ABSTRACT: Lacking the power of purse and sword, the judiciary does not possess the coercive force afforded to the legislative and executive branches, leaving it dependent upon institutional legitimacy for effective functioning. However, due to rising campaign finance in increasingly political state judicial elections, many have questioned the integrity, independence and legitimacy of elected judicial officials. These questions came to a head in *Williams-Yulee* v. *Florida Bar* (2015), where the Supreme Court ruled that the personal solicitation of campaign finance by a judicial candidate was unconstitutional because "the public may lack confidence in a judge's ability to administer justice without fear or favor if he [the campaign donor] comes by the [judges] office asking for favors" (Pg. 9). While this claim seems to have sound theoretical foundations, empirical evidence on how personally solicited campaign finance affects public trust is quite sparse. Through the presentation of experimental vignettes, this study presents the empirical evidence to determine the effects that campaign finance has upon perceived judicial legitimacy, ultimately finding that elections and campaign finance do not have a statistically significant effect on ratings of judicial legitimacy.

I. INTRODUCTION

Limitations on the power of the judiciary have been noted for centuries. As Alexander Hamilton stated in Federalist 78 "The Executive not only dispenses the honors, but holds the sword of the community. The legislature not only commands the purse, but prescribes the rules by which the duties and rights of every citizen are to be regulated. The judiciary, on the contrary...may truly be said to have neither FORCE nor WILL, but merely judgment." Lacking the power of the purse or the sword to coerce compliance, the judiciary does not possess the force afforded to the legislative and executive branches. As a result, the judiciary is dependent upon institutional legitimacy for effective functioning.

Underpinning the notion of judicial legitimacy is the concept of judicial independence. Without it, the institution lacks its reservoir of goodwill and public support. Hamilton, in Federalist 78, wrote that "the independence of the judges may be an essential safeguard against the effects of occasional ill humors in the society." He added that "the complete independence of the courts of justice is peculiarly essential in a limited Constitution." Each of these assertions is represented in the foundations of our governance: Federal Justices are appointed to life terms, not elected, and the US code of conduct instructs all judges to refrain from any political activity. However, a majority of our states currently elect Supreme Court Judges by either partisan or non-partisan elections. These state Supreme Court elections lead to campaign activity – political speech, endorsements, and campaign finance involving judicial candidates. This politicization of the judiciary has been bemoaned for reducing judicial independence and in turn legitimacy. In 2009 former Supreme Court Justice Sandra Day O'Connor issued a scathing critique of elections in a speech at Seattle University, arguing "that states ought to steer away from judicial elections and implement some form of selection system for choosing judges that relies on a commission

selection" (O'Connor 2009, 565). Some empirical research has supported this claim—indicating that citizens who live in states with appointed courts have higher levels of confidence in the court system (Benesh, 2006). This evidence is built upon a normative agreement that judicial independence confers judicial legitimacy.

A challenge to this this normative agreement emerged via the 2015 Supreme Court Case *Williams-Yulee v Florida Bar*. The case dealt with prospective Judge Lanell Williams-Yulee campaigning for a seat on a county court in the state of Florida. Williams-Yulee sent out an email personally appealing for campaign contributions, while simultaneously posting the letter on her campaign website. The judicial candidate was then sanctioned by Florida's Supreme Court for violating the state's code of judicial conduct due to her *personal* solicitation of campaign funds (Epps). Williams-Yulee protested the state bar's decision, arguing that her right to solicit campaign funding was protected as free speech under the first amendment, and the case was appealed all the way up to the Supreme Court. In their finding, the majority in *Williams-Yulee v Florida Bar* case ruled against the potential judge. Justifying the decision, Chief Justice John Roberts wrote that "Simply put, the public may lack confidence in a judge's ability to administer justice without fear or favor if he [the campaign donor] comes by the [judges] office asking for favors," adding that "Public perception of judicial integrity is a state interest of the highest order" (*Williams-Yulee v Florida Bar 2015, 1)*. While this seems to be a rather uncontroversial claim, it was the very same claim that Justice Antonin Scalia rejected in his dissent. "In the absence of any long standing custom… we have no basis for relaxing the rules that normally apply to laws that suppress speech because of content," Scalia noted, adding that "neither the Court nor the State identifies the slightest evidence that banning request for contributions will substantially improve public trust in judges" (*Williams-Yulee v Florida Bar 2015, 1)*.

Justice Scalia's critique raises a particularly intriguing question: Does banning personal solicited campaign contributions improve public trust in members of the judiciary? While scholars have frequently analyzed the impact of campaign contributions and elections upon the behavior of the judiciary, little research exists on the specific issues of campaign finance and judicial legitimacy. Through experimental survey research, this paper aims to fill that void by providing the empirical data to address Scalia's concern.

II. CAMPAIGN FINANCE IN JUDICIAL ELECTIONS

Prior to any investigation of claims regarding campaign finance and judicial legitimacy, it is necessary to evaluate the present state of judicial selection. Currently there are three primary methods of judicial selection used by the States: (1) Partisan Elections, where judges are elected by the citizens with party affiliation listed on the ballot, (2) Non-Partisan Elections, where judges are elected by the citizens without party affiliation listed, and (3) Merit Selection otherwise known as the "Missouri Plan", where a commission submits a list of names to the governor, who then appoints a judge from that list. In assisted appointed the Judge is then confirmed by the citizens in a referendum "retention" election in each election cycle after the completion of their first term. Thirty-nine states use some variation of either merit selection, partisan or non-partisan elections (Methods of Judicial Selection 2015). This means that a vast majority of states rely upon their electorate to determine the makeup of the judicial branch.

According to The Center for Public Integrity, amongst these thirty-nine states a whopping thirty prohibit judicial candidates from personally soliciting campaign funds (O'Brien 2015). They do so for the very reasons John Roberts expressed in the majority opinion of *Williams-Yulee v Florida Bar*: A normative agreement that the public may lack confidence in a judge's ability to administer justice fairly if they personally solicit campaign funds (*Williams-Yulee v Florida Bar*

2015, 2). But because this ban is particularly narrow in scope, money has flowed into judicial elections. Recent analysis of state election data found that $18 million was spent on State Supreme Court elections alone in 2014 (O'Brien 2015). In fact the scope of this ban on personal solicitations is so limited that judicial candidates may discuss their legal philosophies, qualifications and even send signed thank you notes to donors (O'Brien 2015). "The only thing a judge can't say is 'Please give me money,'" writes Matthew Menendez of the Brennan Center for Justice (O'Brien 2015). Menendez's statement supports a more general claim that the ban on personal solicitation of funds in judicial elections is less about independence, and far more about *perceived* independence. Were the ultimate concern judicial impartiality and independence, campaign contributions to prospective members of the judiciary would not be permitted at all. It is for this reason that the focus of this study is not on how campaign finance affects the behavior of judges, but rather how campaign finance affects public perception of the judiciary.

III. LITERATURE REVIEW

While a normative agreement seems to exist that campaign finance undermines judicial legitimacy, little research quantifies this claim. Current research on judicial legitimacy has largely considered only the impact that the campaigns have upon judicial decision-making. Consistent amongst findings in this scholarship is a conclusion that the electoral process alters the decision making of a judiciary. A seminal study in this subcategory of research was conducted by Gregory A. Huber of Yale University and Sanford C. Gordon of New York University. Huber and Gordon conducted a robust empirical analysis on trial courts in the State of Pennsylvania during the 1990's, analyzing court sentences for robbery, aggravated assault and rape. In their analysis of 22,000 sentencings, Huber and Gordon found that Judges sentenced more strictly near elections - likely to appear harsh on crime. This dynamic accounted for more than 2,000 additional years of

sentencing, and fully supports the claim that elections *do* affect the decision making of a judiciary (Huber and Gordon 2004, 248).

Literature has shown that the independence of judges is compromised by elections, and scholarship on campaign finance in judicial elections shows a similar trend. Joanna Shepherd, a Law Professor at Emory, conducted analysis for the American Constitution Society for Law and Policy on campaign contributions and judicial decisions. Shepherd analyzed the influence that businesses have on judicial decision making by determining whether the amount of money a member of the judiciary received from businesses was at all correlated with more pro-business rulings from that member. Shepherd found a statistically significant relationship between campaign contributions from businesses and justices making pro-business rulings. An elected justice who receives only 1 percent of their campaign contributions from the business sector, rules pro-business about 46 percent of the time. On the other hand, an elected justice who receives 25 percent of their campaign contributions from the business sector rules pro-business about 62 percent of the time (Shepherd 2013, 13). While questions about the directionality of this relationship are valid - it could certainly be that a business wants to spend money to support candidates who are *already* pro-business, rather than their money *making* a candidate pro-business - the significance of Shepherd's findings are not lost. There is a strong relationship between campaign finance and judicial decision-making, one that helps shape expectations for the results in this study.

Further research confirms Shepherd's findings. Chris Bonneu and Damon Cann analyzed the relationship between attorney campaign contributions and judicial behavior in Nevada, Michigan and Texas. The findings were consistent with Shepherd's: in Michigan and Texas, when liberal attorneys contribute more money to a judge, the likelihood of a liberal decision increases -

and the same is true for conservative contributions (Bonneau and Cann 2009, 18). This literature seems to suggest that judicial integrity and independence is compromised by campaign finances presence in judicial elections. But it remains to be seen if the public perceives this to be the case.

Though research identifying the impact of campaign finance upon public confidence in the judiciary is limited, tangentially related scholarship is present. Charles Gardner Geyh posited the axiom of eighty to help explain the relationship between the electorate and the state judiciary. Gardner Geyh argued "Eighty percent of the public favors electing their judges; eighty percent of the electorate does not vote in judicial races; eighty percent is unable to identify the candidates for judicial office; and eighty percent believes that when judges are elected, they are subject to influence from the campaign contributors who made the judges' election possible" (Gardner Geyh 2003, 52). These claims have poignancy for the theoretical foundations of this study. The electorate may believe that campaign contributions influence judges, but this belief need not preclude the electorate from a preference for elected judges.

Further research seems to echo the findings of Gardner Geyh. Research conducted by Nathan Persilly and Kelli Lammie of Penn found numerous examples of the Supreme Court themselves citing polling data that indicated the electorate views campaign finance as a corrupting agent. In *Carver v Nixon* the court wrote "An overwhelming 74 percent of the voters of Missouri determined that contribution limits are necessary to combat corruption," and cited similar polling data stating "78 percent of Montana voters thought money was "synonymous with power" and that 69 percent of Montana residents believed "elected officials g[a]ve special treatment" to large contributors," in *Montana Right to Life Assistance v Eddleman* (Persilly and Laramie 2004, 133).

James Gibson and Gregory Caldeira have conducted experimental research to determine how public trust in the judiciary is altered by conflicts of interest. Gibson and Caldeira presented

24 different experimental vignettes, with variation based upon (1) the type of campaign contribution, and whether it was accepted by the candidate (2) the size of contribution (3) whether the judge recused himself and (4) the case outcome. The vignettes were based upon existing litigation that took place in West Virginia, where a judge refused to recuse himself from hearing a case in which one of the litigants contributed more than three million dollars to his electoral campaign. Gibson and Caldeira found that 78.5% of those surveyed believe that a hypothetical judge can be fair and impartial when he rejects the offered campaign contribution, while only 46.1% of those sampled believe that the judge can be fair and impartial when he accepts the campaign contribution(s) (Gibson and Caldeira 2013, 17).

