HIGH COURTS JUDICIAL DATABASE CODEBOOK

Codebook Version 1.2
Last edited July 6, 2007

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The HCJD Dataset was created with the support of grants from the Law and Social Science Program of the National Science Foundation. It is a public access database, freely available for use by any interested person. The principal investigators note that all decisions regarding the structure and interpretation of the data used to create the HCJD are their own, and do not reflect the views or positions of the National Science Foundation

The principal investigators request that those using these data fully and properly acknowledge their source. The following would be an appropriate form for such an acknowledgement:

Stacia L. Haynie, Reginald S. Sheehan, Donald R. Songer, and C. Neal Tate. 2007. *High Courts Judicial Database*. Version [number]. Accessed at http://sitemason.vanderbilt.edu/site/d5YnT2/data_sets on [date].

We note that the HCJD remains a work in progress. We expect the datasets to be revised and reissued relatively regularly as we discover errors in the data or reconsider coding or data representation decisions that we have made. Consequently, we caution users that the HCJD datasets are provided on an "as is" basis and we urge users to notify us of errors they discover and to contact us with their questions and suggestions for improvement.

STUDY DESIGN

The High Courts Judicial Database (HCJD) provides coded information on the content of universes or random samples of the decisions produced by eleven of the top ("High" or "Supreme") courts of the world's judicial systems for extended periods of time. The decisions included in the database are those formally reported in the reporters of record in each country.

The design of the database called for including either *the universe* of (that is, *all*) formal decisions reported each year or a random sample of 100 decisions, whichever was less. In fact, random sampling had to be used only for the Indian and Philippine Supreme Courts, which report many hundreds of cases annually. All the other top courts typically formally reported 100 or fewer decisions per year during the period covered in the HCJD, except for the United States Supreme Court. The latter reported more than 100 decisions in most years for which data on its decisions are available, but, as all these decisions were already coded in the dataset we used (see below), we chose to include them all in the HCJD. The time period projected for coverage in the design of the data base was 1970-2000; actual coverage differs due to data availability.

The countries currently included in the database all represent primarily Anglo-American or common law legal systems and use English as their language of expression. Work is ongoing to add at least one civil law, non-English-using court, the *Corte Suprema de la Nacion* of Mexico.

The countries, courts, and actual years currently covered are:

Australia – High Court 1969-2003;
Canada – Supreme Court 1969-2003;
India -- Supreme Court 1970-2000;
Namibia -- Supreme Court 1990-1998 (N = only 17);
Philippines -- Supreme Court 1970-2003;
South Africa – Supreme Court of Appeal 1970-2000 and Constitutional Court 1995-
2000;
Tanzania – Court of Appeal 1983-1998;
United Kingdom – Judicial Committee of the House of Lords (Law Lords) 1970-2002;
United States -- Supreme Court 1953-2005;
Zambia – Supreme Court 1973-1997;
Zimbabwe -- Supreme Court 1989-2000.

In Australia, Canada, the Philippines, and the UK, it was possible to extend coverage through 2002 or 2003 due to ready availability of the data. The more limited coverage for Tanzania, Zambia, and Zimbabwe was dictated by the availability of published decisions for their courts.

The data for the United States were not coded as a part of the work of the High Courts Judicial Database project, but were, rather, recoded from the United States Supreme Court Judicial Database (the Spaeth database) to match, as nearly as possible, the coding used in the HCJD. This accounts for the longer time coverage for the United States, as well as the fact that there are in most years more than the 100 decisions called for by the HCJD design. It also means that some data items available for the other ten nations will not be available for the United States, and that the comparability of some of the data items for the United States with the "same" data items for the other countries may be questionable. In short, the United States data should be used with caution. Nevertheless, we think the value of having the United States Supreme Court

available for comparison outweighs the difficulties in matching the Spaeth Database with the High Courts Judicial Database.

The HCJD consists of (1) a single All Nations Master File that includes all variables coded in common for all nations and (2) eleven individual country master files that include the common variables as well as variables that are specific to individual countries. Most of the country specific variables record aspects of the voting and opinion behaviors of the individual justices who served on the country's top court during the period covered, but individual country master files sometimes contain additional variables recording country specific information.

THE DATA SETS

All the HCJD data files are available for public use and download at
http://sitemason.vanderbilt.edu/site/d5YnT2/data_sets

Each HCJD dataset has been stored in an SPSS save file that is fully-documented, that is, a file that includes full variable labels and (where appropriate) value labels for each variable. The SPSS save file is the authoritative version of each dataset. Because these datasets are fully documented, there is in general no need for a separate codebook as a guide to the meanings of their data codes.

(There is one exception to the previous sentence that occurs in the All Nations Master file. That file includes geographic codes for the regions/states/provinces that are the "**origin**" and "**source**" of each decision. These geographic codes have no meaning outside the context of the individual countries in which the decisions were made and hence cannot be assigned meaningful value labels. We retain the **origin** and **source** variables in the master file because they also indicate non-regional origins and sources that can be compared across nations and (and *can* be assigned meaningful value labels) and because we think some imaginative users of the All Nations Master File may wish to test geography based hypotheses that use the state/province/region identification codes as data to be manipulated. Full value labels for the state/province/region codes are given in the individual country files.)

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SECTION 1: IDENTIFICATION VARIABLES AND DECISION CHARACTERISTICS

VARIABLE NAME	VARIABLE LABEL / INSTRUCTIONS OR EXPLANATION/CODES (VALUE LABELS)

ccode   Standard Numeric Country Code

Standard Country Code from Polity 2000 Dataset (CODERS: no need to code this)

2	United States
20	Canada
70	Mexico
200	United Kingdom
510	Tanzania
551	Zambia
552	Zimbabwe
560	South Africa
565	Namibia
750	India
840	Philippines
900	Australia

whichct   **Which South African Court?**

-9	Not a South African Court
0	South African Supreme Court of Appeal
1	South African Constitutional Court

caseid   Case Identification Number

THIS VARIABLE IS MISSING OR NOT CODED FOR MOST COUNTRIES. When is is coded, it represents a docket or sequence identifier for cases from a particular country that is helpful to the principal investigarors in linking coded to raw data.

