



Examining diversity on state courts: How does the judicial selection environment advance—and inhibit— judicial diversity?

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Over the past 30 years, legal scholars and political scientists have devoted a great deal of attention to the relationship between judicial selection systems and the number of minorities and women who achieve positions on the bench. State courts are frequently criticized for the lack of women and minorities who serve as judges. In fact, data from the American Bar Association indicates that there are currently seven states with no minority judges on their courts, despite widespread acknowledgment that greater diversity is beneficial in a variety of ways.

For example, Brown (1998) argues that a judiciary that is representative of the population's diversity increases public confidence in the courts. Alozie (1988) contends that a diverse bench provides decision-making power to formerly disenfranchised populations. Similarly, Hurwitz and Lanier (2008) suggest that the diversity of the bench is linked to broader issues of representation, as "some scholars assert that judicial legitimacy is increased with enhanced levels of nontraditional judges, as their decisions are more

infused with 'traditionally excluded perspectives' and their presence enhances the appearance of impartiality for litigants who appear before the court and for the public at large" (49). Finally, Torres-Spelliscy, Chase, and Greenman (2008) assert that diversity on the bench is vital in order for the judiciary to provide equal justice for all. If racial and gender diversity of the bench is accepted as a desirable goal, then determining what factors are most likely to increase judicial diversity is of vital importance.

Judicial selection and judicial diversity

A prevalent line of scholarly inquiry in the field of judicial politics focuses on the degree to which different methods of judicial selection advance or inhibit diversity. Existing studies have produced vastly different results about the effects of judicial selection systems on gender and racial diversity on state courts. Some have found that appointive systems advance judicial diversity.

For example, in a study of women and minorities on courts in all 50

states, Henry (1985) concluded that "[t]he success of women and minorities in achieving judicial office depends in large measure upon the method of selection" (65), finding that appointive systems were more effective in creating a diverse bench than elective systems. Similarly, Martin and Pyle (2002) found that appointment processes tended to favor African-American candidates of both genders. Also, Bratton and Spill (2002) reported that appointive systems provided greater gender diversity to formerly all-male courts, but they noted that the effect may not hold once the court is initially diversified. This finding was shared by Holmes and Emrey (2006), who concluded that interim appointments tended to diversify all-white or all-male benches. Other scholars, however, have reached the opposite conclusion. Brown (1998) conducted a study of New York City judges from 1992-1997, finding that elective systems produced more minority and women jurists than appointive systems.

Still other studies have found no link between selection system and

diversity. For example, in a series of three studies between 1988 and 1996, Alozie reported that judicial selection systems, by themselves, explained neither ethnic nor racial diversity on the state bench. Hurwitz and Lanier (2001, 2003, 2008) also concluded that the method of selection does not have a substantial effect on judicial diversity, saying “we assert that the selection system, including the merit system, does not relate to judicial diversity” (2008, 47).

The present study adds to the existing literature in three ways. First, other studies have been relatively limited in scope, focusing on a single jurisdiction or a single level of court. For example, Henry (1992) and Brown (1998) examined only judges in New York City. Alozie (1996) and Bratton and Spill (2002) examined courts in all states but only courts of last resort. We examine all three levels of the judicial system (courts of last resort, intermediate appellate courts, and trial courts of general jurisdiction) in all 50 states.

Second, past studies have varied in their treatment of judicial selection methods. Some (see, e.g., Alozie 1988, 1990) have used selection method as a filter by only examining those judges selected using the most common method in the state. At the same time, some studies (see, e.g., Hurwitz and Lanier 2001) have treated all judges as if they were selected using the state’s formal selection method, without recognizing the prevalence of informal selection mechanisms in many states. Still, many scholars (see, e.g., Alozie 1988; Holmes and Emrey 2006) have demonstrated the importance of taking interim selection methods into account. We identify the actual method of selection for each judge in our dataset, providing the most in-depth assessment of the factors that promote or inhibit the diversity of the bench.

