



THE EFFECT OF IDEOLOGICAL DIVERGENCE ON EXECUTIVE- JUDICIAL INTERACTIONS

Government Agencies and the Courts of Appeals

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Context and Background

- Courts of Appeals

- *12 Circuits*

- Agencies

- *EEOC*
 - *SEC*
 - *FTC*
 - *Dep. Of Labor: WH, WC, (ESA,) EBSE, OHS*
 - *Dep. Of Justice: Antitrust, Civil Rights*

- Gap in the literature.

Hypotheses

- Perfect Divergence/Congruence ☾ Lower pr(filing)
- Moderate Distance ☾ Higher pr(filing)
 - *Cost v. expected benefit*
- Older Agency x Ideological Distance ☾ Higher pr(filing|moderate dist.), lower pr(filing|extreme dist.)
 - *Accuracy of ideological perception*
- Older Agency x Higher Caseload ☾ Higher pr(filing)
 - *Information advantage/disadvantage*

Design and Method

- Dichotomous dependent variable

- Equation:

- $Y = a + b_distance + b_distancesq + b_distance*age + b_distance*agesq + b_age*caseload + caseload + age$
- $Y = a + b_distance + b_distancesq + b_distance*age + b_distance*agesq + b_age*caseload + b_caseload + b_age + b_type$

- 3 Models:

- *Civil Rights, Economic, Both*
- *Logistic Regression*

Data

- $N = 1,272$
 - $N(\text{total}=0) = 902$
 - $N(\text{total}=1) = 370$
- 2000-2012
- Agency differences

Circuit	N(total=1)
1	17
2	62
3	32
4	31
5	30
6	32
7	35
8	24
9	43
10	19
11	31
DC	14

Agency	N(total=1)
EEOC	103
FTC	19
SEC	25
DOL: WH	1
DOL: WC	16
DOL: EBSA	68
DOL: OHS	2
DOL: ESA	32
DOJ: Antitrust	24
DOJ: Civil Rights	80
DOLabor	119
DOJustice	104

Year	N(total=1)
2000	31
2001	17
2002	21
2003	23
2007	34
2005	28
2006	33
2007	27
2008	21
2009	26
2010	35
2011	41
2012	33

Discussion, Implications, and Limitations