Marquette Law School Poll Methodology Statement

U.S. Supreme Court and National Issues Survey, November 2-7, 2023

The Marquette Law School Poll national survey of public views of the U.S. Supreme Court and national issues was conducted November 2-7, 2023. A total of 1010 adults were interviewed by SSRS of Glen Mills PA, using the SSRS Opinion Panel, a representative probability-based panel of adults ages 18 and over living in the United States, recruited using the SSRS Omnibus poll and through address-based sampling (ABS). The margin of error is +/-4.2 percentage points for the full sample. Table 1 shows the margin of error for subsamples of registered votes, likely voters, registered Republicans (including independents who lean Republican) and registered Democrats (including independents who lean Democratic) along with unweighted and weighted samples sizes. All reported results are based on the weighted sample.

Table 1: Margin of error and sample sizes for subsamples

Sample	Unweighted N	Weighted N	Margin of error
Adults	1010	1010	4.2
Registered voters	856	784	4.5
Likely voters	668	601	5
Republican Registered voters	398	352	6.6
Democratic Registered voters	380	358	6.8

Marquette Law School Poll, national survey, November 2-7, 2023

The survey is a general population sample of U.S. adults ages 18 and over living in the 50 states.

The partisan composition of the weighted sample is 32% Republican, 32% Democrat and 36% independent. When independents who lean to a party are included as partisans the sample is 43% Republican, 43% Democrat and 14% independent.

As described below SSRS Opinion Panel members are recruited randomly based on nationally representative ABS (Address Based Sample) design (including Hawaii and Alaska). ABS respondents are randomly sampled by Marketing Systems Group (MSG) through the U.S. Postal Service's Computerized Delivery Sequence (CDS), a regularly-updated listing of all known addresses in the U.S. For the SSRS Opinion Panel, known business addresses are excluded from the sample frame. Additionally, the SSRS Opinion Panel recruit hard-to-reach demographic groups via the SSRS Omnibus survey platform.

The SSRS Omnibus survey is a nationally representative (including Hawaii and Alaska) bilingual telephone survey.

## AAPOR Transparency Initiative Information

The Marquette Law School Poll Supreme Court Survey follows the guidelines for disclosure of the American Association for Public Opinion Research Transparency Initiative. For more information on the initiative see: https://aapor.org/standards-and-ethics/transparency-initiative/

- The poll is sponsored by Marquette Law School.

- The Marquette Law School Poll, under the direction of Prof. Charles Franklin, designed the survey instrument and performed all statistical analysis. The data collection was administered by SSRS of Glen Mills PA, using the SSRS Opinion Panel, a representative probability-based panel of adults ages 18 and over living in the United States.

- Funding for this study was provided by the Marquette Law School Alumni Annual Fund. Their support is gratefully acknowledged.

- The full survey instrument for this study is available online at https://law.marquette.edu/poll/category/results-and-data/

- The population surveyed consists of the general population of U.S. adults age 18 and over living in the 50 states.

- The sample frame is a nationally representative ABS (Address Based Sample) design (including Hawaii and Alaska). ABS respondents are randomly sampled by MSG through the U.S. Postal Service's Computerized Delivery Sequence (CDS), a regularly-updated listing of all known addresses in the U.S.. Additionally, the SSRS Opinion Panel recruits hard-to-reach demographic groups via the SSRS Omnibus survey platform. The SSRS Omnibus survey is a nationally representative (including Hawaii and Alaska) bilingual telephone survey.

- The sample uses the SSRS Opinion Panel and is based on address and telephone samples supplied by Marketing Systems Group (MSG). Details of design and response rate are given below.

- The sample was designed to be representative of the adult population of the United States. The sample size is 1010. The margin of error, including design effects due to post-stratification is +/-4.2 percentage points for the full sample. The sample size and margin of error for subsamples are shown in Table 1 above.

- The design effect for this survey is 1.8 which has been incorporated in the calculation of all reported margins of error.

- The survey was administered in English only and was administered on the web. The data were collected November 2-7, 2023.

- Results for all items in the survey, including the full instrument, topline results, crosstabs and this methodological report are be available online at https://law.marquette.edu/poll/category/results-and-data

- For further information contact the survey director, Prof. Charles Franklin at Charles.franklin@marquette.edu.

