Estimating the Ideal Points of Organized Interests in Legal Policy Space

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Scholars have been limited in the development and testing of theory regarding the incidence and impact of organized interest advocacy at the U.S. Supreme Court due to a critical measurement issue - the inability to properly locate these interests in the legal policy space in which the Court operates. We treat the positions articulated by organized interests in their amicus curiae briefs as "votes" in Court cases, allowing us to use an IRT model to estimate the locations of both the 600 most active organized interests and the justices in the same legal policy space. The resulting ideal point estimates yield substantive implications (e.g., the distribution of organized interest ideal points is slightly to the left of the justices) and lend themselves to a number of future applications to important questions involving judicial politics in the United States.

Key Words: Supreme Court; organized interests; interest groups; amicus curiae; ideal points

The synergistic development of spatial models of judicial decision-making, along with innovations in the measurement of the ideal points of judicial and legislative actors, has had a major impact on the social scientific study of law and courts (e.g., Bailey 2007; Carrubba et al. 2012; Epstein et al. 2007; Martin and Quinn 2002; Owens 2010). These innovations, however, have not extended to an important set of actors in the legal arena - organized interests. Though the heavy involvement of organized interests is one of the defining features of the modern Supreme Court (Epstein 1991; Hansford and Johnson 2014), scholars have been limited in the development and testing of theory regarding the incidence and impact of the participation of these extra-legal actors. This is due to a critical measurement issue - the inability to properly locate these interests in the legal policy space in which the Court operates - and is particularly consequential given the importance of these actors for the study of law and courts (see Barker 1967; Box-Steffensmeier, Christenson, and Hitt 2013; Collins 2008; Cortner 1968; Epstein 1991; Kobylka 1991; O'Connor 1980; Vose 1959) and questions of democratic representation, or the distortion thereof, in the branch of government generally deemed least representative.[1]

We use the positions articulated in amicus curiae briefs filed in the 1953 through 2013 Supreme Court Terms to estimate the ideal points of the 600 most active organized interests in the Court's legal policy space. We treat these brief-based "votes" on cases as analogous to the

[1] Measures of the ideological positions of organized interests have largely been limited to the subjective coding of interests' self-advertised policy positions (see Hansford 2004; Manzi and Hall 2017). These measures suffer from subjectivity, incompleteness (many interests active at the Court do not advertise their policy positions), coarseness (i.e., they classify interests as either liberal or conservative), and noncomparability with measures of judicial ideology.

votes cast by the justices in these same cases, allowing us to estimate the locations of these organized interests and the justices in the same legal policy space. Armed with data on these "votes" by interests and justices, we utilize the approaches employed to create contemporary measures of judicial ideology (Martin and Quinn 2002; Bailey 2007; Clark and Lauderdale 2010) and estimate an item response theory (IRT) model that treats the ideal points of these actors as a latent, unobservable trait to be estimated via Bayesian Markov chain Monte Carlo methods.

After presenting our "Amici Space" estimates for the organized interests and justices, we then proceed to compare our estimates with Bonica's (2013) estimates for the ideal points of interests in Congress' legislative policy space. The estimates correlate quite highly, perhaps suggesting the legal and legislative policy spaces are not all that different. We then estimate issue-specific ideal points in four areas: civil rights, criminal process, First Amendment, and economics. We find that these issue-specific ideal points correlate very highly with ideal points estimated when all cases are pooled together, implying that for most organized interests the Court's policy space is reasonably unidimensional. This is not true for government associations, however, which do not map well onto the same single dimension as all the other "voters."

Along the way, we highlight a number of substantive implications of our estimates. We show, for example, that the distribution of organized interest ideal points is slightly to the left of those of the justices. Perhaps more interesting is the evidence that these interests do not appear more extreme than the justices. We also show that over time the location of the median amicus brief filer roughly tracks the location of the median justice. We conclude with a discussion of possible applications of these ideal point estimates to important questions involving judicial politics.

An IRT Model of Ideal Points in Legal Policy Space

We use the item response framework to estimate the ideal points of interest. Item response theory was developed in the context of educational testing (Baker and Kim 2004), where researchers assume that the ability of a test-taker is a latent trait that cannot be directly observed. With the two-parameter item response model, the probability of a person correctly answering a question (i.e., an item) is a function of both the difficulty level of the question and the person's ability, as conditioned by the extent to which this question discriminates between high and low ability individuals.

This same approach has been used by political scientists to estimate the location of political actors in policy space. In this context, an actor's location in policy space (i.e., their ideal point) is the latent trait. Instead of answering questions, per se, these actors are voting yes or no on policy items. These votes are then modeled as a function of an actor's ideal point, the "difficulty" of the item being voted on, and the extent to which this item differentiates actors based on their ideal points. Using this approach, ideal points have been estimated for members of Congress (e.g., Clinton, Jackman, and Rivers 2004), Federal agencies (Clinton et al. 2012), Supreme Court justices (Martin and Quinn 2002), and combinations of actors (Bailey 2007).