WHEN THERE ARE MULTIPLE CASES iN A CITATION, WE CODE ONLY THE FIRST CASE. Note that the variable "**MULTIPLE**" flags for users those opinions with multiple cases.

multiple   Multiple Cases in Opinion?

WHEN THERE ARE MULTIPLE CASES iN A CITATION, WE CODE ONLY THE FIRST CASE. MULTIPLE flags for users those opinions with multiple cases.

0	Only one case in this opinion
1	More than one case reported in this opinion

volume   Volume Number of Opinion

> **Canada: Volume Number will be the year on which the volume reports (e.g., 1998) plus, if necessary, a sequence number if the year requires more than one printed volume to report its decision. Thus if the 1998 Canadian Supreme Court Reports (SCR) occupy three printed volumes, the volume numbers for 1998 will be 19981, 19982, and 19983)**
>
> **United Kingdom: Volume Number is the volume number in the All England Reports. It is the year on which the volume reports (e.g., 1998) plus a sequence number since the year requires more than one printed volume to report its decision. Thus if the 1998 All England Reports occupy three printed volumes, the volume numbers for 1998 will be 19981, 19982, and 19983.**
>
> **Tanzania: Volume Number is the volume number in the Tanzania Law Reports (TLR) as published on CD-ROM by Jutastat of South Africa.**
>
> **United States: Volume Number is the volume number of the Lawyer's Edition of the United States Reports as recorded in the Spaeth United States Supreme Court Database.**
>
> **Zambia: Volume Number is the volume number in the Zambia Reports (ZR) as published on CD-ROM by Jutastat of South Africa.**
>
> **Zimbabwe: Volume Number is the volume number in the Zimbabwe Law Reports (ZLR) as published on CD-ROM by Jutastat of South Africa.**
>
> **South Africa: Volume Number is the volume number in the South African Law Reports (SALR). This number may not be available for the most recent year(s).**
>
> **Namibia: Volume Number is the volume number in the Namibia Law Reports (ZLR) as published on CD-ROM by Jutastat of South Africa.**
>
> **India: Volume Number will be the year on which the volume reports (e.g., 1998) plus, if necessary, a sequence number if the year requires more than one printed volume to report its decision. Thus if the 1998 All India Reports (AIR) occupy three printed volumes, the volume numbers for 1998 will be 19981, 19982, and 19983)**
>
> **Philippines: Volume Number is the number of the volumes of the Philippine *Supreme Court Reports Annotated* (SCRA). Multiple volumes of SCRA are published each year. Volume 1 began January 1, 1961. As of this date: For years after 1990, cases have been selected from the Supreme Court decisions reported on the Jurisprudence CD-ROMs in the LexLibris series published by CDAsia, Manila. For copyright reasons, these reports do not include SCRA volume and pages numbers. We have inserted these SCRA volume numbers for reference.**
>
> **Australia: Volume Number is the number of the volumes in the Commonwealth Law Reports.**

reporter   Initials For Reporter In Which Case Found

LED	United States:	Lawyer's Edition of U.S. Reports
SCR	Canada:	Supreme Court Reports
AllER	United Kingdom:	All England Reports
TLR	Tanzania	Tanzania Law Reports
ZR	Zambia	Zambia Reports
ZLR	Zimbabwe	Zimbabwe Law Reports
SALR	South Africa	South Africa Law Reports
NLR	Namibia	Namibia Law Reports
AIR	India	All India Reports
SCRA	Philippines	Supreme Court Reports Annotated
CLR	Australia	Commonwealth Law Reports

VARIABLE NAME	VARIABLE LABEL / INSTRUCTIONS OR EXPLANATION /CODES (VALUE LABELS)

beginpg   Page On Which Case Begins

endpg   Last Page Of Case (Including Dissenting & Concurring Opinions)

decdate   Decision Date - yyyymmdd

> **Examples: March 20, 1945   =   19450320**
> **December 15 2001 =   20011215**
> **If only one date appears at the top of the opinion, assume it is the decision date**

year   Decision Year

> **CODERS: Do not enter this variable. It is calculated from decdate**

Month   Decision Month

> **CODERS: Do not enter this variable. It is calculated from decdate**

Day   Decision Day (within month)

> **CODERS: Do not enter this variable. It is calculated from decdate**

oralbeg   Beginning date for oral argument - yyyymmdd

> **Examples: March 20, 1945   =   19450320**
> **December 15 2001 =   20011215**
> **If opinion is delieverd orally, and only one date is given in opinion, assume that the oral date and the decision date are the same.**

oralend   Last day of oral argument - yyyymmdd

> **Examples: March 20, 1945   =   19450320**
> **December 15 2001 =   20011215**
> **If opinion is delieverd orally, and only one date is given in opinion, assume that the oral date and the decision date are the same**.

referenc   Reference Question?

> **Did the case come to the court as a reference question (i.e., an advisory opinion)**

> 0   not a reference case
> 1   reference question brough directly to the Supreme Court
> 2   reference question brought to court below and appealed to Supreme Court
>   Note: Not all included courts accept references.

origin   Court or Agency of INITIAL ORIGIN

> 001   Supreme Court Original Jurisdiction
> 090   Supreme Court Previous Appeal

> **In the following codes, "PR" is the 2 digit code for the region, state, or province of the court or agency in which the case began.**

Code	Description
1PR	minor trial court, regional, provincial, or state
2PR	major trial court, regional, provincial, or state
100	minor trial court, national
200	major trial court, national
3PR	intermediate appellate court, regional, provincial, or state
300	intermediate appellate court, national
4PR	administrative agency, regional, provincial, or state
400	administrative agency, national government
5PR	specialized court - regional, provincial, or state
500	specialized court - national
600	national top court
800	original jurisdiction
900	other (includes certification)
999	not able to classify
9PR	know province, but not able to determine type of court

For criminal cases, if court is not specified, code as major trial court for felonies and minor trial court for misdemeanors.

