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Political Ideology and Judicial Administration: Evidence from the COVID-19 Pandemic

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Political Ideology and Judicial Administration: Evidence from the COVID-19 Pandemic

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We study the effect of political ideology on the administration of the judiciary by investigating how the chief judges of federal district courts set courthouse policies in response to the COVID-19 pandemic. To do so, we use novel data on the geographic boundaries of federal courts and on the contents of pandemic orders. We account for state and local conditions and policies by leveraging district courts in states that have multiple judicial districts and that have courthouses in multiple counties, and we isolate the effect of chief ideology by using simulations that difference out unobserved district-level effects. We find no consistent evidence that the ideology of chief judges influenced courthouse closures and the authorization of a law allowing for remote proceedings, but we find strong evidence that Republican-appointed chief judges were less likely to require masks and more likely to suspend in-person trials.

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1. Introduction

Soon after President Trump declared COVID-19 a national emergency in March 2020, many federal district courts radically altered the operations of their courthouses, including closing them completely. Management decisions like these could have profound impacts for criminal and civil litigants, but they were not made by elected leaders at the state or federal level. Instead, they were made by the judge who happened to be serving as the chief of each district court.

Although chief judges exercise considerable discretion over the administration of the federal judicial system (George and Yoon 2008; Levy and Newman 2021), little empirical research investigates whether the political preferences of chief judges influence their management choices.[2] This stands in stark contrast to the large body of research that documents a strong relationship between the political ideology of judges and their legal decisions.[3] Given the strong evidence that ideology influences the way judges decide cases, one may expect that ideology influences the way judges manage the federal judiciary. This is a notable oversight given that the consequences of those management decisions can be significant. For instance, chief judges who decided to close their courthouses for longer periods during the pandemic had to delay proceedings or hold them virtually, which can have adverse consequences for parties and especially criminal defendants (Diamond et al. 2010; Eagly 2015; Thorley and Mitts 2019).

In this article, we use the COVID-19 pandemic as an opportunity to investigate whether ideology influences the administration of the federal judiciary. We specifically investigate whether the COVID-19 policies adopted by district courts were directly influenced by the ideology of the chief judge that happened to be serving during the pandemic. The pandemic provides an excellent opportunity to study this topic because all federal districts were confronted with a novel threat at the same time. Moreover, many of the policy options that emerged in response to the pandemic—like closing the courthouses or requiring entrants to wear masks—quickly took on a political valiance (Baccini and Brodeur 2020; Neelon et al. 2021).

To investigate this question, we created two novel datasets. First, we built a dataset that

[2] One exception is research showing that federal judges hire law clerks based on their ideology (Bonica et al. 2017a, 2019).

[3] The influence of judicial ideology on case dispositions has been a topic of research in law (e.g., Cross and Tiller 1998; Sunstein et al. 2006; Cox and Miles 2008; Miles and Sunstein 2008; Epstein, Landes, and Posner 2013), economics (e.g., Ashenfelter, Eisenberg, and Schwab 1995; Schanzenbach and Tiller 2007; Iaryczower and Shum 2012; Cohen and Yang 2019), political science (e.g., Segal and Cover 1989; Segal and Spaeth 2002; Kaheny, Haire, and Benesh 2008; Bartels 2009; Zorn and Bowie 2010), and finance (e.g., Huang, Hui, and Li 2019; Kempf and Spalt 2022).

recreates the structure and physical geography of the federal district court system. This includes identifying the courthouses that have been congressionally authorized for each district, the counties covered by each courthouse, and the divisions that the federal districts are divided into. We then use this information to collect data relevant to the COVID-19 pandemic at the county-level and district-level for each federal courthouse. Second, we built a dataset of courthouse policies adopted during the COVID-19 pandemic by obtaining copies of the orders related to the pandemic issued between March 2020 and July 2021. We use these orders to study two outcomes related to overall courthouse policies during the pandemic—complete courthouse closure and masks requirements—and three outcomes related to trial policies—expanding the availability of videoconference or teleconference by authorizing the CARES Act, halting in-person criminal trials, and halting in-person civil trials. During the period we study, our data reveals that the average courthouse was completely closed 4.7 percent of the time, had a mask requirement 52.4 percent of the time, authorized the CARES Act 96.7 percent of the time, halted in-person criminal trials 53.2 percent of the time, and halted in-person civil trials 52.1 percent of the time.

Our identification strategy isolates the effect of chief judge ideology on the policies they adopt by leveraging three unique features of the federal judicial system. First, we focus on the twenty-four states that have multiple federal district courts and exploit within-state-year-month variation in chief judge responses to account for state-level COVID-19 conditions and policies that may have influenced the decisions chief judges made. Second, we focus on federal districts that have courthouses in different cities which allows us to account for any responses by chief judges to policies put in place by local officials. Third, we exploit the fact that the chief judge is determined by a set of congressionally mandated seniority rules and random events that occur over many years, like judge deaths and elevations to the court of appeals. As a result, the political ideology of the specific judge who happened to be serving as the chief judge when the COVID-19 pandemic hit is exogenous to the current political climate within a given district.

To ensure that our results are not simply a product of judges sorting across districts on the basis of ideology, we isolate the effect of chief judge ideology from any remaining unobserved district-level effects by running simulations that estimate our primary regression specifications after replacing the chief judge with a random draw of either previous chief judges in the district or any current sitting judges in the district. We estimate the causal effect of chief judge ideology as the difference between the regression estimates of the ideology of the actual chief judge and

the results from these simulations.

Using this identification strategy, we find no consistent evidence that the political ideology of the chief judges influenced courthouse closures. However, we find strong evidence that the political ideology of the chief judge influenced whether masks were required in courthouses. In particular, our estimates suggest that switching a Democratic-appointed chief judge to a Republican-appointed chief judge would have decreased the probability that a courthouse had a mask requirement from 52 percent to 28 percent (or by 46 percent). For trial policies, we find no consistent evidence that the political ideology of the chief judge influenced the authorization of the CARES Act, but we find that the ideology of the chief judge influenced whether in-person criminal and civil trials were halted. In particular, our estimates suggest that switching a Democratic-appointed chief judge to a Republican-appointed chief judge would have increased the probability that in-person criminal trials were halted from 47 to 54 percent (or by 15 percent) and the probability that in-person civil trials were halted from 44 to 54 percent (or by 23 percent).

We next explore whether chief judge ideology had heterogeneous effects based on several local conditions that may have influenced how the judge chose to respond to the pandemic. We find some evidence ideology played a more prominent role when issues became more polarizing. In particular, we find that the effect of ideology on mask requirements was larger in times when the debate over masking was at its height. We also find some evidence that the effect of the ideology of the chief judge was greater in districts with a higher share of the population that voted for the same political party.

In a final analysis, we explore explanations for why Republican-appointed chief judges were more likely to oppose mask requirements but also more likely to halt trials. These results are perhaps counterintuitive because the halting of trials does not align with greater Republican support for opening up more generally during the pandemic. That is, if judges hold the views of the party of the president that appointed them, one may expect Republican-appointed chief judges to be *less* likely to halt trials because Republican politicians are known to have advocated for keeping businesses and the world operating as usual.

We investigate several explanations for this perhaps unexpected result. One possibility is that Republican-appointed chief judges were more likely to halt criminal trials than civil trials, suggesting that this result is not due to Republican-appointed chief judges being less sympathetic to the rights of criminal defendants. Another possibility is that the effect of ideology on halting

trials is driven by the effect of ideology on masking requirements. If so, this could be explained by any number of interactions between masking requirements and halting trials, such as how the lack of masking requirements affects the ability of holding trials through its effect on whether the judge, court staff, and juries are out sick with COVID-19 or by judges' concerns over the spread of COVID-19 during trials because of the lack of a mask mandate. Although our identification strategy is not designed to decompose the effect of halting trials or any single outcome into mechanisms, we conduct several tests that provide suggestive evidence of these underlying mechanisms. We find no evidence that Republican-appointed chief judges were more likely to halt trials because they are less sympathetic to the rights of criminal defendants, but we find suggestive evidence that the entire effect of halting trials is a side effect of not imposing mask requirements.

Overall, the results suggest that chief judges made different choices about how to trade off concerns over health and the procedural rights of litigants during the pandemic. Our research makes three main contributions. First, our results contribute to the small body of research that has examined the role that ideology plays in the federal judiciary beyond just case outcomes and provides evidence that ideology may be an important force in the administration of the federal judiciary. Second, we set forth an identification strategy that isolates the effects of chief judge ideology in federal district courts. Although our focus is on orders related to COVID-19 issued by chief judges, the identification strategy can likely be extended to studying other decisions by chief judges as well. Future research should explore how the identification strategy can be used to study other behaviors of chief judges in the federal district courts. Third, our research contributes to the growing body of research on how political preferences influence responses to the COVID-19 pandemic by suggesting that unelected decisionmakers are also likely to adopt different policies in response to the pandemic, even independent of any political pressures.[4]

This paper proceeds as follows. Section 2 provides background information on the federal district court system. Section 3 explains our research design. Section 4 introduces the data that we collected for this project. Section 5 presents our primary results as well as results exploring whether chief judge ideology had heterogeneous effects based on different factors that may have driven responses to the pandemic. Section 6 concludes.

[4] One line of this research explores the relationship between partisan preferences to individual behaviors during the pandemic (e.g., Gollwitzer et al. 2020; Clinton et al. 2021; Grossman et al. 2020; Gadarian, Goodman, and Pepinsky 2021). Another line of this research explores the relationship between elected officials' political affiliations and the orders that they issue in response to the pandemic (Baccini and Brodeur 2020; Murray and Murray 2020; Neelon et al. 2021).

2. Background

To provide the background necessary to understand our identification strategy, we start by describing the structure of the federal district courts and the role of chief judges in that system.

2.1. The Structure of the Federal District Courts

When Congress created the federal court system in 1789, it established 13 federal district courts. Over time, Congress increased the number of federal district courts. As of 2022, there is at least one federal court in every state, and 24 states have more than one district court, each serving a specific set of counties. In total, there are 90 district courts for the 50 states and the District of Columbia, as well as four additional district courts serving Guam, the Northern Mariana Islands, Puerto Rico, and the Virgin Islands.

Congress initially stipulated that each of these district courts would have one judge. But as Congress increased the number of district courts, it also increased the number of authorized district court judges. There are also judges that have taken senior status—a form of partial retirement that allows judges to still hear cases—who do not count towards the number of judgeships authorized by statute.

Congress also authorizes the federal courthouses to be built and operated in each district. And just as it has changed the number of districts and judges over time, Congress has changed the number of federal courthouses. However, not all federal courthouses are equally active. In some federal courthouses, several judges regularly hear cases and maintain their official chambers (referred to as a judge's "duty station"); in other federal courthouses, there is only a single judge who hears cases and uses it as a primary duty station; yet other federal courthouses are occasionally are used to hear cases but are not the primary duty station of any judges; and some congressionally authorized federal courthouses are no longer used at all. Additionally, some districts are divided into multiple divisions with courthouses in each division, while other districts have multiple courthouses but are not divided into divisions.

To illustrate this complexity, consider the structure of federal courts in two fairly large and similarly sized states: Arizona and Michigan. In Arizona, there is one federal district court for the entire state. This single state-wide district is not divided into divisions, but Congress has authorized federal courthouses in six cities: Flagstaff, Globe, Phoenix, Prescott, Tucson, and Yuma. Of these six authorized courthouses, two courthouses (Phoenix and Tucson) are the

primary duty stations for all of the judges currently appointed to the district, two courthouses (Flagstaff and Yuma) are still used to occasionally hear cases, and two courthouses (Globe and Prescott) are not regularly used to hear cases and are not the duty station of judges.

In Michigan, the state is divided into two federal districts: an Eastern District and Western District. Both of these districts are further divided into two divisions. For instance, the Western District of Michigan is divided into a Northern Division—which consists of counties in the upper peninsula—and a Southern Division—which consists of counties on the western side of the lower peninsula. But these two divisions are not equally active. In the Southern Division, there are currently six district court judges who have their primary duty stations in courthouses in three cities: Grand Rapids, Kalamazoo, and Lansing. In the Northern Division, Congress has authorized courthouses for two cities: Marquette and Sault Sainte Marie. But court is no longer held in Sault Sainte Marie, and, although court is sometimes held in Marquette, the courthouse is not the primary duty station of any district court judge.

2.2. The Role of Chief Judges

Each federal district court has a chief judge that oversees the management of the district (Levy and Newman 2021). Unlike the U.S. Supreme Court, the judge that serves as chief judge for a given federal district court is not nominated by the President or subject to additional Senate confirmation. Instead, the chief judge is determined by a set of rules that are specified by statute (28 U.S.C. §136(a)). The statute establishes that, when the position of chief judge for a given district becomes vacant, the next chief will be the judge who has been a federal judge the longest who is also: under the age of 65, currently in active service, has served for more than a year, and has not previously served as chief judge. Once appointed, a chief judge can serve for a maximum of 7 years or until they turn 70 years old. However, a chief judge can voluntarily step down earlier. At that time, the chief judge will be replaced by the judge in the district with the next highest seniority subject to the criteria listed above.

The chief judges have considerable autonomy while deciding how to manage their districts. For instance, chief judges have the discretion to make decisions while discharging their duties to oversee the office of the clerk, appoint magistrate judges, set the district's budget, and manage the employees in the district. Consistent with their traditional high levels of autonomy, the chief judges

had considerable discretion about how to respond to the COVID-19 pandemic.[5] Moreover, federal district court buildings were not subject to local or state regulations related to the pandemic, thus giving the chief judge the power to make those choices individually. And although, in practice, other actors could have been involved in the decision making process, the chief judge still had the ultimate power on whether to issue orders related to the pandemic.

3. Research Design

As we further explain below, there was considerable variation in the ways that chief judges exercised their power during the COVID-19 pandemic. It is unclear, however, whether the chief judges' political ideologies influenced their decisions. In this section, we first discuss the ways that political ideology may have influenced courthouse policies, and we then explain the research design we use to test whether that occurred.

3.1. Possible Effects of Ideology

Ideology could affect the decisions that chief judges made in response to COVID-19 in several ways. One way ideology could affect decisions over courthouse policies is through differences in concerns over the pandemic and preferences over COVID-19 precautions. Considerable evidence documents how conservatives were less likely to support many restrictions designed to halt the spread of COVID-19, including shelter-in-place orders, mask requirements, and shutting down individual businesses (e.g., Gollwitzer et al. 2020; Clinton et al. 2021; Grossman et al. 2020; Gadarian, Goodman, and Pepinsky 2021; Painter and Qui 2021). There is also evidence that elected officials made different COVID-19 decisions based on their ideology. For instance, Baccini and Brodeur (2020) find that Democratic governors are much more likely to issue shelter-in-place orders than Republican governors in response to COVID-19. Given that differences in responses to COVID-19 have been shown to exist for both members of the public and elected officials, it is possible that conservative chief judges would have been less likely than liberal chief judges to close courthouses, impose mask requirements, and halt trials.

Another way ideology could affect decisions over courthouse policies is through

[5] The Administrative Office of the U.S. Courts was in communication with individual districts, and, as we describe in Section 4, it provided data on COVID-19 conditions at the federal judicial level. However, the ultimate decisions on how to respond to the pandemic were left to the chief judges (Congressional Research Service 2020).

preferences over the administration of justice. In the case of criminal prosecutions, for example, considerable evidence documents how conservative judges impose harsher sentences on criminal defendants than liberal judges (e.g., Schanzenbach and Tiller 2007; Cohen and Yang 2019). This could translate into conservative chief judges being less likely to adopt policies that are favorable to criminal defendants. In the case of COVID-19, conservative chief judges may have been more willing to halt in-person trials, which could have resulted in criminal defendants awaiting trial in jail and attending proceedings remotely. Differences in preferences over the administration of justice could have also manifested in conservative chief judges authorizing the CARES Act, which in part means that criminal defendants do not have the right to be physically present for trials. Finally, evidence on ideological preferences over the rights of parties in civil trials is mixed (e.g., Ashenfelter, Eisenberg, and Schwab 199; Buchman 2007). Evidence suggests that conservative judges are typically more pro-defendant and more pro-business, while liberal judges are more in favor of access-to-justice-procedures and plaintiffs (Miller 2010; Purcell 2014). There is also some evidence that judicial ideology may be associated with preferences over the procedures for civil cases. For instance, a conservative majority of the U.S. Supreme Court raised pleading standards in civil cases in *Bell Atlantic v. Twombly* and *Ashcroft v. Iqba*l, making it harder for some plaintiffs to bring cases. However, scholars have been mixed in their empirical assessment of the effects of these law changes (Epstein, Landis, and Posner 2011; Hubbard 2017; Gelbech 2012). Given that delays in civil proceedings typically benefit defendants, conservative chief judges may have been more willing to halt in-person civil trials as well.

3.2. Identification

To fix ideas, we present a simple model of a chief judge's decision to issue a formal order governing a courthouse policy related to COVID-19. Let d denote a federal district court in state s. Districts are nested within states, and there can be multiple districts in each state. Next, let c denote courthouses in a specific county. Counties are nested within districts, and the chief judge in the district sets courthouse policies for each courthouse in the district. Although there can be multiple courthouses within a county, chief judges did not ever impose different requirements for courthouses in the same county in our dataset. Therefore, because there is no within-county variation in policies between the courthouses we coded, we focus on the unit of analysis of the county, treating policies over multiple courthouses in the same county as one decision.

Let $\mathsf{CourthousePolicy}_{ct}$ be a courthouse policy in county *c* in year-month *t*. The chief judge's decision over courthouse policies is given by Equation (1).

$$\mathsf{CourthousePolicy}_{ct} = \mathsf{StatePolicy}_{st} + \mathsf{CountyPolicy}_{ct} + I_{dt} + \mathbf{X}_{st} + \mathbf{X}_{dt} + \mathbf{X}_{ct} \quad (1)$$

where $\mathsf{StatePolicy}_{st}$ is a state-level COVID-19 policy, $\mathsf{CountyPolicy}_{ct}$ is a county-level COVID-19 policy, I_{dt} is the ideology of the chief judge in district *d*, and $\mathbf{X}_{st}, \mathbf{X}_{dt}, \mathbf{X}_{ct}$ are vectors for state-level, district-level, and county-level determinants. For a given judge, we assume ideology I_{dt} is fixed over time. Although we assume ideology is fixed for a given judge, different judges serve as chief during our sample, so the variable I_{dt} for a given district can vary over time. The state-level determinants $\mathbf{X}_{st}$ include conditions and policies in the state, the district-level determinants $\mathbf{X}_{dt}$ include characteristics of the other judges in the district (e.g., ideology, age, gender, and race) and conditions and policies outside the courthouse related to the pandemic, and the county-level determinants $\mathbf{X}_{ct}$ include conditions in the county where the courthouse is located.

In Equation (1), there are three main identification challenges. We leverage three structural features of the federal judiciary to overcome the challenges. We discuss each in turn.

The first identification challenge is that the chief judge's decisions over courthouse policies may be influenced by state-level policies and conditions. For example, if a given state has a mask requirement, then a chief judge may be more likely to issue a mask requirement for the courthouses in their district. In Equation (1), this concern is captured by the terms $\mathsf{StatePolicy}_{st}$ and $\mathbf{X}_{st}$. This concern is in part salient because the United States' approach to the pandemic was a world outlier in that the federal government left the primary responsibility for determining policy responses to state governments (Kettle 2020). To control for state-level variation in the public policies that may have influenced the chief judge's decisions, we leverage an intuitional feature of the federal district court system: that many states have multiple judicial districts. In particular, in our preferred specification, we include state-year-month fixed effects, thus absorbing the $\mathsf{StatePolicy}_{st}$ and $\mathbf{X}_{st}$ terms in Equation (1) and restricting our sample to districts in states with multiple districts. This approach, therefore, controls for any state-level policies and any unobserved state-level changes non-parametrically across states and within a state over time.

The second identification challenge is that the chief judge's decisions over courthouse policies may be influenced by local-level policies and conditions. For example, if a given city has a mask requirement, then a chief judge may issue a mask requirement for the courthouses in that

city, even though the local mask mandates do not apply in federal courthouses. In Equation (1), this concern is captured by the terms $\mathbf{CountyPolicy}_{ct}$ and $\mathbf{X}_{ct}$. This is a concern because, although COVID-19 policies were primarily set at the state-level, there were still some cities and counties that set policies independently of the state government. To help overcome this concern, we leverage another intuitional feature of the federal district court system: many districts have courthouses in multiple cities. In particular, we restrict our sample to districts where there is more than one active courthouse in the district. Although this restriction does not completely solve the missing data problem, it allows us to better separate the effect of chief judge ideology from that of local factors by estimating the average effect of chief judge ideology for judges who make decisions across multiple courthouses. In addition to restricting to districts where there is more than one active courthouse, we also control for two county-level COVID-19 policies directly: shelter-in-place orders and mask requirements.

