Supporting Information: Placing the Ball in Congress' Court: Supreme Court Requests for Congressional Action*

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*On publication, all materials necessary to replicate the results reported herein will be posted to the author's Dataverse.

Most Important Features of Sentence Classifier

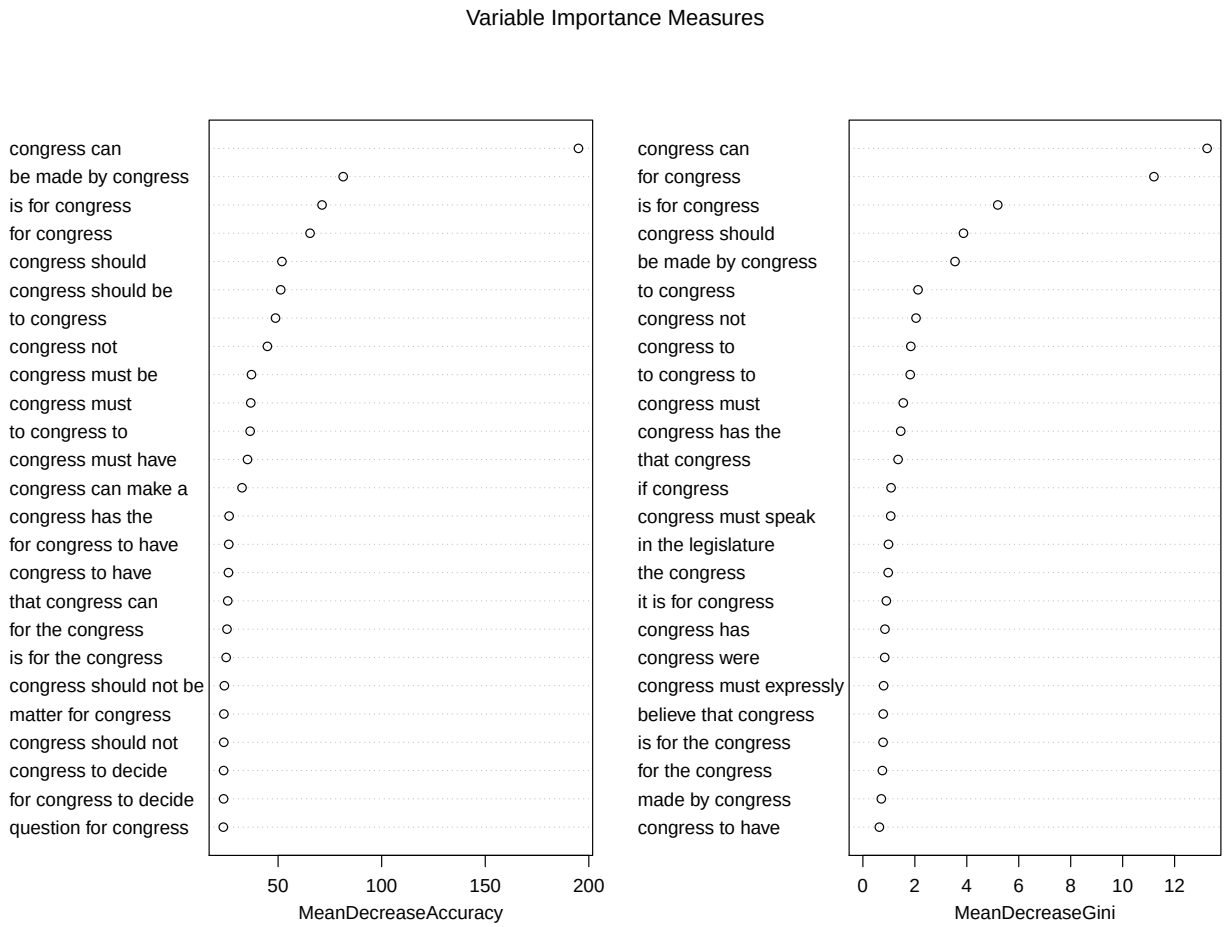

Figure A.1: *Variable Importance Plot from Random Forest Model.*

Constitutional Interpretation

As detailed in the article, invitations in constitutional interpretation cases are quite rare. For this reason, I omit tests of the separate hypotheses from the main article. In the results appearing below, I include both of the main models from the paper but estimated using only constitutional interpretation decisions of the Court. Importantly, evidence supportive of the *legal development* hypothesis persists. Interestingly, this also provides some evidence for the *cross-purposes* hypothesis as author-level ideological measures (both disagreement and distance to Congress) achieve statistical significance in the model without interactions. Yet given the small number of observations this is based upon, the inconsistency of the corroborative analyses with the *cross-purposes* explanation, and the fact that **?** identified majority effects at the coalition rather than author levels, I believe these results must be interpreted with a healthy degree of caution.

Table A.1: Models of Invitations for Congressional Action, 1955-2001

Variable	**No Interactions**	**P-Value**	**Interactions**	**P-Value**
(Intercept)	-7.53 (1.15)	<0.01	-7.43 (1.16)	<0.01
Net Amicus Curiae	0.06 (0.12)	0.61	0.07 (0.13)	0.56
Losing Amicus Curiae	0.06 (0.11)	0.61	0.08 (0.11)	0.44
Pre-Decision Salience	-0.78 (0.48)	0.10	-0.82 (0.48)	0.09
Disagree Author	0.50 (0.27)	0.06	1.47 (0.76)	0.05
Disagree Coalition Median	<0.01 (0.51)	0.99	0.60 (1.31)	0.65
Minimum Winning Coalition	1.07 (0.56)	0.06	1.27 (0.58)	0.03
Distance: Author to Congress	0.86 (0.44)	0.05	0.77 (0.46)	0.09