Here, we use an IRT model to estimate the location of organized interests in the Supreme Court's legal policy space.[2] Each Supreme Court case presents the justices with the choice of

[2] For reasons of theory, practicality, and convention, we assume that the underlying policy space is unidimensional. Spatial theories of courts and judging are typically based on the assumption that there is a single, fundamental dimension that can reasonably represent legal policy space (e.g., Hammond, Bonneau, and Sheehan 2005; Owens 2010). On the practical side, for many of

voting to reverse or affirm a lower court decision. Importantly, we treat the positions advocated by organized interests in their amicus curiae briefs as equivalent to votes in these cases. Thus, if the American Civil Liberties Union files an amicus brief advocating that the Court reverse a lower court decision, then it is treated as if the ACLU voted to reverse. The positions expressed in amicus briefs can be reasonably considered as analogous to the votes cast by justices as both the justices and the organized interests are formally expressing positions on the outcome of the case (i.e., "item") in question.

There is are two potential issues with using amicus positions to estimate the ideal points of organized interests. First, IRT ideal point estimation models assume that the votes are independent of each other. This is a necessary assumption, but one that is likely violated to some degree in all ideal point estimation endeavors, whether the context is Congress or the Supreme Court. While it is not clear that the relationship is causal, there is some evidence of an association between the number of briefs filed in support of a position and the likelihood of that position prevailing on the merits (Collins 2008; c.f., Songer and Sheehan 1993).[3] Perhaps

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the interests there will not be enough "votes" to relax this assumption and allow for a second dimension. Finally, with the exception of Lauderdale and Clark (2012), work on ideal point estimation for justices (e.g., Clark and Lauderdale 2010; Martin and Quinn 2002), judges (e.g., Epstein et al. 2007), interest groups (e.g., Bonica 2013), legislators (Bailey 2007), and agencies (e.g., Clinton et al. 2012) typically assumes unidimensionality. Below, however, we empirically examine the plausibility of this assumption.

[3] There is also evidence of amicus curiae briefs influencing the Court at the certiorari (Caldeira and Wright 1988) and opinion-writing (Collins, Corley, and Hamner 2015; Spriggs and

mitigating this particular concern to some extent is the evidence of counteractive lobbying at the Court, where interests file on both sides of cases/issues (Hansford 2011; Solowiej and Collins 2009).

The second issue involves missing data and, fortunately, is addressable. A sitting justice will cast a vote in all Court cases heard (rare recusals aside), while even a relatively active organized interest will only file amicus briefs, and thus "vote," in a fraction of these cases. The ACLU, for instance, will not cast an amicus-based vote in most cases.[4] The same spatial logic that underlies the IRT ideal point estimation model implies that these missing votes are not missing-at-random. An organized interest is likely to abstain from voting unless the difference in the utilities associated with the two possible outcomes is sufficiently large. In other words, an organized interest will not vote in a case if, due to its ideal point, the interest is indifferent or sufficiently close to indifferent to the two possible outcomes in the case. If this is so, then the missing votes for an organized interest are not random and are instead a function of the quantity of interest; the interest's ideal point in the Court's legal policy space.

Wahlbeck 1997) stages of the decision process, though this is not of as much concern here as our estimates are based on positions taken on the merits.

[4] There are also missing votes for all the justices in the data in the sense that Justice Scalia, for example, did not vote in any of the cases prior to his appointment in 1986. This form of missingness is ignored in all IRT models of justice ideal points and we likewise ignore it here. Importantly, this form of missingness is not determined by any sort of indifference-generated abstention process.

To address the missingness issue, we employ Rosas, Shomer, and Haptonstahl's (2015) IRT model that explicitly allows for voters to abstain (i.e., not vote) if the difference in utility between the two outcomes is insufficiently large.[5] This model includes a voter-specific abstention parameter which determines how large the difference in utility needs to be and thus effectively allows each voter to have their own baseline probability of abstention. Holding the ideal point constant, two different organized interests can thus "abstain" at very different rates due to non-spatial reasons.[6] Substantively, the abstention parameter can be interpreted as capturing the reality that organized interests vary greatly, for non-spatial reasons, in the rate at which they participate at the Court. This variation is due to several factors, including the availability of resources (Scheppele and Walker 1991), absence of sufficient issue attention in the other branches of government (Cortner 1968), and the composition of the Court's agenda (Hansford 2004).

Missing votes are thus modeled as a function of relative spatial indifference and voter-specific tendency to abstain. Details regarding this IRT model can be found in the Online

[5] Hansford, Depaoli, and Canelo (2019) use this approach to estimate the location of U.S. solicitors general in the Court's legal policy space.

[6] An alternative approach to the missingness issue is to focus on one organized interest at a time and only include cases in which the interest filed a brief. This approach is used by Fischman (2015) in his examination of the National Association of Criminal Defense Lawyers and U.S. Chamber of Commerce.

Appendix.[7] We use the same informative priors for a handful of the justices that Martin and Quinn (2002, 147) use.[8] We use diffuse priors for the rest of the justices and for all of the organized interests.

We assume here that the ideal points of the justices and organized interests are fixed. This is primarily a practical choice driven by the fact that the model we ultimately employ does not allow for dynamic ideal point estimation and the relative sparsity of data for most of the organized interests.[9] The estimation of static ideal points should not be viewed as too limiting. For the justices, Martin and Quinn (2002) show that a static model actually fits quite well. We

[7] While for the reasons articulated above we view the Rosas, Shomer, and Haptonstahl (2015) model as superior for our application, we also estimated the ideal points of the organized interests and justices using a traditional IRT model in which it is assumed that missing votes are missing-at-random. The two sets of ideal points correlate at $r = .742$.

