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Considering Constitutional Change: Survey Evidence on Public Attitudes Toward Term Limits for Federal Judges

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ABSTRACT

This article analyzes public attitudes toward replacing lifetime tenure with term limits for federal judges, including U.S. Supreme Court justices. We employ novel data that we collected from a nationwide survey experiment. We find that although partisans are less supportive of proposals from their opponents, the magnitude of this effect is much smaller than one might expect in today's polarized environment. We also find that a respondent's support for term limits is a function of his or her subjective ideological agreement with the Supreme Court. Finally, we demonstrate that although support for term limits is generally high, only a modest subset of reform supporters believe that term limits should be a top political priority. These supporters also tend to exhibit weaker levels of support for the rule of law more generally. Taken together, the results contribute to our understanding of an issue of significant importance.

How much do Americans support changing the U.S. Constitution to create term limits for federal judges, including Supreme Court justices? Does the partisan identity of the reform's proposer influence support? To address these important normative and empirical questions, we conduct a novel survey experiment that tests people's preferences for term limits and the costs they would be willing to bear to achieve them.

The results reveal several interesting and mixed results. First, while partisans support proposals from their political opponents less than proposals from their allies, the magnitude of this effect is smaller than one might expect in today's polarized environment. Second, respondents who perceive themselves as ideologically distant from the Court exhibit the greatest desire for term limits. This finding supports recent studies on judicial legitimacy which show that those who are most ideologically distant from the Supreme Court appear to support it less. Third, although support for term limits generally is high, only a modest subset of reform supporters see term limits as a political priority—and these supporters tend to exhibit weaker levels of support for the rule of law more generally. Taken together, the results contribute to our understanding of public attitudes toward an issue of significant and growing political importance.

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Judicial Independence, Lifetime Tenure, and Term Limits

For the rule of law to thrive, unbiased judges must be free to interpret the law as they see fit, and without political actors pressuring them. Blackstone's Commentaries call judicial independence "one of the main preservative[s] of the public liberty."[1] Judicial independence exists when judges "are free from the direct influence of the coordinate branches of government and the vagaries of public passions and opinions."[2] It means that judges can make decisions without fear for their lives or their jobs. Courts must possess a sufficient amount of judicial independence from short-term political interests.

The United States seeks to achieve judicial independence by granting federal judges lifetime tenure. Supporters of lifetime tenure argue that it is a credible commitment—a long-term investment—to legal doctrine and (relatively) stable judicial behavior. A judge with lifetime tenure has the power to consider the law—and long-term legal goals—rather than short-term political interests that might subvert important legal considerations. This was Alexander Hamilton's argument in No. 78 of *The Federalist*, claiming that lifetime tenure was required "to guard the Constitution and the rights of individuals from the effects of those ill humors, which the arts of designing men … sometimes disseminate among the people … "[3]

Yet, lifetime tenure has always invited detractors. During the ratification debates, for example, some opposed the Constitution because federal judges would be unaccountable to the people for their decisions. Writing in opposition, Brutus (Robert Yates) declared:

> [T]he judges under [the proposed national constitution] will be independent in the strict sense of the word … there is no power above them that can control their decisions, or correct their errors. There is no authority that can remove them from office for any errors or want of capacity or lower their salaries, and in many cases their power is superior to that of the legislature … Men placed in this situation will generally soon feel themselves independent of heaven itself.[4]

Politicians and Court watchers have continued to criticize lifetime tenure. Usually, they do so simply because they do not like the decisions the Court renders. For example, on February 5, 1937, President Franklin Roosevelt publicly asked Congress to pass legislation that would allow him to appoint an additional justice to the Supreme Court for any current justice over the age of 70 who did not retire. Since six of the sitting justices were over the age of 70 (and they were almost all conservative), the new law would afford FDR the opportunity to add six new justices, increase the size of the Court to 15, and pack the Court with justices who would uphold his New Deal policies.[5] Proving that nothing ever happens for the first time in politics, on August 2, 2022, Senator Sheldon Whitehouse (D-CT) and four Senate Democrats introduced a bill

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[1]William Blackstone, *The Oxford Edition of Blackstone's Commentaries on the Laws of England*, 1st ed., ed. Ruth Paley (Oxford University Press, 2016), 1: 259–60.
[2]Bruce Peabody, ed. "The Politics of Judicial Independence," In *Chap. Introduction* (The Johns Hopkins University Press, 2011), 1.
[3]Alexander Hamilton, "Federalist Number 78," 1788.
[4]Brutus, "Anti-Federalist Papers: Brutus 15," 1788, http://www.constitution.org/afp/brutus15.htm.
[5]Jeff Shesol, *Supreme Court: Franklin Roosevelt v. the Supreme Court* (W. W. Norton & Company, 2010); Robert Scigliano, *The Supreme Court and the Presidency* (Free Press, 1971).

to end lifetime tenure for Supreme Court justices. While they couched their language in grand terms (e.g., keeping the Court up to date with the public), it is hard to believe the bill was anything but a typical partisan temper tantrum that Democrats and Republicans throw when the Court decides cases in ways they dislike.

Still, one cannot escape the fact that people *across* the ideological spectrum increasingly have called for reforms. For example, Senator Ron Johnson (R-WI) indicated that he is open to revising lifetime tenure, as have other Republican Senators like John Kennedy (R-LA), Marco Rubio (R-FL), and Ted Cruz (R-TX).[6] Conservative scholars also seem to have taken a shine to term limits.[7] Moreover, polling data suggest that a wide swath of Americans may actually support term limits for judges and justices. A July 2022 poll showed that 67% of respondents supported term limits for Supreme Court justices.[8] An April 2021 poll showed that 63% of respondents supported term limits.[9] An October 2018 poll asking a similar question found 78% supported term limits.[10] A similar 2018 poll found that 70% supported term limits.[11] Given this growing interest, it is time to investigate the topic more deeply.

Previous scholarship, much like popular commentary or descriptive polling data, is replete with normative discussions of term limits.[12] As a pretext for such proposed reform, studies and public commentary often—but not always[13]—point to trends in judicial tenures, including a move away from "short-term" service by Supreme Court justices and toward delayed retirements that generate fewer vacancies.[14] As Calabresi and Lindgren argue,[15] the shift toward longer judicial service undermines democratic accountability as sitting justices become less reflective of popular will. It also inflames partisan effects in judicial confirmations and leads to the prospect of more age-related mental decline. Similarly, Sharma and Glennon show how Supreme Court justices become significantly distant ideologically from the presidents who appointed them after roughly a decade on the bench.[16] Other work considers whether concerns about Supreme Court productivity may justify term limits.[17]

Despite much commentary on the potential merits of judicial term limits, surprisingly few studies (to our knowledge) have considered systematically the determinants

[6]See https://fixthecourt.com/2022/08/senatorsonscotustermlimits/.

[7]Stephen G. Calabresi and James Lindgren, "Term Limits for the Supreme Court: Life Tenure Reconsidered," *Harvard Journal of Law and Public Policy* 29 (2006): 770–877.

[8]https://apnorc.org/projects/americans-have-lost-confidence-in-the- supreme-court/.

[9]https://www.ipsos.com/sites/default/files/ct/news/documents/2021-04/Ipsos%20Pol%20-%20Supreme%20Court%20Topline%20%26%20Write-up%20April%2019%202021.pdf.

[10]https://fixthecourt.com/wp-content/uploads/2018/10/October-2018-TL- poll-results.pdf.

[11]https://centerforpolitics.org/crystalball/articles/new-poll-americans-strongly-support-term-limits-for-judges/.

[12]Roger C. Cramton and Paul D. Carrington, *Reforming the Court Reforming the Court: Term Limits for Supreme Court Justices* (Carolina Academic Press, 2006).

[13]Kevin T. McGuire, "Are the Justices Serving Too Long? An Assessment of Tenure on the U.S. Supreme Court," *Judicature* 89, no. 1 (July 2005): 8–15.

[14]Calabresi and Lindgren, "Term Limits for the Supreme Court"; Justin Crowe and Christopher F. Karpowitz, "Where Have You Gone, Sherman Minton? The Decline of the Short-Term Supreme Court Justice," *Perspectives on Politics* 5, no. 3 (September 2007): 425–45.

[15]Calabresi and Lindgren, "Term Limits for the Supreme Court."

[16]Hemant Sharma and Colin Glennon, "A Case for Supreme Court Term Limits? The Changing Ideological Relationship between Appointing Presidents and Supreme Court Justices," *Politics and Policy* 41, no. 2 (2013): 267–97.

