

You are invited to participate in a research study conducted by researchers at Stanford University, Harvard University, and The University of Texas on decisions to be made by the Supreme Court. You will be asked to complete a series of survey questions. You must be at least 18 years old and a U.S. resident to participate. Participation in this research is voluntary, and you are free to withdraw your consent at any time.

Your participation will take approximately 20 minutes. You will receive compensation for your participation based on your agreement with YouGov. Your individual privacy will be maintained during the research and in all published and written data resulting from the study.

If you have any questions, concerns or complaints about this research, its procedures, risks and benefits, contact the Protocol Director, Neil Malhotra, at neilm@stanford.edu or 408-772-7969.

Independent Contact: If you are not satisfied with how this study is being conducted, or if you have any concerns, complaints, or general questions about the research or your rights as a participant, please contact the Stanford Institutional Review Board (IRB) to speak to someone independent of the research team by emailing irbnonmed@stanford.edu or calling 650-723-2480 (toll-free: 1-866-680-2906). You can also write to the Stanford IRB, Stanford University, 1705 El Camino Real, Palo Alto, CA 94306.

Please save or print a copy of this page for your records. If you agree to participate in this research, please continue on with the survey.

We would now like to ask about your views on some of the types of issues that the U.S. Supreme Court is often asked to decide. For each of the following situations, please tell us what you personally believe and also how you think the Supreme Court would decide if it were asked to rule on the case.

A postal worker refused to work on Sundays for religious reasons. The Postal Service agreed to help him find coworkers to swap shifts with, but when he could not find any coworkers to swap with and did not show up to work multiple times, he was disciplined and then quit.

Some people think that this is NOT religious discrimination. Other people think that this is religious discrimination and that the employer should have to accommodate his beliefs and should not have disciplined him.

What do you think?

☐

This is NOT religious discrimination

☐

This is religious discrimination

The Supreme Court will be deciding this issue soon. Regardless of your personal views, how do you think the Supreme Court will decide?

☐

This is NOT religious discrimination

☒

This is religious discrimination

In 1981, a photographer took a photo of the musician Prince. The artist Andy Warhol made changes to this photograph and used that to create a series of famous prints.

Some people think that when images are transformed like this, the original creator is not entitled to any payment. Other people think that the original creator is entitled to payment because the image is still recognizable.

What do you think?

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The original creator is NOT entitled to payment

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The original creator is entitled to payment

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The Clean Water Act is a federal law that prohibits the "discharge of pollutants" into "navigable waters."

Some people think that this should be read broadly, to include things like wetlands. Other people think that this should be read narrowly, to include only things like streams, rivers, and lakes.

What do you think?

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The Clean Water Act should be read broadly, to include things like wetlands

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Some people think that public colleges and universities should NOT be able to use race as a factor in admissions. Other people think that they should be able to.

What do you think?

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The Biden Administration announced plans to give up to \$20,000 in student loan forgiveness to people who make less than \$125,000 a year.

Some people think that the Biden Administration overstepped its authority with this debt forgiveness plan. Other people disagree and think that the Biden Administration did not overstep its authority.

What do you think?

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The Biden Administration overstepped its authority with its debt forgiveness plan

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The Biden Administration did NOT overstep its authority with its debt forgiveness plan

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Some people think that striking union workers can be held responsible for damage or loss caused to an employer's property by employees stopping their work. Other people think that they cannot be held responsible because this would undermine the ability of union workers to strike.

What do you think?



Union workers CAN be held responsible for such damage



Union workers CANNOT be held responsible for such damage

The Supreme Court will be deciding this issue soon. Regardless of your personal views, how do you think the Supreme Court will decide?



Union workers CAN be held responsible for such damage



Union workers CANNOT be held responsible for such damage

Federal law states that social media companies are not responsible for hosting content that is posted by others.

Some people think that social media companies can be held responsible for aiding and abetting terrorism for not removing content and accounts promoting terrorism. Other people think that they cannot be held responsible.

What do you think?



