



Centre for Studies in Economics and Finance

WORKING PAPER NO. 790

Relationship-Specific Capital in Public Decision-Making: Evidence from Judges and Lawyers

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July 2026



University of Naples Federico II



University of Salerno



Bocconi University, Milan

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Relationship–Specific Capital in Public Decision-Making: Evidence from Judges and Lawyers

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Abstract

Public decision makers often repeatedly interact with the same specialized agents. These interactions may generate relationship–specific capital which can affect information transmission and, ultimately, outcomes. We study this mechanism in appellate adjudication, using all judgments issued by the Italian Supreme Court of Cassation from 2017 to 2022. We reconstruct the interaction history between each lawyer and judge panel and find that a one-standard-deviation increase in cumulative number of matches is associated with a 5–7% higher probability of victory relative to the mean. Survey evidence, fielded of lawyers admitted to practice before the Court, points to panel–specific learning as the most plausible mechanism, with ambiguous normative implications for equal access to public decision makers.

Keywords: Repeated interactions; Relationship–specific capital; Public decision-making.

JEL Classification: D73; K41; D02; K40.

Acknowledgments: We would like to thank Maria Rosaria Carillo, Rosario Crinò, Giuseppe Dari Mattiacci, Luigi Alberto Franzoni, Mario Rosario Lamberti, Monica Langella, Lorenzo Pandolfi, Marco Pagano, Nicola Persico, Elia Sartori, Tanguy van Ypersele, Alberto Zazzaro and participants at the Amse–Lagv conference on Public Economics (Aix–en Provence, 2026), at the seminar series of the University of Naples Parthenope (Naples, 2025), and at the Law, Markets, and Public Policy summer workshop (Acciaroli, 2025). This study was reviewed and approved by the “Comitato Etico Per Le Attività Non Biomediche” of the Università degli Studi di Napoli Federico II (PG/2026/0010985). This work was supported by the European Commission – Next Generation EU, part of the GRINS – Growing Resilient, Inclusive and Sustainable Project framework (GRINS PE00000018 – CUP E63C22002140007). The views expressed in this project are those of the authors and do not reflect those of the European Commission.

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1 Introduction

In many decision-making settings, repeated interactions are a key mechanism through which economic agents learn about one another. In markets, organizations, and professional services, they can improve information transmission, sustain reputation, build trust, and reduce uncertainty about counterpart behavior, generating substantial efficiencies. Yet the same mechanism may also create relationship-specific advantages unrelated to the merits of the decision. Agents who repeatedly interact with a decision maker may learn to present information more effectively, become perceived as more reliable, or simply benefit from familiarity. This paper examines whether repeated exposure to the same decision makers predicts outcomes in a high-stakes public decision-making setting: appellate adjudication.

The trade-off is especially important in courts. Unlike contractual settings, judicial outcomes are not determined through prices or explicit bilateral agreements. Judges are expected to apply legal rules impartially, while lawyers differ in their ability to understand how those rules are interpreted in practice. On the one hand, repeated appearances before the same judicial panel may improve welfare by enabling lawyers to communicate legally relevant information more effectively and helping judges focus on the decisive aspects of a case. On the other hand, repeated interactions may be problematic if, for instance, familiarity affects perceptions of a lawyer's credibility, creates relationship-specific advantages in close cases, or fosters conscious or unconscious favoritism. From a public-interest perspective, the key question is not whether repeated interactions occur, but whether they systematically predict case outcomes and, if so, which mechanisms best explain the evidence.

We study this question using the universe of published judgments issued by the Italian Supreme Court of Cassation (ISCC hereafter) between 2017 and 2022. The setting is well-suited to studying repeated interactions with public decision makers. Only lawyers admitted to the ISCC Attorney Bar may appear before the Court, judges are assigned to specialized divisions, and judicial panels are sufficiently stable within divisions to generate recurring encounters between the same lawyers and judges. Using text analysis, we

reconstruct the identities of the lawyers and of the two most influential members of each judicial panel, namely the president and the rapporteur. We then measure how often each lawyer has previously appeared before the same president–rapporteur pair and examine whether this relationship–specific exposure predicts the lawyer’s probability of obtaining a full victory.

This paper makes three main contributions. First, it extends the literature on repeated interactions beyond traditional market and contracting settings. Existing work shows that repeated interactions can foster learning, reputation, trust, and coordination, but may also facilitate collusion and other distortions. We bring these questions to a public adjudicatory institution, where recurring encounters arise from subject-matter specialization and judicial assignment rules rather than explicit bilateral contracting. Second, the paper provides new evidence on relationship–specific capital. Rather than asking whether some lawyers are generally more experienced or more capable, we examine whether a lawyer’s history with a specific set of decision makers predicts outcomes. This distinction matters because general experience and relationship–specific exposure have different implications for efficiency and fairness. Third, the paper contributes to law and economics by identifying a novel informal channel through which court organization may shape legal outcomes: the accumulation of familiarity between repeat advocates and judicial panels.

Our main finding is a positive and economically meaningful association between repeated judges–lawyers interactions and case outcomes. In specifications with case and lawyer fixed effects, a one–standard–deviation increase in cumulative lawyer–panel matches is associated with a 5 to 7% increase in the probability of full victory relative to the sample mean. Case fixed effects compare lawyers involved in the same case, while lawyer fixed effects absorb time–invariant differences in ability, experience, and reputation. We also show that the estimation sample is representative of the universe of cases and that the results are robust to alternative sample restrictions.

The estimates do not, by themselves, identify the underlying mechanism. Repeated exposure may improve lawyers’ performance because lawyers learn how a panel evaluates cases, judges update their beliefs about lawyers’ quality, mutual trust reduces communi-

cation frictions, or familiarity creates relationship-specific advantages unrelated to case merits. The empirical analysis therefore, documents the relationship while addressing the main selection concern, whereas survey evidence helps assess which mechanisms practitioners consider most plausible. We conducted a nationwide survey of lawyers admitted to the ISCC Attorney Bar, collecting more than 2,500 complete responses. Respondents identify lawyers' learning about a panel's approach to adjudication as the most plausible mechanism. Views on the normative implications are more mixed, with no clear consensus. However, respondents who identify lawyer learning as the most plausible mechanism tend to view repeated interactions as welfare improving.

By providing new evidence from the Supreme Court and combining administrative data with survey responses, the paper contributes to the literature on repeated interactions in non-contractual relationships and to the law and economics literature on judicial decision-making. More broadly, it speaks to the design of courts in which specialisation, panel assignment, and professional networks may jointly shape the distribution of legal outcomes.

In detail, the first strand of related studies focus on repeated interactions and how they affect information transmission, reputation, trust, and coordination. Theoretical and empirical work shows that repeated exposure can mitigate incentive problems and communication frictions, but can also sustain collusion or other distortions ([Corts, 2012](#), [Corts and Singh, 2004](#), [Frenkel, 2015](#), [Gilo and Yehezkel, 2020](#), [Harel et al., 2020](#), [Huang et al., 2024](#), [Kim, 1996](#), [Wilson and Vespa, 2020](#)). Evidence from non-contractual settings is thinner, but it suggests that repeated contact may reduce bias, foster trust, and shape decision outcomes ([Bapna et al., 2017](#), [Finseraas et al., 2019](#), [Zhang, 2017](#)). Our contribution is to bring these questions to a judicial setting in which repeated encounters arise from institutional design rather than from repeated bilateral contracting.

Within law and economics, the paper complements research on judicial behavior and case outcomes that studies judges, litigants, and court institutions ([Abrams et al., 2012](#), [Alesina and La Ferrara, 2014](#), [Bindler and Hjalmarsson, 2018](#), [Cameron et al., 2019](#), [Dobbie et al., 2018](#), [Eren and Mocan, 2018](#), [Glaeser and Sacerdote, 2003](#), [i Vidal and](#)

Leaver, 2013, Ichino et al., 2003, Iossa and Jullien, 2012, Shayo and Zussman, 2011). Some studies also link judicial functioning to broader economic outcomes (Kapopoulos and Rizos, 2024, Morelli et al., 2025, Pezone, 2022). Our focus is narrower: we ask whether repeated professional exposure between lawyers and judges predicts case outcomes even after comparing lawyers within the same case and conditioning on persistent differences across lawyers.

A more specific point of contact is the literature on repeat players and lawyer capability in litigation. Galanter (1974) provides the classic conceptual distinction between repeat players and one-shotters. In appellate courts, experienced advocates and more capable lawyers are often associated with better outcomes for their clients (Haire et al., 1999, McGuire, 1995, Szmer and Sarver, 2007, Szmer et al., 2016). This literature is central to our setting because repeated exposure may serve as a proxy for lawyer quality. Our design differs by focusing on repeated exposure to the same president–rapporteur pair while controlling for lawyer fixed effects and leveraging within–case comparisons.

A smaller but rapidly growing literature studies direct ties between judges and lawyers. Liu and Zhang (2024), using data on medical malpractice cases in Florida, show that law–school ties between lawyers and judges are associated with a higher probability of recovery damages. Verhagen and Yam (2021) find that educational and workplace similarity between judges and lawyers predicts success in the Hong Kong Court of Final Appeal. Liu et al. (2025) study China’s judicial “revolving door” and document higher client win rates for former judges who later practice as lawyers. Relative to these papers, we focus on a different channel: repeated professional exposure to the same judicial panel, rather than alumni ties or prior judicial careers.

Finally, our paper speaks to broader work on informal relations inside courts. Metcalfe (2016) shows that familiarity among courtroom actors affects plea dispositions and processing times, while Dressel et al. (2018) argue more generally that informal networks and relational dynamics are central to understanding how courts operate. We extend this perspective to a Supreme Court setting and connect it to a concrete outcome measure: the probability of full victory for the lawyer. More broadly, we show that formal

court organization may generate informal stocks of relationship-specific familiarity that are predictive of legal outcomes.