State/Region/Province Codes

UNITED STATES

00 no relevant region/province

01 Alabama
02 Alaska
03 Arizona
04 Arkansas
05 California
06 Colorado
07 Connecticut
08 Delaware
09 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 Washington DC
52 Puerto Rico
53 Virgin Islands
60 1st Circuit
61 2nd Circuit
62 3rd Circuit
63 4th Circuit
64 5th Circuit
65 6th Circuit
66 7th Circuit
67 8th Circuit
68 9th Circuit
69 10th Circuit
70 11th Circuit
71 Washington D.C.

CANADA

00   no relevant region/province
01   Alberta
02   British Columbia
03   Manitoba
04   New Brunswick
05   Nova Scotia
06   Ontario
07   Quebec
08   Prince Edward Island
09   Saskatchewan
10   Yukon
11   Newfoundland
12   Northwest Territories
99   not able to determine region or province

UNITED KINGDOM
00   no relevant region/province

01   England
02   Scotland
03   Northern Ireland
04   Wales

TANZANIA

00   no relevant region/province

Mainland Administrative Divisions
01   Arusha
02   Coast
03   Dar-es-Salaam
04   Dodoma
05   Iringa
06   Kagera

07   Kigoma
08   Kilimanjaro
09   Lindi
10   Mara
11   Mbeya
12   Morogoro
13   Mtwara
14   Mwanza
15   Rukwa
16   Ruvuma
17   Shinyanga
18   Singida
19   Tabora
20   Tanga

Zanzibari Administrative Divisions
21   Pemba North
22   Pemba South
23   Unguja North
24   Unguja South & Central
25   Unguja Town & West

ZAMBIA

00   no relevant region/province

Administrative Divisions
01   Northern (Kasama—capital)
02   Lauapula (Mansa—capital)
03   Eastern (Chipata—capital)
04   Central (Kabwe—capital)
05   Copperbelt (Ndola—capital)
06   Lusaka (Lusaka—capital)
07   North-Western (Solwezi—capital)
08   Southern (Livingstone—capital)
09   Western (Mongu—capital)

ZIMBABWE

00   no relevant region/province

Administrative Divisions (*--cities with provincial status; © = Capital)
01   Bulawayo*
02   Harare©*
03   Manicaland
04   Mashonaland Central
05   Mashonaland East
06   Mashonaland West
07   Masvingo
08   Matabeleland North
09   Matabeleland South
10   Midlands
11   Victoria

SOUTH AFRICA

00   no relevant region/province

00   no relevant region/province
01   Transkei
02   Bopthuthatswana
03   South Eastern Cape
04   Northern Cape
05   Cape Province
06   Transvaal
07   Eastern Cape
08   Orange Free State
09   Natal
10   Griqualand West
11   South West Africa
12   Southern Rhodesia
13   North Coast
14   Ciskei
99   Unknown Region

NAMIBIA

00   no relevant region/province

Administrative Divisions
01   Caprivi OOS
02   Kavango
03   Boesmanland
04   Hereroland OOS
05   Hereroland WES
06   Grootfontein
07   Tsumeb
08   Outjo
09   Owambo
10   Kaokoland
11   Damaraland
12   Otjiwarongo
13   Omaruru
14   Okahandja
15   Karibib
16   Windhoek
17   Gobabis
18   Rehoboth
19   Swakopmund
20   Maltahohe
21   Mariental
22   Namahand
23   Luderitz
24   Bethanien
25   Keetmanshoop
26   Karasburg

INDIA

00   no relevant region/province

*=Union Territory; state = blank

01   Andaman and Nicobar Islands*
02   Andhra Pradesh
03   Arunachal Pradesh
04   Assam
05   Bihar
06   Chandigarh*
07   Dadra and Nagar Haveli*
08   Daman and Diu*
09   Delhi*
10   Goa
11   Gujarat
12   Haryana
13   Himachal Pradesh
14   Jammu and Kashmir
15   Karnataka
16   Kerala
17   Lakshadweep*
18   Madhya Pradesh
19   Maharashtra
20   Manipur
21   Meghalaya
22   Mizoram
23   Nagaland
24   Orissa
25   Pondicherry*
26   Punjab
27   Rajasthan
28   Sikkim
29   Tamil Nadu
30   Tripura

31   Uttar Pradesh
32   West Bengal

PHILIPPINES

00   no relevant region/province

01   Manila
02   Northwestern Luzon
03   Northeastern Luzon
04   Central Luzon
05   Southern Tagalog
06   Bicol
07   Western Visayas
08   Central Visayas
09   Eastern Visayas
10   Western Mindanao
11   Northern Mindanao
12   Eastern Mindanao
13   Central Mindano

AUSTRALIA

00   no relevant region

01   New South Wales
02   Queensland
03   Southern Australia
04   Victoria
05   Western Australia
06   Australia Capital Territiry (ACT)
07   Northern Territory
08   Tasmania
09   Norfolk Island

source   Court or Agency From Which This Case Directly Came

          The Court Or Agency Immediately Below - From Which This Case Directly Came.
          Use Same Codes As For ORIGIN.

VARIABLE
NAME   VARIABLE LABEL / INSTRUCTIONS OR EXPLANATION /CODES (VALUE LABELS)

Nonparty   Number of Formal, Non-Party Participants (Amicus Intervenors)

Number of formal, non-party participant: e.g., amicus in U.S.; intervenors in Canada.
999   not able to ascertain number

INSTRUCTIONS FOR ALL APPELLANT AND RESPONDENT COUNT VARIABLES:
1. **Use 999 if unable to ascertain number.**
2. **If there are multiple cases in the opinion, count only the number of natural persons in the specific case you are coding.**
3. **All Appellant and Respondent count variables [both the number of appellants & respondents in different categories and the detailed coding under 1st Appellant, etc.] should be left blank in Reference cases brought directly to the Supreme Court.**
4. **In reference cases brought to a lower court and then appealed to the Supreme Court, the appellants and respondents should be coded if possible.**

---

app#np   Number of Appellant Natural Persons

Follow instructions for all appellant and respondent count variables.

999   Unable to Ascertain

app#busi   Number of Appellant Businesses

Follow instructions for all appellant and respondent count variables.

