

State Coalitions, Informational Signals, and Success as Amicus Curiae at the United States Supreme Court

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Online Appendix A: Map of Census Regions and Divisions



Figure 1A: Map of U.S. Census Regions and Divisions

This image is from the United States Census Bureau.

United States Census Bureau. 1994. Figure 6-1: "Census Regions and Divisions of the United States." Chapter 6 "Statistical Groupings of States and Counties." In *Geographic Areas Reference Manual*.

Online Appendix B: Descriptive Statistics Visualized

This section includes visual representations of some of the data. First there is a histogram of regional representation by U.S. Census regions, followed by box plots of the number of states in the coalition, ideological heterogeneity, and regional representation (Census divisions) by case issue area, and a boxplot of the number of states in a coalition over regional diversity.

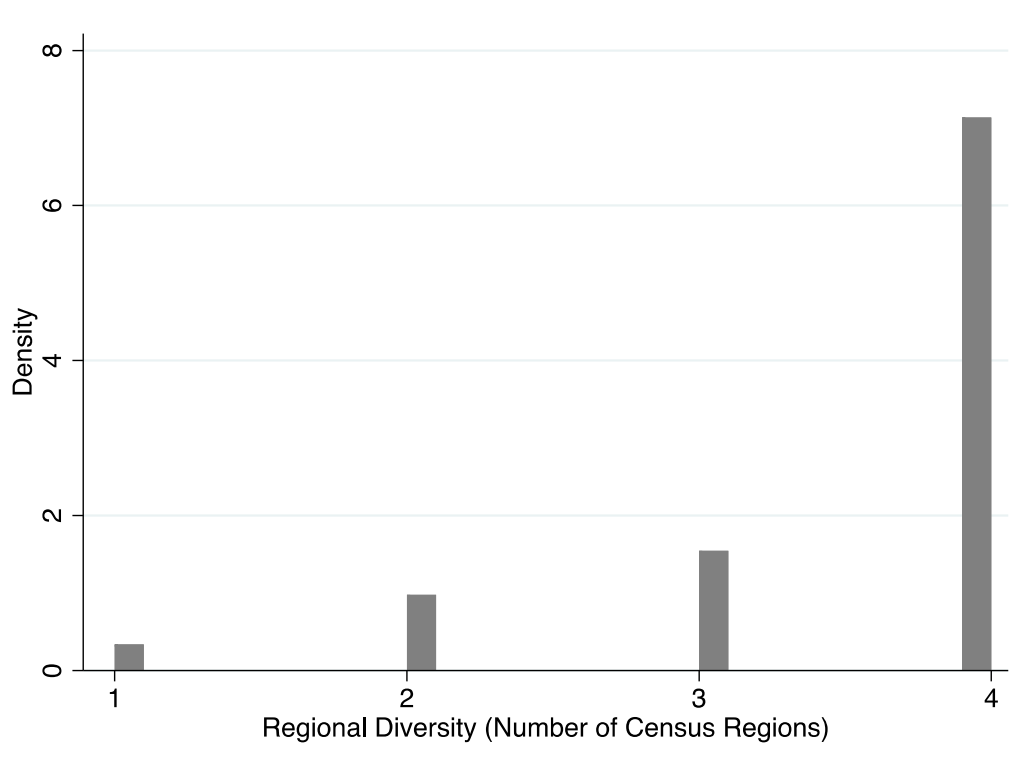


Figure 2A: Regional Representation of State Coalitions (Census Regions)

