


Federalist Society Polling Data:

Judicial Philosophy

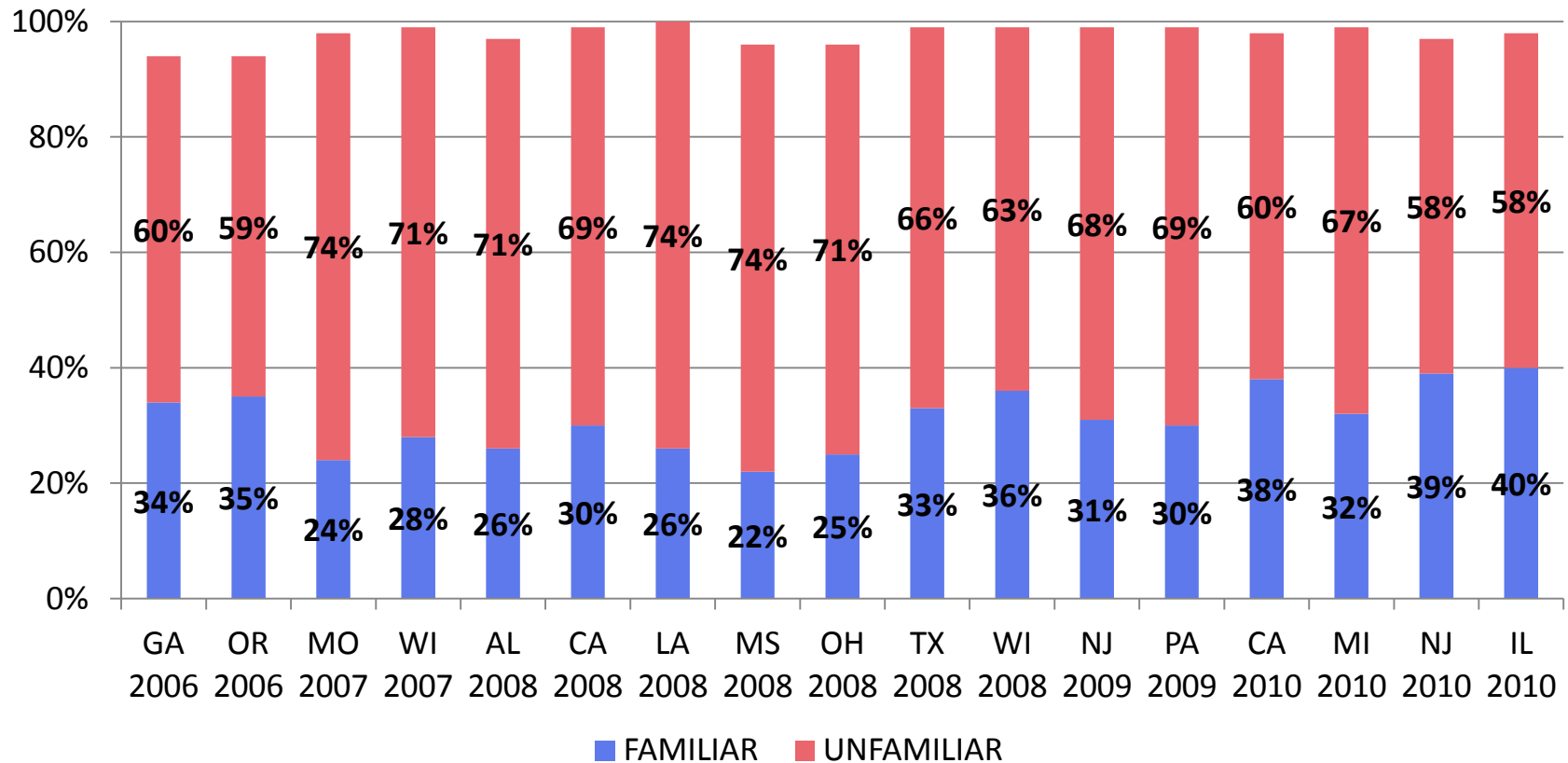
STATECOURTS
guide

 the polling company, inc.
