

POLITICAL APPOINTMENTS, CAREERS, AND PERFORMANCE IN THE CIVIL SERVICE: EVIDENCE FROM U.S. FEDERAL JUDGES*

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ABSTRACT. This paper studies the role of political appointments on the performance and career trajectories of civil servants. The focus is on U.S. federal judges, who are nominated by the president based on recommendations from their home-state senators. Leveraging individual-level data on judges and senators from 1789 to 2019, we employ difference-in-differences and event-study designs to compare judges' performance before and after their recommending senators leave office. Following their recommenders' exit from Congress, judges' performance decline. These negative effects manifest in both quantity, as measured by fewer judicial opinions authored and a larger backlog of civil cases, and quality, indicated by shorter opinions and fewer citations made and received. The results are consistent with an erosion of career prospects driving these effects: after their recommenders leave office, district court judges become less likely to be promoted to upper-level courts. The findings highlight how political appointments can incentivize civil servants through career concerns but also show that these incentives are closely tied to the tenure of their political sponsors.

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1. INTRODUCTION

Political appointments are the predominant method for selecting public employees worldwide (Lim and Snyder Jr, 2021). These appointments play a crucial role in shaping the qualifications of public servants (Colonnelli et al., 2020), the provision of public goods (Akhtari et al., 2022; Aneja and Xu, 2024; Toral, 2024), levels of corruption (Gagliarducci and Manacorda, 2020), fiscal capacity and financial performance (Xu, 2018; Vannutelli, 2022), and the effectiveness of crisis management (Chen et al., 2022). Judicial appointments are no exception: as of 2021, 70% of the world's nations filled court positions through presidential appointment (CIA, 2021). Despite their importance, there is limited evidence on the consequences of political influence in judicial nominations – a notable gap given that judicial performance is central to democratic quality (Montesquieu, 1991; Hamilton et al., 1998; Locke, 1976; La Porta et al., 2004) and economic development (La Porta et al., 1997; Acemoglu and Johnson, 2005).

Recent studies have begun to address this gap by examining how political appointments affect judicial performance. Some compare elected and appointed judges within the same country (Lim, 2013) while others analyze institutional reforms that removed political appointments altogether (Mehmood, 2022). However, because judges typically operate under a single appointment system throughout their careers, their dependence on political actors is more likely to vary due to individual-level rather than system-wide changes.

In this paper, we leverage the institutional features of the U.S. federal judicial appointment process to provide the first within-judge estimates of how political appointments affect judicial performance. Federal district court judges in the United States are nominated based on recommendations from home-state senators who share the president's party affiliation. Using individual-level data on judges and senators from 1789 to 2019, we identify each judge's recommending senator(s).

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We then employ a stacked-by-event design (Cengiz et al., 2019; Deshpande and Li, 2019) to examine how the exit of the recommending senators from Congress affects the performance and career progression of the judges they supported.

We find that district court judges author fewer judicial opinions and accumulate a larger backlog of civil cases following the departure of their recommending senators. Moreover, the loss of a recommending senator leads to a statistically significant decline in the quality of judicial opinions, as measured by opinion length, the number of citations received, and the number of citations included. Event-study estimates show that these effects emerge only after the senator's exit, supporting the parallel trends assumption underlying our identification strategy.

These negative effects are widespread. Heterogeneity analyses show that they hold across judges with varying levels of quality, tenure, and partisan affiliation. The findings are robust to a range of sensitivity checks, including alternative approaches to identifying political recommenders. Specifically, we collect and review all available minutes from the confirmation hearings of district court judges during our study period – 1,202 hearings, covering 56% of the judges in our sample. We designate a senator as a judge's recommender only if the senator publicly endorses the nominee during the hearing. The results remain robust and quantitatively similar when using this more stringent definition. Furthermore, the decline in performance occurs regardless of whether the senator's departure from office is due to an unexpected event – such as electoral defeat or death – or to voluntary exits, such as retirement, resignation, or pursuing another office.

To confirm that the observed decline in judicial productivity is driven by the exit of home-state senators, rather than broader partisan dynamics, we further show that the treatment effect remains negative and significant even when a judge's recommender is replaced by a co-partisan. This suggests that ties to specific senators – rather than shared party affiliation – are responsible for the observed changes in judicial output.

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Next, we investigate the mechanisms linking the exit of recommending senators to the observed decline in judicial productivity. Because senators play a central role in the nomination of higher-level judges (Domnarski, 2009), we hypothesize that the loss of a recommending senator may diminish a district judge's career advancement opportunities. Given that district court judges hold lifetime appointments, established economic theories of career incentives (Rosen, 1986; Gibbons and Murphy, 1992) imply that the departure of a key political sponsor may reduce incentives to exert high effort.

Consistent with this hypothesis, we find a substantial negative effect of recommenders' exit on judges' career advancement. Specifically, judges experience a sharp decline in their annual probability of promotion to the U.S. Courts of Appeals following the departure of their recommenders – effectively closing off opportunities for advancement within the federal judiciary. In line with the institutional rules governing federal judicial nominations, this effect is concentrated in years when judges share partisan affiliation with the sitting president – periods in which judges are best positioned to benefit from their recommenders' backing.

This paper makes several contributions. First, it extends the growing literature on the political appointment of civil servants. Recent studies (e.g., Gallo and Lewis, 2012; Xu, 2018; Colonnelli et al., 2020; Spenkuch et al., 2023) document how patronage appointments can undermine the quality and performance of various public organizations. Leveraging the institutional features of the federal judiciary, this study examines how the effects of discretionary appointments evolve over the course of civil servants' careers, particularly in response to the exit of their political sponsors. The findings suggest that, while in office, recommending senators may enhance judges' performance by providing career incentives that influence both the quantity and quality of their output.

Second, this study bridges the literature on political appointments with research on how promo-

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tion schemes influence incentives and performance (Ke et al., 2018; Voth and Xu, 2019; Bertrand et al., 2020). Since promotions constitute the central causal mechanism in our analysis, this paper further contributes to the broader literature at the intersection of political economy and organizational economics. While this body of work consistently finds that limited career advancement opportunities weaken public employee performance (Finan et al., 2017; Karachiwala and Park, 2017; Bertrand et al., 2020; Kim, 2022; Nieddu and Pandolfi, 2022; Deserranno et al., 2024), it has only tangentially addressed career concerns in the judiciary, typically focusing on small or selective subsamples of judges (Schneider, 2005; Black and Owens, 2016). Yet understanding how to incentivize judges is critical, as judicial performance plays a foundational role in both democratic governance (La Porta et al., 2004) and economic development (Acemoglu and Johnson, 2005). Leveraging comprehensive data and a unique empirical setting, the current work contributes to this endeavor by providing causal estimates for the universe of district court judges over a span of more than two centuries, within one of the largest judiciaries in the world.

Third, our findings contribute to the broader debate on the merits of alternative appointment procedures for high-level public officials (Huber and Ting, 2021). A substantial body of research has shown that the behavior of elected officials is often shaped by electoral incentives, and that judges are not exempt from such pressures (Huber and Gordon, 2004; Gordon and Huber, 2007; Berdejó and Yuchtman, 2013; Besley and Payne, 2013; Canes-Wrone et al., 2014; Lim et al., 2015). By showing that political considerations also shape the behavior of appointed judges, our study calls into question the extent to which lifetime appointments insulate the judiciary from political influence and mitigate the distortions introduced by electoral cycles.

Finally, this article advances our understanding of the functioning of the U.S. federal judiciary and the factors that shape judicial performance. Prior research has primarily examined how judicial bias arises from judges' partisan affiliation (Sunstein et al., 2007; Cohen and Yang, 2019) or

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personal ideology (Schanzenbach and Tiller, 2008). In contrast, this study offers a new perspective by investigating how connections to specific politicians influence judicial performance through their impact on career incentives. This approach deepens our understanding of judicial behavior by emphasizing how performance incentives can evolve dynamically over the course of a judge's career.

The remainder of the paper is organized as follows. Section 2 provides background on the U.S. federal court system, with particular emphasis on the role of home-state senators in the nomination process for district court judges. Section 3 describes the data sources and key features of our dataset on federal judges and U.S. senators, along with the procedure used to match them. Section 4 outlines the empirical strategy. Section 5 presents the main results on judicial performance, and Section 6 examines the impact on promotions – our hypothesized causal mechanism. Section 7 concludes.

2. BACKGROUND

U.S. federal courts are in charge of dealing with both civil and criminal cases referred to the potential violation of one or more federal laws. The federal court system consists of three layers: 94 district courts, 13 courts of appeals (also referred to as circuit courts), and the US Supreme Court. Different from state-level judges, who are elected by citizens, federal judges are appointed for life by the President of the United States. However – while formally making the nominations – the president is far from being the only one involved in the process. This is particularly true for the entry-level position in the US federal judiciary, the one of district court judge.

In fact, by a well-established custom, candidates for district court judgeships are put forward by home state senators who are from the same party as the president. Should there be no such

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senators, the president consults with other high-level officials from the state with whom he shares partisanship, such as House representatives ([Rutkus, 2016](#)). After vetting the candidate(s) identified by home state senators, the President refers one nominee to the Senate Judiciary Committee, which holds a confirmation hearing involving a question and answer session with the candidate.

Following the hearing, the committee reports the candidate to the Senate floor in one of three ways: favorably, unfavorably, or without recommendation. In the overwhelming majority of cases, candidates are reported favorably, and in a relatively quick way.¹ The Senate is then in charge of the final confirmation, which is usually voted by unanimous consent. On top of the US Senate, the only other institution having a say over proposed candidates is the *American Bar Association* (ABA, henceforth), which issues a non-binding evaluation before the nomination is passed on to the Judiciary committee.

Although not enshrined in the Constitution, the practice of accepting names for district judgeships from home state senators has been consistently applied throughout the years, by presidents from all parties. This led to the association of district court judges with their senatorial recommenders rather than with their nominating president. As effectively summarized by US Attorney General Robert F. Kennedy, "Basically it's senatorial appointment with the advice and consent of the president" ([O'Brien, 1986](#), p. 40).

Such a practice has not been immune from criticisms, on the grounds that it may favor politically connected candidates over more competent ones. As acknowledged by a US Senator himself, it constitutes an "important source of political patronage" for US senators ([Tydings, 1977](#)). Not surprisingly, factors concurring to the identification of candidates by senators include friendship, acquaintance, and family ties, among others ([Domnarski, 2009](#)). Furthermore, district judges are

¹However, longer confirmation times – and occasional rejections of candidates – have been taking place in more recent decades (see [Binder and Maltzman, 2009](#)).

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often chosen based on their political orientation, and a large majority of them were politically active before being appointed (Carp et al., 2019).

While home state senators are commonly regarded as determining only district court nominations, anecdotal evidence points to their active role in the appointment process of circuit court judges, as well (Domarski, 2009). Notably, this qualitative evidence is largely corroborated by the official records of Congressional Hearings, which report strong written and oral endorsements of court of appeals nominees on behalf of one or more home state senators. This may imply that they suggest names for direct appointment to the circuit bench from outside the federal court system, or that they favor the promotion of judges that they first recommended for a district court position.

3. DATA AND MEASUREMENT

To study the impact of senators' tenure on the careers and performance of federal judges, we build a novel dataset combining information on both US federal judges and senators throughout the period 1789-2019.

3.1. US Federal Judges Data. Data on judges' careers come from the Biographical Directory of Article III Federal Judges compiled by the *Federal Judicial Center* (FJC), the research and education agency of the judicial branch of the United States Government. The directory includes the biographies of judges appointed since 1789 on the US district courts, US courts of appeals, Supreme Court of the United States, and US Court of International Trade, as well as the former US circuit courts, Court of Claims, US Customs Court, and US Court of Customs and Patent Appeals. The FJC data contain information on the full career of federal judges, with the specific dates of each appointment obtained.

Data on judicial opinions come from CourtListener, a free legal research website containing

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millions of legal opinions from federal and state courts, operated by the non-profit Free Law Project. At the moment we write, CourtListener contains information on 9,032,122 legal opinions from federal, state, and specialty courts, from the 1920s until today. Opinions — written comments that must be issued after deciding on each case — are the main output of judges’ work, and have been consistently used by researchers as a tool to measure their performance ([Posner, 2008](#); [Ash and MacLeod, 2015, 2024](#)).

For each judge-year observation, we compute four outcomes. The first gauges the *quantity* of output: the total number of judicial opinions written by a judge in a given year. Since an opinion must be issued after closing a case, the number of opinions that a judge produces corresponds to the number of cases they decided upon. As new cases are randomly assigned to judges on a rolling basis, the number of opinions exclusively depends on a judge’s speed, not on the number and the type of cases they are assigned to. The other three outcomes proxy for the *quality* of output: the average number of words contained in the opinions, the average number of forward citations and the average number of backward citations. Importantly, citations are not a measure of whether the decision is correct or not. But, on average, more forward citations signal a harder work by the judge to ground their decisions on previous cases, while more backward citations suggest that a judge’s work proved more useful to her colleagues in the future.

Data on civil case backlog come from the Civil Justice Reform Act (CJRA) Reports, available semiannually starting in 1998. Mandated by the Civil Justice Reform Act of 1990, these reports are compiled by the Administrative Office of the U.S. Courts and provide standardized statistics for each U.S. district judge. Among the various metrics reported, we focus on the number of civil cases pending for more than three years — a key indicator of unresolved workload and judicial backlog that captures prolonged delays in civil litigation.

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3.2. US Senators Data. Data on senators are from three sources: the Biographical Directory of the United States Congress, the website voterview.com, and the Roster of Members of the United States Congress (McKibbin et al., 1984). Combining these sources provides us with complete information on the political careers of all US senators, from 1789 to 2019.

3.3. Matching of the Datasets. In the empirical analyses that follow we focus on the sample of federal judges who, over the 230 years of our sample period, were ever appointed as district court judges.² We follow their career in the district courts until their promotion, retirement, resignation, or death – whichever occurs first. In doing so, we also record if and when the senator(s) who recommended their nomination left office. To this end, we transform the FJC data into an unbalanced panel at the judge-year level.