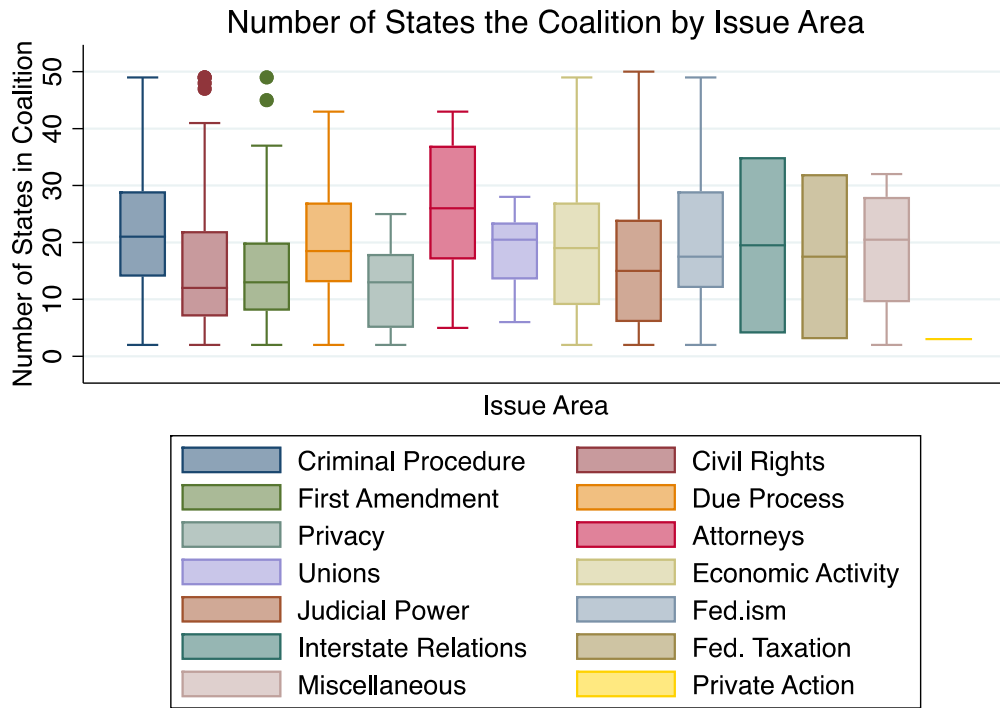


Figure 3A: Number of States in a Coalition by Issue Area

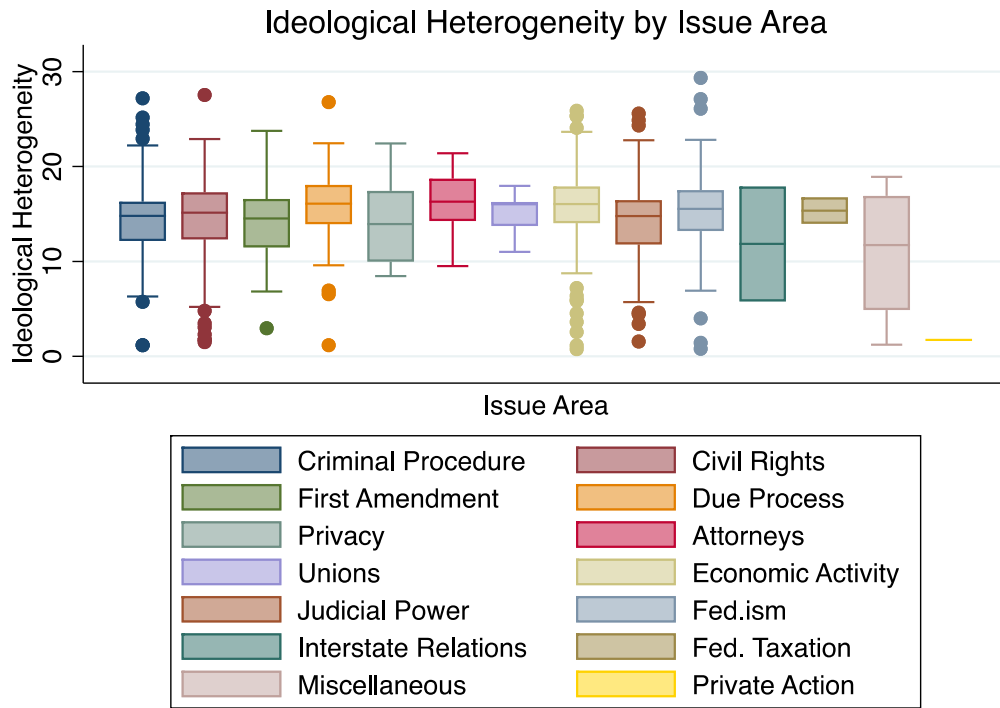


Figure 4A: Ideological Heterogeneity of a Coalition by Issue Area

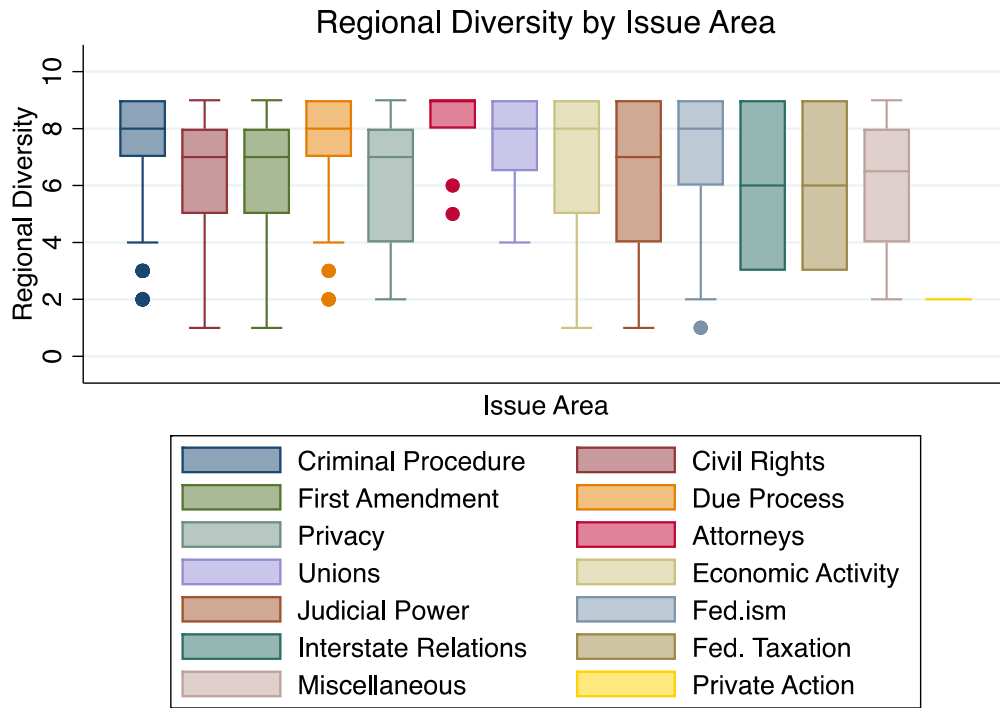


Figure 5A: Regional Diversity of a Coalition by Issue Area

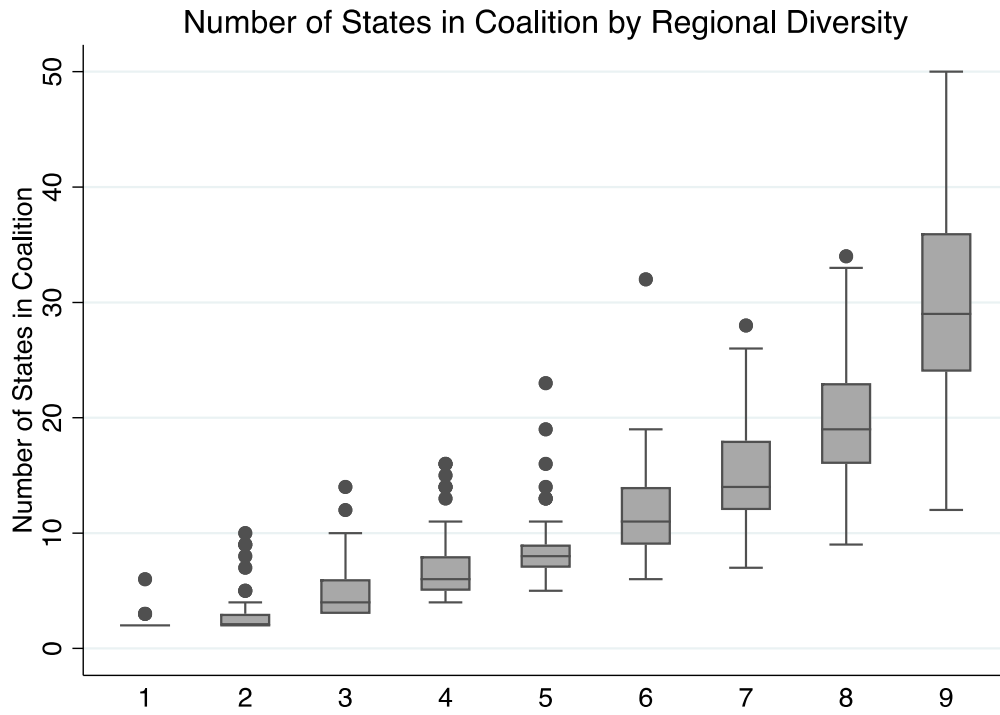


Figure 6A: Number of States in a Coalition by Regional Diversity

Online Appendix C: Alternative Measures of Regional Diversity

Regional Census Measure

Table 1A. State Amicus Curiae Success on the Merits

Independent Variable

Ideological Heterogeneity of the Coalition	-.028 (.020)
Regional Diversity (Census Regions)	.327** (.128)
Number of States in Coalition	.001 (.008)
State Advocating Liberal Position	.199 (.293)
Judicial Common Space of Median	-4.19* (1.83)
SC Ideological Compatibility	1.94 (1.11)
Non-State Amicus Briefs	.034 (.018)