[8] Harlan, Douglas, Marshall, Brennan, Frankfurter, Fortas, Rehnquist, Scalia, and Thomas have prior means of 1.0, -3.0, -2.0, -2.0, 1.0, -1.0, 2.0, 2.5, and 2.5, respectively. Their prior variances are set to 0.1. All other justices have diffuse priors with the prior mean set at 0 and the prior variance set at 1.0.

[9] For the 600 organized interests we include in our analysis (i.e., the 600 most active interests at the Court during the 1953-2013 terms), the average number of amicus brief "votes" per Court term is 0.79. Only one organized interest – the ACLU – averages more than 10 votes per term. Only eight other interests average five or more votes per term. Thus even using a low minimum vote threshold of five votes per term would lead us to estimate dynamic ideal points for 591 fewer organized interests and to ignore the non-random nature of missing votes.

also believe that it is theoretically reasonable to treat the location of organized interests as fixed over time. Citizens for Law and Order, for instance, can be expected to remain consistently pro-law and order over time. Chevron will remain opposed to environmental regulation, and so on.

Furthermore, a recent effort to estimate ideal points for organized interests in congressional policy space treats these ideal points as static and notes that a comparison with dynamic estimates reveals that they are "substantively identical" (Crosson, Furnas, and Lorenz 2020, 1121, footnote 5). These researchers work with a shorter time frame than we are (12 versus 61 years), but this is nonetheless evidence supportive of the relatively fixed nature of organized interest ideal points. McKay (2008) also maps the ideological positions of interest groups in congressional policy space and these annual scores are again relatively consistent over time.[10] In short, the assumption that organized interest ideal points do not change over time should not be cause for too much concern.

Data

To construct the necessary dataset, we begin with the Supreme Court Database and identify all of the orally argued Supreme Court cases from the 1953 through 2013 Court Terms.[11] Using this same data source, we identify the justices who voted in each of these cases and code each vote as a vote to affirm or a vote to reverse the lower court. The votes of the organized interests are derived from their amicus curiae filings on the merits in this same set of cases. We

[10] Nine of the groups in her data have scores for all ten years in her time frame and plotting these scores over time reveals that these positions are quite static (see Figure A1 in the Online Appendix).

[11] See http://scdb.wustl.edu/.

gather data on amicus curiae briefs through an exhaustive search of multiple sources; Lexis, *Briefs and Records of the United States Supreme Court*, and Gale's *The Making of Modern Law: U.S. Supreme Court Records and Briefs, 1832-1978*. For each amicus brief, we identify the names of all the amici who signed the brief and the position taken by the brief.[12] Each signer of a brief is considered as voting on the case. Since we are interested here in estimating the ideal points of organized interests, we remove amicus votes cast by individuals, the United States, and subnational governments.

The next step involves accounting for any over-time changes to the names of amicus-filing organized interests. For example, Legal Momentum used to be called NOW Legal Defense and Education Fund. When such a name change has occurred, we code the votes as having been cast by the same organized interest and use the contemporary name. Legal Momentum and NOW LDEF are thus treated as a single organized interest. When an

[12] To identify the position expressed by a brief, we consult the cover page, summary of argument, and concluding statement. The cover page provides sufficient information to code the position for the vast majority of briefs. Some briefs have cover pages that do not provide a clear statement about the position or explicitly claim to support neither party. Many of these briefs, though, articulate a clear position in the summary of the argument and/or concluding statement and we rely on this information when the cover page is unclear. We are ultimately able to identify the position taken in 97.4% of the briefs in our data. The remaining 2.6% of the briefs cannot be coded as clearly advocating for reversal or affirmance, even after examining the summary of argument and concluding statement. We treat these ambiguous or neutral briefs as equivalent to abstentions.

organization (or corporation) is formed by the merger of two or more entities, we err on the side of caution and treat the new organization as distinct from the previous entities. Thus, we consider the American Federation of Labor, Congress of Industrial Organizations, and AFL-CIO as three distinct organized interests in our data. A brief filed by the American Federation of Labor before the 1955 merger is not considered as a vote cast by the AFL-CIO.

Once we have defined the identities of the organized interests in the manner described above, we discard all the organized interests that cast fewer than 10 votes during the 1953-2013 Court terms.[13] This leaves us with 600 organized interests for which we estimate ideal points in the Court's legal policy space. These interests include a variety of public interest groups, (e.g., Public Citizen), legally-focused advocacy organizations (e.g., Washington Legal Foundation), professional associations (e.g., American Psychological Association), business associations (e.g., American Chemistry Council), corporations (e.g., Hearst Corporation), labor unions (e.g., AFSCME), and government associations (e.g., National League of Cities).

[13] The setting of 10 "votes" as the minimum is necessarily somewhat arbitrary. Efforts to estimate organized interest ideal points in other contexts do not establish a clear precedent for us to follow, as different studies use quite different cut-offs for the minimum number of votes. For example, Bonica (2013) uses a minimum of 30 votes while Crosson, Furnas, and Lorenz (2020) set their minimum at five. Our use of a 10-vote threshold thus falls within the range defined by recent scholarship. An alternative approach would be to include all the interests, regardless of their number of votes, and utilize Bailey's (2001) random effects ideal point model for small numbers of votes. The potential downside to this approach, though, is that it is not clear how to then handle the missing data issue for the organized interests.