In order to identify the senator(s) who recommended the nomination of each federal judge, we match this panel with the data on US senators. In particular, we link each judge to the senator – or pair of senators – who, at the time of her nomination as district court judge, were representing the state where she was appointed, and who were of the same party as the nominating president.³ Finally, given that our treatment of interest is recommender’s exit from Congress, we exclude from our analysis judges who are appointed in states where there is no senator of the same party as the incumbent president at the time of nomination.

The final sample consists of 1,885 judges for the period 1789-2019.⁴ Table A1 reports summary statistics for a set of judges’ characteristics. The average judge writes approximately 6 opinions

²The following categories are not included in our sample: (i) judges appointed in years in which that State did not have any representative in the Senate yet; (ii) judges in the district courts of DC and Puerto Rico.

³The rationale for this matching procedure comes from the process through which senatorial recommendation of federal judges works, as detailed in Section 2 above.

⁴As described in Section 3, the data on judicial opinions are available starting in 1924 and those on case backlog from 1998.

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per year. These opinions have a mean length of 3,644 words and, on average, receive 4 citations by other judicial opinions and contain 13 citations of other work. On average, a judge has 12 civil cases pending for more than three years on their docket. Approximately 11% of the judges in the sample get promoted from a district to an upper court, after an average of 7 years from appointment. Figure A1 displays the number of promotions in each year, which ranges from a minimum of 0 to a maximum of 7. About half of the judges are appointed by a Democratic president, and half by a Republican one.

4. EMPIRICAL STRATEGY

The identification strategy leverages the staggered exit from Senate of political recommenders across judges. Two key aspects allow us to exploit these events for identification. First, judges cannot affect senators' exit date or tenure in any way. Second, approximately half of these exits occur for likely unanticipated reasons (i.e., death while in office, loss of general election, or loss of primary election), and are the ones that we focus on in the main specification.⁵ Thus, treatment timing is plausibly exogenous. Since the treatment date differs for each judge based on the exit dates of their recommending senators, the empirical strategy compares the evolution over time of outcomes of judges who are treated earlier to judges who are treated later.

Given the presence of staggered treatment assignment, we adopt a “stacked-by-event” design (Aneja and Xu, 2024; Cengiz et al., 2019; Deshpande and Li, 2019). This estimator accounts for the potential pitfalls of two-way fixed effects estimators in the presence of staggered adoption

⁵Such unexpected exits account for 49% of all exits between 1789 and 2019. Other reasons for a senator's exit from Congress are due to an individual not seeking re-election, seeking or accepting another office, or resigning. Exploiting these additional events yields similar results (Figure ??).

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(Borusyak et al., 2024; De Chaisemartin and d’Haultfoeuille, 2020; Goodman-Bacon, 2021).⁶

The “stacked” method amounts to considering each senator exit wave as a separate subexperiment around which we construct a difference-in-differences estimate using judges affected and unaffected in that year. We then “stack” all individual event-specific difference-in-differences to estimate the pooled effect of senator exits across all waves.⁷ As such, let j denote the senator exit wave, and let k be the years before or after the senator leaves Congress. Since k is centered around the date each senator exit occurs, negative values are years leading up to a senator exit event, and $k = 0$ denotes the year of the exit. We restrict the pooled sample to a 12-year window, i.e., six years with the senator in office and six years after they left office.⁸ For judge i , senator exit year j , and the k -th year around the exit, we estimate

$$y_{ijk} = \beta(Treated_{ij} \times Post_k) + \theta_{ij} + \tau_{jk} + \varepsilon_{ijk} \quad (1)$$

where $Treated_{ij} = 1$ if judge i ’s recommending senator exits Congress in wave j , and 0 otherwise. The variable y_{ijk} is the outcome of interest. The variable $Post_k$ is defined as $Post_k = \mathbb{1}\{k \geq 0\}$, taking the value 1 post-exit, and 0 before. τ_{jk} are exit-specific year fixed effects, which absorb common temporal shocks. Since the same judge can serve both in the treatment and control groups in different exit waves, we estimate the judge fixed effects θ_{ij} separately for each exit wave.⁹ The parameter β is the key estimate of interest, capturing the impact of experiencing the recommender’s

⁶In this context, one main concern is including already-treated judges as part of the control group. In the presence of heterogeneous treatment effects across judges experiencing senator exits at different points in time, this can lead to biased estimates.

⁷This research design makes explicit the comparison groups in each period. Specifically, the control groups are made of judges who have not experienced any senator exit by the end of the event window analyzed (i.e., judges “not-yet-treated”).

⁸Six years corresponds to the term length of U.S. Senators. The findings are unaffected by alternative choices of the time window (results unreported for brevity but available upon request).

⁹Control judges who become treated within a given event study j ’s time window are excluded from that event study.

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exit relative to control judges who do not experience any recommender's exit in event wave j . Standard errors are clustered at the judge level, accounting for the possibility of serial correlation over time and the repeated appearance of judges in different event waves as both treatment and control units.

For causal inference, we require that treated and control judges evolve along common trends in the absence of the senator exit. To investigate pre-trends as well as the dynamic evolution of the treatment effect, we also estimate a non-parametric event-study specification:

$$y_{ijk} = \sum_{l=-5}^{+6} \beta_l (Treated_{ij} \times \mathbb{1}\{k = l\}) + \theta_{ij} + \tau_{jk} + \varepsilon_{ijk} \quad (2)$$

with the pre-exit year ($k = -1$) as the omitted category. In this specification, the coefficients of interest are the β_l 's, measuring the change in outcomes of treated judges l years after treatment, relative to the pre-treatment year, relative to the change in outcomes of control judges who have not been treated, yet.

As outlined in Section 2, judges with recommending senators may start their judicial career with either one or two active recommenders. Since we are chiefly interested in the effect of losing all ties to senators, throughout the paper we focus on the effects of the exit of the last active recommender for each judge. This amounts to considering the exit of the unique recommender for judges who start with a single recommender, and of the recommender who leaves Congress last for those who start with two recommenders. Nonetheless, for this latter group, we also discuss the effects of each separate exit when presenting heterogeneity analyses.

5. MAIN RESULTS

5.1. Effect of Senator’s Exit on Judge’s Performance. Table 1 reports estimates of β from Equation (1), which capture the causal effect of a recommending senator’s exit from Congress on judicial performance. Columns (1) through (4) present results for the four measures of performance based on judicial opinions, while column (5) shows the effect on the number of pending civil cases.

Column (1) reveals a substantial decline in judicial output following the departure of the judge’s last active recommender: this event leads to a 19% reduction in the number of opinions authored.¹⁰

As noted above, the number of opinions that a judge authors on a given year is mechanically tied to the number of cases they close during that period. Thus, the negative and significant coefficient in column (1) may reflect one of two dynamics: judges may take more time per case in order to produce higher-quality opinions, or they may simply slow down, closing fewer cases without any improvement in quality. The estimates in columns (2) through (4) support the latter interpretation. Following the exit of the recommending senator, judges write opinions that are, on average, shorter (column 2), receive fewer citations from other opinions (column 3), and include fewer citations to prior work (column 4). These patterns are consistent with a decline in both the effort and the influence of judicial work.

The results in column (5) further reinforce this interpretation. Although data on civil cases pending for more than three years are available only for a shorter time span, the estimates are in line with those from the other performance measures. After the departure of their recommender, judges accumulate a significantly larger backlog of civil cases. Given that judges have, on average, between 5 and 6 such cases while their recommender remains in office, this implies an increase of

¹⁰Since the coefficients are estimated using Poisson regressions, the magnitude of the coefficients can be calculated as follows: $\% \Delta y = 100 \times (e^\beta - 1)$.

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nearly 11 additional pending cases.

Taken together, these results show that the loss of a political sponsor leads to a decline in both the quantity and quality of judicial output.

Table 1: Effect of Senator's Exit on Judge's Performance

	Judicial Opinions				
	Total written (1)	Number of words (2)	Citations received (3)	Citations made (4)	Civil cases pending (5)
Treated \times Post	-0.21*** (0.07)	-0.16*** (0.04)	-0.07 (0.05)	-0.19*** (0.04)	1.07** (0.50)
Observations	33,338	33,338	31,961	33,021	9,171
Mean of dep. var., Treated = 1 & Post = 0	4.91	3431.44	4.85	11.94	5.55
Judge \times Event FEs	Y	Y	Y	Y	Y
Year \times Event FEs	Y	Y	Y	Y	Y

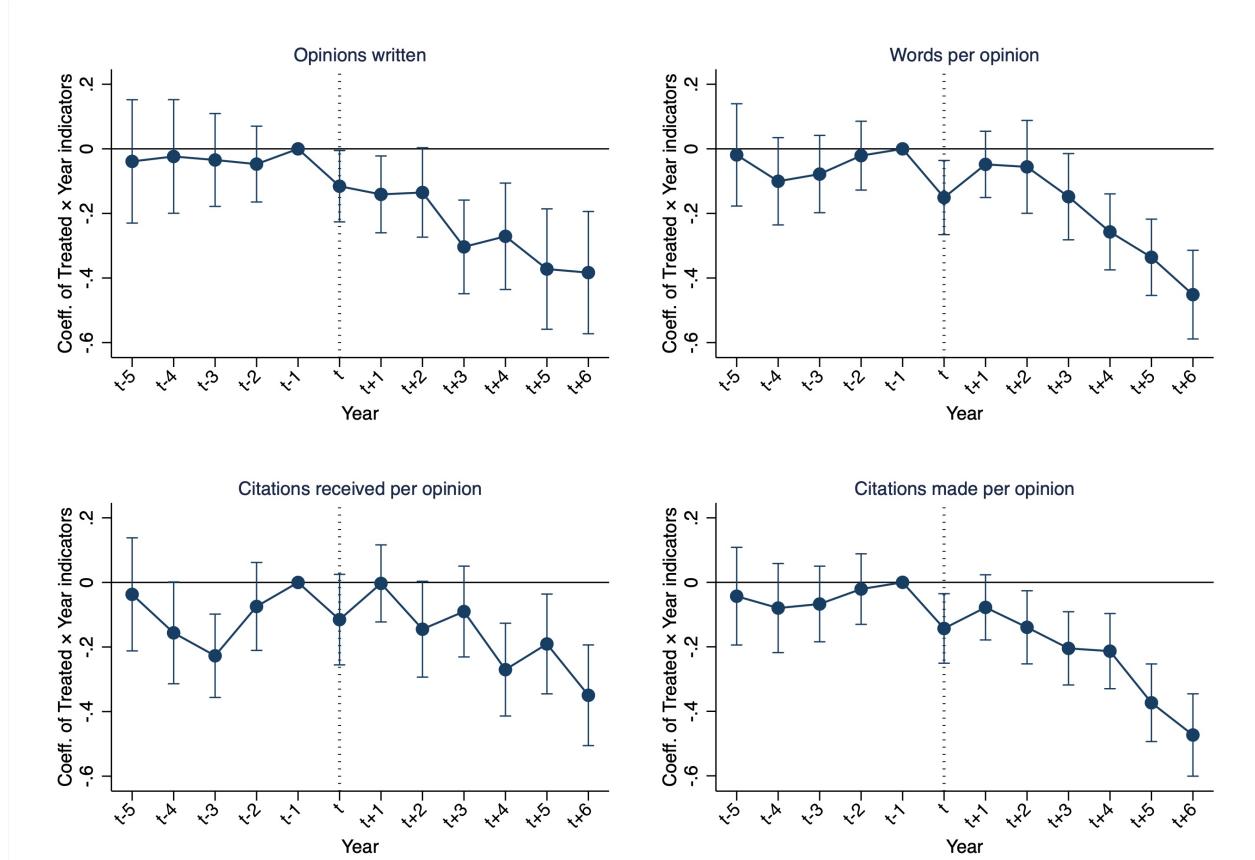
Notes: All coefficients are estimated using Poisson regressions. The unit of observation is the senator-exit event \times judge \times year. The dependent variables are: the number of opinions authored by judge i in year t (column 1); the average number of words in the opinions authored by judge i in year t (column 2); the average number of citations received by the opinions authored by judge i in year t (column 3); the average number of citations included in the opinions authored by judge i in year t (column 4); and the number of civil cases assigned to judge i that have been pending for more than three years as of year t . Treated is an indicator equal to 1 if the judge's recommender exits the Senate in the event wave, and 0 otherwise. Post is an indicator equal to 1 starting in the event year. All regressions include judge \times event and year \times event fixed effects. Standard errors are clustered at the judge level. *** p<0.01, ** p<0.05, * p<0.1.

Figure 1 and Figure 2 display estimates of the β_l parameters from Equation (2), for $l = -5, +6$, using the year prior to the senator's exit ($l = -1$) as the omitted category. Figure 1 presents four event-study panels corresponding to the opinion-based outcomes in Table 1, while Figure 2 shows the results for the backlog of civil cases. In all cases, the estimates indicate no evidence of pre-trends. The effects emerge immediately after the senator's departure from Congress and persist for

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at least six years.