WomanTrend



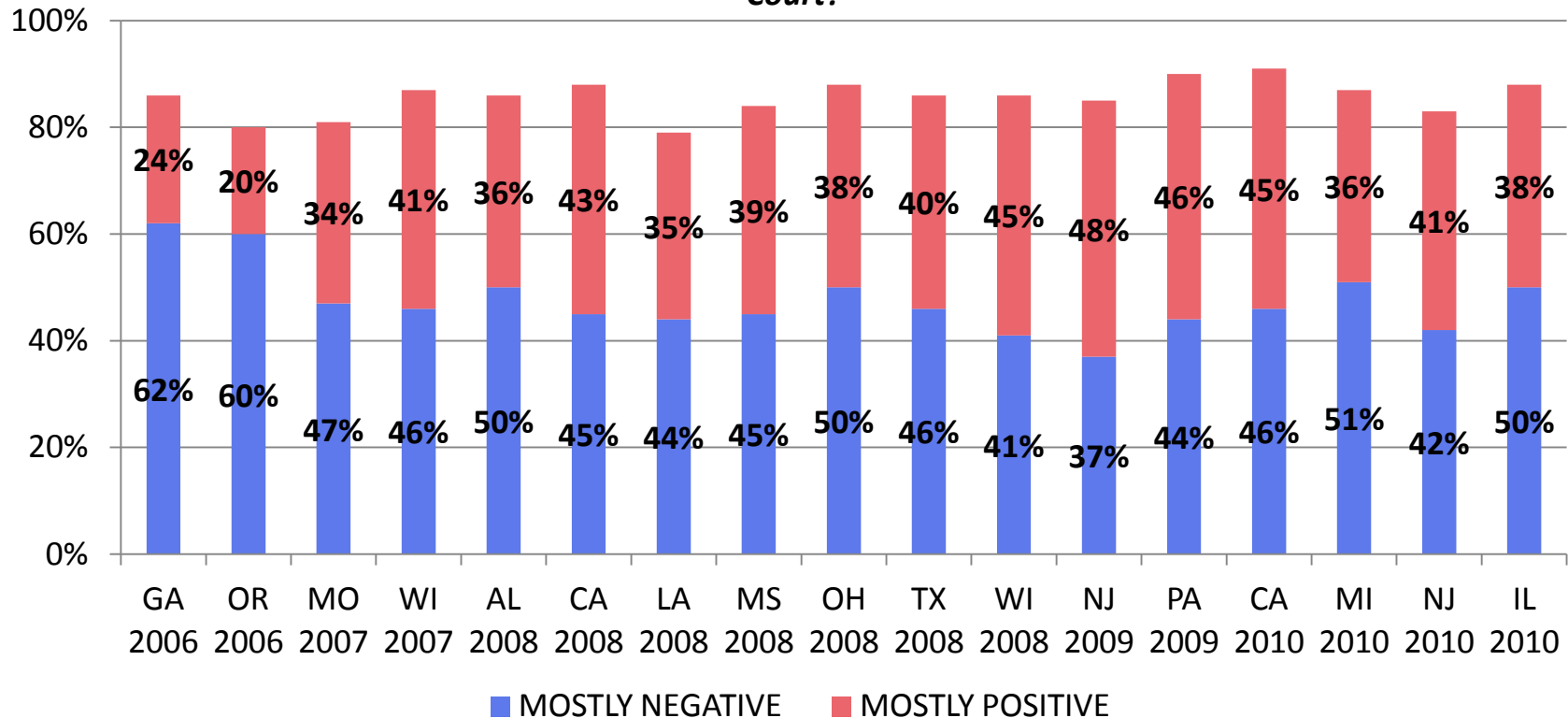
Awareness of Judicial Activism

How familiar are you with the concept of "judicial activism"?



