

Investigating the Influence of Campaign Contributions on State Supreme Court Judicial Decisions

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ABSTRACT

This research seeks to examine if campaign contributions made the state supreme court justices influenced the outcome of future court decisions. Six states, equally divided between partisan, non-partisan, and quasi-partisan ballot types were examined. 25 state supreme court cases from each state were analyzed, totaling 150 cases used within the project analysis. Statistical analysis was conducted on collected data through STATA. The findings of the study show that for the six states examined, there was no correlation found between campaign contributions and subsequent judicial decisions. However, slight correlation was found between the type of litigant (state, individual, business) and state supreme court decisions. These results are inconclusive. More research needs to be done at a larger scale to determine the true impact of campaign contributions on court decisions.

INTRODUCTION

The symbolic image of Themis, the Greek goddess of justice, is characterized as having a blindfold over her eyes to show the ideal form of justice as being “blind” to outside influences. It is important to continually assess how blind the American justice system is to political influence to protect the integrity of justice itself. In terms of state supreme court elections, justices can peek from behind the blindfold in seemingly inconspicuous ways like dictating their judicial decisions based on the political interests of campaign donors.

Research Question:

What factors influenced state supreme court rulings during the 2021 term?

Hypothesis:

I expect campaign contributions from attorneys to correlate with subsequent judicial decisions.

Goals:

Determine if a correlation exists between campaign contributions, ballot type, and state supreme court decisions



RESEARCH METHODS

Six states analyzed:

- Texas and Pennsylvania for partisan ballot type
- Michigan and Ohio for quasi-partisan ballot type
- Wisconsin and Montana for nonpartisan ballot type

For each state, 25 cases were analyzed from the 2020-2021 term. This equaled 150 cases that I had to read and analyze throughout the summer.

Used STATA for statistical analysis (logistic regressions, interaction effects)

(Below) Each states justices for the 2021 term including total campaign contribution funds

Justice	Recent Election Year	Amount	Justice	Recent Election Year	Amount	Justice	Recent Election Year	Amount
PARTISAN			NONPARTISAN			QUASI		
TX			WI			MI		
Guzman (R)	2016 (LEFT JUNE 11, 2021)	\$457,634	Roggensack	2013	\$46,873	Bernstein	2014	\$255,015
Lehrmann (R)	2016	\$487,262	Bradley, A	2015	\$182,412	Zahra	2014	\$178,100
Blacklock (R)	2018	\$293,991	Bradley, R	2016	\$79,927	Viviano	2016	\$120,641
Devine (R)	2018	\$322,913	Ziegler	2017	\$12,996	Clement	2018	\$133,398
Hecht (R)	2020	\$85,500	Dallet	2018	\$264,527	Cavanagh	2018	\$224,826
Bland (R)	2020	\$205,200	Hagedorn	2019	\$33,745	McCormac	2020	\$301,434
Boyd (R)	2020	\$26,500	Karofsky	2020	\$134,400	Welch	2020	\$253,681
Busby (R)	2020	\$285,930	MT			OH		
Huddle (R)	AP2020, EL2022		Rice	2014	\$31,203	O'Connor	2016	\$23,880
PA			McGrath	2016	\$29,962	Fischer	2016	\$263,451
Baer (D)	2013	\$248,001	Sandefur	2016	\$178,809	DeWine	2016	\$322,253
Donohue (D)	2015	\$1,392,986	Baker	2018	\$18,215	Donnelly	2018	\$149,852
Dougherty (D)	2015	\$1,434,337	Gustafson	2018	\$2,535	Stewart	2018	\$68,153
Wecht (D)	2015	\$1,822,676	Shea	2020	\$7,860	Kennedy	2020	\$174,080
Todd (D)	2017	\$336,482	McKinnon	2020	\$3,689	Brunner	2020	\$93,989
Mundy (R)	2017	\$778,705						
Saylor (R)	2017	\$113,950						

For each of the six states analyzed, 25 cases were assessed. Cases were assessed by:

- Case decision
- Decision ideology
- Case type
- Law firm type
- Number of amicus briefs filed
- Type of litigant
- Type of appellant/respondent

