APSR Dataverse Appendix for "Who Shapes the Law? Gender and Racial Bias in Judicial Citations"

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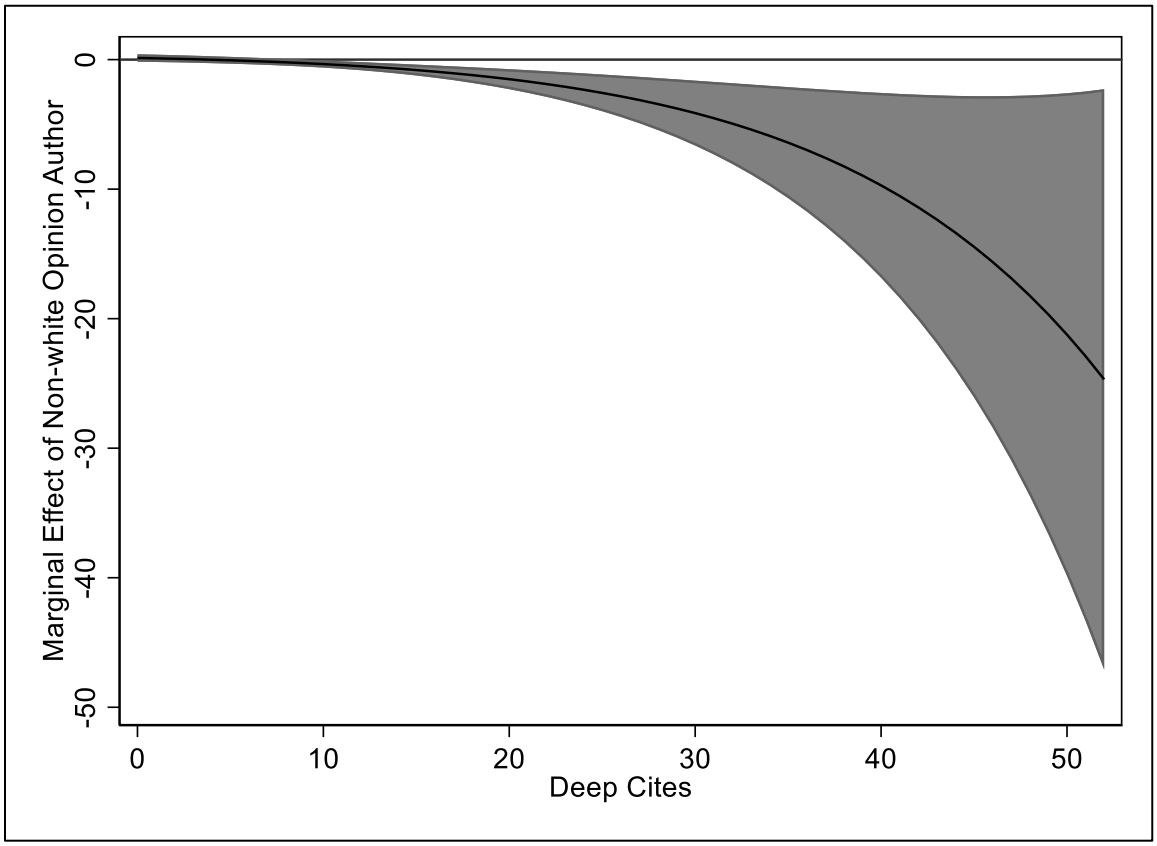
Due to space limitations, we have two separate appendices with additional analyses and discussion. The primary online appendix (denoted hereafter as "OA") is in the Supplemental Materials file and may be found on the Cambridge Core website. This document, the Dataverse Appendix (hereinafter referred to as "DA") contains information supporting robust checks discussed in the OA, as well as additional robust checks and discussions.

DA1. Average Marginal Effects for Non-white Majority Opinion Authors, by Observed Values of Deep Cites

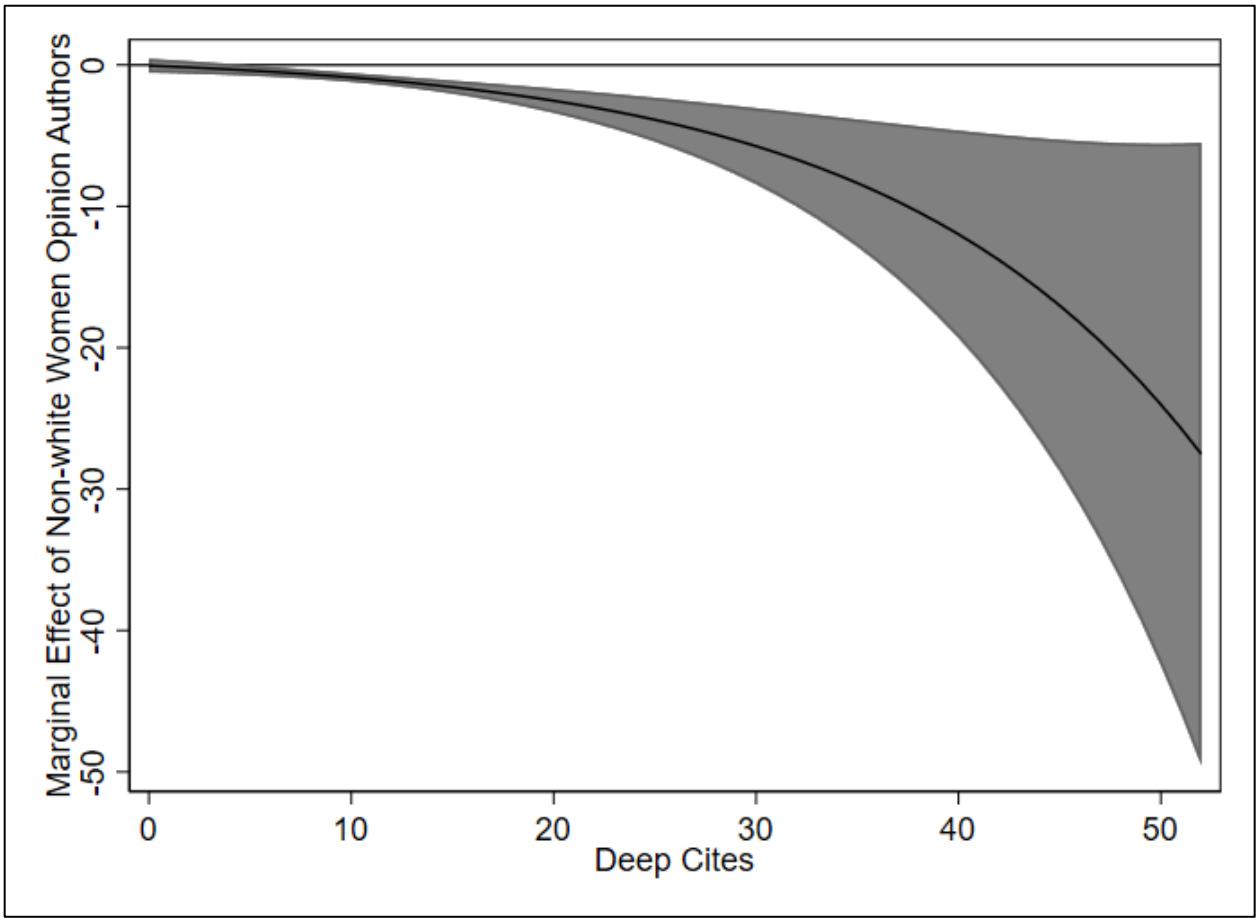
While our interaction hypotheses treat *Deep Cites* as the main independent variable and *Non-white Judge*, *Non-white Female*, and *Non-white Male* (respectively) as the moderator variables, Berry, Golder, and Milton (2012) contend that the best practice is to interpret interaction effects as if each component is both the moderator and the variable of interest. Above is the figure Brambor, Golder, and Clark (2006) recommend for testing interactions with a continuous moderator: the graph of the marginal effects on the Y-axis and the observed values of the moderator on the X-axis. Note that we follow best practices for generating marginal effects with nonlinear dependent variables (Hanmer and Kalkan 2013). Specifically, the marginal effects are the difference in the expected count of the dependent variable averaged across all observed values of the respective independent variable when set to one and zero. The graphs indicate evidence of interaction effects. First, the marginal effects of each of the independent variables are not significant for lower values of *Deep Cites* but are significant for higher values. Second, the slopes of the marginal effects change dramatically as the moderator increases.

