



The withering of public confidence in the courts

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New research delves into potential causes and solutions for a worrisome decline in public faith in the courts.

The judiciary is unique among the federal branches. Whereas our political branches derive authority from constitutionally enumerated powers — further legitimized through an electoral connection to the people — the judiciary must compel the president and Congress to enforce its decisions without a public mandate. The judiciary must then rely on the people’s “reservoir of favorable attitudes or good will” to protect its authority and independence.¹

The federal judiciary has long held a deep public trust far exceeding that of the legislature or executive.² Americans have historically believed that judges rule based on legal reasoning in the context of the Constitution, free from the bargaining and political compromise of the other branches.³ In turn, citizens have resisted attempts by their elected representatives to undermine judicial independence, whether those attempts were efforts to undermine the validity of court decisions or to advocate for more fundamental changes to the structure of the judicial branch.⁴

With few exceptions, Congress and the executive branch have enforced the rulings of the judiciary, even when doing so conflicted with their political preferences. Despite private correspondence suggesting President Dwight Eisenhower’s resistance to racial integration, he noted: “The Supreme Court has spoken, and I am sworn to uphold the constitutional processes in this country; and I will obey [the *Brown v. Board* decision].”⁵ Similarly, despite claiming that “[t]he *Citizens United* decision was wrong,

and it has caused real harm to our democracy,” President Barack Obama and his administration accepted the Supreme Court’s ruling as law while calling on Congress to enact new campaign finance regulations.⁶

Attempts to reform the Supreme Court have likewise met public resistance. Most notably, President Franklin Roosevelt’s “court packing” proposal failed in part because he “had little success in persuading the public

WHEN PERCEPTIONS OF THE COURTS AS TRUSTWORTHY, IMPARTIAL, AND APOLITICAL ERODE, POLITICIANS AND THE PUBLIC MAY BECOME MORE WILLING TO ENDORSE CONSTRAINTS ON THE COURTS’ INDEPENDENCE AND AUTHORITY.

of his program’s urgency.”⁷ Even in the aftermath of Justice Amy Coney Barrett’s controversial nomination following the death of Justice Ruth Bader Ginsburg, poll after poll showed that the public opposed increasing the number of justices on the Court.⁸

But what happens if this reservoir of goodwill runs dry? When perceptions of the courts as trustworthy, impartial, and apolitical erode, politicians and the public may become more willing to endorse constraints on the courts’ independence and authority.⁹ Following the controversial decision in *Dobbs v. Jackson Women’s Health Organization*,¹⁰ public confidence in the U.S. Supreme Court reached its lowest point of the past half century.¹¹ And by summer 2023, majorities of the public reported support for imposing term limits, mandatory retirement ages, and formal ethics policies.¹²

In this report, the Annenberg Public Policy Center (APPC) summarizes nearly 20 years of survey data to shine light on public perceptions of the courts, including some new data not published before.¹³ The Annenberg Civics Knowledge surveys provide a nationally representative snapshot of the American public and allow us to investigate the interaction between public trust in the judiciary and the public’s knowledge of civics.

We begin by summarizing what we know about the public’s trust in the judicial branch, highlighting four key findings. First, we show how this trust has waned in recent years. Second, we demonstrate key distinctions between the U.S. Supreme Court and the federal

judiciary as a whole, with public trust in the Supreme Court more clearly declining. Third, though we find that the judicial branch still maintains greater support from the public than the other political branches, we show this advantage has also declined in recent years. And finally, we examine perceptions about the courts' impartiality, finding that a majority of Americans believe the courts favor the wealthy and that judges fail to set aside their personal political beliefs when making their rulings.