The third identification challenge is that the ideology of the chief judge may be correlated in some way with the ideology of the county or district. We overcome this challenge in four ways. First, we control for a host of county and district factors described below. Second, we control for COVID-19 policies in place in any of the counties of the jury pool for the district. Third, we leverage quasi-random variation in the identity of chief judges. As Section 2.2 explained, the process for the selection of chief judges is set by statute. Importantly, the judge who happens to be the most senior when the position becomes vacant is influenced by a range of events, including sitting chief judges turning 70 years old, the death of judges on the court, the elevation of judges to the Court of Appeals, and the retirement of judges. In Section 5.1, we explore whether the appointment process for chief judges provides an exogenous source of variation and find that the ideology of the chief is indeed random conditional on the ideology of the district. Fourth, to address any remaining unobserved correlation between district-level factors and chief judge ideology, we draw inferences by conducting simulations where we randomly replace the ideology of the current chief with an ideology measure of other possible chief judges for the district. This allows us to isolate the effect of actual chief ideology from the unobserved district-level effects by differencing out those effects using the simulations. In this way, the simulations estimate the non-random component of chief ideology and provide a range of estimates that would have been produced by chance. We describe these tests in further detail in Section 5.4.

Before continuing, it is worth noting that although the chief judge had ultimate authority to set courthouse policies, it is possible that other actors could have been involved in the decision making process. For example, the chief judge could have delegated authority to the clerk of the court, a vote of the judges in a district, or the judges with duty stations in particular courthouses. That said, our coding of the official orders suggests this may have been relatively rare.[6] But regardless of how frequently this kind of delegation occurred, any unobserved delegation of the chief judges to other decision-makers would serve as a source of measurement error in our key independent variable, biasing our estimates towards zero. More importantly, to the extent that chief judges delegated authority, such delegation can be endogenous to political ideology. It is thus better thought of as an outcome, so, even if delegation was observable, controlling for it could lead to biased estimates on the impact of chief judge ideology.

4. Data

Our identification strategy required building two novel datasets: (1) a dataset on federal courthouses and their jurisdictions, and (2) a dataset on the policies that federal district courts adopted in response to the COVID-19 pandemic. We match these datasets to data on the identities of federal judges and on the local conditions that may be relevant to COVID-19 policies.

4.1. Dataset of Federal Courthouses and Jurisdictions

To build a dataset of federal district courthouses and the jurisdiction of those courthouses, we coded the structure of the federal district court system as set out in 28 U.S.C. Part I, Chapter 5. This included collecting information on the authorized courthouses and divisions for each

[6] As one measure of whether a judge put the issue up for a vote, we coded each order for whether it noted that other judges concurred in the decision or whether all the judges signed the official orders. This coding reveals that in 2 out of 41 districts in the restricted sample (and 7 out of 90 total districts) had at least one order that was either signed by multiple judges or acknowledge that other judges concurred in the judgment. Specifically, in our restricted sample, we found: 22 orders from INND signed by all judges from the district; and 23 orders from ILSD which note that the chief judge consulted with the other judges. And of the orders not in our restricted sample, but in our overall sample, we found: 4 orders from NHD signed by all judges; 2 orders from ARED that note all judges in the district concur; 33 orders from OKND signed by 4 judges; and 6 orders from AKD signed by 3 judges; and 2 orders from SDD which left trials up to the discretion of presiding judge in a particular division. Additionally, we also identified whether someone other than the judge signed the order. This delegation is exceedingly rare: 7 orders for TXWD were signed by a local judge; and 36 orders for WAED were signed by 1 judge from those courthouses. Admittedly, coding the orders in this way is imperfect measure of whether the chief judge put the issue up for a vote or delegated to others. But the fact that it is rare for orders to indicate a vote of judges provides some evidence that this is not a common practice.

federal district.[7] We then used the geographic coordinates of each courthouse to identify the specific geographic boundaries that are served by each courthouse, division, and district.

To illustrate this data, Panel A of Figure 1 maps the geographic boundaries and number of judges for the district courts for the 50 U.S. states and the District of Columbia. In total, there were 1,071 district court judges spread across the 90 district courts. The average number of judges is 11.9 per district, but there is considerable variation across districts. For instance, in March 2020, 13 districts had less than 5 judges and 3 districts had over 30 judges. Additionally, Panel A plots a red dot in the location of each congressionally authorized courthouse. However, many of these authorized courthouses are no longer used. We thus used our data on district court judges to identify the courthouses where at least one judge is listed as using it as their primary duty station.[8] Based on this criterion, of the 450 authorized courthouses, 216 are in active use.

Panel B of Figure 1 further illustrates this data by mapping the geographic boundaries of each jurisdiction, where a jurisdiction is defined as either a district in the case of districts that are not divided into divisions (e.g., the District of Arizona is a jurisdiction) or as a division in the case of districts that are divided into divisions (e.g., the Southern Division of the Western District of Michigan is a jurisdiction). As the figure reveals, the 90 districts include 200 separate jurisdictions.

4.2. Dataset of Courthouse COVID-19 Policies

We collected the universe of orders related to COVID-19 issued by chief judges of federal district courts between March 2020 to July 2021. During this period, all the federal district courts issued at least one order related to COVID-19, and a total of 918 orders were issued. To illustrate these orders, Figure 2 reproduces the first page of an order issued by the Northern District of Ohio on March 23, 2020 announcing that the courthouse would be closed to the public. We then hand coded the contents of each order to create five outcome variables.

We specifically coded two outcomes related to overall courthouse policies. First, we coded the presence of a ***Courthouse Closure*** if an order formally closed the court for in-person hearings, trials, and other activities.[9] Second, we coded the presence of a ***Mask Requirement*** if an order

[7] Appendix Table A1 reports this information.

[8] The Federal Judicial Center data does not list the courthouse where judges hear cases, so we collected data on the duty station for each judge from Wikipedia (2022).

[9] Some district courts issued orders announcing that courthouses would be completely closed for a day (or a few days) to allow for cleaning, but we did not code these orders as a complete closure. Additionally, some district courts provided exceptions to allow certain people into the building with appropriate permissions, but we still coded these orders as a

mandated that at least some category of people must wear masks while inside the courthouse. For instance, a Mask Requirement may stipulate that all people, or all unvaccinated people, are required to wear masks while inside a courthouse.

We also coded three outcomes related to policies for holding trials. First, we coded the ***CARES Act Authorized*** if an order authorized the CARES Act for the district. The CARES Act gave federal courts greater flexibility to conduct courtroom business for both criminal and civil cases via videoconference or teleconference. All courts initially adopted the CARES Act in March or April 2020, but the CARES Act required reauthorization by the chief judge every 90 days. Second, we coded an order as ***Halting In-Person Criminal Trials*** if it prevented criminal trials from being held in person. To code an order as halting in-person criminal trials, we required the order to stipulate that no in-person criminal jury trials could take place, but we allowed for the possibility that some in-person hearings related to criminal cases could take place at the discretion of the judge in charge of the case. Third, we coded an order as ***Halting In-Person Civil Trials*** if it prevented civil trials from being held in person. Like with our coding of criminal trials, we required the order to stipulate that no in-person civil jury trials could take place, but we allowed for the possibility that some in-person hearings could take place.

For each order, we coded whether it announced, amended, or rescinded any of these five outcomes and the dates associated with those decisions.[10] Importantly, a single order could take multiple steps at once, such as rescinding a courthouse closure and announcing a mask requirement. By coding the orders in this way, we were able to code these outcomes for each district-year-month.[11] To illustrate this data, Figure 3 reports the share of district courts that adopted these COVID-19 restrictions in each of the months we study.[12] In the figure, we combine whether either in-person criminal or civil trials were halted into a single measure labeled "Partial Closure." As Figure 3 reveals, nearly every district formally adopted restrictions in the early months of the pandemic. But more variation emerged over time, as courthouses in some districts were open and other districts remained completely or partially closed.

complete closure. For instance, we coded the order in Figure 2 as a Courthouse Closure even though it mentioned the possibility of entering courthouse property with appropriate permissions.

[10] In addition to announcing changes, some orders announced that the status quo policies would continue.

[11] We code a given courthouse having a policy in a given year-month if a policy was in place in at least 1 day of that month.

[12] Appendix Figure A1 breaks out these results by district.

4.3. Data on Chief Judges and Other Federal judges

We obtained information on federal district court judges from the Federal Judicial Center (the "FJC"). We also coded the exact year-months that a specific judge was the chief judge of each district. We additionally use information from the FJC to construct control variables for the sex, age, and race of the chief judge and other judges in the district.

The literature takes several approaches to measuring judicial ideology. One approach is to use the party of the appointing President. This is the most common way of measuring the ideology of district court judges (Cohen and Yang 2019; Huang, Hui, and Li 2019), and it has been repeatedly validated across a range of studies (e.g., Epstein, Landes, and Posner 2013). It also has the advantage of being a discrete measure so results using it are easy to interpret, and it is familiar to many legal and policy audiences. Estimates using this measure are perhaps best interpreted as the influence of partisan affiliation. One drawback with this approach is that, given the longstanding norm of senatorial courtesy by which a senator of the same party as the president is given some deference about the judges appointed in their state (Bonica and Sen 2017b), within-party judicial ideology could be correlated with ideology of political actors in the state where a judge serves (e.g., a more conservative district may have more conservative Republican-appointed judges). Another approach is to assign a judge the ideology of the President and any home-state senators of the same political party as the President that appointed the judge (Giles, Hettinger, and Peppers 2001; Epstein et al. 2007; Boyd 2015b). The downside of this approach is that it requires additional assumptions about how to measure the ideology of the President and Senators on the same scale, as well as assumptions on the correspondence between the ideology of political actors and judges they appoint. A final approach is to use political donations made by the judges or their clerks (Bonica and Sen 2017a; Bonica et al. 2017b). The downside of using judges' donations to measure ideology is that the measure is not available for judges that have not made political donations (e.g., it is only available for 32 percent of the judges in our sample).[13]

In our analysis, we use both the party of the appointing president and the Boyd measure and find consistent results.[14] Given its familiarity and ease of interpretation, we report results using

[13] Appendix Table A2 reports the availability the Bonica and Sen measure for our sample by district court.

[14] Appendix Figure A3 shows the distribution of the Boyd measure by party of appointing president. It reveals that the party of appointing president correlates highly with Boyd's ideology measure. Appendix Table A3, Appendix Figure A4, and Appendix Table A4 recreate Table 3, Figure 8, and Table 4, respectively. The results using the Boyd measure are largely consistent in terms of sign, significance, and magnitude of results. The Boyd measure ranges from roughly -0.6 to 0.6, so interpreting the size of the effect for switching from a liberal to conservative chief judge is similar as interpreting

the party of the appointing president in the main text and report the results using the Boyd measure in the Appendix.

Before continuing, it is worth mentioning that the general drawback of using the party of the appointment president to measure judicial ideology—that a judge's ideology could vary based on the state where a judge serves—is not a meaningful concern in our setting. This is because, as discussed below, we use simulations to net out unobserved district-level effects, thus accounting for such within-party sorting between districts. This benefit highlights the appeal of the randomization approach to inference that are offered by our simulations.

4.4. Data on Local Conditions Relevant to COVID-19 Policies

We also collected data from a variety of sources on local conditions that may have influenced courthouse policies during the pandemic.

Population Political Ideology. A chief judge's decisions may have been influenced by the ideology of a district's population. We obtained data from the MIT Election Data and Science Lab (2018) and calculated the Republican share of the two-party vote in the 2016 presidential election at the county level.

Population At-Risk. A chief judge's decisions may have been influenced by the share of the district's population that was highly at risk of COVID-19. We obtained data on the 2019 share of the population that is over 65 years old, has diabetes, is physically inactive, and is obese at the county-level from the Current Population Survey. We use a county-district crosswalk to estimate these shares at the district-level. This data on at-risk population demographic does not vary during the period we study.

Population Demographics. In addition to the chief judge's decisions being potentially influenced by a district's population at-risk, they may also be influenced by the general population demographics of the district. We obtained data on the share of the population that is non-white, the median household income, and the percent of persons in poverty. This demographic data also does not vary over the time period we study.

County-Level COVID-19 Conditions. A chief judge's decisions may have been influenced by the local policies addressing COVID-19 and the local prevalence of the virus. We obtained five

the size of the effect when using the binary measure of the party of the appointing president. The one exception is the effect on Courthouse Closures, where we find some evidence that conservative chief judges may have been less likely to close courthouses when using the Boyd measure.

types of information on local COVID-19 conditions at the county level. First, we use data from Berry et al. (2021) on local shelter-in-place orders to code whether the county each courthouse is in had a shelter-in-place order for each of the first four months of the pandemic (we assume there were no local shelter-in-place orders after May 2020). Second, we use data from Wright et al. (2020) on mask requirements imposed by city and county governments to code whether the county each courthouse is in had a mask requirement in place each month. Third, as a proxy for local attitudes towards COVID-19, we use data from New York Times Repository (2021) to code the reported prevalence of mask-wearing at the county-level.[15] Fourth, we use data from the New York Times Repository to code daily infections at the county-level. Fifth, we use data from the New York Times Repository to code daily deaths at the county-level. Figure 4 uses this data to illustrate COVID-19 conditions at the county-level.

District-Level COVID-19 Conditions. It is possible that chief judges set policies at the district-level instead of basing their decisions on county-level conditions. This could either be because the chief judge preferred having a uniform policy across the district, or because the members of the potential jury pool can be pulled from counties across the district.[16] We obtained data on COVID-19 infections at the district level from the Federal Judicial Center ("FJC"). The FJC dashboard is ideal for our project because it was created for the purpose of informing federal district court judges about their local conditions at the district level. However, the FJC dashboard only includes information about COVID-19 infections, so we also aggregate our other COVID-19 condition and policy variables from the county-level to the district-level using the crosswalk from Hansen et al. (2015).

4.5. Sample and Descriptive Statistics

We have data for 216 courthouses in 90 districts over 16 months, creating a complete sample of 3,456 observations. However, as we explained in Section 3, our primary research design uses a subset of courthouses that are in states with multiple federal districts and in districts with

[15] The New York Times survey asked participants: "How often do you wear a mask in public when you expect to be within six feet of another person?" The participants were asked to respond on a scale from 1 to 5 corresponding to never, rarely, sometimes, frequently, and always. This data is from a survey of 250,000 members of the public conducted in July 2020, so the data thus does not vary during our sample.

[16] Members of grand juries are typically pulled from all the countries in a district. However, members of petit juries can be pulled from multiple countries—but not necessarily the entire district—based on a jury plan developed by each district for each courthouse. As a robustness check, Appendix Table A5 reports results that add controls for the COVID-19 conditions at the petit-jury panel level. These results are consistent with our primary results reported in Table 3.

courthouses in multiple cities. There are 126 courthouses in 41 districts that meet these conditions, creating a restricted sample of 2,016 observations.[17] To illustrate the features of our research design, Figure 5 maps these judicial districts. Panel A reports the political ideology of the chief judge at the start of the pandemic. The figure reveals that 15 out of the 24 states with multiple districts have within-state variation in the party of the chief. Panel B further explores the within-state variation in the ideology of judges by graphing the share of the judges not serving as chief judge appointed by each party. The figure reveals considerable ideological variation of the district court judges even within states.

Table 1 reports descriptive statistics for the variables in our dataset. Columns (1) and (2) report descriptive statistics for the complete sample and Columns (3) and (4) report descriptive statistics for the restricted sample. The statistics in Table 1 reveal that the restricted sample and complete sample have similar mean values for most of the variables in the dataset. For instance, chief judges appointed by Republican presidents held the chief judge position 47.3 percent of the time in all districts, compared to 49.9 percent of the time in the restricted set of districts. Table 1 thus provides evidence that the districts in our restricted sample are fairly similar to the districts in the federal judiciary overall.

5. Results

We now report our results. We first test our assumption that the ideology of the judge serving as chief for a given district is quasi-random conditional on the ideology of the other judges within the district. We then use the approach described in Section 3 to test whether the differences in courthouse policies are due to the ideology of the chief judge in each district.

5.1 Randomness in Ideology of Chief

To assess whether the ideology of the chief judge is quasi-random conditional on the composition of the district, we use a test that George and Yoon (2008) developed to investigate whether the chief judge at the Court of Appeals level was quasi-random. As they explain, if, conditional on the partisan breakdown of the judges that serve on a specific court, the party of the chief does not predict the party of the next chief, then it would provide evidence that the rules

[17] Appendix Table A6 reports results using the full sample, which are consistent with the results reported in Table 3.

and events leading up to the appointment of the chief are a credible source of random variation.[18] For this exercise, the unit of observation is a unique chief judge. We regress whether the current chief was a Republican-appointee on whether the previous chief was a Republican-appointee and the percentage of other judges in the district at the time the chief was appointed who were appointed by a Republican president.[19]

Table 2 reports the results. Panel A includes chief judges since 1980, Panel B includes chief judges since 2000, and Panel C includes chief judges serving as of March 2020. Column (1) begins by regressing whether the current chief was a Republican-appointee on whether the previous chief was a Republican-appointee. In these regressions, the coefficient for the previous chief being a Republican-appointee is statistically significant and substantively meaningful.

However, as George and Yoon (2008) explain, if a given judicial district has more judges appointed by presidents from a particular party, there naturally should be some relationship between the previous chief and the current chief. For instance, if a given district has 60 percent of judges appointed by Democrats and 40 percent of judges appointed by Republicans, even a random process of selecting chief judges should see a Republican-appointed chief judge succeeded by a Republican-appointed judge 60 percent of the time. To evaluate this possibility, Column (2) regresses whether a chief judge was a Republican-appointee on the share of other judges in the district when the current chief was selected that were Republican-appointees. These results reveal a strong and statistically significant relationship between the share of judges on a given district court appointed by a Republican president and whether the chief was a Republican-appointee.

Finally, Column (3) includes the ideology of the previous chief and the share of other judges in the district when the current chief was selected that were Republican-appointees. Here, the results suggest that whether the previous judge was appointed by a Republican president is not statistically significant once controlling for the ideological composition of the court. These results are consistent across the samples of chief judges since 1980, chief judges since 2000, and chief judges in 2020.

Taken together, the results in Table 2 provide evidence that the rules governing the assignment of chief judges and the events leading up to the appointment of the chief do in fact

[18] To illustrate these sources of variation, Appendix Figure A2 plots the changes in chief judges, when judges in each district died, and when judges were elevated to the Court of Appeals for the 90 federal districts from 1980 to 2021.

[19] We use all chief judges regardless of whether they serve short terms, but the results are substantially similar if we focus on chiefs who serve more than a year as chief.

provide a random source of variation in the ideology of the chief judge. That said, the estimates in Column (3) are not precise zeros, suggesting it is possible there is some remaining correlation between chief judge ideology and unobserved district-level factors. As we explain below, we account for this possibility through a form of randomization inference.

5.2. Primary Results

We present results assessing the effect of chief judge ideology on courthouse COVID-19 policies in four steps. First, Figure 6 reports the raw data showing average differences in the share of courthouse-year-months that the five courthouse policies were in place by the party of the President that appointed the chief judges. Second, Table 3 reports the regression results. Third, Figure 7 assesses the sensitivity of the regression estimates to the set of control variables through specification curves plotting of coefficient on Republican-appointed chief judge with every possible combination of the sets of control variables.[20] If the specification curve reveals the coefficient to be inconsistently signed or to change dramatically in size, it would be evidence that our estimates are sensitive to particular modeling choices. Finally, Figure 8 plots our baseline estimates from Column (8) of Table 3 as well as the distributions of estimates from simulations that randomly replace the ideology of the current chief with an ideology measure of other possible chief judges for the district.

These simulations are a form of randomization inference, and they are our preferred estimates of the effect of chief judge ideology on courthouse policies. As noted above, a concern with the regression estimates is that there could be some remaining unobserved correlation between district-level factors and chief judge ideology (e.g., by within-party differences in ideology between districts due to senatorial courtesy), potentially biasing the estimates in Table 3 and Figure 8. These simulations allow us to isolate the effect of actual chief ideology from the unobserved district-level effects by differencing out those effects by estimating what the effect of a randomly drawn chief judge would have been. In this way, these simulations provide an estimate of the non-random component of chief ideology and provide a range of estimates that would have been produced by chance.

For these simulations, we re-estimate the regressions from Column (8) of Table 3 while

[20] By set of control variable, we are referring to the section headings in Table 1. For instance, the four variables in the "Populations At-Risk" subheading are a set of control variables. We conduct this analysis at the "set" variable instead of the variable level because there are already 128 possible combinations of the sets of control variables.

randomly replacing the ideology of the current chief with the ideology of two other possible chief judges for the district: either a randomly drawn chief judge from the district that served anytime between 1980 and 2020, or a randomly drawn sitting judge that was serving in the district as of 2020.[21] We run 10,000 simulations for each of these two approaches where we replace chiefs in one district with a random draw of another chief for the entire sample period.

The estimates reported in Table 4 then difference out the estimates from Table 3 from the average estimate of the simulations in Figure 8 and draw statistical inferences based on the distribution of estimates from the simulations. Columns (1) and (3) in Table 4 subtract the estimates from Column (8) of Table 3 from the respective mean estimates from the simulations from Figure 8, and Columns (2) and (4) report the percent of estimates from the simulations that are more extreme than the relevant estimates.

Finally, before discussing our results, it is important to note that we assess the effect of chief ideology on five different outcomes. Assessing these different outcomes is a form of multiple hypothesis testing, increasing the probability that we could find a statistically significant result due to random chance. To assess statistical significance, we thus use a Bonferroni correction for multiple comparisons (e.g., Arrington et al. 2021). We specifically divide the standard 0.05 threshold for significance by the number of outcomes we study (five), meaning we interpret estimates as statistically significant if they have a p-value of 0.01 or lower.