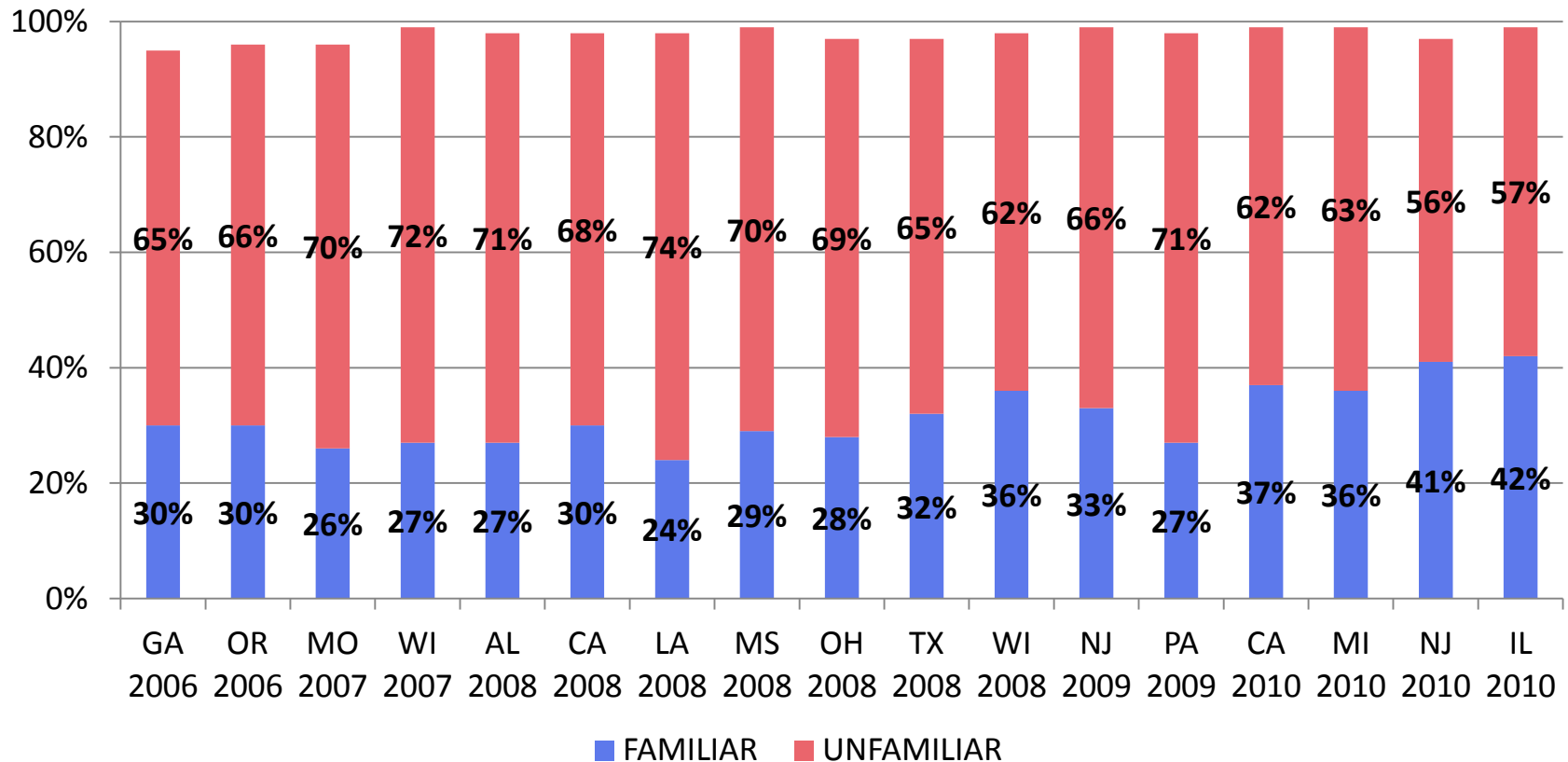
Attitudes Toward Judicial Activism

“Judicial activism” is a term used to describe when a judge feels that his or her role is not simply to review the law as it is written, but is instead to allow for new or evolving meaning of the law over time.
Do you think judicial activism is a mostly positive or mostly negative thing for the [Insert State] Supreme Court?