USSG Support	.807*** (.181)
USSG Opposition	-.198 (.222)
NAAG	.713 (.508)
Number of State Filed Briefs	.020 (.087)
State Litigant Support	-.200 (.184)
State Litigant Opposition	-.124 (.625)
State Advocating Reversal	1.20*** (.151)
N	987
Log Likelihood	-578.9

Entries are logit estimates. * $p \leq 0.05$; ** $p \leq 0.01$; *** $p \leq .001$ (two-tailed).
Includes fixed effects for the Natural Court and Issue Area

Circuit Diversity

Table 2A. State Amicus Curiae Success on the Merits

Independent Variable

Ideological Heterogeneity of the Coalition	-.023 (.019)
Regional Diversity (Circuit Diversity)	.130** (.050)
Number of States in Coalition	-.013 (.012)
State Advocating Liberal Position	.244 (.291)
Judicial Common Space of Median	-4.12* (1.83)
SC Ideological Compatibility	2.10 (1.11)
Non-State Amicus Briefs	.035* (.018)
USSG Support	.812*** (.181)
USSG Opposition	-.176 (.222)
NAAG	.712 (.507)
Number of State Filed Briefs	.030 (.087)
State Litigant Support	-.196 (.184)
State Litigant Opposition	-.143 (.627)
State Advocating Reversal	1.20*** (.151)
N	987
Log Likelihood	-578.8

Entries are logit estimates. * $p \leq 0.05$; ** $p \leq 0.01$; *** $p \leq .001$ (two-tailed).

Includes fixed effects for the Natural Court and Issue Area

Online Appendix D: Model Fit Estimates

In this section I add goodness of fit tests for the three models that use different measures of diversity. Namely, this includes regional representation in terms of Census divisions (main model in the manuscript), Census regions, and circuit courts (Online Appendix C). The primary purpose was to compare the models using regional diversity (divisions) with that of circuit diversity, which are highly correlated ($r=.942$). As evidenced below the models perform very similarly.

