

THE CONSISTENCY OF JUDICIAL CHOICE

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WEB APPENDIX

In addition to the models reported in the article, I ran several alternative specifications, which are discussed below. Taken as a whole, all of these attendant models reveal virtually identical substantive results, thus corroborating the robustness of the models reported in the published manuscript.

In the article, I utilize the Segal and Cover (1989) scores to measure the justices' ideologies. While these scores provide a valid and reliable indicator of judicial preferences, while avoiding the circularity problem that plagues other measures, the newspaper editorials from which these scores are based "deal almost exclusively with support by the justices for civil liberties and civil rights" (Segal and Cover 1989: 561). As such, their application beyond civil rights and liberties law is perhaps inappropriate (Epstein and Mershon 1996). Accordingly, I ran a separate analysis considering only civil rights and liberties cases, which is reported in Appendix Table 1. As this table makes apparent, none of the results in the variance vector decidedly alter, with the exception of the *Prior Cases* variable, which achieves statistical significance at only the 0.23 level.

***** Appendix Table 1 About Here *****

I ran auxiliary models including variables in the variance vector that represented: 1) whether the Solicitor General filed an amicus brief (*SG Amicus*); 2) whether the Solicitor General represented the federal government as a direct party to litigation (*SG Party*); 3) whether amicus briefs were filed on only one side of the case (*Amicus Briefs on One Side*); and 4) the number of days until July 1, the traditional end of the Court's term (*End of Term*). These results are reported in Appendix Table 2. As this table indicates, none of these newly introduced variables achieve statistical significance, while all of the other significant variables retain their significance (although *Prior Cases* is reduced to being significant at $p = 0.07$).

***** Appendix Table 2 About Here *****

In the article, I utilize a measure of *Case Salience* that is scored 2 if the case appeared on both the front page of the *New York Times* and on the *Congressional Quarterly* list of salient decisions, 1 if the case appeared on one list (but not the other), and 0 if the case appeared on neither list. In Appendix Tables 3 and 4, the *Congressional Quarterly* and *New York Times* measures are employed in independent models. As these tables make clear, the results are substantively identical to those reported in the article.

***** Appendix Tables 3 and 4 About Here *****

In Table 1 in the article, I use a measure of *Case Complexity* based on a factor analysis of the number of issues raised in the case, the number of legal provisions relevant to the case, and the number of opinions released in the case, which produce a single factor with an eigenvalue greater than one. I also ran an alternative construction of this variable by excluding the number of opinions released in the case (which also produces a single factor with an eigenvalue greater than one). The results of this model are reported in Appendix Table 5. As this table indicates, the results of that alternative specification are substantively identical to those reported in the article.

***** Appendix Table 5 About Here *****

In the article, I utilize two variables to capture the litigants' perceived resource status, *Liberal Litigant Resources* and *Conservative Litigant Resources*. The purpose of using these proxies for litigant resources, rather than a single variable that captures the net differences in resources (i.e., *Liberal Litigant Resources* minus *Conservative Litigant Resources*) is that it is a more nuanced measure than the net difference alternative. For example, it provides information that allows the model to distinguish a scenario in which a conservative federal government (resources = 10) squares off against a liberal corporation (resources = 7) from a situation in

which a conservative small business (resources = 5) is involved in a dispute with a liberal minority (resources = 2). A variable based on the net differences in resources is incapable of capturing these differences as it would score both these scenarios a -3 (that is, $7 - 10 = -3$, as does $2 - 5$). Nonetheless, I ran an alternative model specification by creating this *Net Resource Difference* variable by subtracting *Conservative Litigant Resources* from *Liberal Litigant Resources*. As Appendix Table 6 indicates, the use of this proxy also provides strong support for the role of resources in shaping the choices justices make. In addition, it should be noted that all of the other significant variables in the model retain their statistical significance.

