ABA Ratings of Federal District Court Judges and the Likelihood of a Shepard’s *Warning* Signal

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Using a sample of 131,931 opinions written by 542 federal district court judges, this paper examines the relationship between a judge’s ABA rating at nomination and the likelihood an opinion will be assigned a Shepard’s *Warning* signal (roughly equivalent to a reversal). This paper finds a statistically significant increased likelihood of a Shepard’s *Warning* signal for judges receiving the lowest rating, Not Qualified, when they are recently commissioned (in the calendar year of commissioning or the following year). The differences are not significant thereafter, and the two other ratings (Qualified and Well Qualified) are not qualitatively different from each other. However, the presence of dissent within the ABA committee, depending on the party of the appointing President, appears to identify an attribute with a long-term influence (lower likelihood where a Republican). The factors influencing the choice of rating, then, appear qualitatively different from those that result in dissent within the voting committee.