Further research by Gibson, has arrived at similar conclusions. He conducted research on the influence of campaigns on institutional legitimacy by producing comparative experimental vignettes for the legislative and judicial branches. Gibson found that yet again "when candidates for public office receive campaign contributions from those with direct business interests before the institution, many (if not most) citizens perceive policy making as biased and partial and the policy-making institution as illegitimate" (Gibson 2008, 72).

IV. THEORETICAL FOUNDATION

Most prior scholarship has arrived at similar conclusions - campaigning has a negative effect upon both perceived and actual impartiality and independence for the courts. In fact this line of research indicates that the judiciary is directly impacted by whom they receive funds from, and the amount they receive. But most of this scholarship is limited in two particular areas: (1) salience and (2) context. A vast majority of research regarding judicial legitimacy and campaigning has asked direct questions regarding campaign finance and its effect upon judicial integrity to the public. This makes campaign activity particularly salient, priming survey respondents to think of the issues that campaigning presents for a judiciary. Asking whether

"elected officials gave special treatment to large contributors" or presenting an extended vignette solely about a potential conflict of interest regarding campaign contributions can provide insight into how the public thinks about the issues of campaign finance and judicial integrity, but only when the issues are salient.

This priming effect may particularly affect results because a host of literature shows that the public simply knows very little about the judiciary. An impactful 2006 survey conducted by the Annenburg center found that only 15% of Americans were able to name the Chief Justice of the Supreme Court, while 66% could name at least one American Idol judge. The same survey found that approximately ¾ of Americans failed to distinguish the role of state legislators from the state judiciary (Jamieson and Hennessy 2006). This lack of knowledge certainly has an impact on results: when particular issues are made salient through surveying, a respondent's lack of knowledge on the judiciary may cause them to overweight this new information.

The second limitation here is context. Most existing research has analyzed campaign activity as a separate entity, failing to recognize that it has an inherent tie with elections. As Charles Gardner Geh showed in his analysis, most citizens prefer an elected judiciary, despite recognizing that the process of campaigning, and accepting campaign finance, compromises their judicial integrity. Certainly, an argument can be made that this is an example of the electorate lacking political constraint, but I'm inclined to hypothesize that this is an example of the public understanding context. Yes, the electoral process compromises judicial integrity, but it also ensures judicial accountability - and the benefits that accountability provides outweigh the drawbacks of compromised integrity. Elections are inherently legitimacy conferring, with the public directly choosing their candidate.

A particularly strong piece of evidentiary support for the contextual argument comes from a study conducted in Pennsylvania by James Gibson, Jeffrey A. Gottfried, Michael X. Delli Carpini, and Kathleen Hall Jamieson. The quartet examined the effects of campaign activity on the support Pennsylvanians extended to their state Supreme Court, using survey data before, during and after the election to test their hypothesis. While the researchers found that any exposure to politicized campaign activity led to lower growth in institutional support, they found that *no* amount of exposure to campaign activity created a net loss in judicial legitimacy. "Indeed, those viewing the worst form of campaign content still increased their support for the Pennsylvania Supreme Court," the foursome wrote (Gibson et. al 2010, 10). This finding is in conjunction with prior scholarship that states that campaign activity reduces perceptions of judicial legitimacy - but this finding differs by showing that this drop in legitimacy is not enough to offset the increase in legitimacy elections afford the judiciary. There are no elections without campaigning, and the inherent tie between the two makes this study of particular consequence.

V. HYPOTHESES

H1: Survey respondents will rate elected judges and an elected judiciary as more impartial, fair and legitimate than an appointed judge and judiciary.

As extant research has shown, the public prefers accountability, and elections are the proverbial carrot and stick that allow the electorate control over their judiciary. While two of the three conditions in which judges are elected include the presence of campaign finance, the "net positive effect" that elections provide will outweigh the negative effects on legitimacy and impartiality associated with campaign finance.

H2: Survey respondents will rate elected judges who personally solicit campaign finance no differently than elected judges who receive campaign finance through other sources.

As discussed above, the amount of knowledge that the average citizen has about their state judiciary is quite low. I find it unlikely that the public has the level of expertise to know the different methods of raising campaign funding in state judicial elections without each being explicitly mentioned.

<div align="center">VI. METHODOLOGY AND EXPERIMENTAL DESIGN</div>

In order to test this theory and properly address the gap within existing literature, this study uses experimental survey vignettes. The vignette design is contrastive vignette technique (CVT). In this vignette design, the researcher systematically varies the information within each vignette in order to determine the effect of particular components. For this study, four experimental vignettes will be presented. These vignettes aim to determine the relationship between campaign contributions, judicial elections, and judicial legitimacy, presenting an opportunity to glean critical information on the electorate without priming survey respondents. In the subfield of public opinion and the judiciary, vignettes are not uncommon, with some of the research discussed above incorporating the use of these short stories (Gibson & Caldeira 2008, Gibson et. al. 2007).

Participants

Participants in this survey are undergraduate students at the University of North Carolina at Chapel Hill (UNC-CH) students ($n = 309$). Participants were recruited through an introductory American Government course with research participation component. Students were provided credit towards this research participation component of their course for completion of this survey. Participants ranged from 16 to 49 years old with a mean age of 18.97 ($sd = 2.68$). 60.8% of respondents self-identified as a female, and 38.5% self-identified as male. A majority (71.8%) of survey respondents self-reported as White. 7.8% of participants self-reported as Black, 4.5% Hispanic and 3.9% as multiple ethnicities. Table 1, below, presents the demographic and political

characteristics of survey respondents by condition. The covariates listed below (age, gender, race, ideology, political involvement, SES) appear to be essentially the same across the experimental groups. When I regress the treatment upon each of these factors, the β value is not statistically significant. This indicates that the random assignment done by Qualtrics was sound.

Table 1. Demographic/Political Characteristics of Participants by Condition (%)

	Control	Treatment 1	Treatment 2	Treatment 3
Gender				
Male	46.27	37.21	38.27	34.25
Female	53.73	62.79	61.73	65.75
Race				
White	73.13	71.26	71.95	69.33
Black	7.46	8.05	7.32	8.00
Hispanic	4.48	3.45	7.32	2,67
Non-White	14.93	17.24	13.41	20.00
Age				
18 & Under	48.41	46.98	47.55	60.27
19 – 21	50.00	45.77	46,35	36.99
22+	1.59	7.22	6.10	2.74
Ideology				
Very Liberal	16.42	17.44	14.63	10.81
2	32.84	32.56	41.46	43.24
3	13.43	10.47	23.17	9.46
4	32.84	37.21	15.85	28.38
Very Cons.	4.48	2.33	4.88	8.11
Political Involvement				
High (8 <)	1.49	2.35	1.22	2.70
Mid (9 – 12)	20.90	25.89	50.00	45.95
Low (12 – 15)	77.61	71.76	48.78	51.35
SES				
Upper Class	5.97	15.12	8.54	13.51
2	41.79	40.70	53.66	28.38
3	38.81	30.23	25.61	44.59
4	10.45	6.98	6.10	10.81
Lower Class	2.99	6.98	6.10	2.70
Survey N	67	86	82	74

Procedure

This study obtained Institutional Review Board approval (IRB Study #16-2023) and was placed in the UNC-CH political science subject pool. Access to the class rosters of introductory American Government course at UNC-CH was granted, and each student enrolled received an email with a link to the survey and a consent form. This email and the consent form can be found in the appendix below. After participants provided electronic consent, they were directed to the questionnaires, which were hosted on Qualtrics. Students were randomly assigned to one of four conditions by Qualtrics and then completed the questionnaire. Upon completion of questionnaire, they entered identifying information to receive class credit for taking this survey.

Experimental Design

These vignettes present a hypothetical state Supreme Court candidate profile. The profile lists the hypothetical candidate's qualifications, education, experience, endorsements and philosophies. It is four paragraphs in length. To ensure the realism of these vignettes, the candidate profile is taken from VotingforJudges.org. The site purports to be "a nonpartisan, impartial source of information about judicial elections in the state of Washington," and was a recipient of the 2007 American Bar Association's Silver Gavel Award for "outstanding efforts to foster public understanding of the law." The candidate whose profile was chosen as the baseline for the vignette presented in this research is Justice Mary Yu. Yu was chosen in large part due to her stellar voting record and popularity. Yu was the highest vote-getter in the 2014 State Supreme Court Election, and received stellar ratings from numerous judicial evaluation groups (Secretary of State 2014). The strong profile that Yu presents should help ensure any opposition is not due to any lack of qualification on the part of this candidate (VotingforJudges). Slight alterations were made to Yu's profile for the purposes of this vignette to ensure that her name, gender and political

affiliation are obscured. This was done to help the internal and external validity of the results, by preventing biases against race, gender or party affiliation from skewing the results.

The four vignettes, available in full in appendix 1, differ in small fashion. Table 2, below, indicates the manipulation and text changed in each condition. The first vignette presents Yu's candidate profile, but makes no mention of campaign finance. This condition is the control – it allows us to determine if elections actually have a "net positive" effect. The second vignette presents Yu's candidate profile, but mentions that: "This justice is up for re-election this year, but received no campaign funding of any kind as it is barred in this state." By having this justice elected but not receive campaign finance, it is possible to isolate the value of an election as legitimacy conferring. The third vignette presents Yu's candidate profile, and mentions that: "This justice is up for re-election this year, and personally solicited $480,427 in campaign contributions. These contributions came from a variety of sources, including businesses, interest groups and attorneys." This condition allows for an understanding of how the presence of *personally solicited* campaign finance in an election can alter judicial legitimacy. The fourth vignette is identical to the third, only this candidate's money was raised through a campaign committee, not personal solicitations. This vignette can clarify whether the public views *personally solicited* campaign finance any differently than campaign finance raised through a campaign committee. The amount of $480,427 was chosen because it was average amount raised by an incumbent candidate in a contested Supreme Court election ("Fundraising for 2014 Supreme Court Elections").

