Recuse Me? Public Perceptions of Supreme Court Justice Recusal Behavior*

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Abstract

Recent scandals and heightened scrutiny in the media have led to a greater level of public attention towards the Supreme Court. This attention, and growing concern about the Court's legitimacy, raises questions about when the justices sit and what conflicts they might be avoiding. When do people *want* Supreme Court justices to remove themselves from cases via recusal, and what happens when they learn more about it? To answer these questions, we leverage a nationally-representative survey experiment of 959 participants to examine how the decision to recuse affects the public's view of the Court's politicization, their belief in the Court's legitimacy, and their support for Court reform. Results find that Republicans and Democrats respond differently to recusal scenarios, indicating that partisanship is playing a larger role than previously understood. These results provide new insight on how judicial behavior influences popular perceptions of the Court, particularly when the justices appear to be hiding things.

During the 1994 term, the Supreme Court reviewed a case called *American Airlines v. Wolens.* The case itself did not cause much of a stir, as it asked if states could force airlines to provide more generous perks than the airlines wanted to offer. But behind closed doors, a robust discussion about conflicts of interest ensued. Justice Sandra Day O'Connor raised a concern about her involvement in the case to her colleagues, sending a memorandum to the conference expressing concern that her own American Airlines miles would lead to her becoming an unwitting beneficiary of the suit. Her concern prompted Justice Ruth Bader Ginsburg to check her own status and led to a brief discussion between them on potential conflicts and remedies.[1] Ultimately, neither O'Connor nor Ginsburg opted to sit the case out; they each individually decided there was not a pressing conflict of interest and participated in the decision. This move was not unusual, as the justices rarely recuse (Black and Epstein 2005). But the interaction was unusual because the justices rarely explain their decisions to sit out to one another.[2] Less unusual was the fact that the public – the people who would view the Court badly if they believed the justices were unduly influenced – never knew about the potential conflict of interest; no one outside the Court knew about it until Justice John Paul Stevens's papers opened to the public in 2023.

Federal law and judicial custom has long outlined requirements for the situations in which judges – the ostensibly fair and neutral arbiters of the law on whose shoulders the legal system rests – should step back from a case to ensure fair outcomes and, perhaps more importantly, preserve popular belief in the judiciary's ability to make those types of outcomes (Hume 2017). And for just as long, Supreme Court justices – the only judges in the federal system who sit for all cases as a full court – have said their duty to reduce legal conflict supersedes their need to recuse, and they alone decide when stepping down from a case, also known as recusal, is necessary (Lowe 2013). In order to protect their "duty to sit," Supreme Court justices have also steadfastly refused to publicly address recusal (Abella

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[1]See the supplemental appendix for the memos.

[2]In fact, in this same case, Justice Scalia recused himself from all considerations, but there is no record of the reason why.

2020). They insisted the public should trust them (Yeomans and Schwartz 2012), and most Americans did, letting their positive impression of the judiciary permeate their reactions to recusal (Gibson 2007). But in a world where trust in the Supreme Court is cratering (Gibson 2024), and judicial scandals are making front-page news and feeding the flames of distrust (Krewson, Schoenherr and Shieh 2024), recusal is taking a front seat in news coverage (Kanor and Sickle 2024), and people are learning about the justices' practices and proclivities for the first time. This learning curve can have massive effects for an institution whose authority stems from popular belief in its ability to provide everyone with a fair day in court.

Given recusals' recent relevance, we wondered, does the public care about recusal? If yes, what kinds and where? And how does learning about it affect their feelings about the Supreme Court? In this paper, we hypothesize the public does, in fact, react to the situations in which justices recuse and their explanation (or lack thereof) for doing so, responding in ways that affect popular feelings of judicial legitimacy, and politicization, and support for Court reform. To test these hypotheses and answer our questions, we utilize a nationally-representative survey experiment of 959 participants in which we vary the type of conflict of interest a justice faces, whether or not they recused, and whether or not they explained their decision. Our results suggest that partisan influences play the greatest role in shaping how the public views the decision to recuse. Particularly, Democrats and Republicans' feelings of legitimacy and politicization are affected differently by recusal scenarios. These results showcase a new perspective on how partisan influences overtake procedural and ethical considerations in the minds of the American public.

In addressing this question, we make a key contribution to the literature on judicial conduct and its subsequent effects on legitimacy. Specifically, we are some of the first scholars to take attention away from the justices and toward their actions' effects on the public. Scholars have long attempted to understand when and why the justices step back from cases (Hume 2017), and have amassed incredible evidence on the situations in which the justices believe they should recuse, namely when stocks are involved or they worked on a case in

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the past (Black et al. 2020). They have also looked at recusals' outward influence on the decision-making process, including what happens when a shortened bench produces a tied decision (Black and Bryan 2014). By looking at how these decisions affect the public and its perceptions of the Court, we take the study of recusal one step further, because we look at what these decisions do to public trust in the Court. That is, we move the study of recusal from an insular look at the justices' practices to an external look at how those practices affect popular support for their work.

Legitimacy and Recusal

Federal law has outlined situations in which judges should not decide cases since as far back as 1792. Such laws say judges must step back from cases in which someone could question their impartiality, specifically when the judge stands to financially benefit from a decision, when he is a party to a case or he worked on it previously, or when his immediate family is involved in the litigation process, and these rules have applied to all judges since 1948 (Black et al. 2020). Since 1974, these laws also require judges to step down from any cases in which a "reasonable person" could "reasonably question" their impartiality. In the event a judge identifies one of these conflicts of interest, the law requires that judge recuse themselves from the case and let another judge make the decision (Hume 2017). These laws exist because the judiciary's very existence depends on people believing its judges are impartial arbiters of the law and will give everybody their fair days in court (Bartels and Johnston 2013; Randazzo, Hassett and Puente 2026); people need to believe the judiciary can do its job well before they grant it the authority to make the decisions that it does and follow them (Gibson 2007). Consequently, assuring the public that judges will step back when their impartiality could be questioned is crucial for judicial legitimacy, and lower court judges follow the laws without question.

But at the highest level of the judiciary, recusal is not as automatic. While the lower court's structure makes it easy to replace one conflicted judge for a non-conflicted one, the

Supreme Court always sits en banc and replacement is impossible. Consequently, the justices balance the need for impartiality against their duty to resolve the legal conflicts before them (Black and Bryan 2014). At the Supreme Court alone, then, recusal is an individual decision made by each justice based on the competing concerns of necessity and avoiding conflicts of interest. While recusal legislation has theoretically bound the justices' behavior since 1948 (Black et al. 2020), the justices have long argued that Congress does not have the authority to regulate their behavior and they determine when they should sit or step back (Abella 2020). When Congress recently threatened to pass laws explicitly aimed at the justices' potential conflicts of interest (Kanor and Sickle 2024), the justices responded by creating their own code of conduct, which explicitly notes their "duty to sit" can and sometimes does supersede their need to recuse in the light of federal recusal laws.[3] While, by tradition, the justices typically do not explain their reasons for sitting or recusing, research suggests that in practice, the justices take some recusal reasons more seriously than others; they tend to recuse in cases involving potential financial conflicts or past involvement in a case, but they are significantly more likely to use their discretion in cases involving familial or personal connections or overall suggestions of impropriety (Hume 2017).

Given recusal laws exist partially to ensure the judiciary *looks* fair and principled to outsiders, the justices' decisions regarding recusal pose interesting questions for popular perceptions of the Court. While the procedural arguments regarding the necessity of sitting are important in theory if not in practice (Black and Bryan 2014),[4] in reality, the public will only see stories about the justices either recusing themselves or ruling on cases despite potential conflicts of interest, often without the context of the duty to sit. Given people dislike seeing the Court as anything put apolitical and principled arbiters of the law (Bartels and Johnston 2013), stories suggesting the opposite can, potentially, affect the way people think about the Court's legitimacy, its politicization, and overall willingness to modify it.

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[3]See `https://tinyurl.com/ykfvsyzu`.

[4]As Black and Bryan (2014) point out, the Court typically goes out of its way to avoid a 4-4 split when a justice does not participate in a case, which, to an extent, nullifies the "duty to sit" argument.

Recusal and the Media

Of course, the public must both know and care about the justices' behavior for recusals to become an issue that demands explanation and correction. Research has repeatedly shown that most Americans know very little about the Supreme Court (Gibson, Caldeira and Spence 2003), and what they do know stems from media coverage and not from the justices themselves (Zilis 2015). Given the Court is not a particularly well-covered institution (Houston and Ringsmuth 2025), the public consequently sees only glimpses of the justices' work (Collins and Cooper 2015). Importantly, when people do learn about the Court, they often see it through the lens of its legal work (Johnston and Bartels 2010; Vining and Marcin 2014). The justices feed this narrative, insisting their opinions speak for themselves and avoiding off-bench elaboration of them (Sung 2025), using their selective media presence to reinforce belief in their principled decision-making processes (Armaly and Schoenherr 2025; Krewson 2019), and leaning into symbolism, from their robes to the grandeur of their building, to emphasize their separateness from the elected officials who otherwise populate D.C. (Gibson, Lodge and Woodson 2014; Kaplan 2018). These indicators suggest people think about the Supreme Court as a legal and principled institution, and they need a reason to question the Court's work and members.

To understand this dynamic in practice, consider popular response to news that Justice Clarence Thomas received expensive gifts and vacations from a wealthy Republican donor named Harlan Crow. Thomas received expensive gifts from Crow as far back as the early 2000s, and he disclosed those gifts on his financial reports until a *Los Angeles Times* article mentioned he received more gifts than anyone else on the Court (McIntire 2011). Thomas promptly stopped disclosing these gifts, saying he understood them as personal largess and not professional recognitions of his work; he also stopped disclosing his wife's income from the conservative Heritage Foundation (Vogel, Bresnahan and Cogan 2011). When media reports about these missing disclosures came out in 2011, the Court was at

relative peace. Thomas's behavior got referred to the Judicial Conference, which oversees judicial ethics, but there was little public outcry and the story eventually blew over (Cole 2023). Twelve years later, when the Court was dealing with heavy public scrutiny over its rulings, *ProPublica* released a story about Thomas's relationship with Crow (Kaplan, Elliott and Mierjeski 2023). Though treading the same material as the reports made twenty years earlier, *this* story in *this* political climate drew popular and congressional outrage (Krewson, Schoenherr and Shieh 2024), and eventually pressured the justices to adopt better ethics and disclosure practices (Kanor and Sickle 2024).