The amicus-based "votes" of these organized interests are coded identically to those of the justices. If an organized interest is in existence when the case was decided but does not sign onto an amicus brief in the case, then this missing vote is not assumed to be missing-at-random and is instead treated as an "abstention" caused by a combination of relative spatial indifference and the size of the interest's abstention parameter (i.e., baseline propensity to not file amicus briefs). If the organized interest did not exist when the case was decided, then this missing vote is treated as missing at random, which is identical to how justices are handled when they fail to vote in a case due to the fact that they were not on the Court during the term in question.

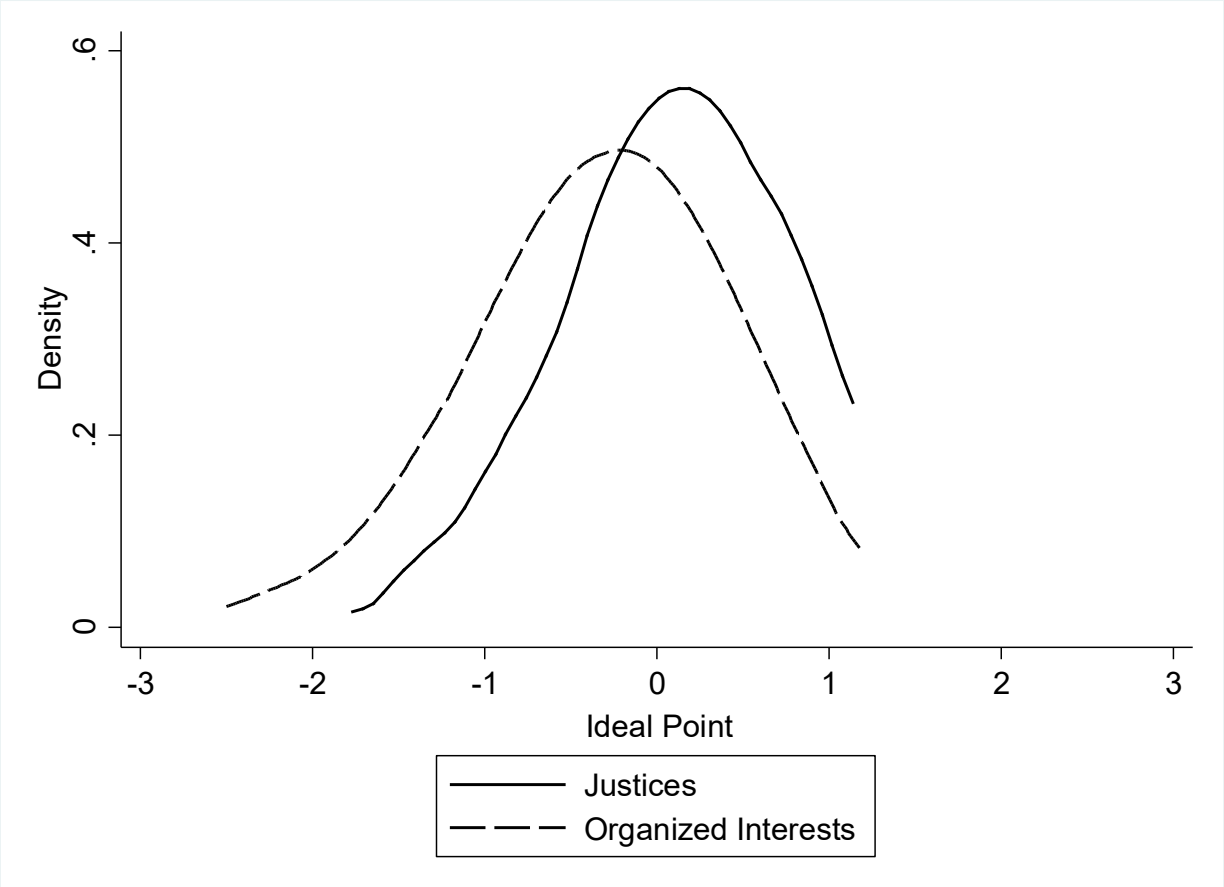
For our IRT model, we include the votes of the justices and above-described organized interests in all the orally-argued Supreme Court cases from the 1953 through 2013 Court Terms. The only cases excluded from our estimation are those for which all the participating justices and all the amicus brief-based votes are in the same direction (i.e., are unanimous) or for which the Supreme Court Database does not provide a clear outcome (e.g., reverse in part and affirm in part).

Results

Figure 1 presents the distribution of estimated ideal points, which we call Amici Space estimates, for the 600 included organized interests and the justices. There are a few interesting implications of the distributions of these ideal points. First, the center of the distribution of organized interest ideal points is slightly to the left of the justices. Some scholars contend that the organized interests involved at the Court may skew in favor of relatively conservative interests (see Collins 2018, 229), but if anything, the opposite is true. Second, organized interests are not necessarily extremists when compared with the justices (c.f., Dunworth, Fischman, and Ho 2009). This is an interesting descriptive result, in and of itself, and it

dovetails with Bonica's (2013) finding that political action committees (PACs) are more moderate than previously thought. The organized interests that participate at the Court through the filing of amicus briefs are not as polarized as one might expect. The flip side of this result is that the Amici Space estimates for the justices essentially span the same range as those of organized interests, which might be interpreted as an indication of the political, policy, or spatially-motivated nature of their expressed positions on the Court.