Overall, these contributions point to a central ambiguity of repeated interactions in public decision-making. Repeated exposure may reflect benign learning and specialization, improving communication between lawyers and judges. But it may also create relational advantages that matter independently of case merits. Besides quantifying this association in a high court, our paper uses survey evidence to assess which interpretations practitioners consider most plausible and explore their views on potential normative implications.

The rest of the paper is organised as follows. Section 2 presents the data sources, the data construction process, and the main summary statistics. Section 3 introduces the empirical analysis, focusing on the regression model used in the baseline specifications. Section 4 reports several robustness checks to further validate our findings. Before concluding in Section 6, Section 5 examines potential mechanisms and normative implications using survey evidence collected from lawyers admitted to the ISCC Attorney Bar.

2 Data

2.1 The Italian Supreme Court

The ISCC is the highest judicial authority in Italy, holding final jurisdiction over both Civil and Criminal matters. Its function is limited to assessing two types of issues: whether the law was correctly interpreted and applied in earlier proceedings (*errores in iudicando*), and whether procedural rules were improperly followed (*errores in procedendo*). Consequently, the ISCC does not re-examine the factual circumstances of a case, nor does it reassess the evidence presented by the parties in previous judgments. In certain instances, the Court also provides interpretative guidance on specific legal provisions which, although not formally binding, often become influential and widely adopted by lower courts.

Trials in Italy are structured across multiple hierarchical levels, each prevailing over the preceding one. The *Justice of the Peace*, which may adjudicate only specific categories

of disputes, and the *Court of First Instance* constitute the two courts of first resort, situated at the same procedural level. If any party is dissatisfied with the outcome, they may appeal to the *Court of Appeal*, which re-examines the facts in full and determines whether to confirm or overturn the earlier judgment. Beyond this stage, only the ISCC may intervene.¹ In principle, lawyers may file an appeal to the ISCC at any point during the proceedings, although they typically do so only after the decision of the *Court of Appeal*.

To file appeals before the ISCC and to represent clients in its proceedings, lawyers must be members of the ISCC Attorney Bar.² Once a lawyer files an appeal, the opposing lawyer is notified and has fifteen days to submit their own arguments. Throughout the paper, we will refer to the former as the lawyer *pro* the appeal, and to the latter as the lawyer *contra*.³ After the fifteen-day period has elapsed, the appeal is formally processed, and the case is assigned to a chamber of the ISCC.

The Supreme Court is chaired by the First President, whose office is responsible for managing the Court's workload and assigning judges to individual cases. The ISCC is organised into several Divisions. The most prominent among them is the *United Divisions*, which deals exclusively with matters of exceptional importance, often involving questions of legal interpretation. In addition, the ISCC comprises six *Civil Divisions*, one *Labour Division*, and seven *Criminal Divisions*.

Each Division is relatively *specialised* in particular areas of law (for example, cases involving organised crime are typically handled by the *Second Criminal Division*). Judges of the ISCC are appointed by the Italian Ministry of Justice and selected for their experience, expertise, and integrity. Some judges serve as ISCC rapporteurs, responsible for

¹The true *last resort* is the *Presidential pardon*, granted by the President of the Republic on her own initiative. However, it is extremely rare in Italy and is applied only in exceptional circumstances.

²To join this Bar, lawyers must have at least twelve years of professional experience. The [Law 247/2012](#) (most recently amended by Law 112/2023) revised this requirement by stipulating that lawyers with at least eight years of experience must complete specific training and pass a final examination to be admitted before the Supreme Court. Since its approval, however, the implementation of this provision has been repeatedly postponed, meaning that, in practice, lawyers may still become *Cassationists* solely through accrued experience.

³The ISCC also allows both parties to file appeals. This occurs when each party is dissatisfied with different aspects of the lower court's decision. In such cases, a proceeding may involve only lawyers *pro* the appeal. Additionally, when the appellant is a Prosecutor, she may appear and defend the case without legal counsel, which may result in proceedings involving only lawyers *contra* the appeal.

examining cases and drafting decisions. Others may be designated as presidents, tasked with presiding over judicial panels. Among these presidents, some judges may be promoted to the position of President of the Division. Each Division has several presidents, but only one President of the Division.

Judges generally remain within the same Division for a considerable period – although periodic rotations do occur – while the judicial panel assigned to each case changes from one proceeding to the next. A standard judging panel consists of five judges. It always includes one president and one rapporteur, along with three ordinary judges.⁴ The rapporteur is responsible for examining the case in depth and drafting a preliminary version of the decision, which is subsequently discussed and voted upon. She is also the first member of the panel to cast her vote, whereas the president typically votes last. Since abstention is permitted, presidents also serve to break potential ties. Although all judges contribute to the final outcome, the president and the rapporteur clearly hold the most influential roles within the panel.

The First President’s office selects the judges assigned to each case based on specific criteria. The broad subject matter of the appeal determines which Division will hear the case, with the most significant matters assigned to the *United Divisions*. Within the chosen Division, the specific legal issues are considered to identify the judges whose expertise is most relevant. Finally, the urgency of the case and the judges’ availability also play a crucial role in the assignment process.

2.2 Data collection

We collect the universe of published cases adjudicated by the ISCC between 2017 and 2022.⁵ Judgments are published online and are freely accessible for the current year and the preceding five.⁶ We developed dedicated Python scripts to scrape the judg-

⁴The *United Divisions* constitute an exception: in this case, the panel is composed of nine judges, in addition to the ISCC First President.

⁵Data are also available for later years. However, on December 31, 2022, the Cartabia Reform entered into force. Because the reform modified the functioning of both lower courts and the Supreme Court, cases decided after that date are excluded from the present study.

⁶The ISCC public database is available at <https://www.italgiure.giustizia.it/sncass/> (last accessed on January 31, 2026). Some cases from 2016 also appear in our dataset due to delayed publication.

ments and extract information on the following elements: the ISCC Division handling the case; whether the proceeding is *Civil* or *Criminal*; the unique case identification number; whether one of the appellants is the Prosecutor from the lower court or a civil party; the names of the lawyers and their role in the appeal (*pro* or *contra*); the names of the president and the rapporteur; and the final outcome of the judgment.

We also collect information on lawyers admitted to the ISCC Attorney Bar to control for their experience and verify their identities. Not all lawyers mentioned in a judgment are, in fact, admitted to practice before the Supreme Court. Some may have participated only in earlier stages of the proceedings, yet their names still appear at the ISCC level for various reasons.⁷ Since such lawyers are neither authorised to file appeals nor to intervene in Supreme Court proceedings, they are excluded from our dataset. To this end, we scrape information on all ISCC-qualified lawyers from the official website of the Italian National Bar Council (CNF)⁸ and merge these data with our main dataset using the lawyer’s full name as the identifier.⁹

Finally, we require data on the ISCC judges. Collecting information on Italian judges is particularly challenging: no official database exists, nor is there any public source that provides such information systematically. Nevertheless, for years after 2007, official bulletins issued by the Ministry of Justice are available online through the Italian Virtual Library.¹⁰ These bulletins contain information on transfers and appointments of public officials, including judges. By manually searching each judge’s name across the bulletins, we can identify their dates of entry into the judiciary and, for most, their dates of admission to the ISCC. Data on judges are merged into our main dataset using their full names

⁷For instance, the judgment may quote passages from lower-court decisions, or it may include their names when summarising the procedural history.

⁸Accessible at <https://www.consiglionazionaleforense.it/web/cnf/ricerca--avvocati> (last accessed on January 31, 2026).

⁹ Because judgments list only the full names of lawyers, we assume that lawyers sharing the same full name correspond to the same individual. Cases of homonymy are addressed first by excluding lawyers whose names appear in our data before their admission to the ISCC Bar. If multiple ISCC lawyers still share an identical full name, one of them is selected at random. The number of lawyers with duplicate full names is 1,171, which is 6.3% of the lawyers. In the Online Appendix, we show that results are robust when excluding the cases where at least one homonym occurs (Table A5), as well as excluding homonymous lawyers (Table A6).

¹⁰The website is maintained by the Italian *Istituto Poligrafico e Zecca dello Stato S.p.A.* and is accessible at <https://www.bv.ipzs.it/include/ministeri.jsp> (last accessed on January 31, 2026).

as the matching key. No cases of homonymy occur in this context.

2.3 Dataset construction

The raw data on ISCC judgments contain information on more than 245,000 cases, corresponding to roughly 400,000 unique lawyer–case instances. Each case may involve multiple lawyers: although, in principle, each side (*pro* or *contra*) has its own attorney, several lawyers may work on either side of the appeal.

We exclude cases in which the ISCC Division is not specified (5.7% of observations). We also drop observations from the *United Divisions*, as this Division handles only the most significant matters and primarily resolves controversies concerning the interpretation of Italian law. Such cases frequently receive substantial media attention as well.¹¹ We further exclude lawyers who are not admitted to the ISCC Attorney Bar, since they play no role in the Supreme Court proceedings, and we remove duplicate observations as discussed in footnote 9.

The only members of the judicial panel whose names are included in the judgments are the president and the rapporteur. We therefore restrict our analysis to cases in which the names of the lawyer, the president, and the rapporteur are all present, as our objective is to study the number of instances in which these three actors meet (excluding a further 0.3% of the cases). Finally, our main analysis includes only cases in which both the president and the rapporteur entered the ISCC after 2017, the first year covered by our dataset. This restriction ensures that we do not miss earlier matches between judges and lawyers due to missing data from prior years.¹²

We obtain a total of 50,299 unique lawyer–case combinations – our main dataset – across 27,452 cases. Table A1 in the Online Appendix compares the raw case–level data (which represent the universe of ISCC cases in the sample period) with the final dataset used in the analysis.¹³ Importantly, we do not observe meaningful discrepancies between

¹¹ *United Divisions* cases total 1,927, representing slightly less than 0.8% of all judgments.

¹² By doing so, we further drop 71% of the observations. However, in Section 4, we conduct an analysis on the full sample of judges. There, the main variable of interest is constructed as the total – rather than cumulative – number of judges–lawyer matches.