**Figure 1: Effect of Senator's Exit on Judicial Opinions
Dynamic Effects**

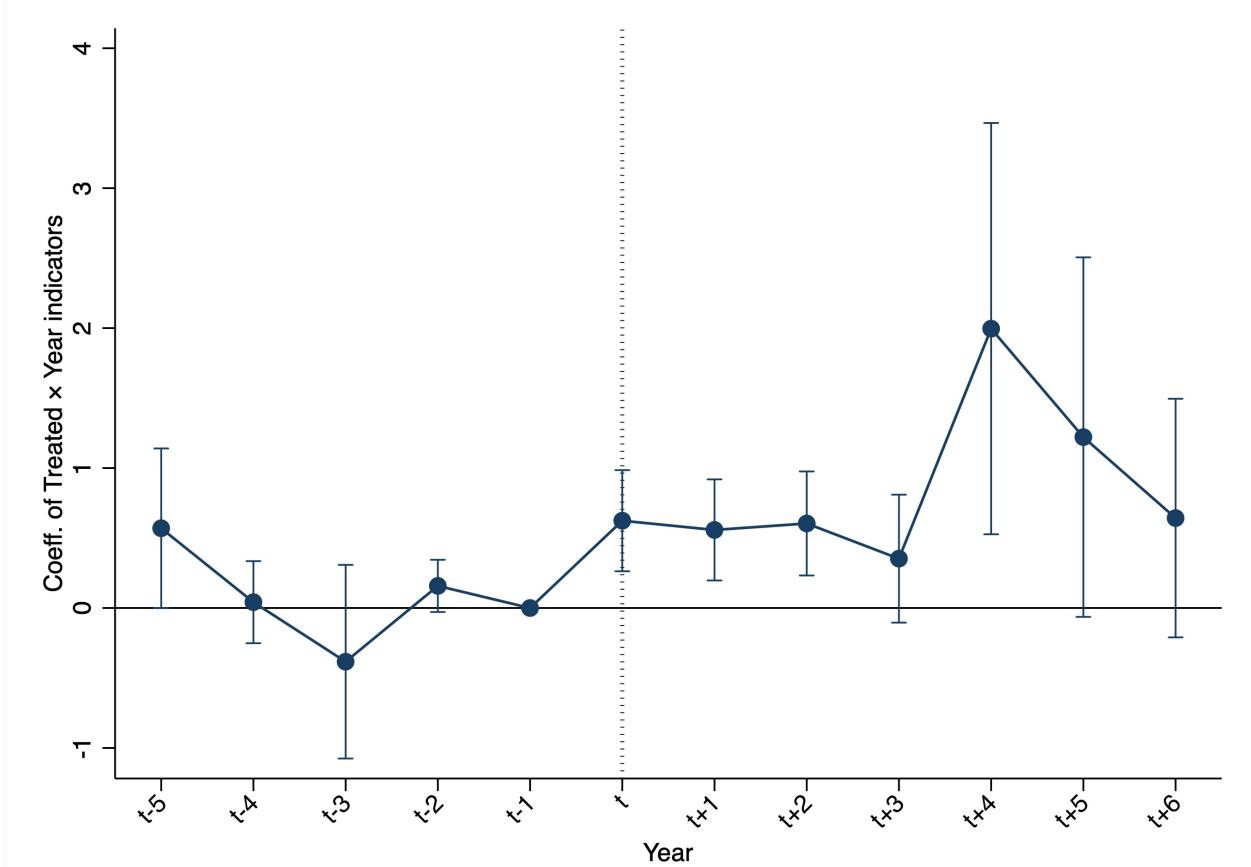


Notes: The figure reports estimates from Equation (2), an event-study specification that augments Equation (1) by allowing the estimated difference between treated and control judges to vary by year relative to the one before the senator's exit. The dependent variables are: the number of opinions authored by judge i in year t (top left); the average number of words in the opinions authored by judge i in year t (top right); the average number of citations received by the opinions authored by judge i in year t (bottom left); and the average number of citations included in the opinions authored by judge i in year t (bottom right). All regressions include judge \times event and year \times event fixed effects and are estimated using Poisson regressions. Vertical lines are 95% confidence intervals based on robust standard errors clustered at the judge level.

5.2. Heterogeneity Analyses. The results presented above show that the output of federal district court judges significantly decreases following the departure of all recommending senators. But are

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Figure 2: Effect of Senator's Exit on Civil Cases Backlog
Dynamic Effects



Notes: The figure reports estimates from Equation (2), an event-study specification that augments Equation (1) by allowing the estimated difference between treated and control judges to vary by year relative to the one before the senator's exit. The dependent variable is the number of civil cases assigned to judge i which at time t have been pending for more than three years. All regressions include judge \times event and year \times event fixed effects and are estimated using Poisson regressions. Vertical lines are 95% confidence intervals based on robust standard errors clustered at the judge level.

these effects driven specifically by the exit of the last active recommender (for judges with two) or by the sole recommender (for judges with only one)? Figures A2 through A5 address this question. Across all specifications, the figures show that performance declines after the exit of a recommender in both cases, with the effects being slightly more pronounced when the departing senator is the judge's only recommender.

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Another relevant question is whether the effects are homogeneous across judges with different characteristics. To address this, we introduce interaction terms into Equation (1) and examine heterogeneity in the results from Table 1 along four key dimensions.

We begin by testing the role of partisanship. Since the involvement of senators in the nomination process may vary widely across cases (Domnarski, 2009), it is possible that Democratic and Republican judges respond differently to the exit of their recommending senators. However, as shown in Figures A6 and A7, the decline in judicial productivity is evident across judges nominated by Democratic and Republican presidents, with somewhat larger effects on case backlog among Democratic appointees.

Second, we examine the role of professional competence, asking whether more highly qualified judges are less affected by the loss of political recommenders. To assess this, we link each judge to the evaluation they received from the American Bar Association (ABA) at the time of their appointment and divide the sample into two groups. Judges rated as “Not Qualified” or “Qualified” are categorized as low-qualified, while those rated “Well Qualified” or “Very Well Qualified” are classified as high-qualified. As shown in Figures A8 and A9, the effects of recommender exit are negative for both groups, indicating that competence does not mitigate the consequences of losing political sponsorship.

Third, we explore whether the effects vary depending on a judge’s tenure at the start of the 12-year window in which they are observed. To do so, we divide the tenure distribution into quartiles: judges in the bottom two quartiles (newly appointed) have one year of tenure; those in the second quartile (early-career) have 2–3 years; and those in the top quartiles (longer-serving) have four or more years. As shown in Figures A10 and A11, the negative effects of recommender exit on performance are present across all tenure groups, suggesting that the impact of political sponsors is not limited to earlier or later stages of a judge’s career.

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Finally, we examine whether the effects differ depending on the reason for the recommender's departure from the Senate. Specifically, we distinguish between exits that occurred unexpectedly – due to death in office or electoral defeat – and those lost due to voluntary retirement or resignation. Figures [A12](#) and [A13](#) present the results of this analysis. While the estimated effects are somewhat larger when the departure is unexpected, the coefficient is of the same sign when the senator retires or resigns.

Taken together, these heterogeneity analyses show that the effects of recommending senators' exits from Congress are broad-based and robust, affecting judges regardless of partisanship, professional qualifications, tenure, or the nature of their recommender's exit.

5.3. Robustness Checks. We conduct additional analyses aimed at ensuring the robustness of the results presented in Table 1. First, we test whether the results hold under a different, more fine-grained way of identifying political recommenders. Rather than assuming that each judge was recommended by all home-state senators who shared the president's party affiliation at the time of nomination, we identify recommending senators based on explicit endorsements during the judge's confirmation hearing. Since not all hearing transcripts are publicly available, we can apply this stricter definition to 56% of judges in our sample, while retaining the original definition for the remaining cases. Re-estimating Equation (1) using this alternative measure leaves the results unchanged, as shown in Table [A2](#).

Second, we test the robustness of the findings to an alternative clustering approach. While our baseline specification clusters standard errors at the judge level, we re-estimate the model clustering instead at the level of the recommending senator (or senator pair) – that is, at the level of treatment assignment. As documented in Table [A3](#), this alternative approach does not affect the statistical significance of the estimates.

5.4. Alternative Explanation. We examine and rule out an alternative explanation for the observed drop in judicial productivity. Specifically, we test whether the effects are driven not by the exit of the recommending senator, but rather by a broader partisan alignment between judges and the party that nominated them. To assess this, we estimate differential effects based on the party affiliation of the senator who replaces the recommender and present the results in Figures A14 and A15. The coefficients confirm that it is the departure of the specific recommender – rather than changes in partisan alignment – that drives the observed decline in productivity.

6. MECHANISMS: CAREER CONCERNs

In this section, we examine whether – consistent with our hypothesis – the decline in judicial productivity following the departure of the recommending senator is driven by an erosion of career prospects. Specifically, we posit that because senators may also play an active role in sponsoring district judges for promotion to the appellate courts, judges may face better career advancement opportunities while their initial recommenders remain in office. If so, the departure of recommending senators could weaken the career incentives that motivate sustained judicial effort. To test this mechanism, we estimate Equation (1) using as the dependent variable an indicator for whether judge i is promoted to an upper-level court in year t .

Consistent with this hypothesis, the coefficients reported in Table 2 show that the exit of recommending senators significantly reduces judges' likelihood of promotion. Given the rarity of such promotions, this result implies that advancement to an appellate court becomes nearly impossible without the continued support of a senatorial sponsor. Notably, as shown in column (2), the effect is concentrated in years when the judge shares partisanship with the sitting president – periods in which the judge would be best positioned to benefit from their recommender's backing. To com-

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plement these results, Figure 3 presents event-study estimates from Equation (2), while Figure 4 shows heterogeneous effects by the party of the incumbent president. The findings reinforce the results from Table 2, indicating that the negative effects are driven by years in which the judge and the president are politically aligned. In all cases, we find no evidence of anticipatory effects prior to the senator’s departure, consistent with the parallel trends assumption.

Table 2: Effect of Senator’s Exit on Judge’s Promotion

	Promoted	
	(1)	(2)
Treated × Post	-1.17*** (0.42)	-0.29 (0.54)
Treated × Post × Same-party president		-1.68** (0.79)
Observations	42,389	42,389
Mean of dependent variable, Treated = 1 & Post = 0	0.51	0.51
Judge × Event FEs	Y	Y
Time × Event FEs	Y	Y

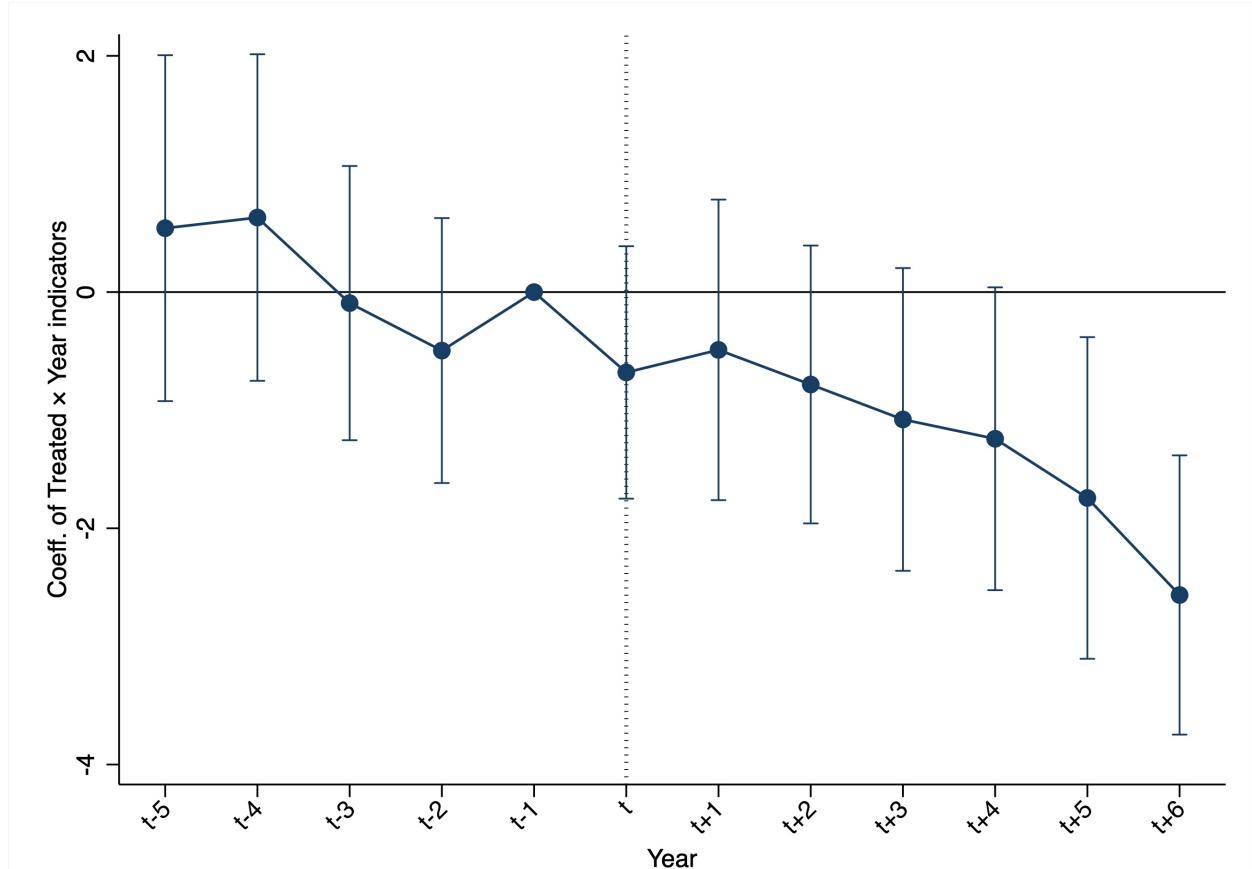
Notes: The unit of observation is the senator-exit event \times judge \times year. The dependent variable is an indicator equal to 1 if judge i is promoted to an upper-level court in year t (multiplied by 100). Treated is an indicator equal to 1 if the judge’s recommender exits the Senate in the event wave, and 0 otherwise. Post is an indicator equal to 1 starting in the event year. All regressions include judge \times event and year \times event fixed effects and are estimated using Poisson regressions. Standard errors are clustered at the judge level. *** p<0.01, ** p<0.05, * p<0.1.