Social media companies CAN be held responsible



Social media companies CANNOT be held responsible

The Supreme Court will be deciding this issue soon. Regardless of your personal views, how do you think the Supreme Court will decide?



Social media companies CAN be held responsible



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In 1978, Congress enacted a law that says that Native American children who are removed from their families should be placed with extended family members or foster homes of people who are also Native American.

Some people think this law discriminates on the basis of race. Other people think it does NOT discriminate on the basis of race.

What do you think?

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Colorado law prohibits businesses, including creative and artistic businesses, from discriminating against gay customers. Some people think this violates business owners' rights to free speech. Other people think this does NOT violate business owners' rights to free speech.

What do you think?

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Such a law violates business owners' rights to free speech

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Some people think that the language in the Constitution means that only state legislatures can regulate federal elections, without oversight from state courts. Other people think that state courts can exercise this oversight as they do in other areas.

What do you think?

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Only state legislatures can regulate federal elections, without oversight from state courts

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State courts can exercise oversight over federal elections just like they do in other areas
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Federal law states that internet companies are not responsible for hosting content that is posted by others.

Some people think that large tech companies, such as Google, can be held responsible when their algorithm recommends certain content to users. Other people think that these companies cannot be held responsible for content recommended by the company's algorithms if that content was posted by other users.

What do you think?

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Companies CAN be held responsible when their algorithm recommends content to users

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Companies CANNOT be held responsible when their algorithm recommends content to users

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California law prohibits the sale of pork from pigs that are kept in small cages.

Some people think that such a law discriminates against commerce from other states because most pork comes from outside of California. Other people think that such a law does not discriminate against commerce from other states.

What do you think?

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Such law discriminates against commerce from other states

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Such a law does NOT discriminate against commerce from other states
The Supreme Court will be deciding this issue soon. Regardless of your personal views, how do you think the Supreme Court will decide?

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One fourth of Alabama voters are Black. Alabama recently created seven Congressional districts, with only one of them being a majority-Black district.

Some people think the small number of districts in which Black voters are a majority violates Section 2 of the Voting Rights Act, which bans racial discrimination in voting policies, and that the state should be forced to redraw the districts. Other people disagree and say that the original plan with one majority-Black district is lawful.

What do you think?

☐

The state should be forced to redraw the district

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The original plan with one majority-Black district is lawful

The Supreme Court will be deciding this issue soon. Regardless of your personal views, how do you think the Supreme Court will decide?

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The state should be forced to redraw the districts

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The original plan with one majority-Black district is lawful

Can you name any case ever heard by the U.S. Supreme Court?

☐

Yes

☐

No

Please list as many Supreme Court cases as you can in the boxes below, up to 10:

Case Name

Case Name

In a recent case called *Dobbs v. Jackson Women's Health Organization*, the Supreme Court overturned its 1973 ruling in *Roe v. Wade*, which had established a constitutional right to an abortion under specific circumstances.

What is your opinion of the Court's decision in *Dobbs*?

☐

I AGREE with the Court overturning *Roe* and eliminating the constitutional right to an abortion

☐

I DISAGREE with the Court overturning *Roe* and eliminating the constitutional right to an abortion

The Supreme Court's recent decision in *Dobbs v. Jackson Women's Health Organization* overturned its ruling in *Roe v. Wade*, which had established a constitutional right to an abortion under specific circumstances. Some people have questioned whether the Court will overturn other previous rulings that have relied on similar constitutional grounds.

Now we'd like to ask you what you think about a few of these issues and what you expect the Court may do in the future.

The Court's 1965 ruling in a case called *Griswold v. Connecticut* established a constitutional right of couples to use contraception, such as the birth control pill.

Some people think that the Court should overrule *Griswold* and eliminate the constitutional right of couples to use contraception. Other people think that *Griswold* should be upheld, maintaining this right.

What do you think?

☐

The right of couples to use contraception should be eliminated

☐

The right of couples to use contraception should be upheld

Although the Supreme Court has not announced plans to take on this issue, some have speculated that it could do so in the future. Regardless of your personal views, what do you think the Court will do?