Awareness of Judicial Restraint

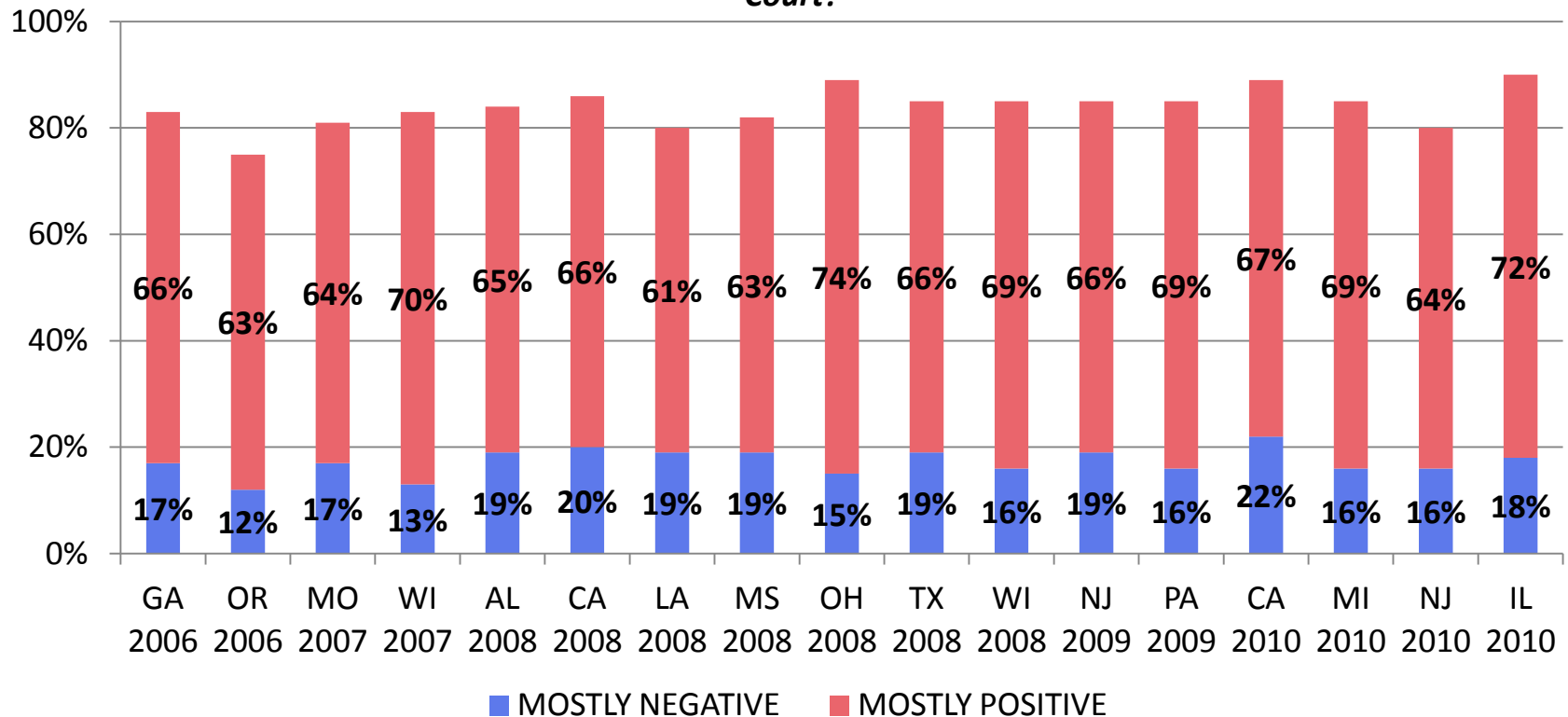
How familiar are you with the concept of “judicial restraint”?



