to prove themselves as equally hard-working and as equally intelligent to male judges in order to prove they belong on the bench.
She also points out that women that first assume roles of power won’t want to “be
‘representative’ of women as a group, [but] rather [are] being those who most resemble the
traditional incumbents and are considered least likely to disturb the status quo,” added Hunter.

**Method of Selection**

There are a few ways in which a judge comes to hold their position--through an
appointment process, a merit selection process, non-partisan elections, partisan elections,
or a combination of two or more of these processes. These processes vary by state. There
are nine states that use the appointment method, nine states that use the merit selection
method, 11 states that use non-partisan elections, four states that use partisan elections, and
17 states that use a combination of these methods.

(Map 1 about here)

According to the American Judicature Society (AJS), there has been, in recent years, steps taken in the form of proposals by citizen’s groups, courts, governors, and legislators in nearly all of the states to keep the role of politics in the selection of state judges to the most minimal level possible.

For instance, in Minnesota, a combination of processes are used. The first step is a
non-partisan election. In the event of a vacancy at any time between election years, an
appointment process is used. A potential applicant is chosen by Minnesota’s Commission
on Judicial Selection, which recommends this applicant to the governor. The governor then
either denies the applicant, or, most often, accepts the applicant (American Judicature
Society, 2013). A true election in states practicing either of the election methods or a
combination method are rare, however. This is because judges will often step down before
their term is up to ensure that their predecessor is appointed by someone who shares their
political views.
“The extent of these activities underscores the recognition that an independent judiciary is essential to the maintenance of public trust and confidence in the court system,” (American Judicature Society, 2013).

To do this, the AJS states that the process of choosing a judge within states, no matter which method is used, should have the support of citizen’s groups, courts, governors and legislators in the form of proposals to ensure that the role of politics in the process is as minimal as possible.

In the debate over which method of selection yields a better judge, lesser courts across the country have the Supreme Court to look to as a source of appointments. Siobhan Gorman, (2004) reads that “As the role of the Supreme Court in American life has evolved, so too have presidents’ criteria and methods for nominating judges.” President Obama, for example, 87 of his 222 judicial nominees have been women, with 34 of the nominees being women of color (National Women’s Law Center, 2013). Additionally, 41% of President Obama’s confirmed nominees have been women, which has in turn increased the number of women judges in eight district circuits as well as federal circuits (National Women’s Law Center, 2013).

“By the nominations he has made to date, President Obama has taken an important step towards increasing the representation of women, including women of color, on the federal bench,” writes the National Women’s Law Center (2013). “Now it is up to the Senate to do its part, to improve access to, and the quality of, justice for all Americans.”

Speaking generally and without regard to gender, Elizabeth Hull (2010) echoes the importance of appointing judges rather than electing them. She points out that the election process is flawed, and the appointment process is the better solution. “Appointed judges are accountable to the people, but at arm’s length,” she says, “they are, after all, selected and confirmed by the people’s elected representatives and can be removed from office by
these same representatives.” Her argument points out that appointed judges will be the ‘best of both worlds,’ in the sense that they will serve the people in acceptable ways but also keep the law as their final guide, unwilling to do anything that may lose them their position. This is an important first step in deciding which process produces the best judges, regardless of gender, race, or other variables.

Cautions must be taken, however, in what the true intentions are when appointing a judge. In *Gender and Judging* (2011), the honorable Diane S. Sykes, only the fourth woman to serve on the Wisconsin Supreme Court, points out that “If the case being made for the appointment of women judges just because they subscribe to a gender-based brand of judging, then we are making an even bigger mistake about the nature of the judicial role.” This is because the first step of finding a competent judge is to make sure they are in fact, competent. Choosing a woman to be a judge just because she is a woman is a dangerous game to play. As we’ve seen however, women are of equal capability to true as are heir male counterparts, taking this problem out of the equation.

Boyd, Epstein and Martin (2008) point out that those in the position to make judicial appointments under the appointment process comes under pressure to replace a female judge with another female judge more often. For example, this was the case with George W. Bush when Sandra Day O’Connor stepped down from the Supreme Court. He immediately felt pressure to appoint a woman to take her place. If the only reason he was pressured to appoint a woman was to find some sort of balance on the bench out (lose one woman judge, replace with one woman judge), then the appointment process loses integrity. If the appointment process loses its integrity, there is no point to continue with the appointment process.