Third, we incorporate a range of political, institutional, and contextual factors, beyond method of selection, that structure the selection environment. Past studies of the rela-

tionship between selection methods and judicial diversity have taken into account political factors such as the party affiliation of the appointing governor (see, e.g., Holmes and Emrey 2006), institutional factors such as the size of the court (Hurwitz and Lanier 2003), and contextual factors such as the percentage of minority attorneys (see, e.g., Graham 1990) and region (see, e.g., Alozie 1990), but no prior analyses have tested a full, individual-level model of potential influences on the demographic makeup of state courts.¹

Our core dataset includes all appellate court judges and a 10 percent sample of general jurisdiction trial court judges who served in 2008.² For each justice/judge, we identified the year of selection, the formal method of selection for the court on which the judge serves, the method by which the judge actually attained the seat, the judge’s gender, and the judge’s race/ethnicity.³

Table 1 illustrates the importance of taking into account the method by which judges were actually selected, rather than simply identifying the formal selection method for that state and court. For states/courts with contestable elections (partisan or nonpartisan) as the formal selection method, judges are categorized by the method through which they first reached the bench. As Table 1 shows, approximately 45 percent of judges serving in 2008 in states with partisan or nonpartisan elections were initially appointed, either through merit selection, pure gubernatorial appointment, or judicial appointment.

For the judges in our dataset, we also coded a variety of institutional, political, and contextual characteristics of the states in which they served, the courts on which they sat, the ideology of the actors involved in their selection, and the environment in which they were selected. We describe these factors in detail below.

Institutional factors

Selection method. Past research has been inconclusive regarding what relationship, if any, exists between

judicial selection methods and diversity, and we reexamine this question here. There are six basic methods through which vacancies on state courts may be filled—merit selection, gubernatorial appointment (with or without legislative confirmation), partisan election, nonpartisan election, legislative appointment/election, and supreme court/chief justice selection. We identify the method through which each judge in our dataset initially reached the bench.

Geographic basis for selection. Judges may be selected statewide or from within a judicial circuit or district. Within a single state, the geographic basis for selection may vary both across and within levels of courts.⁴ The pool of judicial candidates is determined in part by the jurisdiction from which they are drawn, so we include in our analysis an indicator of whether each judge was selected on a statewide basis.

Legal qualifications. There is significant variation in the constitutional

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1. Hurwitz and Lanier (2001, 2003, 2008) have conducted extensive research on judicial diversity during the last decade. In their 2003 piece, they estimate multivariate models of the number of minority and women judges on state appellate courts that incorporate structural, political, and demographic factors. Our study differs from their work in three important ways. First, we attempt to explain the diversity of the bench for all three levels of courts, while Hurwitz and Lanier confined their analyses to appellate courts. Second, while Hurwitz and Lanier examine aggregate levels of diversity—i.e., the number of minorities and women on each court, we conduct an individual-level analysis, attempting to account for the selection of each minority and woman judge. Third, we identify the actual selection method for each judge, rather than relying on the state’s formal selection method (see Table 1).

2. At the beginning of 2008, there were 9321 seats on trial courts of general jurisdiction, as classified by *State Court Organization 2004*. We identified most of these judges using AOC and court websites. We also contacted AOC and court personnel as necessary. From that pool of judges, we drew a 10% random sample. Our dataset includes 340 judges of courts of last resort; 952 intermediate appellate court judges, with 4 vacant positions; and 922 judges of general jurisdiction trial courts, with 1 vacancy.

3. We used several sources to gather this information. For year and method of selection, we began with *The American Bench*. For race/ethnicity, we relied primarily on the American Bar Association’s *Directory of Minority Judges of the United States* (3rd and 4th editions). For gender, we looked first at court photos available online. To fill the remaining gaps in our data, we contacted court personnel by email and phone, searched newspaper databases, and accessed court documents and transcripts.

Table 1: Actual selection methods for judges in contestable election states

	Courts of Last Resort	Intermediate Appellate Courts	General Jurisdiction Trial Courts	Total
Merit Selection	13.9% (22)	3.6% (16)	14.6% (106)	10.8% (144)
Gubernatorial Appointment	21.5% (34)	28.2% (127)	32.5% (235)	29.7% (396)
Partisan Election	38.0% (60)	50.7% (228)	31.4% (226)	38.7% (514)
Nonpartisan Election	25.3% (40)	12.2% (55)	17.7% (128)	16.7% (223)
Court Appointment	1.3% (2)	5.3% (24)	4.0% (29)	4.1% (55)

NOTE: GJTC figures based on a 10% random sample.

and statutory requirements for serving as a judge across, and to a lesser extent within, states. In addition to residency requirements, the most common judicial qualifications relate to age and extent of legal experience. Since the pool of eligible candidates defines who may become a judge, we include these factors in our analysis.