[17]Joshua C. Teitelbaum, "Age and Tenure of the Justices and Productivity of the U.S. Supreme Court: Are Term Limits Necessary?" *Florida State University Law Review* 34 (2006): 161–82.

of public support for such institutional reform. One notable exception is Bartels and Johnston.[18] Their book-length treatment of the nexus between policy perceptions and indicators of judicial legitimacy includes a thorough analysis of the determinants of public support for various forms of *targeted vs. broad* court curbing. As these scholars argue, *targeted* court curbing alters judicial authority at a case- or issue-specific level. For instance, policymakers may override, or resist faithful compliance with, individual judicial decisions, or they may include jurisdiction-stripping provisions within individual statutes.[19] Alternatively, *broad* court curbing strikes at the foundations and fundamental structure of judicial institutions, such as imposing term limits and mandatory retirement ages.[20] In particular, among other indicators of broad court curbing, Bartels and Johnston examine survey items that measure attitudes toward a mandatory retirement age, support for making the U.S. Supreme Court less independent, and support for making it easier to remove judges when they issue decisions contrary to popular will.[21] They show that both greater general policy disagreement—individuals whose self-reported ideology more closely matched their perceptions of Supreme Court ideology—and disagreement with specific decisions [e.g., *Obergefell v. Hodges* (2015) and *National Federation of Independent Business v. Sebelius* (2012)] increases support for broad court curbing. Yet, despite the many important contributions of this groundbreaking work, we are left with little scholarly evidence on the determinants of public attitudes toward specific institutional reform proposals, especially judicial term limits.

That many people appear to support term limits seems clear. Less clear, however, are answers to deeper questions. How intense is the public's support for term limits? After all, it is one thing to indicate in the abstract that a person supports something. Knowing the costs of that support could change their minds. Similarly, does the partisan identity of the reform proposer influence the public's response? Democrats may not be so receptive to Republican-led reform proposals. The same could be said about Republicans in the face of Democratic calls. Simply put, we need more information about the public's actual preferences for judicial term limits.

Measuring Support for Term Limits: Survey Design and Implementation

We designed and implemented a novel survey experiment to examine the public's views on term limits for judges.[22] Our design features two key elements that are absent from typical media-initiated surveys. First, rather than simply asking whether a

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[18]Brandon L. Bartels and Christopher D. Johnston, *Curbing the Court: Why the Public Constrains Judicial Independence* (Cambridge University Press, 2020).

[19]Joseph Daniel Ura and Patrick C. Wohlfarth, "Greater Public Confidence in the U.S. Supreme Court Predicts More Jurisdiction Stripping," *Political Science Research and Methods* 10, no. 4 (October 2022): 831–9.

[20]Bartels and Johnston, *Curbing the Court*.

[21]Ibid.

[22]We pre-registered the underlying survey experiment from which these data are drawn with the "AsPredicted" platform at the University of Pennsylvania's Wharton Credibility Lab. See *Mandatory Retirement Age and Term Limits*, registration #105578 (https://aspredicted.org/ck5si.pdf). Results from that planned analysis are reported in Ryan C. Black, Ryan J. Owens, and Patrick C. Wohlfarth, "The Public's Support for Judicial Reforms: An Experiment" (paper presented at the 2022 annual meeting of the American Political Science Association in Montreal, Quebec, Canada. September 2022). What follows below constitutes a secondary exploratory analysis of these data. That is, these analyses were not pre-registered.

respondent favors or opposes term limits for federal judges, our approach embedded within it a survey experiment that randomly assigned respondents to one of three treatments informing them of who initiated the proposal for instituting a term limit.[23] Specifically, the survey asked:

> "Once federal judges take office, the Constitution allows them to serve for the rest of their lives. This means they have no term limit or mandatory retirement age. Recently, [Republican Leaders/Democratic Leaders/A bipartisan group of both Republican and Democratic leaders] in Congress proposed creating a term limit of 18 years for federal judges. Do you favor or oppose this proposal?"

Randomly varying the "partisan frame" in this manner allows us to account for the likelihood that a respondent may be more likely to support term limits when his or her political preference matches that of the coalition proposing it.[24] It also infuses an additional element of realism or external validity to our approach since any proposal likely will need to originate from Congress.

After being exposed to one of these three statements, respondents then indicated their level of support for a term limit on a 7-point scale with the following options: Strongly oppose (favor), somewhat oppose (favor), oppose (favor), and neither favor nor oppose. Our goal in offering this fine-grained response scale was to provide a relatively easy way for someone to signal the intensity of his or her preference. Showing that nearly two-thirds of people support term limits is informative, but knowing what share of those supporters strongly or weakly support term limits is more useful. This intensity of support is important to know, especially when considering the prolonged debate that a term limits proposal would engender.

What is more, we pushed respondents to show their intensity by asking them if they would bear the costs to enact term limits. We presented individuals who favored or were indifferent to term limits with a follow-up question.[25] Specifically, we asked:

> "Establishing an 18-year term limit might require changing the U.S. Constitution. This process would be politically time consuming and could make it harder for elected officials to address other issues. How important is it to you that the United States government implement an 18-year term limit for federal judges?"

Respondents then selected from one of five responses: Not at all important/Slightly important/Somewhat important/Very important/Extremely important. As suggested above, our interest in fielding this question was to probe the underlying depth of

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[23]Note that this experimental manipulation took place after we asked a number of other questions that provide the basis for control variables we include in our statistical model described below. We do this so as to avoid contaminating those answers with potential post-treatment bias. See, Jacob M. Montgomery, Brendan Nyhan, and Michelle Torres, "How Conditioning on Posttreatment Variables Can Ruin Your Experiment and What to Do about It," *American Journal of Political Science* 62, no. 3 (July 2018): 760–75. There was an additional level of random assignment that took place prior to being assigned to a partisan frame. In particular, respondents were randomly assigned to either the term limits proposal, which we discuss in this paper, or another proposal to establish a mandatory retirement age for all federal judges. Because whether a respondent was assigned to term limits or retirement age was random, we are able to treat the two samples as independent. We focus here on the term limit proposal as it is the only reform to be formally proposed, as of this writing, in Congress (multiple times, in fact).

[24]Dennis Chong and James N. Druckman, "Framing Theory," *Annual Review of Political Science* 10 (2007): 103–26.

[25]We excluded those who expressed opposition to term limits because it did not make substantive sense to seek their response to this particular question. Future studies could consider crafting a question that is adaptable to both supporters and opponents but that would likely introduce other dimensions that would need to be manipulated experimentally or otherwise held constant.

support for the attitudes a respondent had previously expressed. It is one thing to think term limits are, in theory, desirable. It is something else entirely to believe they should be a pressing priority for elected officials to implement. This question sought to identify these two groups of individuals—as well as everyone else in between.

We implemented our survey in late August 2022 using Lucid Theorem[26] and engaged ~560 nationally-representative adults on their attitudes toward implementing a term limit for federal judges.[27] Though a convenience sample, Lucid improves upon earlier platforms like Amazon's Mechanical Turk by using respondent quotas to achieve a census-balanced sample. Lucid samples provide demographic and experimental results that track well with U.S. national benchmarks[28] and are increasingly common in experimental studies like ours.[29]

To assess the specific representativeness of our sample, we asked each of our respondents whether they approved, disapproved, or had no opinion of the way Joe Biden was handling his job as president. (Note that we asked this question before the experimental manipulation described above.) This question wording, which comes from the Gallup polling organization, has the key advantage of being a question regularly asked. Our intuition is simple. If our specific sample of respondents is, as Lucid Theorem claims, reasonably representative of a national sample, then we should observe results that track other samples fielded around the same time as ours.

Figure 1 suggests this is, in fact, the case. The plot shows a stacked bar plot of President Biden's public approval (x-axis) across a total of seven additional surveys[30] that asked the same question during the same time that our survey was in the field (the end of August 2022). The names of the survey organizations appear on the y-axis of the figure. By our estimate, 37% of the public approved of Biden's job performance, 57% disapproved of it, and 6% had no opinion. All three of these values fall within the range of outcomes observed from other polls, which gives us good reason to believe our sample is reasonably representative of the U.S. public.

Public Support for Term Limits: Descriptive Results

We begin our discussion of the survey results by examining our data descriptively, first in a univariate/unconditional context and then by adding additional layers of complexity that build toward a multivariate statistical model featuring a host of controls. To that end, we begin with Figure 2 which reports the distribution of our seven-point dependent variable, displayed as the percentage of survey respondents who indicate