- Further methodological details, including weighting methodology, is included in the following report from SSRS.
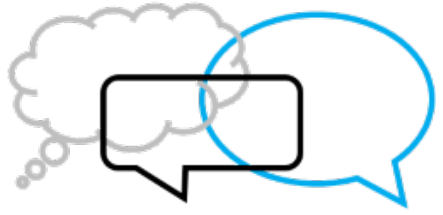
methods report
2023 November Court Survey

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Overview

Marquette University Law School (MULaw) engaged SSRS to conduct the November Court Survey via the SSRS Opinion Panel among U.S. adults age 18 and older. Data collection was conducted from November 2 to 7, 2023 among a sample of 1,010 respondents.

The survey was conducted via web in English and data were weighted to represent the target population of U.S. adults ages 18 or older. For this wave, various weighting schemes were investigated, yielding four weights. The weighting section describes these weights in detail, including their margins of error.

This report provides information about the sampling procedures and the methods used to collect, process, and weight data for this study.

Sample Design: SSRS Opinion Panel

SSRS Opinion Panel members are recruited randomly based on nationally representative ABS (Address Based Sample) design (including Hawaii and Alaska). ABS respondents are randomly sampled by Marketing Systems Group (MSG) through the U.S. Postal Service's Computerized Delivery Sequence File (CDS), a regularly-updated listing of all known addresses in the U.S. For the SSRS Opinion Panel, known business addresses are excluded from the sample frame.

The SSRS Opinion Panel is a multi-mode panel. Internet households participate via web while all non-internet households (including those who have internet but are unwilling to take surveys online) participate via phone.

Survey Sampling

All sample drawn for this study were SSRS Opinion Panelists who are U.S. adults ages 18 or older. Sample drawn was stratified by age, gender, race and ethnicity, education, Census region, party identification, and preferred survey language to ensure adequate representation of each demographic group.

Questionnaire Design

The questionnaire was developed by MULaw in consultation with the SSRS project team. SSRS reviewed the questionnaire primarily to identify potential problems in the instrument that might increase respondent burden, cause respondents to refuse or terminate the survey, create problems with respondent comprehension, or pose practical challenges for mode-specific administration such as complex skip patterns.
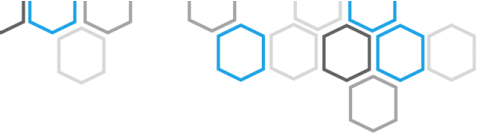
Data Collection

Web Contact Procedures

The administration schedule was as follows:

Table 1: Study Schedule:

Touchpoint	Start	End
Soft launch	11/2/2023	11/3/2023
Full launch	11/3/2023	11/7/2023

A "soft launch" inviting a limited number of panelists to participate was conducted on November 2-3, 2023. After checking soft launch data to ensure that all questionnaire content and skip patterns were correct, additional sample was released to ensure the final sample met the study goals.

An SMS alerting web panelists to keep an eye on their email for the survey was sent the day before launch. At the time of launch, the web panelists were emailed an invitation to complete the survey online. The email for each respondent included a unique password-embedded link. All panelists who did not respond to the email invitation received up to two reminder emails, and panelists who had opted to receive text messages from the SSRS Opinion Panel received one text message reminder.

In appreciation for their participation, panelists received post-paid compensation in the form of an electronic gift card, sent via email immediately after completion of the survey.

Median web survey length was approximately 14 minutes.

Programming, Data Processing, and Integration

Programming

Prior to the field period, SSRS programmed the study into its Forsta Plus (formerly known as Confirmit) Web/CATI platform for administration in English. Extensive checking of the program was conducted to ensure that skip patterns and sample splits followed the design of the questionnaire.

