ELS Data Accessibility Project – Data Coding Instructions for Research Assistants
2023-07-10

Variable	Description	Coding Entry	Misc.
Article Background Info			
JournalName			These first few fields will be already present in the lists you receive. Please confirm the information.
Year			
Volume			
Issue			
Title			
Author			
ArticleLink			Try to obtain a link to the article on the law review or journal's website. If a link to the article is not available on the law review's website, instead try to find a public copy of the article. Do not link to the article on HeinOnline or any other location that requires an internet proxy to the University of Iowa to access.
subject1; subject2; subject3			Identify 1-3 subjects that the author discuses in the article. Article subject choices include: • Alternative dispute resolution, including Arbitration, Mediation, • Business Law, including Corporate Law; Antitrust Law; Stock Exchange; Bankruptcy; Commercial Law; Business Law; Securities • Civil Procedure, including Evidence • Civil Rights, including Civil Justice Access; Policing • Constitutional Law • Contract Law, including Government Contracts • Criminal Law • Employment Law, including Labor; Works Compensenation • Environmental Law, including Energy Law, Water Law • Family Law • Health Law • Immigration • Intellectual Property, including Arts & Entertainment; Sports Law; Public Domain • International Law, including Maritime Law, Admiralty Law • Judges and Judicial Decisionmaking, including Judiciary; Federal Judges; Judicial Decisionmaking; Judicial Nominations; Prosecutorial elections; Supreme Court • Law and Economics, including Game Theory • Law School, including Law School Admissions • Legal Scholarship • Privacy • Professional Responsibility, including Ethics • Property Law • Race and Gender, including Critical Legal Studies • Tax Law

			• Tort Law, including Insurance Law; Products Liability • Trusts and Estates • Other

Article Identification			
ArticleOrEssay	Is this an article/essay?	Yes No Maybe	This study only examines essays and articles. It does not encompass student notes or comments, review essays, tribute issues/festschrifts, or responses. An essay or article in a symposium issue is considered an essay or article for purposes of this study. "Features" and "Comments" that are written by professors – not student comments – are coded as articles/essays. "Lectures," Debates," and "Forwards" are not coded as articles/essays. "Lectures" are typically identified by the journal as a "lecture" and are characterized by relatively few footnotes. However, a paper that simply notes that it is based on a lecture can be an article or essay if it otherwise meets the criteria. Introductions to symposium volumes are generally not considered articles/essays, especially if they only introduce the articles in the volume.
Legal Study	Is the article a "legal" study	0 – No 1 – Yes	This field is used for articles in non-law journals. Articles in student-run law reviews are all considered "legal." We define a "legal" study broadly. A "legal" study is a study of the functioning and impact of legal systems. "Legal" studies encompass a wide range of subjects, including areas of law, law enforcement, courts, judicial decision-making, criminal justice, and law and society. A legal study may examine various legal and judicial issues relating to politics, process, policy, ethics, justice, and culture, as well as social phenomena such as evasions of law, resistance and defiance towards law, and alternatives to law in structuring social relations. It also may explore the judicial decision-making process, the relationship between law and power, the impact of law on human behavior, and the ways in which legal systems can be reformed and improved to better serve the needs of individuals and society. Legal studies may also use a legal institution as a component of the study, such as patents in a study of firm valuation. In contrast, a study that does not involve law in some form is not a "legal" study. Examples of studies that are not legal studies include studies of the political ideology of voters, studies of stock market valuations relative to commodity prices, and the sociology of scientific publication decisions. To constitute a legal study, there must be some component of law, the legal system, or a legal institution in the subject being studied, or the actors who operate within the system (including for example judges, attorneys, litigants, or amicus groups).
Empirical Study	Is this a substantive	Yes No	An article involves a substantive original empirical study or if a major component of the article is an original empirical study.

	original empirical study?	Maybe	"Empirical" means research based on observations of the world. An *original* empirical study is a study that the authors performed, as contrasted with simply reporting the results of someone else's study, as authors might do when reviewing previous studies or relying on studies conducted by others. Mini-empirical claims, such as a Westlaw query and count in a footnote, are not substantive empirical studies for this definition. The key hallmarks of an empirical study are (1) claims about the world based on the collection of data and (2) a systematic methodology for collecting and analyzing the data. Empirical studies may include both quantitative (such as census data, case counts, applying statistics) and qualitative approaches (such as surveys and interviews). For example, an original quantitative empirical study could be Boyd, Epstein, and Martin 2010 ("Untangling the Causal Effects of Sex on Judging") where they collected data on 8,895 Court of Appeals cases and coded the gender of the judge to determine whether female judges were more likely to vote for the party bring a sex discrimination claim. The article title might also be a giveaway such as the new article by Prescott and Starr (2020, Harvard Law Review) "Expungement of Criminal Convictions: An Empirical Study." The authors could also apply text analysis by hand coding the written words in a document, such as coding language in national constitutions for specificity (Elkins, Ginsburg, Melton 2004 "The Endurance of National Constitutions"). A detailed methodology section can also be an indicator. Empirical studies typically involve the creation of some form of dataset, either by direct collection of the data or combining or manipulating previous datasets in an original way so as to create a new set of data. Clarification An article that contains only mathematical modeling and does not use systematic observations about the real world in connection with the model is not considered an "empirical" study. In general, only select "maybe" if you are genuinely unsure of whether it is a substantive original empirical study.

