



## Codebook for Circuit Court of Appeals Database, Phase Three Update: 2003-2010

# Codebook Appendix: Detailed Case Issue Codes & Outcome Coding Rules

This dataset extends prior research on the United States Courts of Appeals for the time period 2003-2010. The authors sampled 30 cases per federal circuit per year and coded variables of interest about each of these cases as described in this codebook. This dataset was produced by a team of researchers in the University of Georgia's Department of Political Science: Susan Haire, Barry Edwards, Phil Marcin, and Allison Ackerman.

This Codebook lists the codes used to identify detailed case issue types in the Circuit Court of Appeals Database. These codes are organized into general issue categories. This Codebook is comprehensive; it covers all three phases of the project (1925-2010). Where possible, coding follows case issue coding used in Phases One and Two of this project. This Appendix also details the outcome coding rule applicable to each case issue type.

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I. Criminal Cases<sup>1</sup>  
a. Federal Offenses

CASETYP	Description	Rule for Coding Outcomes
101	murder	'3' = for the defendant '1' = opposite
102	rape	
103	arson	
104	aggravated assault	
105	robbery	
106	burglary	
107	auto theft	
108	larceny (over \$50)	
109	other violent crimes	
110	narcotics	
111	alcohol related crimes, prohibition	
112	tax fraud	
113	firearm violations	
114	morals charges (e.g., gambling, prostitution, obscenity)	
115	criminal violations of government regulations of business	
116	other white collar crime (no force/threat e.g., embezzlement, computer fraud, bribery)	
117	other crimes	
118	federal offense, but specific crime not ascertained	
119	RICO	

I. Criminal Cases  
b. State Offenses

CASETYP	Description	Rule for Coding Outcomes
121	murder	'3' = for the defendant '1' = opposite
122	rape	
123	arson	
124	aggravated assault	
125	robbery	
126	burglary	
127	auto theft	

<sup>1</sup> The general issue area of Criminal Cases includes appeals of conviction, petitions for post-conviction relief, habeas corpus petitions, and other prisoner petitions which challenge the validity of the conviction or the sentence. Although the defendant/prisoner may make due process arguments, these cases are coded as criminal cases rather than due process cases.

128	larceny (over \$50)	
129	other violent crimes	
130	narcotics	
131	alcohol related crimes, prohibition	
132	tax fraud	
133	firearm violations	
134	morals charges (e.g., gambling, prostitution, obscenity)	'3' = for the defendant
135	criminal violations of government regulations of business	'1' = opposite
136	other white collar crime (no force/threat e.g., embezzlement, computer fraud, bribery)	
137	other state crimes	
138	state offense, but specific crime not ascertained	

I. Criminal Cases  
c. Not Clear Whether Federal or State Offenses

CASETYP	Description	Rule for Coding Outcomes
141	murder	
142	rape	
143	arson	
144	aggravated assault	
145	robbery	
146	burglary	
147	auto theft	
148	larceny (over \$50)	
149	other violent crimes	
150	narcotics	
151	alcohol related crimes, prohibition	'3' = for the defendant
152	tax fraud	'1' = opposite
153	firearm violations	
154	morals charges (e.g., gambling, prostitution, obscenity)	
155	criminal violations of government regulations of business	
156	other white collar crime (no force/ threat of force e.g., embezzlement, computer fraud, bribery)	
157	other crimes	
158	specific crime not ascertained	

## II. Civil Rights<sup>2</sup>

### a. civil rights claims by prisoners and those accused of crimes

CASETYP	Description	Rule for Coding Outcomes
201	suit for damages for false arrest or false confinement	
202	cruel and unusual punishment	
203	due process rights in prison	
204	denial of other rights of prisoners - 42 USC 1983 suits	'3' = for the position of the prisoner/plaintiff '1' = opposite
205	denial or revocation of parole - due process grounds	
206	other denial or revocation of parole	
207	other prisoner petitions	
208	excessive force used in arrest	
209	other civil rights violations alleged by criminal defendants	