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[26]See https://lucidtheorem.com/.
[27]See https://lucidtheorem.com/faq. We dropped respondents who did not correctly answer two attention check questions included in our survey.
[28]Alexander Coppock and Oliver A. McClellan, "Validating the Demographic, Political, Psychological, and Experimental Results Obtained from a New Source of Online Survey Respondents," *Research and Politics* 6, no. 1 (2019): 1–14.
[29]Albert H. Fang and Gregory A. Huber, "Perceptions of Deservingness and the Politicization of Social Insurance: Evidence from Disability Insurance in the United States," *American Politics Research* 48 (2019): 543–59; Dieter Stiers et al., "Candidate Authenticity: 'To Thine Own Self Be True'," *Political Behavior* (2019); Lilla V. Orr and Gregory A. Huber, "The Policy Basis of Measured Partisan Animosity in the United States," *American Journal of Political Science* 64 (2019): 569–86.
[30]We also include an overall estimate that comes from FiveThirtyEight, which does not field its own sample but rather produces an estimate based on a proprietary aggregation and weighting procedure it uses on the results of existing surveys.
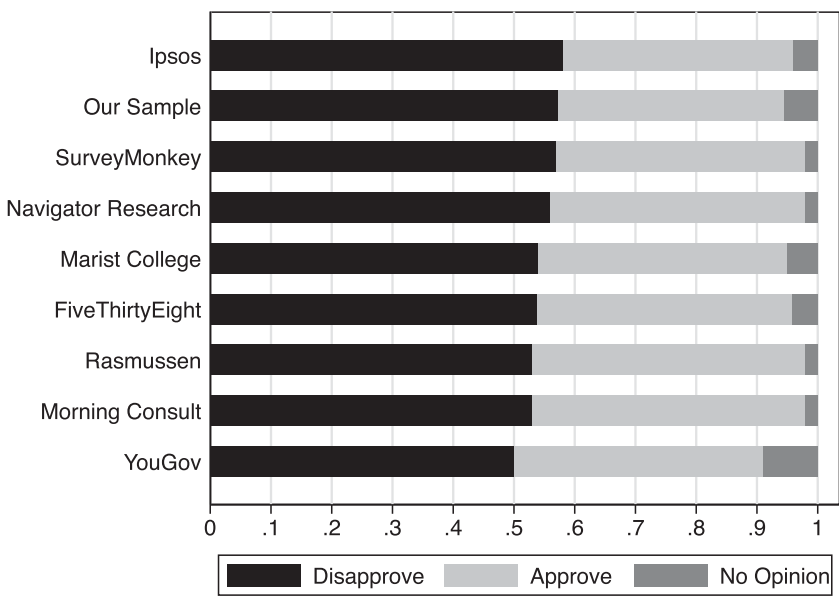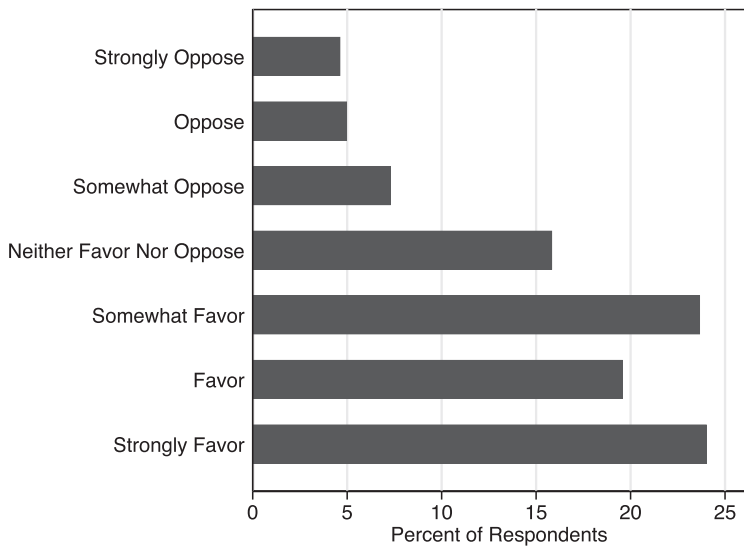
Figure 1. Biden approval comparison.

Figure 2. Support for term limits.

each level of support for term limits. Recall that these responses came after exposure to our partisan framing treatment, but since we assigned randomly, we can still evaluate the aggregate results (i.e., each of the three conditions will have an equal share of Republicans or Democrats in it, which will "cancel" out one another overall).

A large majority (67%) of respondents expressed some degree of support for term limits. In particular, 24% of the sample strongly favored term limits, 20% favored them, and 24% somewhat favored reform. By contrast, only 17% of respondents opposed them in one form or another. These values are similar to those obtained by a
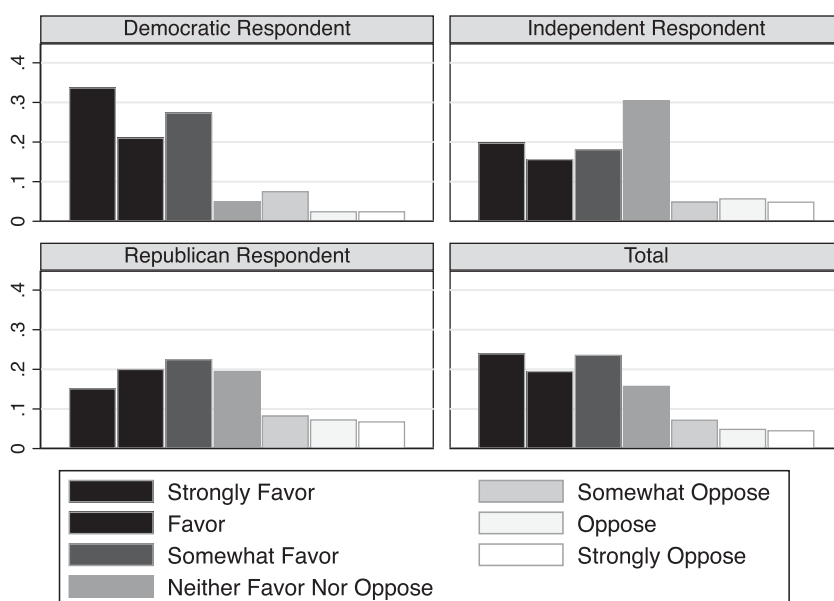
Figure 3. Support for term limits by respondent partisanship.

mid-July Associated Press/National Opinion Research Center (AP/NORC) poll that asked respondents about their opinion toward a proposal that would "set a specific number of years that Supreme Court justices serve instead of serving life terms."[31] Across their entire sample, 67% of respondents favored it, 19% neither favor nor opposed, and 14% opposed. Initially, it appears that a striking number of individuals support term limits for federal judges.

Although most respondents supported reform, we needed to determine whether that support was a function of partisanship. Figure 3 suggests that although some variation exists, support for term limits is, perhaps surprisingly, robust to partisan cleavages. It displays the distribution of support for term limits, conditioned by a respondent's partisanship.[32] The top-left panel shows the distribution among Democratic respondents, who comprised 42% of our sample. The bottom-left displays the descriptive results among Republican identifiers (36% of sample). The top-right shows Independents (22% of sample).

If we consider whether a respondent favors term limits—in any way—then we learn that while Democrats support term limits more than Republicans do, a majority of all groups support them.[33] Summing across the three leftmost bars in each panel, we see

[31]AP-NORC Center for Public Affairs Research, "Americans Have Lost Confidence in the Supreme Court: Most Americans Favor Constitutional Reforms to the Supreme Court to Impose Term and Age Limits for Justices," July 2022, https://apnorc.org/ (accessed November 13, 2022).
[32]Our measure of partisanship comes from demographic data collected by Lucid Theorem, who allowed respondents to identify as one of ten values. Eight of those values include a party identity: Strong Democrat, Not Very Strong Democrat, Independent Democrat, and Other–Leaning Democrat (and the same for Republicans). In what follows, we code all of four of these values as being Democrat (and their Republican analogs as Republican). Independents are individuals who answered one of the two other values: Independent–Neither or Other–Neither.
[33]This, too, is consistent with the aforementioned AP/NORC survey, which suggested favorability levels of 82%, 51%, and 57% for Democrats, Independents, and Republicans, respectively.

that 82% of Democrats supported term limits. Yet, even 54% of Independents and 58% of Republicans also did. What is more, a sizable portion of those who did not outright favor term limits in the Republican and Independent groups indicated not that they were opposed to the proposal but rather that they neither favor nor opposed it. Such was the case for 20% of Republicans and 31% of Independents. Interestingly, just 5% of Democrats were unable to come down on one side or the other about term limits. To complete the square, this means that outright opposition to term limits was limited to just 13% of Democrats, 16% of Independents, and 23% of Republicans. While the 35-point gap in net favorability between Democratic and Republican respondents is nothing to ignore, that a majority of partisans from these two groups could agree about *anything* in 2022 (not to mention just months away from the midterm elections) is, from our perspective, rather breathtaking.[34]

Pooling individuals who favor term limits in any way belies noteworthy variation in the strength of attitudes among partisans, which underscores the usefulness of our approach and, at the same time, the potential folly of how previous results on the topic have been presented. To wit, fully 34% of Democratic respondents indicated they *strongly* favor reform compared to just 15% of Republicans and 20% of Independents. And so it is not just that some partisan gap exists in favoring term limits, but that Democrats in particular appear to be the most fervent supporters of potentially implementing them. Perhaps just as interestingly, however, is the rather limited nature of a partisan gap for the less strong levels of favoring term limits. Twenty-one percent of Democrats chose the middle option of "favor" *vs.* 20% of Republicans. And, 28% of Democrats somewhat favored term limits compared to 23% of Republicans. As for Independents, 16% and 18% indicated they would favor or somewhat favor term limits, respectively.

Next, we consider support as a function of who proposes term limits, which is the experimental manipulation we incorporated into our survey design. Recall that the chief advantage of identifying the reform's proposer was to move from portraying term limits in an abstract and unrealistic manner to a more specific policy introduced in Congress. Figure 4 offers an initial descriptive look at the level of support for term limits, conditioned by a respondent's partisanship (individual panels) and the party proposing the reform (displayed on the x-axis within each panel). That is, for each value of a respondent's partisan affiliation, the figure shows how support for the term limits proposal varies based on the partisanship of the coalition that proposed it.

