

# Using Supervised Learning Methods to Measure Women's Rights: An Analysis of the Language of Reproductive Rights Briefs

by

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“I am not free while any woman is unfree,

even when her shackles are very different from my own.” – Audre Lorde

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## ABSTRACT

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The battle over reproductive rights has moved to the forefront of politics, and although the Supreme Court plays an important role, the debate there is understudied. This project looks at the language surrounding reproductive rights in amicus curiae briefs. Amicus curiae briefs are important sources of legal arguments for Justices, exposing them to a specific vocabulary. Brief writers develop a strategy of how to frame reproductive rights in order to achieve a goal: their preferred disposition. When doing this, under what conditions do writers consider women's rights persuasive? In order to answer this question, I used a naïve Bayes classifier to classify all 615 amicus curiae briefs submitted for Supreme Court cases on reproductive rights based on their legal arguments. Results show that brief authors prefer arguments based on others' rights instead of women's rights. The subject of a case affects this distribution, and when the decision of a case was pro-reproductive rights, authors had higher rates of using women's rights arguments. Pro-reproductive rights authors are more likely to use arguments based on women's rights. Brief authors steadily used more women's rights arguments as time went on.



## CHAPTER I

### Introduction

In 1973, the American Medical Women's Association, along with other authors, submitted a brief to answer the central question of *Roe v. Wade*: do women have a constitutional right to an abortion? It is reasonable to expect that any briefs submitted to answer this question would discuss women's constitutional rights. However, when actually looking at the language of briefs submitted for this case, we see that authors choose to talk about doctor's rights to practice their profession or fetuses' right to life. One quote from this brief, "The statute interferes with a physician's practice of medicine by substituting the mandate of a vague legalism for the doctor's best professional judgment as to the medically indicated treatment for his pregnant patients" indicates how affirming a physician's right to practice their profession was prioritized over discussing women's rights.

Many briefs submitted for cases on reproductive rights do not even mention women. Why does this happen? When writing briefs, under what conditions do authors consider women's rights persuasive? This thesis tracks the perceived persuasiveness of women's rights arguments and looks at how it changes in respect to subject matter of the case, stance of the author, and time. Answering these questions helps us understand the way we understand how women's rights and reproductive rights interact in the legal field.

In an age where reproductive rights are at the forefront of legislation and media, it is important to know what language America's highest judicial power is being exposed to. The words we use to frame pressing political issues reveal information about who we center when we talk about someone's rights. Within language, one can discover the way an individual conceptualizes an idea. By analyzing someone's language, we can better understand the framework they are working from. The arguments the Supreme Court is exposed to shapes the framework they use to think about issues and make future decisions. In this project, I will be exploring the language used in amicus curiae briefs submitted for Supreme Court cases on reproductive rights.

Amici Curiae briefs are documents that either people or organizations who have an interest in a case, but are not parties to it, submit with the hope of affecting the court's decision. In these briefs, the author makes an argument as to why the Supreme Court should vote a certain way. Brief writers develop a strategy to frame reproductive rights in order to achieve a goal: their preferred disposition. This project seeks to answer when brief writers choose to include women's rights as part of this strategy.

Briefs are not often the subject of analysis on the Supreme Court. However, this project illustrates that briefs are full of diverse, data-rich documents containing a variety of arguments. Both the use of briefs as my data source and applying naïve Bayes classification methods to this puzzle are two unique contributions to the literature. In addition to the contributions it makes to the literature, this project is important because it provides a descriptive account of the language the Supreme Court is being exposed to in the context of women's rights and reproductive rights.

My dependent variable is what proportion of the briefs submitted for a case are based on arguments of womens rights. The independent variables are subject matter of the case, stance of the author, and time.

I hypothesize that anti-reproductive rights authors will use arguments of women's rights more. This is because these briefs are used to both establish and *discredit* rights. In these briefs, I believe that anti-reproductive rights authors will spend more time discrediting women's reproductive rights than creating arguments based on affirming others' rights. This is because there is a weaker constitutional grounding for women's rights, as demonstrated with the difficulty of passing and failure of the Equal Rights Amendment. I go further into detail on this in section 2.5.

I also hypothesize that as time goes on, authors use arguments of women's rights more. The basis for this is the changing discourse surrounding women's rights as women are becoming increasingly involved in the public political sphere in addition to increasing organizing and protesting to establish these rights. Essentially, Americans talk (and argue) about women's reproductive rights more than they did decades ago.

Third, I hypothesize that case subject will affect this distribution. Brief writers write strategically, and they will change their language to fit the central question they're addressing. If an author is addressing a question about whether or not a doctor can advertise abortion services, I believe they will use vastly different language than when answering a question about when women can have an abortion. I also hypothesize that there will be a relationship between brief language and the decision of the case. As I will show in section 2.1, Justices read these briefs and take them into consideration when formulating opinions. Therefore, the language of that brief should have some correlation with whether or not the decision was pro or anti-reproductive rights.

The implications of these findings can be used to formulate more effective briefs, policy suggestions, or persuasive appeals to other political actors. Additionally, successful use of this method will affirm that supervised learning methods are a powerful tool for feminist scholars to analyze large volumes of texts without having to sacrifice quality.

## CHAPTER II

### Theoretical Foundations

Within this literature review, I will explore the importance of amicus curiae briefs, language’s role as a persuasive tool, the language around reproductive rights, the concept of reproductive rights, and the concept of women’s rights. I argue that amicus curiae briefs are data-rich sources of text with high levels of original arguments. This, coupled with the fact that briefs have been shown to influence court decision, form the basis of why I have chosen to use amicus curiae briefs for analysis. I then argue that language is an important persuasive tool worth analyzing because of how it can be used to shape narratives and establish credibility in the legal sphere. I then lay forth a descriptive account of the language surrounding reproductive rights. I argue that amicus curiae briefs’ ability to allow women to write their own narrative surrounding their reproductive rights can be an impactful way of exercising autonomy. I then define what I mean by “reproductive rights” and “women’s rights” before ending this section with hypotheses I derive from this literature.

#### 2.1 Amicus Curiae Briefs

One important contribution this project makes is using text analysis methods on the language of amicus curiae briefs. Amicus curiae briefs present a novel opportunity for researchers. They provide a data-set on public thought about pressing legal issues.

There has been a significant shift in the use of briefs, indicating that they hold a new importance in a majority of Supreme Court cases (*Kearney and Merrill, 2000*). According to Kearney and Merrills article *The Influence of Amicus Curiae Briefs on the Supreme Court*, one or more amicus briefs have been filed in 85% of the courts argued cases (*Kearney and Merrill, 2000*). This change from the few briefs filed in the first century of the courts existence is indicative of a new legal attitude towards the power and usefulness of the briefs (*Kearney and Merrill, 2000*).

One of the most common critiques of amicus curiae briefs is that they are repetitive, and their lack of originality prevents them from being an effective source of information for Justices. Collins, Corley, and Hamner discuss this critique in their article *Me Too: An Investigation of Repetition in U.S. Supreme Court Amicus Curiae Briefs*. While some researchers are wary of the originality of amicus curiae briefs, they used plagiarism detection software to show the low level of repetition in amicus curiae briefs (*Collins, 2013-2014*). Collins et. al. found that brief authors were not repeating the same higher-level concept over and over again but instead presenting new ideas (*Collins, 2013-2014*). This illustrates how briefs present new notions to judges and do not simply repeat the same framework. Additionally, because of this originality, briefs are a data-rich text source ripe for natural language processing methods.

Further analysis shows the influence amicus curiae briefs have on Court decisions. The more amicus curiae briefs a party has, the more likely they are for a court to rule in their favor (*Collins, 2015*). Additionally, briefs open up the legal process, which is fairly obtuse, to participation by every American. Civic participants find amicus curiae briefs as a way to open up the judiciary process to transform it into a more public process (*Collins, 2018*). When writing briefs, many authors turn to those directly affected by the matter to make their case. In briefs submitted for key reproductive rights cases, the voices of women who have been directly impacted by lack of access to reproductive choice have an opportunity to be heard. For example,

one amicus curiae brief filed for *Whole Woman's Health v. Hellerstedt* use women's narratives and storytelling about abortion to help reverse a power dynamic in dialogue about reproductive rights. More than 100 women used an amicus curiae brief to explain why they had an abortion, turning an intimidating legal process into a deeply intimate, personal sphere. Additionally, briefs provide courts with a plethora of information not always readily accessible, such as personal narratives, innovative legal positions, factual information, and policy implications.

## 2.2 Languages Importance and Role as a Persuasive Tool

Because I am using text analysis methods, it is important to establish how language is a particularly interesting part of the legal battle around reproductive rights. Law's medium is language; however, law is more than just descriptive text. Laws are written in a social world they are contextualized in. These words have meaning beyond describing rules and regulations. This puts extra importance on the choice of words used when constructing law because these words do not exist in an insular setting of the document they are written in. Rather, these words have tangible effects on some of our most disenfranchised citizens. How does law emulate storytelling by legal actors, witnesses, or judges? How do these stories relate or parallel ordinary events and problem-solving?

When attempting to answer these questions, Richland uses a case study on Latina women reporting domestic violence in his article *Jurisdiction: Grounding Law in Language*. Richland talks about the nuance of legal storytelling for Latina women by elaborating on the challenge Latina women face when attempting to gain protective orders against abusive partners. These women must balance a legal demand to truthfully report their experiences with the additional legal demand that they tell their story in a way that makes a coherent, compelling case (Richland, 2013). When discussing reproductive rights, brief writers share the battle of balancing reporting their

arguments truthfully with the legal demand of having an effective strategy. Within Richland's case study, one can discern how language can either be empowering or disempowering to those trying to fight for their rights in the legal sector. Richland's work illustrates that the language legal actors chose to use *matters*.

Similarly, King and Rickford demonstrate the real effects of language in the legal system while studying the language of Rachel Jeantel in the George Zimmerman case. They argue that her testimony was thrown and dismissed as incomprehensible and not credible because of her use of African American Vernacular English (AAVE) in the courtroom (*Rickford and King, 2016*). As a conversation cited from an interview with Juror B37 and Anderson Cooper after the trial demonstrates, language can establish credibility and ethos within the legal system.

**AC:** Did you find it hard, at times, to understand what she was saying?

**Juror B37:** A lot of the times. Because a lot of the times she was using phrases I have never heard before, and what they meant.

**AC:** When she used the phrase, uh, creepy-ass cracker, what did you think of that?

**Juror B37:** I thought it was probably the truth. I think Trayvon probably said that.

**AC:** And did you see that as a negative statement, or a racial statement, as, as the defense suggested?

**Juror B37:** I dont think its really racial. I think its just everyday life. The type of life that they live, and how they're living, in the environment that they're living in.

**AC:** So you didnt find her credible as a witness?

**Juror B37:** No.

As we can see in this example, the language Rachel Jeantel used failed to establish ethos with the jurors because of racial prejudice against African American Vernacular

English. This is relevant to this project because if language choice can establish ethos, then the language a brief writer chooses to use will affect their credibility, in turn affecting the persuasive power of their brief. Therefore, brief writers have to pay special consideration to the language they use. Choosing to address women’s rights can make or break an author’s position as a credible source, causing them to think deliberately about the language they choose.

While there is a plethora of studies exploring reproductive rights at the Supreme Court level (*Pomeranz* (2019), *Adashi and Occhiogrosso* (2017), *Mutcherson* (2017), *Fried* (2013), for example), none of them use text analysis methods on amicus curiae briefs. Most studies focus on the opinions of judges or the impacts of these decisions. By not focusing on amicus curiae briefs, scholars are missing a large volume of legal documents that contain arguments put forth by a diverse cross-section of Americans. The text analysis methods I use here add valuable information to the literature surrounding the legal battle for reproductive rights by analyzing an entirely novel set of arguments put forth not only by judges, but also lay citizens.

### **2.3 The Language Around Reproductive Rights**

In order to assert that the language of briefs is important when looking at how reproductive rights are addressed, I look to literature at the intersection of political science and linguistics for guidance. Pennebaker’s article *Psychological Aspects of Natural Language Use: Our Words, Our Selves* asserts the value of using language as data in political science. The language a speaker chooses to use, subconsciously or not, says volumes about the speaker. The vocabulary they choose illustrates how they relate to the world around them (*Pennebaker et al.*, 2003). Language can be a window into the way a person perceives the social hierarchy around them (*Pennebaker et al.*, 2003).



Amici are a diverse population. Individuals, corporations, governments, public advocacy organizations, public interest law firms, trade associations, unions, and peak associations are frequent amici. No single entity files an unusually large amount of briefs; however, trade associations, public advocacy groups, and government personal constitute a majority of brief authors (*Collins*, 2018). Because of this diversity in authorship, the language of briefs is also diverse and varied (*Collins*, 2018). Therefore, looking at the language of these briefs provides great insight into how a plethora of political actors view how reproductive rights.

As previously mentioned, authors in an amicus curiae brief filed for *Whole Women's Health v. Hellerstedt* use storytelling and telling legal narratives about abortion to help reverse a power dynamic in dialogue about reproductive rights. Legal narratives are powerful because they humanize a political issue. Legal narratives about women's reproductive rights are in themselves one way to exercise autonomy over an issue by bringing it in from the public sphere into a personal sphere. Reproductive rights do not exist in some far-away political world. Rather, they affect people daily and legal narratives in brief serve as a reminder of the power and importance of reproductive rights and autonomy.

## **2.4 The Concept of Reproductive Rights**

In this analysis, I am specifically looking at Supreme Court cases regarding reproductive rights. The idea of reproductive rights has been around since humans were reproducing, but the first agreed upon definition was created at the 1994 International conference on Population and Development in Cairo. At this conference, attendees defined "Reproductive health [as] a state of complete physical, mental, and social well-being and not merely the absence of disease or infirmity, in all matters relating to the reproductive system and to its functions and processes." (*FemnetNews*, 2008).

Femnet News elaborates on this definition and asserts that “Reproductive health therefore implies that people are able to have a satisfying and safe sex life and that they have the capability to reproduce and the freedom to decide if, when, and how often to do so. Implicit in this last condition is the right of men and women to be informed of and to have access to safe, effective, affordable, and acceptable methods of family planning of their choice and the right of access to appropriate health care services that will enable women to go safely through pregnancy and childbirth and provide couples with the best chance of having a healthy infant” (*FemnetNews*, 2008).

The World Health Organization has since refined the definition of reproductive rights to be: “The recognition of the basic right of all couples and individuals to decide freely and responsibly the number, spacing and timing of their children and to have the information and means to do so, and the right to attain the highest standard of sexual and reproductive health. They also include the right of all to make decisions concerning reproduction free of discrimination, coercion and violence” (*Essen and Johnsdotter*, 2015). I will be using the World Health Organization’s definition of reproductive rights to craft parameters for Supreme Court cases that grapple with questions on reproductive rights.

## **2.5 The Concept of Women’s Rights**

In this analysis, I am interested in whether or not brief writers discuss women’s rights or not. Women’s rights are inherently human rights (*Peters and Wolper*, 2018). We have long understood the idea of human rights, but what does it mean to drill down and focus on “women’s rights”? Peters and Wolper argue that creating an entirely separate definition to capture the idea of women’s rights is more harmful than helpful because it “perpetuates the secondary status of women” (*Peters and Wolper*, 2018). Following this theory, I argue that the term women’s rights, for the sake of the paper, means a woman’s right to access their full human reproductive

rights, which I define in the section above. Therefore, when I say an author of a brief invokes arguments of women’s rights, I mean that they argue whether or not women should have access to their full human reproductive rights.

The fact that there is no concrete definition of women’s rights in the literature and in the legal landscape is the foundation of some of my hypotheses. The mere fact that this concept has not been solidified into a concrete notion indicates that there is a large discrepancy amongst scholars and others and that “women’s rights” is an ambiguous concept. I believe that ambiguity carries over to when we discuss reproductive rights.

## **2.6 Hypotheses Derived from this Literature**

**1. Authors will invoke arguments of others’ rights more than arguments of women’s rights.**

*Justification:* Women’s rights are still being defined and understood. They are not baked into our legal language as well as some of the other concepts of rights, such as other’s general constitutional rights.

*Empirical Implications:* Looking at the general distribution of arguments, I would see a statistically significant higher percentage of authors using others’ rights arguments than that of women’s rights arguments.

**2. The subject of the case will significantly change the language used in briefs.**

*Justification:* As discussed in Section 2.1, briefs contain very diverse arguments. I believe that authors will tailor their arguments to the specific case for which they are submitting the brief.

*Empirical Implications:* There will be statistically significant differences in the percentage of authors basing their arguments on women’s rights between at least two of the case subjects.

**3. There will be a correlation between brief language and decision of the case.**

*Justification:* As discussed in Section 2.1, amicus curiae briefs have been shown to influence the decisions of the Supreme Court (*Collins*, 2015).

*Empirical Implications:* There will be a statistically significant correlation between a distribution of arguments and a pro-reproductive rights decision of a case.

**4. Anti-reproductive rights authors will use arguments of women’s rights more.**

*Justification:* I believe that anti-reproductive rights authors will invoke women’s rights arguments more. They will do this to tear them down because arguments of women’s rights are easier to “debunk” since there has been contentious public opinion about women’s rights. For example, a brief submitted by the US Catholic Conference argues, “The Court has suggested that women ‘enjoyed rights’ to abortion in common law. How is it possible to extrapolate to such a conclusion from a handful of 300-year-old cases? Despite the Supreme Courts approbation, it is unclear that Professor Means arguments demonstrate ‘abortion freedom’ to be a common law right.” In this example, we can see how an anti-reproductive rights author talks about women’s rights to argue that they do not exist. One corollary to this hypothesis is that pro-reproductive rights authors will choose others’ rights arguments more, perhaps because they perceive others’ rights arguments to be more safe.

*Empirical Implications:* There will be a statistically significant higher percentage of anti-reproductive rights authors basing their argument on women’s rights compared to pro-reproductive rights authors.

**5. Authors will use more arguments based on women’s rights over time.**

*Justification:* Public discourse surrounding women’s rights has greatly changed, and women’s rights have become increasingly important in the political sphere. I believe more authors have the knowledge and language to argue about women’s rights as

time goes on.

*Empirical Implications:* Cases that occurred after Roe v. Wade will have a statistically significant higher percentage of briefs based on arguments of women's rights. As time goes on, there will be a statistically significant higher percentage of briefs based on arguments of women's rights.

## CHAPTER III

### Methods

#### 3.1 Introduction

I am analyzing 615 briefs, which range in length from 20 to 200 pages. There is no way to consistently hand code 615 briefs due to the amount of time it takes, and the inability to apply the exact same coding scheme 615 times. Hand-coding these briefs would result in a highly inconsistent set of coded briefs, and any relationships found in the data would be dubious at best due to inconsistent coding. In order to avoid issues with inconsistent coding, I have chosen to use supervised learning methods to classify my briefs. More specifically, I will be using a naïve Bayes classifier model to classify the briefs into whether or not they are based on arguments of women’s rights. The appeal of using a classifier over hand coding is that it allows you to classify a large number of briefs in a relatively short period of time, while minimizing error. It is significantly easier to consistently hand code a training set of 49 briefs for a classifier, compared to hand-coding 615 briefs.

The analysis pipeline using the naïve Bayes classifier proceeds as follows. I first generated a training set of 49 briefs that are representative of my sample. This training set is used to train the classifier. I hand-coded each of those 49 briefs, recording the percent of each brief that was coded into women’s rights arguments and others’ rights arguments. From there, I combined those coverage percentages

into one score, which measure whether or not the brief relied on women's rights arguments more than others' rights arguments. After coding my training set, I used a naïve Bayes classifier to look at the frequent tokens that were in each category. The classifier then applied the coding scheme it generated based on token frequency, to the rest of the briefs that I did not hand code ( $n = 566$ ). After this, I randomly selected ten briefs to be my accuracy set to check whether or not my classifier was successful. By this, I mean that I hand coded ten briefs after they were classified, and checked to see how closely my hand codes matched the scores that my classifier predicted.

In the next few sections of this chapter, I will review my data sources, data preparation, sampling techniques, hand coding scheme, creation of one score, naïve Bayes classifier, how I validated the results, and limitations I encountered during this process.

## **3.2 Data Sources**

### **3.2.1 Case Collection**

I first assembled a list of all Supreme Court cases that pertained to reproductive rights. In order to maintain an intersectional approach that did not unnecessarily limit my scope of reproductive rights, I chose to not build my database from one list. Instead, I compiled a database of cases using my own parameters. It is important to note that I did not limit this analysis to cases involving women; however, there were no cases meeting these parameters that involved non-women. I adamantly assert that women are not the only people who's reproductive rights are under attack. However, there are no Supreme Court cases regarding the reproductive rights of trans folk or men so far. I chose these sources and this method of gathering the cases because it allows me to decide what the scope of reproductive rights is.