As the Thomas example shows, the political and media climate affects people's willingness to consider the Court as a political actor and thus one needing oversight. Current political events offer a multitude of reasons people might now care about the Court and its members. For one thing, popular narratives around the Court are changing, offering broader coverage across many outlets (Cota et al. Forthcoming; Truscott 2024), and more politically-tinted coverage (Boston and Krewson 2025; Hitt and Searles 2018). Beyond that, judicial scandals are particularly good at drawing attention toward the Supreme Court (Krewson, Schoenherr and Shieh 2024), and recent outrage regarding a bevvy of reports about questionable judicial behavior (Elliott, Kaplan and Mierjeski 2023; Fuchs, Gerstein and Canellos 2022; Kantor, Toler and Tate 2024) suggest growing popular knowledge of and frustration with the lack of oversight on the justices' behavior. Finally, the Court's decision to repeatedly overturn its own precedents, most notably the decision to overturn abortion rights in *Dobbs v. Jackson Whole Women's Health Organization* (2022), drew public ire and distrust, and tanked the Supreme Court's legitimacy in the process (Gibson 2024). These many colliding factors help people see the Court differently, and that new perspective makes that which once seemed easily ignored now seem vitally important.

The justices' recusal practices are particularly ripe for popular examination and demand for action. Supreme Court justices have historically treated recusal as a personal decision that does not need explanation (Black et al. 2020), both because they believe re-

cusal is a personal decision based individual concerns about bias (Yeomans and Schwartz 2012), and because they fear interested parties will use their explanations as a cudgel for removing them from other cases (PBS News 2004).[5] Importantly, because their recusal decisions are not reviewable by a higher power (Abella 2020), they also do not *need* to explain themselves. While outside parties monitored the Court for conflicts of interest and filed recusal requests with it when necessary (Toobin 2008), the media rarely engaged with recusal decisions (Hume 2017), and people thus knew (and cared) little about it. But now many parties are watching the Court (Longoria 2023), people are reading their reports (Krewson, Schoenherr and Shieh 2024), and the justices face increased scrutiny regarding their recusal calculus as a result (Longoria 2023).[6] Put differently, events suggest the "trust us" mentality the Court has long had regarding recusal works less well when people are constantly questioning the Court's decisions. Importantly, the justices have acknowledged this problem in public speeches and behind closed doors (Kantor, Toler and Tate 2024), suggesting they recognize popular perceptions on recusal have changed and they must respond accordingly.

A Theory of Popular Response to Judicial Recusal

Because recusal is ultimately about ensuring people trust the Court and believe it can and will be fair to those who appear before it, understanding how the public responds to stories of recusal – namely, when the justices recuse and when they opt not to do so, and when they explain their behaviors and when they do not – is increasingly important. Specifically, research suggests recusal decisions might affect three different sets of feelings about the Court: its legitimacy (Gibson, Caldeira and Spence 2003; Hume 2017), popular perceptions of its politicization (Bartels and Johnston 2020), and support for Court reform (Badas 2019).

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[5]Justice Antonin Scalia somewhat-famously issued a twenty-one page memo about his decision not to recuse in a case involving Vice President Dick Cheney, with whom Scalia had hunted. At one point, Scalia noted, "My recusal would also encourage so-called investigative journalists to suggest improprieties and demand recusals, for other inappropriate (and increasingly silly) reasons" (PBS News 2004).

[6]See, for example, `https://fixthecourt.com/fix/financial-disclosures/`

That is, learning more about the justices' beliefs regarding their responsibilities should affect the way people feel about the Court's authority and ability to do its job, as well as their willingness to modify its structure in order to achieve an idealized, correctly-working Court. We are particularly interested in *how* those feelings change based on what people learn about the justices' recusal practices.

We suspect people will respect the Court more when justices recuse themselves than when they decide to sit in questionable situations. Federal recusal laws exist at least in part to ensure judges remove themselves from cases in which people believe they could exhibit bias; that is, they reflect the public's concerns about fairness. While the justices have their own logistical reasons for taking the "duty to sit" seriously and sometimes valuing it over recusal (Hume 2017), we suspect the public would rather the justices step back when there is a whiff of reason to do so. Consequently, we hypothesize,

> **H1:** Belief in the Court's legitimacy will be higher when justices recuse, when compared to opting to participate despite ethical concerns.

> **H2:** Belief in the Court's politicization will be higher when justices do not recuse, when compared to recusing in the face of ethical concerns.

> **H3:** Support for reforming the judiciary will be higher when justices participate despite pressure to recuse, when compared to recusing.

With that said, we also suspect the situation in which a justice recuses themselves (or opts not to do so) matters. Federal recusal statutes mention three main situations in which a judge should recuse themselves: (1) financial entanglements with one of the parties appearing before the Court; (2) previous involvement in the case as an advocate or witness; and (3) familial connections to the case (Hume 2017). The same statute also requires judges recuse when their "impartiality might reasonably be questioned." The justices' behavior suggests they adhere to these requirements in varying degrees (Black et al. 2020). Research indicates, and the justices' personal papers confirm, that Supreme Court justices take financial conflicts of interest seriously and are significantly more likely to recuse themselves when their stock

portfolios collide with their work (Hume 2017).[7] Research also suggests the justices tend to step back when their past work comes to the Court, though they grow less willing to do so the longer they sit on the Court (Black et al. 2020). But the justices treat the familiar restriction as more advisory, with each justice approaching cases that could involve family differently.[8] And of course, because impartiality is in the eye of the beholder, the justices' adherence to the broader edict is equally individual, particularly when it comes to friends and mentors bringing cases before the Court. While the justices' priorities are clear, we suspect the public prioritizes recusal differently, putting the onus on recusing when family and friends are involved. Given this, we hypothesize,

> **H4:** Belief in the Court's legitimacy will be higher when justices recuse in cases involving personal conflicts of interest, when compared to recusing in cases involving money or past employment.

> **H5:** Belief in the Court's politicization will be higher when the justices refuse to recuse in cases involving personal conflicts of interest, when compared to recusing in cases involving money or past employment.

> **H6:** Support for reforming the judiciary will be higher when justices participate despite pressure to recuse for personal reasons, when compared to participating despite pressure to recuse for moneyed or employment reasons.

Finally, we believe the forthrightness with which the justices approach recusal matters to the public. Put simply, we think the public responds better to the justices pro-actively addressing an issue than it does when outside parties do it for them. To that end, we hypothesize,

> **H7:** Belief in the Court's legitimacy will be higher when justices explain their

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[7]In reviewing the notes in Justice Stevens's papers regarding all recusals made by the members of the Rehnquist Court between 1994 and 2004, we noticed the justices never explained financial decisions to recuse. The justices just received a note saying that justice would not participate. This was not true for any other recusal type.

[8]The justices ran the gamut on recusals regarding family members, from Justice Stevens recusing in cases involving Agent Orange because his son died from cancer caused by exposure to it (Weiss 2009), to Chief Justice Rehnquist publicly announcing he could review a case involving Microsoft despite his son's litigation work for them (Bassett 2005).

decision to participate or recuse, when compared to not offering an explanation.

H8: Belief in the Court's politicization will be higher when the justices do not explain their decision to participate or recuse, when compared to explaining their decisions.

H9: Support for reforming the judiciary will be higher when the justices decline to explain their decision to participate or recuse, when compared to explaining their decisions.

Data and Approach

To investigate our hypotheses, we opted to conduct a survey experiment in which we asked participants to read about and react to a Supreme Court justice's recusal decision after facing a potential conflict of interest. We asked participants to read a newspaper article about a real-life scenario in which a Supreme Court justice faced one of the four potential conflicts of interests outlined in federal recusal legislation – financial conflicts, past employment issues, close friends and family involved in litigation, and friends who stand to financially benefit from a decision – and either recused or opted to hear the case, with an explanation offered by the justice or by a judicial watchdog group. We also include a control group in which participants read about recusal rules but not about a specific instance of it.[9] As we show in Table 1, our design is similar to a $4 \times 2 \times 2$ design with some liberties taken for the sake of sticking to real-world examples.[10] Given that constraint, we end up with seven treatment groups and a control.

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[9]Full outline of treatments are available in the supplemental appendix.

[10]Because we are interested in popular response to the current political climate surrounding the Court, we only used stories involving sitting justices, which limited the number of factors we could study. For example, we could not find a story of a sitting justice owning stock in a company appearing before the Court and refusing to recuse; justices in that scenario, including Chief Justice John Roberts, tend to sell their stock if they want to participate (Hume 2017).

Table 1: Experimental Conditions

Conflict Type	Story	Recused?	Explanation	N
Control	Recusal rules	–	–	122
Friend with Money	Gorsuch mentor brought case	Yes	Watchdog	118
	Alito associate brought case	No	Justice	126
Friends and Family	Barrett friend involved in case	Yes	Watchdog	118
	Thomas wife lobbying in area	No	Watchdog	118
Past Employment	Kagan worked on as SG	Yes	Justice	114
	Kagan worked on as SG	No	Watchdog	125
Financial	Alito holds stock in company	Yes	Watchdog	118

We used Cint Theorem (previously Lucid Theorem) to recruit a nationally representative sample of 1,172 participants in early June 2025.[11] After removing participants who did not consent to take the survey and who failed the first attention check, we ended up with 1,004 participants in our analysis; subsequent skipped questions lead to us analyzing 959 participant responses.[12] Our survey experiment proceeded in three parts. In the pre-treatment portion, we asked participants to answer a number of questions about their political positions and knowledge of the Supreme Court before being randomly sorted into one of eight treatment groups. After reading their assigned vignette, participants answered a series of questions regarding their feelings about the Court, specifically their feelings regarding judicial legitimacy (Gibson and Nelson 2014), politicization of the Court (Bartels and Johnston 2020), and their support for reforming the Court (Badas 2019). We also asked them to rank the importance of recusal in nine different situations. After answering those questions, we asked participants to identify the justice in their vignette as a manipulation

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[11]Most of our responses came in on June 9th and 10th, well before the Supreme Court took over the news cycle with its end-of-session decisions in late June. We provide a demographic breakdown of participants in Table A1 in the supplemental appendix.

[12]Following best practices (Coppock and McClellan 2019), we deployed a multitude of different attention checks to ensure participant quality. At Cint's suggestion, we removed people from the dataset who failed the first attention check and Cint replaced them with a demographically-similar participant. We kept anyone who failed the subsequent checks in our analysis.

check,[13] and then we thanked them for their efforts and ended the survey.[14]

Given our interest in people's responses to knowledge of recusal, we utilize three different dependent variables in our analysis: legitimacy, politicization, and support for different Court reforms. To measure participants' feelings of legitimacy toward the Court, we utilized the standard six-point legitimacy scale identified by Gibson and coauthors (Gibson and Nelson 2014), which asks participants to use a five-point Likert scale of agreement to respond to statements about the Supreme Court. We took participants' responses and turned them into a single scaled legitimacy variable.[15] For politicization, we used Bartels and Johnston's (2020) measure of belief in the Court as a political actor. As with the legitimacy measure, participants answered three questions about politicization on a five-point Likert scale of agreement, and we turned their responses into a single scaled politicization variable.[16] And for the need to recuse, we asked participants to rank their value of different types of recusal from 1 to 9, with 1 being the most and 9 being the least important. Reasons ranged from justices having personal financial stake in a case before the Court to admitting they could not be impartial.

