

Supreme Court Database Code Book

brick_2015_01

CONTRIBUTORS

Harold Spaeth

Michigan State University College of Law

Lee Epstein

Northwestern University

Ted Ruger

University of Pennsylvania School of Law

Sarah C. Benesh

University of Wisconsin - Milwaukee Department of Political Science

Jeffrey Segal

Stony Brook University Department of Political Science

Andrew D. Martin

University of Michigan College of Literature, Science, and the Arts

Document Crafted On August 17, 2015 @ 01:53

Table of Contents

INTRODUCTORY

- 1 Introduction
- 2 Citing to the SCDB

IDENTIFICATION VARIABLES

- 3 SCDB Case ID
- 4 SCDB Docket ID
- 5 SCDB Issues ID
- 6 SCDB Vote ID
- 7 U.S. Reporter Citation
- 8 Supreme Court Citation
- 9 Lawyers Edition Citation
- 10 LEXIS Citation
- 11 Docket Number

BACKGROUND VARIABLES

- 12 Case Name
- 13 Petitioner
- 14 Petitioner State
- 15 Respondent
- 16 Respondent State
- 17 Manner in which the Court takes Jurisdiction
- 18 Administrative Action Preceding Litigation
- 19 Administrative Action Preceding Litigation State
- 20 Three-Judge District Court
- 21 Origin of Case
- 22 Origin of Case State

- 23 Source of Case
- 24 Source of Case State
- 25 Lower Court Disagreement
- 26 Reason for Granting Cert
- 27 Lower Court Disposition
- 28 Lower Court Disposition Direction

CHRONOLOGICAL VARIABLES

- 29 Date of Decision
- 30 Term of Court
- 31 Natural Court
- 32 Chief Justice
- 33 Date of Oral Argument
- 34 Date of Reargument

SUBSTANTIVE VARIABLES

- 35 Issue
- 36 Issue Area
- 37 Decision Direction
- 38 Decision Direction Dissent
- 39 Authority for Decision 1
- 40 Authority for Decision 2
- 41 Legal Provisions Considered by the Court
- 42 Legal Provision Supplement
- 43 Legal Provision Minor Supplement

OUTCOME VARIABLES

- 44 Decision Type
- 45 Declaration of Unconstitutionality

- 46 Disposition of Case
- 47 Unusual Disposition
- 48 Winning Party
- 49 Formal Alteration of Precedent

VOTING & OPINION VARIABLES

- 50 Vote Not Clearly Specified
- 51 Majority Opinion Writer
- 52 Majority Opinion Assigner
- 53 Split Vote
- 54 Majority Votes
- 55 Minority Votes
- 56 Justice ID
- 57 Justice Name
- 58 The Vote in the Case
- 59 Opinion
- 60 Direction of the Individual Justice's Votes
- 61 Majority and Minority Voting by Justice
- 62 First Agreement
- 63 Second Agreement

APPENDICES / DATA NORMALIZATIONS

- A1 varAdminAction
- A2 varAuthorityDecision
- A3 varCaseDispositionLc
- A4 varCaseDispositionSc
- A5 varCaseDispositionUnusual
- A6 varCaseSources
- A7 varCertReason
- A8 varChiefs

A9	varDecisionDirection
A10	varDecisionDirectionDissent
A11	varDecisionTypes
A12	varDeclarationUncon
A13	varIssues
A14	varIssuesAreas
A15	varJurisdiction
A16	varJusticeDirection
A17	varJusticeMajority
A18	varJusticeOpinion
A19	varJustices
A20	varLawArea
A21	varLcDisagreement
A22	varLegalProvisions
A23	varNaturalCourt
A24	varParties
A25	varPartyWinning
A26	varPrecedentAlteration
A27	varSplitVote
A28	varStates
A29	varThreeJudgeFdc
A30	varVote
A31	varVoteUnclear

1 Introduction

A Prefatory Note from Harold J. Spaeth, Distinguished University Professor, emeritus, Michigan State University;
Research Professor in the College of Law and in the Institute for Public Policy & Social Research.

The database to which this introduction pertains spans all four centuries of the Court's decisions, from its first decision in 1791 to the Court's most recent decision.

The initial version of this database, which began with the Warren Court in 1953 and was back dated to the beginning of the Vinson Court in 1946, dates from the mid-1980's at the dawn of the desktop computing revolution and relies on pre-microcomputing and pre-internet conditions. As such, users need knowledge of statistical software packages and the codified variables that the database contains. This new version, however, recognizes the existence of the 21st century by eliminating acquaintance with statistical software packages and coded variables. Plain English rules! But do note that the database can be uploaded into statistical packages to perform advanced calculations if a user so desires.

Aside from the foregoing, the major feature of this version of the database is an interface that is in line with modern technology and which will allow users to directly calculate and view relationships among the variables in the database.

As such, the database may now be treated as justice centered. The original database only allowed for the analyses of judicial decisions and the votes of the individual justices. It is now possible for the individual justice's vote to be the unit of analysis rather than the case. That is, a user may, for example, easily compare the behavior of one or more of the justices with that of others. The original version of the database was not programmed to do so because it was exclusively case centered.

I have specified decision rules governing the entry of data into the various variables, most particularly the legal provisions governing the Court's decisions and the issues to which cases pertain. These, however, are not set in concrete. You, of course, are free to redefine any and all variables on your copy of the database. If convention applies, I adhere to it. But for many variables and their specific entries, none exists.

Because the database now extends over four centuries, it is necessary to add, alter, and adjust a number of variables. I do so to keep the legacy cases (those decided between 1791 and the Court's acquisition of discretionary jurisdiction as a result of the Judges' Bill of 1925) as congruent as possible with the Court's modern decisions. These changes primarily apply to the issues the Court decides. Most notable is the addition of a set of common law issues. These account for much of the Court's heritage decisions, especially those of the 19th century, and have had little applicability to any but the parties to these cases.

In specifying the issue in the legacy cases I have chosen the one that best accords with what

today's Court would consider the issue to be. For example, "prize cases," those in which vessels were captured on the high seas and brought into U.S. ports, are categorized either as Fifth Amendment takings clause cases or as cases pertaining to the jurisdiction of the federal district or appeals courts, depending on which issue the Court based its decision. This was done to provide a basis for continuity in the Court's decision making and to avoid undue segmentation of the Court's decisions. The same rule applies to various provisions pertaining to the Bill of Rights even though the Fourteenth Amendment had not been ratified and no guarantees of the Bill of Rights had been made binding on the state and local governments.

Do recognize, however, that the foregoing paragraph applies only to the issue(s) the Court addressed and not to the legal provisions decided by the Court. The latter were largely nonexistent before the end of the Civil War. These early legacy decisions generally rested either on the common law or judicial fiat.

Because of current concerns I have given primacy to issues involving women and Native Americans in cases in which they are involved.

I wish to thank my former student, Distinguished University Professor Jeffrey Segal of the State University of New York at Stony Brook for his extremely valuable comments and suggestions on all phases and aspects of the database since its inception in the early 1980's. I also thank Harriet Dhanak, the former programming and software specialist in the Department of Political Science at Michigan State University, for her expert guidance and assistance. Her successor, Lawrence Kestenbaum, continued and extended the stellar services on which I had become dependent. Most recently I have relied on the superb technical knowledge and skills of John Schwarz of the Michigan State University Institute for Political and Social Science Research and his talented successor, Jess Sprague. Professor Tim Hagle of the University of Iowa continues to systematically inform me of errors and missing data that I have overlooked. My former graduate students, now well tenured scholars--Sara C. Benesh and Wendy L. Martinek--have shepherded me through the more arcane byways of current versions of statistical software packages. And though this feature of the database is now passe, their previous assistance has been key.

I also deeply appreciate the support provided me by the Michigan State University College of Law and that of Milly Shiraev of the University's Institute for Political and Social Science Research.

Three outstanding individuals are most responsible for this version of the database. Lee Epstein, whose wide-ranging scholarly productivity is unmatched in the world of judicial scholarship and effectively compliments her hard driving even-handed taskmastership; Andrew D. Martin, former chair of the Department of Political Science, professor of law, and Director of the Center for Empirical Research in Law (CERL) at Washington University in St. Louis, and now Dean of the College of Art, Science, and Letters at the University of Michigan, whose methodological competence knows no bounds; and Troy DeArmitt, Technology Director of CERL. Without his masterful skills the database would

still be locked into its primitive pre-microcomputer and pre-internet structure. Its transformation into the marvelously designed and implemented database you have at hand is Troy's creation.

Compilation of this database has been supported by grants from the National Science Foundation. Without its assistance, the database would not exist.

Notes to All Users

1. The Supreme Court Database's research team continuously updates the database. Accordingly, we urge you to pay attention to the date your version appeared on the website and to check whether it is the current one.
2. The codebook now provides five pieces of information for each variable: the name of the variable as it appears in the current version of the Database, the name Spaeth used in previous versions (if applicable), any normalization (changes we made when converting from Spaeth's format to the new web version), and, of course, a description of the variable and a list of its values.

- *End of Content for Variable 1. Introduction* -

2 Citing to the SCDB

To cite to the Supreme Court Database, please employ the following: [Harold J. Spaeth] U.S. Supreme Court Judicial Database: St. Louis, Washington University. Alternatively: Harold J. Spaeth, Lee Epstein, Andrew D. Martin, Jeffrey A. Segal, Theodore J. Ruger, and Sara C. Benesh. 2015 Supreme Court Database, Version 2015 Release 01. URL: <http://Supremecourtdatabase.org>

Please be sure to include the specific Version Number; e.g., 'Version 2015 Release 01' in your citation as this will indicate the particular version of the database being employed at the time of your reference.

- End of Content for Variable 2. Citing to the SCDB -

3 SCDB Case ID

Variable Name caseId	Spaeth Name n/a	Normalizations n/a
-------------------------	--------------------	-----------------------

This is the first of four unique internal identification numbers.

The first four digits are the term. The next four are the case within the term (starting at 001 and counting up).

- End of Content for Variable 3. SCDB Case ID -

4 SCDB Docket ID

Variable Name	Spaeth Name	Normalizations
docketId	n/a	n/a

This is the second of four unique internal identification numbers.

The first four digits are the term. The next four are the case within the term (starting at 001 and counting up). The last two are the number of dockets within the case (starting at 01 and counting up).

- End of Content for Variable 4. SCDB Docket ID -

5 SCDB Issues ID

Variable Name	Spaeth Name	Normalizations
caseIssuesId	n/a	n/a

This is the third of four unique internal identification numbers.

The first four digits are the term. The next four are the case within the term (starting at 001 and counting up). The next two are the number of dockets within the case (starting at 01 and counting up). The last two are the number of issues and legal provisions within the case (starting at 01 and counting up).

- End of Content for Variable 5. SCDB Issues ID -

6 SCDB Vote ID

Variable Name voteId	Spaeth Name n/a	Normalizations n/a
-------------------------	--------------------	-----------------------

This is the fourth of four unique internal identification numbers.

The first four digits are the term. The next four are the case within the term (starting at 001 and counting up). The next two are the number of dockets within the case (starting at 01 and counting up). The next two are the number of issues and legal provisions within the case (starting at 01 and counting up). The next two indicate a split vote within an issue or legal provision (01 for only one vote; 02 if a split vote). The final two represent the vote in the case (usually runs 01 to 09, but fewer if less than all justices participated).

- End of Content for Variable 6. SCDB Vote ID -

7 U.S. Reporter Citation

Variable Name usCite	Spaeth Name US	Normalizations n/a
-------------------------	-------------------	-----------------------

The next four variables provide the citation to each case from the official United States Reports (US) and the three major unofficial Reports, the Supreme Court Reporter (S.CT), the Lawyers' Edition of the United States Reports (LEd), and the LEXIS cite.

Note that LEXIS cites have the advantage of being unique; the other reporters can have multiple cases on the same page.

Further note that pagination does not invariably proceed chronologically throughout the volumes. Hence, do not assume that because a given citation has a higher page number than that of another case it was decided on the same or a later date as the other case. The only accurate way to sequence the cases chronologically is by indexing or otherwise sequencing each case's date of decision (date of decision).

- End of Content for Variable 7. U.S. Reporter Citation -

8 Supreme Court Citation

Variable Name	Spaeth Name	Normalizations
sctCite	SCT	n/a

See variable U.S. Reporter Citation (usCite).

- End of Content for Variable 8. Supreme Court Citation -

9 Lawyers Edition Citation

Variable Name	Spaeth Name	Normalizations
ledCite	LED	n/a

See variable U.S. Reporter Citation.

- End of Content for Variable 9. Lawyers Edition Citation -

10 LEXIS Citation

Variable Name	Spaeth Name	Normalizations
lexisCite	n/a	n/a

See variable U.S. Reporter Citation (usCite).

- End of Content for Variable 10. LEXIS Citation -

11 Docket Number

Variable Name docket	Spaeth Name DOCKET	Normalizations n/a
-------------------------	-----------------------	-----------------------

This variable contains the docket number that the Supreme Court has assigned to the case. Prior to the first two terms of the Burger Court (1969-1970), different cases coming to the Court in different terms could have the same docket number. The Court eliminated the possibility of such duplication by including the last two digits of the appropriate term before the assigned docket number. Since the 1971 Term, the Court has also operated with a single docket. Cases filed pursuant to the Court's appellate jurisdiction have a two-digit number corresponding to the term in which they were filed, followed by a hyphen and a number varying from one to five digits. Cases invoking the Court's original jurisdiction have a number followed by the abbreviation, "Orig."

Note that during much of the legacy period, the Court did not assign docket numbers to its cases.

For administrative purposes, the Court uses the letters, "A," "D," and "S," in place of the term year to identify applications ("A") for stays or bail, proceedings of disbarment or discipline of attorneys ("D"), and matters being held indefinitely for one reason or another ("S"). These occur infrequently and then almost always in the Court's summary orders at the back of each volume of the U.S. Reports. The database excludes these cases, the overwhelming majority of which are denials of petition for certiorari.

A handful of cases in the database lack a docket number. For these, the docket variable has no entry.

Finally, note that the Court can consolidate multiple petitions--each with its own docket number--under one U.S. cite. If you are interested in only the first (lead) case, use the database organized by Supreme Court citation. If you are interested in all the cases consolidated under one cite, select the data grouping 'organize by docket, which is found at the end of the analysis panel.

Note that for the heritage cases (pre-1946 term) I only provide the lead case/docket number. This was done to avoid excessive duplication of cases. Multiple docket numbers under a single case citation almost always contain the same issue as the lead case and differ only in the parties to the case and its origin and source (qv.).

- End of Content for Variable 11. Docket Number -

12 Case Name

Variable Name caseName	Spaeth Name n/a	Normalizations n/a
----------------------------------	---------------------------	------------------------------

This is the name of the case. We derived the post-heritage names from WESTLAW and then did a bit of tidying so that they appear in a consistent format. With the exception of various Latin phrases and abbreviations, all words are now in upper case.

The names of the heritage cases are taken from the LAWYERS' EDITION of the Reports. If you are searching for a particular case and do not find it, it likely results because of a variant name. The citation of the case should, however, enable you to find the desired case.

Note that case name is tied to the docket number. In other words, if multiple cases appear under the same citation, the case name will be that of the particular case, not the lead case.

- End of Content for Variable 12. Case Name -

13 Petitioner

Variable Name	Spaeth Name	Normalizations
petitioner	PARTY_1	varParties (309)

The next four variables identify the parties to the case. "Petitioner" refers to the party who petitioned the Supreme Court to review the case. This party is variously known as the petitioner or the appellant. "Respondent" refers to the party being sued or tried and is also known as the appellee. Variables "petitioner" and "respondent" provide detailed information about all parties, except the identity of the state if a state (or one of its subdivisions) is a party, petitioner and respondent variables note only whether a state is a party, not the state's name. See variables Petitioner State and Respondent State for the name.

The specific codes that appear below were created inductively, with petitioner and respondent characterized as the Court's opinion identifies them.

In describing the parties in the cases before it, the justices employ terminology that places them in the context of the litigation in which they are involved. Accordingly, an employer who happens to be a manufacturer will be identified as the former if its role in the litigation is that of an employer and as the latter if its role is that of a business. Because the justices describe litigants in this fashion, a fairly limited vocabulary characterizes them. Note that the list of parties also includes the list of administrative agencies and officials contained in administrative action preceding litigation.

Also note that the Court's characterization of the parties applies whether the petitioner and respondent are actually single entities or whether many other persons or legal entities have associated themselves with the lawsuit. That is, the presence of the phrase, et al., following the name of a party does not preclude the Court from characterizing that party as though it were a single entity. Thus, each docket number will show a single petitioner and a single respondent, regardless of how many legal entities were actually involved.

The decision rules governing the identification of parties are as follows.

1. Parties are identified by the labels given them in the opinion or judgment of the Court except where the Reports title a party as the "United States" or as a named state. Textual identification of parties is typically provided prior to Part I of the Court's opinion. The official syllabus, the summary that appears on the title page of the case, may be consulted as well. In describing the parties, the Court employs terminology that places them in the context of the specific lawsuit in which they are involved. E.g., "employer" rather than "business" in a suit by an employee; as a "minority," "female," or "minority female" employee rather than "employee" in a suit alleging discrimination by an employer.

2. Where a choice of identifications exists that which provides information not provided by the legal provision or the issue is chosen. E.g., a federal taxpayer or an attorney

accused of a crime as taxpayer or attorney rather than accused person, particularly if neither the lawType nor the Issue variable identifies the case as a tax matter or one involving an attorney.

3. Identify the parties by reference to the following list and by the list of federal agencies provided in the adminAction variable.

- *End of Content for Variable 13. Petitioner* -

14 Petitioner State

Variable Name	Spaeth Name	Normalizations
petitionerState	PARTY_1	varStates (63)

This variable identifies the state if the state or any one of the following is the petitioner:

- specified state board or department of education
- city, town, township, village, or borough government or governmental unit
- state commission, board, committee, or authority
- county government or county governmental unit
- state department or agency
- court or judicial district
- governmental employee or job applicant
- female governmental employee or job applicant
- minority governmental employee or job applicant
- minority female governmental employee or job applicant
- federal government corporation
- retired or former governmental employee
- U.S. House of Representatives
- interstate compact
- judge
- state legislature, house, or committee
- local governmental unit other than a county, city, town, township, village, or borough
- governmental official, or an official of an agency established under an interstate compact
- state or U.S. supreme court
- local school district or board of education
- U.S. Senate
- U.S. senator
- foreign nation or instrumentality
- state or local governmental taxpayer, or executor of the estate of
- state college or university

See Petitioner variable for more details.

