PLSC 476: Empirical Legal Studies

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Court Data: Sources

- **Official** sources – the courts themselves; administrative agencies, etc.

- **Data aggregators** – both non-profit and for-profit

- **Researchers** – academic and non, individuals and teams

SCOTUS: Official (& Semi-Official) Sources

- The U.S. Supreme Court
  - · ↑ Decent search functionality
  - · ↓ Everything interesting is entombed in PDFs
- SCOTUS @ Justia
- SCOTUSBlog
  - · Good reporting, etc.
  - · Liveblogging on "decision days"
  - · Some useful things on the "Statistics" page
- The Oyez Project (SCOTUS oral arguments)

SCOTUS: The Supreme Court Database (SCDB)

- The main data page contains:
  - "Modern" database (OT1946-2019)
  - "Legacy" database (OT1791-1945)
  - Codebooks/documentation, code archive, applet for "analysis"
- Two broad types of organization:
  - "Case-centered" = one line of data per case → parties, outcomes, etc.
  - "Justice-centered" = one line of data per justice per case (i.e., typically nine lines of data for each case) → votes
- What's a "case"?
  - *Citation* = one line per U.S. citation
  - *Docket number* = one line per docket number/filing
  - *Issue* = one line per issue raised in a case
  - *Issue + Split Vote* = like issue, but includes "split" coalitions
  - When in doubt, go with *docket number*

The Supreme Court Database (continued)

- Case-level variables include:

    - Case Identifiers
    - Term of case
    - Dates of Arguments & Decision
    - Petitioner / Respondent
    - Manner of Jurisdiction
    - Origin of Case
    - Issue(s) Presented

    - Lower Court Disposition
    - Legal Provision(s)
    - Final Disposition
    - Decision Type
    - Winning Party
    - Vote Margin
    - Opinion Writers

- Justice-level variables add:

    - Vote of each Justice
    - Opinion writing

    - Majority/minority Status
    - "Agreements"

- Also: Go here for a SCDB that also includes case citations.

Example: Privacy Cases By Term, 1946-2019
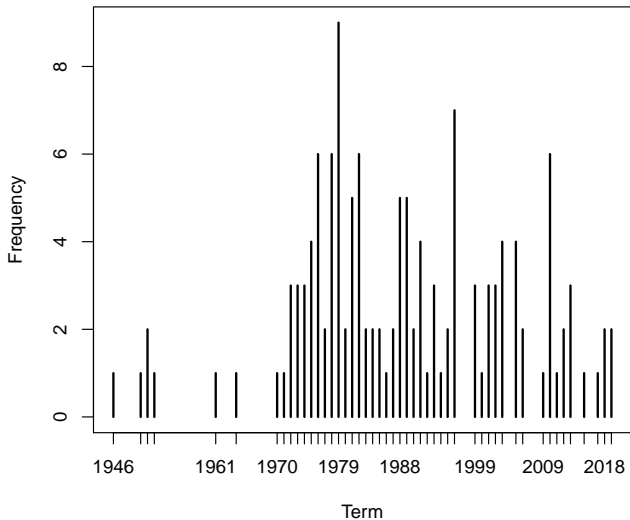
Example: Liberal Voting in First Amendment Cases

Liberal Voting Percentage
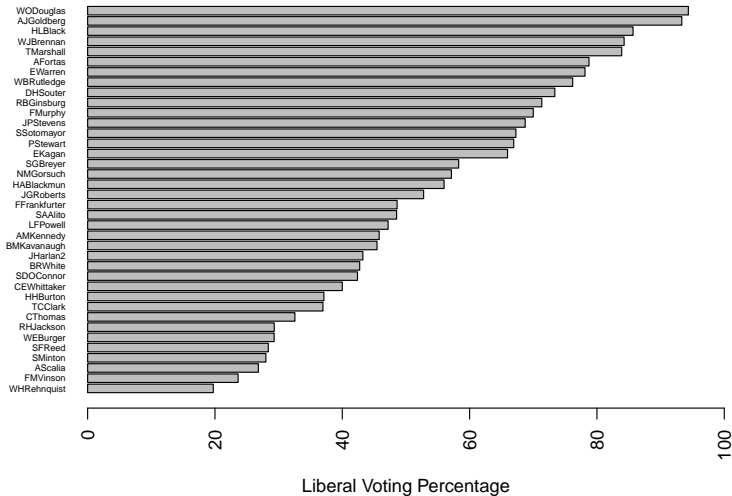
# "Legacy" Data: Tribal Cases By Term, 1791-1945
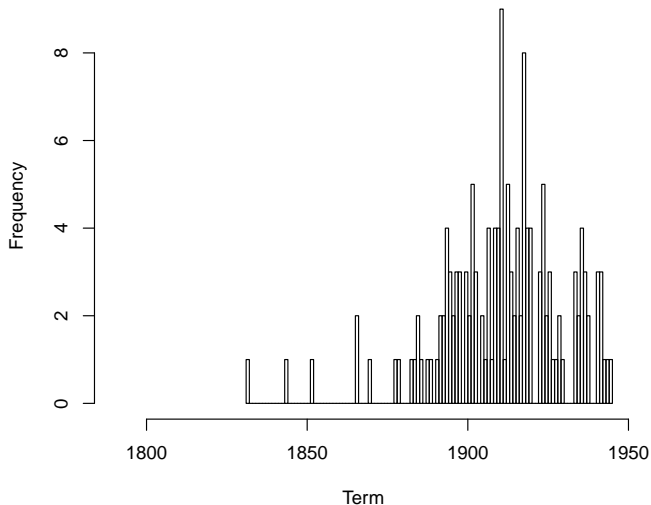
SCOTUS: The Justices