Table 3.1: Parameters for Inclusion

The Case Involved:
Contraceptives
Abortion procedures
First amendment rights surrounding reproductive procedures or rights
Barriers to accessing means to control or regulate the reproductive process

Table 3.2: Table of Sources for List of Relevant Reproductive Rights Cases

Database or List	Category
American Civil Liberties Union	Nonprofit
FindLaw	Corporate Business
NARAL Pro-Choice America	Nonprofit
Tarlton Law Library	Academia

For example, some sources do not think of sterilization or surrogacy as a reproductive rights issue. I find these integral to the reproductive rights movement, and looking at educational, corporate, non-profit, and legal websites allowed me to evaluate many different cases under the umbrella of reproductive rights. If a case met any one of the parameters outlined in Table 3.1, it was included in my database.

I used the American Civil Liberties Union, FindLaw, NARAL Pro-Choice America, and the Tarlton Law Library databases to select cases. I choose these four sources because I wanted to include a diverse range of sources to capture the widest selection of cases, and then narrow down based on my parameters. Essentially, I didn't want to miss any cases. A breakdown of the source and its category is included in Table 3.2.

Using this method, I collected 45 reproductive rights cases ranging from 1927 to 2016. To determine whether the decision was pro-reproductive rights or not, I assessed the decision on whether or not it increased barriers for PRRUAs (person whose reproductive rights are under attack) to exercise their reproductive rights and control. Cases that were dismissed were coded as not pro-reproductive rights because



they allowed for more room to question reproductive rights instead of establishing a legal precedent, and there were only two cases in this category. Throughout this paper, I will be using the term PRRUA because it is a more inclusive way of conceptualizing reproductive rights, and captures the idea that men, trans folk, and non-binary folk also have to fight for their reproductive rights.

### **3.2.2 Brief Collection**

After creating a database of relevant cases, I collected every brief submitted for these cases. I collected the briefs from two databases: Nexis Uni and Gale's database titled U.S. Supreme Court Records and Briefs, 1832-1978. If a case from the 45 cases in my database did not have any amicus curiae briefs submitted for it, I deleted the case from my database. There were no briefs submitted for any reproductive rights cases heard before 1961, leaving 36 final cases. I downloaded briefs from cases submitted from before 1978 from Gales database titled U.S. Supreme Court Records and Briefs, 1832-1978, because those briefs were not available from Nexis Uni. Using the advanced search option in Gale's database, I searched the case name and then limited my search to document type "Amicus Brief". I downloaded briefs submitted for cases that happened after 1978 from Nexis Uni. I searched by the case party name, and then selected "Briefs, Pleadings, and Motions" from the results page. From there, I downloaded every amicus curiae brief file. Each case, the year it was heard, and the number of briefs submitted for that case is included in Table 3.3.

Table 3.3: Table of Cases in Final Database: Year, Brief Count, & Decision

Case	Year	Briefs	Decision
Ayotte v. Planned Parenthood of N New England	2006	26	Anti RR
Bellotti v. Baird	1979	1	Pro RR
Bigelow v. Virginia	1975	2	Pro RR
Bolger v. Youngs Drug Products Corporation	1983	2	Pro RR
Bowen v. Kendrick	1988	16	Anti RR
Bray v. Alexandria Women's Health Clinic	1993	17	Anti RR
Carey v. Population Services International	1977	2	Pro RR
City of Akron v. Akron CRH	1983	17	Pro RR
Colautti v. Franklin	1979	4	Pro RR
Doe v. Bolton	1973	4	Pro RR
Eisenstadt v. Baird	1972	4	Pro RR
Ferguson v. City of Charleston	2001	2	Pro RR
Gonzales v. Carhart	2007	27	Anti RR
Gonzales v. PPFA, Inc.	2007	45	Anti RR
Griswold v. Connecticut	1965	3	Pro RR
H.L. v. Matheson	1981	5	Anti RR
Harris v. McRae	1980	10	Anti RR
Hill v. Colorado	2000	11	Pro RR
Hodgson v. Minnesota	1990	14	Pro RR
Madsen v. Women's Health Center	1994	12	Anti RR
McCullen v. Coakley	2014	33	Anti RR
PP Association of Kansas City v. Ashcroft	1983	3	Anti RR
PP of SE Pennsylvania v. Casey	1992	25	Anti RR
Poe v. Ullman	1961	2	Anti RR
Roe v. Wade	1973	15	Pro RR
Rust v. Sullivan	1991	23	Anti RR
Schenck v. Pro-Choice Network of WNY	1997	14	Anti RR
Simopoulos v. Virginia	1983	6	Anti RR
Stenberg v. Carhart	2000	29	Pro RR
Thornburgh v. ACOG	1986	13	Pro RR
United States v. Vuitch	1971	7	Anti RR
Webster v. Reproductive Health Services	1989	78	Anti RR
Whole Women's Health v. Cole	2016	52	Pro RR
Whole Women's Health v. Hellerstedt	2016	31	Pro RR
Williams v. Zbaraz	1980	8	Anti RR
Zubik v. Burwell	2016	52	Anti RR

RR: Reproductive Rights

## 3.3 Data Preparation

### 3.3.1 Optical Character Recognition

The briefs available from Gale’s U.S. Supreme Court Records and Briefs database were only available as images. In order to run a text analysis, I needed to convert the images into readable text. One option was hand transcribing these files; however, there were over 1,000 pages of text needing transcribing. Because of time constraints and to minimize human error, I turned to Optical Character Recognition (OCR) technology. Using FineReader, a program available through the University of Michigan’s Hatcher Scholar Space, I was able to “read” these images and extract machine readable text.

The aim of using OCR was to extract as much relevant text with as few errors possible in the least amount of time. I deleted the first page of every image collection for a brief because it contained filing information and no text on original arguments, which is what I was trying to analyze. After that, I de-skewed the image, adjusted resolution, and adjusted the OCR boxes to properly cover the text. I deleted sections from the Gale briefs that weren’t in briefs collected from Nexis Uni (Authors Cited and Footnotes sections) to create uniformity and have the text remain as consistent as possible between the two sources. I kept the Table of Contents, Indexes, List of Appendices, and Appendices.

After converting the images to text files, I reviewed each text file to catch any mistakes, and ensure 100% accuracy between language the author chose and language I would be analyzing. This validation allowed me to reap the efficiency benefits from OCR and accuracy benefits from hand transcribing the images. The figure below illustrates how one image from a brief was converted to text.





Figure 3.2: Distribution of Case Subjects in Entire Sample

The following figure depicts the distribution of decision for every case a brief was submitted for. We can see that 67% of the briefs were submitted for cases where the decision was ultimately anti-reproductive rights.

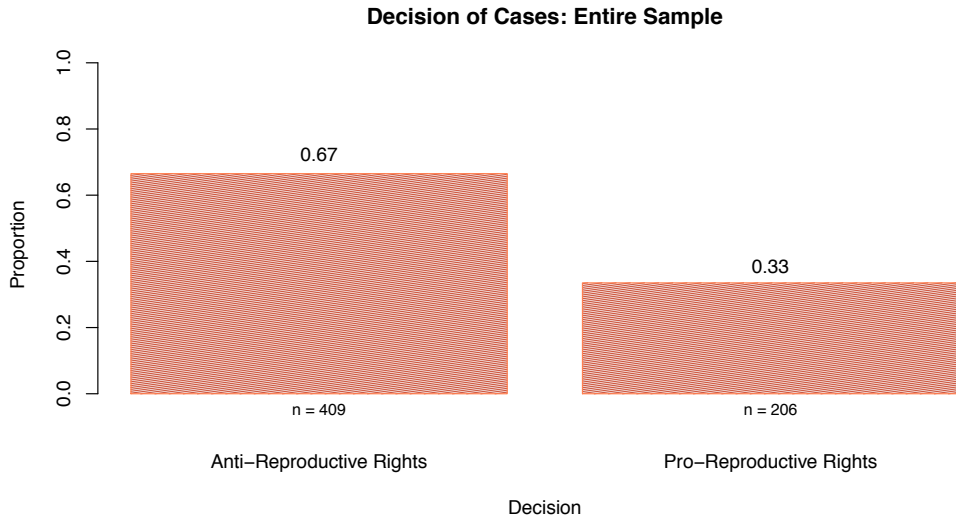


Figure 3.3: Distribution of Decisions in Entire Sample

The next figure depicts the stance of authors for each brief. 54% of briefs had authors who were anti-reproductive rights. While there is a difference, both sides seem to use briefs to advocate for their position.

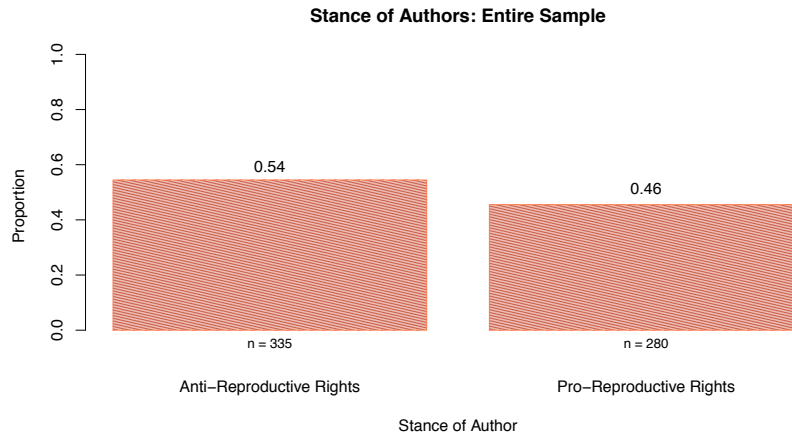


Figure 3.4: Distribution of Author Stance in Entire Sample

The following figure illustrates the distribution of briefs by decade. Few briefs were submitted in the 60s, but there was a large jump in briefs submitted between the 70s and 80s. This could be due to Roe v. Wade happening in the 70s, putting Supreme Court action around reproductive rights at the forefront of political commentary.

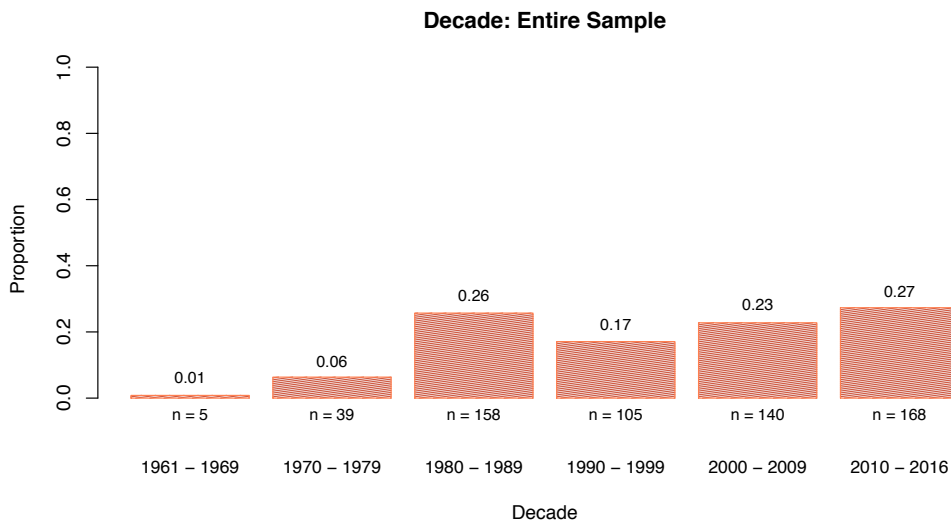


Figure 3.5: Distribution of Decade in Entire Sample

In order to simplify the time analysis, I have also included data on whether or not the brief was submitted before Roe v. Wade, one of the most critical and prominent cases surrounding reproductive rights. We can see that very few briefs were submitted before Roe v. Wade, but this also has to do with the few cases that happened before Roe v. Wade (6 cases including Roe v. Wade).

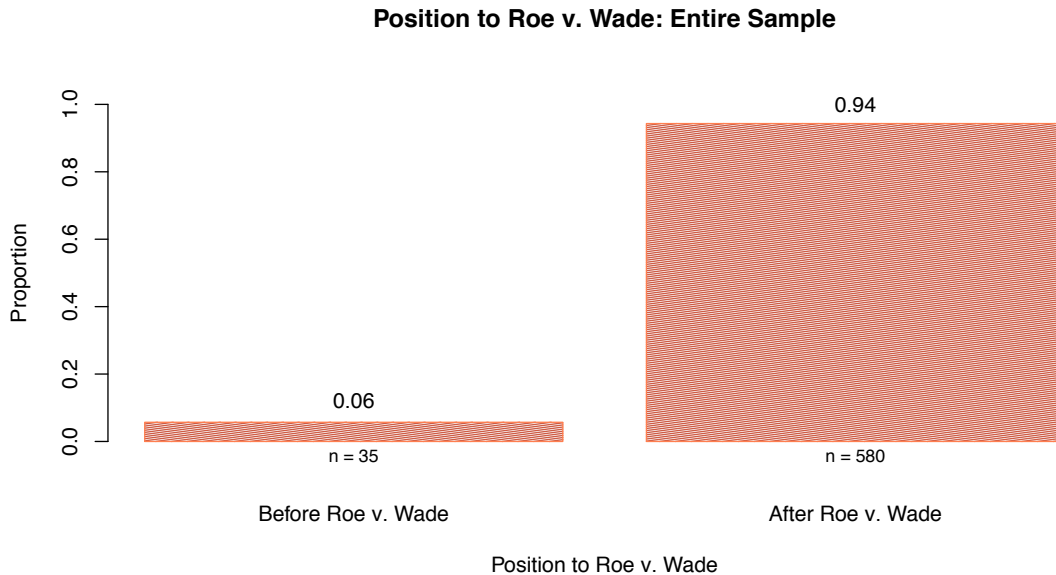


Figure 3.6: Distribution of Position to Roe v. Wade in Entire Sample

### 3.4 Sampling to Create a Training Set

The next step after data collection and preparation was creating a hand-coded training set I would use to train my classifier. For my training set, I created a random sample of 8% of my briefs ( $n = 49$ ). I chose to use 8% of my briefs for my training set because it was the maximum amount of briefs I could hand-code consistently and well, given the time constraints. Briefs ranged from 25 to 200 pages, with varying levels of legal complexity. I wanted to ensure I was coding each brief consistently, and hand-coding only the necessary but sufficient number of briefs reduced that error.

Every case has a different number of briefs in them; 52 briefs were submitted for *Zubik v. Burwell*, but only one brief was submitted for *Bellotti v. Baird*. In order to ensure that I was not oversampling from cases with many briefs and under sampling from cases with few briefs, I used multi-stage cluster sampling techniques to generate a truly random sample. I used two stages, stratifying on case and brief level. First, I randomly selected a case from my 36 cases. From the selected case, I randomly selected a brief. This selected brief was then removed from the table to ensure that it would not be selected again. Repeating this process in R, I created a random sample of 49 briefs to use as a training set.

### 3.4.1 Characteristics of Training Set

The following figures in this section illustrate various characteristics of my training set. The first figure indicates the distribution of case subjects for my training set. I discuss how I derive these case subjects in section 3.6. There are no briefs in my training set that were submitted for cases dealing with the use of federal funds. This could be due to the fact that there are only three cases within that category.



Figure 3.7: Distribution of Case Subject in Training Set



The following figure depicts the distribution of decisions for every case that had a brief in my training set. We can see that 57% of the briefs in my training set were submitted for cases where the decision was anti-reproductive rights.

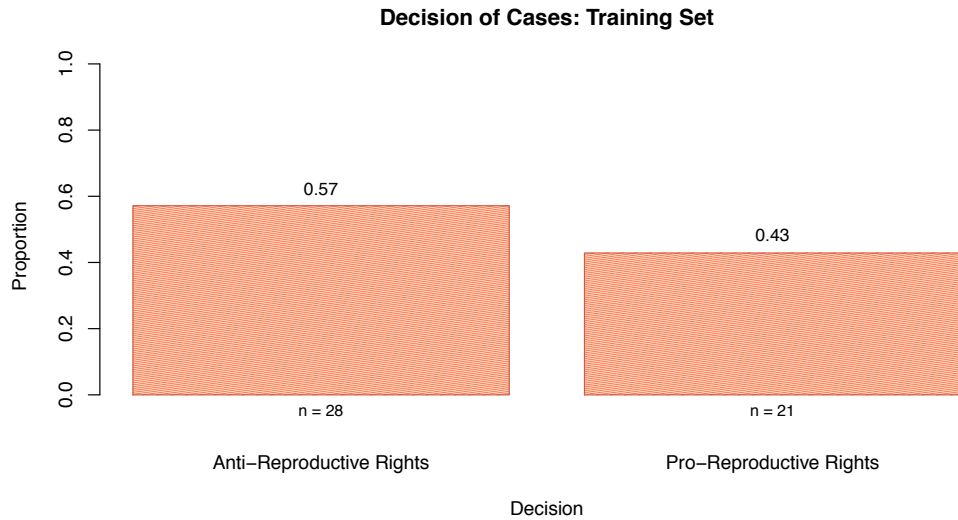


Figure 3.8: Distribution of Decisions in Training Set

The next figure depicts the stance of authors for each brief. 53% of briefs in my training set had authors who were anti-reproductive rights.



Figure 3.9: Distribution of Author's Stance in Training Set

The following figure illustrates the distribution of briefs by decade. One point to note is that there are no briefs submitted for cases that happened during 2010-2020. This could be due to the fact that there are only four cases in that decade.

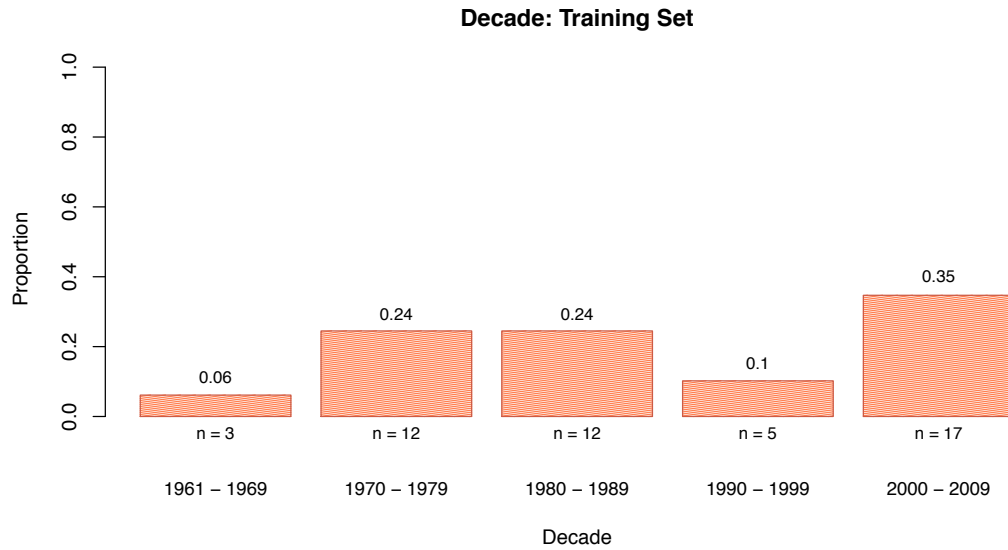


Figure 3.10: Distribution of Decade in Training Set

I have also included data on whether or not the brief was submitted before Roe v. Wade. 16% of briefs from my training set were submitted before Roe v. Wade.

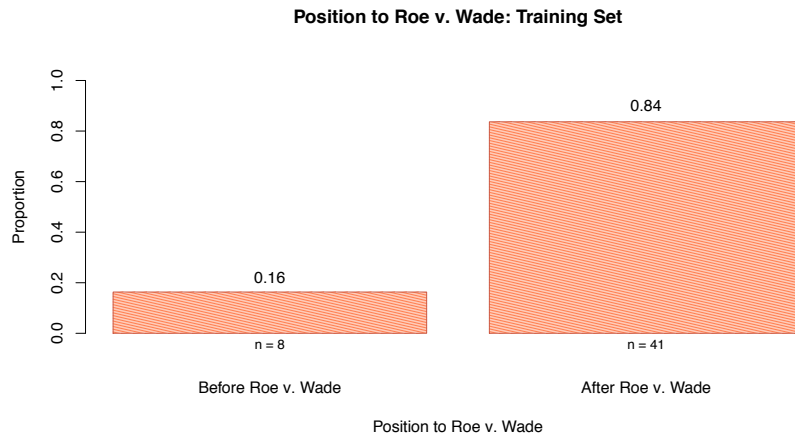


Figure 3.11: Distribution of Position to Roe v. Wade in Training Set

### 3.5 Creating a Coding Manual

After identifying a training set, I used the software NVivo to hand-code each brief from my training set. NVivo allowed me to select an amount of text and assign it to a certain "node" or coding point. After coding a brief, I was then able to use NVivo to visualize what percent of the text of each brief was coded into each node. Using 10 briefs from my sample, I devised a coding rubric to assign whether or not a brief was based on an argument of womens rights. I coded for four categories: (1) case subject, (2) author, (3) attitude, and (4) argument. Below is a table with each category and it's description:

Category	Description
Case Subject	Category describing the main content of case's Constitutional question
Author	Author who wrote the brief. If multiple, I coded and recorded each separately
Attitude or Stance	Whether or not the author is in favor of increasing the barriers that PRRUAs face to access abortions or reproductive services
Argument	Whether or not the language is based on women's, or someone other than women's rights

Table 3.4: Coding Nodes and Their Meaning

After reading through and doing an intial coding of the first five briefs, I created a rough coding manual. I then applied this rough coding manual to the next five briefs, making adjustments. After this, I ran through the initial ten briefs with the second iteration of my coding manual, making changes as necessary. After this, I had my final coding manual. In the following sections, I will break down each element of the coding manual and discuss important nuances when coding.