Starting with a Democratic respondent, we find minimal evidence of a framing effect if support is conceptualized more coarsely into the favoring *vs.* opposing. As before, however, we find predictable patterns of partisanship when we examine the level of support more granularly. In terms of general favoring *vs.* opposing, Democrats average 83% when the proposal comes from a bipartisan group, 86% when it is initiated by fellow Democrats, and 78% when term limits are of Republican origin. When the "within" levels of support (or opposition) are disaggregated, however, we uncover some more noteworthy effects. In particular, 45% of Democratic respondents who were told the proposal came from fellow Democrats indicated they strongly favored term limits compared to just

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[34]Future research might examine whether asking respondents about term limits for Supreme Court justices as opposed to asking them, as we did here, about their support for term limits on federal judges. It could be that when people hear "federal judges" they do not necessarily think of Supreme Court justices.
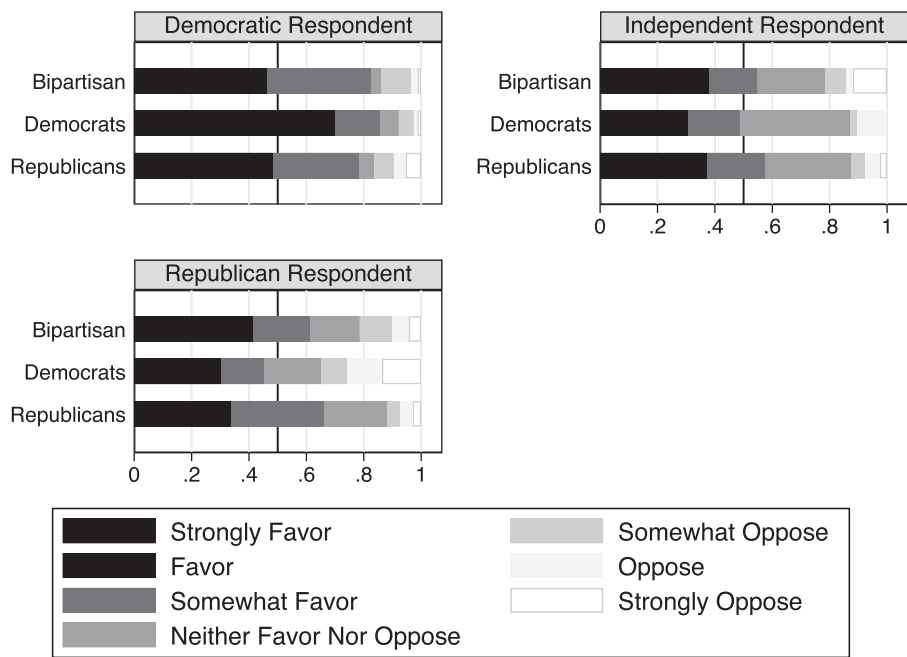
Figure 4. Term limit support and respondent/proposer partisanship.

28% of Democratic respondents who were told the proposal originated from either Republicans or a bipartisan coalition.

Turning to a Republican respondent, partisan effects are more obvious, even when we aggregate support coarsely into favor *vs.* opposes. When told term limits were Republican or bipartisan generated, respectively, 66% and 61% of Republicans indicated they favored it. If told the proposal came from Democrats, however, the percent favoring drops to just 45%, with nearly all of that change shifting to opposition (as opposed to neutrality). When we disaggregate responses into the full spectrum of the favoring/opposing, we further see that most of the movement across treatments is not from the strongest level of support but rather from the lowest level of support (i.e., somewhat favor). Thirty-two percent of Republicans said they somewhat favor term limits if proposed by a group of Republican leaders but only 15% held this view if Democrats proposed them. This stands in contrast to the pattern we documented above with regard to Democrats, where most of the movement was to/from the strongly favor category.

Finally, our Independent respondents show the weakest evidence of framing effects for term limit support both when measured coarsely as well as with more gradation. Term limits are supported by 49% of Independents when proposed by Democrats, 55% when proposed by a bipartisan coalition, and 58% when proposed by Republican leaders. None of these differences are statistically significant.[35] Similarly, we observe some movement within the more nuanced measure of support depending on who proposes term limits,

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[35]The chi-square statistic for the test of statistical independence among proposer partisanship and a three-level variable of support for term limits among Independents is 3.06 with 4 degrees of freedom, which has a corresponding *p*-value of just 0.55. This means we cannot reject the null hypothesis that the two variables are statistically independent.

but, overall, we fail to find systematic evidence of a conditional relationship between proposer partisanship and Independents' attitudes toward term limits ($p = 0.26$).

Multivariate Analysis of Support for Term Limits

To assess our descriptive results further, as well as to identify other correlates of support for term limits in our survey, we next turn to a more systematic analysis. Our dependent variable is simply the seven-level opinion measure described above, which ranges from strongly oppose to strongly favor. In keeping with the descriptive results just discussed, we include the interaction between a respondent's partisanship and the proposer partisan frame to which the respondent was exposed. This parameterization allows the effect of each partisan frame to vary for each value of respondent partisanship since, as we found, respondents of one partisan identity showed differential support for term limits when it came from a co-partisan *vs.* when initiating from the other side of the aisle.

In addition to these two concepts, we also measure and control for several other variables of interest. Note, importantly, that all of these measures were obtained *before* a respondent observed the term limit proposer partisan manipulation.

Subjective Ideological Agreement

We accounted for the likelihood that a respondent's perceived ideological compatibility with the Supreme Court might affect his or her attitudes toward term limits. Bartels and Johnston show that the ideological outcomes of Supreme Court decisions can significantly and immediately influence the Court's legitimacy.[36] Taking people's subjective perceptions of the Court into consideration, Bartels and Johnston found that liberals who believed the Court was conservative—and conservatives who believed the Court was liberal—supported it less than those who believed the Court was ideologically similar to them. Christenson and Glick likewise examined the public's reaction to the Court's Affordable Care Act ruling.[37] They discovered that people who believed the Court was ideologically similar to themselves "increased their legitimacy scores for it, whereas people who learned the Court's ideology was less aligned with their own saw it as less legitimate than before the decision."[38] Badas similarly found that "support for New Deal policies predicts support for the Court-packing plan, a desire to see Congress pass the plan, and wanting to limit the Court's ability to exercise judicial review to invalidate acts of Congress."[39] What is useful about many of these studies—and our own here—is that they examined "applied" questions. They examine questions that are real, concrete, and possible.

[36]Brandon L. Bartels and Christopher D. Johnston, "On the Ideological Foundations of Supreme Court Legitimacy in the American Public," *American Journal of Political Science* 57, no. 1 (January 2013): 222.
[37]Dino P. Christenson and David M. Glick, "Chief Justice Roberts's Health Care Decision Disrobed: The Microfoundations of the Supreme Court's Legitimacy," *American Journal of Political Science* 59, no. 2 (April 2015): 403–18.
[38]Ibid., 410.
[39]Alex Badas, "Policy Disagreement and Judicial Legitimacy: Evidence from the 1937 Court-Packing Plan," *Journal of Legal Studies* 48, no. 2 (2019): 377–408.

If people's ideological support for case outcomes influences their support for courts and judges, it stands to reason that their perceived ideological agreement with the Supreme Court may also influence how receptive they are to term limits. In our context, those who believe they are closer to the Supreme Court's ideological orientation may be less likely to support term limits. So, we asked respondents two questions—one reflecting their self-perceived ideology (i.e., the label they attach to themselves), the second measuring their perceptions of the ideological tenor of the Court's decisions. We asked: (1) "In politics today, would you describe your views as:" [Very liberal/Liberal/Moderate/Conservative/Very conservative]; and (2) "Thinking about the United States Supreme Court in Washington and the decisions it has been making lately, would you say that the Supreme Court is:" [Very liberal/Liberal/Moderate/Conservative/Very conservative].

Rule of Law Perceptions

We also explored how respondents' perceptions of the rule of law influence their support for term limits.[40] As Gibson notes: "the Court is in some sense the principal guardian of the rule of law. Those who love law tend to love the Court."[41] Taking this research into account, we suspect that people who express greater support for the rule of law will be less likely to support term limits. To measure the concept, we implemented a battery of five statements, asking respondents to indicate their agreement (disagreement) on a 5-point scale: (1) "It is not necessary to obey a law you consider unjust;" (2) "Sometimes it might be better to ignore the law and solve problems immediately rather than wait for a legal solution;" (3) "The government should have some ability to bend the law to solve pressing social and political problems;" (4) "It is not necessary to obey the laws of a government I did not vote for;" and (5) "When it comes right down to it, the law is not all that important; what's important is that our government solve society's problems and make us all better off." Respondents could answer that they strongly agree; agree; neither agree nor disagree; disagree; or strongly disagree with each of the statements. Using respondents' answers to these five statements, we estimated a graded response model to produce a composite score reflecting each individual's general level of support for the rule of law.[42]

Knowledge about Federal Judges

We assessed respondents' knowledge of the federal judiciary by asking three factual questions about federal judges and using those responses to estimate a Knowledge Score via a two-parameter item response model. This approach follows suggested

[40]James L. Gibson and Michael J. Nelson, "Is the U.S. Supreme Court's Legitimacy Grounded in Performance Satisfaction and Ideology?" *American Journal of Political Science* 59, no. 1 (2015): 162–74.