- *Minimum age:* 16 states have a minimum age requirement for serving as a judge, ranging from 25 to 35.⁵
- *Legal experience:* Judges of appel-

4. In 41 states, judges of the highest court are chosen on a statewide basis; in 2 states, some high court judges are chosen at-large and some are chosen from particular circuits or districts. In 23 states, intermediate appellate court judges are chosen statewide. In 8 states, judges of major trial courts are chosen statewide; in 1 state, both at-large and circuit-based trial judges serve.

5. For appellate courts, the most common minimum age is 30; for major trial courts, it is 25.

6. In 28 states, judges of the highest court are required to have legal experience ranging from 5 to 10 years; in 26 states, intermediate appellate court judges are required to have legal experience ranging from 4 to 13 years; in 27 states, judges of major trial courts are required to have legal experience ranging from 4 to 10 years.

7. Executive ideology is measured by a dummy variable for a Democratic governor; electorate ideology is measured as the percentage of the state that voted for the Democratic candidate in the most recent past presidential election.

late and general jurisdiction trial courts are required in all states, either explicitly or implicitly, to have a law degree. Twenty-eight states go further and require judges to have been licensed to practice law, a member of the state bar, or a judge on another court for a minimum number of years.⁶

Political factors

In addition to the legal restraints that dictate who may become a judge, the political environment at the time of election or appointment may influence which candidates are more likely to be selected. During the time period under examination, Democratic officials have been more closely linked to women and minorities as core political constituencies and have prioritized diversification of the bench (see, e.g., Bratton and Spill 2002; Holmes and Emrey 2006).

For example, at the federal level, Presidents Carter and Clinton explicitly embraced judicial diversity as a goal in their appointment processes. Similarly, governors who are involved in the selection of state judges may be more or less likely to

choose women or minority jurists based upon their own ideology and/or that of their constituency. Thus, our analysis includes variables measuring *Executive ideology* and *Electorate ideology*.⁷

Contextual factors

Although the institutional rules governing who may serve as a judge and the political environment at the time of selection may shape which candidates/applicants are most likely to succeed in attaining a judgeship, other factors may also influence the likelihood that minorities and women are selected. Here, we include two additional variables that have been identified in previous scholarship as being relevant to the selection of diverse judges.

Attorney pool. In any attempt to account for the diversity of the bench, it is essential to control for the pool of eligible attorneys. Not surprisingly, prior scholarship has demonstrated that the number of minority and women judges in a jurisdiction is significantly related to the number of minority and women attorneys from which to select judges (Graham 1990; Alozie 1988, 1990).

In our analysis, we include the percentages of minority and women attorneys in the state at the time the judge was selected.⁸

Region. Across the country, different states have vastly different historical records of diversification. Most notably, prior research has indicated that southern states are less likely to see minority judges (Graham 1990), while women supreme court justices are more likely to be found serving on courts in southern states (Alozie 1996). In the latter case, however, it is unclear whether this differential is explained by regional political culture alone or by other factors that may correlate with regional differences (Alozie 1996). To examine this question more fully, we include in our analysis an indicator for whether a judge served in the South.⁹

Judicial diversity and the selection environment

We begin our analysis by examining bivariate relationships between institutional features—selection method, geographic basis for selection, and legal qualifications—and the race and gender of judges. Table 2 displays the percentages of minority, women, and all judges who were selected through each of the six methods for filling judicial vacancies. The most common selection method for minority and women members of state high courts in 2008 was merit selection, with 59.5 percent and 49.0 percent, respectively, having been chosen through a merit plan. On intermediate appellate courts, more minorities attained their seats through merit selection (40.8 percent) than through any other method, but partisan elections placed slightly more women on these courts (29.3 percent) than did other selection processes. For general jurisdiction trial court judges, a plurality of minority judges (35.3 percent) were appointed by the governor without recommendations from a nominating commission, while more women reached the trial court bench via merit selection (30.2 percent) than through any other method.¹⁰

Additional insight into the relationship between selection methods and judicial diversity is gained by comparing the percentages of minority and women judges chosen through each method with the percentage of all judges chosen through that method. While approximately two thirds (67.1 percent) of all high court judges were appointed by the governor with or without a nominating commission, nearly nine out of ten (89.2 percent) minority high court judges were selected in this way. Minority judges were less successful in contestable elections for high court seats; nearly 30 percent (29.7 percent) of all high court judges were elected in partisan or nonpartisan contests, but only 10.8 percent of minority judges were elected to these courts.