Table 2. Manipulation of Vignette

Condition/Manipulation	Text Included In Vignette	N
1: No campaign finance, Judge is Appointed (Control)	This justice was appointed by the governor, and will serve on the court for life	67
2: No campaign finance, judge is elected (Treatment I)	This justice is up for re-election in 2016, but received no campaign funding of any kind as it is constitutionally barred in this state	87
3: $480k in campaign finance – all personally solicited. Judge is elected (Treatment II)	This justice is up for re-election in 2016, and personally solicited $480,427 in campaign contributions. These contributions came from a variety of sources including businesses, interest groups and attorneys.	82
4: $480k in campaign finance through a campaign committee, Judge is elected (Treatment III)	This justice is up for re-election in 2016, and received $480,427 in campaign contributions through a campaign committee. These contributions came from a variety of sources including businesses, interest groups and attorneys.	75

Through the presentation of an impartial, factually based profile of a judicial candidate that includes only one-two sentences regarding campaign finance, the issue is not the *only* one made salient in the survey respondents mind. The recommendations, ratings and experience of the justice are also likely to play a role in how a survey respondent rates a given justice - not merely the question of their compromised integrity due to campaign finance. Rating a candidate based upon all of this information ensures that campaign finance isn't over-weighted when respondents determine legitimacy and impartiality. These vignettes and subsequent questions also properly contextual campaign finance, by making a distinction between elections and appointments. This distinction allows us to analyze whether changes in perceived integrity and legitimacy occur due to the inherent tie between campaign finance and elections, or simply due to the presence of an election. Merely comparing a condition where a candidate is elected and receives no personally solicited campaign finance and a condition in which a candidate is elected and receives personally solicited campaign finance misses crucial intermediary comparative steps, steps that permit a

heightened understanding of how elections, appointments, personally solicited and committee

raised campaign finance each relate to judicial legitimacy.

After completing the vignette, the bottom of the page contains three questions - common

among all four conditions. These questions measure the perceived trust or integrity respondents

have in the hypothetical candidate presented. The questions are taken from Gibson and Caldeira's

2011 study on judicial impartiality and campaign contributions and slightly altered to fit this

survey. Table 3 displays these questions and answer choices.

Table 3. Measures of Judicial Legitimacy

(#) Question	Responses
(#1) Based upon this candidates profile, rate your feelings about this candidates ability to serve as a judge in your state	I strongly believe this candidate can serve as a fair and impartial judge I somewhat believe this candidate can be a fair and impartial judge I have no belief on whether this candidate can or cannot be fair and impartial I somewhat believe this candidate cannot be a fair and impartial judge I strongly believe this candidate cannot be a fair and impartial judge
(#2) How likely are you to accept decisions made by this judge as impartial, fair and legitimate	Very likely Somewhat likely Not very likely
(#3) Assume for the moment that all judges on the North Carolina Supreme Court were selected in the same way as this judge. Rate your agreement with the following statement. The North Carolina Supreme Court is Legitimate Institution.	Strongly Agree Agree Disagree Strongly Disagree

Responses to question 1, are scored from 1 (strongly believe this candidate *cannot* be a fair and impartial judge) to 5 (I strongly believe this candidate *can* serve as a fair and impartial judge). Responses to question 2 are scored from 1 (Not very likely) to 3 (Very likely). Finally, responses to question 3 are scored from 1 (Strongly Disagree with NC Supreme Court being a legitimate institution) to 4 (Strongly Agree with NC Supreme Court being a legitimate institution). Responses to these three questions can be summed together to create a single variable that measures the index of judicial legitimacy. This variable will have values that range from 3 (lowest possible legitimacy) to 12 (highest possible legitimacy). Because each of these responses are scored on a modified Likert scales, they can be treated as interval level variables.

Next, respondents are asked a pair of true and false questions about the candidate (question numbers four and five) that serve as manipulation checks. Because campaign finance and elections are only mentioned in a single line of the vignette to prevent priming respondents, change in the dependent variable is subtle. The questions and answers for the manipulation check are listed below in table 4. Table 5, also below, shows how often survey respondents correctly recognized changes in the dependent variable.

Table 4. Manipulation Check Answers by Condition

Question	Correct Answer			
	Control	Treatment 1	Treatment 2	Treatment 3
This Judge accepted campaign contributions (T or F)	False	False	True	True
This Judge was elected (T or F)	False	True	True	True

Table 5. Manipulation Check by Condition

Condition	N	% Correct	N	% Wrong
Control	35	52.2	32	47.8
Treatment 1	53	60.9	34	39.1
Treatment 2	58	70.7	24	29.3
Treatment 3	56	74.6	19	25.4
Total	202	65.0	109	35.0

35% of those sampled answered at least one of the manipulation check questions incorrectly. This number was exceptionally high in the first condition, when nearly half of all respondents answered one of the two questions incorrectly.

After the completion of the vignette, survey questions, and manipulation checks, survey respondents answered a set of demographic questions, listed below in Appendix III. These questions ask about a respondent's age, race, gender, citizenship status, socioeconomic status, political party affiliation, political ideology, year in school, and religious affiliation. Also included are questions regarding the respondent's level of political involvement. These questions ask whether the respondent voted in the last election, has ever donated money to a political candidate, has ever worked or volunteered for a political campaign, or has ever publicly displayed support of a political candidate.

The independent variable in this experimental survey is campaign finance, represented by condition. The presence of campaign finance here is a binary, but with some conditions. Campaign finance is present in conditions number three and four, but is not present in conditions number one and two. However condition number three includes only personal solicitation of campaign finance, while condition number four includes only campaign finance raised through a

campaign committee. The dependent variable here is judicial legitimacy, as measured by the omnibus variable that combines the responses of the three questions listed in table 3.

Based upon my hypotheses, I expected that the highest ratings of judicial legitimacy would occur in the second vignette - where the justice is elected, but any solicitation of campaign finance is barred. Existing scholarship indicates that the public prefers an elected judiciary, but recognizes the demands of campaigning and campaign finance compromise judicial integrity (Gibson & Caldeira 2011, Gibson et. al, 2010). The second vignette strikes a perfect balance between these two conditions. I anticipate that the second highest ratings of judicial integrity will occur in the third and fourth vignettes if my theoretical foundation is sound. In the third condition the justice is elected, and personally solicited campaign finance. In the fourth condition the justice is elected, and received campaign funding through a campaign committee, but personally solicited no funds. As prior research above has indicated, the public views the judicial accountability that elections provide as outweighing the drawback of compromised judicial impartiality that campaign funding provides. This makes the third and fourth vignettes more attractive than the first, where no judicial accountability is present, and the net positive that an election has upon judicial integrity is not seen. But extant research has also shown that the public has low knowledge of the judiciary (Jamieson and Hennessy 2006). Because of this lack of judicial knowledge, I foresee no difference in perceived legitimacy between a candidate who personal solicited campaign funds and a candidate whose campaign funds are raised through a campaign committee. This distinction is the only difference between vignettes three and four, with the amount of campaign funds identical in each condition. I find it unlikely that the public has the level of expertise to know the different methods of raising campaign funding in state judicial elections without each being explicitly mentioned. The first vignette, where the justice is

appointed, will then have the lowest ratings of judicial integrity. The public prefers judicial accountability to some level of compromised impartiality, as some prior scholarship suggests (Gibson et. al, 2010).

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VII. RESULTS

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To maintain the principles of random assignment, all respondents are included in the analysis unless otherwise noted ($n = 311$). Some analysis of only those who answered the manipulation check questions correctly is also presented ($n = 202$). More weight must be assigned to analysis that includes all survey respondents because this analysis maintains the principles of randomness and random assignment. Because this data has a categorical IV (Condition) and interval DV (Judicial Legitimacy Index), a one-way ANOVA was conducted to determine if ratings of Judicial Legitimacy were different depending upon the campaign finance and method of selection for this hypothetical judicial candidate. The Judicial Legitimacy Index is the omnibus variable that sums responses to the three questions listed in table 2. This variable ranges from 3 (lowest possible rating of legitimacy) to 12 (highest possible rating of legitimacy). For this hypothesis testing:

$$H_0: \mu1 = \mu2 = \mu3 = \mu4$$

Ha: The population means are not all equal

The results of this one-way ANOVA are presented below in table 5 and 6. Table 5 presents the one-way ANOVA when only including respondents who answered the manipulation check correctly, while table 6 presents the one-way ANOVA using all respondents. There was not a statistically significant difference between each of the groups in either testing, as determined by the one-way ANOVA including only those answered the manipulation check correctly ($F(3,198) = 0.92$, $p = 0.4298$) and all respondents ($F(3,307) = 1.37$, $p = 0.4298$)at an α level of 0.05. As a

result we *cannot* reject the null hypothesis that the population means for each condition are equal. Because the results of this one-way ANOVA are not statistically significant, no *post-hoc* tukey testing was required. The group means and standard deviations are displayed below in table 7.

Table 5. One-Way ANOVA For Judicial Legitimacy Index, Manipulation Check Correct

	Sum of Squares	df	Mean Square	F	Sig (P > F)
Between Groups	5.59	3	1.86	0.92	0.4298
Within Groups	399.22	198	2.02		
Total	404.82	201	2.01		

Table 6. One-Way ANOVA For Judicial Legitimacy Index, All Respondents

	Sum of Squares	df	Mean Square	F	Sig (P > F)
Between Groups	10.63	3	3.54	1.37	0.2515
Within Groups	792.86	307	2.58		
Total	803.49	310	2.59		

Table 7. Judicial Legitimacy (Index) By Conditions, All Respondents

Condition	Mean (3-12)	Std. Dev	N
$0, Appointed (Control)	10.73	1.63	67
$0, Elected (Treatment I)	10.83	1.48	87
$480,427 personally solicited, elected (Treatment II)	10.38	1.87	82
$480,427 through committee, elected (Treatment III)	10.80	1.40	75
Total	10.68	1.61	311

One-way ANOVA was also conducted on each of the individual questions measured in table 3. Just as before the IV (Condition) here is categorical, and the DV (each individual question used to measure judicial legitimacy) is interval. Our *Ho* and *Ha* remain the same as well. Results for the one-way ANOVA on question one (Candidate Fairness/Impartiality**)** for all respondents are displayed below in table 7. There was not a statistically significant difference in ratings of candidate impartiality between each condition as determined by the one-way ANOVA ($F(3, 307)$ = 1.55, p = 0.2022) at an α level of 0.05. Even when analysis only included those respondents that answered the manipulation check correctly, there was not a statistically significant difference in ratings of candidate impartiality between each of the groups as determined by the one-way ANOVA ($F(3,198)$ = 1.03, p = 0.3798) at an α level of 0.05 (see table A.11). As a result we *cannot* reject the null hypothesis that the population means for each condition are equal. Because the results of these one-way ANOVA's are not statistically significant, no *post-hoc* tukey testing was required. The group means and standard deviations are displayed in the appendix.

Table 8. One-Way ANOVA For Candidate Rating of Fairness/Impartiality (Question #1), All Respondents

	Sum of Squares	df	Mean Square	F	Sig (P > F)
Between Groups	3.20	3	1.07	1.55	0.2022
Within Groups	214.94	198	.63		
Total	126.89	201	.63		

Results for the one-way ANOVA test on question two (Institutional Legitimacy**)** are displayed below in table 9. There was not a statistically significant difference in ratings of institutional legitimacy between each of the groups as determined by the one-way ANOVA ($F(3,307)$ = 1.54, p = 0.2046) at an α level of 0.05. Even when analysis only includes those respondents that answered the manipulation checks correctly, there was not a statistically

significant difference in ratings of institutional legitimacy between each of the groups as determined by the one-way ANOVA $F(3,198) = 0.90, p = 0.4411$) at an α level of 0.05 (see table A.12) As a result we *cannot* reject the null hypothesis that the population means for each condition are equal. Because the results of these one-way ANOVA's are not statistically significant, no *post-hoc* tukey testing was required. The group means and standard deviations are displayed in the appendix.

