

# Rachael K. Hinkle

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## Employment

*Associate Professor*, Department of Political Science, University at Buffalo, 2019-present

*Assistant Professor*, Department of Political Science, University at Buffalo, 2014-2019

*Assistant Professor*, Department of Political Science, University of Maryland, Baltimore County, 2013-2014

*Law Clerk*, The Honorable David W. McKeague, USCOA, Sixth Circuit, 2005-2006

*Law Clerk*, The Honorable Robert C. Broomfield, USDC, District of Arizona, 2003-2005

## Education

**Ph.D.**, Political Science, Washington University in St. Louis (May 2013)

- Dissertation: The Role of U.S. Courts of Appeals in Legal Development: An Empirical Analysis (co-chairs: James F. Spriggs, II and Andrew D. Martin)
- Major Field: American Politics (high pass)
- Minor Field: Quantitative Political Methodology

**M.A.**, Political Science, University of Toledo (December 2007)

- Thesis: “Does Advocacy Matter? Examining the Impact of Attorney Expertise in Federal Courts” (chair: Samuel P. Nelson)

**J.D.**, with high distinction, Ohio Northern University College of Law (May 2003)

**B.A.**, summa cum laude, History, Huntington University (January 2000)

## Publications

### Books

Hinkle, Rachael K. and Morgan L. W. Hazelton 2022. *Persuading the Supreme Court: The Significance of Briefs in Judicial Decision-Making*. University of Kansas Press.

## Peer Reviewed Journals

Hinkle, Rachael K. 2022. "Publication and Strategy in the U.S. Courts of Appeals." *Journal of Institutional and Theoretical Economics* (forthcoming).

Hinkle, Rachael K., Michael J. Nelson, and Morgan L. W. Hazelton 2022. "How Interpersonal Contact Affects Appellate Review." 84(1) *Journal of Politics* 573-577.

Hinkle, Rachael K. 2021. "How Policy Influence Varies with Race and Gender in the U.S. Courts of Appeals." 8 *Research and Politics* 1-7.

Hinkle, Rachael K., Morgan L. W. Hazelton, and Michael J. Nelson 2019 "Deferring, Deliberating, or Dodging Review: Explaining the Determinants of Counterjudge Success in the US Courts of Appeals." 8(2) *Journal of Law and Courts* 277-300.

Hinkle, Rachael K., Morgan L. W. Hazelton, and James F. Spriggs II. 2019 "The Influence of Unique Information in Briefs on Supreme Court Decisionmaking." 40(2) *Justice System Journal* 126-157.

Hinkle, Rachael K. and Michael J. Nelson 2018. "The Intergroup Foundations of Policy Influence." 71(4) *Political Research Quarterly* 729-742.

Hinkle, Rachael K. and Michael J. Nelson 2018. "How to Lose Cases and Influence People." 8 *Statistics, Politics, and Policy* 195-221.

- Profiled on SCOTUSBlog.
- Profiled on Quartz.

Hinkle, Rachael K. and Elizabeth A. Tillman. 2018. "Of Whites and Men: How Gender and Race Impact Authorship of Published and Unpublished Opinions in the U.S. Courts of Appeals." 5 *Research and Politics* 1-7.

Hinkle, Rachael K. and Michael J. Nelson. 2018. "Crafting the Law: How Opinion Content Influences Legal Development." 39 *Justice System Journal* 97-122.

Hinkle, Rachael K. 2017. "Panel Effects and Opinion Crafting in the U.S. Courts of Appeals." 5 *Journal of Law and Courts* 313-336.

Hinkle, Rachael K. 2016 "Strategic Anticipation of En Banc Review in the U.S. Courts of Appeals." 50 *Law & Society Review* 383-414.

Hinkle, Rachael K., Morgan L. W. Hazelton, and Jee Seon Jeon. 2016. "Sound the Alarm? Judicial Decisions Regarding Publication and Dissent." 44 *American Politics Research* 649-681.

Hinkle, Rachael K. and Michael J. Nelson. 2016. "The Transmission of Legal Precedent Among State Supreme Courts in the 21st Century." 16(4) *State Politics & Policy Quarterly* 391-410.

Hinkle, Rachael K. 2015. "Into the Words: Using Statutory Text to Explore the Impact of Federal Courts on State Policy Diffusion." 59 *American Journal of Political Science* 1002-1021.