Analysis 1: Importance of Recusal

Before digging into our hypotheses, we first want to know what people think about recusal broadly. To do this, we begin our analysis by examining participants' ranking of the importance of justices recusing in different situations. Recall that we asked participants to rank the importance of justices recusing in nine different scenarios, with 1 being the most important reason and 9 being the least important reason; this means that smaller scores equate with greater importance. We use difference-in-means testing to assess how

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[13]Manipulation check available in Table A2 in the supplemental appendix.

[14]All survey questions are available in the supplemental appendix.

[15]Eigenvalue of first factor is 1.52; Cronbach's α=0.62.

[16]Eigenvalue on first factor is 1.69; Cronbach's α=0.79.

our treatment conditions influence participant perceptions of a justice's recusal decision. Figure 1 provides evidence that our treatment conditions influence participants' rankings of recusal rationales.

Starting on the left of Figure 1, we begin with the importance of a justice holding stock in a company appearing before the Court. We find only one significant difference[17] in how participants rank recusal important between our treatment conditions: when a participant receives the treatment condition of a justice recusing in a case featuring a friend that has a financial stake in a case, participants rank holding stock in a company as a significantly more important reason to recuse compared to our control (4.17; 4.88). Similarly, we find finances are important for recusal rankings when a justice has a friend that could financially benefit in a case. Participants receiving the treatment of a justice refusing to recuse because of friends/family involved in a case rank recusing in a case where a friend could financially benefit significantly less important than our control (5.36; 4.70). Therefore, we find that treating individuals to think about financial implications in a case influences their rankings of perceived importance in a case involving the finances of a justice.

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[17]All discussions of significance are two-tailed tests at the p<0.05 level.

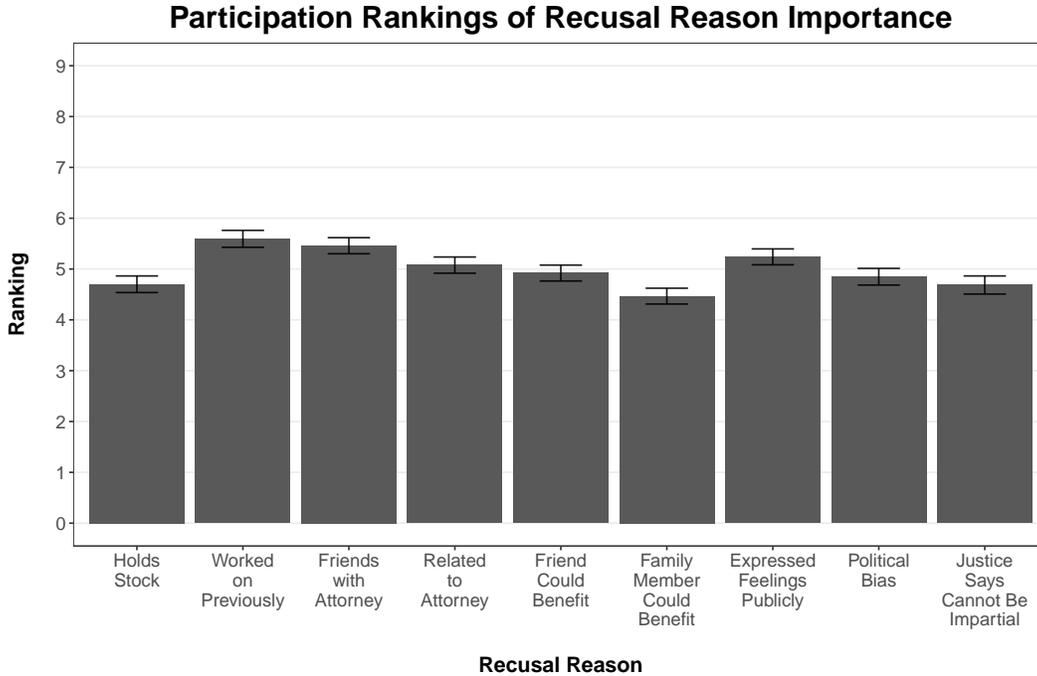## Participation Rankings of Recusal Reason Importance

Figure 1: Mean ranking of importance of each reason for recusal. Vertical lines indicate 95% confidence intervals.

In addition to financial implications influencing the rank of recusal importance, we also find that past employment has a significant impact on perceived recusal importance. A justice working on a case previously is ranked significantly more important when participants are in the treatment that the justice previously worked on a case compared to our control (5.30; 6.00). Similarly, participants rank a justice recusing in a case where they are closely related to an attorney that works on a case before the Court higher when treated with the condition a justice choosing not to recuse in a case with a party they previously worked for compared to choosing to recuse in that case (5.08; 5.82). Similar to financial interests, we find that a justice having a close relationship – previous employment – influences how participants rank recusal importance.

Figure 2 breaks down recusal importance ranking by participant partisanship. Here, we find several significant partisan differences in ranking of why a justice recuses in a case. Starting on the left of Figure 2, we find Democratic participants rank holding stock as more important than Republican participants when they are in the treatment where a justice

recuses in a case in which they hold stock in a company before the Court (3.98; 5.12). Strong financial ties between a justice and a case at hand impacts partisan rankings of recusal rationale.

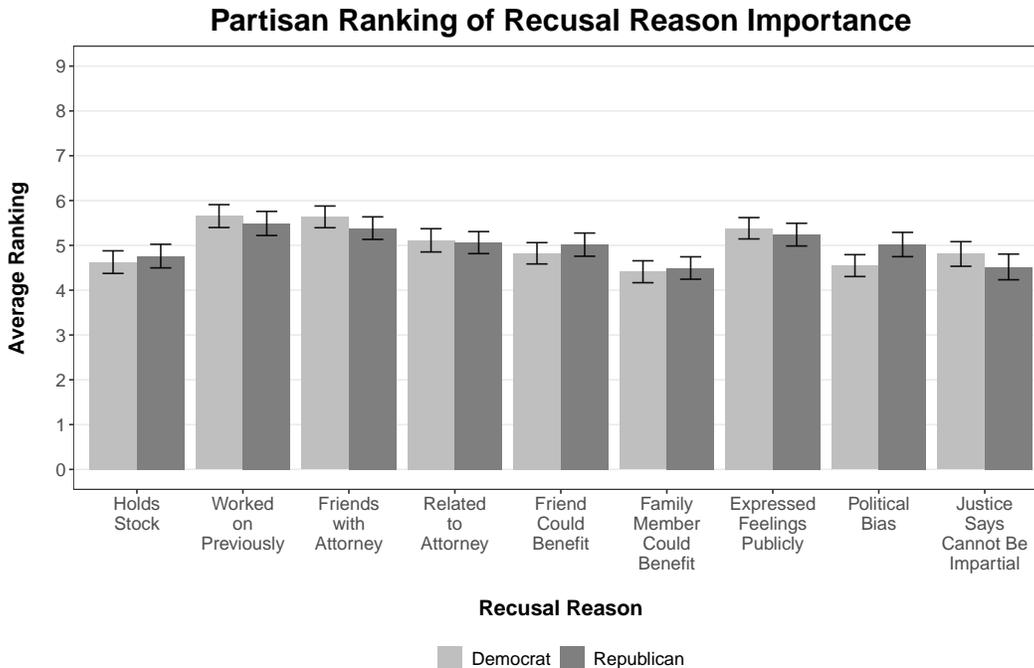**Partisan Ranking of Recusal Reason Importance**

Figure 2: Mean ranking of importance of each reason for recusal, divided by participant partisanship. Democratic participant averages are in light grey and Republican participant averages are in dark grey. Vertical lines indicate 95% confidence intervals.

Further, we find that Democratic participants rank a justice recusing in a case they are related to an attorney who worked on the case as less important than Republicans when previously told a justice did not recuse in a case where friends or family are involved (5.76; 4.72) or if a justice recused in a case due to past employment (5.31; 4.37). Similarly, we find Democratic participants rank a justice recusing if they have a friend that could financially benefit from a decision more important than Republican participants when they are previously in the treatment where a justice did not recuse in a case with friends/family in front of the Court (4.70; 5.36). However, Democratic participants view a justice recusing if they have a close family member who could financially benefit as *less* important than Republican participants when they are told a justice recused in a similar case (5.289; 4.15).

As such, a justice's relationship with the party to the case has a partisan influence on participant responses.

Finally, potential bias or impartiality in a case influences participant rankings of recusal decisions. When a justice expresses feelings about someone involved in a case, Democratic participants view this as a less important reason to recuse than Republican participants when receiving the treatment of no recusal with family/friends before the Court. Conversely, Democratic participants think recusing in a case due to political bias is more important when previously told a justice recused in a case with family/friends involved (4.27; 5.28). And, if a justice says they cannot be impartial, Democratic participants find this a less important reason to recuse than Republican participants in the control. In all, we see that financial ties, relationships between a justice and the party before the Court, and a justice's ability to be impartial or non-biased influence partisan perceptions of recusal decisions.

Analysis 2: Recusal Stories and Feelings about the Court

Having established that people do, in fact, have feelings regarding recusal, we next move on to their feelings about the Court in light of recuse. Here, we focus on how learning about the justices' recusal decisions – specifically whether they decide to recuse, when they decide to do so, and whether they explain their decision or not – affect people's feelings about the Court's legitimacy, politicization, and support for Court reform. To address these questions, we again utilize difference-in-means tests, this time examining how different experimental treatments affected people's feelings about the Court. We address each of our dependent variables in turn.

Recusal and Legitimacy

We next turn our attention to the influence justice recusal decisions have on participants' views of Court legitimacy. Recall that in Hypothesis 1, we suggested that participants would express higher levels of legitimacy when they learned about justices recusing them-

selves from cases than they would express when the justices did not recuse. We also suggested legitimacy would be higher when participants read about justices recusing themselves in cases involving personal conflicts of interest (Hypothesis 4), and when the justices explained their decision to participate or recuse (Hypothesis 7).