Article Data Variables			
Qualitative	Is the empirical study purely qualitative?	0 – No 1 – Yes	A Qualitative study is something like an interview, in which the results are described but no numbers are used to describe the data. Only select "1 – Yes" if the study only contains qualitative work.

SummaryStats	Does the empirical study employ summary statistics?	0 – No 1 – Yes	Summary statistics use numbers to describe or summarize the data. Examples include averages, means, medians, modes, per cents, tables or graphs of the data. A study that includes statistical analysis may also include summary statistics. For summary stats and statistical analysis, only code Yes when the article reports on data the authors themselves collected and analyzed. If the authors are merely reporting statistics from another work, code No.
StatisticalAnalysis	Does the empirical study employ statistical analysis?	0 – No 1 – Yes	Statistical analysis data often (1) test hypotheses (e.g., Is the population mean greater than or less than a particular value? Are the means of two or more populations different from each other?); (2) have confidence intervals (measure uncertainty of sample error such as margin of error in election polls); and/or (3) has regression analysis (analyzes the relationship between a set of independent variables and a dependent variable). Select this option (1 - Yes) if the study uses any sort of inferential statistical methods, even if it also uses descriptive statistics. Inferential data include: regressions (logit, OLS, etc.), ANOVA (analysis of variance), t-statistics, F-statistics, and difference of means. A results section that only reports percentages and compares them in the text isn't statistical analysis. It's just summarizing the data and using logic/reasoning to compare it. Statistical analysis employs statistical methods beyond descriptive statistics. Examples include standard errors, t-tests, regressions, and ANOVAs. See the codebook for a more extensive list.
DataAvail	Can you get the data without asking the author?	0 – No 1 – Yes 2 – Other Article	Does the article indicate that the final, compiled dataset is available somewhere? Do not code yes if the article merely describes the data sources or if the article only indicates that the data is available upon request to the author. The main issue that we talked about here is what to do if the article says that the data is from *another* article. Without checking that other article, isn't not possible to see whether the data is really available or not. We talked about whether this information would be better captured in the "datalocation" field, but decided that it was really a question of data availability in the first place. Based on that, our conclusion was that we should add another option to "dataavail": "2 - Other Article." In addition, if there is both qualitative data and quantitative data, and your coding would be different on the data availability for the two types, only address data availability for the quantitative data.
datalocation1; datalocation2	Where is the data located?	1 - Journal website	These categories are not mutually exclusive. Data can be located in one or more of these locations.

		2 - Other website 3 - Appendix	1 – This includes the journal website (e.g., https://ilr.law.uiowa.edu/), or any repository of data specifically for that journal (e.g. https://dataverse.harvard.edu/dataverse/nyulawreview). 2 – Is the data available on any other website? 3 – Is the data provided in an appendix? Only select this if the entire dataset used by the author is in the appendix. Do not select this if the appendix contains only summary statistics about the data. This does not include whether the data is available on request from the author. For that information, *see* AuthorData variable.
Datalink			Enter the website/URL of the data if you selected "1" or "2" for datalocation. You do not need to determine whether the link works. If the article does not indicate that the data is available somewhere, the fields relating to data availability (datalocation; Datalink) should be left blank.
AuthorData	Does the article indicate that the data is available from the author upon request?	0 - No 1 - Express invitation to request 2 - Express statement that data is on file with author 3 - NA	On the AuthorData field, we talked about the difference between an author saying something like "data on file with author" and "data available on request." The latter is an express invitation to contact the author for the data, while the former just tells us something that we assume to be true: the author has the data. So it makes sense to code AuthorData as "Yes" only when there's an express invitation to contact the author. However, saying the data is on file with the author leads to the inference that you should contact the author to get the data, and is different from saying nothing. It's more of a signal that you should contact the author than saying nothing at all.
Notes			Enter any notes, comments, or questions you may have.

Some tips for finding data in articles:

1. Check the article webpage
2. Start at the "star" footnote and footnote 1.
3. Skim the article, especially the footnotes.
4. Read the introduction and its footnotes.
5. Read the methodology section and beginning of results section, including the footnotes.
6. Conduct keyword searches. Suggested keyword searches:
    1. "on file"
    2. "on request" (also captures "upon request")
    3. "data set" or "dataset"
    4. "data available"
    5. "contact"
    6. "author"