999   Unable to Ascertain

app#asso   Number of Appellant NGOs And Associations

Follow instructions for all appellant and respondent count variables.

999   Unable to Ascertain

app#subn   Number of Appellant Sub-National Government Litigants

Follow instructions for all appellant and respondent count variables.

999   Unable to Ascertain

app#nati   Number of Appellant National Government Litigants

Follow instructions for all appellant and respondent count variables.

999   Unable to Ascertain

app#fidu   Number of Appellant Fiduciaries

    Follow instructions for all appellant and respondent count variables.

    999   Unable to Ascertain

resp#np   Number of Respondent Natural Persons

    Follow instructions for all appellant and respondent count variables.

    999   Unable to Ascertain

resp#busi   Number of Respondent Businesses

    Follow instructions for all appellant and respondent count variables.

    999   Unable to Ascertain

resp#asso   Number of Respondent NGOs And Associations

    Follow instructions for all appellant and respondent count variables.

    999   Unable to Ascertain

resp#subn   Number of Respondent Sub-National Government Litigants

    Follow instructions for all appellant and respondent count variables.

    999   Unable to Ascertain

resp#nati   Number of Respondent National Government Litigants

    Follow instructions for all appellant and respondent count variables.

    999   Unable to Ascertain

resp#fidu   Number of Respondent Fiduciaries

    Follow instructions for all appellant and respondent count variables.

    999   Unable to Ascertain

appel1   Type of Petitioner/Appellant 1 (Code As Listed In Title)

    Code 1st listed Petitioner/Appellant (see Appendix A for list of appellant/respondent codes)
    Leave blank if case is in original jurisdiction.

appel2   Type of Petitioner/Appellant 2 (Code As Listed In Title)

    Code 2nd listed Petitioner/Appellant (see Appendix A for list of appellant/respondent codes)
    Leave blank if case is in original jurisdiction.

respond1   Type of Appellee/Respondent 1 (Code As Listed In Title)

> **Code 1st listed Appellee/Respondent (see Appendix A for list of appellant/respondent codes)**
> **Leave blank if case is in original jurisdiction.**

respond   Type of Appellee/ Respondent 2 (Code As Listed In Title)

> **Code 2nd listed Appellee/Respondent (see Appendix A for list of appellant/respondent codes)**
> **Leave blank if case is in original jurisdiction.**

plaintif   Plaintiff = Appellant, Responent Or Other

>   1   plaintiff is appellant
>   2   plaintiff is respondent
>   3   other
>   9   not able to classify (use in all reference cases)
>   NOTE: PLAINTIFF/DEFENDANT REFER TO THE STATUS OF THE LITIGANTS
>   AT THE ORIGINAL TRIAL

VARIABLE
NAME   VARIABLE LABEL / INSTRUCTIONS OR EXPLANATION /CODES (VALUE LABELS)

treatmen   Treatment of Decision of Source

Treatment, by the supreme court, of decision of the court (OR AGENCY) below (code the practical effect)

1   respondent wins: affirmed or appeal dismissed.
2   partial win for appellant: affirm in part & reverse in part (or modified or modified and affirmed)
3   appellant wins: reversed or vacated or remanded (or combinations of the above) (in Canada, "appeal allowed)
8   lower court neither affirmed nor denied, case referred to another court
9   lower court neither affirmed nor denied, case referred from another court; reference questions

winner   Who Wins In Supreme Court

1   plaintiff wins
2   plaintiff wins in part and loses in part
3   defendant wins
4   other (e.g., intervenor who was not originally a party to the suit wins)
5   not ascertained (use in all reference cases)

majorvot   # Votes In Majority (Includes Concurs In Result)

The count of the number of Majority Votes SHOULD INCLUDE those who concur in the result, but not in majority opinion.

Code actual count of majority votes.

dissent   # Votes In Dissent Include Partial Dissents)

The number of dissents SHOULD INCLUDE partial dissents.

Code actual count of dissents.
0= unanimous

issue1   First Substantive Issue

SEE APPENDIX B FOR ISSUE CODES.

Instructions for Coding Issues:

1.   generally code the most important issue as the first issue.
2.   If the decision of the court below is reversed, code the issue that led to the reversal as the first issue, even if there are several other issues)
3.   If there is dissent (but not a reversal), code as the first issue the one on which there was the most dissent)
4.   If it is not completely clear which issue is the most important, select the issue which the opinion spends the most paragraphs discussing

direct1 Directionality - 1st Substantive Issue

> **SEE APPENDIX C FOR DETAILS OF DIRECTIONALITY CODING FOR EACH ISSUE**

> **Note: the directionality codes generally follow the following**:
> 0 Directionality cannot be coded
> 1 Con
> 2 Mixed (e.g., most decisions which affirm in part & reverse in part)
> 3 Pro
> 9 Not ascertained

issue2 Second Substantive Issue

> **LEAVE BLANK IF ONLY ONE ISSUE IS DISCUSSED IN THE OPINION**

> **SEE APPENDIX B FOR ISSUE CODES.**

> **Instructions for Coding Issues:**

> 1. generally code the most important issue as the first issue.
> 2. If the decision of the court below is reversed, code the issue that led to the reversal as the first issue, even if there are several other issues)
> 3. If there is dissent (but not a reversal), code as the first issue the one on which there was the most dissent)
> 4. If it is not completely clear which issue is the most important, select the issue which the opinion spends the most paragraphs discussing

direct2 Directionality - 2nd Substantive Issue

> **SEE APPENDIX C FOR DETAILS OF DIRECTIONALITY CODING FOR EACH ISSUE**

> **Note: the directionality codes generally follow the following**:
> 0 Directionality cannot be coded
> 1 Con
> 2 Mixed (e.g., most decisions which affirm in part & reverse in part)
> 3 Pro
> 9 Not ascertained

constiss Constitutional Issue Discussed?