Figure 1. Distributions of Amici Space ideal point estimates

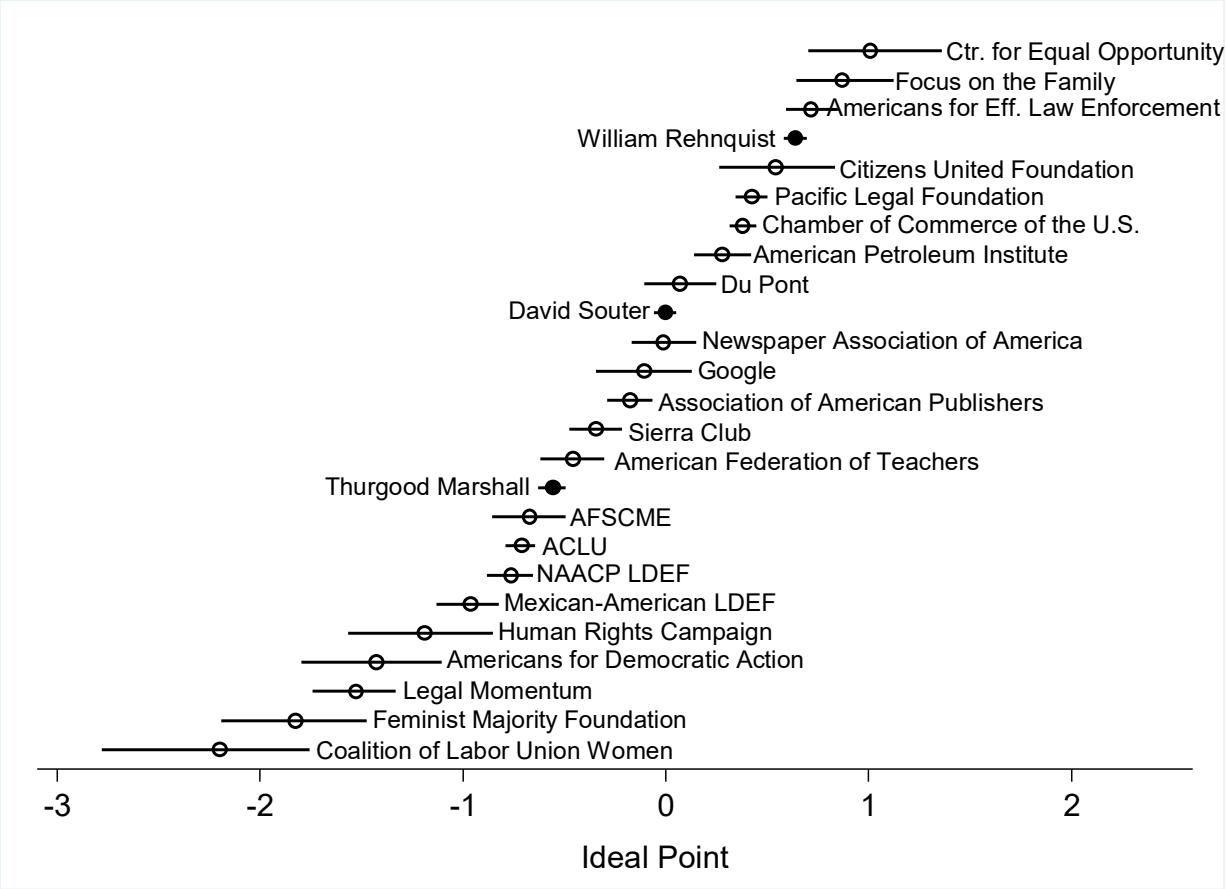


Note: Kernel density plots of ideal points.

To both further illustrate the Amici Space estimates as well as tentatively consider their face validity, the estimates of a select set of interests and a few justices are depicted in Figure 2. We also present the 95% credible intervals for these point estimates, which is the Bayesian

approach to measuring the uncertainty surrounding point estimates. A 95% credible interval is the central range of the posterior distribution that contains 95% of the ideal points for a given actor. It can be interpreted as meaning that there is a 95% chance of the ideal point falling within the interval.

Figure 2. Ideal points of select interests and justices



Note: Amici Space ideal point estimates (and 95% credible intervals) for select organized interests (indicated with hollow circles) and justices (indicated with solid circles).

Two immediate features of these estimates are apparent. First, most of these ideal point estimates match informal expectations. Justice Marshall's ideal point is to the left of Justice Souter's, while Chief Justice Rehnquist's is to the right. Similarly, feminist organizations and other civil rights groups are on the left end of this policy space and socially conservative groups