### 3.6 Coding for Case Subject

I found it important to differentiate between different types of cases because I hypothesized that the case subject would affect the language authors would choose. I inductively created five categories for case subject: (1) Parental Abortion Restrictions, (2) Bill of Rights Violations, (3) General Abortion Restrictions, (4) Distribution of Contraceptives, and (5) Use of Federal Funds.

In order to decide the breakdown of case subjects, I first compiled a list of every case and the constitutional question it was seeking to answer. I used *oyez.org* to identify these questions. From there, I grouped cases that grappled with similar questions together. Keeping in mind that I was analyzing language surrounding rights, I grouped cases dealing with the same person's rights together. This led to five major groups. After creating the groups, I reviewed every question within the groups and labelled them to capture the larger concept these cases were grappling with. The figure below illustrates each case subject and how many cases were in each category.

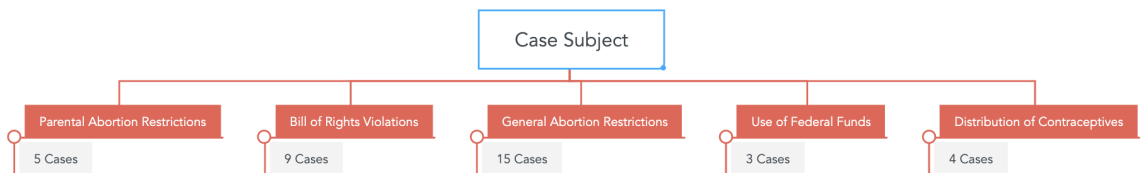


Figure 3.12: Number of Cases Per Case Subject

### 3.7 Coding for Author

I coded every author for a brief separately. I inductively derived author categories through the coding of my initial ten briefs for my coding manual and patterns observed during the naming of each brief. This led to four large categories: (1) nonprofits, (2) religious organizations, (3) government actors, and (4) individuals. I included

subcategories under these headers. The figure below illustrates the four primary author categories I coded for and all subcategories beneath that.

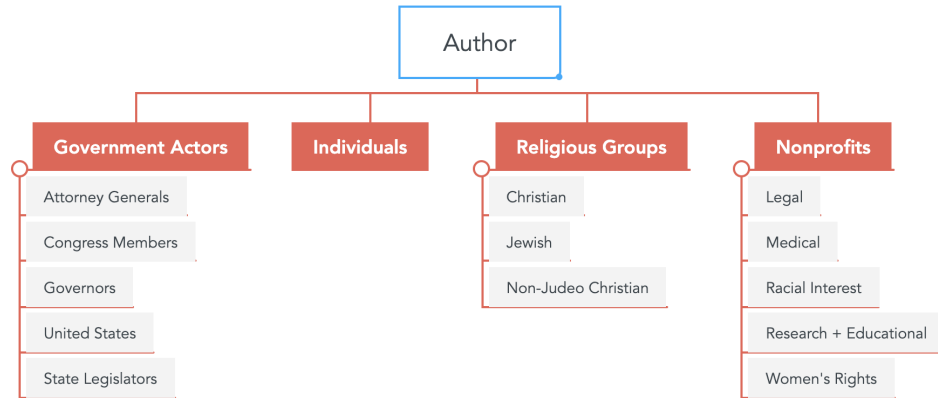


Figure 3.13: Various Authors of the Briefs

Unfortunately, I will not be able to use authorship in my analysis. Many briefs have more than one author, and there is no valid and consistent way to determine who the primary author is. Additionally, different combinations of authors are drastically different, regardless of who the primary author is. For example, a brief written primarily by a racial interest organization along with a medical organization is going to use different language than a brief primarily written by the same racial interest organization but with a religious organization as a secondary author instead. The only feasible way to analyze this would be to create a unique code for every single possible combination of authors, and run regressions amongst those unique codes, however, that would be over 100 unique codes, and the noise in the data would make this analysis fruitless. Even if I were to limit it to the four large categories, which I would not recommend due to the vast differences between subcategories, that would lead to 15 unique authorship codes. The small sample sizes within each code would lead any results to be statistically insignificant. I do believe that who the author is impacts the language they use; however, that's outside of the scope of this analysis.

### 3.8 Coding for Attitude or Stance

By attitude and stance, I refer to whether or not the author is pro-reproductive rights or not. If an author is in favor of *increasing* the barriers PRRUAs face to access abortions or reproductive services, then they are coded as anti-reproductive rights. If an author is in favor of *decreasing* the barriers PRRUAs face to access abortions or reproductive services, then they are coded as anti-reproductive rights. This information was usually found in the "Interests of the Amici" section, where the author states their interest in the case being heard and why they felt compelled to right a brief, which revealed whether or not they were in favor of increasing barriers or not. Every single brief fit into one of those two categories.

It is important to note that the attitude of the brief is independent of the basis of its argument. For example, a brief submitted by the the American Center for Law and Justice (ACLJ) for *Ayotte v. Planned Parenthood of Northern New England* was anti-reproductive rights but argued this position on the basis of womens rights. Throughout the brief, the ACLJ illustrated how the practices of abortions that they deemed coercive were harmful to women, undermining their right to the pursuit of happiness. Although their argument was anti-choice, they based their argument on women's rights. Therefore, it was important to code each author's attitude separately from their argument basis. The following table illustrates the distribution of arguments and stances for all briefs in my training set.

Table 3.5: Frequency Table for Author's Stance and Type of Argument

	Other's Rights Basis	Women's Rights Basis
Pro-Reproductive Rights	17	9
Anti-Reproductive Rights	12	11

### 3.9 Coding for Argument

I divided arguments into two large primary categories: (1) women’s rights and (2) others’ rights. Within each primary category, I coded for various subcategories that were inductively decided from the analysis of the first ten briefs for my coding manual. If the author discussed the effects the decision would have on a woman, it was coded into women’s rights. If it didn’t do this and talked about the effect the decision would have on someone else, it was coded into other’s rights. There are some important nuances to note about my coding. First, I did not code any part of the briefs where authors were quoting someone. I chose to not code quotes because the author was not advancing any original arguments in a quote. Additionally, I wasn’t coding whether or not the author was bolstering or tearing down an argument separately. Many times, an author would quote something and then explain the faults in that quote. It would be incorrect to code that as an argument basis they were using.

Another important consideration was when one person’s right to an action means another does not have a right to something. In the context of reproductive rights, this most often means that asserting that women have a right to abortion implies that fetuses do not have a ”right to life”. Often times, these arguments were pitted against each other in the same sentence, and it was difficult to pin what the basis for the argument was. In these cases, I went with the person whose rights were being used as a reference point. I go into further detail on this in section 3.11.3, where I describe how I coded fetus rights. Another example of this is when an argument involving another actor did not involve that actor’s *rights* or well-being. For example, an author might discuss parental involvement in a brief submitted for a case about parental consent laws, but they could be talking entirely about how parental involvement infringes on the minor’s constitutional rights. Though parents might be discussed, it would not automatically be coded into parent’s rights. The next sections go into further detail on my coding scheme and provide examples for each node. I have chosen to spend time

going in depth on my coding scheme because my coding is what trains my classifier, and it is a fundamental part of classifying the rest of my briefs correctly.

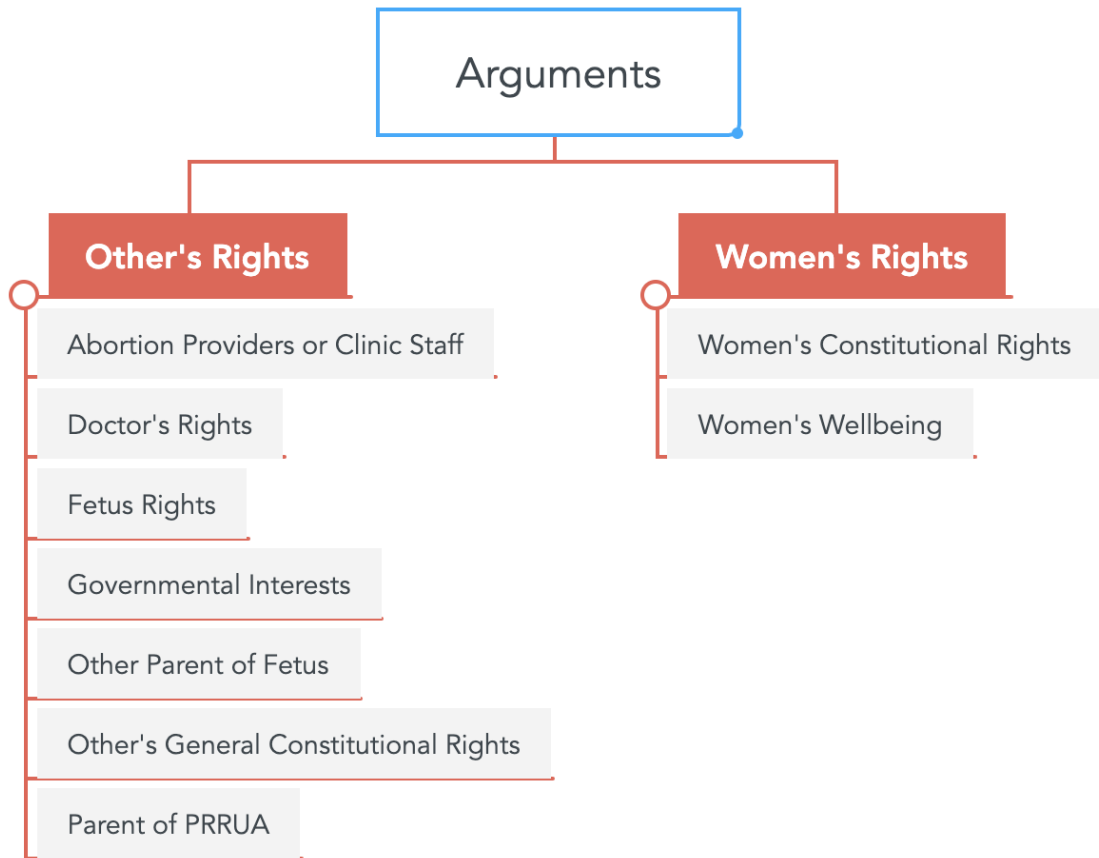


Figure 3.14: Coding Nodes for Arguments Authors Presented

### 3.10 Coding for Women's Rights

The women's rights category was split into two subsections: (1) women's constitutional rights and (2) women's well being.



### 3.10.1 Women’s Constitutional Rights

I classify an argument as “women’s constitutional rights” when an author discusses why a decision should be made based on whether or not women have a constitutional right surrounding the reproductive right in question. If an author discusses whether or not women have certain constitutional rights the court is charged to protect, then the argument was coded into women’s constitutional rights. It is important to note that this also includes when authors argued that women did not have a constitutional right. I included this part because this analysis seeks to understand when authors invoke women’s rights. If authors are invoking women’s rights in order to debase them, then that is a relevant finding. Below are some examples of arguments that were coded into being based on women’s constitutional rights:

Case	Author	Argument
Bray v. Alexandria Women’s Health Clinic	Attorney Generals of NY	“Those activities have also hindered women seeking reproductive health care their right to the equal protection of the laws.”
Colautti v. Franklin	Americans United for Life	“In order for this Court to find that the Pennsylvania statute burdens abortional privacy, it logically must first find that the womans abortional freedom permits her actively to seek the death of her fetus even though there is a possibility that the fetus might otherwise survive.”

Table 3.6: Example of Arguments Coded Into Women’s Constitutional Rights

### 3.10.2 Women’s Well-being

The second subsection under women’s rights is women’s well-being. I chose an expansive definition of the term well-being instead of referring to health because I wanted to include arguments that were based on the effects a decision would have on

a woman’s emotional and mental health, in addition to their physical health. Many writers chose to discuss how abortions impact women’s mental health in the long run, in addition to their physical health. Women’s well-being accurately captures all of these arguments. I have coded this under the umbrella of women’s rights because many authors turn well being arguments into rights arguments by arguing that Americans have a Constitutional right to life, liberty, and the pursuit of happiness, which includes well being. Below are some examples of arguments that were coded into being based on women’s well-being:

Case	Author	Argument
Gonzales v. Planned Parenthood Federation of America	American Association of Pro Life Obstetricians and Gynecologists	“Hence, there is no reliable evidence that a prohibition on D&X will increase medical risk to any woman.”
Gonzales v. Carhart	Sarah Cano and 180 post-abortive women	“Some women have reported serious psychological effects after their abortion, including depression, grief, anxiety, lowered self-esteem, regret, suicidal thoughts and behavior, sexual dysfunction, avoidance of emotional attachment, flashbacks, and substance abuse.”
H.L. Matheson v.	The Coalition for the Medical Rights of Women	“Existing Utah law provides more than sufficient protection for the health and welfare of pregnant minors with respect to the decision about whether or not to bear a child.”

Table 3.7: Example of Arguments Coded Into Women’s Well-Being

### 3.11 Coding for Others’ Rights

The other’s rights category was split into seven subsections: (1) Abortion Providers or Clinic Staff, (2) Doctor’s Rights, (3) Fetus Rights, (4) Governmental Interests, (5) Other Parent of Fetus, (6) Other’s General Constitutional Rights, and (7) Parents of

the PRRUA. These categories were inductively determined from the analysis of the ten briefs I used as the basis for creating my coding manual. In the sections below, I will be defining each node and providing examples of arguments that were coded as each node. It is important to note that while I distinguished each node in the coding process, they were all eventually collapsed into the others’ rights category for the sake of the classification model. These subcategory nodes are still available in my data-set, and analyzing the breakdown of the others’ rights category into these subcategories is a promising avenue for future research.

### 3.11.1 Abortion Providers or Clinic Staff

The first category in the others’ rights section is abortion providers or clinic staff. In some briefs, authors chose to focus on how the decision would impact those who provide abortions. I found this important to distinguish from general doctor’s rights because much of the language surrounding abortion providers was centered around the harassment they specifically face when entering, leaving, or being around their clinic. The following table provides examples of some arguments that were coded into the abortion providers or clinic staff category.

Case	Author	Argument
Bray v. Alexandria Women’s Health Center	Attorney Generals of New York and Virginia	“Whereas, there has been illegal harassment and intimidation of the people who work in or visit abortion clinics;”
Akron v. Akron Center for Reproductive Health	United Families Foundation	“Abortion Counselors And Clinics Are Caught in a Conflict of Interests That Inhibits Their Voluntarily Making Full Disclosure.”

Table 3.8: Example of Arguments Coded Into Abortion Providers or Clinic Staff

### 3.11.2 Doctor's Rights

The second category was doctor's rights. Whenever an author focused on how the decision of the case would effect doctor's rights, either positively or negatively, the argument was coded into doctor's rights. This could include their legal protections, mental well-being, ability to practice their beliefs, and right to perform their profession, among many other arguments. Examples of some of those arguments are presented in the table below.

Case	Author	Argument
Griswold v. Connecticut	Individuals	"The constitutional rights of doctors must therefore be protected as against the local legislators view of the interests of the State."
Akron v. Akron Center for Reproductive Health	National Federation Abortion	"By forcing physicians to personally counsel their abortion patients, Akron impermissibly restrains physicians"

Table 3.9: Example of Arguments Coded Into Doctor's Rights

### 3.11.3 Fetus Rights

The next subcategory, and one of the largest within the others' rights category, was fetus rights. Whenever an author focused on how the decision would affect the fetus, it was coded into fetus rights. Again, this includes both positive and negative viewpoints about fetus rights. It was especially hard to distinguish this category from women's rights because they are so often paired together. For example, if a brief discusses how a woman's right to end their pregnancy overrides a fetus's potential right to life, then both rights are being discussed. In these situations, I coded the argument into the category that was used as the reference point for the other actor's rights. So in the example I just provided, it would be coded into women's rights because women's rights provide the anchor for that argument. However, if it was

worded to say that a fetus’s right to life is more important than a woman’s right to her body, then it would be coded as fetus rights. Examples of other arguments coded into the fetus rights category are provided in the table below.

Case	Author	Argument
Doe v. Bolton	Individual	“The unborn child of Mary Doe is a ‘person’ and as such is entitled to protection under 42 USCA, 1983 and 1985.”
Collauti v. Franklin	Americans United for Life	“It penalizes hostile activity directed toward the fetus unrelated to the exercise of the womans privacy interest.”

Table 3.10: Example of Arguments Coded Into Fetus Rights

### 3.11.4 Governmental Interests

The next subcategory was governmental interests. This was a large category used to capture all arguments pertaining to state interests in a certain decision. Additionally, this category was large because many authors started their briefs with a discussion of the policy in question. Many then ended by discussing whether or not the law even serves any valid governmental interest. Most often, government actors were the authors for briefs based on this argument. Whenever an author chose to focus on whether or not the state had a vested interest in a certain action or decision, I coded the argument into the governmental interests category. This also included when authors focused on how states *did not* have a vested interest in a certain action or decision. Examples of some of those arguments are provided in the table below.

Case	Author	Argument
Ayotte v. Planned Parenthood of N New England	Arizona State Legislators	“Parental involvement laws also serve important state interests. States have a clear interest in ensuring that pregnant minors are protected at all times in the exercise of their rights.”
Eisenstadt v. Baird	American Civil Liberties Union	“Moreover, it is unsupported by a compelling state interest, or indeed by any interest even approaching the threshold of compelling importance.”

Table 3.11: Example of Arguments Coded Into Governmental Interests

### 3.11.5 Other Parent of Fetus

The next subcategory is rights of the other parent of the fetus. This refers to whenever an author focused on how the decision of the case would impact the ability of the other parent of the fetus to exercise their rights. While theoretically I assumed this would be a large category, there was actually only one brief that relied on this argument, and the main argument it presented is in the table below.

Case	Author	Argument
Bray v. Alexandria Women’s Health Center	United States	“The father of the child has a personal interest in the pregnant woman’s decision.”

Table 3.12: Example of Arguments Coded Into Other Parent of Fetus

### 3.11.6 Others’ General Constitutional Rights

The next subcategory, and one of the largest, was others’ general constitutional rights. Whenever the author discussed Constitutional rights in general, but did not attach a subject to them or tie them back to women, I coded the argument as others’ general constitutional rights. The author, either intentionally or not, made the deci-

sion to not attach women, or even a specific subject at all, to the rights being called into question. Now it is true that women are included under the umbrella “Others’ General Constitutional Rights” however, I’m curious about what conditions make authors more likely to talk about women when the question the case is asking is clearly about women. So when author’s do not connect their point back to how women are effected by this decision or leave their point at how the decision effects *everyone* in general, I coded the argument into “Others’ General Constitutional Rights”.

For example, the Cato Institute submitted a brief for *Gonzales v. Carhart* arguing that “A core role of the judiciary in the American legal system is to protect citizens’ fundamental liberties from encroachment by legislative bodies”. In this argument, they did not discuss how the encroachment upon fundamental liberties would effect women. Rather, they discussed how the case imposes on fundamental liberties of citizens *in general*. More examples of cases I coded into others’ general constitutional rights are provided below.

Case	Author	Argument
Bolger v. Youngs Drug Products Corporation	American Civil Liberties Union	“Contrary to the Government’s assertion, the statute significantly interferes with the free flow of information about contraceptives to a large portion of the public.”
Eisenstadt v. Baird	Human Rights for Women, Inc.	“There is a sacred realm of privacy for every man where he makes his choices and decisions, fashions his character and directs his desires, a realm of his own essential rights and liberties, including, in the providence of God, liberty to go to the devil, into which the law, generally speaking, must not intrude.

Table 3.13: Example of Arguments Coded Other’s General Constitutional Rights

### 3.11.7 Parent of PRRUA

The last subcategory is parents of PRRUA (person whose reproductive rights are under attack). This category was especially important to have because of cases regarding parental notification, or consent laws for a minor to obtain an abortion or contraceptives. Whenever an author focused on how a decision would affect the parent of the PRRUA’s constitutional rights, I coded the argument into this category. This could include the parent’s right to practice their religion, raise their children, or care for their family without state interference. Again, this includes arguments where it was argued that parent’s do not have a right. The table below includes examples of arguments that were coded into the parent of PRRUA’s rights category.