***** Appendix Table 6 About Here *****

I also ran an alternative specification of the model including the *Liberal* and *Conservative Amicus Briefs* variables in place of the *Total Amicus Briefs* variable in the variance vector, the results of which are reported in Appendix Table 7. The *Conservative Amicus Briefs* variable is positively signed (0.076) and significant at the .001 level, while the *Liberal Amicus Briefs* variable is positively signed (0.011), but only achieves statistical significance at the .22 level. A test for whether the cumulative value of these variables is consistent with the parameter estimate of the *Total Amicus Briefs* variable (i.e., 0.039) supports this hypothesis (significant at the .002 level), thus providing corroboration for the results reported in Table 1 of the article.

***** Appendix Table 7 About Here *****

During the time period under analysis, the number of amicus curiae briefs filed at the Court increased rather dramatically. For example, during the Vinson Court (1946-1952), an average of 1 brief was filed per case (standard deviation = 1.4), compared to 4 briefs per case (standard deviation = 5) in the Rehnquist Court era (1986-1995). Thus, it is useful to determine if the results regarding the influence of amicus briefs on the mean and variance of the justices'

voting behavior are driven by outlier cases which attracted especially large numbers of amicus filings. To do this, I have logged all of the amicus variables in the model, which condenses larger values in the dataset, while spreading out smaller values. These results are reported in Appendix Table 8. As this table indicates, the results are not driven by outlier values: the logged amicus variables retain their expected sign, and statistical significance, while all of the other significant variables in the model remain statistically significant. Given this, I am confident that the results of the amicus variables are indicative of the important role organized interests play in Supreme Court decision making.

***** Appendix Table 8 About Here *****

In the article, I ran the heteroskedastic probit model with a variable that accounts for each justice's *Ideological Extremism*. This variable was computed by squaring each justice's Segal and Cover scores, and thus it ranges from 0 to 1. In so doing, I make the assumption that the effect of ideological extremism on the variability in a justice's voting behavior is uniform regardless of whether a justice is an extreme liberal or an extreme conservative. In order to evaluate whether this assumption comports with reality, I ran an alternative model that includes the Segal and Cover scores (*Attitudes*) in the variance vector. If ideological extremity reduces the variance in voting behavior, irrespective of whether a justice is an extreme liberal or an extreme conservative, I expect that this variable will be insignificant. If extreme conservatives exhibit behavior that is more consistent than extreme liberals, I expect this variable will be positively signed since the Segal and Cover scores range from -1 (extremely conservative) to +1 (extremely liberal). If the voting behavior of extreme liberals is more stable than extreme conservatives, I expect this variable will be negatively signed. The results of this model specification are reported in Appendix Table 9. As this table indicates, the effect of extremism on variance is equal,

regardless of whether a justice is an extreme liberal or an extreme conservative. This finding is indicated by the insignificance of the *Attitudes* variable in the variance vector and by the fact that the *Ideological Extremism* variable achieves statistical significance in the expected direction at the 0.058 level.

***** Appendix Table 9 About Here *****

The results of Table 1 in the article indicate that that greater numbers of amicus briefs lead to increased inconsistency and this is confirmed by the alternative model specification that appears in Appendix Table 7. However, that model does not consider the possibility that liberal justices might be *more* consistent as the number of liberal amicus briefs increases, while conservative justices might be *less* consistent as the number of liberal amicus briefs increases (and vice versa for conservative amicus briefs). To evaluate this possibility, Appendix Table 10 reports the results from a model that interacts *Attitudes* with both *Conservative Amicus Briefs* and *Liberal Amicus Briefs* in the choice model, in addition to including the *Attitudes* variable in both the mean and variance vectors, as well as the directional amicus variables in the variance model. Because the results of the interaction terms in the choice model cannot be interpreted directly for their sign or statistical significance (e.g., Ai and Norton 2003), Appendix Table 11 reports the changes in the predicted probability of observing a liberal vote, and the variance surrounding that prediction, for conservative, liberal, and moderate justices. Cumulatively, these tables reveal several important findings. First, with respect to the influence of amicus briefs in the choice model, they reveal that all of the justices respond to the persuasion attempts made by amici. Second, with regard to the variance model, the results indicate that variance in judicial decision making increases as the number of liberal and conservative amicus briefs increase, regardless of a justice's ideological preferences. This is illustrated by the *Liberal Amicus Briefs*