Attitude Toward Judicial Restraint

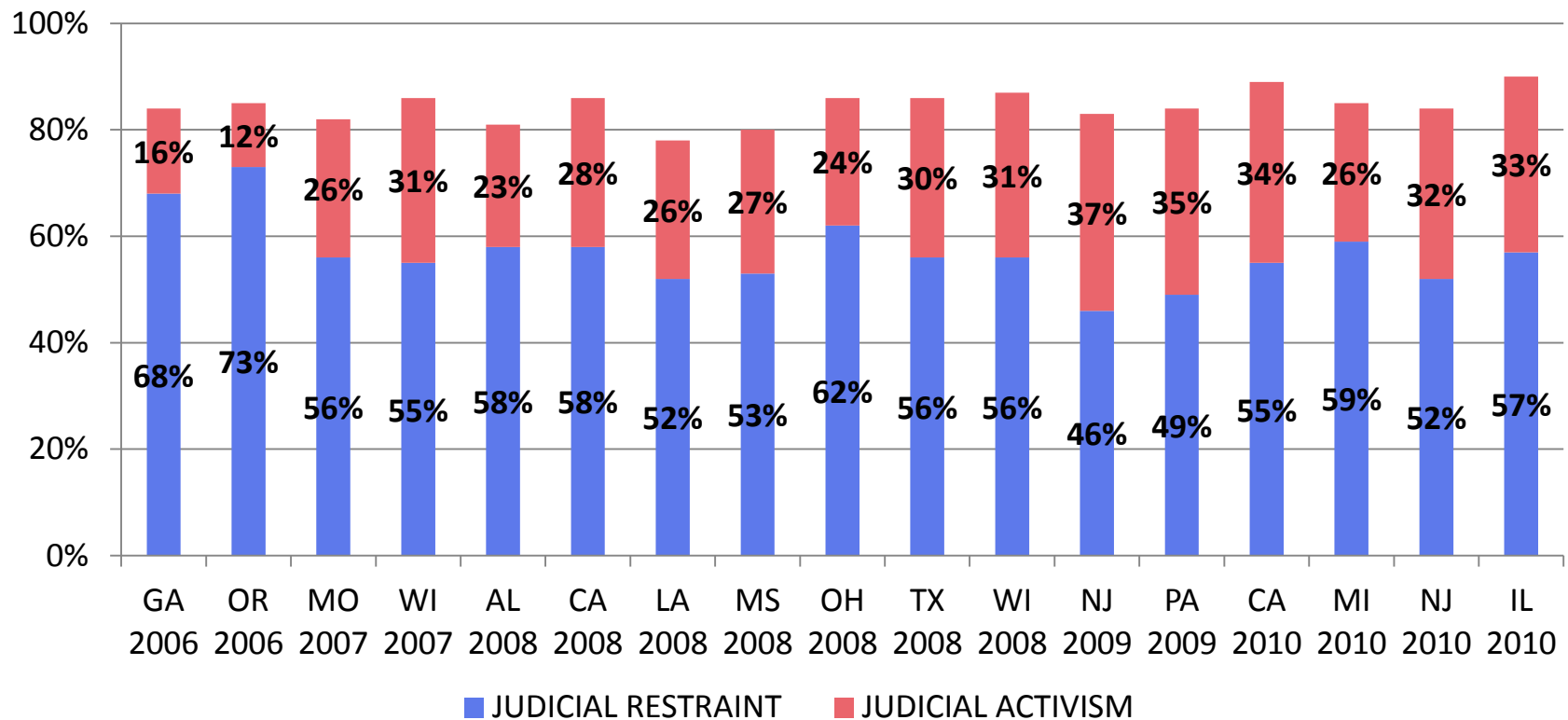
“Judicial restraint” is a term used to describe when a judge views his or her role solely as an evaluator of whether a law or lower court ruling is in line with the state constitution.

Do you think judicial restraint is a mostly positive or mostly negative thing for the [Insert State] Supreme Court?



