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Online Supplemental Materials for "The Conditioning Role of Judicial Independence in the Exercise of Judicial Review" by Garrett N. Vande Kamp

Descriptive Statistics of Variables

Variable	Mean	Standard Deviation	Minimum	Maximum	N
Case Variables					
Invalidations of federal statutes	0.31	0.46	0	1	213
Court Ideology - Bailey	-0.03	0.37	-1.03	1.02	213
Court Ideology – Segal Cover	-0.02	0.21	-0.25	0.25	213
Public Ideology, Lagged	-0.46	4.39	-10.24	10.02	213
Focus on Constitutionality of Federal Statute	0.75	0.44	0	1	213
Statute Variables					
Length, linearly transformed	1202.23	167.35	0	1302	368
Partisan Vote	0.26	0.27	0	0.96	368
Annual Variables					
Court Popularity, Lagged	0.34	0.10	0.08	0.52	38
Court-curbing bills, lagged and linearly transformed	23.18	8.37	0	31	38
Divided government	0.59	0.50	0	1	63
Statute and Annual Variables					
Challenges to federal statutes	0.02	0.13	0	1	11897
Duration Dependence	17.76	14.20	0	62	11897
Floor Median Opposition	0.25	0.27	0	1	11838
Senate Filibuster Opposition	0.28	0.27	0	1	11838
Party Gatekeeping Opposition	0.31	0.29	0	1	11838
Court Ideology – Statute (Standardized)	0.00	1.00	-8.17	9.92	11893

Public Ideology, Lagged – Statute (Standardized)	0.00	1.01	-10.14	8.93	11850

Variable Coding

This section provides additional information about the variables used in this study. First, I provide a set of descriptive statistics for these variables. Second, I provide additional formulae for some of the variables used in this study. While all variables could have formulae provided for them in some form or fashion, I am only providing formulae for a subset that 1) not intuitive when describing them in text, and 2) are somewhat original to this analysis.

For a couple of count variables, I took a linear transformation that subtracted an observation's value from the maximum observed in the dataset. This resulted in measures of judicial independence where higher values indicate greater levels of judicial independence. This transformation allows these measures of judicial independence to match the others in the dataset, as they all have this same interpretation. Their formula are below.

$$StatuteLengthLinear_i = Max(StatuteLength) - StatuteLength_i$$

$$CourtCurbingLinear_{t-1} = Max(CourtCurbing) - CourtCurbing_{t-1}$$

For the measure of party division over a statute, I take the absolute value of the percentage of House Republicans that voted for a statute minus the percentage of House Democrats that voted for the statute. This can be shown using the following formula:

$$PartyDivision_i = |\, HouseRepublicanYeaPercent_i - HouseDemocratYeaPercent_i \,|$$

For measures of ideological predisposition to striking a statute, both the Court's and the public's, I use a decision-rule mechanism that is based on the ideological tilt of the relevant actor, the direction of decision variable in the U.S. Supreme Court database, and whether the Court actually struck a statute. For the measure of the Court's ideological tilt towards a statute

that uses the Bailey measure, I first identify each natural court's median in a given year and record their ideal point. I then assign my measure based on whether this ideal point is consistent with the ideological outcome of the ruling and whether the Court struck the statute. This is likely best explained in tabular form:

Table A1: Coding Rules for the Court's Ideological Predisposition to Strike a Statute

	Case outcome matches ideology of median justice	Case outcome does not match ideology of median justice
Case invalidated a statute	abs(Bailey Median)	-abs(Bailey Median)
Case did not invalidate a statute	-abs(Bailey Median)	abs(Bailey Median)
Case did not have a discernable ideological effect	0	

For the measure using Segal-Cover scores, which is featured in analysis in this appendix, I performed largely the same routine, identifying the median of each natural court and then assigning a value based on the decision rule above. Some additional coding steps were required to make the measure comparable to Bailey ideal points. First, I subtracted 0.5 from all values so that a 0 would indicate a perfectly moderate Court median. Then, I multiplied the value by -1 so that positive medians indicate conservative courts. This latter step was adopted simply to reuse existing computer code. Then I used the same decision rule:

Table A2: Coding Rules for the Court's Ideological Predisposition to Strike a Statute (Segal-Cover)

	Case outcome matches ideology of median justice	Case outcome does not match ideology of median justice
Case invalidated a statute	abs(SC Median)	-abs(SC Median)
Case did not invalidate a statute	-abs(SC Median)	abs(SC Median)
Case did not have a discernable ideological effect	0	