and *Conservative Amicus Briefs* variables in the variance vector in Appendix Table 10. Both of these variables are positively signed and achieve statistical significance at $p < 0.05$. More substantively, the results of Appendix Table 11 indicate that, regardless of ideology or the direction of the amicus briefs, variance in judicial decision making increases as the number of amicus briefs increases. For example, the variance in a liberal justice's decision making increases by .139 as the number of liberal briefs increases from 1 to 7. Likewise, a conservative justice's variance increases by .148 as the number of liberal briefs increases from 1 to 7. For a 1 to 7 change in conservative amicus briefs, the variance surrounding liberal justices increases by .350, while the variance for conservative justices increases by .377. Thus, the results of this alternative model specification corroborate the findings presented in the article. That is, substituting the *Total Amicus Briefs* variable for the two directional amicus variables in this interactive model does not change the results. (Moreover, substituting the total amicus briefs variable for the two directional amicus briefs variables does not change the results in the non-interactive model, as reported in Appendix Table 7). More importantly, there is no evidence, for example, that liberal amicus briefs make liberal justices more consistent and conservative justices less consistent. Instead, as the number of amicus briefs increases, variability increases, regardless of the ideology of the justice or the direction of the amicus briefs.

***** Appendix Tables 10 and 11 About Here *****

In order to further ensure that the results of the model reported in Table 1 of the article are robust, I performed a prophylactic diagnostic on the model to evaluate its stability, as suggested by Keele and Park (2005). That is, I ran a model in which I drew 1,000 bootstrap samples to recalculate the standard errors. As Appendix Table 12 indicates, the results are

extremely robust, with no significant changes evident between the bootstrapped and non-bootstrapped models.

***** Appendix Table 12 About Here *****

Finally, in footnote 2 of the article, I briefly discuss other political science research that explicitly models the error variance in an actor's decision making. Manuscript space precluded me from including citations to other significant research in political science that utilizes these modeling techniques. Accordingly, I have included references to these studies below.

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Appendix Table 1. Heteroskedastic Probit Results for Civil Rights and Liberties Cases

Predictor	Parameter Estimate
<u>Choice Model</u>	
Attitudes	.383 (.031)***
Lower Court Direction	-.271 (.034)***
Liberal Litigant Resources	.001 (.005)
Conservative Litigant Resources	-.032 (.007)***
Liberal Amicus Briefs	.040 (.008)***
Conservative Amicus Briefs	-.023 (.008)**
SG Liberal Amicus	.150 (.047)***
SG Conservative Amicus	-.125 (.036)***
Constant	-.016 (.106)
<u>Variance Model</u>	
Ideological Extremism	-.382 (.062)***
Tenure	-.006 (.002)*
Case Salience	-.142 (.044)***
Case Complexity	.041 (.032)
Total Amicus Briefs	.026 (.009)**
Prior Cases	-.00008 (.001)
Editorials	-.027 (.003)***
<u>Model Diagnostics</u>	
N	27,296
Wald χ^2	248.6***
Heteroskedasticity Test ($\chi^2_{df=7}$)	187.3***
% Correctly Predicted	66.7
% Reduction in Error	27.6

Dependent variable indicates the ideological direction of the individual justice's vote (1 = liberal, 0 = conservative). Numbers in parentheses indicate robust standard errors, clustered on case citation. Model includes 49 temporal dummy variables (results not shown). * $p \leq .05$; ** $p \leq .01$; *** $p \leq .001$ (one-tailed tests).

Appendix Table 2. Heteroskedastic Probit Results with Additional Variables in Variance Vector