Courthouse Closures. Figure 6 reveals that Republican-appointed chief judges closed courthouses 1.9 percent of the time and that Democratic-appointed chief judges closed courthouses 12.1 percent of the time. The regression results in Panel A of Table 3 suggest that this 10.2 percentage point gap is largely driven by differences between districts where Republican-appointed and Democratic-appointed judges serve as chief judges. Notably, in Column (8), we find no evidence that the ideology of the chief judge affects courthouse closure. However, the specification curve in Figure 7 reveals that the estimates are highly sensitive to the set of control variables used, thus illustrating the need to account for any lingering unobserved district-level factors that may be biasing the results. The results of the simulations reported in Figure 8 reveal that our regression estimates are within the distribution estimates that would occur by chance. For instance, the summary of the simulations in Table 4 suggests that Republican-appointed judges

[21] We include the chief judge in the set of judges that we randomly draw from, but the results are consistent if we only sample from non-chief judges.

were roughly 1 percentage point more likely to order courthouse closures, but these results miss statistical significance. Taken together, these results provide mixed evidence that chief judge ideology impacted courthouse closures.

Mask Requirements. Figure 6 reveals that Republican-appointed chief judges required masks 43.1 percent of the time and that Democratic-appointed chief judges required masks 52.0 percent of the time. The regression results in Panel B of Table 3 suggest that this 8.9 percentage point difference actually understates the differences between chief judges based on their ideology. For instance, the estimate in Column (8) of Panel B suggests that Republican-appointed chief judges are 26 percentage points less likely than Democratic-appointed chief judges to order a mask requirement. The specification curve in Figure 7 suggests that the estimates are not sensitive to the inclusion of control variables. Moreover, the simulations in Figure 8 reveal that the regressions are not simply picking up unobserved district-level factors that are correlated with chief judge ideology. For instance, as Table 4 reveals, Republican-appointed chief judges were 24 percentage points less likely to issue mask requirements compared to our simulations using a random draw of prior chiefs and 19 percent less likely to issue mask requirements compared to our simulations using a random draw of other current judges. Given that there were mask requirements in effect 48 percent of all the courthouse-year-months in the sample, these results imply between a 40 and 50 percent decrease in mask requirements in a given judicial district-year-month.

Taken together, these results suggest a substantially large difference in mask requirements based on chief judge ideology. That said, any definition of mask requirements in our setting is complicated by the fact that some courthouses were closed. Our primary approach to coding mask requirements is that the chief judge must have affirmatively ordered masks to be worn. One concern with this definition is that a chief judge who orders a courthouse to be completely closed may understandably think a mask requirement is unnecessary. But, if that chief judge had kept the courthouse open, they may have required masks. To assess the extent that this possibility affects the results, we also use two alternative approaches to defining mask requirements. First, we code a mask requirement if: (1) an order requires a mask to be worn, or (2) the courthouse is completely closed, regardless of whether an order requires masks to be worn. Second, we exclude all district-year-months where a complete closure order is in place. Appendix Table A7 reports the results using these alternative definitions and reveals consistent estimates.

CARES Act. Figure 6 reveals that Republican-appointed chief judges authorized the

CARES Act 98.9 percent of the time and that Democratic-appointed chief judges did so 92.0 percent of the time. The regression results in Panel C of Table 3 suggest that this 6.9 gap is largely driven by district-related factors. For instance, the estimates in Column (8) suggest the effect of ideology on the authorization of the CARES Act is small and not statistically significant. However, the specification curve reported in Figure 7 and the simulations reported in Figure 8 suggest the estimates are sensitive to the approach we take. Taken together, these results provided mixed evidence that chief judge ideology impacted the authorization of the CARES Act.

Halting In-Person Criminal Trials. Figure 6 reveals that Republican-appointed chief judges halted criminal trials 60.0 percent of the time and that Democratic-appointed chief judges halted them 47.2 percent of the time. The regression results in Panel D of Table 3 suggest that the estimates are sensitive to the controls. However, the specification curve in Figure 7 reveals that all but a few of the estimates are positive. Importantly, after differencing out the mean estimate of the simulations, Table 4 reveals that our estimates suggest that Republican-appointed chief judges were between 4 and 7 percentage points more likely to halt in-person criminal trials. Given our significance threshold of $p < 0.01$, however, these results are only marginally significant.

Our primary approach to coding the halting of criminal trials is that the chief judge must have affirmatively ordered that in-person trials could not be held. However, some judges went further than just halting trials and halted all criminal proceedings, including proceedings on in-person initial appearances, preliminary hearings, arraignments, and detention hearings. Because most criminal defendants accept plea deals without going to trial, this means that halting all proceedings may be more relevant to the large majority of criminal defendants. We therefore also coded an alternative definition for in-person trials that included both in-person trials and in-person proceedings. Appendix Table A8 reports the results using an alternative definition that codes halting criminal proceedings as stopping all criminal trials and all criminal proceedings. When using this alternative definition, we find a stronger relationship between ideology and halting criminal proceedings. Overall, we interpret the results as evidence that Republican-appointed chief judges were more likely to halt criminal trials during the pandemic, even after accounting for observed and unobserved district-level factors. The fact that Republican-appointed judges were more likely to halt trials is perhaps not expected, and we explore possible mechanisms below.

Halting In-Person Civil Trials. Figure 6 reveals that Republican-appointed chief judges halted civil trials 59.0 percent of the time and that Democratic-appointed chief judges halted them

43.5 percent of the time. These averages closely resemble criminal trials, providing descriptive evidence that chief judges may not treat civil trials differently than criminal trials. The regression results in Panel E of Table 3 suggest that a gap remains after controlling for district-level factors. For instance, the estimate in Column (8) suggests that there may be a 7 percentage points effect after controlling for district-level factors, but this result is also imprecisely estimated. The specification curve in Figure 7 reveals that all of the estimates are positive. And like for criminal trials, the simulation results suggest that the estimates are not due to unobserved district-level factors. As Table 4 summarizes, after differencing out the results of the simulations, our estimates suggest that Republican-appointed chief judges were between 6 and 10 percentage points more likely to halt in-person civil trials. Like with criminal trials, we also coded an alternative definition capturing halting not only in-person trials but also in-person proceedings. Appendix Table A9 reports the results using this alternative definition and reveals an even larger effect of ideology on halting civil proceedings. Overall, the results are consistent with criminal trials, suggesting that Republican-appointed chief judges were more likely to halt civil trials during the pandemic.

5.3. Heterogeneous Responses

The results reported in Section 5.2 suggest that district courts were less likely to require masks to be worn and more likely to halt criminal and civil trials if they had a Republican-appointed chief judge instead of a Democratic-appointed chief judge. We next explore whether chief judge ideology had heterogeneous effects depending on several factors that may have influenced how the chief judge responded to the pandemic.

To do so, we re-estimate the specifications with the full set of control variables reported in Column (8) of Table 3 while interacting the variable for a Republican-appointed chief judge with different variables that may have produced heterogeneous effects. Our primary interest here is whether ideology interacts with different factors in a way to systematically affect different outcomes, so we will focus our initial discussion on whether the estimates of the interaction terms are consistently different from zero across all the outcomes. We do so because there are risks associated with multiple hypothesis testing and therefore do not want to unduly place too much weight on any one estimate.

Table 5 reports these results. As a baseline, Panel A reports the relevant specifications from Column (8) of Table 3. Panel B explores whether chief judge ideology had heterogeneous effects as the pandemic went on. To do so, it interacts Republican-appointed chief judge with an

indicator variable for whether the year-month observation occurred between 6 and 11 months into the pandemic and an indicator variable for whether the year-month observation occurred at least 12 months into the pandemic. The intuition for this analysis is that the chief judge's ideological preferences may have played a bigger role in the policies they set as the pandemic wore on and became more politically charged (e.g., Republican-appointed chief judges may have initially been equally likely to impose a mask requirement, but then become less likely to do so six months or more into the pandemic). As Panel B reveals, there is some evidence of an interaction effect between chief judge ideology and the indicators for different lengths of time into the pandemic. Specifically, the effect of chief judge ideology on the imposition of a mask requirement was notably larger after 6 months into the pandemic but then decreased back to initial levels after a year into the pandemic. Based on the evidence in Figure 3, it does not appear that this result was driven by Republican-appointed chief judges becoming more comfortable requiring masks; instead, this decrease appears to be driven by a decrease in mask requirements generally.

Panel C interacts Republican-appointed chief judge with an indicator variable for whether the specific courthouse is the chief judge's primary duty station. The intuition for this analysis is that the chief judge could treat their own courthouse differently from other courthouses (e.g., deferring to the preferences of judges with a home base in another court more than what a chief appointed by a Democratic president would). As Panel C reveals, we find no evidence Republican-appointed chief judges treat their own courthouses differently.

Panel D interacts Republican-appointed chief judge with the district-level COVID-19 infection rate for a given district-year-month. The intuition for this analysis is that the chief judge's ideological preferences may be mediated by the actual risk of COVID-19 (e.g., Republican-appointed chief judges may be less likely to impose a mask requirement if COVID-19 rates are low, but equally likely to if rates are high). As Panel D reveals, we do not find consistent evidence that there were heterogeneous responses based on COVID-19 infection rates.

Panel E interacts Republican-appointed chief judge with an indicator variable for the existence of a local shelter-in-place order, and Panel F interacts Republican-appointed chief judge with an indicator for the existence of a local mask requirement. The intuition for these analyses is that the chief judge's ideological preferences may be mediated by the existence of local rules that create pressure for mask requirements (e.g., Republican-appointed chief judges may be less likely to impose a mask requirement if there are not any local rules in place, but equally likely to if there

are local-level mask requirements). As Panels E and F reveal, we do not find consistent evidence that there were heterogeneous responses based on local shelter-in-place or mask policies.

Finally, Panel G interacts Republican-appointed chief judge with the district-level share of the two-party vote the Republican presidential candidate won in the 2016 election. The intuition for this analysis is that Republican-appointed chief judges may decide to not impose mask requirements if their district has a conservative population but decide to impose them if their district has a liberal population. Here, we find consistently strong evidence that Republican-appointed chief judges may have been less likely than Democratic-appointed chief judges to change their COVID-19 policies in counties where there is a more conservative population.

One possible explanation for the results in Panel G is that the judges appointed by Republican presidents to serve in conservative districts are more conservative than the judges appointed by Republican presidents to serve in liberal districts. Given the tradition of deference to local officials in the appointment of district court judges, this is certainly possible. Another possible explanation is that the judges appointed by Republican presidents feel freer to enact policies supported by Republican officials and voters if they are surrounded by them, and, in particular, officially announce such policies in a general order. Although the chief judges are unelected and cannot be removed without cause, this suggests that chief judges are factoring the preferences of the local electorate into their decision making. These and other possible accounts could explain the results, but we are unable to distinguish between alternative explanations. The results in Panel G do suggest, however, that chief judge ideology has a differential impact on judicial administration depending on the ideology of the local population.

5.4. Mechanisms of Halting Trials

Taken together, our results suggest that Republican-appointed and Democratic-appointed chief judges adopted different responses to the COVID-19 pandemic: Republican-appointed judges were less likely to require masks but more likely to halt trials. The fact that Republican-appointed chief judges were less likely to require masks is perhaps predictable given the heavy partisan slant the issue took in the United States. But the fact that Republican-appointed chief judges were more likely to halt trials is slightly puzzling. For instance, if judges hold the views of the party of the president that appointed them, one may expect Republican-appointed chief judges to have been less likely to halt trials. After all, Republican politicians are known to have advocated for keeping businesses and the world operating as usual. As a result, the result that they were more

likely to halt trials is perhaps not expected.

One possible explanation for Republican-appointed chief judges being more likely to halt trials is that they may have been less sympathetic to the plight of criminal defendants during the pandemic. To test for this possibility, we assess whether Republican-appointed chief judges were likely to treat criminal and civil trials differently. For this analysis, the outcome indicates whether a judge halted criminal trials but not civil trials or whether a judge halted civil trials but not criminal trials. Panel A of Table 6 reports the results and reveals that, if anything, Republican-appointed chief judges were more likely to be consistent than Democratic-appointed chief judges. These results, therefore, provide suggestive evidence that the positive effect of Republican-appointed chief judges on halting trials was attributable to their attitudes toward criminal defendants.

Another possible explanation is that the effect of ideology on halting trials is somehow related to, or driven by, the effect of ideology on masking requirements. For example, because holding in-person trials requires the judge and court staff to be physically present, the imposition of masking requirements could affect whether judges hold trials. For instance, courthouses that did not require masks to be worn in the courtroom could have caused judges, staff, and juries to get at higher rates of COVID-19 and therefore be unable to attend in-person trials. Additionally, even if people did not get sick from not requiring masks, Republican-appointed judges could have placed more weight on not requiring masks than on holding trial. And if judges believed there was a heightened risk from not requiring masks, a side effect of the mask policy could be halting trials.

We therefore would like to decompose the effect of ideology on halting trials into that explained by masking requirements and other factors. The problem is that our identification strategy is designed to estimate the effect of ideology on different outcomes, but it is not designed to be able to decompose the effect on one outcome into mechanisms. To investigate the extent that the trial trials are explained by the masking results, one potential option would be to assess whether the relationship between ideology and halting trials differs by whether the court has a mask mandate, either by estimating the effect of ideology on halting trials after breaking up the sample by mask requirement or by retaining the full sample and interacting ideology with a mask requirement. But this approach would produce biased estimates because mask requirements are endogenous to judicial ideology.

However, we can investigate whether the relationship between ideology and halting trials differs by whether the court is *predicted* to have a mask mandate, where the prediction is not based

on the ideology of the chief judge (e.g., Frakes, Gruber, and Justicz 2023). To assess the effect of ideology on trials by the predicted likelihood of having a mask requirement, we first estimate our main specification for masking requirements while leaving out the indicator for chief judge ideology. We then form predicted values of mask requirements. To estimate the extent that the effect of ideology on halting trials is driven through the courthouses that are predicted to have a mask requirement, we next regress whether trials were halted on ideology, the predicted mask requirement, and the interaction of the prediction and ideology. If the effect of ideology on halting trials is not driven through the interaction term, that would provide evidence of a different trial effect independent of the masking effect.

Panels B and C of Table 6 report these results for criminal and civil trials. In our preferred specification (Column 8), in both panels, the main effect on Republican-appointed chiefs judge is negative and statistically insignificant, and the interaction term is positive and statistically significant. These findings provide suggestive evidence that the entire effect of ideology on halting trials is driven by the effect of ideology on mask requirements. It provides no evidence of an independent effect of ideology on halting trials. We find similar results when we run alternative specifications that form predicted mask requirements in alternative ways.[22] Because the effect of ideology on halting trials is entirely driven by the interaction term, this provides suggestive evidence that the trial effect is a result of the masking effect. But we would again like to emphasize that our identification strategy is not designed to decompose the effect on halting trials or any single outcome into mechanisms, so these tests are not direct tests of the mechanisms but rather should just be interpreted as suggestive evidence.

[22] Appendix Table A10 reports the results of two alternative specifications. First, we replace the continuous predicted mask requirement with an indicator variable for whether the predicted mask requirement is above the median. As can be seen in Panels A and B, these results provide consistent evidence. Second, instead of using a regression framework to predict mask requirements, we ask whether the effect of ideology on trial halting is driven by high masking courthouses. This is similar to our approach in Table 6, but it uses the overall leave-out mean masking requirement in the courthouse instead of trying to predict masking based on observables. If we find that the entire effect of ideology on halting trials is driven by the courthouses that are high masking courthouses, then it would suggest that the mechanism of halting trial is through masking requirements. For each courthouse-year-month, the measure is the mean masking requirement in the same courthouse in all other year-months. As can be seen in Panels C and D, although the interaction term is not statistically significant, the main effect on ideology is negative and the interaction term carries the entire positive effect on halting trials. These results are therefore consistent with the results reported in Table 6.

6. Conclusion

We studied the role that political ideology plays in the administration of the federal judiciary. We did so by exploiting unique institutional features of the structure of the federal judiciary, including the quasi-random variation in the individuals serving as chief judges of the federal district courts, and building an original dataset of orders related to COVID-19 issued by chief judges of the federal district courts. This allowed us to identify the effect of chief judge ideology on the adoption of courthouse policies during the COVID-19 pandemic. Our estimates suggested that switching a chief judge appointed by a Democratic president with a chief judge appointed by a Republican president would have decreased the probability that wearing masks would have been required in the courthouse and would have increased the probability that in-person criminal and civil trials would have been halted.

Taken together, our results suggest that Republican-appointed and Democratic-appointed chief judges adopted different responses to the COVID-19 pandemic. Based on our explanation of the mechanisms that could explain these results, we believe the best interpretation of our overall findings is that chief judge ideology was associated with notably different strategies about how to stay safe during the COVID-19 pandemic. Republican-appointed chief judges decided to not require masks to be worn in courthouses as frequently, but this in turn was directly associated with them being less likely to hold in-person trials. In short, our results suggest that the ideology of chief judges led to different choices about how to trade off concerns over health and the procedural rights of litigants in the judicial system. However, future research should explore why these choices were made and how they impacted the outcomes of criminal and civil litigation.

Before concluding, it is important to make several qualifications about our results. Notably, we collected our data in the summer of 2021 during a period of optimism before the delta and omicron waves of COVID-19, but it is possible that different patterns emerged as the pandemic drug on. Additionally, our dataset only includes formal orders adopting de jure COVID-19 restrictions, but it is possible that there were differences between the de jure policies that were announced and the de facto courthouse practices. For instance, it is possible that these policies were either only partially followed or ignored in some districts, or that in other districts more restrictive policies were followed than the orders formally announced.

But most notably, the COVID-19 pandemic is a unique event without parallel in recent decades, and it is possible that our results would not generalize beyond the pandemic. Indeed, the

decision to close courthouses or impose mask requirements may have been particularly high profile and ideologically salient, and future research is needed to understand the extent that chief judges' political ideology influences their administrative decisions in other settings. That said, part of our contribution is developing an identification strategy that isolates the effect of chief judge ideology on the management of federal district courts. Although our specific results may be confined to the COVID-19 pandemic, the identification strategy could be extended to studying other decisions by chief judges. Future research should thus build on our research design to study whether other aspects of judicial administration are influenced by ideology.

With those caveats in mind, our results offer concrete evidence that ideology can influence management decisions in the federal judiciary. This should serve as an important reminder that the federal judiciary is not a branch of government governed by legal and practice considerations alone. Instead, politics plays an important role in the administration of our judiciary beyond just the way that cases are decided. These results thus highlight the need for additional research on how political ideology affects the administration of the federal judiciary.