For the public mood measures, I use Stimson's measure of public mood in a given year rather than a measure of the Court's median ideology in a given natural court and year. I again

have to transform the data to ensure it matches Bailey's measures. I mean-center the time-series so that 0 would indicate a perfectly moderate public. I also lag the series because it takes time for the justices to observe and react to public opinion. Finally, I change how I code the variable due to mood measuring the public's liberalism rather than conservativism. I again use the same decision-rule:

Table A3: Coding Rules for the Public's Ideological Predisposition to Strike a Statute

	Case outcome matches ideology of the public	Case outcome does not match ideology of the public
Case invalidated a statute	abs(MoodCenteredLag)	-abs(MoodCenteredLag)
Case did not invalidate a statute	-abs(MoodCenteredLag)	abs(MoodCenteredLag)
Case did not have a discernable ideological effect	0	

Composite Measure of Judicial Independence

One reviewer suggested creating a composite measure of judicial independence by using factor analysis on the different measures of judicial independence. This possibility was investigated using exploratory factor analysis, and six of the nine variables reported in the paper are investigated. Rather than include all three measures of pivotal policymaker opposition, which are no doubt highly correlated, only the party gatekeeping construction is analyzed. The measure of salience is also excluded, as has substantially fewer observations than the rest of the sample. The results are presented in Table A4.

The variables do not consistently load onto a single factor. The first factor is dominated by the strong, positive relationship between the pivotal policymaker opposition variable and the partisan vote variable. There are the only two variables that significantly load onto this dimension, however. They are also the only variables with a uniqueness below 0.8, indicating that the other four variables are largely unexplained by the factors in the model. The relative

popularity of the Court is positively related to court-curbing bills, as indicated by the results in the second factor. No other discernable relationships between variables appear in this table.

These results are not surprising on a theoretical or methodological level. On a theoretical level, the different mechanisms of judicial independence are not necessarily correlated. The Court can be popular without the political environment being transparent, and vice versa. And neither of these variables are necessarily related to Congress' ability to punish the Court if it disapproves of its actions. Each of these mechanisms can support judicial independence on their own right; they do not need to co-occur in order for the Court to act independently. Methodologically, these variables do not share many opportunities for correlation. Some variables only vary over time, others only vary over statute. Thus, it is difficult to expect to uncover a single, latent dimension amongst these variables.

Table A4: Results of Exploratory Factor Analysis

Variable	Factor 1	Factor 2	Factor 3	Uniqueness
Relative Court Popularity	0.15	0.34	-0.09	0.85
Court Curbing Bills	0.04	0.33	0.10	0.88
Statute Length	-0.10	-0.15	0.11	0.96
Party Gatekeeping Model	0.81	-0.19	-0.05	0.34
Partisan Vote	0.80	-0.08	-0.03	0.35
Political Fragmentation	0.02	0.05	0.26	0.93

Segal-Cover Robustness Check

This section supplements the paper by providing additional robustness checks. The first one substitutes Segal-Cover scores for Bailey's ideal point estimates in the measure of the Court's ideological predisposition to striking a statute. Such a concern has some merits given the "votes explaining votes" criticism: that a justice's ideal point in a given year is influenced in

some small way by the vote they cast in a given case, creating an issue of simultaneity. While true, such concerns are demonstrably overhyped (Martin and Quinn 2005). Ideal point estimates on subsets of Court cases are very highly correlated with ideal point estimates from the rest of the cases. This is unsurprising, given that any one case plays an extremely small role in an estimate of an ideal point. Further, estimates of judges' ideology that do not rely on votes, such as the Segal-Cover scores, do not allow justice's ideology to change over time, creating issues of measurement error. This error seems like a much greater source of endogeneity than the "votes explaining votes" endogeneity. But given that the criticism has at least some merit, I present these robustness checks in Tables A5-A8 and Figures A1A and A1B.

To summarize, the substantive conclusions of the paper remain unchanged when using the Segal-Cover scores. Models testing additive relationships find strong support for the Additive Preference Hypothesis, though with some models now failing to reach statistical significance despite large, positive coefficients. They also continue to find weak support for the Additive Independence Hypothesis. Models testing multiplicative relationships find support for the Conditional Preference Hypothesis. This time, seven of the coefficients are positive but only three are statistically significant. Marginal effects plots, however, reveal a virtually identical relationship as the one presented in the paper. The one exception is in the model of case salience. Whereas the marginal effect of ideological inclination to strike was positive and statistically significant when preferences are high in the original model, it is no longer statistically significant in this new model.