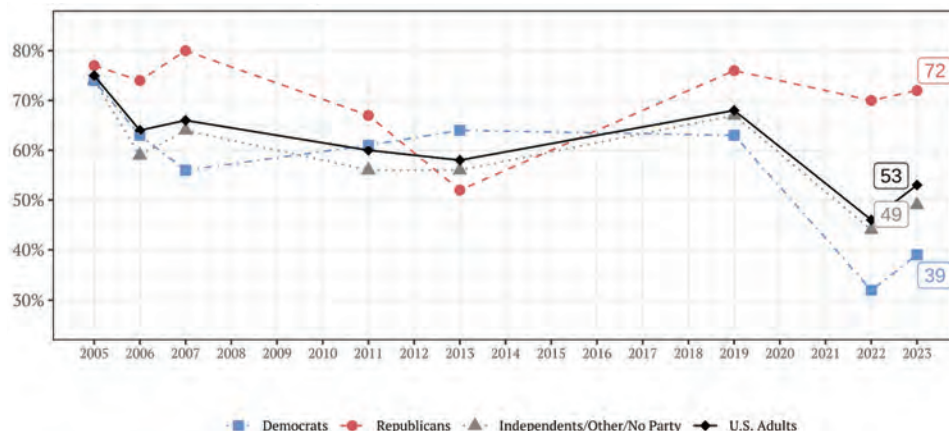
Next, we describe the role of factual knowledge about the nature and function of the judiciary in public perceptions of the courts. We briefly summarize an extensive literature in both legal studies and political science that argues that "to know courts is to love them" — that is, understanding the workings of the judiciary and the unique role courts play in American government may help foster greater trust in and support for the institution of the courts, especially compared to the political branches.¹⁴

However, cracks have emerged here, too. Using four surveys conducted over the past 20 years, we show that the relationship between civics knowledge and trust in the U.S. Supreme Court and federal judiciary has changed. In 2022, those most knowledgeable of the U.S. Supreme Court were least trusting in that Court's ability to operate in the best interests of the American people. Those who knew more about the federal courts *in general* were more trusting of the federal judiciary *as a whole*, but they also were more likely to endorse major reforms to the judiciary, such as term limits, mandatory retirement ages, and public referenda to overturn judicial decisions.

The culprit behind these trends is a familiar one. We show that, as with

FIGURE 1: TRUST IN THE SUPREME COURT

How much do you trust the Supreme Court to operate in the best interests of the American people? (% "A great deal" or "A fair amount")



Source: APCC Constitution Day Survey 2005-2023
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much of contemporary American politics, perceptions of the U.S. Supreme Court are splitting along partisan lines: Where Republicans are as trusting and confident in the Court as ever before, Democratic voters (and to a lesser extent voters unaffiliated with either major party) now hold considerably less favorable views of the Court and are more willing to endorse major reforms to the Court's independence and authority.

What can be done to "promote public confidence in the judiciary," as Chief Justice John Roberts, Jr., urged his colleagues in 2019?¹⁵ We conclude by discussing the role of robust civics education in rebuilding public confidence in the judiciary.

Public Trust in the Judiciary

The Annenberg Civics Knowledge Survey, conducted since 2006, focuses on the public's understanding of the Constitution of the United States. Since 2013, the survey has been released annually for Constitution Day (Sept. 17) as the "Annenberg Constitution Day Civics Survey." In this section, we supplement these surveys with other

research to try to understand public perceptions of the judiciary over the past two decades.

Trust in the U.S. Supreme Court

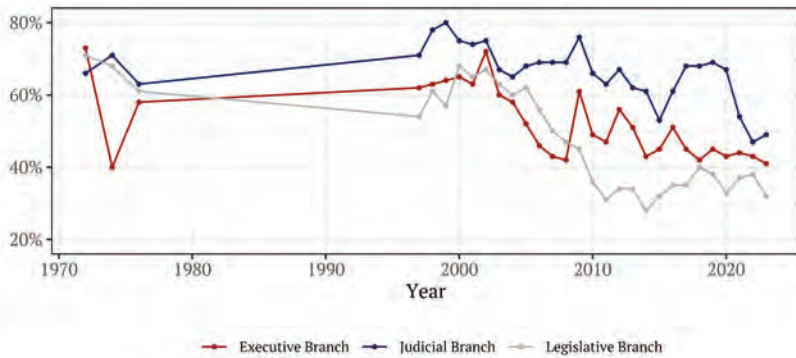
Figure 1 shows responses to the question "How much do you trust the Supreme Court to operate in the best interests of the American people?" and gauges how views have changed over time.¹⁶ The overall trends are also disaggregated by self-identified party identification.