Hinkle, Rachael K. 2015. "Legal Constraint in the U.S. Courts of Appeals." 77 *Journal of Politics* 721-735. (Best Journal Article Award, APSA Law and Courts Section, 2016)

Hinkle, Rachael K., Andrew D. Martin, Jonathan David Shaub, and Emerson H. Tiller. 2012. "A Positive Theory and Empirical Analysis of Strategic Word Choice in District Court Opinions." 10 *Journal of Legal Analysis* 407-444.

Hinkle, Rachael K., Morgan L. W. Hazelton, and Andrew D. Martin. 2010. "On Replication and the Study of the Louisiana Supreme Court." 10 *Global Jurist* 85-91.

## Other Journals

Hinkle, Rachael K. 2022. "How to Extract Legal Citations using Python (for the Complete Beginner)." *Law and Courts Newsletter*, (forthcoming).

Hinkle, Rachael K., Morgan L. W. Hazelton, and James F. Spriggs, II. 2017. "The Long and the Short of It: The Influence of Briefs on Outcomes in the Roberts Court." 54 *Washington University Journal of Law & Policy* 123-136.

Hinkle, Rachael K., Peter J. Wiedenbeck, and Andrew D. Martin. 2013. "Invisible Pension Investments." 32 *Virginia Tax Review* 591-702.

Hinkle, Rachael K. 2004. "Sex, Race and Sour Grapes: A Look at the Sixth Circuit's Summary Judgment Jurisprudence in Title VII Hostile Work Environment Claims," 30 *Ohio Northern Univ. Law Review* 85.

Hinkle, Rachael K. 2002. "INS v. St. Cyr," 28 *Ohio Northern Univ. Law Review* 815.

## Grants

Baldy Center for Law & Social Policy, Annual Research Grant, University at Buffalo, SUNY. 2017-2018 (\$2,700).

Baldy Center for Law & Social Policy, Annual Research Grant, University at Buffalo, SUNY. 2015-2016 (\$3,045).

National Science Foundation Grant SES-1155066. "Doctoral Dissertation Research: The Role of the U.S. Courts of Appeals in Legal Development: An Empirical Analysis." 2012-2013 (\$12,308).

## Work in Progress

### Book-length Projects

Hinkle, Rachael K. Morgan L. W. Hazelton, and Michael J. Nelson, *The Elevator Effect: Contact and Collegiality in the American Judiciary*. Under contract with Oxford University Press.

Hinkle, Rachael K., *Power and Privilege in the U.S. Courts of Appeals: How Publication Shapes Litigation*

### Papers

Hinkle, Rachael K. and Anthony Taboni, “Gatekeeping in Federal Courts: The Importance of Ideology and Issue Area.”

Hinkle, Rachael K. Jonathan David Shaub, and Emerson Tiller, “The Relationship of Ideology and Linguistic Markers in Supreme Court Majority Opinions.”

### Invited Talks

“Publication and Strategy in the U.S. Courts of Appeals.” Journal of Institutional and Theoretical Economics Symposium, Stralsund, Germany, June 2022.

“Invisible Losers: The Fate of ‘Have-nots’ in the U.S. Courts of Appeals” Pennsylvania State University, November 2021.

“Invisible Losers: The Fate of ‘Have-nots’ in the U.S. Courts of Appeals” Max Planck Institute for Research on Collective Goods, June 2021.

“Deferring, Deliberating, or Dodging Review: Explaining the Determinants of Counterjudge Success in the U.S. Courts of Appeals.” University of Illinois, October 2017.

“The Relational Foundations of Judicial Impact.” Binghamton University, October 2016.

“The Influence of Unique Information in Merit Briefs on Supreme Court Decisionmaking.” Northwestern University School of Law, September 2016.

“The Influence of Unique Information in Merit Briefs on Supreme Court Decisionmaking.” St. Louis University School of Law, March 2016.

“The Influence of Unique Information in Merit Briefs on Supreme Court Decisionmaking.” Baldy Center for Law and Social Policy, University at Buffalo School of Law, March 2016.

“Crafting the Law: How Opinion Content Influences Legal Development.” Ohio State University, October 2015.

“The Execution of Judicial Discourse: A Positive Theory and Empirical Analysis of Pragmatic Linguistic Operators in District Court Opinions.” Northwestern University School of Law, Law and Political Economy Colloquium, February 2012.