☐

The Supreme Court will eliminate the right of couples to use contraception

☐

The Supreme Court will uphold the right of couples to use contraception

The Court's 1967 ruling in a case called *Loving v. Virginia* held that states cannot prevent two people of different races from marrying.

Some people think that the Court should overrule *Loving* and allow states to prevent two people of different races from marrying. Other people think that *Loving* should be upheld, maintaining that states cannot prevent two people of different races from marrying.

What do you think?

☐

States should be allowed to prevent two people from different races from marrying

☐

States should NOT be allowed to prevent two people from different races from marrying
Although the Supreme Court has not announced plans to take on this issue, some have speculated that it could do so in the future. Regardless of your personal views, what do you think the Court will do?

☐

The Supreme Court will say that states are allowed to prevent two people from different races from marrying

☐

The Supreme Court will say states should NOT be allowed to prevent two people from different races from marrying

The Court's 2003 ruling in a case called *Lawrence v. Texas* declared that states punishing people for engaging in homosexual conduct was unconstitutional.

Some people think that the Court should overrule *Lawrence* and allow states to punish people for engaging in homosexual conduct. Other people think that *Lawrence* should be upheld, prohibiting states from doing this.

What do you think?

☐

States should be allowed to punish people for engaging in homosexual conduct

☐

States should NOT be allowed to punish people for engaging in homosexual conduct
Although the Supreme Court has not announced plans to take on this issue, some have speculated that it could do so in the future. Regardless of your personal views, what do you think the Court will do?

☐

The Supreme Court will allow states to punish people for engaging in homosexual conduct

☐

The Supreme Court will NOT allow states to punish people for engaging in homosexual conduct

The Court's 2015 ruling in a case called *Obergefell v. Hodges* held that states must recognize same-sex marriages.

Some people think that the Court should overrule *Obergefell* and allow states to refuse to recognize same-sex marriages. Other people think that *Obergefell* should be upheld, maintaining that states must recognize same-sex marriages.

What do you think?

☐

States should be allowed refuse to recognize same-sex marriages

☐

States must continue to recognize same-sex marriages
Although the Supreme Court has not announced plans to take on this issue, some have speculated that it could do so in the future. Regardless of your personal views, what do you think the Court will do?

☐

The Supreme Court will allow states to refuse to recognize same-sex marriages

☐

The Supreme Court will say that states must continue to recognize same-sex marriages

Generally speaking, do you think of yourself as a ...?

☐

Democrat

☐

Republican

☐

Independent

☐

Other

☐

Not sure

In your own words what would you say is the reputation of the Supreme Court?

How important are the following in how you feel about a Supreme Court justice?

Being likely to follow the appropriate process of interpreting the law

Extremely Important

Very Important

Moderately Important

Slightly Important

Not Important

Having good professional and educational qualifications

Being likely to decide cases in a way that I agree with

Being of the same party as me

Some judges in the U.S. are elected; others are appointed to the bench. Do you happen to know if the Justices of the U.S. Supreme Court are elected or appointed to the bench?

☐

Elected to the bench

☐

Appointed to the bench

☐

Neither

Do you happen to know who has the last say when there is a conflict over the meaning of the U.S. Constitution---the U.S. Supreme Court, the U.S. Congress, or the President?

☐

U.S. Congress

☐

U.S. Supreme Court

☐

The President

The Supreme Court has nine members. For the issues that we asked you about earlier, what do you think the breakdown in the votes on the Court would typically be?

☐

5-4

☐

6-3

☐

7-2

☐

8-1

☐

9-0

Some judges in the U.S. serve for a set number of years; others serve a life term. Do you happen to know whether the Justices of the U.S. Supreme Court serve for a set number of years or whether they serve a life term?

☐

Set number of years

☐

Life term

☒

Neither

Please select the name of the current Chief Justice of the United States from the choices below:

☐

Sonia Sotomayor

☐

Samuel Alito

☐

Elena Kagan

☐

John Roberts

☐

Neil Gorsuch

Please select the name of the Justice who most recently joined the U.S. Supreme Court from the choices below:

☐

Sonia Sotomayor

☐

Ketanji Brown Jackson

☐

John Roberts

☐

Brett Kavanaugh



Amy Coney Barrett

Supreme Court justices are appointed by the President of the United States. How many of the current nine justices do you think were appointed by Republican presidents?