¹³ In the raw data, we exclude cases with missing information on either the case ID or the judges, to ensure comparability.

the two sources on key variables, such as judges’ rate of full acceptance or the distribution of cases among divisions, so we conclude that the sample used in the analysis is arguably representative of the universe of cases.

In the empirical analysis, our main outcome variable is a dummy equal to one when a lawyer achieves a *full victory* in an ISCC case, given her position. More precisely, the dummy equals one if the lawyer is *pro* the appeal and *all* of the appellant’s requests are accepted, or if the lawyer is *contra* the appeal and the appellant’s requests are *fully* rejected. In all other situations, the dummy takes the value zero.¹⁴ Our main regressor is a discrete variable that, for each lawyer–court pair in a given case, counts the cumulative number of times the two have met in our data up to that case. We refer to this variable as the *cumulative frequency* (or number) of matches. Because we do not observe the full roster of judges for each court, we use the president’s and rapporteur’s names to identify a panel court. Finally, we construct dummies indicating whether the case is *Criminal*, whether the applicant(s) include a Prosecutor and/or a *civil part* (‘*Parte civile*’), and the lawyer’s position (*pro* vs. *contra* the appeal).

2.4 Summary statistics

Panel A of Table 1 reports descriptive statistics at the case–lawyer level. A lawyer achieves a *full victory* in almost one third of the cases she litigates. In our sample, the cumulative number of matches between a lawyer and the same judges averages 1.17, with some judges–lawyer pairs interacting up to 15 times, and more than 15% of lawyers appear only once in the dataset, while 90% appear in different courts every time, implying no repeated interactions with the same panel.

In Panel B of Table 1, we collapse the case–level variation and present summary statistics at the lawyer level. Our sample comprises 18,753 distinct lawyers. On average, each lawyer appears in the sample roughly 9 times and encounters about 8 distinct courts over the sample period. The last two rows of Panel B report average *full victory* rates conditional on whether a lawyer ever meets the same judging court more than once.

¹⁴Ties are possible, since the appellant may receive only partial acceptance (or rejection) of her requests. In such cases, the variable equals zero for both the *pro* and *contra* lawyers.

The statistics indicate no systematic difference in average performance between these two categories of lawyers.

In Panel C, instead, we collapse the variation at the judges–lawyer level. Here, we show that a lawyer’s average conditional probability of *full victory* is higher when more than one match occurs (i.e., when the total frequency of matches – corresponding to the maximum of the cumulative measure – exceeds one). This differs slightly from the approach in Panel B, since in Panel C the same lawyer may fall into both “classes” depending on how often she meets different judges. When lawyers encounter judges only once, their probability of winning a case before that court is, on average, nearly 2 percentage points lower than when the interaction is repeated (about 29% vs. 31%).

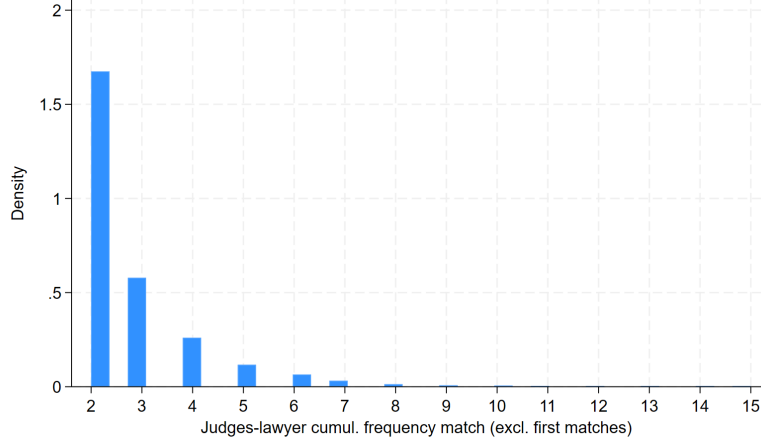
Table 1: Descriptive statistics for the main variables of interest

	Summary statistics			Percentiles		
	Observations	Mean	Std. Dev.	1 st	Median	99 th
Panel A: case-lawyer level						
Full victory (1/0)	50,299	0.29	0.45	0	0	1
Cumulative number of lawyer-judges matches	50,299	1.17	0.69	1	1	4
Second or subsequent matches lawyer-judges (1/0)	50,299	0.10	0.29	0	0	1
Lawyer position <i>contra</i> (1/0)	50,299	0.29	0.45	0	0	1
Years from lawyer's admission to the ISCC	49,613	14.01	9.19	1	12	41
Panel B: lawyer level						
Num. of different judges per lawyer	18,753	8.00	13.19	1	4	59
Total lawyer's cases at the ISCC	18,753	9.13	21.63	1	4	69
E[full victory lawyer= <i>l</i>]	18,753	0.30	0.29	0.00	0.25	1.00
E[full victory lawyer with some m.m. = 0]	16,927	0.31	0.41	0.00	0.00	1.00
E[full victory lawyer with some m.m. = 1]	1,826	0.30	0.29	0.00	0.25	1.00
Panel C: judges-lawyer level						
Total lawyer-judges matches at the ISCC	45,506	1.12	0.62	1	1	4
Multiple matches lawyer-judges (1/0)	45,506	0.07	0.25	0	0	1
E[full victory lawyer= <i>l</i> , judges= <i>j</i> , m.m. = 0]	42,453	0.29	0.45	0.00	0.00	1.00
E[full victory lawyer= <i>l</i> , judges= <i>j</i> , m.m. = 1]	3,053	0.31	0.38	0.00	0.00	1.00

Notes: Full victory includes cases when judges gave plain acceptance to the lawyer's requests. Panel A includes information at the case-lawyer level. Panel B includes conditioned expectations at the lawyer level, while Panel C includes them at the judges-lawyer level. A team of 'judges' consists of a president and a rapporteur. Dummy 'lawyer with some m.m.' (some multiple matches) in Panel B distinguishes lawyers based on whether they match more than once at least with one court. Dummy 'm.m.' (multiple matches) in Panel C, instead, distinguishes judges-lawyer relationships based on whether they match once or multiple times.

For a visual inspection of the variation in the cumulative frequency of matches, Figure 1 displays the distribution of the cumulative frequency of matches for each judges-lawyer pair, excluding the first matches. A lawyer in the *contra* position is observed in 32% of cases, and the average number of years since a lawyer's admission to the ISCC is 13.

Figure 1: Distribution of cumul. frequency match excluding 1st matches



3 Empirical analysis

In this section, we present the regression model used to assess the relationship between the frequency of judges–lawyer repeated interactions and the lawyer’s probability of achieving a *full victory*. We estimate the following linear probability model:

$$y_{ljc(t)} = \beta M_{ljc(t)} + \gamma X_{ljc(t)} + FE + \varepsilon_{ljc(t)}, \quad (1)$$

where subscripts l , j , and c denote the lawyer, the judges, and the case, respectively. Since each case is decided on a specific date, the time dimension t is fully captured by the case index. We leave the fixed effects (FE) unspecified for the moment, as they vary across specifications and warrant a more detailed discussion.

The dependent variable $y_{ljc(t)}$ is a dummy equal to one if lawyer l obtains a *full victory* in case c (adjudicated by judges j on a given day). The main variable of interest, $M_{ljc(t)}$, is defined as the cumulative number of times lawyer l has matched with a given president–rapporteur pair j at the ISCC up to case c , and is therefore time-varying.¹⁵ As earlier discussed, we focus on the cumulative number of matches, even though doing so substantially reduces the amount of data available for the analysis. To measure this variable correctly, we restrict the sample to judge pairs who entered the ISCC after 2017. This ensures that no prior interactions between the same judges and lawyers exist before

¹⁵Tables A3 and A4 in the Online Appendix show that results are robust to measuring cumulative matches separately for presidents and rapporteurs.

the first year observed in our data. Finally, $X_{ljc(t)}$ is a vector of lawyer, judge, and case characteristics, while $\varepsilon_{ljc(t)}$ is the error term.

The inclusion of fixed effects is central to our estimation strategy, as it allows us to exploit a more restrictive source of variation within the sample. Many factors that may influence case outcomes are unobservable given the information available in our data. An obvious example is case complexity, which varies across cases and may substantially affect the lawyers' probability of victory. In addition, judges may exhibit time-varying characteristics that influence adjudication. For example, judges may be more or less lenient in specific areas of law, and such leniency may evolve over time. To account for these sources of unobserved heterogeneity, we always include case fixed effects.¹⁶ With case fixed effects, the coefficient of interest is estimated from comparisons among lawyers involved in the same case, potentially representing opposing parties, who differ in their cumulative number of previous matches with the panel of judges assigned to that case.

Lawyer-specific characteristics may also affect case outcomes. Some lawyers may be more skilled than others, while others may possess unobservable attributes that make them more successful before the ISCC. Assuming these characteristics are time invariant, the inclusion of lawyer fixed effects controls for this additional source of unobserved heterogeneity.¹⁷

Running the analysis at the case-lawyer level raises at least two potential concerns: (i) the higher number of lawyers working on a side (*pro* or *contra*) may influence the probability of victory; (ii) observations corresponding to different lawyers working at a case on the same side share the same outcome variable. To tackle both of these concerns, Table A2 in the Online Appendix shows results based on a dataset collapsed at case-side – rather than at case-lawyer – level. Results are robust to this alternative specification.

The estimation results are presented in Table 2. Specification 1 examines the within–

¹⁶This automatically excludes cases in which only one lawyer is named in the decision, as the dataset is structured at the case-lawyer level.