To address these questions, we use a 5-point, Likert-like scale with higher scores indicating higher feelings of legitimacy towards the Court. We begin by comparing mean feelings of legitimacy across treatments, as shown in Figure 3.[18] As seen in Figure 3, and contrary to our hypotheses, we find no difference between recusal behavior and feelings of legitimacy of the Supreme Court. That is, despite our expectations, participants' feelings of Court legitimacy are consistent regardless of the reason for recusal – whether financial, past employment, familial, or involving moneyed acquaintances.
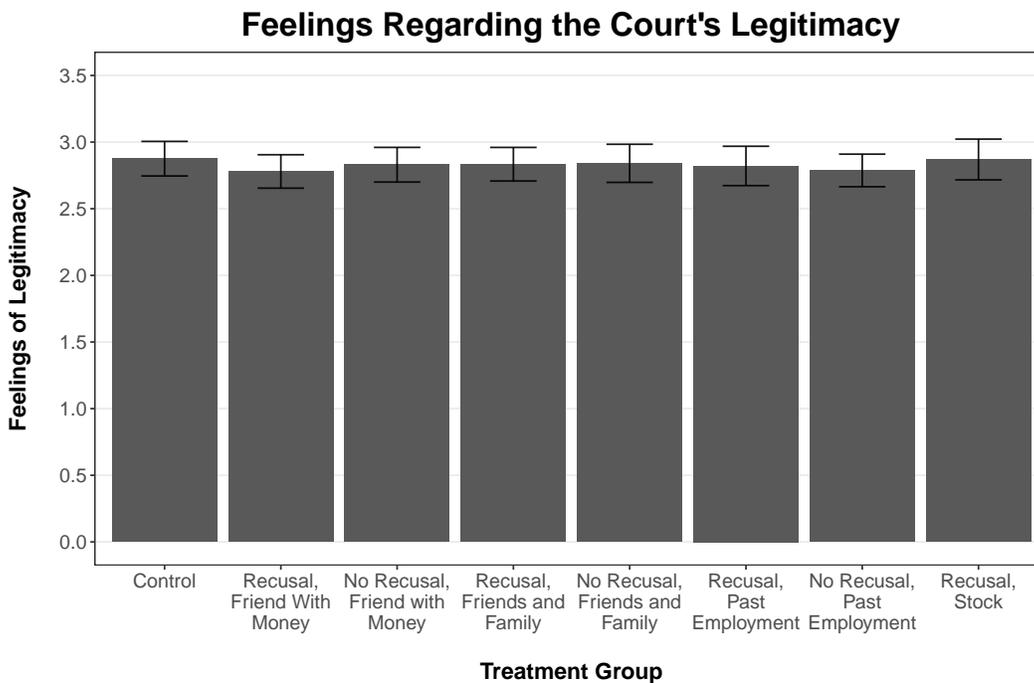

Figure 3: Mean legitimacy scores across treatment groups. Vertical lines indicate 95% confidence intervals.

Looking at feelings of legitimacy by participant political affiliation, we find that, again,

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[18]Regression analysis results are available in column 1 of Table A3 in the supplemental appendix. Table A3 also includes full regression models with controls in column 3.

recusal rationale does not influence views of Court legitimacy. Figure 4 shows that, regardless of treatment condition, within-group participants maintain their feelings of legitimacy towards the Court. However, when we compare Democratic and Republican participants, we do find significant differences across groups.[19]
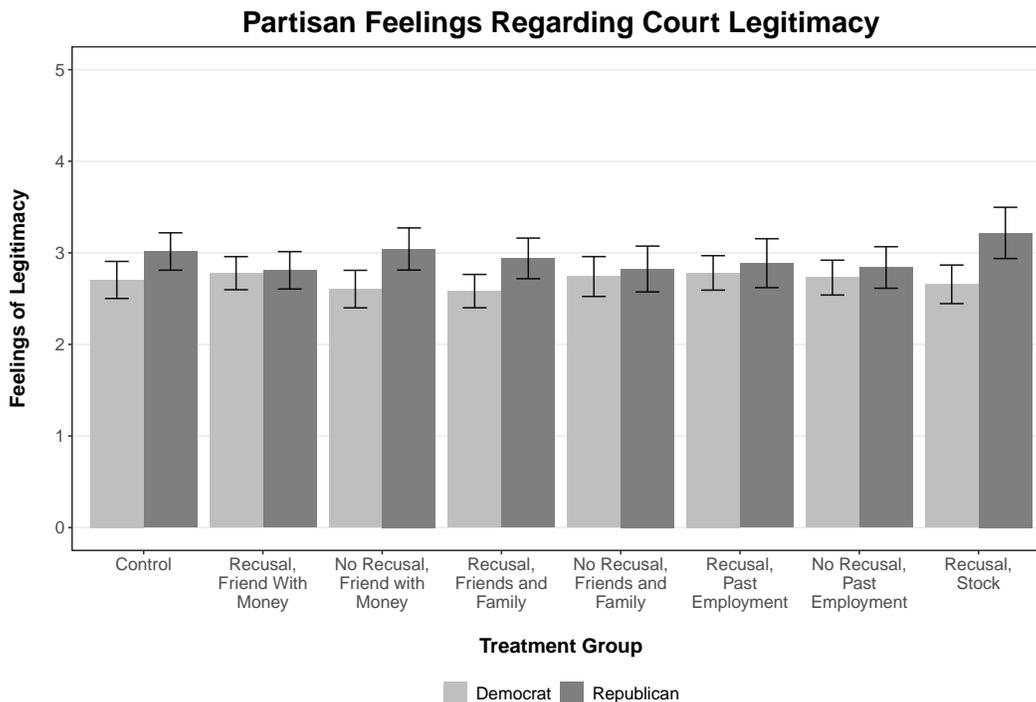
Partisan Feelings Regarding Court Legitimacy

Figure 4: Mean legitimacy scores across treatment groups for Democratic (light grey) and Republican (dark grey) participants. Vertical lines indicate 95% confidence intervals.

Compared to Democratic participants, Republican participants have higher feelings of legitimacy across several conditions. Specifically, Republican participants have significantly higher feelings of Court legitimacy than Democratic participants when a justice does not recuse in a case that features a friend with a financial stake in the case (3.04; 2.60), when a justice recuses in a case involving a family member or friends (2.94; 2.58), or when a justice recuses from a case that involves a company a justice owns stock in (3.22; 2.66). Further, Democratic participants generally have a lower feelings of legitimacy compared to

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[19]We do not analyze Independents in the manuscript because their expectations of the Court are different than partisans' (Haglin et al. 2020). To see how they responded to treatments, see Figure A3 in the supplemental appendix.

Republicans in our control group when they are simply being told of the recusal process (3.01; 2.70).

As we see from above, we do not find support for out hypotheses regarding legitimacy and justice recusal behavior. We do find some significant differences between Democratic and Republican participants in cases involving financial stakes or family/friends being involved. These differences could be reflective of recent media coverage of recusal decisions (Elliott, Kaplan and Mierjeski 2023; Kaplan, Elliott and Mierjeski 2023). With that said, overall, participants' feelings towards the Court and its legitimacy regardless of if a justice recuses (or does not recuse) from a case.

Recusal and Politicization

Next, we examine how judicial recusal affects participants' perceptions of the Court's politicization. Specifically, we examine whether a justice's decision to recuse (or not) in a case influences how the public views the Court and its justices as political actors. As with legitimacy, we use a 5-point, Likert-like scale with higher scores viewing the Court as more politicized. Here, we hypothesize that people's perceptions of the Court's politicization will increase when the justices do not recuse in cases where their impartiality gets questioned (Hypothesis 2), when the justices avoid recusing in cases that involve personal interests (Hypothesis 5), and when the justices do not explain their reasoning for responding to a conflict of interest the way they did (Hypothesis 8).

We again begin by comparing mean feelings of politicization across treatments, as shown in Figure 5.[20] As with legitimacy, we find that recusal decisions have limited effect on participants' perceptions of judicial politicization.

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[20]Regression analysis results are available in column 1 of Table A4 in the supplemental appendix. Table A4 also includes full regression models with controls in column 3.

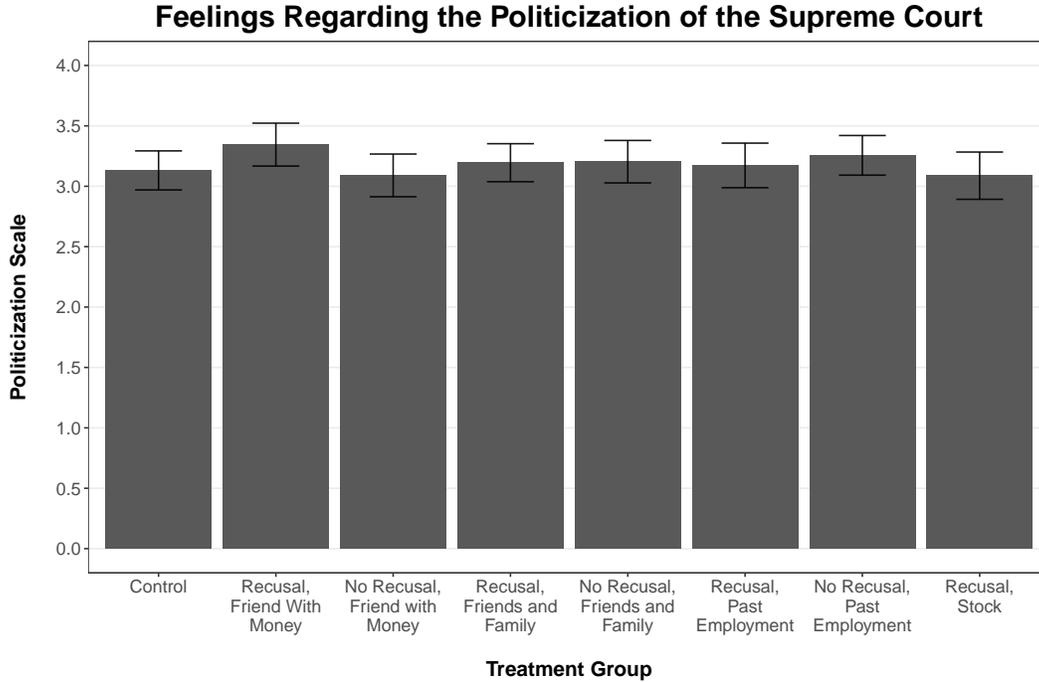**Feelings Regarding the Politicization of the Supreme Court**

Figure 5: Mean politicization scores across treatment groups. Vertical lines indicate 95% confidence intervals.

Figure 5 shows that, for the most part, participants do not significantly differ in their views of Court politicization across treatment groups. That is, when friends/family are involved in a case, when a justice previously was employed by a party to a case, or when a justice owned stock in a company in front of the Court, participants did not differ regardless if a justice recused or not. Further, views of Court politicization did not differ in any of these conditions compared to our control. However, in one condition – when a party to the case is a friend with financial ties to a matter in front of the Court – participants significantly differ with participants viewing the Court as more politicized when a justice recuses in these cases than when a justice refuses to recuse (3.34; 3.09). From this, we find limited support for our Hypothesis 5 as, at least in one condition, participants' views of Court polarization increases if a justice does not recuse in a case with personal interests.

