# Online Appendices

## Appendix A: Regression Results

|  | Quantity of Information | Grade Level | Strategic Citations |
|---|---|---|---|
|  | Coef. | Coef. | Coef. |
|  | (S.E.) | (S.E.) | (S.E.) |
| Proportion Female | 0.130* | -0.255* | 0.179* |
|  | (0.055) | (0.091) | (0.090) |
| Attorney Resources and Experience | 0.290* | 0.099* | 0.126* |
|  | (0.015) | (0.027) | (0.027) |
| Current SG | -0.401* | 0.359* | -0.265* |
|  | (0.040) | (0.071) | (0.075) |
| Log # of Cosigners | -0.074 | 0.049 | -0.347* |
|  | (0.087) | (0.121) | (0.116) |
| Log Max Filer Exp. | -0.016* | -0.023* | -0.003 |
|  | (0.006) | (0.011) | (0.011) |
| Petitioner's Side | -0.173* | 0.077* | -0.023 |
|  | (0.019) | (0.034) | (0.026) |
| Ideological Alignment | -0.071* | 0.034 | 0.006 |
|  | (0.014) | (0.024) | (0.020) |
| Log Word Count LC Opinion | 0.065* | 0.013 | 0.020 |
|  | (0.010) | (0.016) | (0.020) |
| Unanimous Below | 0.061* | 0.043 | 0.029 |
|  | (0.031) | (0.052) | (0.059) |
| Amicus Activity in Lower Court | 0.182* | 0.077 | 0.120 |
|  | (0.036) | (0.059) | (0.065) |
| Term | -0.001 | 0.087* | -0.014* |
|  | (0.002) | (0.003) | (0.003) |
| Intercept | 2.506 | -158.878* | 29.722* |
|  | (3.294) | (5.846) | (6.099) |
| N | 6,050 | 6,050 | 6,050 |
| BIC | 16080.3 | 22468.4 | 28885.0 |

Table A.1: Crafting Briefs: Regression estimates of the effect of legal team gender composition and a range of control variables on the overall quantity of information in a litigant's brief, clarity of language, and the number of strategic citations. The reported standard errors are robust standard errors that are clustered on the case and * denotes a p-value less than 0.05.

|                                        | Model 1 | | Model 2 | |
| --- | --- | --- | --- | --- |
|                                        | Coef. | (S.E.) | Coef. | (S.E.) |
| Proportion Female                      | 0.045 | (0.029) | 0.049 | (0.029) |
| Quantity of Information                | 0.050* | (0.009) | | |
| Grade Level                            | 0.009 | (0.006) | | |
| Strategic Citations                    | −0.002 | (0.001) | | |
| Similarity to Lower Court Opinion      | 1.113* | (0.085) | 1.120* | (0.085) |
| # of Briefs                            | −0.007* | (0.001) | −0.007* | (0.001) |
| Net Oral Argument Questions to Side    | −0.001* | (0.000) | −0.001* | (0.000) |
| Attorney Resources and Experience      | 0.077* | (0.010) | 0.092* | (0.010) |
| Current SG                             | 0.076* | (0.026) | 0.062* | (0.026) |
| Log # of Cosigners                     | −0.027 | (0.046) | −0.026 | (0.046) |
| Log Max Filer Exp.                     | 0.006 | (0.004) | 0.005 | (0.004) |
| Petitioner's Side                      | 0.052* | (0.007) | 0.045* | (0.007) |
| Ideological Alignment                  | −0.003 | (0.005) | −0.007 | (0.005) |
| Log Word Count LC Opinion              | −0.082* | (0.009) | −0.079* | (0.009) |
| Unanimous Below                        | 0.016 | (0.020) | 0.018 | (0.020) |
| Amicus Activity in Lower Court         | −0.032 | (0.023) | −0.025 | (0.023) |
| Term                                   | −0.001 | (0.001) | 0.0003 | (0.001) |
| Intercept                              | 1.576 | (2.605) | 0.020 | (2.387) |
| N                                      | 5,229 | | 5,229 | |
| BIC                                    | 4732.5 | | 4709.1 | |

Table A.2: Similarity to Opinion: Fractional logit regression estimates of the effect of legal team gender composition and a range of control variables on the cosine similarity between a brief and the majority opinion. Model 1 is the main model we analyze in the text and Model 2 provides a robustness check with controls related to the quality of the brief excluded. The reported standard errors are robust standard errors that are clustered on the case and * denotes a p-value less than 0.05.

**Appendix B: Alternative Model Specifications**

Our results are necessarily a function of the choices made in model and variable specification. In this section we discuss a variety of alternatives and show, in Table B.1, how each would change our estimates of the impact of gender composition among attorneys listed on the briefs on each of our outcome variables. As an overview, our results are robust to changes in how we conceptualize visible legal team gender balance, exclusion of government briefs, and variation in how we account for changes over time.