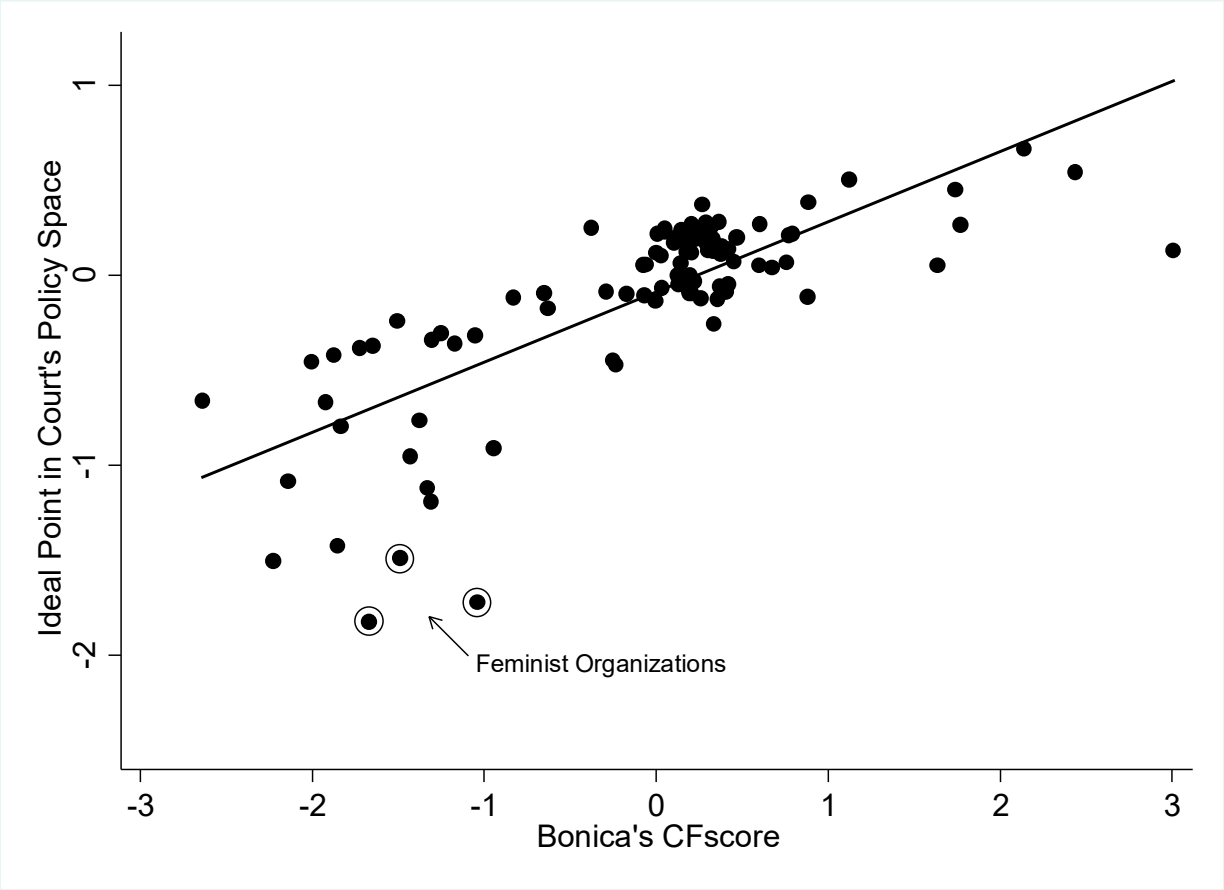
such as Focus on the Family are towards the right end. Second, even for the organized interests the ideal point estimates are quite precise and have relatively narrow 95% credible intervals.

The corporations and business associations displayed vary a fair amount in terms of their locations, ranging from relatively moderate (e.g., Google) to conservative (e.g., the Chamber of Commerce). It is also instructive to consider the organized interests that are close to the justices included in this figure. Justice Marshall's credible interval overlaps with those for a pair of labor unions (AFCSCME and American Federation of Teachers), for example, but is slightly to the right of the intervals for two prominent liberal interests - the ACLU and the NAACP's Legal Defense and Education Fund. Justice Souter's credible interval overlaps with those for the Newspaper Association of America and Google. The credible interval for Chief Justice Rehnquist's ideal point is to the right of those for the Chamber of Commerce and Pacific Legal Foundation, two conservative interests that are quite active at the Court.

To provide a more systematic assessment of the validity of our Amici Space estimates for organized interests, we compare them with the ideal points obtained by Bonica (2013) when using PAC contributions to estimate the location of interests in Congress' legislative policy space (CFscores). Of the 600 organized interests in our data, 101 also appear in Bonica's data.[14] Figure 3 presents a scatter plot of the locations of these interests in Bonica's legislative policy space and our legal policy space. We also plot the OLS regression line that best fits these data.

[14] The United Steelworkers of America appears in both our data and Bonica's, but we do not include it here as it has two very different CFscores (one of which is a substantial outlier).

Figure 3. Comparing Amici Space ideal points with Bonica's CFscores



Note: Bonica's PAC-based CFscores are plotted on the x-axis while our Amici Space estimates are plotted on the y-axis. We also plot the OLS regression line for these two variables. The three circled datapoints are feminist organizations (Feminist Majority Foundation, National Organization for Women, and National Women's Political Caucus; from left to right along the x-axis).

This scatter plot reveals that there is a fairly robust, positive, linear relationship between the CFscores and Amici Space estimates (r = .762). We view this as a surprisingly strong relationship between the two sets of ideal point estimates, since they exist in different policy spaces (legal vs. legislative) and were obtained with very different data (amicus briefs vs. PAC contributions). As such, we believe this association is substantial evidence of the validity of our ideal point estimates for organized interests. The notable outliers here are the Feminist Majority Foundation, NOW, and the National Women's Political Caucus, which are amongst the most