Regional Diversity (Census Divisions): AIC = 1245, BIC = 1455.5, (N=987)

Regional Diversity (Census Regions): AIC = 1243.7, BIC = 1454.2, (N=987)

Circuit Court Diversity: AIC = 1243.6, BIC = 1454, (N=987)

Online Appendix E: Competing Coalitions

As mentioned in the paper, there were 58 cases (116 briefs) where state coalitions formed to advocate on opposite sides of the case. These cases were not included in the original analysis in the paper because they are fundamentally different than the cases where states advocate together and because the data is structurally different in that the success of one coalition is directly related to the success or failure of the other. To be more specific, the unit of analysis in this paper is the coalition and as such each coalition has its own row of data. However, for competing coalitions there are two rows of data for a particular case. It is impossible for both coalitions to win and thus the success of one coalition is directly contingent on the success of the other. The main methodological issue is that introduces dependence in the model, in that the observations are not independent of each other, violating an assumption of the logistic regression. As such, these cases cannot be analyzed with the main dataset.

Descriptively, the coalition with *less* regional representation (encompassing fewer Census divisions) won in 53.4% of the cases, the coalition with more regional representation (encompassing more Census divisions) won in 34.5% of cases, and in 12.1% of cases the coalitions contained the same number of regions. In an attempt to formally test the hypotheses on this data, I ran a conditional logit model. However, because of the very limited number of observations, it was impossible to achieve convergence on the full model used in the body of the paper. As such, I had to limit the number of variables and controls included in the model. In the simplified model *Ideological Heterogeneity* was negative in direction and was not statistically significant, consistent with the findings of the paper. However, *Regional Diversity* was negative in direction was statistically significant ($p = .007$, two-tailed). This suggests that in instances where there are two opposing coalitions, regional diversity does not benefit the states. This is an interesting finding that states can consider going forward when lobbying in this context.

Competing Coalitions Conditional Logit
Table 3A. State Amicus Curiae Success on the Merits

Independent Variable	
Ideological Heterogeneity of the Coalition	-.106 (.068)
Regional Diversity	-.855** (.319)
Number of States in Coalition	.193** (.075)
State Advocating Liberal Position	.782 (.524)
Non-State Amicus Briefs	.020 (.026)
USSG Support	2.44** (.955)
Number of State Briefs Filed	-.534 (.523)
State Litigant Support	-3.01** (1.23)
State Advocating Reversal	1.06* (.541)
N	114
Log Likelihood	-21.8

Entries are conditional logit estimates.

* $p \leq 0.05$; ** $p \leq 0.01$; *** $p \leq .001$ (two-tailed).

When adding the competing coalitions to the main model alongside an indicator variable for these instances, as shown in Table 4A below, the regional diversity variable loses statistical significance because the variable in the model only including competing coalitions works in the opposite direction of the main model, thus washing out the results. The indicator variable for Competing Coalitions is not statistically significant. However, it is important to note that in the dataset spanning from 1960 to 2013, only 58 of 1,060 cases (5.5%) contained competing

coalitions. As such, in the vast majority of cases—instances where state coalitions are working together and not competing against each other, regional diversity can increase the probability of success. Also, as mentioned above, the methodologically appropriate approach is to analyze these cases separately due to dependence in the model.

