

## Supplement to “Peer effects on the United States Supreme Court”

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### APPENDIX S1: ROBUSTNESS TESTS

Here, we report several robustness tests where we reestimate our headline exogenous peer effect specification (Table IV, Model 1) with additional controls and/or sample restrictions.

First, our main results utilize *mean* peer ideology as our measure of the peer effect. However, it is possible that some justices are especially influential upon peers by virtue of their bargaining power. To examine this issue, we add a variable capturing the median (active) justice’s ideology, to see if this is what drives peer effects. The results are shown in Table S1. Consistent with the role previously found for the *mean* active peer, the median active justice’s ideology appears to have an effect when horse-raced against the mean of *all* peers in Column A. However, in our preferred Column B specification, the ideology of the median justice appears to have no meaningful role and the importance of the mean active peer justice remains. The placebo specification in Column C yields similar insights. Thus, the mean ideology specification is preferred.

Second, peer effects may be time varying. To check that they remain relevant in the modern era, we restrict the sample to the post-Warren era (i.e., from the Burger Court onward, beginning with the 1969 term). The results are shown in Table S2. Unsurprisingly, the estimates are somewhat less precise, but the peer effect point estimates are remarkably similar to those from the full sample (in Table IV, Model 1 of the paper).

Finally, permanent changes in court personnel such as the death or unexpected retirement of a justice may cause the set of cases the Court hears to be subject to specific forms of selection bias. For example, the continuing justices may delay hearing controversial cases until the replacement justice is seated, to avoid the possibility of ties. To

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TABLE S1. Exogenous peer effects: controlling for median justice ideology.

|                       | (1)               | (2)              | (3)              |
|-----------------------|-------------------|------------------|------------------|
|                       | (A)               | (B)              | (C)              |
| All peer justices     | -1.401<br>(1.159) |                  |                  |
| Active peer justices  |                   | 1.056<br>(0.397) | 1.145<br>(0.476) |
| Absent peer justices  |                   |                  | 0.042<br>(0.105) |
| Median active justice | 0.570<br>(0.225)  | 0.070<br>(0.203) | 0.124<br>(0.206) |
| R-squared             | 0.5529            | 0.5531           | 0.5531           |

*Note:* This table replicates Table 4, Model 1, adding a control for the ideology of the median active justice in a case.  $N = 110,729$  votes.

TABLE S2. Exogenous peer effects: post-Warren era.

|                      | (1)               | (2)              | (3)              |
|----------------------|-------------------|------------------|------------------|
|                      | (A)               | (B)              | (C)              |
| All peer justices    | -0.646<br>(1.116) |                  |                  |
| Active peer justices |                   | 1.032<br>(0.382) | 1.410<br>(0.531) |
| Absent peer justices |                   |                  | 0.113<br>(0.131) |
| R-squared            | 0.5858            | 0.5862           | 0.5862           |

*Note:* This table replicates Table 4, Model 1 from the paper limiting the sample to the Burger Court onwards.  $N = 69,911$  votes.

TABLE S3. Exogenous peer effects: terms with fixed court composition.

|                      | (1)               | (2)              | (3)              |
|----------------------|-------------------|------------------|------------------|
|                      | (A)               | (B)              | (C)              |
| All peer justices    | -5.068<br>(6.164) |                  |                  |
| Active peer justices |                   | 1.451<br>(0.373) | 1.933<br>(0.501) |
| Absent peer justices |                   |                  | 0.134<br>(0.114) |
| R-squared            | 0.5585            | 0.5592           | 0.5593           |

*Note:* This table replicates Table 4, Model 1 from the paper limiting the sample to Court terms in which there was no mid-term deaths, retirements, or confirmations to the Court. These are terms containing a single *natural court*.  $N = 94,255$  votes.

verify that this does not contaminate the results, we restrict the sample to terms situated within a single *natural court* (i.e., terms with fixed court composition), and reestimate our main specification. The results, shown in Table S3 are very similar to those from the full sample.

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