## II. Civil Rights

### b. voting rights, race discrimination, sex discrimination

CASETYP	Description	Rule for Coding Outcomes
210	voting rights - reapportionment & districting	
211	political rights - rights of candidates or groups to participate in process; access to ballot	'3' = for those who claim their voting rights have been violated '1' = opposite
212	voting rights - other (includes race discrimination in voting)	
213	desegregation of schools	'3' = for desegregation or for the most extensive desegregation if alternative plans are at issue '1' = opposite
214	other desegregation	
221	employment race discrimination - alleged by minority	'3' = upholding the position of the person asserting the denial of their rights
222	other race discrimination - alleged by minority	'1' = opposite
223	employment: race discrimination - alleged by Caucasian	'3' = opposing the claim of reverse discrimination (i.e. for the rights of the racial minority or women) '1' = opposite
224	other reverse race discrimination claims	

<sup>2</sup> The general issue area of Civil Rights excludes First Amendment or due process cases; also excludes claims of denial of rights in criminal proceeding or claims by prisoners that challenge their conviction or their sentence (e.g., habeas corpus petitions are coded under the criminal category); however, this issue area does include civil suits instituted by both prisoners and non-prisoners alleging denial of rights by criminal justice officials.

231	employment: sex discrimination -alleged by woman	'3' = upholding the position of the person asserting the denial of their rights
232	pregnancy discrimination	
233	other sex discrimination - alleged by woman	'1' = opposite
234	employment: sex discrimination - alleged by man	'3' = opposing the claim of reverse discrimination (i.e. for the rights of the racial minority or women)
235	other sex discrimination - alleged by man	
239	suits raising 42 USC 1983 claims based on race or sex discrimination	'3' = upholding the position of the person asserting the denial of their rights '1' = opposite

**II. Civil Rights**  
c. other civil rights

CASETYP	Description	Rule for Coding Outcomes
241	alien petitions - (includes disputes over attempts at deportation)	'3' = upholding the position of the person asserting the denial of their rights '1' = opposite
251	indian rights and law (civil rights claims under Indian law)	
261	juveniles	
271	poverty law, rights of indigents (civil)	
281	rights of handicapped (includes employment)	
282	age discrimination (includes employment)	
283	discrimination based on religion or nationality	
284	discrimination based on sexual preference (except homosexual privacy)	
285	AIDS/HIV discrimination	
290	challenge to hiring, firing, promotion decision of federal government	
291	other 14th amendment and civil rights act cases	
299	other civil rights	

III. Free Speech  
 a. religion, press, commercial

CASETYP	Description	Rule for Coding Outcomes
301	commercial speech	
302	libel, slander, defamation	
303	free exercise of religion	
304	establishment of religion (other than aid to parochial schools)	'3' = for assertion of broadest interpretation of First Amendment Protection
305	aid to parochial schools	'1' = opposite
306	press	

III. Free Speech  
 b. speech and other expression

CASETYP	Description	Rule for Coding Outcomes
307	obscenity	
308	association	
309	federal internal security and communist control acts, loyalty oaths, security risks	
310	legality of expression in context of overt acts protesting race discrimination	
311	overt acts in opposition to war and the military	
312	conscientious objection to military service, other first am challenges to the military	'3' = for assertion of broadest interpretation of First Amendment Protection
313	expression of political or social beliefs conflicting with regulation of physical activity	'1' = opposite
314	threats to peace/safety/order (e.g. fighting words, clear & present danger, incitement to riot)	
315	challenges to campaign spending limits or other limits on expression in political campaigns	
399	other (includes tests of belief)	

#### IV. Due Process<sup>3</sup>

CASETYP	Description	Rule for Coding Outcomes
410	denial of fair hearing or notice - government employees (e.g. terminated government workers)	
411	denial of hearing or notice in non-employment context	'3' = for interest of person asserting due process rights violated '1' = opposite
412	taking clause (i.e., denial of due process under the 'taking' clause of 5th/14th Amendments)	
413	freedom of information act and other claims of rights of access	
499	other due process issues	

<sup>3</sup> The general issue area of Due Process includes due process claims in civil cases by persons other than prisoners. This category does not include due process challenges to government economic regulation (those challenges are included in category 7 - Economic Activity and Regulation).

