# Codebook:
# U.S. Supreme Court Justices Database

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### General Information

1. This database contains information on all persons officially nominated to serve on the Supreme Court of the United States. It is not limited to those who successfully attained appointment, but it excludes persons whose nominations were not officially transmitted to the Senate for confirmation. E.g., Douglas Ginsburg, nominated by Ronald Reagan in 1987, is not included in this database because his nomination was withdrawn before its official submission to the Senate.

2. The project's website houses the database associated with this codebook. Excel, SPSS, and STATA versions are available.[1]

3. We plan to update the database as nominations occur. Check the website for updates.

4. Note that we are missing data for some variables for a handful of (mostly unsuccessful) nominees (typically denoted by a "999" entry in the database). Future releases will provide this information to the extent possible.

5. Unless otherwise indicated, we consulted the following sources to obtain information on the nominees: Rutkus and Bearden (2006); Epstein et al. (2007); American Council of Learned Societies (1999); Wilson and Fiske (1887); Johnson (1927); The National Cyclopaedia of American Biography (1891); Hall (1992); Reincke and Wilhelmi (1977); Chase (1976); McKay (1970); Spaeth (2006); the Federal Judicial Center's Federal Judges Biographical Database (available at: http://air.fjc.gov/); the Biographical Directory of the U.S. Congress; the U.S. National Archives and Records Administration; the U.S. Supreme Court's web site (http://www.supremecourtus.gov); and various biographies, published obituaries, state historical journals, confirmation hearings, and government directories.

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[1] http://epstein.law.northwestern.edu/research/justicesdata.html.

6. Please report any errors or problems to Lee Epstein, at `lee-epstein@northwestern.edu`. Please know, though, that a good deal of variation exists even among reputable sources. E.g., we consulted fifteen different sources to obtain the date of John Rutledge's death: three different dates were supported by three different sources. Widespread differences also exist for other variables (including the date of nomination) for some of the early nominees.

**Notes for Users**

1. The unit of analysis in the database is the nominee or appointee (in the case of a recess appointment). Accordingly, the same person could appear more than once. E.g., William Rehnquist who was nominated in 1971 (associate justice) and in 1986 (chief justice). We have incorporated a set of variables designed to help users to select the set of nominees most appropriate for their studies. See, in particular, variables 3 (`posit`), 4 (`recess`), 5 (`success`), 6 (`id`), and 7 (`analu`).

2. Unless otherwise indicated variables relating to a candidate's social background and personal attributes cover only his or her pre-nomination years. E.g., John Quincy Adams who served as President of the United States (1825-1829) after his nomination to the Court. Under variable 123 (`uspres1`), we do not record this service because it postdated Adams's nomination. For successful nominees, see variable 258 (`postdep`) which houses information on post-Court activities.

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## 1 name: Nominee's Full Name

*Coding notes:*

- This list includes all persons officially nominated to serve on the U.S. Supreme Court and sent to the Senate for confirmation and/or recess appointees; it is not limited to those who successfully attained appointment.
- Individuals could appear multiple times in the database. E.g., John Jay who was nominated and appointed in 1789 and nominated in 1800. Thomas Johnson is another example. He appears twice in the database, first as a recess appointee on August 5, 1791 and then as a nominee subject to Senate confirmation on October 31, 1971. For more information on recess appointments, see variable 4 (`recess`).
- This variable takes the form of Last Name, First Name, Middle Name or Initial (if any).

## 2 yrnom: Year of Nomination to the Court

*Coding notes:*

- In the case of recess appointments, we record here the year of the recess appointment. For more information on recess appointments, see variable 4 (`recess`).
- See variables 184 (`datenom`) through 233 (`withdraw`) for the full complement of data on nominations.

## 3 posit: Nominated for Chief or Associate Justice

0. Chief Justice
1. Associate Justice

*Coding note:*

- See variables 184 (`datenom`) through 233 (`withdraw`) for the full complement of data on nominations.

## 4 recess: Was this a Recess Appointment?

0. No, not a recess appointment
1. Yes, a recess appointment

*Coding notes:*

- In a recess appointment, the President makes a unilateral appointment when Congress is not in session. It is a temporary appointment because it expires at the end of the Senate's next session or when the President nominates the recess appointee (or another nominee) and the Senate confirms that person.

- Because all recess appointees were subsequently nominated to the Court, they appear at least twice in the database: as a recess appointment and as a nominee. Here we code as a recess appointment only the appointment, not the subsequent nomination. E.g., Thomas Johnson received a recess appointment on August 5, 1791. On October 31, 1791, President Washington nominated him to the Court and he was confirmed on November 7, 1791. We code Johnson's August 5th appointment as a recess appointment (for his recess appointment row, which is Johnson, variable 6 [`id`]=8). We do not code his subsequent nomination and confirmation (in October and November of 1791, respectively) as a recess appointment (for Johnson, variable 6 [`id`]=9). For more details, see variables 6 (`id`) and 7 (`analu`).

- We include all those who received a recess appointment even if the nominee did not take his seat until after the Senate confirmed him. Along these lines, some controversy exists over Oliver Wendell Holmes, Jr., who received a recess appointment on August 11, 1902 (but refused to give up his position on the Massachusetts high court until confirmed by the Senate) and whom President Taft subsequently nominated to the Court on December 2, 1902. For various reasons, some sources assert that Holmes did not receive a recess appointment. Other sources, including the Federal Judicial Center's biographical database (at: http://www.fjc.gov/public/home.nsf/hisj), however, identify Holmes as having received a recess appointment and we follow suit. On the other hand, we code neither Alfred Moore nor John Marshall Harlan (I) as a recess appointee. While they appeared on some early lists, virtually all contemporary scholars assert that were not recess appointees (and the Federal Judicial Center concurs). For more on these controversies, see Hartnett (2005) and Hogue (2004).

## 5 success: Did the Nominee Become a Justice or Chief Justice?

0. No: For whatever reason (e.g., failure to obtain Senate confirmation, withdrawal, death), the nominee did not take his or her seat on the Court.

1. Yes: Nominee took his or her seat on the Court

888. Not applicable: Recess appointment

*Coding note:*

- For more detailed information on the nominees' fate in the Senate and thereafter, see variables 229 (`senact`), 232 (`serve`), and 233 (`withdraw`).

- Keep in mind that a nominee may have eventually joined the Court. E.g., William Paterson, who appears in the database twice, was first nominated on February 27, 1793 but the nomination was withdrawn. Washington nominated him again on March 4, 1793, and Paterson was confirmed and took his seat on the Court. We code the first as 0 and the second as 1. For more details on nominations that appear more than once in the database, see variables 6 (`id`) and 7 (`analu`).

## 6 id: Unique Nomination Identification Number

1. Jay, John

2. Rutledge, John
3. Cushing, William
4. Harrison, Robert H.
5. Wilson, James
6. Blair, John, Jr.
7. Iredell, James
8. Johnson, Thomas
9. Johnson, Thomas
10. Paterson, William
11. Paterson, William
12. Rutledge, John
13. Rutledge, John
14. Cushing, William
15. Chase, Samuel
16. Ellsworth, Oliver
17. Washington, Bushrod
18. Washington, Bushrod
19. Moore, Alfred
20. Jay, John
21. Marshall, John
22. Johnson, William
23. Livingston, Henry Brockholst
24. Livingston, Henry Brockholst
25. Todd, Thomas
26. Lincoln, Levi
27. Walcott, Alexander
28. Adams, John Quincy
29. Duvall, Gabriel
30. Story, Joseph

31. Thompson, Smith
32. Thompson, Smith
33. Trimble, Robert
34. Crittenden, John
35. McClean, John
36. Baldwin, Henry
37. Wayne, James Moore
38. Taney, Roger Brooke
39. Taney, Roger Brooke
40. Barbour, Philip Pendleton
41. Smith, William
42. Catron, John
43. McKinley, John
44. McKinley, John
45. Daniel, Peter Vivian
46. Spencer, John C.
47. Walworth, Reuben H.
48. King, Edward
49. Spencer, John C.
50. Walworth, Reuben H.
51. Walworth, Reuben H.
52. King, Edward
53. Nelson, Samuel
54. Read, John M.
55. Woodward, George W.
56. Woodbury, Levi
57. Woodbury, Levi
58. Grier, Robert Cooper
59. Curtis, Benjamin Robbins

60. Curtis, Benjamin Robbins
61. Bradford, Edward A.
62. Badger, George E.
63. Micou, William C.
64. Campbell, John Archibald
65. Clifford, Nathan
66. Black, Jeremiah S.
67. Swayne, Noah Haynes
68. Miller, Samuel Freeman
69. Davis, David
70. Davis, David
71. Field, Stephen Johnson
72. Chase, Salmon Portland
73. Stanbery, Henry
74. Hoar, Ebenezer R.
75. Stanton, Edwin M.
76. Strong, William
77. Bradley, Joseph P.
78. Hunt, Ward
79. Williams, George H.
80. Cushing, Caleb
81. Waite, Morrison Remick
82. Harlan, John Marshall (I)
83. Woods, William Burnham
84. Matthews, Stanley
85. Matthews, Stanley
86. Gray, Horace
87. Conkling, Roscoe
88. Blatchford, Samuel

89. Lamar, Lucius Quintus Cincinnatus
90. Fuller, Melville Weston
91. Brewer, David Josiah
92. Brown, Henry Billings
93. Shiras, George, Jr.
94. Jackson, Howell Edmunds
95. Hornblower, William B.
96. Hornblower, William B.
97. Peckham, Wheeler H.
98. White, Edward Douglass
99. Peckham, Rufus Wheeler
100. McKenna, Joseph
101. Holmes, Oliver Wendell, Jr.
102. Holmes, Oliver Wendell, Jr.
103. Day, William Rufus
104. Moody, William Henry
105. Lurton, Horace Harmon
106. Hughes, Charles Evans
107. White, Edward Douglass
108. Van Devanter, Willis
109. Lamar, Joseph Rucker
110. Pitney, Mahlon
111. McReynolds, James Clark
112. Brandeis, Louis Dembitz
113. Clarke, John Hessin
114. Taft, William Howard
115. Sutherland, George
116. Butler, Pierce
117. Butler, Pierce

118. Sanford, Edward Terry
119. Stone, Harlan Fiske
120. Hughes, Charles Evans
121. Parker, John J.
122. Roberts, Owen Josephus
123. Cardozo, Benjamin Nathan
124. Black, Hugo Lafayette
125. Reed, Stanley Forman
126. Frankfurter, Felix
127. Douglas, William Orville
128. Murphy, Francis (Frank) William
129. Stone, Harlan Fiske
130. Byrnes, James Francis
131. Jackson, Robert Houghwout
132. Rutledge, Wiley Blount
133. Burton, Harold Hitz
134. Vinson, Fred Moore
135. Clark, Tom Campbell
136. Minton, Sherman
137. Warren, Earl
138. Warren, Earl
139. Harlan, John Marshall (II)
140. Harlan, John Marshall (II)
141. Brennan, William Joseph, Jr.
142. Brennan, William Joseph, Jr.
143. Whittaker, Charles Evans
144. Stewart, Potter
145. Stewart, Potter
146. White, Byron Raymond

147. Goldberg, Arthur Joseph
148. Fortas, Abe
149. Marshall, Thurgood
150. Fortas, Abe
151. Thornberry, Homer
152. Burger, Warren Earl
153. Haynsworth, Clement, Jr.
154. Carswell, G. Harrold
155. Blackmun, Harry Andrew
156. Powell, Lewis Franklin, Jr.
157. Rehnquist, William Hubbs
158. Stevens, John Paul
159. O'Connor, Sandra Day
160. Rehnquist, William Hubbs
161. Scalia, Antonin
162. Bork, Robert H.
163. Kennedy, Anthony McLeod
164. Souter, David H.
165. Thomas, Clarence
166. Ginsburg, Ruth Bader
167. Breyer, Stephen G.
168. Roberts, John G., Jr.
169. Roberts, John G., Jr.
170. Miers, Harriet E.
171. Alito, Samuel A., Jr.

*Coding notes:*

- These unique id numbers are in chronological order (based on the date of the nomination or recess appointment).

- Note that individuals nominated more than once (or receiving a recess appointment followed by a nomination) have distinct identification numbers. E.g., John Jay's unique id in 1789 is 1 and his unique id in 1800 (when he was nominated again) is 20; Bushrod Washington's unique id is 17 for his recess appointment on September 29, 1798 and 18 for his nomination on December 19, 1798. For more details, see variables 4 (`recess`) and 7 (`analu`).
- Refer to variable 7 (`analu`) for a discussion on how to account for these duplicate entries in particular types of analyses.

# 7 analu: Unit of Analysis

1. First record in chronological order by date of nomination (or, in the case of recess appointments, date of appointment) for all individuals in the database
2. Second record (in chronological order by date of nomination) for individuals in the database twice.
3. Third record for individuals in the database three times.

*Coding notes:*

- Of the 171 nominations (or recess appointments) included in this database, 30 appear more than once:
  - William J. Brennan, Jr. (listed two times)
  - Pierce Butler (listed two times)
  - Benjamin Curtis (listed two times)
  - William Cushing (listed two times)
  - David Davis (listed two times)
  - Abe Fortas (listed two times)
  - John M. Harlan II (listed two times)
  - Oliver Wendell Holmes, Jr. (listed two times)
  - William B. Hornblower (listed two times)
  - Charles Evans Hughes (listed two times)
  - John Jay (listed two times)
  - Thomas Johnson (listed two times)
  - Edward King (listed two times)
  - Henry B. Livingston (listed two times)
  - Stanley Matthews (listed two times)
  - John McKinley (listed two times)
  - William Paterson (listed two times)
  - William Hubbs Rehnquist (listed two times)
  - John G. Roberts, Jr. (listed two times)
  - John Rutledge (listed three times)

- John C. Spencer (listed two times)
- Potter Stewart (listed two times)
- Harlan Fiske Stone (listed two times)
- Roger Brooke Taney (listed two times)
- Smith Thompson (listed two times)
- Reuben Walworth (listed three times)
- Earl Warren (listed two times)
- Bushrod Washington (listed two times)
- Edward Douglass White (listed two times)
- Levi Woodbury (listed two times)

Because each nomination (or recess appointment) receives its own unique identification number (see variable 6 [`id`]), information on these individuals appears in the database twice (i.e., they each have two rows, or "records") or three times (i.e., they have three records). Individuals appear in the database twice because:

- their first "nomination" was a recess appointment and they were later nominated and confirmed (Brennan, Curtis, Davis, Holmes, Johnson, Livingtson, McKinley, Stewart, Thompson, Warren, Washington, Woodbury).
- their first nomination was unsuccessful (for any reason, including failure to take their seat) and their second nomination was successful (Butler, Matthews, Harlan, Paterson, Roberts, Taney);
- their first nomination was successful and their second nomination was unsuccessful (for any reason, including failure to take their seat) (Cushing, Fortas, Jay);
- both nominations were successful (Hughes, Rehnquist, Stone, White); *or*
- both nominations were unsuccessful (for any reason, including failure to take their seat) (Hornblower, King, Spencer).

Individuals who appear in the database three times are:

- John Rutledge. Successfully nominated and confirmed in 1789. Recess appointment in 1795; nominated and rejected by the Senate in 1795.
- Reuben Walworth. Unsucessfully nominated in March 1844, June 1844, and December 1844.

Information contained in all records for such individuals will be the same for many variables—especially those pertaining to their backgrounds and personal attributes (variables 11 [`birdate`] through 183 [`commsn2`]). But the information contained in at least one variable of the two records will differ (e.g. date of nomination or recess appointment).

- Investigators can use this `analu` variable—together with variables 3 (`posit`), 4 (`recess`), 5 (`success`), and 6 (`id`)—to help select the appropriate set of records on which to conduct analyses or from which to gather information. We encourage users to think carefully about this important step in the data analysis process and to make note of how they selected records for analysis.

## 8 seatid: Seat Identification Number

*Coding notes:*

- This number is composed of two digits. The first set represents the seat number and the second, the occupant number. E.g., we code the Chief Justice seat as 01 and the first occupant as 01. Under this scheme, John Jay (the first Chief Justice of the United States) receives a value of 01.01.
- We code this number based on individuals *nominated* for a given seat. So even individuals whose nominations were unsuccessful (see variable 5 [`success`]) receive a seat identification number. We do the same for recess appointments. E.g., Thomas Johnson is seat 02.02 at the time of his recess appointment in August 1791; his seat number is 02.03 at the time of his nomination in October 1791.
- Seat number 6 was temporarily abolished upon the death of Justice James Wayne in 1867 as part of a congressional strategy to remove any opportunity for President Andrew Johnson to appoint a justice to the Court. Shortly after Ulysses Grant captured the presidency, the Republican Congress reestablished the seat. (Grant successfully nominated Joseph Bradley to the seat after unsuccessfully nominating Ebenezer Hoar.) As part of the same strategy, Congress also abolished seat number 8, which had been held by James Catron until his death in 1865. The Catron seat was not reestablished.
- In 1863, Congress authorized a 10th seat in part to give President Abraham Lincoln the opportunity to nominate a justice who would support his Civil War policies. Lincoln successfully nominated Stephen J. Field to this new seat, and Field served on the Court until 1898. Although some commentators refer to Joseph McKenna (Field's successor) and McKenna's successors as occupants of seat number 8, we code McKenna and those who followed him as occupants of the 10th seat.

## 9 spaethid: Justice Identification Number Assigned by Spaeth

1. Marshall, Thurgood
2. Brennan, William Joseph, Jr.
3. White, Byron Raymond
4. Blackmun, Harry Andrew
5. Powell, Lewis Franklin, Jr.
6. Rehnquist, William Hubbs
7. Stevens, John Paul
8. O'Connor, Sandra Day
9. Scalia, Antonin
10. Kennedy, Anthony McLeod
11. Souter, David H.

12. Thomas, Clarence
13. Ginsburg, Ruth Bader
14. Breyer, Stephen G.
15. Whittaker, Charles Evans
16. Stewart, Potter
17. Warren, Earl
18. Goldberg, Arthur Joseph
19. Fortas, Abe
20. Frankfurter, Felix
21. Burger, Warren Earl
22. Douglas, William Orville
23. Black, Hugo Lafayette
24. Harlan, John Marshall (II)
25. Clark, Tom Campbell
26. Burton, Harold Hitz
27. Minton, Sherman
28. Reed, Stanley Forman
29. Jackson, Robert Houghwout

888. Not applicable: No Spaeth identification number

*Coding note:*

- This number corresponds to Harold J. Spaeth and Sara Benesh's "Justice Identification Number" variable, thereby enabling users to merge information in this database with their Justice-Centered Court databases.

*Data source:* Justice-Centered Court databases are available at:
http://www.as.uky.edu/polisci/ulmerproject/sctdata.htm.

## 10 zukid: Identification Number Assigned by Zuk et al.

888. Not applicable: No Zuk identification number

*Coding note:*

- This number corresponds to the Zuk et al. (1997) "seat no." variable, thereby enabling users to merge information in this database with their Attributes of United States Appeals Court Judges database.

*Data source:* The Attributes of United States Appeals Court Judges database is available at: http://www.as.uky.edu/polisci/ulmerproject/sctdata.htm.

## 11 birdate: Nominee's Date of Birth

999. Unclear or unknown

*Coding note:*

- This variable takes the form of month/date/year of birth.

## 12 biryear: Nominee's Year of Birth

*Coding note:*

- The year of John Catron's birth is unclear. Some scholars estimate it to have been as early as 1778; we code it as 1786.

## 13 birthcit: Nominee's Place of Birth—City/State or Country

999. Unclear or unknown

*Coding note:*

- See Appendix A for a list of cities/states, and associated values.

## 14 birthst: Nominee's Place of Birth—State or Country

999. Unclear or unknown

*Coding notes:*

- See Appendix B for a list of states/countries, and associated values.
- The state of John Catron's birth is unclear. We code it as Pennsylvania, but there is some evidence that it may have occurred in Virginia.

## 15 childcit: Nominee's Childhood Location—City/State or Country

999. Unclear or unknown

*Coding notes:*

- See Appendix A for a list of cities/states, and associated values.
- For nominees with more than one location, we record the first one listed in Epstein et al. (2007). Three fall under this category: Felix Frankfurter (Vienna, Austria and New York City, NY), Henry Livingston (New York City, NY and Elizabethtown, NJ), and Sandra Day O'Connor (El Paso, TX and S.E., AZ). For all three, we code the city listed first.

## 16 childst: Nominee's Childhood Location—State or Country

999. Unclear or unknown

*Coding notes:*

- See Appendix B for a list of states/countries, and associated values.
- For nominees with more than one location, we record the first one listed in Epstein et al. (2007). Three fall under this category: Felix Frankfurter (Austria and NY), Henry Livingston (NY and NJ), and Sandra Day O'Connor ( TX and AZ). For all three, we code the state/country listed first.

## 17 childsur: Nominee's Childhood Surroundings

1. Family farm
2. Rural
3. Small town
4. Small city
5. Urban (large/larger city)
6. Family plantation

999. Unclear or unknown

*Coding notes:*

- This variable refers to the general environment in which the nominee spent his or her formative years. In several cases, a nominee's family moved one or more times during the nominee's childhood. In such cases, we base our coding on the more prominent childhood experience.
- Note that the Epstein et al. (2007) lists Sandra Day O'Connor surroundings as Urban and Family Ranch. Here we code Urban.

## 18 famses: Nominee's Family Economic Status

1. Lower
2. Lower-middle
3. Middle
4. Upper-middle
5. Upper

999. Unclear or unknown

*Coding note:*

- This variable indicates the general socioeconomic status of the nominee's family during his or her childhood. The families of some of the nominees, especially in the earlier years of the nation, experienced major upward or downward shifts in their economic status. In such cases, we code the nominees according to that status that best describes the largest segment of their childhood.

## 19 famjud: Tradition of Judicial Service within Nominee's Family

0. No tradition of judicial service
1. Yes, tradition of judicial service

999. Unclear or unknown

*Coding note:*

- For judicial positions held by the nominees' fathers, see variables 27 (`fathpol`) and 28 (`fathpoln`).

