

# When Experience Meets Environment: Professional Backgrounds, Court Composition, and Decision-Making in Immigration Court\*

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## Abstract

Research on judicial behavior has long recognized that professional backgrounds shape decision-making, but often treats these effects as uniform across institutional contexts. Focusing on U.S. immigration courts, we argue that understanding how professional experience influences judges requires attention to the specificity of prior socialization and the courts where judges currently sit. Analyzing more than 520,000 decisions by 502 immigration judges from 2015–2018, we disaggregate backgrounds by domain and examine how court composition moderates individual effects. Immigration-specific experience matters: former ICE attorneys grant relief at lower rates than other prosecutors; nonprofit immigration defense attorneys grant at higher rates than other defense attorneys. These background effects, however, are conditional on context — they are most pronounced in professionally heterogeneous courts and attenuate in prosecutor-dominated courts, where local norms absorb or suppress prior socialization. Professional background shapes judicial heuristics, but institutional environment determines whether those heuristics distinguish judges from their peers.

**Keywords:** immigration judges; judicial decision-making; professional backgrounds

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# 1 Introduction

In 2025, the second Trump administration fired more than 100 immigration judges (hereinafter IJs), roughly one in seven on the bench nationwide (Peña, 2025). According to one analysis of 70 of the terminated judges, those with backgrounds defending immigrants, and no prior Department of Homeland Security (DHS) experience, comprised 44% of the firings — more than double the share of judges who had worked only for DHS (Bustillo, 2025a). This disparity suggests that the administration considers professional backgrounds consequential in its renewed efforts to reshape the immigration court system in service of the President’s aggressive enforcement agenda (Blasingame et al., 2024; Kim, 2018; Kim & Semet, 2019). Existing scholarship supports the underlying premise that judges’ career experience shapes how they adjudicate (George & Weaver, 2017; Harris & Sen, 2026; Miller & Curry, 2023; Oren & Topaz, 2025). But even if judges with immigrant defense backgrounds grant relief at higher rates than those with prosecutorial experience (and vice versa), the precise mechanisms through which professional history influences decision-making — and how those mechanisms interact with institutional context — remain poorly understood.

As social background theory in judicial decision-making research has developed (see George & Weaver, 2017), professional experiences have assumed particular importance. For example, former prosecutors deny suppression motions more often in federal search-and-seizure litigation (Miller & Curry, 2023); former public defenders sentence more leniently in criminal cases (Harris & Sen, 2026); and former law enforcement tend to order detention and impose cash bail more often (Oren & Topaz, 2025). In immigration court, judges with more liberal policy predispositions are more likely to grant asylum (Keith et al., 2013). This literature, however, has two key limitations. First, it treats professional background as a set of coarse, homogeneous categories (e.g., prosecutor–non-prosecutor) that may obscure meaningful variation within categories. This approach implicitly assumes that professional experience operates as a stable trait rather than as context-specific socialization that produces distinct decision-making heuristics. Second, extant research treats professional background effects as uniform across institutional context, ignoring the possibility that court-level conditions, professional diversity in particular, shape how prior experiences translate into decisions.

We address these limitations by theorizing that professional backgrounds influence judicial decision-making through two interacting mechanisms: (1) before-the-bench socialization that creates enduring heuristics; and (2) institutional environments that reinforce or moderate those heuristics. We argue that the decision-making heuristics judges developed in prior roles depend, in large part, on the workplace culture in which they were embedded coupled with the specific legal domain in which they practiced. To capture these distinct forms of socialization, we disaggregate the professional experience of IJs by organizational context, distinguishing between immigration-specific and non-immigration legal work as well as positions with varying degrees of prosecutorial discretion or advocacy. This distinction allows us to differentiate between different forms of socialization that are obscured when professional backgrounds are grouped into broader categories. These individual-level effects, we further contend, are conditional on the professional composition of the court in which a judge operates. Of the 72 immigration courts nationwide, many are dominated by former prosecutors, but some are more heterogeneous. These differences in professional diversity shape local norms about case evaluation that can amplify or dampen the effects of individual professional experiences. By disaggregating professional backgrounds and examining how they interact with court-level composition, we show that professional experience is a conditional source of variation whose influence depends on institutional context.

To test our theory, we analyze 530,869 decisions by 502 IJs from 2015–2018, drawing on an original dataset of judges' professional backgrounds. We find support for both our arguments. First, judges with immigration-specific defense experience grant some form of relief at higher rates than those with non-immigration defense backgrounds. By contrast, former Immigration and Customs Enforcement (ICE) trial attorneys are more restrictive in granting relief than former prosecutors without immigration enforcement experience. Second, the professional composition of a judge's home court conditions individual background effects through a process of convergence. In prosecutor-heavy courts, enforcement-oriented heuristics are already embedded in local norms, rendering individual prosecutorial backgrounds redundant; former defense attorneys in these same courts face countervailing pressure toward restrictiveness. In heterogeneous courts, prior socialization distinguishes judges from peers, and background effects are more pronounced. Together, our findings suggest that understanding how professional backgrounds shape judicial

behavior requires attention to both the specificity of prior socialization and the institutional context in which judges currently operate, where heuristics are absorbed or suppressed.

## **2 Professional Backgrounds and Immigration Courts**

Social background theory has long demonstrated that a confluence of personal attributes and experiences — “nature and nurture” — shapes judicial decision-making across legal contexts (George & Weaver, 2017, p. 286). Whereas early scholarship focused on demographics, especially race and gender (e.g., Boyd et al., 2010; Cox & Miles, 2008; George & Yoon, 2008; Morriss et al., 2005), recent studies have taken an interest in the relationship between judges’ professional backgrounds and their decisions. This turn reflects a growing recognition that career experience often offers a more proximate and theoretically tractable pathway to judicial behavior than demographic attributes.

For example, judges with law enforcement backgrounds order detention and impose cash bail at higher rates than judges without such backgrounds, independent of charge severity and criminal history (Oren & Topaz, 2025). Former prosecutors with five years or more of such experience are more likely to deny suppression motions in search-and-seizure cases in federal district court (Miller & Curry, 2023). Judges with prosecutorial experience and corporate backgrounds are less likely to decide civil employment cases in favor of claimants (Shepherd, 2021). Conversely, former public defenders are less likely to incarcerate defendants and, when they do, impose shorter sentences (Harris & Sen, 2026). While this body of work establishes that professional experience shapes judicial behavior, it provides limited guidance on how different forms of experience operate or when we should expect the effects of professional background to vary.

Two mechanisms define the relationship between professional backgrounds and judicial decision-making: selection and socialization (Berryessa et al., 2023). Selection captures how people opt into different career paths according to pre-existing dispositions, values, or ideological commitments — a process reinforced by judicial selection systems that often favor prosecutors (Swisher, 2010). Socialization involves the acquisition of cognitive habits, evaluative frameworks, and normative orientations through extended immersion in a professional role, which persist in the form of “heuristics (mental shortcuts)” when transitioning to a new career because “[they] have worked before” (Nir & Liu, 2023, p. 45). The distinction matters theoretically because selection implies

backgrounds are markers, while socialization posits they are formative. Yet, as Oren and Topaz (2025, p. 3) observe, “much of the literature documents role-congruent patterns but cannot adjudicate between potential mechanisms.”

Parsing selection from socialization is challenging because both mechanisms predict similar observable relationships. In the context of U.S. immigration courts, however, socialization is widely viewed as a particularly relevant pathway. The partisan identity of the appointing administration does not predict removal rates (Hausman et al., 2023; Kim & Semet, 2019), and IJs are drawn from unusually diverse career and demographic backgrounds, including higher proportions of immigrants (Heridia, 2026a, 2026b). These features suggest that professional experience may operate less as a proxy for preexisting preferences than as a source of learned heuristics later carried onto the bench. Yet even if socialization is the dominant mechanism, existing research typically treats these effects as invariant across institutional settings. Notably absent is a discussion of whether the professional composition of a court reinforces or moderates the heuristics judges developed before taking the bench.

Specifying how socialization operates also requires finer-grained measurement than the literature often employs. Research on immigration courts reveals both the promise and limits of existing approaches. Ramji-Nogales and Schoenholtz (2007), for example, find that judges with experience at the Department of Homeland Security (or its predecessor, Immigration and Naturalization Services) grant asylum at lower rates, while those with private practice, NGO, or academic backgrounds grant at higher rates — effects that grow over time. Yet because these categories bundle immigration-specific and non-immigration-specific experience, it remains unclear whether the observed patterns reflect exposure to immigration law in particular or more general differences between government and private-sector careers. More fundamentally, this ambiguity reflects a broader limitation in how professional background is conceptualized in the literature. Existing approaches treat professional experience as a set of homogeneous categories that affect judicial behavior. This framing obscures the fact that professional experience operates as domain-specific socialization, in which different organizational contexts expose individuals to distinct legal frameworks and institutional norms that shape the heuristics they later bring to adjudication.

The study most closely related to ours is Keith et al. (2013), though it has some important

limitations. The authors construct a composite measure of “immigration liberalism” from 11 career background variables. This approach helps explain variation in asylum grant rates, but collapsing heterogeneous experiences into a latent ideological score prevents identifying which experiences matter and when. Their “cognitive” variant of the attitudinal model (Keith et al., 2013, p. 263) thus recognizes that socialization shapes information processing but stops short of theorizing how institutional environment reinforces or moderates the heuristics judges carry over from past roles. Whether IJs surrounded by like-minded peers exhibit stronger background effects than those in heterogeneous courts remains an open question.

These measurement and theoretical gaps take on special importance in immigration courts, where institutional conditions heighten reliance on heuristic reasoning. As of September 2025, over 3.4 million cases were pending across 72 courts nationwide (Transactional Records Access Clearinghouse, 2025). IJs operate in “overburdened and underresourced courts with high stakes for applicants” (Keith et al., 2013, p. 263), pressured to decide cases efficiently (Baum, 2009). Legal standards require subjective credibility assessments with limited evidentiary resources (Alexander, 2006). The structural environment also favors enforcement; 59% of respondents lack legal representation as of July 2025 (Vera Institute of Justice, 2026), and reversals by the Board of Immigration Appeals (BIA) are exceedingly rare (Hausman, 2016). These conditions create an environment where heuristics developed through prior socialization have significant room to influence outcomes.

That said, top-down pressures work against individual variation. IJs are often characterized as “judges-as-bureaucrats” (Miller et al., 2015, p. 54) or “bureaucrats in robes” (Jain, 2018). These sobriquets signal the unique, at times precarious, institutional position that IJs occupy. Under the Immigration and Nationality Act (INA), IJs are appointed by and work under the direction of the U.S. Attorney General (8 CFR §1003.10(b)). Unlike Article III federal judges with lifetime tenure or Article I administrative law judges with procedural protections, IJs lack comparable independent safeguards, leaving them susceptible to political pressure. These features suggest that the influence of prior professional socialization may be attenuated in environments where institutional pressures are strong, rather than operating uniformly across settings.

President Trump has persistently sought to reshape the immigration court system to serve his

aggressive enforcement agenda (Kim, 2018; Koh, 2016). Blasingame et al. (2024) demonstrate that the case quota policy implemented during the first Trump administration shifted judges toward issuing more removal orders, with the strongest effects among those previously least inclined to do so. Such pressures have been particularly acute in detained immigration courts, which hear removal cases of individuals held in custody (Eagly & Shafer, 2024, p. 694). At least 48 such courts face higher case-completion demands, geographic isolation, and different respondent populations. These competing forces — conditions that heighten reliance on prior heuristics and pressures that constrain individual variation — raise the question of which predominates, and under what circumstances.