Case	Author	Argument
Ayotte v. Planned Parenthood of N New England	United States of Catholic Bishops	“Recognizing the fundamental and constitutionally protected role of parents in caring for their children, [...]”
H.L. v. Matheson	Coalition for the Medical Rights of Women, and others	“In short, there is no autonomous parental interest which could legitimately constitute sufficient justification for a mandatory parental notification requirement.

Table 3.14: Example of Arguments Coded Other’s General Constitutional Rights

### 3.12 Collapsing Percent Coverage Into One Score

After this coding process, each brief was left with two scores: (1) what percent of the brief was coded into the women’s rights node and (2) what percent of the brief was coded into the others’ rights nodes. For the sake of having one score for the classifier to assign, I had to collapse these two values into one score that conveyed whether or not the brief was *based* on women’s rights or not. In order to decide how



to collapse these values, I first plotted the values to see if they fell into any discernible pattern. In the figure below, each point represents one brief. The dotted line is where women's rights coverage = others' rights coverage. Ideally, if one coverage score was bigger than the other and fell strongly to one side of the line, then it would be coded as women's rights or not. Plotting the briefs showed that the briefs indeed did fall into the pattern, where briefs were more heavily coded in one direction. Because of this, I collapsed my coverage scores so that if the percent of a brief coded into women's rights was greater than the percent of the brief coded into others' rights, it would receive a score of one, indicating that the brief was based on arguments of women's rights. If the percent of a brief coded into others' rights was greater than the percent of the brief coded into women's rights, then the brief was given a score of zero, indicating that the brief was based on others' rights arguments.

**Percent of Argument Coverage for Each Brief**

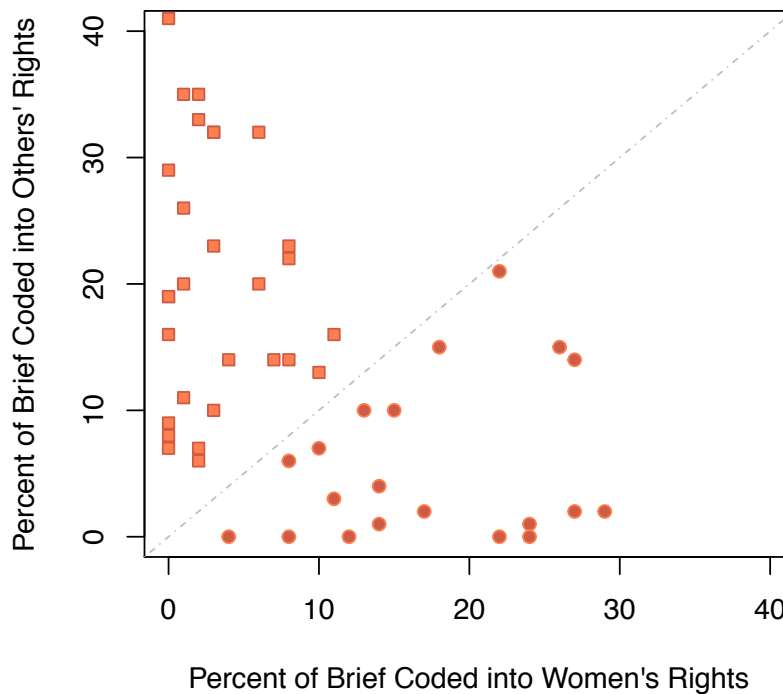


Figure 3.15: Plot to Determine Score Collapsing

One important point is that if the brief has a score of one, representing women’s rights arguments, it does not mean that author solely used arguments based on women’s rights. Rather, it indicates that the author relied on women’s rights arguments *more* than others’ rights. Therefore, I refer to the score as its argument *base*.

### 3.13 Naïve Bayes Model

After coding the briefs and assigning them a score, it was time to feed these scores into my classifier. For this classification task, I chose to use a naïve Bayes classifier. My task was to distinguish briefs based on different types of arguments. I was trying to figure out the focus of the argument in each brief. If there’s a different focus, then the authors had to use different language to establish that focus. This means that they would be using different words and terms. Because of this, relying on word frequencies is an accurate way to classify and distinguish the arguments. Therefore, I chose to use a naïve Bayes classifier because it distinguishes documents based on word frequency and is appropriate for this classification task.

I followed the supervised learning method process Stewart and Grimmer laid out in their article *Text as Data: The Promise and Pitfalls of Automatic Content Analysis Methods for Political Texts* (Grimmer and Stewart, 2013). As they explain, “The algorithm then ‘learns’ how to sort the documents into categories using the training set and words: the algorithm uses characteristics of the documents to place the documents into the categories” (Grimmer and Stewart, 2013). The naïve Bayes classifier works by using the way I classified briefs in the training set to understand how the tokens (or terms) are distributed between the two different categories I assigned them. It then uses this distribution and Bayes’s rule (shown below) to classify the rest of the briefs.

$$\Pr(A|B) = \frac{\Pr(B|A) \Pr(A)}{\Pr(B|A) \Pr(A) + \Pr(B|\neg A) \Pr(\neg A)} \quad (3.1)$$

### 3.14 Validating the Model

In order to check whether or not my model classified the briefs well, I needed to validate the results. To do this, I had to create a sample of computer classified briefs for my accuracy set (they couldn't be in the training set), hand-code them, and see how closely my scores aligned with the scores the classifier assigned them. In section 4.1 of my Results & Discussion Section, I discuss how well the model performed. After validating the model to see if it performed the classification task well or not, I will be running a series of regressions and Chi squares to test my hypotheses and determine under what circumstances authors are more likely to use women's rights or not.

### 3.15 Accuracy Set

My accuracy set consists of ten briefs that were randomly sampled from the test set. Ten briefs is sufficient to check the accuracy of the model without the error of hand-coding, which is caused by coding a larger set of documents over a longer period of time. In the following figures, I illustrate various characteristics of my accuracy set.

In the first figure, we can see that there aren't any briefs from the use of federal funds category (3 cases) or distribution of contraceptives category (4 cases). This is not surprising due to the low level of cases in those two categories, however it is worth noting.

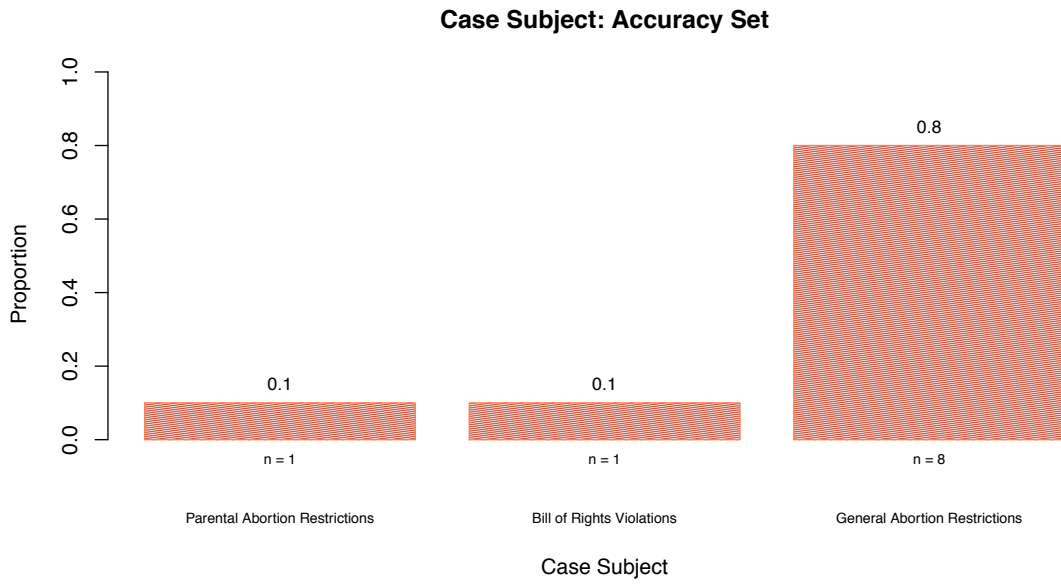


Figure 3.16: Distribution of Case Subject in Accuracy Set

The next figure depicts the decision of cases in the accuracy set. 60% of briefs in the accuracy set were submitted for cases with a pro-reproductive rights decision.

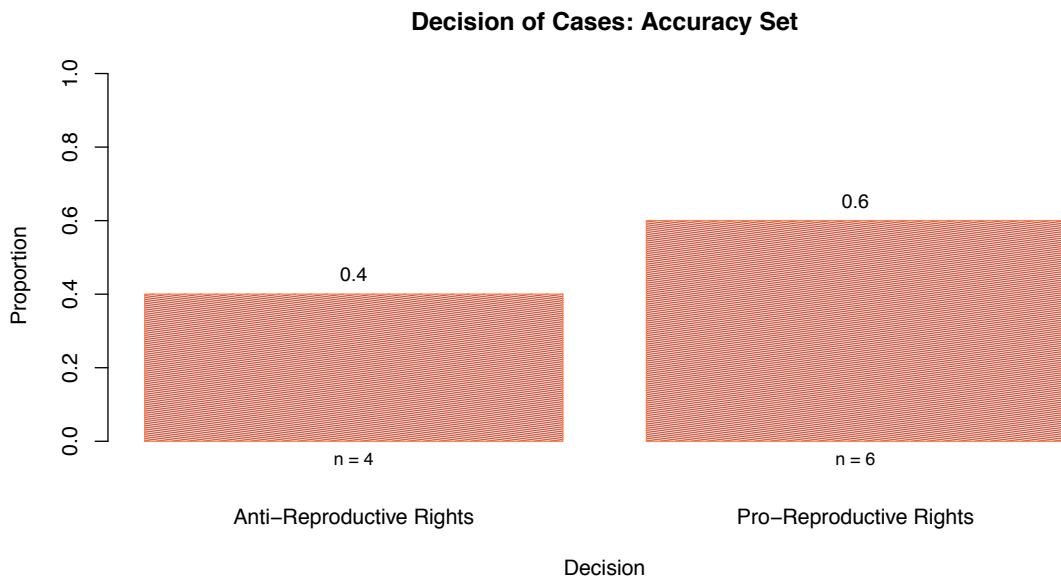


Figure 3.17: Distribution of Decision in Accuracy Set

The following figure illustrates the stance of authors of briefs in the accuracy set. 40% of the briefs in the accuracy set had authors that were pro-reproductive rights.

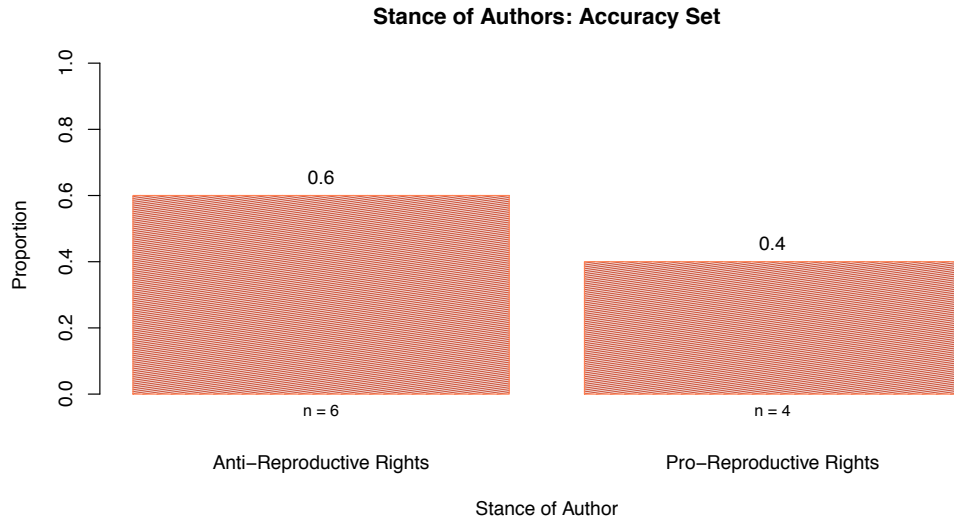


Figure 3.18: Distribution of Author's Stance in Accuracy Set

The next figure shows the distribution of briefs in the accuracy set over time. We can see that zero briefs in the accuracy set came from the Sixties, and this is probably due to the fact that there were only five briefs submitted for the Sixties.

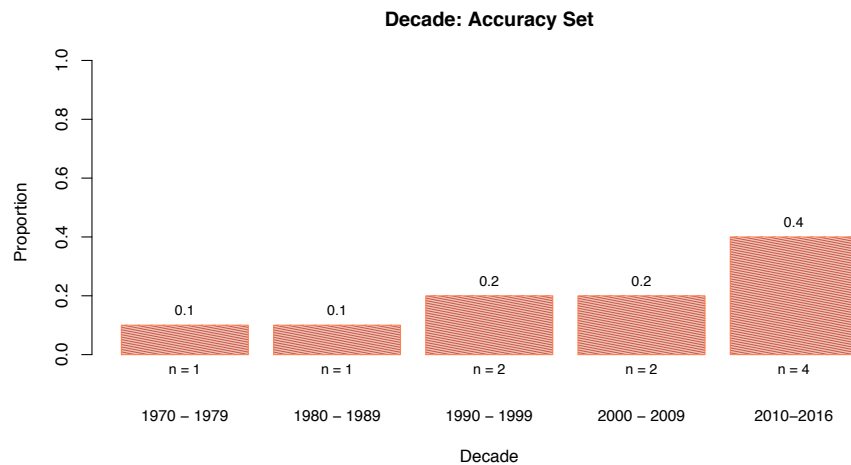


Figure 3.19: Distribution of Decade in Accuracy Set

The final following figure depicts what proportion of briefs in the accuracy set were submitted for cases happening before Roe v. Wade. Only one brief in the accuracy set was submitted for a case before Roe v. Wade, but this could be due to the fact that only 6% of briefs ( $n = 35$ ) in the entire sample were submitted for the 5 cases before Roe v. Wade.

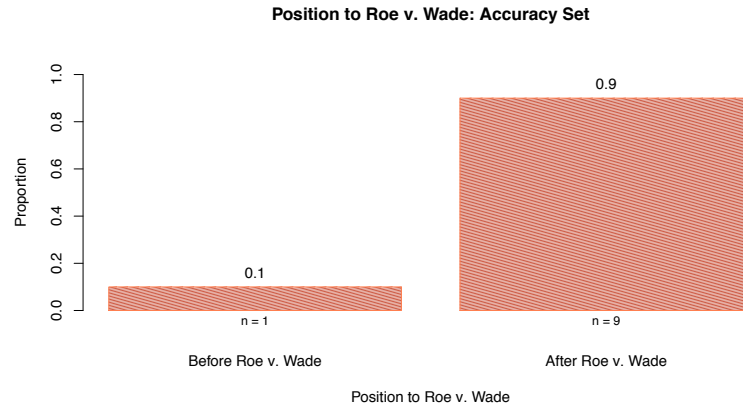


Figure 3.20: Distribution of Position to Roe in Accuracy Set

### 3.16 Limitations

#### 3.16.1 Intra and Inter Validity Tests

Unfortunately, I was not able to conduct intra and inter validity tests. These tests would have served to verify that my briefs were coded in a valid manner. The table below explains the difference between intra-coder reliability and inter-coder reliability.

Test Type	Explanation
Intra-coder Reliability	How consistently one coder codes a brief over a period of time, can be tested by re-coding the brief at different times and comparing how closely the scores align
Inter-coder Reliability	How consistently and closely different coders code the same brief, can be test by having multiple different coders code the brief and comparing how closely the scores align

Table 3.15: Intra-coder reliability vs. Inter-coder reliability

I was unable to do an intra-coder reliability test because of time constraints, and I was unable to do an inter-coder reliability test because of limitations on outside help for undergraduate theses. In future projects involving classification like this, I would highly recommend completing at least an intra-coder reliability test because your coding of the briefs is what your model is trained on, so any bias or error in how you trained your training set is replicated in how the rest of your briefs are coded.

### **3.16.2 Coding for More than One Argument**

One limitation of my process was the fact that I did not code if a sentence contained multiple arguments. The arguments in these briefs are nuanced, and coding them into these neat nodes was a challenge. When coding, I read every sentence of every brief in my training set, and then coded it with a particular node if it met any of the parameters I've defined above. On occasion, a sentence would meet the parameters for more than one argument base. In these cases, I coded for the most emphatic argument base; however, it would have captured the sentiments of the author more accurately if I had coded each sentence for every node it met.

For example, a brief submitted by the National Women's Law Center and 31 other organizations for *Gonzales v. Carhart* argues "the government may not intrude into individuals' most private choices based solely on its own moral judgment. In this example, the author is both arguing about governmental interests and others' general constitutional right to privacy. It would be valid and fair to code this argument into both of those nodes. However, I coded this node as government interests because the author chose for the government to be the main subject of this sentence. If repeating this analysis, I would encourage myself to code sentences into more than one node if they meet all parameters.

## CHAPTER IV

### Results and Discussion

#### 4.1 Performance of the Model

There were ten briefs in the randomly generated, hand-coded accuracy set. Five of these briefs were based on women’s rights and the other five on others rights. As we can see in the table below, the model accurately classified all the briefs that were hand-coded as other’s rights and incorrectly classified one of the women’s rights briefs as other’s rights. Overall, this indicates that model performed very well.

Table 4.1: Accuracy Set versus Predicted Scores

	Predicted 0	Predicted 1
Actual 0	5	0
Actual 1	1	4

I am measuring the performance of the model based on its precision, recall, and F1 score. The precision score indicates how many of the positives were true positives:  $Precision = \frac{TruePositives}{TruePositives+FalsePositives}$ . The recall score indicates how many true positives there are out of the true positives and false negatives:  $Recall = \frac{TruePositives}{TruePositives+FalseNegatives}$ . An F1 combines the recall and precision measure into one score to measure the overall performance of the model. The formula to calculate the F1 score is  $F1 = 2 * \frac{precision*recall}{precision+recall}$ .



If the model was perfect, the precision, recall, and F1 score would all be one. In the table below, we see that that the model has a precision score of 1.00. This means that of all the briefs that the model classified as women’s rights ( $n = 4$ ), all were correctly classified as women’s rights. The model has a recall score of .833. This means that of all the briefs I hand-coded as women’s rights ( $n=5$ ), one was not properly classified as women’s rights. Together, these two scores combine to create an F1 score of .909. The goal for satisfactory performance of the classifier was an F1 score of 0.8. The model scored higher than higher than 0.8, indicating that it performed well at its classification task. In the rest of this section, I will be using the scores predicted from my model along with other characteristics of the briefs to understand under what conditions authors are more likely to base the argument on women’s rights.

Table 4.2: Performance Metrics of the Model

	Score
Precision	1.00
Recall	.833
F1	.909

The model’s performance is noteworthy because a naïve Bayes classifier has never been used to classify arguments based on women’s rights. In an increasing dialogue about how learning methods can reinforce bias or be used in unethical ways, it is important to remember that this model is a tool that can be wielded in many ways. This project tests the idea that this tool can be used to grasp at whether or not a text supports women’s rights, which has never been done before and is a unique contribution to the literature. These models make text analysis more efficient and greatly decrease the amount of time needed. Knowing this model performed well when given the task of classifying an argument basis off women’s rights gives feminist scholars working in the legal field an entire new way to analyze legal texts.

## 4.2 Overall Results

Looking at the language of all 615 briefs submitted for 36 Supreme Court cases on reproductive rights, 63.4% of those briefs were based on arguments of other's rights. It is important to note that this does not mean the authors did not mention women at all. Rather, the authors focused on others' rights more than women's rights. 36.6% of the authors used arguments based on women's rights more than others' rights.

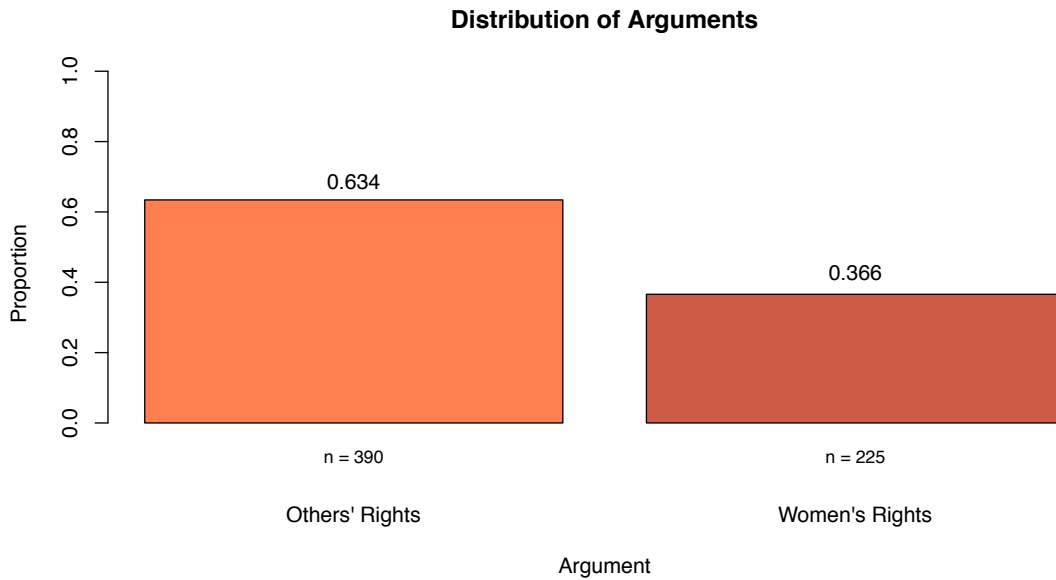


Figure 4.1: General Distribution of Arguments in Briefs

The table below indicates the number of briefs in each category along with the proportion. Going back to the puzzle that this project grapples with, it is clear that brief writers base their arguments on other's rights more than women's rights despite women's reproductive rights being one of the primary focuses of all these cases. In the rest of this chapter, I will discuss the impact case subject, decision, author stance, and time have on this distribution.