Table 9. One-Way ANOVA For Institutional Legitimacy (Question #2), All Respondents

	Sum of Squares	df	Mean Square	F	Sig (P > F)
Between Groups	1.13	3	.38	1.54	0.2046
Within Groups	74.85	307	.24		
Total	75.98	310	.25		

Results for the one-way ANOVA test on question three (Likelihood of Accepting Judicial Decision/Ruling**)** are displayed below in table 10. There was not a statistically significant difference in ratings of likelihood of accepting decisions as legitimate between each of the groups as determined by the one-way ANOVA for all respondents ($F(3,307) = 0.59, p = 0.6212$) and those that answered the manipulation check correctly ($F(3,198) = 0.55, p = 0.6517$) at an α level of 0.05 (see table A.13). As a result we *cannot* reject the null hypothesis that the population means for each condition are equal. Because the results of this one-way ANOVA are not statistically significant, no *post-hoc* tukey testing was required. The group means and standard deviations are displayed in the appendix.

Table 10. One-Way ANOVA For Likelihood of Accepting Decisions as Legitimate (Question #3), All Respondents

	Sum of Squares	df	Mean Square	F	Sig (P > F)
Between Groups	.86	3	.29	0.59	0.6212
Within Groups	149.54	307	.49		
Total	150.40	310	.49		

To further test my hypothesis I present the following linear model for regression:

$$Y_I = B_0 + B_1X_1 + B_2X_2 + B_3X_3 + B_4X_4$$

Where B_0 is a constant, X_1 is a dummy variable that equals one when the judge is elected, but receives no campaign finance (treatment one), X_2 is a dummy variable that equals one when the judge is elected and receives \$480k in personally solicited campaign finance (treatment two), X_3 is a dummy variable that equals one when the judge is elected and receives \$480k in campaign finance from a campaign committee (treatment three), and X_4 represents possible covariates. The reference category for multiple regression analysis is the control condition, where the hypothetical judicial candidate is appointed and receives no campaign finance. If my hypothesis is correct, we should see the following:

$$B_1 + B_0 > B_3 + B_0 == B_2 + B_0 > B_0.$$

The Null and Alternate Hypothesis for multiple regression is listed below.

$$H_0: \beta_1 = \beta_2 = ... = \beta_k = 0$$
$$H_a: \text{At least one } \beta \text{ is not } 0$$

Table 11: Effect of treatments on Judicial Legitimacy
All Respondents
With Covariates Included in Regression
DV: **Judicial Legitimacy Index** (3 = No Legitimacy, 12 = High Legitimacy)

	Coef.	Std. Err.	T	P-value
Treatment One	-.040	.129	-0.31	.756
Treatment Two	-.203	.136	-1.49	.137
Treatment Three	.118	.137	0.86	.392
SES	-.069	.063	-1.09	.278
Race (White = 0)	.090	.292	0.31	.757
Female	.072	.095	.76	.450
Ideology	-.076	.029	-2.67	**.008
Political Involvement	.028	.030	0.94	.347
SES*Race	-.116	.099	-1.17	.244
Constant	11.617	1.05	11.10	

N = 306
$F_{(9, 296)} = 3.15$
Prob > F = .0012
R-Squared = .0596

Note: ** Designates $P \leq 0.01$, * Designates $P \leq 0.05$

Table 11, above, presents a multiple linear regression to predict judicial legitimacy ratings based upon treatment for all respondents. This table includes covariates in the regression as well as the IV's. The regression equation found was not significant ($F_{(9,296)} = 3.15$, p =.0012), with an R^2 of .0596 for all respondents. The participants predicted rating of judicial legitimacy is equal to 11.617 - .040 (Treatment One) - .203 (Treatment Two) + .118 (Treatment Three) -.069 (SES) + .090 (Race) + .072 (Female) - .076 (Ideology) + .028 (Political Involvement) -.116 (SES*Race). Treatment One, Two and Three are each dummy variables that take on the value of 1 or 0 based upon the condition. SES is an ordinal variable that ranges from 1 (Upper Class) to 5 (Working/Lower Class). Race is a dummy variable that takes on the value of 1 if respondent is not white, and 0 if respondent is white. Female is also a dummy variables that take on the value of 1 or 0 based upon gender of respondent. Ideology is an ordinal variable that ranges from 1 (Very Liberal) to 5 (Very Conservative). Political Involvement is an omnibus variable ranging from 5

(Most Involved) to 15 (Least Involved). SES*Race is an interaction term that multiplies SES by

race, ranging from 0 to 5. Ideology was the only statistically significant independent variable,

with a significant negative effect on ratings of judicial legitimacy at the α = 0.01 level. This

means that the more conservative a respondent is, the less legitimacy they assigned the judiciary.

Table 12: Effect of treatments on Judicial Legitimacy
With Covariates Included in Regression
Respondents Who Answered Manipulation Check Correctly
DV: **Judicial Legitimacy Index** (3 = No Legitimacy, 12 = High Legitimacy)

	Coef.	Std. Err.	T	P-value
Treatment One	-.199	.310	-0.64	.521
Treatment Two	-.525	.324	-1.62	.106
Treatment Three	-.222	.320	-0.70	.487
SES	-.142	.141	-1.01	.315
Race (White = 0)	.568	.620	0.36	.361
Female	.057	.213	0.27	.790
Ideology	-.079	.064	-1.24	.218
Political Involvement	.007	.066	0.10	.922
SES*Race	-.200	.213	-0.94	.349
Constant	11.171	1.04	11.45	

N = 201
F(9,191) = 1.12
Prob > F = .3757
R-Squared =.0038

Note: ** Designates P ≤ 0.05, * Designates P ≤ 0.10

A multiple linear regression was calculated to predict judicial legitimacy ratings based

upon treatment for all respondents who answered the manipulation check questions correctly. The

results of this regression can be found in Table 12, above. This regression did include covariates.

The regression equation found was not significant (F(9,191) = 1.12, p =.3757), with an R^2 of

0.0038. The participants predicted rating of judicial legitimacy is equal to the equation 11.171 -

.199 (Treatment One) - .525 (Treatment Two) - .222 (Treatment Three) -.142 (SES) -.568 (Race)

+ .057 (Female) - .079 (Ideology) + .007 (Political Involvement) -.200 (SES*Race). None of the

covariates or independent variables had a statistically significant effect on mean ratings of judicial

legitimacy.

Table 13: Effect of treatments on Judicial Legitimacy
No Covariates Included
All Respondents
DV: **Judicial Legitimacy Index** (3 = No Legitimacy, 12 = High Legitimacy)

	Coef.	Std. Err.	T	P-value
Treatment One	.096	.261	0.37	.713
Treatment Two	-.353	.265	-1.33	.183
Treatment Three	.069	.270	0.25	.800
Constant	10.731	.196	54.66	-

N = 310
F(3,307) = 1.37
Prob > F = .2515
R-Squared = 0.0036

Note: * Designates P ≤ 0.05

A multiple linear regression was also conducted to predict judicial legitimacy ratings

based upon treatment for all respondents, without using covariates. The results of this regression

can be found in Table 13, above. The regression equation found was not significant ($F(3,307) =$

1.37, p =.2515), with an R^2 of 0.0036. The participants predicted rating of judicial legitimacy is

equal to the equation 11.171 + .096 (Treatment One) - .353 (Treatment Two) + .069 (Treatment

Three). None of the conditions had a statistically significant effect on mean ratings of judicial

legitimacy.

Table 14, below, presents the results of a multiple linear regression used to predict ratings

of judicial legitimacy based upon treatment. This multiple linear regression only includes

respondents who answered the manipulation check correctly. The regression equation found was

not significant ($F(3,198) = 0.92$, p =.4298), with an R^2 of 0.0138. The participants predicted rating

of judicial legitimacy is equal to the equation 11.171 - .190 (Treatment One) - .482 (Treatment

Two) - .314 (Treatment Three). None of the conditions had a statistically significant effect on

mean ratings of judicial legitimacy for respondents who answered the manipulation check

correctly.

Table 14: Effect of treatments on Judicial Legitimacy
Respondents Who Answered Manipulation Check Correctly
DV: **Judicial Legitimacy Index** (3 = No Legitimacy, 12 = High Legitimacy)

	Coef.	Std. Err.	T	P-value
Treatment One	-.190	.309	-0.62	.539
Treatment Two	-.482	.304	-1.59	.115
Treatment Three	-.314	.306	-1.03	.306
Constant	11.171	.240	46.54	-
	N = 202			
	F(3,198) = .92			
	Prob > F = .4298			
	R-Squared = 0.0138			

Note: * Designates P ≤ 0.05

Tables A.5 through A.16, found in the appendix, display the results of multiple regression

analysis on each of the individual questions measured in table 3. Tables A.5 through A.7 display

the results of multiple regression analysis without covariates when only including respondents

who answered manipulation checks correctly. The second treatment condition ($480,427

personally solicited, elected judge) had a statistically significant (negative) effect on mean ratings

of individual candidate legitimacy (question #1 in table 3) at the α level of 0.10. All other

treatment conditions did not have a statistically effect on mean ratings of candidate legitimacy,

and institutional legitimacy, or likelihood of respondent to accept decisions. Tables A.11 through

A.13 display the results of multiple regression analysis with covariates when only including

respondents who answered manipulation checks correctly. The second treatment condition's

statistically significant negative effect on mean ratings of individual candidate legitimacy at the

0.10 = α level remained when adding in additional covariates. Additionally, all other treatment

conditions remained not statistically significant at the individual question level when controlling

for the effects of covariates. The only covariate that was statistically significant was

socioeconomic status, which had a statistically significant negative effect on the likelihood that a respondent will accept decision made by the judiciary as legitimate at the $\alpha = 0.10$ level.

Tables A.8 through A.10 displays the results of multiple regression analysis without covariates including all respondents. All treatment conditions did not have a statistically significant effect on mean ratings of candidate legitimacy, and institutional legitimacy, and likelihood of respondent to accept decisions made by the judiciary. Tables A.14 through A.16 display the results of multiple regression analysis including all respondents with covariates. All treatment conditions remained not statistically significant at the individual question level when controlling for the effects of covariates. The only covariate that had a statistically significant effect on mean ratings was ideology. Ideology had a significant positive effect on mean ratings of candidate impartiality (question #1) at the $\alpha = 0.01$ level, and a significant negative effect on mean ratings of institutional legitimacy (question #2) at the $\alpha = .01$ level. This means that the more conservative a respondent is, the higher they rated the judicial candidates impartiality, and the lower they rated the legitimacy of a court made up of members like this candidate.

Because multiple regression analysis found that the treatment did not have a statistically significant effect on ratings of judicial legitimacy, we are not able to reject the null hypothesis that $H_0: \beta_1 = \beta_2 = ... = \beta_k = 0$.