### **3 Professional Diversity and Court Composition**

We argue that the relationship between professional backgrounds and judicial decision-making in immigration court operates through two interacting mechanisms: (1) before-the-bench socialization that engenders enduring heuristics, and (2) institutional environments that absorb or suppress those heuristics depending on the professional composition of the court. We disaggregate professional experience into a broader range of careers and measure tenure in these positions to specify what IJs are socialized *into*. We also examine how court context conditions the expression of prior socialization, using professional composition as a proxy for the local norms that define these workplace environments.

As discussed above, extended immersion in a professional role creates cognitive habits, evaluative frameworks, and normative orientations. These persist as heuristics when transitioning to a new role. We understand socialization as “the acquisition of the requisite orientations for satisfactory functioning in a job” (Parsons, 1951, p. 205 as cited in Nir & Liu, 2023, p. 45). In high-volume, high-pressure contexts such as immigration courts, judges cannot reflect or deliberate fully on every case, suggesting they must rely on mental shortcuts from prior experience to perform effectively. The content of those heuristics varies not only with adversarial position (i.e., prosecutor versus defense) but also with organizational mission, degree of autonomy, professional community norms, and domain-specific expertise.

The “prosecutor” category as applied to IJs bundles meaningfully distinct experiences, if left

undifferentiated. For example, a former ICE trial attorney and a former state prosecutor both qualify as “prosecutors,” yet their careers differ substantially. ICE attorneys are socialized into an organizational culture centered on enforcement and removal; they develop fluency in immigration law, familiarity with DHS evidentiary practices, and routine exposure to relief claims. State prosecutors handling unrelated criminal matters develop general adversarial instincts without this immigration-specific orientation. If socialization is the mechanism at play, these backgrounds should produce divergent judicial heuristics that translate into judicial decision-making in ways that are empirically testable.<sup>1</sup>

The same logic applies to defense backgrounds. An immigrant defense attorney has direct experience with the barriers that respondents face: the difficulty of documenting persecution, the challenges of testifying through interpreters, the consequences of adverse credibility determinations. This attorney develops heuristics attuned to the informational asymmetries and evidentiary limitations characteristic of removal proceedings. A public defender with no immigration caseload may carry forward a general disposition toward rights claims without the domain-specific knowledge that shapes how judges assess testimony and weigh evidence when a respondent requests some form of immigration relief. Ramji-Nogales and Schoenholtz (2007), for example, find private practice and NGO experience predict higher asylum grant rates but cannot reveal whether immigration-specific defense work is driving this relationship.

We also expect longer tenure in a specific role to produce deeper imprints, echoing Miller and Curry (2023) and Ramji-Nogales and Schoenholtz (2007). Brief exposure may leave heuristics easily overridden. It is also important to note that not all judges carry prior orientations forward unchanged. As Heridia (2026b) notes in her interviews, certain IJs appear to develop corrective impulses; some prosecutors grow disillusioned with enforcement, and some defense attorneys become skeptical of certain claims. For these individuals, professional experience may produce a reaction against prior training rather than an extension of it, generating within-category heterogeneity. Understanding how professional socialization shapes judicial behavior, particularly in immigration court, therefore requires attention to the specificity of prior experience, not merely its

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<sup>1</sup>Importantly, we do not make any claim to access judges’ heuristics directly. More interview research such as Heridia (2026b) is needed to paint a clearer picture of how IJs process and prioritize case-specific information, and to what extent these schema are correlated with prior professional background.

nominal category. These considerations lead to our first hypothesis below.

*Hypothesis 1a (Prosecutorial Backgrounds):* Former ICE trial attorneys will grant relief at lower rates than former prosecutors without immigration enforcement experience.

*Hypothesis 1b (Defense Backgrounds):* Former immigration defense attorneys will grant relief at higher rates than former defense attorneys without immigration experience.

Institutional context also shapes how prior socialization translates into decision-making. Scholars often examine this through “panel effects” — for example, whether and how serving with a female judge as a co-panelist causes male judges to behave differently (e.g., Boyd et al., 2010). The issue is that IJs do not serve on panels; they work alone in the courtroom. But they do not work in isolation. Courthouses are workplaces, and the professional diversity among colleagues matters. Harris (2024), for instance, demonstrates that increases in the percent of Black judges in a courthouse are associated with a reduction in the likelihood of white judges ordering incarceration for Black defendants. We are concerned here with a different type of diversity but share the insight that it operates as a group-level characteristic.

We can identify three informal pathways through which the professional diversity of a courthouse might affect a judge’s decision whether to grant some form of relief. First, through social comparison: judges share physical space, observe colleagues’ docket outcomes, and hear who is granting and denying, thus developing a sense of what is “normal” in their court. Second, through case discussion: judges discuss challenging cases even without in-room deliberation, and these casual conversations can transmit norms about sufficient evidence, weighing country conditions, and crediting expert or witness testimony. Third, through local norms about “reasonable” grant rates: courthouses develop both informal benchmarks and reputations relative to which outliers are visible to colleagues, administrators, and ICE attorneys, potentially creating a soft pressure toward convergence.

Interview evidence suggests these pathways operate in practice. In an anonymous interview with one of the authors,<sup>2</sup> a former IJ recounted:

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<sup>2</sup>See Appendix, Research Ethics, for details on interview protocols and IRB approval.

What shocked me when I came to [court x] in 1999 was people would admit and concede the factual allegations, and the charges just roll over. I came from [court y], where I first practiced as an attorney, and everything was fought tooth and nail. A couple of the former immigration judges who are now retired, they used to eat lunch in the cafeteria at [address] with the ICE attorneys who were on their dockets for the afternoon. And they would sit there and figure out over lunch what they were doing with the cases — complete ex parte communication. This also comes as a result of the culture of people [who] just moved one floor to the next.<sup>3</sup>

These pathways suggest that court composition shapes not whether judges rely on prior heuristics, but whether those heuristics distinguish them from colleagues. In prosecutor-heavy courts, enforcement norms are the local default, absorbing prosecutorial backgrounds and pressuring defense-oriented judges toward convergence. Hypothesis 2 follows.

*Hypothesis 2 (Court Composition):* Judges in courts with higher proportions of former prosecutors will grant relief at lower rates, controlling for individual background.

We expect court composition to condition background effects through two distinct mechanisms: absorption and suppression. First, a former ICE attorney surrounded by other former ICE attorneys operates in an environment where enforcement-oriented heuristics are already embedded in local norms. Prior socialization becomes redundant because the court baseline is already restrictive, leaving little room for individual background to differentiate. Second, a former defense attorney in the same prosecutor-heavy court faces an environment where local norms cut against their prior training. Social comparison, case discussion, and informal benchmarks all signal that restrictiveness is normal, exerting pressure toward convergence. In effect, both mechanisms predict that prosecutor-heavy courts dampen individual background effects—but through different pathways for prosecutors (redundancy) and defense attorneys (pressure). We thus present hypotheses 3a and 3b.

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<sup>3</sup>Although ex parte communication is formally prohibited (8 CFR § 1003.10(b)), the structural features of immigration courts (physical co-location of judges and ICE attorneys, shared facilities, and career pipelines between enforcement and adjudication) create conditions that may facilitate informal coordination.

*Hypothesis 3a (Prosecutor Background × Court Composition):* Former prosecutors’ restrictiveness will be attenuated in prosecutor-heavy courts, where enforcement heuristics are already embedded in local norms.

*Hypothesis 3b (Defense Background × Court Composition):* Former defense attorneys’ permissiveness will be attenuated in prosecutor-heavy courts, where local norms exert countervailing pressure toward restrictiveness.

## 4 Data

To test our hypotheses, we assess the outcomes of immigration proceedings. The Executive Office for Immigration Review (EOIR), a sub-agency of the Department of Justice, has made available to the public through Freedom of Information Act (FOIA) data on these proceedings. Each proceeding is identified by a proceeding number and includes the following information: the judge’s name, the type of proceeding,<sup>4</sup> the adjudicated outcome, the disposition date, the hearing location, and case-based information like the adjudicative medium, criminal charges,<sup>5</sup> attorney representation, and the noncitizen’s nationality and detained status.

We focus on three kinds of proceedings within immigration court: removal proceedings, withholding cases, and asylum-only cases. Removal proceedings comprise the majority of proceedings and are where IJs determine whether respondents are removable or eligible for relief from removal. Relief encompasses a variety of legal pathways a noncitizen can take to prevent deportation, such as asylum. Withholding-only and asylum-only cases are limited proceedings wherein noncitizens are subject to expedited removal.<sup>6</sup> In these situations, noncitizens have diminished opportunities for relief pathways. Among these case types, we restrict our sample to cases that yield a substantive decision between the years 2015 and 2018. This provides us with a sample of 639,626 substantive decisions by 610 judges. Our analysis sample is reduced to 502 judges after data cleaning, as some judges appeared in the dataset even if they had been appointed after a case’s outcome date.

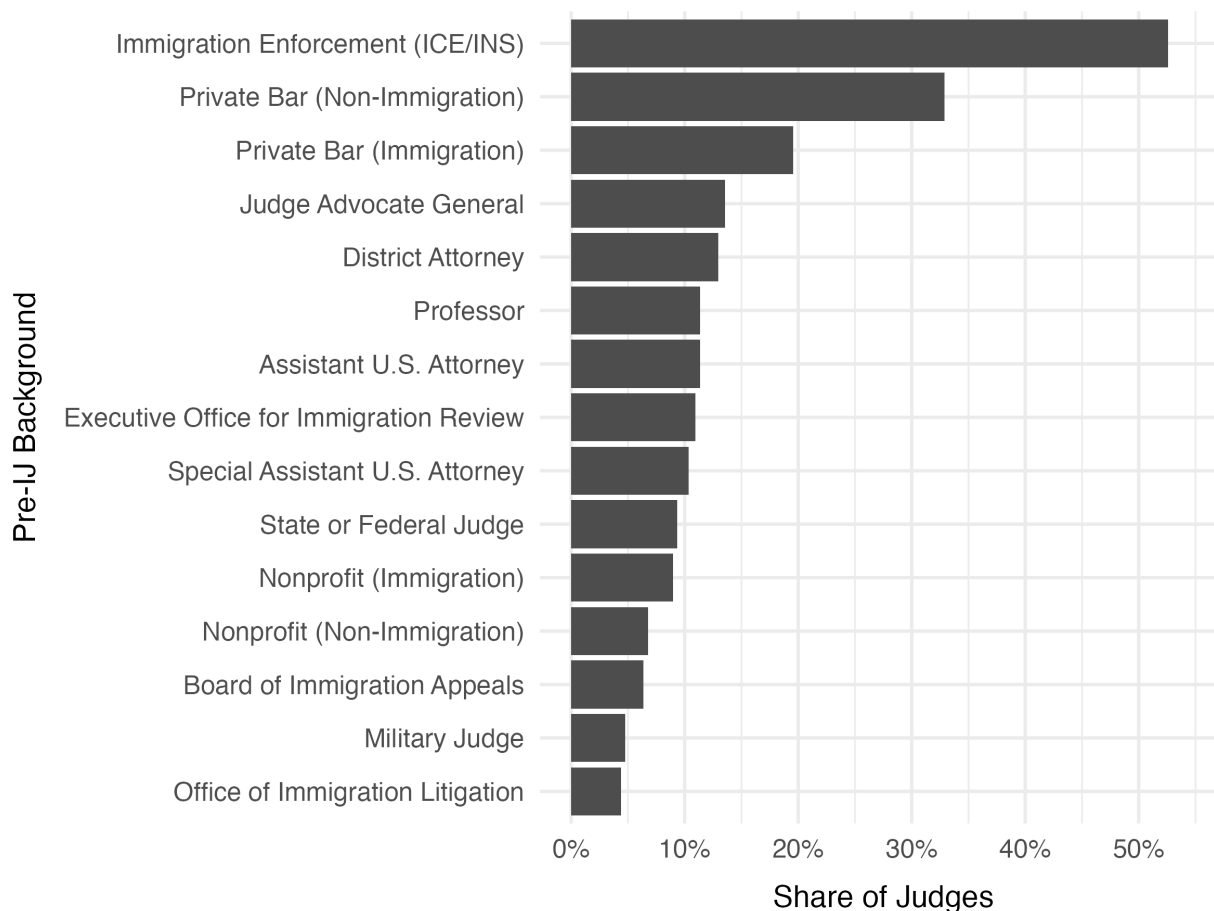
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<sup>4</sup>There are proceedings and cases in the immigration data. A “proceeding” is what we traditionally call a case (Hausman et al., 2023).