Table 4.3: Frequency and Proportion Table for General Distribution of Argument

	Other's Rights	Women's Rights
Number of Briefs	390	225
Proportion	63.4	36.6

### 4.3 Different Case Subjects

I hypothesized that the subject of the case would impact the language author's chose to use. Based on Figure 4.2 on the next page, we can see that there are differences in distribution when we split the briefs up into their respective case subjects. In cases involving the distribution of contraceptives, only 18% of authors base their argument on women's rights. In cases involving Bill of Rights violations, 28% of authors base their argument on women's rights. This is similar to cases involving the use of federal funds, in which 29% of authors base their argument on women's rights. In cases involving general Abortion Restrictions, 39% of authors base their argument on women's rights. The category with the largest percentage of arguments based on women's rights is parental abortion restrictions, in which 42% of authors base their argument on women's rights. There is not a single category where the majority of authors base their arguments on women's rights.

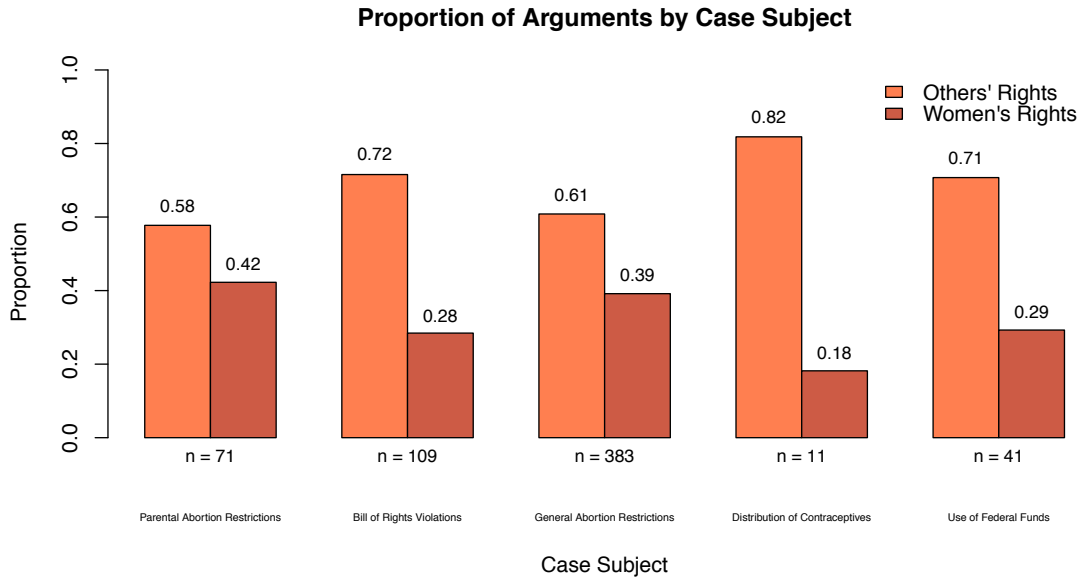


Figure 4.2: Distribution of Arguments by Case Subject

Looking at the statistical significance of these results, the figure below depicts the proportion of briefs submitted for each case subject that were based on women's rights along with the 95% confidence intervals. We can see that there is an issue with the distribution of contraceptives category, in which the lower bound is -0.10.

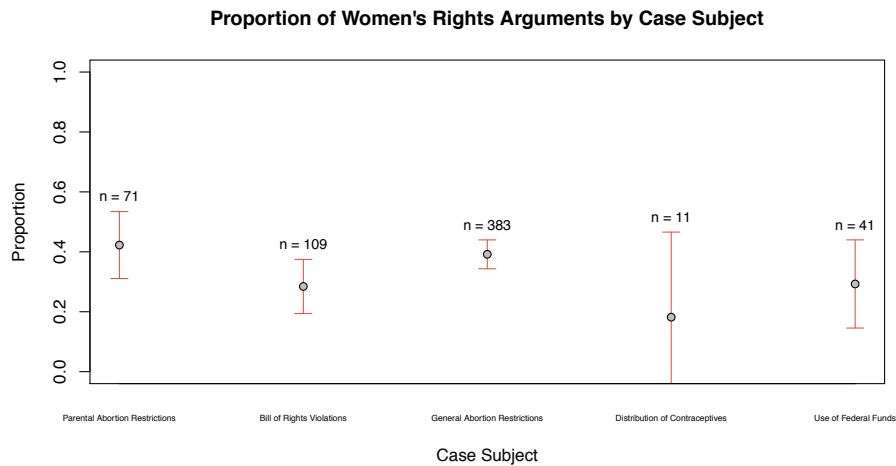


Figure 4.3: Distribution of Arguments by Case Subject with Confidence Intervals

I ran a linear regression to check the statistical significance of the relationship between case subject and argument. We can see that there is a significant relationship between argument and the case subjects of parental abortion restrictions, bill of rights violations, general abortion restrictions, and use of federal funds. There is not a statistically significant relationship with the distribution of contraceptives case subject. This could be due to the large difference in the amount of briefs in each category, which is noted in the figures above. The distribution of contraceptives category has the least amount of briefs in it,  $n = 11$ , which may lead to why it is not statistically significant.

Table 4.4: Regression Results for Case Subject

	<i>Dependent variable:</i>
	Predicted_Score
Parental Abortion Restrictions	0.423*** (0.057)
Bill of Rights Violations	0.284*** (0.046)
General Abortion Restrictions	0.392*** (0.025)
Distribution of Contraceptives	0.182 (0.145)
Use of Federal Funds	0.293*** (0.075)
Observations	615
R <sup>2</sup>	0.374
Adjusted R <sup>2</sup>	0.369
Residual Std. Error	0.481 (df = 610)
F Statistic	72.840*** (df = 5; 610)
<i>Note:</i>	*p<0.1; **p<0.05; ***p<0.01

This is a surprising result because one would expect that cases involving parental abortion restrictions would invoke other's rights, primarily parent's rights, more than that of other cases. However, that is clearly not the result, and even cases involving Bill of Rights violations invoke other's rights more than that of cases involving parental abortion restrictions. One reason for this could be my coding scheme. When author's spoke of other's general constitutional rights, I coded that into the other's rights category, because author's made the decision, whether intentionally or not, to not mention women. For example, in a brief submitted for *Bray v. Alexandria's Women's Health Clinic* (a Bill of Rights Violation case), individuals wrote, "We are all citizens of the United States; and, as members of the same community, must have the right to pass and re-pass through every part of it without interruption, as freely as in our own States." The author chose, whether subconsciously or not, to not connect this idea to women at all when the central question of the case was if anti-abortion protesters who obstructed access to Washington, D.C. abortion clinics violate 42 U.S.C. 1985(3) by conspiring to deny women their "right to abortion" or right to interstate travel. Because I coded similar statements under the other's rights nodes, it could explain why the Bill of Rights Violations case subject category focused on other's rights more than the Parental Abortion Restrictions category. One hypothesis worth investigating is which rights are most often pitted against women's rights. Are authors less likely to pit a specific group against women's rights compared to pitting other's general rights against women's rights arguments?

#### **4.4 Decision of the Case**

The tables on the next page indicate the frequency and proportion for the case decision and type of argument.

Table 4.5: Frequency Table for the Case Decision and Type of Argument

	Anti-Reproductive Rights	Pro-Reproductive Rights
Others' Rights	286	104
Women's Rights	123	102

Table 4.6: Proportion Table for the Case Decision and Type of Argument

	Anti-Reproductive Rights	Pro-Reproductive Rights
Others' Rights	69.93%	50.49%
Women's Rights	30.07%	49.51%

As we can observe, authors base their arguments on womens rights more frequently in cases where the decisions were pro-reproductive rights. Looking at the figure below, we can see a dramatic difference in the distribution of arguments based on the decision of the case. In cases where the decision was anti-reproductive rights, 30.1% of authors based their arguments on women's rights. In cases where the decision was pro-reproductive rights, 49.5% of authors based their arguments on women's rights.

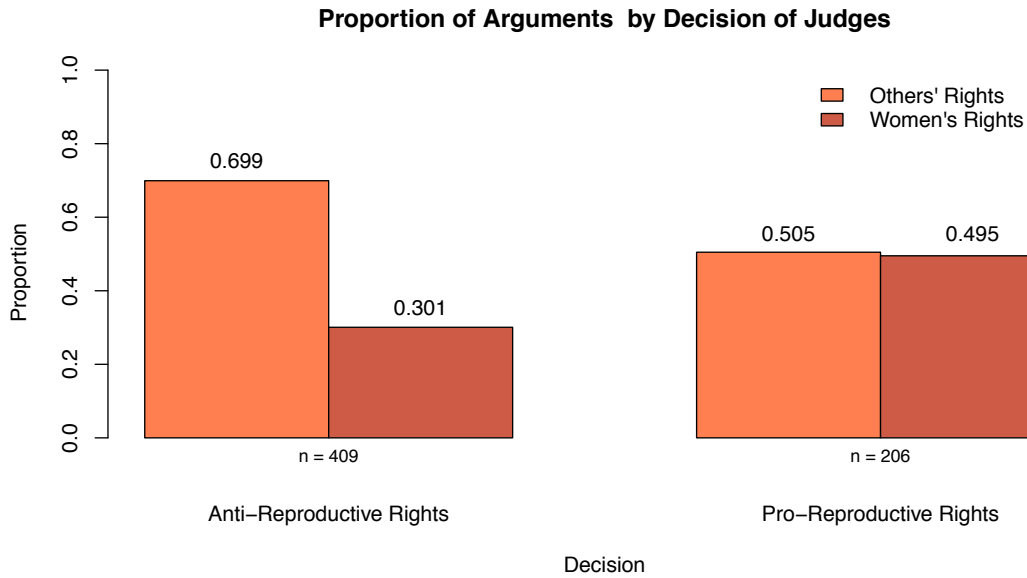


Figure 4.4: Distribution of Arguments by Decision

In order to see if these results are statistically significant, I ran a Chi square test. After running a Chi square test, I get a Chi statistic of 21.488, one degree of freedom, and p-value of 3.56e-06. This indicates that the difference in distribution of arguments when the decision is either pro or anti-reproductive rights is statistically significant. This could mean that basing an argument on women's rights is more likely to cause a decision to be pro-reproductive rights, or it could just reflect strategic decisions of the authors. For example, in cases where the authors predict the decision will be more pro-reproductive rights, the authors could be more comfortable with using arguments based on women's rights. We cannot say with any level of certainty that one of these hypotheses are correct; however, this could be a promising avenue for future research.

This is the only factor I am analyzing that happens *after* the writing process for brief authors. For all the other factors (case subject, stance, and time), the author is aware of them when writing the brief. However, they, at best, have a guess about how the case will be decided. Looking back at the results of this analysis, when the decision is pro-reproductive rights, Justices hear more women's rights arguments than when the case was anti-reproductive rights. This could mean that when Justices hear more women's rights arguments, Justices are more likely to vote pro-reproductive rights. While this is simply a hypothesis based off this data, and not a confirmed finding, the mere generation of this hypothesis is exciting. If this finding was confirmed, it would mean that Supreme Court Justices listen to arguments presented in briefs and the language of briefs are one of many guiding forces when deciding a case. If true, the Supreme Court could be more willing to uphold someone's rights after hearing humanizing arguments. This could indicate the legal field becoming a space for marginalized communities to fight for change. Specifically, this could indicate a movement towards the Supreme Court and legal field becoming an empowering way for women to share their powerful stories.



Additionally, this could be another way to increase democratic vertical engagement between Justices and disenfranchised American citizens. Briefs are a more democratic entry point for Americans into the Supreme Court, which could lead to further research confirming that these words are being heard and observed. However, these are all possible directions for future research and not a confirmed finding from this analysis.

Another potential possibility explaining the correlation between women's rights briefs and a pro-rights decision could be the fluctuating strategic value of women's rights arguments. By this, I mean that authors may choose to invoke arguments based on women's rights when they know that the case has a high chance of being decided pro-reproductive rights. When they know that the case already has a high chance of being decided pro-reproductive rights, brief authors may be more willing to take a risk and invoke more arguments based on women's rights. This correlation could just be reflecting that writers are more certain about some cases being decided pro-rights and then being more likely to vary the arguments and include women's rights.

While both of these are two very different hypotheses that can be generated from the same main finding, both are exciting because they illustrate that the language the Supreme Court Justices hears in amicus curiae briefs is strongly correlated with their decision. A lot of analyses on the Supreme Court focus more on opinions rather than briefs because opinions are much more publicized, and the general public is more aware of them. This finding points out that briefs are important and worthy of analysis because we can clearly see that the language of these briefs interact with the decision-making process or writing process in some way. Even if brief language does not immediately impact decision, it still matters that it has an impact on the writing process. The arguments that Justices hear compose the knowledge environment they are working from when thinking about how to decide a case. The language Justices

are exposed to is incredibly important. Even if the perceived certainty of a decision impacts the writing process more than the decision-making process, I believe there is a long-term impact and value of judges being exposed to varying arguments surrounding reproductive rights.

## 4.5 Stance of the Author

The tables below indicate the frequency and proportion for the stance of the author and type of argument.

Table 4.7: Frequency Table for the Author’s Stance and Type of Argument

	Anti-Reproductive Rights	Pro-Reproductive Rights
Others’ Rights	248	142
Women’s Rights	87	138

Table 4.8: Proportion Table for the Author’s Stance and Type of Argument

	Anti-Reproductive Rights	Pro-Reproductive Rights
Others’ Rights	74.03%	50.71%
Women’s Rights	25.97%	46.29%

As we can observe, authors base their arguments on women’s rights more frequently when they are pro-reproductive rights, which negates my hypothesis. Looking at Figure 4.5 on the next page, we can see a dramatic difference in the distribution of arguments based on the decision of the case. In cases where the decision was anti-reproductive rights, 30.1% of authors based their arguments on women’s rights. In cases where the decision was pro-reproductive rights, 49.5% of authors based their arguments on women’s rights.

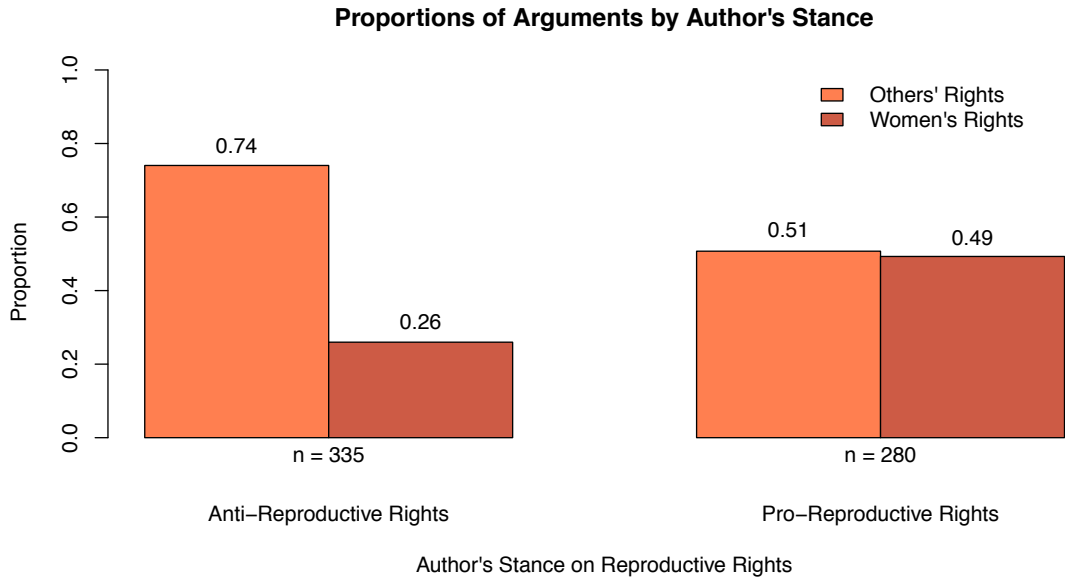


Figure 4.5: Distribution of Arguments by Author Stance

In order to see if these results are statistically significant, I ran a Chi square test. After running a Chi square test, I get a Chi statistic of 34.739, one degree of freedom, and p-value of 3.769e-09. This indicates that the difference in distribution of arguments when the author is either pro or anti-reproductive rights is statistically significant.

This analysis shows that authors who are pro-reproductive rights base their argument on women's rights more than that of people who are anti-reproductive rights. This is not an inherently shocking finding, but it is interesting. One initial hypothesis I had was that anti-reproductive rights authors would talk about women's rights more because they would be tearing them down, and pro-reproductive rights authors would use other's rights more because they wanted to have a stronger argument. This hypothesis was generated after reading the first ten briefs I used to create my coding manual, but it clearly does not extend to the rest of the sample. The hypothesis being incorrect is valuable because it indicates that authors might

not particularly think that using women’s rights arguments are risky. Rather, using arguments based on women’s rights might be more reflective of an author’s personal ideology around women’s reproductive rights. Additionally, this finding could indicate that pro-reproductive rights authors find arguments of women’s rights more persuasive and powerful than anti-reproductive rights authors find them.

This is also a valuable finding because it indicates that Justices are not being exposed only to women’s rights arguments in the context of them being torn down. As I discussed in Section 4.4, the language Justices hear is extremely impactful. To know that Justices are being exposed to women’s rights arguments in an affirmative, substantive way is a valuable finding. It is important that Justices are exposed to a variety of arguments surrounding women’s rights, and it is a happy finding to know that Justices are being exposed to positive, substantive arguments surrounding how women’s rights and reproductive rights interact.

## 4.6 Roe v. Wade

The tables below indicate the frequency and proportion for position to Roe v. Wade and type of argument.

Table 4.9: Frequency Table for Position to Roe v. Wade and Type of Argument

	Before Roe v. Wade	After Roe v. Wade
Others’ Rights	27	363
Women’s Rights	8	217

Table 4.10: Proportion Table for Position to Roe v. Wade and Type of Argument

	Anti-Reproductive Rights	Pro-Reproductive Rights
Others’ Rights	77.14%	62.59%
Women’s Rights	22.86%	37.41%

As we can observe, authors base their arguments on women’s rights more frequently after Roe v. Wade, which supports my hypothesis. Looking at the figure below, we can see a difference in the distribution of arguments based on the decision of the case. In cases that happened before and including Roe v. Wade, 23% of authors based their arguments on women’s rights. In cases after Roe v. Wade, 37% of authors based their arguments on women’s rights.

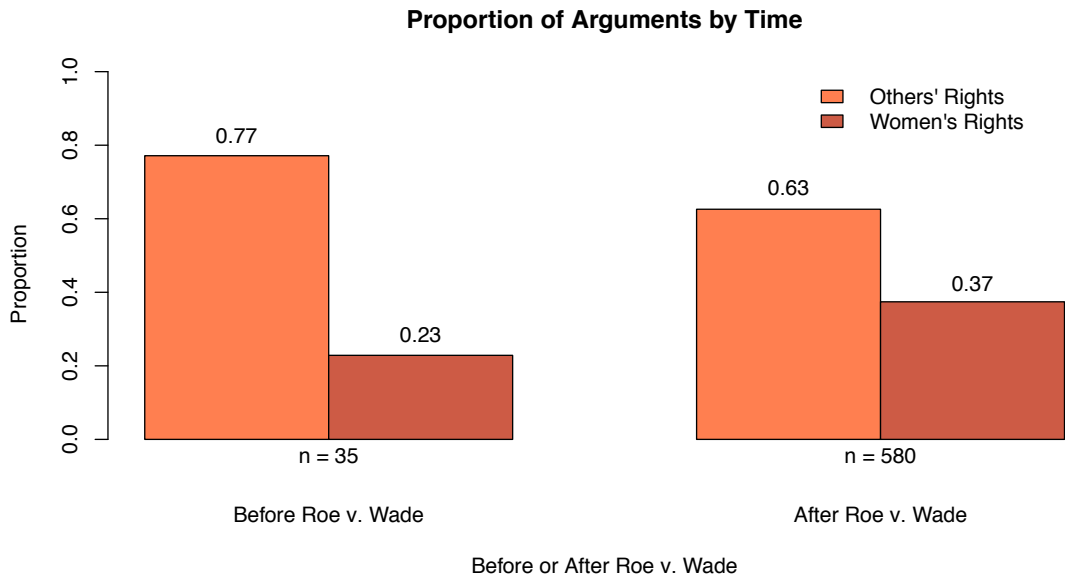


Figure 4.6: Distribution of Arguments by Relation to Roe v. Wade

In order to see if these results are statistically significant, I ran a Chi square test. After running a Chi square test, I get a Chi statistic of 2.4199, with one degree of freedom, and p-value of 0.1198. This indicates that the difference in distribution of arguments before and after Roe v. Wade is not statistically significant. One key reason this finding is not significant is due to the sample size in each category. In the figure above, we can see that there is a stark difference in the amount of briefs in each category. Many more cases happened after Roe v. Wade and many more briefs were submitted for those later cases. While a case could be made for an analysis with

a cut point that leads to a more equal distribution, *Roe v. Wade* is one of the most pivotal cases in the history of reproductive rights. It marks a huge turning point in the questions the Court was being asked, and it is worth looking at the difference in language of briefs after such a turning point. There is no other case that is as baked in the minds of all Americans and the legal system as a turning point in the fight for reproductive rights. In order to refine this analysis, I have chosen to look at decades in addition to position to *Roe v. Wade*.

