

Common Incorrect Assumptions About Federal Judges

THE PRESIDENT'S EFFECT ON JUDICIAL
DECISION MAKING

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How does the appointing president's party affect a judge's decisions in cases with corporate defendants?

COMMON ASSUMPTION

Republican-appointed federal judges are friendlier to corporations than judges appointed by Democrats.

THE DATA SAYS

Actually, it's incorrect to assume that a judge's party affiliation, or the affiliation of the president who appointed that judge, matters. The reality is that there is no significant difference in how often each party's appointees permit suits against a corporation to proceed to discovery.

MOTIONS TO DISMISS GRANTED IN FULL

Judges Appointed by Democrats

59.1%



Judges Appointed by Republicans

57.7%



If the conventional wisdom about political affiliation is wrong, what happens when we dig deeper and look at which president appointed the judge?

ASSUMPTIONS
Judges that are appointed by President Obama tend to rule against corporations and judges appointed by President Trump tend to rule in favor of corporations.

THE DATA SAYS

Judges appointed by President Obama do, in fact, grant corporations' motions to dismiss at slightly lower rates than federal judges overall. Yet, they are still quite friendly to business, granting 56% of these motions.



By contrast, judges appointed by President Trump are relatively unfriendly to corporate defendants. Trump appointees grant corporations' motions to dismiss at lower rates than the rest of the federal bench.



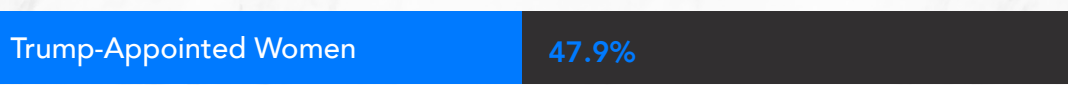
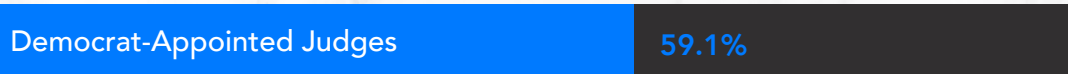
What if we dig even deeper and study both the president who appointed the judge and the judge's gender?

THE DATA SAYS

Female judges appointed by President Obama are just as business-friendly and grant corporations' motions to dismiss just as frequently as Republican-appointed judges do.



Even more unexpectedly, corporations are less likely to succeed in front of female judges appointed by President Trump than before judges appointed by Democrats and other Republican presidents.



Litigators rely upon case law and facts to craft their arguments, but predictive case analysis requires more data. [What about the human elements that influence the particular judge deciding the case?](#)

Does a judge's gender, net worth, law school, work history, and who appointed them to the bench play any role in their decision? Of course they do. And the interaction between these elements plays an even bigger role.

[Traditional legal research cannot answer these questions.](#) This forces litigators to rely on their own limited experiences and instincts, and those of their colleagues. As a result, they make assumptions about their judges' tendencies based on untested theories, as demonstrated by these easily debunked common assumptions based on presidential appointment. As we've seen, the more granular we get, the more surprising the results.

[Pre/Dicta collects, classifies, and analyzes the entire federal docket and every judge's unique personal attributes, and objectively identifies the essential factors that influence your particular judge's decision in your particular case.](#) This data-driven approach puts commonly held assumptions about judicial behavior to the test and gives parties a competitive advantage over their opponents. Data science proves that many human factors that litigators assume are relevant to their judge's decision have no effect at all, and that other factors have a measurable influence.

Want to get to know *your* judge better?
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