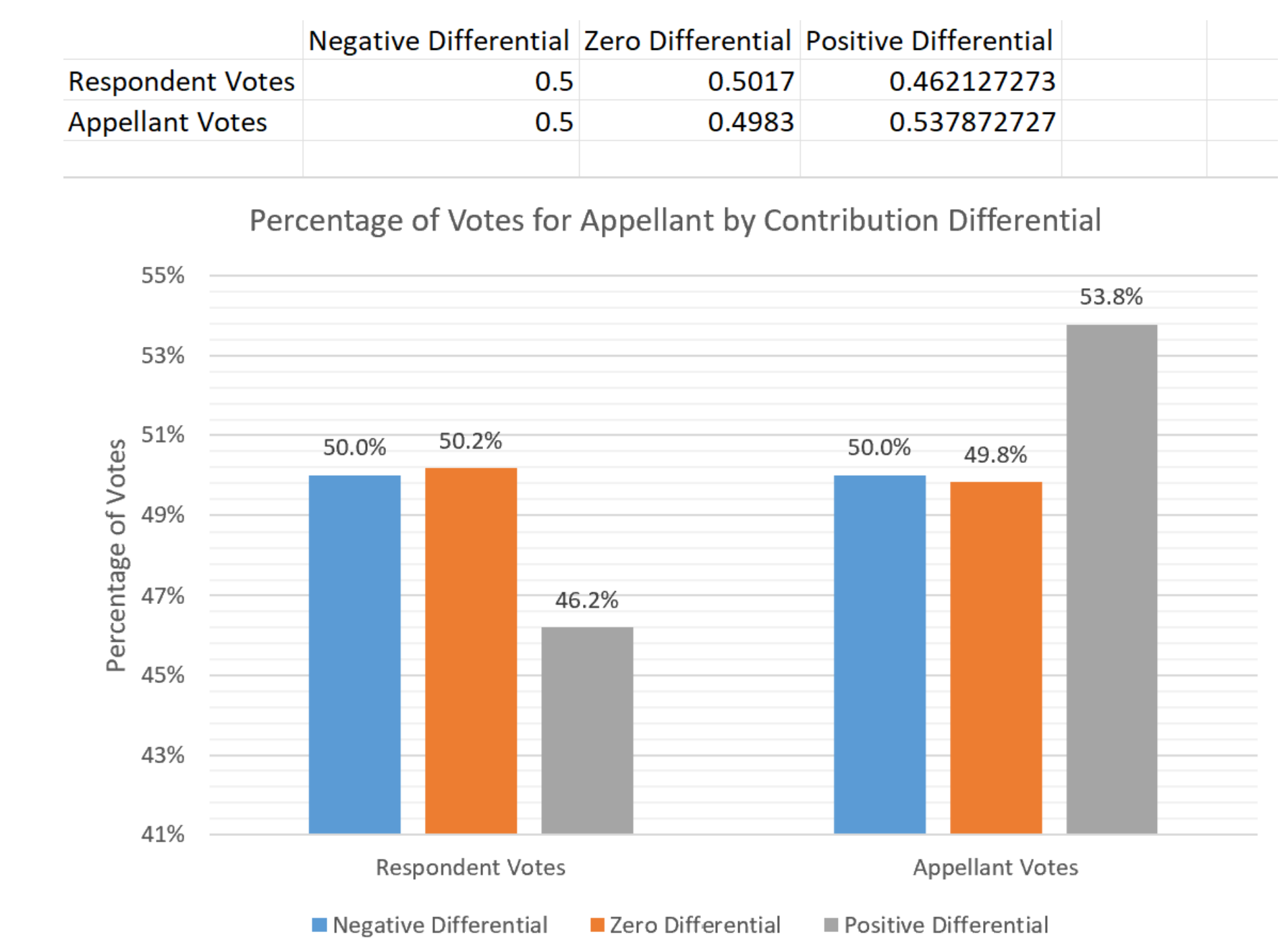
(Below) An example of data collected from each state and analyzed using the data above