The election process, however, leaves the all important aspect of democracy up to the citizens: They get to choose who they want as their judges. This is a very appealing
aspect to voters and can be seen as more of an incentive to actually get out and vote.

An extremely visible flaw can be found in the election process, however: How many people know who they’re voting for as a judge? Incumbents generally have a huge advantage in this regard, because the general population isn’t fully educated on each of their options before going out and voting. According to Traciel V. Reid (2010), there are different forces within the electoral environment that affect the campaigns of men and women. He finds that men have advantages that women do not have, while women simultaneously encounter difficulties that men do not face. An example of this is in his findings: A man’s status as an incumbent helps him in funding his campaign, whereas women incumbents receive no such similar benefit.

**Do Women Judges Rule Differently:**

When it comes to elections as the method for selecting judges, do voters choose differently based on whether the candidate for a judicial role or male or female? If women are seen as more lenient on certain issues, do voters take that into consideration?

According to Gruhl et al. (1981) in *Women as Policymakers: The Case of Trial Judges*, women are slightly more liberal than men on a variety of issues. Gruhl argues that women judges are slightly more lenient than men judges. If this is found out to be true and therefore widely accepted, this could alter the way in which women are seen in the role of judges.

In *Moving Beyond Numbers: What Female Judges Say About Different Judicial Voices* by Shana L. Maier and Susan L. Miller, it is noted that women comprise approximately only 23 percent of federal judges and only a mere 21 percent of state judges. One question that has continually shown up in research is whether or not women will rule differently in cases, based solely on the fact that they are a woman. The thought is that women tend to be more empathetic, therefore, take different stances on cases than do their
male counterparts.

Margaret Williams (2007) claims that the type of court the judge is running for matters just as much, if not more, than whether she is elected or appointed to office. Williams goes on to say that distinguishing between trial and appellate courts and separating them is important to look at, because of the amount of prestige at those two different levels of the judicial system.

She points out that there are four main reasons why the appellate courts are more prestigious: “There are fewer seats on these high courts, they offer decision makers the opportunity to render the opinions that are rarely reviewed by a higher authority, they generally address matters of law not fact, and they involve greater pay,” Williams claims in her article.

This is worth noting because, as previously pointed out in Jensen and Martinek’s article (2009), female and non-white justices have a greater desire to move up in a judicial career than do their white male counterparts. Because of the small number of women in higher judicial seats, it can be seen that women have goals that are harder for them to reach.

Henry R. Glick (1996) specifically looks at whether or not the method of selection used to choose a judge makes a difference on the way they rule on the bench. For the majority of his research, Glick cites Daniel R. Pinello, whose also did a study on the differential effect of the method of selection on judicial behavior. Glick found that how judges are chosen does in fact make an importance difference in what they do on the bench. This is true for men and women of all races, not specific to gender or race in any way.

This way of thinking is contrary to the long held belief of scholars on the subject. Glick points out that in Pinello’s study, Pinello’s hypothesis that “elected supreme court judges are more likely than others to be influenced by public opinion and, in contemporary
politics, to favor the state over individuals and businesses,” (Glick, 1996). An additional hypothesis by Pinello is that “Gubernatorially appointed judges are less constrained and prefer business over the individual and the state, or individuals over the state,” (Glick, 1996).

After focusing on both sides of the debate of whether women rule differently than men, we know that gender has little, if no effect on decision making. Therefore, gender causes no effect on whether to select a woman judge based on that fact of gender alone.

As can be seen, all of these factors play a role in the important question as to why do some states have more women judges than others. The selection process is a factor. Women’s beliefs (supposed or real) and where they stand on issues are a factor. All arguments involved are compelling, and each brings a new variable into the mix. This is not a simple question, but yet a very fascinating, complex one that deserves proper attention.
Methods and Data

Dataset

For this study I used the American Judicature Society and The American Bench’s “Judges of the Nation Ratio Summary,” 20th ed. from 2010. The primary goal of the American Judicature Society is promoting the effective administration of justice. They do this by providing raw numbers for each and every state’s judicial count, including the raw numbers for each level of state court, the number of women judges at each level, the number of minority judges at each level, and the selection method used to choose these judges in every state.

