

**JUDICIAL DISCRETION AND STRUCTURAL BIAS IN U.S. ASYLUM  
ADJUDICATIONS:  
THE ROLE OF POLITICAL IDEOLOGY, EXPERIENCE, AND  
REGIONAL CONTEXT**

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Political Science Honors Thesis  
Submitted to the Department of Political Science  
School of Social Sciences, University of California, Irvine  
in fulfillment of the requirements of the  
Honors Program in Political Science and the Campuswide Honors Collegium

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**Spring 2025**

## Acknowledgements

*I would like to thank my father and mother for always instilling in me the value of an education. Their support and sacrifices have shaped every part of who I am. I also want to express my deep gratitude to my family and friends for standing by me throughout this process with unwavering encouragement. My sincere thanks to Professor Sara Wallace Goodman, whose mentorship and guidance were invaluable to the successful completion of this project.*

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## Abstract

Disparities in U.S. asylum adjudications have raised long-standing concerns about fairness and judicial impartiality. Although asylum decisions are expected to reflect legal merit, outcomes often vary significantly depending on the immigration judge assigned to a case. This inconsistency, known as “refugee roulette,” suggests that extralegal factors systematically influence decision-making in asylum proceedings. To examine these influences, I created an original dataset using publicly available sources, compiling information on over 800 immigration judges and their asylum decisions issued from 2019-2024. The dataset includes judges’ political appointment, experience level, and state immigrant density as independent variables, and asylum grant rate as the dependent variable. I used Ordinary Least Squares (OLS) regression to estimate two models: a baseline model testing the independent effects of each variable, and an interaction model examining whether judicial experience moderates the influence of political appointment. In the baseline model, judges appointed by liberal administrations granted asylum at almost 3.99 percentage points higher than conservative appointees ( $p = 0.020$ ). Judges in high immigrant-density states granted asylum 13.15 percentage points more often than those in low-density states ( $p < 0.001$ ). Medium-experience judges granted asylum at significantly lower rates than low-experience judges ( $-4.49$ ,  $p = 0.013$ ), while high experience was not statistically significant ( $p = 0.727$ ). In the interaction model, the effect of liberal appointment was strongest among low-experience judges ( $+9.01$ ,  $p = 0.001$ ), but significantly diminished among medium-experience judges ( $-8.72$ ,  $p = 0.016$ ). The same trend held for high-experience judges ( $-8.99$ ,  $p = 0.109$ ), though not significant. Regional context remained a highly significant predictor across both models. These findings offer empirical evidence that asylum outcomes are shaped not only by legal standards, but also by the political, professional, and geographic conditions under which judges operate—underscoring the complexity of discretion in the U.S. immigration court system.

## Introduction

The U.S. immigration court system holds significant power over the lives of asylum seekers, determining whether individuals fleeing persecution will receive protection or face deportation. Although asylum decisions are expected to follow clear legal standards, a growing body of research has documented wide disparities in outcomes across judges. These discrepancies have raised serious concerns about consistency, fairness, and the role of judicial discretion in what should be a standardized legal process.

The phenomenon commonly referred to as "refugee roulette" highlights the unpredictable nature of asylum adjudication. Identical cases may receive different outcomes depending on which judge hears them, calling into question the neutrality of the process. Such variation suggests that extralegal factors—such as a judge's political background, professional experience, or geographic location—may influence decision-making in ways that extend beyond the legal merits of individual claims.

This thesis examines how three key factors—judicial experience, political appointment, and regional context—shape asylum grant rates in U.S. immigration courts. Each of these variables has been discussed in prior scholarship, but often in isolation. This research builds on existing literature by analyzing how these factors function both independently and in combination, with particular attention to whether judicial experience moderates the effect of political ideology on asylum outcomes.

By exploring these influences, the study contributes to ongoing debates about equity and accountability in the immigration court system. It aims to clarify the extent to which patterns in decision-making reflect broader institutional structures, rather than purely legal reasoning. In

doing so, it reinforces the importance of reform efforts aimed at promoting greater consistency, transparency, and fairness in the adjudication of asylum claims.

## **Literature Review**

The U.S. immigration court system plays a crucial role in adjudicating asylum claims, yet extensive research has shown that asylum outcomes are not solely based on legal merit. Instead, judicial discretion introduces significant variability, leading to systematic disparities in how cases are decided (Ramji-Nogales, Schoenholtz, & Schrag, 2007). These disparities raise concerns about judicial impartiality and due process, as similarly situated asylum seekers may receive drastically different outcomes depending on the judge assigned to their case. This literature review examines the factors contributing to these inconsistencies, with a focus on judicial experience, political ideology, and regional context. By synthesizing prior research on asylum adjudication, it highlights how these variables shape judicial behavior, contributing to broader discussions on judicial fairness and potential policy reforms to improve the integrity of the immigration court system.

### **Variability in Asylum Adjudication: The "Refugee Roulette" Phenomenon**

One of the most widely recognized issues in asylum adjudication is its unpredictability. The concept of "refugee roulette", introduced by Ramji-Nogales et al. (2007), describes the extent to which asylum outcomes vary dramatically based on the judge hearing the case, rather than the facts of the asylum claim. Their analysis of 133,000 asylum officer decisions and 140,000 immigration judge decisions found stark disparities, with asylum grant rates ranging from 0% to 98% among different judges, even for applicants from the same country and with similar case profiles. These findings suggest that asylum adjudications are subject to significant judicial discretion, raising fundamental concerns about fairness and due process. Further

supporting this notion, Rachlinski and Wistrich (2017) examined extralegal influences on judicial decision-making, such as race, gender, and socioeconomic status. Their study suggests that judges frequently rely on intuition and heuristics rather than strict legal reasoning, introducing bias and unpredictability into asylum rulings. This underscores the role of individual judicial characteristics in shaping asylum outcomes, a key focus of this study.

### **Judicial Experience and Decision-Making Consistency**

One of the primary factors influencing asylum outcomes is judicial experience. More experienced judges are expected to develop a better understanding of asylum law, which may lead to greater consistency in decision-making. However, research has shown that experience does not completely eliminate subjectivity. Raman, Vera, and Manna (2022) employed machine learning techniques to analyze six million immigration court proceedings, identifying a correlation between judicial tenure and decision stability. Their findings indicate that experienced judges exhibit greater consistency in their rulings, suggesting that training and long-term exposure to asylum law reduce volatility in decision patterns. Similarly, Chen (2019) applied predictive judicial analytics to examine inconsistencies in judicial rulings. His study found that inexperienced judges exhibited greater variability in asylum grant rates, suggesting that decision-making stabilizes with experience. However, experience alone did not eliminate biases, particularly in cases involving politically sensitive asylum claims. This suggests that factors beyond experience, such as political ideology and regional context, continue to influence asylum decisions.