<sup>5</sup>Removal proceedings are a civil matter. A noncitizen could have “crimmigration” cases being processed in federal court, such as illegal entry, or criminal records that exist independent of immigration-related matters.

<sup>6</sup>This means that the government does not have to place a noncitizen in removal proceedings.

Figure 1: Professional Backgrounds of Immigration Judges



Note: Share of IJs with each pre-appointment background recorded in our data. Categories are not mutually exclusive.  $N = 502$  judges.

To assess the impact of professional backgrounds on immigration proceedings, we leverage an original dataset focusing on IJs’ pre-judicial employment backgrounds. When EOIR appoints new judges, it releases a professional biography about them. These statements summarize a judge’s education, bar admissions, and any relevant prior employment.<sup>7</sup> We collect information from these statements that reflect the diversity of employment that judges possess. Instead of collapsing professional backgrounds into aggregate categories such as “prosecutor” and “defense,” we record the specific type of employer and position each judge held, and the duration of each role in years. Figure 1 summarizes the distribution of professional backgrounds across judges in our sample. The

<sup>7</sup>In some circumstances, the investitures could be vague. We supplemented these statements with information from LinkedIn profiles and newspaper articles related to judges’ past employment.

data shows that over 50% of IJs previously worked for immigration enforcement agencies such as Immigration and Customs Enforcement (ICE) and its predecessor, Immigration and Naturalization Services (INS). In contrast, the private immigration bar makes up less than 20% of judges, while non-profit backgrounds represent less than 10% of IJs. Because judges often held multiple positions before appointment, these categories are not mutually exclusive.

We then merge these data by the judge’s identification number and clean for important court-level data. Judges do not always hear cases at their assigned immigration court; they often travel to multiple hearing locations or are assigned “televideo” dockets. Immigration courts have administrative control over their assigned locations. We use EOIR archival records to match hearing locations to their immigration court.<sup>8</sup> We thus determine which locations were detention facilities, had detained dockets, and the federal circuit in which the immigration court resides. We also code whether an IJ was “locally hired” to the immigration court they practice in. Figure 2 illustrates the geographic distribution of courts by professional composition, averaged across 2015–2018, showing substantial variation across the 72 immigration courts in our sample.

We also obtain other relevant information. Using United Nations nationality data, we were able to determine noncitizens’ regions of origins.<sup>9</sup> We did this to account for the fact that immigrant population waves often come from certain regions of the world.<sup>10</sup> We also measure IJ tenure as years on the bench at the time of each decision.

Table 1 provides descriptive statistics for these data. Overall, the rate of receiving relief is quite low (30% on average), which we theorize is driven in part by IJs with ICE/OPLA backgrounds, who make up a majority of observations across the sample and a majority of judges within individual courts. The average judge hears approximately 1,274 cases across the sample timeframe. Approximately 33% of respondents are detained at the time of their hearing.

## 5 Methodology

We estimate the following ordinary least squares (OLS) regression models:

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<sup>8</sup>The current record can be accessed via the Department of Justice here.

<sup>9</sup>These data can be accessed via the United Nations Statistics Division here.

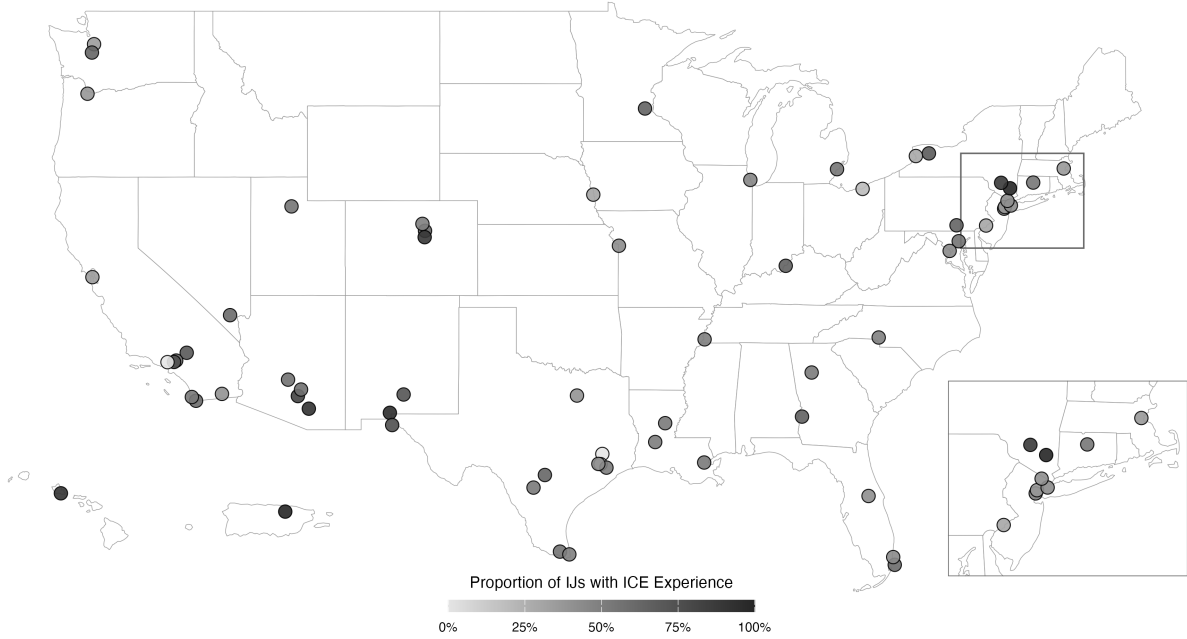
<sup>10</sup>Because certain regions (e.g., Central America) are overrepresented in immigration court, nationality-level fixed effects would be sparse for many countries. Regional groupings provide more tractable estimation.

Table 1: Descriptive Statistics

Variable	Mean	Median	SD	Min	Max
<i>Judge-Level</i>					
Tenure (end of sample)	9.00	7.00	9.56	0	36
Appointing Administration (D)	0.55	1	0.50	0	1
ICE/OPLA/INS Attorney	0.53	1	0.50	0	1
Years at ICE/OPLA/INS	5.69	3	6.68	0	29
Assistant U.S. Attorney	0.11	0	0.32	0	1
Years as AUSA	1.25	0	4.50	0	32
State Prosecutor	0.13	0	0.34	0	1
Years as State Prosecutor	0.80	0	2.38	0	18
JAG Attorney	0.14	0	0.34	0	1
Years as JAG	2.02	0	5.92	0	30
Nonprofit Immigration Attorney	0.09	0	0.29	0	1
Years as Nonprofit Immigration	0.68	0	2.69	0	24
EOIR or BIA Attorney	0.15	0	0.36	0	1
Years at EOIR/BIA	1.18	0	4.45	0	46
Military Judge	0.05	0	0.21	0	1
Years as Military Judge	0.26	0	1.55	0	17
Cases Decided	1274.16	1105	1173.08	1	6603
Relief Rate	0.30	0.23	0.24	0	1
<i>Court-Year Level</i>					
Proportion ICE/OPLA Judges	0.56	0.51	0.23	0	1
Detention Court	0.41	0	0.49	0	1
Detained Docket	0.20	0	0.40	0	1
<i>Case-Level</i>					
National Security Risk	0	0	0.01	0	1
Respondent had Attorney	0.59	1	0.49	0	1
Respondent Detained	0.33	0	0.47	0	1
Televideo Hearing	0.19	0	0.39	0	1

*Note:* Judge-level statistics summarized across 502 judges. Court-year statistics summarized across court-years (2015–2018). Case-level statistics summarized across 639,626 cases. Proportion ICE/OPLA Judges reports raw court-year proportion; models use leave-one-out measure.

Figure 2: Geographic Distribution of Immigration Courts by Professional Composition



*Note:* Each point represents an immigration court; color indicates the proportion of judges with prior ICE/OPLA experience (2015–2018 average). Courts in the same city are slightly offset for visibility. Guam and the Northern Mariana Islands are excluded.

$$\text{Relief}_i = \sum_k \beta_k \text{ProsecutorType}_i + \mathbf{X}_i \gamma + \phi_r + \psi_s + \tau + \epsilon_i \quad (\text{H1a})$$

$$\text{Relief}_i = \sum_k \beta_k \text{DefenseType}_i + \mathbf{X}_i \gamma + \phi_r + \psi_s + \tau + \epsilon_i \quad (\text{H1b})$$

$$\text{Relief}_i = \beta_1 \text{PropICE}_i + \mathbf{X}_i \gamma + \phi_r + \psi_s + \tau + \epsilon_i \quad (\text{H2})$$

$$\begin{aligned} \text{Relief}_i = & \beta_1 \text{ICEYears}_i + \beta_2 \text{PropICE}_i + \beta_3 (\text{ICEYears}_i \times \text{PropICE}_i) \\ & + \mathbf{X}_i \gamma + \phi_r + \psi_s + \tau + \epsilon_i \end{aligned} \quad (\text{H3a})$$

$$\begin{aligned} \text{Relief}_i = & \beta_1 \text{NonprofitImmYears}_i + \beta_2 \text{PropICE}_i + \beta_3 (\text{NonprofitImmYears}_i \times \text{PropICE}_i) \\ & + \mathbf{X}_i \gamma + \phi_r + \psi_s + \tau + \epsilon_i \end{aligned} \quad (\text{H3b})$$

where  $i$  indexes cases, the unit of analysis;  $k$  indexes types of professional backgrounds; and  $r$  indexes respondent region of origin and  $s$  circuit courts.  $\mathbf{X}$  is a vector of case and judge controls.  $\phi_r$  denotes respondent region of origin fixed effects,  $\psi_s$  circuit court fixed effects, and  $\tau$  is a linear year trend. Standard errors are clustered by judge (Equations H1a–H1b) or immigration court (Equations H2–H3b).