## 20 nomrelig: Nominee's Religion

1. Baptist
2. Church of England
3. Congregationalist
4. Disciples of Christ
5. Dutch Reform
6. Episcopalian
7. Jewish
8. Lutheran
9. Methodist
10. Presbyterian
11. Protestant
12. Quaker
13. Roman Catholic
14. Unitarian

999. Unclear or unknown

*Coding notes:*

- For a number of nominees there is some confusion as to whether they belonged to the Presbyterian Church or the Episcopal Church. Both strains of Protestantism traditionally have attracted individuals from the upper socioeconomic groups. Here we code the affiliation most commonly cited in the literature, but some sources identify the nominee in the other church.
- Issues with specific nominees are as follows:
  - We code Joseph P. Bradley as Dutch Reform. Some sources claim that as an adult he affiliated with either the Lutheran or Presbyterian churches.
  - Robert Bork was raised a Presbyterian; he converted to Catholicism in 2003—long after his nomination and his resignation from the federal appellate bench. We code him as a Presbyterian.
  - We code James F. Byrnes as an Episcopalian. He converted from Roman Catholicism.
  - We code Nathan Clifford as a Unitarian. He converted from the Congregational Church.
  - We code Benjamin R. Curtis as an Episcopalian. He converted from Unitarianism.
  - Some sources claim that William Cushing became affiliated with the Unitarian faith. We code his affiliation as Congregational.
  - We code Felix Frankfurter as Jewish but his religious faith was largely agnostic.
  - We code John Jay as an Episcopalian. He was raised in the French Huguenot religious tradition.
  - We code John McLean as a Methodist. He converted from Presbyterianism.
  - Harriet Miers reportedly grew up in a Catholic family. But as an adult she affiliated with the evangelical wing of the Episcopal church. We code her as an Episcopalian.
  - We code George Shiras, Jr. as a Presbyterian, though he became an agnostic in his advanced years.
  - We code Joseph Story as a Unitarian, though some scholars claim he was a member of the Congregational Church.
  - Clarence Thomas was born into a Baptist family, but was raised by his grandparents as a Roman Catholic and studied for the Catholic priesthood. In his later adult years he regularly attended a charismatic Episcopal church but in 1996 returned to the Catholic church. We code him as a Roman Catholic.

## 21 natorig: Nominee's National Origin

1. African
2. Austrian
3. Dutch
4. English
5. English/Dutch
6. English/German
7. English/Irish

8. English/Scotch
9. English/Swiss
10. English/Welsh
11. French
12. French/Dutch
13. German
14. German/Romanian/Prussian/Polish
15. Irish
16. Italian
17. Russian
18. Scandinavian
19. Scotch
20. Scotch/Dutch
21. (empty)
22. Scotch/Irish
23. Scotch/ Irish/ German
24. Spanish
25. Swiss/German
26. Welsh/Dutch/Scotch/Irish
27. Welsh/ French Huguenot
28. English/Czech

999. Unclear or unknown

## 22 race: Nominee's Race

0. White
1. Black

## 23 gender: Nominee's gender

0. Male
1. Female

## 24 mothname: Name of Nominee's Mother

999. Unclear or unknown

*Coding notes:*

- This variable takes the form of Last Name (Pre-Marriage), First Name, Middle Name or Initial (if any).
- Issues with specific nominees are as follows:
  - Joseph R. Lamar was eight when his mother died. His father remarried two years later and moved the family to Augusta, Georgia. We code the name of his birth mother.
  - Samuel Nelson's mother is identified as Jean McArthur by some sources. We record her name as Jane McCarter.

## 25 fathname: Name of Nominee's Father

999. Unclear or unknown

*Coding notes:*

- This variable takes the form of Last Name, First Name, Middle Name or Initial (if any).
- Issues with specific nominees are as follows:
  - James F. Byrnes's father died several weeks before he was born.
  - Salmon P. Chase's father died when he was nine. He spent the rest of his childhood with an uncle in Ohio.
  - When Benjamin R. Curtis was five years old his father died at sea while on a voyage to Chile.
  - David Davis's father died before his birth. He was raised by his mother who remarried when Davis was five years old. We code the name of Davis's birth father.
  - William O. Douglas's father died when he was six. He was raised by his mother.
  - When Melville W. Fuller was still an infant, his mother won divorce from his father on grounds of adultery. His mother moved in with her father. When she remarried, the eleven-year old Fuller decided to remain with his grandfather. We code the name of Fuller's birth father.
  - Lucius Q. Lamar's father committed suicide when he was nine. He was raised by his mother with the help of other family members. We code the name of Lamar's birth father.
  - Joseph McKenna's father died when he was fifteen. McKenna, the eldest of six children, aided his mother in raising the family. We code the name of McKenna's birth father.
  - Noah H. Swayne's father died when he was four. He was raised by his mother. We code the name of his birth father.
  - When Clarence Thomas was a young child his father deserted the family. Shortly thereafter he went to live with his grandparents who played a major role in his upbringing. We code the name of his birth father.

- Thomas Todd's father died when he was an infant. His mother died several years later. Todd was entrusted to guardians until he reached maturity. We code the name of his birth father.
- Edward D. White's father died when he was was two. His mother remarried not long thereafter. White spent much of his childhood in boarding schools. We code the name of his birth father.

## 26 fathoccu: Primary Occupation of the Nominee's Father

1. Baker
2. Banker
3. Baptist minister
4. Blacksmith
5. Brewer
6. Businessman
7. Cabinetmaker
8. Carter
9. Club steward
10. Congregational minister
11. County jailer
12. Episcopal clergy
13. Farm owner
14. Farm worker
15. Farmer
16. Grain merchant
17. Grocer
18. Labor organizer
19. Landowner
20. Lawyer
21. Lumber and construction business
22. Lumber company
23. Manufacturer of tin plate

24. Merchant
25. Municipal clerk
26. Physician
27. Pioneer, settler
28. Plantation owner
29. Presbyterian minister
30. Professor
31. Purchasing officer
32. Railroad car mechanic
33. Railroad cargo inspector
34. Rancher
35. Sales
36. Ship captain
37. Shoemaker
38. Small farmer
39. Storekeeper
40. Tavern owner
41. Teacher
42. Tobacco planter
43. Weaver

999. Unclear or unknown

*Coding notes:*

- See variable 26 (`fathoccu`), under "Coding notes," for information on the nominees' fathers. Also note that David Davis's father died before his birth. He was raised by his mother who remarried when Davis was five years old. Davis's stepfather was a bookseller and stationer.
- We code here the first occupation listed in Epstein et al. (2007). The following had more than one occupation (indicates occupation[s] not coded).
  - Henry Baldwin's father (skilled craftsman)
  - Hugo L. Black's father (farmer)
  - Samuel Blatchford's father (banker)
  - Joseph P. Bradley's father (teacher)

  - William J. Brennan, Jr.'s father (brewery worker)
  - Henry Brown's father (manufacturer)
  - Warren E. Burger's father (small farmer, salesman)
  - John A. Campbell's father (teacher)
  - G. Harrold Carswell's father (publisher)
  - Caleb Cushing's father (shipmaster)
  - Oliver Ellsworth's father (captain, state militia)
  - Arthur J. Goldberg's father (peddler)
  - Robert C. Grier's father (farmer, teacher)
  - Oliver Wendell Holmes, Jr.'s father (poet, physician)
  - Robert H. Jackson's father (livery stable owner)
  - William Johnson's father (landowner)
  - Anthony Kennedy's father (lobbyist)
  - Joseph R. Lamar's father (Disciples of Christ minister)
  - Lucius Q.C. Lamar's father (lawyer)
  - Horace Lurton's father (Episcopal minister)
  - John Marshall's father (surveyor, land speculator)
  - John McClean's father (small farmer)
  - James C. McReynold's father (farmer)
  - William H. Moody's father (farmer)
  - William Paterson's father (merchant, real estate investor)
  - George Shiras, Jr.'s father (farmer)
  - George Sutherland's father (postman, prospector)
  - Roger B. Taney's father (plantation owner)
  - Robert Trimble's father (farmer)
  - Morrison Waite's father (farmer)
  - Edward D. White's father (lawyer)
  - William B. Woods' father (merchant)

- We do not include a variable identifying the mother's primary occupation because, during the historical period in which all but the most recent justices were reared, families tended to depend upon the father for financial support and mothers generally remained at home to administer the household and care for the children. Exceptions to this general rule are:
  - James F. Byrnes's mother supported the family as a dressmaker.
  - Benjamin R. Curtis's mother supported the family by running a boarding house and library.
  - Melville W. Fuller's mother supported herself and two children as a piano teacher.
  - Clarence Thomas's mother worked as a crab picker.
  - Thomas Todd's mother ran a boarding house.

## 27 fathpol: Political/Judicial Office Held by Nominee's Father

1. Attorney for public school district
2. City mayor
3. City trustee
4. Federal district court judge
5. Member of Congress
6. President of the United States of America
7. State attorney general
8. State chief justice
9. State governor
10. State judge
11. State legislator
12. State local official
13. State revenue collector
14. State director of legislative services

888. Not applicable: No political/judicial offices held by father

999. Unclear or unknown

*Coding notes:*

- See variable 26 (`fathoccu`), under "Coding notes," for information on the nominees' fathers.
- In some cases, the nominee's father held more than one office. Here, we record the first office listed in Epstein et al. (2007). To identify nominees whose father held more than one political/judicial office and to ascertain the number of offices held, see variable 28 (`fathpoln`).
- We do not include a variable identifying the mother's political/judicial office because, during the historical period in which all but the most recent justices were reared, politics was a sphere of activity almost exclusively reserved for men. There are no exceptions among the nominees' mothers.

## 28 fathpoln: Number of Political Offices Held by Nomi nee's Father

888. Not applicable: No political/judicial offices held by father

999. Unclear or unknown

*Coding note:*

- This variable records the total number of political/judicial offices held by the nominee's father. For more information, see variable 27 (`fathpol`).
- The following held a political/judicial office(s) not coded in variable 27 (`fathpol`).
  - John Quincy Adams' father (foreign minister, Vice President)
  - Jeremiah S. Black's father (state legislator, state judge)
  - John Blair, Jr's father (governor's council, acting governor)
  - G. Harrold Carswell's father (state secretary of state)
  - Roscoe Conkling's father (U.S. representative, U.S. Minister)
  - John J. Crittenden's father (state legislator)
  - John Marshall Harlan I's father (state secretary ofstate, U.S. representative)
  - Ebenezer Hoar's father (state legislator)
  - John Marshall's father (state legislator)
  - Rufus W. Peckhams' father (state district attorney, U.S. representative)
  - John Read's father (e.g., member of city council, city solicitor)
  - John Spencer's father (e.g., U.S. representative, state attorney general, state legislator, mayor)
  - Potter Stewart's father (state supreme court justice)
  - William H. Taft's father (U.S. secretary of war, U.S. attorney general)
  - Bushrod Washington's father (county judge)
  - Edward D. White's father (governor, U.S. representative)

## 29 undsch: Name of Nominee's Undergraduate Institution

888. Not applicable: No undergraduate education

999. Unclear or unknown

Otherwise, see Appendix D for a list of institutions and associated values.

*Coding notes:*

- Some nominees attended more than one institution. Here we record the last one listed attended. To locate nominees who attended more than one undergraduate institution and to ascertain the total number of institutions, see variable 32 (`undschn`).
- During earlier periods, some institutions had different names. For example, Columbia University was known as King's College and Princeton as the College of New Jersey. We code colleges and universities by the names used today.

## 30 undsta: Nominee's Undergraduate Status

1. Attended
2. Graduated

888. Not applicable: No undergraduate education

999. Unclear or unknown

*Coding notes:*

- Some nominees attended more than one institution. Here we record the status at the last one attended.
- In the earlier historical periods colleges and universities often "graduated" students without conferring degrees. In later periods graduates were given degrees (e.g, bachelor of arts, bachelor of science) indicating the course of studies taken. The historical data are not sufficiently reliable to make a distinction between "graduated with a degree" and "graduated without a degree."

## 31 unddat: Last Year at Undergraduate Institution

888. Not applicable: No undergraduate education

999. Unclear or unknown

*Coding notes:*

- Some nominees attended more than one institution. Here we record the year of the last attended.
- In the earlier historical periods an undergraduate education frequently took less time than the standard four-year curriculum of today.

## 32 undschn: Number of Undergraduate Institutions Attended by Nominee

888. Not applicable: No undergraduate education

999. Unclear or unknown

*Coding note:*

- This variable records the total number of undergraduate institutions attended by the nominee. For more information, see variable 29 (`undsch`).

## 33 gradsch: Name of Nominee's Graduate Institution

888. Not applicable: No graduate education

999. Unclear or unknown

Otherwise, see Appendix D for a list of institutions and associated values.

*Coding note:*

- Some nominees attended more than one institution. Here we record the last one listed in Epstein et al. (2007). To locate nominees who attended more than one graduate institution and to ascertain the total number of institutions, see variable 36 (`gradschn`).

## 34 gradsta: Nominee's Graduate Status

1. Attended (no degree)
2. Received M.A or M.S.
3. Marshall Scholar
4. Rhodes Scholar
5. Fellow
6. Received LL.M (after law school graduation)

888. Not applicable: No graduate education

999. Unclear or unknown

*Coding note:*

- Some nominees attended more than one institution; it also is the case that these are not mutually exclusive categories. Here we record the status at the last one attended.

## 35 graddat: Last Year at Graduate Institution

888. Not applicable: No graduate education

999. Unclear or unknown

*Coding note:*

- Some nominees attended more than one institution. Here we record the year of the last one attended.

## 36 gradschn: Number of Graduate Institutions Attended by Nominee

888. Not applicable: No graduate education

999. Unclear or unknown

*Coding note:*

- This variable records the total number of graduate institutions attended by the nominee. For more information, see variable 33 (`gradsch`).

## 37 lawsch: Name of Nominee's Law School

888. Not applicable: No law school education

999. Unclear or unknown

Otherwise, see Appendix D for a list of schools, and associated values.

*Coding notes:*

- Some nominees attended more than one law school. Here we record the last one attended. The one exception to this rule is Frank Murphy, who graduated from the University of Michigan School of Law in 1914, and then attended Lincoln's Inn (England) and Trinity College (Ireland) in 1919. We code the last law school as Michigan.
- To locate nominees who attended more than one law school and to ascertain the total number of schools, see variable 40 (`lawschn`).
- Two justices, Sherman Minton and Lewis F. Powell received LL.Ms after they graduated from law school. For purposes of variables 37 (`lawsch`) through 40 (`lawschn`) we do not code these as law degrees but rather as graduate degrees. For more information, see variable 34 (`gradsta`).
- During the early years of the nation's history it was common for lawyers to be trained by "reading the law" rather than attending law school. This was accomplished through self study or by serving as an apprentice under an experienced lawyer (see variables 41 [`read`] through 44 [`readn`]). Only in the more modern period have justices trained in a formal law school setting. Benjamin Curtis, appointed in 1851, was the first justice with an earned degree from an American law school.
- Edward D. White attended the University of Louisiana, which later became Tulane University. We identify his law school as Tulane.

## 38 lawsta: Nominee's Law School Status

1. Attended
2. Graduated

888. Not applicable: No law school education

999. Unclear or unknown

*Coding notes:*

- Some nominees attended more than one institution. Here we record the status at the last one attended.
- See variable 37 (`lawsch`), under "Coding notes," for more information on legal education.

## 39 lawdat: Nominee's Last Year at Law School

888. Not applicable: No law school education

999. Unclear or unknown

*Coding notes:*

- Some nominees attended more than one institution. Here we record the year of the last one listed in Epstein et al. (2007).
- See variable 37 (`lawsch`), under "Coding notes," for more information on legal education.

## 40 lawschn: Number of Law Schools Attended by Nominee

888. Not applicable: No law school education

999. Unclear or unknown

*Coding note:*

- This variable records the total number of law schools attended by the nominee. For more information, see variable 37 (`lawsch`).

## 41 read: Name of Mentor if Nominee Read the Law

888. Not applicable: Nominee did not read law

999. Unclear or unknown

*Coding notes:*

- Some nominees had more than one mentor. Here we record the name of the last one listed in Epstein et al. (2007). To identify nominees who had more than one mentor, see variable 44 (`readn`).
- This variable takes the form of Last Name, First Name, Middle Name or Initial (if any).
- During the early years of the nation's history it was common for lawyers to be trained by "reading the law" rather than attending law school. This was accomplished through self study or by serving as an apprentice under an experienced lawyer. Only in the more modern period have justices trained in a formal law school setting. Benjamin Curtis, appointed in 1851, was the first justice with an earned degree from an American law school.

## 42 readst: State Where Nominee Read the Law

888. Not applicable: Nominee did not read law

999. Unclear or unknown

Otherwise, see Appendix B for a list of states and associated values.

*Coding notes:*

- Some nominees had more than one mentor. Here we record the state of the last mentor listed in Epstein et al. (2007).
- See variable 41 (`read`), under "Coding notes," for more information on legal education. To identify nominees who had more than one mentor, see variable 44 (`readn`).
- If a nominee was self-taught, the name of the mentor is unknown, or the nominee was taught by local attorneys or family members (see variable 41 [`read`]), we code here the state in which the nominee learned the law.

## 43 readyr: Last Year Nominee Read the Law

888. Not applicable: Nominee did not read law

999. Unclear or unknown

*Coding notes:*

- Some nominees had more than one mentor We code the last year with the last mentor listed in Epstein et al. (2007).
- See variable 41 (`read`), under "Coding notes," for more information on legal education.
- If a nominee was self-taught, the name of the mentor is unknown, or the nominee was taught by local attorneys or family members (see variable 41 [`read`]), we code here the last year in which the nominee learned the law.

## 44 readn: Number of Mentors if Nominee Read the Law

1. One mentor
2. More than one mentor

777. Self taught

888. Not applicable: Nominee did not read law

999. Unclear or unknown

*Coding note:*

- This variable identifies the number of mentors if the nominee read the law. We code nominees whose mentors are listed as "family member," "local attorneys," "local lawyers," or who read the law at a specialized law firm as having more than one mentor. For more information, see variable 41 (`read`).

## 45 marryn: Number of Nominee's Marriages

0. Never married
1. 1 marriage
2. 2 marriages
3. 3 marriages
4. 4 marriages

999. Unclear or unknown

*Coding notes:*

- We include both pre- and post-nomination marriages.

## 46 spouse: Name of Nominee's Last Spouse

*Coding notes:*

- Some nominees had more than one spouse. See variable 45 (`marryn`). We code the name of the last spouse.
- This variable takes the form of Last Name (Pre-Marriage), First Name, Middle Name or Initial (if any).
- We include both pre- and post-nomination marriages.

## 47 marryr: Year of Nominee's Marriage to Last Spouse

888. Not appplicable: Never married

999. Unclear or unknown

*Coding notes:*

- Some nominees had more than one spouse. We code the year of marriage to the last spouse.
- John Campbell was married sometime during the 1830s, but the exact date of his marriage is unknown and we code it as such.
- We include both pre- and post-nomination marriages.

## 48 child: Number of Nominee's Children

888. Never married

999. Unclear or unknown

*Coding notes:*

- This figure includes children from all marriages, and includes adopted children.
- Because infant mortality rates were high in the early periods of American history, sources often vary as to the number of children credited to the nominees. Some sources count all live births, while others count only those children who survived infancy. We code the most commonly cited figures in the biographical literature.

## 49 militbr: Nominee's Military Service—Branch

1. Army
2. Army Air Force
3. Army Reserve
4. Confederate Army
5. Continental Army
6. Georgia Militia
7. Kentucky Volunteers
8. Marines
9. Maryland Militia
10. Massachusetts Volunteer Regiment
11. Minutemen
12. National Guard
13. Navy
14. New York Militia
15. North Carolina Militia
16. Union Army

888. Not applicable: Did not serve in the military

999. Unclear or unknown

*Coding notes:*

- "Minutemen" was an American citizen army at the time of the Revolution whose members volunteered to be ready for military service at a minute's notice.
- We exclude civilian military employment.

## 50 milityr1: Nominee's First Year of Military Service

888. Not applicable: Did not serve in the military

999. Unclear or unknown

*Coding notes:*

- We exclude civilian military employment.
- Frank Murphy served as Lieutenant and Captain in the Army during World War I (1917-1918) and as a Lt. Colonel during World War II. Here we code his service during World War II.

## 51 milityr2: Nominee's Last Year of Military Service

888. Not applicable: Did not serve in the military

999. Unclear or unknown

*Coding notes:*

- We exclude civilian military employment.
- Frank Murphy served as Lieutenant and Captain in the Army during World War I (1917-1918) and as a Lt. Colonel during World War II. Here we code his service during World War II.

## 52 militran: Nominee's Highest Rank Attained in the Military

1. Brigadier General
2. Captain
3. Colonel
4. Corporal
5. Enlisted Soldier
6. Infantryman
7. Judge Advocate
8. Lieutenant
9. Lt. Colonel
10. Lt. Commander
11. Major
12. Mustermaster

13. Officer
14. Private
15. Private first class
16. Sergeant
17. Sgt. Major
18. Other

888. Not applicable: Did not serve in the military

999. Unclear or unknown

*Coding notes:*

- We exclude civilian military employment.
- Frank Murphy served as Lieutenant and Captain in the Army during World War I (1917-1918) and as a Lt. Colonel during World War II. Here we code his service during World War II.

## 53 militwar: War During Which Nominee Served

1. Revolutionary War
2. War of 1812
3. Civil War
4. Mexican-American War
5. World War I
6. World War II
7. Korea
8. Vietnam

777. Not applicable: Served in the military but not during a war

888. Not applicable: Did not serve in the military

999. Unclear or unknown

*Coding notes:*

- We exclude civilian military employment.
- Frank Murphy served as Lieutenant and Captain in the Army during World War I (1917-1918) and as a Lt. Colonel during World War II. Here we code his service during World War II.

## 54 clerkj: Name of U.S. Supreme Court Justice with Whom Nominee Clerked

1. Arthur Goldberg
2. Robert Jackson
3. William Rehnquist
4. Wiley Rutledge
5. Fred Vinson

888. Not applicable: Nominee did not clerk for a U.S. Supreme Court justice

## 55 clerkyr1: First Year of Nominee's Clerkship with a U.S. Supreme Court Justice

888. Not applicable: Nominee did not clerk for a U.S. Supreme Court justice

## 56 clerkyr2: Last Year of Nominee's Clerkship with a U.S. Supreme Court Justice

888. Not applicable: Nominee did not clerk for a U.S. Supreme Court justice

## 57 barst1: First State in which Nominee was Admitted to the Bar

999. Unclear or unknown

Otherwise, see Appendix B for a list of states and associated values.

## 58 baryr1: Nominee's Year of Admission to the First State Bar

999. Unclear or unknown

## 59 barst2: Second State in which Nominee was Admitted to the Bar

888. Not applicable: Nominee admitted to only one bar

999. Unclear or unknown

Otherwise, see Appendix B for a list of states and associated values.

## 60 baryr2: Nominee's Year of Admission to the Second State Bar

888. Not applicable: Nominee admitted to only one bar

999. Unclear or unknown

## 61 barst3: Third State in which Nominee was Admitted to the Bar

888. Not applicable: Nominee admitted to only one or two bars

999. Unclear or unknown

Otherwise, see Appendix B for a list of states and associated values.

## 62 baryr3: Nominee's Year of Admission to the Third State Bar

888. Not applicable: Nominee admitted to only one or two bars

999. Unclear or unknown

## 63 privtyp1: Type of Nominee's First Private Law Practice

1. Solo practice
2. Counsel for a corporation
3. Small partnership
4. Law firm

888. Not applicable: Nominee did not work as a private practice lawyer prior to his or her nomination to the Court

999. Unclear or unknown

*Coding notes:*

- We include only private law practice *prior* to nomination.
- Here we code the nominee's first (pre-nomination) experience in private law practice. In variables 67 (`privtyp2`) through 70 (`privyrl2`), we code the nominee's last (pre-nomination) experience. See also variable 67 (`privtyp2`), under "Coding notes" for more detailed information about pre-nomination years in private practice.
- We code two non-contiguous stints of the same law experience separately. E.g., Henry Baldwin was in the same law partnership during the years 1798-1816 and 1822-1829. We code the first set of years as his first experience in private law practice and the second set, as his second experience (see variables 67 [`privtyp2`] through 70 [`privyrl2`].

