

May 2024

VITA

NAME Lawrence Baum

POSITION Professor Emeritus of Political Science

ADDRESS Department of Political Science
Ohio State University
Columbus, Ohio 43210
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EDUCATION

B.A. San Francisco State College 1969 Political Science
M.A. University of Wisconsin 1970 Political Science
Ph.D. University of Wisconsin 1973 Political Science

PROFESSIONAL EMPLOYMENT

Ohio State University

Assistant Professor	1973-1978
Associate Professor	1978-1984
Professor	1984-2012
Professor Emeritus	2012-present

PUBLICATIONS

Books

The Company They Keep: How Partisan Divisions Came to the Supreme Court (Oxford University Press, 2019) (with Neal Devins).

The Battle for the Court: Interest Groups, Judicial Elections, and Public Policy (University of Virginia Press, 2017) (with David Klein and Matthew J. Streb).

Ideology in the Supreme Court (Princeton University Press, 2017).

Specializing the Courts (University of Chicago Press, 2011).

Judges and Their Audiences: A Perspective on Judicial Behavior (Princeton University Press, 2006). Excerpt reprinted in Ken Kollman, ed., Readings in American Politics: Analysis and Perspectives (W.W. Norton 2010).

The Puzzle of Judicial Behavior (University of Michigan Press, 1997).

The Supreme Court (CQ Press, 1981; 2nd edition, 1985; 3rd edition, 1989; 4th edition, 1992; 5th edition, 1995; 6th edition, 1998; 7th edition, 2001; 8th edition, 2004; 9th edition, 2007; 10th edition, 2010; 11th edition, 2013; 12th edition, 2016; 13th ed., 2019; 14th ed., 2022; 15th ed. 2024). Excerpt reprinted in Henry R. Glick, ed., Courts in American Politics (McGraw-Hill, 1990), pp. 286-294.

American Courts: Process and Policy (Houghton Mifflin, 1986; 2nd edition, 1990; 3rd edition, 1994; 4th edition, 1998; 5th edition, 2001; 6th edition, 2008; 7th edition, Wadsworth, 2012). Excerpt reprinted in Austin Sarat, ed., The Social Organization of Law (Roxbury, 2004), pp. 261-266.

Articles

“Applications for Supreme Court Stays: Patterns in Responses by Justices and the Court,” Law and Courts Newsletter 32 #2 (Fall 2022), 5-14.

“Decision Making in the Shadows: A Look at Supreme Court Decisions on Stays,” Law and Courts Newsletter 30 #2 (Fall 2020), 1-9.

“Two Roads Diverged: Statutory Interpretation by the Circuit Courts and Supreme Court in the Same Cases,” Fordham Law Review 88 (December 2019), 823-885. (with James Brudney)

“State Supreme Court Elections: How Much They Have Changed, Why They Changed, and What Difference it Makes,” Law & Social Inquiry 42 (Summer 2017), 900-923.

“Protean Statutory Interpretation in the Courts of Appeals,” William & Mary Law Review 58 (February 2017), 681-763. (with James Brudney)

“Split Definitive: How Party Polarization Turned the Supreme Court Into a Partisan Court,” Supreme Court Review 2016 (2017), 301-365. (with Neal Devins)

“Dictionaries 2.0: Exploring the Gap Between the Supreme Court and the Courts of Appeals,” Yale Law Journal Forum 125 (2015), 104-120. (with James Brudney)

“Supreme Court Justices as Human Decision Makers,” Ohio Northern University Law Review 41 (2015), 567-588.

“Hiring Supreme Court Law Clerks: Probing the Ideological Linkage between Judges and Justices,” Marquette Law Review 98 (Fall 2014), 333-360.

“Oasis or Mirage: The Supreme Court’s Thirst for Dictionaries in the Rehnquist and Roberts Era,” William & Mary Law Review 55 (November 2013), 483-580. (with James Brudney)

“Linking Issues to Ideology in the Supreme Court: The Takings Clause,” Journal of Law and Courts 1 (March 2013), 89-114.

“Probing the Power of the Supreme Court,” Tulsa Law Review 48 (2012), 203-213.

“Cognition and Judicial Behavior,” Law & Courts Newsletter 22 (2012, #3), 12-17.