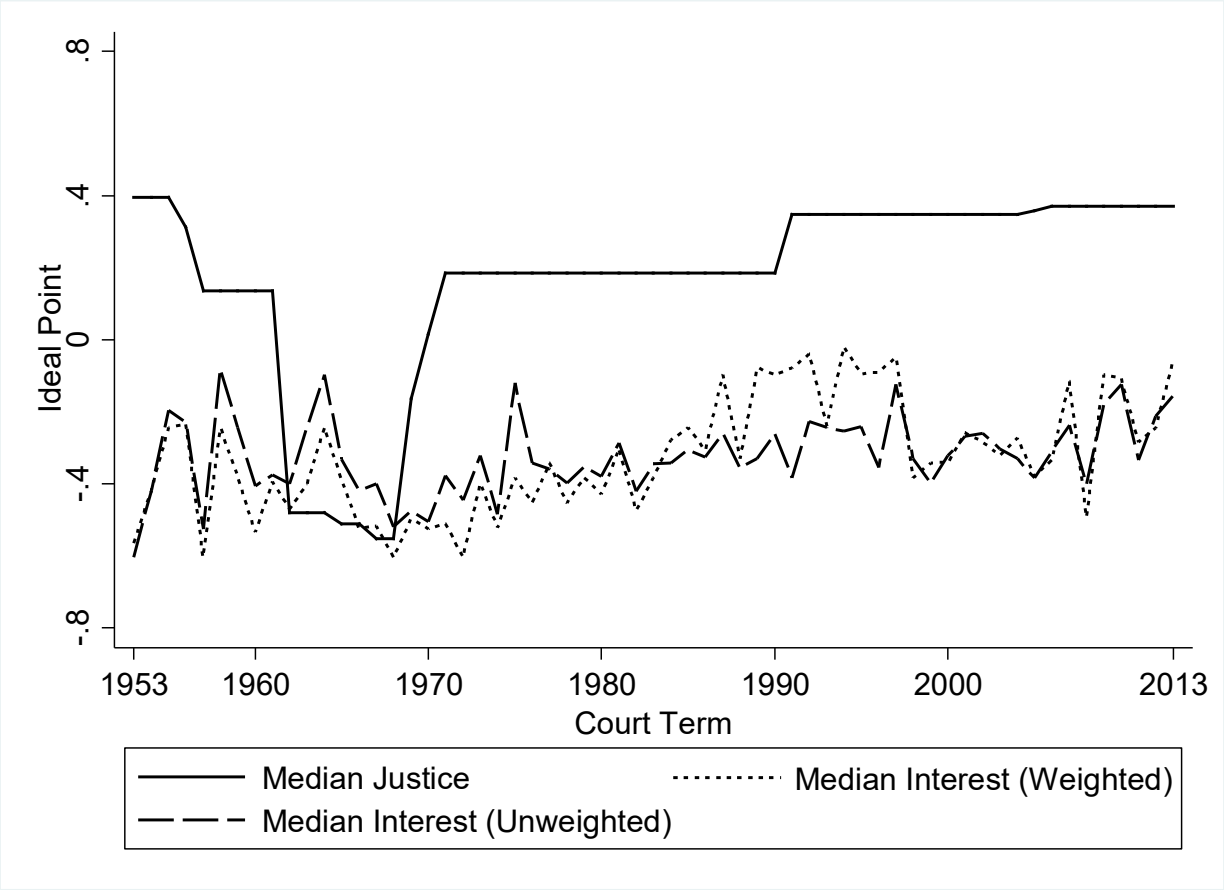
liberal organizations in the Court's legal policy space but are somewhat more moderate in legislative policy space. It could very well be the case that our estimates better capture these interests' sincere positions in policy space, as their PAC contributions may be influenced by both ideological considerations and candidate gender. That is, it is possible that the Feminist Majority Foundation's contributions go primarily towards female candidates, somewhat irrespective of their ideological orientation, which could moderate its legislative ideal point estimate somewhat.

Interest Representation at the Court over Time

With ideal point estimates for both organized interests and justices in the same legal policy space, researchers will be able to examine various questions of interest representation at the Court. To illustrate this point, we tentatively consider how the spatial location of amici has changed over time (from the 1953 through 2013 Court terms) and how these changes track with the location of the justices. Figure 4 displays the Amici Space locations of the median justice, the unweighted median amicus-filing organized interest, and the brief-weighted median interest. The former measure of the median interest depicts the median location of all the interests that filed an amicus brief in the given term. The latter indicates the median interest weighted by the number of times each interest filed an amicus brief in the term.

The median ideal point estimates for the justices are highly consistent with conventional wisdom. The median is most liberal during the 1960s and then moves rapidly towards a more conservative location at the end of that decade. There are three noteworthy features of the location of the median amicus-filing interest. First, with the exception of the 1960s the median organized interest is to the left of the median justice, ideologically speaking. On average, the weighted median interest is 0.49 units to the left of the median justice, which, to put it in perspective, is slightly greater than the distance between Justices Ginsburg and O'Connor.

Figure 4. Location of the median justice and median amicus, 1953-2013



Note: The unweighted median interest is the median of the organized interests that filed an amicus brief in the given term. The weighted median is weighted by the number of amicus briefs each interest filed in the given term

Second, the median interest did track in a more conservative direction during the 1970s and 1980s, which comports with the rise of conservative, Court-active interests discussed by O'Connor and Epstein (1983).

Third, it appears that, while there is typically a substantial gap between the median justice and the median interest, these medians might move together to some degree (r = .43 for the median justice and median weighted interest). This would imply that while there is typically a liberal bias to the amicus-provided information environment in which the justices operate, there may be some mechanism that links together the positions of the justices and the positions of the

organized interests active in a given Court term. We cannot at this point make any claims about the nature of such a mechanism, though other work suggests that organized interest advocacy activities are responsive to changes at the Court (Hansford 2004; Hansford and Johnson 2014). The relative lack of variation in the Court median during this time span, however, makes any comparison of trends difficult.