Figure DA1.1: Average Marginal Effects for Non-white Majority Opinion Authors (Women and Men)



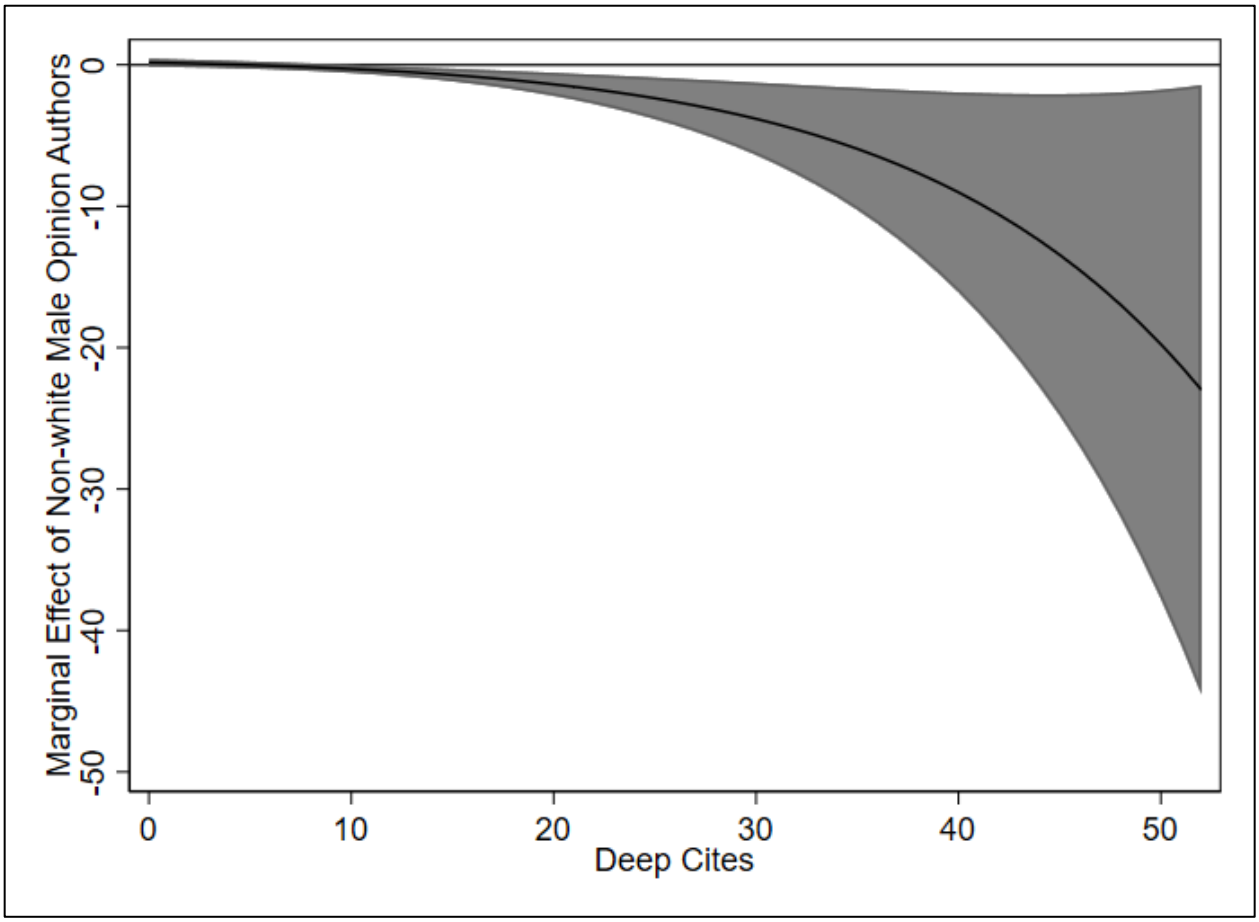
Note: The figure was generated using Model 3, presented in Supplemental Materials Table OA2.1.

Figure DA1.2: Average Marginal Effects for Non-white Women Majority Opinion Authors



Note: The figure was generated using Model 6, presented in Supplemental Materials Table OA2.1.

Figure DA1.3: Average Marginal Effects for Non-white Male Majority Opinion Authors



Note: The figure was generated using Model 6, presented in Supplemental Materials Table OA2.1.

DA2. Additional Alternative Specifications Including Asian-American Judges

As discussed in the Supplemental Materials (OA 3), we re-estimated the models discussed in the text without cases with Asian-American judges in the estimation sample. In that appendix, we discussed the logic behind our decisions, and we presented and discussed models using an alternative specification, where we included Asian-American judges in the non-White category. The results of hypotheses tests remained unchanged. We also estimated two additional sets of alternative models, which, due to space limitations, we discuss below.

The table in DA2.1 shows the results of a model that groups Asian-American judges with White judges (that is, the reference category), because both groups are subject to positive stereotypes about competence. The results are unchanged from the models in the main manuscript.