[41]James L. Gibson, "The Legitimacy of the U.S. Supreme Court in a Polarized Polity," *Journal of Empirical Legal Studies* 4, no. 3 (November 2007): 529.

[42]The graded response model is the equivalent to a two-parameter item response model that has been extended for the purpose of working with ordinal variables like ours. It is preferable to the more traditional additive index because it allows for variation among items and responses within an item. We estimated these values using the irt grm command in Stata 16.1. The resulting scores range from -2.56 to 1.25 with a mean and standard deviation of 0.01 and 0.85, respectively.

best practices in the literature[43] and improves upon the more basic additive index by allowing questions to vary in both their difficulty as well as how much the (in)correctness of a response tells us about the respondent's latent knowledge about the federal judiciary.

The three questions we asked were (correct answers are italicized): (1) "How long are federal judges allowed to serve in their jobs?" [two years/six years/ten years/*none of the above*]; (2) "How are federal judges put in their jobs?" [appointed by the House Judiciary Committee/elected by the people/*nominated by the President and confirmed by the Senate*/none of the above]; (3) "About how old is the average federal judge today?" [40/50/60/*70*/80 years old].[44]

Demographic Controls

Finally, we control for several standard demographic responses to serve as control predictors. These included questions on age, sex, race, education, and income. In an open-ended format, we asked respondents to report their age in years. Sex is a dichotomous predictor where 1 indicates a female respondent; 0 is a male respondent. We measure each respondent's reported racial identity using a binary outcome where a 1 signifies a non-white individual; 0 otherwise.[45] We measure education and income each using five-point scales that we treat as continuous indicators.[46]

Table 1 reports the results of an ordered logistic regression where the dependent variable is the seven-category variable indicating the respondent's degree of support for term limits. Directly interpreting the interaction between respondent partisanship and the term limits proposer identity from the parameter estimates alone is ill-advised, so we will hold off on these concepts for just a bit. We can, however, safely assess some of our non-interactive control variables to see that only a couple produce statistically significant results. Our results reveal that support for the rule of law is positively associated with pro-term limits attitudes. So too is the amount of one's perceived ideological distance from the Supreme Court. We will interrogate those results more fully below, but first we turn to our two-factor partisan interaction.

Figure 5 displays the predicted effects for each proposer coalition among Democratic and Republican respondents. The horizontal axis of the figure shows the probability of a response and the vertical axis identifies the combination of

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[43]Alex Badas, "The Applied Legitimacy Index: A New Approach to Measuring Judicial Legitimacy," *Social Science Quarterly* 100, no. 5 (2019): 1848–61.

[44]The Knowledge Score variable ranges between −1.13 and 0.68 with a mean and standard deviation of 0.00 and 0.67, respectively. The average difference in Knowledge Score between respondents who answered an item incorrectly versus correctly is −1.01 (tenure length), −1.26 (selection process), and −0.16 (average age). All of these differences are statistically significant ($p < 0.05$, two-tailed test), which suggests that even if they are providing different levels of information about a respondent's knowledge, they are still tapping into the same latent quantity of interest. Admittedly, the question about judge age is more tenuous than the others in terms of substantive knowledge of courts. The item response model we employ, however, alleviates this concern to the extent that it simply devotes (much) less weight to this answer than to the other two answers.

[45]Lucid Theorem separately asks respondents whether they identify as being Hispanic. Such individuals were not automatically coded as non-white, but could have been coded as such if they so identified to the race question. As an empirical matter, about 64% of self-identified Hispanics did so (i.e., 37 out of 58).

[46]The results do not change if we instead treat them as categorical predictors with a dichotomous indicator for each category (minus a baseline).

Table 1. Support for term limits regression results.

	Coefficient	Robust S.E.
Independent respondent	−1.236	0.365**
Republican respondent	−1.786	0.371**
Bipartisans propose	−0.848	0.290**
Republicans propose	−0.806	0.301**
Independent respondent × Bipartisans propose	0.692	0.536
Independent respondent × Republicans propose	0.903	0.477*
Republican respondent × Bipartisans propose	1.384	0.467**
Republican respondent × Republicans propose	1.462	0.453**
Age of respondent	−0.005	0.006
Female respondent	0.013	0.165
Non-White respondent	0.007	0.202
Education of respondent	0.018	0.057
Income of respondent	0.085	0.064
Support for rule of law score	0.207	0.104**
Knowledge score	0.053	0.129
Ideological distance from Supreme Court	0.313	0.077**
N	543	

Note. Parameter estimates are from an ordered logistic regression model. The omitted baseline is Democratic respondent and Democrats propose the reform, which is why those values are omitted from the table. Estimates for cut points within the five-level dependent variable are estimated but also omitted. * and ** denote $p < 0.10$ and $p < 0.05$, respectively (two-tailed test).

respondent partisanship (leftmost label) and who proposes term limits (right label). The attentive reader will note the omission of Independents from this figure. We exclude them since, as discussed in our descriptive results, we obtain scant evidence that proposer partisanship systematically impacts their support.

Democratic respondents support term limits (overall) with a probability of 0.85 when proposed by a Democratic coalition. When proposed by a bipartisan or Republican coalition, that probability of support decreases to 0.72. Similarly, Republican respondents support term limits (overall) with a probability of 0.66 when proposed by Republicans, 0.63 when proposed by a bipartisan group, and 0.51 when proposed by Democrats. Thus, the partisan gap in support based on the identity of the proposer is 0.13 among Democrats and 0.15 for Republican respondents.

When focusing on the highest degree of intensity—those who *strongly* favor term limits—Democrats are likely to strongly favor term limits with a probability of 0.44 when proposed by Democrats and 0.27 when offered by Republicans. Conversely, Republicans strongly favor term limits with a probability of 0.21 when proposed by Republicans and 0.12 when proposed by Democrats. These partisan differences are statistically significant and greatest at the highest level of opinion intensity, but they are arguably modest in today's polarized environment. In short, partisanship contributes to variation in support for term limits. Yet, there is consistent and substantial support for reform among individuals from both parties, even when proposed by the opposition party.

The results from Table 1 also show that rule of law attitudes significantly predict support for term limits. The results are most interesting when held against the light of recent scholarship. Gibson and Nelson argue that respondents with strong rule of law beliefs support the Court regardless of their agreement with specific Court decisions.[47]

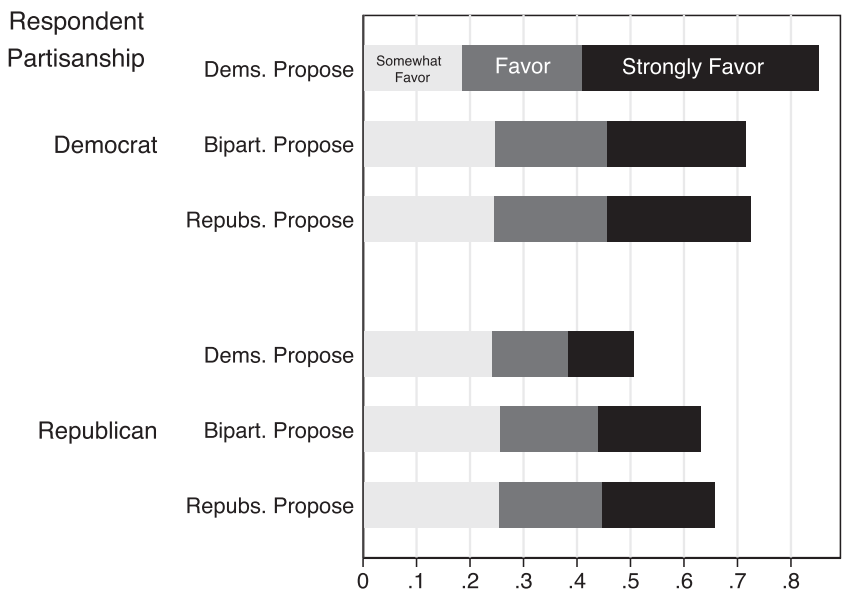[47]Gibson and Nelson, "Is the U.S. Supreme Court's Legitimacy Grounded."

Figure 5. Support, partisanship, and framing effects.

That study fits neatly in context with many of Gibson and Nelson's previous studies (and those of Caldeira). They find that "institutional support is primarily grounded in more fundamental and obdurate democratic values, and is therefore resistant to change."[48] In line with this argument, Gibson and Nelson find that those who are stronger supporters of the rule of law support the Court more than those who have less support for the rule of law.[49]

The results—contrary to our expectations—tell a different story. Figure 6 displays the predicted probability that a respondent will *strongly* favor term limits across the observed range of the rule of law score. Respondents at the 5th percentile (−1.4) strongly favor reform with a probability of 0.20. Those at the 95th percentile (1.3) exhibit a probability of 0.29.[50] This 0.09 change represents a 45% increase in the probability of support for term limits. Rule of law attitudes represent a substantively important predictor of support for term limits but in a way not anticipated by the extent research. More positive rule of law beliefs correlate with more support for term limits.