Additional steps were employed to ensure a quality experience in survey administration regardless of the device utilized by respondents, whether a desktop computer, tablet, or phone. The web program was optimized for administration via smartphone or other mobile handheld devices. The web program was also checked on multiple devices, including desktop computers and handheld mobile devices, and different web browsers to ensure consistent and optimized visualization across devices and web browsers. The web survey was accessed directly by respondents, using their unique survey links with embedded passwords. This also gave them the ability to return to their survey later if they chose to suspend their survey.
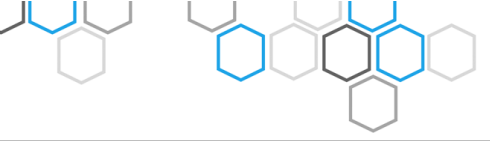
Quality Control Checks

For web surveys, quality checks were incorporated into the survey. For the 2023 November Court Survey, Respondents who finished the survey in less than 4.5 minutes (30% of survey length) were not included in the final data set.

In addition, the SSRS Opinion Probability Panel's new quality control was implemented to monitor response quality over time at the panelist level. These included a sincerity check, a trap question, and a panelist satisfaction rate question which were randomly placed throughout the survey.

A total of n=8 completed surveys were removed after applying these cleaning standards (0.4%).

Weighting

Data were weighted to represent the residential adult population of the United States. The data were weighted by applying a base weight and balancing the demographic profile of the sample to target population parameters.

Base Weight (BW)

The base weight for the SSRS Prob Panel was computed differently depending on whether the panelist was recruited from the SSRS RDD telephone Omnibus or from address-based sample (ABS).

Telephone Omnibus Recruits

The base weight for the telephone omnibus recruits is their original base weight computed at the time of the original omnibus interview. This base weight accounts for selection probabilities associated with the overlapping dual-frame Omnibus sample design. This base weight is a function of the landline and cell frame and sample sizes as well as each respondent's telephone usage and number of adults in the household.

ABS Recruits

The base weight for ABS recruits is the product of a sampling weight and a household size adjustment. The sampling weight corrects for the disproportionate ABS design by adjusting the distribution of sample across the ABS strata to match the distribution of the ABS frame across strata.

ABS recruits come from a variety of sample sources, some of which employ different stratification schemes. ABS base weights are computed based on one of two stratifications. One stratification is geo-demographic. The unit of the stratification is Census Block Group and the strata are based on region, incidence of African American residents and incidence of Hispanic residents. The second stratification includes substrata based on modeled party identification.

After applying the base weight for the ABS recruits, a household size adjustment corrects for the sampling of one adult in each sampled household.
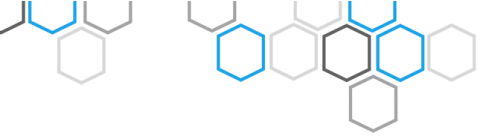
Non-Internet Adjustment

For projects that collect data entirely online, people who do not use the Internet are necessarily not included in the sample. To account for this non-coverage and make the results more representative of the entire target population, we make a non-internet adjustment to the base weight.

This is a propensity score adjustment that models adults with internet access to be representative of all adults (regardless of whether or not they have internet access). Propensity scores are estimated by modeling panel response mode on a range of demographic, attitudinal and behavioral covariates. The model is a CART (Classification and Regression Trees) decision tree built in SPSS by using its scoring wizard available with the decision tree license.

Raking

With the base weight applied, the data were weighted to balance the demographic profile of the sample to the target population parameters.

Missing data in the raking variables were imputed using hot decking. Hot deck imputation replaces the missing values of a respondent randomly with another similar respondent without missing data. Hot decking was done using an SPSS macro detailed in 'Goodbye, Listwise Deletion: Presenting Hot Deck Imputation as an Easy and Effective Tool for Handing Missing Data' (Myers, 2011).

Weighting was accomplished using SPSSINC RAKE, an SPSS extension module that simultaneously balances the distributions of all variables using the GENLOG procedure.

Data were weighted to distributions of: sex by age, sex by education, age by education, detailed education, race/ethnicity, census region, civic engagement, population density, party ID, voter registration, religious affiliation, and internet use frequency. These variables were used in the calibration for each of the four weights. Home ownership, number of adults in household, and recalled vote are three additional variables that were added as calibration variables to some of the weights. The following table shows the additional variables included in each weight.

Table 2: Additional variables in each weight

Weight	Additional Variables Included
WEIGHT1	None
WEIGHT2	Home ownership and number of adults in HH
WEIGHT3	Recalled vote
WEIGHT4	Recalled vote, home ownership and number of adults in HH

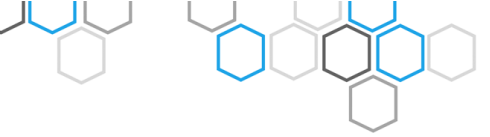The following table shows the data sources used for calibration totals.