## **Blog Posts**

Rachael K. Hinkle, Michael J. Nelson, and Morgan L.W. Hazelton. January 2022. “Appeals Judges Only Rely on Ideology When Reviewing Judges They Dont Know Well.” Journal of Politics Blog. Available [here](#).

Rachael K. Hinkle. February 16, 2021. “Unintended Consequences: How the Publication Norm as a Tool of Compromise Reduces the Influence of Female and Minority Judges.” Baldy Center Blog. Available [here](#).

Rachael K. Hinkle and Michael J. Nelson. March 13, 2018. “Trump Appoints Lots of White Men to be Federal Judges. Here’s Why it Matters.” The Monkey Cage. Available [here](#).

Rachael K. Hinkle, Morgan L.W. Hazelton, and Michael J. Nelson. May 26, 2017. “Getting to Know You – The Unifying Effects of Membership Stability.” SCOTUSBlog. Available [here](#).

Rachael K. Hinkle, Hazelton, Morgan L. W., and Jee Seon Jeon. July 6, 2016. “How One Circuit Court Judge Can Stop a Higher Court from Establishing a Legal Precedent.” London School of Economics United States Politics and Policy Blog. Available [here](#).

Rachael K. Hinkle. January 13, 2016. “How States Learn from the Success or Failure of other States’ Laws in Federal Courts.” London School of Economics United States Politics and Policy Blog. Available [here](#).

## **Conference Presentations**

Annual Meeting of the Southern Political Science Association: 2013, 2016-18, 2020, 2021.

Text Analysis in Law Conference, UC Berkeley: 2020 (by invitation).

Annual Meeting of the American Political Science Association: 2012, 2013, 2019, 2022.

Annual Meeting of the Midwest Political Science Association: 2007, 2010, 2012-2019, 2022.

Conference on Political Economy and Public Law, Princeton: 2019.

Conference on Text Analysis and Law, Northwestern University: 2019 (by invitation).

Political Economy of the American Judiciary Conference, Northwestern University: 2016 (by

invitation).

Conference on Empirical Legal Studies: 2015, 2017, 2022.

New Frontiers in the Study of Policy Diffusion, University of Iowa: 2014 (by invitation).

Visions in Methodology Conference, Florida State University: 2013.

Summer Methods Meeting, University of North Carolina: 2012.

Conference on Judicial Collegiality: Positive Theories and Empirical Analyses, University of Southern California: 2011 (by invitation).

## Awards and Honors

Best Conference Paper Award, APSA Law and Courts Section, 2018

Milton Plesur Excellence in Teaching Award, University at Buffalo, 2017-2018

Lisa Hertel Memorial Political Science Teaching Award, University at Buffalo, 2016-2017

GSA Award for Exceptional Dedication to the Department, 2016-2017

Best Journal Article Award, APSA Law and Courts Section, 2016

Edward S. Corwin Award (for the best doctoral dissertation in the field of public law), 2014

First Place, Women's Equity Action League Graduate Writing Contest, 2007

## Service

Referee, *American Political Science Review*, *American Journal of Political Science*, *Journal of Politics*, *American Politics Research*, *Journal of Law & Courts*, *Justice System Journal*, *Law & Social Inquiry*, *Law & Society Review*, *Laws*, *Policy Studies Journal*, *Political Research Quarterly*, *Public Opinion Quarterly*, *State Politics & Policy Quarterly*, *Cognition and Language*, *Journal of Health Politics Policy and Law*, Conference on Empirical Legal Studies (2015), and National Science Foundation.

Style Guide Advisory Group Member: 2021 - present

Baldy Center Advisory Committee Member: 2018 - present

*Justice System Journal* Editorial Board: 2018-present

APSA Law and Courts section: Best Journal Article Award (committee member 2017, 2018)

APSA Law and Courts section: Best Conference Paper Award (committee member 2016, chair 2022)

SPSA 2018 Annual Conference: Conference-Within-a-Conference co-organizer

SPSA 2017 Annual Conference Section Chair (Judicial Politics)

University at Buffalo Faculty Senate: 2017-2019

National Science Foundation Law and Science panel member

Outside Member of Linguistics Department Search Committee: 2019

Chair of Search Committee: 2019, 2021

## **Certifications**

Member of the Bar, State of Illinois since 2004 (retired)

Member of the Bar, United States Sixth Circuit Court of Appeals since 2005