¹⁷We also control for lawyers' experience before the ISCC by including the number of years since admission to practice before the court, in logarithm. Although additional time-varying lawyer characteristics could, in principle, be included, doing so would likely bias the estimates. Many lawyers appear only a few times in our sample, implying that for these observations, such variables would be highly correlated with the main explanatory variable, as well as with lawyers' experience.

case effect of repeated interactions within judges–lawyer *triads*, comparing only lawyers involved in the same trial. This specification allows us to account for heterogeneity across cases. In specification 2, we additionally include lawyer fixed effects, thereby holding constant unobservable lawyer characteristics that stay constant over time. Standard errors are always clustered at the case level.

Table 2: Lawyer’s Probability of Full Victory: Baseline Analysis

	(1)	(2)
Cumulative number of lawyer–judges matches	0.0306*** (0.00920)	0.0204** (0.00808)
Logs of years from lawyer’s admission to ISCC	0.000396 (0.00269)	0.0157 (0.0211)
Lawyer position <i>contra</i> (1/0)	0.426*** (0.0116)	0.375*** (0.0164)
Observations	33,861	21,147
F.E. (case level)	✓	✓
F.E. (lawyer level)		✓

Notes: Standard errors clustered at case level in parenthesis. *** p<0.01, ** p<0.05, * p<0.1.

The magnitude of the coefficient of interest is substantial. A one–standard–deviation increase in the cumulative frequency of matches (approximately 0.7) is associated with an increase in the lawyer’s average probability of achieving a *full victory* of between 1.4 and 2.1 percentage points, depending on the fixed effects considered. This corresponds to an increase of roughly 5% to 7% in the probability of *full victory*, compared to the mean. Notice that, when additionally including lawyer fixed effects, the total number of observations shrinks by about a third. This is mechanically related to the fact that, under such a specification, lawyers who enter only once are dropped from the sample.

4 Robustness checks

To further validate our findings, we conduct a series of robustness checks. First, we replace the cumulative frequency of matches between a lawyer and a court with a dichotomous variable equal to one if the *cumulative frequency of matches* exceeds one. Second, since in some cases one of the two sides (*pro* or *contra*) is missing from the judgment, we also perform a robustness analysis restricting attention to cases in which both parties are present. Third, we account for the sample restriction we use in the main analysis when considering cases in which a judge entered the ISCC after 2017. Although this strategy allows to construct the cumulative number of matches accurately, it implies the drop of many observations and limits the sample to potentially less experienced judges. To assess the robustness of our results on the full sample, we re-run all analyses including all judges. In this case, the cumulative number of matches is replaced with the total frequency of matches between a lawyer and the court of a given case, mitigating the measurement error that would arise from not observing the full history of interactions within a given *triad*.

4.1 Dummy for multiple matches

The baseline analysis presented in Section 3 (Table 2) implicitly assumes a linear relationship between the probability of a favorable outcome for the lawyer and the cumulative number of interactions she has had with the judging court. Since linearity can be a restrictive assumption, it is useful to verify that the results do not hinge critically on it.¹⁸

In this section, we test our main findings by replacing the cumulative frequency of matches with a dummy variable equal to one for the second and all subsequent encounters of a lawyer with a specific judging court, and zero for the first encounter. In this specification, the coefficient on the dummy captures the average effect of all interactions occurring after the initial one, relative to the first time a lawyer appears before a given set of judges. The implicit assumption is that what drives our results is simply whether

¹⁸For example, one may specify a quadratic relationship by including both the cumulative number of repeated interactions and its squared term. In additional estimations (not included in the current version of the paper), this alternative specification yields even stronger results, providing some evidence of non-linearity.

a lawyer meets the same judges more than once.

Table 3: Lawyer’s Prob. of Full Victory: dummy for 2nd or subsequent matches

	(1)	(2)
Second or subsequent matches lawyer–judges (1/0)	0.0603*** (0.0194)	0.0495*** (0.0191)
Logs of years from lawyer’s admission to ISCC	(0.00269)	(0.0211)
Lawyer position <i>contra</i> (1/0)	0.427*** (0.0116)	0.375*** (0.0164)
Observations	33,861	21,147
F.E. (case level)	✓	✓
F.E. (lawyer level)		✓

Notes: Standard errors clustered at case level in parenthesis. *** p<0.01, ** p<0.05, * p<0.1.

Table 3 reports the OLS estimates obtained using a dummy variable indicating whether the lawyer and the president–rapporteur couple are in their second or any subsequent match, after restricting the sample to judges who entered the ISCC after 2017. In the most demanding OLS specification (column 2), repeated matches between a lawyer and a president–rapporteur couple are associated with a 17% increase in the lawyer’s average probability of victory relative to the mean.

4.2 Restrict to cases where both sides are present

We also conduct a robustness check in which we restrict the sample to cases where lawyers from both sides (*pro* and *contra*) are explicitly named in the judgment. We are not aware of the criteria determining why some lawyers are not mentioned in certain appeals, and we therefore cannot rule out the possibility that cases naming only one side – potentially indicating that only one party was present – may suffer from selection bias. Lawyers might self-select out of cases they expect to lose, implying that proceedings where the opposing

party is absent could be systematically easier to win. Moreover, other mechanisms, such as biases arising from favorable impressions in the absence of a fully adversarial procedure, may also affect outcomes more strongly in such cases. By focusing only on decisions where both *pro* and *contra* lawyers submit their views, we instead consider situations in which both parties – at least potentially – expect to have a reasonable chance of prevailing.

Table 4 presents the results of this analysis. Both OLS estimates are consistent with those of the baseline specifications, but the coefficients are larger: when lawyers from both sides appear before the ISCC, repeated interactions with the judges seem to play an even more substantial role in predicting case outcomes. Regarding the magnitude of the estimates, a one-standard deviation increase in the cumulative interaction variable corresponds to at least a 10% increase in the lawyer’s average probability of achieving a full victory.

Table 4: Lawyer’s Probability of Full Victory: restrict to both sides present

	(1)	(2)
Cumulative number of lawyer-judges matches	0.0402*** (0.0120)	0.0418*** (0.0137)
Logs of years from lawyer’s admission to ISCC	0.000856 (0.00518)	-0.0530 (0.0480)
Lawyer position <i>contra</i> (1/0)	0.426*** (0.0116)	0.396*** (0.0216)
Observations	16,895	8,154
F.E. (case level)	✓	✓
F.E. (lawyer level)		✓

Notes: Standard errors clustered at case level in parenthesis. *** p<0.01, ** p<0.05, * p<0.1.

4.3 Total frequency of matches over full sample

Restricting the sample to judges who entered the ISCC after 2017 allows us to correctly measure the number of repeated interactions each of them had with ISCC lawyers. In this way, the first match observed in our data corresponds with certainty to the first time the judging court met that lawyer at the ISCC. Although we cannot exclude the possibility that the *triad* may have met professionally in the past, for example in lower courts, we consider this circumstance to be less relevant for our purposes. The ISCC is, in fact, quite different from lower court jurisdictions, as it rules exclusively on *errores in procedendo* and *errores in iudicando*. Even if some lawyers had interacted with judges previously, the issues addressed and the legal principles applied in lower courts are entirely different.

Nonetheless, restricting the dataset to judges appointed to the ISCC after 2017 has some potential implications. Most notably, it leads us to focus primarily on the least experienced judges of the ISCC. This effect is amplified by the fact that we only observe six years of data, up to 2022. Over the full sample, the average time since rapporteurs entered the ISCC is slightly above six years; when we restrict the sample to judges who arrived after 2017, this average drops to 2.5 years.¹⁹

In this section, we therefore discuss the results of an alternative set of specifications that include all judges in our sample – including those who entered the ISCC before 2017 or at an unknown date – while relying on a different regressor. The main variable of interest is constructed as the total, rather than cumulative, number of matches between a specific lawyer l and judges j , considering all cases heard at the ISCC between 2017 and 2022. This variable is thus time-invariant for each *triad* consisting of a lawyer and a judging panel, and takes – at each case c – the maximum value reached by the cumulative number of matches.

Table 5 presents the OLS estimates of the baseline analysis using the full sample. Considering the magnitude of the coefficients, this specification implies that a lawyer who meets a given set of judges one standard deviation more often than another lawyer – who

¹⁹A similar pattern emerges for presidents: from an average of 9.3 years of experience in the full sample, limiting the analysis to post-2017 judges reduces their average tenure to 2.1 years – a drop in experience of about 7.2 years.

meets them only once – has a higher probability of winning the case by between 3% and 11%, depending on the fixed-effects structure.

Table 5: Lawyer’s Probability of Full Victory: baseline – full sample

	(1)	(2)
Total lawyer-judges matches at the ISCC	0.00811*** (0.000747)	0.00230** (0.00111)
Logs of years from lawyer’s admission to ISCC	-0.00101 (0.00139)	-0.0265*** (0.00964)
Lawyer position <i>contra</i> (1/0)	0.450*** (0.00568)	0.425*** (0.00662)
Observations	125,958	108,252
F.E. (case level)	✓	✓
F.E. (lawyer level)		✓

Notes: Standard errors clustered at case level in parenthesis. *** p<0.01, ** p<0.05, * p<0.1.

We also re-run the robustness checks above under this alternative setting. In this version, the specification based on the dummy variable uses a dummy equal to one if the lawyer will eventually meet the judging court of the case more than once, according to our data. Unlike the specification used for Table 3, the dummy for *triads* with multiple matches takes the value of one already at their first observed encounter. Table A8 in the Online Appendix reports the results for this specification. Finally, Table A9 in the Online Appendix reports the results obtained when restricting the analysis to cases in which both the *pro* and *contra* sides are present. Unlike the results based on the cumulative number of matches, the difference in the magnitude of the coefficients between this specification and the baseline replication in Table 5 is negligible.

5 Survey evidence

In this section, we analyze the potential mechanisms underlying our findings. We do this using novel survey evidence collected from lawyers admitted to the ISCC Attorney Bar. In addition to enhancing the interpretation of the results, such analysis is essential for exploring potential normative implications of our findings.

5.1 Survey data collection and sample

Before presenting in detail the survey questions and discussing the results, it is useful to describe the data collection process and sampling strategy. Balance tests are presented and discussed in the following sections, along with measures implemented to ensure the highest possible data quality.