- End of Content for Variable 14. Petitioner State -

15 Respondent

Variable Name	Spaeth Name	Normalizations
respondent	PARTY_2	varParties (309)

See Petitioner variable.

- End of Content for Variable 15. Respondent -

16 Respondent State

Variable Name	Spaeth Name	Normalizations
respondentState	PARTY_2	varStates (63)

This variable identifies the state if the state or any one of the following is the respondent:

- specified state board or department of education
- city, town, township, village, or borough government or governmental unit
- state commission, board, committee, or authority
- county government or county governmental unit
- state department or agency
- court or judicial district
- governmental employee or job applicant
- female governmental employee or job applicant
- minority governmental employee or job applicant
- minority female governmental employee or job applicant
- retired or former governmental employee
- judge
- state legislature, house, or committee
- local governmental unit other than a county, city, town, township, village, or borough
- governmental official, or an official of an agency established under an interstate compact
- state or U.S. supreme court
- local school district or board of education
- state or local governmental taxpayer, or executor of the estate of
- state college or university

See Petitioner variable for more details.

- End of Content for Variable 16. Respondent State -

17 Manner in which the Court takes Jurisdiction

Variable Name	Spaeth Name	Normalizations
jurisdiction	JUR	varJurisdiction (13)

The Court uses a variety of means whereby it undertakes to consider cases that it has been petitioned to review. These are listed below. The most important ones are the writ of certiorari, the writ of appeal, and for legacy cases the writ of error, appeal, and certification.

- End of Content for Variable 17. Manner in which the Court takes Jurisdiction -

18 Administrative Action Preceding Litigation

Variable Name	Spaeth Name	Normalizations
adminAction	ADMIN	varAdminAction (125)

This variable pertains to administrative agency activity occurring prior to the onset of litigation. Note that the activity may involve an administrative official as well as that of an agency. The general rule for an entry in this variable is whether administrative action occurred in the context of the case. Note too that this variable identifies the specific federal agency. If the action occurred in a state agency, adminAction is coded as 117 (State Agency). See the variable adminActionState for the identity of the state.

Determination of whether administration action occurred in the context of the case was made by reading the material which appears in the summary of the case (the material preceding the Court's opinion) and, if necessary, those portions of the prevailing opinion headed by a I or II.

Action by an agency official is considered to be administrative action except when such an official acts to enforce criminal law.

If an agency or agency official "denies" a "request" that action be taken, such denials are considered agency action.

If two federal agencies are mentioned (e.g., INS and BIA), the one whose action more directly bears on the dispute will appear; otherwise the agency that acted more recently. If a state and federal agency are mentioned, the federal agency will appear.

Excluded from entry in this variable are:

- A "challenge" to an unapplied agency rule, regulation, etc.
A request for an injunction or a declaratory judgment against agency action which, though anticipated, has not yet occurred.
- A mere request for an agency to take action when there is no evidence that the agency did so.
- Agency or official action to enforce criminal law.
The hiring and firing of political appointees or the procedures whereby public officials are appointed to office.
- Attorney general preclearance actions pertaining to voting.
Filing fees or nominating petitions required for access to the ballot.
- Actions of courts martial.

- Land condemnation suits and quiet title actions instituted in a court.
- Federally funded private nonprofit organizations.

Note that the following list of agencies may also be found as a petitioner or respondent variable.

- *End of Content for Variable 18. Administrative Action Preceding Litigation* -

19 Administrative Action Preceeding Litigation State

Variable Name	Spaeth Name	Normalizations
adminActionState	ADMIN	varStates (63)

Administrative action may be either state or federal. If administrative action was taken by a state or a subdivision thereof, this variable identifies the state. See adminAction for federal agencies and for the coding rules.

When a state agency or official acts as an agent of a federal agency, it is identified as such.

- End of Content for Variable 19. Administrative Action Preceeding Litigation State -

20 Three-Judge District Court

Variable Name	Spaeth Name	Normalizations
threeJudgeFdc	J3	varThreeJudgeFdc (2)

This variable will be checked if the case was heard by a three-judge federal district court. Recent congressional legislation has reduced the kinds of lawsuits that must be heard by such a court. As a result, the frequency is less for the Burger Court than for the Warren Court, and all but nonexistent for the Rehnquist and Roberts Courts.

- End of Content for Variable 20. Three-Judge District Court -

21 Origin of Case

Variable Name caseOrigin	Spaeth Name ORIGIN	Normalizations varCaseSources (212)
-----------------------------	-----------------------	----------------------------------------

The focus of this variable is the court in which the case originated, not the administrative agency (see adminAction and adminActionState). For this reason a number of cases show a state or federal appellate court as the one in which the case originated rather than a court of first instance (trial court). This variable has no entry for cases that originated in the United States Supreme Court. Note too that caseOrigin does not identify the name of the state if the case originated in a state court. For the state name, see variable caseOriginState.

Cases that arise on a petition of habeas corpus and those removed to the federal courts from a state court are defined as originating in the federal, rather than a state, court system.

This variable has no entry if the case arose under the Supreme Court's original jurisdiction and in other proceedings with which no other court was involved.

A petition for a writ of habeas corpus begins in the federal district court, not the state trial court.

Cases removed to a federal court originate there.

Also see source of case (caseSource).

- End of Content for Variable 21. Origin of Case -

22 Origin of Case State

Variable Name	Spaeth Name	Normalizations
caseOriginState	ORIGIN	varStates (63)

If the case originated in a state court, this variable identifies the state. For more details, see the variable caseOrigin.

- End of Content for Variable 22. Origin of Case State -

23 Source of Case

Variable Name caseSource	Spaeth Name SOURCE	Normalizations varCaseSources (212)
-----------------------------	-----------------------	----------------------------------------

This variable identifies the court whose decision the Supreme Court reviewed. If the case originated in the same court whose decision the Supreme Court reviewed, the entry in the caseOrigin should be the same as here. This variable has no entry if the case arose under the Supreme Court's original jurisdiction.

If caseSource is a state court, the value of this variable will be 300 (State Supreme Court), 302 (State Appellate Court) or 303 (State Trial Court). Variable caseSourceState identifies the name of the state.

- End of Content for Variable 23. Source of Case -

24 Source of Case State

Variable Name	Spaeth Name	Normalizations
caseSourceState	SOURCE	varStates (63)

If the source of the case (i.e., the court whose decision the Supreme Court reviewed) is a state court, this variable identifies the state. See also Source of Case (caseSource).

- End of Content for Variable 24. Source of Case State -

25 Lower Court Disagreement

Variable Name	Spaeth Name	Normalizations
lcDisagreement	DISS	varLcDisagreement (2)

An entry in this variable indicates that the Supreme Court's majority opinion mentioned that one or more of the members of the court whose decision the Supreme Court reviewed dissented. The presence of such disagreement is limited to a statement to this effect somewhere in the majority opinion. I.e., "divided," "dissented," "disagreed," "split." A reference, without more, to the "majority" or "plurality" does not necessarily evidence dissent. The other judges may have concurred.

If a case arose on habeas corpus, a dissent will be indicated if either the last federal court or the last state court to review the case contained one. E.g., *Townsend v. Sain*, 9 Led 2d 770 (1963). A dissent will also be indicated if the highest court with jurisdiction to hear the case declines to do so by a divided vote. E.g., *Simpson v. Florida*, 29 L ed 2d 549 (1971).

Note that the focus of this variable tends to be a statement that a dissent occurred rather than the fact of such an occurrence. The fact of a dissent is not always mentioned in the majority opinion. It may be irrelevant. See, for example, *McNally v. United States*, 483 U.S. 350 (1987), and *United States v. Gray and McNally*, 790 F.2d 1290 (1986).

If the lower court denies an en banc petition by a divided vote and the Supreme Court discusses same, lower court disagreement exists.

If the lower court denies an en banc petition by a divided vote and the Supreme Court's opinion discusses same, a dissent occurs.

- End of Content for Variable 25. Lower Court Disagreement -

26 Reason for Granting Cert

Variable Name	Spaeth Name	Normalizations
certReason	CERT	varCertReason (13)

This variable provides the reason, if any, that the Court gives for granting the petition for certiorari. If the case did not arise on certiorari, this variable will be so coded even if the Court provides a reason why it agreed to hear the case. The Court, however, rarely provides a reason for taking jurisdiction by writs other than certiorari.

- End of Content for Variable 26. Reason for Granting Cert -

27 Lower Court Disposition

Variable Name lcDisposition	Spaeth Name LODIS	Normalizations varCaseDispositionLc (12)
---------------------------------------	-----------------------------	-------------------------------------------------------

This variable specifies the treatment the court whose decision the Supreme Court reviewed accorded the decision of the court it reviewed; e.g., whether the court below the Supreme Court---typically a federal court of appeals or a state supreme court---affirmed, reversed, remanded, etc. the decision of the court it reviewed---typically a trial court.

lcDisposition will not contain an entry if the decision the Supreme Court reviewed is that of a trial court or if the case arose under the Supreme Court's original jurisdiction (see the jurisdiction variable).

The decision rules governing this information follow:

1. We adhere to the language used in the "holding" in the summary of the case on the title page or prior to Part I of the Court's opinion. Exceptions to the literal language are the following:
2. Where the Court overrules the lower court, we treat this a petition or motion granted.
3. Where the court whose decision the Supreme Court is reviewing refuses to enforce or enjoins the decision of the court, tribunal, or agency which it reviewed, we treat this as reversed.
4. Where the court whose decision the Supreme Court is reviewing enforces the decision of the court, tribunal, or agency which it reviewed, we treat this as affirmed.
5. Where the court whose decision the Supreme Court is reviewing sets aside the decision of the court, tribunal, or agency which it reviewed, we treat this as vacated; if the decision is set aside and remanded, we treat it as vacated and remanded.

Also see disposition of case and direction of the lower court's decision (lcDispositionDirection).

- End of Content for Variable 27. Lower Court Disposition -

28 Lower Court Disposition Direction

Variable Name	Spaeth Name	Normalizations
lcDispositionDirection	LCTDIR	varDecisionDirection (3)

This variable specifies whether the decision of the court whose decision the Supreme Court reviewed was itself liberal or conservative as these terms are defined in the direction of decision variable (decisionDirection).

lcDispositionDirection permits determination of whether the Supreme Court's disposition of the case upheld or overturned a liberal or a conservative lower court decision.

Also see disposition of case by the court whose decision the Supreme Court reviewed (lcDisposition), direction of decision (decisionDirection), disposition of case (caseDisposition), and winning party (partyWinning).

- End of Content for Variable 28. Lower Court Disposition Direction -

29 Date of Decision

Variable Name	Spaeth Name	Normalizations
dateDecision	DEC	n/a

This variable contains the year, month, and day that the Court announced its decision in the case.

- End of Content for Variable 29. Date of Decision -

30 Term of Court

Variable Name term	Spaeth Name TERM	Normalizations n/a
-----------------------	---------------------	-----------------------

This variable identifies the term in which the Court handed down its decision. For cases argued in one term and reargued and decided in the next, term indicates the latter.

Historically, the nature of how a term is defined has changed. Below is a listing of the more significant changes to the term definitions over time.

- 1791: First Monday in February (second session in August, dispensed with in 1802)
- Starting in 1827: term starts second Monday of January
- Starting in 1844: term starts first Monday of December, still called the 1845 term
- Starting in 1850: court starts calling it the December 1850 term; there are thus two 1850 terms in the dataset. The January 1850 term (U.S. 50 *) and the December 1850 term (U.S. 51 *).
- Starting in 1873: second Monday in October
- Starting in 1917: first Monday in October

- End of Content for Variable 30. Term of Court -

31 Natural Court

Variable Name naturalCourt	Spaeth Name NATCT	Normalizations varNaturalCourt (110)
-------------------------------	----------------------	-----------------------------------------

Although most judicial research is chronologically organized by the term of the Court or by chief justice, many users employ "natural courts" as their analytical frame of reference.

A natural court is a period during which no personnel change occurs. Scholars have subdivided them into "strong" and "weak" natural courts, but no convention exists as to the dates on which they begin and end. Options include 1) date of confirmation, 2) date of seating, 3) cases decided after seating, and 4) cases argued and decided after seating. A strong natural court is delineated by the addition of a new justice or the departure of an incumbent. A weak natural court, by comparison, is any group of sitting justices even if lengthy vacancies occurred.

The values below divide the Courts into strong natural courts, each of which begins when the Reports first specify that the new justice is present but not necessarily participating in the reported case. Similarly, a natural court ends on the date when the Reports state that an incumbent justice has died, retired, or resigned. The courts are numbered consecutively by chief justice as the code at the left-hand margin indicates.

Note, especially, that the Court was without a chief justice during the 1836 term. This was the period between Marshall's death and Taney's confirmation.

For more on delineating natural courts, see See Edward V. Heck, "Justice Brennan and the Heyday of Warren Court Liberalism," 20 Santa Clara Law Review 841 (1980) 842-843 and "Changing Voting Patterns in the Burger Court: The Impact of Personnel Change," 17 San Diego Law Review 1021 (1980) 1038; Harold J. Spaeth and Michael F. Altfeld, "Measuring Power on the Supreme Court: An Alternative to the Power Index," 26 Jurimetrics 48 (1985) 55.

- End of Content for Variable 31. Natural Court -

32 Chief Justice

Variable Name	Spaeth Name	Normalizations
chief	CHIEF	varChiefs (17)

This variable identifies the chief justice durinmg whose tenure the case was decided.

- End of Content for Variable 32. Chief Justice -

33 Date of Oral Argument

Variable Name	Spaeth Name	Normalizations
dateArgument	ORAL	n/a

This variable contains the day, month, and year that the case was orally argued before the Court. dateArgument has no entry for cases that were not orally argued. See also Date of Reargument (dateRearg) if any.

On some occasions, oral argument extended over more than a single day. In such cases, only the first date is specified.

- End of Content for Variable 33. Date of Oral Argument -

34 Date of Reargument

Variable Name	Spaeth Name	Normalizations
dateRearg	REORAL	n/a

On those infrequent occasions when the Court orders that a case be reargued, this variable specifies the date of such argument following the same day, month, and year sequence used in the preceding variable (dateArgue).

- *End of Content for Variable 34. Date of Reargument* -

35 Issue

Variable Name issue	Spaeth Name ISSUE	Normalizations varIssues (278)
-------------------------------	-----------------------------	------------------------------------------

This variable identifies the issue for each decision. Although criteria for the identification of issues are hard to articulate, the focus here is on the subject matter of the controversy (e.g., sex discrimination, state tax, affirmative action) rather than its legal basis (e.g., the equal protection clause) (see the variable lawType).

Because the database extends over four centuries of the Court's decisions during which time the Court's jurisdiction changed drastically, the description of many specific variables does not provide a good fit. Thus, for example, 'debtors' rights,' which locates in the civil rights issue area, contains many nineteenth century cases that have little, if anything, to do with civil rights as understood today. Nor do a vast majority of early takings cases have any reference to due process, and many of the early criminal procedure cases don't involve crimes at all. Conversely, to have lumped all railroad cases, bar none, into one variable would have erased the many types of situations in which nineteenth and early twentieth century railroads found themselves.

This situation results because the database began with the Warren Court, followed by its predecessor, the Vinson Court. We made a decision to retain the twentieth century listing and apply it as best we could to the eighteenth and nineteenth century decisions. We found it possible with the addition of only the seven common law law decisions (variables 140010-140070), plus a couple of others. Obviously, this decision produced definitional stretching. Users, of course, may redefine issues to suit themselves

This variable identifies issues on the basis of the Court's own statements as to what the case is about. The objective is to categorize the case from a public policy standpoint, a perspective that the legal basis for decision (lawType) commonly disregards.

A few issues pertain only to the heritage (legacy) cases; those decided between 1792 and 1946. These include the private action category, typically common law issues: real property, personal property, contracts, evidence, civil procedure, wills and trusts, and commercial transactions. Others pertain to slavery, land claims (mostly state and territorial), executive authority vis-a-vis congress or the states, and incorporation of foreign territories.

Unlike the lawType variable where the number of legal provisions at issue has no preordained upper bound, each legal provision should not generally have more than a single issue applied to it. A second issue should apply only when a preference for one rather than the other cannot readily be made. Of the many thousand records in the database, few have a legal basis for decision that applies to a second issue. (If you are interested in decisions with more than one issue or legal provision, use one of the datasets organized by issue/legal provision.)

Because the database spans the entire four-century history of the Supreme Court, It is desirable that the list of modern issues be related to those of the eighteenth and nineteenth centuries. Thus, in specifying the issue in a legacy case, the one that best accords with what today's Court would consider it to be is chosen. This produces a bit of tension, most all of which only requires a broadening of the scope of the relevant issues, rather than the creation of new time-specific ones. Thus, although state and local governments were not bound to adhere to the provisions of the Bill of Rights until well after the passage of the Fourteenth Amendment, many cases did arise involving aspects of the First Amendment, search and seizure, notice and hearing, etc. These are treated compatibly with the modern use of the relevant provision of the Bill of Rights.

The same rule applies to statutory issues, such as rules of procedure. Although their legal provision is Supreme Court Rules, they are coded as issues of civil (90110) or criminal (10370) procedure even though they antedate the relevant Rules of Civil and Criminal Procedure.

Prize cases in which vessels on the high seas are captured and brought into American ports and the confiscation acts resulting from the Civil War and World War I are treated either as due process takings clause cases (40070) or as cases involving the jurisdiction of the federal courts (90320 or 90330) to decide the legality of the capture or confiscation.

The variable codes some 260 issues, each of which has an identifying number. They are ordered below by their larger issue area: criminal procedure (10010-10600), civil rights (20010-20410), First Amendment (30010-30020), due process (40010-40070), privacy (50010-50040), attorneys (60010-60040), unions (70010-70210), economic activity (80010-80350), judicial power (90010-90520), federalism (100010-100130), interstate relation (110010-110030), federal taxation (120010-120040), miscellaneous (130010-130020), and private law (140010-140080). These comprise the codes for a separate variable, Issue Area, that is described immediately following this one.

The scope of these categories is as follows: criminal procedure encompasses the rights of persons accused of crime, except for the due process rights of prisoners (issue 40040).

Civil rights includes non-First Amendment freedom cases which pertain to classifications based on race (including American Indians), age, indigency, voting, residency, military or handicapped status, gender, and alienage. Purists may wish to treat the military issues (20230, 20240, 20250) and Indian cases (20150, 20160) as economic activity, while others may wish to include the privacy category as a subset of civil rights.