Issue-Specific Estimates

We have thus far proceeded under the typical assumption that the Supreme Court's legal policy space is unidimensional (e.g., Hammond, Bonneau, and Sheehan 2005; Martin and Quinn 2002). To assess of this assumption and examine whether there is meaningful variation in the ideal points of organized interests when the vote data are limited to specific issue areas, we use the Supreme Court Database's "Issue Area" variable to create four distinct subsets of Court cases: civil rights cases, criminal procedure cases, First Amendment cases, and economic cases. For each of these issue areas, we then identify the organized interests who filed a minimum of 10 amicus briefs. We also include the votes of the justices in these cases and use the Rosas, Shomer, and Haptonstahl (2015) model to estimate ideal points for both types of actors in each of these issue areas.

The Online Appendix presents these estimates, but the central takeaways are that: 1) the distributions of issue-specific ideal points are fairly similar to those obtained when all votes are pooled together and 2) the ideal points in the civil rights, criminal procedure, and First

Amendment domains match very closely with the ideal points estimated with all case types.[15] In the economic domain, issue-specific ideal points align closely with the pooled estimates with the exception of state and local government associations (e.g., the National League of Cities). These associations have liberal ideal points in economic cases and moderately conservative ideal points when all cases are considered. It could thus be said that the positions of government associations are not well captured by the same single dimension on which the justices and other organized interests can be placed. At the same time, though, it should be noted that it appears that all the other organized interests and the justices can be reasonably placed on the same single dimension on which we locate the justices.

Conclusion

Despite the long-standing scholarly interest in the incidence and implications of organized interest involvement at the Supreme Court, researchers have been limited by the inability to measure the locations of these actors in the Court's legal policy space. We combine amicus-based "votes" by organized interests and the votes of the justices with an IRT model to provide Amici Space estimates, which we believe are valid, useful estimates of the ideal points of active organized interests in the Court's legal policy space. Simply from a descriptive perspective, these estimates provide several interesting implications. While Court-active organized interests may trend liberal, they hold less extreme, polarized positions in legal policy space than perhaps previously thought (e.g., Dunworth, Fischman, and Ho 2009). Interestingly,

[15] Figures A2 and A3 of the Online Appendix provide the distributions of ideal point estimates and comparisons with the issue-pooled estimates, respectively. Figures A4-A7 present issue-specific ideal point estimates for select interests and justices.

these positions roughly track the position of the median justice over time. The ideal points of organized interests who are active at both the Court and in congressional campaigns are quite similar across both policy spaces, which suggests that, at least to organized interests, these policy domains are quite similar. Finally, the fairly strong associations between issue-specific and issue-pooled estimate suggest that it is not unreasonable to treat the Court's policy space as unidimensional.

Our hope is that these ideal points will be useful to those seeking to test spatial theories of interest involvement at the Court. For example, why do interests opt to expend resources lobbying the Supreme Court as opposed to another venue such as Congress (Cortner 1968; Hansford 2004; Holyoke 2003)? Theories attempting to explain the choice to engage in advocacy at the Court implicitly rely on spatial logic. It has been hypothesized that any given organized interest is more likely to lobby the Court when the interest and the Court are close to each other in legal policy space (e.g., Hansford 2004). Efforts to test this hypothesis have been hampered, however, by the inability to properly measure the policy distance between interests and the Court.

A related line of inquiry examines whether legal mobilization begets counter-mobilization (Epstein 1985; Hansford 2011; Solowiej and Collins 2009). This question has important implications for the representation of interests before the Court, as counter-mobilization means that over time information and arguments will be provided to the Court from opposing sources. Presumably, this balancing of interest representation ought to result in a better-informed, and perhaps more representative, policy making. It also implies that organized interests cannot expect to easily "capture" the Court. Again, however, scholars have had to test for the presence of counter-mobilization in a crude fashion, owing to the lack of a measure of the

ideal points of the involved interests. Extant tests must assume that all opposing positions on cases equally indicate the presence of interests on different ends of legal policy continuum. This vein of research can be advanced now that scholars can assess the responsiveness of interests on one end of the legal policy dimension to the advocacy activities of interests on the other.

Another important, implicated question is whether the advocacy efforts of organized interests have any effect on the Court's decisions and the hypotheses here often have a spatial component to them (e.g., Collins 2008; Manzi and Hall 2017). It should be noted that as with any vote-generated measure of ideal points, it would be circular and thus inappropriate to use these ideal points to explain votes on the merits (Ho and Quinn 2010). But, there are several possible applications for which votes on the merits would not be the dependent variable. Spriggs and Wahlbeck (1997), for example, seek to test whether the Court's majority opinions are more likely to incorporate the arguments made by ideologically proximate amici. Due to a lack of ideal points for organized interests, however, they have to assume that all briefs on one side of a case are either all equally liberal or equally conservative. This approach glosses over a good deal of variation in the types of interest and brief that may be taking the same overall position in a particular case. With more precise locations for the organized interests filing the briefs, tests of the conditional influence of amicus briefs can now utilize a finer-grained measure of preference proximity or distance between a justice and a brief. This may allow researchers to test whether opinion language is particularly influenced by briefs that adopt positions that are apparently counter to the filing interest's spatial location (see Calvert 1985). Finally, these ideal points may also allow researchers to test whether amicus briefs filed by heterogeneous coalitions of organized interests are more effective than those filed by a homogenous set of interests (Canelo 2020; Goelzhauser and Vouvalis 2015; Swenson 2016).

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