Data collection. The data collection process took place between March 2 and March 16, 2026. Data were collected using the online survey platform *Qualtrics* (<https://www.qualtrics.com/>), which enabled us to design a customized survey, distribute it via a shareable link, and collect and download responses in a ready-to-use format. After creating and testing the survey, we sent a personalized email to the target population, including a brief description of the study and the survey, along with a link to complete the questionnaire. The full text of both the email and the survey is provided in the Online Appendix.

To identify the targeted population, email addresses of lawyers admitted to the Italian Supreme Court of Cassation Attorney Bar were extracted from the official website of the National Bar Council, publicly available at <https://www.consiglionazionaleforense.it/web/cnf/ricerca--avvocati>. A total of 31,983 emails were sent after filtering out inactive lawyers in the sample and excluding Certified E-Mails (CEMs). Some emails were invalid and generated automatic replies (e.g., “undeliverable email”), while others were successfully delivered but triggered automatic responses indicating updated contact information, as the original addresses were outdated. By automatically extracting these updated addresses from the replies, we added 176 unique email addresses to the pool of

recipients. After excluding incomplete responses and test submissions, the final sample consists of 2,600 valid replies. Relative to the initial mailing list, this corresponds to a raw response rate of about 8.1%. Because some invitations bounced back and others were updated automatically, the effective response rate among delivered invitations is somewhat higher but cannot be measured precisely from the archived mailing records. Incomplete responses were excluded because we could not rule out the possibility of inattentive respondents.

Responses were collected anonymously. A small number of demographic questions were included at the end of the survey to conduct balance tests and assess the representativeness of respondents relative to the population of interest.²⁰

To incentivize participation and, as a token of appreciation, respondents were offered the opportunity to enter a draw for two € 100 Amazon gift cards upon completing the survey.²¹ In the Online Appendix, we include a more detailed discussion on the steps we took to ensure the highest possible data quality in the survey responses.

Sample. Table 6 reports summary statistics for the demographic variables collected at the end of the survey and confirms that the sample is broadly representative with respect to the key characteristics of ISCC lawyers. In particular, column (1) presents summary statistics from the survey, while column (2) report the corresponding statistics for lawyers in the full dataset. For each variable of interest, a t-test of differences in means is performed.

²⁰As in most professional surveys, non-response remains a concern: the balance tests below are informative about representativeness on observables, but they do not rule out the possibility that respondents differ from non-respondents along unobserved dimensions that may matter for perceived mechanisms or normative assessments.

²¹Those who chose to participate could follow a separate Qualtrics link to a secondary questionnaire, where they were invited to provide an email address to be contacted in case of winning. Because it collected personal information, this optional secondary questionnaire was not anonymous. To preserve anonymity and prevent any linkage between survey responses and email addresses, a completely separate survey was used to collect contact details for the draw. Access to this secondary survey was restricted to respondents who had completed the main questionnaire, using Qualtrics functionality that limits access to users arriving from a specific URL. The two winners of the Amazon gift cards were randomly selected on March 16, 2026, and notified by email on the same day.

Table 6: Balance tests – different data sources

	Survey data	Obs. data (full)	Diff.
	(1)	(2)	(1 - 2)
	(N = 2,600)	(N = 34,731)	
Year the lawyer passed the exam bar			
Mean	1995.06	1993.99	1.06***
SD	8.71	10.06	
1 st percentile	1969.00	1964.00	
50 th percentile	1996.00	1996.00	
99 th percentile	2010.00	2010.00	
Year the lawyer was admitted to the ISCC			
Mean	2008.08	2008.29	-0.21
SD	9.46	9.44	
1 st percentile	1980.00	1979.00	
50 th percentile	2010.00	2010.00	
99 th percentile	2022.00	2022.00	
Lawyer is female (1/0)			
Mean	0.24	0.24	0.00
SD	0.43	0.43	
1 st percentile	0.00	0.00	
50 th percentile	0.00	0.00	
99 th percentile	1.00	1.00	
Lawyer mainly working on Criminal cases (1/0)			
Mean	0.32	0.47	-0.15***
SD	0.46	0.50	
1 st percentile	0.00	0.00	
50 th percentile	0.00	0.00	
99 th percentile	1.00	1.00	

Although the average year of admission to the lawyers' Attorney Bar is slightly more recent for respondents, both the 50th and 99th percentiles coincide exactly, indicating that the distributions differ primarily in their skewness. By contrast, the balance test yields more clear-cut results when comparing the year of admission to the ISCC Attorney Bar. The distributions appear identical, both when comparing survey responses with the full sample and with the final dataset. This is reassuring, particularly given that experience at the ISCC is a key factor in assessing the reliability of survey responses.

The proportion of female lawyers in the survey data also aligns with that observed in

the full dataset. A final balance test concerns the share of lawyers working on Criminal versus Civil cases. This test indicates that lawyers working on Civil cases are overrepresented in the survey sample. Although this difference is large and statistically significant, it should be interpreted with caution. In the survey, this variable is self-reported, whereas in the administrative data lawyers are classified as “Civil” or “Criminal” based on the predominant type of cases they handle. Moreover, this classification does not account for the volume of cases handled at the ISCC, and many lawyers work on both Criminal and Civil matters, making a dichotomous categorization potentially misleading.

5.2 The Questionnaire

The questionnaire is structured into four parts. First, a brief introduction presents the informed consent, which is required in order to proceed with the survey. The next section explores the potential mechanisms discussed in the paper: ISCC lawyers are presented with the main result of the paper and three potential mechanisms that may explain it. They are asked to rate, on a scale from 1 to 10, the extent to which each mechanism may contribute to explaining the result, where 1 indicates the minimum and 10 the maximum. The option “Prefer not to answer” is available for each item.

Two open-ended questions follow. The first asks ISCC lawyers to propose an additional mechanism, different from those previously presented, that could rationalize the result. The second concerns the potential normative implications: respondents are invited to explain whether and why they believe that the result presented in the paper has positive, negative, or neutral effects on the judicial system.

Finally, a section with basic demographic questions is included to conduct balance tests on the respondents’ answers. As mentioned above, at the end of the survey, ISCC lawyers are allowed to enter a lottery for two Amazon gift cards, each valued at € 100.

5.2.1 Potential mechanisms

The first focus of the questionnaire comprised two components. First, respondents were presented with the main result of the paper in an intuitive and simplified manner. Specif-

ically, they were told that “*results show that a lawyer who appears multiple times before the same panel of judges in proceedings at the Supreme Court of Cassation has a higher probability (about 7% on average) of obtaining a favorable outcome*”. They were then presented with three potential mechanisms – in random order – and were asked to assign a score to each mechanism on a scale from 1 to 10, reflecting the extent to which they believed each mechanism contributes to explaining the result.

The three mechanisms were:

- Mechanism A: “*The lawyer, having appeared before the same panel of judges multiple times, has developed experience with the court’s way of assessing cases*”;
- Mechanism B: “*The panel of judges assumes that encountering the lawyer more frequently is an indicator of her greater competence*”;
- Mechanism C: “*The professional familiarity between the lawyer and the panel of judges has fostered greater mutual trust*”.

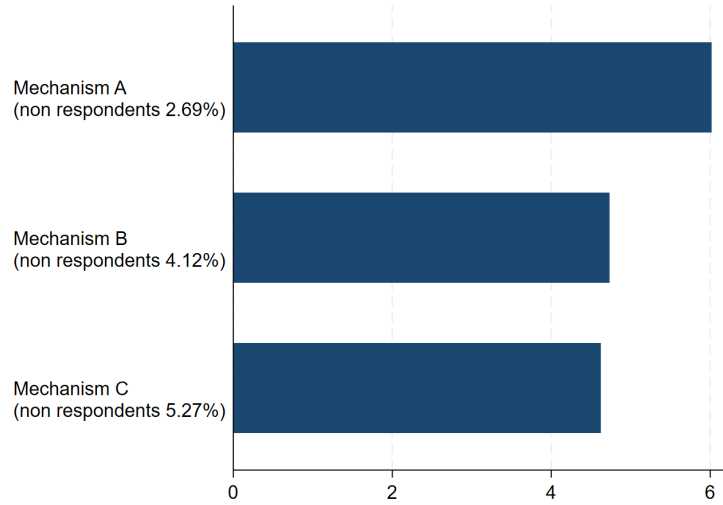
While the first mechanism primarily refers to a learning process through which the lawyer improves her ability to argue a case, the second points to some form of judicial bias, a factor which has been extensively explored in the literature ([Alesina and La Ferrara, 2014](#), [Ichino et al., 2003](#), [Shayo and Zussman, 2011](#)). The third mechanism, instead, relates to the development of reciprocal trust between the ISCC lawyer and the judges.

The vast majority of respondents assigned a positive weight to all three proposed mechanisms. Only 7% of responses had a missing score for at least one option. Figure 2 presents the absolute weights assigned by ISCC lawyers to the three mechanisms, without accounting for differences in individual rating scales.²²

Mechanism A is considered the most relevant by the majority of ISCC lawyers. The primary explanation provided by respondents for the higher probability of success following repeated interactions with the same panel of judges is that lawyers learn the court’s

²²For instance, one lawyer may have assigned weights of 1, 3, and 1 to the three options, while another assigned 4, 6, and 4. Although both assigned a higher weight to the second mechanism, the latter attributed a higher average weight overall.

Figure 2: Weights assigned to the proposed mechanisms



Notes: Mechanism A is “The lawyer, having appeared before the same panel of judges multiple times, has developed experience with the court’s way of assessing cases”; Mechanism B is “The panel of judges assumes that encountering the lawyer more frequently is an indicator of her greater competence”; Mechanism C is “The professional familiarity between the lawyer and the panel of judges has fostered greater mutual trust”.

approach to assessing cases and, as a result, become more effective advocates.²³

An open-ended question followed, asking lawyers to provide an additional factor different from those presented previously. Although the question explicitly requested a “different” mechanism, many respondents proposed explanations that overlapped with the three mechanisms already discussed.