First Amendment encompasses the scope of this constitutional provision, but do note that not every case in the First Amendment group directly involves the interpretation and application of a provision of the First Amendment. Some, for example, may only construe a precedent, or the reviewability of a claim based on the First Amendment, or the scope of an administrative rule or regulation that impacts the exercise of First Amendment

freedoms. In other words, not every record that displays a First Amendment issue will correspondingly display a provision of the First Amendment in its legal provision variable (lawType).

Due process is limited to non-criminal guarantees and, like First Amendment issues, need not show 207 (Fifth Amendment Due Process) or 230 (Fourteenth Amendment Due Process) in the lawType variable. Some of you may wish to include state court assertion of jurisdiction over nonresident defendants and the takings clause as part of judicial power and economic activity, respectively, rather than due process.

The four issues comprising privacy may be treated as a subset of civil rights.

Because of their peculiar role in the judicial process, a separate attorney category has been created, which also includes their compensation and licenses, along with those of governmental officials and employees. You may wish to include these issues with economic activity, however.

Unions encompass those issues involving labor union activity. You may wish to redefine this category for yourself or combine it, in whole or in part, with economic activity.

Economic activity is largely commercial and business related; it includes tort actions and employee actions vis-a-vis employers. Issues 80140 (government corruption) and 80150 (zoning) are only tangential to the other issues located in economic activity.

Judicial power concerns the exercise of the judiciary's own power. To the extent that a number of these issues concern federal-state court relationships, you may wish to include them in the federalism category.

Federalism pertains to conflicts and other relationships between the federal government and the states, except for those between the federal and state courts. Interstate relations contain three or among types of disputes which occur between or among states.

Federal taxation concerns the Internal Revenue Code and related statutes. Miscellaneous contains three groups of cases that do not fit into any other category.

Private law relates to disputes between private persons involving real and personal property, contracts, evidence, civil procedure, torts, wills and trusts, and commercial transactions. Prior to the passage of the Judges' Bill of 1925 much -- arguably most -- of the Court's cases concerned such issues. The Judges' Bill gave the Court control of its docket, as a result of which such cases have disappeared from the Court's docket in preference to litigation of more general applicability.

If interest lies in a particular issue that has a specific legal or constitutional component, comprehensive coverage may be insured by listing not only the issue(s) that bear thereon, but also the appropriate code(s) from the lawType variable. Thus, if the right to counsel is

the focus, issues 10120, 20320, and 20330 will fall within its scope, as will code 214 (Sixth Amendment Right to Counsel) from the lawType variable. Also recognize that the party variables (petitioner, petitionerState, respondent, respondentState) may also help locate the cases of interest.

Note that jury instructions (10220) need not necessarily occur in the context of criminal action. This is especially so in heritage cases.

Issue 80110 (state regulation of business) also includes that of local governments. These are combined with state regulation because many heritage cases involve both.

Issue 90110 (federal rules of civil procedure) includes Supreme Court Rules, the Federal Rules of Evidence, the Federal Rules of Civil Procedure in civil litigation, Circuit Court Rules, state rules, and admiralty rules.

National supremacy cases, in the context of federal-state conflicts (10050-100120) involve the general welfare, contract, supremacy, or interstate commerce causes, or the enforcement clause of the 14th Amendment. These cases are distinguishable from the pre-emption cases (100020 and 100030) because they have a constitutional basis for decision.

Note that the legal provision variable and the first five background variables may supplement specification of case issue. Thus, for example, if you are interested in the huge mass of railroad cases generally that prevailed in the late nineteenth and early twentieth century decisions, case name will be of more help than the issues pertaining to railroad litigation.

- End of Content for Variable 35. Issue -

36 Issue Area

Variable Name issueArea	Spaeth Name VALUE	Normalizations varIssuesAreas (14)
----------------------------	----------------------	---------------------------------------

This variable simply separates the issues identified in the preceding variable (issue) into the following larger categories: criminal procedure (issues 10010-10600), civil rights (issues 20010-20410), First Amendment (issues 30010-30020), due process (issues 40010-40070), privacy (issues 50010-50040), attorneys' or governmental officials' fees or compensation (issues 60010-60040), unions (issues 70010-70210), economic activity (issues 80010-80350), judicial power (issues 90010-90520), federalism (issues 100010-100130), interstate relation (issues 110010-110030), federal taxation (issues 120010-120040), miscellaneous (issues 130010-130020), and private law (issues 140010-140080).

The contents of these issue areas are both over- and under-specified; especially those of largest size: criminal procedure, civil rights, and economic activity. In the interests of precision, users focusing on this variable would be wise to specify the components of a specific issue area that their analyses include or exclude.

Note that some of the issues in an issue area will have a distinctive direction at variance from the issue area's overall direction. E.g., the liability variables 80060, 80070, and 80080. See decision direction.

- End of Content for Variable 36. Issue Area -

37 Decision Direction

Variable Name decisionDirection	Spaeth Name DIR	Normalizations varDecisionDirection (3)
-------------------------------------------	---------------------------	---------------------------------------------------

In order to determine whether the Court supports or opposes the issue to which the case pertains, this variable codes the ideological "direction" of the decision.

Specification of direction comports with conventional usage for the most part except for the interstate relations, private law, and the miscellaneous issues. "Unspecifiable" has been entered either because the issue does not lend itself to a liberal or conservative description (e.g., a boundary dispute between two states, real property, wills and estates), or because no convention exists as to which is the liberal side and which is the conservative side (e.g., the legislative veto). This variable will also contain "unspecifiable" where one state sues another under the original jurisdiction of the Supreme Court and where parties or issue cannot be determined because of a tied vote or lack of information.

Note especially that the direction (pro- or anti-liability) of the three liability variables (80060, 80070, and 80080) depend on the disposition the Court made of the case, and which party won or lost. For 80070 -- non-governmental liability - a liberal vote and case decision support the injured person, organization, or thing (res). For 80060 - governmental liability - a vote and case outcome that supports government is invariably defined as liberal. Note that if the injured entity is the other party in the case, said party loses, by definition. On the other hand, of course, if the injured entity wins, then of necessity the government loses. Where liability is assigned to both plaintiff and respondent, direction is considered indeterminate.

For purposes of the governmental liability issue, government includes state and local governmental entities, foreign governments, and governmentally owned property. In the rare instance of a conflict between governmental body and an injured person, organization, or thing the governmental outcome controls directionality. Most such conflicts, however, locate in other issues; e.g., attorneys' and government employees' compensation or fees, and military personnel and veterans.

It bears emphasizing that the entry for directionality is determined by reference to the issue variable. If you are using the Case Centered Dataset organized by split votes, it is entirely possible for a citation to relate to a second issue whose direction is opposite that of the first issue. For example, in *Air Pollution Variance Board of the State of Colorado v. Western Alfalfa Corporation*, 416 U.S. 861 (1974), the Court decided that the Fourth Amendment was not violated by a health inspector's warrantless entry onto the property of a business to inspect smoke pollution. The first issue (search and seizure) is coded conservative; the second issue (natural resources) is coded liberal.

In order to determine whether an outcome is liberal (=2) or conservative (=1), the

following scheme is employed.

1. In the context of issues pertaining to criminal procedure, civil rights, First Amendment, due process, privacy, and attorneys, liberal (2)=

- pro-person accused or convicted of crime, or denied a jury trial
- pro-civil liberties or civil rights claimant, especially those exercising less protected civil rights (e.g., homosexuality)
- pro-child or juvenile
- pro-indigent
- pro-Indian
- pro-affirmative action
- pro-neutrality in establishment clause cases
- pro-female in abortion
- pro-underdog
- anti-slavery
- incorporation of foreign territories
- anti-government in the context of due process, except for takings clause cases where a pro-government, anti-owner vote is considered liberal except in criminal forfeiture cases or those where the taking is pro-business
- violation of due process by exercising jurisdiction over nonresident
- pro-attorney or governmental official in non-liability cases
- pro-accountability and/or anti-corruption in campaign spending
- pro-privacy vis-a-vis the 1st Amendment where the privacy invaded is that of mental incompetents
- pro-disclosure in Freedom of Information Act issues except for employment and student records

conservative (1)=the reverse of above

2. In the context of issues pertaining to unions and economic activity, liberal (2)=

- pro-union except in union antitrust where liberal = pro-competition
- pro-government
- anti-business
- anti-employer
- pro-competition
- pro-injured person
- pro-indigent
- pro-small business vis-a-vis large business
- pro-state/anti-business in state tax cases
- pro-debtor
- pro-bankrupt

- pro-Indian
- pro-environmental protection
- pro-economic underdog
- pro-consumer
- pro-accountability in governmental corruption
- pro-original grantee, purchaser, or occupant in state and territorial land claims
- anti-union member or employee vis-a-vis union
- anti-union in union antitrust
- anti-union in union or closed shop
- pro-trial in arbitration

conservative (1)= reverse of above

3. In the context of issues pertaining to judicial power, liberal (2)=

- pro-exercise of judicial power
- pro-judicial "activism"
- pro-judicial review of administrative action

conservative (1)=reverse of above

4. In the context of issues pertaining to federalism, liberal (2)=

- pro-federal power
- pro-executive power in executive/congressional disputes
- anti-state

conservative (1)=reverse of above

5. In the context of issues pertaining to federal taxation, liberal (2)= pro-United States; conservative (1)= pro-taxpayer

6. In interstate relations and private law issues, unspecifiable (3) for all such cases.

7. In miscellaneous, incorporation of foreign territories and executive authority vis-a-vis congress or the states or judicial authority vis-a-vis state or federal legislative authority = (2); legislative veto = (1).

- End of Content for Variable 37. Decision Direction -

38 Decision Direction Dissent

Variable Name	Spaeth Name	Normalizations
decisionDirectionDissent	DIRD	varDecisionDirectionDissent (2)

Once in a great while the majority as well as the dissenting opinion in a case will both support or, conversely, oppose the issue to which the case pertains. For example, the majority and the dissent may both assert that the rights of a person accused of crime have been violated. The only difference between them is that the majority votes to reverse the accused's conviction and remand the case for a new trial, while the dissent holds that the accused's conviction should be reversed, period. In such cases, the entry in the decisionDirection variable should be determined relative to whether the majority or the dissent more substantially supported the issue to which the case pertains, and an entry should appear in this variable. In the foregoing example, the direction of decision variable (decisionDirection) should show a 0(conservative) because the majority provided the person accused of crime with less relief than does the dissent, and direction based on dissent should show a 1 (liberal) The person accused of crime actually won the case, but won less of a victory than the dissent would have provided.

- End of Content for Variable 38. Decision Direction Dissent -

39 Authority for Decision 1

Variable Name	Spaeth Name	Normalizations
authorityDecision1	AUTHDEC1	varAuthorityDecision (7)

This variable and the next one (authorityDecision2) specify the bases on which the Supreme Court rested its decision with regard to each legal provision that the Court considered in the case (see variable lawType).

Because one of these bases commonly occurs conjoined with another; e.g., the interpretation of the substantive provisions of a federal statute and the Supreme Court's exercise of its supervisory power over the lower federal courts; two separate variables (authorityDecision1, authorityDecision2) follow. The coding is the same in both. In the foregoing example, the first variable will contain a "4," the second a "3." In a case involving congressional acquiescence to longstanding administrative construction of a statute, these variables should appear as "5" and "4." If two bases are identified, and if one is more heavily emphasized, it should appear in the first of the two variables.

Considerable congruence should obtain between the entry in these variables and the code that appears in the lawType variable. Thus, if a constitutional provision appears in the lawType variable, a "1" or a "2" will typically appear in either authorityDecision1 or authorityDecision2. Similarly, if lawType displays a statute, either authorityDecision1 or authorityDecision2 will likely show a "4."

A common exception is where the Court determines the constitutionality of a federal statute, or where judge-made rules are applied to determine liability under various federal statutes, including civil rights acts (e.g., *Pulliam v. Allen*, 466 U.S. 522), or the propriety of the federal courts' use of state statutes of limitations to adjudicate federal statutory claims (e.g., *Burnett v. Grattan*, 468 U.S. 42).

The decision rules governing each of the authority for decision codes are as follows:

For a code of 1: The majority determined the constitutionality of some action taken by some unit or official of the federal government, including an interstate compact.

Enter a "1" if 139 appears in the lawSupp variable.

Enter a "1" if 111 appears in the lawSupp variable.

For a code of 2: Did the majority determine the constitutionality of some action taken by some unit or official of a state or local government? If so, enter a "2."

For a code of 3: If the rules governing codes "1-2," "4-7" are answered negatively or do not apply, enter a "3." A "3," then, serves as the residual code for these variables.

Enter a "3" if 508 appears in the lawSupp variable.

Non-statutorily based Judicial Power topics in the issue variable generally warrant a "3."

Most cases arising under the Court's original jurisdiction should receive a "3."

All cases containing a "4" in the type of decision variable = 3.

Enter a "3" in cases in which the Court denied or dismissed the petition for review or where the decision of a lower court is affirmed by a tie vote.

For a code of 4: Did the majority interpret a federal statute, treaty, or court rule? If so, enter a "4."

Enter a "4" rather than a "3" if the Court interprets a federal statute governing the powers or jurisdiction of a federal court. In other words, a statutory basis for a court's exercise of power or jurisdiction does not require that a "3" supplement a "4"; the latter alone suffices.

Enter a "4" rather than a "2" where the Court construes a state law as incompatible with a federal law.

Do not enter only a "4" where an administrative agency or official acts "pursuant to" a statute. All agency action is purportedly done pursuant to legislative authorization of one sort or another. A "4" may be coupled to a "5" (see below) only if the Court interprets the statute to determine if administrative action is proper.

In workers' compensation litigation involving statutory interpretation and, in addition, a discussion of jury determination and/or the sufficiency of the evidence, enter either a "4" and a "3" or a "3" and a "4." If no statute is identified in the syllabus, only enter a "3."

For a code of 5: Did the majority treat federal administrative action in arriving at its decision? If so, enter a "5."

Enter a "5" and a "4," but not a "5" alone, where an administrative official interprets a federal statute.

Enter a "5" if the issue = 90120.

For a code of 6: Did the majority say in approximately so many words that under its diversity jurisdiction it is interpreting state law? If so, enter a "6."

For a code of 7: Did the majority indicate that it used a judge-made "doctrine" or "rule?" If so, enter a "7." Where such is used in conjunction with a federal law or enacted rule, a "7" and "4" should appear in the two variables of this record.

Enter a "7" if the Court without more merely specifies the disposition the Court has made of the case and cites one or more of its own previously decided cases; but enter a "3" if the citation is qualified by the word, "see."

Enter a "7" if the case concerns admiralty or maritime law, or some other aspect of the law of nations.

Enter a "7" if the case concerns the retroactive application of a constitutional provision or a previous decision of the Court.

Enter a "7" if the case concerns an exclusionary rule, the harmless error rule (though not the statute), the abstention doctrine, comity, res judicata, or collateral estoppel. Note that some of these, especially comity issues, likely warrant an entry in both authorityDecision variables: a "7" as well as a "3."

Enter a "7" if the case concerns a "rule" or "doctrine" that is not specified as related to or connected with a constitutional or statutory provision (e.g., 376 U.S. 398).

- *End of Content for Variable 39. Authority for Decision 1* -

40 Authority for Decision 2

Variable Name	Spaeth Name	Normalizations
authorityDecision2	AUTHDEC2	varAuthorityDecision (7)

See variable Authority for Decision 1 (authorityDecision1).

- End of Content for Variable 40. Authority for Decision 2 -

41 Legal Provisions Considered by the Court

Variable Name lawType	Spaeth Name LAW	Normalizations varLawArea (8)
--------------------------	--------------------	----------------------------------

This variable and the next (lawSupp) identify the constitutional provision(s), statute(s), or court rule(s) that the Court considered in the case. The difference between the two variables is that lawSupp is coded finely; it identifies the specific law, constitutional provision or rule at issue (e.g., Article I, Section 1; the Federal Election Campaign Act; the Federal Rules of Evidence). lawType is coded more broadly (e.g., constitution, federal statute, court rules). Note that a third variable, lawMinor, is reserved for infrequently litigated statutes. For those, lawMinor identifies the law at issue.

The basic criterion to determine the legal provision(s) is the "summary" in the Lawyers' Edition. Supplementary is a reference to it in at least one of the numbered holdings in the summary of the United States Reports. This summary, which the Lawyers' Edition of the U.S. Reports labels "Syllabus By Reporter Of Decisions," appears in the official Reports immediately after the date of decision and before the main opinion in the case. Where this summary lacks numbered holdings, it is treated as though it has but one number.

Be aware that the Reports do not cite a given statute the same in every case. Hence, the total number of cases in which a case is the legal provision considered by the Court may be higher than the database reports.

Supplementing the Lawyers' Edition summary are subordinate decision rules. If the Reporters' syllabus has no numbered headings, treat it as though it has but one number. If more than one numbered heading pertains to a single constitutional provision, statute, or court rule, treat such legal provision as though it appeared in but one numbered heading. If separate numerical headings pertain to different sections of a statute under a given title in the United States Code which would not be governed by conventional use of "et seq.," treat them as separate legal provisions. (Note that this occurs very rarely.) If a numbered heading refers to more than a single constitutional provision, statute, and/or court rule, treat them as separate legal provisions. (This not uncommonly occurs.)

Observe that where a state or local government allegedly abridges a provision of the Bill of Rights even though it has not been made binding on the states because it has not been "incorporated" into the due process clause of the Fourteenth Amendment, identification is to the specific guarantee rather than to the Fourteenth Amendment.

The legal basis for decision need not be formally stated. For example, a reference in the summary to the appointment of counsel under the Constitution or to the self-incrimination clause warrants entry of the appropriate code. (E.g., *United States v. Knox*, 396 U.S. 77; *Lassiter v. Department of Social Services*, 452 U.S. 18).

Also note that occasionally an unnumbered holding may pertain to more than one legal

basis for decision. In such cases, the additional basis or bases are specified as though they are numbered holdings, or as though they are a holding without numbers.

By no means does every record have an entry in the lawType variable. Only constitutional provisions, federal statutes, and court rules are entered here. This variable will have no entry in cases that concern the Supreme Court's supervisory authority over the lower federal courts; those where the Supreme Court's decision does not rest on a constitutional provision, federal statute, or court rule; provisions of the common law; decrees; and nonstatutory cases arising under the Court's original jurisdiction.

In cases where the Court considers multiple legal provisions no attempt is made to order their appearance. Where the constitutionality of a federal law is challenged, to give either the constitutional provision or the statute primacy would be arbitrary. To the extent that any order characterizes these lawType entries, it likely is the sequence in which they appear in the summary.