## 4.7 Decade

We can see that there are differences in the way authors base their argument based on decade with a clear upward trend in how many authors base their argument off of women's rights. After every decade, the percentage of briefs based on women's rights increases, moving from 28% to 43%. Despite varying levels of political turmoil surrounding women's rights through different decades, there is a steady, continuous upward trend, with no noticeably sharp jump. The largest increase, excluding the 60s, happens between the 80s and 90s, where we move to 30% of briefs being based on women's rights arguments to 38%. It is important to note that even today we have not reached a point where more than half of the author's base their arguments on women's rights. It is also important to note the outlier of the 60s. In the 60s, there were a total of 5 total briefs submitted for a total of 2 cases, which is the least amount of briefs and cases in any decade. It is also interesting to note that every one of those briefs were written by a pro-choice author. Because this decade is such a strong outlier, I have decided to exclude it from further analysis.

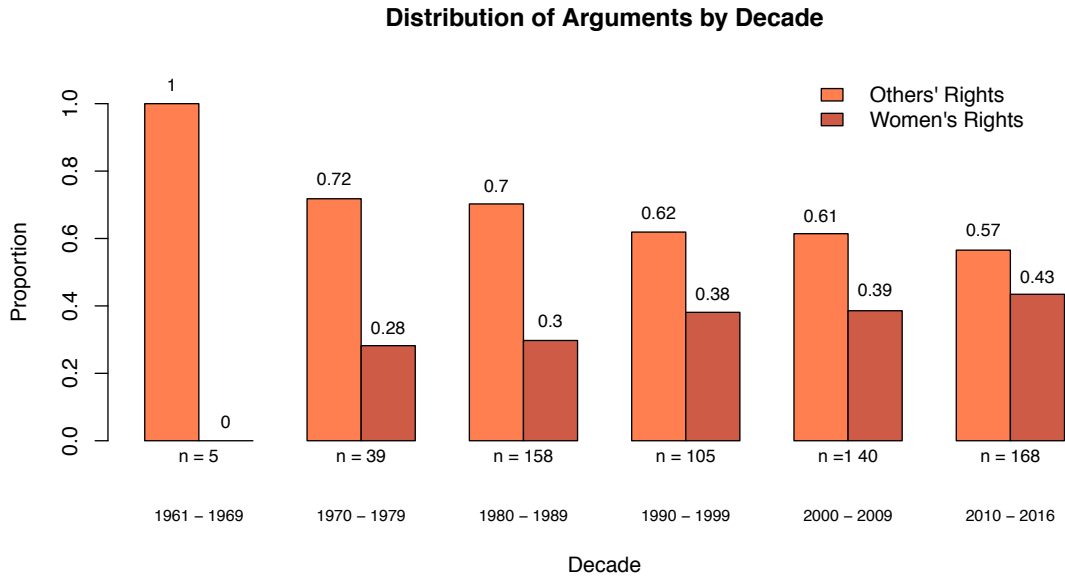


Figure 4.7: Distribution of Arguments by Decade

The figure below depicts the proportion of briefs submitted for each decade that were based on womens rights along with the 95% confidence interval.

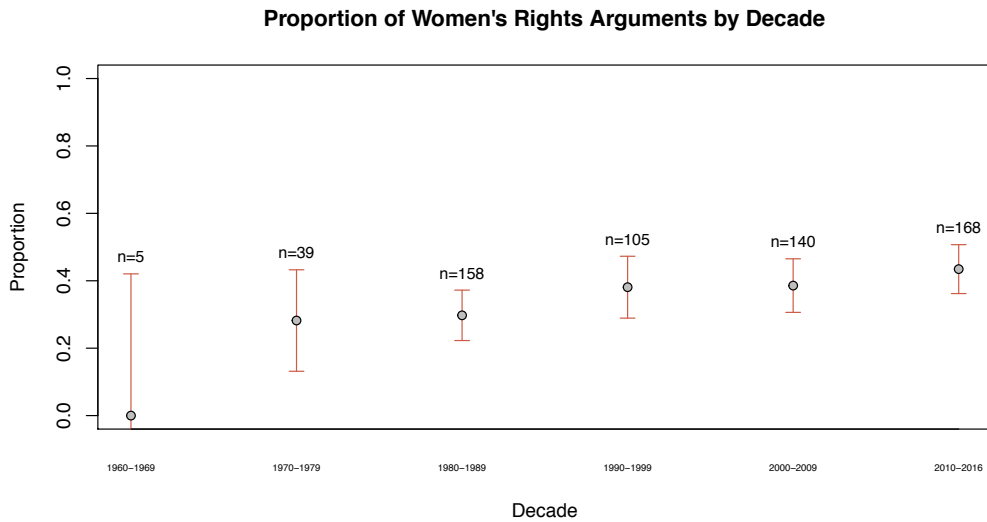


Figure 4.8: Distribution of Arguments by Decade with 95% Confidence Intervals

I ran a linear regression to check the statistical significance of the relationship between decade and argument. We can see that there is a significant relationship between argument and decade for every decade except the Sixties, which was expected due to the small sample size.

Table 4.11: Regression Results for Decade

	<i>Dependent variable:</i>
	Predicted_Score
1960-1969	0.000 (0.215)
1970-1979	0.282*** (0.077)
1980-1989	0.297*** (0.038)
1990-1999	0.381*** (0.047)
2000-2009	0.386*** (0.041)
2010-2016	0.435*** (0.037)
Observations	615
R <sup>2</sup>	0.377
Adjusted R <sup>2</sup>	0.371
Residual Std. Error	0.480 (df = 609)
F Statistic	61.474*** (df = 6; 609)
<i>Note:</i>	*p<0.1; **p<0.05; ***p<0.01

This is an exciting finding because we can see that over time, more authors are using arguments of women's rights. This positive upward trend means Justices are getting exposed to more arguments about women's rights as they are faced with the task of deciding harder cases about reproductive rights. Additionally, this signals how



writers have been shifting their focus to include more women’s rights arguments over time. It is still not a majority, but looking at trends in Figure 4.8, we can see how we can reach a majority soon. One interesting direction for further research could be tracking how the breakdown of other’s rights changes over time. Additionally, another possible direction is exploring if there are any noticeable shifts in what arguments women’s rights are being pitted against over time.

## 4.8 Returning to Initial Hypotheses

I was testing five initial hypotheses. The table below depicts each hypotheses and whether my results support that hypothesis or not.

Hypothesis	Result
Authors will invoke arguments of other’s rights more than arguments of women’s rights.	Supported
The subject of the case will significantly change the language used in briefs.	Supported
There will be a correlation between brief language and decision of the case.	Supported
Pro-reproductive rights authors will use arguments of women’s rights less.	Not Supported
Authors will use more arguments based on women’s rights over time.	Supported

Table 4.12: Initial Hypotheses and Results from Testing

All my hypotheses, except for one, were supported. Hypothesis 4, that pro-reproductive rights authors will use arguments of womens rights less, was not supported. From this analysis, we can conclude that authors prefer arguments of other’s rights. Additionally, we can conclude that case subject, stance of author, and time all effect this perceive persuasiveness of women’s rights arguments.

## CHAPTER V

### Conclusion

The Supreme Court has captured American's attention, and understanding the language these powerful Justices are exposed to is incredibly important. By knowing the language they are being exposed to, we can better understand the frameworks they are working from when answering complex legal questions surrounding women's and reproductive rights. Additionally, understanding this language provides us with information about how the authors of these briefs, a diverse group, conceptualize reproductive rights.

But what are feminist scholars to do when overwhelmed by a simply unreadable mass of text? This project has shown how supervised learning methods, natural language processing methods, and text analysis methods can be used to uncover important legal perspective. These methods are a tool that modern scholars have been gifted with, and it is a valuable opportunity to employ them to understand the questions that tug at what we do not know. This becomes increasingly important when we recognize that these methods are a tool to fight for disenfranchised citizens' rights. Reproductive rights have become a battleground, and it is not bloodless. Every day women do not have the ability to exercise their full human reproductive rights, women, families, and children are hurt. Learning methods like this can help speed up analysis, giving us answers quickly without having to sacrifice quality.

Additionally, analyzing amicus curiae is an exciting new pathway for further research. Every American has the opportunity to speak directly to Justices in this way. This is especially exciting in cases like reproductive cases, in which women who may not have a voice through other avenues can speak directly to those deciding important questions that affect their lives. Amicus curiae briefs are an example of democracy in action and how obtuse legal processes can become an intimate, empowering sphere. Hopefully, this project underscores the opportunities for analysis awaiting in amicus curiae briefs.

This project set out to answer the question: under what conditions do brief writers choose to include women's rights? No studies existed that looked at how reproductive rights are discussed in amicus curiae briefs, which presented a novel opportunity to discover how a diverse set of Americans and organizations were using the legal system to voice their arguments. Using a naive Bayes classifier, I was classified 615 amicus curiae briefs on the argument basis. This led to the discovery that while brief writers are more likely to use others' rights arguments, they are most likely to use arguments of women's rights in cases involving distribution of contraceptives and parental abortion restrictions. Additionally, authors are more likely to use women's rights arguments when the author is pro-reproductive rights.

This project establishes that currently, Justices are hearing little arguments on women's rights, even in cases where the entire question is about a woman's right to exercise autonomy over her body. Promising avenues of future research include exploring what other rights they are being exposed to, how all these rights are being pitted against each other, and what authors are using what combination of rights.



## APPENDICES

## APPENDIX A

### Briefs Used for Analysis

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Brief File Name	Year	Case	Accuracy	Training
Brief_PvU_PPFA	1961	Poe v. Ullman	NA	NA
Brief_PvU_ACLU	1961	Poe v. Ullman	NA	NA
Brief_GvC_ACLU	1965	Griswold v. Connecticut	NA	1
Brief_GvC_Physicians	1965	Griswold v. Connecticut	NA	1
Brief_GvC_PPFA	1965	Griswold v. Connecticut	NA	1
Brief_UvV_SASSONE	1971	United States v. Vuitch	NA	NA
Brief_UvV_HEFFERNAN	1971	United States v. Vuitch	NA	NA
Brief_UvV_COLLITON	1971	United States v. Vuitch	NA	NA
Brief_UvV_HRW	1971	United States v. Vuitch	NA	NA
Brief_UvV_NLPHP	1971	United States v. Vuitch	NA	NA
Brief_UvV_JWOSC	1971	United States v. Vuitch	NA	NA
Brief_UvV_ACLU	1971	United States v. Vuitch	NA	NA
Brief_EvB_PPFA	1972	Eisenstadt v. Baird	NA	NA
Brief_EvB_PPLM	1972	Eisenstadt v. Baird	NA	1
Brief_EvB_HRW	1972	Eisenstadt v. Baird	NA	1

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Brief File Name	Year	Case	Accuracy	Training
Brief_EvB_ACLU	1972	Eisenstadt v. Baird	NA	1
Brief_RvW_AG	1973	Roe v. Wade	NA	NA
Brief_RvW_ATDA	1973	Roe v. Wade	NA	NA
Brief_RvW_AUL	1973	Roe v. Wade	NA	NA
Brief_RvW_ACOG	1973	Roe v. Wade	NA	NA
Brief_RvW_PPFofAC	1973	Roe v. Wade	NA	NA
Brief_RvW_RLS	1973	Roe v. Wade	NA	NA
Brief_RvW_SCAA	1973	Roe v. Wade	NA	NA
Brief_RvW_PPFA	1973	Roe v. Wade	NA	NA
Brief_RvW_NLPHPP	1973	Roe v. Wade	NA	NA
Brief_RvW_ORGSNW	1973	Roe v. Wade	NA	NA
Brief_RvW_WONW	1973	Roe v. Wade	NA	NA
Brief_RvW_NRLC	1973	Roe v. Wade	1	NA
Brief_RvW_WFTU	1973	Roe v. Wade	NA	NA
Brief_RvW_NWL	1973	Roe v. Wade	NA	NA
Brief_RvW_AAPPP	1973	Roe v. Wade	NA	NA
Brief_DvB_WONW	1973	Doe v. Bolton	NA	NA
Brief_DvB_NLPHPP	1973	Doe v. Bolton	NA	1
Brief_DvB_ACOG	1973	Doe v. Bolton	NA	NA
Brief_DvB_BUCKLEY	1973	Doe v. Bolton	NA	1
Brief_BvV_PCCWPS	1975	Bigelow v. Virginia	NA	1
Brief_BvV_VRTL	1975	Bigelow v. Virginia	NA	1
Brief_CvPSI_PP	1977	Carey v. PSI	NA	NA
Brief_CvPSI_ACLU	1977	Carey v. PSI	NA	1
Brief_BvB_CLRCR	1979	Belotti v. Baird	NA	NA

Brief File Name	Year	Case	Accuracy	Training
Brief_CvF_LDFUC	1979	Colautti v. Franklin	NA	1
Brief_CvF_AUL	1979	Colautti v. Franklin	NA	1
Brief_CvF_USCC	1979	Colautti v. Franklin	NA	1
Brief_CvF_APHA	1979	Colautti v. Franklin	NA	1
Brief_HvM_CLP	1980	Harris v. McRae	NA	NA
Brief_HvM_NOW	1980	Harris v. McRae	NA	NA
Brief_HvM_ALAACNY	1980	Harris v. McRae	NA	NA
Brief_HvM_AGSNY	1980	Harris v. McRae	NA	NA
Brief_HvM_NCCCUSA	1980	Harris v. McRae	NA	NA
Brief_HvM_AEU	1980	Harris v. McRae	NA	NA
Brief_HvM_REPS	1980	Harris v. McRae	NA	NA
Brief_HvM_UPCUSA	1980	Harris v. McRae	NA	NA
Brief_HvM_USCC	1980	Harris v. McRae	NA	NA
Brief_HvM_CHJ	1980	Harris v. McRae	NA	NA
Brief_WvZ_PPFofAC	1980	Williams v. Zbaraz	NA	NA
Brief_WvZ_PNHA	1980	Williams v. Zbaraz	NA	NA
Brief_WvZ_NRLC	1980	Williams v. Zbaraz	NA	NA
Brief_WvZ_UTAH	1980	Williams v. Zbaraz	NA	NA
Brief_WvZ_LDFUC	1980	Williams v. Zbaraz	NA	NA
Brief_WvZ_WDBGMUMC	1980	Williams v. Zbaraz	NA	NA
Brief_WvZ_USCC	1980	Williams v. Zbaraz	NA	NA
Brief_WvZ_WLF	1980	Williams v. Zbaraz	NA	NA
Brief_HLvM_AUL	1981	H.L. v. Matheson	NA	1
Brief_HLvM_PPFA	1981	H.L. v. Matheson	NA	NA
Brief_HLvM_UAW	1981	H.L. v. Matheson	NA	NA



Brief File Name	Year	Case	Accuracy	Training
Brief_HLvM_CMRW	1981	H.L. v. Matheson	NA	1
Brief_HLvM_LDFUC	1981	H.L. v. Matheson	NA	1
Brief_CAvACRH_LDFUC	1983	City of Akron v. ACRH	NA	NA
Brief_CAvACRH_CWL	1983	City of Akron v. ACRH	NA	NA
Brief_CAvACRH_ACOG	1983	City of Akron v. ACRH	NA	NA
Brief_CAvACRH_LFL	1983	City of Akron v. ACRH	NA	NA
Brief_CAvACRH_AUL	1983	City of Akron v. ACRH	NA	NA
Brief_CAvACRH_AEU	1983	City of Akron v. ACRH	NA	NA
Brief_CAvACRH_FFL	1983	City of Akron v. ACRH	NA	NA
Brief_CAvACRH_CAP	1983	City of Akron v. ACRH	NA	NA
Brief_CAvACRH_NAF	1983	City of Akron v. ACRH	NA	1
Brief_CAvACRH_W	1983	City of Akron v. ACRH	NA	NA
Brief_CAvACRH_APA	1983	City of Akron v. ACRH	NA	NA
Brief_CAvACRH_NAACP	1983	City of Akron v. ACRH	NA	1
Brief_CAvACRH_US	1983	City of Akron v. ACRH	NA	NA
Brief_CAvACRH_PPFA	1983	City of Akron v. ACRH	NA	NA
Brief_CAvACRH_UFF	1983	City of Akron v. ACRH	NA	1
Brief_CAvACRH_CLRCR	1983	City of Akron v. ACRH	NA	NA
Brief_CAvACRH_WLS	1983	City of Akron v. ACRH	NA	NA
Brief_PPAKcVA_NRLC	1983	PPA of KC, Mo. v. Ashcroft	NA	NA
Brief_PPAKcVA_PPFA	1983	PPA of KC, Mo. v. Ashcroft	NA	NA
Brief_PPAKcVA_WLS	1983	PPA of KC, Mo. v. Ashcroft	NA	NA
Brief_BvYDPC_PPFA	1983	Bolger v. YDPC	NA	1
Brief_BvYDPC_ACLU	1983	Bolger v. YDPC	NA	1
Brief_SvV_APHA	1983	Simopoulos v. Virginia	NA	NA

Brief File Name	Year	Case	Accuracy	Training
Brief_SvV_C FARASA	1983	Simopoulos v. Virginia	NA	NA
Brief_SvV_NOW	1983	Simopoulos v. Virginia	NA	NA
Brief_SvV_WLS	1983	Simopoulos v. Virginia	NA	NA
Brief_SvV_LDFUC	1983	Simopoulos v. Virginia	NA	NA
Brief_SvV_CLPI	1983	Simopoulos v. Virginia	NA	NA
Brief_TvACOG_ACLU	1986	Thornburgh v. ACOG	NA	NA
Brief_TvACOG_AMA	1986	Thornburgh v. ACOG	NA	NA
Brief_TvACOG_CCR	1986	Thornburgh v. ACOG	NA	NA
Brief_TvACOG_NOW	1986	Thornburgh v. ACOG	NA	NA
Brief_TvACOG_CONGRESS	1986	Thornburgh v. ACOG	NA	NA
Brief_TvACOG_AHGLP	1986	Thornburgh v. ACOG	NA	NA
Brief_TvACOG_NARAL	1986	Thornburgh v. ACOG	NA	NA
Brief_TvACOG_UUA	1986	Thornburgh v. ACOG	NA	NA
Brief_TvACOG_US	1986	Thornburgh v. ACOG	NA	NA
Brief_TvACOG_LANE	1986	Thornburgh v. ACOG	NA	NA
Brief_TvACOG_APA	1986	Thornburgh v. ACOG	NA	NA
Brief_TvACOG_AGNYS	1986	Thornburgh v. ACOG	NA	NA
Brief_TvACOG_USCC	1986	Thornburgh v. ACOG	NA	NA
Brief_BvK_CCUSA	1988	Bowen v. Kendrick	NA	NA
Brief_BvK_CPERL	1988	Bowen v. Kendrick	NA	NA
Brief_BvK_NCPERL	1988	Bowen v. Kendrick	NA	NA
Brief_BvK_AGS	1988	Bowen v. Kendrick	NA	1
Brief_BvK_NJCLPA	1988	Bowen v. Kendrick	NA	NA
Brief_BvK_UUA	1988	Bowen v. Kendrick	NA	NA
Brief_BvK_NOW	1988	Bowen v. Kendrick	NA	1