Our outcome of interest is a binary indicator for whether a respondent was granted relief (1) or ordered removed (0). In short, we classified a variety of outcomes within the three case types under study (removal, withholding, and asylum-only) as relief or removal. Following Hausman et al. (2023, p. 713), we code voluntary departure as a form of removal because the government achieves its enforcement objective even though the respondent avoids a formal removal order. Full details on outcome coding appear in the appendix.

To assess our five hypotheses, our methodology includes several distinct explanatory variables. Equation H1a estimates the effect of prosecutorial backgrounds on relief decisions (H1a). Here, our primary variable is years of ICE/OPLA experience. These trial attorneys litigate removal cases directly and represent the clearest case of immigration enforcement socialization. The years spent in this role is a proxy for the depth of socialization.<sup>11</sup> We separately measure years in four other prosecutorial roles — district attorney, assistant U.S. attorney, special assistant U.S. attorney, and Judge Advocate General (JAG) attorneys — to distinguish immigration-specific socialization from general prosecutorial experience. These positions involve litigating criminal cases for the government but lack direct exposure to immigration law and the immigration court system writ large.

Equation H1b estimates the effect of defense background on relief decisions (H1b). Here, our primary variable is the years of experience as a nonprofit immigration attorney. We separately measure years in three other defense roles — private immigration attorney, nonprofit non-immigration attorney, and private non-immigration attorney. As with prosecutorial backgrounds, we expect immigration-specific defense experience to produce stronger effects than general defense work, given direct exposure to the evidentiary standards, credibility assessments, and procedural barriers.

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<sup>11</sup>Prior studies operationalize immigration enforcement backgrounds as judges who had experience working for ICE/OPLA, EOIR (or the BIA), and the Office of Immigration Litigation (OIL) (Blasingame et al., 2024). However, because EOIR/BIA attorneys are supporting adjudication rather than litigate enforcement actions, and OIL handles appellate litigation, we do not consider these roles representative of immigration enforcement experience.

ers faced by respondents in removal proceedings.

Equations H2–H3b test whether court composition conditions individual background effects. Our court composition measure is the leave-one-out proportion of judges with ICE/OPLA backgrounds in each court-year, excluding the focal judge to avoid mechanical correlation. Equation H2 estimates the (non-interactive) effect of court composition on relief rates (H2). Equations H3a and H3b interact court composition with years as an ICE/OPLA trial attorney and as a nonprofit immigration lawyer, respectively, to test whether courts with a greater concentration of prosecutor condition individual background effects (H3a, H3b).

Across the equations above,  $X$  is a vector of judge, case, and court controls. Judge-level controls include tenure (years on the bench at the time of decision) and an indicator for the political party of the appointing administration (Democratic = 1, Republican = 0). Case-level controls include indicators for whether a respondent was flagged as a national security risk,<sup>12</sup> whether a case was heard over televideo, and whether a respondent had an attorney. These covariates have been found to impact case outcomes (DeMatte et al., 2022; Eagly, 2014; Eagly & Shafer, 2015; Ryo & Peacock, 2021). Lastly, we control for whether the respondent is in ICE custody at the time of their hearing, given evidence that detention produces more restrictive outcomes (Eagly & Shafer, 2024).

Across all models, we include region-of-origin fixed effects ( $\phi_r$ ) to account for unobserved country conditions that may affect case outcomes and vary across court,<sup>13</sup> circuit court fixed effects ( $\psi_s$ ) to capture variation in legal precedent across federal appellate jurisdictions, and a linear year trend ( $\tau$ ) to address policy shifts over the sample period.<sup>14</sup> Standard errors are clustered by judge for Equations H1a–H1b and by court for Equations H2–H3b, reflecting the level at which our key explanatory variables are expected to vary.

Importantly, cases are randomly assigned to IJs within courts, ensuring that respondents are not systematically matched to judges on the basis of case characteristics or respondent attributes (Hausman, 2016). Although judges' professional backgrounds and the professional composition

<sup>12</sup>National security coding originates from DeMatte et al. (2022).

<sup>13</sup>For instance, some courts hear more Central American cases, which may involve domestic violence or gang-related claims with distinct evidentiary patterns (Hausman et al., 2023).

<sup>14</sup>Harris (2024) includes time trends as a means of accounting for shifting trend across years. Some shifting trends could include adjudication policy set by the Attorney General, resources allocated to immigration courts, and decision-making, more broadly. The inclusion of year fixed effects did not change results.

of courts are not randomly distributed across the immigration court system, random case assignment within courts minimizes concerns that observed differences in outcomes reflect endogenous sorting of cases to judges. This assignment process allows us to interpret variation in relief decisions as arising from judges' professional experiences and court-level context rather than strategic case allocation or respondent selection.

## 6 Results

We begin by examining whether prosecutorial (defense) experience predicts relief decisions, and whether immigration-specific experience matters more than general prosecutorial (defense) backgrounds. Columns 1 and 2 of Table 2 report the respective results.

Consistent with H1a, immigration enforcement experience is associated with significantly lower probabilities of granting relief. Each additional year as an ICE/OPLA attorney reduces the likelihood of relief by approximately 0.2 percentage points. While numerically small, this effect accumulates over the course of typical enforcement careers. For example, a judge with 10 years of ICE experience is predicted to grant relief at rates roughly 2 percentage points lower than an otherwise similar judge with no ICE experience — a decline of about 7 percent relative to the sample mean relief rate of 30 percent.

Importantly, this relationship is specific to immigration enforcement experience. Years spent in most other prosecutorial roles, including Special Assistant U.S. Attorney and Judge Advocate General positions, do not exhibit statistically significant relationships with relief decisions. Years as an Assistant U.S. Attorney are positively associated with relief at marginal significance, suggesting that non-immigration federal prosecutorial experience does not produce the same restrictive tendencies as immigration enforcement work. Although years as a state prosecutor are negatively associated with relief, the estimated effect is smaller in magnitude than that of immigration enforcement experience.

To further assess whether immigration enforcement experience differs meaningfully from other prosecutorial pathways, we conduct pairwise F-tests comparing coefficients across prosecutorial roles. These tests indicate that ICE/OPLA experience is significantly more restrictive than AUSA experience. At the same time, ICE/OPLA experience is statistically indistinguishable from JAG and

Table 2: Professional Background, Court Composition, and Relief Decisions

	H1a	H1b	H2	H3a	H3b
ICE/OPLA Years	-0.002** (0.001)			-0.008** (0.003)	
AUSA Years	0.003† (0.002)				
SAUSA Years	-0.001 (0.002)				
JAG Years	-0.002 (0.001)				
DA Years	-0.004* (0.002)				
Private Imm. Law Years		0.000 (0.001)			
Nonprofit Imm. Years		0.005** (0.002)			0.016*** (0.004)
Private Non-Imm. Years		0.002 (0.001)			
Nonprofit Non-Imm. Years		-0.003 (0.004)			
Proportion ICE/OPLA			-0.020 (0.054)	-0.089 (0.065)	0.001 (0.053)
Prop. ICE/OPLA × ICE Years				0.011* (0.005)	
Prop. ICE/OPLA × Nonprofit Imm. Years					-0.023** (0.009)
Tenure	0.002** (0.001)	0.002*** (0.001)	0.002*** (0.001)	0.002** (0.001)	0.002*** (0.001)
Appointed by Democrat	0.011 (0.013)	0.007 (0.013)	0.009 (0.013)	0.012 (0.013)	0.007 (0.013)
Respondent Detained	-0.156*** (0.012)	-0.161*** (0.012)	-0.158*** (0.025)	-0.156*** (0.024)	-0.157*** (0.024)
National Security Case	0.038 (0.041)	0.039 (0.040)	0.039 (0.057)	0.033 (0.057)	0.037 (0.057)
Televideo Hearing	-0.007 (0.011)	-0.007 (0.011)	-0.007 (0.018)	-0.008 (0.018)	-0.008 (0.018)
Had Attorney	0.314*** (0.011)	0.314*** (0.011)	0.315*** (0.025)	0.314*** (0.025)	0.315*** (0.025)
Year	-0.033*** (0.003)	-0.033*** (0.003)	-0.034*** (0.006)	-0.033*** (0.006)	-0.033*** (0.006)
Observations	520 908	526 007	530 867	524 717	530 867
R2	0.305	0.304	0.302	0.305	0.304
Region FE	Yes	Yes	Yes	Yes	Yes
Circuit FE	Yes	Yes	Yes	Yes	Yes
Clustering	Judge	Judge	Court	Court	Court

† p < 0.1, \* p < 0.05, \*\* p < 0.01, \*\*\* p < 0.001

state prosecutor experience. Taken together, these results suggest that prosecutorial backgrounds are heterogeneous; while there is meaningful overlap across certain prosecutorial roles, immigration enforcement experience stands out among prosecutorial pathways.

Results for defense backgrounds exhibit a parallel pattern. Supporting H1b, years of nonprofit immigration defense experience are positively and significantly associated with relief decisions. Each additional year of nonprofit immigration practice increases the probability of relief by approximately 0.5 percentage points. Over a 10-year span, this is equivalent to a 17 percent increase relative to the sample mean. By contrast, private immigration practice does not significantly predict relief outcomes, nor does non-immigration defense experience in either private or nonprofit settings. Pairwise F-tests indicate that private immigration experience is statistically indistinguishable from private non-immigration experience, whereas nonprofit immigration experience is statistically distinguishable from nonprofit non-immigration experience ( $p = 0.04$ ). This pattern suggests that immigration-specific socialization matters most clearly within nonprofit defense settings, where repeated exposure to removal proceedings and advocacy may generate distinct adjudicatory heuristics.<sup>15</sup>

In general, control variables behave as expected. Having an attorney increases the probability of relief by approximately 31 percentage points, which is consistent with prior research on the importance of legal representation in immigration proceedings (Eagly & Shafer, 2015; Ryo & Peacock, 2021). Respondents in detained custody are significantly less likely to receive relief, consistent with prior findings on the effects of detention on case outcomes (Eagly & Shafer, 2024). Notably, the coefficient estimate for tenure is positive and significant across all models, suggesting that on-the-bench experience does not uniformly lead to restrictiveness. Lastly, relief rates decline over the sample period, with each year associated with a 3.3 percentage point reduction in the probability of relief.

We next assess whether the professional composition of a court is independently associated with relief outcomes. Column 3 of Table 2 reports results for Hypothesis 2. We expect that IJs operating in more homogeneous courts — that is, those with a larger proportion of judges with

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<sup>15</sup>It is important to note that immigration defense work includes immigration business work, not just removal defense. For many judges, it was difficult to distinguish what type of work they conducted, and many private firms do both.

immigration enforcement backgrounds — would grant relief at lower rates. The coefficient is negative, as anticipated, but not statistically significant once controls and fixed effects are included. Substantively, this suggests that IJs in courts with higher concentrations of former enforcement attorneys are not uniformly more restrictive. Instead of a direct effect, court composition may operate by conditioning the relationship between individual judges' professional backgrounds and their decisions. We examine this possibility in H3.