Beyond the foregoing, observe that an entry should appear in this variable only when the summary indicates that the majority opinion discusses the legal provision at issue. The mere fact that the Court exercises a certain power (e.g., its original jurisdiction, as in *Arkansas v. Tennessee*, 397 U.S. 91), or makes reference in its majority opinion rather than in the summary that a certain constitutional provision, statute, or frequently used common law rule applies (e.g., the "equal footing" principle which pertains to the admission of new states under Article IV, section 3, clause 2 of the Constitution, as *Utah v. United States*, 403 U.S. 9, illustrates) provides no warrant for any entry.

There are three exceptions to this "discussion" requirement, the first of which dismisses the writ of certiorari as "improvidently granted" either in so many words (e.g., *Johnson v. United States*, 401 U.S. 846) or dismisses it on this basis implicitly (e.g., *Baldonado v. California*, 366 U.S. 417). In such cases, the code 508 should appear. More often than not, these cases have no summary. Note that the phrase is a term of art: 1) it overrides any substantive provision that the summary may mention (e.g., *Conway v. California Adult Authority*, 396 U.S. 107); 2) it does not apply where the Supreme Court takes jurisdiction on appeal.

In the second exception the Court, without discussion, remands a case to a lower court for consideration in light of an earlier decision. The summary of the earlier case is then consulted and the instant case coded with the entry that appeared there (e.g., *Wheaton v. California*, 386 U.S. 267). If a discussion in the summary precedes the remand, this variable should be governed by that discussion as well as the basis for decision in the case that the lower court is instructed to consider. Usually these bases will be identical (e.g., *Maxwell v. Bishop*, 398 U.S. 262).

The third exception to the "discussion" criterion involves the legality of administrative agency action without specific reference to the statute under which the agency acted. Inasmuch as administrative agencies may only act pursuant to statute, the majority

opinion was consulted to determine the statute in question (e.g., *National Labor Relations Board v. United Insurance Co. of America*, 390 U.S. 254). The same situation may characterize the statute under which a court exercises jurisdiction (e.g., the Court of Claims in *United States v. King*, 395 U.S. 1).

As indicated, this variable should usually lack an entry if the numbered holding(s) indicates that the Court's decision rests on its supervisory authority over the federal judiciary, the common law, or diversity jurisdiction.

Note that where a state or local government allegedly abridges a provision of the Bill of Rights that has been made binding on the states because it has been incorporated into the due process clause of the Fourteenth Amendment, identification is to the specific guarantee rather than to the Fourteenth Amendment Due Process Clause.

International treaties and conventions, which rarely serve as the basis for the Court's decision, are identified (in the lawSupp variable) as a treaty (509), an interstate compact as Interstate Compact (510), an executive order as Executive Order (511), and a statute of a territory of the U.S., which is not in the U.S. Code or the Statutes at Large, as Territory Statute (512).

A case that challenges the constitutionality of a federal statute, court or common law rule will usually contain at least two legal bases for decision: the constitutional provision as well as the challenged statute or rule.

Where a heading concerns the review of agency action under a statute, but the statute is not identified, it is ascertained from the opinion (e.g., *National Labor Relations Board v. United Insurance Co. of America*, 390 U.S. 254). So also where the decision turns on the statutory jurisdiction of a federal court, and the holding does not specify it (e.g., *United States v. King*, 395 U.S. 1).

- End of Content for Variable 41. Legal Provisions Considered by the Court -

42 Legal Provision Supplement

Variable Name	Spaeth Name	Normalizations
lawSupp	LAW	varLegalProvisions (206)

See variable Legal Provisions Considered by the Court.

- End of Content for Variable 42. Legal Provision Supplement -

43 Legal Provision Minor Supplement

Variable Name	Spaeth Name	Normalizations
lawMinor	LAW	n/a

This variable, lawMinor, is reserved for infrequently litigated statutes. Statutes substantially absent from the decision making of the modern Courts will be found in this variable. For these, lawMinor identifies the law at issue. Note: This is a string variable.

- *End of Content for Variable 43. Legal Provision Minor Supplement* -

44 Decision Type

Variable Name	Spaeth Name	Normalizations
decisionType	DEC_TYPE	varDecisionTypes (7)

Users should choose among the types of decisions that the Supreme Court renders.

decisionType=1: Cases in which the Court hears oral argument and which it decides by a signed opinion. These are the Court's so-called formally decided full opinion cases.

decisionType=2: Cases decided with an opinion but without hearing oral argument; i.e., per curiam opinions.

decisionType=4: Decrees. This infrequent type of decision usually arises under the Court's original jurisdiction and involves state boundary disputes. The justices will typically appoint a special master to take testimony and render a report, the bulk of which generally becomes the Court's decision. The presence of the label, "decree," distinguishes this type of decision from the others.

decisionType=5: Cases decided by an equally divided vote. When a justice fails to participate in a case or when the Court has a vacancy, the participating justices may cast a tie vote. In such cases, the Reports merely state that "the judgment is affirmed by an equally divided vote" and the name of any nonparticipating justice(s). Their effect is to uphold the decision of the court whose decision the Supreme Court reviewed.

decisionType=6: This decision type is a variant of the formally decided cases (decisionType=1). It differs from type 1 only in that no individual justice's name appears as author of the Court's opinion. Instead, these unsigned orally argued cases are labeled as decided "per curiam." The difference between this type and decisionType=2 is the occurrence of oral argument in the former but not the latter. In both types the opinion of the Court is unsigned; i.e., per curiam.

decisionType=7: Judgments of the Court. This decision type is also a variant of the formally decided cases. It differs from type 1 in that less than a majority of the participating justices agree with the opinion produced by the justice assigned to write the Court's opinion. Except for those interested only in the authors of the opinions of the Court, decisionType=7 should be included in analyses of the Court's formally decided cases.

The database contains all decisions of types 1, 4, 5, 6 and 7.

The database does not contain all of the non-orally argued per curiam decisions (decisionType=2). The Reports contain large numbers of brief, non-orally argued per curiam decisions. The database includes only those for which the Court has provided a summary, as well as those without a summary in which one or more of the justices wrote

an opinion.

Note: For a number of reasons, both substantive and technical, we decided to remove Memorandum Cases (DEC_TYPE of 3) from the modern database.

- End of Content for Variable 44. Decision Type -

45 Declaration of Unconstitutionality

Variable Name declarationUncon	Spaeth Name UNCON	Normalizations varDeclarationUncon (4)
-----------------------------------	----------------------	-------------------------------------------

An entry in this variable indicates that the Court either declared unconstitutional an act of Congress; a state or territorial statute, regulation, or constitutional provision; or a municipal or other local ordinance.

Note that the Court need not necessarily specify in so many that a law has been declared unconstitutional. That commonly occurred in legacy decisions (pre-1946); e.g., *Willcox v. Consolidated Gas Co. of New York*, 53 L Ed 382 (1909).

An entry or its equivalent in the case that indicates unconstitutionality should also disclose the constitutional provision that served as the basis for the declaration of unconstitutionality. Legacy decisions again are somewhat cavalier in this regard. None, however, will appear when the Court merely cites a previous decision that has already been used to void the provision at issue; e.g., *Grisham v. Hagan*, 361 U.S. 278, 4 L Ed 2d 279, and *McElroy v. Guagliardo*, 361 U.S. 281, 4 L Ed 2d 282 (1960).

The summary frequently, though not invariably, will indicate such action in its statement of the Court's holdings. Hence, where such action may have occurred, it may be necessary to read carefully the opinion of the Court to determine whether an entry should be made in this variable.

Where federal law pre-empts a state statute or a local ordinance, unconstitutionality does not result unless the Court's opinion so states. Nor are administrative regulations the subject of declarations of unconstitutionality unless the declaration also applies to the law on which it is based. Also excluded are federal or state court-made rules; e.g., *Virginia Supreme Court v. Friedman*, 487 U.S. 59 (1988).

- End of Content for Variable 45. Declaration of Unconstitutionality -

46 Disposition of Case

Variable Name	Spaeth Name	Normalizations
caseDisposition	DIS	varCaseDispositionSc (11)

The treatment the Supreme Court accorded the court whose decision it reviewed is contained in this variable; e.g., affirmed, vacated, reversed and remanded, etc. The values here are the same as those for lcDisposition (how the court whose decision the Supreme Court reviewed disposed of the case).

The information relevant to this variable may be found near the end of the summary that begins on the title page of each case, or preferably at the very end of the opinion of the Court.

As in the lcDisposition variable, the value label pertaining to the specific language used by the Court is entered. If incongruence between the Court's language and the above codes occurs, consult variable caseDispositionUnusual.

In cases containing multiple docket numbers, not every docket number will necessarily receive the same disposition. Hence, in focusing on the outcome of the Court's decisions, users might want to consider the datasets in which cases are organized by docket rather than citation.

Note for users of the Justice Centered Database: The entry in this variable governs whether the individual justices voted with the majority or in dissent.

- End of Content for Variable 46. Disposition of Case -

47 Unusual Disposition

Variable Name	Spaeth Name	Normalizations
caseDispositionUnusual	DISQ	varCaseDispositionUnusual (2)

An entry (1) will appear in this variable to signify that the Court made an unusual disposition of the cited case which does not match the coding scheme of the preceding variable. The disposition that appears closest to the unusual one made by the Court should be selected for inclusion in the preceding variable, caseDisposition.

- End of Content for Variable 47. Unusual Disposition -

48 Winning Party

Variable Name	Spaeth Name	Normalizations
partyWinning	WIN	varPartyWinning (3)

This variable indicates whether the petitioning party (i.e., the plaintiff or the appellant) emerged victorious. The victory the Supreme Court provided the petitioning party may not have been total and complete (e.g., by vacating and remanding the matter rather than an unequivocal reversal), but the disposition is nonetheless a favorable one.

Generally speaking, a favorable disposition is anything other than "affirmed," "denied," or "dismissed." Exceptions, however, occasionally occur. Hence, it is more accurate to use this variable rather than the disposition variables (variables caseDisposition and caseDispositionUnusual) to determine the prevailing party.

- End of Content for Variable 48. Winning Party -

49 Formal Alteration of Precedent

Variable Name	Spaeth Name	Normalizations
precedentAlteration	ALT_PREC	varPrecedentAlteration (2)

A "1" will appear in this variable if the majority opinion effectively says that the decision in this case "overruled" one or more of the Court's own precedents. Occasionally, in the absence of language in the prevailing opinion, the dissent will state clearly and persuasively that precedents have been formally altered: e.g., the two landmark reapportionment cases: *Baker v. Carr*, 369 U.S. 186 (1962), and *Gray v. Sanders*, 372 U.S. 368 (1963). Once in a great while the majority opinion will state--again in so many words--that an earlier decision overruled one of the Court's own precedents, even though that earlier decision nowhere says so. E.g, *Patterson v. McLean Credit Union*, 485 U.S. 617 (1988), in which the majority said that *Braden v. 30th Judicial Circuit of Kentucky*, 410 U.S. 484, 35 L Ed 2d 443 (1973) overruled a 1948 decision. On the basis of this later language, the earlier decision will contain a "1" in this variable. Alteration also extends to language in the majority opinion that states that a precedent of the Supreme Court has been "disapproved," or is "no longer good law."

Note, however, that alteration does not apply to cases in which the Court "distinguishes" a precedent. Such language in no way changes the scope of the precedent contained in the case that has been distinguished.

Do not assume that each record of a given case indicates the formal alteration of a separate precedent. A given citation may have several docket numbers, each of which is governed by a single opinion in which only one precedent was altered. Conversely, an opinion in a citation with a single docket number may alter a whole series of Supreme Court precedents. To determine the number of altered precedents, carefully read the prevailing opinion in each citation that has an entry in this variable.

- End of Content for Variable 49. Formal Alteration of Precedent -

50 Vote Not Clearly Specified

Variable Name voteUnclear	Spaeth Name VOTEQ	Normalizations varVoteUnclear (2)
------------------------------	----------------------	--------------------------------------

In the vast majority of cases, the individual justices clearly indicate whether or not they agree with the disposition made by the majority. For a small number of cases clarity may be lacking, as when a justice concurs in part and dissents in part. A justice will typically use this or equivalent language to indicate agreement with the reasoning in a portion of the majority opinion while disagreeing with the majority's disposition of the case, or vice-versa.

A close reading of the justice's opinion usually indicates whether he or she has concurred (i.e., agreed with the majority's disposition) or dissented from the disposition made by the majority. But in the rare case where a justice does not clearly indicate which it is, this variable will so indicate.

- End of Content for Variable 50. Vote Not Clearly Specified -

51 Majority Opinion Writer

Variable Name	Spaeth Name	Normalizations
majOpinWriter	MOW	varJustices (114)

This variable identifies the author of the Court's opinion or judgment, as the case may be.

Note: This variable relies on the Justices ID for its values. For a more detailed description of these identifiers, please visit the [detail page for the Justices variable](#). Note that the justice normalizations changed with the SCDB_2012_01 release of the database.

- End of Content for Variable 51. Majority Opinion Writer -

52 Majority Opinion Assigner

Variable Name	Spaeth Name	Normalizations
majOpinAssigner	MOA	varJustices (114)

This variable identifies the assigner of the opinion or judgment of the Court, as the case may be. These data are drawn from the membership in the final (report vote) coalition and from the rules governing opinion assignment: If the chief justice is a member of the majority vote coalition at the conference vote, he assigns the opinion; if not, the senior associate justice who is a member of the majority at the conference vote does so. According to several scholarly studies, considerable voting shifts occur between the final conference vote (where the assignment is made) and the vote that appears in the Reports. As a result, in approximately 16 percent of the cases, a person other than the one identified by the database actually assigned the opinion.

To partially overcome this discrepancy, users may consult the expanded versions of the database, available at <http://www.cas.sc.edu/poli/juri/>, but which include only the Vinson, Warren, and Burger Courts, plus the 1986-1993 terms of the Rehnquist Court. Assigners in these Courts are identified by reference to the justices' docket books.

Note: This variable relies on the Justices ID for its values. For a more detailed description of these identifiers, please visit the [detail page for the Justices variable](#). Note that the justice normalizations changed with the SCDB_2012_01 release of the database.

- End of Content for Variable 52. Majority Opinion Assigner -

53 Split Vote

Variable Name	Spaeth Name	Normalizations
splitVote	n/a	varSplitVote (2)

This variable indicates whether the vote variables (e.g., majVotes, minVotes) pertain to the vote on the first or second issue (or legal provision). Because split votes are so rare over 99 percent of the votes are on the first issue.

Users interested in analyzing cases with split votes should use the dataset that organizes cases by legal provision and split votes.

- End of Content for Variable 53. Split Vote -

54 Majority Votes

Variable Name	Spaeth Name	Normalizations
majVotes	n/a	n/a

This variable specifies the number of justices voting in the majority; minVotes indicates the number of justices voting in dissent.

In non-legacy cases, a quorum requires the participation of six justices for a decision on the merits.

The number that appears in this variable pertains to the number of justices who agree with the disposition made by the majority (see caseDisposition) and not to the justices' vote on any particular issue in the case. Thus, for example, in *Bates v. Arizona State Bar*, 433 U.S. 350 (1977), the vote in the case was 5 to 4, even though all participants agreed that the disciplinary rule prohibiting attorney advertising did not violate the Sherman Act. Unlike the majority, the dissenters disagreed that the rule violated the First Amendment.

See also Minority Votes (minVotes) and Vote Not Clearly Specified (voteUnclear).

- End of Content for Variable 54. Majority Votes -

55 Minority Votes

Variable Name	Spaeth Name	Normalizations
minVotes	n/a	n/a

This variable specifies the number of votes in dissent. Only dissents on the merits are specified in this variable.

Justices who dissent from a denial or dismissal of certiorari or who disagree with the Court's assertion of jurisdiction count as not participating in the decision.

For more details, see the variable Majority Votes (majVotes).

- End of Content for Variable 55. Minority Votes -

56 Justice ID

Variable Name	Spaeth Name	Normalizations
justice	HAR-BRY	varJustices (114)

This variable provides a unique identification number for each of the justices. Even though several justices served as both associate and chief justice they receive only one identification number.

This variable appears in the Justice Centered Datasets only.

- Some notes about the organization of the justice ids.
1. The numeric value on the left is the unique identifier.
 2. The shortened name to the right of the numeric (e.g. JJay) is for readability. Astute eyes will observe that these text descriptors are not always unique, as in the case of JRutledge (ids 2 and 9). The reason for this is id's 2 and 9 reference the same individual. The source of the two ids is the justice served a split term.
 3. In situations where two different individuals would share a short name, the short descriptor will be incremented with a numeral on the end as in the case of JHalan1 (id 45) and JHarlan2 (id 91). These descriptors were made unique because they reference different individuals.

Please note that release SCDB_2012_01 saw a renormalization to the justice ids. This was to correct an exclusion of an early justice. Below you will find the current listing. The original variable assignments may be seen [here](#). If you perform a search based on early database releases (prior to SCDB_2012_01) all justice references have been updated to ensure fidelity.

- End of Content for Variable 56. Justice ID -

57 Justice Name

Variable Name	Spaeth Name	Normalizations
justiceName	n/a	varJustices (114)

This is a string variable indicating the first initial for the five justices with a common surname (Harlan, Johnson, Marshall, Roberts, and White) and last name of each justice. This variable appears in the Justice Centered Datasets only.

Note: This variable relies on the Justices ID for its values. For a more detailed description of these identifiers, please visit the [detail page for the Justices variable](#). Note that the justice normalizations changed with the SCDB_2012_01 release of the database.

- End of Content for Variable 57. Justice Name -

58 The Vote in the Case

Variable Name vote	Spaeth Name HARV to BRYV	Normalizations varVote (8)
-----------------------	-----------------------------	-------------------------------

This variable provides information about each justice's vote in the case. It appears in the Justice Centered Datasets only. A regular concurrence is when the justice agrees with the Court's opinion as well as its disposition. A special concurrence (i.e., a concurrence in the judgment) is when the justice agrees with the Court's disposition but not its opinion. A jurisdictional dissent is when the justice disagrees with the Court's assertion or denial of jurisdiction. Such votes are counted as nonparticipations.

Determination of how a given justice voted is by no means a simple matter of culling the Reports. The justices do not always make their options clear.

Two problems, in particular, afflict efforts to specify votes: 1) whether the vote is a regular or a special concurrence, and 2) the treatment to be accorded a vote "concurring in part and dissenting in part."