The table in DA2.2 includes Asian American judges via a separate dummy variable. Although the coefficient is significant in Model 1 (i.e., the model without interactions), consistent with the argument made by Visalvanich (2017), we are reluctant to make inferences given the data limitations discussed above. The appointment of a record number of Asian American judges by President Trump will provide scholars an opportunity to revisit our finding in the future.

Table DA2.1: Negative Binomial Regression (NBR) of Out-of-Circuit Citations, Asian-American Judges Included in Reference Category

	Model 1	Model 2	Model 3
Female Judge	-0.159*	-0.222	-0.172*
	(0.068)	(0.168)	(0.067)
Female Judge × Deep Cites		0.008	
		(0.026)	
Black or Latinx Judge	-0.069	0.110	0.113
	(0.091)	(0.119)	(0.115)
Black or Latinx Judge × Deep Cites		-0.029***	-0.030***
		(0.008)	(0.008)
Deep Cites	0.059***	0.063***	0.066***
	(0.008)	(0.011)	(0.009)
Split Party Panel	-0.066	-0.069	-0.069
	(0.102)	(0.104)	(0.104)
SCOTUS & Legal Academy Ties	0.088**	0.085*	0.086**
	(0.031)	(0.034)	(0.032)
Elite Law School	0.062	0.056	0.057
	(0.071)	(0.069)	(0.071)
Judge Tenure	-0.048	-0.049	-0.049
	(0.042)	(0.043)	(0.043)
Amicus Curiae	0.354***	0.348***	0.348***
	(0.096)	(0.094)	(0.095)
Prior Publication	0.010	0.015	0.014
	(0.073)	(0.073)	(0.074)
Constitutional Issue	-0.078	-0.073	-0.074
	(0.076)	(0.076)	(0.075)
Dissent	-0.093	-0.105	-0.107
	(0.108)	(0.106)	(0.106)
Concurrence	-0.022	-0.026	-0.031
	(0.099)	(0.108)	(0.095)

Number of Attorneys	0.201***	0.200***	0.200***
	(0.046)	(0.045)	(0.045)
Caseload	-0.040	-0.041	-0.041
	(0.054)	(0.053)	(0.053)
Mixed Outcome	0.273**	0.277**	0.276**
	(0.085)	(0.086)	(0.085)
Reversed	0.134*	0.133*	0.130*
	(0.061)	(0.059)	(0.060)
Multiple Docket Numbers	0.074	0.062	0.063
	(0.124)	(0.126)	(0.124)
Criminal Issue	0.596***	0.587***	0.589***
	(0.065)	(0.063)	(0.064)
Civil Rights/Liberties Issue	0.189*	0.185*	0.183*
	(0.080)	(0.082)	(0.081)
Points of Law	-0.000	-0.000	-0.000
	(0.004)	(0.004)	(0.004)
Readability	0.049	0.051	0.050
	(0.041)	(0.039)	(0.041)
Pct. 6+ Letter Words	-0.027*	-0.027*	-0.027*
	(0.011)	(0.011)	(0.011)
Constant	0.865	0.855	0.845
	(0.442)	(0.448)	(0.443)
lnalpha	0.132*	0.127	0.128
	(0.067)	(0.067)	(0.067)
Observations	2245	2245	2245
Pseudo R^2	0.038	0.039	0.039

Notes: Asian-Americans are included along with White opinion authors, with no dummy variable for Asian-American authors. Therefore, the reference category for Non-White would be White and Asian-American judges. Unconditional year fixed effects not reported. Standard errors clustered by circuit in parentheses. * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$.

Table DA2.2: NBR Model of Out-of-Circuit Citations, Asian-American Judges Included with Dummy Variable

	Model 1	Model 2	Model 3
Female Judge	-0.152*	-0.214	-0.164*
	(0.069)	(0.169)	(0.068)
Female Judge × Deep Cites		0.008	
		(0.026)	
Black or Latinx Judge	-0.092	0.089	0.092
	(0.086)	(0.116)	(0.112)
Black or Latinx Judge × Deep Cites		-0.029***	-0.030***
		(0.009)	(0.008)
Deep Cites	0.059***	0.063***	0.066***
	(0.008)	(0.011)	(0.009)
Asian-American Judge	0.430*	0.440*	0.440*
	(0.185)	(0.202)	(0.199)
Split Party Panel	-0.070	-0.072	-0.072
	(0.102)	(0.104)	(0.104)
SCOTUS & Legal Academy Ties	0.088**	0.085*	0.087**
	(0.031)	(0.034)	(0.032)
Elite Law School	0.058	0.051	0.052
	(0.075)	(0.073)	(0.075)
Judge Tenure	-0.042	-0.042	-0.042
	(0.043)	(0.043)	(0.043)
Amicus Curiae	0.357***	0.351***	0.351***
	(0.096)	(0.094)	(0.094)
Prior Publication	0.008	0.013	0.012
	(0.073)	(0.073)	(0.074)
Constitutional Issue	-0.081	-0.075	-0.077
	(0.075)	(0.076)	(0.075)
Dissent	-0.093	-0.105	-0.107
	(0.109)	(0.107)	(0.107)

Concurrence	-0.017	-0.021	-0.026
	(0.098)	(0.107)	(0.094)
Number of Attorneys	0.202***	0.201***	0.201***
	(0.047)	(0.046)	(0.046)
Caseload	-0.040	-0.040	-0.040
	(0.056)	(0.056)	(0.055)
Mixed Outcome	0.270**	0.274**	0.273**
	(0.084)	(0.085)	(0.083)
Reversed	0.132*	0.130*	0.128*
	(0.062)	(0.060)	(0.061)
Multiple Docket Numbers	0.075	0.064	0.065
	(0.126)	(0.127)	(0.126)
Criminal Issue	0.594***	0.585***	0.586***
	(0.063)	(0.061)	(0.062)
Civil Rights/Liberties Issue	0.193*	0.188*	0.187*
	(0.078)	(0.079)	(0.079)
Points of Law	0.000	0.000	0.000
	(0.004)	(0.004)	(0.004)
Readability	0.048	0.049	0.048
	(0.040)	(0.038)	(0.040)
Pct. 6+ Letter Words	-0.027*	-0.026*	-0.027*
	(0.011)	(0.011)	(0.011)
Constant	0.839	0.829	0.819
	(0.453)	(0.461)	(0.457)
lnalpha	0.130	0.125	0.126
	(0.067)	(0.067)	(0.067)
Observations	2245	2245	2245
Pseudo R^2	0.038	0.039	0.039

Notes: Unconditional year fixed effects not reported. Standard errors clustered by circuit in parentheses. * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$.