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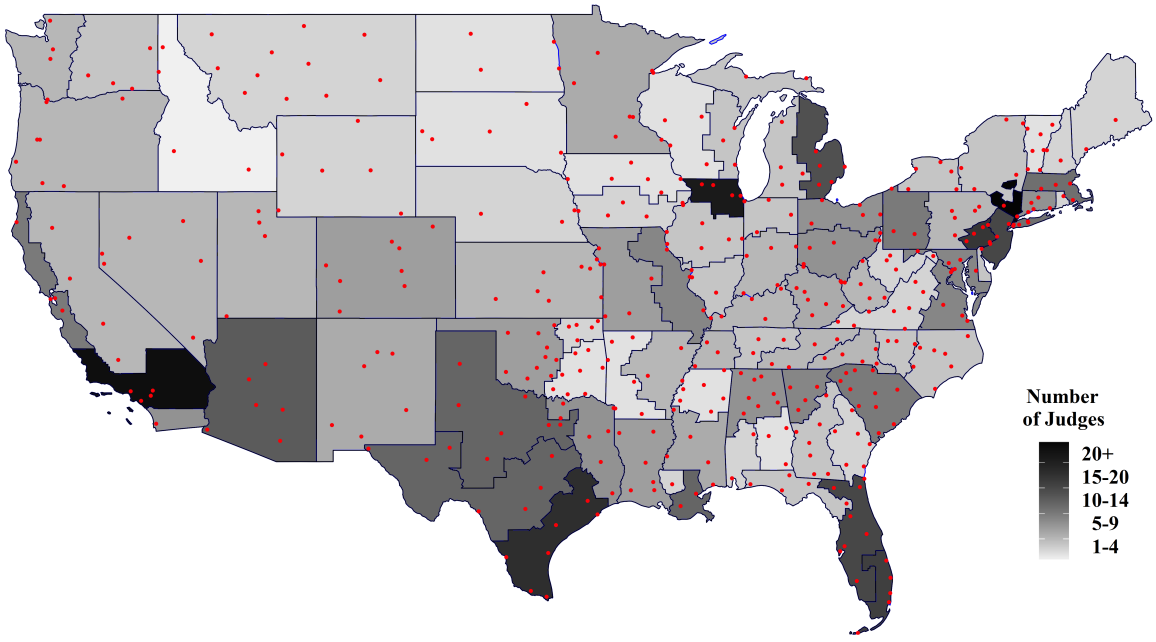
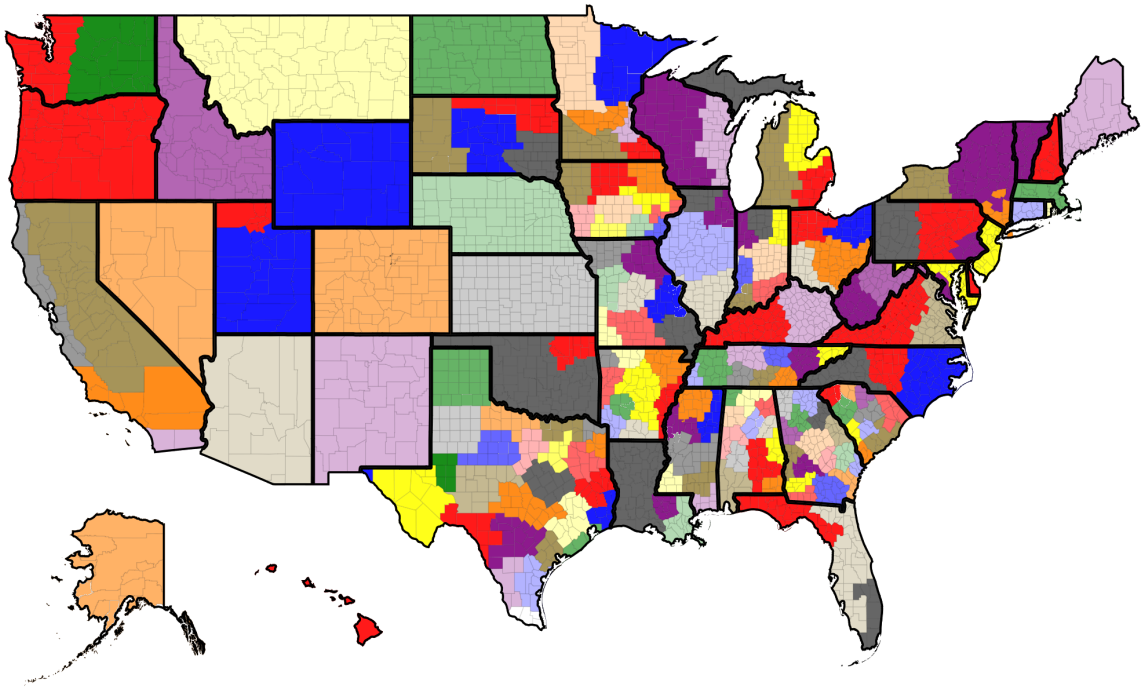
Figures and Tables

Figure 1: Courthouses and Jurisdictions of the Federal District Courts

A. Federal Districts and Courthouses

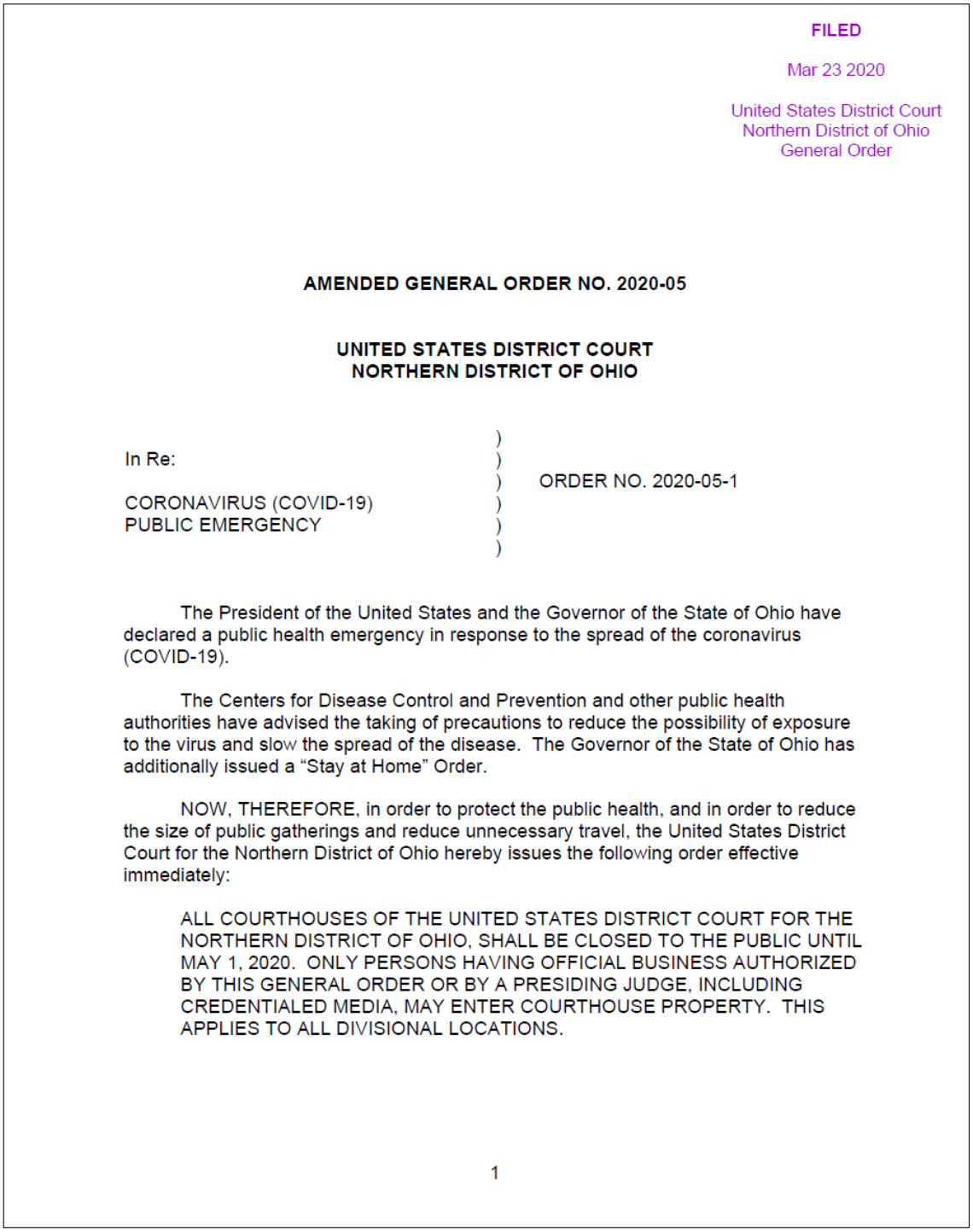


B. Unique Courthouse Jurisdictions



Notes: Panel A maps the geographic boundaries of the 90 district courts and reports the average number of judges by federal district from March 2020 to July 2021. The bullets indicate the location of congressionally authorized courthouses. Panel B maps the geographic boundaries of each jurisdiction. The colors are randomly assigned to distinguish jurisdictions, and the thin gray lines denote counties.

Figure 2: Example COVID-19 Order



FILED

Mar 23 2020

United States District Court
Northern District of Ohio
General Order

AMENDED GENERAL ORDER NO. 2020-05

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

In Re:	)	
	)	ORDER NO. 2020-05-1
CORONAVIRUS (COVID-19)	)	
PUBLIC EMERGENCY	)	

The President of the United States and the Governor of the State of Ohio have declared a public health emergency in response to the spread of the coronavirus (COVID-19).

The Centers for Disease Control and Prevention and other public health authorities have advised the taking of precautions to reduce the possibility of exposure to the virus and slow the spread of the disease. The Governor of the State of Ohio has additionally issued a "Stay at Home" Order.

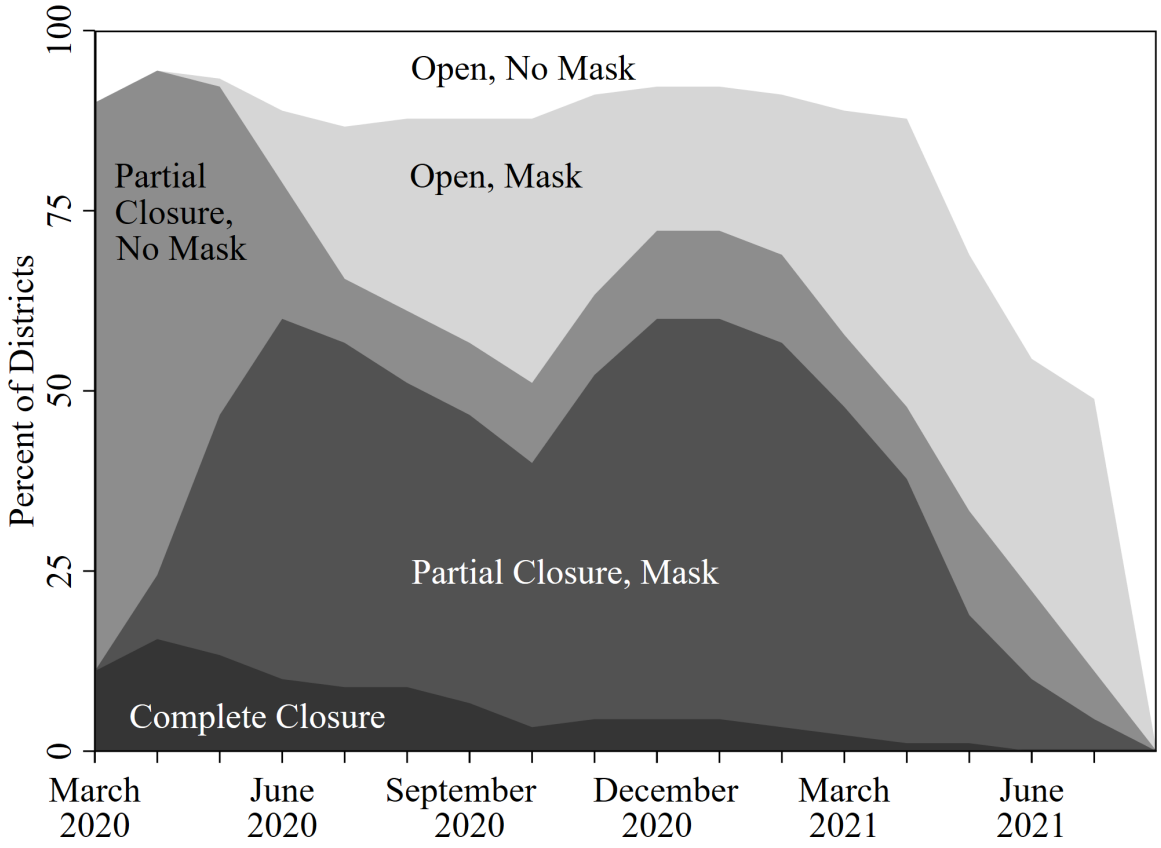
NOW, THEREFORE, in order to protect the public health, and in order to reduce the size of public gatherings and reduce unnecessary travel, the United States District Court for the Northern District of Ohio hereby issues the following order effective immediately:

ALL COURTHOUSES OF THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OHIO, SHALL BE CLOSED TO THE PUBLIC UNTIL MAY 1, 2020. ONLY PERSONS HAVING OFFICIAL BUSINESS AUTHORIZED BY THIS GENERAL ORDER OR BY A PRESIDING JUDGE, INCLUDING CREDENTIALED MEDIA, MAY ENTER COURTHOUSE PROPERTY. THIS APPLIES TO ALL DIVISIONAL LOCATIONS.

1

Note: This is an example district court COVID-19 order from the Northern District of Ohio.

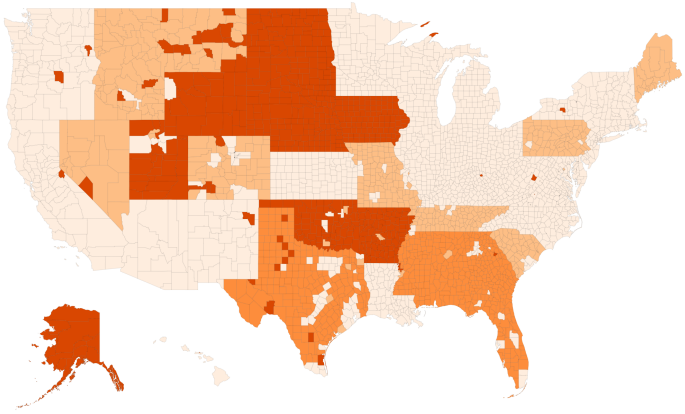
Figure 3: Status of Court COVID-19 Policy Across Districts



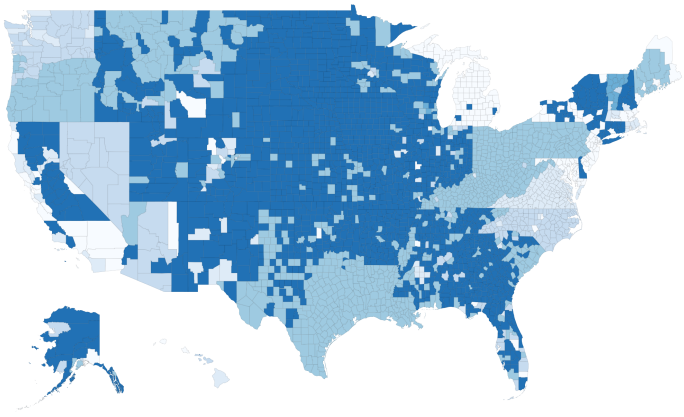
Notes: The figure reports the share of district courts with different COVID-19 policies for closure and mask requirements in each of the 16 months we study. The figure combines whether either in-person criminal or in-person civil trials were halted into a single measure labeled "Partial Closure."

Figure 4: COVID-19 Conditions by Judicial District

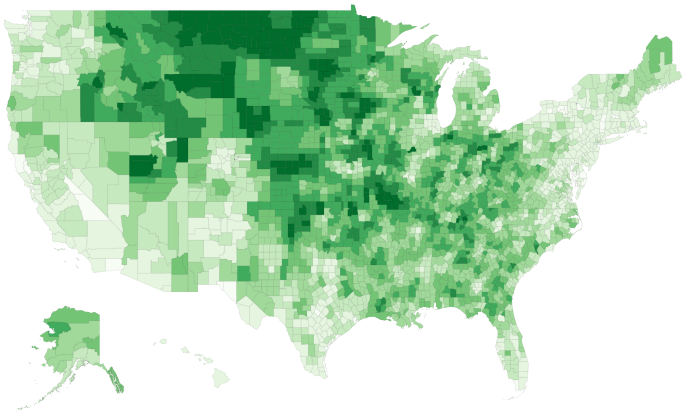
A. Local Shelter-in-Place Orders



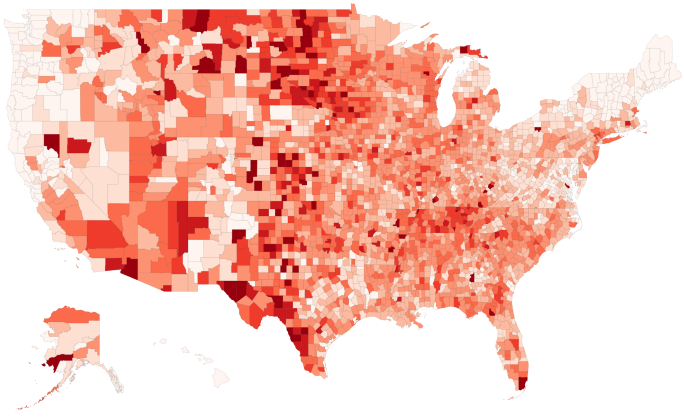
B. Local Mask Requirement



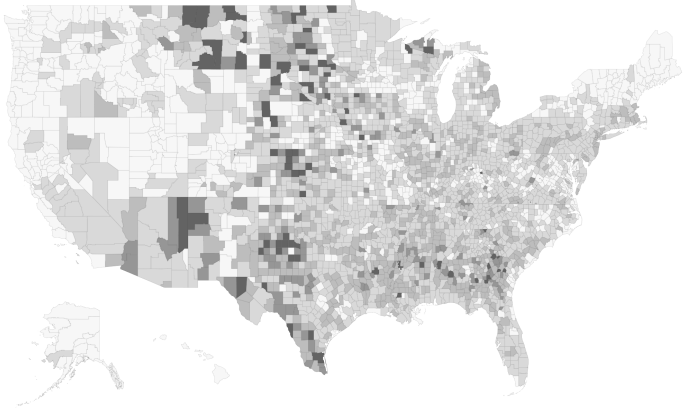
C. Mask Wearing



D. COVID Infections



E. COVID Deaths



Note: The figure reports heat maps of five COVID-19 conditions at the county-level. To be able to compare conditions across the outcomes, darker colors indicate conditions that are higher risk conditions. Panel A reports a heat map of the number of months of shelter-in-place orders for the first 4 months of the pandemic, where darker shades of orange indicate fewer months that the county had a shelter-in-place order. Panel B reports a heat map of the number of months from the beginning of the pandemic to the imposition of a first local mask requirement, where darker shades of blue indicate a greater number of months from the pandemic to a first mask requirement. Panel C reports a heat map of the share of respondents that reported wearing masks in the New York Times survey, where darker shades of green indicate less mask wearing. Panel D reports a heat map of the average number of COVID-19 cases per 1,000 people between March 2020 and July 2021, where darker shades of red indicate a greater number of infections. Panel E reports a heat map of the average number of COVID-19 deaths per 100 people between March 2020 and July 2021, where darker shades of gray indicate a greater number of deaths.

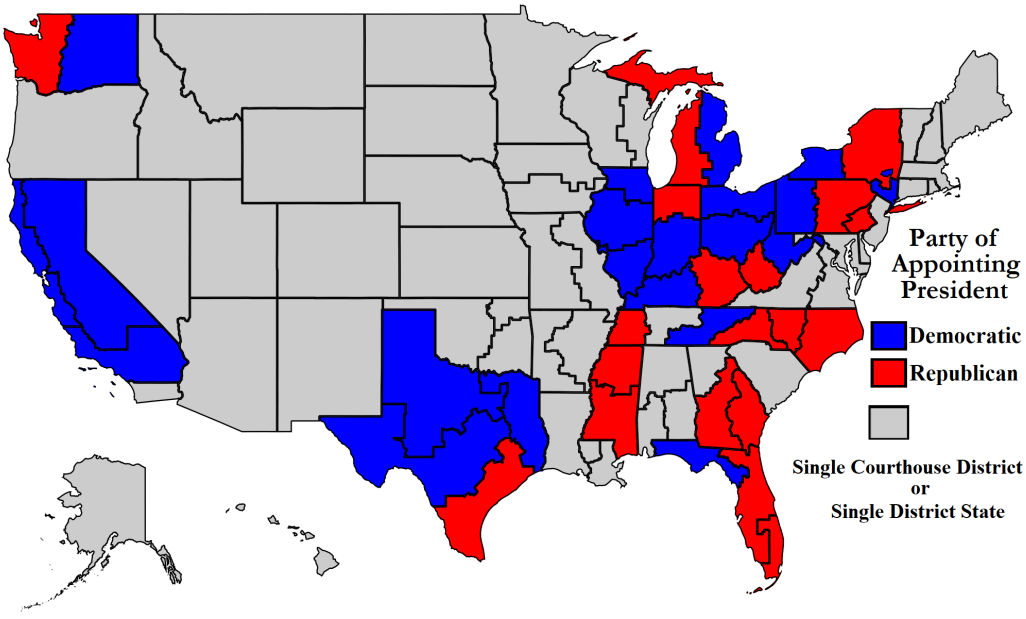
Table 1: Descriptive Statistics

	Sample			
	Complete		Restricted	
Variable	Mean	SD	Mean	SD
Courthouse Policies				
Courthouse Closure	4.7	21.2	7.3	26.1
Mask Requirement	52.4	50.0	47.9	50.0
CARES Act Authorized	96.7	17.9	95.2	21.3
No in-Person Criminal Trials	53.2	49.9	53.2	49.9
No in-Person Civil Trials	52.1	50.0	50.7	50.0
Judge Party Affiliation				
Republican-appointed Chief	47.3	49.9	49.9	50.0
Other Judges Republican Share	58.9	22.6	60.8	23.9
Chief Demographics				
Chief Age	63.1	5.4	63.1	5.4
Chief Female	28.9	45.3	29.7	45.7
Chief Non-White	16.0	36.3	13.2	33.3
Other Judge Demographics				
Other Judges Mean Age	68.8	4.2	68.8	4.8
Other Judges Female Share	25.2	13.9	23.5	13.8
Other Judges Non-White Share	16.7	17.1	16.8	19.5
Population Political Ideology				
Presidential Election (2016 Republican Share)	53.9	12.0	56.6	11.1
Populations At-Risk				
Population Share Over 65	14.4	2.0	14.6	1.9
Diabetes	10.2	1.7	10.8	1.5
Physically Inactive	24.1	4.0	25.7	4.0
Obese	28.9	3.5	30.2	3.2
Population Demographics				
Population Share Non-White	19.4	10.8	19.8	9.9
Median Household Income (×1000)	51.5	9.6	49.0	8.8
Poverty Rate	16.2	3.4	17.0	3.2
COVID – County of Courthouse				
Shelter-in-Place	14.8	35.6	15.8	36.5
Mask Requirement	63.5	48.1	54.4	49.8
COVID-19 Cases (×100)	0.4	1.2	0.2	1.0
COVID-19 Deaths (×1000)	0.7	2.0	0.5	1.6
Mask Wearing	4.2	0.3	4.2	0.3
COVID – District Level				
Shelter-in-Place	17.5	38.0	19.0	39.3
Mask Requirement	79.2	40.6	82.4	38.1
COVID-19 Cases (×100)	0.6	0.7	0.6	0.7
COVID-19 Deaths (×1000)	1.1	1.2	1.2	1.2
Mask Wearing	4.3	0.3	4.3	0.3
Number of Observations	3456	3456	2016	2016
Number of Courthouses	216	216	126	126
Number of Divisions	140	140	76	76
Number of Districts	90	90	41	41
Number of States	51	51	16	16

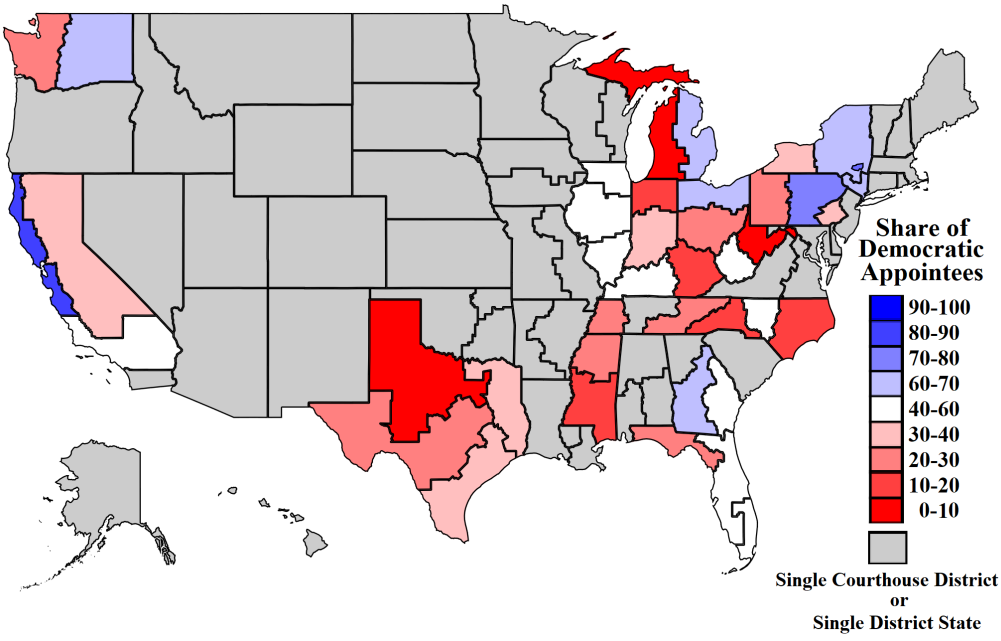
Note: The table reports descriptive statistics for the full and restricted sample as indicated at the top of the table. See text for a description of the restricted sample and each of the variables.

