

# The Effect of State Supreme Court Selection Method on Perceptions of the U.S. Supreme Court: Online Appendix

This is the online appendix for:

Hansford, Thomas G., Eddie Lucero, Chanita Intawan, and Ricardo Robles. N.d. “The Effect of State Supreme Court Selection Method on Perceptions of the U.S. Supreme Court.”  
Forthcoming, *Journal of Law and Courts*.

## Contents:

Table A1. Models of implicit perceptions of the U.S. Supreme Court as a political institution	1
Table A2. Model of implicit perceptions of the U.S. Supreme Court as a political institution, alternative measure of Knowledge	2
Table A3. Models of implicit perceptions of the U.S. Supreme Court as a political institution, including lower court selection	3
Table A4. Models of implicit perceptions of the U.S. Supreme Court as a political institution, including measures of electoral competitiveness	4
Table A5. Participant knowledge of state supreme court selection system	5
Table A6. Model of explicit perceptions of the U.S. Supreme Court as a political institution, using beliefs about judicial selection	6
Court knowledge questions included in the 2020 Prolific survey	7-8
Table A7. Model of explicit perceptions of the U.S. Supreme Court as political, with state court prime	9
Table A8. Model of explicit perceptions of the USSC as political, as a function of perceptions of state supreme court	10
References	11

**Table A1. Models of implicit perceptions of the U.S. Supreme Court as political**

Independent Variable	Model1	Model 2
Elections	.162* (.087)	---
Elections × Knowledge	-.073* (.038)	---
Political Selection Process	---	.085* (.045)
Political Selection Process × Knowledge	---	-.039* (.019)
Knowledge	.008 (.023)	.032 (.032)
Ideology	-.011 (.012)	-.009 (.012)
Party ID	.004 (.010)	.003 (.010)
Education	.004 (.010)	.003 (.010)
Income	.002 (.005)	.003 (.005)
White	-.003 (.031)	-.001 (.030)
Female	-.008 (.024)	-.010 (.024)
Age	.001 (.001)	.001 (.001)
Constant	-.152 (.094)	-.203 (.118)
N	666	666
F	3.64*	5.17*
R <sup>2</sup>	.028	.029

\*  $p \leq .05$  (one-tailed test for hypothesized effects). \*\*  $p \leq .05$  (two-tailed test for control variables). Cell entries are OLS coefficient estimates (and robust standard errors clustered on states). Models also include dummy variables indicating non-response to the ideology and income questions. *Political Selection Process* is measured on a four-point scale (0 = appointment, 1 = Missouri plan, 2 = non-partisan elections, 3 = partisan elections).

**Table A2. Model of implicit perceptions of the U.S. Supreme Court as a political institution, alternative measure of Knowledge**

Independent Variable	Estimate (Robust Standard Error)
Elections	.098* (.051)
Elections $\times$ Knowledge of Selection	-.134* (.069)
Knowledge of Selection	.035 (.045)
Ideology	-.012 (.012)
Party ID	.006 (.009)
Education	.001 (.010)
Income	.002 (.005)
White	-.005 (.030)
Female	-.003 (.024)
Age	.001 (.001)
Constant	-.142 (.076)
N	666
F	2.14*
R <sup>2</sup>	.020

\*  $p \leq .05$  (one-tailed test for hypothesized effects). \*\*  $p \leq .05$  (two-tailed test for control variables). Cell entries are OLS estimates (and robust standard errors clustered on states). Models also include dummy variables indicating non-response to the ideology and income questions. *Knowledge of Selection* is a dummy variable equaling one if the participant correctly answered a question about how U.S. Supreme Court justices are selected.