Three patterns are worth highlighting: First, from 2005 to 2019, large majorities of Americans across the political spectrum had either "a fair amount" or "a great deal" of trust in the U.S. Supreme Court to operate in the best interests of the American people.¹⁷ In 2005, roughly three-quarters of Americans felt similar levels of trust in the Court.¹⁸

Second, between 2019 and 2022, there was a considerable drop in trust, with only 46 percent of U.S. adults having a "fair amount" or "great deal" of trust in the U.S. Supreme Court in 2022 compared to 68 percent in 2019.¹⁹ This drop in trust occurred primarily

FIGURE 2: CONFIDENCE IN THE THREE BRANCHES⁴⁰

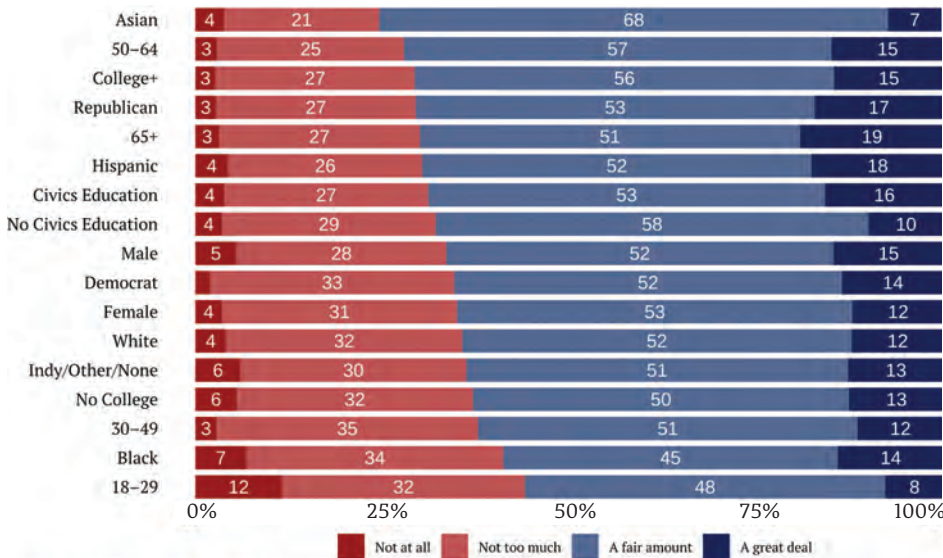
How much trust and confidence do you have at this time in the ___?
(% “A great deal” or “A fair amount”)



Source: Gallup. 2022. “Trust in Federal Government Branches Continues to Falter.”
<https://news.gallup.com/poll/402737/trust-federal-government-branches-continues-falter.aspx>

FIGURE 3: TRUST IN THE JUDICIARY

How much do you trust the judicial branch to operate in the best interests of the American people?



Note: Some rows may not add to 100 due to rounding.
Source: ASAPH Survey, February 2023
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among Democrats and those who do not identify with the two major parties.²⁰ Meanwhile Republican trust in the Court only fell from 76 percent in 2019 to 70 percent in 2022.²¹

This decline in trust mirrors findings from other survey research institutions. Between July 2020 and September 2021, Gallup observed an 18 percent drop in approval of the way the Supreme Court is handling

its job,²² and, in nearly the same time period (between September 2020 and September 2021), the Marquette Law School Poll found a 17 percent drop in approval of the way the Supreme Court is handling its job.²³ Similarly, PEW found a 26 percent drop in individuals with favorable views of the Supreme Court between 2021 and 2023 — a decline most pronounced among voters who identify as Democrats or

Democratic-leaning independents.²⁴ All three studies found fewer than half of respondents overall approving of or favoring the U.S. Supreme Court.²⁵

The Annenberg Public Policy Center conducted a separate study in Spring 2022,²⁶ before and after the leak of the draft majority opinion in *Dobbs v. Jackson Women’s Health Organization* and after the subsequent decision.²⁷ The study suggested that both the leak and the decision,²⁸ which overturned *Roe v. Wade*,²⁹ may have further eroded the public’s trust and confidence in the U.S. Supreme Court.³⁰

Third, in the year following the *Dobbs* decision, trust in the Court improved but remained below historic norms. As **Figure 1** demonstrates, a bare majority (53 percent) expressed “a great deal” or “a fair amount” of trust in the Court in 2023, compared to nearly two-thirds of respondents expressing the same levels of trust over the preceding 15 years.³¹ Whether the decline in trust observed in 2022 marked a more lasting drop in confidence remains to be seen.