Case Name	Case Cite	AA1	AA2	AA3
MT McLaughlin v. Mont. State Legislature, 2021 MT 178	McLaughlin v. Mont. St.Randy J. Cox			
MT State v. Quinlan, 2021 MT 15	State v. Quinlan, 2021 I Chad Wright		Moses Okeyo	
MT State v. Keefe, 2021 MT 8	State v. Keefe, 2021 M John R. Mills		Genevieve Gold	Elizabeth K. Ehret
MT State v. Woody, 2021 MT 38N	State v. Woody, 2021 I Chad Wright		Haley Connell Jackson	
MT Wilkinson, LLC v. Scott & Cindy Erler, LLP, 2021 MT 177	Wilkinson, LLC v. Scott Rob Cameron		Scott M. Svee	Nathan Bilyeu
MT City of Bozeman v. Howard, 2021 MT 230	City of Bozeman v. How Caitlin Boland Aarab			
MT State v. Villanueva, 2021 MT 277	State v. Villanueva, 202 Nancy G. Schwartz			
MT Mont. State University-Northern v. Bachmeier, 2021 MT 26	Mont. State University-N Helen C. Thigpen		Elizabeth L. Griffing	
MT Young v. Hammer, Hewitt, Jacobs & Floch, PLLC, 2021 MT 180	Young v. Hammer, Hew Lee C. Henning		Rebecca Henning-Rutz	Ashley C. McCormack
MT Phipps v. Old Republic Nat'l Title Ins. Co., 2021 MT 152	Phipps v. Old Republic Martha Sheehy		Randell G. Nelson	
MT Estate of Frazier v. Miller, 2021 MT 85	Estate of Frazier v. Miller Nathan G. Wagner		Jenna P. Lyons	
MT Masters Grp. Int'l, Inc. v. Comerica Bank, 2021 MT 161	Masters Grp. Int'l, Inc. v James H. Goetz		David M. Wagner	Jeffrey R. Kuchel
MT State v. Wilkes, 2021 MT 27	State v. Wilkes, 2021 M Caitlin Boland Aarab			
MT State v. Felde, 2021 MT 1	State v. Felde, 2021 I Chad M. Wright			
MT Animals of Mont., Inc. v. State, 2021 MT 130	Animals of Mont., Inc. v Colin M. Stephens		Herman Watson III	
MT Kaul v. State Farm Mut. Auto. Ins. Co., 2021 MT 67	Kaul v. State Farm Mut. Lincoln Palmer		Rex L. Palmer	
MT State v. Staker, 2021 MT 151	State v. Staker, 2021 M Mark J Luebeck			
MT State v. Hoang Vinh Pham, 2021 MT 270	State v. Hoang Vinh Phi Chad Wright		Deborah S. Smith	
MT McDonald v. Jacobsen, 2021 MT 287	McDonald v. Jacobsen, Austin Knudsen		Kristin Hansen	David M.S. Dewhurst
MT State v. Lamoureux, 2021 MT 94	State v. Lamoureux, 20 Chad Wright		Alexander H. Pyle	
MT State v. McCoy, 2021 MT 303	State v. McCoy, 2021 M Chad Wright		Kristina L. Neal	
MT State v. Byrne, 2021 MT 238	State v. Byrne, 2021 M Chad Wright		Haley Connell Jackson	
MT Sunset Irrigation Dist. v. United States (Fish & Wildlife Serv.), 2021 MT 25	Sunset Irrigation Dist. v Raymond P. Tipp			
MT State v. Smith, 2021 MT 324	State v. Smith, 2021 M Dwight J. Schulte			
MT State v. Brasda, 2021 MT 121	State v. Brasda, 2021 I Chad Wright		Michael Marchesini	Austin Knudsen

RESULTS

No direct correlation between campaign contributions and votes for appellants
This is positive for the credibility of the judiciary at large
Study only examines 25 cases from six states
Correlation between contributions and decisions may exist if more cases or states examined
Different external factor found to be significant
Type of litigant.
The state, an individual, or a business

(Below) Chart illustrating results including insignificant P-values



CONCLUSIONS

- Needs to be explored more in a larger, more in-depth study
- Justices may be influenced by certain external factors in cases other than campaign contribution totals.
- Hypothesis was proven wrong, but is still important
 - Possible correlation found between judicial decisions and type of appellant/respondent litigants

Maintaining an impartial judiciary is paramount to the foundation of democracy. Legal scholars can use my findings and those of future studies to find better ways to refocus judges on appropriate ways of assessing cases fairly. My hope is that my study will influence the development of new selection methods for judges that abandon a reliance on partisanship through monetary means and contribute to a better justice system.

REFERENCES

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