### **Political Bias in Asylum Decisions**

Unlike Article III judges, who are appointed for life, immigration judges serve at the discretion of the Attorney General and are overseen by the Executive Office for Immigration

Review (EOIR). As a result, they are more susceptible to political influence, and asylum approval rates fluctuate based on the administration in power. The Harvard Law Review (2023) highlights how the structure of the immigration court system compromises judicial neutrality, as immigration judges function more as extensions of enforcement institutions than as independent adjudicators. This structural design has led to significant concerns about political bias in asylum adjudications. Empirical research supports this concern. Raman et al. (2022) used machine learning analysis to demonstrate that judges appointed by conservative administrations were significantly less likely to grant asylum than those appointed by liberal administrations. This aligns with prior research showing that immigration judges' rulings reflect the priorities of the administrations that appointed them. Under conservative administrations, asylum grant rates tend to decline, whereas under liberal administrations, they tend to increase. This trend suggests that political ideology shapes judicial decision-making, reinforcing the argument that asylum adjudications are not purely legal determinations but are influenced by external political pressures.

### **Regional Context and Judicial Discretion**

Beyond judicial experience and political ideology, the regional context in which an immigration judge operates also influences asylum decisions. Judges in jurisdictions with large immigrant populations may develop different perspectives on asylum cases compared to those in regions with fewer immigrants. Glyniadaki (2024) examined asylum adjudications in Germany and Greece, finding that judges often experience moral dilemmas when balancing bureaucratic efficiency with personal beliefs about asylum seekers. This tension leads to inconsistencies in decision-making, even within the same judicial system.



In the U.S., research suggests that asylum grant rates differ significantly by region. Judges in New York and California, where immigration is a highly visible social and political issue, tend to be more lenient, whereas those in states with restrictive immigration policies impose harsher rulings (Ramji-Nogales et al., 2007). This variation in asylum outcomes based on geographic region suggests that asylum adjudications are not solely dictated by legal merit, but rather by local socio political climates, reinforcing concerns about judicial subjectivity in immigration courts.

### **Proposed Solutions for Addressing Bias and Variability**

Given the substantial evidence of inconsistency and bias in asylum adjudications, scholars have proposed various reforms to enhance fairness and judicial impartiality. One widely advocated solution is the creation of an Article I immigration court system, which would remove immigration judges from executive branch oversight and establish them as independent adjudicators. The Harvard Law Review (2023) argues that such a system would reduce political interference by ensuring that immigration judges are not subject to changes in presidential administrations or enforcement priorities. This structural reform would provide asylum seekers with a more impartial judicial process, mitigating the influence of partisan policy shifts on asylum grant rates.

In addition to judicial independence, enhanced judicial training has been proposed as a way to address implicit bias and decision-making inconsistencies. Research suggests that immigration judges, particularly those with less experience, may rely on intuition rather than strictly adhering to legal precedent, introducing subjectivity into asylum rulings (Rachlinski & Wistrich, 2017). Standardized training programs focusing on asylum law, cognitive bias awareness, and cultural competency could help judges develop more consistent and legally

grounded adjudication practices. This aligns with findings from Raman, Vera, and Manna (2022), who suggest that experienced judges exhibit greater consistency and that structured training may help reduce decision volatility among newer judges.

Another proposed reform is the establishment of independent appellate review to introduce greater oversight and accountability in immigration courts. Under the current system, the Board of Immigration Appeals (BIA) operates under the Department of Justice, limiting its independence. Scholars argue that an autonomous appellate body could review asylum decisions for consistency and correct outlier rulings, ensuring that decisions are not influenced by the political preferences of individual judges. By implementing a transparent appeals process, judicial accountability would be strengthened, reducing the potential for arbitrary decision-making.

Technological advancements, particularly machine learning and predictive judicial analytics, offer additional tools for improving judicial oversight. Chen (2019) argues that algorithmic assessments could be used to identify patterns of inconsistency in judges' asylum decisions, flagging cases where statistical anomalies suggest potential bias. This technology could help detect judges with extreme approval or denial rates, allowing for targeted interventions such as additional training, case audits, or reviews of their rulings. While machine learning cannot eliminate bias entirely, it presents a data-driven approach to ensuring greater objectivity and uniformity in asylum adjudications.

Ultimately, addressing the systemic disparities in asylum decision-making requires a multifaceted approach that combines institutional reforms, judicial training, independent review mechanisms, and technological oversight. By reducing political influence, enhancing legal consistency, and introducing data-driven accountability, these reforms aim to create a more

impartial and equitable immigration court system. This study builds on these recommendations by empirically analyzing the extent to which judicial experience, political bias, and regional context shape asylum decisions, contributing to ongoing discussions on immigration court reform and policy improvements.

## **Expectations / Hypothesis**

The U.S. immigration court system is characterized by significant judicial discretion, leading to inconsistencies in asylum decisions. This study aims to examine the extent to which judicial experience, political bias, and regional context influence asylum adjudications. Based on prior research, several hypotheses emerge regarding the factors that shape judicial decision-making.

One of the primary expectations is that judges with more experience will demonstrate greater consistency in their asylum decisions. Judges who have served on the bench for many years are expected to develop a deeper understanding of asylum law, which could lead to more stable and predictable outcomes. This expectation aligns with the **Experience Consistency Hypothesis**, which posits that as judges gain experience, their decisions become more legally grounded rather than influenced by external factors. If this hypothesis holds true, the data should reveal lower variability in decisions among experienced judges compared to their less experienced counterparts.

Another significant factor influencing asylum adjudications is political ideology. Since immigration judges in the U.S. are appointed by the executive branch, there is reason to believe that their decision-making may reflect the political priorities of the administration that appointed them. **The Political Bias Hypothesis** suggests that judges appointed by conservative administrations will be less likely to grant asylum compared to those appointed by liberal

administrations. Prior studies have found disparities in asylum approval rates based on judicial appointment, indicating that political ideology may play a role in shaping legal interpretations and discretionary rulings. If this hypothesis is correct, the data should reveal a statistically significant difference in approval rates between judges appointed by conservative and liberal administrations.

Beyond individual judicial traits, regional context is expected to play a role in shaping asylum decisions. Judges presiding in jurisdictions with higher immigrant populations may develop a different perspective on immigration cases compared to those in regions with fewer immigrants. **The Regional Leniency Hypothesis** suggests that judges in areas with large immigrant communities will be more lenient in granting asylum. This hypothesis is based on the assumption that local attitudes toward immigration can influence judicial behavior, either directly through exposure to diverse immigrant populations or indirectly through prevailing social and political norms in the region. If this expectation holds, then asylum approval rates should be higher in states or judicial districts with large immigrant populations.