DA3. Alternative Specifications with Controls for Opinion Length

It is possible that when judges craft longer opinions, those are more likely to be noticed by judges from outside circuits, relative to shorter opinions. To see if this is affecting our results, we estimated the models with two alternative measures of opinion length: page length and word count. Because both are highly correlated with other control variables (e.g., when we regress word count and opinion length, respectively, on just *Deep Cites* and *Points of Law*, the adjusted R^2s are 0.64 and 0.68, respectively), and neither is statistically significant, we opted not to include them in the main model but report the results of these alternative specifications below. The results for our key independent variables remain unchanged with their inclusion.

Table DA3.1: NBR Model of Out-of-Circuit Citations, Control for Page Length

	Model 1	Model 2	Model 3
Female Judge	-0.151*	-0.224	-0.164*
	(0.068)	(0.160)	(0.067)
Female Judge × Deep Cites		0.010	
		(0.025)	
Non-white Judge	-0.090	0.105	0.108
	(0.087)	(0.127)	(0.121)
Non-white Judge × Deep Cites		-0.032**	-0.033***
		(0.010)	(0.009)
Deep Cites	0.055***	0.059***	0.062***
	(0.010)	(0.008)	(0.010)
Split Party Panel	-0.074	-0.077	-0.077
	(0.102)	(0.104)	(0.104)
SCOTUS & Legal Academy Ties	0.087**	0.084*	0.086**
	(0.031)	(0.034)	(0.032)
Elite Law School	0.057	0.049	0.050
	(0.076)	(0.073)	(0.075)
Judge Tenure	-0.040	-0.041	-0.041
	(0.043)	(0.043)	(0.043)
Amicus Curiae	0.350***	0.345***	0.345***

	(0.096)	(0.094)	(0.094)
Prior Publication	-0.002	0.002	0.001
	(0.073)	(0.073)	(0.073)
Constitutional Issue	-0.087	-0.083	-0.084
	(0.077)	(0.077)	(0.077)
Dissent	-0.089	-0.102	-0.105
	(0.113)	(0.111)	(0.111)
Concurrence	-0.019	-0.022	-0.028
	(0.101)	(0.108)	(0.097)
Number of Attorneys	0.196***	0.195***	0.196***
	(0.048)	(0.047)	(0.048)
Caseload	-0.038	-0.038	-0.038
	(0.059)	(0.058)	(0.057)
Mixed Outcome	0.277**	0.283***	0.282***
	(0.084)	(0.085)	(0.083)
Reversed	0.134*	0.133*	0.131*
	(0.062)	(0.060)	(0.061)
Multiple Docket Numbers	0.069	0.058	0.060
	(0.126)	(0.127)	(0.125)
Criminal Issue	0.600***	0.592***	0.594***
	(0.057)	(0.056)	(0.056)
Civil Rights/Liberties Issue	0.204**	0.201**	0.199*
	(0.077)	(0.077)	(0.077)
Points of Law	-0.002	-0.002	-0.002
	(0.005)	(0.005)	(0.005)
Readability	0.049	0.050	0.049
	(0.042)	(0.040)	(0.042)
Pct. 6+ Letter Words	-0.028**	-0.028**	-0.028**
	(0.011)	(0.010)	(0.010)
Opinion Length	0.006	0.006	0.006
	(0.010)	(0.010)	(0.010)

Constant	0.853	0.845	0.832
	(0.477)	(0.477)	(0.477)
lnalpha	0.132	0.127	0.128
	(0.070)	(0.070)	(0.070)
Observations	2228	2228	2228
Pseudo R^2	0.038	0.039	0.039

Notes: Unconditional year fixed effects not reported. Standard errors clustered by circuit in parentheses. * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$.

Table DA3. 2: NBR Model of Out-of-Circuit Citations, Control for Word Count

	Model 1	Model 2	Model 3
Female Judge	-0.149*	-0.227	-0.162*
	(0.068)	(0.164)	(0.067)
Female Judge × Deep Cites		0.011	
		(0.025)	
Non-white Judge	-0.089	0.105	0.108
	(0.087)	(0.127)	(0.121)
Non-white Judge × Deep Cites		-0.031**	-0.033***
		(0.010)	(0.008)
Deep Cites	0.050***	0.054***	0.058***
	(0.009)	(0.010)	(0.009)
Split Party Panel	-0.073	-0.076	-0.076
	(0.102)	(0.104)	(0.104)
SCOTUS & Legal Academy Ties	0.087**	0.084*	0.086**
	(0.031)	(0.034)	(0.032)
Elite Law School	0.054	0.046	0.047
	(0.074)	(0.072)	(0.074)
Judge Tenure	-0.040	-0.040	-0.040
	(0.043)	(0.044)	(0.043)
Amicus Curiae	0.345***	0.340***	0.341***
	(0.101)	(0.098)	(0.099)
Prior Publication	-0.003	0.001	0.001
	(0.076)	(0.076)	(0.076)
Constitutional Issue	-0.088	-0.084	-0.085
	(0.076)	(0.077)	(0.076)
Dissent	-0.087	-0.101	-0.103
	(0.112)	(0.110)	(0.110)
Concurrence	-0.017	-0.020	-0.026
	(0.098)	(0.105)	(0.094)
Number of Attorneys	0.193***	0.193***	0.194***

	(0.045)	(0.045)	(0.045)
Caseload	-0.036	-0.036	-0.036
	(0.060)	(0.059)	(0.058)
Mixed Outcome	0.275**	0.280***	0.280***
	(0.084)	(0.084)	(0.083)
Reversed	0.133*	0.132*	0.130*
	(0.062)	(0.060)	(0.061)
Multiple Docket Numbers	0.067	0.056	0.057
	(0.130)	(0.131)	(0.129)
Criminal Issue	0.597***	0.589***	0.591***
	(0.057)	(0.056)	(0.057)
Civil Rights/Liberties Issue	0.205**	0.202**	0.200**
	(0.075)	(0.075)	(0.075)
Points of Law	-0.003	-0.003	-0.003
	(0.005)	(0.005)	(0.005)
Readability	0.051	0.052	0.051
	(0.040)	(0.039)	(0.040)
Pct. 6+ Letter Words	-0.027**	-0.027**	-0.027**
	(0.010)	(0.010)	(0.010)
WC	0.000	0.000	0.000
	(0.000)	(0.000)	(0.000)
Constant	0.835	0.826	0.813
	(0.468)	(0.470)	(0.468)
lnalpha	0.131	0.126	0.127
	(0.070)	(0.070)	(0.070)
Observations	2228	2228	2228
Pseudo R^2	0.039	0.039	0.039

Notes: Unconditional year fixed effects not reported. Standard errors clustered by circuit in parentheses. * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$.