IX. DISCUSSION

As the multiple regression and one-way ANOVA testing showed, the treatment did not have a significant effect on ratings of judicial legitimacy for survey respondents, whether the manipulation was recognized or not. The treatment condition with an elected judge who received no campaign finance had the highest mean rating of judicial legitimacy ($u = 10.83$), followed by the treatment condition with an elected judge who received $480,427 in campaign finance via a

campaign committee ($u = 10.80$), and then the control condition with an appointed judge who received no campaign finance ($u = 10.73$). The lowest rating of judicial legitimacy was found in treatment condition number three, where the judge was elected and personally solicited $480, 427 ($u = 10.38$). While this ordering fits partially with our theoretical expectations, the differences in mean ratings of judicial legitimacy between conditions was not statistically significant, and this ordering of ratings has a very high likelihood of occurring due to chance.

This refutes **H1:** That Survey respondents will rate elected judges and an elected judiciary as more impartial, fair and legitimate than an appointed judge and judiciary. Because the difference in mean ratings of judicial legitimacy between conditions is not statistically significant, we can't reject the null hypothesis that the four mean ratings are identical. This flies in the face of extant literature that suggests that elections are legitimacy conferring for the judiciary (Gibson 2009, Gibson 2008). Here, elected judges were not rated as significantly more impartial, fair and legitimate than appointed judges.

Because the data suggests that no relationship exists between campaign finance, judicial elections and judicial legitimacy, the data provides support for **H2 --** That survey respondents will rate elected judges who personally solicit campaign finance no differently than elected judges who receive campaign finance through other sources. The difference of means between these two treatment conditions (Condition 2 and Condition 3) was not statistically significant. This does suggest that the *source* of campaign finance does not affect the way the public views the judiciary. Because *Williams-Yulee v Florida Bar (2015)* specifically banned *personally solicited* campaign finance, this distinction has particular significance. If the public does not believe that personally solicited campaign finance compromises the impartiality of the courts any more than campaign finance coming from a campaign committee or political action committee, the Courts

ruling will not have the intended effect. Either the Court ought to ban *all* campaign finance from judicial elections, or they ought to permit all types of campaign finance because the public fails to distinguish between methods of raising campaign finance

In many respects, the results of this study ought to be refreshing for those concerned with the future of the judiciary in the United States. If the concern with judicial elections is that the presence of campaign finance will compromise the perceived impartiality and legitimacy of the courts, this study is particularly comforting. The results of this study indicate that the presence of campaign finance in judicial elections does *not* compromise perceived impartiality and legitimacy for state courts. Experimental design allows for a great deal of confidence in causal inferences and ensures a high level of internal validity, and these results provide support for the idea that unlike other American political institutions, the Court has a "reservoir of goodwill" which it can use to protect its institutional legitimacy from the negative effects of traditional legitimacy depleting actions (Gibson and Caldeira, 2007).

If, as this study suggests, elections do not confer legitimacy for the judiciary, state courts can use this to their advantage. As discussed earlier, a vast body of research indicates the electoral process compromises judicial decision-making (Bonneau 2007, Huber and Gordon 2004). Judges are more likely to rule in favor of litigants who donated money to their campaigns, and are harsher on crime in election years (Shepherd 2013). If we know that elections *actually* compromise the impartiality of judges, the rationale for electing justices is the legitimacy boost the institution receives. But this study indicates that judicial elections do not confer *any* additional legitimacy for the judiciary, refuting a common argument to justify electing judges. Instead, judiciaries can use an independent commission to select judges for life appointments. This study

suggests that appointing judges will not deplete the reservoir of goodwill the judiciary possesses, instead leading to judges that are *actually* able to serve impartially.

Further this research challenges scholarly understanding of how the public thinks about judicial legitimacy and impartiality when they are not primed to think about traditionally legitimacy-depleting information. Existing experimental research on judicial legitimacy has involved showing survey respondents attack ads (Gibson 2008, Gibson et. al 2011), or presented an extended vignette about a conflict of interest arises for a judicial official (Gibson 2009). This study, on the other hand, presents only one to two lines in a three-paragraph candidate profile about campaign activity and campaign finance, subtly manipulating the variable of interest to present the more properly contextualized information. This study does directly contrast existing research, finding that campaign finance and campaign activity do not have *any* significant positive or negative effect on judicial legitimacy and impartiality. It may be the case that when campaign activity and campaign finance are contextualized within the profile of a well-rounded candidate with qualifications and experience, survey respondents no longer over-weight this information about campaign activity when determining candidate impartiality and legitimacy. Research within the discipline ought to investigate this question of salience and judicial legitimacy further. For example, a study in which attack ads, a bio and a speech from the candidate are presented can allow scholars to understand how the salience of particular information affects legitimacy.

While much scholarship has found that the public support for the courts is rather stable, even in the face of ideological difference (Gibson & Caldeira, 2009, Gibson & Nelson, 2014), some studies have shown that the judiciary's legitimacy is subject to the effects framing and ideological disagreement (Bartels & Johnson, 2014, Baird & Gangl, 2006). This study did

uncover a relationship between ideology and institutional legitimacy, finding that ideology had a statistically significant negative effect on the omnibus measure of judicial legitimacy. This finding can add to the body of research on ideology and judicial legitimacy that has often reached conflicting findings. The hypothetical candidate profile presented to survey respondents was devoid of any overtly partisan indicators and stripped of party affiliations. Still, political ideology influenced the way respondents assigned legitimacy to the courts. Further research on how ideology frames the way publics think about political institutions can show if this finding is a harbinger of a fundamental ideological divide, or a mere coincidence. .

IX. FUTURE INQUIRY / CONCLUSIONS

The first limitation of any findings from this study is its confinement to an experimental setting. While utilizing an experimental vignette allows for better control over the influence of exogenous factors that are rife in any actual election, one must question the external validity of results arriving from an experimental setting. The sample of largely 18-22 year old college students enrolled in Poli100 at UNC Chapel Hill is in no way representative of the general electorate, limiting the generalizability of the findings of this study.

Another limitation that is a direct result of the survey sample may be the lack of attention survey respondents provided to the questionnaire. Students were provided credit for completion of the survey, not for providing genuine, thoughtful answers. Qualtrics provides data on how long each respondent took to complete the survey. The median amount of time to complete the survey was 3.89 minutes, despite the fact it was estimated to take between 15-20 minutes. It is likely that students attempting to receive academic credit for a minimal effort simply clicked through the survey as quickly as possible. More than a dozen respondents finished the survey in under 1.5 minutes. While some of these respondents were excluded from analysis for answering the

manipulation checks incorrectly, the fundamental incentive problem is one that must be considered when analyzing the results of this study.

It is also unclear if the three questions used to measure judicial legitimacy are the best measures of this DV. While these questions and responses were used in previous research (Gibson 2009) to measure judicial legitimacy and perceived impartiality, no measure of test-retest reliability or internal consistency is provided. It is possible that these questions measure different things. For example, question one (rate your feelings about this candidates ability to serve as a judge in your state) asks about candidate impartiality, rather than institutional legitimacy. On the other hand, question three asks about the NC Supreme Court, directly asking about institutional legitimacy. If these two measurements are of distinct DV's, they should not be put together to create a single index variable of judicial legitimacy.

While most research within the subfield of judicial legitimacy has made campaign finance and campaigning *too* salient by priming survey respondents, it is possible that the manipulation of the DV in this study was too *subtle* to get accurate measures of judicial legitimacy and impartiality. Around 1/3 of all survey respondents ($n = 109$) answered at least one of the two manipulation checks incorrectly. Based upon that high level of failure, it is likely that some respondents who answered the manipulation checks correctly, and were hence included in my analysis, simply guessed and happened to be right. It may be the case that the reason all existing scholarship on judicial legitimacy and public opinion does not fully contextualize campaign activity is that when campaign activity is contextualized, respondents are likely to overlook, underweight or ignore the information. Future research would be wise to strike a balance between the priming of campaign activity in previous studies and the under-salience of campaign finance in this research.

Additionally, it is possible that the effects of the manipulation were dampened by the qualifications of this judicial candidate. Justice Mary Yu, whose profile was used for this hypothetical candidate vignette, has a long list of qualifications, awards and experience that seems to rather clearly qualify them for judicial office. It might be the case that campaign finance and elections only alter judicial legitimacy in the case of less qualified candidates. If this is the case, then this hypothetical candidate was so qualified that the effects of campaign finance and elections upon legitimacy would not be noticeable. Further research within this subfield would be wise to present the same conditions but across a wider range of qualifications in hypothetical candidate profiles.

A plausible theory that explains the non-significant differences in mean ratings of judicial legitimacy across the treatment conditions comes from the low level of knowledge that the public has about the state judiciary. Research on public understanding of the judiciary has found that the electorate knows alarmingly little about the role of the Supreme Court, let alone state courts (Jamieson and Hennessy 2006). Because the public generally has such a low level of knowledge about the judiciary, it is entirely possible that survey respondents simply were unaware of alternative methods of selection for justices. For example, a respondent may not know that judges can be both elected and appointed – and they certainly may not know the different methods, rules and regulations surrounding campaign finance in judicial elections. This may have led to a status quo bias for survey respondents. Because no other alternatives were ever listed in the questionnaire, respondents may have assumed that the information about method of selection and sources of campaign finance listed in the survey were the only possible options for a state Supreme Court judge. As a result, they may not have considered whether the method of selection and sources of campaign finance were the optimal legitimacy maximizing choices. Further

research within this subfield can more definitely provide an answer to this theory by including questions about political and judicial knowledge within these survey experiments.

On the other end of the spectrum, exceptionally knowledgeable respondents may have also made assumptions based upon prior knowledge that altered results. Only the fourth vignette makes explicit references to each of the two methods of raising campaign finance in judicial elections. This was done to prevent priming the survey respondent of the issues being measured, and to limit making a particular topic too salient. But, still a knowledgeable respondent may recognize this omission and be forced to make some assumptions about the method of campaign finance not explicitly mentioned. For example, vignette three reads: "This justice is up for re-election this year, and personally solicited $480,427 in campaign contributions. These contributions came from a variety of sources, including businesses, interest groups and attorneys." But this vignette makes no mention of the presence of campaign funds raised through a campaign committee. It would not be unreasonable for a knowledgeable respondent to assume that further money was raised through this method, altering their perceived impartiality rating for this candidate. This level of uncertainty could cause variance amongst the survey respondents and cause validity complications.

Similarly the vignettes fail to present a range of financial contributions. Does the amount of money personally solicited by a judge affect public perception? By only presenting a single amount of campaign funding ($480,427) it is impossible to determine how the amount of money raised alters public perception. Intuitively it seems unlikely that $1,000 of personally solicited funds would be perceived identically to $1,000,000 by an electorate, but this study does not allow for these distinctions to be made with any quantitative support.

Finally, the realism of these vignettes may be under some question. For example, condition 2, the first treatment condition, states that the candidate is up for 're-election, but receives no campaign finance as it is constitutionally barred in their state". This treatment condition is valuable because it allows us to isolate the effect, of campaign finance, from the effect of elections. But this treatment is also unrealistic – no state exists where a judge is elected but is barred from receiving any campaign finance. Further, it is quite difficult to isolate the exact source of all campaign finance. It seems unlikely that a candidate would receive $480k in campaign finance and all of that money be directly identified as the product of personal solicitations. This limits the generalizability and external validity of the results of this study.