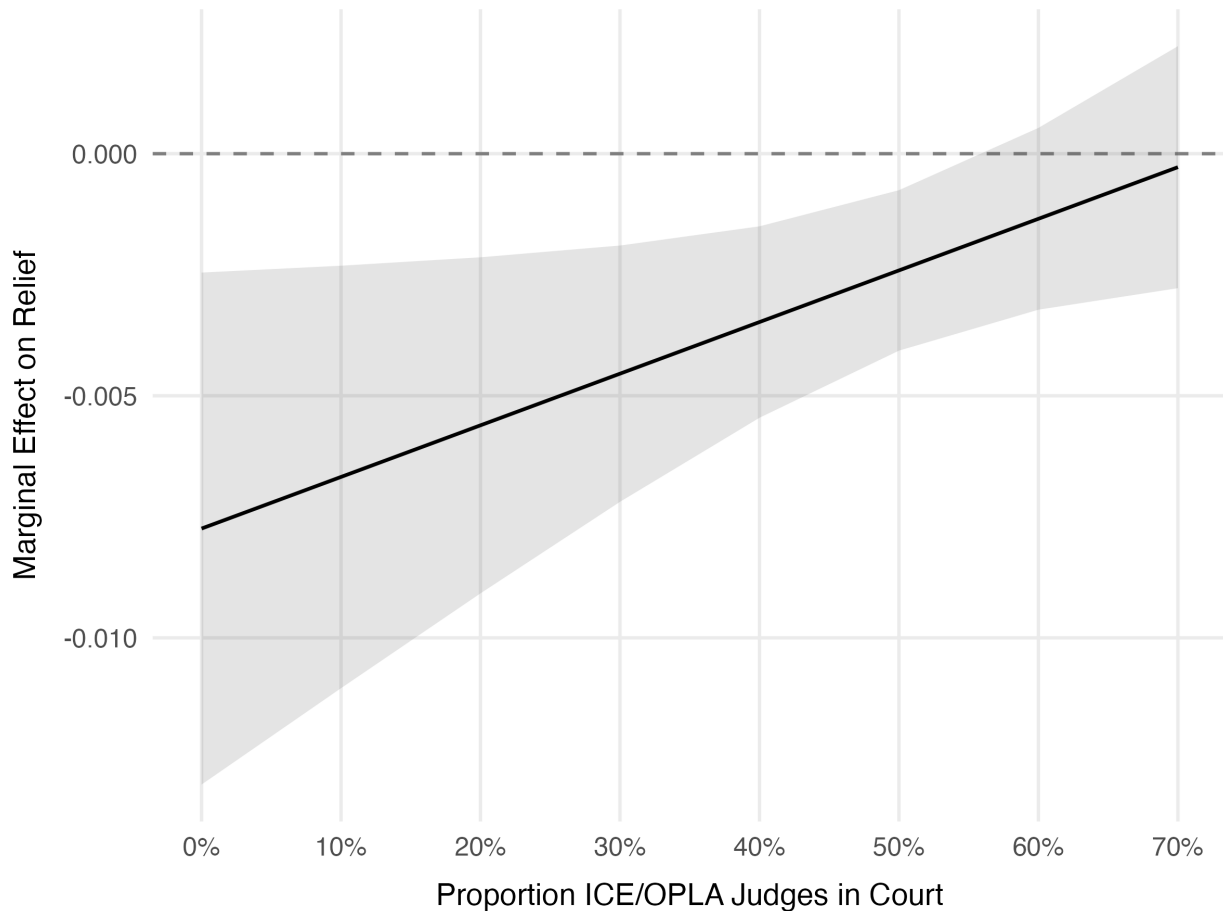
Columns 4 and 5 of Table 2 test whether court composition conditions the effect of immigration enforcement and immigration defense experience (H3a and H3b). In Column 4, the interaction between years of ICE/OPLA experience and court composition is positive and statistically significant. This indicates that the negative association between immigration enforcement experience and relief decisions weakens as the proportion of ICE/OPLA judges in a court increases. In other words, while additional years of ICE/OPLA experience are associated with lower relief probabilities in courts with relatively fewer enforcement-background judges, this effect attenuates in courts where enforcement experience is more prevalent.

Column 5 presents parallel results for nonprofit immigration defense experience. The interaction between years of nonprofit immigration experience and court composition is negative and statistically significant. This implies that the positive association between immigration defense experience and relief decisions diminishes as courts become more enforcement-dominated. In courts with higher proportions of ICE/OPLA judges, additional years of nonprofit immigration experience no longer predict higher relief rates.

Figures 3 and 4 illustrate these interaction effects by plotting the marginal effect of professional experience across the observed range of court composition. Figure 3 shows that the marginal effect of ICE/OPLA experience is most restrictive in courts with relatively low proportions of enforcement-background judges, but approaches zero as the share of ICE attorneys increases in a given court. Figure 4 shows a complementary pattern for nonprofit immigration experience: the positive marginal effect observed in more heterogeneous courts declines sharply as the proportion of ICE/OPLA judges rises, becoming statistically indistinguishable from zero in enforcement-heavy courts.

Our results show that the influence of professional background depends on court context.

Figure 3: Marginal Effect of ICE/OPLA Experience on Relief by Court Composition

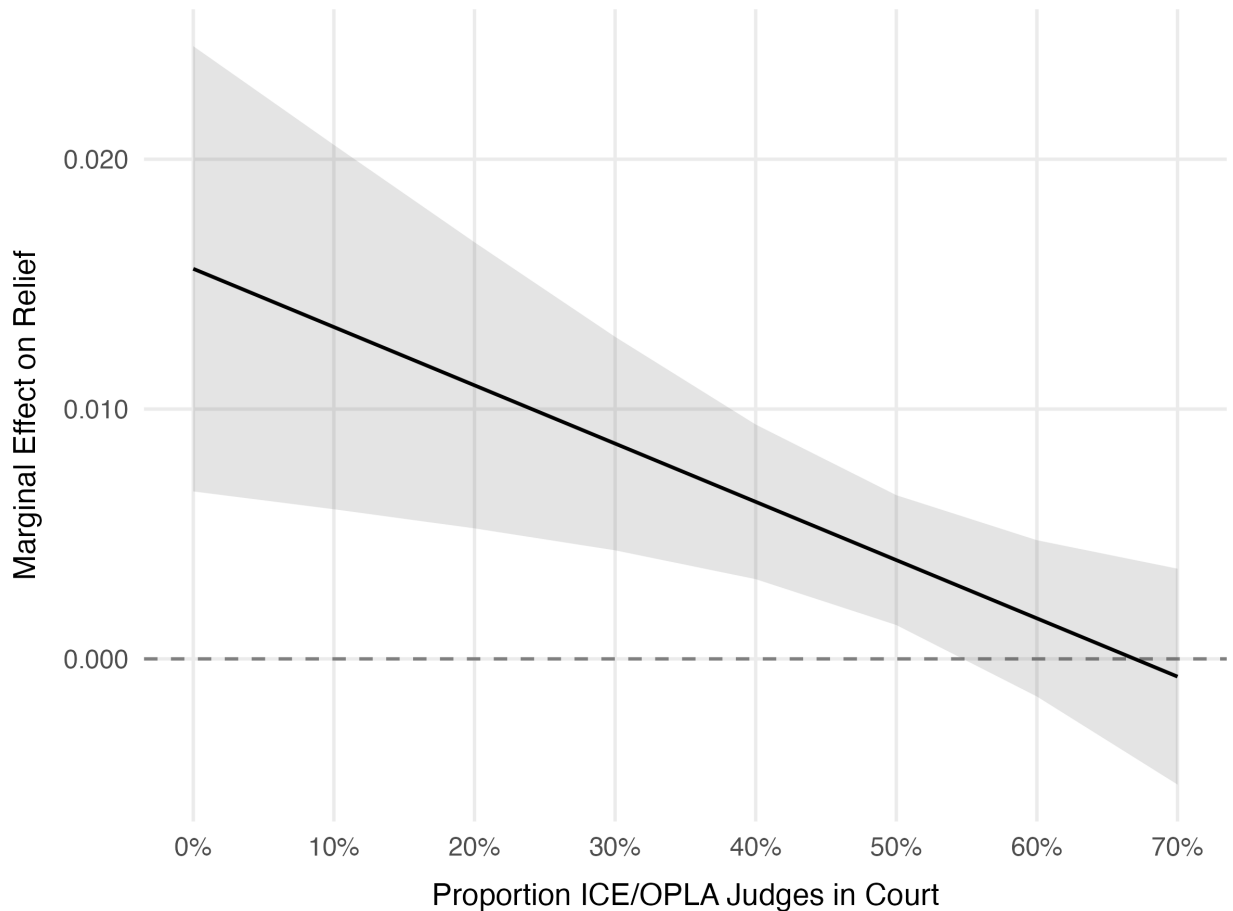


*Note:* Marginal effect of years of ICE/OPLA experience on probability of granting relief, conditional on proportion of ICE/OPLA judges in the court. Shaded area represents 95% confidence intervals. Standard errors clustered by immigration court.

Court composition does not exert a uniform direct effect on relief outcomes. Instead, it shapes whether judges' prior professional experiences meaningfully differentiate their decision-making or are absorbed into prevailing court norms. In more professionally heterogeneous courts, individual background effects are pronounced; in enforcement-dominated courts, outcomes converge and individual differences attenuate.

This pattern emerges for both enforcement and defense backgrounds, though through different dynamics. Additional years of ICE/OPLA experience are most consequential in courts where enforcement backgrounds are less common, but lose predictive power as enforcement experience becomes widespread. Conversely, nonprofit immigration defense experience is associated with

Figure 4: Marginal Effect of Nonprofit Immigration Experience on Relief by Court Composition



*Note:* Marginal effect of years of nonprofit immigration defense experience on probability of granting relief, conditional on proportion of ICE/OPLA judges in the court. Shaded area represents 95% confidence intervals. Standard errors clustered by immigration court.

higher relief rates in heterogeneous courts, but this advantage diminishes sharply in enforcement-heavy environments. Together, these results suggest that judges carry heuristics from prior roles, but that the expression of those heuristics depends on the institutional setting in which they adjudicate.

Across a range of alternative specifications, our results remain substantively consistent. First, using binary indicators for professional background, as well as restricting the sample to judges with who exclusively stayed in one career path (judges can have multiple pre-judicial positions, such as both having worked in enforcement and defense), yields similar patterns: immigration enforce-

ment experience remains negatively associated with relief, while nonprofit immigration defense experience remains positively associated with relief. Second, excluding low-volume judges and small courts does not meaningfully alter the magnitude or significance of the main effects, nor the interaction between professional background and court composition. Third, replacing the linear time trend with year fixed effects produces nearly identical results, indicating that the findings are not driven by assumptions about temporal trends. Fourth, logit models confirm the direction and statistical significance of all main coefficients and interactions, suggesting that the results are not model dependent. Finally, disaggregating outcomes by case type shows that the core relationships hold within removal proceedings — the dominant case category — and exhibit similar, though noisier, patterns in asylum-only and withholding-only cases, in part due to the reduced number of observations. A sensitivity analysis further indicates that the estimated effects are robust to an omitted confounder several times stronger than observed predictors such as judge ideology or attorney representation, lending additional support to our results.<sup>16</sup>

## 7 Discussion

The relationship between professional backgrounds and decision-making in immigration court is best understood by accounting for court context — that is, when experience meets environment. Our findings demonstrate that professional backgrounds generate systematic variation in judge decisions, and that this variation is driven primarily by immigration-specific experience.