“The Impact of High-Visibility Contests for Judgeships: Partisan Voting in Nonpartisan Elections,” State Politics & Policy Quarterly 10 (Winter 2010), 368-396. (with Emily Rock) Excerpt reprinted in Kevin B. Smith and Amanda Balzer, eds., State and Local Government, 2011-2012 (CQ Press 2011).

“Why the Supreme Court Cares About Elites, Not the American People,” Georgetown Law Journal 98 (August 2010), 1515-1581. (with Neal Devins)

“Supreme Court Clerkships and ‘Feeder’ Judges,” Justice System Journal 31 (2010), 26-48. (with Corey Ditslear)

“Judicial Specialization and the Adjudication of Immigration Cases,” Duke Law Journal 59 (May 2010), 1501-1561.

“Evolution of Judicial Careers in the Federal Courts, 1789-2008,” Judicature 93 (September-October 2009), 62-74. (with Monique Renee Fournet, Kyle Kopko, and Dana Wittmer)

“Probing the Effects of Judicial Specialization,” Duke Law Journal 58 (April 2009), 1667-1684.

"Questioning Judges About Their Decisions: Supreme Court Nominees Before the Senate Judiciary Committee," Judicature 90 (September-October 2006), 73-80. (with Margaret Williams)

"Review: Presidential Prestige and Executive Success in the Supreme Court, by Jeff Yates," Jurimetrics 45 (Spring 2005), 367-378.

"The Supreme Court in American Politics," Annual Review of Political Science, 6 (2003), 161-180.

"Judicial Elections and Judicial Independence: The Voter's Perspective," Ohio State Law Journal 64 (2003), 13-41.

- "Enthusiasm in Teaching," P.S.: Political Science and Politics, 35 (March 2002), 87-90.
- "Ballot Information and Voting Decisions in Judicial Elections," Political Research Quarterly, 54 (December 2001), 709-728. (with David Klein)
- "Voting in Judicial Elections," NYSBA Government, Law and Policy Journal, 3 (Fall 2001), 32-35.
- "Selection of Law Clerks and Polarization in the U.S. Supreme Court," Journal of Politics, 63 (August 2001), 869-885. (with Corey Ditslear)
- "Inviting Congressional Action: A Study of Supreme Court Motivations in Statutory Interpretation," American Journal of Political Science, 43 (January 1999), 162-185. (with Lori Hausegger)
- "Measuring Policy Change in the Rehnquist Court," American Politics Quarterly, 23 (July 1995), 373-382.
- "What Judges Want: Judges' Goals and Judicial Behavior," Political Research Quarterly, 47 (September 1994), 749-768.
- "Specialization and Authority Acceptance: The Supreme Court and Lower Federal Courts," Political Research Quarterly, 47 (September 1994), 693-703.
- "Case Selection and Decision Making in the U.S. Supreme Court," Law & Society Review, 27 (1993), 443-459.
- "Patterns and Sources of Ticket-Splitting in Subpresidential Voting," American Political Science Review, 86 (December 1992), 916-928. (with Paul Allen Beck, Aage Clausen, and Charles Smith)
- "'New Style' Judicial Campaigns and the Voters: Economic Issues and Union Members in Ohio," Western Political Quarterly, 45 (December 1992), 921-948. (with Marie Hojnacki)
- "On the Unpredictability of the Supreme Court," P.S., 25 (December 1992), 683-688.
- "Choosing Between Judicial Candidates: How Voters Explain Their Decisions," Judicature, 75 (April-May 1992), 300-309. (with Marie Hojnacki) Reprinted in Judicial Politics: Readings from Judicature, 2d ed., ed. Elliot E. Slotnick, 47-59 (Burnham 1999).
- "Supreme Court Authority in the Judiciary: A Study of Remands," American Politics Quarterly, 20 (April 1992), 169-191. (with Richard Pacelle)
- "Membership Change and Collective Voting Change in the United States Supreme Court," Journal of Politics, 54 (February 1992), 3-24.

"Specializing the Federal Courts: Neutral Reforms or Efforts to Shape Judicial Policy?" Judicature, 74 (December-January 1991), 217-224.

"Workload Influences on Supreme Court Case Acceptance Rates, 1975-1984," Western Political Quarterly, 43 (March 1990), 123-135. (with Joseph Jucewicz)

"Comparing the Policy Positions of Supreme Court Justices From Different Periods," Western Political Quarterly, 42 (December 1989), 509-521.