Trust in the Federal Judiciary

Generally, the public has held the judicial branch as a whole in higher esteem than the Supreme Court.³² Have the public’s feelings toward the U.S. Supreme Court bled into their perceptions of other courts and the judiciary more generally? To answer this question, we looked at two sets of survey findings. First, we surveyed the same group of respondents twice, first asking them (in August 2022) about the Supreme Court,³³ and later asking them (in February 2023) about the “judicial branch as a whole.”³⁴ In these two surveys (both conducted after *Dobbs* issued in June 2022), we found that 47 percent of adults expressed a “fair amount” or “great deal” of trust in the U.S. Supreme Court compared to 65 ▶

percent who felt similarly about the entire judicial branch.³⁵

Second, in a different survey, we asked respondents to evaluate both the U.S. Supreme Court and “federal and state courts” separately. Here we found that significantly more adults expressed no trust (“not at all”) in the U.S. Supreme Court (24 percent) than in the federal and state courts (18 percent).³⁶

Figure 2, however, shows that public “trust and confidence” in the judicial branch overall has also declined.³⁷ While the public continues to place more trust and confidence in the judicial branch than the other branches, that advantage has dwindled and, as of 2022, was not much higher than the political branches.³⁸ 2022 was the first time Annenberg data saw trust in the judicial branch drop below 50 percent.³⁹

Demographic Differences in Trust

Figure 3 breaks down respondents by age, education, gender, party identification, race and ethnicity, and whether or not they reported taking a course in high school focusing on civics and government.⁴¹ These groups are then ordered such that those with greater confidence in the judicial branch are near the top, where those with lower overall trust are toward the bottom.

Many of these demographics are related to one another. For example, older individuals are more likely to be Republican than younger adults, all else being equal.⁴² To determine which of these differences are statistically significant, we conducted a regression analysis of overall trust in the judicial branch as a function of these demographics to identify statistically significant estimates.

For example, compared to White adults, Asian, Black, and Hispanic

FIGURE 4. CIVICS KNOWLEDGE

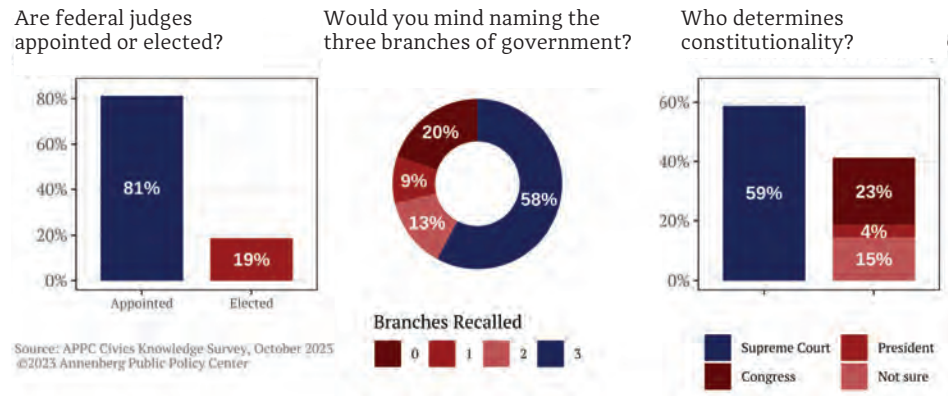
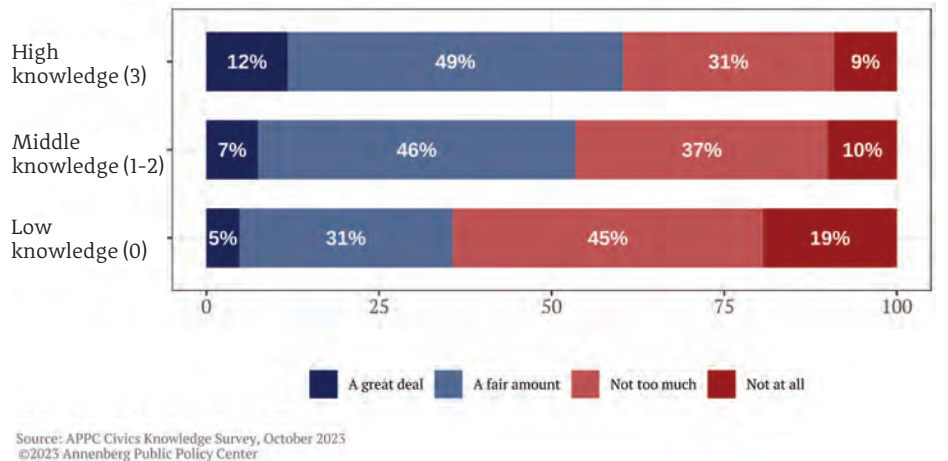


FIGURE 5. CIVICS KNOWLEDGE AND TRUST IN THE FEDERAL JUDICIARY



adults are no more or less likely to have confidence in the judicial branch, all else being equal.⁴³ Democrats and Republicans are both more likely to express confidence in comparison to adults who do not identify with one of the two major parties. Younger adults are less likely to have trust in the judicial branch than older adults.⁴⁴ And compared to adults who remember taking a course in high school focused on civics or government, adults without such experience are slightly less likely to express trust in the judicial branch.⁴⁵ (A regression analysis shows that all else being equal, high school civics significantly increases support

for the judiciary. Results are available in the online appendix.)