7. CONCLUSION

We provide the first within-judge estimates of the effects of political appointments on judicial performance. The empirical setting is the U.S. federal judiciary, where district court judges are

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Figure 3: Effect of Senator's Exit on Judge's Promotion – Dynamic Effects

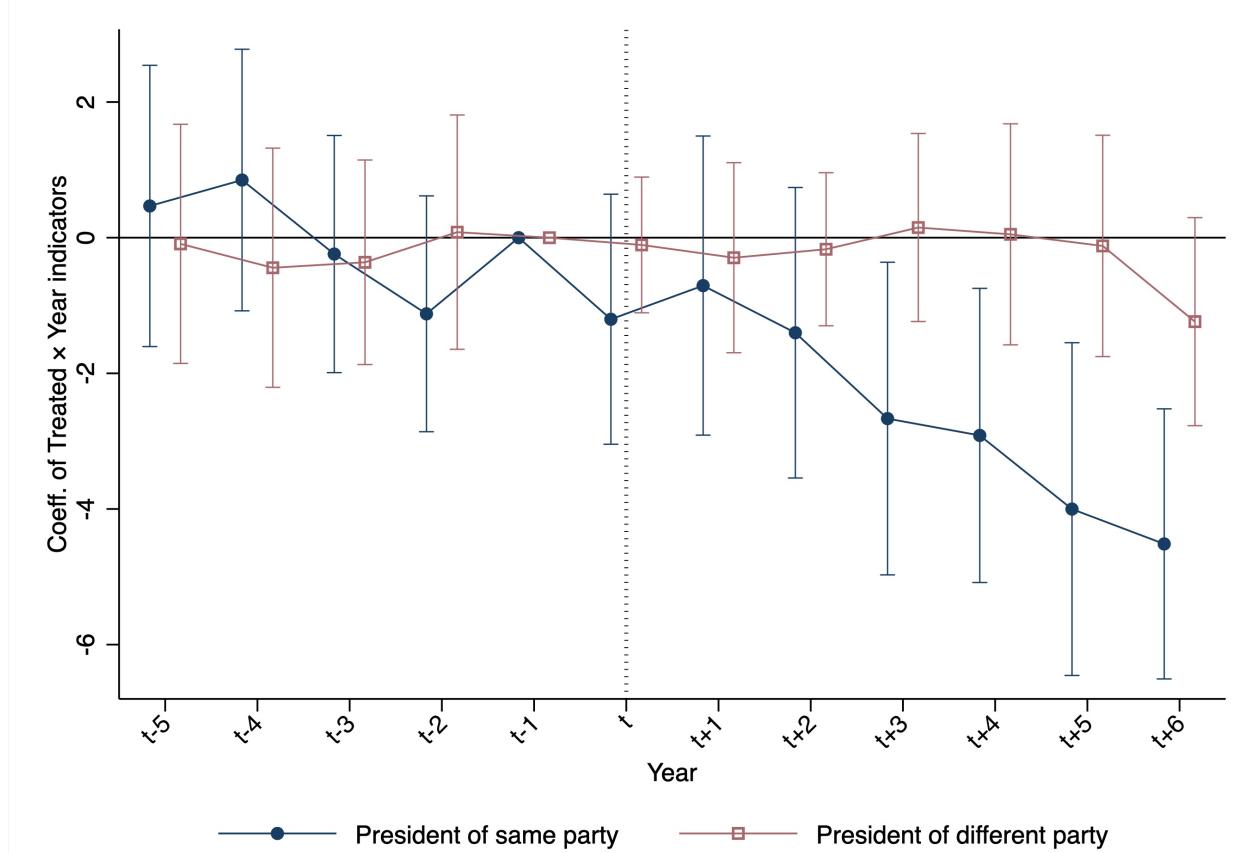


Notes: The figure reports estimates from Equation (2), an event-study specification that augments Equation (1) by allowing the estimated difference between treated and control judges to vary by year relative to the one before the senator's exit. The dependent variable is an indicator equal to 1 if judge i is promoted to an upper-level court in year t (multiplied by 100). All regressions include judge \times event and year \times event fixed effects and are estimated using Poisson regressions. Vertical lines are 95% confidence intervals based on robust standard errors clustered at the judge level.

appointed through presidential nomination based on recommendations from home-state senators. Exploiting the exit of a judge's recommender from Congress, we show that the departure of political sponsors significantly reduces both the quantity and quality of judicial output—judges author fewer opinions, which are shorter and contain fewer citations, and they accumulate a larger backlog of pending civil cases.

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Figure 4: Effect of Senator’s Exit on Judge’s Promotion, by President’s Party



Notes: The figure reports estimates from equation (2), interacted with an indicator for whether the incumbent president is of the same party as judge i (blue dots) or of a different party (red squares). The dependent variable is an indicator equal to 1 if judge i is promoted to an upper-level court in year t (multiplied by 100). All regressions include judge \times event and year \times event fixed effects. Vertical lines are 95% confidence intervals based on robust standard errors clustered at the judge level.

The key causal mechanism underlying this effect is an erosion of career incentives. Using an additional set of difference-in-differences estimates, we document that the loss of a recommending senator significantly reduces a judge’s probability of promotion. Consistent with the political appointment system governing the federal judiciary—and many other federal agencies—this effect is concentrated in years when judges share partisan affiliation with the sitting president and are thus positioned to benefit from the continued support of their senatorial sponsors.

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These findings contribute to ongoing debates in institutional analysis, political economy, and organizational economics. Within the empirical literature on political appointments, our study is among the few to examine how political sponsors shape both initial appointments and subsequent promotions. In this context, our results complement those of [Voth and Xu \(2019\)](#), who show that patronage-based promotions in the British Royal Navy improved performance when patrons prioritized merit over kinship. Leveraging a within-judge research design, we demonstrate that political sponsors may also undermine the long-term productivity of their own appointees once the ties are severed.

Our study further contributes to the broader debate on judicial appointment systems and their implications for institutional effectiveness. While much of the existing literature has focused on the biases introduced by judicial elections, the role of political nominations has only recently begun to receive systematic empirical scrutiny. In this emerging line of work, our paper is the first to offer within-judge estimates of the effects of political discretion in hiring while holding constant the institutional environment in which judges operate. This approach offers a promising path toward identifying the sources of judicial inefficiency—factors that remain major obstacles to political stability and economic development worldwide ([Persson et al., 1997](#); [Acemoglu and Johnson, 2005](#); [Chemin, 2020](#)).

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APPENDIX

ADDITIONAL TABLES

Table A1: Summary Statistics

	Mean	Stand. Dev.	Min	Max
<i>Panel A. Cross-Sectional Variables</i>				
Ever Promoted	0.108	0.310	0	1
Recommenders at Appointment	1.474	0.499	1	2
Recommenders at Promotion	1.364	0.483	1	2
Total Tenure	9.290	7.025	1	46
Tenure at Promotion	7.144	4.327	1	21
<i>Party of Appointment</i>				
Democratic	0.490	0.500	0	1
Republican	0.494	0.500	0	1
<i>Panel B. Time-Varying Variables</i>				
Opinions Written	5.696	7.915	0	90
Words in Opinions	3,644	3,232	0	62,325
Citations Received	4.339	4.556	0	105
Citations Made	13.40	11.64	0	108
Civil Cases Pending	11.97	130.4	0	7,799
Promoted at Year t (x 100)	0.741	8.579	0	100
Same-Party President	0.609	0.488	0	1
Tenure at Year t	6.751	5.805	1	46

Notes: Panel A only includes judges nominated to district court for a state in which there was at least one senator from the same party as the president at the time of nomination. In Panel B, statistics are computed for all the judge-year-event observations part of our sample, as described in Section 3.3 and Section 4.

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Table A2: Effect of Senator's Exit on Judge's Performance
Alternative Measure of Recommenders

	Judicial Opinions				
	Total written	Number of words	Citations received	Citations made	Civil cases pending
	(1)	(2)	(3)	(4)	(5)
Treated \times Post	-0.19*** (0.07)	-0.15*** (0.04)	-0.07 (0.05)	-0.17*** (0.04)	1.22** (0.53)
Observations	32,161	32,161	30,800	31,847	9,085
Mean of dep. var.,					
Treated = 1 & Post = 0	4.91	3445.79	4.87	11.91	5.12
Judge \times Event FEs	Y	Y	Y	Y	Y
Year \times Event FEs	Y	Y	Y	Y	Y

Notes: All coefficients are estimated using Poisson regressions. The unit of observation is the senator exit event \times judge \times year. The dependent variables in columns from (2) to (4) are averaged over the opinions issued by judge i in a given year. Treated is a dummy that is 1 if the judge's recommender exits the Senate in the event wave, and 0 otherwise. Post is a dummy that is 1 if the year is after the exit year of interest. Standard errors clustered at the judge level. *** p<0.01, ** p<0.05, * p<0.1.

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Table A3: Effect of Senator's Exit on Judge's Performance
SEs Clustered by Recommenders Pair

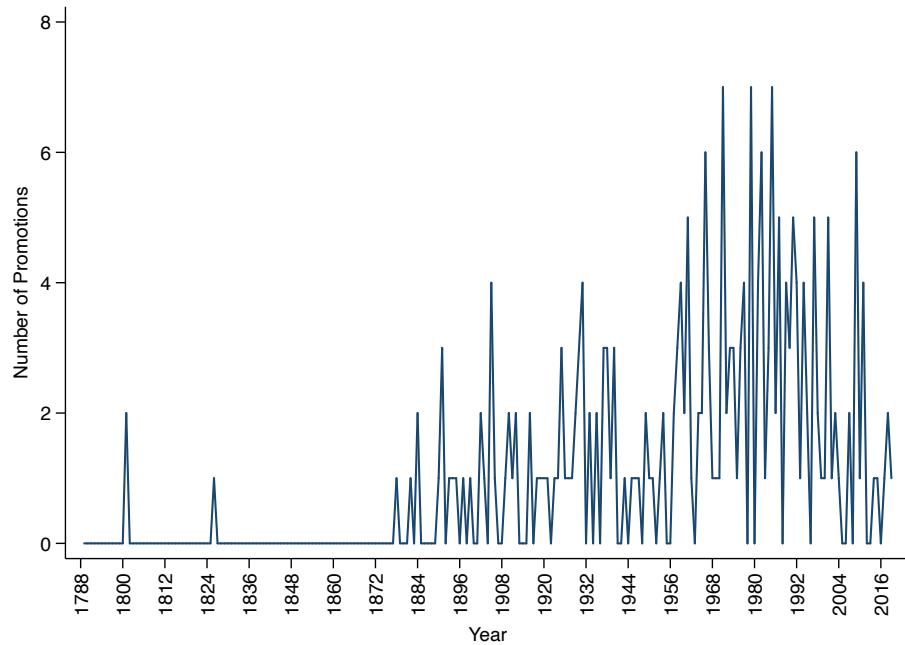
	Judicial Opinions				
	Total written	Number of words	Citations received	Citations made	Civil cases pending
	(1)	(2)	(3)	(4)	(5)
Treated \times Post	-0.21*** (0.07)	-0.16*** (0.05)	-0.07 (0.05)	-0.19*** (0.05)	1.07** (0.50)
Observations	33,338	33,338	31,961	33,021	9,171
Mean of dep. var., Treated = 1 & Post = 0	4.91	3431.44	4.85	11.94	5.55
Judge \times Event FEs	Y	Y	Y	Y	Y
Year \times Event FEs	Y	Y	Y	Y	Y

Notes: All coefficients are estimated using Poisson regressions. The unit of observation is the senator exit event \times judge \times year. The dependent variables in columns from (2) to (4) are averaged over the opinions issued by judge i in a given year. Treated is a dummy that is 1 if the judge's recommender exits the Senate in the event wave, and 0 otherwise. Post is a dummy that is 1 if the year is after the exit year of interest. Standard errors clustered at the recommending senators pair level. *** p<0.01, ** p<0.05, * p<0.1.

POLITICAL APPOINTMENTS, CAREERS, AND PERFORMANCE IN THE CIVIL SERVICE

ADDITIONAL FIGURES

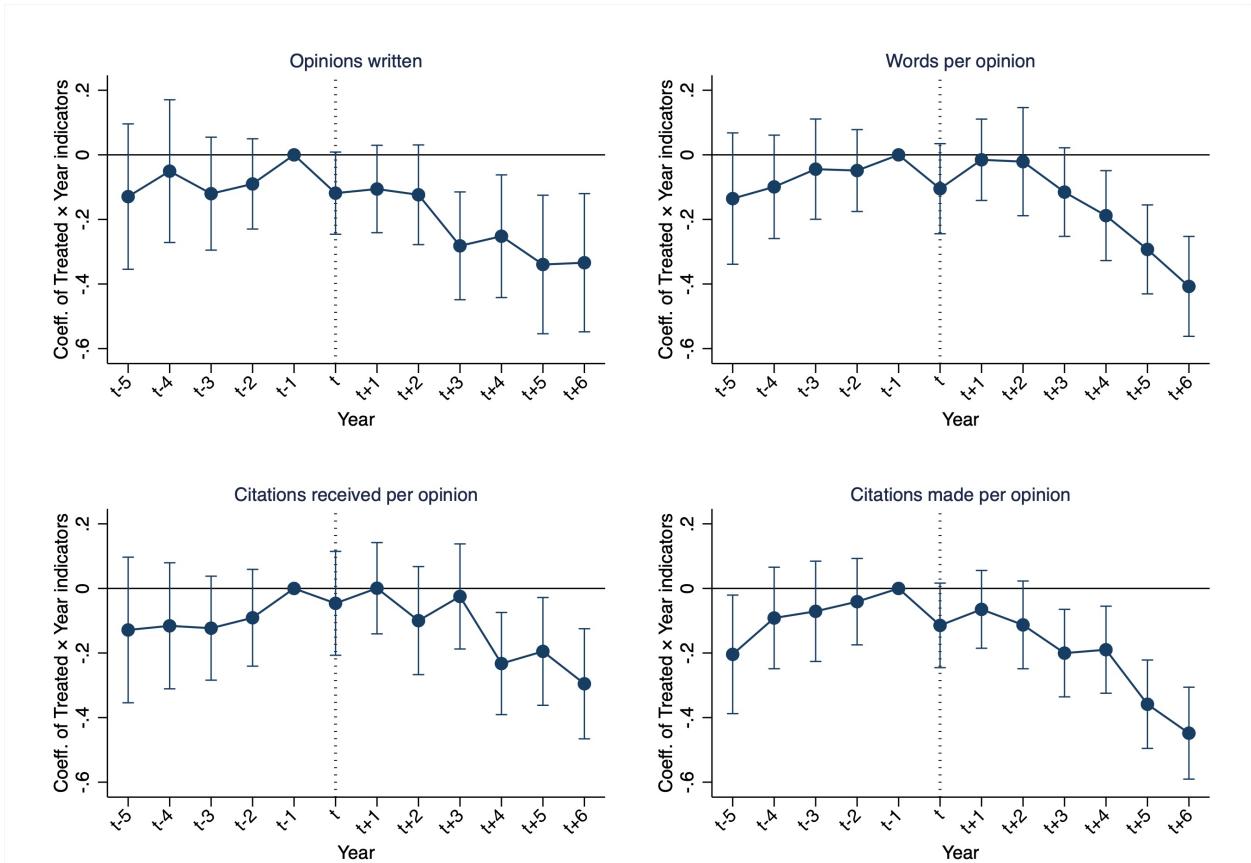
Figure A1: Promotions of District Court Judges in the Period 1789-2019



Notes: The figure reports the number of federal district court judges part of our sample (as described in Section 3.3) who got promoted to an upper-level court, from 1789 to 2019.