Furthermore, it is anticipated that political bias will have a more pronounced effect on less experienced judges compared to those with extensive judicial tenure. **The Interaction Hypothesis** proposes that while political ideology influences all judges to some extent, its impact is mitigated by experience. More experienced judges may rely more on their legal expertise than on ideological preferences, whereas newer judges may be more susceptible to the influence of the political administration that appointed them. If this hypothesis is correct, then asylum approval rates should be more stable among experienced judges regardless of political affiliation, while less experienced judges may exhibit stronger partisan tendencies in their decisions.

To test these hypotheses, this study will analyze asylum decision records using statistical models such as linear regression and comparative analysis. Key independent variables will include judicial experience (measured in years of service), political appointment (categorized by conservative or liberal administrations), and court location (determined by immigrant population density). The dependent variable will be the asylum grant rate per judge. While this study anticipates challenges in data accessibility—such as limited public information on judicial decision patterns and political affiliations—using reference categories in a Ordinary Least Squares regression analysis as treatment will help to mitigate confounding variables.

In summary, this study hypothesizes that judicial experience leads to greater consistency, political appointment affects asylum approval rates, regional context influences judicial leniency, and systemic factors contribute to decision-making disparities. By empirically analyzing these relationships, this research aims to provide insights into the mechanisms that shape judicial discretion in U.S. immigration courts and to contribute to broader discussions on judicial impartiality and immigration policy reform.

## **Research Design and Methodology**

This study adopts a quantitative research approach to investigate how judicial experience, political ideology, and regional context influence asylum adjudications in U.S. immigration courts. The goal is to identify whether asylum outcomes vary systematically based on who the judge is, where they serve, and under which administration they were appointed. Drawing on publicly available data and employing regression-based statistical analysis, the study seeks to empirically assess the mechanisms driving judicial variability and discretion in asylum grant rates.

The dataset includes immigration judge decisions from 2019 to 2024, a five-year window selected for its contemporary relevance and data availability. This time frame captures a politically dynamic period in U.S. immigration history marked by shifting policies, administrative transitions, and procedural disruptions caused by the COVID-19 pandemic. While this scope allows for analysis of current patterns, it may not fully capture long-term trends in judicial behavior and should be interpreted as reflecting recent institutional dynamics rather than enduring norms.

The sample consists of 823 immigration judges for whom complete information was available on asylum grant rates, years of service, political appointment, and court location. Judges with missing or incomplete records were excluded to preserve analytical consistency and reduce measurement error. The dependent variable is the percentage of asylum decisions granted by each judge.

To assess judicial experience, judges were categorized into three groups: low (0–5 years), medium (6–15 years), and high (16+ years). These categories were chosen to reflect meaningful phases in a judge’s career trajectory. Judges in their first five years are likely still developing adjudicative practices and familiarity with asylum law, while those in the medium range may have internalized institutional expectations and case-management strategies. Judges with over sixteen years of service are considered highly experienced and likely more insulated from ideological pressures due to their deep familiarity with immigration law and courtroom procedure. While these categories facilitate clear comparisons, they inevitably compress a continuous variable and may overlook nuanced differences within each group.

Political ideology was determined based on the party affiliation of the U.S. Attorney General at the time of a judge’s appointment. This operationalization reflects the structural

reality of the immigration court system, which is housed under the Department of Justice rather than the judicial branch. However, relying on attorney general affiliation introduces some complexity, especially during presidential transitions, such as in early 2021, when the party affiliation of the Attorney General did not always align with that of the sitting president. Although such transitional appointments are rare, they highlight the challenges of using appointment data as a consistent proxy for ideological leanings.

Regional context was operationalized through state-level immigrant population density, categorized as low, medium, or high using U.S. Census data. This measure offers a standardized indicator of the demographic environments in which judges operate and provides insight into how local context might influence judicial behavior. However, assigning density at the state level—rather than by specific immigration court or city—may obscure meaningful intra-state variation. For instance, a judge based in a large metropolitan area may face substantially different case dynamics than one in a more rural setting within the same state.

Data for this analysis were drawn from multiple credible sources. The primary source was the Transactional Records Access Clearinghouse (TRAC), which provides judge-level asylum grant data, years of experience, and political appointment details. Additional information was obtained from the Executive Office for Immigration Review (EOIR) and regional demographic data from the U.S. Census Bureau. These sources were selected to minimize selection bias and ensure the accuracy of the dataset.

To evaluate the relationships among variables, this study employed two Ordinary Least Squares (OLS) regression models. The first, a baseline model, examined the independent effects of judicial experience, political appointment, and regional context on asylum grant rates. The second model included interaction terms between judicial experience and political appointment

to assess whether political ideology has a different impact depending on a judge's tenure. This allowed for a more nuanced understanding of whether newer judges are more ideologically driven than their more experienced counterparts.

In addition to the regression models, descriptive statistics and comparative analyses were used to calculate average asylum grant rates across different groups. Data visualizations such as bar charts and coefficient plots were included to illustrate disparities and trends.

While these methods provide meaningful empirical insights, several limitations should be acknowledged. First, measuring immigrant population density at the state level—rather than at the level of specific immigration courts or cities—may obscure important intra-state variation. A judge working in a densely populated urban area may encounter vastly different caseloads, community dynamics, and advocacy resources than a judge in a more rural setting within the same state, but these distinctions are not captured by state-level classifications. Second, the use of attorney general political affiliation as a proxy for judicial ideology is structurally appropriate given the organizational role of the Department of Justice in overseeing the immigration courts. However, this measure may not reflect the individual ideological orientations of judges themselves. Judges appointed by the same administration may still hold differing personal beliefs, and brief transition periods between administrations—when a judge may be appointed by an acting attorney general—further complicate the ideological classification. Lastly, categorizing judicial experience into low (0–5 years), medium (6–15 years), and high (16+ years) facilitates comparative analysis but simplifies what is inherently a continuous variable. This grouping may mask meaningful differences within each category—for example, between a judge with six years of experience and one with fifteen—who may differ in training, exposure, and decision-making consistency, yet are classified identically in the model.