Distance: Median to Congress	0.09 (0.67)	0.89	-0.04 (0.73)	0.96
Author Disagree X Distance	-	-	-0.59 (0.44)	0.18
Median Disagree X Distance	-	-	-0.46 (1.11)	0.68
Issue Area FEs	YES		YES	
N	1,734		1,734	

Note: Dependent variable in these analyses is whether the majority opinion included an invite for congressional action.

Basic Model

I present the results of the basic (i.e., Hausegger and Baum version) cross-purposes model in the second column of Table A.2. With an additional 42 years of Supreme Court history under examination, there is no statistically significant evidence for the existence of cross-purposes behavior. In the case of both author disagreement and coalition median disagreement, the effects fail to reach or even come close to achieving standard levels of statistical significance.

Table A.2: Disagreement-based Models of Invites for Congressional Action, 1955-2001

Variable	Cross-Purposes I	P-Value	Cross-Purposes II	P-Value
(Intercept)	-4.42 (0.29)	<0.01	-4.71 (0.34)	<0.01
Net Amicus Curiae	-0.01 (0.04)	0.78	-0.01 (0.04)	0.74
Losing Amicus Curiae	0.06 (0.04)	0.20	0.07 (0.04)	0.13
Pre-Decision Salience	-0.21 (0.16)	0.20	-0.23 (0.16)	0.16
Disagree Author	-0.04 (0.10)	0.67	0.12 (0.26)	0.64
Disagree Coalition Median	0.15 (0.17)	0.37	<0.01 (0.43)	0.99
Distance: Author to Congress	-	-	0.07 (0.17)	0.67
Distance: Median to Congress	-	-	0.40 (0.25)	0.11
Author Disagree X Distance	-	-	-0.10 (0.16)	0.52
Median Disagree X Distance	-	-	0.25 (0.36)	0.50
Issue Area FEs	YES		YES	

Note: * = $p < 0.05$ (one-tailed); N=4,900 majority opinions. Dependent variable in these analyses is whether the majority opinion included an invite for congressional action.

Basic Model Without Net Amicus Curiae

Due to concerns of multicollinearity, Hausegger and Baum also report results from a model excluding the net amicus curiae variable. In order to fully replicate their results, I include in Table A.3 a version of the model with the updated data but similarly excluding net amicus curiae as a predictor. As is evident below, results are identical to those reported in the text.

