


Federalist Society Polling Data: Michigan

Survey of 500 Likely Voters in Michigan
October 5-7, 2010
Margin of Error: $\pm 4.4\%$

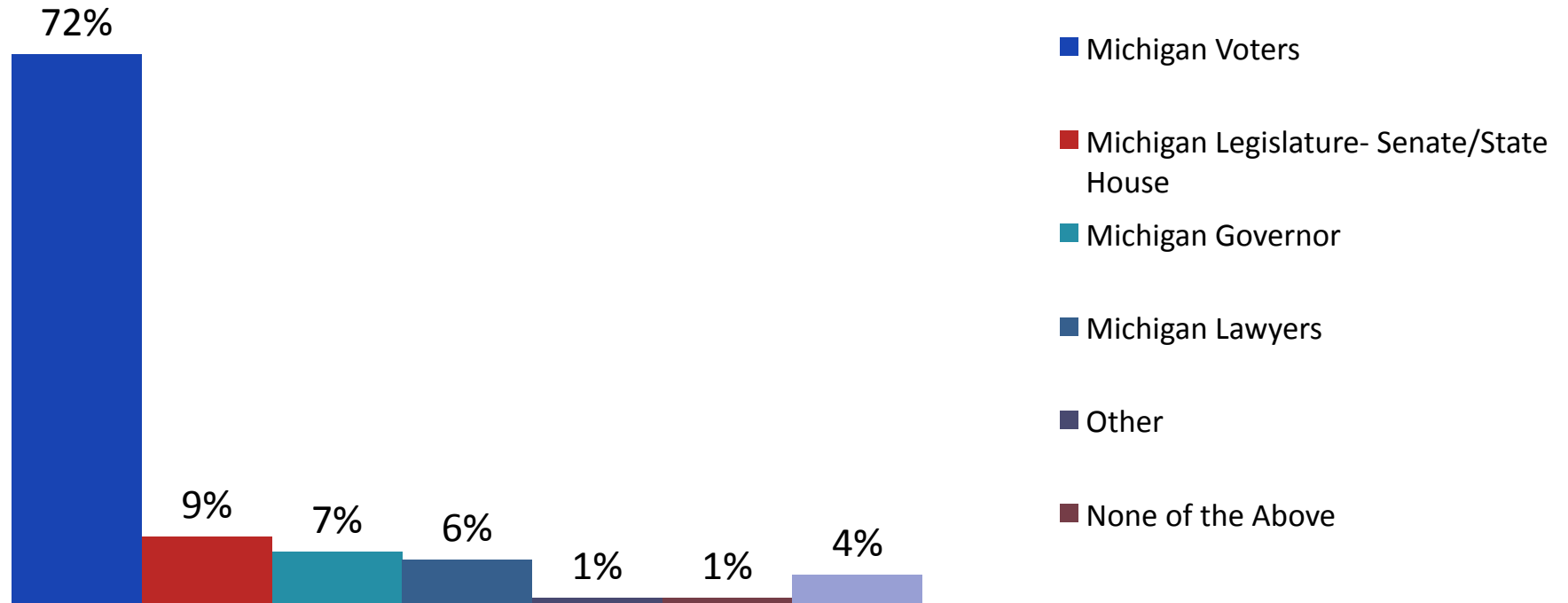
STATECOURTS
guide

 the polling company, inc.
WomanTrend



Michigan Supreme Court Selection

Which of the following do you think should have the greatest input on who is selected to serve as a Justice on the Michigan Supreme Court?