The second set of robustness checks implement a number of changes to the largest extent possible, the variables in the second stage match the variables in the first stage. This is done primarily by creating new measures of ideological predisposition that are statute-specific rather

than case specific. When crafting the pivotal policymaker variables, logits were created of the roll call votes of members of Congress and the president on their Common Space scores. The coefficients for these scores represent a measure of the conservativeness of a statute. When multiplied by the Bailey ideal point measures, the resulting product is the Court's ideological predisposition towards a statute. The variable is finally standardized to aid in optimization. By creating a measure that is statute-specific, the Court's ideological predisposition can be included in both stages of the models as is often recommended for Heckman models.

An additional measure of the public's ideological predisposition towards a statute can be created in a similar fashion, which are also included in this second set of robustness checks. In addition, the chief justice fixed effects are made consistent in both models by using chief who managed the Court for the majority of a given year in the second stage as well as the first stage. In addition, a dummy variable of whether the Court had already heard a challenge to a statute under review was included in the first stage of the analysis. This variable was interacted with the cubic polynomials to create a second hazard function for statutes after they had already been challenged in Court. With these changes noted, a second set of models are estimated and presented in Tables A9-12 and Figures A2A and A2B.

The results from the second set of robustness checks are almost identical to the first set of robustness checks. There is considerable evidence for the Additive Ideology Hypothesis but little for the Additive Independence Hypothesis. Models testing multiplicative relationships support the Conditional Preference Hypothesis, with seven interaction terms positive but only three are statistically significant. The marginal effects plots present substantively identical results, except that the effect of partisanship of a statute are no longer statistically significant while the effects

of statute length are positive and statistically significant when judicial independence is at its maximum (but not at its minimum).

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Table A5: Heckman Models of Decision to Invalidate an Important Federal Statute Passed Between 1949-2011 that Test Additive Relationships (Segal-Cover)

Stage 2: Invalidations of important federal statutes that are challenged	Relative Court Popularity	Court-Curbing Bills[+]	Statute Length[+]	Case Salience
Court Ideology	-0.07	-0.04	0.87	1.25*
	(0.72)	(0.71)	(0.54)	(0.59)
Independence	2.43	0.01	-0.00	0.51**
	(1.83)	(0.02)	(0.00)	(0.18)
Public Ideology	0.02	0.02	0.03	0.02
	(0.02)	(0.02)	(0.02)	(0.02)
Focus on Constitutionality of Federal Statute	0.77**	0.75**	0.93**	0.73**
	(0.32)	(0.31)	(0.25)	(0.27)
Policy Area Fixed Effects	18.34	16.81	13.42	16.40
Chief Justice Fixed Effects	0.44	1.61	0.97	2.61
Stage 1: Challenges to important federal statutes				
Independence	0.34	0.00	-0.00	-
	(0.45)	(0.00)	(0.00)	
Policy Area Fixed Effects	80.89**	81.52**	106.10**	101.11**
Chief Justice Fixed Effects	8.69*	9.42**	12.61**	8.08*
Cubic Polynomials of Duration Dependence	152.90**	154.57**	126.04**	123.58**
Wald Test of Independent Equations	0.44	0.29	0.08	0.28
N Stage 1	10207	10207	11850	10709
N Stage 2	169	169	213	199

*p<0.05, **p<0.01, one-tailed tests used for individual coefficients
Grouped Coefficients report Wald Test of Joint Significance
[+]Independence Variable Subject to a Linear Transformation
Standard Errors Clustered on Statute are in Parentheses

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Table A6: Heckman Models of Decision to Invalidate an Important Federal Statute Passed Between 1949-2011 that Test Additive Relationships, Continued (Segal-Cover)

Stage 2: Invalidations of important federal statutes that are challenged	Floor Median Model	Senate Filibuster Model	Party Gatekeeping Model	Partisan Vote	Political Fragmentation
Court Ideology	0.95*	0.95*	0.89	0.91*	0.92*
	(0.56)	(0.56)	(0.57)	(0.54)	(0.53)
Independence	0.22	0.19	0.37	0.22	0.40
	(0.48)	(0.48)	(0.46)	(0.48)	(0.30)
Public Ideology	0.02	0.02	0.02	0.03	0.02
	(0.02)	(0.02)	(0.02)	(0.02)	(0.02)
Focus on Constitutionality of Federal Statute	0.87**	0.87**	0.87**	0.88**	0.92**
	(0.26)	(0.26)	(0.26)	(0.25)	(0.26)
Policy Area Fixed Effects	13.43	13.64	13.36	14.60	16.29
Chief Justice Fixed Effects	1.04	1.09	1.03	0.95	2.59
Stage 1: Challenges to important federal statutes					
Independence	0.35**	0.31**	0.34**	0.23	0.04
	(0.13)	(0.13)	(0.13)	(0.15)	(0.08)
Policy Area Fixed Effects	101.10**	101.20**	102.62**	101.94**	101.89**
Chief Justice Fixed Effects	11.87**	12.25**	13.32**	12.48**	9.54*
Cubic Polynomials of Duration Dependence	151.35**	149.99**	152.01**	152.02**	148.90**
Wald Test of Independent Equations	0.13	0.13	0.11	0.09	0.07
N Stage 1	11838	11838	11838	11850	11850
N Stage 2	210	210	210	211	211