"Voters' Information in Judicial Elections: The 1986 Contests for the Ohio Supreme Court," Kentucky Law Journal, 77 (1988-89), 645-670.

"Civil Rights and the Fragmentation of Government Power," National Political Science Review, 1 (1989), 121-125.

"Measuring Policy Change in the U.S. Supreme Court," American Political Science Review, 82 (September 1988), 905-912.

"Information and Party Voting in 'Semi-Partisan' Judicial Elections," Political Behavior, 9 (1987), 62-74.

"Explaining the Vote in Judicial Elections: The 1984 Ohio Supreme Court Elections," Western Political Quarterly, 40 (June 1987), 361-371.

"Explaining the Burger Court's Support for Civil Liberties," P.S., 20 (Winter 1987), 21-28. Reprinted in Randall B. Ripley and Elliot E. Slotnick, eds., Readings in American Government and Politics (McGraw-Hill, 1989), pp. 521-528; and in Allan J. Cigler and Burdett A. Loomis, American Politics: Classic and Contemporary Readings (Houghton Mifflin, 1989), pp. 158-166.

"Understanding Courts as Policy-makers," American Bar Foundation Research Journal, Winter 1983, 241-250.

"The Electoral Fates of Incumbent Judges in the Ohio Court of Common Pleas," Judicature, 66 (April 1983), 420-430. Reprinted in Carl Lieberman, ed., Government and Politics in Ohio (University Press of America, 1984), pp. 233-257; and in Elliot E. Slotnick, ed., Judicial Politics: Readings from Judicature (American Judicature Society, 1992), 81-89.

"The Evolution of Litigation in the Federal Courts of Appeals: 1895-1975," Law & Society Review, 16 (1981-82), 291-309. (with Sheldon Goldman and Austin Sarat) Reprinted in Henry R. Glick, ed., Courts in American Politics (McGraw-Hill, 1990), pp. 47-54.

"Patterns of Adoption of Tort Law Innovations: An Application of Diffusion Theory to Judicial Doctrines," American Political Science Review, 75 (December 1981), 975-987. (with Bradley C.

Canon) Reprinted in Sheldon Goldman and Austin Sarat, eds., American Court Systems, 2d ed. (Longman, 1989), pp. 569-577.

"Responses of Federal District Judges to Court of Appeals Policies: An Exploration," Western Political Quarterly, 33 (June 1980), 217-224.

"The Influence of Legislatures and Appellate Courts Over the Policy Implementation Process," Policy Studies Journal, 8 (Special Issue, 1980), 560-574. Reprinted in James E. Anderson, ed., Cases in Public Policy-Making, 2nd ed. (Holt, Rinehart, 1982), pp. 178-192; and in Bertram H. Raven, ed., Policy Studies Review Annual, vol. 4 (Sage Publications, 1980), pp. 204-218.

"Judicial Demand-Screening and Decisions on the Merits: A Second Look," American Politics Quarterly, 7 (January 1979), 109-119.

"Police Response to Appellate Court Decisions: Mapp and Miranda," Policy Studies Journal, 7 (Special Issue, 1979), 425-431.

"Lower Court Response to Supreme Court Decisions: Reconsidering a Negative Picture," Justice System Journal, 3 (Spring 1978), 208-219.

"Research on the English Judicial Process," British Journal of Political Science, 7 (October 1977), 511-527.

"Judicial Specialization, Litigant Influence, and Substantive Policy: The Court of Customs and Patent Appeals," Law & Society Review, 11 (Summer 1977), 823-850.

"Policy Goals in Judicial Gatekeeping: A Proximity Model of Discretionary Jurisdiction," American Journal of Political Science, 21 (February 1977), 13-35.

"Decisions to Grant and Deny Hearings in the California Supreme Court: Patterns in Court and Individual Behavior," Santa Clara Law Review, 16 (Fall 1976), 713-744.

"Implementation of Judicial Decisions: An Organizational Analysis," American Politics Quarterly, 4 (January 1976), 86-114. Reprinted in William M. Evan, ed., The Sociology of Law (Free Press, 1980), pp. 300-318.

"Specific and Diffuse Interests in Patent Policy," Policy Studies Journal, 4 (Autumn 1975), 53-58.