Determining Independent and Dependent Variables

Dependent Variable

My dependent variable is the percent of women judges in the 50 United States. I chose to not include the District of Columbia in my research. I was able to gather the number of women judges at every court level in each of the 50 states. Since the main goal
of my research was to determine why some states have more women judges than others, the
total percent of women judges was the primary dependent variable.

Independent Variables

The key independent variable under investigation is the method of selection used by each state. This was initially found through the American Judicature Society. Each state’s method of selection was explained in a brief paragraph explaining the process, and also went on to describe whether or not this process has ever been changed throughout the state’s history. Since this was originally recorded as a string variable, I had to recode each state’s selection method into a corresponding number, 1-5.

The first method is the appointment process, in which a person of authority is granted the power to decide whom to appoint to the bench. At the state level, this person of authority is commonly the governor. The second method is merit selection, in which a nominating commission evaluates candidates, then submits the list to the chief executive, who then selects a nominee from the list. Many times, the chief executive’s selection must be approved by the state senate. In the most effective merit selection systems, the nominating commission is non-partisan, as well as a mix of both legal professionals and non-lawyers to ensure fairness. The third method is non-partisan elections, which are elections in which candidates are not affiliated with a specific political party. The fourth method is partisan elections, which are elections in which candidates are affiliated with a specific political party. The last is a combination method, in which a combination of two or more of these processes are used.
Results

My hypothesis was that among the five methods used, because of the many challenges elections pose to female candidates, I hypothesized that the non-electoral methods will result in a greater share of women selected to the bench. The methods I hypothesized would result in more women selected to the bench were the appointment process, merit selection, or a combination of methods.

I started my analysis by comparing the percent of women judges by each region to show the difference in the number of states falling into one of the five methods of selection categories. These tables offer a side-by-side comparison of the four regions of the country that is split according to the Census. These regions are Northeast, Midwest, South, and West

(Table 1 about here)
As can be seen in the comparison of the West and Northeast charts, these two regions are not fully represented by all five of the methods of selection categories. In the Western region, no state selects their judges by the partisan election process. In the Northeastern region, no state selects their judges by the non-partisan election process. Additionally, it can be seen that the methods of selection are not equally represented across all of the 50 states. While this factor alone does not guarantee that there will be the highest percentage of women judges in the states with electoral methods of selection, it is important to understand that the states that have the highest number of judges will skew the results.

For instance, California has 1,631 judges, which includes all levels of their courts, 478 of which are women. California uses the appointment method of selection. The total number of judges at all levels of courts for the electoral processes (both partisan and non-partisan elections combined) in 4,269, only about three times larger than the amount of judges in the entire state of California alone. This means that the number of judges per state that is then broken down into one of the five methods of selection should also be taken into consideration when deciding why some states have more women judges than others.

In the next step of the process, I produced a correlation matrix showing six variables: The variables include percent women judges (percentwjudges), percent of population with college [education] or higher, percent age 65 and older, percent age 18-24, percent black (2008), and percent Hispanic (2008). These six variables were chosen with the idea in mind that younger voters would be more likely to vote for women judges than those aged 65 and older, as well as those having a college education or higher being more likely to vote for a woman judge.

Since the last two presidential elections have had some of the highest turnout of young voters in history which led to the victory of a Democratic president, I hypothesized
that younger people would choose a women voter more often than those aged 65 and older. The race variables were chosen to see if racial minorities would be highly likely to vote for gender minorities for a judicial role.

The hypothesis behind this test was that the correlation would be strongest for the percent of women judges in states with a younger population (age 18-24) than that of an older population (ages 65 and older). Additionally, I hypothesized that states with a higher number of population with college education or higher would have a higher percentage of women judges. I also hypothesized that racial minorities would be sympathetic voters to their gender minority counterparts, thus more frequently voting for women judges.

(Table 2 about here)

My results show that in the Pearson Correlation between percent of women judges and percent of population with college or higher are significant. It has a Pearson Correlation score of .358, with the correlation being significant at the 0.05 level. The same is true for the relationship between the percent of women judges and the percent of population with college or higher. Also, the relationship between the percent of women judges and percent age 18-24 (2004) is significant. It has a Pearson Correlation of .400, which is significant at the 0.01 level.