Dimensions	Source
Sex Age Education Race Hispanic nativity Census region Number of Adults Home Tenure	2023 Current Population Survey[1]
Population density	Claritas Pop-Facts Premier 2023[2]
Religion Affiliation Internet frequency Party ID	Pew Research Center's National Public Opinion Reference Survey (NPORS)[3]
Civic Engagement[4]	September 2021 CPS Volunteering and Civic Life Supplement[5]
Voter Registration	Aristotle Voter Data 2023 and Annual Estimates of the Resident Population by Single Year of Age and Sex for the United States: April 1, 2020 to July 1, 2022 from the U.S. Census Bureau[6]

Weights were trimmed at the 2nd and 98th percentiles to prevent individual interviews from having too much influence on survey-derived estimates. The table below compares unweighted and weighted sample distributions to target population benchmarks.

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[1] Sarah Flood, Miriam King, Renae Rodgers, Steven Ruggles, J. Robert Warren, Daniel Backman, Annie Chen, Grace Cooper, Stephanie Richards, Megan Schouweiler and Michael Westberry. IPUMS CPS: Version 11.0 [dataset]. Minneapolis, MN: IPUMS, 2023. https://doi.org/10.18128/D030.V11.0

[2] https://environicsanalytics.com/data/demographic/pop-facts-premier

[3] https://www.pewresearch.org/methods/fact-sheet/national-public-opinion-reference-survey-npors/ - May 23 to Sept 6, 2022.

[4] Civically engaged respondents are defined as those who have volunteered in the past 12 months or who talk to their neighbors daily.

[5] https://www.census.gov/programs-surveys/cps/about/supplemental-surveys.html

[6] https://www.census.gov/data/tables/time-series/demo/popest/2020s-national-detail.html
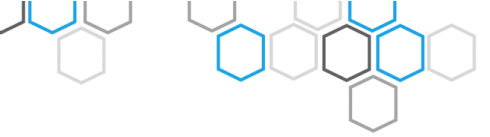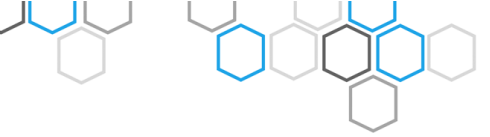
Table 4: Sample Demographics