Court composition, in turn, conditions how professional experience impacts adjudication. In courts with higher proportions of ICE/OPLA backgrounds, the effects of prior immigration enforcement experience are absorbed into prevailing adjudicatory norms. In these same settings, the permissive effects of nonprofit immigration defense experience are diminished. By contrast, in more professionally heterogeneous courts, individual background effects remain meaningful. These patterns suggest that professional diversity matters because it shapes how judges develop decision-making preferences, and because court environments condition how those preferences affect outcomes.

This article advances research on judge backgrounds and judicial decision-making in two key

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<sup>16</sup>See the appendix for more information about the robustness checks.

ways. First, it disaggregates professional experience by institutional and practice background, demonstrating that immigration-specific socialization has distinct behavioral variation that is obscured by coarser occupational categories. By distinguishing among different forms of prosecutorial and defense experience, the analysis shows that variation in adjudication is structured by the content of prior professional roles rather than by general professional identity.

Second, the paper shows that institutional context moderates individual-level background effects. Existing work often treats socialization as producing perspectives that judges carry with them onto the bench (Harris & Sen, 2026; Keith et al., 2013; Miller & Curry, 2023). Our findings complicate this view by showing that professional heuristics are embedded within workplace environments. Court composition operates as a contextual filter, shaping whether prior experience differentiates judges' decisions or converges toward shared local norms. In doing so, the study speaks to broader debates about judicial behavior by showing how institutional environments condition when identity-based variation in decision-making is likely to emerge (Harris, 2024; Heridia, 2026a).

Several limitations point to directions for future research. While we theorize how professional backgrounds shape decision-making heuristics, we cannot directly observe how judges interpret case facts, assess respondent credibility, or evaluate other features of a case that directly affect outcomes. The empirical results document systematic differences associated with professional background, but they cannot identify the specific interpretive shifts or informal practices that produce convergence in decision-making within particular courts.

Qualitative accounts from immigration judges suggest processes that align closely with the patterns observed in the data. As one retired immigration judge described the experience of adjudicating within immigration courts:

There was never really a sense of [ ] somebody hovering over your shoulder, looking at what you were doing in terms of outcomes. But I think over time, when you get to an institution like an immigration judge, you kind of lose your, if you had a prosecutorial bent, that kind of softens. If you had, you know, an advocacy bent on the other side, that kind of softens because you start to see... what needs to happen... Institutional needs or identities, I think tend to coalesce over time.

This account is consistent with the convergence toward a shared baseline observed in more homogeneous courts, but they also underscore what the present analysis cannot assess. Administrative data cannot reveal whether such convergence arises through informal peer comparison, case discussion, or changes in how judges interpret law over time. Future research combining large-scale quantitative analyses with interviews and courtroom observation would allow scholars to directly examine these processes and more precisely trace how professional experience is reshaped by institutional environments.

We cannot fully disentangle socialization from selection. Judges may sort into professional roles based on predispositions that later shape adjudication. Although the conditional nature of the effects we observe makes a purely selection-based explanation unlikely, future research combining longitudinal career data with qualitative evidence could further clarify these mechanisms. In particular, judges with mixed enforcement and defense backgrounds may offer a useful lens for evaluating the implications of selection and socialization, as a selection mechanism would predict consistent decision-making across variation in backgrounds, while a socialization mechanism would predict continued responsiveness to variation in court context.

Temporal dynamics raise more questions. At the judge level, composition effects may strengthen over time as IJs accumulate tenure in a given court — a possibility suggested by the positive coefficient estimate for tenure across our models (see Table 2). A closer analysis of this relationship could reveal whether the absorption and suppression dynamics we identify are immediate or gradual. At the system level, moreover, court composition may be changing rapidly. Our sample period (2015–2018) spans the transition from the Obama to the first Trump administration. Whether these relationships hold (or intensify) under the second Trump administration, with its aggressive efforts to reshape the immigration bench, warrants further investigation.

Lastly, our findings may extend beyond immigration courts. The mechanisms we identify — professional socialization conditioned by court composition — may operate in other administrative adjudicatory contexts that often escape empirical attention: Social Security disability hearings, veterans' benefits appeals, and tax court, among others. Indeed, these venues have a significant impact on people's daily lives, taking up a large portion of the federal court docket. Examining whether similar patterns emerge across these settings would clarify the generalizability of our

framework.

For decades, advocates have proposed converting immigration courts into Article I (“legislative”) courts, arguing that greater independence would reduce politicization (e.g., Baibak, 2018; Birdsong, 2013; Legomsky, 2010). In May 2021, the *New York Times* Editorial Board openly declared “Immigration courts aren’t real courts. It’s time to change that” (The Editorial Board, 2021). Legislatively, these proposals have gone nowhere, but our findings suggest they miss a key source of systematic variation. In short, formal independence from the Attorney General — the core of these reform proposals — would not address the issue of professionally homogeneous courts. If IJs with immigration enforcement backgrounds continue to dominate, composition effects would ostensibly persist regardless of institutional structure.

Theoretically, this complicates traditional understandings of judicial independence. This concept typically signifies insulation from formal principals, meaning a vertical relationship between judges and those who appoint, supervise, and remove them (Brinks & Blass, 2018; Staton et al., 2022). Our findings suggest a lateral dimension — professional diversity — along which co-equal colleagues, sharing a workplace, influence one another, even if that influence is not perfectly symmetric in practice. This dynamic is consistent with evidence that judges are shaped not only by those above them but by those working alongside them, even absent formal deliberation (Harris, 2024). Lateral influence, however, should not be conflated with the horizontal axis of judicial independence in the inter-branch sense (see Clark, 2010). The lateral dimension determines, in part, whether formal independence—insulation from top-down pressures and inter-branch interference—actually produces decisional variation. In this sense, professional diversity among formally co-equal colleagues is a *structural precondition* for substantive independence, not merely a mechanism of peer influence. Without it, formal independence in administrative courts may mean less than advocates suggest.

These dynamics also complicate the characterization of immigration judges as “bureaucrats in robes” (Jain, 2018). Of course, IJs face bureaucratic pressures ranging from growing backlogs to evidentiary limitations to performance metrics, but they are not mere automatons. Prior professional socialization creates dispositional variation that persists within those constraints. The question is whether that variation finds expression, and our findings show that court composition

is a key mediating factor.

The human stakes cannot be overstated. For noncitizens, these margins are the difference between remaining in the United States and deportation — outcomes that are the dividing line between safety and danger, family unity and separation, or even life and death. As the court backlog balloons past 3.4 million cases as of September 2025 (Transactional Records Access Clearinghouse, 2025), the stakes only grow. The second Trump administration now treats former prosecutors as an asset (Bustillo, 2025b), and former defense attorneys as an obstacle (Bustillo, 2025a). Under these circumstances, the contours of the American “dual state” become clear, wherein formally liberal legal procedures increasingly mask substantively illiberal outcomes for subaltern populations such as immigrants (McCann & Kahraman, 2021). Each case appears to receive individualized judgment, even as court composition suppresses the very variation that might otherwise make such judgment meaningful.

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# A Appendix

## A.1 Alternative Modeling Choices

One concern with the main analysis is that measuring professional experience in years may obscure whether results are driven simply by having ever worked in a given role, rather than by the duration of that experience. In addition, some IJs have mixed professional trajectories: for example, serving in multiple prosecutorial roles or combining immigration and non-immigration defense work — which may blur distinctions between background categories. To assess the sensitivity of our findings to these issues, we conduct two robustness checks.

First, we re-estimate the models for H1a and H1b using binary indicators for professional background rather than years of experience. Second, we restrict the sample to judges with “pure” backgrounds, excluding those whose careers span multiple prosecutorial or defense categories. Table A.1 reports results for these adapted specifications.

Among prosecutorial backgrounds, the binary specifications yield patterns consistent with the main analysis. Judges with ICE/OPLA backgrounds are less likely to grant relief relative to judges without such experience, both using binary indicators and when restricting the analysis to judges with “pure” backgrounds (Columns 1 and 2). Other prosecutorial roles are heterogeneous in the likelihood of granting relief, suggesting that prosecutorial experience is not behaviorally uniform.

Results for defense backgrounds are also broadly consistent with the main analysis. Nonprofit immigration defense experience is positively associated with relief in both specifications, reaching marginal significance in the binary model (Column 3) and conventional significance among judges with pure backgrounds (Column 4). Other defense backgrounds show no consistent association with relief, with the exception of nonprofit non-immigration employment in Column 4. These results indicate that the core findings for both prosecutorial and defense backgrounds are robust to alternative operationalizations of professional experience.

A further concern is that the main results may be influenced by judges with very small numbers of observed cases or by courts with too few judges to meaningfully characterize court-level professional composition. To address this possibility, we conduct two additional robustness checks. For the individual-level analyses in H1a and H1b, we exclude judges who adjudicated fewer than 50

Table A.1: Binary Background Indicators and Excluding IJs with “Mixed” Professional Backgrounds

	H1a (Binary)	H1a (Pure)	H1b (Binary)	H1b (Pure)
ICE/OPLA	-0.023* (0.012)	-0.025 <sup>†</sup> (0.014)		
AUSA	0.054* (0.027)	0.054 (0.047)		
SAUSA	-0.001 (0.014)	-0.061*** (0.018)		
JAG	-0.049** (0.018)	-0.024 (0.032)		
DA	-0.049*** (0.013)	-0.041 (0.030)		
Private Imm.			0.000 (0.014)	0.001 (0.020)
Nonprofit Imm.			0.036 <sup>†</sup> (0.020)	0.075* (0.037)
Private Non-Imm.			0.011 (0.012)	0.011 (0.015)
Nonprofit Non-Imm.			-0.010 (0.022)	0.059 <sup>†</sup> (0.033)
Tenure	0.002** (0.001)	0.002** (0.001)	0.002*** (0.001)	0.002*** (0.001)
Appointed by Democrat	0.012 (0.012)	0.018 (0.015)	0.007 (0.013)	0.003 (0.013)
Respondent Detained	-0.153*** (0.011)	-0.153*** (0.014)	-0.160*** (0.012)	-0.162*** (0.013)
National Security Case	0.039 (0.041)	0.039 (0.044)	0.038 (0.040)	0.044 (0.043)
Televideo Hearing	-0.006 (0.010)	-0.003 (0.013)	-0.008 (0.011)	-0.005 (0.012)
Had Attorney	0.313*** (0.011)	0.327*** (0.012)	0.315*** (0.011)	0.312*** (0.012)
Year	-0.034*** (0.003)	-0.034*** (0.004)	-0.033*** (0.003)	-0.033*** (0.004)
Observations	531,598	419,219	530,673	447,435
R <sup>2</sup>	0.306	0.313	0.303	0.293
Region FE	Yes	Yes	Yes	Yes
Circuit FE	Yes	Yes	Yes	Yes
Clustering	Judge	Judge	Judge	Judge

Note:

<sup>†</sup>p<0.1; \*p<0.05; \*\*p<0.01; \*\*\*p<0.001

cases during the sample period. For the court-level analyses in H2 and H3, we exclude courts with fewer than two judges. Results from these restricted samples are reported in Table A.2.

Across specifications, the primary findings remain similar to those in the main analysis. In the restricted sample of higher-volume judges, years of immigration enforcement experience remain negatively associated with relief decisions, and years of nonprofit immigration defense experience remain positively associated with relief. Estimated magnitudes are comparable to the main results, indicating that individual-level background effects are not driven by judges with unusually small caseloads.