Figure 5: Judicial Ideology in Federal Districts with More than One Courthouse in the District and in States with More than One District

A. Chief Judge



B. Non-Chief Judges



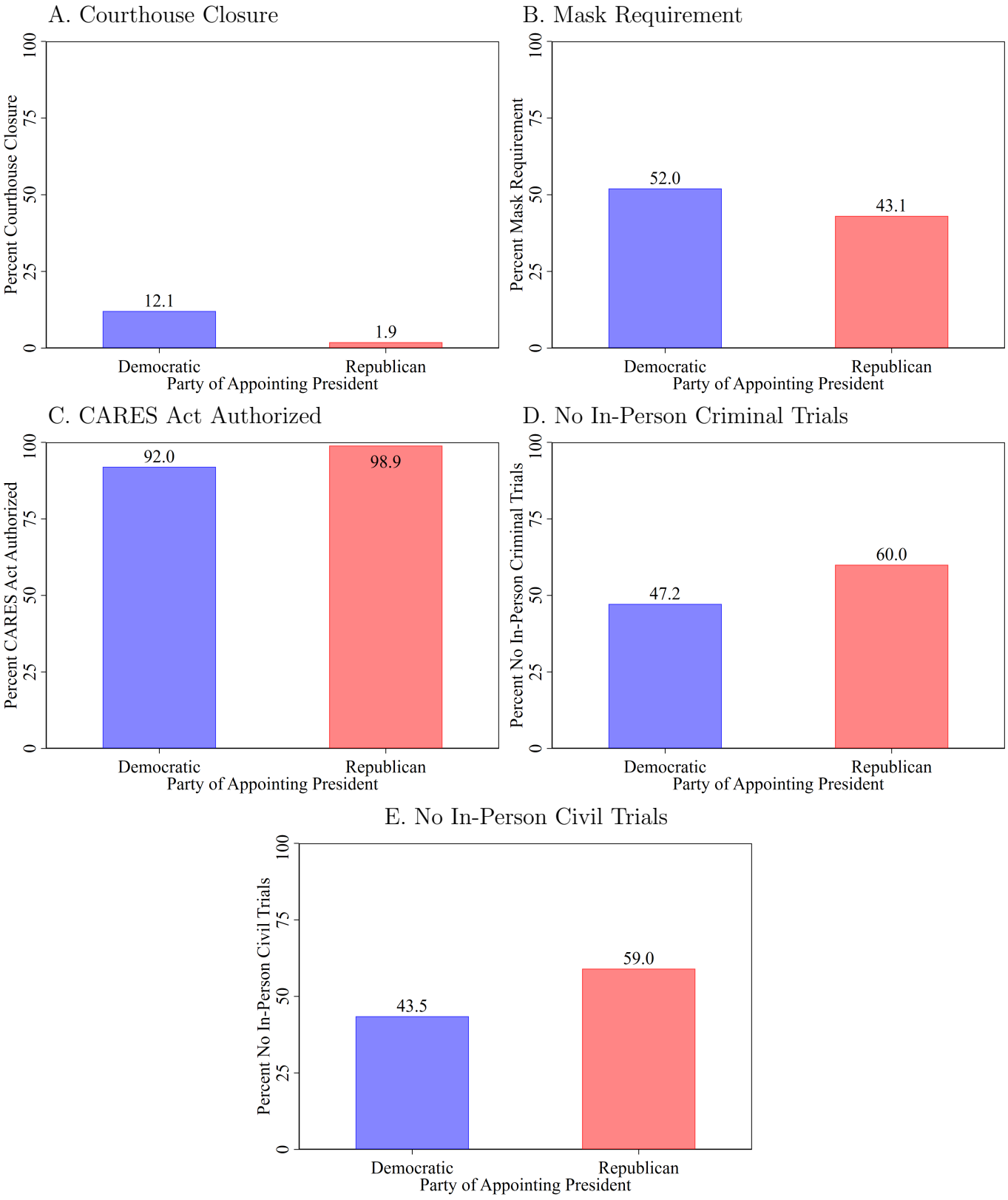
Note: The figure reports descriptive statistics for the 41 judicial districts that are in states with multiple districts and that also have courthouses in multiple cities as of March 2020. Panel A reports the political ideology of the chief judge at the start of the pandemic. Panel B reports the share of the judges not serving as chief judge appointed by each party as of the start of the pandemic.

Table 2: Testing Randomness in the Ideology of the Chief Judge

	Republican-appointed Chief		
	(1)	(2)	(3)
A. Chiefs Since 1980			
Previous Republican-appointed Chief	0.152***		-0.033
	(0.041)		(0.039)
Other Judges Republican Share		0.898***	0.921***
		(0.049)	(0.054)
Mean Chief Republican	0.57	0.57	0.57
Observations	525	525	525
B. Chiefs Since 2000			
Previous Republican-appointed Chief	0.160***		-0.037
	(0.053)		(0.049)
Other Judges Republican Share		0.906***	0.935***
		(0.062)	(0.067)
Mean Chief Republican	0.55	0.55	0.55
Observations	343	343	343
C. Chiefs in March 2020			
Previous Republican-appointed Chief	0.359***		0.064
	(0.098)		(0.110)
Other Judges Republican Share		0.973***	0.914***
		(0.084)	(0.123)
Mean Chief Republican	0.44	0.44	0.44
Observations	90	90	90

Note: The unit of observation is at the chief judge level, where a unique observation is for a chief judge serving as chief over some length of time. In Panel A, the sample includes chief judges since 1980. In Panel B, the sample includes chief judges since 2000. In Panel C, the sample restricts to chief judges as of March 2020. Standard errors are clustered by district and are in parentheses. * $p<0.05$, ** $p<0.01$, *** $p<0.001$.

Figure 6: Mean Differences in Policies by Ideology of the Chief Judge



Note: The figure reports the overall differences in the share of courthouse-year-months that COVID-19 policies were in place by the party of the appointing president of the chief judge.

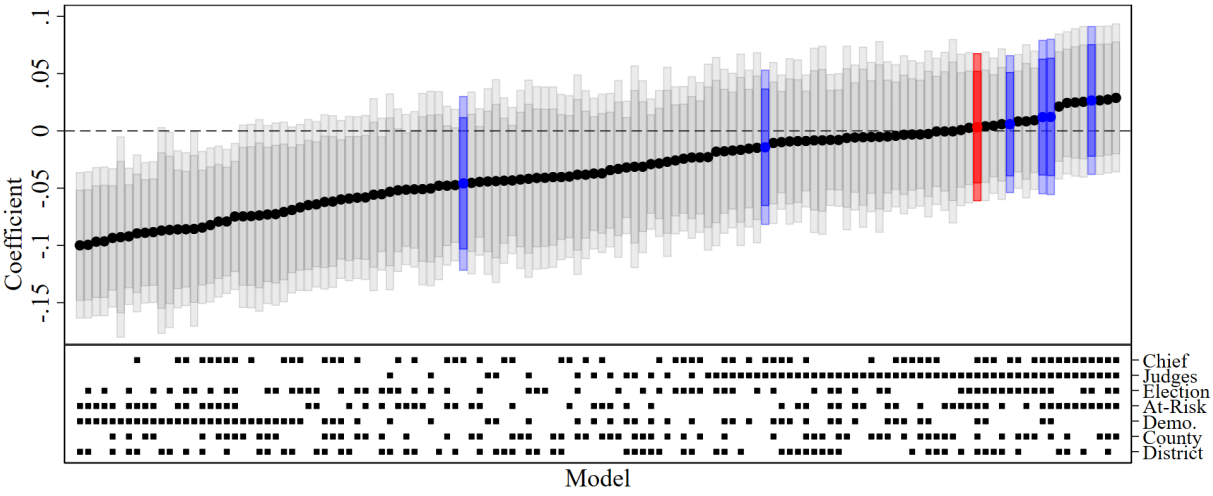
Table 3: Chief Judge Ideology and Courthouse Policies

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
A. Courthouse Closure								
Republican-appointed Chief	-0.06	-0.05	-0.02	0.00	0.02	0.01	0.01	0.00
	(0.03)	(0.03)	(0.03)	(0.02)	(0.02)	(0.02)	(0.03)	(0.02)
Mean Courthouse Closure	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07
B. Mask Requirement								
Republican-appointed Chief	-0.17*	-0.14	-0.30***	-0.27***	-0.23**	-0.25***	-0.26***	-0.25***
	(0.07)	(0.07)	(0.07)	(0.07)	(0.07)	(0.07)	(0.07)	(0.06)
Mean Mask Requirement	0.48	0.48	0.48	0.48	0.48	0.48	0.48	0.48
C. CARES Act Authorized								
Republican-appointed Chief	0.08*	0.09**	-0.04	-0.04	-0.03	0.03	0.03	0.02
	(0.03)	(0.03)	(0.02)	(0.02)	(0.02)	(0.02)	(0.02)	(0.02)
Mean CARES Act Authorized	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
D. No In-Person Criminal Trials								
Republican-appointed Chief	0.15*	0.17*	0.12	0.14	0.12	0.01	0.01	0.03
	(0.07)	(0.08)	(0.09)	(0.08)	(0.08)	(0.07)	(0.07)	(0.06)
Mean No Criminal Trials	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53
E. No In-Person Civil Trials								
Republican-appointed Chief	0.19**	0.20**	0.15	0.16*	0.15	0.05	0.04	0.07
	(0.07)	(0.07)	(0.08)	(0.08)	(0.08)	(0.07)	(0.07)	(0.06)
Mean No Civil Trials	0.51	0.51	0.51	0.51	0.51	0.51	0.51	0.51
Covariates								
Other Judges Republican Share	✓	✓	✓	✓	✓	✓	✓	✓
State-Year-Month FE	✓	✓	✓	✓	✓	✓	✓	✓
Chief Demographics		✓	✓	✓	✓	✓	✓	✓
Other Judge Demographics			✓	✓	✓	✓	✓	✓
Population Political Ideology				✓	✓	✓	✓	✓
Population At-Risk					✓	✓	✓	✓
Population Demographics						✓	✓	✓
COVID − County of Courthouse							✓	✓
COVID − District Level								✓
Observations	2,016	2,016	2,016	2,016	2,016	2,016	2,016	2,016

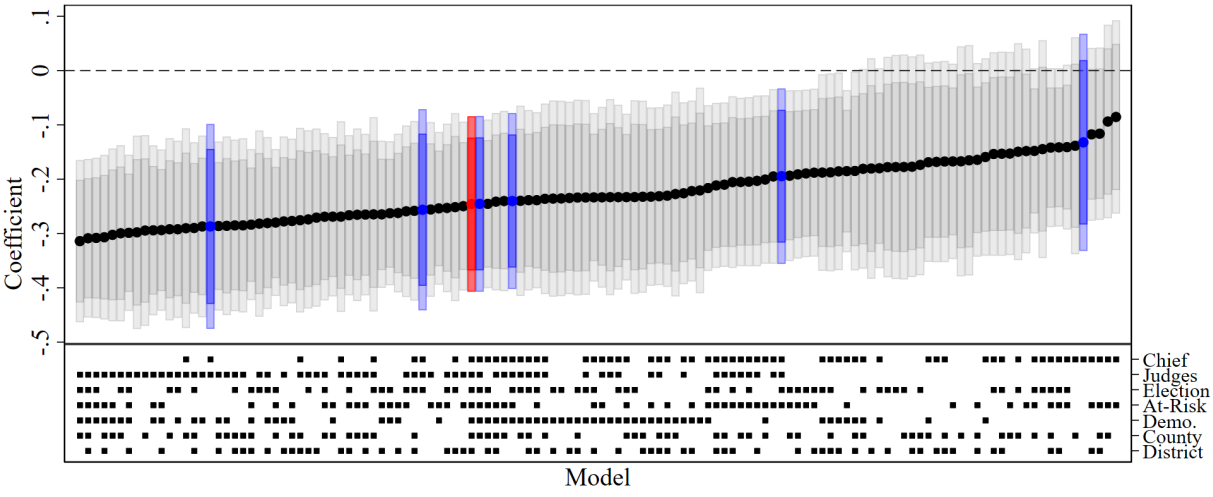
Note: The unit of observation is at the courthouse-year-month level. The dependent variable differs by panel. In Panel A, the dependent variable is closure of the courthouse. In Panel B, the dependent variable is the presence of a Mask Requirement for the courthouse In Panel C, the dependent variable is authorization of the CARES Act. In Panel D, the dependent variable is halting in-person criminal trials. In Panel E, the dependent variable is halting in-person civil trials. The columns differ by the set of control variables used, where sets of controls are added from Table 1. Column (1) controls for the share of other judges in the federal judicial district appointed by Republican presidents; Column (2) adds controls for the demographic characteristics of the chief judges; Column (3) adds controls for the demographic characteristics of the other judges in the district; Column (4) adds a control for the Republican share of the two-party vote in the 2016 presidential election; Column (5) adds controls for at-risk populations in the district; Column (6) adds controls for the population demographics in the district; Column (7) adds controls for COVID-19 conditions in each the county where the courthouse is located; and Column (8) adds controls for the COVID-19 conditions in the district. Standard errors are clustered by courthouse and are in parentheses. * $p<0.05$, ** $p<0.01$, *** $p<0.001$.

Figure 7: Specification Curves (Page 1)

A. Courthouse Closure



B. Mask Requirement



C. CARES Act

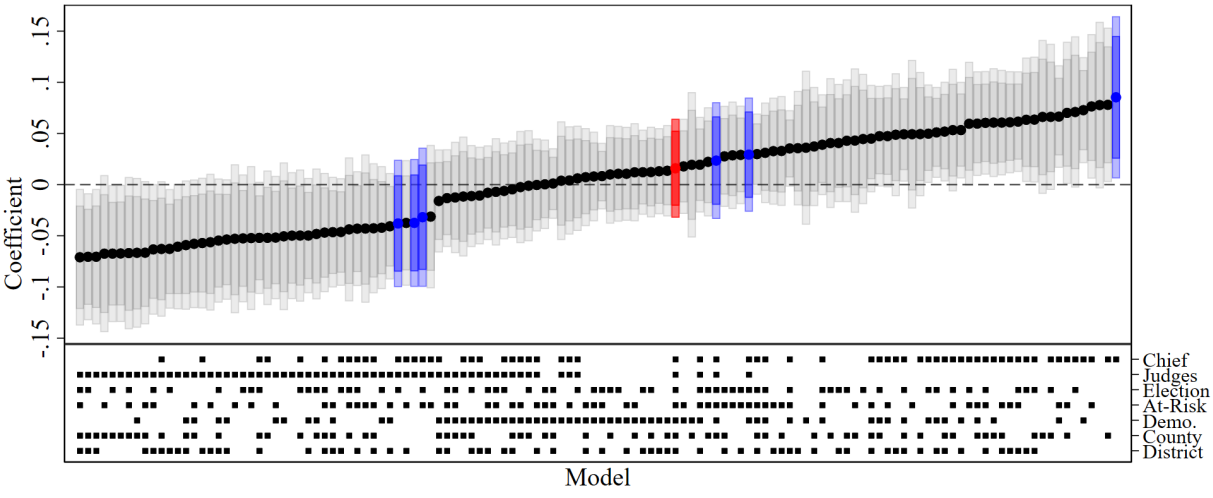
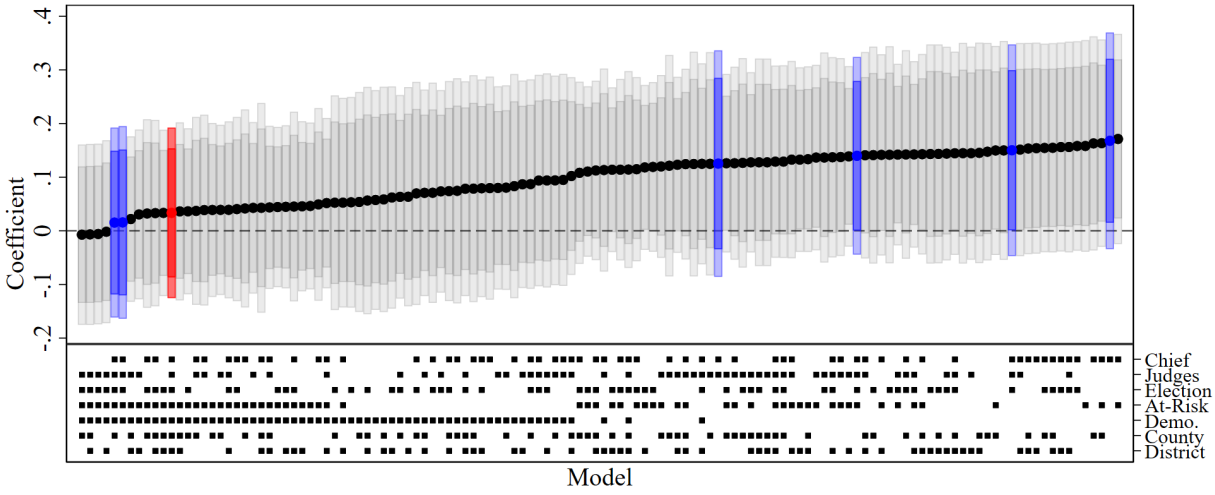
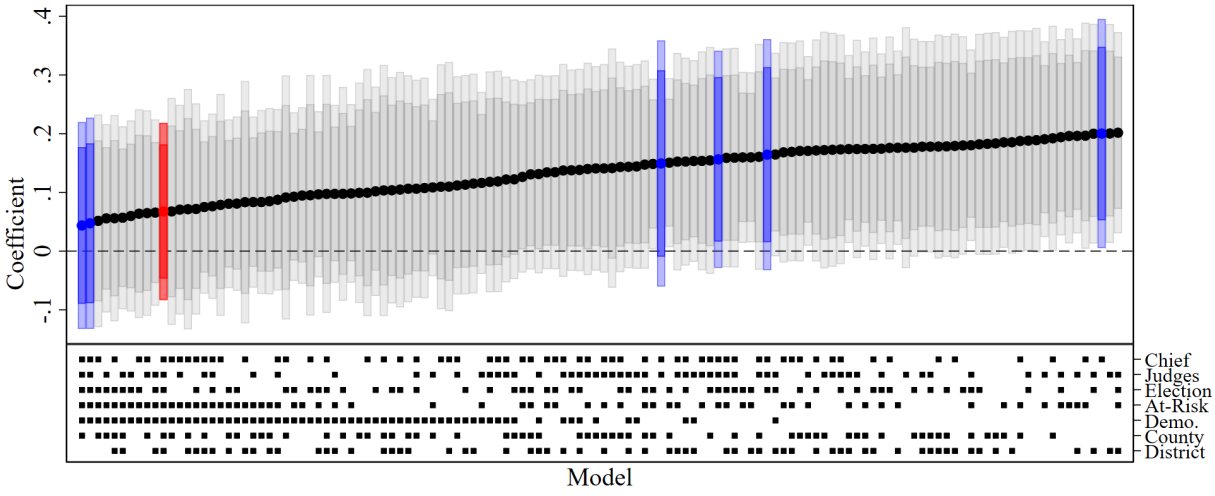


Figure 7: Specification Curves (Page 2)