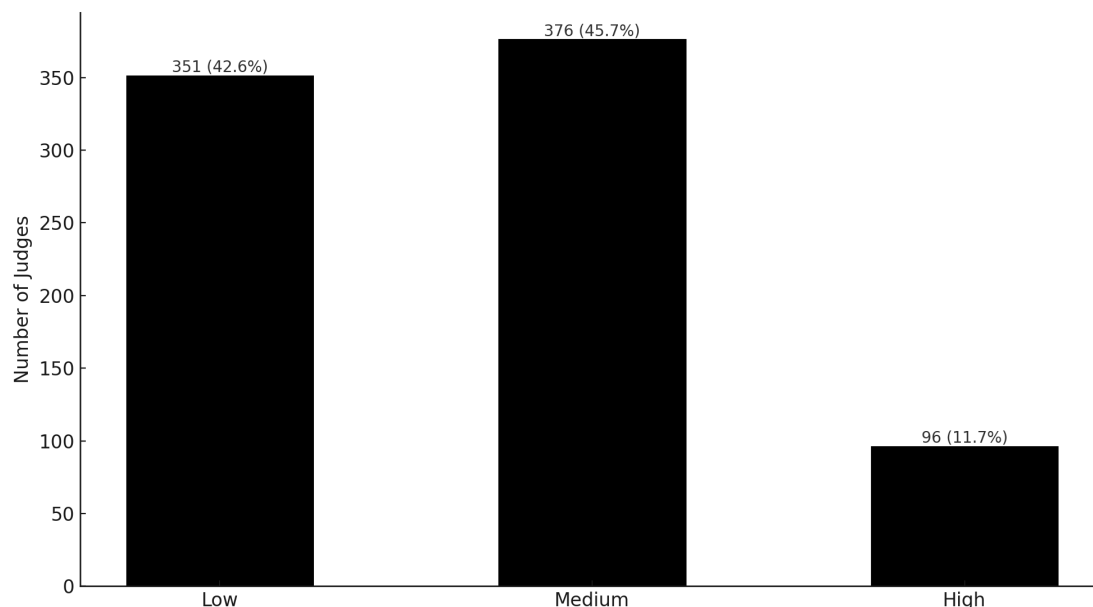
From an ethical standpoint, this study does not involve human subjects and relies solely on publicly accessible data. No identifying information about individual asylum seekers was collected, and judges' names were anonymized in all reported findings. Ethical research practices were strictly followed to ensure objectivity, accuracy, and professional confidentiality.

In summary, this study applies a structured, data-driven approach to assess how institutional and contextual factors shape asylum adjudications in the U.S. immigration court system. By integrating TRAC data, EOIR reports, demographic indicators, and advanced statistical modeling, the research seeks to contribute to a better understanding of judicial discretion, the persistence of bias, and the need for reform in one of the country's most impactful yet understudied legal arenas.

## **Results**

The dataset reveals clear patterns in the distribution of judges based on their judicial experience, political appointment, and the immigrant population density of the areas they serve.

Figure 1. Distribution by Judicial Experience



Among the judges included in the analysis, the most common level of judicial experience is medium, accounting for 376 judges, or approximately 45.7% of the sample. This is followed by 351 judges (42.6%) who fall into the low experience category. Judges with high levels of experience make up the smallest group, with 96 judges, representing 11.7% of the dataset.

In terms of political appointment, the distribution is nearly even, though slightly weighted toward conservative administrations. A total of 429 judges (52.1%) were appointed by conservative administrations, while 394 judges (47.9%) were appointed by liberal administrations.

Figure 2. Distribution by Political Appointment

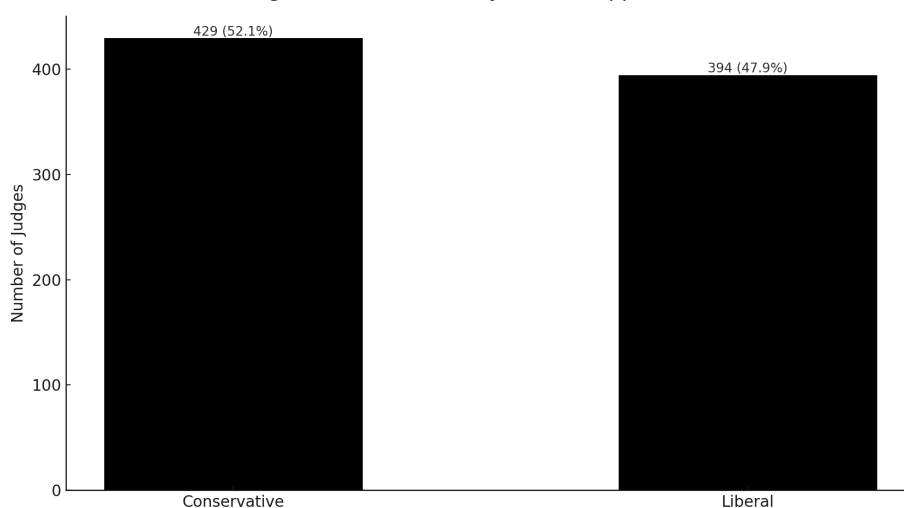
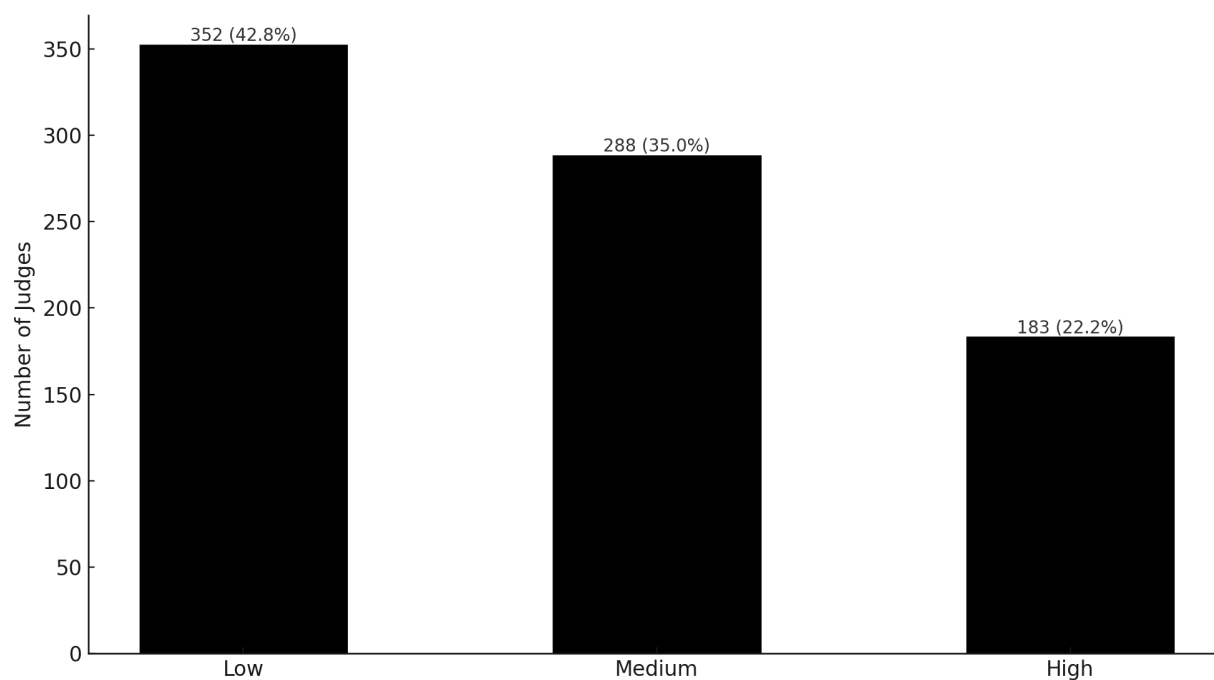


Figure 3. Distribution by Immigration Population Density



With respect to immigrant population density, most judges serve in areas with low levels of immigrant population. Specifically, 352 judges (42.8%) are located in low-density areas, followed by 288 (35.0%) in medium-density areas, and 183 (22.2%) in high-density areas.