*p<0.05, **p<0.01, one-tailed tests used for individual coefficients
Grouped Coefficients report Wald Test of Joint Significance
Standard Errors Clustered on Statute are in Parentheses

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Table A7: Heckman Models of Decision to Invalidate an Important Federal Statute Passed Between 1949-2011 that Test Multiplicative Relationships, Continued (Segal-Cover)

Stage 2: Invalidations of important federal statutes that are challenged	Court Popularity	Court-Curbing Bills[+]	Statute Length[+]	Case Salience
Court Ideology	-3.92	1.60	6.13*	1.20*
	(2.64)	(1.68)	(3.43)	(0.62)
Independence	2.84	-0.00	-0.00	0.51**
	(2.07)	(0.02)	(0.00)	(0.18)
Court Ideology x Independence	10.90	-0.07	-0.00	0.11
	(6.98)	(0.07)	(0.00)	(0.63)
Public Ideology	0.03	0.02	0.03	0.02
	(0.02)	(0.02)	(0.02)	(0.02)
Focus on Constitutionality of Federal Statute	0.75*	0.75**	0.91**	0.73**
	(0.32)	(0.31)	(0.25)	(0.27)
Policy Area Fixed Effects	19.19	16.30	12.66	16.29
Chief Justice Fixed Effects	0.44	1.77	0.76	2.78
Stage 1: Challenges to important federal statutes				
Independence	0.34	0.00	-0.00	-
	(0.45)	(0.00)	(0.00)	
Policy Area Fixed Effects	80.86**	81.52**	106.10**	101.12**
Chief Justice Fixed Effects	8.69*	9.41**	12.67**	8.09*
Cubic Polynomials of Duration Dependence	150.73**	155.53**	124.55**	123.60**
Wald Test of Independent Equations	0.54	0.24	0.07	0.29
N Stage 1	10207	10207	11897	10709
N Stage 2	169	169	213	199

*p<0.05, **p<0.01, one-tailed tests used for individual coefficients
Grouped Coefficients report Wald Test of Joint Significance
[+]Independence Variable Subject to a Linear Transformation
Standard Errors Clustered on Statute are in Parentheses

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Table A8: Heckman Models of Decision to Invalidate an Important Federal Statute Passed Between 1949-2011 that Test Multiplicative Relationships, Continued (Segal-Cover)

Stage 2: Invalidations of important federal statutes that are challenged	Floor Median Model	Senate Filibuster Model	Party Gatekeeping Model	Partisan Vote	Political Fragmentation
Court Ideology	0.11	-0.31	-0.56	-0.20	0.80
	(0.83)	(0.89)	(0.90)	(0.73)	(0.91)
Independence	0.35	0.41	0.60	0.54	0.42
	(0.49)	(0.49)	(0.46)	(0.49)	(0.28)
Court Ideology x Independence	3.03	4.12*	4.11*	4.25*	0.20
	(2.62)	(2.41)	(1.88)	(1.97)	(1.09)
Public Ideology	0.03	0.03	0.04	0.04*	0.02
	(0.02)	(0.02)	(0.02)	(0.02)	(0.02)
Focus on Constitutionality of Federal Statute	0.89**	0.91**	0.93**	0.95**	0.92**
	(0.27)	(0.27)	(0.27)	(0.25)	(0.26)
Policy Area Fixed Effects	14.81	15.48	13.91	13.84	16.49
Chief Justice Fixed Effects	0.60	0.51	0.34	0.49	2.79
Stage 1: Challenges to important federal statutes					
Independence	0.35**	0.31*	0.34**	0.23	0.04
	(0.13)	(0.13)	(0.13)	(0.15)	(0.08)
Policy Area Fixed Effects	100.94**	101.20**	102.61**	101.91**	101.89**
Chief Justice Fixed Effects	11.89**	12.28**	13.35**	12.51**	9.55*
Cubic Polynomials of Duration Dependence	150.63**	148.87**	150.41**	149.35**	149.69**
Wald Test of Independent Equations	0.11	0.10	0.08	0.04	0.06
N Stage 1	11838	11838	11838	11897	11897
N Stage 2	210	210	210	213	213