Perhaps the most critical decision in our research design is how we operationalize the level of gender diversity on a visible legal team. There are various possible choices in addition to the *Proportion Female* measure we use. Fortunately, a range of measures lead to largely similar results. Using the absolute distance of the proportion of women from 0.5 leads to precisely the same conclusions. Using the raw number of women on a brief-writing team or a binary variable that equals one if there are any women on a team (zero otherwise) produces significant results in the correct direction for both *Quantity of Information* and *Grade Level*, but fails to reach significance for the use of strategic citations. Some research on diversity uses the Herfindahl-Hirschman Index (HHI) to measure concentration (Laine 1995; Pew Research Center 2014). Our results are robust using a *Gender Diversity Index* calculated using this metric. The index is the squared sum of the share of a space held by the relevant groups: $\sum_{i=1}^{N} x_i^2$, where $x_i$ is each group, and $N$ is the total number of relevant groups. It is calculated by summing the square of the proportion of female attorneys on the team and the square of the proportion of male attorneys and subtracting that number from 1 so higher rates of the index correlate with more diversity: $1-[(\text{proportion women}^2) + (\text{proportion men}^2)]$.

Some research on the effect of gender indicates that women need to achieve a super majority within a group setting before their presence is likely to have an impact (Karpowitz and Mendelberg 2014). While this is not part of our theory, we present some related model

specifications for those who may be interested. Specifically, we run models with various cut point indicator variables that equaled one if the proportion of women on a brief was above 0.7, 0.8, and 0.9 respectively. None of these variables have a statistically significant impact on any of our outcome variables.

Finally, we address concerns about under- and over-inclusiveness in how we identify legal teams and time trends in women's participation in visible briefing. We necessarily identify the legal team for each brief using the signatories. While it is the only information we have access to, it may be under- or over-inclusive. First, there may be attorneys not listed who participate in drafting the brief. In order to evaluate the extent to which this issue might potentially affect our results, we run models excluding the briefs where it is most likely to be a concern. Briefs signed by the Solicitor General or submitted by states are drafted in environments where hidden labor is most likely to be present. As Table B.1 shows, the conclusions from such models are nearly all the same as in our main models. This suggests that while this important issue should be taken up by future research, it is not likely to be materially altering the conclusions we draw here. It is also possible attorneys might sign the brief without contributing much to the drafting process. This is most likely in the case of the Solicitor General. In addition to the robustness check excluding government briefs, we also conducted a robustness check by excluding the Solicitor General (where present) from the calculation of *Proportion Female*. Once again, the direction and significance remains the same in most models. We conduct one final check by including a control for the average number of briefs that included women in the previous year. The results remain similarly consistent, indicating that our decision to use *Term* to account for changes over time is sufficient.

**Effect of Legal Team Gender Composition**

| | Quantity of Info. | | Grade Level | | Strategic Cites | | Opinion Sim. | |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| | Coef. | p-value | Coef. | p-value | Coef. | p-value | Coef. | p-value |
| **Main Models** | 0.205* | 0.001 | −0.276* | 0.007 | 0.213* | 0.036 | 0.025 | 0.462 |
| **Model Variations** | | | | | | | | |
| Absolute distance from 0.5 | −0.227* | 0.001 | 0.323* | 0.007 | −0.255* | 0.034 | −0.031 | 0.434 |
| Number of women | 0.031* | 0.011 | −0.046* | 0.015 | 0.030 | 0.120 | 0.005 | 0.473 |
| Binary: 1 or more women | 0.083* | 0.001 | −0.110* | 0.009 | 0.061 | 0.149 | 0.012 | 0.412 |
| Gender Diversity Index | 0.205* | 0.001 | −0.276* | 0.007 | 0.213* | 0.036 | 0.025 | 0.462 |
| Binary: More than 0.7 women | −0.063 | 0.400 | −0.114 | 0.349 | 0.074 | 0.531 | 0.038 | 0.406 |
| Binary: More than 0.8 women | −0.066 | 0.437 | −0.084 | 0.527 | −0.004 | 0.980 | 0.061 | 0.166 |
| Binary: More than 0.9 women | −0.055 | 0.532 | −0.089 | 0.533 | −0.049 | 0.754 | 0.063 | 0.184 |
| Excluding briefs by SG and states | 0.192* | 0.002 | −0.275* | 0.006 | 0.194 | 0.058 | 0.046 | 0.149 |
| Proportion Female excluding the SG | 0.128* | 0.018 | −0.239* | 0.008 | 0.166 | 0.061 | 0.046 | 0.105 |
| Control for lagged female participation | 0.111* | 0.048 | −0.267* | 0.004 | 0.171 | 0.060 | 0.039 | 0.183 |

Table B.1: Robustness Checks

# References

Bird, Christine Catherine. 2022. The Gatekeeping Role of the Office of the Solicitor General at the Certiorari Stage PhD thesis.

Karpowitz, Christopher F. and Tali Mendelberg. 2014. *The Silent Sex: Gender, Deliberation, and Institutions.* Princeton, NJ: Princeton University Press.

Laine, Charles R. 1995. "The Herfindahl-Hirschman index: a concentration measure taking the consumer's point of view." *The Antitrust Bulletin* 40(2):423–432.

Pew Research Center. 2014. "Methodology." *Global Religious Diversity.* `https://www.pewresearch.org/religion/2014/04/04/methodology`.