D. No In-Person Criminal Trials

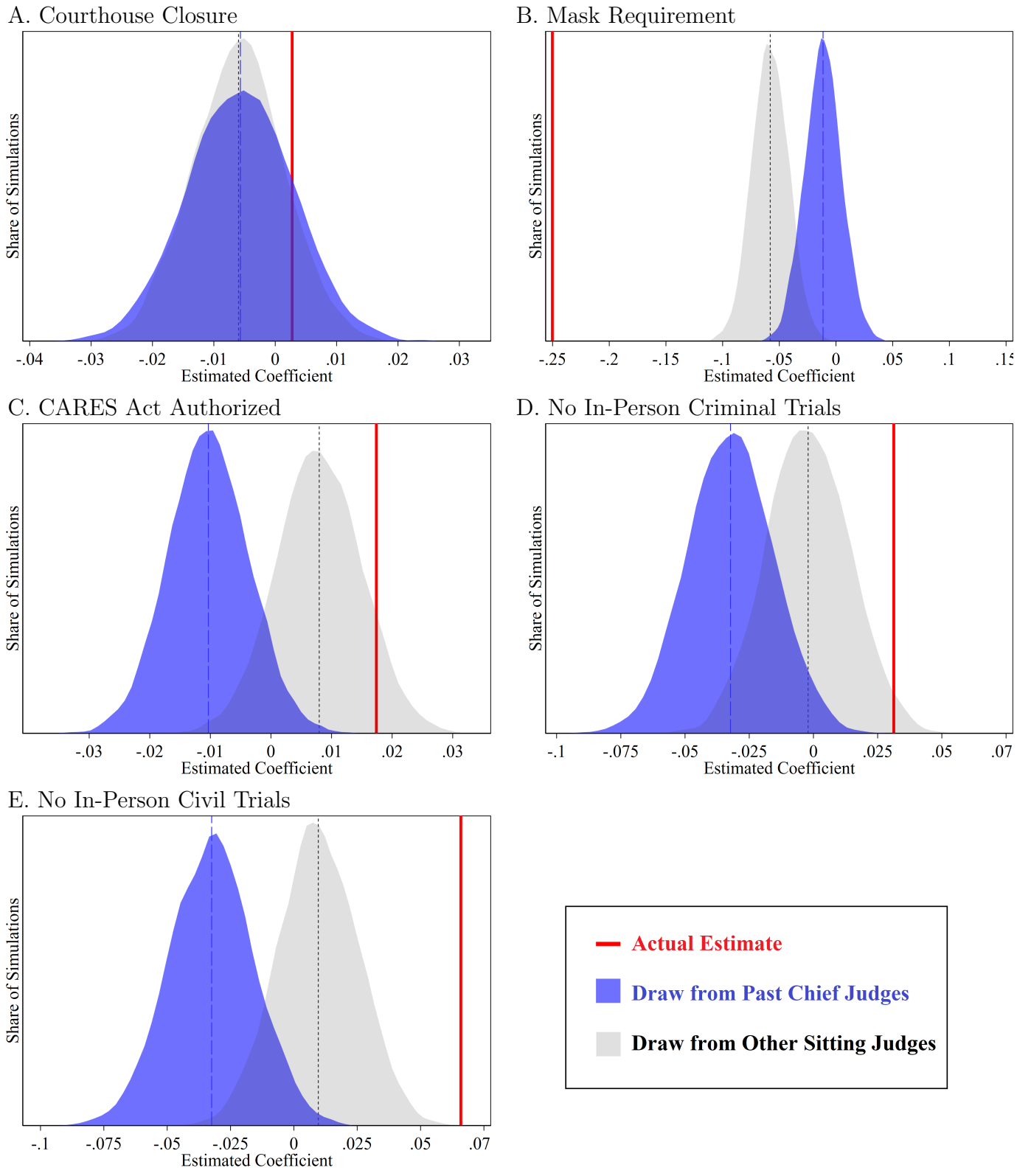


E. No In-Person Civil Trials



Note: The figure reports specification curves of regression estimates on Republican-appointed chief judge. Each regression controls for whether the chief is appointed by a Republican president, the share of other judges that are Republican, and state-year-month fixed effects. The regressions vary in the categories of other control variables included. The square black markers are the point estimate, the darker gray bars are the 95 percent confidence intervals, and the lighter gray bars are the 99 percent confidence intervals. The specifications reported in Columns 1 to 7 in Table 3 are shown in blue, and the specification reported in Column 8 is shown in red. Within each panel, the boxes at the bottom of the figures indicate the set of control variables included in a specific regression. The estimates are ordered from smallest to largest.

Figure 8: Distribution of Estimates from the Simulations



Note: The figure reports the simulation results where we estimate the regressions from Column 8 of Table 3 while randomly replacing the ideology of the current chief with the ideology measure of other possible chief judges for the district. The blue distributions plot the estimated coefficients when the simulations use a randomly drawn past chief, and the gray distributions plot the estimates coefficients when the simulations use a randomly drawn sitting judge. The red line plots the relevant estimates from Column 8 in Table 3 for each outcome. The black thin vertical lines plot the average of the estimates from the simulations.

Table 4: Summary of Simulation Results

	Past Chief Judges		Other Sitting Judges		Outcome Mean
	(1)	(2)	(3)	(4)	(5)
A. Courthouse Closure					
Republican-appointed Chief	0.01	$p < 0.166$	0.01	$p < 0.121$	0.07
B. Mask Requirement					
Republican-appointed Chief	-0.24	$p < 0.001$	-0.19	$p < 0.001$	0.48
C. CARES Act Authorized					
Republican-appointed Chief	0.03	$p < 0.001$	0.01	$p < 0.093$	0.95
D. No In-Person Criminal Trials					
Republican-appointed Chief	0.06	$p < 0.001$	0.03	$p < 0.020$	0.53
E. No In-Person Civil Trials					
Republican-appointed Chief	0.10	$p < 0.001$	0.06	$p < 0.001$	0.51

Note: The table reports the simulation results where we estimate the regressions from Column (8) of Table 3 while randomly replacing the ideology of the current chief with the ideology measure of other possible chief judges for the district. The estimates reported in Columns (1) and (3) report the difference between the estimate in Column (8) of Table 3 and the average estimate in the simulations. Statistical inferences are drawn from the distribution of estimates from the simulations below the actual estimates and are reported in Columns (2) and (4). Columns 1 and 2 report the results for the simulations using a randomly drawn past chief. Columns 3 and 4 report the results for the simulations using a randomly drawn sitting judge. Columns 1 and 3 report the difference between the estimates from Column 8 of Table 3 and the average estimate in the simulations. Columns 2 and 4 report the percent of simulated estimates below the estimate from Column 8 of Table 3. Column 5 reports the mean of the dependent variable.

Table 5: Heterogeneous Effects

	Court Clos. (1)	Mask Req. (2)	CARES Act (3)	Crim. Trials (4)	Civil Trials (5)
A. Baseline Results					
Republican-appointed Chief	0.00	-0.25***	0.02	0.03	0.07
	(0.02)	(0.06)	(0.02)	(0.06)	(0.06)
B. Effect Over Time					
Republican-appointed Chief	0.00	-0.16*	-0.02	0.02	0.02
	(0.04)	(0.08)	(0.03)	(0.07)	(0.07)
× 6-11 Months into Pandemic	-0.02	-0.20**	0.04	0.00	0.04
	(0.04)	(0.06)	(0.02)	(0.07)	(0.06)
× 12+ Months into Pandemic	0.02	-0.04	0.08	0.02	0.11
	(0.04)	(0.08)	(0.05)	(0.09)	(0.08)
C. Chief Courthouse					
Republican-appointed Chief	0.01	-0.29***	0.02	0.03	0.08
	(0.03)	(0.06)	(0.02)	(0.07)	(0.06)
× Chief Courthouse	-0.01	0.12	-0.01	-0.02	-0.05
	(0.03)	(0.07)	(0.03)	(0.09)	(0.09)
D. COVID Rate					
Republican-appointed Chief	0.00	-0.18**	0.01	0.04	0.08
	(0.03)	(0.07)	(0.02)	(0.07)	(0.06)
× COVID Rate	0.00	-0.11***	0.01	-0.02	-0.01
	(0.02)	(0.03)	(0.01)	(0.04)	(0.04)
E. Local Shelter-in-Place Order					
Republican-appointed Chief	-0.03	-0.28***	0.02	-0.02	0.02
	(0.02)	(0.06)	(0.02)	(0.05)	(0.05)
× Local Stay-at-Home Order	0.06	0.21*	-0.04	0.10	0.08
	(0.05)	(0.09)	(0.04)	(0.07)	(0.06)
F. Local Mask Policy					
Republican-appointed Chief	0.02	-0.23**	-0.02	0.01	0.03
	(0.04)	(0.08)	(0.03)	(0.07)	(0.06)
× Local Mask Policy	-0.02	-0.03	0.05	0.04	0.05
	(0.03)	(0.06)	(0.03)	(0.06)	(0.06)
G. Presidential Election					
Republican-appointed Chief	0.28*	0.00	0.50***	-0.61**	-0.56*
	(0.11)	(0.24)	(0.12)	(0.21)	(0.22)
× Presidential Election Share	-0.57*	-0.51	-0.97***	1.29**	1.27**
	(0.23)	(0.48)	(0.23)	(0.46)	(0.46)
Outcome Mean	0.07	0.48	0.95	0.53	0.51
Observations	2,016	2,016	2,016	2,016	2,016

Note: The unit of observation is at the courthouse-year-month level. Columns differ by the outcome as indicated at the top of the table. Panel A reports the specifications from Column (8) of Table 3. Panels B to G report the same specifications while adding interaction terms as indicated by the panel title. The coefficients for all control variables are omitted. Standard errors are clustered by courthouse and are in parentheses. * p<0.05, ** p<0.01, *** p<0.001.

Table 6: Mechanisms Driving Halting of Civil and Criminal Trials

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
A. Difference in Holding Criminal and Civil Trials								
Republican-appointed Chief	-0.04*	-0.04*	0.00	0.00	-0.01	-0.03	-0.03	-0.04
	(0.02)	(0.01)	(0.02)	(0.01)	(0.02)	(0.02)	(0.02)	(0.02)
Mean Difference	0.04	0.04	0.04	0.04	0.04	0.04	0.04	0.04
B. Predicted Mask Requirement, Criminal Trials								
Predicted Mask Requirement	0.56***	0.60***	0.09	-0.14	1.01***	0.78**	0.81**	-0.91
	(0.10)	(0.12)	(0.17)	(0.18)	(0.21)	(0.26)	(0.29)	(1.17)
Republican-appointed Chief	0.13*	0.12*	0.01	-0.02	0.01	-0.11	-0.11	-0.08
	(0.06)	(0.06)	(0.10)	(0.10)	(0.08)	(0.07)	(0.07)	(0.07)
× Predicted Mask Requirement	0.13	0.14	0.32*	0.39**	0.32**	0.31*	0.31*	0.26*
	(0.13)	(0.11)	(0.14)	(0.13)	(0.10)	(0.12)	(0.12)	(0.12)
Mean No Criminal Trials	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53
C. Predicted Mask Requirement, Civil Trials								
Predicted Mask Requirement	0.55***	0.64***	0.06	-0.07	0.99***	0.80**	0.78**	-1.04
	(0.09)	(0.11)	(0.16)	(0.18)	(0.21)	(0.26)	(0.29)	(1.31)
Republican-appointed Chief	0.13*	0.13*	0.01	-0.01	0.02	-0.13*	-0.13*	-0.10
	(0.06)	(0.06)	(0.09)	(0.09)	(0.08)	(0.06)	(0.06)	(0.07)
× Predicted Mask Requirement	0.23*	0.20	0.38**	0.42***	0.36***	0.43***	0.43***	0.38**
	(0.11)	(0.10)	(0.13)	(0.12)	(0.10)	(0.12)	(0.12)	(0.12)
Mean No Civil Trials	0.51	0.51	0.51	0.51	0.51	0.51	0.51	0.51
Covariates								
Other Judges Republican Share	✓	✓	✓	✓	✓	✓	✓	✓
State-Year-Month FE	✓	✓	✓	✓	✓	✓	✓	✓
Chief Demographics		✓	✓	✓	✓	✓	✓	✓
Other Judge Demographics			✓	✓	✓	✓	✓	✓
Population Political Ideology				✓	✓	✓	✓	✓
Population At-Risk					✓	✓	✓	✓
Population Demographics						✓	✓	✓
COVID − County of Courthouse							✓	✓
COVID − District Level								✓
Observations	2,016	2,016	2,016	2,016	2,016	2,016	2,016	2,016

Note: The unit of observation is at the courthouse-year-month level.
The dependent variable differs by panel. In Panel A, the dependent variable is an indicator variable for a difference in holding civil and criminal trials (1 if civil trials but not criminal, 1 if criminal trials but not civil, and 0 otherwise). In Panel B, the dependent variable is halting in-person criminal trials. In Panel C, the dependent variable is halting in-person civil trials. Column (1) controls for the share of other judges in the federal judicial district appointed by Republican presidents; Column (2) adds controls for the demographic characteristics of the chief judges; Column (3) adds controls for the demographic characteristics of the other judges in the district; Column (4) adds a control for the Republican share of the two-party vote in the 2016 presidential election; Column (5) adds controls for at-risk populations in the district; Column (6) adds controls for the population demographics in the district; Column (7) adds controls for COVID-19 conditions in each the county where the courthouse is located; and Column (8) adds controls for the COVID-19 conditions in the district. Standard errors are clustered by courthouse and are in parentheses. * p<0.05, ** p<0.01, *** p<0.001.

Online Appendix

Table A1: Statutorily Authority Federal Courthouses by District and Division

State	District	Division	Courthouses
Alabama	Middle	Eastern	Opelika
Alabama	Middle	Northern	Montgomery
Alabama	Middle	Southern	Dothan
Alabama	Northern	Eastern	Anniston
Alabama	Northern	Jasper	Jasper
Alabama	Northern	Middle	Gadsden
Alabama	Northern	Northeastern	Huntsville, Decatur
Alabama	Northern	Northwestern	Florence
Alabama	Northern	Southern	Birmingham
Alabama	Northern	Western	Tuscaloosa
Alabama	Southern	Northern	Selma
Alabama	Southern	Southern	Mobile
Alaska			Anchorage, Fairbanks, Juneau, Ketchikan, Nome
Arizona			Flagstaff, Globe, Phoenix, Prescott, Tucson, Yuma
Arkansas	Eastern	Central	Little Rock
Arkansas	Eastern	Delta	Helena
Arkansas	Eastern	Northern	Jonesboro
Arkansas	Western	El Dorado	El Dorado
Arkansas	Western	Fayetteville	Fayetteville
Arkansas	Western	Fort Smith	Fort Smith
Arkansas	Western	Harrison	Harrison
Arkansas	Western	Hot Springs	Hot Springs
Arkansas	Western	Texarkana	Texarkana

Note: The table reports the federal district courthouses and the jurisdiction of those courthouses as set out in 28 U.S.C. Part I, Chapter 5. State and district indicate a unique federal district court. Some districts are divided into multiple divisions with one or more courthouse in each division, while other districts have multiple courthouses but are not divided into divisions. In the table, the unique observation is the division.

Table A1: Statutorily Authority Federal Courthouses by District and Division (Page 2)

State	District	Division	Courthouses
California	Central	Eastern	Riverside, San Bernardino
California	Central	Southern	Santa Ana
California	Central	Western	Los Angeles
California	Eastern		Bakersfield, Fresno, Redding, Sacramento
California	Northern		Eureka, Oakland, San Francisco, San Jose
California	Southern		San Diego
Colorado			Boulder, Colorado Springs, Denver, Durango, Grand Junction, Montrose, Pueblo, Sterling
Connecticut			Bridgeport, Hartford, New Haven, New London, Waterbury
DC			Washington
Delaware			Wilmington
Florida	Middle		Fernandina, Fort Myers, Jacksonville, Live Oak, Ocala, Orlando, Saint Petersburg, Tampa
Florida	Northern		Gainesville, Marianna, Panama City, Pensacola, Tallahassee
Florida	Southern		Fort Lauderdale, Fort Pierce, Key West, Miami, West Palm Beach
Georgia	Middle	Albany	Albany
Georgia	Middle	Americus	Americus
Georgia	Middle	Athens	Athens
Georgia	Middle	Columbus	Columbus
Georgia	Middle	Macon	Macon
Georgia	Middle	Thomasville	Thomasville
Georgia	Middle	Valdosta	Valdosta
Georgia	Northern	Atlanta	Atlanta
Georgia	Northern	Gainesville	Gainesville
Georgia	Northern	Newnan	Newnan
Georgia	Northern	Rome	Rome
Georgia	Southern	Augusta	Augusta
Georgia	Southern	Brunswick	Brunswick
Georgia	Southern	Dublin	Dublin
Georgia	Southern	Savannah	Savannah
Georgia	Southern	Statesboro	Statesboro
Georgia	Southern	Waycross	Waycross

Table A1: Statutorily Authority Federal Courthouses by District and Division (Page 3)

State	District	Division	Courthouses
Hawaii			Honolulu
Idaho			Boise, Coeur d'Alene, Moscow, Pocatello
Illinois	Central		Champaign/Urbana, Danville, Peoria, Quincy, Rock Island, Springfield
Illinois	Northern	Eastern	Chicago, Wheaton
Illinois	Northern	Western	Freeport, Rockford
Illinois	Southern		Alton, Benton, Cairo, East Saint Louis
Indiana	Northern	Fort Wayne	Fort Wayne
Indiana	Northern	Hammond	Hammond, Lafayette
Indiana	Northern	South Bend	South Bend
Indiana	Southern	Evansville	Evansville
Indiana	Southern	Indianapolis	Indianapolis, Richmond
Indiana	Southern	New Albany	New Albany
Indiana	Southern	Terre Haute	Terre Haute
Iowa	Northern	Cedar Rapids	Cedar Rapids
Iowa	Northern	Central	Fort Dodge, Mason City
Iowa	Northern	Eastern	Dubuque, Waterloo
Iowa	Northern	Western	Sioux City
Iowa	Southern	Central	Des Moines
Iowa	Southern	Davenport	Davenport
Iowa	Southern	Eastern	Keokuk
Iowa	Southern	Ottumwa	Ottumwa
Iowa	Southern	Southern	Creston
Iowa	Southern	Western	Council Bluffs
Kansas			Kansas City, Lawrence, Leavenworth, Salina, Topeka, Hutchinson, Wichita, Dodge City, Fort Scott
Kentucky	Eastern		Ashland, Catlettsburg, Covington, Frankfort, Jackson, Lexington, London, Pikeville, Richmond
Kentucky	Western		Bowling Green, Louisville, Owensboro, Paducah
Louisiana	Eastern		New Orleans, Houma
Louisiana	Middle		Baton Rouge
Louisiana	Western		Alexandria, Lafayette, Lake Charles, Monroe, Opelousas, Shreveport
Maine			Bangor, Portland
Maryland		Northern	Baltimore, Cumberland, Denton.
Maryland		Southern	Montgomery, Prince George's County,

Table A1: Statutorily Authority Federal Courthouses by District and Division (Page 4)

State	District	Division	Courthouses
Massachusetts			Boston, New Bedford, Springfield, Worcester
Michigan	Eastern	Northern	Bay City
Michigan	Eastern	Southern	Ann Arbor, Detroit, Flint, Port Huron
Michigan	Western	Northern	Marquette, Sault Sainte Marie
Michigan	Western	Southern	Grand Rapids, Kalamazoo, Lansing, Traverse City
Minnesota		Fifth	Duluth
Minnesota		First	Winona
Minnesota		Fourth	Minneapolis
Minnesota		Second	Mankato
Minnesota		Sixth	Fergus Falls, Bemidji
Minnesota		Third	Saint Paul
Mississippi	Northern	Aberdeen	Aberdeen, Ackerman, Corinth
Mississippi	Northern	Greenville	Clarksdale, Cleveland, Greenville
Mississippi	Northern	Oxford	Oxford
Mississippi	Southern	Eastern	Hattiesburg
Mississippi	Southern	Northern	Jackson
Mississippi	Southern	Southern	Gulfport
Mississippi	Southern	Western	Natchez
Missouri	Eastern	Eastern	Saint Louis
Missouri	Eastern	Northern	Hannibal
Missouri	Eastern	Southeastern	Cape Girardeau
Missouri	Western	Central	Jefferson City
Missouri	Western	Saint Joseph	Saint Joseph
Missouri	Western	Southern	Springfield
Missouri	Western	Southwestern	Joplin
Missouri	Western	Western	Kansas City
Montana			Billings, Butte, Glasgow, Great Falls, Havre, Helena, Kalispell, Lewistown, Livingston, Miles City, Missoula
Nebraska			Lincoln, North Platte, Omaha
Nevada			Carson City, Elko, Las Vegas, Reno, Ely, Lovelock
New Hampshire			Concord, Littleton
New Jersey			Camden, Newark, Trenton
New Mexico			Albuquerque, Las Cruces, Las Vegas, Roswell, Santa Fe, Silver City

Table A1: Statutorily Authority Federal Courthouses by District and Division (Page 5)