DA4. Additional Alternative Specifications for Federalist Society Associations

The model presented below codes the judge as a contributor of the Federalist Society if they were listed as such on the Society's website. See the Supplemental Materials (OA 4) for more discussion.

Table DA4.1: NBR Model of Out-of-Circuit Citations, Control for Federalist Society

	Model 1	Model 2	Model 3
Female Judge	-0.128	-0.195	-0.143*
	(0.069)	(0.162)	(0.067)
Female Judge × Deep Cites		0.009	
		(0.025)	
Non-white Judge	-0.074	0.119	0.122
	(0.099)	(0.137)	(0.131)
Non-white Judge × Deep Cites		-0.031**	-0.032***
		(0.011)	(0.009)
Deep Cites	0.059***	0.063***	0.066***
	(0.009)	(0.011)	(0.009)
FedSoc Contributor	0.115	0.111	0.112
	(0.105)	(0.103)	(0.104)
Split Party Panel	-0.067	-0.069	-0.070
	(0.101)	(0.103)	(0.103)
SCOTUS & Legal Academy Ties	0.080**	0.077*	0.079**
	(0.027)	(0.030)	(0.028)
Elite Law School	0.041	0.034	0.035
	(0.077)	(0.076)	(0.077)
Judge Tenure	-0.027	-0.028	-0.028
	(0.041)	(0.042)	(0.042)
Amicus Curiae	0.356***	0.351***	0.351***
	(0.098)	(0.096)	(0.097)
Prior Publication	-0.004	0.000	-0.001
	(0.071)	(0.071)	(0.071)
Constitutional Issue	-0.090	-0.086	-0.087

	(0.077)	(0.077)	(0.076)
Dissent	-0.094	-0.107	-0.109
	(0.107)	(0.105)	(0.105)
Concurrence	-0.017	-0.020	-0.026
	(0.096)	(0.105)	(0.093)
Number of Attorneys	0.200***	0.200***	0.200***
	(0.048)	(0.047)	(0.047)
Caseload	-0.017	-0.017	-0.017
	(0.066)	(0.065)	(0.065)
Mixed Outcome	0.278***	0.284***	0.283***
	(0.083)	(0.083)	(0.082)
Reversed	0.133*	0.132*	0.130*
	(0.065)	(0.063)	(0.064)
Multiple Docket Numbers	0.075	0.064	0.065
	(0.127)	(0.127)	(0.126)
Criminal Issue	0.598***	0.590***	0.592***
	(0.059)	(0.058)	(0.058)
Civil Rights/Liberties Issue	0.197*	0.193*	0.192*
	(0.079)	(0.079)	(0.079)
Points of Law	0.000	0.000	0.000
	(0.004)	(0.004)	(0.004)
Readability	0.050	0.050	0.050
	(0.038)	(0.036)	(0.038)
Pct. 6+ Letter Words	-0.025*	-0.025*	-0.025*
	(0.011)	(0.011)	(0.011)
Constant	0.564	0.566	0.553
	(0.534)	(0.532)	(0.530)
lnalpha	0.129	0.124	0.125
	(0.068)	(0.069)	(0.068)
Observations	2228	2228	2228
Pseudo R^2	0.039	0.039	0.039

Notes: Unconditional year fixed effects not reported. Standard errors clustered by circuit in parentheses. * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$.

DA5. Alternative Specification Omitting Outliers

One potential concern with our results is that they are being driven by outlier values of the dependent variable. As the histogram below shows, the data are clearly positively skewed, with values as high as 40. To assess whether our central findings hold in the absence of these outliers, we re-ran all three models excluding all values of the dependent variable that exceeded 10. The findings for our key variables are substantively identical. Additionally, we note that negative binomial regression is a relatively robust estimator for data with outliers, compared to typical alternatives (Tuzen, Erbas, and Olmus 2020).