What this means is unclear and demands more attention. How can it be that the same people who support the Court most are more likely to seek term limits? Perhaps the rule of law measure is not as useful as heretofore believed. Perhaps it captures latent values that are different than the rule of law. We cannot be sure about the data in this paper. We are certain, however, that more attention is needed on this topic.

Next, we turn to the impact of perceived ideological distance from the U.S. Supreme Court. We argued that respondents who were ideologically closer to the
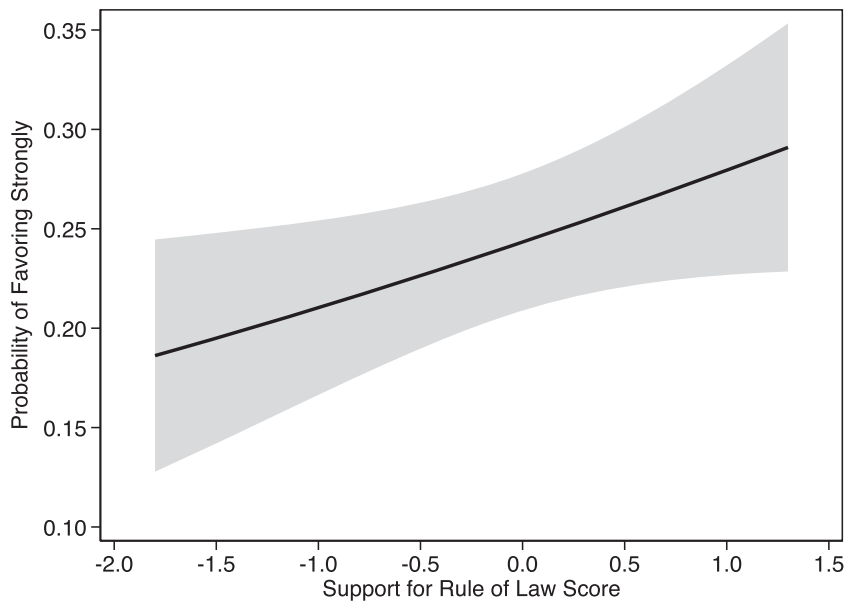
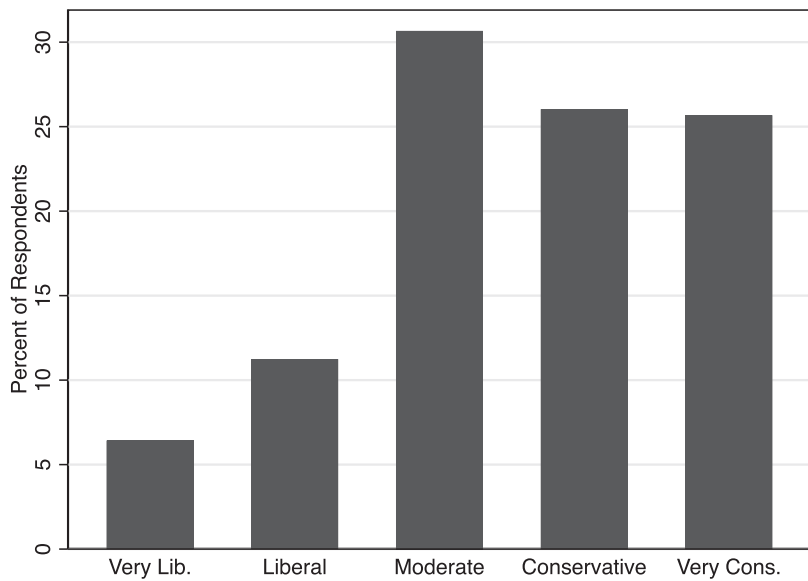**Figure 6.** Support for term limits as a function of rule of law attitudes.

Figure 7. Perceptions of Supreme Court ideology.

Court would be less likely to support term limits, while those who perceive themselves to be more distant from it would be more likely to support term limits. To show this dynamic, we first reveal how respondents perceived the Supreme Court's ideology. Figure 7 shows the percentage of respondents who believed the Court was very liberal all the way to very conservative. Perhaps not surprisingly, few respondents (6.4%) perceived the Court to be very liberal. Slightly more (11.2%) perceived the Court to be
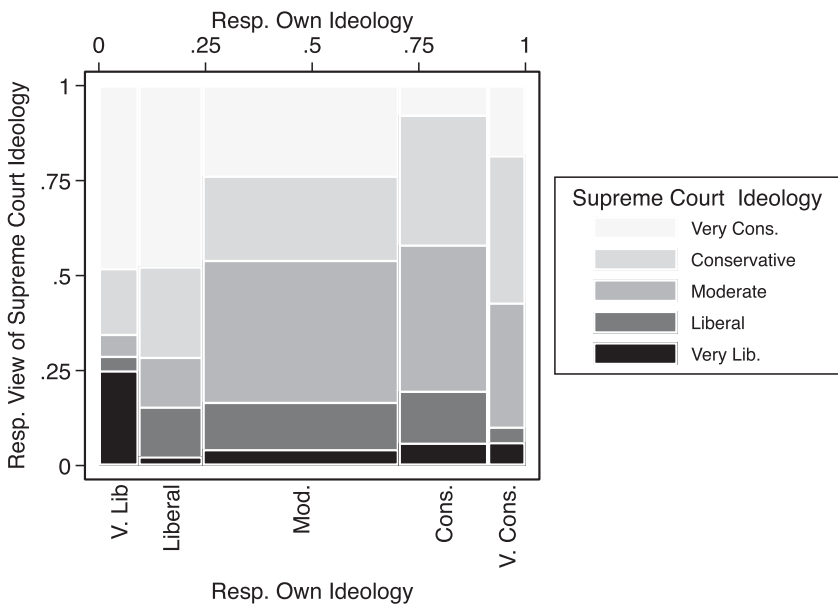
Figure 8. Respondent ideology and perceptions of Supreme Court ideology.

liberal. The plurality of respondents (30.7%) perceived the Court to be moderate. The majority of respondents thought the Court was either conservative (26.0%) or very conservative (25.7%).

Similarly, respondents' perceptions of the Court tended to reflect their own ideologies. Figure 8 is a mosaic plot that breaks down respondents' perceptions of the Court as a function of their own ideological preferences. The x-axis identifies a respondent's own ideology, with the width of each box indicating the relative proportion of those falling into a given category. The y-axis then shows how he or she perceived the ideology of the Supreme Court. The size of each box is proportional to the number of respondents in that combination of self-ideology and Supreme Court-ideology assessments.

For example, fully 46% of our respondents identified as ideological moderates and only 9% identified as being very liberal or very conservative. This visually manifests in the plot with moderate being the widest box and both of the "very" values being the narrowest. Focusing on the moderates, we further see, by way of the vertical height of the box, that a plurality of these individuals (37%) perceive the Supreme Court as also being ideologically moderate. Twenty-two percent of moderates see the Court as conservative and 24% see it as being very conservative (12% see it as liberal and 4% say it is very liberal).

Respondents who perceived themselves to be very liberal tended to believe the Supreme Court was conservative (17.3%) or very conservative (48.1%), though 25% of very liberal respondents thought the Court, too, was very liberal. Liberal respondents answered similarly, with most thinking the Court was either conservative (23.8%) or very conservative (47.6%). Whereas very liberal and liberal respondents perceived the Court to be very conservative—45.1% of those who thought the Court was very
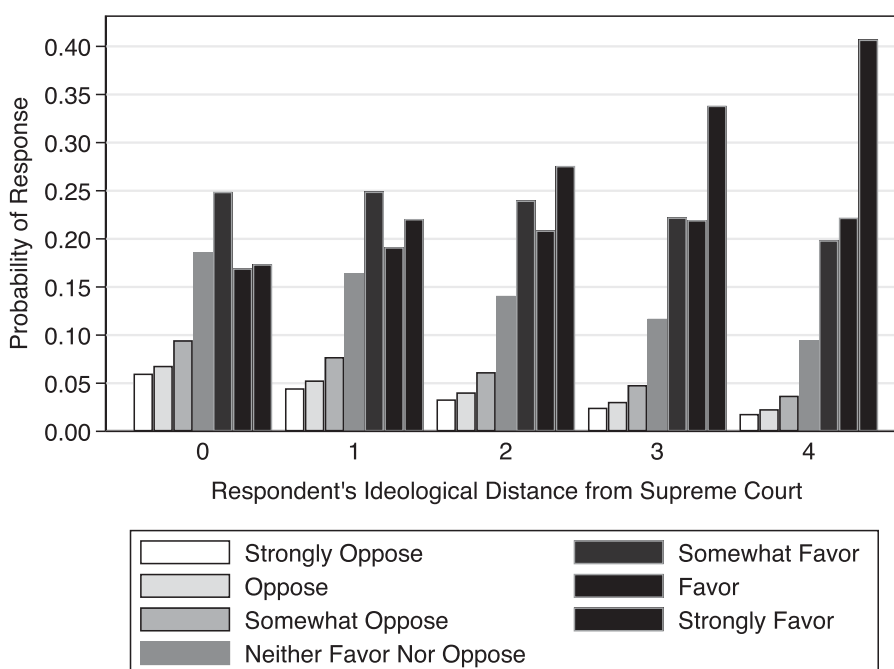
Figure 9. Ideological distance from Supreme Court and support for term limits.

conservative were very liberal or liberal—conservative respondents were less sure of that. They were, instead, much more likely to think the Court was moderate. For example, 5.9% of conservatives thought the Court was very liberal, 13.7% thought it was liberal, 38.5% thought it was moderate, 34.2% thought it was conservative, and 7.7% thought it was very conservative.