## V. Privacy

CASETYP	Description	Rule for Coding Outcomes
501	abortion rights	
502	homosexual rights where privacy claim raised	
503	contraception and other privacy claims related to marital relations or sexual behavior	
504	suits demanding compensation for violation of privacy rights	'3' = for interest of person asserting privacy rights violated '1' = opposite
505	mandatory testing (for drugs, AIDs, etc)	
506	mandatory sterilization	
507	right to die or right to refuse medical help	
599	other	

## VI. Labor Relations

CASETYP	Description	Rule for Coding Outcomes
601	union organizing	'3' = for union, individual worker, or government in suit against Management '1' = opposite (for management)
602	unfair labor practices	
603	Fair Labor Standards Act issues	'3' = for the federal government or the validity of federal Regulations '1' = opposite
604	Occupational Safety and Health Act issues (including OSHA enforcement)	
605	collective bargaining	'3' = for union, individual worker, or government in suit against Management '1' = opposite (for management)
606	conditions of employment	
607	employment of aliens	'3' = for economic underdog if no civil rights issue is present; for support of person claiming denial of civil rights '1' = opposite 0=unclear
608	which union has a right to represent workers	'3' = for union which opposed by management '1' = for union which supported by management '0' =if neither union supported by management or if unclear
609	non civil rights grievances by worker against union	'3' = for union '1' = for individual worker
611	Family Medical Leave Act (FMLA)	'3' = for the federal government or the validity of federal Regulations '1' = opposite
612	ERISA	'3' = for worker seeking benefits/against management '1' = for management
610	other labor relations	'3' = for economic underdog if no civil rights issue is present; for support of person claiming denial of civil rights '1' = opposite '0' =unclear

VII. Economic Activity and Regulation  
a. taxes, patents, copyright

CASETYP	Description	Rule for Coding Outcomes
701	state or local tax	
702	federal taxation - individual income tax (incl. taxes of individuals, fiduciaries & estates)	
703	federal tax - business income tax (includes corporate and partnership)	'3' = for government tax claim '1' = opposite (for taxpayer)
704	federal tax -excess profits	
705	federal estate and gift tax	
706	federal tax - other	
710	patents	
711	copyrights	'3' = for person claiming patent or copyright infringement
712	trademarks	'1' = opposite
713	trade secrets, personal intellectual property	

VII. Economic Activity and Regulation  
b. torts

CASETYP	Description	Rule for Coding Outcomes
720	motor vehicle	
721	airplane	
722	product liability	
723	federal employer liability; injuries to dockworkers and longshoremen	
724	other government tort liability	'3' = for plaintiff alleging the injury
725	workers compensation	'1' = opposite
726	medical malpractice	
727	other personal injury	
728	fraud	
780	legal malpractice	
729	other property damage	
730	other torts	

VII. Economic Activity and Regulation  
c. commercial disputes

CASETYP	Description	Rule for Coding Outcomes
731	contract disputes-general (private parties)	'3' = for economic underdog if one party is clearly an underdog in comparison to the other '1' = opposite '0' = neither party is clearly an economic underdog (Note: in cases pitting an individual against a business, the individual is presumed to be the economic underdog unless there is a clear indication in the opinion to the contrary)
732	disputes over government contracts	
733	insurance disputes	
734	debt collection, disputes over loans	
735	consumer disputes with retail business or providers of services	
736	breach of fiduciary duty; disputes over franchise agreements	
737	contract disputes - was there a contract, was it a valid contract?	
738	commerce clause challenges to state or local government action	
739	other contract disputes (incl. misrepresentation or deception in contract disputes)	
740	private economic disputes (other than contract disputes)	

VII. Economic Activity and Regulation  
d. bankruptcy, antitrust, securities

CASETYP	Description	Rule for Coding Outcomes	
741	bankruptcy - private individual (e.g., chapter 7)	'3' = for debtor or bankrupt '1' = opposite	
742	bankruptcy - business reorganization (e.g. chapter 11)		
743	other bankruptcy		
744	antitrust - by individ or private business (incl. Clayton Act; Sherman Act; Wright-Patman)	'3' = for government or private party raising claim of violation of antitrust laws, or party opposing merger '1' = opposite	
745	antitrust - brought by government		
746	regulation of, or opposition to mergers on other than anti-trust grounds	'3' = for the economic underdog '1' = opposite 0=no clear economic underdog	
747	securities - conflicts between private parties (including corporations)		
748	government regulation of securities		
			'3' = for government regulation
			'1' = opposite