Figure DA5.1: Distribution of Out-of-Circuit Citations

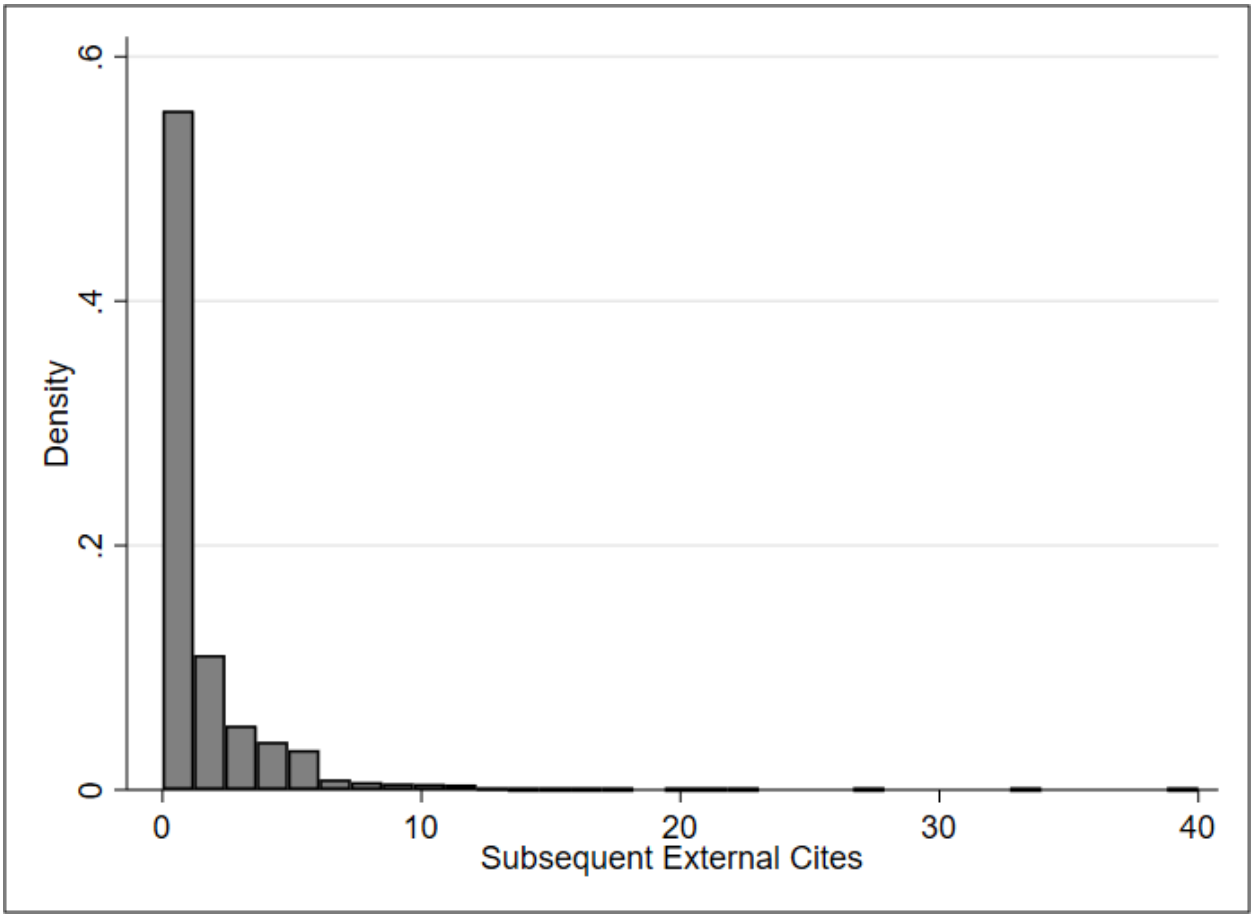


Table DA5.1: NBR of Out-of-Circuit Citations, Cases with 10 or Fewer Subsequent Cites

	Model 1	Model 2	Model 3
Female Judge	-0.142*	-0.158	-0.151*
	(0.071)	(0.154)	(0.072)
Female Judge × Deep Cites		0.001	
		(0.020)	
Non-white Judge	-0.071	0.075	0.075
	(0.079)	(0.106)	(0.105)
Non-white Judge × Deep Cites		-0.024**	-0.024**
		(0.008)	(0.008)
Deep Cites	0.051***	0.057***	0.057***
	(0.008)	(0.011)	(0.009)
Split Party Panel	-0.060	-0.062	-0.062
	(0.096)	(0.097)	(0.097)
SCOTUS & Legal Academy Ties	0.020	0.021	0.021
	(0.036)	(0.037)	(0.037)
Elite Law School	0.064	0.058	0.059
	(0.087)	(0.086)	(0.087)
Judge Tenure	-0.010	-0.010	-0.010
	(0.024)	(0.023)	(0.023)
Amicus Curiae	0.400***	0.396***	0.396***
	(0.092)	(0.091)	(0.091)
Prior Publication	-0.052	-0.051	-0.051
	(0.058)	(0.058)	(0.057)
Constitutional Issue	-0.062	-0.060	-0.061
	(0.066)	(0.067)	(0.066)
Dissent	-0.115	-0.129	-0.129
	(0.097)	(0.097)	(0.097)
Concurrence	0.078	0.070	0.070
	(0.111)	(0.113)	(0.107)

Number of Attorneys	0.196***	0.195***	0.195***
	(0.040)	(0.040)	(0.039)
Caseload	-0.048	-0.050	-0.050
	(0.052)	(0.052)	(0.052)
Mixed Outcome	0.307**	0.311**	0.311**
	(0.105)	(0.103)	(0.104)
Reversed	0.137*	0.134*	0.134*
	(0.064)	(0.064)	(0.064)
Multiple Docket Numbers	-0.051	-0.058	-0.057
	(0.088)	(0.090)	(0.087)
Criminal Issue	0.405***	0.401***	0.401***
	(0.056)	(0.055)	(0.055)
Civil Rights/Liberties Issue	0.199*	0.194*	0.194*
	(0.079)	(0.080)	(0.080)
Points of Law	0.002	0.002	0.002
	(0.004)	(0.004)	(0.004)
Readability	0.009	0.008	0.008
	(0.027)	(0.027)	(0.028)
Pct. 6+ Letter Words	-0.025**	-0.025***	-0.025***
	(0.008)	(0.007)	(0.007)
Constant	0.720*	0.712*	0.711*
	(0.310)	(0.295)	(0.305)
lnalpha	-0.074	-0.077	-0.077
	(0.080)	(0.080)	(0.080)
Observations	2202	2202	2202
Pseudo R^2	0.033	0.033	0.033

Notes: Unconditional year fixed effects not reported. Standard errors clustered by circuit in parentheses. * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$.

DA6: Alternative Models Assessing Trends over Time

In the Supplemental Materials, OA5 examines the potential time-bound effects of race and gender on subsequent out-of-court citations. Below, Table DA6.1 contains the model used to generate the marginal effects plotted in Figure OA5.1. Tables DA6.2 and DA6.3 contain additional models discussed in the Supplemental Materials (OA5).

Table DA6.1: NBR Models of Out-of-Circuit Citations for Race-Gender, by Year

	Model 1	Model 2
Female Judge	-0.415***	
	(0.105)	
Female Judge × Year Counter	0.075*	
	(0.030)	
Non-white Judge	-0.115	
	(0.173)	
Non-white Judge × Year Counter	0.010	
	(0.039)	
Non-white Female Judge		-0.354***
		(0.093)
Non-white Female Judge × Year Counter		0.003
		(0.041)
Non-white Male Judge		-0.190
		(0.211)
Non-white Male Judge × Year Counter		0.042
		(0.049)
White Female Judge		-0.463***
		(0.134)
White Female Judge × Year Counter		0.096**
		(0.035)
Year Counter	-0.089**	-0.095***
	(0.028)	(0.028)

Deep Cites	0.058***	0.058***
	(0.009)	(0.009)
Split Party Panel	-0.066	-0.065
	(0.102)	(0.101)
SCOTUS & Legal Academy Ties	0.082*	0.078*
	(0.034)	(0.034)
Elite Law School	0.069	0.070
	(0.070)	(0.073)
Judge Tenure	-0.036	-0.031
	(0.043)	(0.042)
Amicus Curiae	0.350***	0.365***
	(0.100)	(0.100)
Prior Publication	0.008	0.007
	(0.070)	(0.070)
Constitutional Issue	-0.093	-0.091
	(0.078)	(0.078)
Dissent	-0.081	-0.084
	(0.117)	(0.115)
Concurrence	-0.007	-0.004
	(0.116)	(0.115)
Number of Attorneys	0.199***	0.205***
	(0.044)	(0.045)
Caseload	-0.022	-0.031
	(0.069)	(0.071)
Mixed Outcome	0.279***	0.272***
	(0.078)	(0.081)
Reversed	0.132*	0.127
	(0.066)	(0.065)
Multiple Docket Numbers	0.080	0.077
	(0.138)	(0.135)
Criminal Issue	0.604***	0.603***

	(0.059)	(0.058)
Civil Rights/Liberties Issue	0.221**	0.225**
	(0.081)	(0.080)
Points of Law	0.000	-0.000
	(0.004)	(0.004)
Readability	0.056	0.057
	(0.037)	(0.037)
Pct. 6+ Letter Words	-0.029**	-0.029**
	(0.010)	(0.010)
Constant	0.722	0.775
	(0.546)	(0.520)
lnalpha	0.153*	0.149*
	(0.062)	(0.061)
Observations	2228	2228
Pseudo R^2	0.035	0.036

Notes: Standard errors clustered by circuit in parentheses. * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$. Since we include the Year Counter variable, unlike the other presented and supplemental models, we cannot include year fixed effects.

