

WOMEN RULING THE BENCH: STEPS TO ACHIEVING GENDER PARITY ON STATE COURTS

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SO WHAT?

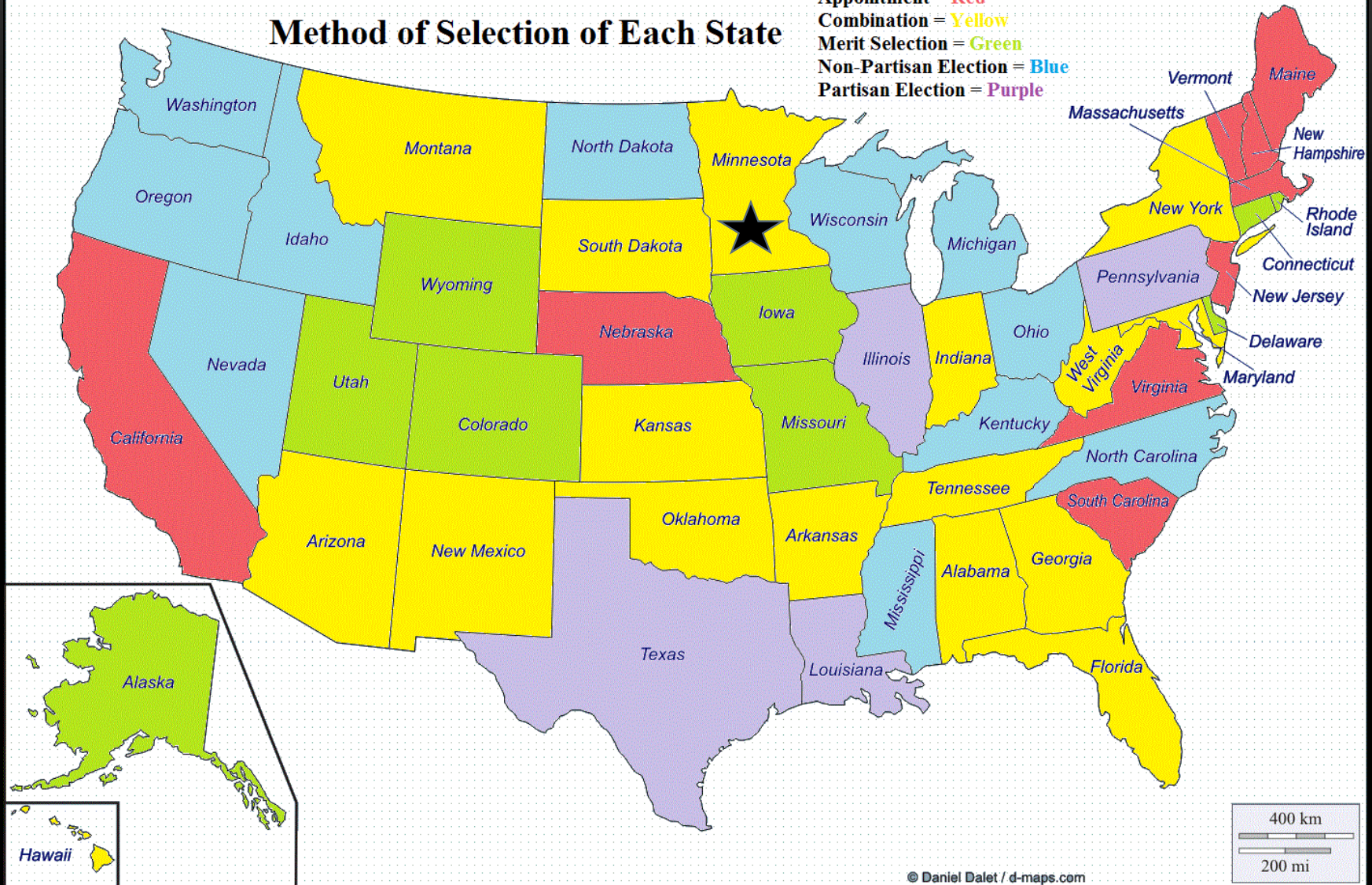
- Each state practices one of several methods of selecting judges.
 - Many of these processes have not changed for decades.
 - It is argued this results in minorities, both gender and racial, receiving fewer spots on the bench.
 - Courts need to look like the rest of the country.
 - DIVERSITY
 - I focus explicitly on the gender aspect of judicial selection.
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THE METHODS