Predictor	Parameter Estimate
<u>Choice Model</u>	
Attitudes	.374 (.029)***
Lower Court Direction	-.216 (.028)***
Liberal Litigant Resources	.013 (.003)***
Conservative Litigant Resources	-.024 (.004)***
Liberal Amicus Briefs	.029 (.007)***
Conservative Amicus Briefs	-.020 (.006)**
SG Liberal Amicus	.207 (.047)***
SG Conservative Amicus	-.163 (.040)***
Constant	-.051 (.062)
<u>Variance Model</u>	
Ideological Extremism	-.124 (.047)**
Tenure	-.005 (.002)*
Case Salience	-.119 (.044)**
Case Complexity	.021 (.029)
Total Amicus Briefs	.037 (.010)***
Prior Cases	-.0002 (.0001) [†]
Editorials	-.024 (.002)***
Civil Liberties Case	-.489 (.058)***
SG Amicus	.056 (.082)
SG Party	-.031 (.053)
Amicus Briefs on One Side	.042 (.051)
End of Term	.0001 (.0004)
<u>Model Diagnostics</u>	
N	52,993
Wald χ^2	120.0***
Heteroskedasticity Test ($\chi^2_{df=12}$)	767.1***
% Correctly Predicted	63.9
% Reduction in Error	21.5
<p>Dependent variable indicates the ideological direction of the individual justice's vote (1 = liberal, 0 = conservative). Numbers in parentheses indicate robust standard errors, clustered on case citation. Model includes 49 temporal dummy variables (results not shown). [†] $p \leq .07$; * $p \leq .05$; ** $p \leq .01$; *** $p \leq .001$ (one-tailed tests).</p>	

**Appendix Table 3. Heteroskedastic Probit Results using
New York Times Salience Measure**

Predictor	Parameter Estimate
<u>Choice Model</u>	
Attitudes	.264 (.021)***
Lower Court Direction	-.210 (.022)***
Liberal Litigant Resources	.013 (.003)***
Conservative Litigant Resources	-.023 (.004)***
Liberal Amicus Briefs	.029 (.006)***
Conservative Amicus Briefs	-.019 (.006)***
SG Liberal Amicus	.181 (.034)***
SG Conservative Amicus	-.149 (.031)***
Constant	.048 (.059)
<u>Variance Model</u>	
Ideological Extremism	-.131 (.046)**
Tenure	-.004 (.002)*
<i>New York Times</i> Salience	-.149 (.062)**
Case Complexity	.019 (.029)
Total Amicus Briefs	.038 (.009)***
Prior Cases	-.0002 (.0001)*
Editorials	-.024 (.002)***
Civil Liberties Case	-.491 (.059)***
<u>Model Diagnostics</u>	
N	52,993
Wald χ^2	222.1***
Heteroskedasticity Test ($\chi^2_{df=8}$)	501.0***
% Correctly Predicted	63.8
% Reduction in Error	21.4
Dependent variable indicates the ideological direction of the individual justice's vote (1 = liberal, 0 = conservative). Numbers in parentheses indicate robust standard errors, clustered on case citation. Model includes 49 temporal dummy variables (results not shown). * $p \leq .05$; ** $p \leq .01$; *** $p \leq .001$ (one-tailed tests).	

**Appendix Table 4. Heteroskedastic Probit Results using
Congressional Quarterly Salience Measure**

Predictor	Parameter Estimate
<u>Choice Model</u>	
Attitudes	.266 (.021)***
Lower Court Direction	-.213 (.022)***
Liberal Litigant Resources	.013 (.003)***
Conservative Litigant Resources	-.024 (.004)***
Liberal Amicus Briefs	.029 (.006)***
Conservative Amicus Briefs	-.019 (.006)***
SG Liberal Amicus	.189 (.034)***
SG Conservative Amicus	-.149 (.031)***
Constant	.047 (.060)
<u>Variance Model</u>	
Ideological Extremism	-.132 (.046)**
Tenure	-.004 (.002)*
<i>Congressional Quarterly</i> Salience	-.176 (.092)*
Case Complexity	.018 (.029)
Total Amicus Briefs	.036 (.009)***
Prior Cases	-.0002 (.0001) [†]
Editorials	-.024 (.002)***
Civil Liberties Case	-.498 (.059)***
<u>Model Diagnostics</u>	
N	52,993
Wald χ^2	223.0***
Heteroskedasticity Test ($\chi^2_{df=8}$)	494.1***
% Correctly Predicted	63.8
% Reduction in Error	21.4
Dependent variable indicates the ideological direction of the individual justice's vote (1 = liberal, 0 = conservative). Numbers in parentheses indicate robust standard errors, clustered on case citation. Model includes 49 temporal dummy variables (results not shown). [†] p ≤ .06; * p ≤ .05; ** p ≤ .01; *** p ≤ .001 (one-tailed tests).	

