



University at Buffalo

The Baldy Center for
Law and Social Policy

School of Law

SPRING 2022 DISTINGUISHED SPEAKER SERIES

Michael J. Nelson (Pennsylvania State University)

The Elevator Effect:

Contact and Collegiality in the American Judiciary

APRIL 1, 2022 (Attend the event on-campus or via Zoom.)

FRIDAY, 12:30 TO 2:00 PM, 509 O'BRIAN HALL, UB NORTH CAMPUS



Abstract: Prominent explanations for appellate review prioritize the ideological alignment of the lower and reviewing courts. We suggest that interpersonal relationships play an important role. The effect of an appellate judge's ideology on her decision to reverse depends on the level of interpersonal contact between the trial and appellate judge due to information provided by social and professional interactions. Relying on a dataset of all published Fourth Amendment search and seizure decisions from 1953-2010, we find that interpersonal relationships can dampen the effect of ideology in appellate review. When an appellate and trial court judge have frequent contact, the effect of ideology on the appellate judge's decision to reverse is essentially imperceptible. These findings speak to the importance of relationships in principal-agent arrangements generally and have implications for the structure of the federal judiciary and our understanding of the limits of ideological judicial decision-making.

Michael J. Nelson is the author of *Judging Inequality and The Politics of Federal Prosecution*. He is an associate professor of political science at Pennsylvania State University. Nelson's research, funded by the National Science Foundation and the Russell Sage Foundation, examines the causes and consequences of judicial power.

The event is co-sponsored by The Baldy Center for Law and Social Policy and the UB Department of Political Science.

The author will provide manuscript access in advance of the event. Visit our website to learn more.

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