Figure 4. Mean Asylum Grant Rate by Political Appointment

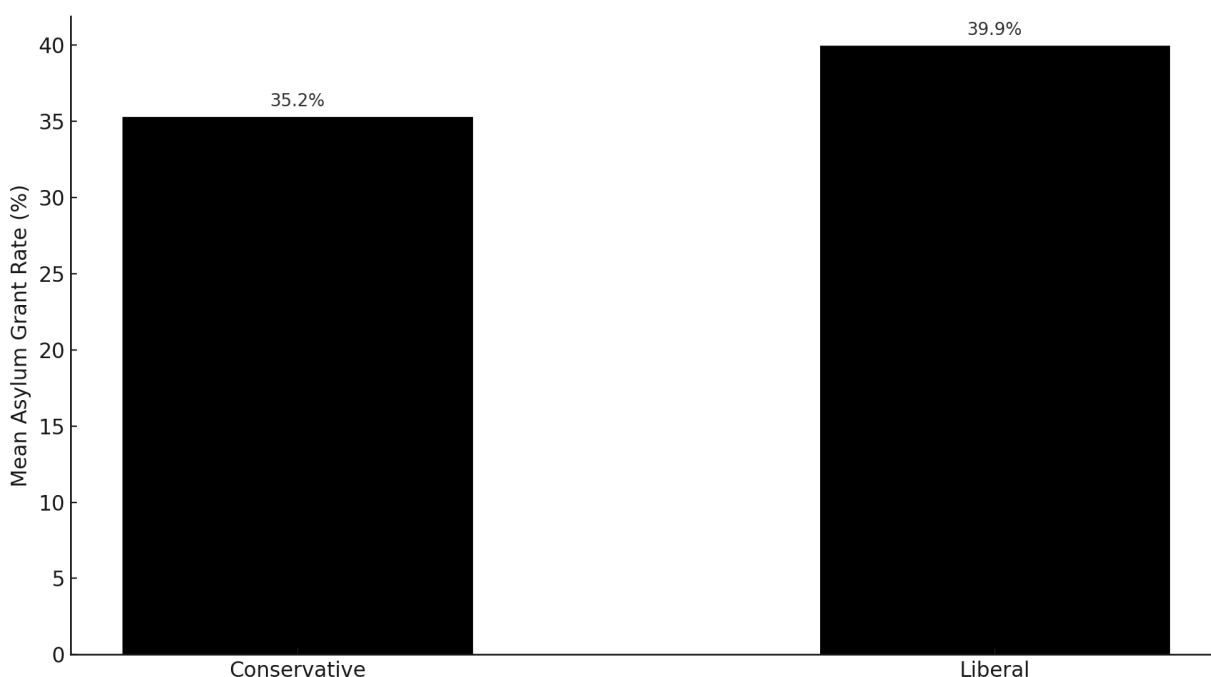
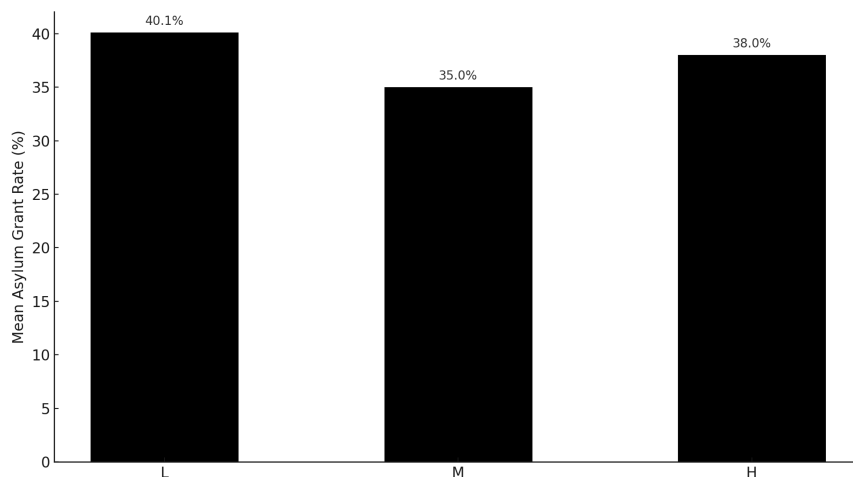


Figure 4, displays the mean asylum grant rates for judges appointed by conservative and liberal administrations. Judges appointed by liberal administrations granted asylum at a slightly higher average rate (39.92%) compared to those appointed by conservative administrations (35.25%).

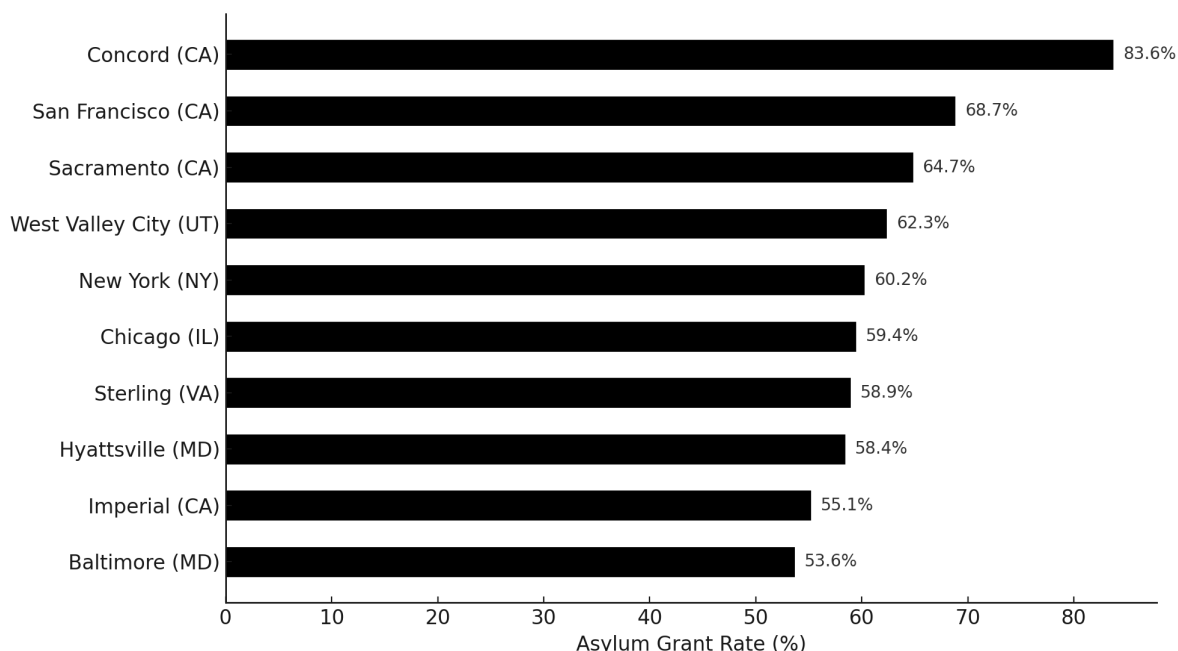
Figure 5 illustrates the average asylum grant rates by judicial experience. Judges with low experience had the highest average grant rate (40.05%), followed by high-experience judges (37.95%). Medium-experience judges had the lowest average grant rate at 34.97%.