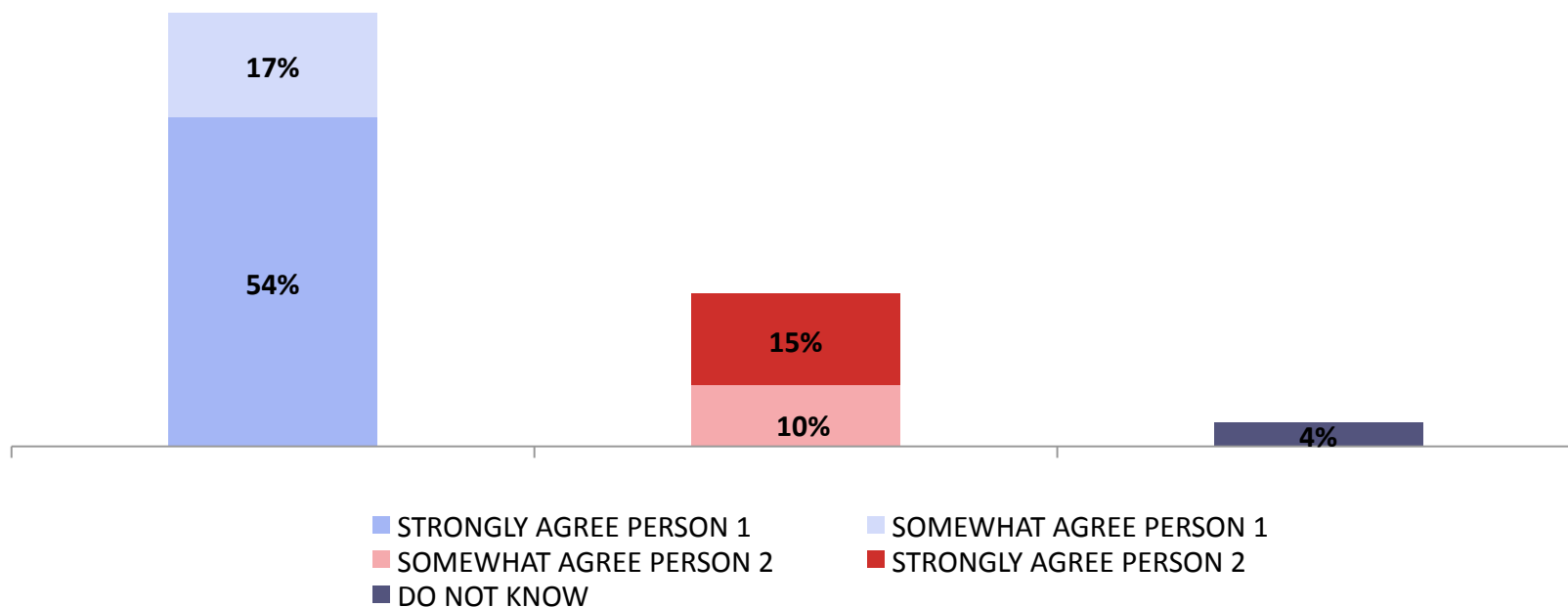


Role of Personal Viewpoints

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

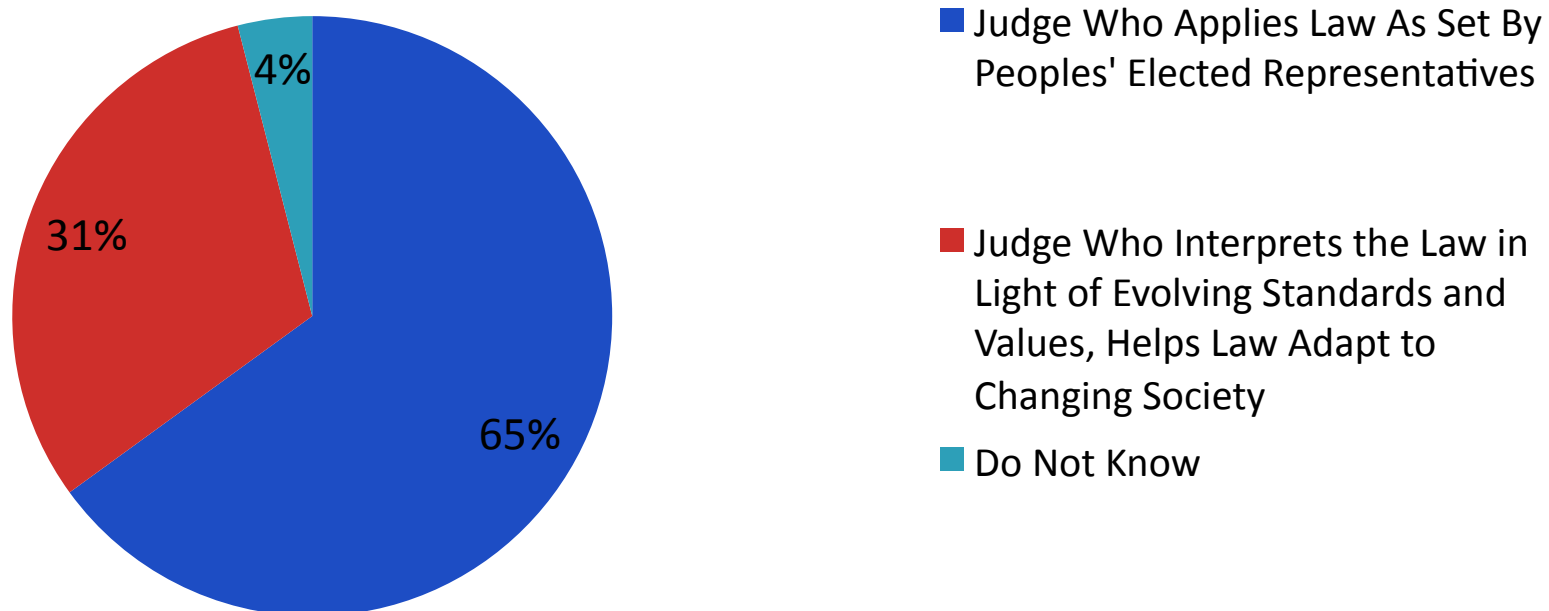
PERSON 1: Judges should interpret and apply the law as it is written and not take into account their own viewpoints and experiences.