Figure 9 shows respondents' support for term limits as a function of their perceived ideological distance from the Court using results from Table 1. The y-axis reveals the predicted probability of a particular response. The x-axis reveals the respondents' ideological distance from the Court, moving from no distance at all (left) to a great distance (right). Each value of distance displays the probability that respondents favor (oppose) term limits, from strong opposition (white bars) to those who strongly favor term limits (black bars).

A few things jump out immediately. First, support tends to exceed the opposition. Overall, more respondents appear to support than oppose term limits. Second, that support increases as the respondents perceive themselves to be ideologically distant from the Court. Consider, for example, respondents who strongly favor term limits (the darkest black bars). A respondent who thinks she is ideologically close to the Court (the far-left black bar) has a 0.17 probability of strongly supporting term limits. When, however, the respondent thinks she is very ideologically distant from the Court (far-right black bar), she has a 0.41 probability of strongly supporting term limits. The key here is ideological distance.

While these results do not provide full-throated answers to questions about judicial legitimacy, they do provide support for the claim that legitimacy is at least partially a

function of specific support with judicial decisions. We suspect it is not particularly controversial to claim that support for term limits evinces hostility—or at least disfavor—toward the Court. After all, people are not likely to seek fundamental change to something they strongly support. Indeed, as Gibson and Nelson write: "[t]o the extent that people support fundamental structural changes in an institution, they extend little legitimacy to [it]."[51] Given that, the fact that ideologically distant respondents are much more likely than close respondents to support term limits indicates to us that judicial legitimacy is tied in part to specific support and that support will drive the reform response.

The results discussed so far confirm findings from existing public opinion data about term limits. They also add several novel and significant insights. In terms of the former, we find that overall the public is generally supportive of term limits and that unlike some judicial reform proposals (e.g., court packing), this support is not overwhelmingly conditioned by one's own partisan identity (though, it is conditioned by ideological distance from the Court). As for the latter, we find compelling evidence that a respondent's attitude about the rule of law and ideological distance from the Supreme Court further affect support for term limits. And so does the interplay between an individual's own partisanship and the party that proposes term limits.

Perhaps more importantly, however, we show that not all supporters are created equal in terms of the intensity of those attitudes. Democrats, by our accounting, are much more likely than either Republicans or Independents to strongly favor term limits. We turn next, and finally, to reporting on another aspect of this survey we used to assess how important term limits are to the public.

Assessing the Actual Demand for Term Limits

People might indicate their theoretical support for term limits, but do they actually, as a practical matter, *want* to see them implemented? Although our measurement of support, which allows for three levels of nuance among those who favor (or oppose) term limits is suggestive, we also want to more directly assess subjective importance. As described above, after the partisan framing prompt and initial measurement of support, we highlighted the likely tradeoff of devoting time to amend the U.S. Constitution to implement term limits. We asked individuals who had indicated support for or indifference to term limits to report the general importance they assign to the reform. Specifically, we asked: "Establishing an 18-year term limit might require changing the U.S. Constitution. This process would be politically time consuming and could make it harder for elected officials to address other issues. How important is it to you that the United States government implement an 18-year term limit for federal judges?" Respondents then selected from five levels that ranged from not at all important to extremely important. We sought to examine whether respondents *really* cared about term limits, or whether their answers were manufactured in response to pollster questions.

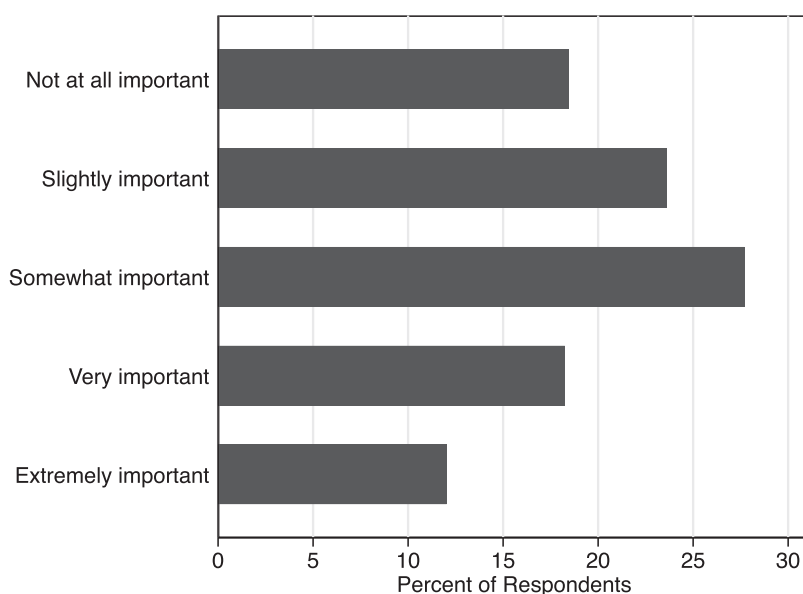[51]Gibson and Nelson, "Is the U.S. Supreme Court's Legitimacy Grounded," 167.

Figure 10. Beliefs about importance of term limits.

Figure 10 shows the results. Among respondents who originally expressed support (or indifference) for term limits, 18.5% now claimed that the issue—when it came to policy tradeoffs—was not at all important to them. About 23.6% said the issue was only slightly important, 27.7% said it was somewhat important, 18.2% said the issue was very important, and 12.0% said it was extremely important. That only 30.2% of respondents believed term limits were very or extremely important splashes at least some cold water on efforts to impose term limits.

As Figure 11 shows, initial support for term limits is an important predictor of the importance a respondent assigns to seeing the reform enacted. Consider respondents who originally said they neither supported nor opposed term limits. Seventy-five per-cent of such individuals indicated that reform was either "Not at all important" (52.3%) or only "slightly important" (22.7%). By contrast, only 3.4% of those people later believed term limits to be "very important." None of them believed term limits to be "extremely important." The respondents who did believe term limits to be "extremely important" (after hearing about costs) were those who originally thought so. In short, learning about the costs dampened enthusiasm among those who were closer to indifference. And the costs still decreased support, slightly, among those who origin-ally were the most supportive of reform.

To evaluate these attitudes more systematically, we statistically modeled this relationship. Our dependent variable is the five-category importance measure: Not at all important; Slightly important; Somewhat important; Very important; and Extremely important. Our explanatory variables include those from our earlier model: the respondent's party ID, the party that proposed the reform, rule of law attitudes, knowledge about judiciary, perceived ideological distance from the
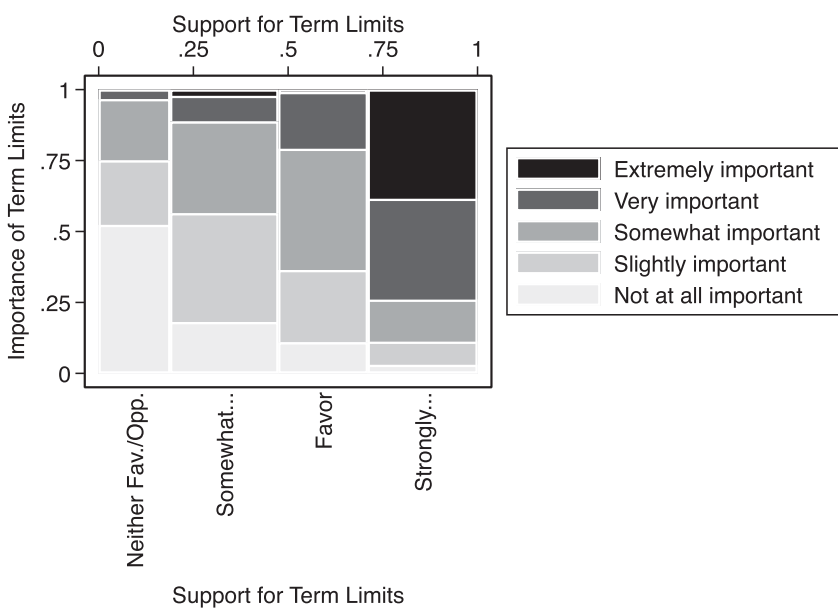
Figure 11. Term limits importance and support for term limits.

Table 2. Importance of term limits regression results.