Competing Coalitions in the Main Model

Table 4A. State Amicus Curiae Success on the Merits

Independent Variable	
Ideological Heterogeneity of the Coalition	-.021 (.018)
Regional Diversity	.070 (.053)
Number of States in Coalition	.001 (.011)
State Advocating Liberal Position	.586* (.252)
Judicial Common Space of Median	-4.09* (1.70)
SC Ideological Compatibility	3.37*** (.984)
Non-State Amicus Briefs	.044** (.015)
USSG Support	.848*** (.174)
USSG Opposition	-.363 (.208)
NAAG	.685 (.494)
Number of State Filed Briefs	.019 (.083)
State Litigant Support	-.243 (.175)
State Litigant Opposition	.658 (.481)
State Advocating Reversal	1.16*** (.143)
Competing Coalition Indicator	-.177 (.246)
N	1,101
Log Likelihood	-646.8

Entries are logit estimates. * $p \leq 0.05$; ** $p \leq 0.01$; *** $p \leq .001$ (two-tailed). Includes fixed effects for issue area and natural Court.

Online Appendix F: Temporal Effects

Table 5A. State Amicus Curiae Success on the Merits

Independent Variable	
Ideological Heterogeneity of the Coalition	-.038 (.021)
Regional Diversity	.120* (.059)
Number of States in Coalition	-.004 (.011)
State Advocating Liberal Position	.333 (.309)
Judicial Common Space of Median	-47.0 (1256)
SC Ideological Compatibility	2.08 (1.18)
Non-State Amicus Briefs	.034 (.019)
USSG Support	.794*** (.188)
USSG Opposition	-.296 (.235)
NAAG	4.18 (105.5)
Number of State Filed Briefs	-.029 (.094)
State Litigant Support	-.194 (.194)
State Litigant Opposition	-.333 (.655)
State Advocating Reversal	1.29*** (.159)
N	984
Log Likelihood	-557.2

Entries are logit estimates. * $p \leq 0.05$; ** $p \leq 0.01$; *** $p \leq .001$ (two-tailed). Includes fixed effects for issue area, natural Court, and term.

Note that introducing fixed effects for term creates issues for the Judicial Common Space of the Median and NAAG variables, suggesting that the variance of the coefficient estimates are inflated due to multicollinearity.

Online Appendix G: Interaction Plots

As stated in footnote 23, I interacted the ideological diversity of the state coalition with regional diversity to determine whether there was a relationship. The figure below shows the average marginal effects of ideological diversity for each geographic region. As evidenced in the plot, there is no statistically significant relationship at any of these nine levels.