*p<0.05, **p<0.01, one-tailed tests used for individual coefficients
Grouped Coefficients report Wald Test of Joint Significance
Standard Errors Clustered on Statute are in Parentheses

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Table A9: Heckman Models of Decision to Invalidate an Important Federal Statute Passed Between 1949-2011 that Test Additive Relationships (Statute Measure of Ideology)

Stage 2: Invalidations of important federal statutes that are challenged	Relative Court Popularity	Court-Curbing Bills+	Statute Length+	Case Salience
Court Ideology	-0.17	-0.15	0.26*	0.26*
	(0.16)	(0.16)	(0.14)	(0.59)
Independence	3.40*	0.01	-0.00	0.53**
	(2.05)	(0.02)	(0.00)	(0.17)
Public Ideology	0.20	0.20*	0.01	0.03
	(0.12)	(0.11)	(0.10)	(0.10)
Focus on Constitutionality of Federal Statute	0.98**	0.93**	0.86**	0.74**
	(0.33)	(0.32)	(0.23)	(0.26)
Policy Area Fixed Effects	20.10	19.47	12.81	12.39
Chief Justice Fixed Effects	0.04	0.85	0.47	0.25
Stage 1: Challenges to important federal statutes				
Court Ideology	-0.07	-0.07	0.04	0.04
	(0.05)	(0.05)	(0.03)	(0.03)
Independence	0.32	0.00	-0.00**	-
	(0.44)	(0.00)	(0.00)	
Public Ideology	0.02	0.02	-0.02	-0.02
	(0.03)	(0.03)	(0.02)	(0.03)
Policy Area Fixed Effects	67.40**	67.65**	94.89**	93.00**
Chief Justice Fixed Effects	9.24**	8.54**	12.03**	7.33
Cubic Polynomials of Duration Dependence	168.66**	171.78**	142.74**	110.66**
Previous Challenge x Cubic Polynomials	8.52	8.54	11.91*	11.18*
Wald Test of Independent Equations	0.00	0.00	0.07	0.00
N Stage 1	10207	10207	11897	10709
N Stage 2	169	169	213	199

*p<0.05, **p<0.01, one-tailed tests used for individual coefficients
Grouped Coefficients report Wald Test of Joint Significance
+Independence Variable Subject to a Linear Transformation
Standard Errors Clustered on Statute are in Parentheses

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Table A10: Heckman Models of Decision to Invalidate an Important Federal Statute Passed Between 1949-2011 that Test Additive Relationships, Continued (Statute Measure of Ideology)

Stage 2: Invalidations of important federal statutes that are challenged	Floor Median Model	Senate Filibuster Model	Party Gatekeeping Model	Partisan Vote	Political Fragmentation
Court Ideology	0.25*	0.25*	0.25*	0.26*	0.30*
	(0.15)	(0.15)	(0.15)	(0.15)	(0.15)
Independence	0.39	0.38	0.55	0.33	0.56
	(0.43)	(0.43)	(0.40)	(0.47)	(0.28)
Public Ideology	0.01	0.01	0.01	0.02	0.03
	(0.10)	(0.10)	(0.10)	(0.10)	(0.10)
Focus on Constitutionality of Federal Statute	0.81**	0.81**	0.81**	0.82**	0.85**
	(0.24)	(0.24)	(0.24)	(0.24)	(0.24)
Policy Area Fixed Effects	11.19	10.99	10.36	11.90	13.02
Chief Justice Fixed Effects	0.70	0.62	0.46	0.85	1.23
Stage 1: Challenges to important federal statutes					
Court Ideology	0.03	0.03	0.03	0.04	0.04
	(0.03)	(0.03)	(0.03)	(0.03)	(0.03)
Independence	0.29**	0.26*	0.29**	0.23	0.05
	(0.12)	(0.12)	(0.12)	(0.14)	(0.07)
Public Ideology	-0.02	-0.02	-0.02	-0.02	-0.02
	(0.02)	(0.02)	(0.02)	(0.02)	(0.02)
Policy Area Fixed Effects	93.33**	93.45**	94.22**	93.06**	93.45**
Chief Justice Fixed Effects	10.70*	10.98*	11.92**	11.89**	8.83*
Cubic Polynomials of Duration Dependence	147.16**	150.84**	151.09**	162.00**	163.94**
Previous Challenge x Cubic Polynomails	12.44*	12.78*	12.44*	13.77**	14.34**
Wald Test of Independent Equations	0.01	0.02	0.02	0.03	0.01
N Stage 1	11838	11838	11838	11897	11897
N Stage 2	210	210	210	213	213