The first typically manifests itself when a justice joins the opinion of the Court "except for . . ." Because such exceptions typically tend to approach *de minimis* status, these are coded as regular concurrences. For example, Chief Justice Burger concurred in the opinion of the Court in *New York Gaslight Club, Inc. v. Carey*, except for "footnote 6 thereof." 447 U.S. 54, at 71. Similarly, Blackmun's agreement with the Court in *Pruneyard Shopping Center v. Robins*, except for "that sentence thereof . . ." 447 U.S. 74, at 88. Where the Reports identify a justice as "concurring" or "concurring in part" said justice is treated as a member of the majority opinion coalition (i.e., as = 3), rather than a merely concurring in the result (i.e., as = 4).

Whereas the preceding problem pertains to determining which type of concurrence a vote is, the problem with votes concurring and dissenting in part is whether they are special concurrences (= 4) or dissents (= 2). This matter was addressed previously in connection with the variable `voteUnclear` (vote not clearly specified). A vote concurring and dissenting in part is listed as a special concurrence if the justice(s) doing so does not disagree with the majority's disposition of the case. This may occur when: 1) the justice concurring and dissenting in part only voices disagreement with some or all of the majority's reasoning; 2) when said justice disapproves of the majority's deciding or refusing to decide additional issues involved in the case; or 3) when in a case in which dissent has been voiced, the justice(s) concurring and dissenting in part votes to dispose of the case in a manner more closely approximating that of the majority than that of the dissenter(s).

In cases where determination of whether a vote concurring and dissenting in part is the former or the latter is not beyond cavil, an entry will appear in the `voteUnclear` variable of the affected case to allow users to make an independent judgment, if they are so minded.

Note, however, that listing such votes as dissents (= 2) or special concurrences (= 4) has no effect on whether or not an opinion is written (the opinion variable).

- *End of Content for Variable 58. The Vote in the Case* -

59 Opinion

Variable Name opinion	Spaeth Name HARO to BRYO	Normalizations varJusticeOpinion (3)
--------------------------	-----------------------------	-----------------------------------------

This variable indicates the opinion, if any, that the justice wrote. It appears in the Justice Centered Datasets only.

Because determination of whether a justice wrote an opinion is no simple matter, rules must be formulated.

1. A justice authors no opinion unless he or she specifies a reason for his or her vote. A bare citation to a previously decided case or a simple statement that the author concurs or dissents because of agreement with a lower court's opinion suffices as an opinion
2. Where a justice specifies that the opinion applies to an additional case or cases, the opinion is counted as so many separate ones. Thus, the opinions of Brennan and Marshall in *Mobile v. Bolden*, 446 U.S. 55, also apply to *Williams v. Brown*, 446 U.S. 236. Hence, each of these opinions is counted as though it were two separate opinions.
3. When a justice joins the substance of another justice's opinion, without any personal expression of views, that justice is listed as joining the other's opinion (see variables `firstAgreement` and `secondAgreement`) and not as an author unless he or she also writes an opinion.

Thus, in *United States v. Havens*, 446 U.S. 620, Justices Stewart and Stevens are listed as joining Brennan's dissenting opinion notwithstanding that the pertinent language reads: "Mr. Justice Brennan, joined by Mr. Justice Marshall and joined in Part I by Mr. Justice Stewart and Mr. Justice Stevens, dissenting." 446 U.S. at 629. The opinion contains two parts of roughly equal length. Failure to list the latter pair as joiners would have required that they appear as dissenting without opinion, a manifestly inaccurate result. Similarly, Justice White's language in *Parratt v. Taylor*, 451 U.S. 527, at 545: "I join the opinion of the Court but with the reservations stated by my Brother Blackmun in his concurring opinion," is not listed as an opinion by White. He rather appears as joining Blackmun's concurrence. Conversely, where a justice, in his or her own words only partially agrees with one or more opinions authored by others, he or she is listed as an author. Two examples of Justice Stewart illustrate: "Mr. Justice Stewart dissents for the reasons expressed in Part I of the dissenting opinion of Mr. Justice Powell." (*Dougherty County Board of Education v. White*, 439 U.S. 32, at 47) "Mr. Justice Stewart concurs in the judgment, agreeing with all but Part II of the opinion of the Court, and with Part I of the concurring opinion of Mr. Justice Stevens." (*Jenkins v. Anderson*, 447 U.S. 231, at 241).

4. When two or more justices jointly author an opinion, an entry will so indicate. Joint authorship, however, does not include per curiam opinions.

- *End of Content for Variable 59. Opinion* -

60 Direction of the Individual Justice's Votes

Variable Name	Spaeth Name	Normalizations
direction	HARDIR-BRYDIR	varJusticeDirection (2)

This variable indicates whether the justice cast a liberal or conservative vote. For the definitions of liberal and conservative, see variable decisionDirection. A missing value code indicates that the decisionDirection was unspecifiable or that that justice did not participate.

This variable appears in the Justice Centered Datasets only.

- End of Content for Variable 60. Direction of the Individual Justice's Votes -

61 Majority and Minority Voting by Justice

Variable Name	Spaeth Name	Normalizations
majority	HARM - BRYM	varJusticeMajority (2)

Analysts commonly want to know the frequency with which given justices vote with the majority and/or in dissent overall or in certain sets of circumstances. This variable provides that information for each justice.

This variable appears in the Justice Centered Datasets only.

- End of Content for Variable 61. Majority and Minority Voting by Justice -

62 First Agreement

Variable Name	Spaeth Name	Normalizations
firstAgreement	HARA1 - BRYA1	varJustices (114)

This variable (and Second Agreement) denotes whether the justice agreed with a dissent or concurrence written by another justice (indicated by the justice's id number). Two agreements are coded---one in this variable and the second in secondAgreement. For more details, see the opinion variable.

This variable appears in the Justice Centered Datasets only.

Note: This variable relies on the Justices ID for its values. For a more detailed description of these identifiers, please visit the [detail page for the Justices variable](#). Note that the justice normalizations changed with the SCDB_2012_01 release of the database.

- End of Content for Variable 62. First Agreement -

63 Second Agreement

Variable Name	Spaeth Name	Normalizations
secondAgreement	HARA2 - BRYA2	varJustices (114)

See variable First Agreement (firstAgreement).

This variable appears in the Justice Centered Datasets only.

Note: This variable relies on the Justices ID for its values. For a more detailed description of these identifiers, please visit the [detail page for the Justices variable](#). Note that the justice normalizations changed with the SCDB_2012_01 release of the database.

- End of Content for Variable 63. Second Agreement -

Appendix

This appendix contains an exhaustive list of the numeric codes used for all numeric variables in the Supreme Court Database. In the language of database administration, these lists are called normalizations. In the language of statistical software, these lists are called value labels. All of the data files available for software that supports them, e.g., Stata, R, and SPSS, include all of these value labels. The naming convention used throughout is `varVariableName`.

A1 `varAdminAction`

125 Distinct Values

`varAdminAction` is used in conjunction with:
adminAction

Values:

- 1 Army and Air Force Exchange Service
- 2 Atomic Energy Commission
- 3 Secretary or administrative unit or personnel of the U.S. Air Force
- 4 Department or Secretary of Agriculture
- 5 Alien Property Custodian
- 6 Secretary or administrative unit or personnel of the U.S. Army
- 7 Board of Immigration Appeals
- 8 Bureau of Indian Affairs
- 9 Bureau of Prisons
- 10 Bonneville Power Administration
- 11 Benefits Review Board
- 12 Civil Aeronautics Board
- 13 Bureau of the Census
- 14 Central Intelligence Agency
- 15 Commodity Futures Trading Commission
- 16 Department or Secretary of Commerce
- 17 Comptroller of Currency
- 18 Consumer Product Safety Commission
- 19 Civil Rights Commission
- 20 Civil Service Commission, U.S.
- 21 Customs Service or Commissioner or Collector of Customs
- 22 Defense Base Closure and REalignment Commission
- 23 Drug Enforcement Agency
- 24 Department or Secretary of Defense
- 25 Department or Secretary of Energy

- 26 Department or Secretary of the Interior
- 27 Department of Justice or Attorney General
- 28 Department or Secretary of State
- 29 Department or Secretary of Transportation
- 30 Department or Secretary of Education
- 31 U.S. Employees' Compensation Commission, or Commissioner
- 32 Equal Employment Opportunity Commission
- 33 Environmental Protection Agency or Administrator
- 34 Federal Aviation Agency or Administration
- 35 Federal Bureau of Investigation or Director
- 36 Federal Bureau of Prisons
- 37 Farm Credit Administration
- 38 Federal Communications Commission
- 39 Federal Credit Union Administration
- 40 Food and Drug Administration
- 41 Federal Deposit Insurance Corporation
- 42 Federal Energy Administration
- 43 Federal Election Commission
- 44 Federal Energy Regulatory Commission
- 45 Federal Housing Administration
- 46 Federal Home Loan Bank Board
- 47 Federal Labor Relations Authority
- 48 Federal Maritime Board
- 49 Federal Maritime Commission
- 50 Farmers Home Administration
- 51 Federal Parole Board
- 52 Federal Power Commission
- 53 Federal Railroad Administration
- 54 Federal Reserve Board of Governors
- 55 Federal Reserve System
- 56 Federal Savings and Loan Insurance Corporation
- 57 Federal Trade Commission
- 58 Federal Works Administration, or Administrator
- 59 General Accounting Office
- 60 Comptroller General
- 61 General Services Administration
- 62 Department or Secretary of Health, Education and Welfare
- 63 Department or Secretary of Health and Human Services
- 64 Department or Secretary of Housing and Urban Development
- 65 Administrative agency established under an interstate compact (except for the MTC)
- 66 Interstate Commerce Commission
- 67 Indian Claims Commission

- 68 Immigration and Naturalization Service, or Director of, or District Director of, or Immigration and Naturalization Enforcement
- 69 Internal Revenue Service, Collector, Commissioner, or District Director of
- 70 Information Security Oversight Office
- 71 Department or Secretary of Labor
- 72 Loyalty Review Board
- 73 Legal Services Corporation
- 74 Merit Systems Protection Board
- 75 Multistate Tax Commission
- 76 National Aeronautics and Space Administration
- 77 Secretary or administrative unit or personnel of the U.S. Navy
- 78 National Credit Union Administration
- 79 National Endowment for the Arts
- 80 National Enforcement Commission
- 81 National Highway Traffic Safety Administration
- 82 National Labor Relations Board, or regional office or officer
- 83 National Mediation Board
- 84 National Railroad Adjustment Board
- 85 Nuclear Regulatory Commission
- 86 National Security Agency
- 87 Office of Economic Opportunity
- 88 Office of Management and Budget
- 89 Office of Price Administration, or Price Administrator
- 90 Office of Personnel Management
- 91 Occupational Safety and Health Administration
- 92 Occupational Safety and Health Review Commission
- 93 Office of Workers' Compensation Programs
- 94 Patent Office, or Commissioner of, or Board of Appeals of
- 95 Pay Board (established under the Economic Stabilization Act of 1970)
- 96 Pension Benefit Guaranty Corporation
- 97 U.S. Public Health Service
- 98 Postal Rate Commission
- 99 Provider Reimbursement Review Board
- 100 Renegotiation Board
- 101 Railroad Adjustment Board
- 102 Railroad Retirement Board
- 103 Subversive Activities Control Board
- 104 Small Business Administration
- 105 Securities and Exchange Commission
- 106 Social Security Administration or Commissioner
- 107 Selective Service System
- 108 Department or Secretary of the Treasury
- 109 Tennessee Valley Authority
- 110 United States Forest Service

- 111 United States Parole Commission
- 112 Postal Service and Post Office, or Postmaster General, or Postmaster
- 113 United States Sentencing Commission
- 114 Veterans' Administration or Board of Veterans' Appeals
- 115 War Production Board
- 116 Wage Stabilization Board
- 117 State Agency
- 118 Unidentifiable
- 119 Office of Thrift Supervision
- 120 Department of Homeland Security
- 121 Board of General Appraisers
- 122 Board of Tax Appeals
- 123 General Land Office or Commissioners
- 124 NO Admin Action
- 125 Processing Tax Board of Review

A2 varAuthorityDecision

7 Distinct Values

varAuthorityDecision is used in conjunction with:

authorityDecision1

authorityDecision2

Values:

- 1 judicial review (national level)
- 2 judicial review (state level)
- 3 Supreme Court supervision of lower federal or state courts or original jurisdiction
- 4 statutory construction
- 5 interpretation of administrative regulation or rule, or executive order
- 6 diversity jurisdiction
- 7 federal common law

A3 varCaseDispositionLc

12 Distinct Values

varCaseDispositionLc is used in conjunction with:

lcDisposition

Values:

- 1 stay, petition, or motion granted
- 2 affirmed
- 3 reversed
- 4 reversed and remanded
- 5 vacated and remanded
- 6 affirmed and reversed (or vacated) in part
- 7 affirmed and reversed (or vacated) in part and remanded
- 8 vacated
- 9 petition denied or appeal dismissed
- 10 modify
- 11 remand
- 12 unusual disposition

A4 varCaseDispositionSc

11 Distinct Values

varCaseDispositionSc is used in conjunction with:
caseDisposition

Values:

- 1 stay, petition, or motion granted
- 2 affirmed (includes modified)
- 3 reversed
- 4 reversed and remanded
- 5 vacated and remanded
- 6 affirmed and reversed (or vacated) in part
- 7 affirmed and reversed (or vacated) in part and remanded
- 8 vacated
- 9 petition denied or appeal dismissed
- 10 certification to a lower court
- 11 no disposition

A5 varCaseDispositionUnusual

2 Distinct Values

varCaseDispositionUnusual is used in conjunction with:
caseDispositionUnusual

Values:

- 0 no unusual disposition specified
- 1 unusual disposition

A6 varCaseSources

212 Distinct Values

varCaseSources is used in conjunction with:
caseOrigin
caseSource

Values:

- 1 U.S. Court of Customs and Patent Appeals
- 2 U.S. Court of International Trade
- 3 U.S. Court of Claims, Court of Federal Claims
- 4 U.S. Court of Military Appeals, renamed as Court of Appeals for the Armed Forces
- 5 U.S. Court of Military Review
- 6 U.S. Court of Veterans Appeals
- 7 U.S. Customs Court
- 8 U.S. Court of Appeals, Federal Circuit
- 9 U.S. Tax Court
- 10 Temporary Emergency U.S. Court of Appeals
- 12 U.S. Court for China
- 13 U.S. Consular Courts
- 14 U.S. Commerce Court
- 15 Territorial Supreme Court
- 16 Territorial Appellate Court
- 17 Territorial Trial Court
- 18 Emergency Court of Appeals
- 19 District of Columbia Supreme Court
- 20 Bankruptcy Court
- 21 U.S. Court of Appeals, First Circuit
- 22 U.S. Court of Appeals, Second Circuit
- 23 U.S. Court of Appeals, Third Circuit
- 24 U.S. Court of Appeals, Fourth Circuit
- 25 U.S. Court of Appeals, Fifth Circuit
- 26 U.S. Court of Appeals, Sixth Circuit
- 27 U.S. Court of Appeals, Seventh Circuit
- 28 U.S. Court of Appeals, Eighth Circuit
- 29 U.S. Court of Appeals, Ninth Circuit
- 30 U.S. Court of Appeals, Tenth Circuit

31	U.S. Court of Appeals, Eleventh Circuit
32	U.S. Court of Appeals, District of Columbia Circuit
41	Alabama Middle U.S. District Court
42	Alabama Northern U.S. District Court
43	Alabama Southern U.S. District Court
44	Alaska U.S. District Court
45	Arizona U.S. District Court
46	Arkansas Eastern U.S. District Court
47	Arkansas Western U.S. District Court
48	California Central U.S. District Court
49	California Eastern U.S. District Court
50	California Northern U.S. District Court
51	California Southern U.S. District Court
52	Colorado U.S. District Court
53	Connecticut U.S. District Court
54	Delaware U.S. District Court
55	District Of Columbia U.S. District Court
56	Florida Middle U.S. District Court
57	Florida Northern U.S. District Court
58	Florida Southern U.S. District Court
59	Georgia Middle U.S. District Court
60	Georgia Northern U.S. District Court
61	Georgia Southern U.S. District Court
62	Guam U.S. District Court
63	Hawaii U.S. District Court
64	Idaho U.S. District Court
65	Illinois Central U.S. District Court
66	Illinois Northern U.S. District Court
67	Illinois Southern U.S. District Court
68	Indiana Northern U.S. District Court
69	Indiana Southern U.S. District Court
70	Iowa Northern U.S. District Court
71	Iowa Southern U.S. District Court
72	Kansas U.S. District Court
73	Kentucky Eastern U.S. District Court
74	Kentucky Western U.S. District Court
75	Louisiana Eastern U.S. District Court
76	Louisiana Middle U.S. District Court
77	Louisiana Western U.S. District Court
78	Maine U.S. District Court
79	Maryland U.S. District Court
80	Massachusetts U.S. District Court
81	Michigan Eastern U.S. District Court
82	Michigan Western U.S. District Court

83	Minnesota U.S. District Court
84	Mississippi Northern U.S. District Court
85	Mississippi Southern U.S. District Court
86	Missouri Eastern U.S. District Court
87	Missouri Western U.S. District Court
88	Montana U.S. District Court
89	Nebraska U.S. District Court
90	Nevada U.S. District Court
91	New Hampshire U.S. District Court
92	New Jersey U.S. District Court
93	New Mexico U.S. District Court
94	New York Eastern U.S. District Court
95	New York Northern U.S. District Court
96	New York Southern U.S. District Court
97	New York Western U.S. District Court
98	North Carolina Eastern U.S. District Court
99	North Carolina Middle U.S. District Court
100	North Carolina Western U.S. District Court
101	North Dakota U.S. District Court
102	Northern Mariana Islands U.S. District Court
103	Ohio Northern U.S. District Court
104	Ohio Southern U.S. District Court
105	Oklahoma Eastern U.S. District Court
106	Oklahoma Northern U.S. District Court
107	Oklahoma Western U.S. District Court
108	Oregon U.S. District Court
109	Pennsylvania Eastern U.S. District Court
110	Pennsylvania Middle U.S. District Court
111	Pennsylvania Western U.S. District Court
112	Puerto Rico U.S. District Court
113	Rhode Island U.S. District Court
114	South Carolina U.S. District Court
115	South Dakota U.S. District Court
116	Tennessee Eastern U.S. District Court
117	Tennessee Middle U.S. District Court
118	Tennessee Western U.S. District Court
119	Texas Eastern U.S. District Court
120	Texas Northern U.S. District Court
121	Texas Southern U.S. District Court
122	Texas Western U.S. District Court
123	Utah U.S. District Court
124	Vermont U.S. District Court
125	Virgin Islands U.S. District Court
126	Virginia Eastern U.S. District Court