Women were neither advantaged nor disadvantaged compared to all judges in gubernatorial appointments to high courts, with 66.3 percent having been appointed by the governor with or without a nominating commission. However, women were less successful in attaining seats on intermediate appellate courts through a merit-based process; while 37.6 percent of all IAC judges were merit-selected, only 27.5 percent of women judges reached these courts via merit selection.

Table 2 also provides the percentages of minority, women, and all judges who were selected on a statewide basis. Although the disparities are small, statewide selection may have enhanced prospects for women to serve on courts of last resort but limited such opportunities for minorities. While 80.3 percent of high court judges were selected on a statewide basis, a slightly higher percentage of women judges (83.7 percent) and a lower percentage of minority judges (75.7 percent) were so selected.

The minimum-age requirement may have differentially affected women in the selection process, with a smaller percentage (27.9 percent vs. 34.7 percent) serving on courts of last resort in states with a minimum-age requirement. At the same time, a

slightly larger percentage of minority judges (30.0 percent vs. 26.1 percent) served on intermediate appellate courts in states with an age qualification.

According to the figures in Table 2, a legal-experience requirement benefited minorities in attaining judgeships fairly substantially. While 58.5 percent of all judges served on courts of last resort in states that require a minimum number of years of legal experience, 73.0 percent of minority high court judges serve in such states. And while 65.9 percent of general jurisdiction trial court judges served in states with such a requirement, 80.4 percent of minority trial court judges served in these states.¹¹

In order to capture the broader judicial selection environment, we also estimated multivariate models of racial and gender diversity on all three levels of state courts, incorporating institutional, political, and contextual factors. The following logistic regression models were estimated:

$$P(\text{Race/Ethnicity}=1) = b_0 + b_1(\text{Merit}) + b_2(\text{Gov Appt}) + b_3(\text{Statewide}) + b_4(\text{Age}) + b_5(\text{Experience}) + b_6(\text{Dem Gov}) + b_7(\text{Dem Voters}) + b_8(\text{Minority Attys}) + b_9(\text{South})$$

$$P(\text{Woman}=1) = b_0 + b_1(\text{Merit}) + b_2(\text{Gov Appt}) + b_3(\text{Statewide}) + b_4(\text{Age}) + b_5(\text{Experience}) + b_6(\text{Dem Gov}) + b_7(\text{Dem Voters}) + b_8(\text{Women Attys}) + b_9(\text{South})$$

Merit = whether the judge was selected through merit selection.

8. We obtained these figures from the American Bar Foundation's *Lawyer Statistical Report*. For minority attorneys, numbers are available by state for 1970, 1980, 1990, and 2000. For women attorneys, numbers are available by state for 1971, 1980, 1985, 1991, 1995, and 2000.

9. As classified by the U.S. Census Bureau, the South region includes Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, Kentucky, Tennessee, Mississippi, Alabama, Oklahoma, Texas, Arkansas, and Louisiana.

10. As we drew a random sample of general-jurisdiction trial court judges, we tested whether the differences across selection methods for these judges were statistically significant, and they were not.