Appendix Table 5. Heteroskedastic Probit Results using Alternative Measure of Case Complexity

Predictor	Parameter Estimate
<u>Choice Model</u>	
Attitudes	.266 (.021)***
Lower Court Direction	-.211 (.022)***
Liberal Litigant Resources	.013 (.003)***
Conservative Litigant Resources	-.023 (.004)***
Liberal Amicus Briefs	.029 (.006)***
Conservative Amicus Briefs	-.019 (.006)***
SG Liberal Amicus	.183 (.034)***
SG Conservative Amicus	-.147 (.031)***
Constant	.046 (.059)
<u>Variance Model</u>	
Ideological Extremism	-.137 (.046)**
Tenure	-.004 (.002)*
Case Salience	-.111 (.043)**
Case Complexity	.021 (.024)
Total Amicus Briefs	.039 (.010)***
Prior Cases	-.0002 (.0001)*
Editorials	-.024 (.002)***
Civil Liberties Case	-.485 (.058)***
<u>Model Diagnostics</u>	
N	52,993
Wald χ^2	227.4***
Heteroskedasticity Test ($\chi^2_{df=8}$)	503.6***
% Correctly Predicted	63.8
% Reduction in Error	21.4
Dependent variable indicates the ideological direction of the individual justice's vote (1 = liberal, 0 = conservative). Numbers in parentheses indicate robust standard errors, clustered on case citation. Model includes 49 temporal dummy variables (results not shown). * $p \leq .05$; ** $p \leq .01$; *** $p \leq .001$ (one-tailed tests).	

Appendix Table 6. Heteroskedastic Probit Results using Net Resource Difference Measure

Predictor	Parameter Estimate
<u>Choice Model</u>	
Attitudes	.265 (.021)***
Lower Court Direction	-.212 (.022)***
Net Resource Difference	.018 (.002)***
Liberal Amicus Briefs	.028 (.006)***
Conservative Amicus Briefs	-.019 (.006)***
SG Liberal Amicus	.195 (.034)***
SG Conservative Amicus	-.143 (.031)***
Constant	.022 (.047)
<u>Variance Model</u>	
Ideological Extremism	-.132 (.046)**
Tenure	-.004 (.002)*
Case Salience	-.117 (.045)**
Case Complexity	.021 (.029)
Total Amicus Briefs	.039 (.010)***
Prior Cases	-.0002 (.0001) [†]
Editorials	-.024 (.002)***
Civil Liberties Case	-.484 (.058)***
<u>Model Diagnostics</u>	
N	52,993
Wald χ^2	219.9***
Heteroskedasticity Test ($\chi^2_{df=8}$)	499.0***
% Correctly Predicted	63.8
% Reduction in Error	21.3
<p>Dependent variable indicates the ideological direction of the individual justice's vote (1 = liberal, 0 = conservative). Numbers in parentheses indicate robust standard errors, clustered on case citation. Model includes 49 temporal dummy variables (results not shown). [†] $p \leq .06$; * $p \leq .05$; ** $p \leq .01$; *** $p \leq .001$ (one-tailed tests).</p>	

Appendix Table 7. Heteroskedastic Probit Results using Alternative Measures of Amicus Briefs

Predictor	Parameter Estimate
<u>Choice Model</u>	
Attitudes	.266 (.021)***
Lower Court Direction	-.212 (.022)***
Liberal Litigant Resources	.013 (.003)***
Conservative Litigant Resources	-.023 (.004)***
Liberal Amicus Briefs	.027 (.005)***
Conservative Amicus Briefs	-.020 (.006)***
SG Liberal Amicus	.179 (.034)***
SG Conservative Amicus	-.157 (.033)***
Constant	.047 (.060)
<u>Variance Model</u>	
Ideological Extremism	-.132 (.046)**
Tenure	-.004 (.002)*
Case Salience	-.118 (.044)**
Case Complexity	.026 (.029)
Liberal Amicus Briefs	.011 (.013)
Conservative Amicus Briefs	.076 (.020)***
Prior Cases	-.0002 (.0001) [†]
Editorials	-.024 (.002)***
Civil Liberties Case	-.473 (.059)***
<u>Model Diagnostics</u>	
N	52,993
Wald χ^2	223.2***
Heteroskedasticity Test ($\chi^2_{df=9}$)	519.8***
% Correctly Predicted	63.8
% Reduction in Error	21.4
Dependent variable indicates the ideological direction of the individual justice's vote (1 = liberal, 0 = conservative). Numbers in parentheses indicate robust standard errors, clustered on case citation. Model includes 49 temporal dummy variables (results not shown). [†] p ≤ .06; * p ≤ .05; ** p ≤ .01; *** p ≤ .001 (one-tailed tests).	