127	Virginia Western U.S. District Court
128	Washington Eastern U.S. District Court
129	Washington Western U.S. District Court
130	West Virginia Northern U.S. District Court
131	West Virginia Southern U.S. District Court
132	Wisconsin Eastern U.S. District Court
133	Wisconsin Western U.S. District Court
134	Wyoming U.S. District Court
150	Louisiana U.S. District Court
151	Washington U.S. District Court
152	West Virginia U.S. District Court
153	Illinois Eastern U.S. District Court
155	South Carolina Eastern U.S. District Court
160	South Carolina Western U.S. District Court
162	Alabama U.S. District Court
163	U.S. District Court for the Canal Zone
164	Georgia U.S. District Court
165	Illinois U.S. District Court
166	Indiana U.S. District Court
167	Iowa U.S. District Court
168	Michigan U.S. District Court
169	Mississippi U.S. District Court
170	Missouri U.S. District Court
171	New Jersey Eastern U.S. District Court (East Jersey U.S. District Court)
172	New Jersey Western U.S. District Court (West Jersey U.S. District Court)
173	New York U.S. District Court
174	North Carolina U.S. District Court
175	Ohio U.S. District Court
176	Pennsylvania U.S. District Court
177	Tennessee U.S. District Court
178	Texas U.S. District Court
179	Virginia U.S. District Court
180	Norfolk U.S. District Court
181	Wisconsin U.S. District Court
182	Kentucky U.S. District Court
183	New Jersey U.S. District Court
184	California U.S. District Court
185	Florida U.S. District Court
186	Arkansas U.S. District Court
187	District of Orleans U.S. District Court
300	State Supreme Court
301	State Appellate Court
302	State Trial Court
400	Eastern Circuit (of the United States)

- 401 Middle Circuit (of the United States)
- 402 Southern Circuit (of the United States)
- 403 Alabama U.S. Circuit Court for (all) District(s) of Alabama
- 404 Arkansas U.S. Circuit Court for (all) District(s) of Arkansas
- 405 California U.S. Circuit for (all) District(s) of California
- 406 Connecticut U.S. Circuit for the District of Connecticut
- 407 Delaware U.S. Circuit for the District of Delaware
- 408 Florida U.S. Circuit for (all) District(s) of Florida
- 409 Georgia U.S. Circuit for (all) District(s) of Georgia
- 410 Illinois U.S. Circuit for (all) District(s) of Illinois
- 411 Indiana U.S. Circuit for (all) District(s) of Indiana
- 412 Iowa U.S. Circuit for (all) District(s) of Iowa
- 413 Kansas U.S. Circuit for the District of Kansas
- 414 Kentucky U.S. Circuit for (all) District(s) of Kentucky
- 415 Louisiana U.S. Circuit for (all) District(s) of Louisiana
- 416 Maine U.S. Circuit for the District of Maine
- 417 Maryland U.S. Circuit for the District of Maryland
- 418 Massachusetts U.S. Circuit for the District of Massachusetts
- 419 Michigan U.S. Circuit for (all) District(s) of Michigan
- 420 Minnesota U.S. Circuit for the District of Minnesota
- 421 Mississippi U.S. Circuit for (all) District(s) of Mississippi
- 422 Missouri U.S. Circuit for (all) District(s) of Missouri
- 423 Nevada U.S. Circuit for the District of Nevada
- 424 New Hampshire U.S. Circuit for the District of New Hampshire
- 425 New Jersey U.S. Circuit for (all) District(s) of New Jersey
- 426 New York U.S. Circuit for (all) District(s) of New York
- 427 North Carolina U.S. Circuit for (all) District(s) of North Carolina
- 428 Ohio U.S. Circuit for (all) District(s) of Ohio
- 429 Oregon U.S. Circuit for the District of Oregon
- 430 Pennsylvania U.S. Circuit for (all) District(s) of Pennsylvania
- 431 Rhode Island U.S. Circuit for the District of Rhode Island
- 432 South Carolina U.S. Circuit for the District of South Carolina
- 433 Tennessee U.S. Circuit for (all) District(s) of Tennessee
- 434 Texas U.S. Circuit for (all) District(s) of Texas
- 435 Vermont U.S. Circuit for the District of Vermont
- 436 Virginia U.S. Circuit for (all) District(s) of Virginia
- 437 West Virginia U.S. Circuit for (all) District(s) of West Virginia
- 438 Wisconsin U.S. Circuit for (all) District(s) of Wisconsin
- 439 Wyoming U.S. Circuit for the District of Wyoming
- 440 Circuit Court of the District of Columbia
- 441 Nebraska U.S. Circuit for the District of Nebraska
- 442 Colorado U.S. Circuit for the District of Colorado
- 443 Washington U.S. Circuit for (all) District(s) of Washington
- 444 Idaho U.S. Circuit Court for (all) District(s) of Idaho

- 445 Montana U.S. Circuit Court for (all) District(s) of Montana
- 446 Utah U.S. Circuit Court for (all) District(s) of Utah
- 447 South Dakota U.S. Circuit Court for (all) District(s) of South Dakota
- 448 North Dakota U.S. Circuit Court for (all) District(s) of North Dakota
- 449 Oklahoma U.S. Circuit Court for (all) District(s) of Oklahoma
- 600 Orphans' Court of DC
- 601 Court of Private Land Claims

A7 varCertReason

13 Distinct Values

varCertReason is used in conjunction with:
certReason

Values:

- 1 case did not arise on cert or cert not granted
- 2 federal court conflict
- 3 federal court conflict and to resolve important or significant question
- 4 putative conflict
- 5 conflict between federal court and state court
- 6 state court conflict
- 7 federal court confusion or uncertainty
- 8 state court confusion or uncertainty
- 9 federal court and state court confusion or uncertainty
- 10 to resolve important or significant question
- 11 to resolve question presented
- 12 no reason given
- 13 other reason

A8 varChiefs

17 Distinct Values

varChiefs is used in conjunction with:
chief

Values:

- 1 Jay
- 2 Rutledge
- 3 Ellsworth

- 4 Marshall
- 5 Taney
- 6 Chase
- 7 Waite
- 8 Fuller
- 9 White
- 10 Taft
- 11 Hughes
- 12 Stone
- 13 Vinson
- 14 Warren
- 15 Burger
- 16 Rehnquist
- 17 Roberts

A9 varDecisionDirection

3 Distinct Values

varDecisionDirection is used in conjunction with:
lcDispositionDirection
decisionDirection

Values:

- 1 conservative
- 2 liberal
- 3 unspecifiable

A10 varDecisionDirectionDissent

2 Distinct Values

varDecisionDirectionDissent is used in conjunction with:
decisionDirectionDissent

Values:

- 0 dissent in opposite direction
- 1 majority and dissent in same direction

A11 varDecisionTypes

7 *Distinct Values*

varDecisionTypes is used in conjunction with:
decisionType

Values:

- 1 opinion of the court (orally argued)
- 2 per curiam (no oral argument)
- 4 decrees
- 5 equally divided vote
- 6 per curiam (orally argued)
- 7 judgment of the Court (orally argued)
- 8 seriatim

A12 varDeclarationUncon

4 *Distinct Values*

varDeclarationUncon is used in conjunction with:
declarationUncon

Values:

- 1 no declaration of unconstitutionality
- 2 act of congress declared unconstitutional
- 3 state or territorial law, reg, or const provision unconstitutional
- 4 municipal or other local ordinance unconstitutional

A13 varIssues

278 *Distinct Values*

varIssues is used in conjunction with:
issue

Values:

- 10010 involuntary confession
- 10020 habeas corpus
- 10030 plea bargaining: the constitutionality of and/or the circumstances of its exercise
- 10040 retroactivity (of newly announced or newly enacted constitutional or statutory rights)

10050	search and seizure (other than as pertains to vehicles or Crime Control Act)
10060	search and seizure, vehicles
10070	search and seizure, Crime Control Act
10080	contempt of court or congress
10090	self-incrimination (other than as pertains to Miranda or immunity from prosecution)
10100	Miranda warnings
10110	self-incrimination, immunity from prosecution
10120	right to counsel (cf. indigents appointment of counsel or inadequate representation)
10130	cruel and unusual punishment, death penalty (cf. extra legal jury influence, death penalty)
10140	cruel and unusual punishment, non-death penalty (cf. liability, civil rights acts)
10150	line-up
10160	discovery and inspection (in the context of criminal litigation only, otherwise Freedom of Information Act and related federal or state statutes or regulations)
10170	double jeopardy
10180	ex post facto (state)
10190	extra-legal jury influences: miscellaneous
10200	extra-legal jury influences: prejudicial statements or evidence
10210	extra-legal jury influences: contact with jurors outside courtroom
10220	extra-legal jury influences: jury instructions (not necessarily in criminal cases)
10230	extra-legal jury influences: voir dire (not necessarily a criminal case)
10240	extra-legal jury influences: prison garb or appearance
10250	extra-legal jury influences: jurors and death penalty (cf. cruel and unusual punishment)
10260	extra-legal jury influences: pretrial publicity
10270	confrontation (right to confront accuser, call and cross-examine witnesses)
10280	subconstitutional fair procedure: confession of error
10290	subconstitutional fair procedure: conspiracy (cf. Federal Rules of Criminal Procedure: conspiracy)
10300	subconstitutional fair procedure: entrapment
10310	subconstitutional fair procedure: exhaustion of remedies
10320	subconstitutional fair procedure: fugitive from justice
10330	subconstitutional fair procedure: presentation, admissibility, or sufficiency of evidence (not necessarily a criminal case)
10340	subconstitutional fair procedure: stay of execution
10350	subconstitutional fair procedure: timeliness
10360	subconstitutional fair procedure: miscellaneous
10370	Federal Rules of Criminal Procedure
10380	statutory construction of criminal laws: assault
10390	statutory construction of criminal laws: bank robbery
10400	statutory construction of criminal laws: conspiracy (cf. subconstitutional fair procedure: conspiracy)

10410	statutory construction of criminal laws: escape from custody
10420	statutory construction of criminal laws: false statements (cf. statutory construction of criminal laws: perjury)
10430	statutory construction of criminal laws: financial (other than in fraud or internal revenue)
10440	statutory construction of criminal laws: firearms
10450	statutory construction of criminal laws: fraud
10460	statutory construction of criminal laws: gambling
10470	statutory construction of criminal laws: Hobbs Act; i.e., 18 USC 1951
10480	statutory construction of criminal laws: immigration (cf. immigration and naturalization)
10490	statutory construction of criminal laws: internal revenue (cf. Federal Taxation)
10500	statutory construction of criminal laws: Mann Act and related statutes
10510	statutory construction of criminal laws: narcotics includes regulation and prohibition of alcohol
10520	statutory construction of criminal laws: obstruction of justice
10530	statutory construction of criminal laws: perjury (other than as pertains to statutory construction of criminal laws: false statements)
10540	statutory construction of criminal laws: Travel Act, 18 USC 1952
10550	statutory construction of criminal laws: war crimes
10560	statutory construction of criminal laws: sentencing guidelines
10570	statutory construction of criminal laws: miscellaneous
10580	jury trial (right to, as distinct from extra-legal jury influences)
10590	speedy trial
10600	miscellaneous criminal procedure (cf. due process, prisoners' rights, comity: criminal procedure)
20010	voting
20020	Voting Rights Act of 1965, plus amendments
20030	ballot access (of candidates and political parties)
20040	desegregation (other than as pertains to school desegregation, employment discrimination, and affirmative action)
20050	desegregation, schools
20060	employment discrimination: on basis of race, age, religion, illegitimacy, national origin, or working conditions.
20070	affirmative action
20075	slavery or indenture
20080	sit-in demonstrations (protests against racial discrimination in places of public accommodation)
20090	reapportionment: other than plans governed by the Voting Rights Act
20100	debtors' rights
20110	deportation (cf. immigration and naturalization)
20120	employability of aliens (cf. immigration and naturalization)
20130	sex discrimination (excluding sex discrimination in employment)
20140	sex discrimination in employment (cf. sex discrimination)
20150	Indians (other than pertains to state jurisdiction over)
20160	Indians, state jurisdiction over

20170	juveniles (cf. rights of illegitimates)
20180	poverty law, constitutional
20190	poverty law, statutory: welfare benefits, typically under some Social Security Act provision.
20200	illegitimates, rights of (cf. juveniles): typically inheritance and survivor's benefits, and paternity suits
20210	handicapped, rights of: under Rehabilitation, Americans with Disabilities Act, and related statutes
20220	residency requirements: durational, plus discrimination against nonresidents
20230	military: draftee, or person subject to induction
20240	military: active duty
20250	military: veteran
20260	immigration and naturalization: permanent residence
20270	immigration and naturalization: citizenship
20280	immigration and naturalization: loss of citizenship, denaturalization
20290	immigration and naturalization: access to public education
20300	immigration and naturalization: welfare benefits
20310	immigration and naturalization: miscellaneous
20320	indigents: appointment of counsel (cf. right to counsel)
20330	indigents: inadequate representation by counsel (cf. right to counsel)
20340	indigents: payment of fine
20350	indigents: costs or filing fees
20360	indigents: U.S. Supreme Court docketing fee
20370	indigents: transcript
20380	indigents: assistance of psychiatrist
20390	indigents: miscellaneous
20400	liability, civil rights acts (cf. liability, governmental and liability, nongovernmental; cruel and unusual punishment, non-death penalty)
20410	miscellaneous civil rights (cf. comity: civil rights)
30010	First Amendment, miscellaneous (cf. comity: First Amendment)
30020	commercial speech, excluding attorneys
30030	libel, defamation: defamation of public officials and public and private persons
30040	libel, privacy: true and false light invasions of privacy
30050	legislative investigations: concerning internal security only
30060	federal or state internal security legislation: Smith, Internal Security, and related federal statutes
30070	loyalty oath or non-Communist affidavit (other than bar applicants, government employees, political party, or teacher)
30080	loyalty oath: bar applicants (cf. admission to bar, state or federal or U.S. Supreme Court)
30090	loyalty oath: government employees
30100	loyalty oath: political party
30110	loyalty oath: teachers
30120	security risks: denial of benefits or dismissal of employees for reasons other than failure to meet loyalty oath requirements

30130	conscientious objectors (cf. military draftee or military active duty) to military service
30140	campaign spending (cf. governmental corruption):
30150	protest demonstrations (other than as pertains to sit-in demonstrations): demonstrations and other forms of protest based on First Amendment guarantees
30160	free exercise of religion
30170	establishment of religion (other than as pertains to parochiaid:)
30180	parochiaid: government aid to religious schools, or religious requirements in public schools
30190	obscenity, state (cf. comity: privacy): including the regulation of sexually explicit material under the 21st Amendment
30200	obscenity, federal
40010	due process: miscellaneous (cf. loyalty oath), the residual code
40020	due process: hearing or notice (other than as pertains to government employees or prisoners' rights)
40030	due process: hearing, government employees
40040	due process: prisoners' rights and defendants' rights
40050	due process: impartial decision maker
40060	due process: jurisdiction (jurisdiction over non-resident litigants)
40070	due process: takings clause, or other non-constitutional governmental taking of property
50010	privacy (cf. libel, comity: privacy)
50020	abortion: including contraceptives
50030	right to die
50040	Freedom of Information Act and related federal or state statutes or regulations
60010	attorneys' and governmental employees' or officials' fees or compensation or licenses
60020	commercial speech, attorneys (cf. commercial speech)
60030	admission to a state or federal bar, disbarment, and attorney discipline (cf. loyalty oath: bar applicants)
60040	admission to, or disbarment from, Bar of the U.S. Supreme Court
70010	arbitration (in the context of labor-management or employer-employee relations) (cf. arbitration)
70020	union antitrust: legality of anticompetitive union activity
70030	union or closed shop: includes agency shop litigation
70040	Fair Labor Standards Act
70050	Occupational Safety and Health Act
70060	union-union member dispute (except as pertains to union or closed shop)
70070	labor-management disputes: bargaining
70080	labor-management disputes: employee discharge
70090	labor-management disputes: distribution of union literature
70100	labor-management disputes: representative election
70110	labor-management disputes: antistrike injunction
70120	labor-management disputes: jurisdictional dispute
70130	labor-management disputes: right to organize

70140	labor-management disputes: picketing
70150	labor-management disputes: secondary activity
70160	labor-management disputes: no-strike clause
70170	labor-management disputes: union representatives
70180	labor-management disputes: union trust funds (cf. ERISA)
70190	labor-management disputes: working conditions
70200	labor-management disputes: miscellaneous dispute
70210	miscellaneous union
80010	antitrust (except in the context of mergers and union antitrust)
80020	mergers
80030	bankruptcy (except in the context of priority of federal fiscal claims)
80040	sufficiency of evidence: typically in the context of a jury's determination of compensation for injury or death
80050	election of remedies: legal remedies available to injured persons or things
80060	liability, governmental: tort or contract actions by or against government or governmental officials other than defense of criminal actions brought under a civil rights action.
80070	liability, other than as in sufficiency of evidence, election of remedies, punitive damages
80080	liability, punitive damages
80090	Employee Retirement Income Security Act (cf. union trust funds)
80100	state or local government tax
80105	state and territorial land claims
80110	state or local government regulation, especially of business (cf. federal pre-emption of state court jurisdiction, federal pre-emption of state legislation or regulation)
80120	federal or state regulation of securities
80130	natural resources - environmental protection (cf. national supremacy: natural resources, national supremacy: pollution)
80140	corruption, governmental or governmental regulation of other than as in campaign spending
80150	zoning: constitutionality of such ordinances, or restrictions on owners' or lessors' use of real property
80160	arbitration (other than as pertains to labor-management or employer-employee relations (cf. union arbitration)
80170	federal or state consumer protection: typically under the Truth in Lending; Food, Drug and Cosmetic; and Consumer Protection Credit Acts
80180	patents and copyrights: patent
80190	patents and copyrights: copyright
80200	patents and copyrights: trademark
80210	patents and copyrights: patentability of computer processes
80220	federal or state regulation of transportation regulation: railroad
80230	federal and some few state regulations of transportation regulation: boat
80240	federal and some few state regulation of transportation regulation: truck, or motor carrier
80250	federal and some few state regulation of transportation regulation: pipeline (cf. federal public utilities regulation: gas pipeline)