State	District	Division	Courthouses
New York	Eastern		Brooklyn, Hauppauge, Hempstead (including the village of Uniondale), Central Islip
New York	Northern		Albany, Auburn, Binghamton, Malone, Plattsburgh
New York	Southern		New York, White Plains
New York	Western		Buffalo, Canandaigua, Elmira, Jamestown, Rochester
North Carolina	Eastern		Elizabeth City, Fayetteville, Greenville, New Bern, Raleigh, Wilmington, Wilson
North Carolina	Middle		Durham, Greensboro, Winston-Salem
North Carolina	Western		Asheville, Bryson City, Charlotte, Shelby, Statesville
North Dakota			Bismarck, Fargo, Grand Forks, Minot
Ohio	Northern	Eastern	Cleveland, Youngstown, Akron
Ohio	Northern	Western	Lima, Toledo
Ohio	Southern	Eastern	Columbus, St Clairsville, Steubenville
Ohio	Southern	Western	Cincinnati, Dayton
Oklahoma	Eastern		Ada, Ardmore, Durant, Hugo, Muskogee, Okmulgee, Poteau, S McAlester
Oklahoma	Northern		Bartlesville, Miami, Pawhuska, Tulsa, Vinita
Oklahoma	Western		Chickasha, Enid, Guthrie, Lawton, Mangum, Oklahoma City, Pauls Valley, Ponca City, Shawnee, Woodward
Oregon			Coquille, Eugene, Springfield, Klamath Falls, Medford, Pendleton, Portland
Pennsylvania	Eastern		Allentown, Easton, Lancaster, Reading, Philadelphia
Pennsylvania	Middle		Harrisburg, Lewisburg, Scranton, Wilkes-Barre, Williamsport
Pennsylvania	Western		Erie, Johnstown, Pittsburgh
Rhode Island			Providence

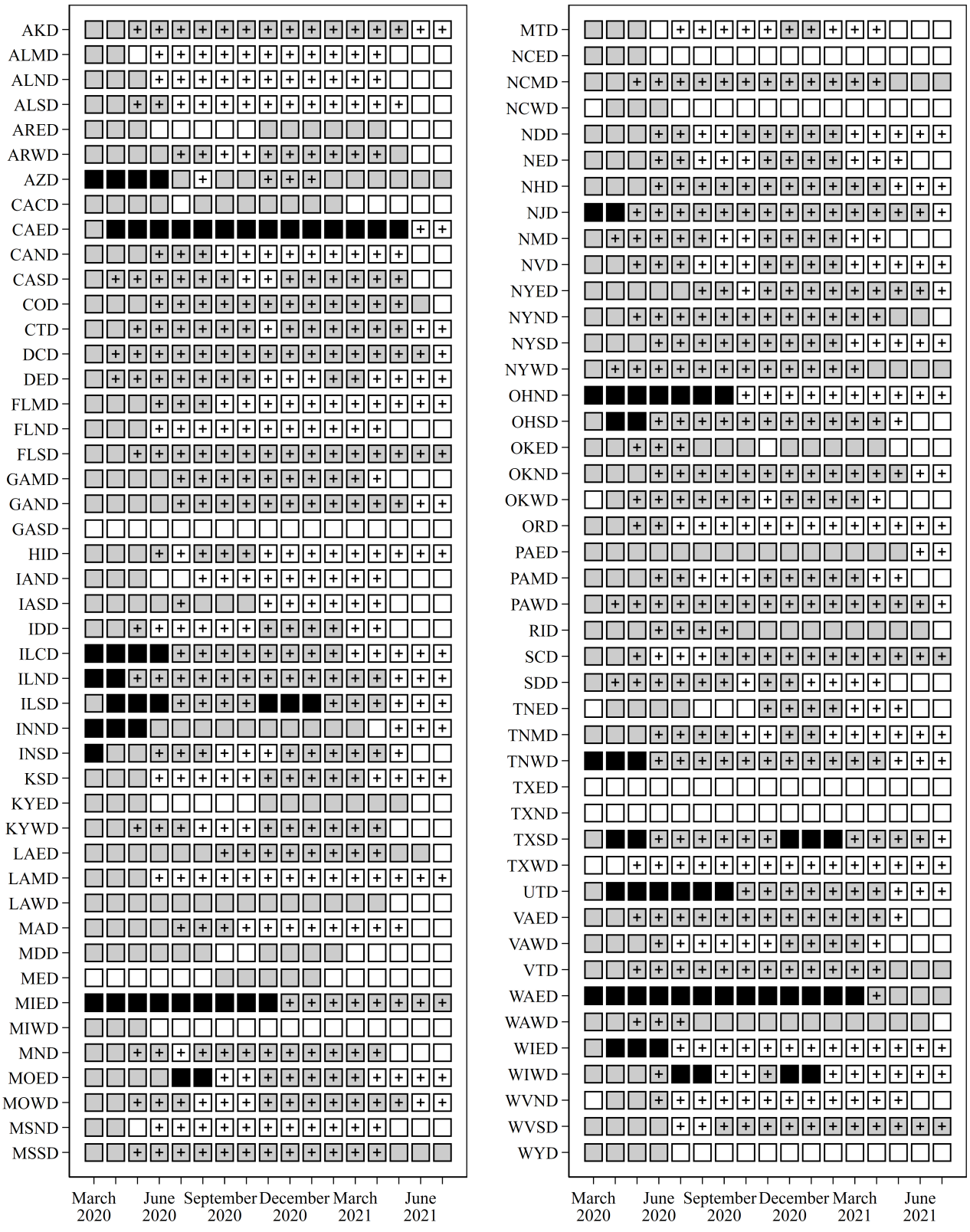
Table A1: Statutorily Authority Federal Courthouses by District and Division (Page 6)

State	District	Division	Courthouses
South Carolina		Aiken	Aiken
South Carolina		Anderson	Anderson
South Carolina		Beaufort	Beaufort
South Carolina		Charleston	Charleston
South Carolina		Columbia	Columbia
South Carolina		Florence	Florence
South Carolina		Greenville	Greenville
South Carolina		Greenwood	Greenwood
South Carolina		Orangeburg	Orangeburg
South Carolina		Rock Hill	Rock Hill
South Carolina		Spartanburg	Spartanburg
South Dakota		Central	Pierre
South Dakota		Northern	Aberdeen
South Dakota		Southern DIvision	Sioux Falls
South Dakota		Western	Deadwood, Rapid City
Tennessee	Eastern	Northeastern	Greenville
Tennessee	Eastern	Northern	Knoxville
Tennessee	Eastern	Southern	Chattanooga
Tennessee	Eastern	Winchester	Winchester
Tennessee	Middle	Columbia	Columbia
Tennessee	Middle	Nashville	Nashville
Tennessee	Middle	Northeastern	Cookeville
Tennessee	Western	Eastern	Jackson, Dyersburg
Tennessee	Western	Western	Memphis
Texas	Eastern	Beaumont	Beaumont
Texas	Eastern	Lufkin	Lufkin
Texas	Eastern	Marshall	Marshall
Texas	Eastern	Sherman	Sherman, Plano
Texas	Eastern	Texarkana	Texarkana
Texas	Eastern	Tyler	Tyler
Texas	Northern	Abilene	Abilene
Texas	Northern	Amarillo	Amarillo
Texas	Northern	Dallas	Dallas
Texas	Northern	Fort Worth	Fort Worth
Texas	Northern	Lubbock	Lubbock
Texas	Northern	San Angelo	San Angelo
Texas	Northern	Wichita Falls	Wichita Falls

Table A1: Statutorily Authority Federal Courthouses by District and Division (Page 7)

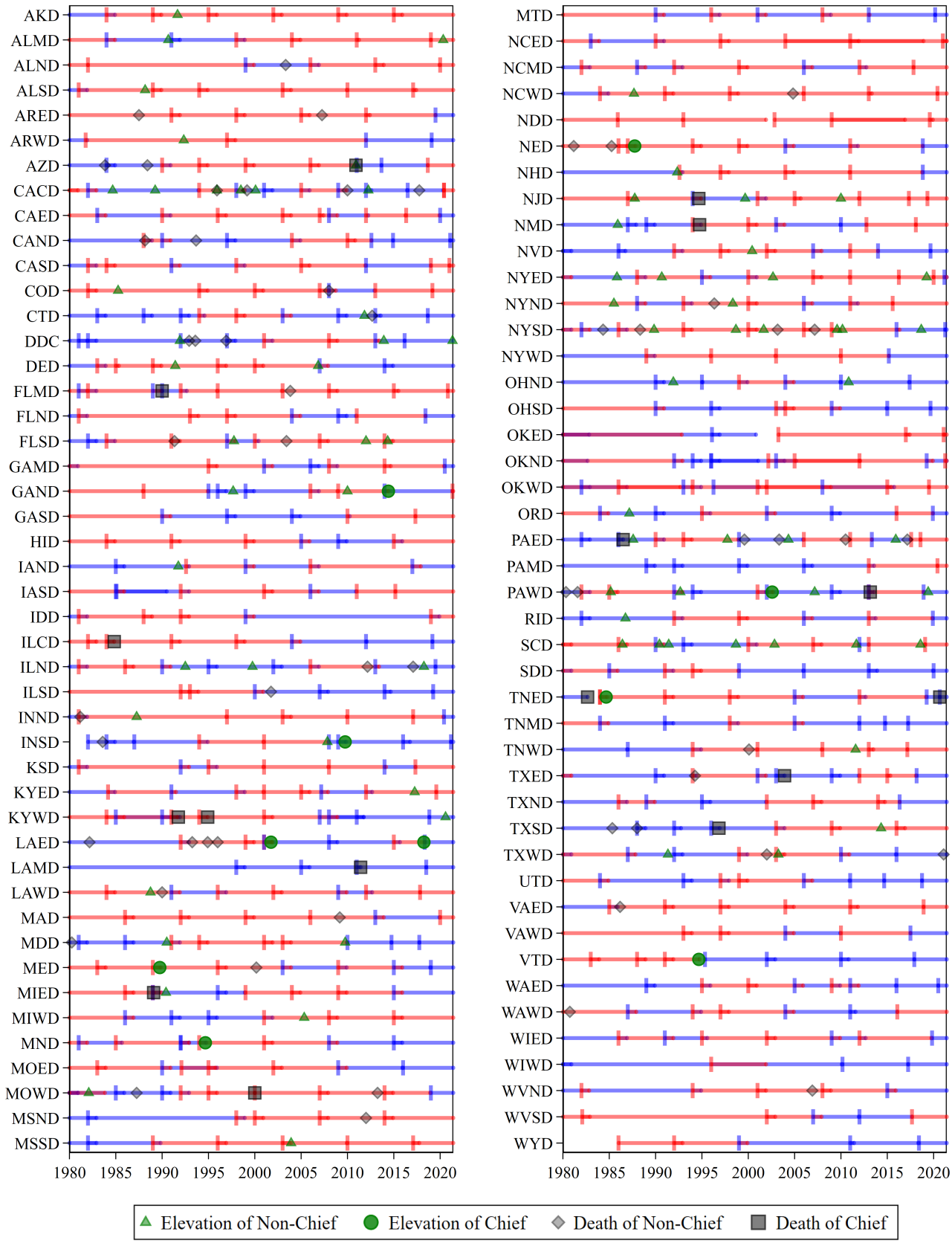
State	District	Division	Courthouses
Texas	Southern	Brownsville	Brownsville
Texas	Southern	Corpus Christi	Corpus Christi
Texas	Southern	Galveston	Galveston
Texas	Southern	Houston	Houston
Texas	Southern	Laredo	Laredo
Texas	Southern	McAllen	McAllen
Texas	Southern	Victoria	Victoria
Texas	Western	Austin	Austin
Texas	Western	Del Rio	Del Rio
Texas	Western	El Paso	El Paso
Texas	Western	Midland-Odessa	Odessa
Texas	Western	Pecos	Pecos
Texas	Western	San Antonio	San Antonio
Texas	Western	Waco	Waco
Utah		Central	Salt Lake City, Provo, St. George
Utah		Northern	Salt Lake City, Ogden
Vermont			Bennington, Brattleboro, Burlington, Montpelier, Rutland, Saint Johnsbury, Windsor
Virginia	Eastern		Alexandria, Newport News, Norfolk, Richmond
Virginia	Western		Abingdon, Big Stone Gap, Charlottesville, Danville, Harrisonburg, Lynchburg, Roanoke
Washington	Eastern		Spokane, Yakima, Walla Walla, Richland
Washington	Western		Bellingham, Seattle, Tacoma, Vancouver
West Virginia	Northern		Clarksburg, Elkins, Fairmont, Martinsburg, Wheeling
West Virginia	Southern		Beckley, Bluefield, Charleston, Huntington, Lewisburg, Parkersburg
Wisconsin	Eastern		Green Bay, Milwaukee, Oshkosh
Wisconsin	Western		Eau Claire, La Crosse, Madison, Superior, Wausau
Wyoming			Casper, Cheyenne, Evanston, Lander, Jackson, Sheridan

Figure A1: Status of Court COVID-19 Policy by District



Note: The figure reports each district court's COVID-19 policies for closure and mask requirements in each of the 16 months we study. The figure combines whether either in-person criminal or in-person civil trials were halted into a single measure labeled "Partial Closure."

Figure A2: Chief Judges, Judge Elevations, and Active Judge Deaths by District Courts



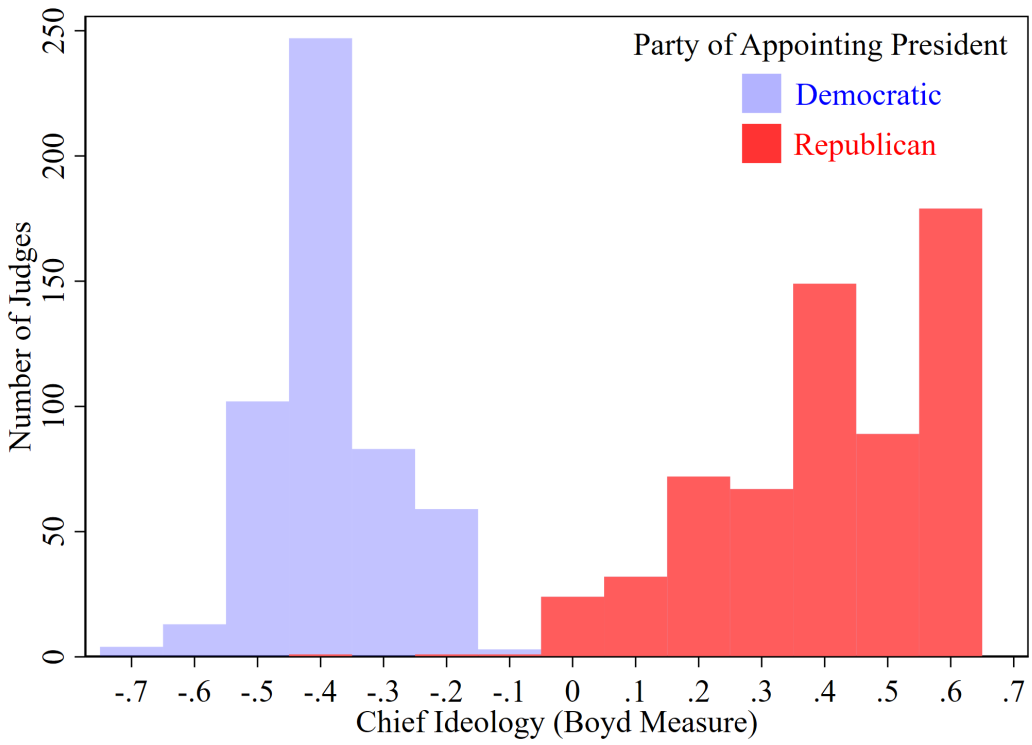
Note: Each line indicates a different district. A red segment of a line indicates a chief judge appointed by a Republican president, and a blue segment of a line indicates a chief judge appointed by a Democratic president. The markers indicate elevations or deaths of judges that could effect the identity of the next chief judge (meaning any judge who could later become chief). Before 2010, we use data on the year that a chief judgeship began rather than the specific year-month that a chief judgeship began.

Table A2: Share of Judge-Year-Months where Ideological Scores are Observed

	CFscore			CFscore	
	Chief	Non-Chief		Chief	Non-Chief
District	(1)	(2)	District	(1)	(2)
AKD	100	17	MTD	0	61
ALMD	0	24	NCED	0	43
ALND	0	27	NCMD	100	25
ALSD	0	40	NCWD	100	49
ARED	0	67	NDD	0	33
ARWD	100	50	NED	0	63
AZD	0	27	NHD	0	50
CACD	76	41	NJD	0	33
CAED	100	33	NMD	100	44
CAND	29	39	NVD	100	19
CASD	35	36	NYED	20	18
COD	100	33	NYND	100	0
CTD	100	44	NYSD	82	48
DDC	100	27	NYWD	0	57
DED	100	0	OHND	0	43
FLMD	53	19	OHSD	100	45
FLND	0	0	OKED	0	0
FLSD	100	26	OKND	0	30
GAMD	100	33	OKWD	100	31
GAND	100	23	ORD	0	22
GASD	100	50	PAED	100	32
HID	0	57	PAMD	100	29
IAND	0	0	PAWD	100	21
IASD	0	33	PRD	100	36
IDD	0	50	RID	100	0
ILCD	0	43	SCD	100	22
ILND	0	17	SDD	100	100
ILSD	0	0	TNED	0	43
INND	100	50	TNMD	0	25
INSD	0	17	TNWD	0	25
KSD	0	11	TXED	100	10
KYED	0	0	TXND	100	24
KYWD	0	16	TXSD	100	41
LAED	0	50	TXWD	0	49
LAMD	0	50	UTD	100	19
LAWD	100	18	VAED	100	30
MAD	100	13	VAWD	0	20
MDD	0	30	VTD	0	0
MED	0	67	WAED	0	56
MIED	0	47	WAWD	0	38
MIWD	100	65	WIED	0	28
MND	100	31	WIWD	0	50
MOED	100	36	WVND	0	50
MOWD	100	25	WVSD	100	50
MSND	0	25	WYD	100	50
MSSD	100	33	All	47	32

Note: The table reports the share of observed judge-year-months where CFscores are observed in our sample by district. Column 1 reports the share of chief judges where the CFscore is observed. Column 2 reports the share of non-chief judges where the CFscore is observed.

Figure A3: Distribution of Judge Ideology (Boyd Measure)



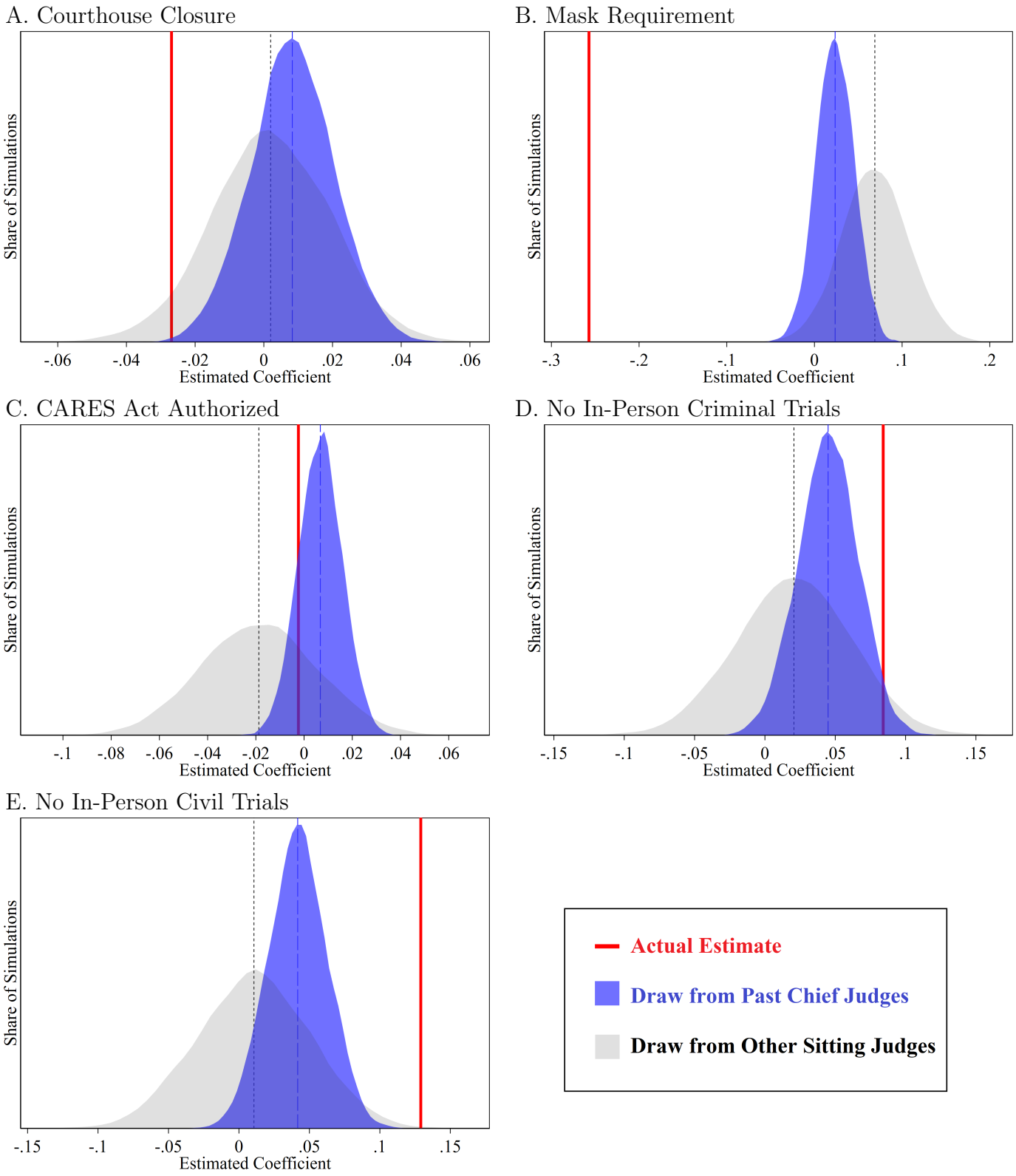
Note: This figure reports the distribution of judges' ideology using the Boyd measure by whether they were appointed by a Democratic president (blue) or a Republican president (red). Lower values are associated with more liberal ideology and positive values are associated with more conservative ideology.