11. This difference is statistically significant at $p < 0.01$.

Table 2: Institutional factors and diversity on state courts

	Courts of Last Resort	Intermediate Appellate Courts	General Jurisdiction Trial Courts	Total
Merit Selection				
Minorities	59.5% (22)	40.8% (49)	25.5% (26)	37.5% (97)
Women	49.0% (51)	27.5% (77)	30.7% (61)	32.4% (189)
Total	50.0% (170)	37.6% (358)	26.0% (240)	34.7% (768)
Gubernatorial Appointment				
Minorities	29.7% (11)	22.5% (27)	35.3% (36)	28.6% (74)
Women	17.3% (18)	28.6% (80)	28.1% (56)	26.4% (154)
Total	17.1% (58)	24.4% (232)	31.0% (286)	26.0% (576)
Partisan Election				
Minorities	8.1% (3)	25.0% (30)	27.5% (28)	23.6% (61)
Women	19.2% (20)	29.3% (82)	23.1% (46)	25.4% (148)
Total	17.9% (61)	24.4% (232)	24.3% (224)	23.4% (517)
Nonpartisan Election				
Minorities	2.7% (1)	3.3% (4)	8.8% (9)	5.4% (14)
Women	10.6% (11)	6.1% (17)	12.1% (24)	8.9% (52)
Total	11.8% (40)	5.8% (55)	13.9% (128)	10.1% (223)
Legislative Appointment				
Minorities	—	.8% (1)	2.0% (2)	1.2% (3)
Women	1.9% (2)	1.4% (4)	2.0% (4)	1.7% (10)
Total	2.6% (9)	1.8% (17)	1.5% (14)	1.8% (40)
Court Appointment				
Minorities	—	7.5% (9)	1.0% (1)	3.9% (10)
Women	1.9% (2)	7.2% (20)	4.0% (8)	5.1% (30)
Total	0.6% (2)	6.1% (58)	3.2% (30)	4.1% (90)
Statewide Selection				
Minorities	75.7% (28)	35.8% (43)	2.9% (3)	28.6% (74)
Women	83.7% (87)	34.6% (97)	7.0% (14)	34.0% (198)
Total	80.3% (273)	35.1% (334)	5.0% (46)	29.5% (653)
Minimum Age				
Minorities	35.1% (13)	30.0% (36)	24.5% (25)	28.6% (74)
Women	27.9% (29)	25.7% (72)	20.6% (41)	24.4% (142)
Total	34.7% (118)	26.1% (248)	20.1% (185)	24.9% (551)
Minimum Experience				
Minorities	73.0% (27)	75.0% (90)	80.4%* (82)	76.8% (199)
Women	55.8% (58)	73.6% (206)	64.3% (128)	67.2% (392)
Total	58.5% (199)	74.8% (712)	65.9% (608)	68.6% (1519)

NOTE: GJTC figures based on a 10% random sample.

* p < 0.01

Appoint = whether the judge was chosen by pure gubernatorial appointment.

Statewide = whether the judge was selected from a statewide pool of candidates or from candidates within a limited geographic area.

Age = whether the judge served on

a court with a minimum age requirement.

Experience = whether the judge served on a court with a minimum number of years of legal experience required.

Dem Gov = for merit-selected and appointed judges, whether the

appointing governor was a Democrat.

Dem Voters = the percentage of the state that voted for the Democratic candidate in the most recent past presidential election.

Minority/Women Attys = the percentage of attorneys in the state at

the time the judge was selected who were racial/ethnic minorities or women.

South = whether the judge served in a southern state.

In these models, we include judges selected through the three most common methods—merit selection, gubernatorial appointment, and popular election (the baseline category), excluding from the analysis those judges who were legislatively or judicially appointed.¹² Our results are presented in Table 3.

Minority judges

The models that examine race/ethnicity present a fairly clear picture, in that for every level of court the percentage of minority attorneys in the state was a significant predictor of racial/ethnic diversity on the courts. As one would expect, states with a higher percentage of minority attorneys were more likely to have minority judges serving on all three levels of courts. This relationship held true even while controlling for the political context, indicating that the increased number of minority jurists in these states was not dependent upon party control of the governorship or the partisan inclination of the electorate.

Our findings regarding the role of judicial selection methods in bringing racial diversity to the bench are less consistent. Appointive methods were more likely than popular elections to place minority judges on courts of last resort, as our indicator for gubernatorial appointment was statistically significant at $p < 0.01$ and our merit selection indicator was significant at $p < 0.05$. For intermediate appellate and trial courts, however, selection methods were unrelated to racial diversity.

Another institutional factor was influential in selecting minority judges, at least at the trial court level. Minority judges were more likely to serve on general jurisdiction trial courts in states that require a minimum number of years of legal experience.¹³

Regarding the political environ-

ment, our analysis indicates that minority judges were more likely to attain seats on intermediate appellate courts under Democratic governors than Republican governors. Interestingly, there was no significant change in the likelihood that minorities would be selected for state courts of last resort or general jurisdiction trial courts under Democratic governors. At the same time, the ideology of the citizenry was relevant in the selection of minority judges to general jurisdiction trial courts. The more Democratic the state, the more likely minority judges were to serve on its trial courts.

Women judges

The results for women judges are markedly different, suggesting that there are different underlying factors promoting gender diversity than racial and ethnic diversity. Our findings for courts of last resort are particularly intriguing, as none of the factors we explored were related to the selection of women to these courts. It is worth noting that, unlike the other five models, not even the relevant demographic pool of attorneys was related to success in achieving the bench. For intermediate appellate courts and major trial courts, however, the percentage of women attorneys in the state was significantly (and positively) related to the selection of women judges.

