Agenda Setting on the Supreme Court of the United States in 1960, 1977, and 1992

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Abstract
This dissertation adds to Supreme Court of the United States agenda-setting research by exploring the following overarching research question: How does the Supreme Court of the United States decide which cases it will review? In addition, this study addresses three gaps in the agenda-setting research by considering types of petitions for writ of certiorari that are often ignored by other studies, analyzing the Court’s case-selection process as a two-step process, and studying the Court’s agenda-setting trends over time. To explore these gaps in the research, an original dataset was created by collecting data on a random sample of petitions for writ of certiorari to the Court during its 1960, 1977, and 1992 terms. Selection models were then used to analyze the data and a low-cost, low-value and high-cost, high-value cue theory framework was applied to the results of the models to determine the factors that influence the likelihood a petition for writ of certiorari is discussed by and selected for review during the Court’s case-selection process. The results of this study show that different factors significantly influence the Court’s case-selection process across the terms studied and have varying impact during one or both stages of the case-selection process (which include the selection of petitions for the Court’s discuss list and the selection of petitions from the discuss list for review). This study has implications for future scholarly work on the Supreme Court’s agenda-setting process as it highlights the importance of considering all types of certiorari petitions, the two-step nature of the case-selection process, and changing agenda-setting patterns over time. The findings in this dissertation may also assist potential litigants who hope to have their cases considered by the Supreme Court.

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