9 out of 9



8 out of 9



7 out of 9



6 out of 9



5 out of 9



4 out of 9



3 out of 9



2 out of 9



1 out of 9



0 out of 9

How much do you think the political party of the appointing president affects how Supreme Court justices decide cases?



A great deal



A lot



A moderate amount



A little



Not at all

How much do you approve of the performance of the Supreme Court?

☒

Strongly Approve

☐

Somewhat Approve

☐

Neither Approve nor Disapprove

☐

Somewhat Disapprove

☒

Strongly Disapprove

Do you agree or disagree with the following statements?

The U.S. Supreme Court has become too independent and should be reined in.

Strongly Agree

Agree

Neither Agree nor Disagree

Disagree

Strongly Disagree

Judges on the U.S. Supreme Court who consistently make decisions at odds with what a majority of the people want should be removed from their position as judge.

The U.S. Supreme Court can usually be trusted to make decisions that are right for the country as a whole.

If the U.S. Supreme Court started making a lot of decisions that most people disagree with, it might be better to do away with the Supreme Court altogether.

The U.S. Supreme Court gets too mixed up in politics.

Where would you place YOURSELF on the following scale?

EXTREMELY
LIBERAL

EXTREMELY
CONSERVATIVE

Where would you place THE CURRENT SUPREME COURT on the following scale?

EXTREMELY
LIBERAL

EXTREMELY
CONSERVATIVE

The U.S. Supreme Court has nine members. Some people believe that Congress should expand the size of the Supreme Court, allowing the current president to appoint one or more new Justices. Do you agree or disagree that the size of the Supreme Court should be increased?

☐

Strongly Agree

☐

Agree

☐

Neither Agree nor Disagree

☐

Disagree

☐

Strongly Disagree

U.S. Supreme Court Justices currently serve life terms. Some people think that, instead, Supreme Court Justices should be limited to 18-year terms. Do you agree or disagree that there should be such term limits for Supreme Court Justices?

☐

Strongly Agree

☐

Agree

☐

Neither Agree nor Disagree

☐

Disagree

☐

Strongly Disagree

B QUESTIONS

A postal worker refused to work on Sundays for religious reasons. The Postal Service agreed to help him find coworkers to swap shifts with, but when he could not find any coworkers to swap with and did not show up to work multiple times, he was disciplined and then quit.

Some people think that this is religious discrimination and that the employer should have to accommodate his beliefs and should not have disciplined him. Other people think that this is NOT religious discrimination.

What do you think?

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This is religious discrimination

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This is NOT religious discrimination

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What do you think?

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Some people think that the Biden Administration did not overstep its authority with this debt forgiveness plan. Other people disagree and think that the Biden Administration overstepped its authority.

What do you think?

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What do you think?

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Some people think state courts can exercise oversight over federal elections as they do in other areas. Other people think that the language in the U.S. Constitution means that only state legislatures can regulate federal elections, without oversight from state courts.

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Some people say that the plan with one majority-Black district is lawful. Other people think the small number of districts in which Black voters are a majority violates Section 2 of the Voting Rights Act, which bans racial discrimination in voting policies, and that the state should be forced to redraw the districts.

What do you think?



The original plan with one majority-Black district is lawful



The state should be forced to redraw the district

The Supreme Court will be deciding this issue soon. Regardless of your personal views, how do you think the Supreme Court will decide?



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Some people think that social media companies cannot be held responsible for aiding and abetting terrorism not removing content and accounts promoting terrorism. Other people think that they can be held responsible.

What do you think?

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Social media companies CANNOT be held responsible

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What do you think?

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What do you think?

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Some people think that this should be read narrowly, to include only things like streams, rivers, and lakes. Other people think that this should be read broadly, to include things like wetlands.

What do you think?

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