In terms of selection methods, merit selection and gubernatorial appointment systems did not place more, or fewer, women on state high courts or trial courts than did popular elections. However, after taking the larger political, institutional, and contextual environment into account, we found that merit selection placed significantly fewer women on intermediate appellate courts than did partisan or nonpartisan elections. At the same time, women were more likely to be selected for intermediate courts of appeal under Democratic governors than Republican governors.

The political environment was relevant to the success of women in attaining seats on state trial courts as

well, but not in the way we might have expected. Contrary to our findings for minority judges, the selection of women to these courts was less likely in Democrat-dominated states.

Directions for future research

One of the most striking aspects of this analysis is how clearly it demonstrates the importance of treating each level of court as a distinct institution. We found commonalities within court levels in the factors related to minorities and women being selected for these courts; for example, intermediate appellate courts were more likely to be diversified under Democratic governors, while the racial and gender makeup of trial courts was determined in part by the partisan composition of the electorate. But with the exception of the demographics of the attorney population, none of the same factors were important across all levels of court for either minorities or women. Subsequent research should consider whether this is due to differences in institutional features of these courts, in the perceived role of and desirable qualities for judges at each level, or in the professional and/or political backgrounds necessary for selection to these courts.

Another noteworthy finding is the fact that none of the institutional, political, and contextual factors we considered accounted for the selection of women to state high courts. Even the percentage of women attorneys in the state was not tied to women attaining seats on the court of last resort. Other studies have suggested that women may be less likely to be selected to state high courts if a woman already serves on the court, and that may be borne out in our findings. Both the governor and the electorate may prioritize placing a woman on an all-male high court, regardless of the pool of eligible candidates. This is an interesting phe-

12. For courts of last resort, 11 of 340 judges are excluded from the analysis; for intermediate appellate courts, 75 of 956 judges are excluded; and for general-jurisdiction trial courts, 42 of 923 judges are excluded.

13. For *Legal Experience*, $p=0.107$

Table 3: Diversity and the selection environment

	Courts of Last Resort			Intermediate Appellate Courts			General Jurisdiction Trial Courts		
	B	S.E.	Sig.	B	S.E.	Sig.	B	S.E.	Sig.
Race/Ethnicity									
Merit	1.407**	.593	.018	.037	.265	.887	.029	.297	.922
Gov Appt	1.934***	.628	.002	-.119	.291	.682	.052	.271	.847
Statewide	-.137	.527	.794	-.011	.264	.968	-.121	.661	.855
Age	-.112	.454	.805	.134	.251	.594	.422	.305	.166
Experience	.333	.433	.442	-.169	.272	.533	.494*	.295	.094
Dem Gov	.453	.403	.260	.467**	.216	.031	-.040	.231	.863
Dem Voters	.025	.021	.235	-.006	.010	.526	.034*	.018	.063
Minority Attys	.077***	.024	.002	.064***	.017	.000	.059***	.020	.003
South	.717	.474	.131	.180	.235	.443	.004	.285	.989
_Constant	-5.681	1.343		-2.421	.581		-4.671	.939	
Gender									
	B	S.E.	Sig.	B	S.E.	Sig.	B	S.E.	Sig.
Merit	.003	.287	.991	-.915***	.211	.000	.151	.217	.485
Gov Appt	-.084	.366	.819	-.174	.199	.381	-.134	.214	.530
Statewide	.385	.361	.286	.019	.204	.927	.216	.373	.562
Age	-.340	.290	.241	.264	.202	.191	-.151	.238	.526
Experience	.044	.256	.865	-.186	.195	.340	-.156	.188	.407
Dem Gov	.113	.247	.648	.426***	.164	.009	.035	.176	.841
Dem Voters	.007	.012	.541	-.001	.008	.848	-.020*	.011	.082
Women Attys	.013	.023	.570	.048***	.015	.001	.071***	.017	.000
South	.086	.305	.778	-.263	.182	.147	.030	.214	.887
_Constant	-1.716	.788		-1.513	.501		-1.843	.587	

* p < .10 ** p < .05 *** p < .01

nomenon that deserves further exploration.

Finally, we undertook this analysis to determine whether some selection methods were more likely than others to diversify state courts. Our findings in this regard were mixed. Merit selection and pure gubernatorial appointment placed more minorities on high courts than did contested elections, while merit selection placed fewer women on intermediate appellate courts; but neither appointive nor elective methods were consistently more successful, or less successful, in diversifying state

judiciaries. Additional research is warranted to identify aspects of both appointive and elective systems that may be modified or improved in order to enhance racial and gender diversity, as well as other types of diversity, among the judges who are selected. ☞

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