The Judicial Common Space

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The Sophisticated Intentionalist

Q (enacting Congress)

H (current House)

L (new legislation)

S (current Senate)
The Hierarchical Conformist

Doctrinal Conformist

Hierarchical Conformist

E
(Enacting Court)

C,L
(Current Court)
(Current lower court)
The Constrained Justice
The Whistleblower

Judge 1
Judge 2
WB

Got ya!
And so many others...

The En Banc Review Game

The Panel -- The Circuit

The Nominations Game

President -- Court -- Senate

The Court-Congress Game

Court -- Committee Indifference Point -- Committee -- Congress
Methodology

- NOMINATE Common Space
- Giles, et. al. Measure for CoA Judges
- Martin-Quinn Scores
- How to map from M-Q Space to Common Space?

\[
\tan \left( \frac{\pi}{2} CS_i \right) = \beta_0 + \beta_1 MQ_i + \varepsilon_i \quad \varepsilon_i \sim \mathcal{N}(0, \sigma^2)
\]

\[
\hat{CS} = \frac{2}{\pi} \arctan(-0.1736 + 0.461MQ)
\]
Martin–Quinn Score for First Term of Service
Common Space Score of Unconstrained Appointing President
Arctangent Predictor
Linear Predictor
Other Approaches

- Bridging Using Common Membership
- Bridging Using Common Cases or Bills
- Structural Statistical Model with Agenda-Setting
- Fundamental Problem -- Three Judge Panels
The End!