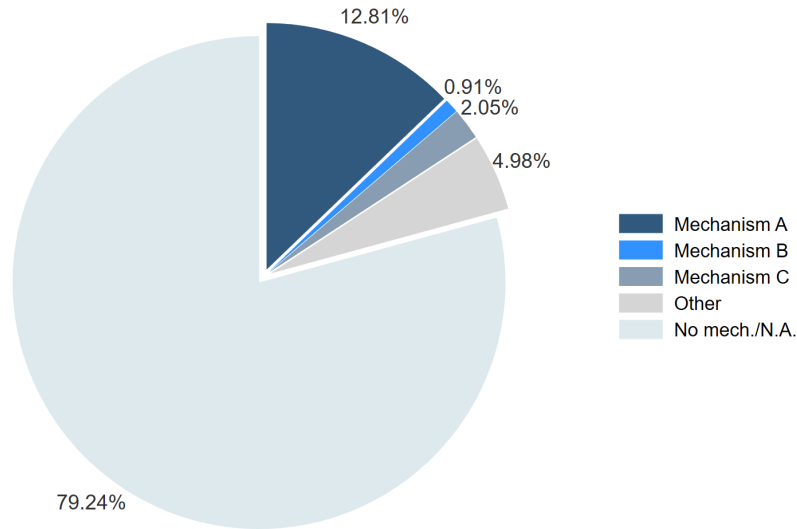
To summarize the open-ended responses, we used the OpenAI API to classify them into five groups. Responses that were broadly similar to one of the three proposed mechanisms were identified and categorized accordingly. Two additional categories captured responses that referred to genuinely different mechanisms (“Other”) and those that did not suggest any mechanism at all.²⁴

²³The results remain unchanged when responses are normalized to account for differences in individual rating scales. Table A7 reports summary statistics for the answers to the first question.

²⁴The archived survey materials preserve the open-text answers and the final category labels used in the analysis, but they do not retain the full API logs, exact model-version identifiers, temperature settings, or a formal validation exercise against double-coded human labels. For this reason, the coding procedure should be interpreted as a reproducible descriptive aid rather than as stand-alone measurement evidence. In practice, each response was mapped into pre-specified categories using a structured prompt that restated the relevant labels and asked the model to assign the closest category on the basis of the answer’s content. Throughout the paper, we therefore only use these classifications to summarize patterns in the open-ended responses.

Figure 3 summarizes this classification. The majority of responses were either missing or did not provide a clear alternative mechanism (79%). Among the remaining responses, most proposed mechanisms resembled, to some extent, Mechanism A, according to the classification produced by the API (62% of those offering a clear alternative explanation).

Figure 3: Other mechanisms proposed by lawyers (open question)



Notes: the open question was “Can you suggest an additional factor different from those indicated in the previous question?”. Replies to the open question were classified using OpenAI API into 5 categories: those somewhat similar to the three mechanisms already proposed (A, B, or C); other explicit mechanisms; and missing reply or no mechanism proposed. Mechanism A is “The lawyer, having appeared before the same panel of judges multiple times, has developed experience with the court’s way of assessing cases”; Mechanism B is “The panel of judges assumes that encountering the lawyer more frequently is an indicator of her greater competence”; Mechanism C is “The professional familiarity between the lawyer and the panel of judges has fostered greater mutual trust”.

Only 5% of respondents proposed genuinely alternative mechanisms. Some of these can be ruled out by our empirical specifications, which include lawyer fixed effects and time-varying lawyer controls, such as overall experience. Examples include factors related to a lawyer’s reputation, academic background, or prominence within the profession.

Other proposed mechanisms, such as the complexity or subject matter of the case, are addressed by the inclusion of case fixed effects in all empirical specifications. Some respondents also suggested that external relationships between lawyers and judges may play a role, for instance through participation in common workshops or professional initiatives. While this is an interesting channel, it has already been documented in the literature and

cannot be tested in the present setting (Liu and Zhang, 2024).

Taken together, the responses to the rating question and to the open-ended question are most consistent with the interpretation that repeated appearances before the same panel allow lawyers to develop specific capital with the court’s approach to case evaluation. Of course, these patterns reflect lawyers’ perceptions of plausible mechanisms.

Interestingly, this finding partially echoes a statement made by the First President of the ISCC in a public speech in March 2024,²⁵ in which she emphasized the role of ISCC lawyers in fostering what she referred to as an “enlarged nomofilachia”. This concept highlights that the correct interpretation of the law emerges from an open and constructive dialogue between judges and lawyers, which can benefit from more expert and specialized lawyers.

This relatively optimistic view of the role of specialized ISCC lawyers further motivates the analysis in the next section, which explores respondents’ opinions on the potential normative implications of the findings. Indeed, it is not clear *ex ante* whether the overall effects on the judicial system are predominantly positive or negative.

The next section presents the results from the open-ended question on normative implications and relates these responses to those provided for the proposed mechanisms, to identify which mechanisms are more commonly associated with positive or negative normative assessments by ISCC lawyers.

5.2.2 Potential normative implications

The final open-ended question of the survey asked ISCC lawyers to state whether they believed the main outcome of the study was more likely to have predominantly positive or negative effects on the judicial system, and to explain the reasoning behind their view. This design made it possible to collect multiple types of information simultaneously.

First, it allows us to examine lawyers’ perceptions of the overall normative implications of repeated interactions with judges, unconditional on respondents’ observable characteristics. Second, respondents can suggest reasons why these implications might be positive,

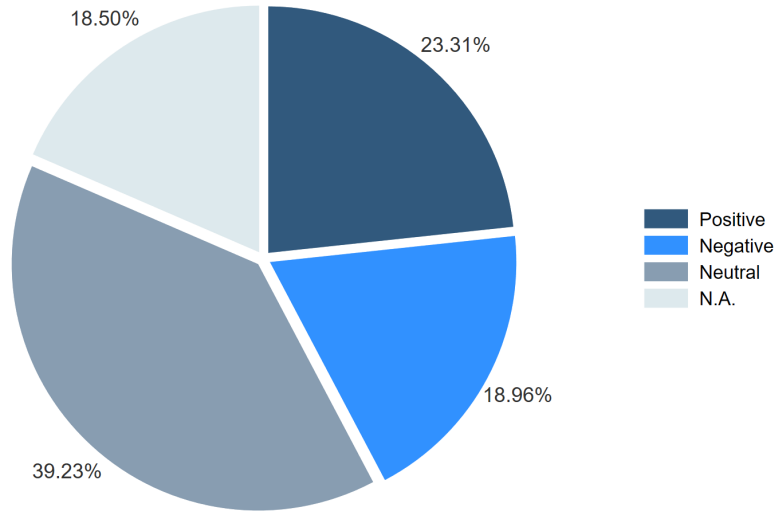
²⁵The video (in Italian) of the speech is available at [this link](#) (last accessed on April 15, 2026).

negative, or neutral, thereby offering useful insights for future analyses and normative considerations. Finally, by linking responses to this question with those provided earlier in the survey, it becomes possible to connect the mechanisms proposed by each lawyer to the normative implications they consider most likely.

Figure 4 presents the distribution of responses to the open-ended question on normative implications. Categories were identified using OpenAI API. We provided the model with detailed descriptions of each label (“positive”, “negative”, and “neutral”) in this context, and asked it to assign each response to the closest category based on its textual content.²⁶

²⁶The category descriptions provided to the model were as follows. “POSITIVE” = “Assign this label if the answer argues that the fact that a lawyer is more likely to obtain a favorable outcome when repeatedly appearing before the same court produces predominantly positive effects on the judicial system. Signs include arguments about improving efficiency, consistency, trust, better collaboration, predictability, or overall enhancement of the system’s fairness or functioning.”; “NEGATIVE” = “Assign this label if the answer argues that the fact that a lawyer is more likely to obtain a favorable outcome when repeatedly appearing before the same court produces predominantly negative effects on the judicial system. Signs include claims about unfairness, partiality, corruption, bias, loss of impartiality, unequal treatment, erosion of public trust, or weakening of the justice system.”; “NEUTRAL” = “Assign this label if the answer expresses neither a clear positive nor negative judgment, or explicitly states that the effect is neutral, balanced, or that it depends on the context. The response does not lean towards either positive or negative outcomes, is ambiguous, or presents both benefits and drawbacks in a balanced way.”

Figure 4: Normative implications (open question)



Notes: the open question was “In your opinion, does the fact that a lawyer has a higher likelihood of obtaining a favorable outcome when appearing multiple times before the same panel of judges have predominantly positive or negative effects on the judicial system? For what reason?”. Replies to the open question were classified using OpenAI API into 3 categories: those suggesting a predominantly positive normative implication; those suggesting a negative one, and those suggesting a neutral effect. Missing or unclassifiable replies were included in the “N.A.” category.

A substantial share of lawyers (approximately 39%) considered the implications of the result to be “neutral”. For some respondents, this reflects a purely neutral stance (i.e., neither positive nor negative), while others suggest that positive and negative effects may coexist and largely offset each other. Around 18% of lawyers did not provide a sufficiently informative response to this question. Among the remaining respondents (roughly 42%), opinions are sharply expressed and are almost evenly split between “positive” and “negative” assessments, with a relatively larger share on the positive side (23% vs 19%).

The distribution of responses described above is remarkably stable across observable characteristics, such as lawyers’ gender and experience at the ISCC. By contrast, more informative patterns emerge when responses on normative implications are related to the weights that each lawyer assigns to the main mechanisms proposed in the first survey question.