Table A.3: Majority Opinions and Invites for Congressional Action Excluding Net Amicus Curiae

Variable	Coef. (S.E.)	P-Value
(Intercept)	-4.42 (0.29)	< 0.01
Losing Amicus Curiae	0.05 (0.04)	0.20
Pre-Decision Salience	-0.20 (0.16)	-0.21
Disagree Author	-0.04 (0.10)	0.67
Disagree Coalition Median	0.15 (0.17)	0.36
Issue Area FEs	YES	

Note: * = $p < 0.05$ (two-tailed); N=4,900 majority opinions. Dependent variable is an indicator for whether the majority opinion included an invite for congressional action.

Basic Models With Single Distance Variables

As before, there may be concerns over multicollinearity of variables, particularly the ideological distance variables. Therefore, I include in Table A.6 models with only author distance (column two) and only the median of the majority distance (column 3). The results are generally consistent with those reported above. Note, however, that the distance between the coalition median and Congress does approach standard levels of statistical significance. That said, the result appears anomalous. While it approaches statistical significance, it does so completely counter to theoretical expectations; that is, conditional on author disagreement, increases in ideological distance *increase* are associated with an increase in the probability of an invite. Between the counterintuitive nature of the result and the large standard errors on the coefficient estimates of the coalition median measures, there is little reason to suspect anything other than that the pattern is anomalous.

Table A.4: All Majority Opinions and Invites for Congressional Action Including Single Interactions

Variable	Coef. (S.E.)	P-Value	Coef. (S.E.)	P-Value
(Intercept)	-4.58 (0.31)	<0.01	-4.67 (0.32)	<0.01
Losing Amicus Curiae	0.06 (0.04)	0.18	0.07 (0.04)	0.15
Net Amicus Curiae	-0.01 (0.04)	0.81	-0.01 (0.04)	0.76
Pre-Decision Salience	-0.19 (0.16)	0.25	-0.23 (0.16)	0.16
Disagree Author	0.12 (0.25)	0.61	-	-
Disagree Coalition Median	-	-	0.06 (0.42)	0.88
Distance: Author to Congress	0.14 (0.16)	0.38	-	-
Distance: Median to Congress	-	-	0.42 (0.24)	0.07
Author Disagree X Distance	-0.06 (0.16)	0.68	-	-
Median Disagree X Distance	-	-	0.15 (0.35)	0.66
Issue Area FEs	YES		YES	

Note: * = $p < 0.05$ (two-tailed); N=4,900 majority opinions. Dependent variable is an indicator for whether the majority opinion included an invite for congressional action.

Table A.5: Statutory Opinions and Invites for Congressional Action Including Single Interactions

Variable	Coef. (S.E.)	P-Value	Coef. (S.E.)	P-Value
(Intercept)	-3.25 (0.36)	<0.01	-3.49 (0.38)	<0.01
Losing Amicus Curiae	0.07 (0.06)	0.25	0.09 (0.06)	0.17
Net Amicus Curiae	-0.04 (0.05)	0.44	-0.05 (0.05)	0.34
Pre-Decision Salience	0.03 (0.18)	0.93	-0.04 (0.19)	0.83
Disagree Author	0.06 (0.29)	0.84	-	-
Disagree Coalition Median	-	-	0.08 (0.48)	0.87
Distance: Author to Congress	-0.06 (0.19)	0.74	-	-
Distance: Median to Congress	-	-	0.36 (0.29)	0.21
Author Disagree X Distance	-0.08 (0.19)	0.66	-	-
Median Disagree X Distance	-	-	0.03 (0.41)	0.94
Issue Area FEs	YES		YES	

Note: * = $p < 0.05$ (two-tailed); N=2,581 majority opinions. Dependent variable is an indicator for whether the majority opinion included an invite for congressional action.