Citizens Prefer Judicial Restraint Over Judicial Activism

Based on the definitions I gave you, would you rather the [Insert State] Supreme Court practice judicial activism or judicial restraint?

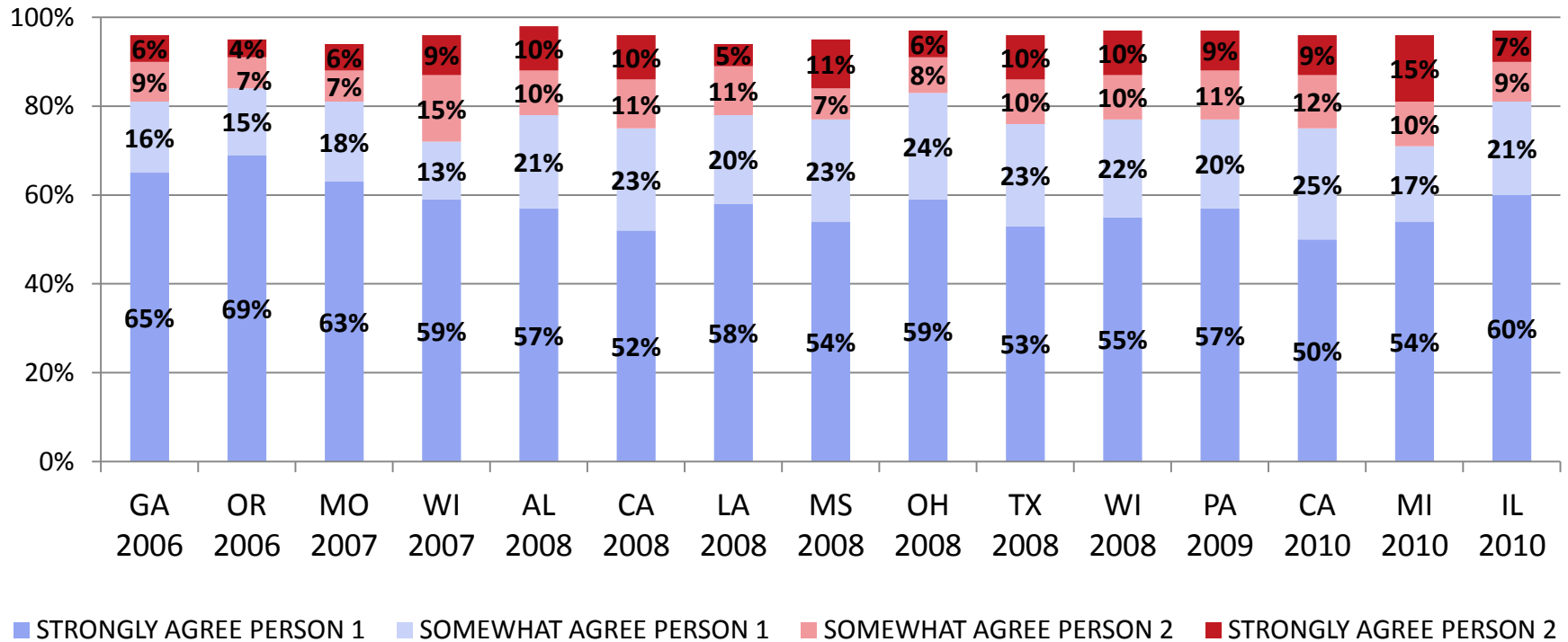


Majorities Favor Judges Interpreting the Laws As Written

I am going to read you the opinions of two people. Please tell me which one comes closest to your view.