**Table A3. Models of implicit perceptions of the U.S. Supreme Court as a political institution, including lower court selection**

Independent Variable	Estimate (Robust Standard Error)
Elections	.186* (.089)
Elections × Knowledge	-.090* (.040)
Lower Court Elections	-.096 (.119)
Lower Court Elections × Knowledge	.059 (.051)
Knowledge	-.034 (.043)
Ideology	-.011 (.013)
Party ID	.005 (.010)
Education	.003 (.010)
Income	.003 (.005)
White	-.002 (.031)
Female	-.008 (.024)
Age	.001 (.001)
Constant	-.081 (.128)
N	666
F	4.06*
R <sup>2</sup>	.033

\*  $p \leq .05$  (one-tailed test for hypothesized effects). \*\*  $p \leq .05$  (two-tailed test for control variables). Cell entries are OLS estimates (and robust standard errors clustered on states). Models also include dummy variables indicating non-response to the ideology and income questions. *Elections* equals one if the relevant state supreme court's justices are elected and *Lower Court Elections* equals one if there are elections for any lower courts in the participant's state.

**Table A4. Models of implicit perceptions of the U.S. Supreme Court as a political institution, including measures of electoral competitiveness**

Independent Variable	Model 1	Model 2
Elections	.159* (.088)	.164* (.090)
Elections $\times$ Knowledge	-.073* (.038)	-.073* (.038)
Knowledge	.008 (.023)	.008 (.023)
2012 Electoral Competitiveness	.048 (.105)	---
2016 Electoral Competitiveness	---	-.021 (.096)
N	666	666
F	3.42*	3.66*
R <sup>2</sup>	.028	.028

\*  $p \leq .05$  (one-tailed test for hypothesized effects). \*\*  $p \leq .05$  (two-tailed test for control variables). Cell entries are OLS estimates (and robust standard errors clustered on states). *Electoral Competitiveness* is Fraga and Hersh's (2011) measure of state-level competitiveness in the presidential election. This measure relies on the two-party vote share and can range from 0 to 1 (maximum competitiveness). Models also include *Ideology*, *Party ID*, *White*, *Female*, *Age*, *Income*, and dummy variables indicating non-response to the ideology and income questions.

**Table A5. Participant knowledge of state supreme court selection system**

	Justices are elected	Justices are appointed	Totals
Thinks justices are elected	167 (17.1%)	74 (7.6%)	241 (24.7%)
Thinks justices are appointed	167 (17.1%)	260 (26.7%)	427 (43.8%)
Other	2 (0.2%)	1 (0.1%)	3 (0.3%)
Doesn't know	143 (14.7%)	161 (16.5%)	304 (31.2%)
Totals	479 (49.1%)	496 (50.9%)	975 (100.0%)

Note: Participants are placed in the “Justices are elected” column if their state supreme court is selected through either partisan or nonpartisan elections. Participants are placed in the “Justices are appointed” column if their state supreme court is selected through gubernatorial appointment, legislative appointment, or merit selection program.

**Table A6. Model of explicit perceptions of the U.S. Supreme Court as a political institution, using beliefs about judicial selection**

Independent Variable	Estimate (Clustered Standard Error)
Elections Beliefs	-.251 (.193)
Elections Beliefs $\times$ Knowledge	.049 (.031)
Knowledge	-.001 (.029)
State Court Prime	-.072 (.141)
State Court Prime $\times$ Elections Beliefs	.298 (.273)
State Court Prime $\times$ Elections Beliefs $\times$ Knowledge	-.072* (.040)
State Court Prime $\times$ Knowledge	.026 (.027)
Ideology	-.085** (.022)
Party ID	-.038** (.019)
Education	.001 (.022)
Income	-.008 (.015)
White	-.080 (.049)
Female	-.112** (.044)
Age	.009 (.024)
Constant	.004 (.122)
N	975
F	9.64*
R <sup>2</sup>	.091

\*  $p \leq .05$  (one-tailed test for hypothesized effects). \*\*  $p \leq .05$  (two-tailed test for control variables). Cell entries are OLS estimates (and robust standard errors clustered on states). Model also includes dummy variable indicating non-response to the income question. *Elections Belief* indicates the participant reports believing that their state supreme court is selected through contestable elections.