*p<0.05, **p<0.01, one-tailed tests used for individual coefficients
Grouped Coefficients report Wald Test of Joint Significance
Standard Errors Clustered on Statute are in Parentheses

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Table A11: Heckman Models of Decision to Invalidate an Important Federal Statute Passed Between 1949-2011 that Test Multiplicative Relationships, Continued (Statute Measure of Ideology)

Stage 2: Invalidations of important federal statutes that are challenged	Court Popularity	Court-Curbing Bills[+]	Statute Length[+]	Case Salience
Court Ideology	-2.46**	0.74	-0.44	0.24
	(0.74)	(0.91)	(0.53)	(0.16)
Independence	4.76*	0.00	-0.00	0.54**
	(2.28)	(0.02)	(0.00)	(0.17)
Court Ideology x Independence	6.08**	-0.03	0.00	0.04
	(2.02)	(0.03)	(0.00)	(0.15)
Public Ideology	0.25*	0.22*	0.03	0.03
	(0.10)	(0.12)	(0.10)	(0.10)
Focus on Constitutionality of Federal Statute	0.88**	0.94**	0.89**	0.74**
	(0.31)	(0.32)	(0.23)	(0.26)
Policy Area Fixed Effects	25.93*	18.29	12.86	12.31
Chief Justice Fixed Effects	0.06	0.88	0.72	0.28
Stage 1: Challenges to important federal statutes				
Court Ideology	0.03	0.02	-0.20	0.04
	(0.22)	(0.19)	(0.32)	(0.03)
Independence	0.29	0.00	-0.00**	-
	(0.44)	(0.00)	(0.00)	
Court Ideology x Independence	-0.26	-0.00	0.00	-
	(0.55)	(0.00)	(0.00)	
Public Ideology	0.02	0.02	-0.02	-0.02
	(0.03)	(0.03)	(0.02)	(0.03)
Policy Area Fixed Effects	67.61**	68.09**	91.72**	93.03**
Chief Justice Fixed Effects	9.17*	9.56**	12.34**	7.33
Cubic Polynomials of Duration Dependence	168.03**	172.51**	144.45**	110.77**
Previous Challenge x Cubic Polynomials	8.50	8.80	11.41*	11.22*
Wald Test of Independent Equations	0.00	0.01	0.07	0.00
N Stage 1	10207	10207	11897	10709
N Stage 2	169	169	213	199

*p<0.05, **p<0.01, one-tailed tests used for individual coefficients
Grouped Coefficients report Wald Test of Joint Significance
[+]Independence Variable Subject to a Linear Transformation
Standard Errors Clustered on Statute are in Parentheses

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Table A12: Heckman Models of Decision to Invalidate an Important Federal Statute Passed Between 1949-2011 that Test Multiplicative Relationships, Continued (Statute Measure of Ideology)