"The Federal Courts and Patent Validity: An Analysis of the Record," Journal of the Patent Office Society, 56 (December 1974), 758-787.

Notes and Comments

“Does a Twitter Ban Violate the Constitution?”, in The U.S. Constitution in 5 Minutes, ed. Joseph L. Smith and David E. Klein (Equinox, 2023), 127-129.

“The Silver Lining of Kavanaugh’s Confirmation,” Washington Post, October 6, 2018, A19. (with Neal Devins)

“The Federalist Society Majority,” Slate, July 6, 2018. (with Neal Devins)

“Federalist Court: How the Federalist Society Became the De Facto Selector of Republican Supreme Court Justices,” Slate, January 31, 2017. (with Neal Devins)

“Ideological Imbalance: Why Democrats Usually Pick Moderate-Liberal Justices and Republicans Usually Pick Conservative Ones,” Slate, March 17, 2016. (with Neal Devins)

“The Justices’ Premises About Judicial Elections,” SCOTUSblog, April 30, 2015.

“Some Thoughts on Studying Law and Courts,” Law and Courts 24 (Fall 2014), 5-6.

“Split Definitive: For the First Time in a Century, the Supreme Court is Divided Solely by Political Party,” Slate, November 11, 2011. (with Neal Devins)

“Ways of Thinking About Precedent,” Law and Courts 18 (Winter 2008), 11-12.

"Court-Congress Interaction in Statutory Law," Extension of Remarks (newsletter of APSA Legislative Studies Section), January 2002. (with Lori Hausegger)

"Prediction as a Focus of a Course on the Supreme Court," Law and Courts 12 (Winter 2001), 5-6.

"What We Don't Know About Judicial Behavior, and Other Musings," Law and Courts 8 (Spring 1998), 3-4.

Essay in "Symposium: The Supreme Court and the Attitudinal Model," Law and Courts 4 (Spring 1994), 3-5.

"Comment on Daniels," Law & Society Review, 22 (1988), 865-868.

Edited Conference Report

The Courts: Sharing and Separating Powers (Eagleton Institute of Politics, Rutgers University, 1989). (with David Frohnmayer) Includes essay by Baum, "The Courts as Policymaker," 5-13.

Chapters in Books

“Ideology and the Court’s Work,” in Morgan Marietta, SCOTUS 2019: Major Decisions and Developments of the U.S. Supreme Court (Palgrave Macmillan 2020), 163-172.

“Justice Brett Kavanaugh Joins the Court,” in David Klein and Morgan Marietta, SCOTUS 2019: Major Decisions and Developments of the US Supreme Court (Palgrave MacMillan 2019), 145-154.

“Law and Policy in Decision Making,” in Robert M. Howard and Kirk A. Randazzo, Routledge Handbook of Judicial Behavior (Routledge, 2017), 114-131.

“Judges and Their Audiences,” in Lee Epstein and Stefanie Lindquist, eds., The Oxford Handbook of the American Law and Judiciary (Oxford University Press, 2017), 343-360.

“Measuring the Impact of Election Outcomes on Voting in State Supreme Courts,” in Chris W. Bonneau and Melinda Gann Hall, eds., Judicial Elections in the 21st Century (Routledge, 2017), 195-216. (with Thomas R. Gray and David Klein)

Implementation of U.S. Supreme Court Decisions,” in Ralf Rogowski and Thomas Gawron, Constitutional Courts in Comparison: The U.S. Supreme Court and the German Federal Constitutional Court, 2d ed. (Berghahn, 2016), 191-209.

“Judicial Behavior and Judicial Review,” in Brandon Bartels and Chris W. Bonneau, Making Law and Courts Research Relevant: Normative Implications of Empirical Research (Routledge, 2015), 38-54.

“Specialization in the Courts,” in Richard G. Niemi and Joshua J. Dyck, eds., Guide to State Politics and Policy (CQ Press, 2014), 285-294.

“Law and Policy: More and Less Than a Dichotomy,” in Charles Geyh, ed., What’s Law Got to Do With It?: What Judges Do, Why They Do It, and What’s at Stake (Stanford University Press, 2011), 71-91.