- **Appointment:** A person of authority is granted the power to decide whom to appoint to the bench.
 - **Merit Selection:** A nominating commission evaluates candidates, then submits the list to the chief executive, who then selects a nominee from the list. Many times, the chief executive's selection must be approved by the state senate.
 - **Non-Partisan Elections:** Elections in which candidates are not affiliated with a specific political party.
 - **Partisan Elections:** Elections in which candidates are affiliated with a specific political party.
 - **Combination:** A combination of two or more of these processes used.
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Method of Selection of Each State

Key:
 Appointment = Red
 Combination = Yellow
 Merit Selection = Green
 Non-Partisan Election = Blue
 Partisan Election = Purple



9 States: Appointment Process
 11 States: Non-Partisan Election

9 States: Merit Selection
 4 States: Partisan Election

17 States: Combination

MINNESOTA

- Combination method is used
 - Non-partisan election is 1st step
 - Appointment process in event of vacancy
 - True election is rare
 - Politics involved
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LITERATURE

- American Judicature Society 2013
 - Glick, Henry R. 1996: The Impact of Judicial-Selection Method on State-Supreme-Court Policy: Innovation, Reaction, and Atrophy *The American Political Science Review*
 - Jensen, Jennifer M; Martinek, Wendy L. 2009: The Effects of Race and Gender on the Judicial Ambitions of State Trial Court Judges *Political Research Quarterly*
 - Reid, Traci V. 2010: Women Candidates and Judicial Elections: Telling an Untold *Politics and Gender*
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THEORY

- Women face many challenges in elections.
 - Raising money for their campaigns.
 - Receiving influential support from their state's politicians.
 - Convincing the general public that they are of equal capability to their male counterparts.
 - Does this lead to an equal playing field on the election front?
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HYPOTHESIS

- Among the five methods (appointment, combination, merit selection, non-partisan election, partisan election), because of the many challenges elections pose to female candidates,

I hypothesize that the non-electoral methods will result in a greater share of women selected to the bench.

TABLE 1: CORRELATION BETWEEN PERCENT OF WOMEN JUDGES, PERCENT OF POPULATION WITH A COLLEGE EDUCATION, PERCENT AGED 65 OR OLDER, PERCENT AGED 18-24, PERCENT BLACK (2008), AND PERCENT HISPANIC (2008).

		Percent Women Judges
Percent women judges	Pearson Correlation	1
	Sig. (2-tailed)	
	N	50
Percent of pop w/ college or higher	Pearson Correlation	.358*
	Sig. (2-tailed)	.011
	N	50
Percent age 65 and older	Pearson Correlation	.003
	Sig. (2-tailed)	.983
	N	50
Percent age 18-24	Pearson Correlation	.400*
	Sig. (2-tailed)	.004
	N	50
Percent black (2008)	Pearson Correlation	-.130
	Sig. (2-tailed)	.367
	N	50
Percent hispanic (2008)	Pearson Correlation	.363**
	Sig. (2-tailed)	.009
	N	50

*. Correlation is significant at the 0.05 level (2-tailed)

**. Correlation is significant at the 0.01 level (2-tailed)

Table 2: Comparison of Percent of Women Judges by Census Region

Census Region: Midwest

Process of Selection	State Name	Percent of Women Judges
Appointment	Nebraska	16.18
Combination	Indiana	19.22
	Kansas	17.00
	Minnesota	30.72
	South Dakota	17.60
	Iowa	24.14
Merit Selection	Missouri	30.72
	Michigan	17.69
	North Dakota	17.69
	Ohio	17.69
Non-Partisan Election	Wisconsin	17.69
	Illinois	27.78
Partisan Election	Illinois	27.78

Census Region: South

Process of Selection	State Name	Percent of Women Judges
Appointment	South Carolina	31.37
Combination	Alabama	17.91
	Arkansas	17.91
	Florida	29.38
	Georgia	20.98
	Maryland	31.37
	Oklahoma	18.87
	Tennessee	16.39
	West Virginia	12.33
	Delaware	12.33
	Non-Partisan Election	Kentucky
Mississippi		14.19
North Carolina		14.19
Partisan Election	Louisiana	12.33
	Texas	12.33