- The private practice experiences of the nominees reflect the changes in the legal profession over the nations history. In the early years, almost all lawyers were solo practitioners. Then gradually small partnerships became the norm. Only in the modern period did the large law firm become common.

- For many of the nominees, especially in the earlier periods, it is difficult to determine with precision the exact dates of private practice. Some practiced law only on a part time basis while pursuing other business ventures. Many engaged political activity at the same time they were in private practice of the law. Government positions, at times even those as high as in Congress, were part time obligations that permitted law practice on the side. Sometimes, formal affiliation with a law firm continued during periods in which the individual was acting as a full time government official. Consequently, historical accounts often differ on the periods of private practice. The dates for private practice listed represent the best estimate of the time during which the practice of law, *in private law practice* was the individuals primary occupation.

- Note the emphasis here is on private practice; we do not include full-time employment with the government or interest groups. E.g., we do not include Thurgood Marshall's service as counsel to the NAACP (1936-1961).

- Historically, law partnerships were formed on a much more casual basis than they are today. Partnerships were often formed and dissolved is rapid succession. Because of this many historical accounts fail to note partnerships that were particularly short lived, or where the partnership agreement was especially loose.

- We do not code the type of law practice (e.g., trusts & estates, tax, personal injury) because these data are quite spotty for the early nominees, and many later ones did not specialize in one particular area.

- Issues on specific nominees are as follows:

  - We code Hugo Black, William Moody, Edward White as being in solo practice even though they occasionally took on associates and partners.
  - John Jay was in a law partnership with Robert Livingston, Jr. and then in solo practice between the years of 1768-1774. We code his service as "Small partnership."

## 64 privst1: State of Nominee's First Private Law Practice

888. Not applicable: Nominee did not work as a private practice lawyer prior to his or her nomination to the Court

999. Unclear or unknown

Otherwise, see Appendix B for a list of states and associated values.

*Coding note:*

- We include only private law practice *prior* to nomination. Otherwise, see variable 63 (`privtyp1`), under "Coding notes," for more information on private law practice.

## 65 privyrf1: First Year of Nominee's First Private Law Practice

888. Not applicable: Nominee did not work as a private practice lawyer prior to his or her nomination to the Court

999. Unclear or unknown

*Coding notes:*

- We include only private law practice *prior* to nomination. Otherwise, see variable 63 (`privtyp1`), under "Coding notes," for more information on private law practice.
- Clement Haynsworth worked in his father's law firm from 1936-57 but served in World War II from 1942-45. We code his first year in private law practice as 1936 and his last as 1957.

## 66 privyrl1: Last Year of Nominee's First Private Law Practice

888. Not applicable: Nominee did not work as a private practice lawyer prior to his or her nomination to the Court

999. Unclear or unknown

*Coding notes:*

- We include only private law practice *prior* to nomination. Otherwise, see variable 63 (`privtyp1`), under "Coding notes," for more information on private law practice.
- Clement Haynsworth worked in his father's law firm from 1936-57 but served in World War II from 1942-45. We code his first year in private law practice as 1936 and his last as 1957.

## 67 privtyp2: Size of Nominee's Last Private Law Practice

1. Solo practice
2. Counsel for a corporation
3. Small partnership
4. Law firm

777. Not applicable: Only one private law practice prior to nomination

888. Not applicable: Nominee did not work as a private practice lawyer prior to his or her nomination to the Court

999. Unclear or unknown

*Coding notes:*

- We include only private law practice *prior* to nomination. Otherwise, see variable 63 (`privtyp1`), under "Coding notes," for more information on private law practice.
- William O. Douglas was an associate of James O. Cull. We code this as "Small partnership."

- The following nominees had private law practice experience between the first and last.
  - George Badger: Private practice, in NC, 1825-1841.
  - Hugo Black: Solo practice (although with occasional associates and partners), in Alabama, 1906-1915.
  - Samuel Blatchford: Seward & Morgan, in NY, 1845-1854.
  - Harold Burton: Counsel for Utah Power and Light, in UT, 1914-1916; Counsel for Idaho Power Company, in ID, 1916-1917; Day, Day & Wilkin, in OH, 1919-1923; Day & Day, in OH, 1923-1925. Cull, Burton & Laughlin, in OH, 1925-1927.
  - Pierce Butler: Law partner with Homer C. Eller and Jared How, in MN, 1897; How & Butler, in MN 1897-1899; Chicago, St. Paul, Minneapolis & Omaha Railroad, in MN, 1899-1905.
  - Benjamin Cardozo: Cardozo Brothers, in NY, 1893-1903; Simpson, Werner & Cardozo, in NY, 1903-1911.
  - G. Harrold Carswell: Ausley, Collins & Trent, in FL, 1949-51.
  - John Catron: Solo practice, TN, 1818-1824.
  - John Clarke: Solo practice, in OH, 1880-1886; Hine & Clarke, in OH, 1886-1897.
  - Nathan Clifford: Solo practice, in ME, 1843-1846.
  - Caleb Cushing: Part-time law practice, 1830-1835; private practice, in MA, 1857-1867.
  - Stephen Field: Solo practice, in CA, 1849.
  - Melville Fuller: Pearson & Dow, in IL, 1856-1857; Dow & Fuller, in IL, 1857-1860; Fuller & Ham, in IL, 1861-1864; Fuller & Shephard, in IL, 1865-1868; Fuller & Smith, in IL, 1868-1881.
  - Arthur Goldberg: Solo practice, in IL, 1933-1941; Goldberg, Devoe, Shadur & Mikva, in IL, 1945-1961; Goldberg, Feller & Bredhoff, Washington, D.C., 1952-1961; General Counsel, CIO 1948-1955 and AFL/CIO, 1955-1961; United Steelworkers, 1948-1961.
  - John Marshall Harlan (I): Law partner with William F. Bullock, in KY, 1861; Solo practice, in KY, 1863-1868; Solo practice, in KY, 1868-1870.
  - John Marshall Harlan (II): Root, Clark, Buckner & Howland (later, Root, Ballantine, Harlan, Bushby, & Palmer, in NY, 1927, 1930-1942, 1946-1951.
  - Oliver Wendell Holmes: Law partner with Edward Jackson Holmes, in MA, 1871-1873.
  - Charles Evans Hughes: Hughes, Rounds, Schurman & Dwight, in NY, 1917-1921.
  - Howell Jackson: Currin & Jackson, in TN, 1857-1861; Estes & Jackson, in TN, 1865-1873; Estes, Jackson & Ellett, in TN, 1873-1874; Campbell & Jackson, in TN, 1874-1880.
  - Robert Jackson: Solo practice, in NY, 1917-1918.
  - Lucius Lamar: Solo practice, in GA, 1847-1848; Solo practice, in MS, 1849-1852; Law partnership with Robert Harper, in GA, 1852-1854; Solo practice, in GA, 1854-1855; Lamar, Mott & Autrey, in MS, 1855-1856; Lamar & Walthall, in MS, 1866.
  - Horace Lurton: Bailey & Lurton, in TN, 1869-1875.
  - Stanley Matthews: Solo practice, in OH, 1844-1851, 1854-1858, 1865-1877
  - James McReynolds: Cravath, Henderson & Gersdorff, in NY, 1907-1908.

- Samuel Miller: Law partnership with Lewis Reeves, in IA, 1850-1854.
- Sherman Minton: Stotsenburg, Weathers & Minton, in IN, 1922-1925; Shutts & Bowen, in FL, 1925-1928.
- Alfred Moore: Solo practice, in NJ, 1777-1782.
- John Parker: Solo practice, in NC, 1909-1922.
- Mahlon Pitney: Pitney & Pitney, in NJ, 1889-1895.
- Lewis Powell: Hunton, Williams, Anderson, Gay & Moore, in VA, 1935-1955.
- William Rehnquist: Ragen & Rehnquist, in AZ, 1956-1957; Cunningham, Carson & Messenger, in AZ, 1957-1960.
- George Shiras: Law partner with Hopewell Hepburn, in PA, 1858-1862.
- Edwin Stanton: Law partner with Benjamin Tappen, in OH, 1939-1947; law practice in PA, 1847-1856; law practice in Washington, DC, 1856-1860
- Potter Stewart: Debevoise, Stevenson, Plimpton & Page, in NY, 1945-1947.
- Harlan Fiske Stone: Wilmer & Canfield (later, Wilmer, Canfield & Stone), in NY, 1905-1910.
- George Sutherland: Law partner with Samuel Thurman and William King, in UT, 1886-1893; Law partner in a firm that included Parley L. Williams, Waldeman Van Cott, and others, in UT, 1893-1900.
- Noah Swayne: Law partner with James Bates, in OH, 1839-1852.
- Willis Van Devanter: Solo practice, in WY, 1884-1887; Law partner with Charles Potter, in WY, 1887-1889.
- James Wayne: Solo practice, in GA, 1816-1817.
- James Wilson: Solo practice, in PA, 1770-1777.

## 68 privst2: State of Nominee's Last Private Law Practice

777. Not applicable: Only one private law practice prior to nomination

888. Not applicable: Nominee did not work as a private practice lawyer prior to his or her nomination to the Court

999. Unclear or unknown

Otherwise, see Appendix B for a list of states and associated values.

*Coding note:*

- We include only private law practice *prior* to nomination. Otherwise, see variable 63 (`privtyp1`), under "Coding notes," for more information on private law practice.

## 69 privyrf2: First Year of Nominee's Last Private Law Practice

777. Not applicable: Only one private law practice prior to nomination

888. Not applicable: Nominee did not work as a private practice lawyer prior to his or her nomination to the Court

999. Unclear or unknown

*Coding note:*

- We include only private law practice *prior* to nomination. Otherwise, see variable 63 (`privtyp1`), under "Coding notes," for more information on private law practice.

## 70 privyrl2: Last Year of Nominee's Last Private Law Practice

777. Not applicable: Only one private law practice prior to nomination

888. Not applicable: Nominee did not work as a p rivate practice lawyer prior to his or her nomination to the Court

999. Unclear or unknown

*Coding note:*

- See variable 63 (`privtyp1`), under "Coding notes," for more information on private law practice.
- Note, again, that this variable includes only pre-nomination years. E.g., even though Roscoe Conkling's final years in private law practice were from 1881-1888, we code his last year as 1882—the year he was nominated to the Court.

## 71 schname1: Name of First Law School in which Nominee Taught

888. Not applicable: Nominee did not teach at a law school

999. Unclear or unknown

Otherwise, see Appendix D for a list of schools and associated values.

*Coding notes:*

- We include only law school teaching *prior* to nomination.
- Many of the coded teaching experiences were part-time appointments.
- This variable pertains only to *law* school teaching. E.g., even though John Quincy Adams taught at Harvard he would not be coded here since he did not teach in the law school.

## 72 schrank1: Title at First Law School in which Nominee Taught

1. Assistant professor
2. Associate professor
3. Dean
4. Dean/Professor
5. Instructor
6. Lecturer/Adjunct Professor
7. Professor

888. Not applicable: Nominee did not teach at a law school

999. Unclear or unknown

*Coding notes:*

- We include only law school teaching *prior* to nomination.
- Owing to discrepancies in the definition of rank, these data may be less than reliable for those nominated during the 19th century.
- We list positions in alphabetical order. But, to identify the highest rank attained, we use the following scheme: "Dean" is the highest rank, followed by Dean/Professor, Professor, Associate Professor, Assistant Professor, Instructor/Lecturer.
- Some nominees taught at more than two schools or taught at the same school twice but during non-consecutive years. For example, Abe Fortas was an Associate Professor at Yale between 1933 and 1937 and a Professor at Yale between 1946 and 1947. If a nominee taught at the same school but not during consecutive years, we code here the highest rank attained for the first set of years (so for Fortas, we record his rank here as Associate Professor). For the highest rank attained in the second set of years, see variable 76 (`schrank2`) (where we record Fortas's rank at Yale as Professor). See also variables 79 (`schn`) and 80 (`schon`).
- This variable pertains only to *law* school teaching. E.g., even though John Quincy Adams taught at Harvard he would not be coded here since he did not teach in the law school.
- Many of the coded teaching experiences were part-time appointments.

## 73 schyrf1: First Year at First Law School in which Nominee Taught

888. Not applicable: Nominee did not teach at a law school

999. Unclear or unknown

*Coding notes:*

- See notes under variable 72 (`schrank1`).
- Some nominees taught at more than two schools or taught at the same school twice but during non-consecutive years. For example, Abe Fortas was an Associate Professor at Yale between 1933 and 1937 and a Professor at Yale between 1946 and 1947. If a nominee taught at the same school but not during consecutive years, we code here the first year for the first set of years (so for Fortas, we code his first year as 1933). For the first year of the second set of service, see variable 77 (`schyrf2`) (where we record Fortas's first year at Yale as 1946). See also variables 79 (`schn`) and 80 (`schon`).
- David J. Brewer taught at George Washington Univerity

## 74 schyrl1: Last Year at First Law School in which Nominee Taught

888. Not applicable: Nominee did not teach at a law school

999. Unclear or unknown

*Coding notes:*

- See notes under variable 72 (`schrank1`).
- Some nominees taught at more than two schools or taught at the same school twice but during non-consecutive years. For example, Abe Fortas was an Assistant Professor at Yale between 1933 and 1937 and a Professor at Yale between 1946 and 1947. If a nominee taught at the same school but not during consecutive years, we code here the last year for the first set of years (so for Fortas, we code his last year as 1937). For the last year of the second set of service, see variable 78 (`schyr12`) (where we record Fortas's last year at Yale as 1947). See also variables 79 (`schn`) and 80 (`schon`).

## 75 schname2: Name of Last Law School in which Nominee Taught

777. Not applicable: Nominee taught at only one law school

888. Not applicable: Nominee did not teach at a law school

999. Unclear or unknown

Otherwise, see Appendix D for a list of schools and associated values.

*Coding notes:*

-
- See notes under variable 72 (`schrank1`).
- Robert Bork began teaching at Ave Maria Law School in 2000. Because this postdated his nomination we do not code it here.
- Stephen Breyer continued to teach at Harvard as a lecturer after he was appointed to the U.S. Court of Appeals, and continued his affiliation until his appointment to the Supreme Court. We code that experience here.

## 76 schrank2: Title at Last Law School in which Nominee Taught

1. Assistant professor
2. Associate professor
3. Dean
4. Dean/Professor
5. Instructor
6. Lecturer/Adjunct Professor
7. Professor

777. Not applicable: Nominee taught at only one law school

888. Not applicable: Nominee did not teach at a law school

999. Unclear or unknown

*Coding notes:*

- See notes under variables 72 (`schrank1`) and 75 (`schname2`).
- Some nominees taught at more than two schools or taught at the same school twice but during non-consecutive years. For example, Abe Fortas was an Assistant Professor at Yale between 1933 and 1937 and a Professor at Yale between 1946 and 1947. If a nominee taught at the same school but not during consecutive years, we code here the highest rank attained for the first set of years (so for Fortas, we record his rank here as Assistant Professor). For the highest rank attained in the second set of years, see variable 76 (`schrank2`) (where we record Fortas's rank at Yale as Professor). See also variables 79 (`schn`) and 80 (`schon`).

## 77 schyrf2: First Year at Last Law School in which Nominee Taught

777. Not applicable: Nominee taught at only one law school

888. Not applicable: Nominee did not teach at a law school

999. Unclear or unknown

*Coding notes:*

- See notes under variables 72 (`schrank1`) and 75 (`schname2`).
- We include only law school teaching *prior* to nomination.
- Some nominees taught at more than two schools or taught at the same school twice but during non-consecutive years. For example, Abe Fortas was an Assistant Professor at Yale between 1933 and 1937 and a Professor at Yale between 1946 and 1947. If a nominee taught at the same school but not during consecutive years, we code here the first year for the second set of years (so for Fortas, we code his first year as 1946). For the first year of the first set of service, see variable 73 (`schyrf1`) (where we record Fortas's first year at Yale as 1933). See also variables 79 (`schn`) and 80 (`schon`).

## 78 schyr12: Last Year at Last Law School in which Nominee Taught

777. Not applicable: Nominee taught at only one law school

888. Not applicable: Nominee did not teach at a law school

999. Unclear or unknown

*Coding notes:*

- See notes under variables 72 (`schrank1`) and 75 (`schname2`).
- Some nominees taught at more than two schools or taught at the same school twice but during non-consecutive years. For example, Abe Fortas was an Associate Professor at Yale between 1933 and 1937 and a Professor at Yale between 1946 and 1947. If a nominee taught at the same school but not during consecutive years, we code here the last year for the second set of years (so for Fortas, we code his last year as 1947). For the last year of the first set of service, see variable 74 (`schyrl1`) (where we record Fortas's last year at Yale as 1937). See also variables 79 (`schn`) and 80 (`schon`).

## 79 schn: Number of Law Schools in which Nominee Taught

888. Not applicable: Nominee did not teach at a law school

999. Unclear or unknown

*Coding notes:*

- See notes under variables 72 (`schrank1`) and 75 (`schname2`).
- This variable records the total number of schools at which the nominee taught. In generating this number we count separately instances in which a nominee taught at the same school but during non-consecutive years. For example, we code Abe Fortas—who taught at Yale from 1933-1937 and again at Yale from 1946-1947—as having taught twice. If the non-consecutive years at a given school represent the first and last schools at which the nominee taught, then variables 71 (`schname1`) and 75 (`schname2`) will reflect this. See also variable 80 (`schcon`).

## 80 schcon: Nominee Taught at Same Law School During Non-Consecutive Periods

0. No

1. Yes

888. Not applicable: Nominee did not teach at a law school

999. Unclear or unknown

*Coding notes:*

- See notes under variables 72 (`schrank1`) and 75 (`schname2`).
- This variable indicates whether a nominee taught at the same school during non-consecutive years. Six fall into this category.
  - Abe Fortas, Yale University (1933-37; 1946-47)
  - Felix Frankfurter, Harvard University (1914-17; 1919-39)
  - Arthur Goldberg, John Marshall Law School (1939-42; 1945-48)
  - Oliver Wendell Holmes, Jr., Harvard University (1870-71; 1882)
  - Frank Murphy, University of Detroit (1914-17; 1922-27)
  - Harlan Fiske Stone, Columbia University (1899-1905; 1910-23)
- This variable pertains only to *law* school teaching. E.g., even though John Quincy Adams taught at Harvard he would not be coded here since he did not teach in the law school.

## 81 sttrist: State in which Nominee Served as State Trial Court Judge

888. Not applicable: Nominee never served as a state trial court judge

999. Unclear or unknown

Otherwise, see Appendix B for a list of states and associated values.

*Coding notes:*

- Samuel Chase, Gabriel Duvall, and Thomas Johnson served on the Maryland General Court. This court conducted trials under both criminal and civil jurisdiction. It also had authority to hear some appeals from lower county courts. We code this court as a state trial court. Likewise, Samuel Miller served as a Justice of the Peace. Because a J.P. did hear and decide minor cases, we code his service here.
- Benjamin N. Cardozo was on New York's trial court in 1914; six weeks later he was designated a judge on the state's highest court and was re-elected to a full term on that court beginning in 1917. For this variable we code his service as 1914-1914.
- William Cushing served as a judge on the Massachusetts Probate Court from 1760-1772 and a judge on the Massachusetts Superior Court from 1772-1777. We code only his service on the Superior Court.
- Robert H. Harrison was a Maryland state trial court judge between 1781 and 1790. Because part of this service postdated his nomination we code his pre-nomination years only (1781-1789).
- Edward King was a Pennsylvania state trial court judge between 1825 and 1852. Because part of this service postdated his nomination we code his pre-nomination years only (1825-1844).
- Stanley Matthews served as a judge on the Ohio Court of Common Pleas from 1851 to 1853 and a judge on the Ohio Superior Court from 1863-1865. We code only his service on the Superior Court.

- John Rutledge was nominated to the Supreme Court (as associate justice) in 1789 but did not actually leave his position on the South Carolina Chancery Court until 1790. We code his last year of service as 1790.
- Reuben Walworth served as a judge on the New York district court from 1823-1828 and a judge on the New York Court of Chancery from 1828-1848. Because the Chancery Court was also (primarily) a trial court, we code his trial court service as occurring between 1823 and 1848.
- George Woodward was a Pennsylvania state trial court judge between 1841 and 1851. Because part of this service postdated his nomination we code his pre-nomination years only (1841-1845).

## 82 sttriyr1: First Year Nominee Served as a State Trial Court Judge

888. Not applicable: Nominee never served as a state trial court judge

999. Unclear or unknown

*Coding note:*

- See notes under variable 81 (`sttrist`).

## 83 sttriyr2: Last Year Nominee Served as a State Trial Court Judge

888. Not applicable: Nominee never served as a state trial court judge

999. Unclear or unknown

*Coding note:*

- See notes under variable 81 (`sttrist`).

## 84 stapst: State in which Nominee Served as an Intermediate Appellate Court Judge

888. Not applicable: Nominee never served as a state trial court judge

999. Unclear or unknown

Otherwise, see Appendix B for a list of states and associated values.

## 85 stapyr1: First Year Nominee Served as a State Intermediate Appellate Court Judge

888. Not applicable: Nominee never served as a state trial court judge

999. Unclear or unknown

## 86 stapyr2: Last Year Nominee Served as a State Intermediate Appellate Court Judge

888. Not applicable: Nominee never served as a state trial court judge

999. Unclear or unknown

## 87 stsupst: State in which Nominee Served as a Justice on State's Highest Court

888. Not applicable: Nominee never served as a state trial court judge

999. Unclear or unknown

Otherwise, see Appendix B for a list of states and associated values.

*Coding notes:*

- This court is typically but not always named "supreme court."
- John Blair was originally a member of the Virginia Court of Appeals, which was the highest court in the state. A reorganization of the judiciary changed the name of the court to the Supreme Court, but it was still the highest court in the state. We code Blair's service (1780-1789) as a single, uninterrupted period of service on the state's highest court.
- Benjamin N. Cardozo was on New York's trial court in 1914; six weeks later he was designated a judge on the state's highest court and was re-elected to a full term on that court beginning in 1917. For this variable we code his service as 1914-1932.
- Inconsistencies exist over when William Cushing began his service on Massachusetts high court but 1777 now appears to be the best supported year. We use that date here.
- William B. Hornblower served on New York's highest court in 1914. Because this service postdated his nomination we do not code it here.
- Ward Hunt served on New York's highest court as a judge (1866-68) and then chief judge (1868-69). In 1869 (through 1872) he became commissioner of appeals, which was part of the state highest court and so we code his service as 1866-1872.
- When Samuel Nelson (1831-1845) served on the Supreme Court of New York, the judges rode circuit to preside over certain trials but they also sat together to hear appeals (indeed, the Court's docket was becoming increasingly appellate in nature). Whether it was New York's highest court at the time, however, is controversial. Some sources characterize it as such, while others refer to the Court of Errors as the state's top court. For our purposes, we need not resolve the historical question because Nelson, as the Chief Judge of the Supreme Court, was also a member of the Court of Errors. So in either way, Nelson served on the highest court of the state.
- Mahlon Pitney served as associate justice on the New Jersey Supreme Court between 1901 and 1908. He then became chancellor of New Jersey (1908-1912). This position was the state's highest judicial post: It administered the whole state court system and had some

judicial duties as well. While not exactly fitting, we count this position as akin to a state supreme court judge, and so code Pitney's service on the state high court from 1901-1912.