Additionally, the relationship between the percent Hispanic (2008) and the percent of women judges show a significant relationship. The Pearson Correlation for this variable is .363, which again is significant at the 0.01 level. The other racial variable, percent black (2008), showed a Pearson Correlation of -.130, which is not significant. The results show that while some racial minorities (in this case, Hispanics) tend to be more likely to vote for women judges, other racial minorities (in this case, black) tend to be more likely not to vote for women judges. The reason for this could be tied back to the literature. It was explained that minorities, both gender and racial, are more likely to be increasingly motivated to seek
a higher judicial role in the court system, unlike their white, male counterparts. This could explain why there would be a lower chance of a black person choosing a women judge.

Figure 1 shows the relationship between the method of selection and the mean percent of women judges, once again divided into four regions - the Midwest, the Northeast, the South, and the West. Figure 1 is a clustered bar chart showing the mean percent of women judges per four regions of the United States: Northeast, Midwest, South and West by selection process.

(Figure 1 about here)

The results show that the process of selection that is most affective for women pursuing a judicial seat are not aligned with my original hypothesis. I hypothesized that women who pursued a judicial seat in states with a method of selection other than an election process would have a higher chance of becoming a judge. While this is true in the Western portion of United States by a large margin, the election method resulted in substantially larger shares of women judges than any other selection method in the Midwest and South than any other process of selection.

This bar graph shows that the process of selection is extremely important to women who wish to pursue a judicial seat. They must realize which method of selection will provide the highest likelihood of a judicial seat, as well as understanding which regions of the country will be most beneficial for them to pursue their career goals in.

Taking a closer look at the graph, a few key features can be noticed: Each of these bars represents only a small number of states. As we know, nine states use the appointment method of selection, nine states practice the merit selection method, 11 states use non-partisan elections, four states use partisan elections, and 17 states use some combination of these methods. Since the 50 states are broken down into five separate categories based on which method of selection they use, and are then proceeded to be
further broken down into one of four regions, the results of Figure 1 tend to misleading.

While is it true that the appointment process results in the highest percentage of women judges in the western region, there may be a few states being represented by that method in that region. The western region doesn’t even contain any states that practice the partisan election method. Likewise, the northeast region contains no state that practices the non-partisan election method. This means that further research must be done to show the numbers more accurately.

I next analyzed the relationship the method of selection and the mean percent of women judges at the lowest court level, divided into four regions - the Midwest, the northeast, the south, and the west. According to the American Judicature Society (2013), there are more judges at the lowest level court than any of the other levels.

(Figure 2 about here)

Figure 2 is a clustered bar chart showing the affect the selection process has on the percent of women judges at the lowest court level, per four regions of the United States. The variables used for this clustered bar chart include the mean percent of women judges at the lowest court level for each of the fifty states, the 5 processes of selection (appointment, combination, merit selection, non-partisan election and partisan election), and four regions of the United States (northeast, Midwest, south, and west). After observing my analysis on figure 2, I hypothesized for this graph that the results would be similar: The methods of selection involving elections would result in a higher percentage of women judges, even though it is contradictory to my initial hypothesis, which stated that there would be a higher number of women judges in states using a non-election method of selection.

My results for this graph are surprising: At the lowest court level, women seem to fair better with methods of selection that do not include elections of either variety. This is true across the board except in the Midwest, where both partisan and non-partisan elections
produced a higher percentage of women judges. In the south, the process of merit selection resulted in the highest number of women judges; in the northeast, the combination process had the highest percentage of women judges; in the west, both the appointment process and combination process resulted in a higher percentage of women judges than any other process.

The next figure that I completed is a scatter plot showing the relationship between the percent of women judges and the variable containing the percent mass public Liberal. The theory behind this is that women judges tend to be more liberal (Gruhl et al 1981). In this case, the X axis is represented by the independent variable, the percent mass public liberal, while the Y axis represents the dependent variable, the percent of women judges. The hypothesis between the relationships of the two variables is that as the higher the percent of the mass public is liberal, the higher percentage of women judges they will have.

(Figure 3 about here)

Figure 3 provides a look at each of the 50 states and how the effect of how liberal each state is results in the percentage of women judges each state has. The results of this graph show that there is a slight increase that the percent of the mass public that identifies themselves as liberal will result in a higher percentage of women judges.