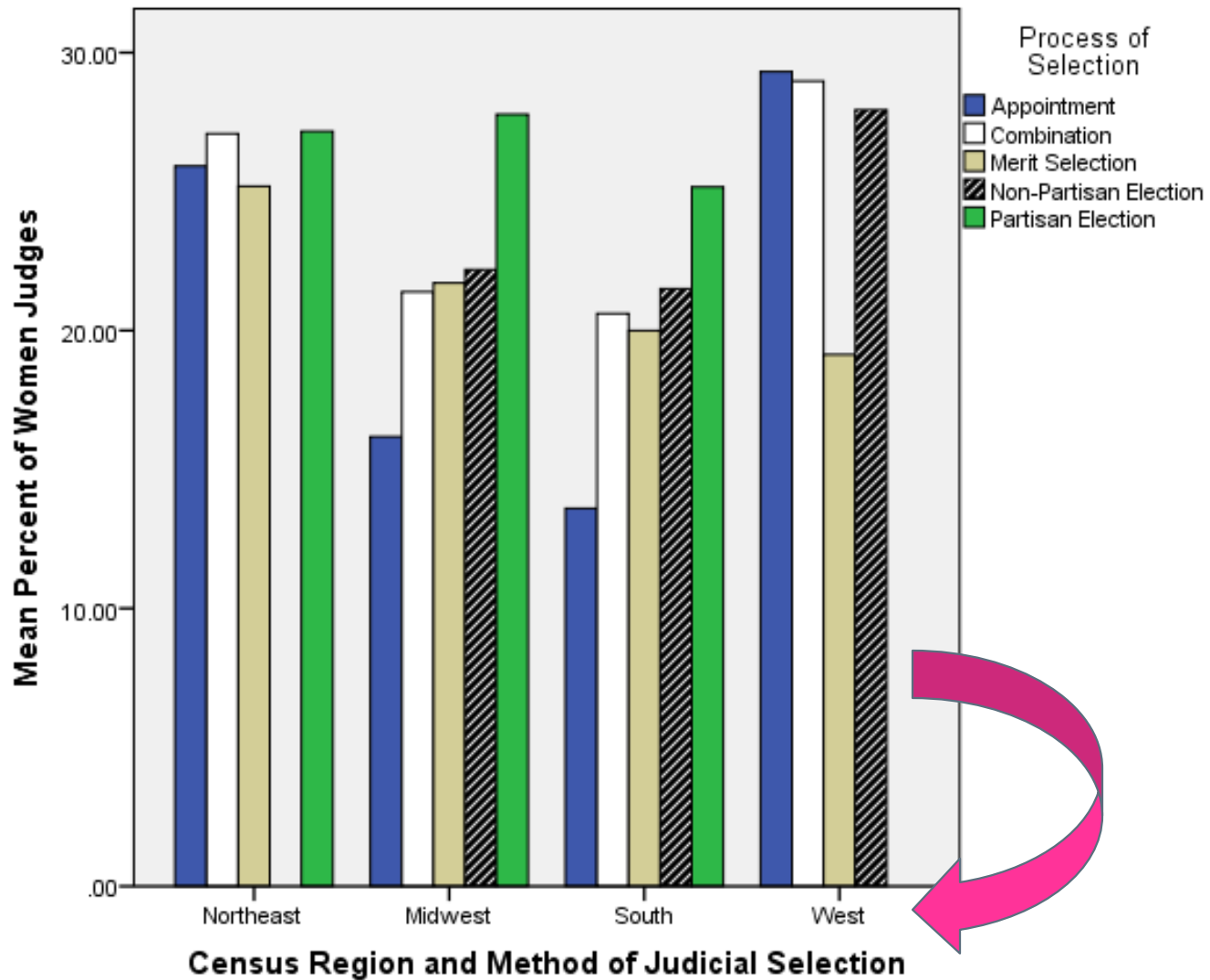
Census Region: West

Process of Selection	State Name	Percent of Women Judges
Appointment	California	29.31
Combination	Arizona	30.91
	Hawaii	37.21
	Montana	24.00
	New Mexico	23.76
	Alaska	18.75
Merit Selection	Colorado	25.27
	Utah	18.52
	Wyoming	14.00
	Idaho	11.19
Non-Partisan Election	Nevada	35.44
	Oregon	30.37
	Washington	34.74
	Washington	34.74
Partisan Election	0.00	

Census Region: Northeast

Process of Selection	State Name	Percent of Women Judges
Appointment	Maine	16.67
	Massachusetts	35.45
	New Hampshire	25.00
	New Jersey	25.98
	Vermont	26.47
Combination	New York	27.08
	New York	27.08
Merit Selection	Connecticut	20.75
	Rhode Island	29.63
Non-Partisan Election	N/A	0.00
	N/A	0.00
Partisan Election	Pennsylvania	27.17

Figure 1: Percent of Women Judges by Census Region and Method of Selection



CURRENTLY...

- Method used
 - Hypothesis?
 - Preliminary analysis
 - Current analysis
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Questions?

Thank you!