Stage 2: Invalidations of important federal statutes that are challenged	Floor Median Model	Senate Filibuster Model	Party Gatekeeping Model	Partisan Vote	Political Fragmentation
Court Ideology	0.07	0.04	0.01	0.21	1.43**
	(0.21)	(0.22)	(0.22)	(0.25)	(0.28)
Independence	0.36	0.42	0.61	0.37	0.73*
	(0.45)	(0.45)	(0.41)	(0.50)	(0.36)
Court Ideology x Independence	0.73	0.75*	0.74*	0.19	-1.60**
	(0.45)	(0.44)	(0.39)	(0.62)	(0.31)
Public Ideology	0.04	0.04	0.03	0.02	0.19
	(0.09)	(0.09)	(0.09)	(0.10)	(0.12)
Focus on Constitutionality of Federal Statute	0.91**	0.91**	0.91**	0.82**	0.92**
	(0.28)	(0.28)	(0.28)	(0.24)	(0.27)
Policy Area Fixed Effects	10.34	10.10	9.39	11.80	21.29
Chief Justice Fixed Effects	1.39	1.24	0.92	0.87	5.64
Stage 1: Challenges to important federal statutes					
Court Ideology	0.06*	0.06*	0.07*	0.07*	0.11**
	(0.03)	(0.03)	(0.04)	(0.03)	(0.04)
Independence	0.30**	0.26*	0.29**	0.21	0.04
	(0.12)	(0.12)	(0.12)	(0.14)	(0.07)
Court Ideology x Independence	-0.15	-0.10	-0.12	-0.11	-0.14*
	(0.10)	(0.09)	(0.09)	(0.10)	(0.06)
Public Ideology	-0.02	-0.02	-0.02	-0.02	-0.02
	(0.02)	(0.02)	(0.02)	(0.02)	(0.02)
Policy Area Fixed Effects	95.84**	95.29**	96.68**	95.04**	90.66**
Chief Justice Fixed Effects	10.53*	11.01*	12.04**	12.15**	8.83*
Cubic Polynomials of Duration Dependence	142.43**	147.05**	146.06**	161.37**	156.37**
Previous Challenge x Cubic Polynomials	12.67*	12.89*	12.68*	13.88**	12.66*
Wald Test of Independent Equations	0.00	0.00	0.00	0.02	0.06
N Stage 1	11838	11838	11838	11897	11897
N Stage 2	210	210	210	213	213

*p<0.05, **p<0.01, one-tailed tests used for individual coefficients
Grouped Coefficients report Wald Test of Joint Significance
Standard Errors Clustered on Statute are in Parentheses

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Figure A1A: Average Marginal Effect of Court Ideology of Table A6, at the Empirical Minimum and Maximum Levels of Independence (90% C.I.)

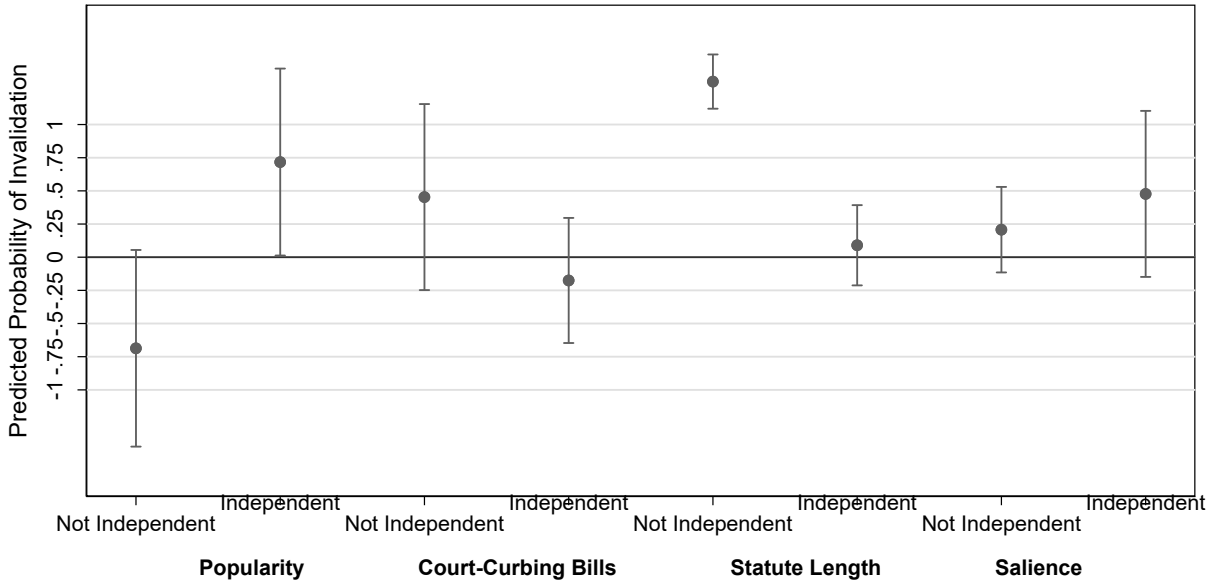

Figure A1B: Average Marginal Effect of Court Ideology of Table A4, at the Empirical Minimum and Maximum Levels of Independence (90% C.I.)