Category	Values	Parameter	Unweighted	WEIGHT1	WEIGHT2	WEIGHT3	WEIGHT4
Sex by age	Male 18-24	6.0%	2.3%	5.5%	5.4%	5.4%	5.3%
	Male 25-34	8.8%	7.0%	8.8%	8.7%	8.8%	8.7%
	Male 35-44	8.5%	7.2%	8.5%	8.7%	8.5%	8.6%
	Male 45-54	7.7%	7.3%	7.9%	7.9%	7.9%	7.9%
	Male 55-64	7.8%	8.4%	7.8%	7.8%	7.7%	7.7%
	Male 65+	10.2%	12.8%	10.1%	10.3%	10.1%	10.2%
	Female 18-24	5.8%	5.0%	5.8%	5.9%	5.7%	5.9%
	Female 25-34	8.6%	12.4%	8.5%	8.4%	8.8%	8.9%
	Female 35-44	8.4%	10.5%	8.6%	8.5%	8.5%	8.4%
	Female 45-54	7.8%	9.5%	8.0%	8.0%	8.0%	8.1%
	Female 55-64	8.2%	7.3%	8.3%	8.4%	8.3%	8.5%
	Female 65+	12.2%	10.2%	12.3%	12.0%	12.4%	12.0%
Education	LT HS	9.4%	9.4%	9.4%	9.1%	9.3%	9.1%
	HS grad	28.8%	31.2%	28.7%	28.7%	28.6%	28.6%
	Some Coll/Assoc Degree	26.4%	24.4%	26.3%	26.4%	26.5%	26.5%
	College grad+	35.4%	35.0%	35.5%	35.8%	35.6%	35.8%
Sex by education	Male HS grad or less	20.0%	15.0%	19.7%	19.7%	19.7%	19.7%
	Male Some college	12.4%	10.4%	12.4%	12.4%	12.3%	12.1%
	Male College grad +	16.5%	19.6%	16.3%	16.6%	16.3%	16.5%
	Female HS grad or less	18.2%	25.5%	18.4%	18.1%	18.3%	18.0%
	Female Some college	14.0%	14.0%	13.9%	14.0%	14.2%	14.4%
	Female College grad +	18.9%	15.4%	19.2%	19.2%	19.2%	19.3%
Age by education	18-34 HS grad or less	11.5%	13.9%	11.5%	11.2%	11.6%	11.4%
	18-34 Some college	8.8%	5.3%	8.4%	8.4%	8.6%	8.5%
	18-34 College grad +	8.9%	7.5%	8.6%	8.8%	8.6%	8.8%
	35-54 HS grad or less	10.9%	14.2%	11.1%	11.0%	11.1%	11.0%
	35-54 Some college	7.8%	8.2%	7.8%	8.0%	7.8%	8.0%
	35-54 College grad +	13.7%	12.2%	14.0%	14.0%	14.0%	14.0%
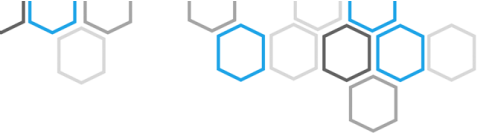
	55+ HS grad or less	15.7%	12.6%	15.4%	15.5%	15.3%	15.4%
	55+ Some college	9.9%	10.8%	10.1%	10.0%	10.1%	9.9%
	55+ College grad +	12.8%	15.3%	13.0%	13.0%	13.0%	13.0%
Race/ethnicity	White non-Hisp	61.3%	60.4%	60.9%	60.9%	60.9%	61.0%
	Black non-Hisp	12.1%	13.6%	12.1%	11.9%	12.2%	12.0%
	Hispanic	17.5%	18.7%	17.7%	17.8%	17.6%	17.7%
	Asian, non-Hisp	6.5%	5.6%	6.6%	6.7%	6.7%	6.7%
	Other non-Hisp	2.6%	1.7%	2.7%	2.7%	2.7%	2.7%
Census region	Northeast	17.3%	16.7%	17.0%	17.2%	17.2%	17.5%
	Midwest	20.5%	20.8%	20.4%	20.6%	20.4%	20.6%
	South	38.6%	40.2%	39.1%	38.7%	39.1%	38.6%
	West	23.6%	22.3%	23.5%	23.6%	23.3%	23.3%
Civic engagement	Not engaged	73.0%	57.7%	72.4%	72.2%	72.4%	72.2%
	Civically engaged	27.0%	42.3%	27.6%	27.8%	27.6%	27.8%
Population density	1 Lowest 20%	20.0%	17.8%	19.7%	19.9%	19.6%	19.8%
	2	20.0%	22.0%	20.4%	20.5%	20.3%	20.3%
	3	20.0%	20.0%	19.4%	19.1%	19.5%	19.4%
	4	20.0%	20.0%	20.4%	20.1%	20.4%	20.1%
	5 Highest 20%	20.0%	20.2%	20.2%	20.4%	20.3%	20.5%
Party ID (panel)	Rep	29.0%	32.4%	29.2%	29.3%	29.1%	29.2%
	Dem	30.4%	31.3%	30.5%	30.1%	30.7%	30.4%
	Ind/Other	40.7%	36.3%	40.3%	40.6%	40.2%	40.4%
Voter Registration	Registered to vote	76.6%	84.8%	77.5%	77.6%	77.2%	77.2%
	Not registered	23.4%	15.2%	22.5%	22.4%	22.8%	22.8%
Religion	Affiliated	71.0%	69.9%	71.5%	71.3%	71.2%	70.9%
	Not Affiliated	29.0%	30.1%	28.5%	28.7%	28.8%	29.1%
Internet Frequency	Almost constantly	41.9%	51.5%	42.8%	42.7%	42.7%	42.7%
	Several times a day	44.1%	41.2%	44.1%	44.4%	44.1%	44.4%
	About once a day	5.3%	4.1%	5.4%	5.3%	5.4%	5.2%
	Several times a week	2.8%	1.8%	2.8%	2.8%	2.8%	2.8%
	Less often	5.8%	1.5%	4.9%	4.8%	5.0%	4.9%
	1	16.9%	27.3%	23.3%	17.2%	22.8%	17.1%