**Appendix Table 8. Heteroskedastic Probit Results with
Logged Amicus Variables**

Predictor	Parameter Estimate
<u>Choice Model</u>	
Attitudes	.265 (.021)***
Lower Court Direction	-.210 (.022)***
Liberal Litigant Resources	.013 (.003)***
Conservative Litigant Resources	-.024 (.004)***
Logged Liberal Amicus Briefs	.078 (.015)***
Logged Conservative Amicus Briefs	-.047 (.015)***
SG Liberal Amicus	.178 (.035)***
SG Conservative Amicus	-.147 (.032)***
Constant	.047 (.059)
<u>Variance Model</u>	
Ideological Extremism	-.138 (.047)**
Tenure	-.005 (.002)*
Case Salience	-.116 (.043)**
Case Complexity	.025 (.029)
Logged Total Amicus Briefs	.124 (.034)***
Prior Cases	-.0002 (.0001)*
Editorials	-.025 (.002)***
Civil Liberties Case	-.486 (.058)***
<u>Model Diagnostics</u>	
N	52,993
Wald χ^2	219.1***
Heteroskedasticity Test ($\chi^2_{df=8}$)	490.0***
% Correctly Predicted	63.8
% Reduction in Error	21.3
Dependent variable indicates the ideological direction of the individual justice's vote (1 = liberal, 0 = conservative). Numbers in parentheses indicate robust standard errors, clustered on case citation. Model includes 49 temporal dummy variables (results not shown). * $p \leq .05$; ** $p \leq .01$; *** $p \leq .001$ (one-tailed tests).	

**Appendix Table 9. Heteroskedastic Probit Results
Controlling for *Attitudes* in Variance Vector**

Predictor	Parameter Estimate
<u>Choice Model</u>	
Attitudes	.264 (.021)***
Lower Court Direction	-.210 (.022)***
Liberal Litigant Resources	.012 (.003)***
Conservative Litigant Resources	-.023 (.004)***
Liberal Amicus Briefs	.029 (.006)***
Conservative Amicus Briefs	-.019 (.006)***
SG Liberal Amicus	.182 (.034)***
SG Conservative Amicus	-.148 (.031)***
Constant	.045 (.058)
<u>Variance Model</u>	
Ideological Extremism	-.091 (.058) [†]
Attitudes	-.056 (.042)
Tenure	-.004 (.002)*
Case Salience	-.111 (.045)**
Case Complexity	.023 (.029)
Total Amicus Briefs	.038 (.010)***
Prior Cases	-.0002 (.0001)*
Editorials	-.026 (.003)***
Civil Liberties Case	-.496 (.059)***
<u>Model Diagnostics</u>	
N	52,993
Wald χ^2	222.2***
Heteroskedasticity Test ($\chi^2_{df=9}$)	506.5***
% Correctly Predicted	63.8
% Reduction in Error	21.4
<p>Dependent variable indicates the ideological direction of the individual justice's vote (1 = liberal, 0 = conservative). Numbers in parentheses indicate robust standard errors, clustered on case citation. Model includes 49 temporal dummy variables (results not shown). [†] $p \leq .06$; * $p \leq .05$; ** $p \leq .01$; *** $p \leq .001$ (one-tailed tests).</p>	

Appendix Table 10. Heteroskedastic Probit Results with Interactions Between *Attitudes* and *Amicus Briefs*