Results for court composition and interaction effects are likewise robust to excluding small courts. As in the main analysis, a higher proportion of immigration enforcement judges in a court on its own does not lead to a greater likelihood in denying relief outcomes. However, the interaction between immigration enforcement experience and court composition remains positive and statistically significant, indicating that the restrictive effect of immigration enforcement experience attenuates in courts with higher concentrations of enforcement-background judges. The corresponding interaction for nonprofit immigration defense experience remains negative but is estimated imprecisely and does not reach statistical significance in this restricted sample. However, the marginal effects indicate that nonprofit immigration experience predicts higher relief probabilities in courts with lower proportions of immigration enforcement judges, with this effect attenuating as enforcement dominance increases. This pattern is consistent with the hypothesized conditioning role of court composition.

A further concern is that modeling temporal change with a linear time trend may insufficiently capture non-linear shifts in adjudication associated with policy changes or broader institutional reforms. To assess the sensitivity of the results to this modeling choice, we re-estimate all main specifications replacing the linear time trend with decision-year fixed effects. Table A.3 reports results for changes in this model specification. Across all hypotheses, the results are consistent with what we reported in our study. Substituting year fixed effects for a time trend does not alter the significance of the findings for H1a, H1b, H3a, or H3b. These findings suggest that the relationships between professional background and relief decisions are not driven by linear assumptions about temporal change.

Table A.2: Excluding Low Caseload Judges and Small Courts

	H1a	H1b	H2	H3a	H3b
ICE/OPLA Years	-0.002** (0.001)			-0.011** (0.004)	
AUSA Years	0.003 <sup>†</sup> (0.002)				
SAUSA Years	-0.001 (0.002)				
JAG Years	-0.002 (0.001)				
DA Years	-0.004* (0.002)				
Private Imm. Law Years		0.000 (0.001)			
Nonprofit Imm. Years		0.005** (0.002)			0.016* (0.006)
Private Non-Imm. Years		0.002 (0.001)			
Nonprofit Non-Imm. Years		-0.003 (0.004)			
Proportion ICE/OPLA			-0.043 (0.068)	-0.151 (0.095)	-0.026 (0.067)
Prop. ICE/OPLA × ICE Years				0.017** (0.006)	
Prop. ICE/OPLA × Nonprofit Imm. Years					-0.018 (0.012)
Tenure	0.002** (0.001)	0.002** (0.001)	0.002** (0.001)	0.002* (0.001)	0.002** (0.001)
Appointed by Democrat	0.010 (0.013)	0.007 (0.013)	0.010 (0.015)	0.012 (0.014)	0.005 (0.015)
Respondent Detained	-0.156*** (0.012)	-0.161*** (0.012)	-0.152*** (0.021)	-0.149*** (0.021)	-0.151*** (0.021)
National Security Case	0.038 (0.041)	0.039 (0.040)	0.010 (0.049)	0.004 (0.048)	0.008 (0.049)
Televideo Hearing	-0.007 (0.011)	-0.007 (0.011)	-0.024 (0.019)	-0.026 (0.018)	-0.023 (0.019)
Had Attorney	0.314*** (0.011)	0.314*** (0.011)	0.317*** (0.028)	0.315*** (0.028)	0.317*** (0.028)
Year	-0.033*** (0.003)	-0.033*** (0.003)	-0.035*** (0.006)	-0.034*** (0.006)	-0.035*** (0.006)
Observations	520,175	525,274	543,676	537,519	543,676
R <sup>2</sup>	0.305	0.304	0.282	0.286	0.285
Region FE	Yes	Yes	Yes	Yes	Yes
Circuit FE	Yes	Yes	Yes	Yes	Yes
Clustering	Judge	Judge	Court	Court	Court

Note: <sup>†</sup>p<0.1; \*p<0.05; \*\*p<0.01; \*\*\*p<0.001

Table A.3: Using Year FEs instead of a Time Trend

	H1a	H1b	H2	H3a	H3b
ICE/OPLA Years	-0.002** (0.001)			-0.008** (0.003)	
AUSA Years	0.003 <sup>†</sup> (0.002)				
SAUSA Years	-0.001 (0.002)				
JAG Years	-0.002 (0.001)				
DA Years	-0.004* (0.002)				
Private Imm. Law Years		0.000 (0.001)			
Nonprofit Imm. Years		0.005** (0.002)			0.015*** (0.005)
Private Non-Imm. Years		0.002 (0.001)			
Nonprofit Non-Imm. Years		-0.003 (0.004)			
Proportion ICE/OPLA			-0.022 (0.053)	-0.091 (0.063)	-0.001 (0.052)
Prop. ICE/OPLA × ICE Years				0.011* (0.005)	
Prop. ICE/OPLA × Nonprofit Imm. Years					-0.023* (0.009)
Tenure	0.002** (0.001)	0.002** (0.001)	0.002*** (0.001)	0.002** (0.001)	0.002*** (0.001)
Appointed by Democrat	0.011 (0.013)	0.008 (0.013)	0.010 (0.013)	0.013 (0.013)	0.007 (0.013)
Respondent Detained	-0.155*** (0.012)	-0.160*** (0.012)	-0.157*** (0.025)	-0.155*** (0.024)	-0.156*** (0.024)
National Security Case	0.037 (0.041)	0.037 (0.040)	0.037 (0.058)	0.032 (0.057)	0.036 (0.057)
Televideo Hearing	-0.007 (0.010)	-0.007 (0.011)	-0.007 (0.018)	-0.009 (0.018)	-0.008 (0.017)
Had Attorney	0.313*** (0.011)	0.313*** (0.011)	0.314*** (0.025)	0.313*** (0.025)	0.314*** (0.025)
Observations	520,908	526,007	530,867	524,717	530,867
R <sup>2</sup>	0.307	0.305	0.304	0.306	0.305
Region FE	Yes	Yes	Yes	Yes	Yes
Circuit FE	Yes	Yes	Yes	Yes	Yes
Year FE	Yes	Yes	Yes	Yes	Yes
Clustering	Judge	Judge	Court	Court	Court

Note: <sup>†</sup>p<0.1; \*p<0.05; \*\*p<0.01; \*\*\*p<0.001

As an additional robustness check, we re-estimate all five main specifications using logit models to assess whether results are sensitive to the linear probability framework. Because the purpose of this exercise is to confirm directional consistency rather than to compare effect magnitudes, we report raw logit coefficients with clustered standard errors rather than average marginal effects. Table A.4 presents these results. Across all specifications, treatment variables maintain their direction and statistical significance. The interactions in H3a and H3b are likewise confirmed, indicating that the conditioning role of court composition is not an artifact of the linear probability specification.

Our final robustness check concerns our outcome of interest. The dependent variable in the main analysis aggregates relief outcomes across three distinct case types: removal proceedings (RMV), asylum-only cases (AOC), and withholding-only (WHO) cases. Because removal proceedings constitute the vast majority of cases in the sample (removal cases make up 630,614 cases in the sample, while asylum-only and withholding-only make up 658 and 8,354 cases, respectively.), a potential concern is that the main results primarily reflect dynamics in removal proceedings and obscure heterogeneity across case contexts. To address this concern, and given that results were mostly consistent with earlier robustness checks, we re-estimate the models for H1a and H1b only and separately by case type. Given the substantially smaller number of asylum-only and withholding-only cases, these specifications exclude some controls and fixed effects included in the main analysis; the excluded specifications did not have enough variation in the two limited proceedings. Results are reported in Table A.5.

Across case types, results are consistent for H1a and H1b within removal proceedings, which comprise the bulk of the sample. In removal proceedings, an additional year of immigration enforcement experience increases the likelihood of removal. On the other hand, having nonprofit immigration experience increases the likelihood of obtaining relief. The effect sizes are consistent with the main results, indicating that the effects of professional backgrounds reported in the main study are not an artifact of aggregating across case types.

Results for asylum-only and withholding-only cases are noisier due to limited sample sizes and simplified specifications. Nonetheless, the results generally align with the main analysis. Immigration enforcement experience is negatively associated with relief in asylum-only cases, and district attorney experience is negatively associated with relief in both removal and withholding-only

Table A.4: Logit Models

	H1a	H1b	H2	H3a	H3b
ICE/OPLA Years	-0.016*			-0.057**	
	(0.007)			(0.020)	
AUSA Years	0.019 <sup>†</sup>				
	(0.011)				
SAUSA Years	-0.006				
	(0.019)				
JAG Years	-0.014				
	(0.011)				
DA Years	-0.038*				
	(0.016)				
Private Imm. Law Years		-0.000			
		(0.007)			
Nonprofit Imm. Years		0.034**			0.095***
		(0.010)			(0.028)
Private Non-Imm. Years		0.008			
		(0.007)			
Nonprofit Non-Imm. Years		-0.025			
		(0.024)			
Proportion ICE/OPLA			-0.004	-0.487	0.152
			(0.388)	(0.436)	(0.379)
Prop. ICE/OPLA × ICE Years				0.083*	
				(0.037)	
Prop. ICE/OPLA × Nonprofit Imm. Years					-0.144*
					(0.057)
Tenure	0.009*	0.012**	0.012**	0.009*	0.012**
	(0.004)	(0.004)	(0.004)	(0.004)	(0.004)
Appointed by Democrat	0.032	0.011	0.031	0.045	0.014
	(0.083)	(0.086)	(0.083)	(0.079)	(0.081)
Respondent Detained	-1.258***	-1.291***	-1.280***	-1.278***	-1.275***
	(0.085)	(0.086)	(0.161)	(0.161)	(0.158)
National Security Case	0.240	0.241	0.253	0.216	0.247
	(0.298)	(0.287)	(0.381)	(0.378)	(0.378)
Televideo Hearing	-0.121	-0.130	-0.119	-0.124	-0.127
	(0.093)	(0.097)	(0.148)	(0.148)	(0.147)
Had Attorney	2.451***	2.451***	2.450***	2.452***	2.455***
	(0.055)	(0.056)	(0.094)	(0.093)	(0.095)
Year	-0.234***	-0.236***	-0.236***	-0.229***	-0.234***
	(0.021)	(0.021)	(0.035)	(0.036)	(0.036)
Observations	520,908	526,007	530,867	524,717	530,867
Region FE	Yes	Yes	Yes	Yes	Yes
Circuit FE	Yes	Yes	Yes	Yes	Yes
Clustering	Judge	Judge	Court	Court	Court

Note: <sup>†</sup>p<0.1; \*p<0.05; \*\*p<0.01; \*\*\*p<0.001. Logit coefficients.

proceedings. Nonprofit immigration defense experience is positively and significantly associated with relief across all three case types. These patterns suggest that our results do not depend on the aggregation of relief decisions across case types.