In sum, this study provides empirical evidence to begin answering the question that Antonin Scalia asked in *Williams-Yulee v. Florida Bar (2015)*: Does (personally solicited) campaign finance negatively affect judicial legitimacy. The answer, according to this study, is a resounding no. Through experimental survey research with embedded vignettes, this study used One-Way ANOVA and multiple regression tests to find a non-statistically significant relationship between judicial legitimacy and campaign finance. However, these findings are directly in contrast with most existing scholarship, and questions remain about the external validity and generalizability of this study. To help answer these questions, and better understand the relationship between campaign finance, judicial elections and judicial legitimacy, it is my hope that scholars continue to build upon this research.

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Appendix I – Data and Tables

A.1 Judicial Legitimacy (Index) Rating By Conditions, Manipulation Check Correct

Condition	Mean (3-12)	Std. Dev	N
$0, Appointed	11.17	.92	35
$0, Elected	10.98	1.58	53
$480,427 personally solicited, elected	10.69	1.58	58
$480,427 through committee, elected	10.86	1.34	56
Total	10.90	-	202

A.2 Ratings of Candidate Impartiality By Conditions, Manipulation Check Correct

Condition	Mean (1-5)	Std. Dev	N
$0, Appointed	4.83	.38	35
$0, Elected	4.60	.88	53
$480,427 personally solicited, elected	4.53	.94	58
$480,427 through committee, elected	4.64	.72	56
Total	4.63	-	202

A.3 Likelihood of Accepting Decisions By Conditions, Manipulation Check Correct

Condition	Mean (1-3)	Std. Dev	N
$0, Appointed	2.77	.43	35
$0, Elected	2.75	.43	53
$480,427 personally solicited, elected	2.67	.51	58
$480,427 through committee, elected	2.76	.47	56
Total	2.74	-	202

A.4 Institutional Legitimacy By Conditions, Manipulation Check Correct

Condition	Mean (1-4)	Std. Dev	N
$0, Appointed	3.57	.56	35
$0, Elected	3.62	.63	53
$480,427 personally solicited, elected	3.48	.60	58
$480,427 through committee, elected	3.44	.66	56
Total	3.52	-	202

Table A.5: Multiple Regression: Condition & Candidate Impartiality
Manipulation Check Correct
Effect of treatments on Candidate Impartiality
DV: Candidate Impartiality (1 = Not Very Fair, Not Impartial, 5 = Very Fair, Impartial)

	Coef.	Std. Err.	T	P-value
Treatment One	-.225	.173	-1.30	.195
Treatment Two	-.294	.170	-1.73	*.085
Treatment Three	-.186	.171	-1.09	.279
Constant	4.828	.134	35.96	-

N = 202
F(3,198) = 1.03
Prob > F = .3798
R-Squared = 0.0154

Note: ** Designates P ≤ 0.05, * Designates P ≤ 0.10

Table A.6: Multiple Regression: Condition & Likelihood of Accepting Decision
Manipulation Check Correct
Effect of treatments on Likelihood of Accepting Decision
DV: Likelihood of Accepting Decision (1 = Not Very Likely, 3 = Very Likely)

	Coef.	Std. Err.	T	P-value
Treatment One	-.016	.101	-0.17	.869
Treatment Two	-.099	.099	-1.00	.321
Treatment Three	-.004	.100	-0.04	.972
Constant	2.771	.0785	35.29	-

N = 202
F(3,198) = 0.55
Prob > F = .6517
R-Squared = 0.0082

Note: * Designates P ≤ 0.05

Table A.7: Multiple Regression: Condition & Institutional Legitimacy
Manipulation Check Correct
Effect of treatments on Institutional Legitimacy
DV: Institutional Legitimacy (1 = Not Very Legitimate, 4 = Very Legitimate)

	Coef.	Std. Err.	T	P-value
Treatment One	-.051	.134	0.38	.703
Treatment Two	-.088	.132	-0.67	.503
Treatment Three	-.125	.133	-0.94	.348
Constant	3.571	.104	34.25	-

N = 202
F(3,198) = 0.90
Prob > F = .4411
R-Squared = 0.0135

Note: * Designates P ≤ 0.05

Table A.8: Multiple Regression: Condition & Candidate Impartiality
All Respondents
Effect of treatments on Candidate Impartiality
DV: Candidate Impartiality (1 = Not Very Fair, Not Impartial, 5 = Very Fair, Impartial)

	Coef.	Std. Err.	T	P-value
Treatment One	-.037	.135	-0.28	.783
Treatment Two	-.222	.137	-1.62	.106
Treatment Three	.041	.140	0.30	.767
Constant	4.61	.101	45.46	-

N = 311
F(3,198) = 1.55
Prob > F = .2022
R-Squared = 0.0149

Note: * Designates P ≤ 0.05

Table A.9: Multiple Regression: Condition & Likelihood of Accepting Decision
All Respondents
Effect of treatments on Likelihood of Accepting Decision
DV: Likelihood of Accepting Decision (1 = Not Very Likely, 3 = Very Likely)

	Coef.	Std. Err.	T	P-value
Treatment One	.034	.080	0.43	.671
Treatment Two	-.104	.081	-1.28	.202
Treatment Three	.045	.083	0.54	.587
Constant	2.70	.060	44.78	-

N = 311
F(3,307) = 1.54
Prob > F = .2046
R-Squared = 0.0148

Table A.10: Multiple Regression: Condition & Institutional Legitimacy
All Respondents
Effect of treatments on Institutional Legitimacy
DV: Institutional Legitimacy (1 = Not Very Legitimate, 4 = Very Legitimate)

	Coef.	Std. Err.	T	P-value
Treatment One	.099	.113	0.88	.382
Treatment Two	-.028	.114	-0.24	.819
Treatment Three	-.018	.117	-0.15	.879
Constant	3.42	.085	40.09	-

N = 311
F(3,307) = 0.59
Prob > F = .6212
R-Squared = 0.0057

Note: * Designates P ≤ 0.05

Table A.11: Multiple Regression: Condition & Candidate Impartiality
Manipulation Check Correct
Effect of treatments on Candidate Impartiality
With Covariates Included in Regression
DV: Candidate Impartiality (1 = Not Very Fair, Not Impartial, 5 = Very Fair, Impartial)

	Coef.	Std. Err.	T	P-value
Treatment One	-.237	.164	-1.44	.151
Treatment Two	-.324	.172	-1.89	*.061
Treatment Three	-.112	.170	-0.66	.443
SES	-.072	.055	-0.96	.340
Race	.410	.200	1.25	.214
Female	.130	.110	1.15	.252
Ideology	-.056	.034	-1.64	.102
SES*Race	-.160	.113	-1.41	.159
Political Involvement	.011	.036	0.32	.751
Constant	4.86	.555	8.76	

N = 201
F(9,191) = 1.90
Prob > F = .0536
R-Squared =.0823

Note: * Designates P ≤ 0.10 ** Designates P ≤ 0.05 *** Designates P ≤ 0.01

Table A.12: Multiple Regression Condition & Likelihood of Accepting Decision
Effect of Treatments on Candidate Impartiality
Manipulation Check Correct
With Covariates Included in Regression
DV: Likelihood of Accepting Decision (1 = Not Very Likely, 3 = Very Likely)

	Coef.	Std. Err.	T	P-value
Treatment One	-.001	.104	0.01	.992
Treatment Two	-.083	.108	-0.77	.444
Treatment Three	-.027	.106	0.25	.801
SES	-.079	.047	-1.88	*.097
Race	-.144	.207	-1.67	.487
Female	-.082	.071	-1.18	.250
Ideology	-.015	.021	-0.57	.566
SES*Race	.037	.071	0.52	.601
Political Involvement	.016	.022	0.73	.469
Constant	2.927	.3496	8.337	

N = 201
F(9,191) = 0.84
Prob > F = .5774
R-Squared =.0382

Note: * Designates P ≤ 0.10 ** Designates P ≤ 0.05 *** Designates P ≤ 0.01

Table A.13 Multiple Regression Condition & Institutional Legitimacy
Effect of Treatments on Institutional Legitimacy
Manipulation Check Correct
With Covariates Included in Regression
DV: Institutional Legitimacy (1 = Not Very Legitimate, 4 = Very Legitimate)

	Coef.	Std. Err.	T	P-value
Treatment One	.037	.138	0.27	.789
Treatment Two	-.118	.143	-0.82	.416
Treatment Three	-.137	.143	-0.96	.339
SES	.008	.063	0.13	.898
Race	.302	.278	1.09	.277
Female	.009	.093	0.10	.922
Ideology	-.011	.029	-0.39	.698
SES*Race	-.077	.095	-0.81	.418
Political Involvement	-.019	.030	-0.62	.537
Constant	3.825	.468	8.17	

N = 201

F(9,191) = 0.52
Prob > F = .8556
R-Squared =.0241

Table A.14: Multiple Regression: Condition & Candidate Impartiality
All Respondents
Effect of treatments on Candidate Impartiality
With Covariates Included in Regression
DV: Candidate Impartiality (1 = Not Very Fair, Not Impartial, 5 = Very Fair, Impartial)

	Coef.	Std. Err.	T	P-value
Treatment One	-.040	.129	-0.31	.756
Treatment Two	-.203	.136	-1.49	.137
Treatment Three	.118	.137	0.86	.392
SES	-.069	.063	-1.09	.278
Race	.090	.292	0.31	.757
Female	.072	.095	0.76	.450
Ideology	.028	.029	-2.67	**.008
Political Involvement	.028	.030	0.94	.347
SES*Race	-.116	.099	-1.17	.244
Constant	4.624	.476	9.70	

N = 306
F(9, 296) = 3.15
Prob > F = .0012
R-Squared =.0087

*Note: * Designates P ≤ 0.05 ** Designates P ≤ 0.01*

Table A.15: Multiple Regression Condition & Likelihood of Accepting Decision
All Respondents
Effect of Treatments on Candidate Impartiality
With Covariates Included in Regression
DV: Likelihood of Accepting Decision (1 = Not Very Likely, 3 = Very Likely)

	Coef.	Std. Err.	T	P-value
Treatment One	.037	.081	0.45	.652
Treatment Two	-.076	.085	-0.89	.375
Treatment Three	.072	.086	0.93	.406
SES	-.050	.040	-1.25	.211
Race	-.258	.183	-1.41	.159
Female	-.086	.059	-1.45	.148
Ideology	-.020	.018	-1.09	.276
Political Involvement	.022	.019	1.18	.241
SES*Race	.043	.062	0.68	.495

Constant	2.77	.299	9.27

N = 306
F(9,296) = 1.66
Prob > F = .0984
R-Squared =.0480

Note: * Designates P ≤ 0.05 ** Designates P ≤ 0.01

Table A.16: Multiple Regression Condition & Institutional Legitimacy
All Respondents
Effect of treatments on Institutional Legitimacy
With Covariates Included in Regression
DV: Institutional Legitimacy (1 = Not Very Legitimate, 4 = Very Legitimate)