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



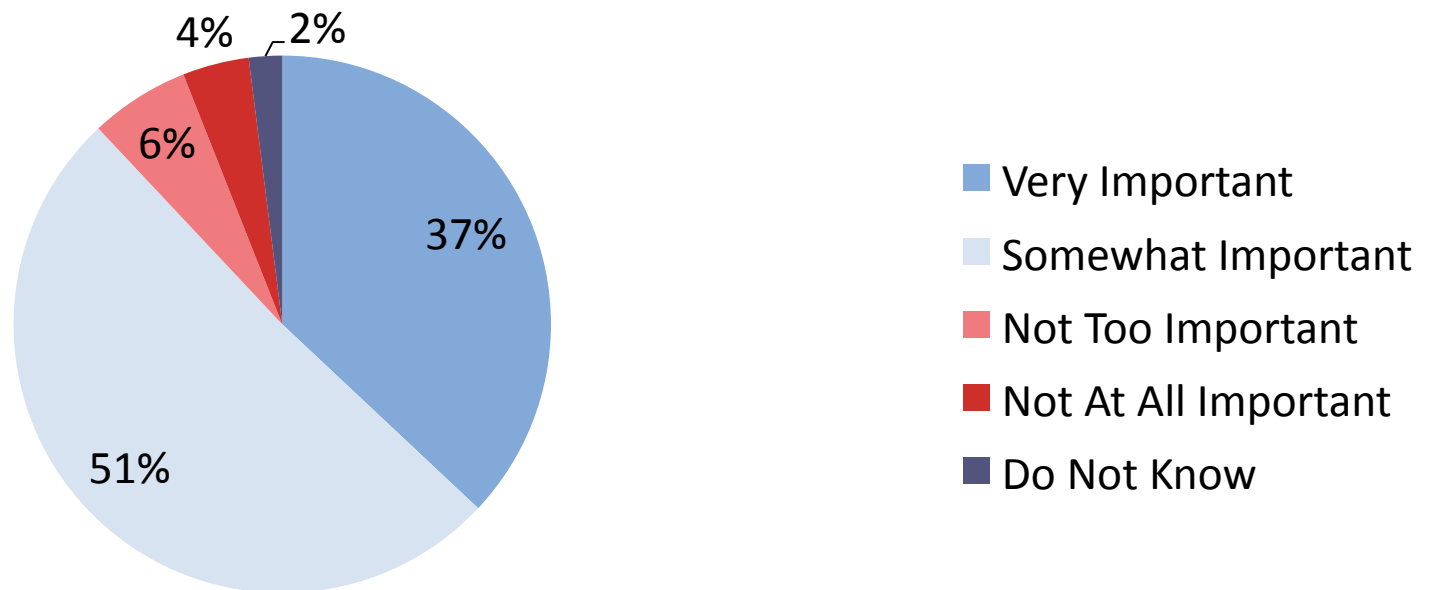
Role of Personal Viewpoints

In general, which type of judge do you prefer?