- Willis Van Devanter served as Chief Justice of the Supreme Court of the Wyoming Territory (1889-1890). Even though this was technically a federal territory we code Van Devanter's service as state, not federal.
- George Woodward served as Pennsylvania Supreme Court justice between 1852 and 1867. Because this service postdated his nomination we do not code it here.

## 88 stsupyr1: First Year Nominee Served as a Justice on State's Highest Court

888. Not applicable: Nominee never served as a state trial court judge

999. Unclear or unknown

*Coding note:*

- See notes under variable 87 (`stsupst`).

## 89 stsupyr2: Last Year Nominee Served as a Justice on State's Highest Court

888. Not applicable: Nominee never served as a state trial court judge

999. Unclear or unknown

*Coding note:*

- See notes under variable 87 (`stsupst`).

## 90 feddist: State in which Nominee Served as a U.S. District Court Judge

888. Not applicable: Nominee never served on a U.S. District Court

Otherwise, see Appendix B for a list of states and associated values.

## 91 feddi: District in which Nominee Served as a U.S. District Court Judge

1. Florida, Northern District of
2. Kentucky, District of
3. Michigan, Eastern District of
4. Missouri, Western District of

5. New York, Southern District of
6. Ohio, Northern District of
7. Tennessee, Middle and Eastern Districts of
8. Texas, Western District of
9. Virginia, Eastern District of

888. Not applicable: Nominee never served on a U.S. District Court

## 92 feddiyr1: First Year Nominee Served as a U.S. District Court Judge

888. Not applicable: Nominee never served on a U.S. District Court

## 93 feddiyr2: Last Year Nominee Served as a U.S. District Court Judge

888. Not applicable: Nominee never served on a U.S. District Court

*Coding note:*

- Philip Barbour was nominated to the Supreme Court in 1835 but continued to serve on the district court until 1836. We code his least year as 1836.

## 94 fedca: U. S. Court of Appeals on which Nominee Served

1. U.S. Court of Appeals for the First Circuit
2. U.S. Court of Appeals for the Second Circuit
3. U.S. Court of Appeals for the Third Circuit
4. U.S. Court of Appeals for the Fourth Circuit
5. U.S. Court of Appeals for the Fifth Circuit
6. U.S. Court of Appeals for the Sixth Circuit
7. U.S. Court of Appeals for the Seventh Circuit
8. U.S. Court of Appeals for the Eighth Circuit
9. U.S. Court of Appeals for the Ninth Circuit
10. U.S. Court of Appeals for the Tenth Circuit
11. U.S. Court of Appeals for the Eleventh Circuit
12. U.S. Court of Appeals for the District of Columbia

13. U.S. Court of Appeals for the Federal Circuit
14. U.S. Circuit Court for the Second Circuit
15. U.S. Circuit Court for the Fifth Circuit
16. U.S. Circuit Court for the Sixth Circuit
17. U.S. Circuit Court for the Eighth Circuit

888. Not applicable: Nominee never served on a U.S. District Court

*Coding notes:*

- The Judiciary Act of 1789 established the U.S. District Courts and the U.S. Circuit Courts. The District Courts consisted of thirteen districts that served as trial courts for admiralty, maritime, and minor civil and criminal cases. On each district court sat a single judge who was authorized to appoint a court clerk, a federal marshal for the district, and a prosecuting attorney for the district. The Circuit Courts initially consisted of three circuits that served as trial courts for almost all federal criminal cases, diversity of jurisdiction cases, and civil suits initiated by the U.S. government. There were no separately created judgeships for the Circuit Courts. Rather, the Circuit Courts consisted of a District Court judge from the circuit and two Supreme Court justices (hence the requirement that Supreme Court justices "ride circuit"). As the size of the United States grew, Congress gradually increased the number of District Courts and Circuit Courts, but did not begin creating separate judgeships for the Circuit Courts until the 1860s. In 1891, Congress created the U.S. Circuit Courts of Appeals (today known as the U.S. Courts of Appeals for the respective circuits) and transferred all appellate jurisdiction and Circuit Court judges to the newly created courts. The 1891 legislation also eliminated the requirement that Supreme Court justices ride circuit. After 1891, the Circuit Courts served as trial courts until they were abolished by Congress in 1911. For more information, visit the Federal Judicial Center's website (at: http://www.fjc.gov/).
- Issues with specific nominees are as follows:
  - Howell E. Jackson served on the U.S. Circuit Court for the Sixth Circuit from 1886 to 1891. When the judges of these courts were transferred to the U.S. Courts of Appeals in 1891, he served on the U.S. Court of Appeals for the Sixth Circuit from 1891 to 1893. We code his service here as on the Circuit Court. We code Jackson's first year of service as 1886; we code his last year of service as 1893.
  - Robert Bork served on the U.S.. Court of Appeals for the District of Columbia between 1982 and 1988. Because part of this service postdated his nomination we code his pre-nomination years only (1982-1987).
  - Clement Haynsworth served on the U.S. Court of Appeals for the Fourth Circuit between 1957 and 1989. Because part of this service postdated his nomination we code his pre-nomination years only (1969-1989).
  - John J. Parker served on the U.S. Court of Appeals for the Fourth Circuit between 1925 and 1958. Because part of this service postdated his nomination we code his pre-nomination years only (1925-1930).
  - Homer Thornberry served on the U.S. Court of Appeals for the Fifth Circuit between 1965 and 1995. Because part of this service postdated his nomination we code his pre-nomination years only (1965-1968).

## 95 fedcayr1: First Year Nominee Served as a U.S. Court of Appeals Judge

888. Not applicable: Nominee never served on a U.S. District Court

999. Unclear or unknown

*Coding note:*

- See notes under variable 94 (`fedca`).

## 96 fedcayr2: Last Year Nominee Served as a U.S. Court of Appeals Judge

888. Not applicable: Nominee never served on a U.S. District Court

999. Unclear or unknown

*Coding note:*

- See notes under variable 94 (`fedca`).

## 97 usasat: District in which Nominee Served as an Assistant U.S. Attorney

1. Florida, Northern District of
2. Kentucky, District of
3. Michigan, Eastern District of
4. Missouri, Western District of
5. New York, Southern District of
6. Ohio, Southern District of
7. Tennessee, Middle and Eastern Districts of
8. Texas, Western District of
9. Virginia, Eastern District of
10. New Jersey, District of

888. Not applicable: Nominee never served as an Assistant U.S. Attorney

999. Unclear or unknown

## 98 usasat1: First Year Nominee Served as an Assistant U.S. Attorney

999. Not applicable: Nominee never served as an Assistant U.S. Attorney

## 99 usasat2: Last Year Nominee Served as an Assistant U.S. Attorney

888. Not applicable: Nominee never served as an Assistant U.S. Attorney

999. Unclear or unknown

## 100 usat: District in which Nominee Served as a U.S. Attorney

1. Florida, Northern District of
2. Kentucky, District of
3. Michigan, Eastern District of
4. Missouri, Western District of
5. New York, Southern District of
6. Ohio, Southern District of
7. Tennessee, Middle and Eastern Districts of
8. Texas, Western District of
9. Virginia, Eastern District of
10. Pennsylvania, Eastern District of
11. Ohio, District of
12. New Jersey, District of
13. Special U.S. Attorney

888. Not applicable: Nominee never served as a U.S. Attorney

999. Unclear or unknown

*Coding notes:*

- John Crittenden served as a U.S. Attorney (KY) between 1827 and 1829. Because part of this service postdated his nomination we code his pre-nomination years only (1827-1828).
- Some sources claim that William H. Moody was a U.S. Attorney for the Eastern District of Massachusetts. We identify him as a state DA, as do most reputable sources (see variable 151 [`cdis`]). It is also the case that there has never been a federal Eastern District of Massachusetts. The state has always been a single district.
- We include Owen Roberts who served as Special U.S. Attorney during the Teapot Dome investigation.

## 101 usat1: First Year Nominee Served as a U.S. Attorney

888. Not applicable: Nominee never served as a U.S. Attorney

999. Unclear or unknown

*Coding note:*

- See notes under variable 100 (`usat`).

## 102 usat2: Last Year Nominee Served as a U.S. Attorney

888. Not applicable: Nominee never served as a U.S. Attorney

999. Unclear or unknown

*Coding note:*

- See notes under variable 100 (`usat`).

## 103 ussgo1: First Year Nominee Served in the Office of the U.S. Solicitor General

777. Not applicable: Nominee served as Solicitor General, not as a member of the Office.

888. Not applicable: Nominee never served in the Office of the U.S. Solicitor General

*Coding note:*

- We include all service in the Solicitor General office (e.g., as assistant solicitor general, deputy solicitor general, etc.) except as the Solicitor General. For service as the Solicitor General, see variables 105 (`ussg1`) and 106 (`ussg2`).

## 104 ussgo2: Last Year Nominee Served in the Office of the U.S. Solicitor General

777. Not applicable: Nominee served as Solicitor General, not as a member of the Office.

888. Not applicable: Nominee never served in the Office of the U.S. Solicitor General

*Coding note:*

- See note under variable 103 (`ussgo1`).

## 105 ussg1: First Year Nominee Served as the U.S. Solicitor General

888. Not applicable: Nominee never served as the U.S. Solicitor General

## 106 ussg1: Last Year Nominee Served as the U.S. Solicitor General

888. Not applicable: Nominee never served as the U.S. Solicitor General

## 107 usago1: First Year Nominee Served in the Office of the U.S. Attorney General

777. Not applicable: Nominee served as U.S. Attorney General only, not as a member of the office

888. Not applicable: Nominee never served in the Office of the U.S. Attorney General

999. Unclear or unknown

*Coding notes:*

- We include all service in the U.S. Attorney General office (e.g., as assistant to the attorney general, special assistant, deputy attorney general, etc.) except as the Attorney General. We also include John Paul Stevens' service on the Attorney General's committee to study antitrust laws, 1953-55. We exclude service as an assistant U.S. attorney (see variables 98 [`usasat1`] and 99 [`usasat2`]) and as a U.S. Attorney (see variables 101 [`usat1`] and refusat2 [`usat2`]). For service as the Attorney General, see below under variables 109 (`usag1`) and 110 (`usag2`).
- James McReynolds also served as an assistant Attorney General from 1910-11 (in addition to the period we code, from 1903-1907).

## 108 usago2: Last Year Nominee Served in the Office of the U.S. Attorney General

777. Not applicable: Nominee served as U.S. Attorney General only, not as a member of the office

888. Not applicable: Nominee never served in the Office of the U.S. Attorney General

999. Unclear or unknown

*Coding note:*

- See note under variable 107 (`usago1`)

## 109 usag1: First Year Nominee Served as the U.S. Attorney General

888. Not applicable: Nominee never served as the Attorney General

*Coding notes:*

- John Crittenden served as Attorney General in 1841, and again from 1850-1853. Because this service postdated his nomination we do not code it here.

- Robert Bork served as acting Attorney General from 1973-74. We code his service here.
- Ebenezer Hoar served as Attorney General between 1869 and 1870. Because part of this service postdated his nomination we code his pre-nomination years only (1869).
- Henry Stanbery served as Attorney General between 1866 and 1868. Because this service postdated his nomination we do not code it here. (Contrary to some historical accounts, Stanbery was not renominated to the Court in 1868, when Johnson unsuccessfully attempted to reappoint Stanbery to the Attorney General position.)

## 110 usag2: Last Year Nominee Served as the U.S. Attorney General

888. Not applicable: Nominee never served as the Attorney General

*Coding note:*

- See note under variable 109 (`usag1`)

## 111 uscab: Name of U.S. Cabinet in which Nominee Served at a Level Below Secretary

888. Not applicable: Nominee never served in the cabinet at a level below secretary

999. Unclear or unknown

Otherwise, see Appendix E for a list of executive departments and associated values.

*Coding notes:*

- Although Cabinets since George Washington's first cabinet in 1789 have included an Attorney General, the Attorney General did not become the head of the Department of Justice until that department's creation in 1870. Because of this unique history, *we do not include information about service in the Department of Justice/Attorney Generals Office in this variable*. For this information, see variables 107 (`usago1`), 108 (`usago2`), 109 (`usag1`), and 110 (`usag2`).
- Over the course of U.S. history, different federal executive departments have been statutorily designated as cabinet-level departments. We code only those persons who held positions at times during which the particular federal executive department was a cabinet-level department. Past and present cabinet level departments are: State (1789-present) (initially called Foreign Affairs); War (1789-1947) (subsumed into Defense); Treasury (1789-present); Navy (1798-1947) (subsumed into Defense); Interior (1849-present); Justice (1870-present); Post Office (1872-1971); Agriculture (1889-present); Commerce (1903-present) (initially Commerce and Labor); Labor (1913-present); Defense (1947-present); Health and Human Services (1953-present) (initially Health, Education, and Welfare); Housing and Urban Development (1965-present); Transportation (1966-present); Energy (1977-present); Education (1979-present); Veterans Affairs (1988-present); Homeland Security (2002-present). We do not include federal executive departments that have a cabinet level rank (e.g. the Environmental Protection Agency under President George W. Bush) but are not part of the official cabinet.

- John Q. Adams (nominated to the Court in 1811) also served as a diplomat between 1809-1813.
- Caleb Cushing served in various positions in the State Department: as minister to China (1843-44); counsel to Geneva (1872); and minister to Spain (1874-77). Part of this service postdated his nomination (in 1874); here we code only his work in Geneva.
- Felix Frankfurter served as an assistant in the War Department (1911-1914) and again in 1917-1918, and in the Department of Labor (1918-1919). Here, we code his serve in the Department of Labor.
- John Spencer worked for the Post Office before it because a cabinet-level position. Accordingly, we do not code his service here but include it under 114 (`ussec`).

## 112 uscab1: First Year Nominee Served in the U.S. Cabinet at a Level Below Secretary

888. Not applicable: Nominee never served in the cabinet at a level below secretary

999. Unclear or unknown

*Coding note:*

- See notes under variable 111 (`uscab`)

## 113 uscab2: Last Year Nominee Served in the U.S. Cabinet at a Level Below Secretary

888. Not applicable: Nominee never served in the cabinet at a level below secretary

999. Unclear or unknown

*Coding note:*

- See notes under variable 111 (`uscab`)

## 114 ussec: Name of U.S. Cabinet Department in which the Nominee served at the Secretary Level

888. Not applicable: Nominee never served at the secretary level in the cabinet

Otherwise, see Appendix E for a list of executive departments and associated values.

*Coding notes:*

- Although cabinets since George Washington's first cabinet in 1789 have included an Attorney General, the Attorney General did not become the head of the Department of Justice until that department's creation in 1870. Because of this unique history, *we do not include information about service in the Department of Justice/Attorney Generals Office in this variable.* For this information, see variables 107 (`usago1`), 108 (`usago2`), 109 (`usag1`), and 110 (`usag2`).

- Over the course of U.S. history, different federal executive departments have been statutorily designated as cabinet-level departments. We code only those persons who held positions at times during which the particular federal executive department was a cabinet-level department. Past and present cabinet level departments are: State (1789-present) (initially called Foreign Affairs); War (1789-1947) (subsumed into Defense); Treasury (1789-present); Navy (1798-1947) (subsumed into Defense); Interior (1849-present); Justice (1870-present); Post Office (1872-1971); Agriculture (1889-present); Commerce (1903-present) (initially Commerce and Labor); Labor (1913-present); Defense (1947-present); Health and Human Services (1953-present) (initially Health, Education, and Welfare); Housing and Urban Development (1965-present); Transportation (1966-present); Energy (1977-present); Education (1979-present); Veterans Affairs (1988-present); Homeland Security (2002-present). We do not include federal executive departments that have a cabinet level rank (e.g. the Environmental Protection Agency under President George W. Bush) but are not part of the official cabinet.
- Issues with specific nominees are as follows:
  - James F. Byrnes served as Secretary of State between 1945 and 1947. Because this service postdated his nomination we do not code it here.
  - Charles Evans Hughes served as Secretary of State between 1921 and 1925. We include this service for his second appointment (as Chief Justice). But since it postdated his first nomination (in 1910), we do not code it there.
  - We include John Jay's service as Secretary of Foreign Affairs (1784-89) under the Articles of Confederation.
  - Roger B. Taney served as Acting Secretary of War (1831) and as Secretary of the Treasury (1833-34) until the Senate rejected his nomination to the position. We code only his service as Secretary of the Treasury.
  - Levi Woodbury served as Secretary of the Navy (1831-34) and as Secretary of the Treasury (1834-1841). We code only his service as Secretary of the Treasury.
  - John C. Spencer served as Secretary of War from 1841-1843 and as Secretary of the Treasury from 1843-1844. We code only his service as Secretary of War.
  - John Q. Adams served as Secretary of State between 1817 and 1825. Because this service postdated his nomination we do not code it here.

## 115 ussec1: First Year Nominee Served in the U.S. Cabinet at the Secretary Level

888. Not applicable: Nominee never served at the secretary level in the cabinet

*Coding note:*

- See notes under variable 114 (`ussec`).

## 116 ussec2: Last Year Nominee Served in the U.S. Cabinet at the Secretary Level

888. Not applicable: Nominee never served at the secretary level in the cabinet

*Coding note:*

- See notes under variable 114 (`ussec`).

## 117 usage: Name of Executive Commission, Agency, or White House Post in which the Nominee Served at a Level Below Head

888. Not applicable: Nominee never served on commission/agency below the level of head

999. Unclear or unknown

Otherwise, see Appendix E for a list of executive commissions and agencies, and associated values.

*Coding notes:*

- Issues with specific nominees are as follows:
  - John Q. Adams served on a treaty commission in 1814. Because this service postdated his nomination we do not code it here.
  - Abe Fortas served as an assistant director of the Securities and Exchange Commission (1937-37) and as general counsel of the Public Works Administration (1939-40). We code only the latter.
  - Ebenezer R. Hoar served on a treaty commission from 1871-1872. Because this service postdated his nomination we do not code it here.
  - We include James Iredell's service as comptroller and collector of customs (1768-1776) under the colonial English government.
  - We include Harriet Miers' service in the White House as staff secretary (2001-03) and deputy chief of staff for policy (2003-05). We code her service as Counsel to the President under variable 120 (`usagh`).
  - Stanley Reed served as general counsel of the Federal Farm Board (1929-32) and as general counsel of the Reconstruction Finance Corporation (1932-35). We code only the latter.
  - We include John Roberts' service as associate White House counsel (1982-86).

## 118 usage1: First Year Nominee Served on an Executive Commission, Agency, or in a White House Post at a Level Below Head

888. Not applicable: Nominee never served on commission/agency below the level of head

999. Unclear or unknown

*Coding note:*

- See notes under variable 117 (`usage`).

## 119 usage2: Last Year Nominee Served on an Executive Commission, Agency, or in a White House Post at a Level Below Head

888. Not applicable: Nominee never served on commission/agency below the level of head

999. Unclear or unknown

*Coding note:*

- See notes under variable 117 (`usage`).

## 120 usagh: Name of Executive Commission or Agency that Nominee Headed

888. Not applicable: Nominee never headed a commission/agency

999. Unclear or unknown

Otherwise, see Appendix E for a list of executive commissions and agencies, and associated values.

*Coding note:*

- Issues with specific nominees are as follows:
  - James Byrnes headed the Office of Economic Stabilization (1942-43) and was Chair of the War Mobilization Board (1943-45). Because both came after his service on the Court, we do not record them here,
  - We include Harriet Miers' service as Counsel to the President but only for the time before her nomination (2005).
  - William Taft served as Chairman of the Philippine Commission (1900-01) and as Joint Chairman of the Nation War Labor Board (1918-19). We code only the latter.
  - Fred Vinson served as Director of the Office of Economic Stabilization (1943-45) and as Director of the Office of War Mobilization and Reconversion (1945). We code only the former.

## 121 usagh1: First Year Nominee Served as Head of an Executive Agency or Commission

888. Not applicable: Nominee never headed a commission/agency

999. Unclear or unknown

*Coding note:*

- See notes under variable 120 (`usagh`).

## 122 usagh2: Last Year Nominee Served as Head of an Executive Agency or Commission

888. Not applicable: Nominee never headed a commission/agency

999. Unclear or unknown

*Coding note:*

- See notes under variable 120 (`usagh`).

## 123 uspres1: First Year Nominee Served as President of the United States

888. Not applicable: Nominee never served as President of the United States

*Coding note:*

- John Q. Adams served as President of the United States between 1825 and 1829. Because this service postdated his nomination we do not code it here.

## 124 uspres2: Last Year Nominee Served as President of the United States

888. Not applicable: Nominee never served as President of the United States

*Coding note:*

- See note under variable 123 (`uspres1`).

## 125 ushr1: State Nominee Represented in the U.S. House of Representatives (First Service)

888. Not applicable: Nominee never served in the House of Representatives

Otherwise, see Appendix B for a list of states and associated values.

*Coding notes:*

- In some instances, a nominee's service in the House was nonconsecutive. Here we code the state of the first consecutive service. See variable 128 [`ushr2`] for the state of the second consecutive service (if any).
- Issues with specific nominees are as follows:
  - John Q. Adams served in the House of Representative (MA) from 1831-1848. Because this service postdated his nomination we do not code it here.
  - John Crittenden served in the House of Representative (KY) from 1861-1863. Because this service postdated his nomination we do not code it here.

- Ebenezer R. Hoar served in the House of Representative (MA) from 1873-1875. Because this service postdated his nomination we do not code it here.
- George W. Woodward served in the House of Representatives (PA) from 1867-1871. Because this service postdated his nomination we do not code it here.

## 126 ushryrf1: First Year Nominee Served in the U.S. House of Representatives (First Service)

888. Not applicable: Nominee never served in the House of Representatives

*Coding note:*

- In some instances, a nominee's service in the House was nonconsecutive. Here we code the first year of the first consecutive service. See variable 129 [`ushryrf2`] for the first year of the second consecutive service (if any).

## 127 ushryrl1: Last Year Nominee Served in the U.S. House of Representatives (First Service)

888. Not applicable: Nominee never served in the House of Representatives

*Coding note:*

- In some instances, a nominee's service in the House was nonconsecutive. Here we code the last year of the first consecutive service. See variable 130 [`ushryrl2`] for the last year of the second consecutive service (if any).