Number of Adults	2	52.6%	49.3%	50.8%	52.6%	51.4%	52.5%
	3+	30.5%	23.4%	25.9%	30.2%	25.8%	30.5%
Home Ownership	Own	69.8%	63.3%	61.9%	69.9%	62.4%	69.6%
	Rent	30.2%	36.7%	38.1%	30.1%	37.6%	30.4%
Recalled Vote (for WEIGHT3)	Trump	36.4%	37.8%	34.5%	35.3%	35.9%	36.3%
	Biden	39.9%	39.4%	37.9%	37.7%	40.3%	40.4%
	Other	1.4%	4.7%	5.4%	5.1%	1.5%	1.5%
	Did not vote in 2020	22.2%	18.1%	22.2%	21.8%	22.4%	21.8%
Recalled Vote (for WEIGHT4)	Trump	36.6%	37.8%	34.5%	35.3%	35.9%	36.3%
	Biden	40.1%	39.4%	37.9%	37.7%	40.3%	40.4%
	Other	1.4%	4.7%	5.4%	5.1%	1.5%	1.5%
	Did not vote in 2020	21.8%	18.1%	22.2%	21.8%	22.4%	21.8%

Effects of Sample Design on Statistical Inference

Post-data collection statistical adjustments require analysis procedures that reflect departures from simple random sampling. SSRS calculates the effects of these design features so that an appropriate adjustment can be incorporated into tests of statistical significance when using these data. The so-called "design effect" or *deff* represents the loss in statistical efficiency that results from a disproportionate sample design and systematic non-response. For example, the total sample design effect for this survey using WEIGHT1 is 1.75.

SSRS calculates the composite design effect for a sample of size n, with each case having a weight, w, as:

$$deff = \frac{n \sum w^2}{(\sum w)^2}$$

The survey's margin of error is the largest 95% confidence interval for any estimated proportion based on the total sample — the one around 50%. For example, the margin of error for the entire sample using WEIGHT1 is ± 4.1 percentage points. This means that in 95 out of every 100 samples drawn using the same methodology, estimated proportions based on the entire sample will be no more than 4.1 percentage points away from their true values in the population. Margins of error for subgroups will be larger. It is important to remember that sampling fluctuations are only one possible source of error in a survey estimate. Other sources, such as respondent selection bias, questionnaire wording, and reporting inaccuracy, may contribute additional error of greater or lesser magnitude.

The following table shows the survey's design effect and margins of error corresponding to the four weights in the dataset.
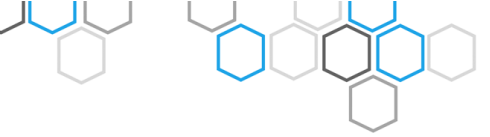
Table 5: Design effect and margins of sampling error (MOE)

Weight	DEFF	MOE
WEIGHT1	1.75	+/- 4.1 percentage points
WEIGHT2	1.83	+/- 4.2 percentage points
WEIGHT3	1.82	+/- 4.2 percentage points
WEIGHT4	1.91	+/- 4.3 percentage points

Sample Disposition and Response Rate

Table 4 details the completion and response rates for this study.

Table 6: Completion Rate/Response Rate:

Completion Rates/Composite Response Rates	Total
Total Sample (Invited to participate)	2,223
Screen-outs	10
Total Eligible	2,213
Quality control removals	8
Incompletes	121
Quota full	0
Completions*	1,010
Incidence/Eligibility rate	99.02%
Survey Completion rate (Completions/Total invited to participate)	45.43%
Survey RR3	45.83%

*Excludes screen-outs or data quality removals that completed the survey.

Cumulative Response Rate

Cumulative response rate that takes into consideration the response rate for the panel recruitment survey, percent of recruitment survey respondents that agree to join the panel and the panel survey specific RR3 reported above comes to 3.1%.

Deliverables

Final deliverables for this study were as follows:

• Weighted SPSS dataset
• Methodology report