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Public Confident, Lawyers Not, that President Bush will Make Good Choice in Supreme Court Nomination, According to Annenberg Public Policy Center Survey

Nearly six in ten of Americans say that they are confident the President will make good choices in his nominations to replace Supreme Court justices, while six in ten lawyers do not have faith in Bush's ability to choose the best candidate for lifetime appointment in the highest court, according to a national survey conducted by the University of Pennsylvania's Annenberg Public Policy Center.

Fifty-eight percent of the 1500 adult Americans polled between March 17 and April 18, 2005 compared to 38 percent of the 859 lawyers polled between March 18 and May 16, 2005 who have been admitted to practice before the Supreme Court or the US Court of Appeals, were very or somewhat confident that the current president will make good choices in his nominees to replace justices who leave the US Supreme Court.

Confidence in the president's ability to make these choices is dependent on political ideology. Specifically, 91 percent of the conservative lawyers polled are confident that Bush will make good choices. 37 percent of moderate lawyers and 2 percent of liberal lawyers are confident in Bush. The pattern holds for the public as well. Ninety-two percent of Republicans are confident that Bush will make good choices, half of independents, 51 percent, are confident and only 31 percent of Democrats feel this way.

Both the lawyers and public were split when asked if the president should only consider legal qualifications and background or if the president should also consider how the nominee might vote on controversial issues. Specifically, 54 percent of lawyers and 50 percent of the public believe that the president should only consider qualifications. However, 54 percent of the public believes that nominees should be required to state their personal views on controversial issues compared to 25 percent of the lawyers.

Asked how important it is that President Bush's nominee agrees with their position on abortion, a solid majority, 70 percent, of the public said that this is very or somewhat important. Lawyers agree as well, though only by a slight majority, 52 percent.

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The same percentage of the public and lawyers, 65 percent, agree that the Supreme Court is sometimes politically motivated in its rulings. Seventy-two percent of the public believe that the Supreme Court favors some groups more than others, compared to 49 percent of lawyers who feel this way.

The survey of lawyers was conducted by Princeton Survey Research Associates International between March 18 and May 16, 2005. Its subjects were 859 lawyers who have been admitted to practice before the Supreme Court or the U.S. Courts of Appeals and a small group of law professors who previously clerked for a justice. Telephone interviews were conducted by Princeton Data Source, LLC. Online interviews were administered by PSRAI. For results based on the total sample, one can say with 95-percent confidence that the error attributable to sampling is plus or minus 4 percentage points.

The public survey was conducted by telephone between March 17 and April 18, 2005, using a nationally representative sample of 1,500 adults aged 18 years and older. We are 95-percent confident that the error attributable to sampling is plus or minus 3 percentage points.

In addition to sampling error, question wording and practical difficulties in conducting surveys can introduce error or bias into the findings of opinion polls.

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