## 128 ushr2: State Nominee Represented in the U.S. House of Representatives (Second Service)

777. Not applicable: Nominee served in the House only once (consecutively)

888. Not applicable: Nominee never served in the House of Representatives

Otherwise, see Appendix B for a list of states and associated values.

*Coding note:*

- In some instances, a nominee's service in the House was nonconsecutive. Here we code the state of the second consecutive service. See variable 125 [`ushr1`] for the state of the first consecutive service.

## 129 ushryrf2: First Year Nominee Served in the U.S. House of Representatives (Second Service)

777. Not applicable: Nominee served in the House only once (consecutively)

888. Not applicable: Nominee never served in the House

*Coding note:*

- In some instances, a nominee's service in the House was nonconsecutive. Here we code the first year of the second consecutive service. See variable 126 [`ushryrf1`] for the first year of the first consecutive service.

## 130 ushryrl2: Last Year Nominee Served in the U.S. House of Representatives (Second Service)

777. Not applicable: Nominee served in the House only once (consecutively)

888. Not applicable: Nominee never served in the House

*Coding note:*

- In some instances, a nominee's service in the House was nonconsecutive. Here we code the last year of the second consecutive service. See variable 127 [`ushryrl1`] for the last year of the first consecutive service.

## 131 ussn1: State Nominee Represented in the U.S. Senate (First Service)

888. Not applicable: Nominee never served in the Senate

Otherwise, see Appendix B for a list of states and associated values.

*Coding notes:*

- In some instances, a nominee's service in the Senate was nonconsecutive. Here we code the state of the first consecutive service. See variable 134 [`ussn2`] for the state of the second consecutive service (if any).
- George E. Badger served in the U.S. Senate (NC) between 1846 and 1855. Because part of this service postdated his nomination we code his pre-nomination years only (1846-1853).
- David Davis served in the Senate (IL, 1877-83) after his service on the Court. We do not code his service here.

## 132 ussnyrf1: First Year Nominee Served in the U.S. Senate (First Service)

888. Not applicable: Nominee never served in the Senate

*Coding notes:*

- In some instances, a nominee's service in the Senate was nonconsecutive. Here we code the first year of the first consecutive service. See variable 135 [`ussnyrf2`] for the first year of the second consecutive service (if any).

- George E. Badger served in the U.S. Senate (NC) between 1846 and 1855. Because part of this service postdated his nomination we code his pre-nomination years only (1846-1853).
- David Davis served in the Senate (IL, 1877-83) after his service on the Court. We do not code his service here.

## 133 ussnyrl1: Last Year Nominee Served in the U.S. Senate (First Service)

888. Not applicable: Nominee never served in the Senate

*Coding notes:*

- In some instances, a nominee's service in the Senate was nonconsecutive. Here we code the last year of the first consecutive service. See variable 135 [`ussnyrl2`] for the last year of the second consecutive service (if any).
- George E. Badger served in the U.S. Senate (NC) between 1846 and 1855. Because part of this service postdated his nomination we code his pre-nomination years only (1846-1853).
- David Davis served in the Senate (IL, 1877-83) after his service on the Court. We do not code his service here.

## 134 ussn2: State Nominee Represented in the U.S. Senate (Second Service)

777. Not applicable: Nominee served in the Senate only once (consecutively)

888. Not applicable: Nominee never served in the Senate

Otherwise, see Appendix B for a list of states and associated values.

*Coding notes:*

- In some instances, a nominee's service in the Senate was nonconsecutive. Here we code the state of the second consecutive service. See variable 131 [`ussn1`] for the state of the first consecutive service.
- John Crittenden second service in the Senate (KY) was between 1835 and 1841. Because this service postdated his nomination we do not code it here.
- John McKinley served in the Senate (AL) between 1826 and 1831. He was again elected to the Senate for a term to begin March 4, 1837 but resigned (before "qualifying") on April 22, 1837 to accept an appointment to the the Court. Nonetheless, because he was elected, we code his second service here as beginning and ending in 1837.

## 135 ussnyrf2: First Year Nominee Served in the U.S. Senate (Second Service)

777. Not applicable: Nominee served in the Senate only once (consecutively)

888. Not applicable: Nominee never served in the Senate

*Coding notes:*

- In some instances, a nominee's service in the Senate was nonconsecutive. Here we code the first year of the second consecutive service. See variable 132 [`ussnyrf1`] for the first year of the first consecutive service.
- John Crittenden second service in the Senate (KY) was between 1835 and 1841. Because this service postdated his nomination we do not code it here.
- John McKinley served in the Senate (AL) between 1826 and 1831. He was again elected to the Senate for a term to begin March 4, 1837 but resigned (before "qualifying") on April 22, 1837 to accept an appointment to the the Court. Nonetheless, because he was elected, we code his second service here as beginning and ending in 1837.

## 136 ussnyrl2: Last Year Nominee Served in the U.S. Senate (Second Service)

777. Not applicable: Nominee served in the Senate only once (consecutively)

888. Not applicable: Nominee never served in the Senate

*Coding notes:*

- In some instances, a nominee's service in the Senate was nonconsecutive. Here we code the last year of the second consecutive service. See variable 132 [`ussnyrl1`] for the last year of the first consecutive service.
- John Crittenden second service in the Senate (KY) was between 1835 and 1841. Because this service postdated his nomination we do not code it here.
- John McKinley served in the Senate (AL) between 1826 and 1831. He was again elected to the Senate for a term to begin March 4, 1837 but resigned (before "qualifying") on April 22, 1837 to accept an appointment to the the Court. Nonetheless, because he was elected, we code his second service here as beginning and ending in 1837.

## 137 conconv: Was Nominee a Delegate to the 1787 Constitutional Convention?

0. No: Nominee was not a delegate to the 1787 Constitutional Convention

1. Yes: Nominee was a delegate to the 1787 Constitutional Convention

## 138 concong: State Nominee Represented in the Continental Congress

888. Not applicable: Nominee never served in Continental Congress

Otherwise, see Appendix B for a list of states and associated values.

## 139 concong1: First Year Nominee Served in the Continental Congress

888. Not applicable: Nominee never served in Continental Congress

## 140 concong2: Last Year Nominee Served in the Continental Congress

888. Not applicable: Nominee never served in Continental Congress

## 141 artcon: State Nominee Represented in the Congress under the Articles of Confederation

888. Not applicable: Nominee never served in the Congress under the Articles of Confederation

Otherwise, see Appendix B for a list of states and associated values.

## 142 artcon1: First Year Nominee Served in the Congress under the Articles of Confederation

888. Not applicable: Nominee never served in the Congress under the Articles of Confederation

*Coding note:*

- James Wilson represented Pennsylvania in the Congress under the Articles of Confederation on two separate occasions, 1783 and 1785-1787. We code his service as 1783-1787. See also variable 144 (`artconsp`).

## 143 artcon2: Last Year Nominee Served in the Congress under the Articles of Confederation

888. Not applicable: Nominee never served in the Congress under the Articles of Confederation

*Coding note:*

- See note under variable 142 (`artcon1`).

## 144 artconsp: Nominee Served Two Separate Terms in the Congress under the Articles of Confederation

0. No

1. Yes

888. Not applicable: Nominee never served in the Congress under the Articles of Confederation

*Coding note:*

- James Wilson represented Pennsylvania in the Congress under the Articles of Confederation on two separate occasions, 1783 and 1785-1787.

## 145 citat: City and State in which Nominee Served as a Deputy or City Attorney

888. Not applicable: Nominee never served as a Deputy or City Attorney

999. Unclear or unknown

Otherwise, see Appendix A for a list of states/cities and associated values.

*Coding note:*

- Some biographies suggest that Robert Jackson was a city attorney for Jamestown, NY (1918-1934). But because other, highly reliable sources suggest that he served only in an "acting" or "back-up" capacity, we do not code Jackson's service here.

## 146 citat1: First Year Nominee Served as a Deputy or City Attorney

888. Not applicable: Nominee never served as a Deputy or City Attorney

999. Unclear or unknown

*Coding note:*

- Some biographies suggest that Robert Jackson was a city attorney for Jamestown, NY (1918-1934). But because other, highly reliable sources suggest that he served only in an "acting" or "back-up" capacity, we do not code Jackson's service here.

## 147 citat2: Last Year Nominee Served as a Deputy or City Attorney

888. Not applicable: Nominee never served as a Deputy or City Attorney

999. Unclear or unknown

*Coding note:*

- Some biographies suggest that Robert Jackson was a city attorney for Jamestown, NY (1918-1934). But because other, highly reliable sources suggest that he served only in an "acting" or "back-up" capacity, we do not code Jackson's service here.

## 148 cdep: State in which Nominee Served as an Assistant District or County Attorney

888. Not applicable: Nominee never served as an Assistant District or County Attorney

999. Unclear or unknown

Otherwise, see Appendix B for a list of states and associated values.

## 149 cdep1: First Year Nominee Served as an Assistant District or County Attorney

888. Not applicable: Nominee never served as an Assistant District, or County Attorney

999. Unclear or unknown

*Coding note:*

- William Taft served as Assistant Prosecutor (1881-1883) and as Assistant Solicitor (1885-87) for Hamilton County, Ohio. We code his service as 1881-87.

## 150 cdep2: Last Year Nominee Served as an Assistant District or County Attorney

888. Not applicable: Nominee never served as an Assistant District or County Attorney

999. Unclear or unknown

*Coding note:*

- William Taft served as Assistant Prosecutor (1881-1883) and as Assistant Solicitor (1885-87) for Hamilton County, Ohio. We code his service as 1881-87.

## 151 cdis: State in which Nominee Served as a District or County Attorney

888. Not applicable: Nominee never served as a District or County Attorney

999. Unclear or unknown

Otherwise, see Appendix B for a list of states and associated values.

*Coding notes:*

- We include in this category Fred Vinson who served as commonwealth attorney in Kentucky (1921-24). This position is akin to a district attorney.
- Henry Baldwin's position was initially called deputy state attorney but was later changed to district attorney. We include his service here.

- Some sources claim that William H. Moody was a U.S. Attorney for the Eastern District of Massachusetts. We identify him as a state DA, as do most reputable sources. It is also the case that there has never been a federal Eastern District of Massachusetts. The state has always been a single district.

## 152 cdis1: First Year Nominee Served as the District or County Attorney

888. Not applicable: Nominee never served as a District or County Attorney

999. Unclear or unknown

*Coding note:*

- See notes under variable 151 (`cdis`).

## 153 cdis2: Last Year Nominee Served as the District or County Attorney

888. Not applicable: Nominee never served as a District or County Attorney

999. Unclear or unknown

*Coding note:*

- See notes under variable 151 (`cdis`).

## 154 saag: State in which Nominee Served as a State Assistant Attorney General

888. Not applicable: Nominee never served as a State Assistant Attorney General

999. Unclear or unknown

Otherwise, see Appendix B for a list of states and associated values.

## 155 saag1: First Year Nominee Served as a State Assistant Attorney General

888. Not applicable: Nominee never served as a State Assistant Attorney General

999. Unclear or unknown

*Coding note:*

- David Souter served as assistant attorney general, NH, from 1968-1971; he served as deputy attorney general, NH from 1971-1976. We code his service here as 1968-1976.

## 156 saag2: Last Year Nominee Served as a State Assistant Attorney General

888. Not applicable: Nominee never served as a State Assistant Attorney General

*Coding note:*

- David Souter served as assistant attorney general, NH, from 1968-1971; he served as deputy attorney general, NH from 1971-1976. We code his service here as 1968-1976.

## 157 stag: State in which Nominee Served as State Attorney General

888. Not applicable: Nominee never served as a State Attorney General

999. Unclear or unknown

Otherwise, see Appendix B for a list of states and associated values.

*Coding notes:*

- We include here John Crittenden, who served as attorney general of the Illinois territory.
- We exclude John Read, who served as attorney general of Pennsylvania after his failed nomination to the Court.

## 158 stag1: First Year Nominee Served as State Attorney General

888. Not applicable: Nominee never served as a State Attorney General

999. Unclear or unknown

*Coding note:*

- See notes under variable 157 (`stag`).

## 159 stag2: Last Year Nominee Served as State Attorney General

888. Not applicable: Nominee never served as a State Attorney General

999. Unclear or unknown

*Coding note:*

- See notes under variable 157 (`stag`).

## 160 ltgov: State in which Nominee Served as Lt. Governor

888. Not applicable: Nominee never served as a Lt. Governor

999. Unclear or unknown

Otherwise, see Appendix B for a list of states and associated values.

## 161 ltgov1: First Year Nominee Served as Lt. Governor

888. Not applicable: Nominee never served as a Lt. Governor

## 162 ltgov2: Last Year State Nominee Served as Lt. Governor

888. Not applicable: Nominee never served as a Lt. Governor

999. Unclear or unknown

## 163 gov: State in which Nominee Served as Governor

888. Not applicable: Nominee never served as a Governor

999. Unclear or unknown

Otherwise, see Appendix B for a list of states and associated values.

*Coding notes:*

- John Crittenden served as Governor of Kentucky between 1848 and 1850. Because this service postdated his nomination we do not code it here.
- John Jay served as Governor of New York between 1795 and 1801. Because part of this service postdated his (second) nomination we code his pre-nomination years only (1795-1800).
- John Rutledge served as President of the Republic of South Carolina from 1776-1778 and Governor of the state from 1779-1782. We code his service as governor, not president.

## 164 gov1: First Year Nominee Served as Governor

888. Not applicable: Nominee never served as a Governor

999. Unclear or unknown

*Coding notes:*

- See notes under variable 163 (`gov`).

## 165 gov2: Last Year Nominee Served as Governor

888. Not applicable: Nominee never served as a Governor

999. Unclear or unknown

*Coding notes:*

- See notes under variable 163 (`gov`).

## 166 stcab: State in which Nominee Served on a State Cabinet

888. Not applicable: Nominee never served on a state cabinet

999. Unclear or unknown

Otherwise, see Appendix B for a list of states and associated values.

*Coding notes:*

- John Blair served clerk and member of the governor's counsel of Virginia. We code only his service as a member.
- John Crittenden served on a Kentucky cabinet between 1834 and 1835. Because this service postdated his nomination we do not code it here.
- Levi Lincoln served on a Massachusetts cabinet between 1806 and 1812. Because part of this service postdated his nomination we code his pre-nomination years only (1806-1811).
- John Marshall served on the Virginia Council of State. We include that service here.

## 167 stcab1: First Year Nominee Served on a State Cabinet

888. Not applicable: Nominee never served on a state cabinet

999. Unclear or unknown

*Coding notes:*

- See notes under variable 166 (`stcab`).

## 168 stcab2: Last Year Nominee Served on a State Cabinet

888. Not applicable: Nominee never served on a state cabinet

999. Unclear or unknown

*Coding notes:*

- See notes under variable 166 (`stcab`).

## 169 mayor: City and State in which Nominee Served as Mayor

888. Not applicable: Nominee never served as a Mayor

999. Unclear or unknown

Otherwise, see Appendix A for a list of cities/states and associated values.

*Coding notes:*

- Harold H. Burton served as acting Mayor of Cleveland, Ohio between 1931 and 1932, and served as Mayor in 1935-1940. We code only his service as mayor (1935-1940).
- Potter Stewart served as Vice-Mayor of Cincinnati, Ohio (1952-1953). We do not code that service here.
- George Williams served as Mayor of Portland, Oregon between 1902 and 1905. Because this service postdated his nomination we do not code it here.

## 170 mayor1: First Year Nominee Served as Mayor

888. Not applicable: Nominee never served as a Mayor

999. Unclear or unknown

*Coding notes:*

- See notes under variable 169 (`mayor`).

## 171 mayor2: Last Year Nominee Served as Mayor

888. Not applicable: Nominee never served as a Mayor

999. Unclear or unknown

*Coding notes:*

- See notes under variable 169 (`mayor`).

## 172 stsenate: State in which Nominee Served in the State Senate

888. Not applicable: Nominee never served in the state senate

999. Unclear or unknown

Otherwise, see Appendix B for a list of states and associated values.

*Coding note:*

- William Smith served in the South Carolina state senate from 1802-1808 and 1831-1832. We code only his first service.

## 173 stsen1: First Year Nominee Served in State Senate

888. Not applicable: Nominee never served in the state senate

999. Unclear or unknown

*Coding note:*

- William Smith served in the South Carolina state senate from 1802-1808 and 1831-1832. We code only his first service.

## 174 stsen2: Last Year Nominee Served in State Senate

888. Not applicable: Nominee never served in the state senate

999. Unclear or unknown

*Coding note:*

- William Smith served in the South Carolina state senate from 1802-1808 and 1831-1832. We code only his first service.

## 175 sthouse: State in which Nominee Served in the State House

888. Not applicable: Nominee never served in the state house

999. Unclear or unknown

Otherwise, see Appendix B for a list of states and associated values.

*Coding notes:*

- John Campbell served in the Alabama state house in 1837 and again in 1843. We code only his first service.
- John Crittenden, prior to his nomination to the Supreme Court, served in the Kentucky state house 1811-1817 and in 1825. After his nomination he served again from 1829-1832. We code only his first service (1811-1817).
- Caleb Cushing served in the Massachusetts state house 1825, 1833-1834, 1845-1846, and 1857-1859. We code only his first service (1825).
- Thomas Johnson served in the Maryland state house 1780-1782 and again 1786-1788. We code only his first service (1780-1782).
- John Marshall served in the Virginia state house 1782, 1784-1785, 1787-1788, and 1795. We code only his first service (1782).
- John McKinley served in the Alabama state house 1820-1822, 1831, and 1836. We code only his first service (1820-1822).
- William Paterson served in the New Jersey provincial congress, 1775-1776. We code his service here.

- John Rutledge served in the South Carolina state house (or its colonial predecessor) 1761-1778, 1782, and 1784-1789. We code only his first service (1761-1778).
- William Smith served in the South Carolina state house from 1796-1797 and 1824-1825, and in the Alabama state house from 1836-1840. We code only his first service in South Carolina.
- John Spencer served in the New York state house 1819-1821 and 1831-1833. We code only his first service (1819-1821).
- Joseph Story served in the Massachusetts state house 1805-1808 and in 1811 as speaker. We code only his first service (1805-1808).
- Noah Swayne served in the Ohio state house in 1830 and 1836. We code only his first service (1830).

## 176 sthse1: First Year Nominee Served in State House

888. Not applicable: Nominee never served in the state house

999. Unclear or unknown

*Coding notes:*

- See notes under variable 175 (`sthouse`).

## 177 sthse2: Last Year Nominee Served in State House

888. Not applicable: Nominee never served in the state house

999. Unclear or unknown

*Coding notes:*

- See notes under variable 175 (`sthouse`).

## 178 ctycl: City and State in which Nominee Served on the City Council

888. Not applicable: Nominee never served on a city council

999. Unclear or unknown

Otherwise, see Appendix A for a list of cities/states and associated values.

## 179 ctycl1: First Year Nominee Served on the City Council

888. Not applicable: Nominee never served on a city council

999. Unclear or unknown

## 180 ctycl2: Last Year Nominee Served on the City Council

888. Not applicable: Nominee never served on a City Council

999. Unclear or unknown

## 181 commsn: State Commission/Convention on which Nominee Served

1. Connecticut: State Constitutional Convention
2. Georgia: Commission to Codify Laws
3. New York: Commission on the Reorganization of the Courts
4. New York: Commission to Revise State Statutes
5. Ohio: State Constitutional Convention
6. Oregon: State Constitutional Convention
7. Pennsylvania: Commission to Revise State Statutes
8. Pennsylvania: State Constitutional Convention
9. Virginia: State Constitutional Convention
10. Illinois: State Constitutional Convention
11. North Carolina: Convention to Ratify the U.S. Constitution
12. Virginia: Convention to Ratify the U.S. Constitution
13. New Jersey: State Constitutional Convention
14. South Carolina: Convention to Ratify the U.S. Constitution
15. New York: State Constitutional Convention
16. Wyoming: Commission to Revise State Statutes
17. Texas: Lottery Commission
18. Massachusetts: State Constitutional Convention
19. Maryland: State Constitutional Convention
20. Maryland: Convention to Ratify the U.S. Constitution
21. Pennsylvania: Convention to Ratify the U.S. Constitution

888. Not applicable: Nominee never served on a state commission

999. Unclear or unknown

*Coding notes:*

- We code only service on the commission, and not employment by the commission. So we do not code Sherman Minton's service as a counselor for the Indiana Public Service Commission (1933-34), nor do we code John Marshall Harlan's (II) service as chief counsel to the New York State Crime Commission (1951-53).
- William Cushing was a member of the Massachusetts convention to ratify the U.S. Constitution (1788) and the Massachusetts state constitutional convention (1779). We code the latter service here.
- William B. Hornblower served on both 3 and 4 above; we code only 3 since his service on 4 (1904-1909) postdated his nomination.
- James Iredell served on a North Carolina commission to revise state statutes (1776) and as a delegate to the state's convention to ratify the U.S. Constitution (1788). We code the latter service here.
- Thomas Johnson served as a delegate to the Maryland state constitutional convention (1776) and as a member the state's convention to ratify the U.S. Constitution (1788). We code the former service here.
- Edward King served on 7 above in 1853. Because this service postdated his nomination we do not code it here.
- Alexander Wolcott served on 1 above in 1818. Because this service postdated his nomination we do not code it here.

## 182 commsn1: First Year Nominee Served on a State Commission

888. Not applicable: Nominee never served on a state commission

999. Unclear or unknown

*Coding note:*

- See notes under variable 181 (`commsn`).

## 183 commsn2: Last Year Nominee Served on a State Commission

888. Not applicable: Nominee never served on a state commission

999. Unclear or unknown

*Coding note:*

- See notes under variable 181 (`commsn`).

## 184 datenom: Date of Nomination (or Recess Appointment) to the Court

*Coding notes:*

- This variable takes the form of month/date/year. It houses the date the President made the nomination (or the recess appointment); that date occasionally differs from the date the Senate received the nomination (see variable 185 (`datesen`). For more on this point, see Rutkus and Bearden (2006, 41).
- See also 2 (`yrnom`) for a variable housing the year of nomination (or recess appointment) only.

## 185 datesen: Date Nomination Received in the Senate

*Coding notes:*

- This variable takes the form of month/date/year for non-recess appointments; for recess appointments, the label is RECESS APPT. It houses the date the U.S. Senate received the nomination; that date occasionally differs from the date the President made the nomination (see variable 184 (`datenom`). For more on this point, see Rutkus and Bearden (2006, 41).
- See also 2 (`yrnom`) for a variable housing the year of nomination (or recess appointment) only.