Table A.5: Relief Outcomes across 3 Case Types

	H1a (AOC)	H1b (AOC)	H1a (RMV)	H1b (RMV)	H1a (WHO)	H1b (WHO)
ICE/OPLA Years	-0.006 <sup>†</sup> (0.004)		-0.002** (0.001)		-0.003 (0.002)	
AUSA Years	-0.011 (0.007)		0.003 <sup>†</sup> (0.002)		-0.001 (0.002)	
SAUSA Years	-0.001 (0.014)		-0.001 (0.002)		-0.004 (0.003)	
JAG Years	0.002 (0.005)		-0.002 (0.001)		-0.002 (0.002)	
DA Years	-0.008 (0.009)		-0.004* (0.002)		-0.012** (0.004)	
Private Imm. Law Years		0.001 (0.005)		0.000 (0.001)		0.004 (0.003)
Nonprofit Imm. Years		0.011** (0.004)		0.005** (0.002)		0.013** (0.005)
Private Non-Imm. Years		0.001 (0.003)		0.002 (0.001)		-0.000 (0.002)
Nonprofit Non-Imm. Years		-0.001 (0.012)		-0.003 (0.004)		-0.001 (0.005)
Tenure	0.001 (0.003)	0.002 (0.003)	0.002** (0.001)	0.002*** (0.001)	0.003 <sup>†</sup> (0.001)	0.002 <sup>†</sup> (0.001)
Appointed by Democrat	0.021 (0.052)	0.003 (0.052)	0.011 (0.013)	0.007 (0.013)	-0.009 (0.031)	-0.017 (0.030)
Respondent Detained	-0.297*** (0.048)	-0.312*** (0.047)	-0.156*** (0.012)	-0.161*** (0.012)	-0.103*** (0.027)	-0.091*** (0.028)
Televideo Hearing	-0.017 (0.055)	-0.003 (0.051)	-0.007 (0.011)	-0.007 (0.011)	0.030 (0.026)	0.018 (0.027)
Had Attorney	0.416*** (0.044)	0.408*** (0.043)	0.314*** (0.011)	0.314*** (0.011)	0.124*** (0.012)	0.126*** (0.012)
Year	-0.014 (0.020)	-0.018 (0.019)	-0.033*** (0.003)	-0.033*** (0.003)	-0.029*** (0.007)	-0.027*** (0.007)
National Security Case			0.038 (0.041)	0.039 (0.040)		
Observations	616	617	520,905	526,004	6,886	6,968
R <sup>2</sup>	0.272	0.270	0.305	0.304	0.087	0.088
Region FE	Yes	Yes	Yes	Yes	Yes	Yes
Circuit FE	Yes	Yes	Yes	Yes	Yes	Yes
Clustering	Judge	Judge	Judge	Judge	Judge	Judge

Note: <sup>†</sup>p<0.1; \*p<0.05; \*\*p<0.01; \*\*\*p<0.001

## A.2 Sensitivity Analysis

An alternative explanation worth considering is that observed differences in relief outcomes may be driven not by immigrant enforcement and non-profit backgrounds, but by other judicial characteristics that are highly correlated with these backgrounds and with decision-making. For instance, judge ideology is an important driver of judicial behavior (Keith et al., 2013; Miller et al., 2015). Judges could have self-selected into particular professional backgrounds due to their

underlying ideology, which would indicate that ideology is driving the decision-making, not professional background.

Case fact characteristics could also be driving the relationship between professional background and decision-making. For instance, whether a respondent has attorney representation is a significant indicator for the likelihood of successfully obtaining relief (Ryo & Peacock, 2021). Judges with enforcement backgrounds could make procedural decisions — such as denying continuances — that make it harder for a respondent to obtain representation; on the other hand, judges with non-profit backgrounds could make it easier to gain representations.

To address these concerns, we conduct a sensitivity analysis to assess how strong an unobserved confounder would need to be to nullify the observed effect on relief decisions. We choose judge ideology, which originates from the Blasingame et al. (2024) data and is taken from judges' voting records in national elections. Judge ideology is an indicator for whether a judge identifies with the Democratic party. Importantly, when we included this variable in regression analyses, it did not change our estimates. We also choose an indicator for whether the respondent had an attorney, which is accounted for in our main models, and produces the largest regression estimate at 0.314. We conduct sensitivity analysis and incorporate the model specifications used to assess H1a and H1b.

As shown in Figures A.1 and A.2, the respective null hypotheses that immigration enforcement and non-profit backgrounds have no effect on relief decisions would still be rejected even if an omitted variable were four times as strong as judge ideology. We have similar findings for attorney representation. Notably, both variables are strongly associated with case outcomes but exhibit minimal explanatory power for assignment to immigration enforcement experience, as indicated by their near-zero partial  $R^2$  with the treatment.

As a result, even hypothetical confounders several times stronger than these observed characteristics would have limited ability to attenuate the estimated effect, as they would need to simultaneously explain substantial variation in both treatment and outcome. This pattern supports the interpretation that professional background in immigration law itself plays an important role in shaping judicial decision-making.

Figure A.1: Sensitivity Analysis for H1a

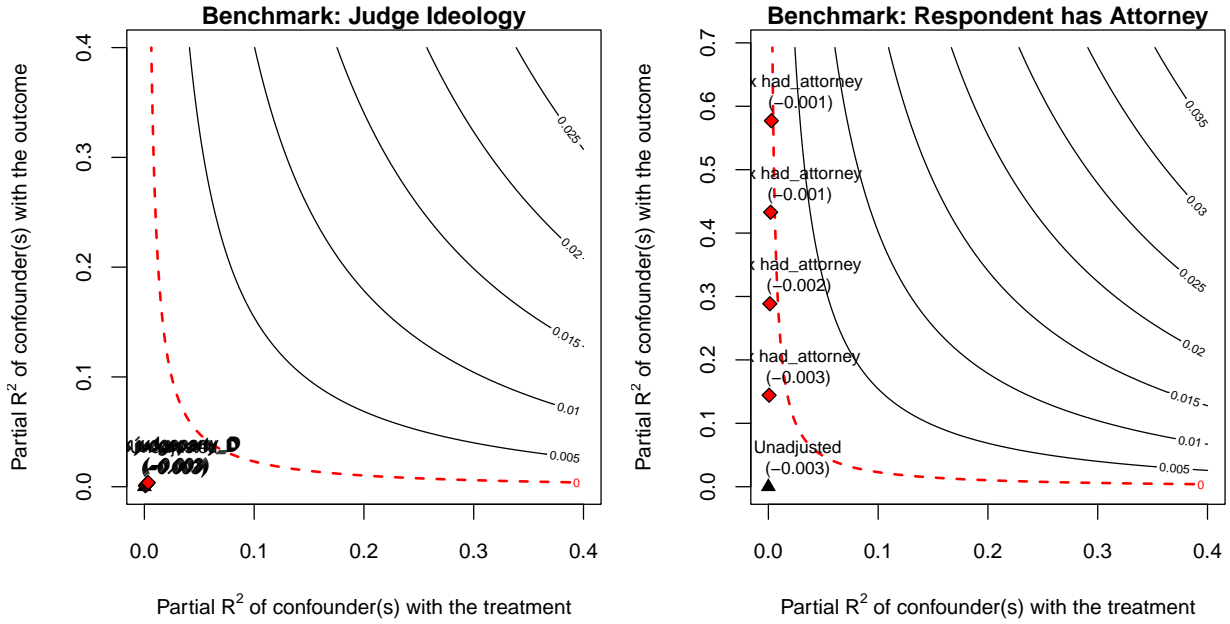
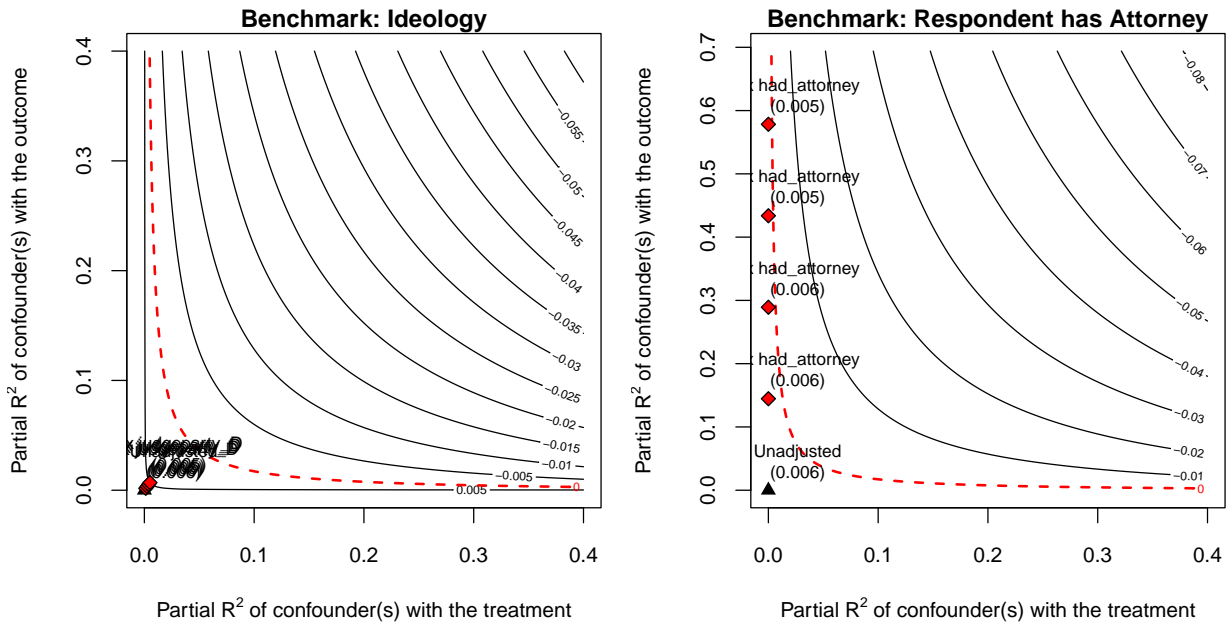


Figure A.2: Sensitivity Analysis for H1b



### A.3 Information on Data Cleaning

We reported in our paper that across the three case types, there are a number of different legal pathways for relief. Here we provide documentation of what kinds of decisions within each case

type were considered a relief outcome, and which were considered a removal outcome. Table B.1 reports our classification schema.

Table B.1: Construction of Binary Relief Outcome

Case Type	Outcome Codes	Relief Indicator
Asylum-Only (AOC)	C (Conditional Grant), G (Grant), P (TPS)	Relief = 1
	D (Denied)	Relief = 0
Removal Proceedings (RMV)	R (Relief Granted), Q (EOIR 42B), T (Transfer), P (TPS), H (Haitian Relief)	Relief = 1
	X (Removal), V (Voluntary Departure)	Relief = 0
Withholding-Only (WHO)	G (Grant), C (Conditional Grant), Q (EOIR 42B), P (TPS), H (Haitian Relief)	Relief = 1
	D (Denied)	Relief = 0

The case data also reports the nationality of respondents. We transformed this information using the UN's nationality data into different regions of origin.<sup>17</sup> Table B.2 details the correspondence between region codes and names.

Table B.2: Region Code Mapping

Code	Region	Code	Region
1	Northern Africa	12	South-eastern Asia
2	Eastern Africa	13	Southern Asia
3	Middle Africa	14	Western Asia
4	Southern Africa	15	Eastern Europe
5	Western Africa	16	Northern Europe
6	Caribbean	17	Southern Europe
7	Central America	18	Western Europe
8	South America	19	Australia and New Zealand
9	North America	20	Melanesia
10	Central Asia	21	Micronesia
11	Eastern Asia	22	Polynesia

## A.4 Research Ethics

Interview data cited in this study were originally collected as part of a separate research project under Institutional Review Board-approved protocol STUDY00009416. All participants provided informed consent and are identified anonymously. Interview data were generated through semi-structured interviews with former immigration judges conducted by one of the authors.

<sup>17</sup>These data can be accessed via the United Nations Statistics Division here.