Table A3: Boyd Measure: Chief Judge Ideology and Courthouse Policies

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
A. Courthouse Closure								
Chief Ideology (Boyd Measure)	-0.08*	-0.07*	-0.05	-0.03	-0.01	-0.02	-0.02	-0.03
	(0.04)	(0.03)	(0.03)	(0.03)	(0.03)	(0.03)	(0.03)	(0.03)
Mean Courthouse Closure	0.07	0.07	0.07	0.07	0.07	0.07	0.07	0.07
B. Mask Requirement								
Chief Ideology (Boyd Measure)	-0.16	-0.12	-0.33***	-0.29***	-0.24**	-0.26**	-0.26**	-0.26***
	(0.08)	(0.08)	(0.09)	(0.08)	(0.08)	(0.08)	(0.08)	(0.07)
Mean Mask Requirement	0.48	0.48	0.48	0.48	0.48	0.48	0.48	0.48
C. CARES Act Authorized								
Chief Ideology (Boyd Measure)	0.08*	0.09**	-0.06	-0.06	-0.05	0.01	0.00	0.00
	(0.03)	(0.03)	(0.03)	(0.03)	(0.03)	(0.03)	(0.03)	(0.03)
Mean CARES Act Authorized	0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95
D. No In-Person Criminal Trials								
Chief Ideology (Boyd Measure)	0.18*	0.20*	0.17	0.20*	0.18*	0.07	0.07	0.08
	(0.08)	(0.08)	(0.09)	(0.09)	(0.09)	(0.09)	(0.08)	(0.07)
Mean No Criminal Trials	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53
E. No In-Person Civil Trials								
Chief Ideology (Boyd Measure)	0.23**	0.24**	0.20*	0.22*	0.21*	0.11	0.11	0.13
	(0.07)	(0.08)	(0.09)	(0.09)	(0.09)	(0.08)	(0.08)	(0.07)
Mean No Civil Trials	0.51	0.51	0.51	0.51	0.51	0.51	0.51	0.51
Covariates								
Other Judges Republican Share	✓	✓	✓	✓	✓	✓	✓	✓
State-Year-Month FE	✓	✓	✓	✓	✓	✓	✓	✓
Chief Demographics		✓	✓	✓	✓	✓	✓	✓
Other Judge Demographics			✓	✓	✓	✓	✓	✓
Population Political Ideology				✓	✓	✓	✓	✓
Population At-Risk					✓	✓	✓	✓
Population Demographics						✓	✓	✓
COVID − County of Courthouse							✓	✓
COVID − District Level								✓
Observations	2,016	2,016	2,016	2,016	2,016	2,016	2,016	2,016

Note: The unit of observation is at the courthouse-year-month level. The dependent variable differs by panel. In Panel A, the dependent variable is closure of the courthouse. In Panel B, the dependent variable is the presence of a Mask Requirement for the courthouse In Panel C, the dependent variable is authorization of the CARES Act. In Panel D, the dependent variable is halting in-person criminal trials. In Panel E, the dependent variable is halting in-person civil trials. The columns differ by the set of control variables used, where sets of controls are added from Table 1. Column (1) controls for the share of other judges in the federal judicial district appointed by Republican presidents; Column (2) adds controls for the demographic characteristics of the chief judges; Column (3) adds controls for the demographic characteristics of the other judges in the district; Column (4) adds a control for the Republican share of the two-party vote in the 2016 presidential election; Column (5) adds controls for at-risk populations in the district; Column (6) adds controls for the population demographics in the district; Column (7) adds controls for COVID-19 conditions in each the county where the courthouse is located; and Column (8) adds controls for the COVID-19 conditions in the district. Standard errors are clustered by courthouse and are in parentheses. * $p<0.05$, ** $p<0.01$, *** $p<0.001$.

Figure A4: Distribution of Estimates from the Simulations with Boyd Measure



Note: The figure reports the simulation results where we estimate the regressions from Column 8 of Table 3 while randomly replacing the ideology of the current chief with the ideology measure of other possible chief judges for the district. The blue distributions plot the estimated coefficients when the simulations use a randomly drawn past chief, and the gray distributions plot the estimates coefficients when the simulations use a randomly drawn sitting judge. The red line plots the relevant estimates from Column 8 in Table 3 for each outcome. The black thin vertical lines plot the average of the estimates from the simulations.

Table A4: Summary of Simulation Results with Boyd Measure

	Past Chief Judges		Other Sitting Judges		Outcome Mean
	(1)	(2)	(3)	(4)	(5)
A. Courthouse Closure					
Chief Ideology (Boyd Measure)	-0.04	$p < 0.002$	-0.03	$p < 0.048$	0.07
B. Mask Requirement					
Chief Ideology (Boyd Measure)	-0.28	$p < 0.001$	-0.33	$p < 0.001$	0.48
C. CARES Act Authorized					
Chief Ideology (Boyd Measure)	-0.01	$p < 0.840$	0.02	$p < 0.246$	0.95
D. No In-Person Criminal Trials					
Chief Ideology (Boyd Measure)	0.04	$p < 0.029$	0.06	$p < 0.056$	0.53
E. No In-Person Civil Trials					
Chief Ideology (Boyd Measure)	0.09	$p < 0.001$	0.12	$p < 0.002$	0.51

Note: The table reports the simulation results where we estimate the regressions from Column (8) of Table 3 while randomly replacing the ideology of the current chief with the ideology measure of other possible chief judges for the district. The estimates reported in Columns (1) and (3) report the difference between the estimate in Column (8) of Table 3 and the average estimate in the simulations. Statistical inferences are drawn from the distribution of estimates from the simulations below the actual estimates and are reported in Columns (2) and (4). Columns 1 and 2 report the results for the simulations using a randomly drawn past chief. Columns 3 and 4 report the results for the simulations using a randomly drawn sitting judge. Columns 1 and 3 report the difference between the estimates from Column 8 of Table 3 and the average estimate in the simulations. Columns 2 and 4 report the percent of simulated estimates below the estimate from Column 8 of Table 3. Column 5 reports the mean of the dependent variable.

Table A5: Chief Judge Ideology and Courthouse Policies, Controls for Petit Jury Pool

	(1)	(2)
A. Courthouse Closure		
Republican-appointed Chief	0.00	0.00
	(0.02)	(0.02)
Mean Courthouse Closure	0.07	0.07
B. Mask Requirement		
Republican-appointed Chief	-0.26***	-0.25***
	(0.06)	(0.06)
Mean Mask Requirement	0.48	0.48
C. CARES Act Authorized		
Republican-appointed Chief	0.02	0.02
	(0.02)	(0.02)
Mean CARES Act Authorized	0.95	0.95
D. No In-Person Criminal Trials		
Republican-appointed Chief	0.03	0.03
	(0.06)	(0.06)
Mean No Criminal Trials	0.53	0.53
E. No In-Person Civil Trials		
Republican-appointed Chief	0.06	0.07
	(0.06)	(0.06)
Mean No Civil Trials	0.51	0.51
Covariates		
Other Judges Republican Share	✓	✓
State-Year-Month FE	✓	✓
Chief Demographics	✓	✓
Other Judge Demographics	✓	✓
Population Political Ideology	✓	✓
Population At-Risk	✓	✓
Population Demographics	✓	✓
COVID − County of Courthouse	✓	✓
COVID − District Level	✓	✓
Petit Jury Pool COVID Policies (Any County)	✓	
Petit Jury Pool COVID Policies (Percent of Counties)		✓
Observations	2,016	2,016

Note: The table reports Column 8 of Table 3 with the addition of control variables. Column 1 adds indicator variables for whether any county in the petit jury pool has a shelter in place order and whether any county in the petit jury pool has a mask mandate. Column 2 adds variables for the percent of counties in the petit jury pool that has a shelter in place order and for the percent of counties in the petit jury pool that has a mask mandate. Standard errors are clustered by courthouse and are in parentheses. * $p<0.05$, ** $p<0.01$, *** $p<0.001$.

Table A6: Full Sample – Chief Ideology and Courthouse Policies

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
A. Courthouse Closure								
Republican-appointed Chief	-0.04	-0.03	-0.03	-0.01	-0.02	-0.03	-0.03	-0.03
	(0.03)	(0.03)	(0.03)	(0.03)	(0.03)	(0.03)	(0.03)	(0.03)
Mean Complete Closure	0.05	0.05	0.05	0.05	0.05	0.05	0.05	0.05
B. Mask Requirement								
Republican-appointed Chief	-0.18**	-0.14*	-0.19**	-0.16**	-0.12*	-0.14**	-0.15**	-0.15**
	(0.06)	(0.06)	(0.06)	(0.06)	(0.05)	(0.05)	(0.05)	(0.05)
Mean Mask Requirement	0.52	0.52	0.52	0.52	0.52	0.52	0.52	0.52
C. CARES Act Authorized								
Republican-appointed Chief	0.04	0.06*	-0.02	-0.01	0.00	0.02	0.02	0.02
	(0.03)	(0.03)	(0.02)	(0.02)	(0.02)	(0.02)	(0.02)	(0.02)
Mean CARES Act Authorized	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97
D. No In-Person Criminal Trials								
Republican-appointed Chief	0.12	0.14*	0.08	0.11	0.09	0.03	0.03	0.04
	(0.06)	(0.06)	(0.06)	(0.06)	(0.07)	(0.06)	(0.06)	(0.06)
Mean No Criminal Trials	0.53	0.53	0.53	0.53	0.53	0.53	0.53	0.53
E. No In-Person Civil Trials								
Republican-appointed Chief	0.17**	0.18**	0.12	0.13*	0.11	0.06	0.06	0.07
	(0.06)	(0.06)	(0.06)	(0.06)	(0.06)	(0.06)	(0.06)	(0.06)
Mean No Civil Trials	0.52	0.52	0.52	0.52	0.52	0.52	0.52	0.52
Covariates								
Other Judges Republican Share	✓	✓	✓	✓	✓	✓	✓	✓
State FE	✓	✓	✓	✓	✓	✓	✓	✓
Year-Month FE	✓	✓	✓	✓	✓	✓	✓	✓
Chief Demographics		✓	✓	✓	✓	✓	✓	✓
Other Judge Demographics			✓	✓	✓	✓	✓	✓
Population Political Ideology				✓	✓	✓	✓	✓
Population At-Risk					✓	✓	✓	✓
Population Demographics						✓	✓	✓
COVID − County of Courthouse							✓	✓
COVID − District Level								✓
Observations	3,456	3,456	3,456	3,456	3,456	3,456	3,456	3,456

Note: The unit of observation is at the courthouse-year-month level. The sample include all districts in all year-months. The dependent variable differs by panel. In Panel A, the dependent variable is closure of the courthouse. In Panel B, the dependent variable is the presence of a Mask Requirement for the courthouse In Panel C, the dependent variable is authorization of the CARES Act. In Panel D, the dependent variable is halting in-person criminal trials. In Panel E, the dependent variable is halting in-person civil trials. The columns differ by the set of control variables used, where sets of controls are added from Table 1. Column (1) controls for the share of other judges in the federal judicial district appointed by Republican presidents; Column (2) adds controls for the demographic characteristics of the chief judges; Column (3) adds controls for the demographic characteristics of the other judges in the district; Column (4) adds a control for the Republican share of the two-party vote in the 2016 presidential election; Column (5) adds controls for at-risk populations in the district; Column (6) adds controls for the population demographics in the district; Column (7) adds controls for COVID-19 conditions in each the county where the courthouse is located; and Column (8) adds controls for the COVID-19 conditions in the district. Standard errors are clustered by courthouse and are in parentheses. * p<0.05, ** p<0.01, *** p<0.001.

Table A7: Alternative Definition of Mask Requirements

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
A. Mask Requirement or Completely Closed								
Republican-appointed Chief	-0.18*	-0.15*	-0.29***	-0.26***	-0.20**	-0.23**	-0.24***	-0.24***
	(0.07)	(0.07)	(0.08)	(0.07)	(0.07)	(0.07)	(0.07)	(0.07)
Mean Mask Requirement	0.51	0.51	0.51	0.51	0.51	0.51	0.51	0.51
Observations	2,016	2,016	2,016	2,016	2,016	2,016	2,016	2,016
B. Restricting Sample to Open Courthouses								
Republican-appointed Chief	-0.18*	-0.15*	-0.33***	-0.30***	-0.24***	-0.27***	-0.28***	-0.27***
	(0.07)	(0.07)	(0.07)	(0.07)	(0.06)	(0.06)	(0.06)	(0.06)
Mean Mask Requirement	0.47	0.47	0.47	0.47	0.47	0.47	0.47	0.47
Observations	1,864	1,864	1,864	1,864	1,864	1,864	1,864	1,864
Covariates								
Other Judges Republican Share	✓	✓	✓	✓	✓	✓	✓	✓
State-Year-Month FE	✓	✓	✓	✓	✓	✓	✓	✓
Chief Demographics		✓	✓	✓	✓	✓	✓	✓
Other Judge Demographics			✓	✓	✓	✓	✓	✓
Population Political Ideology				✓	✓	✓	✓	✓
Population At-Risk					✓	✓	✓	✓
Population Demographics						✓	✓	✓
COVID − County of Courthouse							✓	✓
COVID − District Level								✓

Note: The unit of observation is at the courthouse-year-month level. The dependent variable is a different definition for the presence of a mask requirement for the courthouse. Panel A defines a mask requirement as either having a mask requirement or the court being completely closed. Panel A defines a mask requirement as an order for a mask requirement but drops observations where a courthouse is completely closed in the courthouse-year-month. Standard errors are clustered by courthouse and are in parentheses. * p<0.05, ** p<0.01, *** p<0.001.

Table A8: Alternative Definition of Halting In-Person Criminal Trials: No Trials or Proceedings

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Republican-appointed Chief	-0.02	-0.02	0.04	0.07*	0.09*	0.07	0.07	0.07
	(0.04)	(0.04)	(0.04)	(0.03)	(0.04)	(0.04)	(0.04)	(0.04)
Mean No Criminal Proceedings	0.18	0.18	0.18	0.18	0.18	0.18	0.18	0.18
Covariates								
Other Judges Republican Share	✓	✓	✓	✓	✓	✓	✓	✓
State-Year-Month FE	✓	✓	✓	✓	✓	✓	✓	✓
Chief Demographics		✓	✓	✓	✓	✓	✓	✓
Other Judge Demographics			✓	✓	✓	✓	✓	✓
Population Political Ideology				✓	✓	✓	✓	✓
Population At-Risk					✓	✓	✓	✓
Population Demographics						✓	✓	✓
COVID − County of Courthouse							✓	✓
COVID − District Level								✓
Observations	2,016	2,016	2,016	2,016	2,016	2,016	2,016	2,016

Note: The unit of observation is at the courthouse-year-month level. The dependent variable defines halting criminal proceedings as halting criminal trials and proceedings. Standard errors are clustered by courthouse and are in parentheses. * p<0.05, ** p<0.01, *** p<0.001.

Table A9: Alternative Definition of Halting In-Person Civil Trials: No Trials or Proceedings

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Republican-appointed Chief	0.05	0.05	0.11**	0.14***	0.15***	0.16***	0.15***	0.16***
	(0.04)	(0.03)	(0.03)	(0.03)	(0.03)	(0.03)	(0.03)	(0.03)
Mean No Civil Proceedings	0.17	0.17	0.17	0.17	0.17	0.17	0.17	0.17
Covariates								
Other Judges Republican Share	✓	✓	✓	✓	✓	✓	✓	✓
State-Year-Month FE	✓	✓	✓	✓	✓	✓	✓	✓
Chief Demographics		✓	✓	✓	✓	✓	✓	✓
Other Judge Demographics			✓	✓	✓	✓	✓	✓
Population Political Ideology				✓	✓	✓	✓	✓
Population At-Risk					✓	✓	✓	✓
Population Demographics						✓	✓	✓
COVID − County of Courthouse							✓	✓
COVID − District Level								✓
Observations	2,016	2,016	2,016	2,016	2,016	2,016	2,016	2,016

Note: The unit of observation is at the courthouse-year-month level. The dependent variable defines halting civil proceedings as halting civil trials and proceedings. Standard errors are clustered by courthouse and are in parentheses. * p<0.05, ** p<0.01, *** p<0.001.

Table A10: Mechanisms Driving Halting of Civil and Criminal Trials: Alternative Coding of Predicted Mask Requirement

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
A. Predicted Above Median, Halting Criminal Trials								
Predicted Mask Requirement Above Median	0.10	0.07	-0.32**	-0.35***	-0.26**	-0.34***	-0.34***	-0.25***
	(0.09)	(0.10)	(0.10)	(0.10)	(0.10)	(0.10)	(0.10)	(0.07)
Republican-appointed Chief	0.05	0.05	-0.07	-0.04	-0.06	-0.11	-0.11	-0.03
	(0.08)	(0.08)	(0.10)	(0.10)	(0.09)	(0.07)	(0.07)	(0.08)
× Predicted Mask Requirement Above Median	0.18	0.21	0.40**	0.39***	0.40***	0.27*	0.27*	0.13
	(0.13)	(0.13)	(0.12)	(0.11)	(0.11)	(0.11)	(0.11)	(0.09)
B. Predicted Above Median, Halting Civil Trials								
Predicted Mask Requirement Above Median	0.12	0.12	-0.29**	-0.31***	-0.22*	-0.32**	-0.33**	-0.22**
	(0.09)	(0.09)	(0.09)	(0.09)	(0.10)	(0.10)	(0.10)	(0.07)
Republican-appointed Chief	0.07	0.07	-0.04	-0.02	-0.04	-0.12	-0.12	-0.03
	(0.08)	(0.08)	(0.10)	(0.10)	(0.09)	(0.07)	(0.07)	(0.08)
× Predicted Mask Requirement Above Median	0.21	0.22	0.39***	0.39***	0.40***	0.35**	0.35**	0.20
	(0.13)	(0.13)	(0.12)	(0.11)	(0.11)	(0.11)	(0.11)	(0.10)
C. Leave Out Mean, Halting Criminal Trials								
Leave Out Mask Requirement Mean	0.39***	0.37**	0.25*	0.25*	0.41***	0.34***	0.34***	0.27**
	(0.09)	(0.11)	(0.11)	(0.11)	(0.10)	(0.09)	(0.09)	(0.09)
Republican-appointed Chief	0.00	-0.03	-0.01	0.00	0.05	-0.03	-0.03	-0.03
	(0.13)	(0.16)	(0.12)	(0.13)	(0.14)	(0.13)	(0.13)	(0.12)
× Leave Out Mask Requirement Mean	0.48	0.55	0.59	0.58	0.45	0.37	0.38	0.39
	(0.26)	(0.33)	(0.39)	(0.40)	(0.44)	(0.42)	(0.42)	(0.41)
D. Leave Out Mean, Halting Civil Trials								
Leave Out Mask Requirement Mean	0.31**	0.32**	0.13	0.14	0.26*	0.19*	0.19	0.10
	(0.09)	(0.12)	(0.12)	(0.13)	(0.11)	(0.10)	(0.10)	(0.10)
Republican-appointed Chief	-0.02	-0.05	-0.04	-0.05	-0.02	-0.08	-0.08	-0.09
	(0.13)	(0.16)	(0.13)	(0.13)	(0.14)	(0.13)	(0.13)	(0.13)
× Leave Out Mask Requirement Mean	0.60*	0.65	0.67	0.67	0.60	0.52	0.52	0.54
	(0.27)	(0.34)	(0.38)	(0.40)	(0.45)	(0.43)	(0.42)	(0.41)
Covariates								
Other Judges Republican Share	✓	✓	✓	✓	✓	✓	✓	✓
State-Year-Month FE	✓	✓	✓	✓	✓	✓	✓	✓
Chief Demographics		✓	✓	✓	✓	✓	✓	✓
Other Judge Demographics			✓	✓	✓	✓	✓	✓
Population Political Ideology				✓	✓	✓	✓	✓
Population At-Risk					✓	✓	✓	✓
Population Demographics						✓	✓	✓
COVID − County of Courthouse							✓	✓
COVID − District Level								✓
Observations	2,016	2,016	2,016	2,016	2,016	2,016	2,016	2,016

Note: The unit of observation is at the courthouse-year-month level. The dependent variable differs by panel. In Panels A and C, the dependent variable is halting in-person criminal trials. In Panels B and D, the dependent variable is halting in-person civil trials. Column (1) controls for the share of other judges in the federal judicial district appointed by Republican presidents; Column (2) adds controls for the demographic characteristics of the chief judges; Column (3) adds controls for the demographic characteristics of the other judges in the district; Column (4) adds a control for the Republican share of the two-party vote in the 2016 presidential election; Column (5) adds controls for at-risk populations in the district; Column (6) adds controls for the population demographics in the district; Column (7) adds controls for COVID-19 conditions in each the county where the courthouse is located; and Column (8) adds controls for the COVID-19 conditions in the district. Standard errors are clustered by courthouse and are in parentheses. * p<0.05, ** p<0.01, *** p<0.001.