## 186 judnom: Nominee a Judge at Time of Nomination (or Recess Appointment)

1. International court judge
2. U.S. Supreme Court justice (non-recess appointee)
3. U.S. Court of Appeals judge
4. U.S. Circuit Court judge
5. U.S. District Court judge
6. State's highest court justice (i.e., served on state's court of last resort)
7. State intermediate appellate court judge
8. State trial court judge
9. U.S. Supreme Court justice (recess appointee)

888. Not applicable: Nominee not a judge at the time of nomination

*Coding notes:*

- The Judiciary Act of 1789 established the U.S. District Courts and the U.S. Circuit Courts. The District Courts consisted of thirteen districts that served as trial courts for admiralty, maritime, and minor civil and criminal cases. On each district court sat a single judge who was authorized to appoint a court clerk, a federal marshal for the district, and a prosecuting attorney for the district. The Circuit Courts initially consisted of three circuits that served as trial courts for almost all federal criminal cases, diversity of jurisdiction cases, and civil suits initiated by the U.S. government. There were no separately created judgeships for the Circuit Courts. Rather, the Circuit Courts consisted of a District Court judge from the circuit and two Supreme Court justices (hence the requirement that Supreme Court justices "ride circuit"). As the size of the United States grew, Congress gradually increased the number of District Courts and Circuit Courts, but did not begin creating separate judgeships for the Circuit Courts until the 1860s. In 1891, Congress created the U.S. Circuit Courts of Appeals (today known as the U.S. Courts of Appeals for the respective circuits) and transferred all appellate jurisdiction and Circuit Court judges to the newly created courts. The 1891 legislation also eliminated the requirement that Supreme Court justices ride circuit. After 1891, the Circuit Courts served as trial courts until they were abolished by Congress in 1911. For more information, visit the Federal Judicial Center's website (at: http://www.fjc.gov/).

- We distinguish here between recess and non-recess appointees to the Supreme Court. If a nominee was serving as a recess appointment at the time of his nomination to the Court, we code him as a U.S. Supreme Court justice (recess appointee). We do so even in the case of justices (e.g., Oliver Wendell Holmes) who (for whatever reason) did not begin their service on the Court until after Senate confirmation. We reserve the U.S. Supreme Court justice (non-recess appointee) code for those who were confirmed by the Senate and were then nominated to serve as Chief Justice.

- Issues with specific nominees are as follows:

  - At the time of his nomination, Ward Hunt was commissioner of appeals, which was then part of the state supreme court. Accordingly, we code his position as state supreme court judge.
  - When Samuel Nelson (1831-1845) served on the Supreme Court of New York, the judges rode circuit to preside over certain trials but they also sat together to hear appeals (indeed, the Court's docket was becoming increasingly appellate in nature). Whether it was New York's highest court at the time, however, is controversial. Some sources characterize it as such, while others refer to the Court of Errors as the state's top court. For our purposes, we need not resolve the historical question because Nelson, as the Chief Judge of the Supreme Court, was also a member of the Court of Errors. So in either way, Nelson served on the highest court of the state.
  - Mahlon Pitney was chancellor of New Jersey when nominated to the Supreme Court. This position was the state's highest judicial post. It administered the whole state court system and had some judicial duties as well. While not exactly fitting, we code his position as a state supreme court judge.
  - Reuben Walworth was a member of the New York Chancery Court when he was nominated to the Supreme Court. This court has no real counterpart today. But because it was mostly an equity court with (primarily) trial court jurisdiction, we code it as a trial court.

## 187 usjnom: Nominee a Federal Judge at Time of Nomination (or Recess Appointment): Name of Court

1. U.S. Supreme Court (recess and non-recess appoinments)
2. U.S. Court of Appeals for the First Circuit
3. U.S. Court of Appeals for the Second Circuit
4. U.S. Court of Appeals for the Third Circuit
5. U.S. Court of Appeals for the Fourth Circuit
6. U.S. Court of Appeals for the Fifth Circuit
7. U.S. Court of Appeals for the Sixth Circuit
8. U.S. Court of Appeals for the Seventh Circuit
9. U.S. Court of Appeals for the Eighth Circuit
10. U.S. Court of Appeals for the Ninth Circuit
11. U.S. Court of Appeals for the Tenth Circuit
12. U.S. Court of Appeals for the Eleventh Circuit
13. U.S. Court of Appeals for District of Columbia
14. U.S. District Court for the District of Kentucky
15. U.S. District Court for the Eastern District of Michigan
16. U.S. District Court for the Eastern District of Virginia
17. U.S. District Court for the Middle and Eastern Districts of Tennessee
18. U.S. District Court for the Northern District of Ohio
19. U.S. Circuit Court for the Eighth Circuit
20. U.S. Circuit Court for the Fifth Circuit
21. U.S. Circuit Court for the Second Circuit

888. Not applicable: Nominee not a federal judge at the time of nomination

*Coding note:*

- See variable 186 (`judnom`) for information about federal courts and judgeships.
- Here we do not differentiate between recess and non-recess appointments (i.e., both are coded 1). For a variable that differentiates, see 186 (`judnom`).

## 188 stjnom: Nominee a State Judge at Time of Nomination (or Recess Appointment): State in which Nominee Served

888. Not applicable: Nominee not a state judge at the time of nomination

Otherwise, see Appendix B for a list of states and associated values.

*Coding note:*

- Willis Van Devanter served as Chief Justice of the Supreme Court of the Wyoming Territory. We code his service as Wyoming, even though this was (technically) a federal position.

## 189 prsznom: Nominee in Private Practice at Time of Nomination (or Recess Appointment): Type of Practice

1. Solo practice
2. Counsel for a corporation or organization
3. Small partnership
4. Law firm
5. Was in private practice at time of nomination but type of practice unclear or unknown

888. Not applicable: Nominee was not a private practice lawyer at the time of nomination.

*Coding note:*

- See variable 63 (`privtyp1`), under "Coding notes," for more information on private law practice.
- We code Morrison Waite as a private practice lawyer at the time of nomination; he was also president of the Ohio Constitutional Convention.
- We code John Marshall Harlan I as a private practice lawyer at the time of nomination; he was also a member of the Louisiana Reconstruction Commission.
- We code Owen J. Roberts as a private practice lawyer at the time of nomination; he was also a U.S. special prosecutor.

## 190 prstnom: Nominee in Private Practice at Time of Nomination (or Recess Appointment): State of Practice

888. Not applicable: Nominee was not a private practice lawyer at the time of nomination

Otherwise, see Appendix B for a list of states and associated values.

*Coding note:*

- See variables 63 (`privtyp1`) and 189 (`prsznom`) under "Coding notes," for more information on private law practice.

## 191 prposnom: Nominee a Legal Academic at Time of Nomination (or Recess Appointment): Position

1. Assistant professor
2. Associate professor
3. Dean
4. Dean/Professor
5. Instructor
6. Lecturer/Adjunct
7. Professor

888. Not applicable: Nominee not a legal academic at the time of nomination

## 192 prschnom: Legal Academic at Time of Nomination (or Recess Appointment): Law School

888. Not applicable: Nominee not a legal academic at the time of nomination

Otherwise, see Appendix D for a list of schools and associated values.

## 193 govatnom: Working in a Legal Position for the U.S. Government at Time of Nomination (or Recess Appointment): Position

1. U.S. Attorney
2. U.S. Assistant/Deputy Attorney General
3. U.S. Attorney General
4. U.S. Special Prosecutor
5. U.S. Solicitor General
6. White House Counsel

888. Not applicable: Nominee not working in a legal position for the U.S. Government at the time of nomination

## 194 uslenom: Federal Legislator at Time of Nomination (or Recess Appointment): House of Service

1. Member of the U.S. House of Representatives
2. Member of the U.S. Senate

888. Not applicable: Nominee not a federal legislator at the time of nomination

*Coding notes:*

- John McKinley served in the Senate (AL) between 1826 and 1831. He was again elected to the Senate for a term to begin March 4, 1837 but resigned (before "qualifying") on April 22, 1837 to accept an appointment to the the Court. Nonetheless, because he was elected, we code him as a member of the Senate at the time of nomination.

## 195 uslesnom: Federal Legislator at Time of Nomination (or Recess Appointment): State Represented

888. Not applicable: Nominee not a federal legislator at the time of nomination

Otherwise, see Appendix B for a list of states and associated values.

## 196 stlenom: State Legislator at Time of Nomination (or Recess Appointment): House of Service

1. Member of the state house (lower house)
2. Member of the state senate (upper house)

888. Not applicable: Nominee not a state legislator at the time of nomination

## 197 stlesnom: State Legislator at Time of Nomination (or Recess Appointment): State

888. Not applicable: Nominee not a state legislator at the time of nomination

Otherwise, see Appendix B for a list of states and associated values.

## 198 stexnom: Governor or other Executive Position in State Government at Time of Nomination (or Recess Appointment): Position

1. Governor
2. Governor's Council

888. Not applicable: Nominee not working in state executive position at the time of nomination

## 199 govnom: Governor or Other Executive Position in State Government at Time of Nomination (or Recess Appointment): State

888. Not applicable: Nominee not working in state executive position at the time of nomination

Otherwise, see Appendix B for a list of states and associated values.

## 200 usexnom: (Non-Legal) Position in the U.S. Executive Branch at Time of Nomination (or Recess Appointment)

1. Controller of the Treasury
2. Minister to Russia
3. Minister to Spain
4. Postmaster General
5. Revenue Collector
6. Secretary of Foreign Affairs
7. Secretary of Labor
8. Secretary of State
9. Secretary of the Interior
10. Secretary of the Navy
11. Secretary of the Treasury
12. Securities and Exchange Commission

888. Not applicable: Not applicable: Nominee did not hold a non-legal position in the executive branch at the time of nomination

## 201 yrposnom: Number of Years in Position Held at Time of Nomination (or Recess Appointment)

999. Unclear or unknown

*Coding notes:*

- Note that we code only the number of years in the *current* position. If a justice was a lawyer from 1825-1835 and again from 1845-1850 until his nomination in 1850, we count only the period between 1845 and 1850.
- Issues with specific nominees:

- A code of 1 is one year or less. We reserve 0 for John McKinley, who was elected to represent Alabama in the U.S. Senate, but was nominated for the Supreme Court before he arrived in Washington to serve in the Senate.
- John Blair served on the state court of appeals from 1780-1789. This was the highest court in the state. Then as part of a state reorganization of the judiciary the court was renamed the Virginia Supreme Court—but it remained the highest court in the state. He continued to serve on the state supreme court for the rest of that year until his nomination. We treat the whole nine years as service on the state's highest court.
- Because John Marshall Harlan (I) did not give up his law practice for his three-month stint on the Louisiana Reconstruction Commission, we code him as having been in private practice for the nine years prior to his nomination.

## 202 agenom: Age at Time of Nomination (or Recess Appointment)

## 203 stnom: Official Home State of Nomination (or Recess Appointment)

See Appendix B for a list of states and associated values.
*Coding note:*

- Warren Burger is typically associated with Minnesota but he was officially appointed from Virginia, and we code him as such.

## 204 parnom: Political Party Affiliation at Time of Nomination (or Recess Appointment)

See Appendix C for a list of the political parties and their associated values.

*Coding note:*

- Early in his career Louis Brandeis registered as a Republican and he officially remained so at the time he was nominated. Accordingly, we coded him as a Republican. Many scholars, however, classify him as a Democrat because he underwent a significant change in political identification in his later adult years and openly supported some Democratic candidates.

## 205 prparnom: Previous Party Affiliations of Nominee

888. Not applicable: No known previous party affiliations

Otherwise, see Appendix C for a list of the political parties, and associated values.

*Coding notes:*

- This variable represents party affiliations prior to the time of nomination. For party affiliation at the time of nomination, see variable 204 (`parnom`).

- The following justices had more than one *prior* affiliation:
  - Salmon Chase was affiliated with the Whig, Anti-Slavery, Liberty, and Free Soil parties. We code his affiliation here as Whig.
  - Ward Hunt was affiliated with the Democratic and Free Soil parties. We code his affiliation here as Democrat.
  - John Harlan (I) was affiliated with the Whig, Know-Nothing, and Union parties. We code his affiliation here as Whig.
  - John C. Spencer was affiliated with the Democratic and Anti-Masonic parties. We code his affiliation here as Democratic.

## 206 prdssr: Name of Justice Nominee (or Recess Appointee) is Replacing

*Coding notes:*

- This variable takes the form of Last Name, First Name, Middle Name or Initial (if any). It also indicates if it was an original nomination or a newly created seat.
- A seat was temporarily abolished upon the death of Justice James Wayne in 1867 as part of a congressional strategy to remove any opportunity for President Andrew Johnson to appoint a justice to the Court. Shortly after Ulysses Grant captured the presidency, the Republican Congress reestablished the seat. Grant successfully nominated Joseph Bradley to the seat (after first unsuccessfully nominating Ebenezer Hoar). Thus, we code Wayne as the justice Bradley replaced. As part of the same strategy Congress also abolished the seat that had been held by James Catron until his death in 1865. The Catron seat was not reestablished.

## 207 presname: Name of the Nominating President (or Appointing President, in the Case of a Recess Appointment)

See Appendix F for a list of nominating presidents, and associated values.

*Coding notes:*

- This variable takes the form of Last Name, First Name, Middle Name or Initial (if any).
- For information on the date of nomination, see variable 184 (`datenom`).
-

## 208 prespart: Political Party Affiliation of the Nominating President (or Appointing President, in the Case of a Recess Appointment)

For a list of the political parties, and their associated values, see Appendix C.

*Coding notes:*

- For recess appointments, this variable is the party affiliation of the appointing president.
- For information on the date of nomination (or recess appointment), see variable 184 (`datenom`).

## 209 nompres: NOMINATE Common Space Score of the Nominating President (or Appointing President, in the Case of a Recess Appointment)

888. Not applicable: Data unavailable

*Coding notes:*

- The Common Space Scores are 1st dimension W-NOMINATE coordinates that are adjusted so that senators and president are in the same space. The 1st dimension coordinate typically picks up the liberal/conservative dimension of conflict in American politics. Scores range from $-1$ (most liberal) to 1 (most conservative), and are directly comparable across time periods. NOMINATE scores, of which Common Space Scores are one variant, are created by subjecting congressional roll call vote data to a scaling algorithm to identify each member's position in an ideological space. Presidents are treated as though they are a member of Congress using positions obtained from Congressional Quarterly's presidential support roll calls. For more details, see McCarty et al. (1997); McCarty and Poole (1995); Poole (1998).
- Scores are available for presidents Eisenhower through G.W. Bush.
- For information on the date of nomination (or recess appointment), see variable 184 (`datenom`).

*Data source:* Keith Poole's website (http://voteview.com) (March 9, 2005 version; last accessed on June 6, 2006).

## 210 socpres: Social Liberalism Score of the Nominating President (or Appointing President, in the Case of a Recess Appointment)

888. Not applicable: Data unavailable

*Coding notes:*

- According to Segal et al. (2000), these scores represent the "mean ideology scores for each president in the social policy domain ... based on the expert ratings along with measures of spread and range of the ratings. Values range from 0 (most conservative) to 100 (most liberal). Presidents are rank ordered by expert ratings."
- Scores are available for presidents Roosevelt through Clinton.
- For information on the date of nomination (or recess appointment), see variable 184 (`datenom`).

*Data source:* Segal et al. (2000) (available at http://www.sunysb.edu/polsci/jsegal/).

## 211 econpres: Economic Liberalism Score of the Nominating President (or Appointing President, in the Case of a Recess Appointment)

888. Not applicable: Data unavailable

*Coding notes:*

- According to Segal et al. (2000), these scores represent the "mean ideology scores for each president in the economic policy domain ... based on the expert ratings along with measures of spread and range of the ratings. Values range from 0 (most conservative) to 100 (most liberal). Presidents are rank ordered by expert ratings."
- Scores are available for presidents Roosevelt through Clinton
- For information on the date of nomination (or recess appointment), see variable 184 (`datenom`).

*Data source:* Segal et al. (2000) (available at http://http://www.sunysb.edu/polsci/jsegal/).

## 212 senparty: Dominant Political Party of the U.S. Senate at the Time of Nomination (or Recess Appointment)

See Appendix C for a list of the political parties and associated values.

*Coding notes:*

- This variable represents the political party that controlled the Senate on the date the President announced the nomination or recess appointment. See variable 184 (`datenom`).
- For information on the date of nomination, see variable 184 (`datenom`).
- For Jeremiah Black the Democrats controlled the Senate during the 36th Congress, but 12 Southern Democrats vacated their seats prior to a vote on the nomination, thereby giving the Republicans a two-seat advantage over the Democrats. We code this variable for Black as Republican.

## 213 nomsen: NOMINATE Common Space Score of the Median Member of the U.S. Senate at the Time of Nomination (or Recess Appointment)

888. Not applicable: Data unavailable

*Coding notes:*

- The Common Space Scores are 1st dimension W-NOMINATE coordinates that are adjusted so that senators and president are in the same space. The 1st dimension coordinate typically picks up the liberal/conservative dimension of conflict in American politics. Scores range from $-1$ (most liberal) to 1 (most conservative), and are directly comparable across time periods. NOMINATE scores, of which Common Space Scores are one variant, are created

by subjecting congressional roll call vote data to a scaling algorithm to identify each member's position in an ideological space. For more details, see Poole (1998). The median is the case in the middle of the distribution of cases, such that here half the senators are to the ideological right of the median and half are to the ideological left.

- We define "at the time of nomination" as the date the President announced the nomination (or recess appointment) . See variable 184 (`datenom`).
- Scores are available for Hugo L. Black through Samuel A. Alito, Jr. Issues with specific nominees are as follows:
  - William J. Brennan's recess appointment (October 1956) came after the 84th Congress ended (July 1956) and before the 85th began (January 1957). We use the Common Space Score of the 84th Congress.
  - Potter Stewart's recess appointment (October 1958) came after the 85th Congress ended (August 1958) and before the 86th began (January 1959). We use the Common Space Score of the 85th Congress.

*Data source:* Keith Poole's website (http://voteview.com) (March 9, 2005 version; last accessed on November 22, 2006).

## 214 ideo: Segal & Cover Score of the Nominee's Ideology

777. Recess appointment

888. Not applicable: Data unavailable

*Coding notes:*

- With the exception of Homer Thornberry, scores are available for Hugo L. Black through Samuel A. Alito, Jr.
- The scores range from 1.00 (most liberal) to 0.00 (most conservative). They were derived through content analyses of newspaper editorials written between the date of the President's nomination and the date of the Senate's final action over the nomination. See Segal and Cover (1989), Segal et al. (1995), and Epstein and Segal (2005) for more details.

## 215 mednmq1: Name of Martin & Quinn's Most Likely Median in Term Prior to Nomination (or Recess Appointment)

999. Not applicable: Data unavailable

*Coding notes:*

- This variable is the justice in the term prior to the nomination who Andrew Martin & Kevin Quinn identify as the most likely median. For more details, see variable 216 (`medmq1`), under "Coding notes."
- Data are available from the 1937-2005 terms. Terms start the first Monday in October. For this variable, we code the start of the term as October 1 and its end, September 30.
- For information on the date of nomination, see variable 184 (`datenom`).

*Data source:* Andrew D. Martin's website (at: http://adm.wustl.edu/supct.php).

## 216 medmq1: Martin & Quinn's Median in Term Prior to the Nomination (or Recess Appointment)

999. Not applicable: Data unavailable

*Coding notes:*

- This variable represents the estimated location of the median's ideal point. The ideal points for each justice in each term are estimated using the Martin and Quinn (2002) dynamic ideal point model. For more information see, Martin and Quinn (2002)and Martin et al. (2005).
- Note that this is typically *not* the ideal point of the justice identified in variable 215 (`mednmq1`). That justice is simply the one most likely to have been the median justice. For the probability that he or she was the median justice, see data on Andrew D. Martin's website (at: http://adm.wustl.edu/supct.php).
- Data are available from the 1937-2005 terms.
- Terms begin the first Monday in October. For this variable, we code the start of the term as October 1 and its end, September 30.
- For information on the date of nomination, see variable 184 (`datenom`).

*Data source:* Andrew D. Martin's website (at: http://adm.wustl.edu/supct.php).

## 217 mednmq2: Name of Martin & Quinn's Most Likely Median in the Term of Nomination (or Recess Appointment)

999. Not applicable: Data unavailable

*Coding notes:*

- This variable is the justice in the term prior to the nomination who Martin & Quinn identify as the most likely median. For more details, see variable 218 (`medmq2`), under "Coding notes."
- Data are available from the 1937-2005 terms.
- Terms begin the first Monday in October. For this variable, we code the start of the term as October 1 and its end, September 30.
- For information on the date of nomination, see variable 184 (`datenom`).
- For the 2005 term, Sandra Day O'Connor was the median until she left the Court; Anthony Kennedy then moved into the median position. We code the median as O'Connor.

*Data source:* Andrew D. Martin's website (at: http://adm.wustl.edu/supct.php).

## 218 medmq2: Martin & Quinn's Median in Term of Nomination (or Recess Appointment)

999. Not applicable: Data unavailable

*Coding notes:*

- This variable represents the estimated location of the median's ideal point. The ideal points for each justice in each term are estimated using the Martin and Quinn (2002) dynamic ideal point model. For more information see, Martin and Quinn (2002)and Martin et al. (2005).
- Note that this is typically *not* the ideal point of the justice identified in variable 217 (`mednmq2`). That justice is simply the one most likely to have been the median justice. For the probability that he or she was the median justice, see Martin et al. (2005).
- Data are available from the 1937-2004 terms.
- Terms begin the first Monday in October. For this variable, we code the start of the term as October 1 and its end, September 30.
- For information on the date of nomination, see variable 184 (`datenom`).

*Data source:* Andrew D. Martin's website (at: http://adm.wustl.edu/supct.php).

## 219 qual: Segal & Cover Score of Nominee's Qualifications

777. Recess appointment

888. Not applicable: Data unavailable

*Coding notes:*

- With the exception of Homer Thornberry, scores are available for Hugo L. Black through Samuel A. Alito, Jr.
- The scores range from 1.00 (most liberal) to 0.00 (most conservative). They were derived through content analyses of newspaper editorials written between the date of the President's nomination and the date of the Senate's final action over the nomination. See Segal et al. (1992) and Epstein and Segal (2005) for more details.

*Data source:* Jeffrey A. Segal's website (http://ws.cc.stonybrook.edu/polsci/jsegal/qualtable.pdf).

## 220 abarate: ABA Committee on the Federal Judiciary Rating of Nominee

1. Eminently qualified
2. Exceptionally well qualified
3. Highly acceptable from the standpoint/viewpoint of professional qualifications
4. In an exceptional degree meets high standards of professional competence ...