> **Does the court's opinion discuss any constitutional issue?**

> 0 no
> 1 yes

levelrev Level of Constitutuional Review

> **What level of constitutional review does the court's opinion involve?**

> 0 No level of constitutional review is involved.
> 1 The opinion reviews a national action.
> 2 The opinion reviews the action of a provisional, state, regional, or local government.
> 9 A constitutional issue is discussed, but it does not fit other categories.

conrevie   Outcome of Constitutional Review

       0   no constitutional issue discussed
       1   law struck down (includes laws struck down in part) (also use in reference case if the opinion indicates that a law is unconstitutional)
       2   law upheld against constitutional challenge
       3   executive/administrative action struck down (includes executive action struck down in part)
       4   executive/administrative action upheld against constitutional challenge (e.g., includes validity of police action like a search)
       9   constitutional issue discussed but does not fit other categories

bassrev   Basis of Constitutional Review

       0   no constitutional issue discussed
       1   Bill or Charter of Rights
       2   other constitutional provision (e.g., in Canada, British North America Act (BNA))
       3   treaty or multi-national agreement or agency (e.g., European Court of Justice)
       4   natural justice
       5   not ascertained
       6   multiple bases (e.g., in Canada, both Charter of Rights and BNA) (Note if both a specific basis of judicial review like a bill of rights and 'natural Justice' are cited, code only the specific source of judicial review - do not code as '6')

threshol   Threshhold Issue Discussed?

      Does the court's opinion discuss any threshhold issue?

       0   no threshhold issue
       1   threshhold issue discussed and court decided case on the merits
       2   threshhold issue discussed and court refused to hear (e.g., mootness, standing, jurisdiction)
       9   issue discussed in opinion, but court decision does not fit any of the above outcome categories

jury   Jury Issue Discussed?

      Does the opinion discuss an issue relating to the role of a jury?
      Note: There are no juries in the Philippines, Mexico, and where else??

       0   no issue
       1   issue discussed and court turned down the jury related challenge
       2   court upheld the jury related challenge
       9   issue discussed in opinion, but court decision does not fit any of the above outcome categories

suffevid   Sufficiency of Evidence Issue (Criminal Cases only)?

      Does the opinion discuss an issue an issue relating to the sufficiency of evidence? (also code weight of evidence).
      All civil cases should be coded as zero (no issue)

       0   no issue

1   issue discussed and court ruled the evidence did not support the decision below
2   court ruled the evidence was sufficient
9   issue discussed in opinion, but court decision does not fit any of the above outcome categories

confess   Confession Admissibility Issue?

Does the opinion discuss an issue relating to the admissibility of a confession or an improper admission?

0   no issue
1   issue discussed and court turned down the challenge & admitted he confession
2   court upheld the challenge and denied the use of the confession in the trial
9   issue discussed in opinion, but court decision does not fit any of the above outcome categories

admiss   Evidence Admissibility Issue?

Does the opinion discuss an issue relating to the admissibility of evidence (other than a confession or admission) discussed in the opinion (e.g., hearsay, spousal immunity) ?

0   no issue
1   issue discussed and court admitted the contested evidence
2   court refused to admit the evidence
9   issue discussed in opinion, but court decision does not fit any of the above outcome categories

police   Police Misconduct Issue Discussed?

Does the opinion discuss an issue relating to police misconduct?

0   no issue
1   issue discussed and court ruled there was no police misconduct (or misconduct was not serious enough to be reversable error)
2   court found police misconduct
9   issue discussed in opinion, but court decision does not fit any of the above outcome categories

prosecut   Prosecution Misconduct Issue Discussed?

Does the opinion discuss an issue relating to prosecution misconduct?

0   no issue
1   issue discussed and court ruled there was no prosecution misconduct (or misconduct was not serious enough to be reversible error)
2   court found prosecution misconduct
9   issue discussed in opinion, but court decision does not fit any of the above outcome categories

death   Death Penalty Issue Discussed?

Does the opinion discuss an issue relating to the death penalty?

0   no issue

1   issue discussed and court upheld the death penalty
2   court over turned the death penalty
9   issue discussed in opinion, but court decision does not fit any of the above
     outcome categories

punish   Challenge To Punishment Issue?

Does the opinion discuss an issue relating to the appropriateness of some penalty other than the death penalty?

0   no issue
1   issue discussed and court upheld the penalty
2   court over turned the penalty (includes court reduced penalty)
9   issue discussed in opinion, but court decision does not fit any of the above
     outcome categories

statinte   Statutory Interpretation Issue

Does the opinion discuss an issue relating to the the interpretation or construction of some statute?

0   no issue
1   yes, court engaged in statutory construction (code only if it appears that the court is
     providing a new interpretation of statute, not just citing settled interpretations from
     precedent)

abuseaut   Abuse of Authority Issue Discussed?

Does the opinion discuss an issue relating to the abuse of authority or discretion?

Do not code as present if the issue is primarily in regard to the interpretation of a statute or the constitutionality of a statute; this variable should primarily be used in situations in which an official is acting within an area generally conceded to be within the sphere of his/her action, but the <u>manner</u> of the action is outside proper behavior. E.g., police beating a suspect would be abuse of authority, but a search with a warrant that that is later ruled defective would not be abuse of authority.

0   no issue
1   issue discussed and court found no abuse of authority
2   court over turned judicial or administrative action due to finding of an abuse of
     authority or discretion
9   issue discussed in opinion, but court decision does not fit any of the above
     outcome categories

aadqcoun   Adequacy of Counsel Discussed?

Does the opinion discuss an issue relating to the adequacy of counsel?

0   no issue
1   issue discussed and court found no grounds to overturn decision below due
     to inadequate counsel
2   court over turned decision due to finding of inadequate counsel
9   issue discussed in opinion, but court decision does not
     fit any of the above outcome categories

prfair   Procedural Fairness Issue Discussed?

Does the opinion discuss an issue relating to the some issue of procedural fairness not captured in any of the above categories?

0   no issue
1   issue discussed and court found no grounds to overturn decision below due to lack of procedural fairness
2   court over turned decision due to finding that proceeding lacked procedural fairness
9   issue discussed in opinion, but court decision does not fit any of the above outcome categories

costs   How Were Costs Assessed?