Table A.6: Constitutional Opinions and Invites for Congressional Action Including Single Interactions

Variable	Coef. (S.E.)	P-Value	Coef. (S.E.)	P-Value
(Intercept)	-7.05 (1.09)	<0.01	-6.71 (1.11)	<0.01
Losing Amicus Curiae	0.11 (0.11)	0.30	0.08 (0.10)	0.47
Net Amicus Curiae	0.06 (0.12)	0.59	0.05 (0.11)	0.67
Pre-Decision Salience	-0.72 (0.48)	0.13	-0.69 (0.46)	0.13
Disagree Author	1.34 (0.69)	0.05	-	-
Disagree Coalition Median	-	-	0.99 (1.19)	0.41
Distance: Author to Congress	0.69 (0.42)	0.10	-	-
Distance: Median to Congress	-	-	0.65 (0.68)	0.35
Author Disagree X Distance	-0.54 (0.40)	0.18	-	-
Median Disagree X Distance	-	-	-0.43 (1.02)	0.67
Issue Area FEs	YES		YES	

Note: * = $p < 0.05$ (two-tailed); N=1,752 majority opinions. Dependent variable is an indicator for whether the majority opinion included an invite for congressional action.

Robustness Checks

In order to demonstrate the robustness of the expanded model, and particularly the role of division on the Court in precipitating invites, I provide in this section a series of alternative specifications of the expanded model including the number of dissenting votes.

Table A.7: Majority Opinions and Invites for Congressional Action Including Interactions

Variable	Coef. (S.E.)	Coef. (S.E.)	Coef. (S.E.)
(Intercept)	-4.94 (0.36)	-4.88 (0.34)	-4.86 (0.34)
Losing Amicus Curiae	0.06 (0.05)	0.06 (0.05)	0.06 (0.05)
Net Amicus Curiae	-0.02 (0.04)	-0.01 (0.04)	-0.01 (0.04)
Pre-Decision Salience	-0.26 (0.17)	-0.16 (0.25)	-0.16 (0.25)
Disagree Author	0.14 (0.26)	0.17 (0.25)	-
Disagree Coalition Median	0.18 (0.44)	-	0.25 (0.42)
Dissenting Votes	0.13 (0.06)	0.13 (0.06)	0.12 (0.06)
Distance: Author to Congress	0.11 (0.17)	0.18 (0.16)	-
Distance: Median to Congress	0.32 (0.25)	-	0.37 (0.24)
Author Disagree X Distance	-0.11 (0.16)	-0.07 (0.16)	-
Median Disagree X Distance	0.14 (0.37)	-	0.04 (0.35)
Salience X Dissenting Votes	-	-0.03 (0.10)	-0.05 (0.10)
Issue Area FEs	YES	YES	YES

Note: * = $p < 0.05$ (two-tailed); N=4,900 majority opinions. Dependent variable is an indicator for whether the majority opinion included an invite for congressional action.

Corroborative Analysis: Ideology & Invites

Table A.8: Ideological Voting across All Cases, 1955-2001.

Variable	Invite	P-Value	No Invite	P-Value
(Intercept)	-1.18 (0.56)	0.03	0.49 (0.08)	<0.01
Ideology	-0.75 (0.08)	<0.01	-0.73 (0.01)	<0.01
Lower Court Liberal	-0.14 (0.17)	0.40	-0.74 (0.02)	<0.01
Pre-Decision Salience	0.09 (0.17)	0.61	0.01 (0.02)	0.86
Ideology X Salience	-0.25 (0.16)	0.11	-0.19 (0.02)	<0.01
October Term FEs	Yes		Yes	
Issue Area FEs	Yes		Yes	
N	1,252		48,220	

Note: * = $p < 0.05$ (two-tailed). The dependent variable in these analyses is an indicator for whether the justice voted in the liberal direction. For details, see text.

Table A.9: Ideological Voting in Statutory Interpretation Cases, 1955-2001.