Figure 5. Mean Asylum Grant Rate by Judicial Experience



The third chart highlights the top 10 immigration courts with the highest mean asylum grant rates. Among these, **Concord (CA)** stood out with a substantially higher average grant rate of **83.65%**, suggesting considerable variation in outcomes based on court jurisdiction.

Figure 6. Top 10 Courts (State in Parentheses) by Asylum Grant Rate (%)



Statistical modeling was used to evaluate the relationship between judicial experience, political appointment, and regional context on asylum approval rates. The data was primarily analyzed using an ordinary least squares (OLS) regression model with categorical independent variables. The dependent variable is the percentage of asylum decisions granted by each judge.

Initial findings revealed substantial variability in asylum grant rates across judges. While some judges approved asylum in fewer than 5% of cases, others had approval rates exceeding 70%, supporting prior research on inconsistency in asylum adjudications. The mean asylum grant rate weighted by the number of cases each judge decided is 40.58%.

The regression model included three categorical independent variables: judicial experience (low, medium, high), political appointment (liberal or conservative), and immigrant population density (low, medium, high).

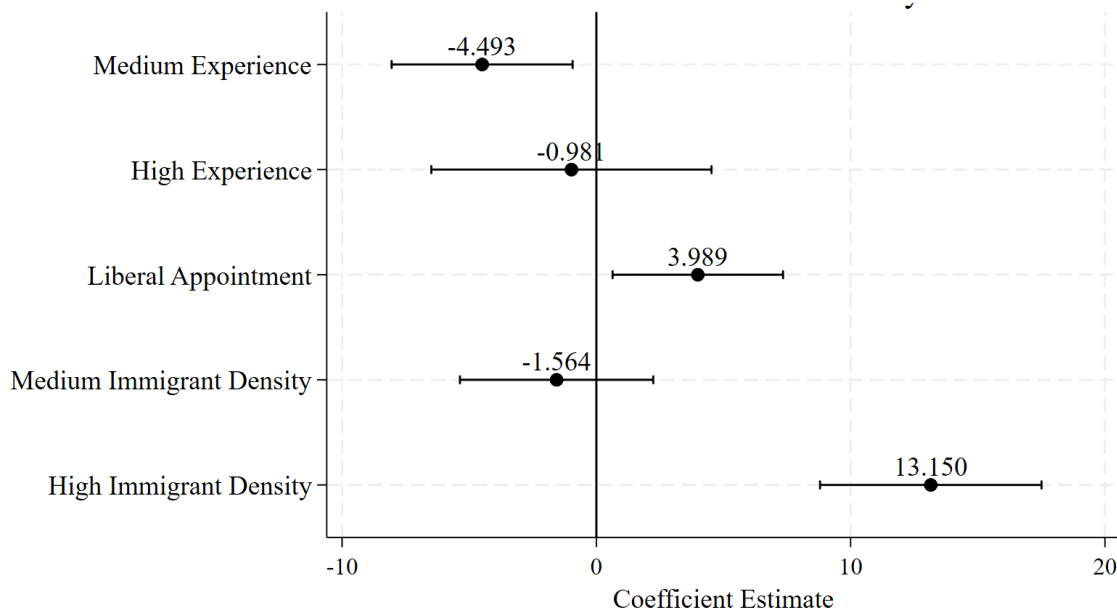
Table 1. Baseline OLS Regression Predicting Asylum Grant Rates

	Coef	St.Err.	t-value	p-value	[95% Conf	Interval]	Sig
Constant	35.366	1.866	18.95	0	31.702	39.029	***
<b>Judicial Experience</b>							
Medium	-4.493	1.813	-2.48	.013	-8.052	-.934	**
High	-.981	2.807	-0.35	.727	-6.49	4.529	
<b>Political Appointment</b>							
Liberal	3.989	1.707	2.34	.02	.639	7.34	**
<b>Immigrant Pop. Density</b>							
Medium	-1.564	1.936	-0.81	.419	-5.365	2.237	
High	13.15	2.219	5.93	0	8.795	17.505	***
Mean dependent var		37.485	SD dependent var			25.142	
R-squared		0.069	Number of obs			823	
F-test		12.185	Prob > F			0.000	
Akaike crit. (AIC)		7594.993	Bayesian crit. (BIC)			7623.271	

\*\*\*  $p < .01$ , \*\*  $p < .05$ , \*  $p < .1$

Note: Reference categories are: Low Judicial Experience, Conservative Appointment, and Low Immigrant Population Density. The constant represents the predicted asylum grant rate for judges in all reference categories.

Figure 7. Coefficient Plot: Predictors of Asylum Grant Rate



Note: Coefficient plot with 95% confidence intervals for predictors of asylum grant rates. Reference categories: Low Judicial Experience, Conservative Appointment, Low Immigrant Density. Estimates shown with 3-decimal precision.

The regression analysis examined how judicial experience, political appointment, and regional immigrant population density are associated with the percentage of asylum decisions granted by U.S. immigration judges. The dependent variable was the percentage of asylum grants per judge. Each categorical variable was coded with “Low” as the reference category for judicial experience and immigrant population density, and “Conservative” as the reference category for political appointment. The model’s R-squared value was 0.069, indicating that approximately 6.9% of the variation in asylum grant rates is explained by the three independent variables.