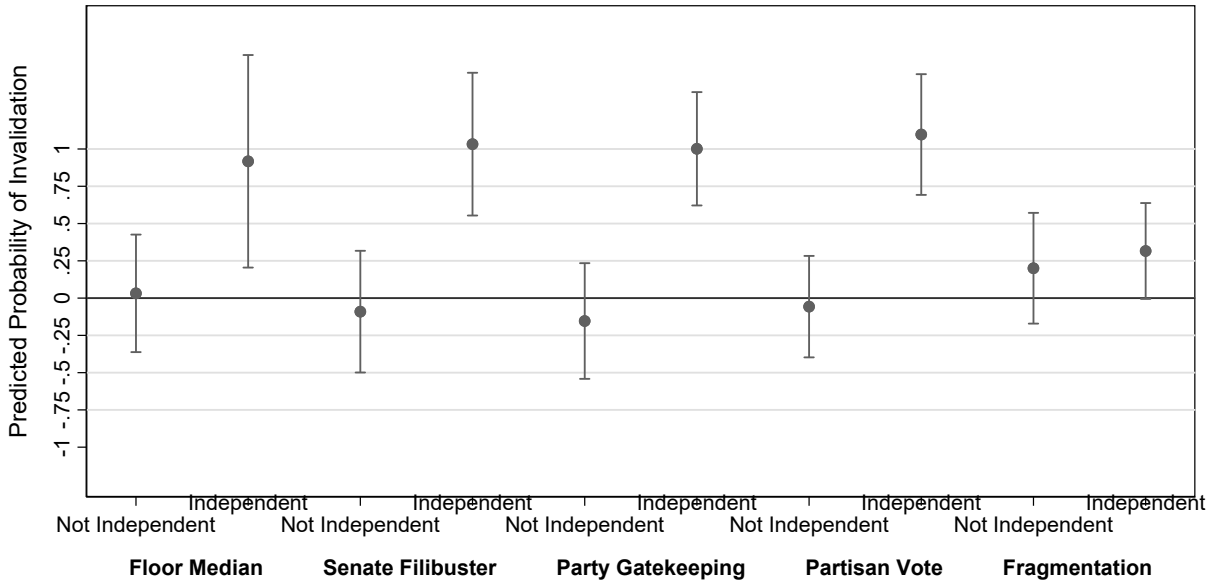

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Figure A2A: Average Marginal Effect of Court Ideology of Table A6, at the Empirical Minimum and Maximum Levels of Independence (90% C.I.)

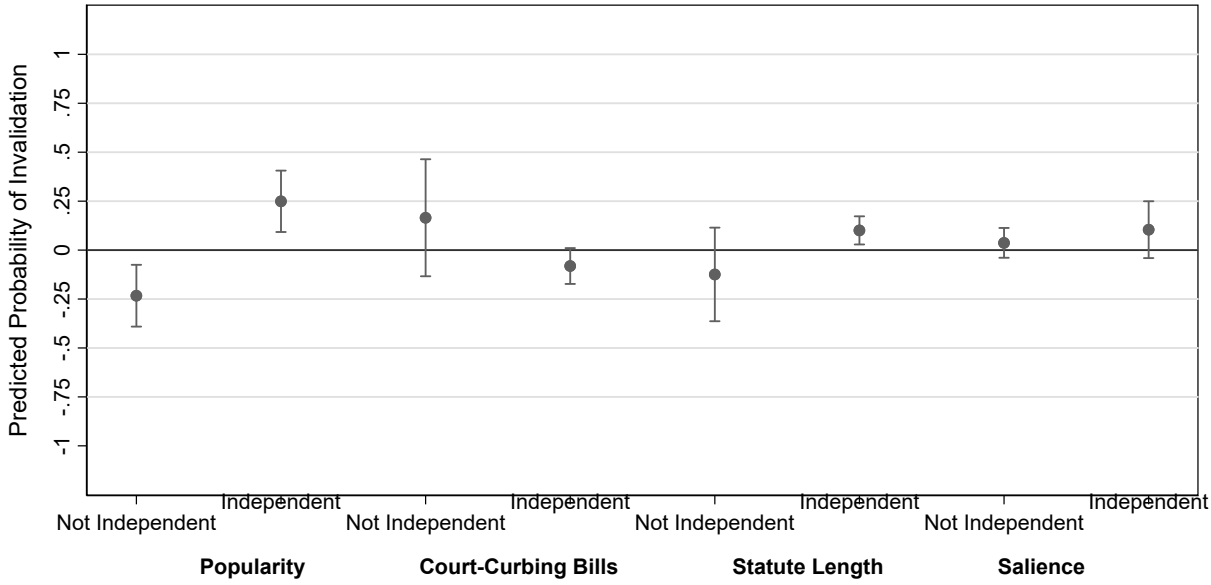

Figure A2B: Average Marginal Effect of Court Ideology of Table A4, at the Empirical Minimum and Maximum Levels of Independence (90% C.I.)