Codebook

Political, Legal, Economic, and Social Inequality State Supreme Court Database
Version 5

Dataset Description

This dataset contains information on cases decided in the 50 state supreme courts between 1990 and 2015. The unit of analysis is the individual case.
N = 5886

These data were collected with support from the National Science Foundation and the Russell Sage Foundation:

Gibson, James L., and Michael J. Nelson. Co-Principal Investigators. "Testing Models of Representation and Institutional Design in State Courts' Consideration of Inequality." National Science Foundation, 2015-2020. Approximately $226,355. SES-1456568 and SES-1456580.

Gibson, James L., and Michael J. Nelson. Co-Principal Investigators. "Judging Inequality." Russell Sage Foundation. 2018-2021. Approximately $150,000. G-1962.

Case Identifiers

uniqueid
: Text. The unique identifier for the case in Year State Citation Issue format (e.g., 1990 Ala. Lexis 747Election Law)

lexiscite
: Text. The LexisNexis citation for each case

Case Issue

issue
: Categorical. The case issue area.

Election Law
Mandatory Arbitration
Employment at Will
Attorneys' Fees
Class Action
Damage Caps
School Finance
Collective Bargaining

Gay Rights

issuebig
Numeric. The case issue domain.

1 Minority rights
2 Rights of workers and employees
3 Access to justice institutions

Year and State

year
Numeric. The year the case was decided.

statealpha
Text. The state in which the case was decided.

Case Outcome

havewins
Numeric. Whether the have/upperdog party won.

0 Underdog wins, have party loses
1 Upperdog wins, have party wins

eqoutcome
Numeric. Whether the outcome was pro-equality.

0 Does not favor equality
1 Favors equality

haveequal
Numeric. Whether the have party seeks equality.

0 Seek inequality
1 Seeks equality

Lower Court Decision

eqbelow
Numeric. Whether the lower court decision favored equality.

0 Did not favor equality
.5 Mixed lower court decision
1 Favored equality

havebelow

Numeric. Whether the lower court decision favored the have/upperdog party.

0 Did not favor the have/upperdog party
.5 Mixed
1 Favored the have/upperdog party

majproc

Numeric. Whether the court decided the case on procedural grounds (standing, mootness, justiciability).

0 Yes
1 No

Parties

petpower

Numeric. How much power the petitioner has.

1 Poor individual
2 Minority person
3 Other natural person
4 Private organization, unions
5 Small businesses
6 Medium businesses
7 Large businesses, corporation
8 Local government, educational institutions
9 State government
10 Federal Government

resppower

Numeric. How much power the respondent has.

1 Poor individual
2 Minority person
3 Other natural person
4 Private organization, unions
5 Small businesses
6 Medium businesses
7 Large businesses, corporation
8 Local government, educational institutions

9 State government
10 Federal Government

pdiff

Numeric. The power differential between the petitioner and the respondent.

Ranges from -6 (respondent much more powerful than petitioner) to 6 (petitioner much more powerful than respondent)

petwins

Numeric. Whether the petitioner won the lawsuit.

0 Petitioner lost
1 Petitioner won

Court and State Details

cfscore

Numeric. The average Bonica and Woodruff (2014) cfscore ideology score for the judges who served on the court in the year of the decision. Supplemented with imputed scores for judges not in the Bonica/Woodruff dataset.

Source: Bonica, Adam, and Michael Woodruff. 2015. "A Common-Space Measure of State Supreme Court Ideology." *Journal of Law, Economics, and Organization* 31(3): 472-498.

retentiontype

Numeric. The method by which the judges are retained in the year of the decision.

0 No election
1 Partisan election
2 Nonpartisan election
3 Retention election

cwpo

Numeric. Caughey-Warshaw public opinion score for the state-year scaled from 0 to 1 such that higher values indicate higher liberalism. For cases involving the rights of minorities, including poor people, the value is the Caughey-Warshaw measure of social policy opinion; for cases involving access to justice institutions and the rights of workers, the value is the Caughey-Warshaw measure of economic policy opinion.

Source: Caughey, Devin, and Christopher Warshaw. 2018. "Policy Preferences and Policy Change: Dynamic Responsiveness in the American States, 1936- 2014." *American Political Science Review.* 112(2): 249-266.

fwineqop

Numeric. Franko-Witko inequality opinion score for the state-year scaled from 0 to 1 such that higher values indicate that a greater percentage of the population perceives the gap between the rich and the poor increasing.

Source: Franko, William, and Christopher Witko. 2018. *The New Economic Populism: How States Respond to Economic Inequality*. Oxford: Oxford University Press.

confed

Numeric. Whether the state in which the case was decided is one of the 11 Confederate states.

0 Not a Confederate state
1 Is a Confederate state

salary

Numeric. The associate justice salary in the state-year, rescaled from 0 to 1 such that higher values indicate larger salaries.

Source: *The Book of the States*, various years.

adjranney

Numeric. The Ranney index score for a state's political competitiveness. The index averages four indicators across a four-year time span: (a) the proportion of seats won by the Democratic party in the *lower* house of the legislature, (b) the proportion of seats won by the Democratic party in the *upper* house of the legislature, (c) the percentage of the vote received by the Democratic candidate for governor, and (d) the presence of unified Democratic government in a state's legislative and executive branches.

We make two adjustments to the standard measure. following the recommendations of Klarner (2013), we adjusted the fourth item in the index to be scored 0 for unified Republican control of state government, 1 for unified Democratic control of state government, and .5 for split control of state government. The traditional calculation of the measure lumps split control of state government and unified Republican control together as a single category, conflating two very different things. Second, using newspaper sources and official records of the Nebraska legislature, we were able to compute the partisanship of that state's ostensibly nonpartisan legislature. Due to the fact that the Nebraska legislature is also unicameral, the values for that state are a moving average of only three indicators (because there is no upper house of the legislature to include in the calculation). The variable is scaled from 0 to 1 such that higher values indicate higher levels of Democratic party dominance.

Sources:
Jordan, Marty P., and Matt Grossmann. 2020. *The Correlates of State Policy Project* v.2.1. East Lansing, MI: Institute for Public Policy and Social Research (IPPSR).

Klarner, Carl. 2013. *Other Scholars Competitiveness Measures.* Harvard Dataverse. Accessed August 18, 2020.

https://dataverse.harvard.edu/dataset.xhtml?persistentId=doi:10.7910/DVN/QSDYLH.

weight

Numeric. The weights associated with three issue domains.