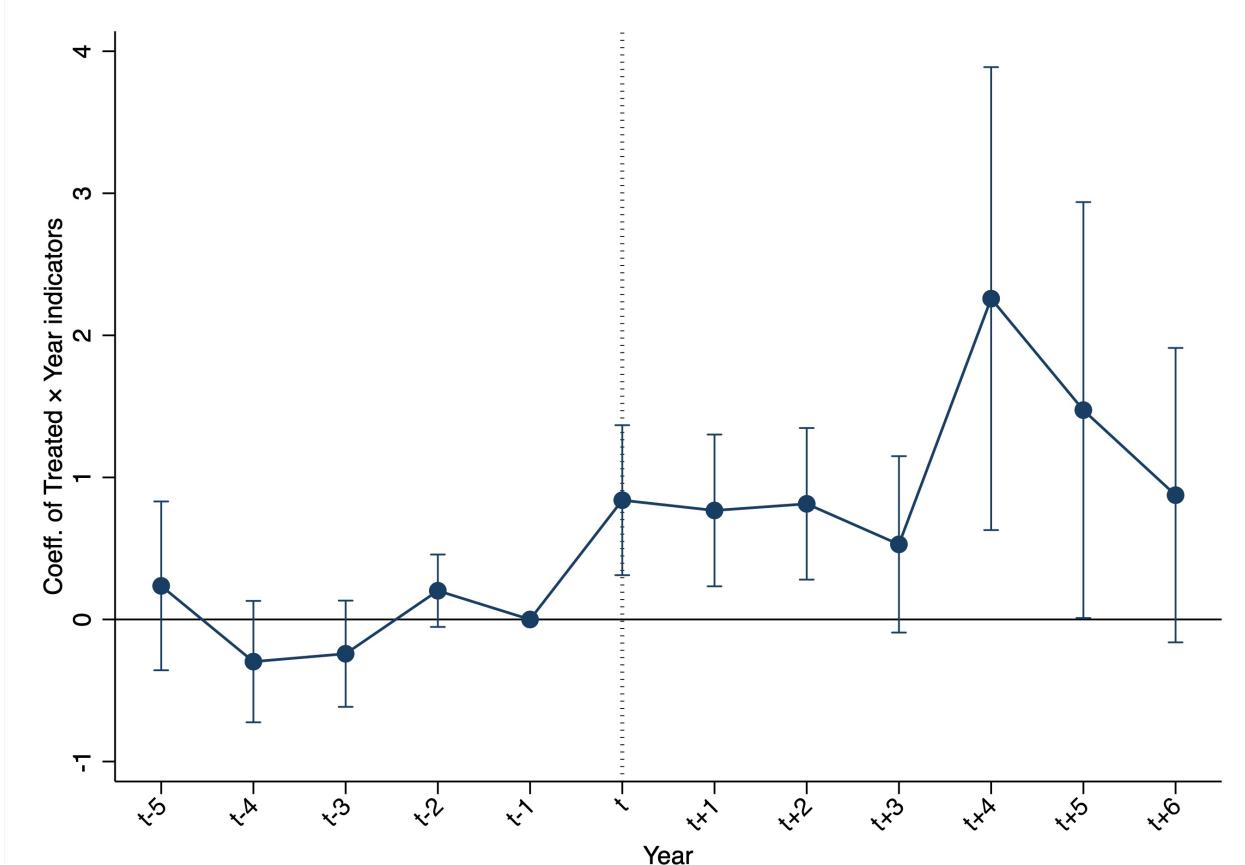
POLITICAL APPOINTMENTS, CAREERS, AND PERFORMANCE IN THE CIVIL SERVICE

Figure A2: Effect of Senator's Exit on Judicial Opinions
Only Unique Senator Exits



Notes: The figure reports the estimates from equation (2), which corresponds to an augmented version of equation (1), where the estimated difference between treated and control judges is allowed to vary for each year around the senator exit wave. The dependent variables are the number of opinions written by judge i in a given year (top left); the average number of words in the opinions written by judge i in a given year (top right); the average number of forward citations for the opinions written by judge i in a given year (bottom left); and the average number of backward citations for the opinions written by judge i in a given year (bottom right). All coefficients are estimated using Poisson regressions. Vertical lines are 95% confidence intervals based on robust standard errors clustered at the judge level. All regressions include judge \times event and year \times event fixed effects.

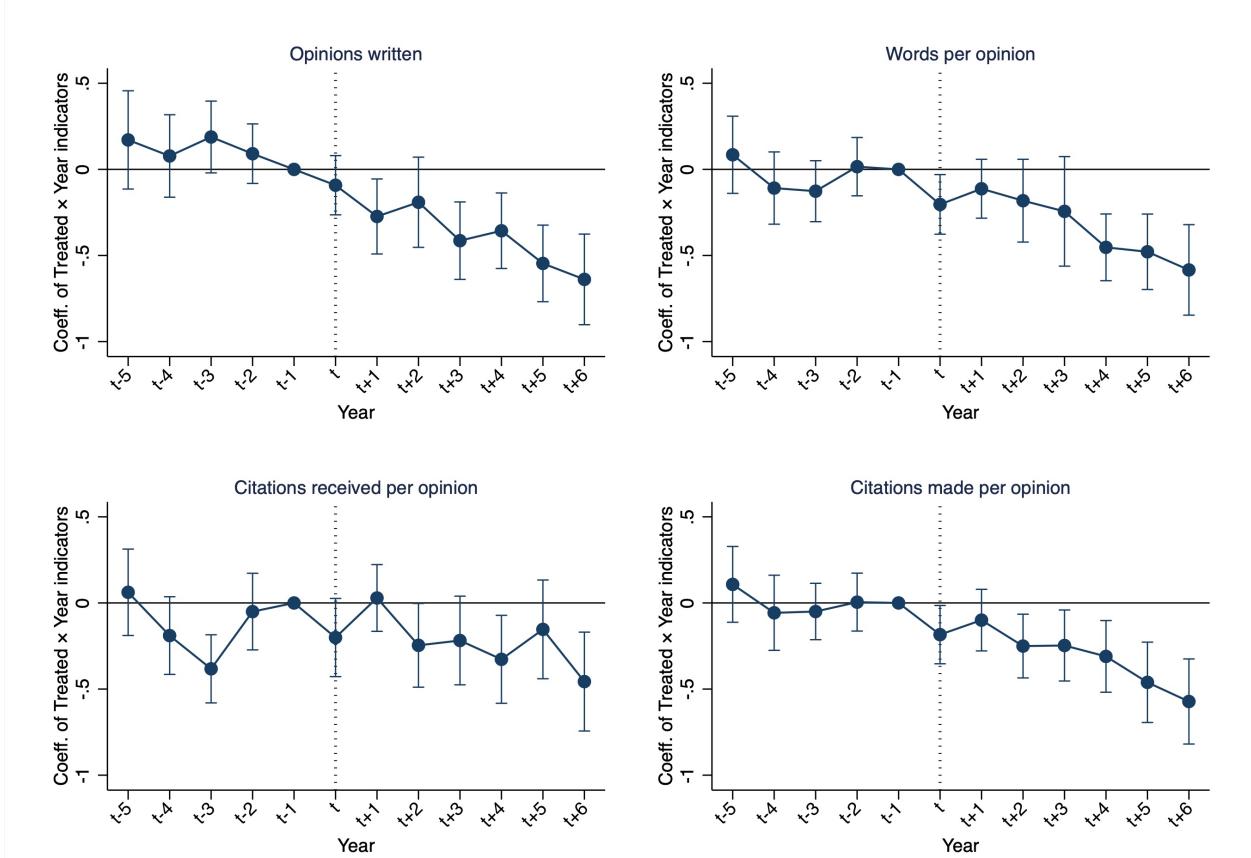
Figure A3: Effect of Senator's Exit on Civil Cases Backlog
Only Unique Senator Exits



Notes: The figure reports the estimates from equation (2), which corresponds to an augmented version of equation (1), where the estimated difference between treated and control judges is allowed to vary for each year around the senator exit wave. The dependent variable is the number of civil cases assigned to judge i which at time t have been pending for more than three years. The coefficients are estimated using a Poisson regression. Vertical lines are 95% confidence intervals based on robust standard errors clustered at the judge level. All regressions include judge \times event and year \times event fixed effects.

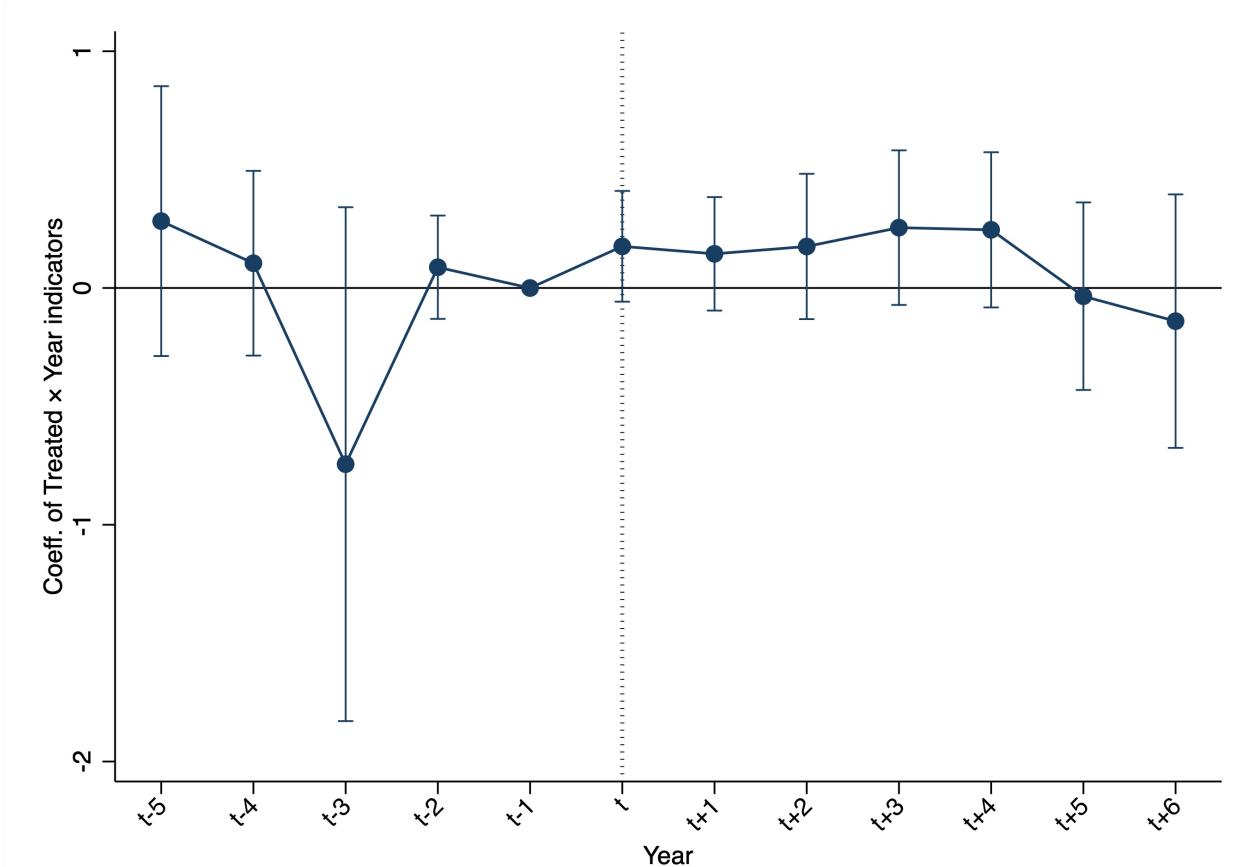
POLITICAL APPOINTMENTS, CAREERS, AND PERFORMANCE IN THE CIVIL SERVICE

Figure A4: Effect of Senator's Exit on Judicial Opinions
Only Second Senator Exits



Notes: The figure reports the estimates from equation (2), which corresponds to an augmented version of equation (1), where the estimated difference between treated and control judges is allowed to vary for each year around the senator exit wave. The dependent variables are the number of opinions written by judge i in a given year (top left); the average number of words in the opinions written by judge i in a given year (top right); the average number of forward citations for the opinions written by judge i in a given year (bottom left); and the average number of backward citations for the opinions written by judge i in a given year (bottom right). All coefficients are estimated using Poisson regressions. Vertical lines are 95% confidence intervals based on robust standard errors clustered at the judge level. All regressions include judge \times event and year \times event fixed effects.