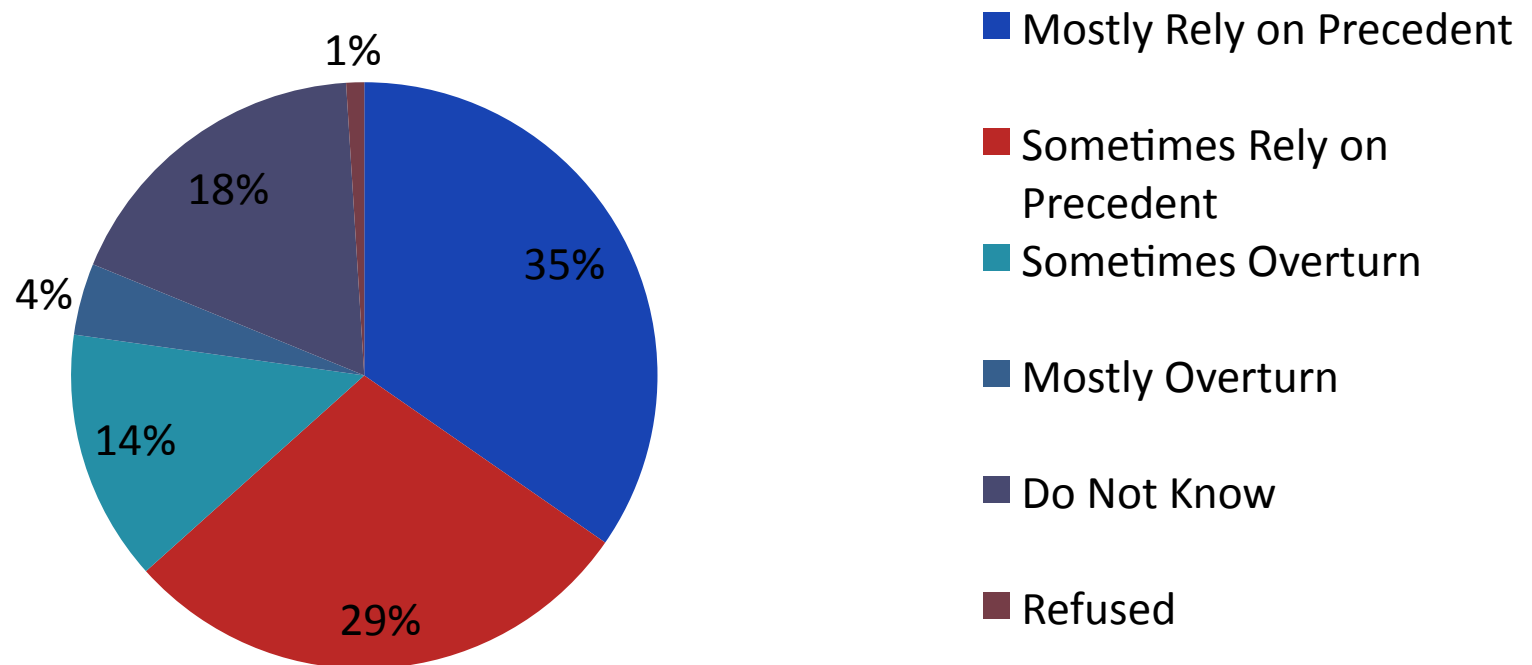
Value of Precedent

As you might know, courts often rely on precedent, which are past decisions made by courts in cases with similar facts. This is sometimes referred to as stare decisis, which means “to stand by things decided.” When judges and justices review cases, how important is it that they rely on decisions made by past courts in cases with similar facts?