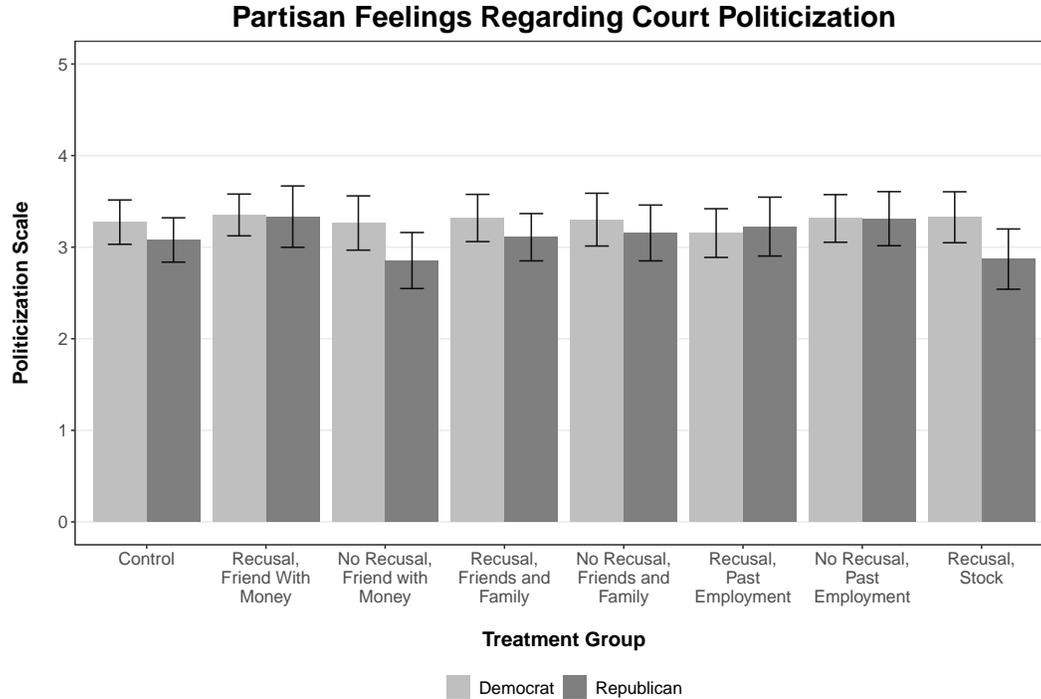**Partisan Feelings Regarding Court Politicization**

Figure 6: Mean politicization scores across treatment groups for Democratic (light grey) and Republican (dark grey) participants. Vertical lines indicate 95% confidence intervals.

Figure 6 breaks down feelings of Court politicization by participant partisanship.[21] As these figures demonstrate, the significant difference in feelings of politicization due to recusing in cases with friends involved is driven by Republican participants. Figure 6 shows Democratic participants do not differ in their feelings of Court politicization. Republican participants, however, find the Court to be significantly more politicized when a justice recuses in a case that has a friend with financial ties involved compared to not recusing in such a case (3.33; 2.85). Further, Democratic participants find the Court more politicized in cases where a justice recuses because they have stock in a company before the Court compared to Republican participants (3.33; 2.87).

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[21]To see how Independents responded to treatments, see Figure A4 in the supplemental appendix.

Recusal and Support for Court Reforms

Finally, we seek to examine how knowledge of recuse practices affects people's support for reforming the Court. Recall that our measurement for support for Court reform is a scaled variable of participants' support for six different types of Court reform, from adding more justices to creating a formal ethics code. Here, we hypothesized that support for Court reform would be higher when justices opt not to recuse despite potential conflicts of interest (Hypothesis 3), that it would be higher when justices participate in cases involving personal conflicts despite pressure to recuse (Hypothesis 6), and that support for reform would be higher when the justices decline to explain their decisions regarding recusal (Hypothesis 9).

For the final time, we begin our analysis by comparing means across the different treatments.[22]
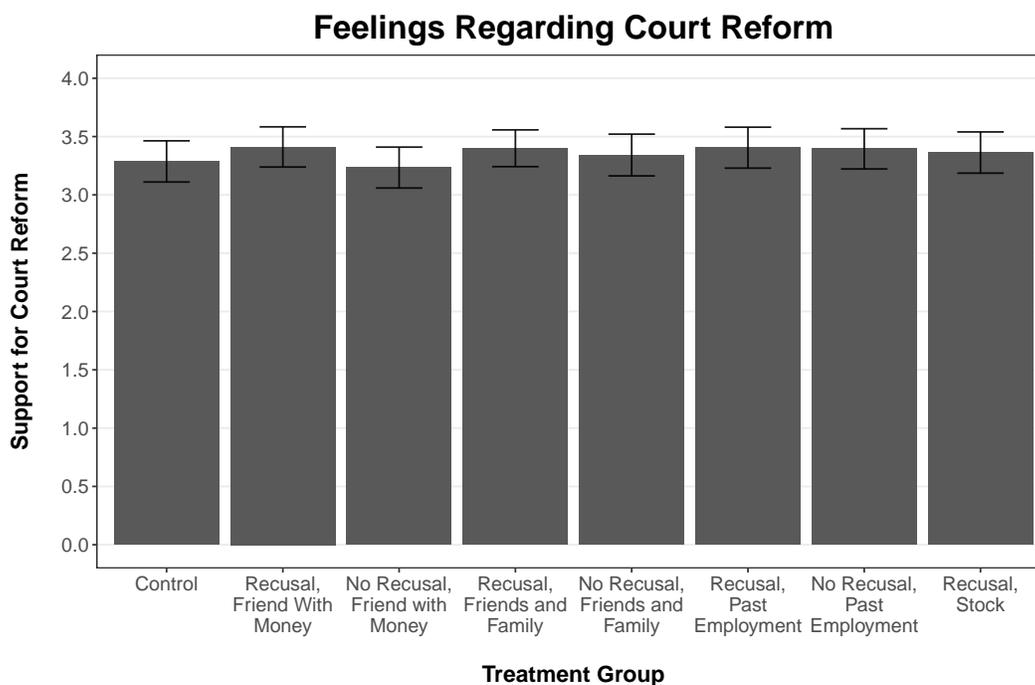

Figure 7: Mean support for Court reform across treatment groups. Vertical lines indicate 95% confidence intervals.

As seen in Figure 7, recusal rationale does not influence public support for court

reform. That is, contrary to our expectations, we do not find differences when a justice recuses due to conflicts of interest, personal conflicts, or a justice simply declining to explain their decisions. This lack of differentiation extends even when we look at partisan feelings on court reform, as seen in Figure 8. While Democratic participants have overall higher support for reforming the Court, they do not differ across conditions nor do Democratic and Republican participants significantly differ when compared to each other within conditions. As such, we do not find support for our Hypotheses 3, 6, and 9 as participants do not differ regardless of a justice's conflict of interests, personal conflicts, or refusal to explain their recusal decision.
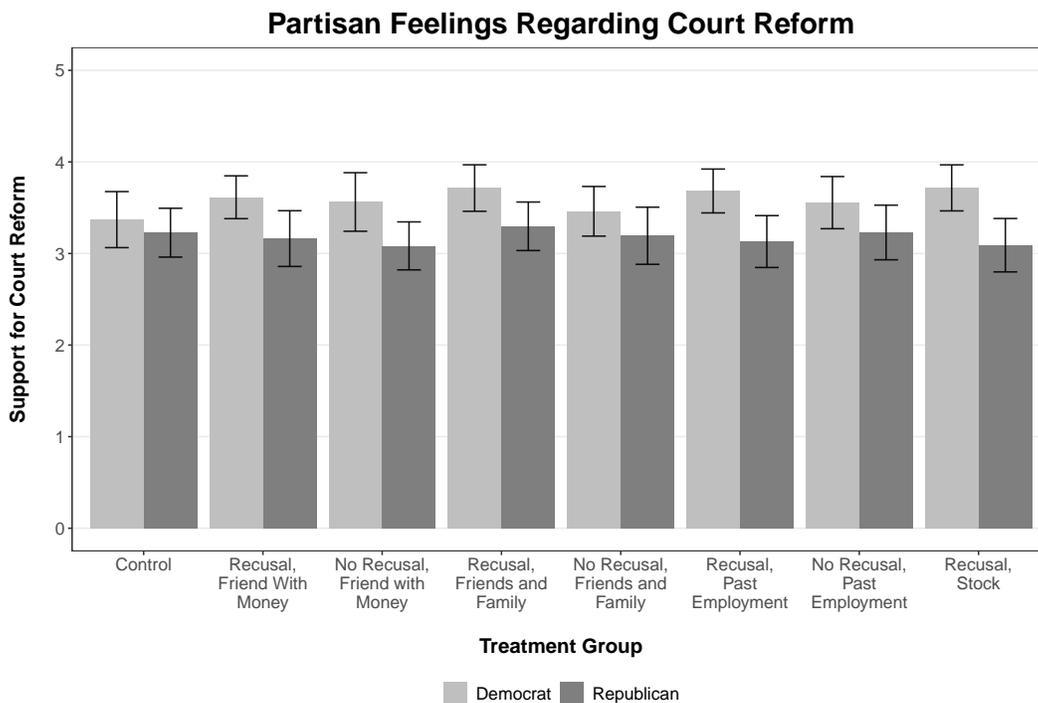

Figure 8: Mean support for Court reform across treatment groups, divided between Democrats (light grey) and Republicans (dark grey). Vertical lines indicate 95% confidence intervals.

Conclusion

Recent coverage of the Supreme Court has not only look to the outcomes but also to the individual decisions by justices to hear cases. Court watchers have frequently pointed

out perceived improprieties when justices sit on cases where they have potential conflicts. While extant scholarship has examined why justices choose to recuse in cases, little attention has been given to how recusal decisions influence the public's view of the Court.

Using a nationally-representative survey experiment of 959 participants, we find that recusal reasoning (or lack thereof) often has little influence on the public's view of the Court be it legitimacy, politicization, or support for reforming the Court. Differences in perceptions of recusal rationale a largely driven by partisanship with Democratic and Republican participants significantly differing in which factors influence their feelings about the Court. Indeed, we only find limited support for one of our hypotheses: views of Court polarization increasing when a justice does not recuse in a case with personal interests. On the whole, partisanship impacts how the public views recusal decisions by Supreme Court justices and not simply the decision to recuse itself.

Our results leave several avenues yet to be explored. With recusal decisions increasingly making headlines, it is possible the public's knowledge of recusals and the norms governing them increases which, in turn, may lead to stronger feelings regarding the process. Further, by providing participants with actual instances of recusal, it is possible the named association of justices and their partisanship influenced participant behavior. It is evident there recusal can influence views of politicization and polarization – albeit in a limited fashion. Future scholarship should continue to examine the importance of recusal and its impact on public perceptions of the Court.