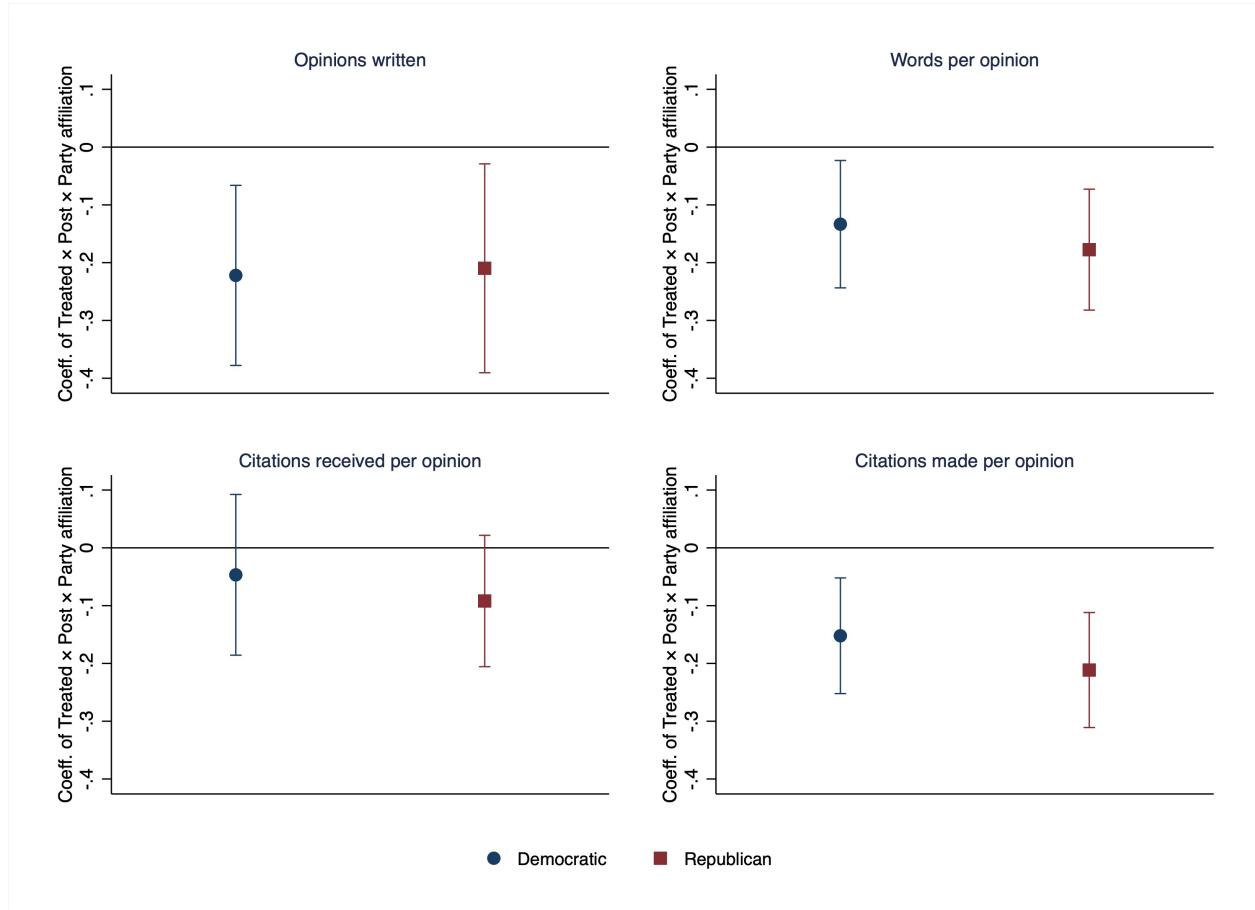
Figure A5: Effect of Senator's Exit on Civil Cases Backlog
Only Unique Senator Exits



Notes: The figure reports the estimates from equation (2), which corresponds to an augmented version of equation (1), where the estimated difference between treated and control judges is allowed to vary for each year around the senator exit wave. The dependent variable is the number of civil cases assigned to judge i which at time t have been pending for more than three years. The coefficients are estimated using a Poisson regression. Vertical lines are 95% confidence intervals based on robust standard errors clustered at the judge level. All regressions include judge \times event and year \times event fixed effects.

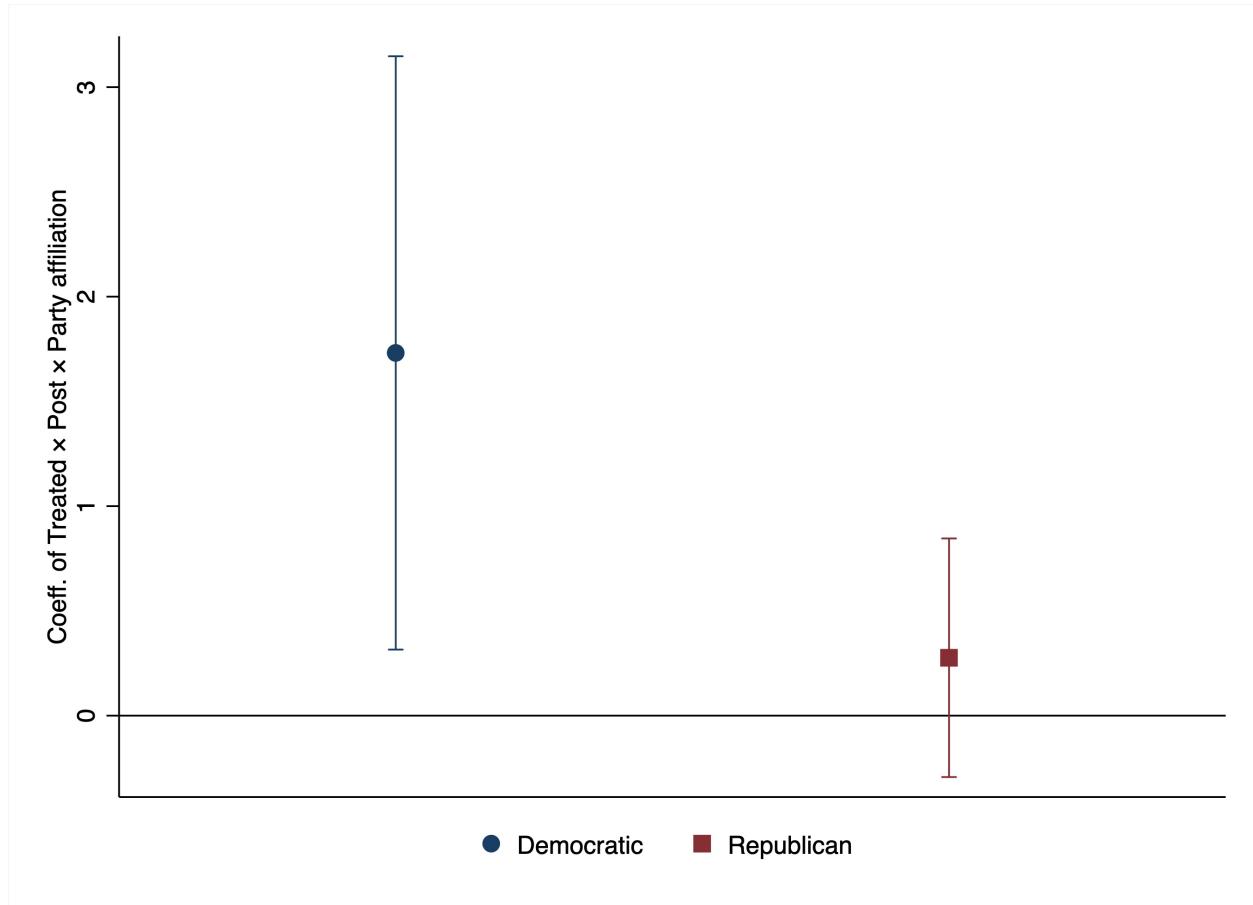
POLITICAL APPOINTMENTS, CAREERS, AND PERFORMANCE IN THE CIVIL SERVICE

Figure A6: Effect of Senator's Exit on Judicial Opinions,
Heterogeneity by Judge's Party



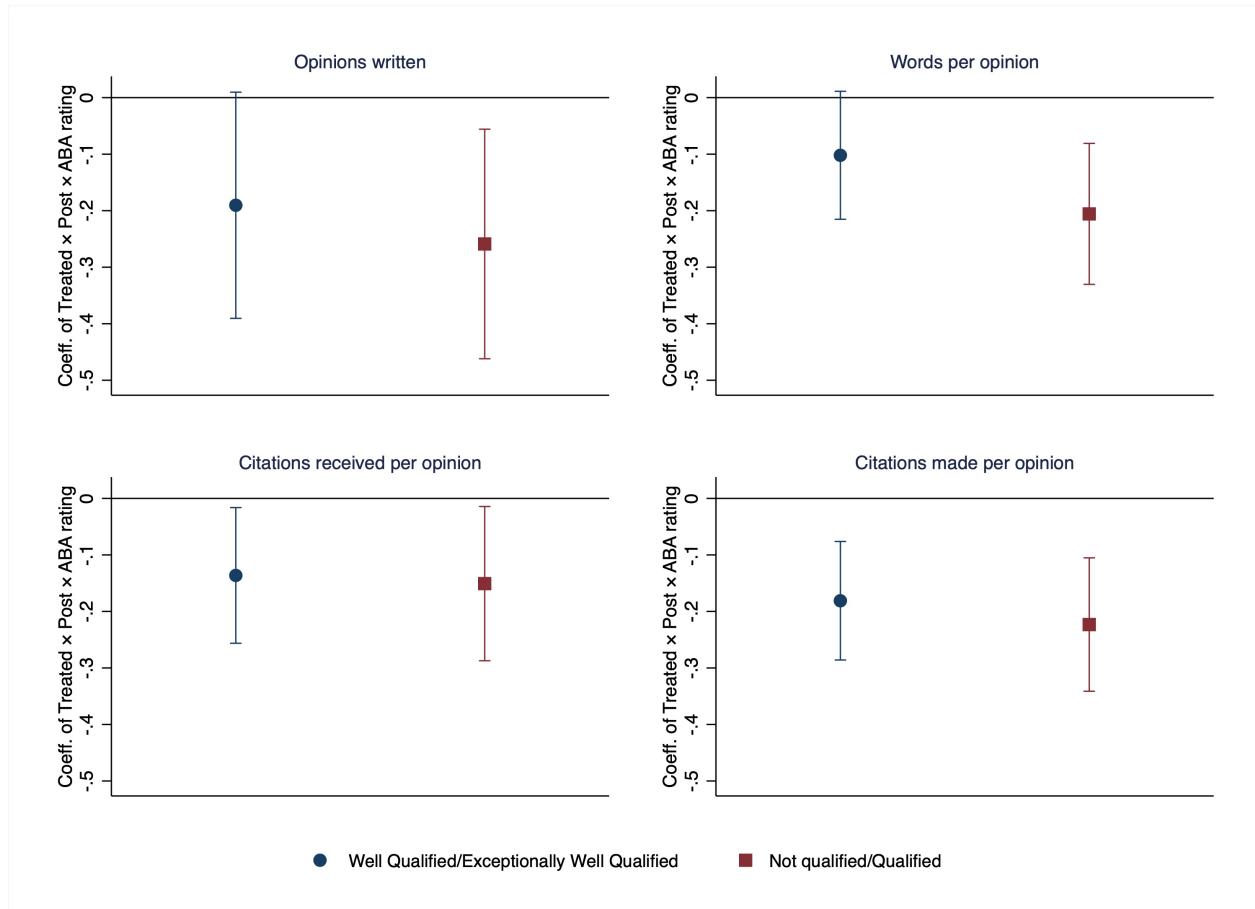
Notes: The figure reports the estimates of the interaction between the main coefficient $Treated \times Post$ of equation (1) and an indicator for whether judge i is Democratic (blue dot) or Republican (red square). The dependent variables are the number of opinions written by judge i in a given year (top left); the average number of words in the opinions written by judge i in a given year (top right); the average number of citations received by the opinions written by judge i in a given year (bottom left); and the average number of citations made by the opinions written by judge i in a given year (bottom right). All coefficients are estimated using Poisson regressions. Vertical lines are 95% confidence intervals based on robust standard errors clustered at the judge level. All regressions include judge \times event and year \times event fixed effects.

Figure A7: Effect of Senator's Exit on Civil Cases Backlog,
Heterogeneity by Judge's Party



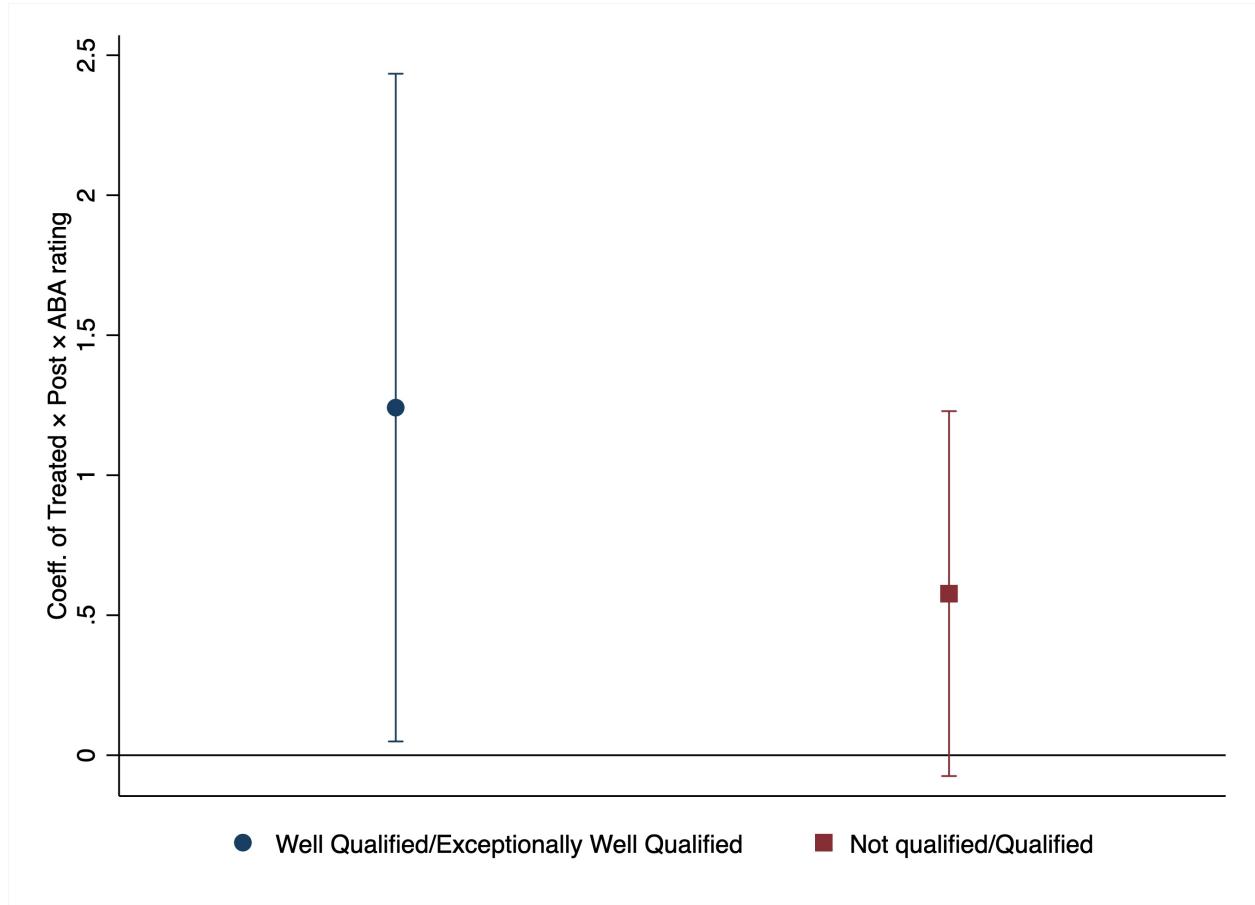
Notes: The figure reports the estimates of the interaction between the main coefficient $Treated \times Post$ of equation (1) and an indicator for whether judge i is Democratic (blue dot) or Republican (red square). The dependent variable is the number of civil cases assigned to judge i which at time t have been pending for more than three years. The coefficients are estimated using a Poisson regression. Vertical lines are 95% confidence intervals based on robust standard errors clustered at the judge level. All regressions include judge \times event and year \times event fixed effects.

