

ONLINE APPENDIX A

Question Wording for Survey Items: 2005 Annenberg Supreme Court Survey of Legal Elites

Perceptions of Institutional Legitimacy

1. Now, thinking about the current Congress and current Supreme Court, please tell me if you strongly agree, somewhat agree, somewhat disagree, or strongly disagree with each of the following statement--Congress should take away the right of the Supreme Court to decide certain types of controversial issues.
2. Now, thinking about the current Congress and current Supreme Court, please tell me if you strongly agree, somewhat agree, somewhat disagree, or strongly disagree with each of the following statement--The Supreme Court should have the right to say what the Constitution means, even when the majority of people disagree with the Court's decision.
3. Now, thinking about the current Congress and current Supreme Court, please tell me if you strongly agree, somewhat agree, somewhat disagree, or strongly disagree with each of the following statement--The Supreme Court can usually be trusted to make decisions that are right for the country as a whole.
4. Generally speaking, how much do you trust the Supreme Court to operate in the best interests of the American people—a great deal, a fair amount, not too much, or not at all?

Perceptions of Political Decision-Making Procedures

1. Please tell me how much you agree or disagree with the following statement: Most of the time the Supreme Court Justices know the result they want in a case and craft their legal reasoning to reach that result. Do you strongly agree, somewhat agree, somewhat disagree, or strongly disagree?
2. Please tell me how much you agree or disagree with the following statement: Most of the time the Supreme Court Justices closely follow the Constitution, the law and the precedents in deciding cases. Do you strongly agree, somewhat agree, somewhat disagree, or strongly disagree?
3. Which of the following statements comes closer to your beliefs about the Supreme Court? (1) The Court is fair and objective in its rulings or (2) The Court is sometimes politically motivated in its rulings.
4. Thinking about the current Supreme Court, please tell me if you strongly agree, somewhat agree, somewhat disagree or strongly disagree with the following statement—The Supreme Court gets too mixed up in politics.
5. Thinking about the current Supreme Court, please tell me if you strongly agree, somewhat agree, somewhat disagree or strongly disagree with the following statement—The decisions of the Supreme Court favor some groups more than others.

Perceptions of Activism

1. And here are some comments that are sometimes made about the Supreme Court--The Court is taking on too many matters best left to Congress. Do you strongly agree, somewhat agree, somewhat disagree or strongly disagree with this?
2. And here are some comments that are sometimes made about the Supreme Court--The Court's decisions are too intrusive on the rights of the state. Do you strongly agree, somewhat agree, somewhat disagree or strongly disagree with this?

3. And here are some comments that are sometimes made about the Supreme Court--The Court is overturning too many federal laws. Do you strongly agree, somewhat agree, somewhat disagree or strongly disagree with this?

4. And here are some comments that are sometimes made about the Supreme Court. The Court makes decisions in too many cases that are not within its mandate. Do you strongly agree, somewhat agree, somewhat disagree or strongly disagree with this?

Perceptions of External Political Influence

1. To what extent do you think the current Supreme Court is influenced by the president when making their decisions—to a great extent, moderate extent, small extent, or not at all?

2. To what extent do you think the current Supreme Court is influenced by Congress when making their decisions—to a great extent, moderate extent, small extent, or not at all?

3. To what extent do you think the current Supreme Court is influenced by public opinion when making their decisions—to a great extent, moderate extent, small extent, or not at all?

Items for Subjective Ideological Disagreement (see text for measurement)

1. **Ideology:** In politics today, would you describe your views as very liberal, liberal, moderate, conservative, or very conservative?

2. **Perception of Ideological Tenor of the Court:** “Judging by its recent decisions, do you think the Supreme Court is generally liberal, generally conservative, or is it making decisions more on a case-by-case basis?”

Differential Media Exposure (survey items used; see text for measurement)

1. How often, if at all, do you listen to radio shows that invite listeners to call in to discuss current events, public issues or politics—almost every day, every week, twice a month, once a month, or never?

2. Please tell me how many days in the past week, if any, you did each of the following. How many days in the past week did you watch cable news, such as CNN, Fox News Channel or MSNBC?

3. Now, I would like to ask you about where you got your news during the past week. Please tell me how many days in the past week, if any, you did each of the following. How many days in the past week did you watch national network news on TV—by which I mean Peter Jennings on ABC, Bob Schieffer on CBS, Brian Williams on NBC, or Jim Lehrer on PBS?

4. Now, I would like to ask you about where you got your news during the past week. Please tell me how many days in the past week, if any, you did each of the following. How many days in the past week did you read a daily newspaper?

Years of Legal Practice

For how many years have you been practicing law?

Admitted to Practice in Supreme Court

Are you currently admitted to practice before the US Supreme Court?

Political Trust

Generally speaking, how much do you trust the federal government as a whole to operate in the best interests of the American people—a great deal, a fair amount, not too much, or not at all?

ONLINE APPENDIX B
Regression Model Results for Complementary Analysis Associated with Figure 3

	Decision-Making Procedures Scale			Activism Scale			External Political Influence Scale		
	Coeff.	(SE)	p	Coeff.	SE	p	Coeff.	SE	p
Individual Ideology	0.37	(0.14)	0.01	0.49	(0.13)	0.00	-0.11	(0.15)	0.46
SC Conservative	0.20	(0.10)	0.05	-0.08	(0.10)	0.43	0.04	(0.10)	0.70
SC Moderate	-0.03	(0.10)	0.77	-0.20	(0.10)	0.04	-0.09	(0.11)	0.42
Ideology x SC Cons.	-0.64	(0.15)	0.00	-0.36	(0.14)	0.01	-0.06	(0.15)	0.70
Ideology x SC Mod.	-0.36	(0.15)	0.02	-0.13	(0.14)	0.35	0.03	(0.16)	0.86
Differential Media Exposure	0.04	(0.04)	0.35	-0.01	(0.04)	0.81	-0.04	(0.04)	0.40
Years Practice (/10)	-0.03	(0.02)	0.14	-0.06	(0.02)	0.01	-0.05	(0.02)	0.03
Years Practice (/10) Squared	0.01	(0.00)	0.20	0.01	(0.00)	0.02	0.01	(0.00)	0.05
Admitted to Practice in SC	0.02	(0.02)	0.33	0.00	(0.01)	0.90	0.02	(0.02)	0.35
Political Trust	-0.15	(0.03)	0.00	-0.08	(0.03)	0.01	-0.04	(0.03)	0.26
Intercept	0.54	(0.10)	0.00	0.42	(0.10)	0.00	0.55	(0.11)	0.00
N	806			806			794		
Goodness of fit	F=19.07, p<.001 Adj. R ² =0.18			F=24.09, p<.001 Adj. R ² =0.22			F=6.38, p<.001 Adj. R ² =0.06		