80260	federal and some few state regulation of transportation regulation: airline
80270	federal and some few state regulation of public utilities regulation: electric power
80280	federal and some few state regulation of public utilities regulation: nuclear power
80290	federal and some few state regulation of public utilities regulation: oil producer
80300	federal and some few state regulation of public utilities regulation: gas producer
80310	federal and some few state regulation of public utilities regulation: gas pipeline (cf. federal transportation regulation: pipeline)
80320	federal and some few state regulation of public utilities regulation: radio and television (cf. cable television)
80330	federal and some few state regulation of public utilities regulation: cable television (cf. radio and television)
80340	federal and some few state regulations of public utilities regulation: telephone or telegraph company
80350	miscellaneous economic regulation
90010	comity: civil rights
90020	comity: criminal procedure
90030	comity: First Amendment
90040	comity: habeas corpus
90050	comity: military
90060	comity: obscenity
90070	comity: privacy
90080	comity: miscellaneous
90090	comity primarily removal cases, civil procedure (cf. comity, criminal and First Amendment); deference to foreign judicial tribunals
90100	assessment of costs or damages: as part of a court order
90110	Federal Rules of Civil Procedure including Supreme Court Rules, application of the Federal Rules of Evidence, Federal Rules of Appellate Procedure in civil litigation, Circuit Court Rules, and state rules and admiralty rules
90120	judicial review of administrative agency's or administrative official's actions and procedures
90130	mootness (cf. standing to sue: live dispute)
90140	venue
90150	no merits: writ improvidently granted
90160	no merits: dismissed or affirmed for want of a substantial or properly presented federal question, or a nonsuit
90170	no merits: dismissed or affirmed for want of jurisdiction (cf. judicial administration: Supreme Court jurisdiction or authority on appeal from federal district courts or courts of appeals)
90180	no merits: adequate non-federal grounds for decision
90190	no merits: remand to determine basis of state or federal court decision (cf. judicial administration: state law)
90200	no merits: miscellaneous
90210	standing to sue: adversary parties

90220	standing to sue: direct injury
90230	standing to sue: legal injury
90240	standing to sue: personal injury
90250	standing to sue: justiciable question
90260	standing to sue: live dispute
90270	standing to sue: parens patriae standing
90280	standing to sue: statutory standing
90290	standing to sue: private or implied cause of action
90300	standing to sue: taxpayer's suit
90310	standing to sue: miscellaneous
90320	judicial administration: jurisdiction or authority of federal district courts or territorial courts
90330	judicial administration: jurisdiction or authority of federal courts of appeals
90340	judicial administration: Supreme Court jurisdiction or authority on appeal or writ of error, from federal district courts or courts of appeals (cf. 753)
90350	judicial administration: Supreme Court jurisdiction or authority on appeal or writ of error, from highest state court
90360	judicial administration: jurisdiction or authority of the Court of Claims
90370	judicial administration: Supreme Court's original jurisdiction
90380	judicial administration: review of non-final order
90390	judicial administration: change in state law (cf. no merits: remand to determine basis of state court decision)
90400	judicial administration: federal question (cf. no merits: dismissed for want of a substantial or properly presented federal question)
90410	judicial administration: ancillary or pendent jurisdiction
90420	judicial administration: extraordinary relief (e.g., mandamus, injunction)
90430	judicial administration: certification (cf. objection to reason for denial of certiorari or appeal)
90440	judicial administration: resolution of circuit conflict, or conflict between or among other courts
90450	judicial administration: objection to reason for denial of certiorari or appeal
90460	judicial administration: collateral estoppel or res judicata
90470	judicial administration: interpleader
90480	judicial administration: untimely filing
90490	judicial administration: Act of State doctrine
90500	judicial administration: miscellaneous
90510	Supreme Court's certiorari, writ of error, or appeals jurisdiction
90520	miscellaneous judicial power, especially diversity jurisdiction
100010	federal-state ownership dispute (cf. Submerged Lands Act)
100020	federal pre-emption of state court jurisdiction
100030	federal pre-emption of state legislation or regulation. cf. state regulation of business. rarely involves union activity. Does not involve constitutional interpretation unless the Court says it does.
100040	Submerged Lands Act (cf. federal-state ownership dispute)
100050	national supremacy: commodities
100060	national supremacy: intergovernmental tax immunity

100070	national supremacy: marital and family relationships and property, including obligation of child support
100080	national supremacy: natural resources (cf. natural resources - environmental protection)
100090	national supremacy: pollution, air or water (cf. natural resources - environmental protection)
100100	national supremacy: public utilities (cf. federal public utilities regulation)
100110	national supremacy: state tax (cf. state tax)
100120	national supremacy: miscellaneous
100130	miscellaneous federalism
110010	boundary dispute between states
110020	non-real property dispute between states
110030	miscellaneous interstate relations conflict
110033	incorporation of foreign territories
120010	federal taxation, typically under provisions of the Internal Revenue Code
120020	federal taxation of gifts, personal, business, or professional expenses
120030	priority of federal fiscal claims: over those of the states or private entities
120040	miscellaneous federal taxation (cf. national supremacy: state tax)
130010	legislative veto
130015	executive authority vis-a-vis congress or the states
130020	miscellaneous
140010	real property
140020	personal property
140030	contracts
140040	evidence
140050	civil procedure
140060	torts
140070	wills and trusts
140080	commercial transactions

A14 varIssuesAreas

14 Distinct Values

varIssuesAreas is used in conjunction with:
issueArea

Values:

- 1 Criminal Procedure
- 2 Civil Rights
- 3 First Amendment
- 4 Due Process
- 5 Privacy

- 6 Attorneys
- 7 Unions
- 8 Economic Activity
- 9 Judicial Power
- 10 Federalism
- 11 Interstate Relations
- 12 Federal Taxation
- 13 Miscellaneous
- 14 Private Action

A15 varJurisdiction

13 Distinct Values

varJurisdiction is used in conjunction with:
jurisdiction

Values:

- 1 cert
- 2 appeal
- 3 bail
- 4 certification
- 5 docketing fee
- 6 rehearing or restored to calendar for reargument
- 7 injunction
- 8 mandamus
- 9 original
- 12 stay
- 13 writ of error
- 14 writ of habeas corpus
- 15 unspecified, other

A16 varJusticeDirection

2 Distinct Values

varJusticeDirection is used in conjunction with:
direction

Values:

- 1 conservative

2 liberal

A17 varJusticeMajority

2 Distinct Values

varJusticeMajority is used in conjunction with:
majority

Values:

- 1 dissent
- 2 majority

A18 varJusticeOpinion

3 Distinct Values

varJusticeOpinion is used in conjunction with:
opinion

Values:

- 1 justice wrote no opinion
- 2 justice wrote an opinion
- 3 justice co-authored an opinion

A19 varJustices

114 Distinct Values

varJustices is used in conjunction with:
majOpinWriter
majOpinAssigner
justice
justiceName
firstAgreement
secondAgreement

Values:

- 1 JJay

2	JRutledge
3	WCushing
4	JWilson
5	JBlair
6	JIredell
7	TJohnson
8	WPaterson
9	JRutledge
10	SChase
11	OEllsworth
12	BWashington
13	AMoore
14	JMarshall
15	WJohnson
16	HBLivingston
17	TTodd
18	GDuvall
19	JStory
20	SThompson
21	RTrimble
22	JMcLean
23	HBaldwin
24	JMWayne
25	RBTaney
26	PPBarbour
27	JCatron
28	JMcKinley
29	PVDaniel
30	SNelson
31	LWoodbury
32	RCGrier
33	BRCurtis
34	JACampbell
35	NClifford
36	NHWayne
37	SFMiller
38	DDavis
39	SJField
40	SPChase
41	WStrong
42	JPBradley
43	WHunt
44	MRWaite
45	JHarlan1

46	WBWoods
47	SMatthews
48	HGray
49	SBlatchford
50	LQLamar
51	MWFuller
52	DJBrewer
53	HBBrown
54	GShiras
55	HEJackson
56	EDEWhite
57	RWPeckham
58	JMcKenna
59	OWHolmes
60	WRDay
61	WHMoody
62	HHLurton
63	CEHughes1
64	WVanDevanter
65	JRLamar
66	MPitney
67	JCMcReynolds
68	LDBrandeis
69	JHClarke
70	WHTaft
71	GSutherland
72	PButler
73	ETSanford
74	HFStone
75	CEHughes2
76	OJRoberts
77	BNCardozo
78	HLBlack
79	SFReed
80	FFrankfurter
81	WODouglas
82	FMurphy
83	JFByrnes
84	RHJackson
85	WBRutledge
86	HHBurton
87	FMVinson
88	TCClarke
89	SMinton

90	EWarren
91	JHarlan2
92	WJBrennan
93	CEWhittaker
94	PStewart
95	BRWhite
96	AJGoldberg
97	AFortas
98	TMarshall
99	WEBurger
100	HABlackmun
101	LFPowell
102	WHRehnquist
103	JPStevens
104	SDOConnor
105	AScalia
106	AMKennedy
107	DHSouter
108	CThomas
109	RBGinsburg
110	SGBreyer
111	JGRoberts
112	SAAlito
113	SSotomayor
114	EKagan

A20 varLawArea

8 Distinct Values

varLawArea is used in conjunction with:
lawType

Values:

- 1 Constitution
- 2 Constitutional Amendment
- 3 Federal Statute
- 4 Court Rules
- 5 Other
- 6 Infrequently litigated statutes
- 8 State or local law or regulation
- 9 No Legal Provision

A21 varLcDisagreement

2 Distinct Values

varLcDisagreement is used in conjunction with:
lcDisagreement

Values:

- 0 no mention that dissent occurred
- 1 dissent in ct whose dec the sct reviewed

A22 varLegalProvisions

206 Distinct Values

varLegalProvisions is used in conjunction with:
lawSupp

Values:

- 100 Article I, Section 1 (delegation of powers)
- 101 Article I, Section 10 (state bill of attainder, ex post facto law, or bills of credit)
- 102 Article I, Section 2, Paragraph 1 (composition of the House of Representatives)
- 103 Article I, Section 2, Paragraph 3 (apportionment of Representatives)
- 104 Article I, Section 4, Paragraph 1 (elections clause)
- 105 Article I, Section 5, Paragraph 1 (congressional qualifications)
- 106 Article I, Section 6, Paragraph 1 (speech or debate clause)
- 107 Article I, Section 6, Paragraph 2 (civil appointments)
- 108 Article I, Section 7, Paragraph 1 (origination clause)
- 109 Article I, Section 7, Paragraph 2 (separation of powers)
- 110 Article I, Section 8, Paragraph 1 (taxing, spending, general welfare, or uniformity clause)
- 111 Article I, Section 8, Paragraph 3 (interstate commerce clause)
- 112 Article I, Section 8, Paragraph 4 (bankruptcy clause)
- 113 Article I, Section 8, Paragraph 7 (postal power)
- 114 Article I, Section 8, Paragraph 8 (patent and copyright clause)
- 115 Article I, Section 8, Paragraph 11 (war power)
- 116 Article I, Section 8, Paragraph 14 (governance of the armed forces)
- 117 Article I, Section 8, Paragraph 15 (call-up of militia)
- 118 Article I, Section 8, Paragraph 16 (organizing the militia)
- 119 Article I, Section 8, Paragraph 17 (governance of the District of Columbia and lands purchased from the states)

120	Article I, Section 8, Paragraph 18 (necessary and proper clause)
121	Article I, Section 9, Paragraph 2 (suspension of the writ of habeas corpus)
122	Article I, Section 9, Paragraph 3 (bill of attainder or ex post facto law)
123	Article I, Section 9, Paragraph 4 (direct tax)
124	Article I, Section 9, Paragraph 5 (export clause)
125	Article I, Section 9, Paragraph 6 (preference to ports)
126	Article I, Section 9, Paragraph 7 (appropriations clause)
127	Article I, Section 10 (state bill of attainder or ex post facto law)
128	Article I, Section 10, Paragraph 1 (contract clause)
129	Article I, Section 10, Paragraph 2 (export-import clause)
130	Article I, Section 10, Paragraph 3 (compact clause)
131	Article II, Section 1 (executive power)
132	Article II, Section 1, Paragraph 8 (oath provision)
133	Article II, Section 2 (commander-in-chief)
134	Article II, Section 2, Paragraph 1 (presidential pardoning power)
135	Article II, Section 2, Paragraph 2 (appointments clause)
136	Article III, Section 1, Paragraph 1 (judicial power)
137	Article III, Section 1, Paragraph 2 (good behavior and compensation clause of federal judges)
138	Article III, Section 2 (extent of judicial power)
139	Article III, Section 2, Paragraph 1 (case or controversy requirement)
140	Article III, Section 2, Paragraph 2 (original jurisdiction)
141	Article III, Section 2, Paragraph 3 (vicinage requirement)
142	Article III, Section 3 (treason clause)
143	Article IV, Section 1 (full faith and credit clause)
144	Article IV, Section 2, Paragraph 1 (privileges and immunities clause)
145	Article IV, Section 2, Paragraph 2 (extradition clause)
146	Article IV, Section 3, Paragraph 2 (property clause)
147	Article IV, Section 4 (guarantee clause)
148	Article VI, Section 2 (supremacy clause)
149	Article VI, Section 3 (oath provision)
150	Amendment Clause
151	Article V, Section 1 (courts)
152	'contract clause' (No Article to be added)
153	'freedom of contract' (Again, no article)
200	First Amendment (speech, press, and assembly)
201	First Amendment (association)
202	First Amendment (free exercise of religion)
203	First Amendment (establishment of religion)
204	First Amendment (petition clause)
205	Fourth Amendment
206	Fifth Amendment (double jeopardy)
207	Fifth Amendment (due process)
208	Fifth Amendment (grand jury)

209	Fifth Amendment (Miranda warnings)
210	Fifth Amendment (self-incrimination)
211	Fifth Amendment (takings clause)
212	Fifth Amendment (equal protection)
213	Sixth Amendment (right to confront and cross-examine, compulsory process)
214	Sixth Amendment (right to counsel)
215	Sixth Amendment (right to trial by jury)
216	Sixth Amendment (speedy trial)
217	Sixth Amendment (other provisions)
218	Seventh Amendment
219	Eighth Amendment (prohibition of excessive bail)
220	Eighth Amendment (prohibition of excessive fines)
221	Eighth Amendment (cruel and unusual punishment)
222	Ninth Amendment
223	Tenth Amendment
224	Eleventh Amendment
225	Twelfth Amendment
226	Thirteenth Amendment (both sections 1 and 2)
227	Fourteenth Amendment (privileges and immunities clause)
228	Fourteenth Amendment (reduction in representation clause)
229	Fourteenth Amendment (citizenship clause)
230	Fourteenth Amendment (due process)
231	Fourteenth Amendment (equal protection)
232	Fourteenth Amendment (enforcement clause)
233	Fifteenth Amendment (other provisions)
234	Fifteenth Amendment (enforcement clause)
235	Sixteenth Amendment
236	Seventeenth Amendment
237	Twenty-First Amendment
238	Twenty-Fourth Amendment
239	Second Amendment
240	Fourteenth Amendment (due process and equal protection)
241	Fourteenth Amendment (takings clause)
300	Americans with Disabilities Act
302	Age Discrimination in Employment
303	Aid to Families with Dependent Children provisions of the Social Security Act, plus amendments
304	Clean Air, plus amendments
305	Administrative Procedure, or Administrative Orders Review
306	Atomic Energy
307	Bankruptcy Code, Bankruptcy Act or Rules, or Bankruptcy Reform Act of 1978
308	Medicaid provisions of the Social Security Act
309	Medicare provisions of the Social Security Act
310	Clayton

- 311 Reconstruction Civil Rights Acts (42 U.S.C. § 1978)
- 312 Reconstruction Civil Rights Acts (42 U.S.C. § 1981)
- 313 Reconstruction Civil Rights Acts (42 U.S.C. § 1982)
- 314 Reconstruction Civil Rights Acts (42 U.S.C. § 1983)
- 315 Reconstruction Civil Rights Acts (42 U.S.C. § 1985)
- 316 Reconstruction Civil Rights Acts (42 U.S.C. § 1986)
- 317 Civil Rights Act of 1964 (public accommodations)
- 318 Civil Rights Act of 1957
- 319 Civil Rights Act of 1991
- 320 Statutory provisions of the District of Columbia
- 321 Equal Access to Justice
- 322 Education Amendments of 1972
- 323 Employee Retirement Income Security, as amended
- 324 Elementary and Secondary Education
- 325 Federal False Claims
- 326 Communication Act of 1934, as amended
- 327 Federal Employees' Compensation
- 328 Civil Rights Attorney's Fees Awards
- 329 Federal Employers' Liability, as amended
- 330 Federal Election Campaign
- 331 Family Educational Rights and Privacy (Buckley Amendment)
- 332 Federal Food, Drug, and Cosmetic, and related statutes
- 333 Federal Insecticide, Fungicide, and Rodenticide
- 334 Fair Labor Standards
- 335 Freedom of Information, Sunshine, or Privacy Act
- 336 Federal Power
- 337 Federal Trade Commission
- 338 Federal Water Pollution Control (Clean Water), plus amendments
- 339 Omnibus Crime Control and Safe Streets, National Firearms, Organized Crime Control, Comprehensive Crime Control, or Gun Control Acts
- 340 Education of the Handicapped, Education for All Handicapped Children, or Individuals with Disabilities Education Acts, or related statutes, as amended
- 341 28 U.S.C. § 2241-2255 (habeas corpus)
- 342 Fair Housing
- 343 Interstate Commerce, as amended
- 344 Immigration and Naturalization, Immigration, Nationality, or Illegal Immigration Reform and Immigrant Responsibility Acts, as amended
- 345 Internal Revenue Code and pre-IRC revenue acts
- 346 Internal Security (also see 369)
- 347 Jencks
- 348 Jones, or Death on the High Seas
- 349 Longshoremen and Harbor Workers' Compensation
- 350 Labor-Management Relations
- 351 Labor-Management Reporting and Disclosure
- 352 Motor Carrier