In order to examine the relationship between responses to the first survey question (mechanisms) and those to the final open-ended question (normative), we estimate the

following ordered probit model and report the corresponding marginal effects:

$$WO_i = \beta_1 \cdot w_i^{M1} + \beta_2 \cdot w_i^{M2} + \beta_3 \cdot w_i^{M3} + \varepsilon_i.$$

where WO_i equals 3 if respondent i classifies the normative implications as “positive”, 2 if they are classified as “neutral”, and 1 if they are classified as “negative” in response to the final open-ended survey question. The variable w_i^{Mj} denotes the weight assigned by respondent i to mechanism j in response to Question 1. The estimated marginal effects are reported in Table 7.

Table 7: Normative implications of the mechanisms – marginal effects

	dy/dx	Std. Err.	z	$P > z $	CI low	CI high
Mechanism A						
Negative	-0.022***	0.004	-6.31	0.000	-0.029	-0.015
Neutral	-0.003***	0.001	-3.06	0.002	-0.004	-0.001
Positive	0.025***	0.004	6.33	0.000	0.017	0.032
Mechanism B						
Negative	0.009**	0.004	2.28	0.023	0.001	0.016
Neutral	0.001*	0.001	1.92	0.055	-0.000	0.002
Positive	-0.010**	0.004	-2.28	0.023	-0.018	-0.001
Mechanism C						
Negative	-0.005	0.004	-1.23	0.217	-0.012	0.003
Neutral	-0.001	0.000	-1.16	0.245	-0.001	0.000
Positive	0.005	0.004	1.23	0.217	-0.003	0.014
Observations	1986					

Notes: Mechanism A is “The lawyer, having appeared before the same panel of judges multiple times, has developed experience with the court’s way of assessing cases”; Mechanism B is “The panel of judges assumes that encountering the lawyer more frequently is an indicator of her greater competence”; Mechanism C is “The professional familiarity between the lawyer and the panel of judges has fostered greater mutual trust”. Replies to the open question were classified using Chat-GPT5 into 3 categories: those suggesting a predominantly positive normative implication, those suggesting a negative one, and those suggesting a neutral effect.

The estimated marginal effects indicate which normative category is most strongly associated with each mechanism. The results in Table 7 show that Mechanism A is strongly and positively associated with a “positive” assessment of the study’s implications for the judicial system. This mechanism captures the idea that lawyers develop case-specific expertise by repeatedly appearing before the same panel of judges and learning how the court evaluates cases. By contrast, Mechanism B – where judges interpret frequent encounters with the same lawyer as a signal of competence – is more strongly associated with a “negative” assessment of normative implications (and less likely to be associated with a “positive” assessment). Mechanism C does not show significant patterns.

The results of this empirical exercise are consistent with the survey evidence on perceived mechanisms: the mechanism most often favored by ISCC lawyers in the questionnaire is also the one most strongly associated with somewhat “positive” assessments of normative implications. This is broadly confirmed conditioning on lawyers’ characteristics, including specialization (Criminal vs. Civil), gender, reported workload, timing of questionnaire completion, and experience at the ISCC.

A natural question is why ISCC lawyers perceive greater personal experience as having a positive impact on the judicial system. To shed light on this issue, we manually examined the open-ended responses of those lawyers who assigned a particularly high weight to Mechanism A in Question 1 and simultaneously indicated predominantly “positive” normative implications. The most frequent explanations emphasize that greater experience enhances the predictability of judicial decisions, avoids useless appeals to the ISCC in the first place, and reduces the likelihood of errors. Other responses highlight increased stability in judicial decision-making over time, as well as faster resolution of cases, as additional factors contributing to positive normative effects.

6 Conclusions

By studying repeated judges–lawyers interactions in the Italian Supreme Court of Cassation, this paper examines whether relationship–specific exposure to decision makers predicts outcomes in a public decision–making process outside contractual settings. Using the universe of published judgments from 2017 to 2022, we reconstruct lawyer identities and judicial panel composition and show that lawyers who appear more frequently before the same president–rapporteur pair are more likely to obtain a favorable outcome. In baseline specifications with case and lawyer fixed effects, a one–standard–deviation increase in cumulative matches is associated with a 5 to 7% increase in the probability of victory relative to the sample mean.

We complement the administrative data analysis with novel survey evidence from lawyers admitted to the ISCC Attorney Bar. Respondents identify learning about a panel’s approach to adjudication as the most plausible mechanism behind the positive association between repeated interactions and favorable outcomes. Moreover, lawyers who place greater weight on the learning mechanism tend to perceive repeated lawyer–judge interactions as having positive normative implications, emphasizing reduced uncertainty and greater efficiency as key benefits.

These findings contribute to the broader literature on repeated interactions and public decision–making outside contractual relationships. Repeated interactions can improve outcomes by allowing agents to acquire relationship–specific knowledge about how decisions are made, but they may also generate advantages unrelated to merit through familiarity or unequal access. Our evidence highlights the importance of understanding when repeated interactions enhance decision quality and when they create distortions. Future research should explore how institutional arrangements can preserve the informational benefits of repeated interactions while limiting potential inequities.

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Online Appendix

Tables

Table A1: Case level descriptive statistics – comparing raw with final data

	Raw data			Final data		
	Obs.	Mean	Std. Dev.	Obs.	Mean	Std. Dev.
Full acceptance	223,543	0.21	0.41	27,452	0.20	0.40
Case is Criminal (1/0)	223,543	0.83	0.38	27,452	0.71	0.45
‘Parte civile’ submitter (1/0)	223,543	0.01	0.08	27,452	0.01	0.11
Prosecutor submitter (1/0)	223,543	0.07	0.26	27,452	0.04	0.21
Civil – Division 1	223,543	0.01	0.11	27,452	0.03	0.16
Civil – Division 2	223,543	0.03	0.16	27,452	0.03	0.17
Civil – Division 3	223,543	0.02	0.14	27,452	0.03	0.16
Civil – Division 5	223,543	0.06	0.23	27,452	0.16	0.37
Civil – Division 6	223,543	0.00	0.04	27,452	0.00	0.01
Civil – Labor Division	223,543	0.05	0.21	27,452	0.05	0.21
Civil – United Divisions	223,543	0.01	0.09	27,452	0.00	0.00
Criminal – Division 1	223,543	0.17	0.38	27,452	0.14	0.35
Criminal – Division 2	223,543	0.16	0.37	27,452	0.12	0.33
Criminal – Division 3	223,543	0.12	0.33	27,452	0.08	0.28
Criminal – Division 4	223,543	0.12	0.32	27,452	0.08	0.28
Criminal – Division 5	223,543	0.13	0.34	27,452	0.17	0.37
Criminal – Division 6	223,543	0.10	0.30	27,452	0.11	0.31
Criminal – Division 7	223,543	0.02	0.14	27,452	0.00	0.03
Criminal – Feriale Division	223,543	0.00	0.05	27,452	0.00	0.06
Criminal – United Divisions	223,543	0.00	0.03	27,452	0.00	0.00

Notes: Data is at the case level. Full acceptance includes cases in which judges gave plain acceptance of the submitters’ requests.

Table A2: Lawyer's Probability of Full Victory: case-side level

	(1)
Avg. cum. number of lawyer-judges matches	0.0536*** (0.0155)
Logs of years from lawyer's admission to ISCC	0.000458 (0.0132)
Lawyer position <i>contra</i> (1/0)	0.418*** (0.0111)
Observations	9,440
F.E. (case level)	✓

Notes: Standard errors clustered at case level in parenthesis. *** p<0.01, ** p<0.05, * p<0.1.

Table A3: Lawyer's Probability of Full Victory: cum. matches with president

	(1)	(2)
Cumulative number of lawyer-president matches	0.0104*** (0.00208)	0.00718*** (0.00273)
Logs of years from lawyer's admission to ISCC	-0.000408 (0.00269)	0.0175 (0.0212)
Lawyer position <i>contra</i> (1/0)	0.427*** (0.0116)	0.375*** (0.0164)
Observations	33,861	21,147
F.E. (case level)	✓	✓
F.E. (lawyer level)		✓

Notes: Standard errors clustered at case level in parenthesis. *** p<0.01, ** p<0.05, * p<0.1.

Table A4: Lawyer's Probability of Full Victory: cum. matches with rapporteur

	(1)	(2)
Cumulative number of lawyer–rapporteur matches	0.0120** (0.00504)	0.0109** (0.00438)
Logs of years from lawyer's admission to ISCC	5.99e-05 (0.00270)	0.0158 (0.0211)
Lawyer position <i>contra</i> (1/0)	0.426*** (0.0116)	0.374*** (0.0164)
Observations	33,861	21,147
F.E. (case level)	✓	✓
F.E. (lawyer level)		✓

Notes: Standard errors clustered at case level in parenthesis. *** p<0.01, ** p<0.05, * p<0.1.

Table A5: Lawyer's Prob. of Full Victory: exclude cases w. homonymous lawyers

	(1)	(2)
Cumulative number of lawyer–judges matches	0.0359*** (0.0102)	0.0212*** (0.00811)
Logs of years from lawyer's admission to ISCC	0.00217 (0.00321)	-0.00338 (0.0282)
Lawyer position <i>contra</i> (1/0)	0.432*** (0.0132)	0.382*** (0.0202)
Observations	25,412	14,062
F.E. (case level)	✓	✓
F.E. (lawyer level)		✓

Notes: Standard errors clustered at case level in parenthesis. *** p<0.01, ** p<0.05, * p<0.1.

Table A6: Lawyer’s Probability of Full Victory: exclude homonymous lawyers

	(1)	(2)
Cumulative number of lawyer–judges matches	0.0321*** (0.00952)	0.0204** (0.00825)
Logs of years from lawyer’s admission to ISCC	0.000793 (0.00285)	0.0190 (0.0231)
Lawyer position <i>contra</i> (1/0)	0.430*** (0.0120)	0.370*** (0.0176)
Observations	30,107	18,100
F.E. (case level)	✓	✓
F.E. (lawyer level)		✓

Notes: Standard errors clustered at case level in parenthesis. *** p<0.01, ** p<0.05, * p<0.1.