“Motivation and Judicial Behavior: Expanding the Scope of Inquiry,” in David Klein and Gregory Mitchell, eds., The Psychology of Judicial Decision Making (Oxford University Press, 2010), 3-25.

"Voters' Responses to High-Visibility Judicial Campaigns," in Matthew Streb, ed., Running for Judge: The Rising Political, Financial, and Legal Stakes of Judicial Elections (New York University Press, 2007), 140-164. (with David Klein)

"Afterword: Studying Courts Formally," in James R. Rogers, Roy B. Flemming, and Jon R. Bond, eds., Institutional Games and the U.S. Supreme Court (University of Virginia Press, 2006), 261-273.

"State Courts in Their Political Environment," in Carl E. Van Horn, ed., The State of the States, 4th ed. (CQ Press, 2006), 81-100.

"The Future of the Judicial Branch: Courts and Democracy in the Twenty-First Century," in Kermit Hall and Kevin McGuire, eds., Institutions of American Democracy: The Judicial Branch (Oxford University Press, 2005), 517-542.

"The Supreme Court and Congress: Reconsidering the Relationship," in Mark C. Miller and Jeb Barnes, eds., Making Policy, Making Law: An Interbranch Perspective (Georgetown University Press, 2004), 107-122. (with Lori Hausegger)

"C. Herman Pritchett: Innovator with an Ambiguous Legacy," in Nancy Maveety, ed., The Pioneers of Judicial Behavior (University of Michigan Press, 2003), 57-77.

"The Implementation of United States Supreme Court Decisions," in Ralf Rogowski and Thomas Gawron, eds., Constitutional Courts in Comparison (Berghahn Books, 2002), 219-238.

"Political Parties and the Courts in a New Era," in Nelson W. Polsby and Raymond E. Wolfinger, eds., On Parties: Essays Honoring Austin Ranney (Institute of Governmental Studies Press, University of California, Berkeley, 1999), 73-86.

"Recruitment and the Motivations of Supreme Court Justices," in Cornell W. Clayton and Howard Gillman, eds., Institutional Approaches to Supreme Court Decision-Making (University of Chicago Press, 1999), 201-213.

"Behind the Scenes: The Supreme Court and Congress in Statutory Interpretation," in Herbert F. Weisberg and Samuel C. Patterson, eds., Great Theatre: The American Congress in Action (Cambridge University Press, 1998), pp. 224-247. (with Lori Hausegger)

"Supreme Courts in the Policy Process," in Carl E. Van Horn, ed., The State of the States, 3d ed. (CQ Press, 1996), pp. 143-160.

"Committed Majorities and Policy Change in the U.S. Supreme Court," in Bryan D. Jones, ed., The New American Politics (Westview Press, 1995), pp. 132-143.

"Electing Judges," in Lee Epstein, ed., Contemplating Courts (CQ Press, 1995), pp. 18-43.

"The Ohio Judiciary," in Alexander Lamis and Mary Anne Sharkey, eds., Ohio Politics (Kent State University Press, 1994), pp. 283-302. (with Mark Kemper) Reprinted in Alexander P. Lamis and Brian Usher, eds., Ohio Politics, revised ed. (Kent State University Press, 2007), 357-376.

"Making Judicial Policies in the Political Arena," in Carl Van Horn, ed., The State of the States, 2d ed. (CQ Press, 1993), pp. 149-170.

"Ohio: Party Change Without Realignment," in Maureen Moakley, ed., Party Realignment in the American States (Ohio State University Press, 1992), pp. 192-209. (with Samuel C. Patterson)

"Supreme Court Activism and the Constitution," in Peter F. Nardulli ed., The Constitution and American Political Development: An Institutional Perspective (University of Illinois Press, 1992), pp. 150-176.

"Policy Innovation in the Courts," in John Gates and Charles Johnson, eds., American Courts: A Critical Assessment (CQ Press, 1990), pp. 413-433.

"State Supreme Courts: Activism and Accountability," in Carl Van Horn, ed., The State of the States (CQ Press, 1989), pp. 103-130.

"Legislatures, Courts, and the Dispositions of Policy Implementors," in George C. Edwards, ed., Public Policy Implementation (JAI Press, 1984), pp. 29-57.

"Judicial Politics: Still a Distinctive Field," in Ada W. Finifter, ed., Political Science: The State of the Discipline (American Political Science Association, 1983), pp. 189-215.