0   no order as to costs
1   appellant pays costs
2   appellant pays in part; respondent pays in part
3   respondent pays costs

SECTION 4: VOTES AND OPINIONS OF JUDGES

VOTES AND OPINION WRITING OF JUSTICES

NOTE: Since different justices serve on different national courts, justice votes and opinions appear only in the individual country data sets.

There are separate variables for the votes (vote 1 and vote 2) and opinion writing behaviors of each justice who served on the top court of each country.

VOTE 1   Justice's vote on the FIRST issue (ISSUE1) in this decision

VOTE 2   Justice's vote on the SECOND issue (ISSUE2) in this decision

OPINION WRITING   Justices Opinion Writing Behavior in this decision

CODING NOTE: For coding convenience, only the judges serving in a given year need to be listed on the code sheets for a given year. For example, in Canada and the United States there typically will be nine justices serving in a single year; in Australia there wil be seven judge variables in a given year. In the Philippines, there will be 15, and so on.

DEFINITIONS AND *VARIABLE NAMING CONVENTIONS FOR JUSTICES' VOTES AND OPINION WRITING:*

xxxxxxx1 = VOTE on ISSUE 1 for justice xxxxxxx

xxxxxxx2 = VOTE on ISSUE 2 for justice xxxxxxx

xxxxxxxo = OPINION WRITING behavior of justice xxxxxxx

where xxxxxxx = justice's SURNAME or the first 7 letters of the justice's SURNAME, whichever is shorter, *EXCEPT*

when more than one justice has the SURNAME xxxxxxx. In this case, the variable names should be xxxxxxy1, xxxxxxy2, and xxxxxxyO, where xxxxxx = the justice's surname, or the first SIX letters of the justice's surname, whichever is shorter, and y = the jusitce's first initial (that is, the initial letter of the justice's first name), OR

when more than one justice has the SURNAME xxxxx and same first initial y. In this case, the variable names should be xxxxxyz1, xxxxxyz2, and xxxxxyzO, where xxxxx = the justice's surname -- or the first FIVE letters of the justice's surname, whichever is shorter, y = the initial letter of the justice's first name, and z = the justice's second initial.

Should these conventions fail to produce unique variable names for each justice, choose ad hoc variable names that follow these naming conventions as closely as possible.

NOTE: Full Variable labels for these variables will include the justice's complete name and dates of service, insofar as possible. Here are some examples from Canada and the Philippines:

CANADIAN EXAMPLES

Justice LaForest

Variable

Name	Variable Label
lafores1	"Issue 1 Vote of La Forest, Gérald V. 16.01.1985-30.09.97"
lafores2	"Issue 2 Vote of La Forest, Gérald V. 16.01.1985-30.09.97"
laforeso	"Opinion Writing of La Forest, Gérald V. 16.01.1985-30.09.97"

Three Justices Taschereau

Variable Name	Variable Label
taschej1	" Issue 1 Vote 1 of Taschereau, Jean-Thomas 08-10-1875 -- 06-10-1878"
taschej 2	"Issue 2 Vote of Taschereau, Jean-Thomas 08-10-1875 -- 06-10-1878"
taschejo	"Opinion Writing of Taschereau, Jean-Thomas 08-10-1875 -- 06-10-1878"
tascheh1	" Issue 1 Vote 1 of Taschereau,Henry Elzéar 07.10.1878-21.11.1902 CJ=21.11.1902-02.05.06"
tascheh2	"Issue 2 Vote of Taschereau,Henry Elzéar 07.10.1878-21.11.1902 CJ=21.11.1902-02.05.06"
Tascheho	"Opinion Writing of Taschereau,Henry Elzéar 07.10.1878-21.11.1902 CJ=21.11.1902-02.05.06"
tascher1	" Issue 1 Vote 1 of Taschereau, Robert 09.02.1940-22.04.63 CJ=22.04.1963-9.01.67"
tascher2	"Issue 2 Vote of Taschereau, Robert 09.02.1940-22.04.63 CJ=22.04.1963-9.01.67"
taschero	"Opinion Writing of Taschereau, Robert 09.02.1940-22.04.63 CJ=22.04.1963-9.01.67"

PHILIPPINE EXAMPLES

Justice Escolin

Variable Name	Variable Label
escolin1	" Issue 1 Vote 1 of Escolin, Venicio T.1981-86"
escolin2	" Issue 1 Issue 2 Vote of Escolin, Venicio T.1981-86"
escolin0	"Opinion Writing 1 of Escolin, Venicio T.1981-86"

Two Justices Padilla

Variable Name	Variable Label
padills1	" Issue 1 Vote 1 of Padilla, Sabina 1946-64"
padills2	" Issue 1 Issue 2 Vote of Padilla, Sabino 1946-64"
padillso	"Opinion Writing of Padilla, Sabino 1946-64"
padillt1	" Issue 1 Vote 1 of Padilla, Teodoro 1987-1995"
padillt2	"Issue 2 Vote of Padilla, Teodoro 1987-1995"
padillto	"Opinion Writing of Padilla, Teodoro 1987-95"

Codes for All Vote 1 and Vote 2 Variables for All Justices

(Note: the variables for the votes of judges not on court at time of decision should be treated as MISSING DATA; e.g., left blank)

0	on court, but did not participate
1	voted with majority
2	dissented in part
3	dissented
Blank	Not on court at time of decision

Codes for All Opinion Writing variables for All justices

0	participated but did not write or join an opinion
1	wrote opinion of court
2	wrote opinion for plurality of court majority
3	wrote individual opinion supporting court majority (e.g., no plurality opinion)
4	joined opinion of court
5	joined some other opinion supporting majority
6	wrote concurring opinion
7	wrote dissenting opinion
8	wrote opinion dissenting in part
9	joined opinion dissenting or dissenting in part
10	delivered oral opinion of court
11	en banc or opinion or judgment of the Court with no specific opinion writer noted
blank	did not participate

SECTION 5: ATTORNEY NAMES

FOR ALL ATTORNEY NAMES

Record the attorney's names as they appear printed in the reporter, LAST NAME FIRST, then FIRST NAME. For example, Ernesto F. Morial would be coded "Morial, Ernest F."

appatty1   Appellant's First Listed Attorney

appatty2   Appellant's Second Listed Attorney

appatty3   Appellant's Third Listed Attorney

appatty4   Appellant's Fourth Listed Attorney

appatty5   Appellant's Fifth Listed Attorney

resatty1   Respondent's First Listed Attorney

resatty2   Respondent's Second Listed Attorney

resatty3   Respondent's Third Listed Attorney

resatty4   Respondent's Fourth Listed Attorney

resatty5   Respondent's Fifth Listed Attorney

Appendix A: APPELLANT and RESPONDENT CODES

Natural Person Codes

CODERS: if a person's role in the case is as a government official or as an official or owner of a business or group, do **not** code them as a natural person. Although this is a four digit variable, there is no need to code leading zeros for codes 0010 through 0037.