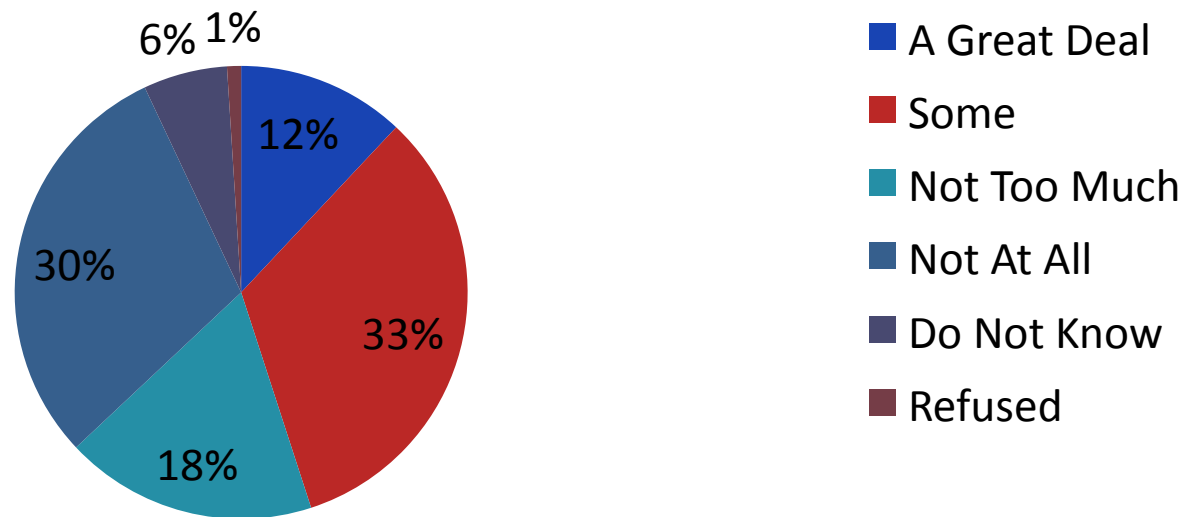
Value of Precedent

**More often than not should the Michigan Supreme Court
rely on precedent or overturn precedent?**



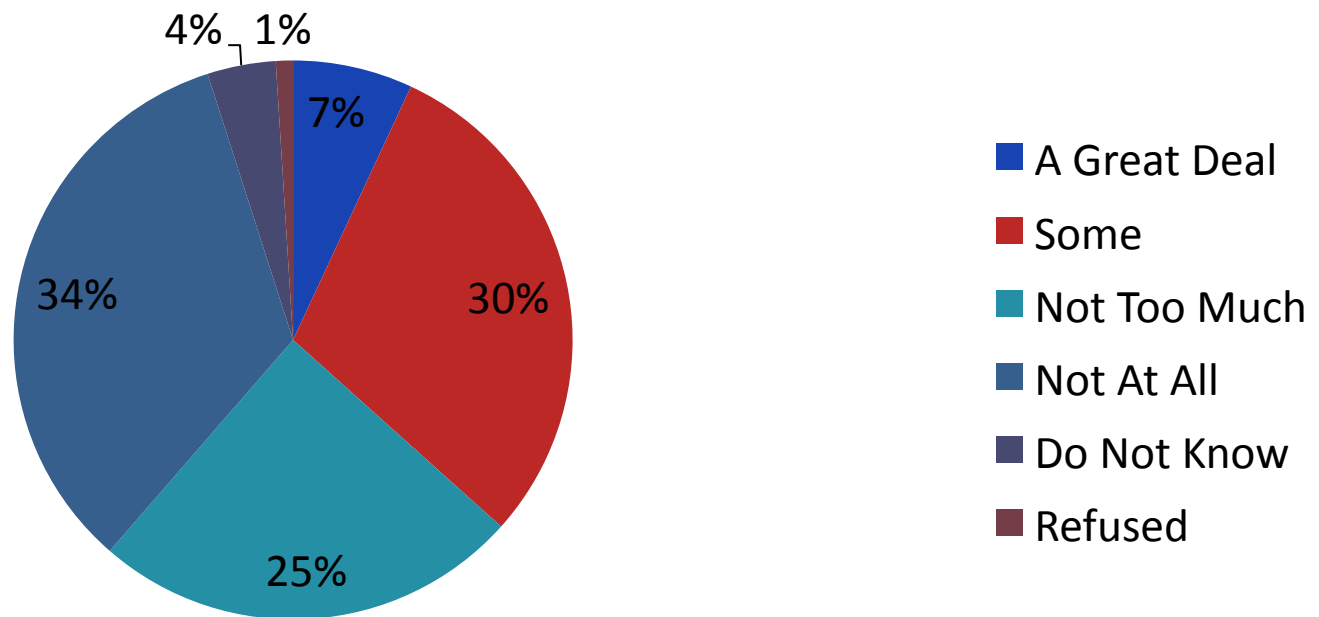
Value of Precedent

How much should Justices on the Michigan Supreme Court rely on precedent if the rulings in those past cases that established the precedent were based not solely on the law, but in part on judges' personal viewpoints and experiences?



Value of Precedent

And, how much should Justices on the Michigan Supreme Court rely on their personal viewpoints and experiences when deciding to overturn precedent?