VII. Economic Activity and Regulation  
e. misc economic regulation and benefits

CASETYP	Description	Rule for Coding Outcomes
750	social security benefits (including SS disability payments)	'3' = for individual claiming a benefit from government '1' = for the government
751	other government benefit programs (e.g., welfare, veterans benefits, food stamps)	
752	state or local economic regulation (not pollution control)	'3' = for government regulation '1' = opposite
765	state or local pollution control	'3' = for greater protection of the environment or greater consumer protection (even if anti-government) '1' = opposite
753	federal environmental regulation (not pollution control)	'3' = for government regulation '1' = opposite
766	federal pollution control	'3' = for greater protection of the environment or greater consumer protection (even if anti-government) '1' = opposite
754	federal consumer protection regulation (includes pure food and drug, false advertising)	'3' = for greater protection of the environment or greater consumer protection (even if anti-government) '1' = opposite
755	rent control; excessive profits; government price controls	'3' = for government regulation '1' = opposite
756	federal regulation of transportation	
757	oil, gas, and mineral regulation by federal government (not environmental regulation)	
758	federal regulation of utilities (includes telephone, radio, TV, power generation)	
759	other commercial regulation (e.g. agriculture, indep. reg. agencies) by fed government	
760	civil RICO suits	
761	admiralty - personal injury (note: admiralty suits against govt are in govt tort category above)	
762	admiralty - seamens' wage disputes	'3' = for economic underdog '1' = opposite
763	admiralty - maritime contracts, charter contracts	'0' = if no clear underdog
764	admiralty other	

VII. Economic Activity and Regulation  
 f. property disputes

CASETYP	Description	Rule for Coding Outcomes
770	disputes over real property (private)	'3' = for economic underdog '1' = opposite '0' = if no clear underdog
771	eminent domain and disputes with government over real property	'3' = for government '1' = opposite
772	landlord - tenant disputes	'3' = for economic underdog '1' = opposite '0' = if no clear underdog
773	government seizure of property - as part of enforcement of criminal statutes	'3' = for government
774	government seizure of property - civil (e.g., for delinquent taxes, liens)	'1' = opposite

VII. Economic Activity and Regulation  
 g. Other

CASETYP	Description	Rule for Coding Outcomes
799	other economic activity	'3' = for economic underdog '1' = opposite '0' = if no clear underdog

## VIII. Miscellaneous

CASETYP	Description	Rule for Coding Outcomes
901	miscellaneous interstate conflict (between states)	'0' = for all decisions
902	other federalism issue	'3' = for assertion of federal power '1' = opposite
903	attorneys (disbarment; etc)	'3' = for attorney '1' = opposite
904	selective service or draft issues (which do not include 1st amendment challenges)	'3' = for the validity of challenged selective service regulation or for the government interest in dispute with someone attempting to resist induction '1' = opposite
905	challenge to authority of magistrates, special masters, etc.	'3' = for the authority of the challenged official '1' = opposite
906	challenge to authority of bankruptcy judge or referees in bankruptcy	
910	Indian law - criminal verdict challenged due to interp of tribal statutes or other indian law	'3' = for defendant '1' = opposite
911	Indian law - commercial disputes based on interpretation of Indian treaties or law	'3' = for the claim of the Indian or tribal rights '1' = opposite
912	Indian law - indian claims acts and disputes over real property	
913	Indian law - federal regulation of Indian land and affairs	'3' = for federal or state authority '1' = opposite
914	Indian law - state/local authority over Indian land and affairs	
915	Indian law - tribal regulation of economic activities (includes tribal taxation)	'3' = for tribal regulation '1' = other
916	other Indian law	'3' = for the claim of the Indian or tribal rights '1' = opposite
920	international law	'3' = for interest of US or US firms when opposed by foreign firms or government; for US government if opposed to either US or foreign business '1' = opposite '0' = other
921	immigration (except civil rights claims of immigrants and aliens)	'3' = for government regulation '1' = other
922	Patriot Act	'3' = for government
923	Other national security	'1' = other

924	14th Amendment - congressional power to enforce	'3' = for position that gives power to Congress to enforce '1' = against that position
925	Executive Privilege	'3' = pro executive position '1' = against executive privilege
999	other	'0' = for all decisions
000	not ascertained	'0' = for all decisions