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Supplemental Appendix

A   Memos from *American Airlines v. Wolens* (1995)
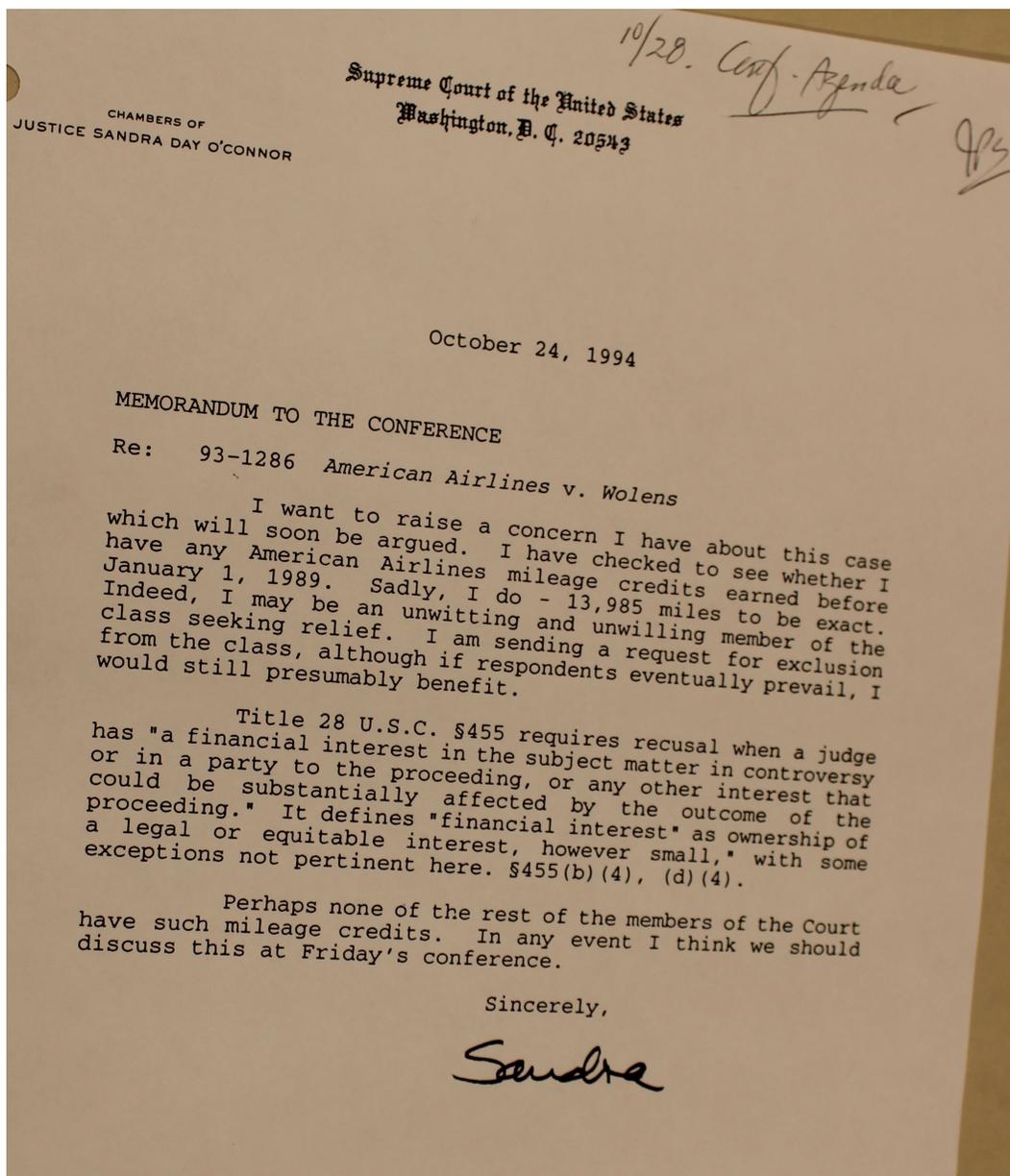
Figure A1: Correspondence from Justice O'Connor to the judicial conference, discussing recusal.

Supreme Court of the United States
Washington, D.C. 20543

October 25, 1994

Memorandum to the Conference

Re: 93-1286 - American Airlines v. Wolens

A check we just made shows I have American Airlines miles earned before 1989 — 5000 of them. No doubt Marty has at least as many. If the Conference finds this issue of concern, perhaps we could ask Ric Schickele to look into the possibility of donating miles through "Miles for Kids in Need," a charitable program run by the airline for children facing medical emergencies.

Unlike more recently earned miles, those accumulated before 1989 have no expiration date. Ordinarily, the airline takes donations from the miles closest to expiration, so that the pre-1989 miles would be the last taken. But something appropriate might be arranged.

Respectfully,

Ruth
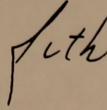
Figure A2: Correspondence from Justice Ginsburg, in response to Justice O'Connor's memo.

B   Experimental Vignettes

Financial, Recused, Watchdog Explained

Supreme Court Justice Samuel Alito recently stepped down from a case examining states' ability to sue large oil companies for environmental damage.

Alito did not give a reason for his recusal, but ethics watchdogs noted Alito owns stock in one of the oil companies involved in the case.

Supreme Court justices rarely opt to not hear a case. Lower court judges are required by law to step away from cases that involve personal or financial interests and allow another judge to rule over the case, but Supreme Court justices cannot be replaced and thus have considerably more discretion over the decision to recuse.

### *Friend with Money, Recused, Watchdog Explained*

Supreme Court Justice Neil Gorsuch recently announced he would not be participating in a case examining the environmental impact of a proposed Utah railway line.

Gorsuch did not give a reason for his recusal, but ethics watchdogs had encouraged him to step down after discovering Gorsuch's long-time mentor stood to turn a considerable profit from a decision favoring the railway.

Supreme Court justices rarely opt to not hear a case. Lower court judges are required by law to step away from cases that involve personal or financial interests and allow another judge to rule over the case, but Supreme Court justices cannot be replaced and thus have considerably more discretion over the decision to recuse.

Friend with Money, Did Not Recuse, Justice Explained

Supreme Court Justice Samuel Alito recently defended his decision to participate in cases involving a hedge fund owned by Paul Singer.

Ethics watchdogs questioned Alito's decision to participate in these cases because Singer had previously taken Alito on an all-expenses-paid luxury fishing trip. In explaining his decision to hear the cases, Alito said he and Singer were not close and he thus had no personal ties that would affect his decisions.

Supreme Court justices rarely opt to not hear a case. Lower court judges are required by law to step away from cases that involve personal or financial interests and allow another judge to rule over the case, but Supreme Court justices cannot be replaced and thus have considerably more discretion over the decision to recuse.

Friends and Family, Recused, Watchdog Explained

Supreme Court Justice Amy Coney Barrett recently announced she would not be participating in a case examining Oklahoma's decision to use public money to fund religious charter schools.

Barrett did not give a reason for her recusal, but ethics watchdogs believe the decision stemmed from her long-time friendship with an attorney consulting on Oklahoma's argument.

Supreme Court justices rarely opt to not hear a case. Lower court judges are required by law to step away from cases that involve personal or financial interests and allow another judge to rule over the case, but Supreme Court justices cannot be replaced and thus have considerably more discretion over the decision to recuse.

Friends and Family, Did not Recuse, Watchdog Explained

Supreme Court Justice Clarence Thomas recently refused to step down from a case examining President Trump's role in the January 6th insurrection.

Ethics watchdogs encouraged Thomas to recuse himself because his wife was heavily involved in the "Stop the Steal" campaign that culminated in the events on January 6th. Thomas did not offer any explanation for or defense of his decision to hear the case.

Supreme Court justices rarely opt to not hear a case. Lower court judges are required by law to step away from cases that involve personal or financial interests and allow another judge to rule over the case, but Supreme Court justices cannot be replaced and thus have considerably more discretion over the decision to recuse.

Past Employment, Recused, Justice Explained

Supreme Court Justice Elena Kagan recently announced she would not be participating in a case involving a death row inmate.

In explaining her decision, Kagan cited the section of federal law that requires judges recuse themselves in cases on which they previously worked. Ethics watchdogs elaborated that Kagan worked on the case when she was Solicitor General.

Supreme Court justices rarely opt to not hear a case. Lower court judges are required by law to step away from cases that involve personal or financial interests and allow another judge to rule over the case, but Supreme Court justices cannot be replaced and thus have considerably more discretion over the decision to recuse.

Past Employment, Did not Recuse, Watchdog Explained

Supreme Court Justice Elena Kagan recently refused to step down from a case examining the validity of the Affordable Care Act.

Ethics watchdogs encouraged Kagan to recuse herself because her office prepared the original legal defense of the legislation, though she did not work on the case. Kagan did not offer any explanation for or defense of her decision to hear the case.

Supreme Court justices rarely opt to not hear a case. Lower court judges are required by law to step away from cases that involve personal or financial interests and allow another judge to rule over the case, but Supreme Court justices cannot be replaced and thus have considerably more discretion over the decision to recuse.

Control

Supreme Court justices rarely opt to not hear a case. Lower court judges are required by law to step away from cases that involve personal or financial interests and allow another judge to rule over the case, but Supreme Court justices cannot be replaced and thus have considerably more discretion over the decision to recuse.

C   Participant Demographics

We used the standard two-part question to identify a participant's partisanship on a seven-point scale that runs from Strong Democrat to Strong Republican and then collapsed that scale to create our three-part measure of partisanship. We treated participants who identified as "Independent-leaning Democrat" or "Independent-leaning Republican" as partisan.