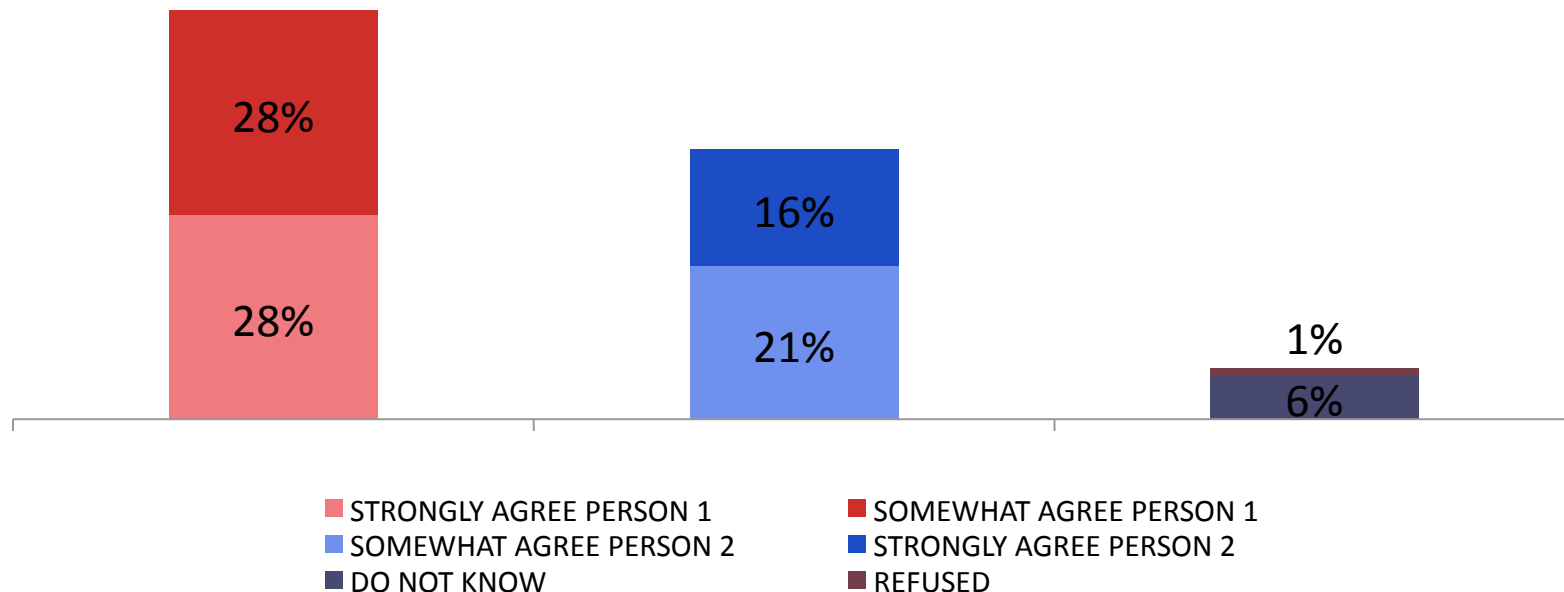


Value of Precedent

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

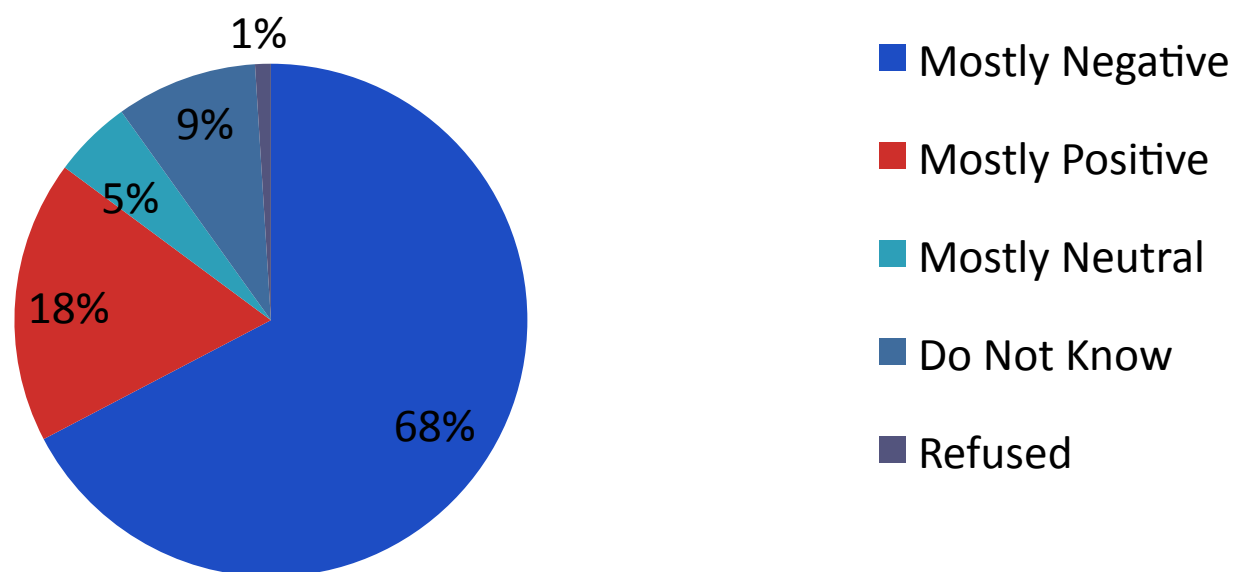
PERSON 1: believes that when the Supreme Court evaluates cases, relying on precedent is very important because doing so establishes efficiency and consistency for the courts.

PERSON 2: believes that when the Supreme Court evaluates cases, relying on precedent is not that important because doing so relies too much on the opinions of one court.



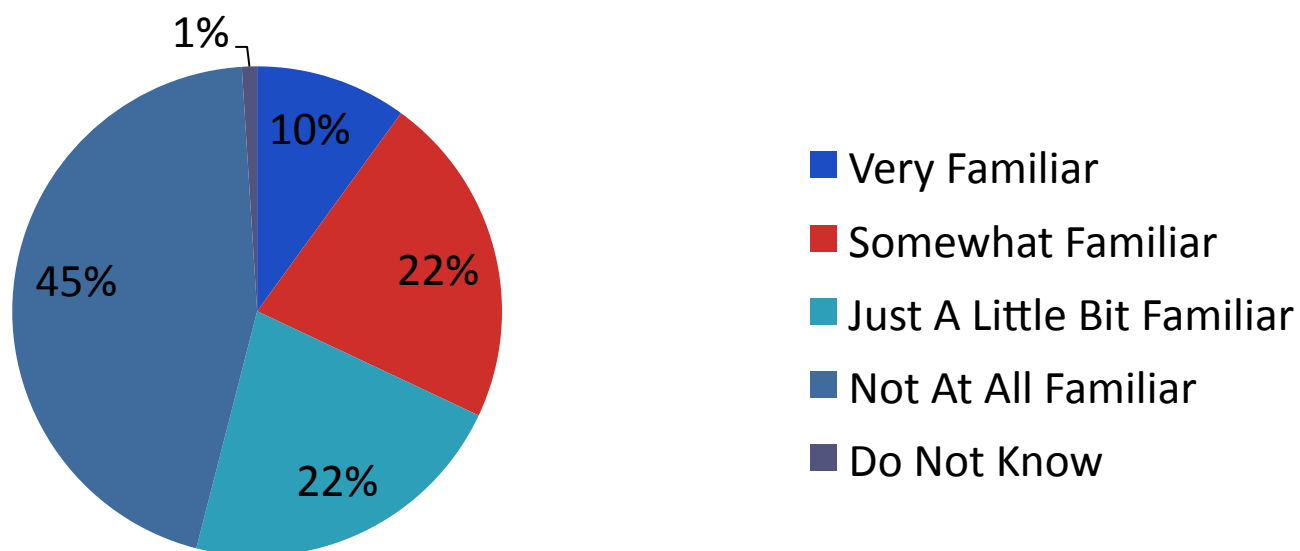
Ease of Bringing Lawsuits

Do you think it is mostly positive or mostly negative for Michigan's economy that the Michigan Supreme Court has made it easier for people and trial lawyers to bring lawsuits here in Michigan?