Apart from this information about specific recollections of civics education, we also draw from a wealth of surveys about general civics knowledge. As we discuss further alongside **Figure 5**, those with greater civics knowledge (based on responses to three civics questions) are more likely to believe that the *federal judiciary* works in the best interest of the American people. And, per **Figure 7**, general civics knowledge (based on responses to one civics question), also appears to be less correlated with trust in the *Supreme Court* specifically than it once was.

Concrete Examples of Confidence in the Federal Judiciary

What about more specific aspects of trust in the judiciary? Examining perceptions of bias in the judiciary, we first note that 72 percent of respondents believe that the courts in the U.S. favor the wealthy (70 percent) or favor the poor (2 percent), compared to only 14 percent that believe the courts treat both groups equally.⁴⁶ Second, only 43 percent of respondents either “somewhat” or “strongly” agree that judges in the U.S. are fair and impartial in their rulings.⁴⁷ And third, nearly half (49 percent) of the public believes that judges in the U.S. “decide cases in ways that advantage the side that agrees with their political views.”⁴⁸

However, when it comes to whether respondents believe they themselves would receive a fair trial, we find much more confidence. More than half (57 percent) of respondents think it is “somewhat likely” that they would receive a fair trial if they were accused of a crime they did not commit.⁴⁹ A further 19 percent believe a fair trial “very likely.”⁵⁰ (Topline summaries and charts detailing more of this data are available with the online version of this article at judicature.duke.edu.)

CIVICS KNOWLEDGE AND PUBLIC TRUST

Scholars of the judiciary have long noted that “to know courts is to love them.”⁵¹ In other words, knowledge of the role of the courts in our checks-and-balances system of government seems to increase public confidence in the institution. Early studies found that survey respondents who knew more about the Supreme Court were more likely to ascribe neutrality and objectivity to its decision-making.⁵²

Why is knowledge about the courts associated with increased public sup-

WE REPORT A TROUBLING CHANGE: CIVICS KNOWLEDGE IS NOW ONLY WEAKLY PREDICTIVE OF SPECIFIC CONFIDENCE IN THE FEDERAL JUDICIARY AS A WHOLE.

port for these institutions? In learning about the courts, citizens come to understand that “courts are different from other political institutions.”⁵³ With most judicial decision-making occurring behind closed doors (in chambers or conference), the public sees only the formal proceedings. Scholars have argued that these formal proceedings may make an impression: “People may be impressed by such symbols as the robes of judges, the honorific forms of address, and the temple-like buildings in which courts are typically housed.”⁵⁴ This “pageantry of judicial symbols” may suggest that the judiciary is removed from the politics of the other branches.⁵⁵ Civics education also exposes individuals to the “nature of American democracy and the values that undergird it”—support for a multiparty system, the rule of law, and individual liberty—which in turn reiterate the courts’ unique, counter-majoritarian role in our political system.⁵⁶

Is civics knowledge still positively correlated with positive public perceptions of the courts?⁵⁷ To test this hypothesis, APPC contracted with SSRS, an independent survey research company, to conduct a survey in October 2023 assessing the intersection between the public’s knowledge of civics and the public’s trust in the federal judiciary. We compared these results to findings from Annenberg’s U.S. Supreme Court surveys in 2007, 2011, 2019, and 2022 to speak more clearly to change over time. We report a troubling change: Civics knowledge is now only weakly predictive of specific confidence in the federal judiciary as a whole.⁵⁸

Measuring Court Knowledge

To measure civics knowledge, particularly with respect to the federal judiciary, we typically rely on a series of items assessing how well an individual understands the structure of government: Do you happen to know any of the three branches of government, and, if so, would you mind naming any of them?⁵⁹ If the president and Supreme Court disagree on whether an action by the president is constitutional, who has the final responsibility in determining whether the action is constitutional?⁶⁰ Are federal judges in the U.S. appointed or elected to their position?⁶¹ We use these three items to create a single scale of court-related civics knowledge, which we in turn use to predict levels of confidence in the judiciary. The share of respondents correctly answering each question can be found in **Figure 4**.