The intercept represents the baseline asylum grant rate for a judge with low judicial experience, appointed by a conservative administration, and serving in a region with low immigrant population density. The estimated intercept coefficient was 35.37, indicating that, on average, judges with this profile granted asylum in 35.37% of cases.

For the variable Judicial Experience, two levels were included: “Medium” and “High,” with “Low” serving as the reference. The coefficient for medium experience was -4.49, indicating that judges with medium levels of experience granted asylum at a rate 4.49 percentage points lower than those with low experience. This coefficient was statistically significant ( $p = 0.013$ ). The coefficient for high experience was -0.98, suggesting a slightly lower grant rate compared to judges with low experience, but this result was not statistically significant ( $p = 0.727$ ).

For the variable Immigrant Population Density, the coefficient for medium density was -1.56, indicating that judges serving in jurisdictions with medium immigrant density granted asylum at a rate 1.56 percentage points lower than those in low-density areas. This coefficient was not statistically significant ( $p = 0.419$ ). Conversely, the coefficient for high density was

+13.15, meaning that judges in high immigrant density areas granted asylum at a rate 13.15 percentage points higher than those in low-density regions. This result was highly statistically significant ( $p < 0.001$ ).

Regarding Political Appointment, the model compared liberal appointees to the conservative reference group. The coefficient for liberal appointment was +3.99, indicating that judges appointed by liberal administrations granted asylum at a rate 3.99 percentage points higher than those appointed by conservative administrations. This result was statistically significant ( $p = 0.020$ ).

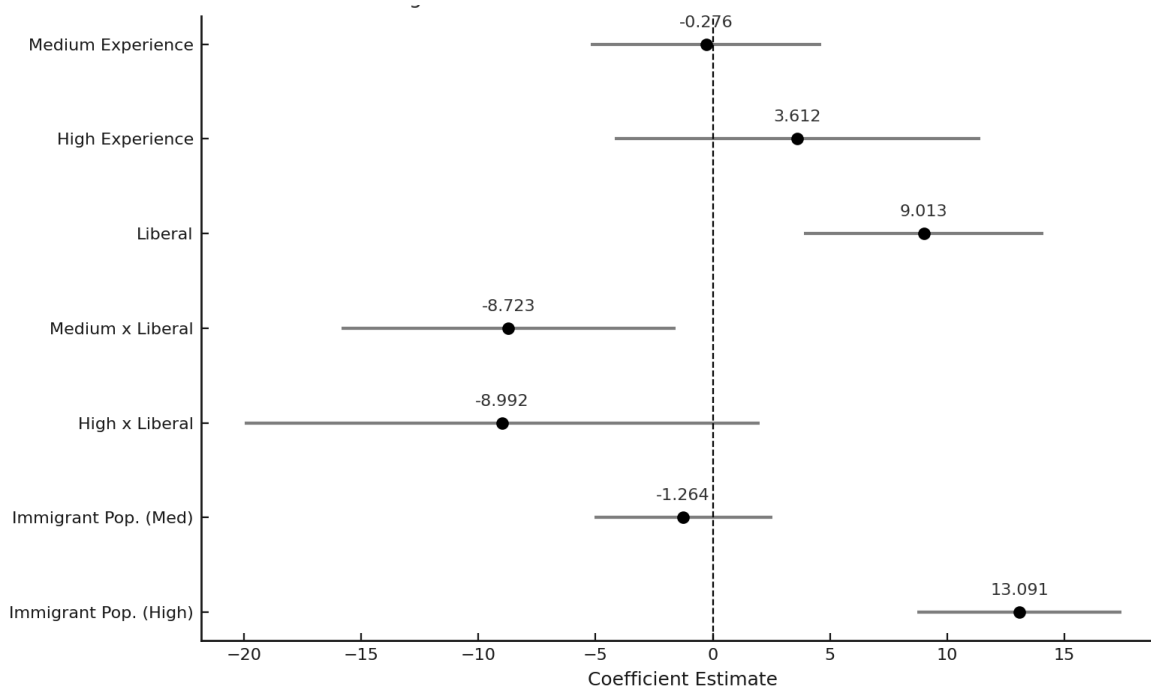


**Table 2: OLS Regression: Judicial Experience x Political Appointment**

Variable	Coef.	St.Err.	t-value	p-value	[95% Conf	Interval]	Sig
Constant	32.648	2.145	15.22	0	28.438	36.859	***
<b>Judicial Experience</b>							
Medium Experience	-.276	2.506	-0.11	.912	-5.195	4.643	
High Experience	3.612	3.973	0.91	.364	-4.187	11.412	
<b>Political Appointment</b>							
Liberal	9.013	2.603	3.46	.001	3.903	14.122	***
<b>Interaction Terms</b>							
Medium x Liberal	-8.723	3.629	-2.40	.016	-15.846	-1.6	**
High x Liberal	-8.992	5.598	-1.61	.109	-19.982	1.997	
<b>Immigrant Pop. Density</b>							
Medium	-1.264	1.935	-0.65	.514	-5.063	2.534	
High	13.091	2.214	5.91	0	8.744	17.437	***
Mean dependent var		37.485	SD dependent var			25.142	
R-squared		0.077	Number of obs			823	
F-test		9.681	Prob > F			0.000	
Akaike crit. (AIC)		7592.449	Bayesian crit. (BIC)			7630.153	

\*\*\*  $p < .01$ , \*\*  $p < .05$ , \*  $p < .1$

Note: Reference categories are Low Judicial Experience, Conservative Appointment, and Low Immigrant Population Density. Interaction terms show the effect of being Liberal at different experience levels.

**Figure 8. Coefficient Plot with 95% Confidence Intervals from Interaction Model of Asylum Grant Rates**

Note. Coefficient plot with 95% confidence intervals from an OLS regression including interaction terms between judicial experience and political appointment. Reference categories: Low Experience, Conservative Appointment, and Low Immigrant Population Density.

To assess whether the effect of political ideology on asylum grant rates varies by judicial experience, an additional OLS regression model was conducted incorporating interaction terms between Judicial Experience and Political Appointment. This model builds on the baseline regression by evaluating whether experience moderates the relationship between political appointment and decision-making outcomes.

The results revealed a statistically significant negative interaction between medium judicial experience and liberal appointment. Specifically, judges with medium experience appointed by liberal administrations granted asylum at rates 8.72 percentage points lower than would be expected based on the independent effects of medium experience and liberal appointment alone ( $p = 0.016$ ). This suggests that the influence of political ideology is dampened among judges with moderate experience. The interaction between high experience and liberal appointment was also negative, with a coefficient of  $-8.99$ , but this result did not reach statistical significance ( $p = 0.109$ ). While the direction of the coefficient suggests that liberal appointees with high experience were also less ideologically distinct from their conservative peers, the lack of statistical significance limits the strength of this inference.