Predictor	Parameter Estimate
<u>Choice Model</u>	
Attitudes	.240 (.020)***
Lower Court Direction	-.212 (.022)***
Liberal Litigant Resources	.012 (.003)***
Conservative Litigant Resources	-.024 (.004)***
Liberal Amicus Briefs	.037 (.008)***
Conservative Amicus Briefs	-.018 (.007)**
SG Liberal Amicus	.184 (.036)***
SG Conservative Amicus	-.165 (.034)***
Attitudes × Liberal Amicus Briefs	.022 (.009)*
Attitudes × Conservative Amicus Briefs	.015 (.108) [†]
Constant	.057 (.058)
<u>Variance Model</u>	
Ideological Extremism	-.147 (.061)**
Attitudes	-.025 (.045)
Liberal Amicus Briefs	.043 (.023)*
Conservative Amicus Briefs	.093 (.030)***
Tenure	-.003 (.002) [†]
Case Salience	-.116 (.043)**
Case Complexity	.030 (.029)
Prior Cases	-.0002 (.0001) [†]
Editorials	-.026 (.003)***
Civil Liberties Case	-.483 (.060)***
<u>Model Diagnostics</u>	
N	52,993
Wald χ^2	215.1***
Heteroskedasticity Test ($\chi^2_{df=10}$)	546.8***
% Correctly Predicted	63.8
% Reduction in Error	21.4

Dependent variable indicates the ideological direction of the individual justice's vote (1 = liberal, 0 = conservative). Numbers in parentheses indicate robust standard errors, clustered on case citation. Model includes 49 temporal dummy variables (results not shown). [†] $p \leq .10$; * $p \leq .05$; ** $p \leq .01$; *** $p \leq .001$ (one-tailed tests).

Appendix Table 11. Interactive Effects of *Amicus Briefs* and *Attitudes*

Attitudes	Liberal Briefs	Conservative Briefs	Predicted Vote	Predicted Variance
Attitudes = .1086 (Moderate)	1	1	.585	.521
	3	1	.631	.567
	5	1	.668	.618
	7	1	.697	.673
Attitudes = .774 (Liberal)	1	1	.736	.469
	3	1	.785	.511
	5	1	.821	.557
	7	1	.847	.608
Attitudes = -.557 (Conservative)	1	1	.443	.507
	3	1	.482	.552
	5	1	.516	.601
	7	1	.545	.655
Attitudes = .1086 (Moderate)	1	1	.585	.521
	1	3	.549	.627
	1	5	.523	.754
	1	7	.504	.908
Attitudes = .774 (Liberal)	1	1	.736	.469
	1	3	.691	.565
	1	5	.653	.681
	1	7	.624	.819
Attitudes = -.557 (Conservative)	1	1	.443	.507
	1	3	.418	.609
	1	5	.404	.734
	1	7	.396	.884

Note: All predictions significant at $p < .05$.

Appendix Table 12. Heteroskedastic Probit Results with Bootstrapped Standard Errors

Predictor	Parameter Estimate
<u>Choice Model</u>	
Attitudes	.264 (.021)***
Lower Court Direction	-.211 (.023)***
Liberal Litigant Resources	.013 (.003)***
Conservative Litigant Resources	-.023 (.004)***
Liberal Amicus Briefs	.029 (.006)***
Conservative Amicus Briefs	-.019 (.006)***
SG Liberal Amicus	.183 (.036)***
SG Conservative Amicus	-.148 (.033)***
Constant	.047 (.060)
<u>Variance Model</u>	
Ideological Extremism	-.133 (.044)**
Tenure	-.004 (.002)*
Case Salience	-.115 (.045)**
Case Complexity	.022 (.032)
Total Amicus Briefs	.039 (.010)***
Prior Cases	-.0002 (.0001)*
Editorials	-.024 (.003)***
Civil Liberties Case	-.489 (.063)***
<u>Model Diagnostics</u>	
N	52,993
Wald χ^2	238.9***
Heteroskedasticity Test ($\chi^2_{df=8}$)	503.4***
% Correctly Predicted	63.8
% Reduction in Error	21.4
Dependent variable indicates the ideological direction of the individual justice's vote (1 = liberal, 0 = conservative). Numbers in parentheses indicate robust standard errors, clustered on case citation. Model includes 49 temporal dummy variables (results not shown). * $p \leq .05$; ** $p \leq .01$; *** $p \leq .001$ (one-tailed tests).	