Figure A8: Effect of Senator's Exit on Judicial Opinions,
Heterogeneity by Judge's ABA Rating



Notes: The figure reports the estimates of the interaction between the main coefficient $Treated \times Post$ of equation (1) and an indicator for whether judge i received a rating of Well qualified or Exceptionally well qualified (blue dot) or Not qualified or qualified (red square) by the American Bar Association. The dependent variables are the number of opinions written by judge i in a given year (top left); the average number of words in the opinions written by judge i in a given year (top right); the average number of citations received by the opinions written by judge i in a given year (bottom left); and the average number of citations made by the opinions written by judge i in a given year (bottom right). All coefficients are estimated using Poisson regressions. Vertical lines are 95% confidence intervals based on robust standard errors clustered at the judge level. All regressions include judge \times event and year \times event fixed effects.

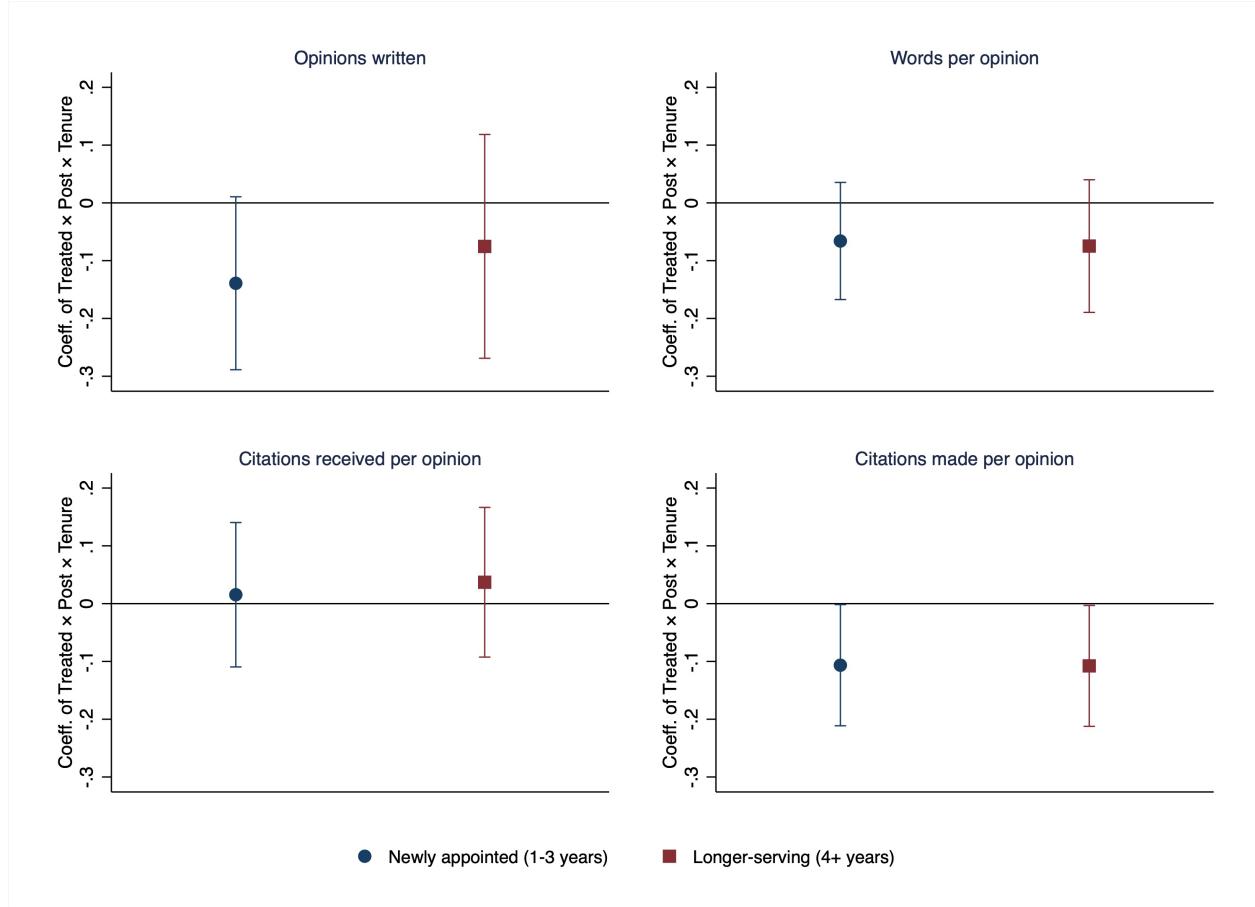
Figure A9: Effect of Senator's Exit on Civil Cases Backlog,
Heterogeneity by Judge's ABA Rating



Notes: The figure reports the estimates of the interaction between the main coefficient $Treated \times Post$ of equation (1) and an indicator for whether judge i received a rating of Well qualified or Exceptionally well qualified (blue dot) or Not qualified or qualified (red square) by the American Bar Association. The dependent variable is the number of civil cases assigned to judge i which at time t have been pending for more than three years. All coefficients are estimated using a Poisson regression. Vertical lines are 95% confidence intervals based on robust standard errors clustered at the judge level. All regressions include judge \times event and year \times event fixed effects.

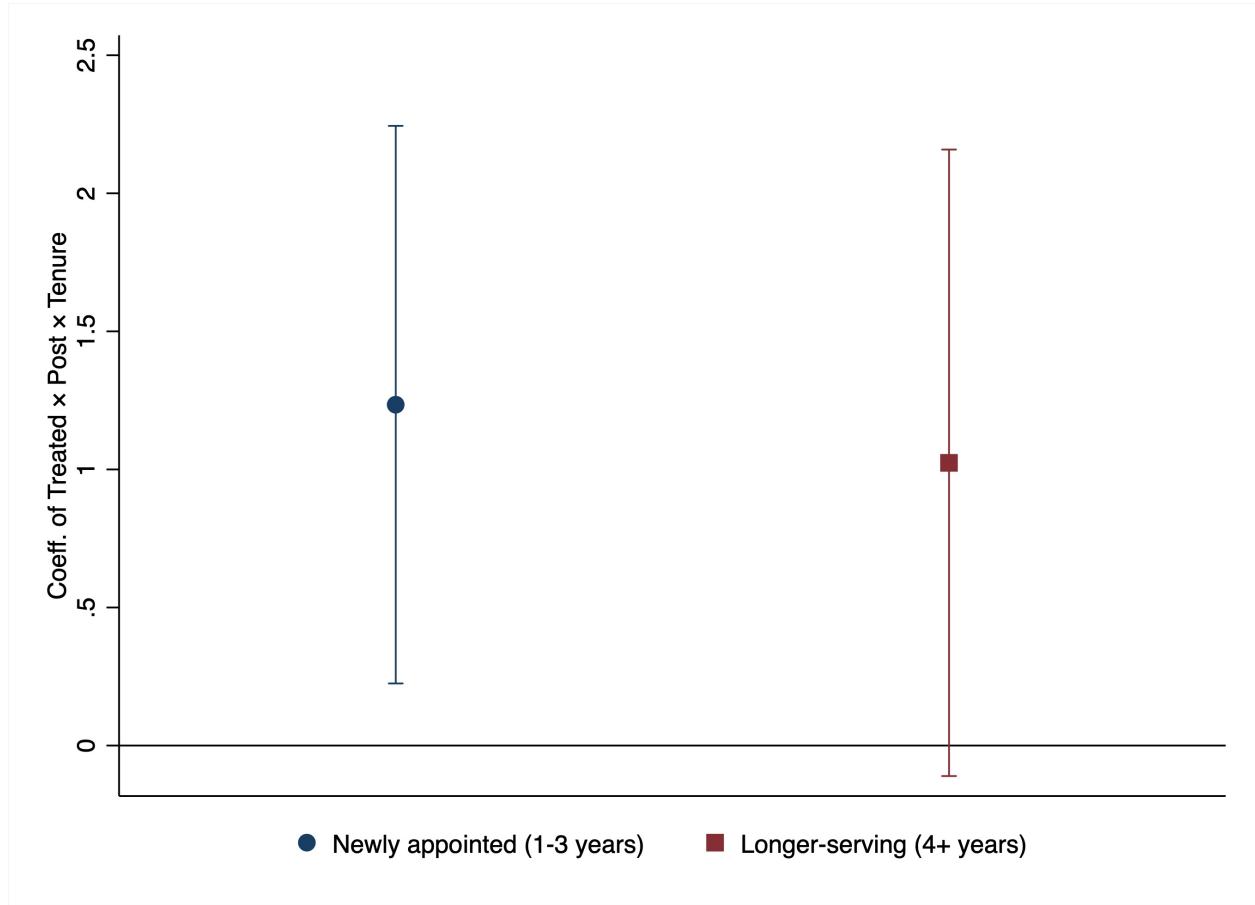
POLITICAL APPOINTMENTS, CAREERS, AND PERFORMANCE IN THE CIVIL SERVICE

Figure A10: Effect of Senator's Exit on Judicial Opinions,
Heterogeneity by Judge's Tenure



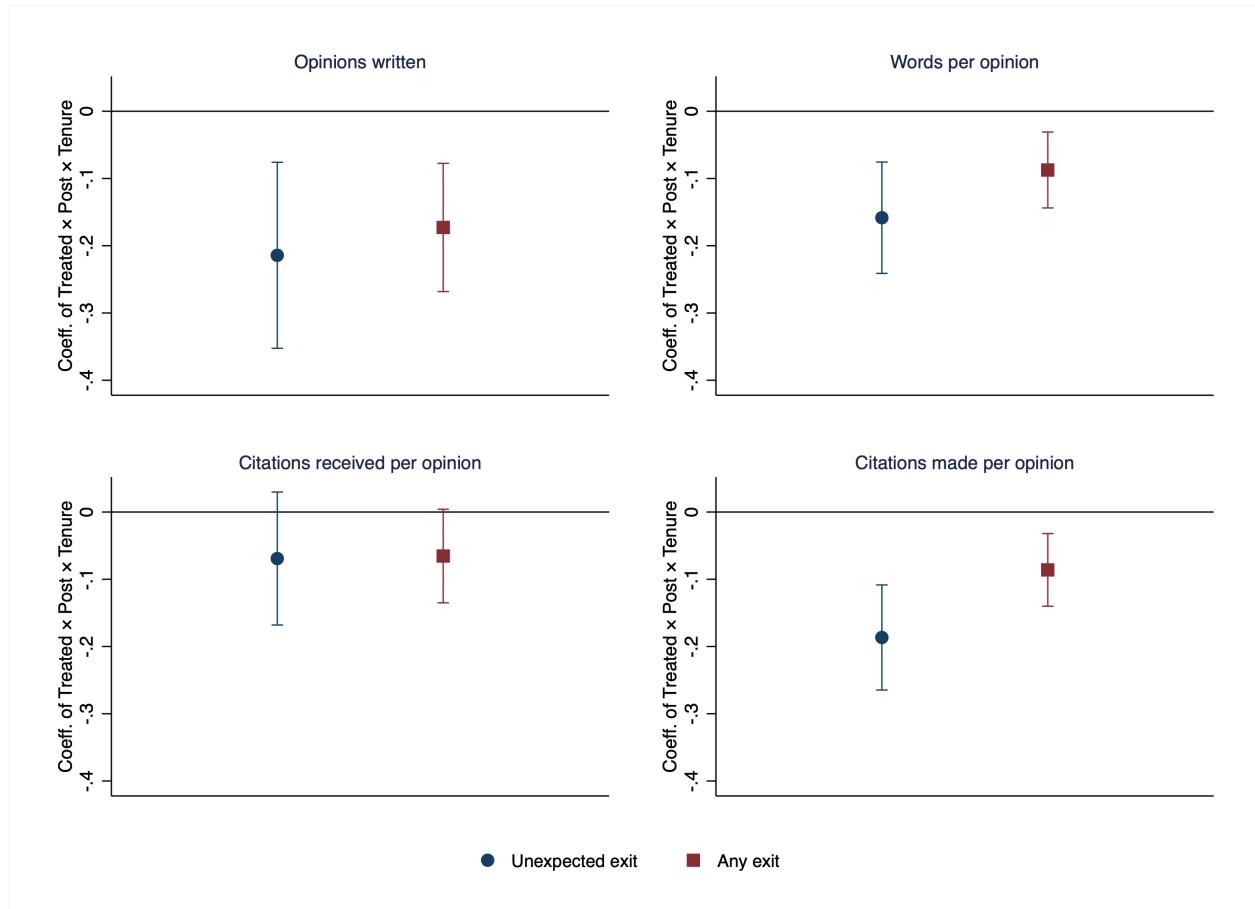
Notes: The figure reports the estimates of the interaction between the main coefficient $Treated \times Post$ of equation (1) and an indicator for whether judge i , at the beginning of the event time window, had been in office for less than three years (75th percentile of the distribution) (blue dot) or for more (red square). The dependent variables are the number of opinions written by judge i in a given year (top left); the average number of words in the opinions written by judge i in a given year (top right); the average number of citations received by the opinions written by judge i in a given year (bottom left); and the average number of citations made by the opinions written by judge i in a given year (bottom right). All coefficients are estimated using Poisson regressions. Vertical lines are 95% confidence intervals based on robust standard errors clustered at the judge level. All regressions include judge \times event and year \times event fixed effects.