"Women in Organizations: The Impact of Law," in Joseph J. Pilotta, ed., Women in Organizations: Barriers and Breakthroughs (Waveland Press, 1983), pp. 55-71.

"State Supreme Courts as Activists: New Doctrines in the Law of Torts," in Mary Cornelia Porter and G. Alan Tarr, eds., State Supreme Courts: Policy Makers in the Federal System (Greenwood Press, 1982), pp. 83-108. (with Bradley C. Canon)

"The Judicial Gatekeeping Function," in S. Sidney Ulmer, ed., Courts, Law and Judicial Processes (Free Press, 1981), pp. 128-133. Also printed in Sheldon Goldman and Austin Sarat, eds., American Court Systems (W.H. Freeman, 1978), pp. 125-129; 2d ed. (Longman, 1989), pp. 153-157.

"Comparing the Implementation of Legislative and Judicial Policies," in Paul Sabatier and Daniel Mazmanian, eds., Effective Policy Implementation (Lexington, 1981), pp. 39-62.

"The Impact of Court Decisions on Police Practices," in Ralph Baker and Fred Meyer, eds., Determinants of Law Enforcement Policies (Lexington, 1979), pp. 177-190.

"The Study of Judicial Impact as a Form of Policy Implementation," in John Gardiner, ed., Public Law and Public Policy (Praeger, 1977), pp. 127-140.

"The Impact of Representation for Diffuse Interests: Lessons from Patent Policy," in James E. Anderson, ed., Economic Regulatory Policies (Lexington, 1976), pp. 159-168.

PROFESSIONAL ACTIVITIES

Positions

American Political Science Association: Member, Program Committee, 1983; member, Corwin Award Committee (best dissertation in public law), 1998-99.

Law and Courts Section of APSA: Chair, 1986-87; member, Executive Committee, 1983-85; chair, selection committee, Outstanding Graduate Student Research Paper, 1990-91; chair, nominations committee, 1998-99; chair, selection committee, Lifetime Achievement Award, 2002-03; chair, search committee for moderator of discussion list, 2005; chair, selection committee, Teaching and Mentoring Award, 2007-08, 2012-13; chair, exploratory committee for creation of a section-sponsored journal, 2008-09; member, journal committee, 2009-11; member, selection committee, Lifetime Achievement Award, 2022.

Midwest Political Science Association: Member, Program Committee, 1980; member, Pi Sigma Alpha Committee (best conference paper), 1994.

Law and Society Association: Member, Committee on Student Awards, 1988-90.

National Science Foundation: Member, Oversight Panel for review of Law and Social Science Program, 1985.

Editorial Boards

American Journal of Political Science, 1982-87

American Political Science Review, 1995-2001, 2012-17

American Politics Quarterly, 1981-87, 1993-97

Journal of Political Science Education, 2003-22

Judicature, editorial committee, 1999-2014; chair, 2010-11

Justice System Journal, 1996-2003, 2010-13

Law & Policy, 2005-07

Law and Politics Book Review (publication of Law and Courts Section, APSA), 1990-94

Law & Society Review, 1982-87, 1995-97; Advisory Panel on Symposia, 1991-97

Ohio State University Press, 2005-08

State Politics and Policy Quarterly, 2004-11

HONORS

American Political Science Association, Section on Law and Courts

Teaching and Mentoring Award, 2005

C. Herman Pritchett Award, for best book published the previous year, 2007 (Judges and Their Audiences)

Lifetime Achievement Award, 2014

C. Herman Pritchett Award, 2018 (Ideology in the Supreme Court)

Honorable Mention, C. Herman Pritchett Award, 2020 (The Company They Keep)

Ohio State University

Outstanding Teaching Award, Colleges of the Arts and Sciences, 1978

University Distinguished Scholar Award, 1982

Pi Sigma Alpha Award for Undergraduate Instruction in Political Science, 1992

Outstanding Service Award, Council of Graduate Students, 1999

Distinguished Teaching Award, Department of Political Science, 2000

Joan N. Huber Faculty Fellowship for Outstanding Scholarship, College of Social and Behavioral Sciences, 2001

Alumni Award for Distinguished Teaching, 2003

University Distinguished Scholar Award, 2009

Honorary Member, Phi Beta Kappa, OSU, 2017