353	Miller
354	National Environmental Policy
355	Natural Gas, or Natural Gas Policy Acts
356	National Labor Relations, as amended
357	Norris-LaGuardia
358	Occupational Safety and Health
359	Public Utility Regulatory Policy
360	Rehabilitation
361	Religious Freedom Restoration
362	Racketeer Influenced and Corrupt Organizations
363	Railway Labor
364	Robinson-Patman
365	Securities Act of 1933, the Securities and Exchange Act of 1934, or the Williams Act
366	Selective Service, Military Selective Service, or Universal Military Service and Training Acts
367	Sherman
368	Submerged Lands Acts
369	Smith, Subversive Activities Control, Communist Control, or other similar federal legislation (also see 346)
370	Social Security, as amended, including Social Security Disability Benefits Reform Act
371	Supplemental Security Income
372	State Law
373	Truth in Lending
374	Federal Tort Claims, or Alien Tort Statute
375	Tucker
376	Trading with the Enemy Act, as amended
377	Universal Code of Military Justice
378	Voting Rights Act of 1965, plus amendments
379	Reconstruction Civil Rights Acts (42 U.S.C. § 1971)
380	Reconstruction Civil Rights Acts (42 U.S.C. § 1999)
381	Civil Rights Act of 1964 (Title II)
382	Civil Rights Act of 1964 (Title IV)
383	Civil Rights Act of 1964 (other)
384	Civil Rights Act of 1964 (Title VII)
385	Civil Rights Act of 1964 (Title IX)
387	Civil Rights Act of 1964 (Title VI)
388	Federal Arbitration Act
389	Judiciary Act of 1789
400	Federal Rules of Civil Procedure, including Appellate Procedure, or relevant rules of a circuit court Judicial Code, and admiralty rules
401	Federal Rules of Criminal Procedure, or relevant rules of a circuit court
402	Federal Rules of Evidence
403	Supreme Court Rules

500	Abstention Doctrine
501	Retroactive application of a constitutional right
502	Exclusionary Rule (Fourth Amendment)
503	Exclusionary Rule (Right to Counsel)
504	Exclusionary Rule (Miranda warnings)
505	Harmless Error
506	Res Judicata
507	Estoppel
508	Writ Improvidently Granted
509	Treaty
510	Interstate Compact
511	Executive Order
512	Territory Statute
513	International Law
514	Emergency Price Control
600	Infrequently litigated statutes
800	State or Local Law Regulation
900	No Legal Provision

A23 varNaturalCourt

110 Distinct Values

varNaturalCourt is used in conjunction with:
naturalCourt

Values:

101	Jay 1
102	Jay 2
103	Jay 3
104	Jay 4
201	Rutledge 1
202	No Chief (Post-Rutledge)
301	Ellsworth 1
302	Ellsworth 2
303	Ellsworth 3
401	Marshall 1
402	Marshall 2
403	Marshall 3
404	Marshall 4
405	Marshall 5
406	Marshall 6

407	Marshall 7
408	Marshall 8
409	Marshall 9
410	Marshall 10
501	Taney 1
502	Taney 2
503	Taney 3
504	Taney 4
505	Taney 5
506	Taney 6
507	Taney 7
508	Taney 8
509	Taney 9
510	Taney 10
511	Taney 11
512	Taney 12
513	Taney 13
514	Taney 14
515	Taney 15
601	Chase 1
602	Chase 2
603	Chase 3
701	Waite 1
702	Waite 2
703	Waite 3
704	Waite 4
705	Waite 5
706	Waite 6
707	Waite 7
801	Fuller 1
802	Fuller 2
803	Fuller 3
804	Fuller 4
805	Fuller 5
806	Fuller 6
807	Fuller 7
808	Fuller 8
809	Fuller 9
810	Fuller 10
811	Fuller 11
812	Fuller 12
813	No Chief (Post-Fuller)
901	White 1
902	White 2

903	White 3
904	White 4
905	White 5
1001	Taft 1
1002	Taft 2
1003	Taft 3
1004	Taft 4
1005	Taft 5
1101	Hughes 1
1102	Hughes 2
1103	Hughes 3
1104	Hughes 4
1105	Hughes 5
1106	Hughes 6
1107	Hughes 7
1108	Hughes 8
1201	Stone 1
1202	Stone 2
1203	Stone 3
1301	Vinson 1
1302	Vinson 2
1303	Vinson 3
1401	Warren 1
1402	Warren 2
1403	Warren 3
1404	Warren 4
1405	Warren 5
1406	Warren 6
1407	Warren 7
1408	Warren 8
1409	Warren 9
1410	Warren 10
1411	Warren 11
1501	Burger 1
1502	Burger 2
1503	Burger 3
1504	Burger 4
1505	Burger 5
1506	Burger 6
1507	Burger 7
1601	Rehnquist 1
1602	Rehnquist 2
1603	Rehnquist 3
1604	Rehnquist 4

1605 Rehnquist 5
 1606 Rehnquist 6
 1607 Rehnquist 7
 1701 Roberts 1
 1702 Roberts 2
 1703 Roberts 3
 1704 Roberts 4

A24 varParties

309 Distinct Values

varParties is used in conjunction with:

petitioner

respondent

Values:

- 1 attorney general of the United States, or his office
- 2 specified state board or department of education
- 3 city, town, township, village, or borough government or governmental unit
- 4 state commission, board, committee, or authority
- 5 county government or county governmental unit, except school district
- 6 court or judicial district
- 7 state department or agency
- 8 governmental employee or job applicant
- 9 female governmental employee or job applicant
- 10 minority governmental employee or job applicant
- 11 minority female governmental employee or job applicant
- 12 not listed among agencies in the first Administrative Action variable
- 13 retired or former governmental employee
- 14 U.S. House of Representatives
- 15 interstate compact
- 16 judge
- 17 state legislature, house, or committee
- 18 local governmental unit other than a county, city, town, township, village, or borough
- 19 governmental official, or an official of an agency established under an interstate compact
- 20 state or U.S. supreme court
- 21 local school district or board of education
- 22 U.S. Senate
- 23 U.S. senator
- 24 foreign nation or instrumentality

25	state or local governmental taxpayer, or executor of the estate of
26	state college or university
27	United States
28	State
100	person accused, indicted, or suspected of crime
101	advertising business or agency
102	agent, fiduciary, trustee, or executor
103	airplane manufacturer, or manufacturer of parts of airplanes
104	airline
105	distributor, importer, or exporter of alcoholic beverages
106	alien, person subject to a denaturalization proceeding, or one whose citizenship is revoked
107	American Medical Association
108	National Railroad Passenger Corp.
109	amusement establishment, or recreational facility
110	arrested person, or pretrial detainee
111	attorney, or person acting as such; includes bar applicant or law student, or law firm or bar association
112	author, copyright holder
113	bank, savings and loan, credit union, investment company
114	bankrupt person or business, or business in reorganization
115	establishment serving liquor by the glass, or package liquor store
116	water transportation, stevedore
117	bookstore, newsstand, printer, bindery, purveyor or distributor of books or magazines
118	brewery, distillery
119	broker, stock exchange, investment or securities firm
120	construction industry
121	bus or motorized passenger transportation vehicle
122	business, corporation
123	buyer, purchaser
124	cable TV
125	car dealer
126	person convicted of crime
127	tangible property, other than real estate, including contraband
128	chemical company
129	child, children, including adopted or illegitimate
130	religious organization, institution, or person
131	private club or facility
132	coal company or coal mine operator
133	computer business or manufacturer, hardware or software
134	consumer, consumer organization
135	creditor, including institution appearing as such; e.g., a finance company
136	person allegedly criminally insane or mentally incompetent to stand trial
137	defendant

138	debtor
139	real estate developer
140	disabled person or disability benefit claimant
141	distributor
142	person subject to selective service, including conscientious objector
143	drug manufacturer
144	druggist, pharmacist, pharmacy
145	employee, or job applicant, including beneficiaries of
146	employer-employee trust agreement, employee health and welfare fund, or multi-employer pension plan
147	electric equipment manufacturer
148	electric or hydroelectric power utility, power cooperative, or gas and electric company
149	eleemosynary institution or person
150	environmental organization
151	employer. If employer's relations with employees are governed by the nature of the employer's business (e.g., railroad, boat), rather than labor law generally, the more specific designation is used in place of Employer.
152	farmer, farm worker, or farm organization
153	father
154	female employee or job applicant
155	female
156	movie, play, pictorial representation, theatrical production, actor, or exhibitor or distributor of
157	fisherman or fishing company
158	food, meat packing, or processing company, stockyard
159	foreign (non-American) nongovernmental entity
160	franchiser
161	franchisee
162	lesbian, gay, bisexual, transexual person or organization
163	person who guarantees another's obligations
164	handicapped individual, or organization of devoted to
165	health organization or person, nursing home, medical clinic or laboratory, chiropractor
166	heir, or beneficiary, or person so claiming to be
167	hospital, medical center
168	husband, or ex-husband
169	involuntarily committed mental patient
170	Indian, including Indian tribe or nation
171	insurance company, or surety
172	inventor, patent assigner, trademark owner or holder
173	investor
174	injured person or legal entity, nonphysically and non-employment related
175	juvenile
176	government contractor

177	holder of a license or permit, or applicant therefor
178	magazine
179	male
180	medical or Medicaid claimant
181	medical supply or manufacturing co.
182	racial or ethnic minority employee or job applicant
183	minority female employee or job applicant
184	manufacturer
185	management, executive officer, or director, of business entity
186	military personnel, or dependent of, including reservist
187	mining company or miner, excluding coal, oil, or pipeline company
188	mother
189	auto manufacturer
190	newspaper, newsletter, journal of opinion, news service
191	radio and television network, except cable tv
192	nonprofit organization or business
193	nonresident
194	nuclear power plant or facility
195	owner, landlord, or claimant to ownership, fee interest, or possession of land as well as chattels
196	shareholders to whom a tender offer is made
197	tender offer
198	oil company, or natural gas producer
199	elderly person, or organization dedicated to the elderly
200	out of state noncriminal defendant
201	political action committee
202	parent or parents
203	parking lot or service
204	patient of a health professional
205	telephone, telecommunications, or telegraph company
206	physician, MD or DO, dentist, or medical society
207	public interest organization
208	physically injured person, including wrongful death, who is not an employee
209	pipe line company
210	package, luggage, container
211	political candidate, activist, committee, party, party member, organization, or elected official
212	indigent, needy, welfare recipient
213	indigent defendant
214	private person
215	prisoner, inmate of penal institution
216	professional organization, business, or person
217	probationer, or parolee
218	protester, demonstrator, picketer or pamphleteer (non-employment related), or non-indigent loiterer

219	public utility
220	publisher, publishing company
221	radio station
222	racial or ethnic minority
223	person or organization protesting racial or ethnic segregation or discrimination
224	racial or ethnic minority student or applicant for admission to an educational institution
225	realtor
226	journalist, columnist, member of the news media
227	resident
228	restaurant, food vendor
229	retarded person, or mental incompetent
230	retired or former employee
231	railroad
232	private school, college, or university
233	seller or vendor
234	shipper, including importer and exporter
235	shopping center, mall
236	spouse, or former spouse
237	stockholder, shareholder, or bondholder
238	retail business or outlet
239	student, or applicant for admission to an educational institution
240	taxpayer or executor of taxpayer's estate, federal only
241	tenant or lessee
242	theater, studio
243	forest products, lumber, or logging company
244	person traveling or wishing to travel abroad, or overseas travel agent
245	trucking company, or motor carrier
246	television station
247	union member
248	unemployed person or unemployment compensation applicant or claimant
249	union, labor organization, or official of
250	veteran
251	voter, prospective voter, elector, or a nonelective official seeking reapportionment or redistricting of legislative districts (POL)
252	wholesale trade
253	wife, or ex-wife
254	witness, or person under subpoena
255	network
256	slave
257	slave-owner
258	bank of the united states
259	timber company
260	u.s. job applicants or employees

301	Army and Air Force Exchange Service
302	Atomic Energy Commission
303	Secretary or administrative unit or personnel of the U.S. Air Force
304	Department or Secretary of Agriculture
305	Alien Property Custodian
306	Secretary or administrative unit or personnel of the U.S. Army
307	Board of Immigration Appeals
308	Bureau of Indian Affairs
309	Bureau of Prisons
310	Bonneville Power Administration
311	Benefits Review Board
312	Civil Aeronautics Board
313	Bureau of the Census
314	Central Intelligence Agency
315	Commodity Futures Trading Commission
316	Department or Secretary of Commerce
317	Comptroller of Currency
318	Consumer Product Safety Commission
319	Civil Rights Commission
320	Civil Service Commission, U.S.
321	Customs Service or Commissioner of Customs
322	Defense Base Closure and REalignment Commission
323	Drug Enforcement Agency
324	Department or Secretary of Defense
325	Department or Secretary of Energy
326	Department or Secretary of the Interior
327	Department of Justice or Attorney General
328	Department or Secretary of State
329	Department or Secretary of Transportation
330	Department or Secretary of Education
331	U.S. Employees' Compensation Commission, or Commissioner
332	Equal Employment Opportunity Commission
333	Environmental Protection Agency or Administrator
334	Federal Aviation Agency or Administration
335	Federal Bureau of Investigation or Director
336	Federal Bureau of Prisons
337	Farm Credit Administration
338	Federal Communications Commission
339	Federal Credit Union Administration
340	Food and Drug Administration
341	Federal Deposit Insurance Corporation
342	Federal Energy Administration
343	Federal Election Commission
344	Federal Energy Regulatory Commission

345	Federal Housing Administration
346	Federal Home Loan Bank Board
347	Federal Labor Relations Authority
348	Federal Maritime Board
349	Federal Maritime Commission
350	Farmers Home Administration
351	Federal Parole Board
352	Federal Power Commission
353	Federal Railroad Administration
354	Federal Reserve Board of Governors
355	Federal Reserve System
356	Federal Savings and Loan Insurance Corporation
357	Federal Trade Commission
358	Federal Works Administration, or Administrator
359	General Accounting Office
360	Comptroller General
361	General Services Administration
362	Department or Secretary of Health, Education and Welfare
363	Department or Secretary of Health and Human Services
364	Department or Secretary of Housing and Urban Development
366	Interstate Commerce Commission
367	Indian Claims Commission
368	Immigration and Naturalization Service, or Director of, or District Director of, or Immigration and Naturalization Enforcement
369	Internal Revenue Service, Collector, Commissioner, or District Director of
370	Information Security Oversight Office
371	Department or Secretary of Labor
372	Loyalty Review Board
373	Legal Services Corporation
374	Merit Systems Protection Board
375	Multistate Tax Commission
376	National Aeronautics and Space Administration
377	Secretary or administrative unit of the U.S. Navy
378	National Credit Union Administration
379	National Endowment for the Arts
380	National Enforcement Commission
381	National Highway Traffic Safety Administration
382	National Labor Relations Board, or regional office or officer
383	National Mediation Board
384	National Railroad Adjustment Board
385	Nuclear Regulatory Commission
386	National Security Agency
387	Office of Economic Opportunity
388	Office of Management and Budget

389	Office of Price Administration, or Price Administrator
390	Office of Personnel Management
391	Occupational Safety and Health Administration
392	Occupational Safety and Health Review Commission
393	Office of Workers' Compensation Programs
394	Patent Office, or Commissioner of, or Board of Appeals of
395	Pay Board (established under the Economic Stabilization Act of 1970)
396	Pension Benefit Guaranty Corporation
397	U.S. Public Health Service
398	Postal Rate Commission
399	Provider Reimbursement Review Board
400	Renegotiation Board
401	Railroad Adjustment Board
402	Railroad Retirement Board
403	Subversive Activities Control Board
404	Small Business Administration
405	Securities and Exchange Commission
406	Social Security Administration or Commissioner
407	Selective Service System
408	Department or Secretary of the Treasury
409	Tennessee Valley Authority
410	United States Forest Service
411	United States Parole Commission
412	Postal Service and Post Office, or Postmaster General, or Postmaster
413	United States Sentencing Commission
414	Veterans' Administration
415	War Production Board
416	Wage Stabilization Board
417	General Land Office of Commissioners
418	Transportation Security Administration
419	Surface Transportation Board
501	Unidentifiable
600	International Entity

A25 varPartyWinning

3 Distinct Values

varPartyWinning is used in conjunction with:
partyWinning

Values:

- 0 no favorable disposition for petitioning party apparent
- 1 petitioning party received a favorable disposition
- 2 favorable disposition for petitioning party unclear

A26 varPrecedentAlteration

2 Distinct Values

varPrecedentAlteration is used in conjunction with:
precedentAlteration

Values:

- 0 no determinable alteration of precedent
- 1 precedent altered

A27 varSplitVote

2 Distinct Values

varSplitVote is used in conjunction with:
splitVote

Values:

- 1 first vote on issue/legal provision
- 2 second vote on issue/legal provision

A28 varStates

63 Distinct Values

varStates is used in conjunction with:
petitionerState
respondentState
adminActionState
caseOriginState
caseSourceState

Values:

- 1 Alabama
- 2 Alaska

3	American Samoa
4	Arizona
5	Arkansas
6	California
7	Colorado
8	Connecticut
9	Delaware
10	District of Columbia
11	Federated States of Micronesia
12	Florida
13	Georgia
14	Guam
15	Hawaii
16	Idaho
17	Illinois
18	Indiana
19	Iowa
20	Kansas
21	Kentucky
22	Louisiana
23	Maine
24	Marshall Islands
25	Maryland
26	Massachusetts
27	Michigan
28	Minnesota
29	Mississippi
30	Missouri
31	Montana
32	Nebraska
33	Nevada
34	New Hampshire
35	New Jersey
36	New Mexico
37	New York
38	North Carolina
39	North Dakota
40	Northern Mariana Islands
41	Ohio
42	Oklahoma
43	Oregon
44	Palau
45	Pennsylvania
46	Puerto Rico

- 47 Rhode Island
- 48 South Carolina
- 49 South Dakota
- 50 Tennessee
- 51 Texas
- 52 Utah
- 53 Vermont
- 54 Virgin Islands
- 55 Virginia
- 56 Washington
- 57 West Virginia
- 58 Wisconsin
- 59 Wyoming
- 60 United States
- 61 Interstate Compact
- 62 Philippines
- 63 Indian

A29 varThreeJudgeFdc

2 Distinct Values

varThreeJudgeFdc is used in conjunction with:
threeJudgeFdc

Values:

- 0 no mention that a 3-judge ct heard case
- 1 3-judge district ct heard case

A30 varVote

8 Distinct Values

varVote is used in conjunction with:
vote

Values:

- 1 voted with majority or plurality
- 2 dissent
- 3 regular concurrence
- 4 special concurrence

- 5 judgment of the Court
- 6 dissent from a denial or dismissal of certiorari , or dissent from summary affirmation of an appeal
- 7 jurisdictional dissent
- 8 justice participated in an equally divided vote

A31 varVoteUnclear

2 Distinct Values

varVoteUnclear is used in conjunction with:
voteUnclear

Values:

- 0 vote clearly specified
- 1 the vote in the case not clear