- 10   gender not ascertained
- 11   male
- 12   female
- 13   male child
- 14   female child
- 15   child, gender not ascertained

Private business codes

- 20   obviously small, individual business
- 21   other business

Private/ Non-profit Organizations

- 30   unable to classify specific type
- 31   business or trade association, professional association,
- 32   union (or associations of teachers or workers)
- 33   educational association or institution
- 34   religious or charitable organization
- 35   political party or political group (e.g., Sierra Club, ACLU NRA, Heritage Foundation)
- 36   tribe or association of indigenous people
- 37   other

Subnational government: regional, state/provincial or local

CODERS: for 1st two digits ("PR"), use the region/province codes above to indicate the region or province in which the government is located

- PR01   regional/provincial police or prison
- PR11   city or other local police or prison
- PR02   regional/provincial education
- PR12   city or other local education
- PR03   regional/provincial health/ human services
- PR13   city or other local health/ human services
- PR04   regional/provincial infrastructure (roads, ports, airports)
- PR14   city or other local infrastructure (roads, ports, airports)
- PR05   regional/provincial agriculture
- PR15   city or other local agriculture
- PR06   regional/provincial labor, manpower
- PR16   city or other local labor, manpower
- PR07   regional/provincial business regulation
- PR17   city or other local business regulation
- PR08   regional/provincial natural resources, environment
- PR18   city or other local natural resources, environment
- PR09   regional/provincial prosecutor, attorney general, justice dept
- PR19   city or other local prosecutor, attorney general, justice dept
- PR90   regional/provincial - other

PR91   city or other local - other
PR98   regional/provincial - specific category not ascertained
PR99   city or other local - specific category not ascertained

National government

9000   national - specific category not ascertained
9001   national police or prison
9002   national education
9003   national health/ human services
9004   national infrastructure (roads, ports, airports)
9005   national agriculture
9006   national labor, manpower
9007   national business regulation
9008   national natural resources, environment
9009   national justice ministry, attorney general, Lord Chancellor
9010   national - corporate capacity in criminal prosecution (e.g., "the Queen" or "the People")
9011   national - corporate capacity in civil case
9099   national - other

Other

9900   foreign government
9901   international organization
9902   court appointed official (trustees, executors, fiduciaries, liquidators)
9903   tribal authority, independent homelands authority
9990   other
9999   not able to classify

U.S. Appellant and Respondent Coding

Government Agencies

9013   AF = Secretary or administrative unit or personnel of the U.S. Air Force

9013   ARMY = Secretary or administrative unit or personnel of the U.S. Army

9099   CAB = Civil Aeronautics Board

9001   CIA = Central Intelligence Agency

9001   CFTC = Commodity Futures Trading Commission

9012   COMM = Department or Secretary of Commerce

9012   COMP = Comptroller of Currency

9003   CPSC = Consumer Product Safety Commission

9003   CRC = Civil Rights Commission

9006   CSC = Civil Service Commission, U.S.
         DOD = Department or Secretary of Defense (identify components-- Army, Navy, Air Force --
9013   separately, unless more than one is present, in which case use DOD)

9008   DOE = Department or Secretary of Energy

9008   DOI = Department or Secretary of the Interior

9009   DOJ = Department of Justice or Attorney General

9099   DOS = Department or Secretary of State

9004   DOT = Department or Secretary of Transportation

9002	EDUC = Department or Secretary of Education
9006	EECC = U.S. Employees' Compensation Commission, or Commissioner
9006	EEOC = Equal Employment Opportunity Commission
9008	EPA = Environmental Protection Agency or Administrator
9004	FAA = Federal Aviation Agency or Administration
9001	FBI = Federal Bureau of Investigation or Director
9004	FCC = Federal Communications Commission
9003	FDA = Food and Drug Administration
9012	FDIC = Federal Deposit Insurance Corporation
9008	FEA = Federal Energy Administration
9099	FEC = Federal Election Commission
9008	FERC = Federal Energy Regulatory Commission
9003	FHA = Federal Housing Administration
9006	FLRA = Federal Labor Relations Authority
9004	FMBD = Federal Maritime Board
9004	FMC = Federal Maritime Commission
9012	FPC = Federal Power Commission
9012	FRB = Federal Reserve Board of Governors
9012	FRS = Federal Reserve System
9012	FSLI = Federal Savings and Loan Insurance Corporation
9001	FTC = Federal Trade Commission
9012	GENL = Comptroller General
9099	GSA = General Services Administration
9003	HEW = Department or Secretary of Health, Education and Welfare
9003	HHS = Department or Secretary of Health and Human Services
9003	HUD = Department or Secretary of Housing and Urban Development
9099	IC = administrative agency established under an interstate compact (except for the MTC)
9099	ICC = Interstate Commerce Commission
9099	INS = Immigration and Naturalization Service, or Director of,or District Director of, or Immigration and Naturalization Enforcement
9012	IRS = Internal Revenue Service, Collector, Commissioner, or District Director of
9099	ISOO = Information Security Oversight Office
9006	LABR = Department or Secretary of Labor
31	LSC = Legal Services Corporation
9099	NASA = National Aeronautics and Space Administration
9099	NEA = National Endowment for the Arts
9006	NLRB = National Labor Relations Board, or regional office or officer
9004	NRAB = National Railroad Adjustment Board
9012	OMB = Office of Management and Budget
9099	OPM = Office of Personnel Management
9006	OSHA = Occupational Safety and Health Administration