Brief File Name	Year	Case	Accuracy	Training
Brief_BvK_CRF	1988	Bowen v. Kendrick	NA	NA
Brief_BvK_APHA	1988	Bowen v. Kendrick	NA	NA
Brief_BvK_ADLBB	1988	Bowen v. Kendrick	NA	1
Brief_BvK_BJCPA	1988	Bowen v. Kendrick	NA	NA
Brief_BvK_RI	1988	Bowen v. Kendrick	NA	NA
Brief_BvK_USCC	1988	Bowen v. Kendrick	NA	NA
Brief_BvK_UFA	1988	Bowen v. Kendrick	NA	1
Brief_BvK_IYA	1988	Bowen v. Kendrick	NA	NA
Brief_BvK_CLRCR	1988	Bowen v. Kendrick	NA	NA
Brief_WvRHS_CONGRESS	1989	Webster v. RHS	NA	NA
Brief_WvRHS_SCIENTISTS	1989	Webster v. RHS	NA	NA
Brief_WvRHS_ALUC	1989	Webster v. RHS	NA	NA
Brief_WvRHS_RLA	1989	Webster v. RHS	NA	NA
Brief_WvRHS_CPO	1989	Webster v. RHS	NA	NA
Brief_WvRHS_DFL	1989	Webster v. RHS	NA	NA
Brief_WvRHS_FOTF	1989	Webster v. RHS	NA	NA
Brief_WvRHS_ACLU	1989	Webster v. RHS	NA	NA
Brief_WvRHS_ARHP	1989	Webster v. RHS	NA	NA
Brief_WvRHS_ABCNY	1989	Webster v. RHS	NA	NA
Brief_WvRHS_NCNW	1989	Webster v. RHS	NA	NA
Brief_WvRHS_ALL	1989	Webster v. RHS	NA	NA
Brief_WvRHS_AJC	1989	Webster v. RHS	NA	NA
Brief_WvRHS_AGS	1989	Webster v. RHS	NA	NA
Brief_WvRHS_AFA	1989	Webster v. RHS	NA	NA
Brief_WvRHS_AAME	1989	Webster v. RHS	NA	NA

Brief File Name	Year	Case	Accuracy	Training
Brief_WvRHS_CJS	1989	Webster v. RHS	NA	NA
Brief_WvRHS_HOC	1989	Webster v. RHS	NA	NA
Brief_WvRHS_NRLC	1989	Webster v. RHS	NA	NA
Brief_WvRHS_MGA	1989	Webster v. RHS	NA	NA
Brief_WvRHS_GALP	1989	Webster v. RHS	NA	NA
Brief_WvRHS_ADA	1989	Webster v. RHS	NA	NA
Brief_WvRHS_ALA	1989	Webster v. RHS	NA	NA
Brief_WvRHS_APA	1989	Webster v. RHS	NA	NA
Brief_WvRHS_NECAC	1989	Webster v. RHS	NA	NA
Brief_WvRHS_VAUGHN	1989	Webster v. RHS	NA	NA
Brief_WvRHS_NATHANSON	1989	Webster v. RHS	NA	NA
Brief_WvRHS_BFP	1989	Webster v. RHS	NA	NA
Brief_WvRHS_B	1989	Webster v. RHS	NA	NA
Brief_WvRHS_CFFC	1989	Webster v. RHS	NA	NA
Brief_WvRHS_CONG	1989	Webster v. RHS	NA	NA
Brief_WvRHS_ALLEN	1989	Webster v. RHS	NA	NA
Brief_WvRHS_FFL	1989	Webster v. RHS	NA	NA
Brief_WvRHS_HLI	1989	Webster v. RHS	NA	NA
Brief_WvRHS_JOYCE	1989	Webster v. RHS	NA	NA
Brief_WvRHS_ORGSNW	1989	Webster v. RHS	NA	NA
Brief_WvRHS_MARX	1989	Webster v. RHS	NA	NA
Brief_WvRHS_PEB	1989	Webster v. RHS	NA	NA
Brief_WvRHS_WWHHA	1989	Webster v. RHS	NA	NA
Brief_WvRHS_CLGAB	1989	Webster v. RHS	NA	NA
Brief_WvRHS_NCADV	1989	Webster v. RHS	NA	NA

Brief File Name	Year	Case	Accuracy	Training
Brief_WvRHS_NOW	1989	Webster v. RHS	NA	NA
Brief_WvRHS_RTLLSC	1989	Webster v. RHS	NA	NA
Brief_WvRHS_SCLE	1989	Webster v. RHS	NA	NA
Brief_WvRHS_SLLC	1989	Webster v. RHS	NA	NA
Brief_WvRHS_US	1989	Webster v. RHS	NA	NA
Brief_WvRHS_HISTORIANS	1989	Webster v. RHS	NA	NA
Brief_WvRHS_AIA	1989	Webster v. RHS	NA	NA
Brief_WvRHS_ACL	1989	Webster v. RHS	NA	NA
Brief_WvRHS_AUSCS	1989	Webster v. RHS	NA	NA
Brief_WvRHS_APHA	1989	Webster v. RHS	NA	NA
Brief_WvRHS_IWHO	1989	Webster v. RHS	NA	NA
Brief_WvRHS_NAWL	1989	Webster v. RHS	NA	NA
Brief_WvRHS_LEGISLATORS	1989	Webster v. RHS	NA	NA
Brief_WvRHS_IRLF	1989	Webster v. RHS	NA	NA
Brief_WvRHS_MCC	1989	Webster v. RHS	NA	NA
Brief_WvRHS_CHAUS	1989	Webster v. RHS	NA	NA
Brief_WvRHS_CARAL	1989	Webster v. RHS	NA	NA
Brief_WvRHS_CUL	1989	Webster v. RHS	NA	NA
Brief_WvRHS_LEGIS	1989	Webster v. RHS	NA	NA
Brief_WvRHS_GACP	1989	Webster v. RHS	NA	NA
Brief_WvRHS_CASE	1989	Webster v. RHS	NA	NA
Brief_WvRHS_CHGC	1989	Webster v. RHS	NA	NA
Brief_WvRHS_FSA	1989	Webster v. RHS	NA	NA
Brief_WvRHS_NARAL	1989	Webster v. RHS	NA	NA
Brief_WvRHS_AAPLOG	1989	Webster v. RHS	NA	NA

Brief File Name	Year	Case	Accuracy	Training
Brief_WvRHS_AMA	1989	Webster v. RHS	NA	NA
Brief_WvRHS_ANA	1989	Webster v. RHS	NA	NA
Brief_WvRHS_APJ	1989	Webster v. RHS	NA	NA
Brief_WvRHS_AGC	1989	Webster v. RHS	NA	NA
Brief_WvRHS_KOC	1989	Webster v. RHS	NA	NA
Brief_WvRHS_LCMS	1989	Webster v. RHS	NA	NA
Brief_WvRHS_NAPH	1989	Webster v. RHS	1	NA
Brief_WvRHS_NFPRHA	1989	Webster v. RHS	NA	NA
Brief_WvRHS_NLF	1989	Webster v. RHS	NA	NA
Brief_WvRHS_RI	1989	Webster v. RHS	NA	NA
Brief_WvRHS_USCC	1989	Webster v. RHS	NA	NA
Brief_WvRHS_LYNCH	1989	Webster v. RHS	NA	NA
Brief_HvML_CONGRESS	1990	Hodgson v. Minnesota	NA	NA
Brief_HvML_CPO	1990	Hodgson v. Minnesota	NA	NA
Brief_HvML_FFFRC	1990	Hodgson v. Minnesota	NA	NA
Brief_HvML_AGS	1990	Hodgson v. Minnesota	NA	NA
Brief_HvML_EISSR	1990	Hodgson v. Minnesota	NA	NA
Brief_HvML_US	1990	Hodgson v. Minnesota	NA	NA
Brief_HvML_LYNCH	1990	Hodgson v. Minnesota	NA	NA
Brief_HvML_MGACP	1990	Hodgson v. Minnesota	NA	NA
Brief_HvML_AAPS	1990	Hodgson v. Minnesota	NA	NA
Brief_HvML_CLRCR	1990	Hodgson v. Minnesota	NA	NA
Brief_HvML_LCMS	1990	Hodgson v. Minnesota	NA	NA
Brief_HvML_NFPRHA	1990	Hodgson v. Minnesota	NA	NA
Brief_HvML_USCC	1990	Hodgson v. Minnesota	NA	NA

Brief File Name	Year	Case	Accuracy	Training
Brief_HvMI_MINNESOTA	1990	Hodgson v. Minnesota	NA	NA
Brief_RvS_NRLC	1991	Rust v. Sullivan	NA	NA
Brief_RvS_CONGRESS	1991	Rust v. Sullivan	NA	NA
Brief_RvS_USCC	1991	Rust v. Sullivan	NA	NA
Brief_RvS_ALA	1991	Rust v. Sullivan	NA	NA
Brief_RvS_NAACP	1991	Rust v. Sullivan	NA	NA
Brief_RvS_ALL	1991	Rust v. Sullivan	NA	NA
Brief_RvS_NOW	1991	Rust v. Sullivan	NA	NA
Brief_RvS_PPFA	1991	Rust v. Sullivan	NA	NA
Brief_RvS_APHA	1991	Rust v. Sullivan	NA	NA
Brief_RvS_OHIO	1991	Rust v. Sullivan	NA	NA
Brief_RvS_APHANOW	1991	Rust v. Sullivan	NA	NA
Brief_RvS_ABCNY	1991	Rust v. Sullivan	NA	NA
Brief_RvS_AGS	1991	Rust v. Sullivan	NA	NA
Brief_RvS_ETHICISTS	1991	Rust v. Sullivan	NA	NA
Brief_RvS_CUL	1991	Rust v. Sullivan	NA	NA
Brief_RvS_FFL	1991	Rust v. Sullivan	NA	NA
Brief_RvS_REPS	1991	Rust v. Sullivan	NA	NA
Brief_RvS_AAME	1991	Rust v. Sullivan	NA	NA
Brief_RvS_ACOG	1991	Rust v. Sullivan	NA	NA
Brief_RvS_AAPS	1991	Rust v. Sullivan	NA	NA
Brief_RvS_MASSACHUSETTS	1991	Rust v. Sullivan	NA	NA
Brief_RvS_KOC	1991	Rust v. Sullivan	NA	NA
Brief_RvS_NAWL	1991	Rust v. Sullivan	NA	NA
Brief_PPSPvC_AGI	1992	PP of SE P v. Casey	NA	NA

Brief File Name	Year	Case	Accuracy	Training
Brief_PPSPvC_ORGS	1992	PP of SE P v. Casey	NA	NA
Brief_PPSPvC_CONGRESS	1992	PP of SE P v. Casey	NA	NA
Brief_PPSPvC_LII	1992	PP of SE P v. Casey	NA	NA
Brief_PPSPvC_NLF	1992	PP of SE P v. Casey	NA	NA
Brief_PPSPvC_USCC	1992	PP of SE P v. Casey	NA	NA
Brief_PPSPvC_APA	1992	PP of SE P v. Casey	NA	NA
Brief_PPSPvC_REPS	1992	PP of SE P v. Casey	NA	NA
Brief_PPSPvC_SCLE	1992	PP of SE P v. Casey	NA	NA
Brief_PPSPvC_US	1992	PP of SE P v. Casey	NA	NA
Brief_PPSPvC_HISTORIANS	1992	PP of SE P v. Casey	1	NA
Brief_PPSPvC_AIA	1992	PP of SE P v. Casey	NA	NA
Brief_PPSPvC_NAACP	1992	PP of SE P v. Casey	NA	NA
Brief_PPSPvC_CUL	1992	PP of SE P v. Casey	NA	NA
Brief_PPSPvC_LEGIS	1992	PP of SE P v. Casey	NA	NA
Brief_PPSPvC_AZLEGIS	1992	PP of SE P v. Casey	NA	NA
Brief_PPSPvC_TBAFL	1992	PP of SE P v. Casey	NA	NA
Brief_PPSPvC_AAME	1992	PP of SE P v. Casey	NA	NA
Brief_PPSPvC_ACOG	1992	PP of SE P v. Casey	NA	NA
Brief_PPSPvC_CNY	1992	PP of SE P v. Casey	NA	NA
Brief_PPSPvC_KOC	1992	PP of SE P v. Casey	NA	NA
Brief_PPSPvC_SNY	1992	PP of SE P v. Casey	NA	NA
Brief_PPSPvC_UFFL	1992	PP of SE P v. Casey	NA	NA
Brief_PPSPvC_LDFUC	1992	PP of SE P v. Casey	NA	NA
Brief_PPSPvC_CROOK	1992	PP of SE P v. Casey	NA	NA
Brief_BvAWHC_BERRIGAN	1993	Bray v. AWHC	NA	1



Brief File Name	Year	Case	Accuracy	Training
Brief_BvAWHC_NRLC	1993	Bray v. AWHC	1	NA
Brief_BvAWHC_RI	1993	Bray v. AWHC	NA	NA
Brief_BvAWHC_AVA	1993	Bray v. AWHC	NA	NA
Brief_BvAWHC_LUCAS	1993	Bray v. AWHC	NA	1
Brief_BvAWHC_ACLU	1993	Bray v. AWHC	NA	NA
Brief_BvAWHC_FCV	1993	Bray v. AWHC	NA	NA
Brief_BvAWHC_NAACP	1993	Bray v. AWHC	NA	NA
Brief_BvAWHC_SCLE	1993	Bray v. AWHC	NA	1
Brief_BvAWHC_US	1993	Bray v. AWHC	NA	1
Brief_BvAWHC_NARAL	1993	Bray v. AWHC	NA	NA
Brief_BvAWHC_CWA	1993	Bray v. AWHC	NA	NA
Brief_BvAWHC_FFLA	1993	Bray v. AWHC	NA	NA
Brief_BvAWHC_FCF	1993	Bray v. AWHC	NA	NA
Brief_BvAWHC_LYNCH	1993	Bray v. AWHC	NA	NA
Brief_BvAWHC_AGSNY	1993	Bray v. AWHC	NA	1
Brief_BvAWHC_WEA	1993	Bray v. AWHC	NA	NA
Brief_MvWHC_DOR	1994	Madsen v. WHC	NA	NA
Brief_MvWHC_NAF	1994	Madsen v. WHC	NA	NA
Brief_MvWHC_SCLE	1994	Madsen v. WHC	NA	NA
Brief_MvWHC_US	1994	Madsen v. WHC	NA	NA
Brief_MvWHC_NOW	1994	Madsen v. WHC	NA	NA
Brief_MvWHC_CLS	1994	Madsen v. WHC	NA	NA
Brief_MvWHC_PFAW	1994	Madsen v. WHC	NA	NA
Brief_MvWHC_ACOG	1994	Madsen v. WHC	NA	NA
Brief_MvWHC_CRLP	1994	Madsen v. WHC	NA	NA

Brief File Name	Year	Case	Accuracy	Training
Brief_MvWHC_RI	1994	Madsen v. WHC	NA	NA
Brief_MvWHC_STATES	1994	Madsen v. WHC	NA	NA
Brief_MVWHC_AFL	1994	Madsen v. WHC	NA	NA
Brief_SvPCNWNV_LC	1997	Schenck v. PCN of W NY	NA	NA
Brief_SvPCNWNV_LDF	1997	Schenck v. PCN of W NY	NA	NA
Brief_SvPCNWNV_ACLU	1997	Schenck v. PCN of W NY	NA	NA
Brief_SvPCNWNV_ACOG	1997	Schenck v. PCN of W NY	NA	NA
Brief_SvPCNWNV_AFL	1997	Schenck v. PCN of W NY	NA	NA
Brief_SvPCNWNV_CPAZ	1997	Schenck v. PCN of W NY	NA	NA
Brief_SvPCNWNV_ACLUF	1997	Schenck v. PCN of W NY	NA	NA
Brief_SvPCNWNV_STATES	1997	Schenck v. PCN of W NY	NA	NA
Brief_SvPCNWNV_FRC	1997	Schenck v. PCN of W NY	NA	NA
Brief_SvPCNWNV_FMF	1997	Schenck v. PCN of W NY	NA	NA
Brief_SvPCNWNV_AMWA	1997	Schenck v. PCN of W NY	NA	NA
Brief_SvPCNWNV_RI	1997	Schenck v. PCN of W NY	NA	NA
Brief_SvPCNWNV_SNY	1997	Schenck v. PCN of W NY	NA	NA
Brief_SvPCNWNV_LDFUC	1997	Schenck v. PCN of W NY	NA	NA
Brief_SvC_AAPS	2000	Stenberg v. Carhart	NA	NA
Brief_SvC_FFL	2000	Stenberg v. Carhart	NA	NA
Brief_SvC_ORGS	2000	Stenberg v. Carhart	NA	NA
Brief_SvC_FF	2000	Stenberg v. Carhart	NA	NA
Brief_SvC_RTLLA	2000	Stenberg v. Carhart	NA	NA
Brief_SvC_TBAFL	2000	Stenberg v. Carhart	NA	NA
Brief_SvC_KOC	2000	Stenberg v. Carhart	NA	NA
Brief_SvC_NAPUC	2000	Stenberg v. Carhart	NA	NA

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Brief File Name	Year	Case	Accuracy	Training
Brief_SvC_RI	2000	Stenberg v. Carhart	NA	NA
Brief_SvC_STATES	2000	Stenberg v. Carhart	NA	NA
Brief_SvC_US	2000	Stenberg v. Carhart	NA	NA
Brief_SvC_AIA	2000	Stenberg v. Carhart	NA	NA
Brief_SvC_ACOG	2000	Stenberg v. Carhart	1	NA
Brief_SvC_LOUISIANA	2000	Stenberg v. Carhart	NA	NA
Brief_SvC_RCRC	2000	Stenberg v. Carhart	NA	NA
Brief_SvC_CONGRESS	2000	Stenberg v. Carhart	NA	NA
Brief_SvC_ACLU	2000	Stenberg v. Carhart	NA	NA
Brief_SvC_LEGIS	2000	Stenberg v. Carhart	NA	NA
Brief_SvC_CLANCY	2000	Stenberg v. Carhart	NA	NA
Brief_SvC_CAAG	2000	Stenberg v. Carhart	NA	NA
Brief_SvC_FRC	2000	Stenberg v. Carhart	NA	NA
Brief_SvC_PPW	2000	Stenberg v. Carhart	NA	NA
Brief_SvC_ACLJ	2000	Stenberg v. Carhart	NA	NA
Brief_SvC_NARAL	2000	Stenberg v. Carhart	NA	NA
Brief_SvC_SNY	2000	Stenberg v. Carhart	NA	NA
Brief_SvC_WISCONSIN	2000	Stenberg v. Carhart	NA	NA
Brief_SvC_NAPLN	2000	Stenberg v. Carhart	1	NA
Brief_SvC_TEXAS	2000	Stenberg v. Carhart	NA	NA
Brief_SvC_LDFUC	2000	Stenberg v. Carhart	NA	NA
Brief_HvC_BOULDER	2000	Hill v. Colorado	NA	NA
Brief_HvC_LC	2000	Hill v. Colorado	NA	NA
Brief_HvC_LLDF	2000	Hill v. Colorado	NA	NA
Brief_HvC_NARAL	2000	Hill v. Colorado	NA	NA

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Brief File Name	Year	Case	Accuracy	Training
Brief_HvC_SNY	2000	Hill v. Colorado	NA	NA
Brief_HvC_PETA	2000	Hill v. Colorado	NA	NA
Brief_HvC_ACLU	2000	Hill v. Colorado	NA	NA
Brief_HvC_AFL	2000	Hill v. Colorado	NA	NA
Brief_HvC_LDFUC	2000	Hill v. Colorado	NA	NA
Brief_HvC_US	2000	Hill v. Colorado	NA	NA
Brief_HvC_ACOG	2000	Hill v. Colorado	NA	NA
Brief_FvCOC_RI	2001	Ferguson v. City of Charleston	NA	NA
Brief_FvCOC_APHA	2001	Ferguson v. City of Charleston	NA	1
Brief_AvPPNNE_ACLJ	2006	Ayotte v. PP of N NE	NA	1
Brief_AvPPNNE_CAHL	2006	Ayotte v. PP of N NE	NA	NA
Brief_AvPPNNE_AAPLOG	2006	Ayotte v. PP of N NE	NA	NA
Brief_AvPPNNE_ALASKA	2006	Ayotte v. PP of N NE	NA	NA
Brief_AvPPNNE_RCRC	2006	Ayotte v. PP of N NE	NA	NA
Brief_AvPPNNE_USCCB	2006	Ayotte v. PP of N NE	NA	1
Brief_AvPPNNE_NLF	2006	Ayotte v. PP of N NE	NA	NA
Brief_AvPPNNE_TMS	2006	Ayotte v. PP of N NE	NA	NA
Brief_AvPPNNE_LEGIS	2006	Ayotte v. PP of N NE	NA	NA
Brief_AvPPNNE_LC	2006	Ayotte v. PP of N NE	NA	NA
Brief_AvPPNNE_ACOG	2006	Ayotte v. PP of N NE	NA	NA
Brief_AvPPNNE_US	2006	Ayotte v. PP of N NE	NA	NA
Brief_AvPPNNE_CRR	2006	Ayotte v. PP of N NE	NA	NA
Brief_AvPPNNE_ARIZONA	2006	Ayotte v. PP of N NE	NA	1
Brief_AvPPNNE_NCADV	2006	Ayotte v. PP of N NE	NA	NA
Brief_AvPPNNE_NH	2006	Ayotte v. PP of N NE	NA	NA