Table DA6.2: NBR of Out-of-Circuit Citations: Splitting Data into Four-year Subsets

	Model 1: 2009-12	Model 2: 2009-12	Model 3: 2009-12	Model 1: 2013-16	Model 2: 2013-16	Model 3: 2013-16
Female Judge	-0.260**	-0.317	-0.267**	-0.029	-0.008	-0.048
	(0.093)	(0.199)	(0.093)	(0.099)	(0.187)	(0.095)
Female Judge × Deep Cites		0.009			-0.007	
		(0.024)			(0.025)	
Non-white Judge	-0.163	-0.056	-0.061	-0.019	0.250*	0.244*
	(0.120)	(0.193)	(0.185)	(0.117)	(0.119)	(0.113)
Non-white Judge × Deep Cites		-0.017	-0.016		-0.046**	-0.045**
		(0.017)	(0.016)		(0.016)	(0.016)
Deep Cites	0.050***	0.051***	0.053***	0.068***	0.080***	0.078***
	(0.011)	(0.015)	(0.012)	(0.013)	(0.015)	(0.014)
Split Party Panel	-0.156	-0.153	-0.155	0.001	-0.010	-0.010
	(0.109)	(0.109)	(0.109)	(0.121)	(0.122)	(0.121)
SCOTUS & Legal Academy Ties	0.031	0.031	0.031	0.134*	0.132*	0.130*
	(0.063)	(0.062)	(0.062)	(0.066)	(0.067)	(0.066)
Elite Law School	0.100	0.095	0.097	-0.003	-0.012	-0.012
	(0.086)	(0.084)	(0.086)	(0.082)	(0.083)	(0.083)
Judge Tenure	-0.064	-0.066	-0.065	-0.008	-0.008	-0.008
	(0.077)	(0.077)	(0.078)	(0.023)	(0.022)	(0.022)
Amicus Curiae	0.303*	0.305*	0.306*	0.387***	0.367**	0.368**
	(0.127)	(0.128)	(0.127)	(0.114)	(0.113)	(0.114)
Prior Publication	-0.047	-0.042	-0.043	0.101	0.095	0.095
	(0.088)	(0.090)	(0.090)	(0.103)	(0.103)	(0.104)
Constitutional Issue	-0.166	-0.161	-0.164	-0.003	0.000	0.000
	(0.093)	(0.094)	(0.093)	(0.131)	(0.133)	(0.133)
Dissent	-0.183	-0.194*	-0.194*	0.003	-0.012	-0.010
	(0.094)	(0.096)	(0.096)	(0.215)	(0.212)	(0.214)
Concurrence	0.064	0.065	0.060	-0.147	-0.168	-0.162
	(0.109)	(0.113)	(0.108)	(0.162)	(0.165)	(0.156)

Number of Attorneys	0.152*	0.151*	0.152*	0.282**	0.282**	0.282**
	(0.076)	(0.076)	(0.076)	(0.094)	(0.095)	(0.094)
Caseload	-0.009	-0.009	-0.009	0.008	0.005	0.005
	(0.070)	(0.071)	(0.070)	(0.098)	(0.098)	(0.099)
Mixed Outcome	0.230	0.234	0.231	0.345***	0.357***	0.356***
	(0.129)	(0.131)	(0.128)	(0.086)	(0.087)	(0.090)
Reversed	0.134	0.131	0.130	0.151	0.155	0.157
	(0.098)	(0.098)	(0.097)	(0.087)	(0.085)	(0.087)
Multiple Docket Numbers	0.030	0.023	0.027	0.156	0.137	0.138
	(0.173)	(0.175)	(0.173)	(0.180)	(0.174)	(0.178)
Criminal Issue	0.633***	0.628***	0.630***	0.546***	0.534***	0.534***
	(0.080)	(0.081)	(0.080)	(0.081)	(0.079)	(0.079)
Civil Rights/Liberties Issue	0.359***	0.353***	0.355***	0.064	0.054	0.057
	(0.092)	(0.093)	(0.093)	(0.084)	(0.086)	(0.085)
Points of Law	0.010	0.010	0.010	-0.012	-0.012	-0.012
	(0.006)	(0.006)	(0.006)	(0.008)	(0.007)	(0.008)
Readability	0.033	0.034	0.033	0.082	0.079	0.079
	(0.052)	(0.053)	(0.052)	(0.068)	(0.067)	(0.068)
Pct. 6+ Letter Words	-0.028	-0.029	-0.029	-0.020	-0.020	-0.019
	(0.016)	(0.016)	(0.016)	(0.015)	(0.014)	(0.014)
Constant	0.832	0.853	0.834	-0.612	-0.639	-0.633
	(0.725)	(0.712)	(0.727)	(0.433)	(0.444)	(0.437)
lnalpha	0.029	0.029	0.029	0.184*	0.173*	0.173*
	(0.116)	(0.116)	(0.116)	(0.078)	(0.078)	(0.078)
Observations	1091	1091	1091	1137	1137	1137
Pseudo R^2	0.037	0.038	0.037	0.039	0.040	0.040

Notes: Unconditional year fixed effects not reported. Standard errors clustered by circuit in parentheses. * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$.

Table DA6.3: NBR of Out-of-Circuit Citations by Race-Gender and Four-year Subsets

