

- **Canes-Wrone, Brandice, Tom S. Clark, and Jason P. Kelly.** “Judicial Selection and Death Penalty Decisions.” *American Political Science Review* 108 (2014): 23–39.

These researchers examined an extensive data set of more than 12,000 state death penalty decisions between 1980 and 2006 in systems where judges are selected with partisan, nonpartisan, or retention elections, or by reappointment. Contrary to the conventional wisdom, they found that judges selected through nonpartisan elections were significantly more influenced by popular support for the death penalty than were judges selected through partisan elections. This supports the “partisan signals” prediction that if party labels are missing from ballots, voters will rely more on information from the “new style” of expensive, policy-oriented judicial campaigns. Because of the extensive span of time covered by this study, it was able to highlight the changes brought by this new-style judicial campaigning and found that it has had a significant impact on judicial decision making. Judges facing retention elections, for instance, have become significantly less insulated from political pressures than they were previously.

- **Gibson, James, Jeffrey Gottfried, Michael DelliCarpini, and Kathleen Hall Jamieson.** “The Effects of Judicial Campaign Activity on the Legitimacy of the Courts: A Survey-Based Experiment.” *Political Research Quarterly* 64 (2010): 545–558.

This study examines how citizens feel about the legitimacy of the Pennsylvania courts. The study’s key contribution was a creative experiment in which different sets of people were randomly assigned to watch different kinds of campaign ads for judicial candidates, ranging from straightforward candidate endorsements by interest groups to negative attack ads. Overall, the authors found that elections have a positive impact—voters confer more legitimacy on the courts when judges periodically have to be approved by the voters. In contrast, some of the usual components of elections—that is, campaign ads—tend to decrease support for the courts. The positive overall impact of elections is larger than the negative impact of campaign ads, but one of the inferences that can be taken from this study is that while voters like the idea of judges being elected, they are less enthusiastic about judges actually acting like candidates for electoral office.