- The U.S. Supreme Court Justices Database
    - Demographic / biographical / professional data on all 116 justices
    - Includes personal backgrounds, nomination/confirmation data, retirement/death circumstances
    - Documentation / codebook is here
    - Important note:

        "The unit of analysis in the database is the nominee or appointee (in the case of a recess appointment). Accordingly, the same person could appear more than once. E.g., William Rehnquist, who was nominated in 1971 (associate justice) and in 1986 (chief justice)."

Example: Justices' Year and Age of Nomination

Year of Nomination
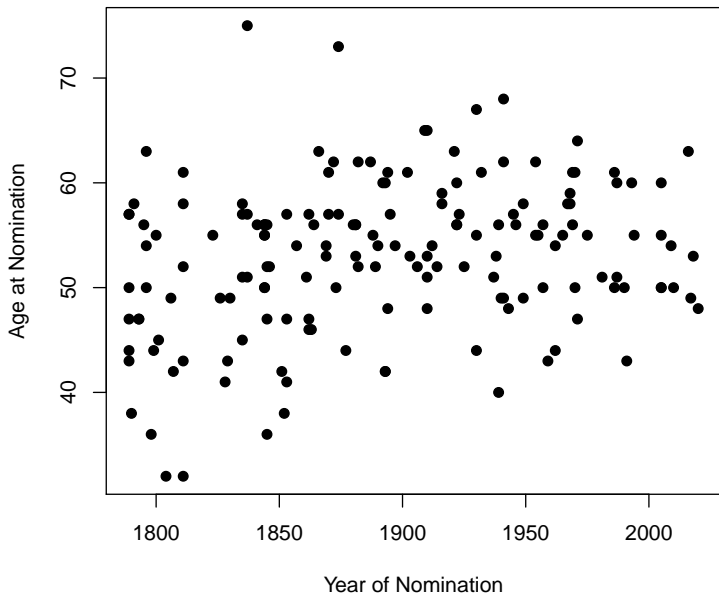
SCOTUS: Ideology Measures

- "Segal-Cover" Scores
  - Measure left/right ideology + "qualifications"
  - Based on content analyses of newspaper editorials from his/her nomination (pre-confirmation)
  - *One value per justice* (do not change over time)

- "Martin-Quinn" Scores
  - Measure left/right ideology
  - Based on the justices' votes while they are on the Court (via a psychometric model)
  - Data contain one score for each justice for each term on the Court; scores can (but need not) change over time

Segal-Cover vs. Martin-Quinn Scores
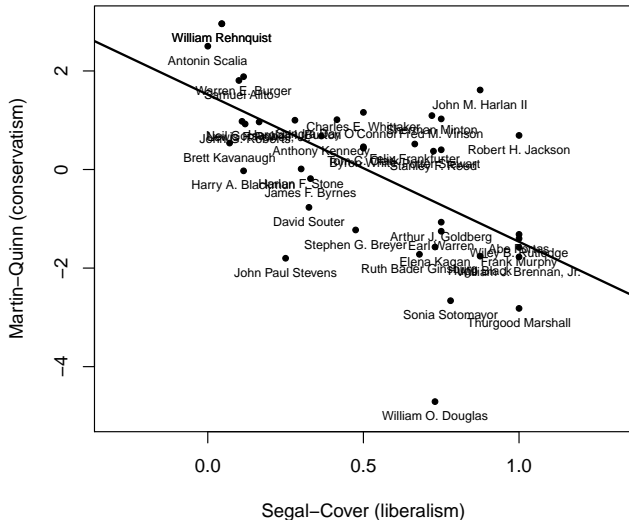
SCOTUS: Other Useful Things