Figure A11: Effect of Senator's Exit on Civil Cases Backlog,
Heterogeneity by Judge's Tenure



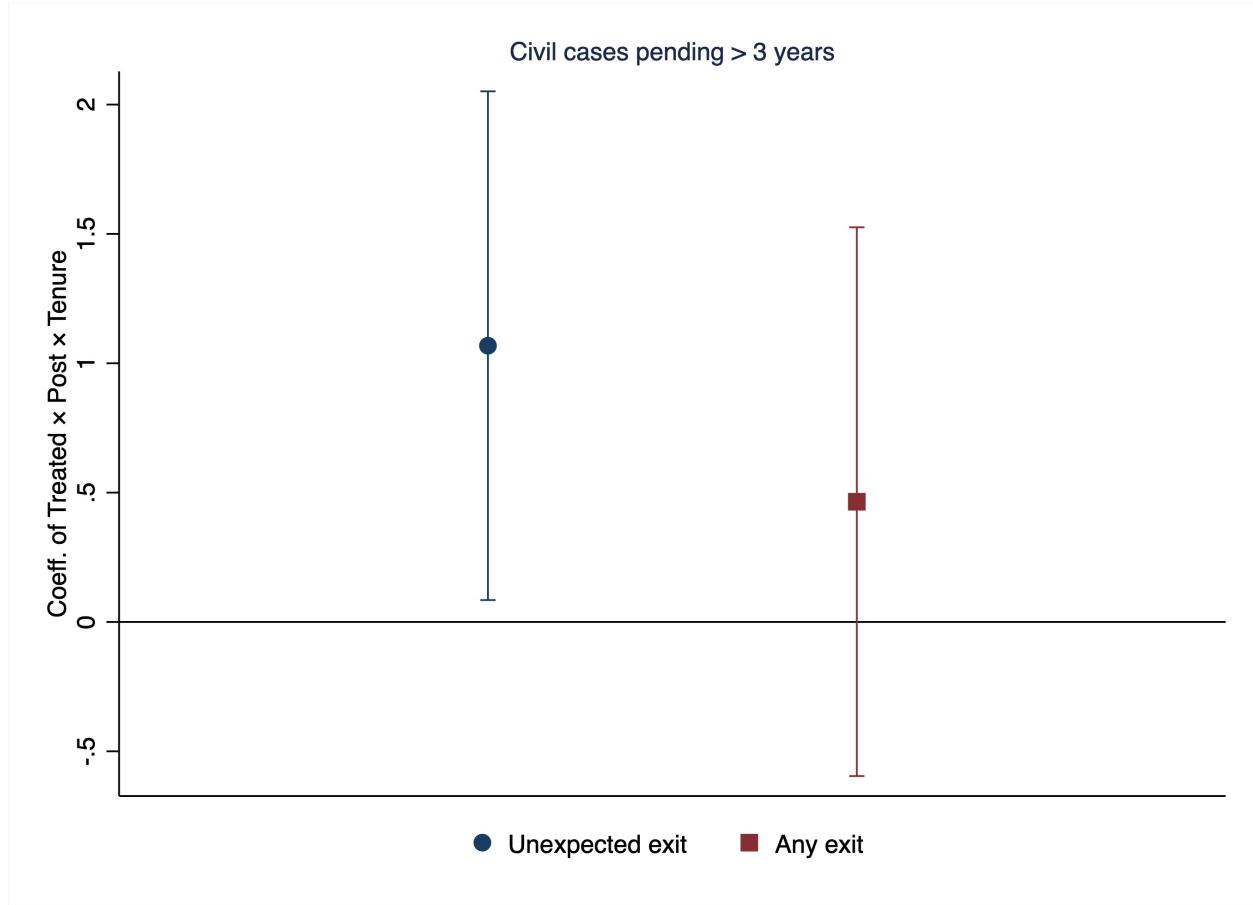
Notes: The figure reports the estimates of the interaction between the main coefficient $Treated \times Post$ of equation (1) and an indicator for whether judge i , at the beginning of the event time window, had been in office for less than three years (75th percentile of the distribution) (blue dot) or for more (red square). The dependent variable is the number of civil cases assigned to judge i which at time t have been pending for more than three years. All coefficients are estimated using a Poisson regression. Vertical lines are 95% confidence intervals based on robust standard errors clustered at the judge level. All regressions include judge \times event and year \times event fixed effects.

Figure A12: Effect of Senator's Exit on Judicial Opinions,
Heterogeneity by Senator's Reason of Exit



Notes: The figure reports the estimates of the interaction between the main coefficient $Treated \times Post$ (1) considering only senators' exits that occurred for unexpected reasons (i.e., loss at primary or general election, or death in office) (blue dot) or considering all senators' exits (red square). The dependent variables are the number of opinions written by judge i in a given year (top left); the average number of words in the opinions written by judge i in a given year (top right); the average number of citations received by the opinions written by judge i in a given year (bottom left); and the average number of citations made by the opinions written by judge i in a given year (bottom right). All coefficients are estimated using Poisson regressions. Vertical lines are 95% confidence intervals based on robust standard errors clustered at the judge level. All regressions include judge \times event and year \times event fixed effects.

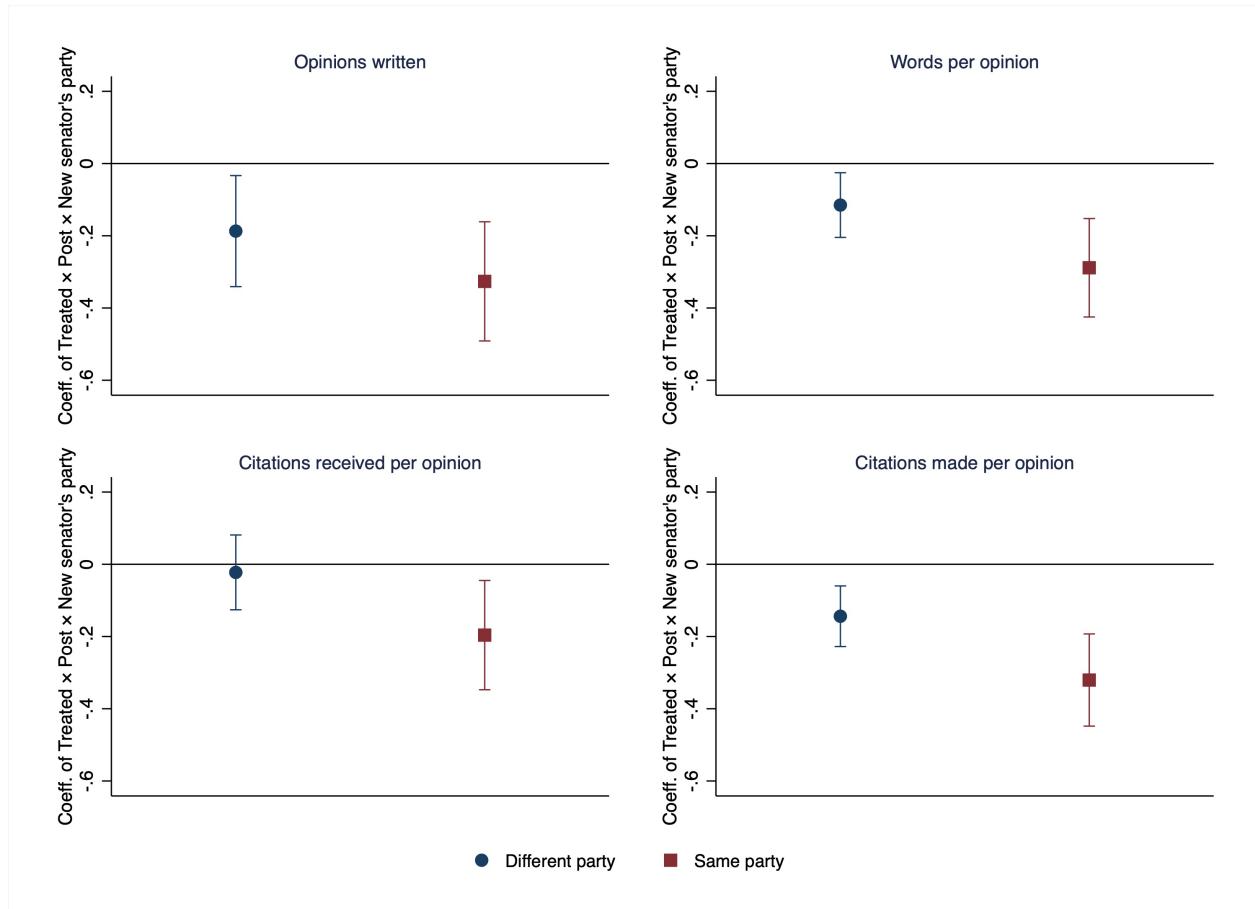
Figure A13: Effect of Senator's Exit on Civil Cases Backlog,
Heterogeneity by Senator's Reason of Exit



Notes: The figure reports the estimates of the interaction between the main coefficient *Treated* × *Post* (1) considering only senators' exits that occurred for unexpected reasons (i.e., loss at primary or general election, or death in office) (blue dot) or considering all senators' exits (red square). The dependent variable is the number of civil cases assigned to judge i which at time t have been pending for more than three years. All coefficients are estimated using a Poisson regression. Vertical lines are 95% confidence intervals based on robust standard errors clustered at the judge level. All regressions include judge \times event and year \times event fixed effects.

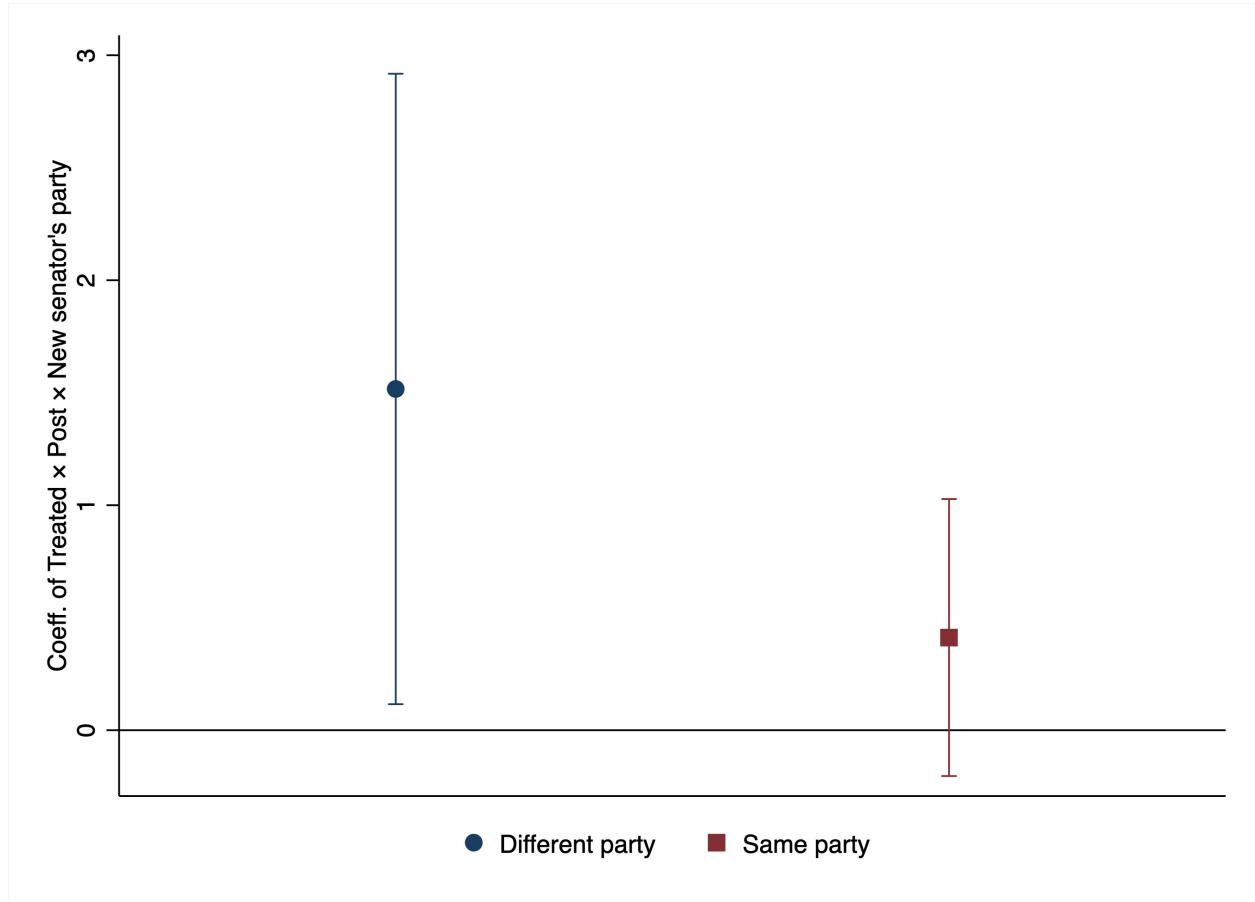
POLITICAL APPOINTMENTS, CAREERS, AND PERFORMANCE IN THE CIVIL SERVICE

Figure A14: Effect of Senator's Exit on Judicial Opinions,
Heterogeneity by Party of Replacing Senator



Notes: The figure reports the estimates of the interaction between the main coefficient $\text{Treated} \times \text{Post}$ of equation (1) and an indicator for whether the senator replacing the one exiting at time t is of a different party (blue dot) or of the same party (red square) by the American Bar Association. The dependent variables are the number of opinions written by judge i in a given year (top left); the average number of words in the opinions written by judge i in a given year (top right); the average number of citations received by the opinions written by judge i in a given year (bottom left); and the average number of citations made by the opinions written by judge i in a given year (bottom right). All coefficients are estimated using Poisson regressions. Vertical lines are 95% confidence intervals based on robust standard errors clustered at the judge level. All regressions include judge \times event and year \times event fixed effects.

Figure A15: Effect of Senator's Exit on Civil Cases Backlog,
Heterogeneity by Party of Replacing Senator



Notes: The figure reports the estimates of the interaction between the main coefficient $Treated \times Post$ of equation (1) and an indicator for whether the senator replacing the one exiting at time t is of a different party (blue dot) or of the same party (red square) by the American Bar Association. The dependent variable is the number of civil cases assigned to judge i which at time t have been pending for more than three years. All coefficients are estimated using a Poisson regression. Vertical lines are 95% confidence intervals based on robust standard errors clustered at the judge level. All regressions include judge \times event and year \times event fixed effects.