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Brief File Name	Year	Case	Accuracy	Training
Brief_AvPPNNE_EFELDF	2006	Ayotte v. PP of N NE	NA	NA
Brief_AvPPNNE_REEVES	2006	Ayotte v. PP of N NE	NA	NA
Brief_AvPPNNE_RILEY	2006	Ayotte v. PP of N NE	NA	NA
Brief_AvPPNNE_GOVERNORS	2006	Ayotte v. PP of N NE	NA	1
Brief_AvPPNNE_NHLEGIS	2006	Ayotte v. PP of N NE	NA	NA
Brief_AvPPNNE_ORGS	2006	Ayotte v. PP of N NE	NA	NA
Brief_AvPPNNE_AAPS	2006	Ayotte v. PP of N NE	NA	NA
Brief_AvPPNNE_NHGOV	2006	Ayotte v. PP of N NE	NA	NA
Brief_AvPPNNE_UFL	2006	Ayotte v. PP of N NE	NA	NA
Brief_AvPPNNE_LDFUC	2006	Ayotte v. PP of N NE	NA	NA
Brief_GvC_ACLJ	2007	Gonzales v. Carhart	NA	NA
Brief_GvC_NWLC	2007	Gonzales v. Carhart	NA	1
Brief_GvC_RTTLA	2007	Gonzales v. Carhart	NA	NA
Brief_GvC_RI	2007	Gonzales v. Carhart	NA	NA
Brief_GvC_USCCB	2007	Gonzales v. Carhart	NA	NA
Brief_GvC_JW	2007	Gonzales v. Carhart	NA	NA
Brief_GvC_FRC	2007	Gonzales v. Carhart	NA	NA
Brief_GvC_HRSF	2007	Gonzales v. Carhart	NA	NA
Brief_GvC_STANEK	2007	Gonzales v. Carhart	NA	1
Brief_GvC_CHASEN	2007	Gonzales v. Carhart	NA	NA
Brief_GvC_CA	2007	Gonzales v. Carhart	NA	1
Brief_GvC_AAPLOG	2007	Gonzales v. Carhart	NA	NA
Brief_GvC_PAUL	2007	Gonzales v. Carhart	NA	NA
Brief_GvC_PLPDF	2007	Gonzales v. Carhart	NA	NA
Brief_GvC_PROFESSOR	2007	Gonzales v. Carhart	NA	NA

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Brief File Name	Year	Case	Accuracy	Training
Brief_GvC_USJF	2007	Gonzales v. Carhart	NA	NA
Brief_GvC_EFELDF	2007	Gonzales v. Carhart	NA	1
Brief_GvC_FML	2007	Gonzales v. Carhart	NA	1
Brief_GvC_GCLP	2007	Gonzales v. Carhart	NA	NA
Brief_GvC_JESSEN	2007	Gonzales v. Carhart	NA	NA
Brief_GvC_THORP	2007	Gonzales v. Carhart	NA	NA
Brief_GvC_CANO	2007	Gonzales v. Carhart	NA	1
Brief_GvC_ACOG	2007	Gonzales v. Carhart	NA	NA
Brief_GvC_STATES	2007	Gonzales v. Carhart	NA	NA
Brief_GvC_TMLC	2007	Gonzales v. Carhart	NA	1
Brief_GvC_TMS	2007	Gonzales v. Carhart	NA	NA
Brief_GvC_LDFUC	2007	Gonzales v. Carhart	NA	NA
Brief_GvPPFA_ACLJ	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_ACLJCONG	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_LDFUC	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_RTILA	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_RTILAAGAIN	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_RI	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_CLS	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_USCCB	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_JW	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_FRC	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_HRS	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_NLF	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_ACLU	2007	Gonzales v. PPFA	NA	NA

Brief File Name	Year	Case	Accuracy	Training
Brief_GvPPFA_APLP	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_STANEK	2007	Gonzales v. PPFA	NA	1
Brief_GvPPFA_CHASEN	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_CATO	2007	Gonzales v. PPFA	NA	1
Brief_GvPPFA_AAPLOG	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_AAPLOGAGAIN	2007	Gonzales v. PPFA	NA	1
Brief_GvPPFA_AMWA	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_PAUL	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_FFP	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_PLLDF	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_ARKES	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_PROFESSOR	2007	Gonzales v. PPFA	NA	1
Brief_GvPPFA_USJF	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_CONGRESS	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_CMA	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_EFELDF	2007	Gonzales v. PPFA	NA	1
Brief_GvPPFA_FML	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_NARAL	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_GCLP	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_FAA	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_JESSEN	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_THORP	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_MI	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_CANO	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_ACOG	2007	Gonzales v. PPFA	NA	NA

Brief File Name	Year	Case	Accuracy	Training
Brief_GvPPFA_IRHA	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_STATES	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_TMLC	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_TMS	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_TMSAGAIN	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_LDFUCAGAIN	2007	Gonzales v. PPFA	NA	NA
Brief_GvPPFA_MEYER	2007	Gonzales v. PPFA	NA	NA
Brief_MvC_WOMEN	2014	McCullen v. Coakley	NA	NA
Brief_MvC_ACLJ	2014	McCullen v. Coakley	NA	NA
Brief_MvC_ACLU	2014	McCullen v. Coakley	NA	NA
Brief_MvC_FDFL	2014	McCullen v. Coakley	NA	NA
Brief_MvC_FDFLAGAIN	2014	McCullen v. Coakley	NA	NA
Brief_MvC_BDF	2014	McCullen v. Coakley	NA	NA
Brief_MvC_EFELDF	2014	McCullen v. Coakley	NA	NA
Brief_MvC_NHCLC	2014	McCullen v. Coakley	NA	NA
Brief_MvC_LC	2014	McCullen v. Coakley	NA	NA
Brief_MvC_CITIES	2014	McCullen v. Coakley	NA	NA
Brief_MvC_STATES	2014	McCullen v. Coakley	NA	NA
Brief_MvC_US	2014	McCullen v. Coakley	NA	NA
Brief_MvC_HOYE	2014	McCullen v. Coakley	NA	NA
Brief_MvC_KING	2014	McCullen v. Coakley	NA	NA
Brief_MvC_ACOG	2014	McCullen v. Coakley	NA	NA
Brief_MvC_PROFESSORS	2014	McCullen v. Coakley	NA	NA
Brief_MvC_LLDF	2014	McCullen v. Coakley	NA	NA
Brief_MvC_PPLM	2014	McCullen v. Coakley	NA	NA



Brief File Name	Year	Case	Accuracy	Training
Brief_MvC_MICHIGAN	2014	McCullen v. Coakley	NA	NA
Brief_MvC_ADL	2014	McCullen v. Coakley	NA	NA
Brief_MvC_VRLC	2014	McCullen v. Coakley	NA	NA
Brief_MvC_CI	2014	McCullen v. Coakley	NA	NA
Brief_MvC_CRO	2014	McCullen v. Coakley	NA	NA
Brief_MvC_CLP	2014	McCullen v. Coakley	NA	NA
Brief_MvC_VOLOKH	2014	McCullen v. Coakley	NA	NA
Brief_MvC_JFF	2014	McCullen v. Coakley	NA	NA
Brief_MvC_WHITE	2014	McCullen v. Coakley	NA	NA
Brief_MvC_ACN	2014	McCullen v. Coakley	NA	NA
Brief_MvC_GARNETT	2014	McCullen v. Coakley	NA	NA
Brief_MvC_AFL	2014	McCullen v. Coakley	NA	NA
Brief_MvC_IJ	2014	McCullen v. Coakley	NA	NA
Brief_MvC_NLC	2014	McCullen v. Coakley	NA	NA
Brief_MvC_RI	2014	McCullen v. Coakley	NA	NA
Brief_ZvB_ACLJ	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_AGS	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_CWA	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_ACLU	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_BCPI	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_NJCLPA	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_USJF	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_USCCB	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_CSS	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_DSM	2016	Zubik v. Burwell	NA	NA

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Brief File Name	Year	Case	Accuracy	Training
Brief_ZvB_CSMSHLA	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_FILE	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_STATES	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_THEOLOGIANS	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_CONGRESS	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_LEGIS	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_AJAF	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_ACOG	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_STUPAK	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_BWHI	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_CFC	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_CMAF	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_CLS	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_CLBA	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_FJDO	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_HLSCHLPI	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_LLDEF	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_SCHOLARS	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_AAP	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_CC	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_BOYLE	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_EWTN	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_CCCU	2016	Zubik v. Burwell	1	NA
Brief_ZvB_SCOTT	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_BJCRL	2016	Zubik v. Burwell	NA	NA

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Brief File Name	Year	Case	Accuracy	Training
Brief_ZvB_CIM	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_HPE	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_JFF	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_MHISTORIANS	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_NLIRH	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_NWLC	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_DORSEN	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_ADL	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_CBA	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_GI	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_NCECE	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_KOC	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_NHLP	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_OCRFA	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_SBTS	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_TMLC	2016	Zubik v. Burwell	NA	NA
Brief_ZvB_PROFESSORS	2016	Zubik v. Burwell	NA	NA
Brief_WWHvH_ACLJ	2016	WWH v. Hellerstedt	NA	NA
Brief_WWHvH_WOMEN	2016	WWH v. Hellerstedt	NA	NA
Brief_WWHvH_FAP	2016	WWH v. Hellerstedt	1	NA
Brief_WWHvH_BIPARTISAN	2016	WWH v. Hellerstedt	NA	NA
Brief_WWHvH_RTILA	2016	WWH v. Hellerstedt	NA	NA
Brief_WWHvH_USCCB	2016	WWH v. Hellerstedt	NA	NA
Brief_WWHvH_CLDEF	2016	WWH v. Hellerstedt	NA	NA
Brief_WWHvH_PETWRES	2016	WWH v. Hellerstedt	NA	NA

Brief File Name	Year	Case	Accuracy	Training
Brief_WWHvH_TEF	2016	WWH v. Hellerstedt	NA	NA
Brief_WWHvH_CWFA	2016	WWH v. Hellerstedt	NA	NA
Brief_WWHvH_SCHOLARS	2016	WWH v. Hellerstedt	NA	NA
Brief_WWHvH_AAPLOG	2016	WWH v. Hellerstedt	NA	NA
Brief_WWHvH_TXLEGIS	2016	WWH v. Hellerstedt	NA	NA
Brief_WWHvH_CONGRESS	2016	WWH v. Hellerstedt	NA	NA
Brief_WWHvH_CVOLDF	2016	WWH v. Hellerstedt	NA	NA
Brief_WWHvH_CCJ	2016	WWH v. Hellerstedt	NA	NA
Brief_WWHvH_OR	2016	WWH v. Hellerstedt	NA	NA
Brief_WWHvH_STATES	2016	WWH v. Hellerstedt	NA	NA
Brief_WWHvH_TXV	2016	WWH v. Hellerstedt	NA	NA
Brief_WWHvH_UFL	2016	WWH v. Hellerstedt	NA	NA
Brief_WWHvH_RF	2016	WWH v. Hellerstedt	NA	NA
Brief_WWHvH_ATTWN	2016	WWH v. Hellerstedt	NA	NA
Brief_WWHvH_AAPS	2016	WWH v. Hellerstedt	NA	NA
Brief_WWHvH_BOYLE	2016	WWH v. Hellerstedt	NA	NA
Brief_WWHvH_IRTL	2016	WWH v. Hellerstedt	1	NA
Brief_WWHvH_LCDL	2016	WWH v. Hellerstedt	NA	NA
Brief_WWHvH_PFL	2016	WWH v. Hellerstedt	NA	NA
Brief_WWHvH_CL	2016	WWH v. Hellerstedt	NA	NA
Brief_WWHvH_JFF	2016	WWH v. Hellerstedt	NA	NA
Brief_WWHvH_LA	2016	WWH v. Hellerstedt	NA	NA
Brief_WWHvH_GOVS	2016	WWH v. Hellerstedt	NA	NA
Brief_WWHvC_DEANS	2016	WWH v. Cole	1	NA
Brief_WWHvC_THEOLOGIANS	2016	WWH v. Cole	NA	NA

Brief File Name	Year	Case	Accuracy	Training
Brief_WWHvC_JDP	2016	WWH v. Cole	NA	NA
Brief_WWHvC_SCIENTISTS	2016	WWH v. Cole	NA	NA
Brief_WWHvC_PAACP	2016	WWH v. Cole	NA	NA
Brief_WWHvC_NAPW	2016	WWH v. Cole	NA	NA
Brief_WWHvC_ACLU	2016	WWH v. Cole	NA	NA
Brief_WWHvC_ACOG	2016	WWH v. Cole	NA	NA
Brief_WWHvC_CNY	2016	WWH v. Cole	NA	NA
Brief_WWHvC_FGI	2016	WWH v. Cole	NA	NA
Brief_WWHvC_ISPYLS	2016	WWH v. Cole	NA	NA
Brief_WWHvC_NAFAP	2016	WWH v. Cole	NA	NA
Brief_WWHvC_NAF	2016	WWH v. Cole	NA	NA
Brief_WWHvC_RESEARCHERS	2016	WWH v. Cole	NA	NA
Brief_WWHvC_STATES	2016	WWH v. Cole	NA	NA
Brief_WWHvC_DIFFSTATES	2016	WWH v. Cole	NA	NA
Brief_WWHvC_US	2016	WWH v. Cole	NA	NA
Brief_WWHvC_AFY	2016	WWH v. Cole	NA	NA
Brief_WWHvC_CONGRESS	2016	WWH v. Cole	NA	NA
Brief_WWHvC_BUSINESSL	2016	WWH v. Cole	NA	NA
Brief_WWHvC_BANFIELD	2016	WWH v. Cole	NA	NA
Brief_WWHvC_MURRAY	2016	WWH v. Cole	NA	NA
Brief_WWHvC_NCLR	2016	WWH v. Cole	NA	NA
Brief_WWHvC_NNAF	2016	WWH v. Cole	NA	NA
Brief_WWHvC_NPA	2016	WWH v. Cole	NA	NA
Brief_WWHvC_NWLC	2016	WWH v. Cole	NA	NA
Brief_WWHvC_PPFA	2016	WWH v. Cole	NA	NA

Brief File Name	Year	Case	Accuracy	Training
Brief_WWHvC_SWAN	2016	WWH v. Cole	NA	NA
Brief_WWHvC_ACSHM SOGH	2016	WWH v. Cole	NA	NA
Brief_WWHvC_TAASA	2016	WWH v. Cole	NA	NA
Brief_WWHvC_APHA	2016	WWH v. Cole	NA	NA
Brief_WWHvC_LLDEF	2016	WWH v. Cole	NA	NA
Brief_WWHvC_NRTLC	2016	WWH v. Cole	NA	NA
Brief_WWHvC_CAC	2016	WWH v. Cole	NA	NA
Brief_WWHvC_SCHOLARS	2016	WWH v. Cole	NA	NA
Brief_WWHvC_ORGS	2016	WWH v. Cole	NA	NA
Brief_WWHvC_NPWF	2016	WWH v. Cole	NA	NA
Brief_WWHvC_FIRM	2016	WWH v. Cole	NA	NA
Brief_WWHvC_HECON	2016	WWH v. Cole	NA	NA
Brief_WWHvC_HISTORIANS	2016	WWH v. Cole	NA	NA
Brief_WWHvC_IWPR	2016	WWH v. Cole	NA	NA
Brief_WWHvC_MACAVOY	2016	WWH v. Cole	NA	NA
Brief_WWHvC_JMC	2016	WWH v. Cole	NA	NA
Brief_WWHvC_NLIRH	2016	WWH v. Cole	NA	NA
Brief_WWHvC_PRH	2016	WWH v. Cole	NA	NA
Brief_WWHvC_PROFESSORS	2016	WWH v. Cole	NA	NA
Brief_WWHvC_RMFC	2016	WWH v. Cole	NA	NA
Brief_WWHvC_DAVIS	2016	WWH v. Cole	NA	NA
Brief_WWHvC_NYCBA	2016	WWH v. Cole	NA	NA
Brief_WWHvC_WISCONSIN	2016	WWH v. Cole	NA	NA
Brief_WWHvC_ORGSFORRJ	2016	WWH v. Cole	NA	NA
Brief_WWHvC_ITLSAP	2016	WWH v. Cole	NA	NA

## APPENDIX B

### Helpful Sites

The following websites are link that were helpful for this project, and contain valuable guidance for anyone seeking to replicate this sort of analysis:

Helpful for naive Bayes, text analysis, and quanteda:

- <https://data.library.virginia.edu/a-beginners-guide-to-text-analysis-with-quanteda/>
- [https://kenbenoit.net/pdfs/text\\_analysis\\_in\\_R.pdf](https://kenbenoit.net/pdfs/text_analysis_in_R.pdf)
- [https://quanteda.io/reference/textmodel\\_nb.html](https://quanteda.io/reference/textmodel_nb.html)
- <https://tutorials.quanteda.io/machine-learning/nb/>
- <https://web.stanford.edu/~jurafsky/slp3/4.pdf>
- <https://quanteda.io/articles/pkgdown/examples/lisa.html>
- <https://quanteda.io/articles/quickstart.html>
- <https://www.rdocumentation.org/packages/quanteda/versions/1.5.1/topics/docvars>

- <https://rdr.io/cran/quanteda/man/docvars.html>
- [https://rstudio-pubs-static.s3.amazonaws.com/381321\\_188aaabd730f4e42a7dda6da5b9f8652.html](https://rstudio-pubs-static.s3.amazonaws.com/381321_188aaabd730f4e42a7dda6da5b9f8652.html)

Helpful for R Plots and Tables:

- <https://stackoverflow.com/questions/15063287/add-error-bars-to-show-standard-deviation-on-a-plot-in-r>
- <http://dwo11.de/rexrepos/posts/diagAddElements.html>
- <https://www.rdocumentation.org/packages/graphics/versions/3.6.2/topics/axis>
- <https://www.displayr.com/formattable/>
- [statmethods.net/stats/frequencies.html](http://statmethods.net/stats/frequencies.html)
- <https://www.rdocumentation.org/packages/base/versions/3.6.2/topics/table>
- <https://cran.r-project.org/web/packages/stargazer/vignettes/stargazer.pdf> (*Hlavac*, 2018)



## BIBLIOGRAPHY

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- Adashi, E. Y., and R. H. Occhiogrosso (2017), The hyde amendment at 40 years and reproductive rights in the united states: perennial and panoptic, *Jama*, 317(15), 1523–1524.
- Collins, P. C. H. J., Paul M. Jr. Corley (2013-2014), Me too: An investigation of repetition in u.s. supreme court amicus curiae briefs, *Judicature*, 97, 228.
- Collins, P. C. H. J., Paul M. Jr. Corley (2015), The influence of amicus curiae briefs on u.s. supreme court opinion content articles on society and the supreme court, *Law Society Review*, 49, 917.
- Collins, P. M. (2018), The use of amicus briefs, *Annual Review of Law and Social Science*, 14(1), 219–237, doi:10.1146/annurev-lawsocsci-101317-031248.
- Essen, B., and S. Johnsdotter (2015), Transnational surrogacy reproductive rights for whom?, *Acta Obstetricia et Gynecologica Scandinavica*, 94(5), 449–450, doi: 10.1111/aogs.12636.
- FemnetNews (2008), Sexual and reproductive health rights: concepts and definitions.
- Fried, M. G. (2013), Reproductive rights activism in the post-roe era, *American journal of public health*, 103(1), 10–14.
- Grimmer, J., and B. M. Stewart (2013), Text as data: The promise and pitfalls of automatic content analysis methods for political texts, *Political Analysis*, 21(3), 267–297.
- Hlavac, M. (2018), *stargazer: Well-Formatted Regression and Summary Statistics Tables*, Central European Labour Studies Institute (CELSI), Bratislava, Slovakia, r package version 5.2.2.
- Kearney, J. D., and T. W. Merrill (2000), The influence of amicus curiae briefs on the supreme court, *University of Pennsylvania Law Review*, 148(3), 743–855.
- Mutcherson, K. (2017), Reproductive rights without resources or recourse, *Hastings Center Report*, 47, S12–S18.
- Pennebaker, J. W., M. R. Mehl, and K. G. Niederhoffer (2003), Psychological aspects of natural language use: Our words, our selves, *Annual review of psychology*, 54(1), 547–577.

- Peters, J. S., and A. Wolper (2018), *Women's rights, human rights: International feminist perspectives*, Routledge.
- Pomeranz, J. L. (2019), Abortion disclosure laws and the first amendment: The broader public health implications of the supreme courts becerra decision, *American journal of public health*, 109(3), 412–418.
- Richland, J. B. (2013), Jurisdiction: Grounding law in language, *Annual Review of Anthropology*, 42, 209–226.
- Rickford, J. R., and S. King (2016), Language and linguistics on trial: Hearing rachel jeantel (and other vernacular speakers) in the courtroom and beyond, *Language*, 92(4), 948–988.