	Coef.	Std. Err.	T	P-value
Treatment One	.091	.115	0.79	.429
Treatment Two	-.033	.122	-0.27	.788
Treatment Three	-.016	.122	-0.13	.896
SES	.031	.057	0.55	.582
Race	.192	.261	0.74	.462
Female	.005	.085	0.05	.957
Ideology	-.055	.025	-2.17	**.031
Political Involvement	.019	.026	-0.04	.967
SES*Race	-.095	.089	-1.07	.287
Constant	3.54	.426	8.32	

N = 306
F(9,296) = 0.89
Prob > F = .5320
R-Squared =.0264

Note: * Designates P ≤ 0.05 ** Designates P ≤ 0.01

Table A.17 One-Way ANOVA For Candidate Rating of Fairness/Impartiality (Question #1)
Manipulation Check Correct

	Sum of Squares	df	Mean Square	F	Sig (P > F)
Between Groups	1.95	3	.65	1.03	0.3798
Within Groups	124.94	198	.63		
Total	126.89	201	.63		

Table A.18 One-Way ANOVA For Institutional Legitimacy (Question #2)

Manipulation Check Correct

	Sum of Squares	df	Mean Square	F	Sig (P > F)
Between Groups	1.03	3	.34	0.90	0.4411
Within Groups	75.35	198	.38		
Total	76.38	201	.38		

Table A.19. One-Way ANOVA For Likelihood of Accepting Decisions as Legitimate (Question #3)

Manipulation Check Correct

	Sum of Squares	df	Mean Square	F	Sig (P > F)
Between Groups	.35	3	.12	0.55	0.6517
Within Groups	42.74	198	.22		
Total	43.09	201	.21		

Figure I -- Mean Ratings of Impartiality, Legitimacy, Likelihood of Accepting (By Question), Respondents Who Answered Manipulation Check Correctly
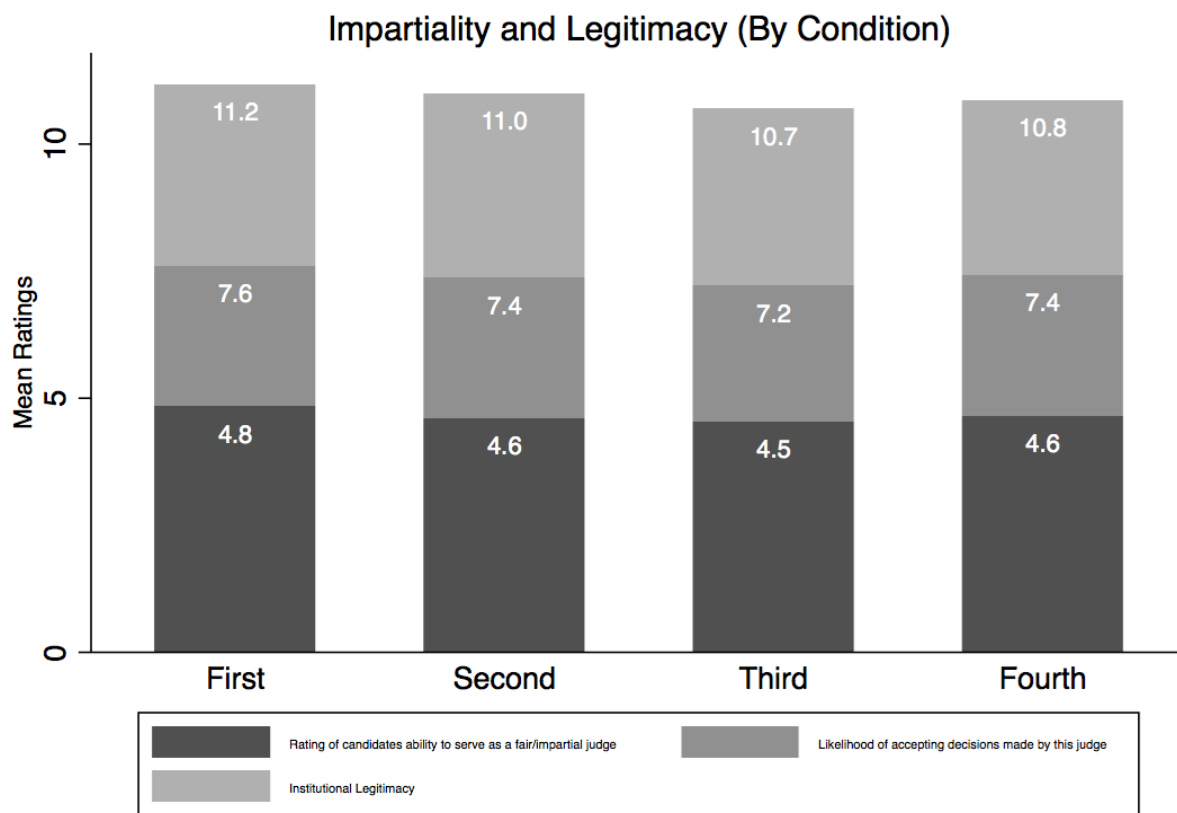
Figure II – Mean Judicial Legitimacy Ratings By Condition, Respondents Who Answered

Manipulation Check Correctly
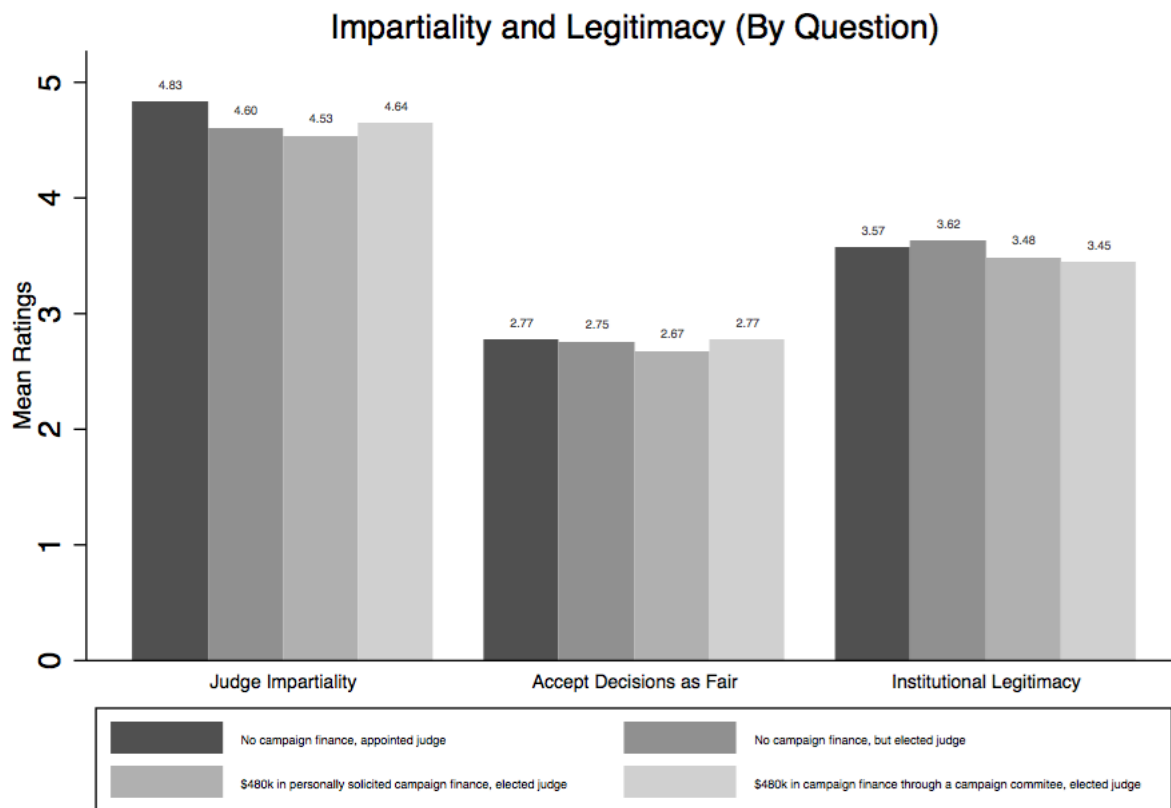
Figure Only Including Those Who Recognized Manipulation (n=202)

Appendix II – Vignettes

Condition 1 (Control) - Appointed Justice, No Campaign Finance

THE UNIVERSITY
of NORTH CAROLINA
at CHAPEL HILL

Thank you for your interest in this study. To begin, please read the profile below of a candidate for judicial office. Once you have finished reading the profile, answer the questions at the bottom of the page.

CANDIDATE PROFILE

Legal/Judicial Experience: Current Supreme Court Justice. Fourteen years as a trial court judge. Served as Deputy Chief of Staff to King County Prosecutor and Deputy in the Civil and Criminal Divisions.

Other Professional Experience: Instructor and Distinguished Jurist in Residence, Seattle University School of Law.

Education: B.A., Dominican University. J.D., University of Notre Dame Law School.

Statement: This justice joined the Supreme Court after serving for fourteen years as a highly respected Superior Court judge, where this justice presided over both criminal and civil cases, including hundreds of adoptions and other family law matters.
This justice was appointed by the governor, and as such will serve a term for life. They received no campaign finance of any kind for 2016.

As a trial court judge, this justice was known for treating everyone with respect and fairness, approaching each case with an open mind, understanding that each decision a judge makes impacts someone's life, and paying careful attention to the law.

Because of this justice's experience, integrity, and impartiality, this judge has received numerous awards including "Judge of the Year" from the Washington State Association for Justice, King County Washington Lawyers, and the Washington State Bar Association; and "Public Official of the Year" from the Municipal League Foundation. This justice also received the highest possible rating - Exceptionally Well Qualified - from all six bar associations that chose to rate this judge.

This justice is endorsed by hundreds of current and former justices and judges, elected leaders, Washington State Patrol Troopers Association, Washington State Labor Council, Democrats, Republicans, Independents, and thousands of civic leaders, small business owners and community members across the state.

Condition 2 (Treatment Group 1) - Elected Justice, But Campaign Funding Barred

THE UNIVERSITY
of NORTH CAROLINA
at CHAPEL HILL

Thank you for your interest in this study. To begin, please read the profile below of a candidate for judicial office. Once you have finished reading the profile, answer the questions at the bottom of the page.

CANDIDATE PROFILE

Legal/Judicial Experience: Current Supreme Court Justice. Fourteen years as a trial court judge. Served as Deputy Chief of Staff to King County Prosecutor and Deputy in the Civil and Criminal Divisions.

Other Professional Experience: Instructor and Distinguished Jurist in Residence, Seattle University School of Law.

Education: B.A., Dominican University. J.D., University of Notre Dame Law School.

Statement: This justice joined the Supreme Court after serving for fourteen years as a highly respected Superior Court judge, where this justice presided over both criminal and civil cases, including hundreds of adoptions and other family law matters.
This justice is up for re-election in 2016, but received no campaign funding of any kind as it is constitutionally barred in this state.

As a trial court judge, this justice was known for treating everyone with respect and fairness, approaching each case with an open mind, understanding that each decision a judge makes impacts someone's life, and paying careful attention to the law.