Table A1: Participant Demographics

Variable	Number of Participants
Democrat	401 (42%)
Republican	372 (39%)
Independent	186 (19%)
Male	447 (47%)
Female	509 (53%)
No Response	3 (0%)
White	700 (73%)
Black	135 (14%)
Asian or Pacific American	45 (5%)
Native American	14 (1%)
Some other race	57 (6%)
Prefer not to answer	8 (1%)
Some high school or less education	65 (7%)
High school graduate	295 (31%)
Other post high school vocational training	41 (4%)
Completed some college, but no degree	145 (15%)
Associate's degree	145 (15%)
Bachelor's degree	155 (16%)
Master's or professional degree	94 (10%)
Doctorate degree	11 (1%)
None of the above	8 (1%)
Not of Hispanic, Latino, or Spanish origin	825 (86%)
Mexican	57 (6%)
Cuban	4 (0.5%)
Puerto Rican	28 (3%)
Another Hispanic, Latino, or Spanish origin	36 (4%)
Prefer not to answer	3 (0.5%)
Less than $14,999	226 (24%)
$15,000 to $19,999	61 (6%)
$20,000 to $24,999	73 (8%)
$25,000 to $29,999	74 (8%)
$30,000 to $34,999	42 (4%)
$35,000 to $39,999	44 (5%)
$40,000 to $44,999	29 (3%)
$45,000 to $49,999	33 (3%)
$50,000 to $54,999	37 (4%)
$55,000 to $59,999	30 (3%)
$60,000 to $64,999	23 (2%)
$65,000 to $69,999	26 (2%)
$70,000 to $74,999	32 (3%)
$75,000 to $79,999	29 (3%)
$80,000 to $84,999	15 (2%)
$85,000 to $89,999	15 (2%)
$90,000 to $94,999	8 (0%)
$95,000 to $99,999	19 (2%)
$100,000 to $124,999	48 (5%)
$125,000 to $149,999	33 (3%)
$150,000 to $174,999	20 (4%)
$175,000 to $199,999	12 (2%)
$200,000 to $249,999	13 (1%)
$250,000 and above	13 (1%)
Prefer not to answer	4 (0%)

D   Manipulation Check

As a manipulation check, we asked participants "Earlier, you read a story about the Supreme Court. Do you happen to remember which justice, if any, you read about?" The results of that manipulation check are below in Table A2. While the majority of participants (56%) did not pass the manipulation check, we are not alarmed by this result for several reasons. First, we purposely designed the experiment to avoid priming ideology, which removes many participants' ability to think of the justices as people and judges. Second, people have bad name recognition of Supreme Court justices, so not remembering their names is not dispositive to our point.

Table A2: Manipulation Check

	Financial, Recused, Watchdog	Friend w/Money, Recused, Watchdog	Friend w/Money, No Recuse, Justice	Friend/ Family, Recused, Watchdog	Friend/ Family, No Recuse, Watchdog	Employment, Recused, Justice	Employment, No Recuse, Watchdog	Control
Incorrect	64	74	75	61	67	70	74	47
Correct	54	54	51	57	51	44	51	75

E   Survey Questions

Pre Treatment: PID and ideology

- Generally speaking, do you usually think of yourself as a Republican, a Democrat, an Independent, or what? [Democrat; Republican; Independent; Other; No preference, neither; Don't know]

  - [If answered "Democrat"] Would you call yourself a strong Democrat or a not very strong Democrat? [Strong; Not very strong; Don't know]
  - [If answered "Republican"] Would you call yourself a strong Republican or a not very strong Republican? [Strong; Not very strong; Don't know]
  - [If answered "Independent," "Other," "No preference, neither," or "Don't know"] Do you think of yourself as closer to the Republican or Democratic Party?

- We hear a lot of talk these days about liberals and conservatives. When it comes to politics, do you usually think of yourself as extremely liberal, liberal, slightly liberal, moderate or middle of the road, slightly conservative, extremely conservative, or haven't you thought much about this? [Extremely liberal; Liberal; Slightly liberal; Moderate; Slightly conservative; Conservative; Extremely conservative; Haven't thought much about this; Don't know]

Pre Treatment: Supreme Court knowledge

- Some judges in the U.S. serve for a set number of years; others serve a life term. Do you happen to know whether the justices of the U.S. Supreme Court serve for a set number of years or whether they serve a life term? [Definitely a set number of years; Probably a set number of years; Probably a life term; Definitely a life term]

- Who has the last say when there is a conflict over the meaning of the Constitution—the U.S. Supreme Court, the U.S. Congress, or the President? [Supreme Court; Congress; President]

- Some courts choose the cases they want to hear and decide. Other courts are required to hear cases. Do you happen to know if the U.S. Supreme Court chooses or is required to hear most of its cases? [Definitely chooses; Probably chooses; Probably required; Definitely required]

- Who is the current Chief Justice of the United States Supreme Court? [John Roberts; Mitch McConnell; Chuck Schumer; Dick Cheney; Richard Posner]

- Below are several names. Some are current U.S. Supreme Court justices, others are not. Select the names you recognize as belonging to current U.S. Supreme Court justices. [Clarence Thomas; Leora Kuhn; Aileen Cannon; Samuel Alito; Elena Kagan; Richard Cuesta; J. Michlle Childs; Amy Coney Barrett]

Pre Treatment: Court ideology

- On a scale of 1 to 7, with 1 being very conservative and 7 being very liberal, how liberal or conservative do you think the U.S. Supreme Court is? [1-7]

Post Treatment: Importance of recusal

- Below is a list of the reasons Supreme Court justices recuse themselves, or opt not to hear a case. Please rank them in order of importance to you, with 1 being the most important reason a justice should recuse and 9 being the least important.[The justice holds stock in a company appearing before the Court; The justice worked on the case previously; The justice is friends with an attorney who worked on the case; The justice is closely related to an attorney who worked on the case; The justice has a friend who could financially benefit from the decision; The justice has a close family member who could financially benefit from the decision; The justice publicly expressed feelings about someone involved in the case; The justice is politically biased toward one of the parties; The justice does not believe he/she can decide the case impartially]

Post Treatment: Politicization

- Please indicate whether you agree or disagree with the following statements made about judges. [Strongly disagree; Disagree; Neither agree nor disagree; Agree; Strongly agree]

  - Judges are little more than politicians in robes.
  - Judges cannot be trusted to tell us why they actually decide the way they do, but hide some ulterior motives for their decisions.
  - Judges may say that their decisions are based on the law and the Constitution, but in many cases, judges are really basing their decisions on their own personal beliefs.

Post Treatment: Legitimacy

- How strongly do you agree or disagree with the following statements? [Agree strongly; Agree somewhat; Neither agree nor disagree; Disagree somewhat; Disagree strongly]

  - If the U.S. Supreme Court started making a lot of decisions that most people disagree with, it might be better to do away with the Supreme Court altogether.
  - The right of the Supreme Court to decide certain types of controversial issues should be reduced.
  - The Supreme Court can usually be trusted to make decisions that are right for the country as a whole.
  - The decisions of the U.S. Supreme Court favor some groups more than others.
  - The U.S. Supreme Court gets too mixed up in politics.
  - The U.S. Supreme Court should have the right to say what the Constitution means, even when the majority of the people disagree with the Court's decision.

Post Treatment: Court reform

- How much do you favor or oppose each of the following proposals? [Strongly oppose; Somewhat oppose; Neither oppose nor favor; Somewhat favor; Strongly favor]

    - Increasing the number of justices on the U.S. Supreme Court.
    - Setting a specific number of years that U.S. Supreme Court justices serve instead of granting them life tenure.
    - Requiring that U.S. Supreme Court justices retire by a certain age.
    - Creating a formal ethics code for U.S. Supreme Court justices that allow for justices to be investigated if they are accused of an ethical violation.
    - Prohibiting U.S. Supreme Court justices from participating in cases in which they have personal or financial interests.
    - Allowing the public to vote to overturn Supreme Court decisions on controversial issues.

Post Treatment: Manipulation check

- Earlier, you read a story about the Supreme Court. Do you happen to remember which justice, if any, you read about? [Samuel Alito; Amy Coney Barrett; Neil Gorsuch; Elenea Kagan; Clarence Thomas; I did not read about a justice]

F   Regression Results

Table A3: OLS Results for Legitimacy DV

	Baseline	Conditional	Full Model
Friend w/Money, Recused	−0.096	0.074	−0.078
	(0.096)	(0.144)	(0.095)
Friend with Money, No Recuse	−0.045	−0.100	−0.045
	(0.095)	(0.148)	(0.094)
Friends/Family, Recused	−0.042	−0.122	−0.050
	(0.096)	(0.151)	(0.095)
Friends/Family, No Recuse	−0.035	0.037	−0.025
	(0.096)	(0.146)	(0.095)
Previous Employment, Recused	−0.054	0.077	−0.050
	(0.097)	(0.145)	(0.096)
Previous Employment, No Recuse	−0.088	0.025	−0.080
	(0.095)	(0.146)	(0.094)
Financial, Recused	−0.006	−0.048	−0.028
	(0.096)	(0.147)	(0.095)
Independent		0.225	0.183*
		(0.206)	(0.066)
Republican		0.311*	0.234*
		(0.143)	(0.054)
Friend w/Money, Recused × Independent		−0.279	
		(0.279)	
Friend with Money, No Recuse × Independent		0.024	
		(0.268)	
Friends/Family, Recused × Independent		0.266	
		(0.273)	
Friends/Family, No Recuse × Independent		0.117	
		(0.275)	
Previous Employment, Recused × Independent		−0.244	
		(0.294)	
Previous Employment, No Recuse × Independent		−0.148	
		(0.268)	
Financial, Recused × Independent		−0.254	
		(0.279)	
Friend w/Money, Recused × Republican		−0.279	
		(0.208)	
Friend with Money, No Recuse × Republican		0.127	
		(0.207)	
Friends/Family, Recused × Republican		0.046	
		(0.210)	
Friends/Family, No Recuse × Republican		−0.228	
		(0.209)	
Previous Employment, Recused × Republican		−0.204	
		(0.206)	
Previous Employment, No Recuse × Republican		−0.200	
		(0.208)	
Financial, Recused × Republican		0.251	
		(0.207)	
Participant Female			−0.092
			(0.048)
Participant Income			0.004
			(0.004)
Participant Black			−0.037
			(0.071)
Participant Education			0.0001
			(0.0001)
Constant	2.875*	2.704*	2.760*
	(0.067)	(0.104)	(0.085)
Observations	959	959	950
R^2	0.002	0.047	0.032

*$p<0.05$

Table A4: OLS Results for Politicization DV

	Baseline	Conditional	Full Model
Friend w/Money, Recused	0.213	0.079	0.226
	(0.124)	(0.189)	(0.124)
Friend with Money, No Recuse	−0.041	−0.009	−0.026
	(0.122)	(0.195)	(0.123)
Friends/Family, Recused	0.064	0.045	0.076
	(0.124)	(0.198)	(0.125)
Friends/Family, No Recuse	0.072	0.027	0.066
	(0.124)	(0.192)	(0.124)
Previous Employment, Recused	0.041	−0.119	0.057
	(0.126)	(0.191)	(0.126)
Previous Employment, No Recuse	0.125	0.040	0.118
	(0.123)	(0.192)	(0.123)
Financial, Recused	−0.044	0.053	−0.042
	(0.124)	(0.193)	(0.125)
Independent		−0.391	−0.181*
		(0.271)	(0.087)
Republican		−0.195	−0.184*
		(0.188)	(0.071)
Friend w/Money, Recused × Independent		0.388	
		(0.367)	
Friend with Money, No Recuse × Independent		0.316	
		(0.351)	
Friends/Family, Recused × Independent		0.208	
		(0.358)	
Friends/Family, No Recuse × Independent		0.174	
		(0.361)	
Previous Employment, Recused × Independent		0.320	
		(0.386)	
Previous Employment, No Recuse × Independent		0.146	
		(0.351)	
Financial, Recused × Independent		0.064	
		(0.366)	
Friend w/Money, Recused × Republican		0.176	
		(0.273)	
Friend with Money, No Recuse × Republican		−0.215	
		(0.272)	
Friends/Family, Recused × Republican		−0.015	
		(0.276)	
Friends/Family, No Recuse × Republican		0.049	
		(0.274)	
Previous Employment, Recused × Republican		0.265	
		(0.271)	
Previous Employment, No Recuse × Republican		0.192	
		(0.273)	
Financial, Recused × Republican		−0.263	
		(0.272)	
Participant Female			0.054
			(0.063)
Participant Income			0.008
			(0.005)
Participant Black			−0.163
			(0.092)
Participant Education			−0.0001
			(0.0002)
Constant	3.131*	3.273*	3.163*
	(0.087)	(0.136)	(0.111)
Observations	959	959	950
R^2	0.007	0.024	0.024