Awareness of Judicial Activism

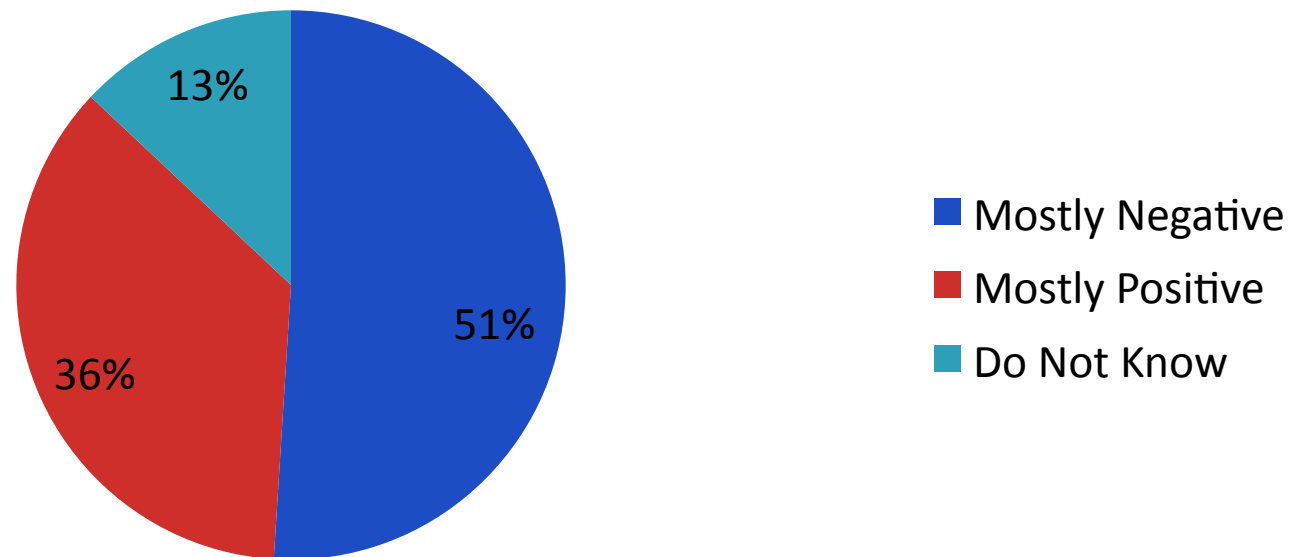
How familiar are you with the concept of “judicial activism”? Would you say you are...



Attitudes Toward Judicial Activism

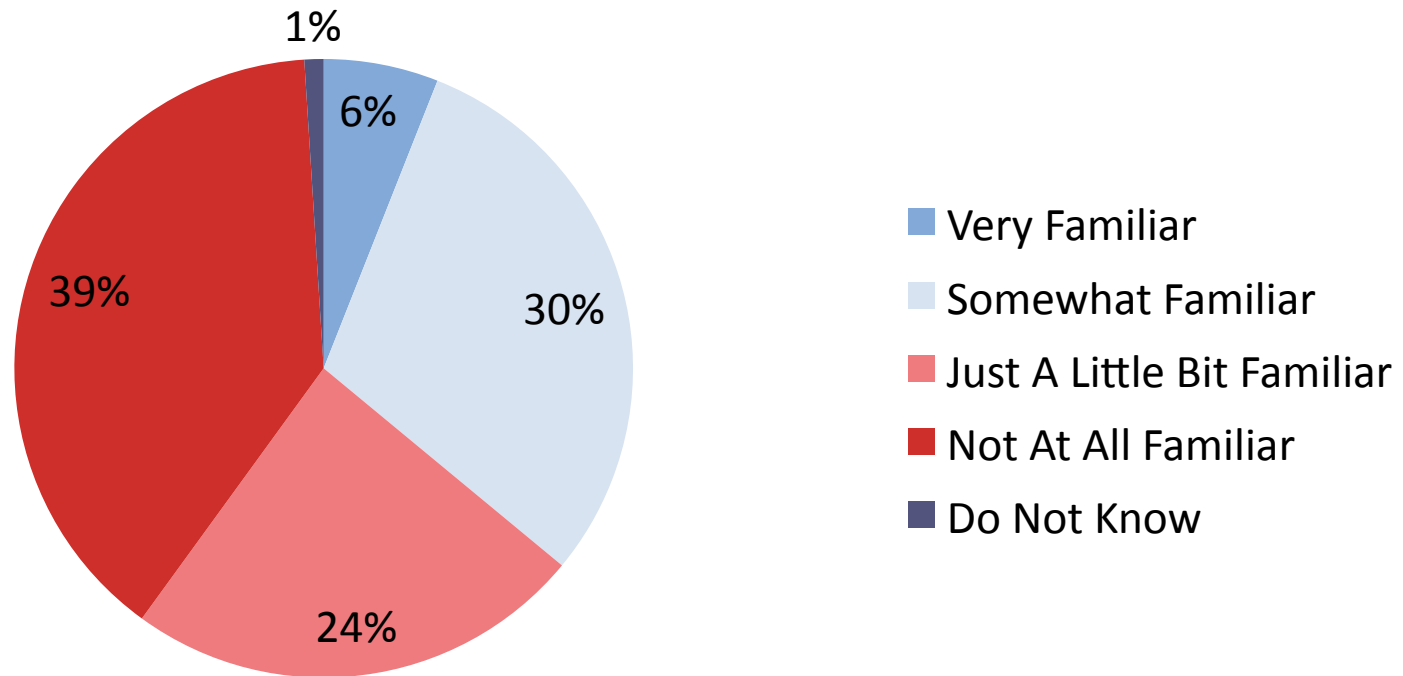
“Judicial activism” is a term used to describe when a judge feels that his or her role is not simply to review the law as it is written, but is instead to allow for new or evolving meaning of the law over time.