Also of note in figure 3 in the R-Squared Linear value that is located at the top of the graph. The R-Squared value is shown to be equal to 0.341. This means that the higher the number shown is equal to one (1), the stronger the relationship is, so this relationship, although positive, is not strong.
Discussion

After running various tests to analyze my hypothesis, it can be concluded that my original hypothesis that the non-electoral methods will result in a greater share of women selected to the bench is indeed, false. Throughout the multiple tests ran to examine each facet of the selection process, I was surprised to find that those states that practiced electoral methods actually resulted in a higher percentage of women judges being on the bench. Now, this could be possibly be explained by a few reasons. First, there are a significantly lower number of states that participate in true-election style method of selection. There are only 15 states total – Idaho, Illinois, Kentucky, Louisiana, Michigan, Mississippi, Nevada, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, Texas, Washington, and Wisconsin – that use either non-partisan elections or partisan elections to
choose their judges. 35 states use a non-electoral route when selecting their judges, including California, which by itself includes more 1,600 judges at each level of their court systems. This means that the percentage of women judges will undoubtedly appear as a lower percentage.

These results are still surprising, however, after literature that was reviewed indicated that women face more and greater challenges in elections than do their white, male counterparts.

Appendix A

Map 1: Method of Selection of Each State
Table 1: Correlation between Percent of Women Judges, Percent of Population with a College Education, Percent Aged 65 or Older, Percent Aged 18-24, Percent Black (2008), and Percent Hispanic (2008).

<table>
<thead>
<tr>
<th>Percent of Women Judges (percentwjudges)</th>
<th>Pearson Correlation</th>
<th>1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sig. (2-tailed)</td>
<td>N</td>
<td>50</td>
</tr>
<tr>
<td>Percent of pop w/college or higher</td>
<td>Pearson Correlation</td>
<td>.358*</td>
</tr>
<tr>
<td>Sig. (2-tailed)</td>
<td>0.011</td>
<td></td>
</tr>
<tr>
<td>N</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>Percent age 65 and older</td>
<td>Pearson Correlation</td>
<td>.003</td>
</tr>
<tr>
<td>Sig. (2-tailed)</td>
<td>.983</td>
<td></td>
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<tr>
<td>N</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>Sig. (2-tailed)</td>
<td>0.004</td>
<td></td>
</tr>
<tr>
<td>N</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>Percent black (2008)</td>
<td>Pearson Correlation</td>
<td>-.130</td>
</tr>
<tr>
<td>Sig. (2-tailed)</td>
<td>.367</td>
<td></td>
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<tr>
<td>N</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>Sig. (2-tailed)</td>
<td>0.009</td>
<td></td>
</tr>
<tr>
<td>N</td>
<td>50</td>
<td></td>
</tr>
</tbody>
</table>

* Correlation is significant at the 0.05 level (2-tailed)
** Correlations is significant at the 0.01 level (2 tailed)
Table 2: Comparison of Percent of Women Judges by Census Region

<table>
<thead>
<tr>
<th>Census Region: Midwest</th>
<th>Census Region: South</th>
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<tbody>
<tr>
<td><strong>Process of Selection</strong></td>
<td><strong>State Name</strong></td>
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<tr>
<td>Appointment</td>
<td>Nebraska</td>
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<tr>
<td>Combination</td>
<td>Indiana</td>
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<tr>
<td>Merit Selection</td>
<td>Iowa</td>
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<tr>
<td>Non-Partisan Election</td>
<td>Michigan</td>
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<tr>
<td>Partisan Election</td>
<td>Illinois</td>
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</tbody>
</table>

<table>
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<tr>
<th>Census Region: West</th>
<th>Census Region: Northeast</th>
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<tbody>
<tr>
<td><strong>Process of Selection</strong></td>
<td><strong>State Name</strong></td>
</tr>
<tr>
<td>Appointment</td>
<td>California</td>
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<tr>
<td>Combination</td>
<td>Arizona</td>
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<td>Non-Partisan Election</td>
<td>Kentucky</td>
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<tr>
<td>Partisan Election</td>
<td>Louisiana</td>
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<td>New York</td>
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<td>Alaska</td>
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<tr>
<td>Merit Selection</td>
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<td>Non-Partisan</td>
<td>Idaho</td>
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<td>Election</td>
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<td>Partisan</td>
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<tr>
<td>Election</td>
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