Because of this justice's experience, integrity, and impartiality, this judge has received numerous awards including "Judge of the Year" from the Washington State Association for Justice, King County Washington Lawyers, and the Washington State Bar Association; and "Public Official of the Year" from the Municipal League Foundation. This justice also received the highest possible rating - Exceptionally Well Qualified - from all six bar associations that chose to rate this judge.

This justice is endorsed by hundreds of current and former justices and judges, elected leaders, Washington State Patrol Troopers Association, Washington State Labor Council, Democrats, Republicans, Independents, and thousands of civic leaders, small business owners and community members across the state.

Condition 3 (Treatment Group 2) - Elected Justice, Personal Solicitation of $480,427 In

Campaign Funds

THE UNIVERSITY
of NORTH CAROLINA
at CHAPEL HILL

Thank you for your interest in this study. To begin, please read the profile below of a candidate for judicial office. Once you have finished reading the profile, answer the questions at the bottom of the page.

CANDIDATE PROFILE

Legal/Judicial Experience: Current Supreme Court Justice. Fourteen years as a trial court judge. Served as Deputy Chief of Staff to King County Prosecutor and Deputy in the Civil and Criminal Divisions.

Other Professional Experience: Instructor and Distinguished Jurist in Residence, Seattle University School of Law.

Education: B.A., Dominican University. J.D., University of Notre Dame Law School.

Statement: This justice joined the Supreme Court after serving for fourteen years as a highly respected Superior Court judge, where this justice presided over both criminal and civil cases, including hundreds of adoptions and other family law matters.
This justice is up for re-election in 2016, and personally solicited $480,427 in campaign contributions. These contributions came from a variety of sources including businesses, interest groups and attorneys.

As a trial court judge, this justice was known for treating everyone with respect and fairness, approaching each case with an open mind, understanding that each decision a judge makes impacts someone's life, and paying careful attention to the law.

Because of this justice's experience, integrity, and impartiality, this judge has received numerous awards including "Judge of the Year" from the Washington State Association for Justice, King County Washington Lawyers, and the Washington State Bar Association; and "Public Official of the Year" from the Municipal League Foundation. This justice also received the highest possible rating - Exceptionally Well Qualified - from all six bar associations that chose to rate this judge.

This justice is endorsed by hundreds of current and former justices and judges, elected leaders, Washington State Patrol Troopers Association, Washington State Labor Council, Democrats, Republicans, Independents, and thousands of civic leaders, small business owners and community members across the state.

Condition 4 (Treatment Group 3) - Elected Justice, Campaign Committee Raised $480,427 in

Campaign Funds

THE UNIVERSITY
of NORTH CAROLINA
at CHAPEL HILL

Thank you for your interest in this study. To begin, please read the profile below of a candidate for judicial office. Once you have finished reading the profile, answer the questions at the bottom of the page.

CANDIDATE PROFILE

Legal/Judicial Experience: Current Supreme Court Justice. Fourteen years as a trial court judge. Served as Deputy Chief of Staff to King County Prosecutor and Deputy in the Civil and Criminal Divisions.

Other Professional Experience: Instructor and Distinguished Jurist in Residence, Seattle University School of Law.

Education: B.A., Dominican University. J.D., University of Notre Dame Law School.

Statement: This justice joined the Supreme Court after serving for fourteen years as a highly respected Superior Court judge, where this justice presided over both criminal and civil cases, including hundreds of adoptions and other family law matters.

This justice is up for re-election in 2016, and received $480,427 in campaign contributions through a campaign committee.

As a trial court judge, this justice was known for treating everyone with respect and fairness, approaching each case with an open mind, understanding that each decision a judge makes impacts someone's life, and paying careful attention to the law.

Because of this justice's experience, integrity, and impartiality, this judge has received numerous awards including "Judge of the Year" from the Washington State Association for Justice, King County Washington Lawyers, and the Washington State Bar Association; and "Public Official of the Year" from the Municipal League Foundation. This justice also received the highest possible rating - Exceptionally Well Qualified - from all six bar associations that chose to rate this judge.

This justice is endorsed by hundreds of current and former justices and judges, elected leaders, Washington State Patrol Troopers Association, Washington State Labor Council, Democrats, Republicans, Independents, and thousands of civic leaders, small business owners and community members across the state.

Appendix III – Survey Questions

(These questions appeared right below the experimental vignette)

Q1 Based upon this candidates profile, rate your feelings about this candidates ability to serve as a judge in your state
○ I strongly believe this candidate can serve as a fair and impartial judge
○ I somewhat believe this candidate can be fair and impartial
○ I have no belief on whether this candidate can or cannot be fair and impartial
○ I somewhat believe this candidate cannot be fair and impartial
○ I strongly believe this candidate cannot be fair and impartial

Q2 How likely are you to accept decisions made by this judge as impartial, fair, and legitimate? Are you very likely, somewhat likely, not too likely, or not at all likely?
○ Very likely to accept decisions made by this judge as impartial, fair and legitimate
○ Somewhat likely to accept decisions made by this judge as impartial, fair and legitimate
○ Not very likely to accept decisions made by this judge as impartial, fair and legitimate

Q3 Assume for the moment that all judges on the North Carolina Supreme Court were selected in the same way as this judge. Rate your agreement with the following statement. The North Carolina Supreme Court is Legitimate Institution?
○ Strongly Agree
○ Agree
○ Disagree
○ Strongly disagree

Q4 This Judge accepted campaign contributions.
○ True
○ False

Q5 This Judge is elected.
○ True
○ False

Q6 Please enter your age below

Q7 What is your gender identification?
○ Male
○ Female
○ Other

Q11 Which best describes your race and ethnicity?
○ African-American, Black
○ Chinese
○ Filipino
○ Indian
○ Japanese
○ Korean
○ Southeast Asian
○ White/Caucasian - Non Hispanic
○ Hispanic or Latino
○ American Indian/Alaskan Native
○ Middle Eastern
○ More than one race/ethnicity
○ Unknown

Q12 Please list below the city and state of your birth (including country if not the US)

Q13 Are you a US Citizen?
○ Yes
○ No
○ Decline to answer

Q14 In terms of education and income, would you say your parents are:
○ Upper class
○ Upper-middle class
○ Middle class
○ Lower-middle class
○ Working class

Q15 Your political party preference:
○ Democratic
○ Republican
○ Independent
○ Other

Q16 Which of the following best describes your political orientation?
○ Very liberal
○ Somewhat liberal
○ Neither liberal nor conservative
○ Somewhat conservative
○ Very conservative

Q17 Do you consider money given to political candidates to be a form of free speech protected by the First Amendment to the Constitution, or not?
○ Yes, Free Speech
○ No, Not

Q18 Did you vote in the last presidential or local election?
○ Yes
○ No
○ Not eligible

Q19 Have you ever donated money to a political candidate?
○ Yes
○ No

Q20 Have you ever worked for or volunteered on a political campaign?
○ Yes
○ No

Q21 Have you ever worn a button, displayed a bumper sticker or yard sign, or shared any other display of support for a candidate either physically or on social media?
○ Yes
○ No

Q22 Have you ever written a letter to the daily tar heel or your local newspaper?
○ Yes
○ No

Q23 Have you ever written a letter to your congressmen?
○ Yes
○ No

APPENDIX IV – IRB CONSENT FORM

IRB CONSENT FORM FOR POLITICAL SCIENCE SUBJECT POOL

IRB Study # 16-2023	Consent Form Date: 8/08/16

Title of Study: Effects of Campaign Finance upon Judicial Legitimacy
Principal Investigator: Arvind Krishnamurthy   Faculty Advisor: Dr. Isaac Unah
UNC- Chapel Hill Department: POLI   UNC-Chapel Hill Department: POLI
UNC-Chapel Hill Phone #: 614.561.6159   UNC-Chapel Hill Phone #: 919.962.6383
Email Address: arkrishn@live.unc.edu

<u>What are some general things you should know about research studies?</u>
You are being asked to take part in a research study as part of a three-hour research requirement. Participating in the study is completely voluntary. You may refuse to participate, and you may withdraw your consent to participate in the study for any reason without penalty. You may also skip any question or other aspects of the study for any reason without penalty. If you do not wish to participate, you can fulfill the research requirement by completing a four-page research paper based on discussions with your Poli Sci. instructor. This paper should be an equal substitute for your participation, so it should not take longer than the total amount of time spent by research participants, i.e., up to three hours. Your paper will be graded (PASS/FAIL) by Professor Isaac Unah, Director of the Political Science Subject Pool, who has no affiliation with your class.

Details about this study are discussed below. It is important that you understand this information so that you can make an informed choice about being in this research study. You will be given a copy of this consent form. You should ask the researcher(s) named above, or staff members who may assist them, any questions you have about this study at any time.

<u>What is the purpose of this study?</u> This study aims to gather experimental evidence to determine what factors affect judicial legitimacy in the eye of the public.

<u>How many people will take part in this study?</u> Approximately 470 students have been invited to take part in this study.

<u>How long will your participation in this study last?</u> Your total research requirement is three hours on all subject pool research activity. **Your participation in the current study will last about 20 minutes.**

<u>What will happen if you participate in the study?</u> Participating in the study means that you will be asked to answer a number of questions about the topic of the study. You will receive research credit toward your course. You may choose to withdraw from participating at any time during the study. You may skip any question for any reason without penalty.

What are the possible benefits from being in this study? Research is designed to benefit society by producing new knowledge. Although you may not receive any direct material benefit from participating in the study, you will learn more about political science research in general and about this topic in particular.

What are the possible risks or discomfort involve in participating in this study? We do not anticipate that you will experience any risks or discomfort.

How will your privacy be protected? The researchers will make every effort to protect your privacy. Your name will only appear in this informed consent form and in the records for the Participant Pool. Your responses to the questions will only be associated with a code number that we assign, but that number is not and will not be associated in any way with your name in the dataset. Thus, your responses are anonymous. The data we collect will only be accessible to the researchers, and will be stored separately from consent forms and anything that might identify you. In any presentation, written reports, or publications, no one will be identifiable and only group results will be presented. In addition, your instructor will not know your responses, nor will he or she know whether or not you participated in this particular study since it is likely that this is not the only study being conducted this semester.

Will you receive anything for being in the study? You will not receive any financial incentive or material for participating in this study. However, you will receive credit towards your political science research requirement. Additionally, you will learn about the nature of political science research.

What if you have questions about this study? You have a right to ask, and have answered, any question about this study. If you have any questions or concerns, you should contact the researcher(s) listed at the first page of this form.

What if you have questions about your rights as a research participant? All research that relies on human subjects must be reviewed by IRB, a committee at this University that works to protect your rights and welfare. If you have questions about your rights as a research subject, you may contact, annonymously if you wish, the Institutional Review Board at 966-3113 or via email at IRB_subjects@unc.edu.

Participant's agreement. Clicking on the link to the survey represents your agreement to participate. It means that you have read all the information provided above and that you have asked all the questions that you have at this time. By clicking, you voluntarily agree to participate in this research study.