- The Supreme Court Opinion-Writing Database (Burger Court, 1969-1985)
- Measures of Supreme Court case salience
- Supreme Court *amicus curiae* and confirmation data (via Paul Collins)
- The Blackmun Papers archive
- The Supreme Court at Free.law (bulk data + REST API)
- Records of the Supreme Court of the United States (at the National Archives)
- The Empirical SCOTUS blog

The U.S. Courts of Appeal

- Twelve official websites (e.g., the Third Circuit Court of Appeals
- The U.S. Court of Appeals Database
  - Similar to the SCDB, but for all 12 Courts of Appeals
  - Data for 1925-2002
  - Stratified samples of cases by circuit & term
  - Case-level *only*, but includes judge-vote data
- Ideology:
  - Giles, Hettinger, and Peppers measures (based on Presidential + Senate ideology scores; codebook here)
  - "Common space" scores (placing federal judges on a common left-right metric)

All Federal Courts

- The Administrative Office of the Federal Courts:

  · Detailed data on caseloads, dockets, etc.
  · Court management statistics, authorized judgeships, and judicial salaries
  · PACER (federal court records/decisions; \$\$\$)
  · The FJC's Biographical Directory of Article III Federal Judges, 1789-present (fantastic, but complicated)

- The FJC's Integrated Database (civil and criminal filings and terminations in the U.S. district, bankruptcy, and appellate courts)
- Attributes of U.S. Federal Judges database
- An Institutional History of the U.S. District Courts (PDFs)
- The Court Listener (bulk data + APIs; also includes territorial + specialized + state supreme courts)

All Federal Judges, Ever, By Zodiac Sign
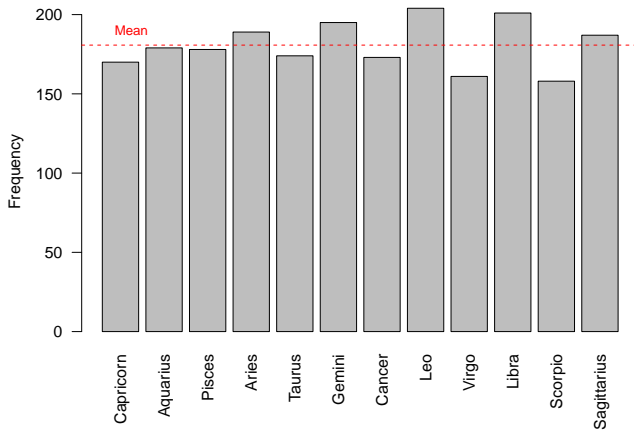
U.S. State Supreme Courts

- Official sites (e.g., Pennsylvania's) – vary widely in quality
- The State Supreme Court Database (also here)
  - Cases from all 52^1 state high courts
  - Stratified sample, only from 1995-1998
  - Otherwise similar to SCDB
- State Supreme Court Election Data
  - Data from 1946-2016, for all states
  - Detailed information on election rules, races, and election results
- The Court Statistics project at the National Center for State Courts
- The Court Listener (as above)

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[1]Texas and Oklahoma have separate supreme courts for criminal and civil matters.

Cross- and Trans-National Courts

- Official sites (vary widely in quality / usefulness):
  - Global: The ICJ, the ICC, the ITLoS, the Permanent Court of Arbitration, ICSID, etc.
  - Europe: The ECJ, the ECHR, the GCEU, the ETFA Court, and the LCIA
  - Asia/Oceania: the AIHCR, and the SIAC
  - Africa: the ACHPR, and COMESA
  - The Americas: the IACHR, the Court of Justice of the Andean Region (ATJ), and the CCJ
- The National High Courts Database (data on national high courts from 11 countries, various years)
- PluriCourts at the University of Oslo (see their dataverse)

Miscellanea

- The EEOC Litigation Project
- The Civil Rights Litigation Clearinghouse
- The Judicial Elections Data Initiative
- TracFed (federal administrative enforcement) ($$$)
- Data on state court organization, via the BLS
- The UCLA/Lopucki Bankruptcy Database
- The Discography: A Legal Encyclopedia of Popular Music
- Olympialex (sports law database)