9006   OSHC = Occupational Safety and Health Review Commission

9006   OWCP = Office of Workers' Compensation Programs

9099   PATO = Patent Office, or Commissioner of, or Board of Appeals of

9099   PBGC = Pension Benefit Guaranty Corporation

9003   PHS = U.S. Public Health Service

9099   RNGB = Renegotiation Board

9004   RRAB = Railroad Adjustment Board

9004   RRRB = Railroad Retirement Board

9007   SBA = Small Business Administration

9007   SEC = Securities and Exchange Commission

9003   SSA = Social Security Administration or Commissioner

9099   SSS = Selective Service System

9012   TREA = Department or Secretary of the Treasury

9004   TVA = Tennessee Valley Authority

9008   USFS = United States Forest Service

9001   USPC = United States Parole Commission

9099   USPS = Postal Service and Post Office, or Postmaster General, or Postmaster

9001   USSC = United States Sentencing Commission

9099   VTAD = Veterans' Administration

9012   WSB = Wage Stabilization Board

APPENDIX B: SUBSTANTIVE ISSUE CODES

Criminal

101	murder
102	killing without intent (e.g., manslaughter, reckless homicide)
103	attempted murder or homicide
104	rape
105	other crimes of violence against persons (e.g., assault, child abuse, armed robbery, kidnap, arson, sexual assault)
106	attempted crime of violence (including attempted rape)
107	property crimes - serious (theft, burglary, forgery, fraud, destruction of property, defrauding the government)
108	property crimes - minor
109	drug offenses
110	crimes against morality (liquor, obscenity, disorderly conduct, gambling)
111	religious crimes
112	business regulation & license violations
113	government corruption or attempts to corrupt government officials
114	political crimes (rebellion, subversion, sedition, illegal political activities or demonstrations, disloyalty)
115	other (perjury, contempt of court, DUI)
119	not able to classify crime

Civil Rights and Liberties

201	civil rights claims by prisoners (does **not** include challenges to their sentence or to the legality of their confinement) (includes claims of cruel and unusual punishment while in prison)
202	equal treatment under the law (discrimination on account of gender, race, religion, age, ethnic, language, sexual orientation)
203	voting rights
204	speech, press, assembly, right to petition
205	religion rights (both challenges to restrictions on religion and challenges to government aid to religion that discriminate against other religions)
206	privacy (include abortion)
207	access to public information
208	civil rights of juveniles
209	rights of indigenous peoples
210	other civil rights

Public Law

301	government health & safety regulation
311	government environmental regulation and natural resources
312	other government regulation of business
313	government regulation of agriculture
314	land reform and government regulation of land use (includes eminent domain and condemation)
315	government regulation of races (e.g., apartheid)
316	government regulation of unions or associations or business/labor relations
319	other government regulation
320	taxation
321	government benefits (medical insurance, welfare, unemployment benefits, old age pensions or social security)

322	worker's compensation
330	abuse of governmental authority (other than those in topics included in the civil rights or tort categories)
340	public employment
350	immigration, deportation, citizenship
360	disputes over elections
361	disputes over appointments to office
362	disputes related to removal of government officials
370	disputes between different units of government
380	special laws dealing with indigenous peoples
381	rights and powers of indigenous peoples
382	religious or customary law
383	language or cultural issues
390	other public law

Private Economic Relations

401	creditor-debtor disputes (collection; bankruptcy; insolvency cases; actions to collect on or re-possess property involving mortgages - credit purchases, etc.
402	insurance disputes
403	other contract disputes, breach of contract, franchise agreements
410	land possession disputes (agricultural and commercial)
411	landlord - tenant disputes - agricultural
412	landlord - tenant disputes - commercial or residential
417	copyrights, patents, trademarks
420	corporate law - disputes over control or mismanagement of corporations; stockholders and creditors rights; securities fraud
430	labor/ management disputes (in private business)
440	other private economic disputes

Torts

510	motor vehicle accidents
520	injured workers
530	medical or legal malpractice
540	government tort liability
550	product liability
560	other personal injury
570	libel or defamation
590	other torts

Family and Estates

610   marriage, divorce, and family disputes
620   inheritance, probate, succession disputes
630   other family law

Other

700   regulation of bar and judiciary
900   other issue
999   unable to classify

APPENDIX C: DIRECTIONALITY OF DECISIONS AND VOTES

CODERS: for all issues, use a "2" when the decision of the national top court supports both sides in part. Use a "0" when the ideological direction of the decision can not be ascertained.

Criminal Issues:

    3   for position of the defendant
    1   against position of the defendant (for government)

Civil Rights and Liberties:

    3   for position of persons alleging that their civil rights were violated (except in "reverse discrimination") cases
    1   against position of persons alleging that their civil rights were violated (except in "reverse discrimination") cases

Freedom of Expression and Religion:

    3   for the expansion or the protection of assertions of rights of expression and religion
    1   against the expansion or the protection of assertions of rights of expression and religion

Private Economic Relationships:

    3   for the economic underdog if one of the parties is clearly an economic underdog compared to the other
    1   against the economic underdog if one of the parties is clearly an economic underdog compared to the other (for upperdog)
    0   no clear underdog)

Torts:

    3   for the injured party
    1   against the injured party (for party allegedly causing the injury)

Copyrights, Patents, Trademarks:

    3   for the person alleging infringement of their copyright, patent or trademark
    1   against the person alleging infringement of their copyright, patent or trademark

Public Law (except for public employment and government benefits) (includes taxation):

    3   for the government
    1   against the government

Public Employment and Benefits

    3   for employee or the recipient of benefits
    1   against employee or the recipient of benefits (for government)

Family and Estates:

    code all as 0

Disputes Between Levels of Government (code 370):

       3   for national government
       1   for subnational government
       0   use for all cases involving different units at the same level or any dispute not involving the national government (e.g., city v province)