The model's R-squared value was 0.077, indicating that approximately 7.7% of the variation in asylum grant rates across judges is explained by the included variables and their interactions, slightly higher than the previous model.

## **Analysis & Discussion**

This study set out to evaluate four key hypotheses concerning judicial discretion in U.S. asylum adjudications: (1) that judicial experience fosters more consistent and legally grounded decision-making, (2) that political ideology influences judges' likelihood of granting asylum, (3) that regional context shapes judicial leniency, and (4) that the influence of political ideology is

moderated by judicial experience. The findings offer partial support for each of these hypotheses, highlighting the complex and multifactorial nature of immigration court decision-making.

The **Experience Consistency Hypothesis** proposed that judges with greater judicial experience would exhibit more stable and predictable asylum grant rates. However, the regression results did not support this expectation. In the baseline OLS model, judges with medium levels of experience granted asylum at significantly lower rates than their less experienced counterparts (−4.49 percentage points,  $p = 0.013$ ), while judges with high experience showed no significant difference in grant rates (−0.98,  $p = 0.727$ ). These findings suggest that experience alone does not lead to more consistent or lenient outcomes. In fact, the significant decrease in asylum grants among medium-experience judges may reflect internalization of bureaucratic norms or a more conservative interpretation of asylum law during early tenure, rather than improved legal consistency. Thus, experience appears to influence grant rates in non-linear ways and does not provide the consistency predicted by prior scholarship.

The **Political Bias Hypothesis** posited that judges appointed by conservative administrations would be less likely to grant asylum compared to those appointed by liberal administrations. The results offer clear support for this claim. In the baseline model, liberal appointees were significantly more likely to grant asylum than conservative appointees, with a coefficient of +3.99 ( $p = 0.020$ ). This pattern remained robust across models and is consistent with previous research showing that immigration judges, unlike Article III judges, are highly susceptible to the political orientation of the administration that appointed them. These findings reinforce concerns that asylum adjudications are shaped not purely by legal criteria, but by partisan priorities that influence judicial appointments.

The **Regional Leniency Hypothesis** also received strong support from the data. Judges serving in jurisdictions with high immigrant population density granted asylum at rates 13.15 percentage points higher than those in low-density areas ( $p < 0.001$ ). This result was consistent across both regression models. It suggests that exposure to larger immigrant populations—perhaps through case diversity, community norms, or localized understandings of asylum claims—correlates with greater judicial leniency. By contrast, judges in medium-density areas did not differ significantly from those in low-density regions, implying that the effect is most pronounced in the most immigrant-saturated jurisdictions. This supports the idea that immigration courts are not insulated from regional attitudes and social contexts, which in turn influence judicial discretion.

Finally, the **Interaction Hypothesis** proposed that the effect of political ideology would be strongest among less experienced judges and diminish with increased judicial tenure. The model that included interaction terms between judicial experience and political appointment provided mixed but compelling evidence for this claim. The interaction between medium experience and liberal appointment was statistically significant and negative ( $-8.72$ ,  $p = 0.016$ ), indicating that among judges with moderate experience, the political effect of liberal appointment was substantially reduced. While the interaction between high experience and liberal appointment followed the same direction ( $-8.99$ ), it did not reach statistical significance ( $p = 0.109$ ). Together, these findings suggest that political ideology plays a more influential role early in a judge's tenure and becomes less predictive of outcomes as judges gain experience. This is consistent with the hypothesis that newer judges may feel more pressure to align with the preferences of their appointing administration, while more seasoned judges may prioritize legal norms, institutional practice, or professional independence over political expectations.

One of the most compelling findings to emerge from this research was the magnitude and consistency of the effect of regional context on asylum outcomes. Judges serving in states with high immigrant population densities granted asylum at rates more than 13 percentage points higher than their peers in low-density states—a difference that remained both statistically and substantively significant across all models. This regional disparity outpaced even the effect of political ideology in some specifications and highlights the critical role that local context and community norms may play in shaping judicial behavior. Unlike political or experiential factors, which may interact and evolve over time, the influence of location appears stable and immediate. This suggests that geographic assignment alone can structure judicial discretion, raising important questions about fairness, consistency, and access to justice for asylum seekers across different regions of the United States.

Overall, these findings support the broader claim that asylum adjudications are shaped by a combination of individual, institutional, and contextual factors. While political ideology and regional setting clearly impact judicial behavior, experience plays a more complex, moderating role. Contrary to the assumption that experience leads to uniformity, this study finds that its primary function may be to buffer judges against the more overt effects of partisanship. The results point to the need for reforms aimed at reducing ideological bias and regional inconsistency—such as independent judicial appointments, enhanced training, and structural protections for impartiality. By identifying where discretion becomes distortion, this research underscores the importance of strengthening consistency and fairness in the U.S. immigration court system.

## Conclusion

When I began this research, I was driven by a simple yet urgent question: Why do asylum outcomes in the United States vary so drastically from judge to judge? As I moved through the data, theory, and patterns hidden in regression models, the complexity of that question only deepened. This thesis set out to test whether judicial experience, political appointment, and regional context shape asylum decisions—and what I found is that justice in the immigration system, while theoretically grounded in law, is deeply shaped by where a judge sits, who appointed them, and how long they've served.

Some of the results affirmed existing critiques. Political appointment clearly matters, especially for newer judges who may still feel tethered to the ideological leanings of the administration that selected them. Regional context mattered even more—judges in high-density immigrant states consistently granted asylum at significantly higher rates. This result surprised me not because it existed, but because of how pronounced and persistent it was. It reminded me that law does not operate in a vacuum; it is practiced by human beings embedded in communities, cultures, and institutions.

Not everything I found fit neatly into my expectations. The fact that medium-experience judges granted asylum at significantly lower rates than even new appointees suggests that institutional norms or internal pressures might harden in unexpected ways mid-career. It challenges assumptions I held about experience naturally improving fairness. Instead, experience appeared to moderate other variables—tempering political bias over time, but not necessarily producing more lenient outcomes on its own.

This project taught me more than just how to run statistical models or construct a clean coefficient plot. It taught me how to approach law as a lived system—one that is shaped by

design, but equally by discretion. It is one thing to read about “refugee roulette,” but it is another to quantify it and watch it appear in the numbers across hundreds of judges. As I move forward in my academic and legal journey, I carry with me a deeper appreciation for how data and policy intersect, and how empirical research can be a tool for uncovering imbalance and pushing toward reform.

Ultimately, this thesis is a contribution to the broader conversation on asylum adjudication. I hope it adds clarity to the structural patterns that govern asylum adjudications, and that it reinforces the urgency of making the system more just, consistent, and human. Because behind every data point in this study is a life, a story, and a plea for safety—and that is what makes this work matter.

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