$^*p<0.05$

Table A5: OLS Results for Court Reform DV

	Baseline	Conditional	Full Model
Friend w/Money, Recused	0.124	0.244	0.149
	(0.124)	(0.185)	(0.120)
Friend with Money, No Recuse	−0.053	0.192	−0.016
	(0.122)	(0.190)	(0.119)
Friends/Family, Recused	0.113	0.345*	0.135
	(0.124)	(0.194)	(0.121)
Friends/Family, No Recuse	0.055	0.091	0.042
	(0.124)	(0.187)	(0.120)
Previous Employment, Recused	0.118	0.313*	0.118
	(0.125)	(0.187)	(0.122)
Previous Employment, No Recuse	0.108	0.186	0.108
	(0.122)	(0.187)	(0.119)
Financial, Recused	0.076	0.347*	0.079
	(0.124)	(0.188)	(0.121)
Independent		−0.135	−0.373***
		(0.264)	(0.084)
Republican		−0.143	−0.449***
		(0.184)	(0.069)
Friend w/Money, Recused ×		−0.083	
Independent		(0.359)	
Friend with Money, No Recuse ×		−0.478	
Independent		(0.344)	
Friends/Family, Recused ×		−0.531	
Independent		(0.350)	
Friends/Family, No Recuse ×		0.028	
Independent		(0.353)	
Previous Employment, Recused ×		−0.256	
Independent		(0.377)	
Previous Employment, No Recuse ×		−0.053	
Independent		(0.343)	
Financial, Recused ×		−0.453	
Independent		(0.358)	
Friend w/Money, Recused ×		−0.309	
Republican		(0.266)	
Friend with Money, No Recuse ×		−0.336	
Republican		(0.266)	
Friends/Family, Recused ×		−0.275	
Republican		(0.270)	
Friends/Family, No Recuse ×		−0.124	
Republican		(0.268)	
Previous Employment, Recused ×		−0.410	
Republican		(0.265)	
Previous Employment, No Recuse ×		−0.183	
Republican		(0.266)	
Financial, Recused ×		−0.483*	
Republican		(0.266)	
Participant Female			0.109*
			(0.061)
Participant Income			0.008*
			(0.004)
Participant Black			−0.403***
			(0.089)
Participant Education			−0.00004
			(0.0002)
Constant	3.287***	3.370***	3.460***
	(0.087)	(0.133)	(0.108)
Observations	959	959	950
R^2	0.004	0.055	0.074

*$p<0.05$

G   Analysis of Independent Participants

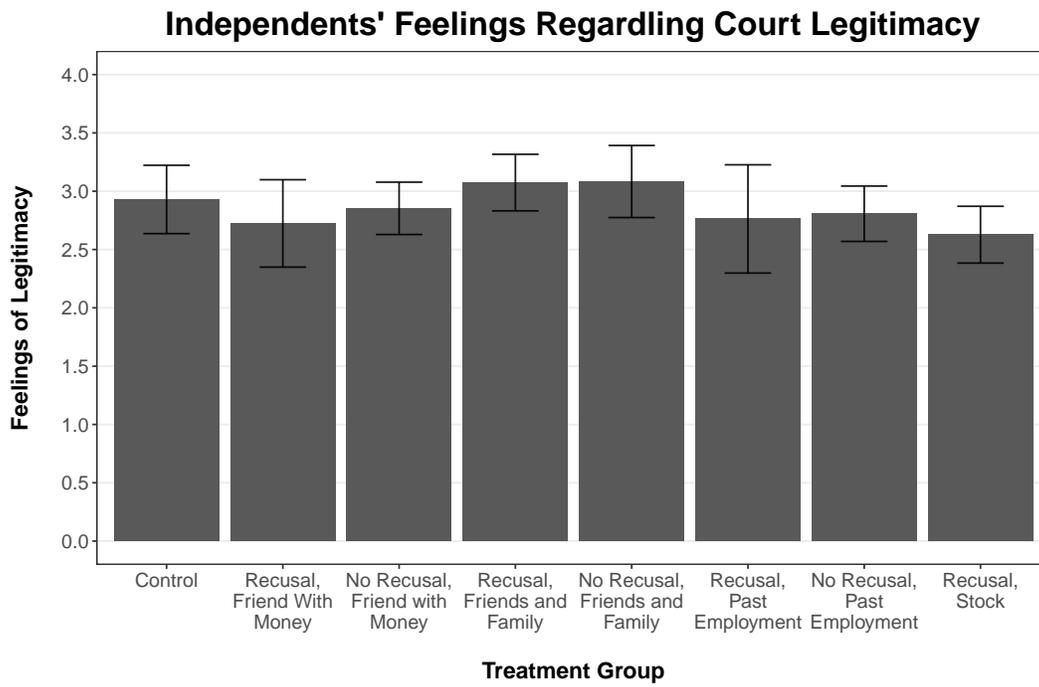**Independents' Feelings Regardling Court Legitimacy**

Figure A3: Mean legitimacy scores across treatment groups for Independent participants. Vertical lines indicate 95% confidence intervals.
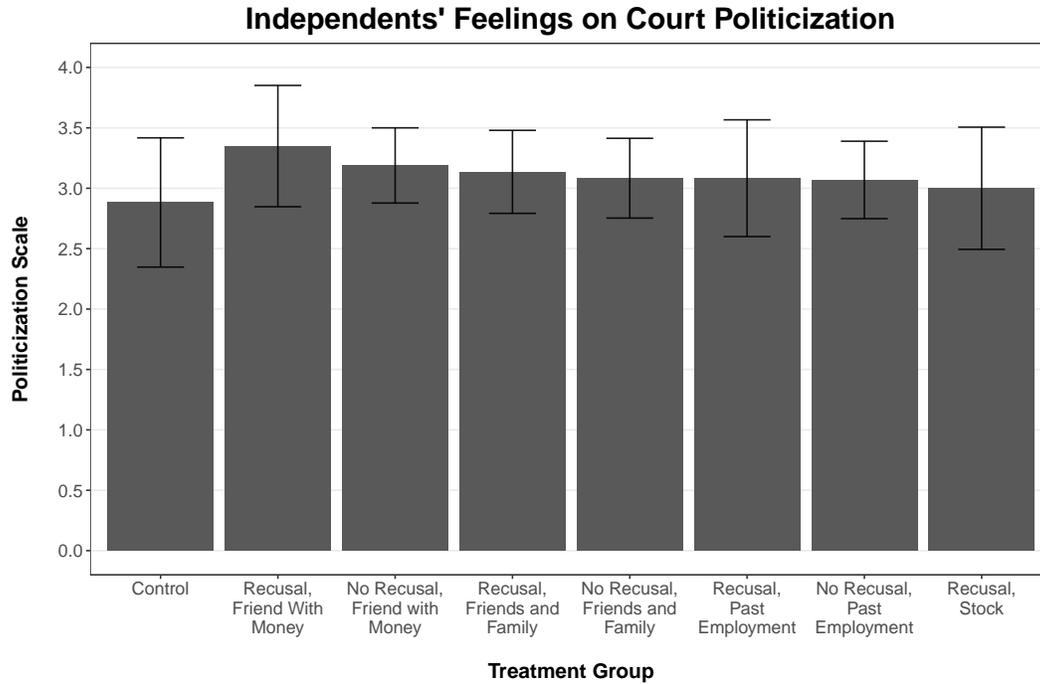
Figure A4: Mean politicization scores across treatment groups for Independent participants. Vertical lines indicate 95% confidence intervals.
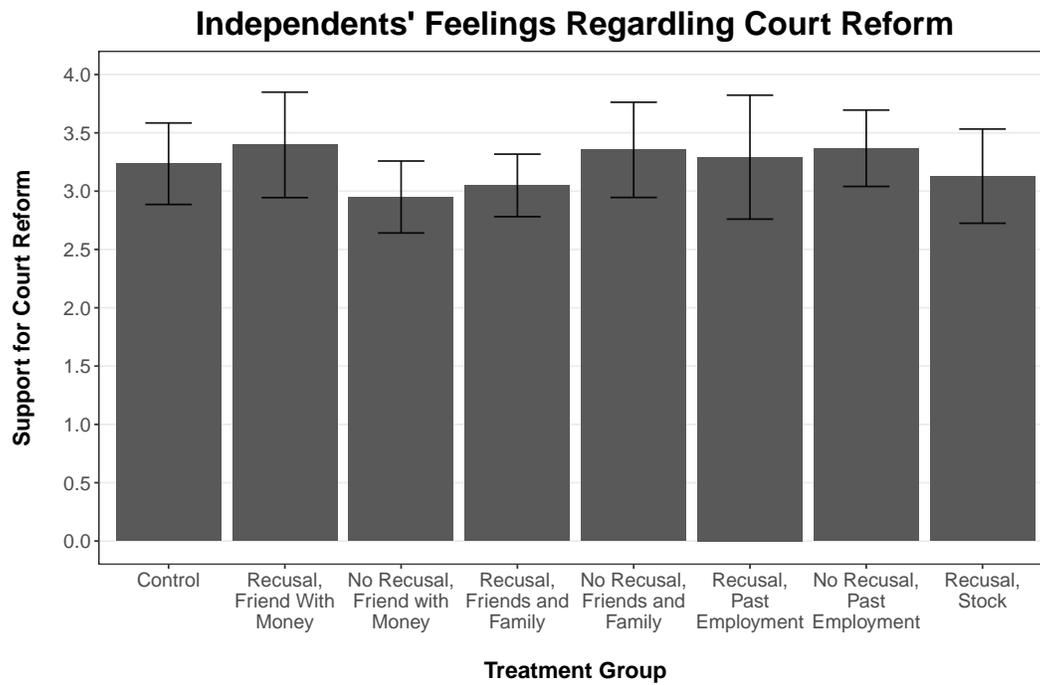

Figure A5: Mean support for Court reform across treatment groups for Independent participants. Vertical lines indicate 95% confidence intervals.