	Coefficient	Robust S.E.
Support for term limits	−2.553	1.145**
Support for term limits squared	0.345	0.103**
Independent respondent	−1.009	0.267**
Republican respondent	−1.129	0.224**
Bipartisans propose	0.239	0.223
Republicans propose	0.134	0.231
Age of respondent	0.003	0.006
Female respondent	−0.180	0.185
Non-White respondent	−0.559	0.246**
Education of respondent	−0.035	0.065
Income of respondent	−0.148	0.074**
Support for rule of law score	−0.197	0.120*
Knowledge score	0.218	0.147
Ideological distance from Supreme Court	0.051	0.085
N	449	

Note. Parameter estimates are from an ordered logistic regression model. The omitted baseline is Democratic respondent and Democrats propose the reform, which is why those values are omitted from the table. Estimates for cut points within the five-level dependent variable are estimated but also omitted. * and ** denote $p < 0.10$ and $p < 0.05$, respectively (two-tailed test).

Supreme Court, and demographic controls. We also account for a respondent's initial level of support for term limits.[52] Table 2 presents the results of an ordered logistic regression model.

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[52]Our specific parameterization treats the concept of support for term limits as an interval-level variable and also includes its squared value. This approach can be seen as something of a "statistical compromise" between treating the concept as being purely interval and estimating separate coefficients for each level of the variable. We use our approach as measures of model fit like the Bayesian Information Criterion (BIC) suggest that it best fits the data versus both the simpler and more complicated alternatives.
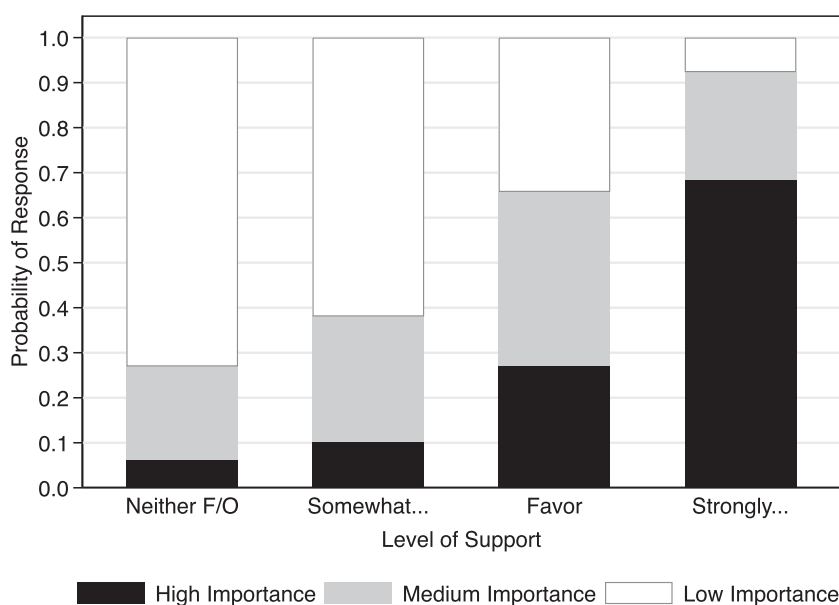
Figure 12. Importance and effect of level of support.

Unsurprisingly, initial support for a reform, the proposer's partisan identity, and rule of law attitudes are statistically significant predictors of the level of importance a respondent assigns to seeing the reform enacted.

Figure 12 visually presents the results of initial support for term limits. Here, we have pooled the two lowest values—not at all important and slightly important—into "low support." Likewise, we pool the two highest values—very important and extremely important—into "high support;" "somewhat important" is the middle value. Respondents who neither favored nor opposed term limits initially have a 0.73 probability of attaching low importance to them after hearing the costs, a 0.21 probability of attaching medium importance after hearing about costs, and a 0.06 probability of attaching high importance to them after hearing the costs. Those who initially strongly favored term limits have a 0.08 probability of attaching low importance to them after hearing about the costs, a 0.24 probability of attaching medium importance after hearing about costs, and a 0.69 probability of attaching high importance to them after hearing the costs.

By contrast, those respondents who, initially, either somewhat favored or favored term limits were more likely to retreat from their initial positions. Once informed of the policy tradeoffs, individuals that initially favored reform then suggested it was an important policy priority with a probability of 0.27. But, these same individuals attached only medium importance with a probability of 0.39, and low importance was 0.34. Thus, respondents who once favored term limits later indicated that it was less than high importance with a probability of 0.73. Similarly, respondents who initially expressed some support for term limits later said that it was of little importance to them once informed of the policy costs. These individuals exhibited a 0.62 probability of indicating low importance and only a 0.10 probability of suggesting it is highly important.

Finally, Figure 13 displays the effect of rule of law attitudes on respondent-assigned importance of implementing term limits. Recall from the first statistical model—
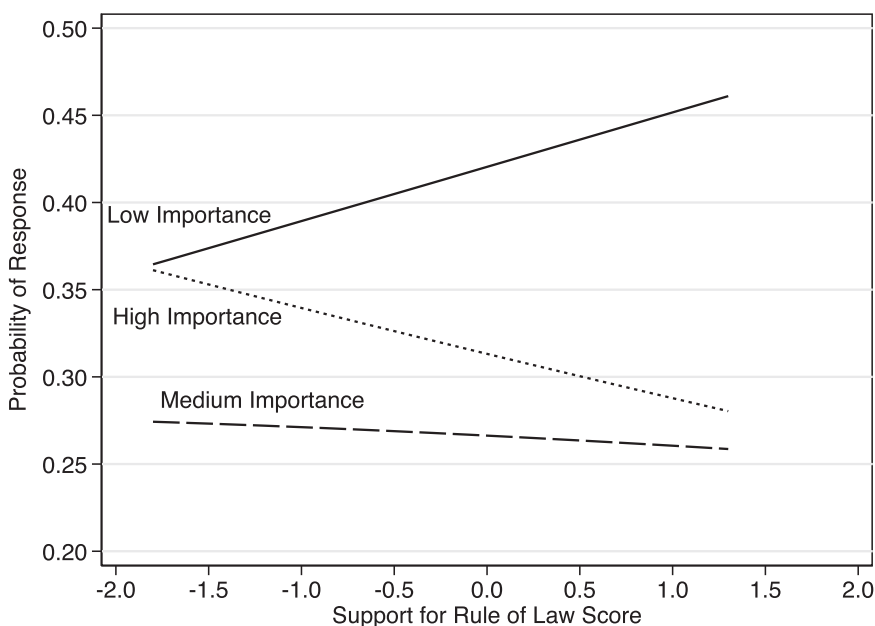
Figure 13. Importance and support for the rule of law.

predicting baseline support for term limits—that rule of law attitudes were positively correlated with support for term limits. That is, respondents indicating greater support for the rule of law exhibited a higher probability of favoring term limits. When looking at the importance that respondents attach to reform (among those who did not oppose reform), a higher rule of law score is now mostly associated with attaching low importance to reform.

Respondents at the 5th percentile (−1.4) attached low importance with a probability of 0.37 and high importance with a probability of 0.35. Conversely, those at the 95th percentile (1.2) indicated low importance with a probability of 0.46 and high importance with a probability of only 0.28.[53] In sum, individuals who expressed low support for the rule of law exhibited little variation in the perceived importance of reform while high rule-of-law individuals were much more likely to de-emphasize term limits once informed of the policy tradeoffs. The mechanism underlying this result— that those with high rule of law attitudes express initial support for term limits but then back away once informed of likely needing to amend the U.S. Constitution—is worthy of future research.

Conclusion

Federal courts have come under increasing scrutiny. Much of this scrutiny is a function of disagreement with judicial decisions and tracks the increased political polarization we have seen in the last few decades. Arguments that once were dismissed as radical

[53]Individuals with the median score for rule of law attitudes (0.00) assigned low importance with a probability of 0.42 and high importance is 0.31. Also, the data uncover little variation in the probability of assigning medium importance as a function of support for the rule of law.

and unthinkable are now becoming mainstream. Scholars, elected officials, and journalists now frequently clamor for institutional reform, including term limits for federal judges. But it has remained unclear just how deep and wide that support is and what factors drive support for reform.

We examined respondents' views on a required term limit for federal judges. The results show that Democrats and those who perceive the Supreme Court to be ideologically distant from them are most enthusiastic about this reform. Still, even a significant percentage of Republicans appear willing to support term limits. What is more, partisans are most likely to support the reforms when co-partisans propose the changes. But, many people still express support even when proposed by opposite partisans. Also, the likely costs of reform matter. When we inform respondents that there might be significant costs to bear to effectuate these reforms, support dampens, suggesting that the overall support is not nearly as strong as the first round indicators suggest.

Taken together, these results indicate that pro-reform advocates may have a head start on opponents. On the other hand, term limit opponents will focus on the opportunity costs involved, including the fact that the reforms would likely require a constitutional amendment. We take no position on whether term limits are good or bad. They have strengths and weaknesses. Regardless of the side, the discussion must take place within the broader context of judicial independence and judicial legitimacy, and how the reforms might harm or help. We have only addressed a portion of this important argument. But the results we discover here suggest that the conversation—and policy debates—over judicial reform are just beginning.

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