	Model 1: 2009-12	Model 2: 2009-12	Model 3: 2009-12	Model 1: 2013-16	Model 2: 2013-16	Model 3: 2013-16
Non-white Female Judge	-0.315	-0.142	-0.119	-0.358	0.106	0.096
	(0.171)	(0.283)	(0.266)	(0.187)	(0.360)	(0.341)
Non-white Male Judge	-0.226	-0.203	-0.179	0.109	0.379**	0.370**
	(0.153)	(0.193)	(0.203)	(0.125)	(0.130)	(0.124)
White Female Judge	-0.302**	-0.417*	-0.304**	0.064	0.086	0.053
	(0.113)	(0.195)	(0.113)	(0.118)	(0.187)	(0.115)
Non-white Female Judge × Deep Cites		-0.031	-0.036		-0.093*	-0.091**
		(0.025)	(0.022)		(0.038)	(0.035)
Non-white Male Judge × Deep Cites		-0.003	-0.007		-0.045**	-0.043**
		(0.013)	(0.012)		(0.015)	(0.015)
White Female Judge × Deep Cites		0.019			-0.005	
		(0.026)			(0.022)	
Deep Cites	0.050***	0.049***	0.054***	0.066***	0.079***	0.077***
	(0.011)	(0.014)	(0.012)	(0.013)	(0.015)	(0.014)
Split Party Panel	-0.157	-0.152	-0.156	0.002	-0.013	-0.014
	(0.109)	(0.108)	(0.109)	(0.121)	(0.121)	(0.121)
SCOTUS & Legal Academy Ties	0.032	0.033	0.033	0.126*	0.124	0.122
	(0.061)	(0.061)	(0.061)	(0.063)	(0.064)	(0.064)
Elite Law School	0.089	0.088	0.090	0.004	-0.005	-0.006
	(0.086)	(0.085)	(0.087)	(0.082)	(0.083)	(0.083)
Judge Tenure	-0.061	-0.067	-0.063	-0.001	-0.000	0.000
	(0.076)	(0.077)	(0.076)	(0.023)	(0.022)	(0.022)
Amicus Curiae	0.307*	0.304*	0.307*	0.410***	0.390***	0.390***
	(0.128)	(0.130)	(0.129)	(0.113)	(0.113)	(0.114)
Prior Publication	-0.047	-0.037	-0.040	0.107	0.098	0.099
	(0.087)	(0.091)	(0.089)	(0.101)	(0.102)	(0.103)
Constitutional Issue	-0.169	-0.166	-0.171	-0.002	0.005	0.005
	(0.094)	(0.097)	(0.096)	(0.131)	(0.132)	(0.132)

Dissent	-0.186	-0.190*	-0.192*	-0.006	-0.022	-0.021
	(0.095)	(0.096)	(0.095)	(0.208)	(0.207)	(0.208)
Concurrence	0.073	0.078	0.068	-0.135	-0.152	-0.147
	(0.107)	(0.111)	(0.107)	(0.169)	(0.172)	(0.163)
Number of Attorneys	0.150	0.149	0.151	0.300***	0.303***	0.303***
	(0.078)	(0.077)	(0.078)	(0.091)	(0.091)	(0.091)
Caseload	0.008	0.009	0.008	-0.015	-0.022	-0.021
	(0.074)	(0.076)	(0.075)	(0.102)	(0.101)	(0.101)
Mixed Outcome	0.231	0.233	0.230	0.325***	0.337***	0.336***
	(0.129)	(0.131)	(0.129)	(0.092)	(0.094)	(0.096)
Reversed	0.140	0.137	0.134	0.132	0.138	0.140
	(0.097)	(0.098)	(0.095)	(0.084)	(0.084)	(0.086)
Multiple Docket Numbers	0.026	0.015	0.023	0.159	0.139	0.140
	(0.170)	(0.169)	(0.170)	(0.176)	(0.170)	(0.173)
Criminal Issue	0.630***	0.632***	0.633***	0.556***	0.543***	0.543***
	(0.081)	(0.081)	(0.080)	(0.077)	(0.074)	(0.074)
Civil Rights/Liberties Issue	0.357***	0.352***	0.356***	0.084	0.073	0.075
	(0.092)	(0.092)	(0.093)	(0.080)	(0.083)	(0.082)
Points of Law	0.010	0.009	0.010	-0.013	-0.013	-0.013
	(0.006)	(0.006)	(0.006)	(0.008)	(0.008)	(0.008)
Readability	0.032	0.035	0.033	0.086	0.083	0.083
	(0.052)	(0.052)	(0.052)	(0.066)	(0.066)	(0.066)
Pct. 6+ Letter Words	-0.028	-0.028	-0.028	-0.024	-0.023	-0.022
	(0.016)	(0.016)	(0.016)	(0.016)	(0.015)	(0.015)
Constant	0.733	0.755	0.724	-0.148	-0.456	-0.455
	(0.701)	(0.701)	(0.707)	(0.494)	(0.427)	(0.426)
lnalpha	0.028	0.026	0.027	0.177*	0.164*	0.164*
	(0.117)	(0.117)	(0.117)	(0.078)	(0.077)	(0.078)
Observations	1091	1091	1091	1137	1137	1137
Pseudo R^2	0.038	0.038	0.038	0.040	0.042	0.042

Notes: Unconditional year fixed effects not reported. Standard errors clustered by circuit in parentheses. * $p < 0.05$, ** $p < 0.01$, *** $p < 0.001$.

DA7. Discussion of law clerks, opinion authorship, and out-of-circuit citations

In the U.S. Courts of Appeals, judges are assisted by law clerks in a range of tasks related to legal research and drafting opinions, though the mix of these tasks varies substantially from judge to judge (Bowie, Songer, and Szmer 2014). It is possible that the role of law clerks could be affecting the citation results we see, but for several reasons, we think this is unlikely.

First, our central argument is that the authoring judge's identity will serve as a heuristic that influences discretionary citations. As such, because judges from outside circuits will also be unaware of the identities of any clerks who worked on writing the opinion, this means that the only identity that can be identified will be that of the judge whose name is on the opinion. Moreover, we have no reason to believe that law clerks from the citing court would be less influenced by competence stereotypes than the judges for whom they work.

Moreover, we recognize there is a practical limitation. Specifically, there are no systematic data about which law clerks work on which opinions for circuit court judges, nor about the capacity in which a clerk assisted their assigned judge. This prevents us from controlling for attributes of the clerks assigned to the authoring judge or the attributes of clerks from citing courts.

Dataverse Appendix References

Berry, William D., Matt Golder, and Daniel Milton. 2012. "Improving Tests of Theories Positing Interaction." *Journal of Politics* 74(3): 653-71.

Bowie, Jennifer B., Donald R. Songer, and John Szmer. 2014. *The View from the Bench and Chambers: Examining Judicial Process and Decision Making on the U.S. Courts of Appeals.* Charlottesville, VA: University of Virginia Press.

Brambor, Thomas, William Roberts Clark, and Matt Golder. 2006. "Understanding Interaction Models: Improving Empirical Analyses." *Political Analysis* 14(1): 63-82.

Hanmer, Michael J. and Kalkan, Kerem Ozan. 2013. "Behind the Curve: Clarifying the Best Approach to Calculating Predicted Probabilities and Marginal Effects from Limited Dependent Variable Models." *American Journal of Political Science* 57(1): 263-77.

Tuzen, Faity, Semra Erbas, and Hulya Olmus. 2020. "A Simulation Study for Count Models under Varying Degrees of Outliers and Zeros." *Communication in Statistics – Simulation and Computatio*n 49(4): 1078-88.

Visalvanich, Neil. 2017. "Asian Candidates in America: The Surprising Effects of Positive Racial Stereotyping. *Political Research Quarterly* 70*(*1): 68-81.