Variable	Invite	P-Value	No Invite	P-Value
(Intercept)	-1.73 (0.76)	0.02	0.22 (0.11)	0.03
Ideology	-0.77 (0.09)	<0.01	-0.57 (0.02)	<0.01
Lower Court Liberal	0.25 (0.21)	0.24	-0.65 (0.03)	<0.01
Pre-Decision Salience	-0.11 (0.24)	0.63	0.02 (0.03)	0.38
Ideology X Salience	-0.06 (0.18)	0.75	-0.15 (0.03)	<0.01
October Term FEs	Yes		Yes	
Issue Area FEs	Yes		Yes	
N	956		23,096	

Note: * = $p < 0.05$ (two-tailed). The dependent variable in these analyses is an indicator for whether the justice voted in the liberal direction. For details, see text.

Table A.10: Ideological Voting in Constitutional Interpretation Cases, 1955-2001.

Variable	Invite	P-Value	No Invite	P-Value
(Intercept)	1.60 (1.09)	0.15	0.04 (0.03)	0.28
Ideology	-1.04 (0.26)	<0.01	-1.02 (0.02)	<0.01
Lower Court Liberal	-0.56 (0.52)	0.28	-0.87 (0.04)	<0.01
Pre-Decision Salience	-1.76 (0.78)	0.02	0.05 (0.03)	0.05
Ideology X Salience	-1.75 (0.77)	0.02	-0.14 (0.03)	<0.01
October Term FEs	No		No	
Issue Area FEs	Yes		Yes	
N	178		16,968	

Note: * = $p < 0.05$ (two-tailed). The dependent variable in these analyses is an indicator for whether the justice voted in the liberal direction. Term fixed effects excluded because the model of constitutional cases with invites is rank deficient. For details, see text.

Corroborative Analysis: Jurisprudential Influence

Table A.11: Negative Binomial Model of Subsequent Citations, All Opinions

Variable	Coef. (Standard Error)	P-value
(Intercept)	-1.02 (0.13)	<0.01
Invite	0.31 (0.08)	<0.01
Salience	0.21 (0.02)	<0.01
Dissenting Votes	0.18 (0.01)	<0.01
Overridden	-0.02 (0.09)	0.82
Precedent Alteration	0.76 (0.08)	<0.01
Age	0.31 (0.02)	<0.01
Age^2	-0.01 (< 0.01)	<0.01
Age^3	<0.01 (<0.01)	< 0.01
θ	1.52 (0.04)	

Note: N=4,636. The dependent variable in these analyses is the number of citations to a Supreme Court opinion. Fixed effects for issue area included but not reported. For details, see text.

Table A.12: Negative Binomial Model of Subsequent Citations, Statutory Interpretation Opinions

Variable	Coef. (Standard Error)	P-value
(Intercept)	-1.13 (0.18)	<0.01
Invite	0.34 (0.09)	<0.01
Salience	0.21 (0.03)	<0.01
Dissenting Votes	0.04 (0.01)	<0.01
Overridden	0.06 (0.10)	0.53
Precedent Alteration	0.82 (0.16)	<0.01
Age	0.34 (<0.01)	<0.01
Age^2	-0.01 (<0.01)	<0.01
Age^3	<0.01 (<0.01)	< 0.01
θ	1.38 (0.05)	

Note: N=2,404. The dependent variable in these analyses is the number of citations to a Supreme Court opinion. Fixed effects for issue area included but not reported. For details, see text.

Table A.13: Negative Binomial Model of Subsequent Citations, Constitutional Interpretation Opinions

Variable	Coef. (Standard Error)	P-value
(Intercept)	-1.07 (0.21)	<0.01
Invite	0.26 (0.18)	0.15
Salience	0.16 (0.03)	<0.01
Dissenting Votes	0.05 (0.01)	<0.01
Overridden	0.26 (0.27)	0.35
Precedent Alteration	0.71 (0.09)	<0.01
Age	0.29 (0.03)	<0.01
Age^2	-0.01 (<0.01)	<0.01
Age^3	<0.01 (<0.01)	0.03
θ	1.38 (0.05)	

Note: N=1,657. The dependent variable in these analyses is the number of citations to a Supreme Court opinion. Fixed effects for issue area included but not reported. For details, see text.