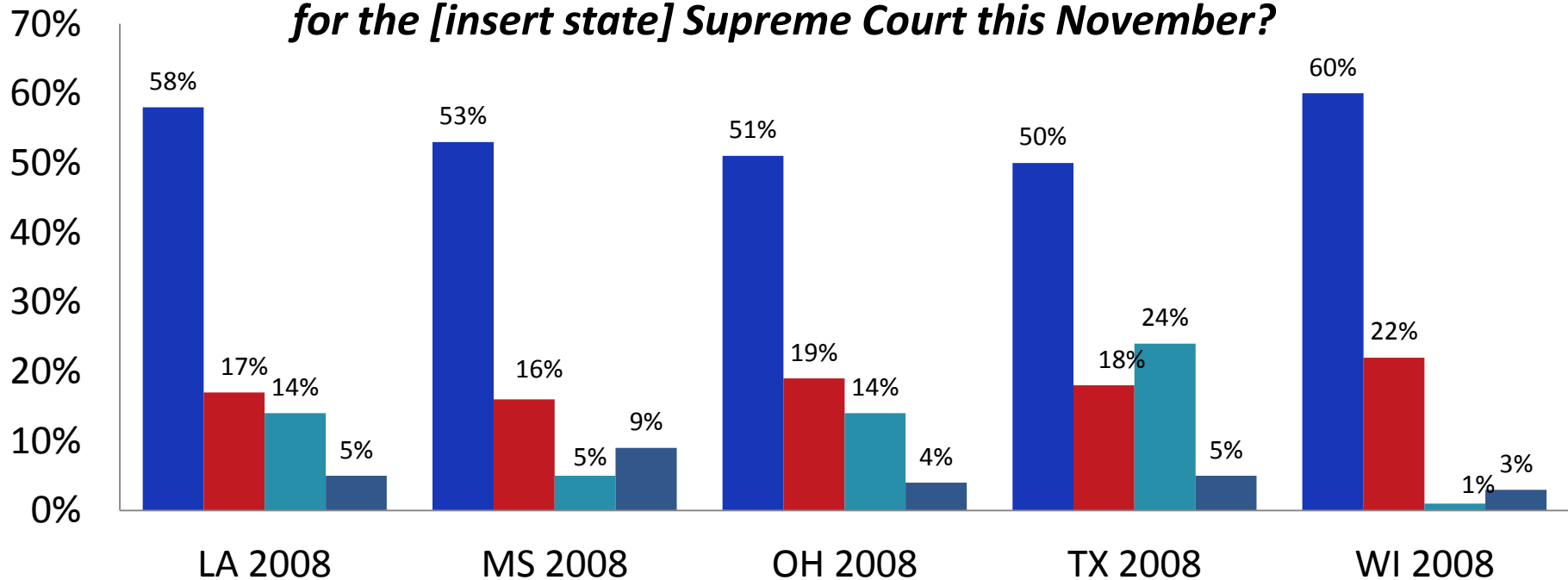
PERSON 1: Judges should interpret and apply the law as it is written and not take into account their own viewpoints and experiences.

PERSON 2: Judges should go beyond interpreting and applying the law and take into account their own viewpoints and experiences.



“Interpret Laws As Written” Is Most Compelling Criteria for Citizens in Judicial Election States

Which of the following will be MOST important to you in deciding how to vote for the [insert state] Supreme Court this November?



- Interpret Laws as Written
- Candidate Who Has Previously Served as a Judge
- Other*
- Do Not Know