### **Court Knowledge Questions Included in the 2020 Prolific Survey**

Can your state supreme court declare an act of the state legislature to be unconstitutional?

1. Yes, the court can declare an act to be unconstitutional
2. No, the court cannot declare an act to be unconstitutional
3. Don't know

How are your state's supreme court judges/justices selected in the first place?

1. They are elected by the public
2. They are appointed by the governor
3. They are appointed by the legislature
4. Other (text box)
5. Don't know

How do your state's supreme court judges/justices keep their jobs?

1. They are reelected by the public
2. They are reappointed by the governor
3. They are reappointed by the legislature
4. Other (text box)
5. Don't know

How many U.S. Circuit Courts of Appeals are there?

1. 3
2. 6
3. 9
4. 12
5. Don't know

How are U.S. Circuit Courts of Appeals judges selected?

1. Elected by the public
2. Appointed by a nonpartisan commission on the judiciary
3. Appointed by the president, with the consent of the Senate
4. Don't know

On the U.S. Supreme Court, who currently serves as Chief Justice?

1. Mike Pence
2. John Roberts
3. William Barr
4. Brett Kavanaugh
5. Don't know



Can the U.S. Supreme Court declare an act of Congress to be unconstitutional?

1. Yes, the court can declare an act to be unconstitutional
2. No, the court cannot declare an act to be unconstitutional
3. Don't know

How are U.S. Supreme Court justices selected?

1. Elected by the public
2. Appointed by a nonpartisan commission on the judiciary
3. Appointed by the president, with the consent of the Senate
4. Don't know

How long are the terms served by U.S. Supreme Court justices?

1. 4 years
2. 10 years
3. They serve a life term
4. Don't know

**Table A7. Model of explicit perceptions of the USSC as political, with state court prime**

Independent Variable	Estimate (Clustered Standard Error)
Elections	-.061 (.220)
Elections × Knowledge	.017 (.043)
Knowledge	.004 (.028)
State Court Prime	-.220 (.135)
State Court Prime × Elections	.507* (.246)
State Court Prime × Elections × Knowledge	-.079* (.042)
State Court Prime × Knowledge	.039 (.029)
Ideology	-.084** (.012)
Party ID	-.039** (.019)
Education	.003 (.022)
Income	-.008 (.014)
White	-.084 (.051)
Female	-.109** (.047)
Age	.007 (.023)
Constant	-.031 (.107)
N	975
F	9.50*
R <sup>2</sup>	.093

\*  $p \leq .05$  (one-tailed test for hypothesized effects). \*\*  $p \leq .05$  (two-tailed test for control variables). Model also includes dummy variable indicating non-response to the income question. Cell entries are OLS estimates (and robust standard errors clustered on states).

**Table A8. Model of explicit perceptions of the USSC as political, as a function of perceptions of state supreme court**

Independent Variable	Estimate (Clustered Standard Error)
Political State Supreme Court	.714* (.113)
Political State Supreme Court × Knowledge	-.044* (.021)
Knowledge	-.001 (.017)
State Court Prime	-.022 (.110)
State Court Prime × Political State Supreme Court	.016 (.208)
State Court Prime × Political State Supreme Court × Knowledge	.006 (.036)
State Court Prime × Knowledge	.039 (.029)
Ideology	-.063** (.018)
Party ID	-.028 (.016)
Education	.008 (.017)
Income	-.008 (.013)
White	-.037 (.036)
Female	-.109** (.043)
Age	.010 (.017)
Constant	-.012 (.090)
N	975
F	65.2*
R <sup>2</sup>	.345

\*  $p \leq .05$  (one-tailed test for hypothesized effects). \*\*  $p \leq .05$  (two-tailed test for control variables). Model also includes dummy variable indicating non-response to the income question. Cell entries are OLS estimates (and robust standard errors clustered on states).

## References

Fraga, Bernard L. and Eitan D. Hersh. 2011. "Voting Costs and Voter Turnout in Competitive Elections." *Quarterly Journal of Political Science* 5 (4): 339-356.