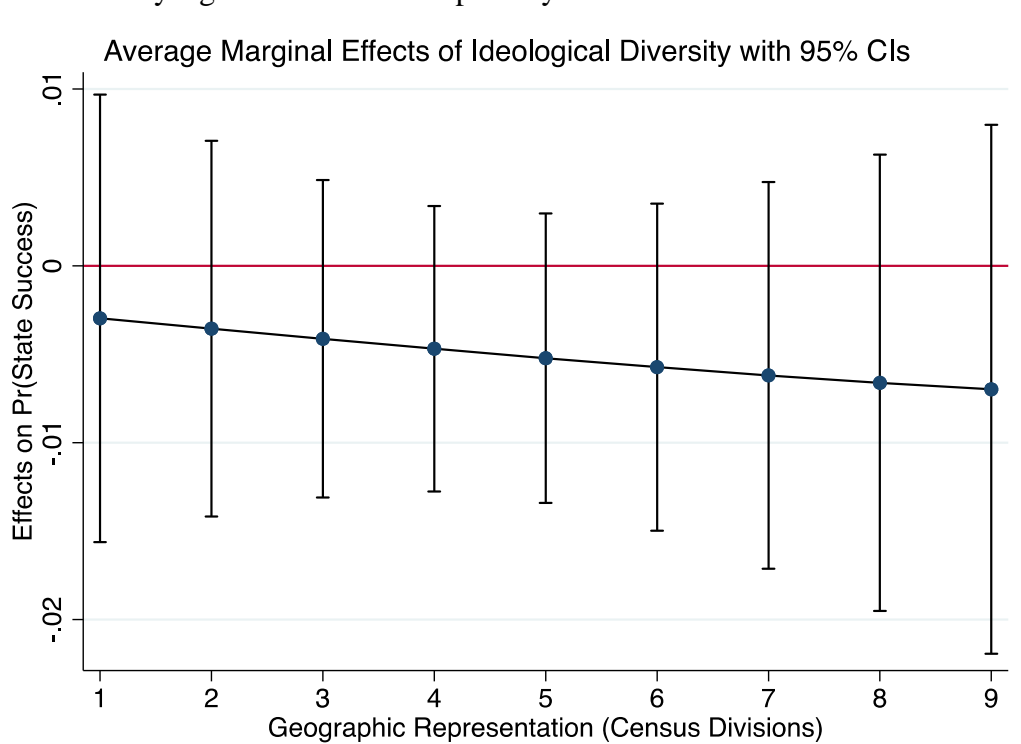


Figure 7A: Average Marginal Effects of Ideological Diversity by Regional Diversity

As stated in footnote 25, I interacted whether the state coalition was advocating a liberal position and the Judicial Common Space Score of the Supreme Court Median to determine whether there was a relationship. The figure below shows the average marginal effects of a state advocating for a liberal outcome at various points of Judicial Common Space Scores. The lowest JCS Score was $-.287$ and the highest was $.226$, thus explaining the range of numbers selected. As evidenced in this figure, there is no statistically significant relationship.

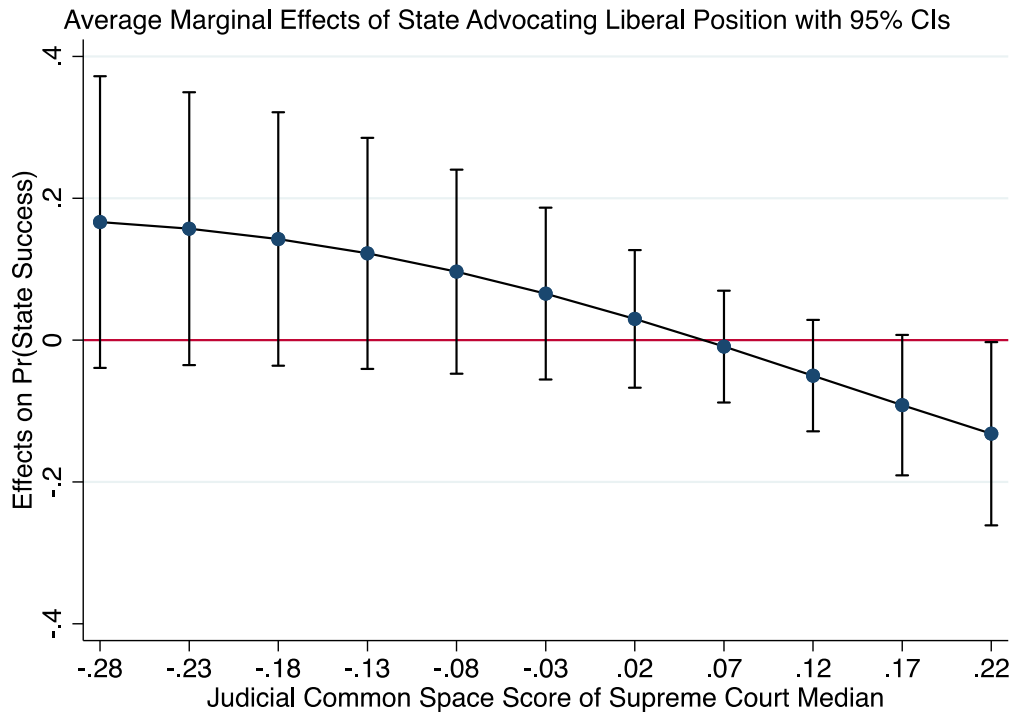


Figure 8A: Average Marginal Effects of a State Advocating a Liberal Position by Judicial Common Space