Do you think judicial activism is a mostly positive or mostly negative thing for the Michigan Supreme Court?



Awareness of Judicial Restraint

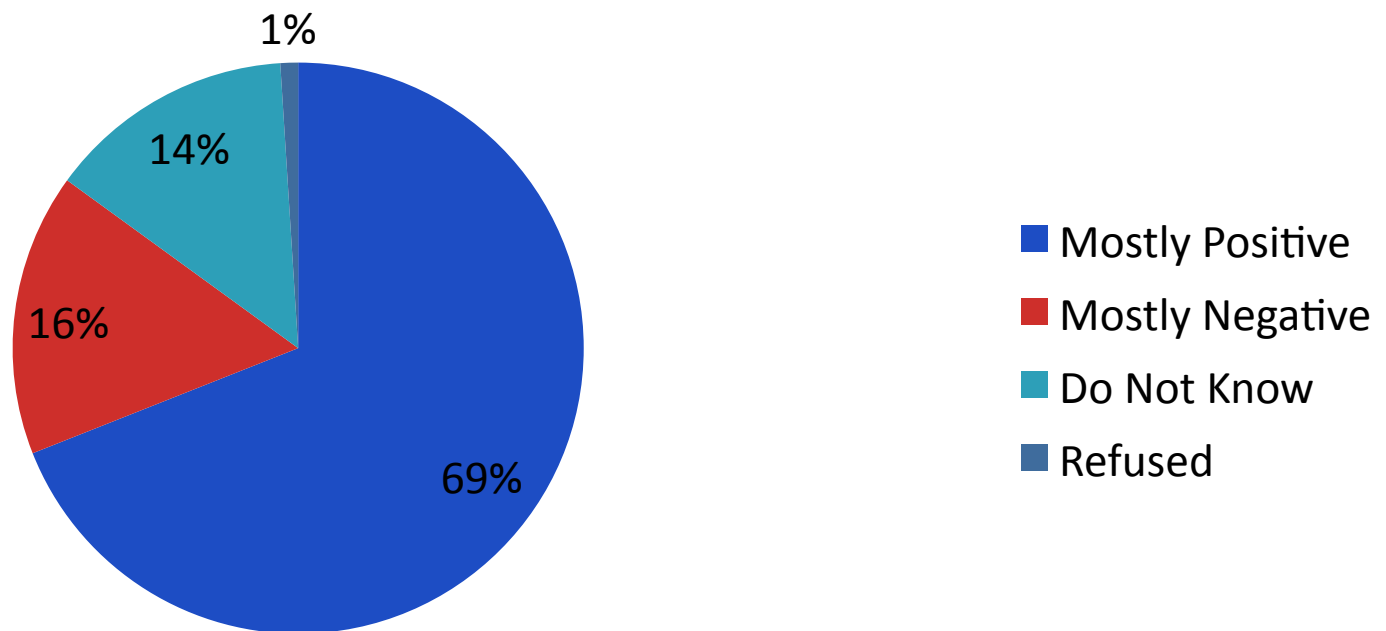
How familiar are you with the concept of “judicial restraint”? Would you say you are...



Attitudes 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 Michigan Supreme Court?



Preferred Jurisprudence for Michigan Supreme Court

Based on the definitions I just gave you, would you rather the Michigan Supreme Court practice judicial activism or judicial restraint?