Table A7: Descriptive statistics for the replies to Q1 – mechanism

	Summary statistics			Percentiles		
	Mean	Std. Dev.	Obs.	10 th	Median	90 th
Mechanism A	6.02	2.41	2,530	2	7	9
Mechanism A normalized	0.87	1.60	2,530	-1	1	3
Mechanism A is missing (1/0)	0.03	0.16	2,600	0	0	0
Mechanism B	4.73	2.54	2,493	1	5	8
Mechanism B normalized	-0.40	1.39	2,493	-2	-0	1
Mechanism B is missing (1/0)	0.04	0.20	2,600	0	0	0
Mechanism C	4.62	2.56	2,463	1	5	8
Mechanism C normalized	-0.50	1.35	2,463	-2	-0	1
Mechanism C is missing (1/0)	0.05	0.22	2,600	0	0	0

Notes: Mechanism A is “The lawyer, having appeared before the same panel of judges multiple times, has developed experience with the court’s way of assessing cases”; Mechanism B is “The panel of judges assumes that encountering the lawyer more frequently is an indicator of her greater competence”; Mechanism C is “The professional familiarity between the lawyer and the panel of judges has fostered greater mutual trust”. Normalization is done by subtracting the mean of the three replies to that question.

Table A8: Lawyer's Probability of Full Victory: dummy – full sample

	(1)	(2)
Multiple matches lawyer-judges (1/0)	0.0853*** (0.00786)	0.0167** (0.00774)
Logs of years from lawyer's admission to ISCC	-0.00108 (0.00139)	-0.0262*** (0.00964)
Lawyer position <i>contra</i> (1/0)	0.451*** (0.00569)	0.424*** (0.00661)
Observations	125,958	108,252
F.E. (case level)	✓	✓
F.E. (lawyer level)		✓

Notes: Standard errors clustered at case level in parenthesis. *** p<0.01, ** p<0.05, * p<0.1.

Table A9: Lawyer's Probability of Full Victory: both sides – full sample

	(1)	(2)
Total lawyer-judges matches at the ISCC	0.00849*** (0.000782)	0.00211* (0.00121)
Logs of years from lawyer's admission to ISCC	-0.00153 (0.00230)	-0.0660*** (0.0185)
Lawyer position <i>contra</i> (1/0)	0.450*** (0.00568)	0.424*** (0.00750)
Observations	73,215	58,317
F.E. (case level)	✓	✓
F.E. (lawyer level)		✓

Notes: Standard errors clustered at case level in parenthesis. *** p<0.01, ** p<0.05, * p<0.1.

The survey

Full body of the online survey (authors' translation)



UNIVERSITÀ DEGLI STUDI DI NAPOLI FEDERICO II

DIPARTIMENTO DI SCIENZE ECONOMICHE E STATISTICHE

PROFESSIONAL EXPERIENCE IN APPEALS TO THE ITALIAN SUPREME COURT OF CASSATION

Survey conducted for scientific research purposes
by the University of Naples Federico II

This questionnaire aims to collect the opinions of lawyers admitted to practice before the Supreme Court of Cassation regarding their professional experience. The study is conducted by researchers from the University of Naples Federico II and has been approved by the relevant Ethics Committee. Participation is completely voluntary. Responses will be collected, analysed anonymously, and reported exclusively in aggregate form.

As a token of thanks, at the end of the questionnaire, you may (optionally) participate in a prize draw to win one of two €100 Amazon gift cards; winners will be selected randomly. Those who choose to participate may voluntarily provide their email address, which will be used exclusively to manage the draw and contact the winners. **If you do not participate in the draw, no email address will be requested, and you do not authorise us to collect or use one.**

The questionnaire consists of 10 questions and is estimated to take approximately 5 minutes to complete.

For any questions or clarifications, you can contact:

- Prof. Giovanni Immordino: giovanni.immordino@unina.it
- Prof. Tommaso Oliviero: tommaso.oliviero@unina.it
- Dr. Matteo Vasca: matteo.vasca@unina.it

Participants' privacy will be guaranteed through anonymity. The data collected will be processed in accordance with privacy laws (Italian Personal Data Protection Code, Legislative Decree 30 June 2003, No. 196; Resolution of the Data Protection Authority, Official Gazette 14 January 2019, No. 11; and Regulation (EU) 2016/679 of the European Parliament and Council, 27 April 2016).

Consent to participate in the study. Please choose one of the following options:

- ☐ I consent to participate
- ☐ I do not consent to participate

[Only if “I consent to participate” is selected by the respondent, the participant is shown the subsequent questions and related options, she exits the survey.]

Q1 For research purposes, Criminal and Civil rulings of the Italian Supreme Court of Cassation from 2017 to 2022 were analysed. The results show that a lawyer who appears multiple times before the same panel of judges in proceedings at the Supreme Court of Cassation has a higher probability (about 7% on average) of obtaining a favourable outcome. In your opinion, how much do the following factors influence this increased likelihood of success?

Note: Please use a scale from 1 to 10, where 1 indicates the minimum (“no relevance”) and 10 indicates the maximum (“highest relevance”).

[For each factor, the survey allows the selection of a score from 1 to 10, plus the option “Prefer not to answer”. The order of the following options is randomised.]

- ☐ The lawyer, having appeared before the same panel of judges multiple times, has developed personal experience regarding the court’s way of assessing cases.
- ☐ The panel of judges assumes that encountering the lawyer more frequently is an indicator of her greater competence.
- ☐ The professional familiarity between the lawyer and the panel of judges has fostered greater mutual trust.

Q2 Can you suggest an additional factor different from those indicated in the previous question?

[Open question.]

Q3 In your opinion, does the fact that a lawyer has a higher likelihood of obtaining a favourable outcome when appearing multiple times before the same panel of judges have predominantly positive or negative effects on the judicial system? For what reason?

[Open question.]

Demographics.

- ☐ In which year did you qualify as a lawyer? (Please refer to the date of registration with the bar)

[Options: list of years, prefer not to answer.]

- ☐ Do you primarily handle Civil or Criminal cases?

[Options: Civil, Criminal, prefer not to answer.]

- ☐ In which year did you register with the bar of lawyers admitted to practice before the Supreme Court of Cassation?

[Options: list of years, prefer not to answer.]

- ☐ On average, how many cases do you personally handle each year before the Court of Cassation?

[Options: 1, 2, 3, 4, between 5 and 8, more than 8, prefer not to answer.]

- ☐ Your gender:

[Options: male, female, prefer not to answer.]

Thank you for participating in the questionnaire. Your responses have been recorded. If you wish to participate in the lottery to win a €100 Amazon gift card, please enter your email address here (*hyperlink included*). This way, your email cannot be linked to the responses you just provided in this questionnaire. Thank you.

Online survey – invitation email (authors' translation)

Dear Lawyer [*full name*],

We are contacting you as researchers from the **University of Naples Federico II** to invite you to participate in a scientific survey on the professional experience of lawyers admitted to practice before the Supreme Court of Cassation.

Your profile was selected because you have worked at the Court during the years 2017–2022. Your email address was obtained from your public profile on the website of the National Bar Council.

Responses will be treated anonymously and used exclusively in aggregate form for research purposes.

As a token of thanks, at the end of the survey, you may choose to participate in a draw for two €100 Amazon gift cards. Your email address will only be requested if you decide to participate in the draw and will be used solely to contact the winners.

Estimated duration: approximately 5 minutes.

Link to access the questionnaire:

https://usi.qualtrics.com/jfe/form/SV_0f7rcbm8ETSudDw.

For any questions, you may contact the research team at the University of Naples Federico II:

- Prof. Giovanni Immordino – *giovanni.immordino@unina.it*
- Prof. Tommaso Oliviero – *tommaso.oliviero@unina.it*
- Dr. Matteo Vasca – *matteo.vasca@unina.it*

We thank you for the time you dedicate and for your contribution to this research.

Kind regards,

the research team of the University of Naples Federico II

Ensuring Survey Data Quality

Several steps were taken to ensure the highest possible quality of survey responses. The target population consists of ISCC lawyers, who are highly qualified professionals with extensive legal expertise and a strong familiarity with procedures and rules. In the invitation email (reproduced in the Online Appendix), we clearly stated that the survey was conducted as part of a scientific research project led by a university department. The email also specified that recipients had been identified through a publicly available database and that all responses would be collected anonymously and analysed in aggregate form for research purposes.

The expected completion time was clearly indicated as approximately 5 minutes in order to encourage participation. In practice, the average completion time was about four and a half minutes, confirming the accuracy of this estimate. The survey was deliberately kept concise, comprising 10 questions, including demographic items; this was explicitly communicated in the invitation email to emphasise its brevity.

All mandatory questions – i.e., all questions except the two open-ended items on additional mechanisms and normative implications – included a “Prefer not to answer” option, allowing respondents to skip questions if they wished.

To address questions and further reassure recipients about the study’s credibility, we included our full names, institutional affiliations, and university email addresses in the invitation email. Lawyers were explicitly invited to reach out with any inquiries, and many of them (several hundred) did so. We personally responded to all messages, providing detailed answers to reinforce the survey’s reliability and confirm its authorship.

To ensure the reliability of the responses, incomplete submissions were excluded from the analysis, removing 699 observations from an initial sample of 3,299 responses. The completion rate among these partial responses ranged from 15% to 62% of the survey. Respondents were free to exit the survey at any point during completion or to leave it open and return to it later. Given the demanding schedules of ISCC lawyers, no responses were excluded based on completion time.

Participation in the lottery for the two Amazon gift cards was entirely voluntary. Lawyers were informed that they could enter the lottery by providing a personal email address. To preserve the anonymity of responses to the main survey, a separate questionnaire was created solely to collect email addresses from participants. This secondary questionnaire was accessible only after submitting the main survey. Lawyers who did not wish to participate in the lottery could simply close the webpage after completing the survey. The system was designed to ensure that (1) only lawyers who successfully completed the survey could access the lottery, and (2) we could not link email addresses from the secondary questionnaire to responses in the main survey.