5. Meets high standards of professional competence ...
6. Qualified
7. Well qualified

777. Recess appointment

888. Not applicable: No ABA rating

*Coding notes:*

- Ratings are available for those nominated since 1956 (Brennan).
- The American Bar Association's Committee on the Federal Judiciary began rating Supreme Court nominees in 1956. At various points in its history, the Committee altered its rating categories, making comparisons across time difficult. Our coding is the unofficial ratings given to Supreme Court nominees. The ABA does not issue an official list of such ratings.
- For the vote of the Committee, see variable 221 (`abavote`).
- Issues with specific nominees are as follows:
  - When William Rehnquist was nominated for associate justice he received a "unanimously qualified" rating, with nine voting "well qualified" and 3 voting "not opposed." We code his rating as "qualified," by a unanimous vote (see variable 221 [`abavote`]).
  - The Committee's rating of Sandra Day O'Connor was as follows: "The Committee is of the opinion that Judge O'Connor meets the highest standards of judicial temperament and integrity. Her professional experience to date has not been as extensive or challenging as that of some other persons who might be available for appointment to the Supreme Court of the United States. Nevertheless, after considering her outstanding academic record, her demonstrated intelligence and her service as a legislator, a lawyer and a trial and appellate judge, the Committee is of the opinion that she is qualified from the standpoint of professional competence for appointment to the Supreme Court of the United States." We code her rating as "meets high standards of professional competence," with the vote unclear (see variable 221 [`abavote`]).
  - Samuel A. Alito, Jr. received a rating of "well qualified" by a unanimous vote with one recusal. We code his rating as "well qualified" by a unanimous vote (see variable 221 [`abavote`]).

## 221 abavote: Vote of the ABA's Committee on the Federal Judiciary on the Nominee

1. Unanimous vote
2. Divided vote
3. Vote unclear

777. Recess appointment

888. Not applicable: No ABA rating

*Coding notes:*

- Ratings are available for those nominated since 1956 (Brennan).
- For more details on this variable, see 220 (`abarate`). Also note that Committee votes are coded when such data are available, which is not always the case.
- For issues with specific nominees, see 220 (`abarate`).

## 222 heardate: First Date of Judiciary Committee Public Hearings on the Nominee

666. Referred to the Judiciary Committee but no record of/no committee hearings

777. Not applicable: Recess appointment

888. Not applicable: No referral to the Judiciary Committee

999. Not applicable: Nomination predated creation of Judiciary Committee and no record of consideration by another committee

*Coding notes:*

- The U.S. Senate Committee on the Judiciary was created on December 10, 1816. Prior to that time only one nomination was referred to another committee: The Select Committee considered Alexander Wolcott's nomination on February 13, 1811. Because the Select Committee held no hearings we code Wolcott as 666.
- We code only *public hearings*, not closed sessions.
- The Senate rejected a motion to refer Robert Trimble's nomination to the Judiciary Committee. We code this as 888.
- The Judiciary Committee voted favorably on George H. Williams on December 11, 1873. But, according to Rutkus and Bearden (2006, 41), on "December 16 and 17, 1873, the Judiciary Committee held closed-door sessions to examine documents and hear testimony from witnesses relevant to a controversy that arose over the Williams nomination only after the committee had reported the nomination to the Senate. The controversy prompted the Senate to recommit the nomination to the Judiciary Committee and to authorize the committee 'to send for persons and papers.' After holding the two closed- door sessions, the committee did not re-report the nomination to the Senate. Amid press reports of significant opposition to the nomination in both the Judiciary Committee and the Senate as a whole, the nomination, at Williamss request, was withdrawn by President Ulysses S. Grant on Jan. 8, 1874. The Dec. 16 and 17 sessions can be regarded as an early, perhaps the earliest, example of a Judiciary Committee closed-door hearing." Because we are interested in the Committee's *public* hearings and final actions, we code this variable as 666, and likewise we record 666 under variable 223 (`heardays`). We code the Committee's final action as "reported favorably" under variable 225 (`comvote`) and the date as December 11, 1873 under variable 224 (`comdvote`).

- According to Rutkus and Bearden (2006), on January 12, 1925, the Judiciary Committee held a closed hearing over Harlan Fiske Stone's nomination at which it heard the testimony of former Sen. Willard Saulsbury of Delaware. Then on January 28, it held an open session, at the which the Committee questioned Stone for four hours. This was the first time a nominee appeared to testify. We code the date of the public hearing, on January 28.
- On September 27, 1991, the Judiciary Committee reported without a recommendation (13-1) on Clarence Thomas' nomination. After the Senate rescheduled the vote on confirmation, additional hearings were held on October 11-13. We include those additional hearings for purposes of coding variable 223 (`heardays`). But because the Committee's final vote was on September 27, we code that date and its vote on that date under variables 224 (`comdvote`) and 225 (`comvote`).

## 223 heardays: Total Number of Days of Judiciary Committee Public Hearings on the Nominee

666. Referred to the Judiciary Committee but no record of/no committee hearings

777. Not applicable: Recess appointment

888. Not applicable: No referral to the Judiciary Committee

999. Not applicable: Nomination predated creation of Judiciary Committee and no record of consideration by another committee

*Coding note:*

- See coding notes under variable 222 (`heardate`).

## 224 comdvote: Date of the Final Vote of the Judiciary Committee on the Nominee

666. Referred to or considered by the Judiciary Committee but no record of final action/no vote taken

777. Not applicable: Recess appointment

888. Not applicable: No referral to the Judiciary Committee

999. Not applicable: Nomination predated creation of Judiciary Committee and no record of action by another committee

*Coding notes:*

- See coding notes under variable 222 (`heardate`).
- The U.S. Senate Committee on the Judiciary was created on December 10, 1816. Prior to that time only one nomination was referred to another committee: The Select Committee voted on Alexander Wolcott's nomination on February 13, 1811. We code that date here.

- The Senate referred William Micou's nomination to the Judiciary Committee on February 24, 1853 but then ordered the Committee to discharge the nomination on the same day. There is no record of Committee (or Senate) consideration after the discharge order. We code this as 666.
- The Senate Judiciary Committee considered William B. Hornblower's nomination on September 25 and October 25, 1893. But there is no record of any action. We code the date here as October 25, 1893.

## 225 comvote: Final Vote of the Judiciary Committee on the Nominee

1. Reported
2. Reported favorably
3. Reported adversely (including recommendation not to act)
4. Reported but (explicitly) without recommendation

666. Referred to or considered by the Judiciary Committee but no record of final action/no vote taken

777. Not applicable: Recess appointment

888. Not applicable: No referral to the Judiciary Committee

999. Not applicable: Nomination predated creation of Judiciary Committee and no record of action by another committee

*Coding notes:*

- See coding notes under variable 222 (`heardate`).
- The U.S. Senate Committee on the Judiciary was created on December 10, 1816. Prior to that time only one nomination was referred to another committee: The Select Committee voted on Alexander Wolcott's nomination on February 13, 1811. Because the Select Committee voted to report, we code Wolcott as 1 here.
- With the exception of John Crittenden's nomination (which the Committee reported with a recommendation not to act), the Committee's final vote was simply Reported until December 22, 1869. On that date it Reported Adversely on Ebenezer Hoar's nomination. After that it began its practice of reporting adversely or favorably.
- The Senate rejected a motion to refer Robert Trimble's nomination to the Judiciary Committee. We code this as 888.
- In the case of John Crittenden, the Judiciary Committee reported with a recommendation not to act. We code this as reported adversely.

- The Senate referred William Micou's nomination to the Judiciary Committee on February 24, 1853 but then ordered the Committee to discharge the nomination on the same day. There is no record of Committee (or Senate) consideration after the discharge order. We code this as 666.
- The Senate Judiciary Committee considered William B. Hornblower's nomination on September 25 and October 25, 1893. But there is no record of any action. We code the vote here as 3.

## 226 intpro: Number of Interest Groups Supporting the Nominee

777. Not applicable: Recess appointment

888. Not applicable: No record of hearings/no hearings

999. Data unavailable

*Coding notes:*

- Interest group support is the number of groups presenting oral or written testimony for the nominee.
- Data are available for those nominated since 1953.

## 227 intanti: Number of Interest Groups Opposing the Nominee

777. Not applicable: Recess appointment

888. Not applicable: No record of hearings/no hearings

999. Data unavailable

*Coding notes:*

- Interest group opposition is the number of groups presenting oral or written testimony against the nominee.
- Data are available for those nominated since 1953.

## 228 sendate: Date of Final Action on the Nominee by the Senate

777. Not applicable: Recess appointment

888. Not applicable: No record of Senate action

*Coding notes:*

- The variable takes the form of month/date/year.

- Typically (but not always) nominations coded 888 were withdrawn before Senate consideration. For more on withdrawals, see variables 232 (`serve`) and 233 (`withdraw`). The following nominations do not appear to have been withdrawn but were also coded 888 because no record of Senate action exists:
  - Reuben H. Walworth's second nomination: no record of action
  - John M. Read: no record of action
  - William C. Micou: Senate ordered the Judiciary Committee to discharge the nomination on February 24, 1853. No record of Senate consideration after the discharge order.
  - Henry Stanberry: referred to Judiciary Committee on April 16, 1866. No record of Committee vote or Senate action after the referral.
  - Stanley Matthews's first nomination: no record of action
  - William B. Hornblower: no record of action
  - Pierce Butler's first nomination: placed on the Senate executive calendar on November 28, 1922 but no record of further action.
  - John Marshall Harlan's first nomination: referred to the Senate Judiciary Committee on November 9, 1954 but no record of a committee vote or Senate action.

## 229 senact: Final Action on the Nominee by the Senate

1. Confirmed (by voice vote)
2. Confirmed (by roll-call vote)
3. Postponed
4. Rejected
5. Tabled
6. Recommitted

777. Not applicable: Recess appointment

888. Not applicable: No record of Senate action

*Coding notes:*

- See coding notes under variable 228 (`sendate`).
- Here we code the final action taken by the *Senate*, not the President or nominee. For example, Reuben Walworth (first nomination) was tabled by the Senate on June 15, 1844 (27-20), and then withdrawn by the President two days later. We code this as tabled. For information on withdrawals, see variables 232 (`serve`) and 233 (`withdraw`).
- Typically nominations coded 888 were withdrawn before Senate consideration. For more on withdrawals, see variables 232 (`serve`) and 233 (`withdraw`).
- Issues with specific nominees are as follows:

- The Senate rejected a motion to proceed on Jeremiah Black was rejected. We code this as a rejection.
- When Abe Fortas was nominated to be Chief Justice, the Senate rejected a cloture motion. We code this as rejected.
- According to Rutkus and Bearden (2006, 41), the 60-4 vote to confirm William H. Taft was conducted by the Senate in a closed-door executive session and was not recored in the Senate's journal. But "newspaper accounts . . . reported that a roll call vote on the nomination was demanded . . . and that the vote was 60-4 to confirm with an agreement reached afterwards not to make the roll call public."
- William B. Woods was confirmed on December 21, 1880. On the next day, there was a motion to reconsider, which was tabled (36-3). We code the confirmation vote as the Senate's final action.

## 230 sensupp: Number of Senate Votes in Favor of the Nominee on Final Action

666. Not applicable: Voice vote

777. Not applicable: Recess appointment

888. Not applicable: No vote taken

*Coding notes:*

- See coding notes under variables 228 (`sendate`) and 229 (`senact`).

## 231 senopp: Number of Senate Votes Against the Nominee on Final Action

666. Not applicable: Voice vote

777. Not applicable: Recess appointment

888. Not applicable: No vote taken

## 232 serve: Did the Nominee Serve on the Court?

1. Nominee confirmed and served
2. Nominee confirmed but did not serve (declined or died)
3. Nomination died/rejected in the Senate (includes nominations with no record of action)
4. Nomination withdrawn

777. Not applicable: Recess appointment

*Coding note:*

- This variable is designed to tap what ultimately happened to the nominee. Hence we code the final action with regard to the Senate, President, or nominee—whichever came last. E.g., in the case of the Abe Fortas nomination for Chief Justice, we code here the withdrawal of the nomination, rather than the Senate's cloture vote.

## 233 withdraw: Date of Withdrawal of the Nomination

777. Not applicable: Recess appointment

888. Not applicable: Nomination not withdrawn

*Coding note:*

- This variable takes the form of date/month/year. It receives a date code only if the nomination was withdrawn.

## 234 dateserb: Date Judicial Oath Taken by the Nominee

888. Not applicable: Nominee not confirmed or did not serve

999. Unclear (or no oath taken)

*Coding notes:*

- The variable takes the form of month/date/year. It is the date on which the justice took the oath of office.
- With recess appointments, justices normally took the oath of office twice, once for the recess appointment and once for the post-confirmation appointment (if confirmed). For John McKinley, David Davis, Oliver W. Holmes we find no record of their taking an official oath of office until after their confirmation. For Holmes, and likely for the others as well, this is because they did not actually start serving on the Court until they were confirmed by the Senate. We code their recess appointment record as 999. Benjamin Curtis was sworn as a recess appointee on October 10, 1851 but we find no record that he was sworn in again after confirmation. Accordingly, we code his second record as 999.

## 235 npart: Number of Justice's Case Participations

88888. Not applicable: Nominee not confirmed or did not serve

99999. Data unavailable

*Coding notes:*

- These data cover the justices' entire career unless they are still on the Court. The data are available for justices whose service began at or after the 1953 term; the data end with the 2005 term.
- For the recess appointments (Earl Warren, William Brennan, and Potter Stewart) we do not distinguish between behavior during their recess appointment and thereafter. In other words, the records containing information on their recess appointment and on their post-confirmation behavior are the same.

- Data for William Rehnquist *are broken down* by his service as an associate and his service as chief. So the numbers are different for Rehnquist as associate and as chief.

*Data source:* Derived from the Original U.S. Supreme Court Judicial Database (at http://www.as.uky.edu/polisci/ulmerproject/sctdata.htm), with analu = 0 and dec_type = 1, 6, or 7.

## 236 nops: Number of Opinions of the Court Written by the Justice

88888. Not applicable: Nominee not confirmed or did not serve

99999. Data unavailable

*Coding notes:*

- See notes under variable 235 (`npart`).
- The data include only opinions of the Court and, and not judgments. For judgments, see variable 237 (`judgment`).
- The data include co-authored opinions.

*Data source:* Calculated from the Original U.S. Supreme Court Judicial Database (at http://www.as.uky.edu/polisci/ulmerproject/sctdata.htm), with analu = 0 and dec_type = 1, 6, or 7.

## 237 judgment: Number of Judgments of the Court Written by the Justice

88888. Not applicable: Nominee not confirmed or did not serve

99999. Data unavailable

*Coding notes:*

- Judgments are plurality rulings that occur when no majority agrees on the justification for a decision.
- The data include co-authored opinions.
- See notes under variable 235 (`npart`).

*Data source:* Calculated from the Original U.S. Supreme Court Judicial Database (at http://www.as.uky.edu/polisci/ulmerproject/sctdata.htm), with analu = 0 and dec_type = 1, 6, or 7.

## 238 ndis: Number of Dissenting Opinions Written by the Justice

88888. Not applicable: Nominee not confirmed or did not serve

99999. Data unavailable

*Coding notes:*

- Data do not cover dissents from a dismissal or denial of certiorari, from a summary affirmation of any appeal, or from the Court's assertion of jurisdiction. The data do cover co-authored opinions.
- See notes under variable 235 (`npart`).

*Data source:* Calculated from the Original U.S. Supreme Court Judicial Database (at http://www.as.uky.edu/polisci/ulmerproject/sctdata.htm), with analu = 0 and dec_type = 1, 6, or 7.

## 239 nconr: Number of Regular Concurrences Written by the Justice

88888. Not applicable: Nominee not confirmed or did not serve

99999. Data unavailable

*Coding notes:*

- A "regular" concurring opinion is one in which the justice joined the majority opinion but wrote separately as well. A "special" concurring opinion (see variable 240 [`ncons`]) is one in which the justice explicitly disagreed with the rationale in the majority opinion (i.e., a concurrence in the judgment only).
- See notes under variable 235 (`npart`).
- The data include co-authored opinions.

*Data source:* Calculated from the Original U.S. Supreme Court Judicial Database (at http://www.as.uky.edu/polisci/ulmerproject/sctdata.htm), with analu = 0 and dec_type = 1, 6, or 7.

## 240 ncons: Number of Special Concurrences Written by the Justice

88888. Not applicable: Nominee not confirmed or did not serve

99999. Data unavailable

*Coding notes:*

- A "special" concurring opinion is one in which the justice explicitly disagreed with the rationale in the majority opinion (i.e., a concurrence in the judgment only). A "regular" concurring opinion is one in which the justice joined the majority opinion but wrote separately as well (see variable 239 [`nconr`]).
- See notes under variable 235 (`npart`).
- The data include co-authored opinions.

*Data source:* Calculated from the Original U.S. Supreme Court Judicial Database (at http://www.as.uky.edu/polisci/ulmerproject/sctdata.htm), with analu = 0 and dec_type = 1, 6, or 7.

## 241 percrim: Justice's Career Voting Record in Criminal Procedure Cases (Direction)

88888. Not applicable: Nominee not confirmed or did not serve

99999. Not applicable: Data unavailable

*Coding notes:*

- This variable represents the percentage of "liberal" votes cast by the justice in the area of criminal procedure, where "liberal" and "criminal procedure" are based on Spaeth's definitions. See Appendix G for these definitions. For more details, see Spaeth (2006).
- These data cover the justices' entire career unless they are still on the Court. The data are available for justices whose service began at or after the 1953 term; the data end with the 2005 term.
- For the recess appointments (Earl Warren, William Brennan, and Potter Stewart) we do not distinguish between behavior during their recess appointment and thereafter. In other words, the records containing information on their recess appointment and on their post-confirmation behavior are the same.
- Data for William Rehnquist *are broken down* by his service as an associate and his service as chief. So the numbers are different for Rehnquist as associate and as chief.

*Data source:* Derived from the Original U.S. Supreme Court Judicial Database (at http://www.as.uky.edu/polisci/ulmerproject/sctdata.htm), with analu = 0 or 4 and dec_type = 1, 6, or 7.

## 242 ncrim: Justice's Career Voting Record in Criminal Procedure Cases (Number)

88888. Not applicable: Nominee not confirmed or did not serve

99999. Data unavailable

*Coding notes:*

- This variable is the total number of cases in the area of criminal procedure in which the justice participated. See Appendix G for a definition of criminal procedure cases.
- See notes under variable 241 (`percrim`).

*Data source:* Derived from the Original U.S. Supreme Court Judicial Database (at http://www.as.uky.edu/polisci/ulmerproject/sctdata.htm), with analu = 0 or 4 and dec_type = 1, 6, or 7.

## 243 percr: Justice's Career Voting Record in Civil Rights Cases (Direction)

88888. Not applicable: Nominee not confirmed or did not serve

99999. Data unavailable

*Coding notes:*

- This variable represents the percentage of "liberal" votes cast by the justice in the area of civil rights, where "liberal" and "civil rights" are based on Spaeth's definitions. See Appendix G for these definitions. For more details, see Spaeth (2006).
- See notes under variable 241 (`percrim`).

*Data source:* Derived from the Original U.S. Supreme Court Judicial Database (at http://www.as.uky.edu/polisci/ulmerproject/sctdata.htm), with analu = 0 or 4 and dec_type = 1, 6, or 7.

## 244 ncr: Justice's Career Voting Record in Civil Rights Cases (Number)

88888. Not applicable: Nominee not confirmed or did not serve

99999. Data unavailable

*Coding notes:*

- This variable is the total number of cases in the area of civil rights in which the justice participated. See Appendix G for a definition of civil rights cases.
- See notes under variable 241 (`percrim`).

*Data source:* Derived from the Original U.S. Supreme Court Judicial Database (at http://www.as.uky.edu/polisci/ulmerproject/sctdata.htm), with analu = 0 or 4 and dec_type = 1, 6, or 7.

## 245 perfir: Justice's Career Voting Record in First Amendment Cases (Direction)

88888. Not applicable: Nominee not confirmed or did not serve

99999. Data unavailable

*Coding notes:*

- This variable represents the percentage of "liberal" votes cast by the justice in the area of First Amendment, where "liberal" and "First Amendment" are based on Spaeth's definitions. See Appendix G for these definitions. For more details, see Spaeth (2006).
- See notes under variable 241 (`percrim`).

*Data source:* Derived from the Original U.S. Supreme Court Judicial Database (at http://www.as.uky.edu/polisci/ulmerproject/sctdata.htm), with analu = 0 or 4 and dec_type = 1, 6, or 7.

## 246 nfir: Justice's Career Voting Record in First Amendment Cases (Number)

88888. Not applicable: Nominee not confirmed or did not serve

99999. Data unavailable

*Coding notes:*

- This variable is the total number of cases involving the First Amendment in which the justice participated. See Appendix G for a definition of First Amendment cases.
- See notes under variable 241 (`percrim`).

*Data source:* Derived from the Original U.S. Supreme Court Judicial Database (at http://www.as.uky.edu/polisci/ulmerproject/sctdata.htm), with analu = 0 or 4 and dec_type = 1, 6, or 7.

## 247 perunn: Justice's Career Voting Record in Union Cases (Direction)

77777. No percentage available because no cases heard

88888. Not applicable: Nominee not confirmed or did not serve

99999. Data unavailable

*Coding notes:*

- This variable represents the percentage of "liberal" votes cast by the justice in the area of unions, where "liberal" and "unions" are based on Spaeth's definitions. See Appendix G for these definitions. For more details, see Spaeth (2006).

- See notes under variable 241 (`percrim`).

*Data source:* Derived from the Original U.S. Supreme Court Judicial Database (at http://www.as.uky.edu/polisci/ulmerproject/sctdata.htm), with analu = 0 or 4 and dec_type = 1, 6, or 7.

## 248 nunn: Justice's Career Voting Record in Union Cases (Number)

88888. Not applicable: Nominee not confirmed or did not serve

99999. Data unavailable

*Coding notes:*

- This variable is the total number of cases in the area of unions in which the justice participated. See Appendix G for a definition of union cases.
- See notes under variable 241 (`percrim`).

*Data source:* Derived from the Original U.S. Supreme Court Judicial Database (at http://www.as.uky.edu/polisci/ulmerproject/sctdata.htm), with analu = 0 or 4 and dec_type = 1, 6, or 7.

## 249 perecon: Justice's Career Voting Record in Economic Cases (Direction)

88888. Not applicable: Nominee not confirmed or did not serve

99999. Data unavailable

*Coding notes:*

- This variable represents the percentage of "liberal" votes cast by the justice in the area of economics, where "liberal" and "economics" are based on Spaeth's definitions. See Appendix G for these definitions. For more details, see Spaeth (2006).
- See notes under variable 241 (`percrim`).

*Data source:* Derived from the Original U.S. Supreme Court Judicial Database (at http://www.as.uky.edu/polisci/ulmerproject/sctdata.htm), with analu = 0 or 4 and dec_type = 1, 6, or 7.

## 250 necon: Justice's Career Voting Record in Economic Cases (Number)

88888. Not applicable: Nominee not confirmed or did not serve

99999. Data unavailable

*Coding notes:*

- This variable is the total number of cases in the area of economics in which the justice participated. See Appendix G for a definition of economic cases.
- See notes under variable 241 (`percrim`).

*Data source:* Derived from the Original U.S. Supreme Court Judicial Database (at http://www.as.uky.edu/polisci/ulmerproject/sctdata.htm), with analu = 0 or 4 and dec_type = 1, 6, or 7.