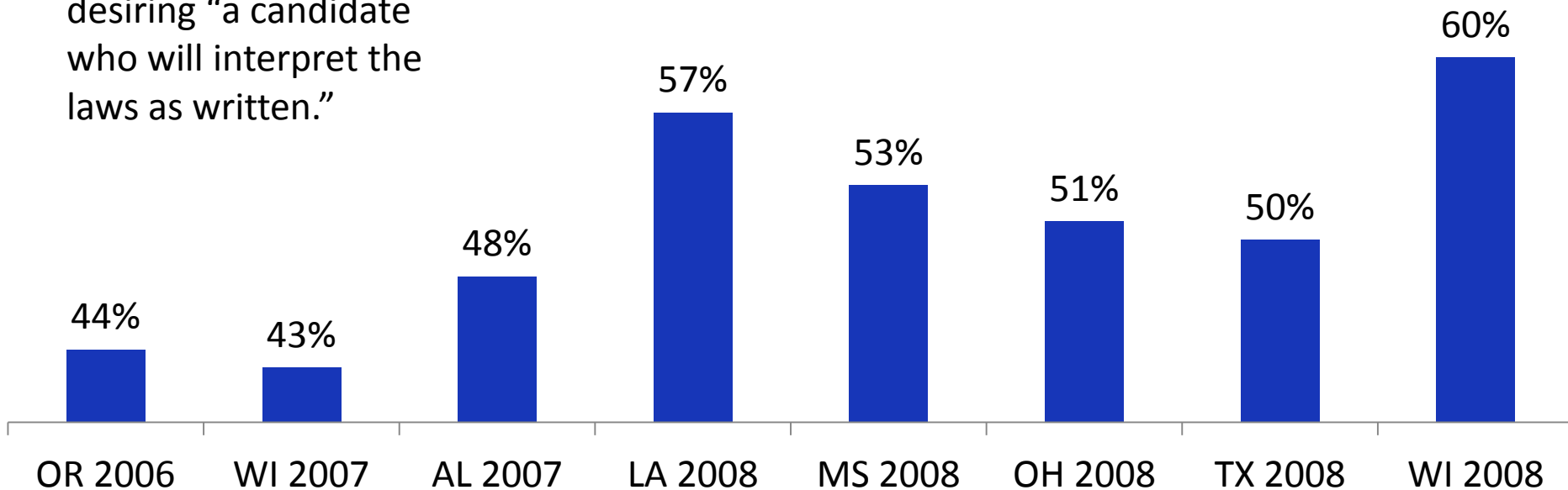
Other Responses:
 “Candidate shares my moral and political values,”
 “Candidate’s past rulings and legal decisions,” “Political Party,”
 “Endorsed by Trial Lawyers Association” and “Endorsed by Business Community.” For full results, see state specific data.

Citizen Preference for Interpreting the Law as Written

Which of the following will be MOST important to you in deciding how to vote for the [insert state] Supreme Court this November?

KEY

•% of respondents desiring “a candidate who will interpret the laws as written.”



Methodology

- All studies were conducted by the polling company, inc./WomanTrend using a Computer Assisted Telephone Interview (CATI) technology.
- Demographic quotas were used to ensure a mix of respondents with regard to age, gender, race and region.
- Unless otherwise indicated, data were **not** weighted.

State	Field Dates	Number of Interviews	Audience	Margin of Error
AL	September 25-28, 2008	501	Likely Voters	<u>+4.38</u>
CA	September 22-26, 2008	613	Registered Voters	<u>+3.96</u>
CA	October 4-7, 2010	600	Registered Voters	<u>+3.96</u>
GA	October 11-13, 2006	500	Likely Voters	<u>+4.38</u>
IL	October 5-8, 2010	500	Likely Voters	<u>+4.38</u>
KS	November 1-5, 2007	600	Registered Voters	<u>+4.00</u>
LA	July 6-8, 2008	500	Registered Voters	<u>+4.38</u>
MI	October 5-7, 2010	500	Likely Voters	<u>+4.38</u>
MO	February 14-18, 2007	500	High Propensity Voters	<u>+4.38</u>
MS	September 23-28, 2008	500	Likely Voters	<u>+4.38</u>
NJ	January 9-10, 2009	500	Registered Voters	<u>+4.38</u>
NJ	September 17-19, 2010	507	Likely Voters	<u>+4.38</u>
OH	September 22-24, 2008	502	Likely Voters	<u>+4.38</u>
OR	October 24-26, 2006	504	Likely Voters	<u>+4.38</u>
PA	September 23-25, 2009	500	Registered Voters	<u>+4.38</u>
TX	October 6-11, 2008	700	Registered Voters	<u>+3.70</u>
WI	March 1-4, 2007	507	Likely Voters	<u>+4.38</u>
WI	March 15-17, 2008	500	Likely Voters	<u>+4.38</u>