## 251 perfed: Justice's Career Voting Record in Federalism Cases (Direction)

77777. No percentage available because no cases heard

88888. Not applicable: Nominee not confirmed or did not serve

99999. Data unavailable

*Coding notes:*

- This variable represents the percentage of "liberal" votes cast by the justice in the area of federalism, where "liberal" and "federalism" are based on Spaeth's definitions. See Appendix G for these definitions. For more details, see Spaeth (2006).
- See notes under variable 241 (`percrim`).

*Data source:* Derived from the Original U.S. Supreme Court Judicial Database (at http://www.as.uky.edu/polisci/ulmerproject/sctdata.htm), with analu = 0 or 4 and dec_type = 1, 6, or 7.

## 252 nfed: Justice's Career Voting Record in Federalism Cases (Number)

88888. Not applicable: Nominee not confirmed or did not serve

99999. Data unavailable

*Coding notes:*

- This variable is the total number of cases in the area of federalism in which the justice participated. See Appendix G for a definition of federalism cases.
- See notes under variable 241 (`percrim`).

*Data source:* Derived from the Original U.S. Supreme Court Judicial Database (at http://www.as.uky.edu/polisci/ulmerproject/sctdata.htm), with analu = 0 or 4 and dec_type = 1, 6, or 7.

## 253 perftax: Justice's Career Voting Record in Federal Tax Cases: (Direction)

77777. No percentage available because no cases heard

88888. Not applicable: Nominee not confirmed or did not serve

99999. Data unavailable

*Coding notes:*

- This variable represents the percentage of "liberal" votes cast by the justice in the area of federal taxation, where "liberal" and "federal taxation" are based on Spaeth's definitions. See Appendix G for these definitions. For more details, see Spaeth (2006).
- See notes under variable 241 (`percrim`).

*Data source:* Derived from the Original U.S. Supreme Court Judicial Database (at http://www.as.uky.edu/polisci/ulmerproject/sctdata.htm), with analu = 0 or 4 and dec_type = 1, 6, or 7.

## 254 nftax: Justice's Career Voting Record in Federal Tax Cases (Number)

88888. Not applicable: Nominee not confirmed or did not serve

99999. Data unavailable

*Coding notes:*

- This variable is the total number of cases in the area of federal tax in which the justice participated. See Appendix G for a definition of federal tax cases.
- See notes under variable 241 (`percrim`).

*Data source:* Derived from the Original U.S. Supreme Court Judicial Database (at http://www.as.uky.edu/polisci/ulmerproject/sctdata.htm), with analu = 0 or 4 and dec_type = 1, 6, or 7.

## 255 datesere: Date Justice's Service on the Court Terminated

777. Unclear

888. Not applicable: Nominee not confirmed or did not serve

999. Not applicable: Justice still on the Court

- This variable takes the form of month/day/year. It is the date on which the justice's service on the Court terminated (e.g. by death, retirement, or, in the case of recess appointees, by oath of office following Senate confirmation); see variable 257 [`reasdep`]).

*Coding notes:*

- This variable takes the form of month/day/year. It is the date on which the justice's service on the Court terminated (e.g. by death, retirement, or, in the case of recess appointees, by oath of office following Senate confirmation); see variable 257 [`reasdep`]).
- For all successful recess appointees (i.e., all except John Rutledge), the date in their recess row is the date on which they took their oath of office as a confirmed justice. E.g., the date of William J. Brennan's departure (in his recess row) is March 22, 1957—the date on which he took the oath of office after the Senate confirmed him. The date (in his row as a confirmed justice) is July 20, 1990, the date he retired from the Court.
- Benjamin Curtis was sworn as a recess appointee on October 10, 1851 but we find no record that he was sworn in again after confirmation. Accordingly, we code his first record as 777.
- For associate justices promoted to Chief Justice, the date (in their associate row) is the date on which they took their judicial oath for service as Chief. The date in their "chief" row is the date they retired/resigned from the Court.

## 256 agedep: Justice's Age at Time of Departure from the Court

888. Not applicable: Nominee not confirmed or did not serve

999. Not applicable: Justice still on the Court

*Coding notes:*

- For associate justices who became chief justices this variable records their age at the time they left the position of associate justice (for their data row as associate justice).
- For all successful recess appointees (i.e., for all except John Rutledge), the age in their recess row is their age on the date that their service as a recess appointee ended, and not at their age at the time of departure from the Court. E.g., William Brennan's age (in his recess row) is 50, and not his age in 1990 when he left the Court at age of 84. Age 84 appears in his row as a confirmed justice.
- For information on when service ended, see variable 255 (`datesere`).

## 257 reasdep: Justice's Reason for Departure from the Court

1. Advanced age
2. Declining health
3. Died in office
4. Job dissatisfaction
5. Promoted to Chief Justice
6. Resigned/retired before physical or mental health could decline
7. Resigned/retired due to potential conflict(s) of interest

8. Resigned/retired to run for public office (unsuccessfully)
9. Resigned/retired to spend more time with family
10. Resigned/retired to take another position
11. Resigned/retired under criticism of unethical behavior
12. Recess appointee not confirmed
13. Recess appointee confirmed

888. Not applicable: Nominee not confirmed or did not serve

999. Not applicable: Justice still on Court

*Coding note:*

- We code the factor cited at the time of departure (specifically the first reason listed in Epstein et al. (2007)) but other motives may also be involved. One of the more important is political timing. For example, it is possible that a justice of advanced age enjoying relatively good health may be more prone to retire if the incumbent president is likely to appoint an acceptable replacement. Conversely, a justice of advanced age suffering health problems may attempt to postpone retirement if the incumbent president is likely to appoint a replacement whose political or legal views are at odds with his/her own.
- All successful recess appointees (i.e., for all except John Rutledge) receive a code of 13 (recess appointee confirmed) in their recess row.

## 258 postdep: Type of Position Held by Justice Immediately After Departure from the Court

1. Ambassador
2. Bicentennial Commission, chair
3. Governor
4. Office of Economic Stabilization, director
5. Ran for public office (unsuccessful)
6. State Supreme Court Justice
7. U.S. Senator
8. U.S. Supreme Court Chief Justice
9. U.S. Supreme Court Justice
10. Executive branch, member/officer (Confederate States of America)
11. American Judicature Society, officer

12. League of Nations' Non-Partisan Association, officer
13. Commission to settle World War I claims, umpire
14. Executive branch, member (a U.S. state)
15. U.S. Civil Rights Commission, chair
16. Amnesty Board, member

777. Not applicable: Justice did not hold one of these positions

888. Not applicable: Nominee not confirmed or did not serve

999. Not applicable: Justice still on Court

*Coding note:*

- Most, but not all justices, coded as 777 are those who died in office or retired due to declining health or advanced age.
- All successful recess appointees (i.e., for all except John Rutledge) receive a code of 9 (U.S. Supreme Court Justice) in their recess row.

## 259 scssr: Name of Justice Who Replaced Departing Justice

666. Recess appointee successfully replaced himself

777. Not applicable: Seat abolished

888. Not applicable: Nominee not confirmed or did not serve

999. Not applicable: Justice still on Court

*Coding notes:*

- This variable takes the form of last name, first name, middle name or initial (if any).
- We code Joseph P. Bradley as replacing James M. Wayne after the seat was temporarily abolished for three years. For more information, see variable 8 (`seatid`), under "Coding notes."

## 260 deathd: Date of Death

777. Not applicable: Nominee or (retired) Justice still alive

999. Not applicable: Justice still on Court

*Coding note:*

- This variables takes the form of month/date/year.

## 261 deathcit: Place of Death: City/State

777. Not applicable: Nominee or (retired) Justice still alive

999. Not applicable: Justice still on Court

Otherwise, see Appendix A for a list of states and associated values.

## 262 deathst: Place of Death: State

777. Not applicable: Nominee or (retired) Justice still alive

999. Not applicable: Justice still on Court

Otherwise, see Appendix B for a list of states and associated values.

## 263 deathag: Age at Time of Death

777. Not applicable: Nominee or (retired) Justice still alive

999. Not applicable: Justice still on Court

# Appendices

## A Cities/States (or Countries)

1. Ashland, Alabama
2. Harlan, Alabama
3. Huntsville, Alabama

12. Bakersfield, California
13. Los Angeles, California
14. Marysville, California
15. Oakland, California
16. Sacramento, California
17. San Diego, California
18. San Francisco, California

28. Denver, Colorado
29. Fort Collins, Colorado
30. Wellington, Colorado

39. Bozrah, Connecticut
40. Haddam, Connecticut
41. Litchfield, Connecticut
42. Lyme, Connecticut
43. Middletown, Connecticut
44. New Haven, Connecticut
45. Somers, Connecticut
46. Wethersfield, Connecticut
47. Windsor, Connecticut

55. Washington, D.C.

60. Tallahassee, Florida

65. Eatonton, Georgia
66. Elbert County, Georgia
67. Irwinton, Georgia
68. Pin Point, Georgia
69. Ruckersville, Georgia
70. Savannah, Georgia
71. Vineville, Georgia
72. Washington, Georgia

81. Bloomington, Illinois
82. Chicago, Illinois
83. Nashville, Illinois

93. Georgetown, Indiana
94. Marion, Indiana
95. New Albany, Indiana
96. Long Beach, Indiana

105. Troy, Kansas

115. Boyle County, Kentucky
116. Cloverport, Kentucky
117. Elkton, Kentucky
118. Frankfort, Kentucky

119. Jefferson County, Kentucky
120. Lincoln County, Kentucky
121. Louisa, Kentucky
122. Louisville, Kentucky
123. Madison County, Kentucky
124. Minerva, Kentucky
125. Newport, Kentucky
126. Paris, Kentucky
127. Richmond, Kentucky
128. Woodford County, Kentucky

137. Lafourche Parish, Louisiana
138. New Orleans, Louisiana

147. Augusta, Maine
148. Cornish, Maine
149. Sorrento, Maine
150. York, Maine

160. Baltimore, Maryland
161. Buena Vista, Maryland
162. Calvert County, Maryland
163. Cecil County, Maryland
164. Charles County, Maryland
165. Frederick, Maryland
166. Prince Georges County, Maryland
167. Somerset County, Maryland

176. Boston, Massachusetts
177. Braintree, Massachusetts
178. Cambridge, Massachusetts
179. Concord, Massachusetts
180. Jamaica Plain, Massachusetts
181. Haverhill, Massachusetts
182. Hingham, Massachusetts
183. Marblehead, Massachusetts
184. Melrose, Massachusetts
185. Nahant, Massachusetts
186. Newbury, Massachusetts
187. Newburyport, Massachusetts
188. Osterville, Massachusetts
189. Salisbury, Massachusetts
190. Scituate, Massachusetts
191. South Lee, Massachusetts
192. Stockbridge, Massachusetts
193. Watertown, Massachusetts
194. Worcester, Massachusetts

198. Detroit, Michigan
199. Harbor Beach, Michigan
200. Jackson, Michigan
201. Mackinac Island, Michigan

211. Maine, Minnesota
212. Minneapolis, Minnesota
213. Northfield, Minnesota
214. Pine Bend, Minnesota

215. St. Paul, Minnesota

225. Kansas City, Missouri

236. Chesterfield, New Hampshire
237. Cornish, New Hampshire
238. Francestown, New Hampshire
239. Hanover, New Hampshire
240. Keene, New Hampshire
241. Portsmouth, New Hampshire
242. Rumney, New Hampshire
243. Weare, New Hampshire

253. Atlantic City, New Jersey
254. Morris County, New Jersey
255. Morristown, New Jersey
256. Newark, New Jersey
257. Patterson, New Jersey
258. Princeton, New Jersey
259. Trenton, New Jersey

268. Albany, New York
269. Altamont, New York
270. Bedford, New York
271. Bronxville, New York
272. Brooklyn, New York
273. Cooperstown, New York
274. Duchess County, New York

275. Frewsburg, New York
276. Glens Falls, New York
277. Hebron, New York
278. Hoosick, New York
279. Hudson, New York
280. Huntington, New York
281. Lake Minnewassa, New York
282. New York, New York
283. Onondaga County, New York
284. Port Chester, New York
285. Poughkeepsie, New York
286. Queens, New York
287. Rye, New York
288. Saratoga, New York
289. Utica, New York
290. Washington County, New York
291. New Lebanon, New York
292. Buffalo, New York
293. Jamestown, New York
294. Berne, New York

296. Bladen County, North Carolina
297. Brunswick County, North Carolina
298. Edenton, North Carolina
299. Monroe, North Carolina
300. New Bern, North Carolina
301. Raleigh, North Carolina

308. Cincinnati, Ohio

309. Cleveland, Ohio

310. Columbus, Ohio

311. Lisbon, Ohio

312. Newark, Ohio

313. Ravenna, Ohio

314. Steubenville, Ohio

315. Portland, Oregon

316. Bethany, Pennsylvania

323. Cumberland County, Pennsylvania

324. Germantown, Pennsylvania

325. Lycoming County, Pennsylvania

326. Philadelphia, Pennsylvania

327. Pittsburgh, Pennsylvania

328. Somerset County, Pennsylvania

329. Spring Creek, Pennsylvania

330. West Vincent, Pennsylvania

331. York, Pennsylvania

339. Newport, Rhode Island

349. Charleston, South Carolina

350. Columbia, South Carolina

351. Greenville, South Carolina

352. York, South Carolina

360. Clarksville, Tennessee

361. Jackson, Tennessee
362. Knoxville, Tennessee
363. Memphis, Tennessee
364. Nashville, Tennessee
365. Paris, Tennessee
366. West Meade, Tennessee

375. Austin, Texas
376. Dallas, Texas
377. El Paso, Texas

387. Arlington, Virginia
388. Augusta County, Virginia
389. Culpepper County, Virginia
390. Frederick County, Virginia
391. Germantown, Virginia
392. King and Queen County, Virginia
393. Norfolk, Virginia
394. Orange County, Virginia
395. Richmond, Virginia
396. Stafford County, Virginia
397. Suffolk, Virginia
398. Westmoreland County, Virginia
399. Williamsburg, Virginia

409. Provo, Utah

419. Yakima, Washington

429. Milwaukee, Wisconsin

439. Cheyenne, Wyoming

500. Smyrna, Asia Minor (Turkey)
502. Vienna, Austria
512. Buckinghamshire, England
513. Lewes, England
520. Paris, France
530. County Antrim, Ireland
535. Rome, Italy
540. Caskardy, Scotland
541. Bristol, England

# B States and Countries

1. Alabama
2. Alaska
3. Arizona
4. Arkansas
5. California
6. Colorado
7. Connecticut
8. Delaware
9. Florida
10. Georgia
11. Hawaii
12. Idaho
13. Illinois
14. Indiana

15. Iowa
16. Kansas
17. Kentucky
18. Louisiana
19. Maine
20. Maryland
21. Massachusetts
22. Michigan
23. Minnesota
24. Mississippi
25. Missouri
26. Montana
27. Nebraska
28. Nevada
29. New Hampshire
30. New Jersey
31. New Mexico
32. New York
33. North Carolina
34. North Dakota
35. Ohio
36. Oklahoma
37. Oregon
38. Pennsylvania
39. Rhode Island
40. South Carolina
41. South Dakota
42. Tennessee
43. Texas

44. Utah
45. Vermont
46. Virginia
47. Washington
48. West Virginia
49. Wisconsin
50. Wyoming
51. District of Columbia
52. Asia Minor (Turkey)
53. Austria
54. England
55. Ireland
56. Italy
57. France
58. Scotland

# C Political Parties

1. Democrat
2. Democratic Republican
3. Federalist
4. Free Soil
5. Independent
6. Republican
7. Whig
8. Divided between Democrats and Republicans

# D Schools and Universities

1. Alabama, University of
2. Albany
3. Amherst College
4. Annen Real Schule (Germany)
5. Ave Maria

6. Benicia Institute
7. Bethany
8. Birmingham Medical
9. Bowdoin College
10. Brigham Young
11. Brown University

16. California, University of
17. Cambridge University
18. Carleton College
19. Centre College
20. Chicago, University of
21. Cincinnati, University of
22. College of the City of New York
23. Colorado, University of
24. Columbia University
25. Cornell University
26. Cumberland University

31. Dartmouth College
32. Delaware College

33. Depaul University
34. DePauw University
35. Detroit Medical College
36. Detroit, University of
37. Dickinson University
38. Duke University
39. Emory University

40. Fribourg (Switzerland)
41. Furman University

45. George Washington University
46. Georgetown University

47. Harvard University
48. Hobart College
49. Holy Cross
50. Howard University

51. Iowa, University of
52. Indiana University

56. John Marshall Law School

57. Kansas City
58. Kenyon College

59. Litchfield (Tapping Reeve) Law School

60. Lincoln
61. London School of Economics
62. (empty)
63. Lowell Institute

68. Mercer University
69. Michigan, University of
70. Middle Temple (England)
71. Middlebury
72. Minnesota, University of
73. Mississippi, University of
74. Mitchell College of Law
75. New York University
76. North Carolina at Chapel Hill, University of
77. Northwestern University

78. Oxford University

83. Paris, University of
84. Pennsylvania, University of
85. Princeton University

86. Rutgers

87. Southwest Baptist University
88. Southwestern
89. St. Andrew's (Scotland)
90. St. Paul

91. Stanford University
92. Southern Methodist University
93. Seton Hall

96. Tulane University
97. Tennessee, University of
98. Texas, University of
99. Transylvania
100. Trinity College (Ireland)

101. Union
102. University of the Pacific

103. Vanderbilt University
104. Virginia, University of

109. Washington and Jefferson College
110. Washington and Lee University
111. West Point
112. Western Reserve University
113. Whitman College
114. William and Mary, College of
115. Williams College
116. Wisconsin, University of

117. Yale University

# E Executive Departments, Agencies, and Commissions (including Posts in the White House)

1. Administrative Conference of the United States
2. Customs
3. Economic Stabilization, Office of
4. Education, Department of
5. Equal Employment Opportunity Commission
6. Federal Farm Bureau
7. Federal Loan Agency
8. Hayes-Tilton Electoral Commission
9. High Commission to the Philippines
10. Interior, Department of the
11. Internal Revenue Bureau
12. Labor, Department of
13. Louisiana Reconstruction Commission
14. National Labor Relations Board
15. National War Labor Board
16. Navy, Department of the
17. Post Office
18. President's Mediation Commission
19. Public Works Administration
20. Reconstruction Finance Corporation
21. Revise the Federal Statutes, Commission to
22. Securities and Exchange Commission
23. State, Department of
24. Treasury, Department of the
25. Treaty of Ghent, Commission to Negotiate
26. Treaty of Washington, Commission to Negotiate
27. United States Land Office

28. United States Sentencing Commission
29. War Department
30. War Mobilization and Reconversion, Office of
31. White House Office of Telecommunications Policy
32. White House Staff position
33. White House, Counsel to the President

# F U.S. Presidents (in Chronological Order)

1. Washington, George
2. Adams, John
3. Jefferson, Thomas
4. Madison, James
5. Monroe, James
6. Adams, John Quincy
7. Jackson, Andrew
8. Van Buren, Martin
9. Harrison, William Henry
10. Tyler, John
11. Polk, James Knox
12. Taylor, Zachary
13. Fillmore, Millard
14. Pierce, Franklin
15. Buchanan, James
16. Lincoln, Abraham
17. Johnson, Andrew
18. Grant, Ulysses Simpson
19. Hayes, Rutherford Birchard
20. Garfield, James Abram
21. Arthur, Chester Alan
22. Cleveland, Grover

23. Harrison, Benjamin
24. Cleveland, Grover
25. McKinley, William
26. Roosevelt, Theodore
27. Taft, William Howard
28. Wilson, Woodrow
29. Harding, Warren Gamaliel
30. Coolidge, Calvin
31. Hoover, Herbert Clark
32. Roosevelt, Franklin Delano
33. Truman, Harry S.
34. Eisenhower, Dwight David
35. Kennedy, John Fitzgerald
36. Johnson, Lyndon Baines
37. Nixon, Richard Milhous
38. Ford, Gerald Rudolph
39. Carter, James Earl, Jr.
40. Reagan, Ronald Wilson
41. Bush, George Herbert Walker
42. Clinton, William Jefferson
43. Bush, George Walker

# G Spaeth Definitions of Issue Areas and Ideology

## G.1 Issue Areas

The U.S. Supreme Court Database (Spaeth, 2006) categorizes cases into one of thirteen "value" areas. They are as follows:

1. Criminal Procedure: the rights of persons accused of crime except for the due process rights of prisoners
2. Civil Rights: non-First Amendment freedom cases which pertain to classifications based on race (including Native Americans), age, indigence, voting, residence, military, or handicapped status, sex, or alienage

3. First Amendment: guarantees contained therein
4. Due Process: non-criminal procedural guarantees, plus court jurisdiction over non-resident litigants and the takings clause of the Fifth Amendment
5. Privacy: abortion, contraception, the Freedom of Information Act and related federal statutes
6. Attorneys: attorneys' fees, commercial speech, admission to and removal from the bar, and disciplinary matters
7. Unions: labor union activity
8. Economics: commercial business activity, plus litigation involving injured persons or things, employee actions vis-à-vis employers, zoning regulations, and governmental regulation of corruption other than that involving campaign spending
9. Judicial Power: the exercise of the judiciary's own power and authority
10. Federalism: conflicts between the federal and state governments, excluding those between state and federal courts, and those involving the priority of federal fiscal claims
11. Interstate Relations: conflicts between states, boundary disputes, and non-property disputes commonly arising under full faith and credit clause of the Constitution;
12. Federal Taxation: the Internal Revenue Code and related statutes;
13. Miscellaneous: legislative veto, separation of powers, and matters not included in any other issue area.

*Notes:*

- The category "Civil Liberties," which we use for several variables, combines the categories of Criminal Procedure, Civil Rights, First Amendment, Due Process, Privacy, and Attorneys.
- For a list of the particular issues falling within the thirteen categories listed above, consult Spaeth (2006). Also available at: http://www.as.uky.edu/polisci/ulmerproject/sctdata.htm.

## G.2 Ideology

The U.S. Supreme Court Database (Spaeth, 2006), as reported in Epstein et al. (2007), makes the following statement pertaining to the ideological coding of votes and outcomes:

> The term liberal represents the voting direction of the justices across the various issue areas. It is most appropriate in the areas of civil liberties, criminal procedure, civil rights, First Amendment, due process, privacy and attorneys where it signifies pro-defendant votes in criminal procedure cases, pro-women or -minorities in civil rights cases, pro-individual against the government in First Amendment, due process and privacy cases and pro-attorney in attorneys' fees and bar membership cases. In takings clause cases, however, a pro-government/anti-owner vote is considered liberal. The use of the term is probably less appropriate in union cases, where it represents pro-union votes against both individuals and the government, and in economic cases, where it represents pro-government votes against challenges to federal regulatory authority and pro-competition, anti-business, pro-liability, pro-injured person, and pro-bankruptcy decisions. In federalism and federal taxation liberal indicates pro-national government positions; in judicial power cases the term represents pro-judiciary

For more details, consult Spaeth (2006).

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