Using these three items, we create a scale, ranging from 0 to 3, where 0 is being unable to correctly answer any question and 3 is being able to answer each correctly. Overall, over two-thirds (69 percent) of respondents knew ►

the correct answers to at least two of the three questions, and only 7 percent of our sample knew none of the answers.⁶² The demographic disparities in civics knowledge we observe are consistent with prior studies: Younger, less-educated respondents have less civics knowledge than older, more-educated respondents.⁶³ We also found that men tend to be more politically informed compared to women,⁶⁴ as are White and Asian respondents in comparison to Black and Hispanic respondents.⁶⁵

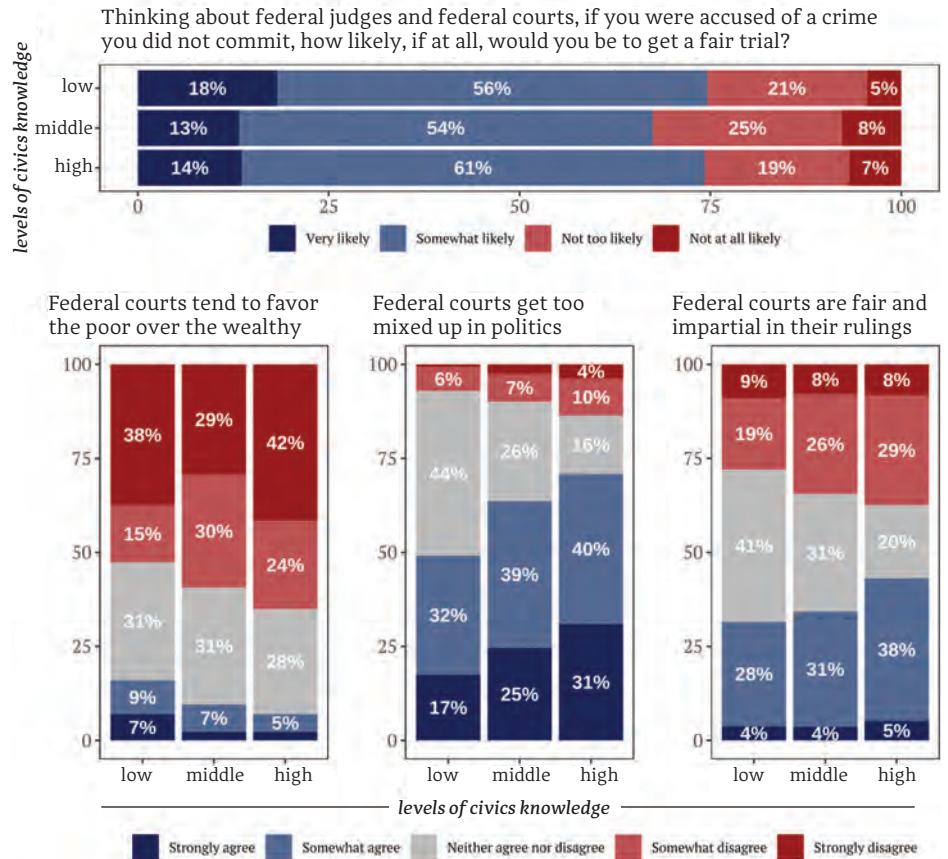
Civics Knowledge and Trust in the Judiciary

How does civics knowledge relate to public trust in the federal judiciary? **Figure 5** presents some initial evidence. Respondents who know more about the judiciary are more likely to believe that the federal judiciary works in the best interest of the American people. Among those who knew no correct answers, only 36 percent had some degree of trust in the federal judiciary, compared to 61 percent among those who could correctly answer all items. Here we see evidence supporting the conventional wisdom that “to know courts is to love them.”

But does civics knowledge *predict specific instances of confidence*? In other words, are those who know more about the judiciary more likely to believe they would receive a fair trial? That they favor the wealthy over the poor in their rulings? That the federal courts are too mixed up in politics? That judges are impartial in their rulings?

The results shown in **Figure 6** are inconsistent. Knowledge of the courts has no relationship with respondents’ confidence in receiving a fair trial. More knowledgeable respondents were both more *and* less likely than less knowledgeable respondents to

FIGURE 6. CIVICS KNOWLEDGE AND SPECIFIC CONFIDENCE IN THE FEDERAL COURTS



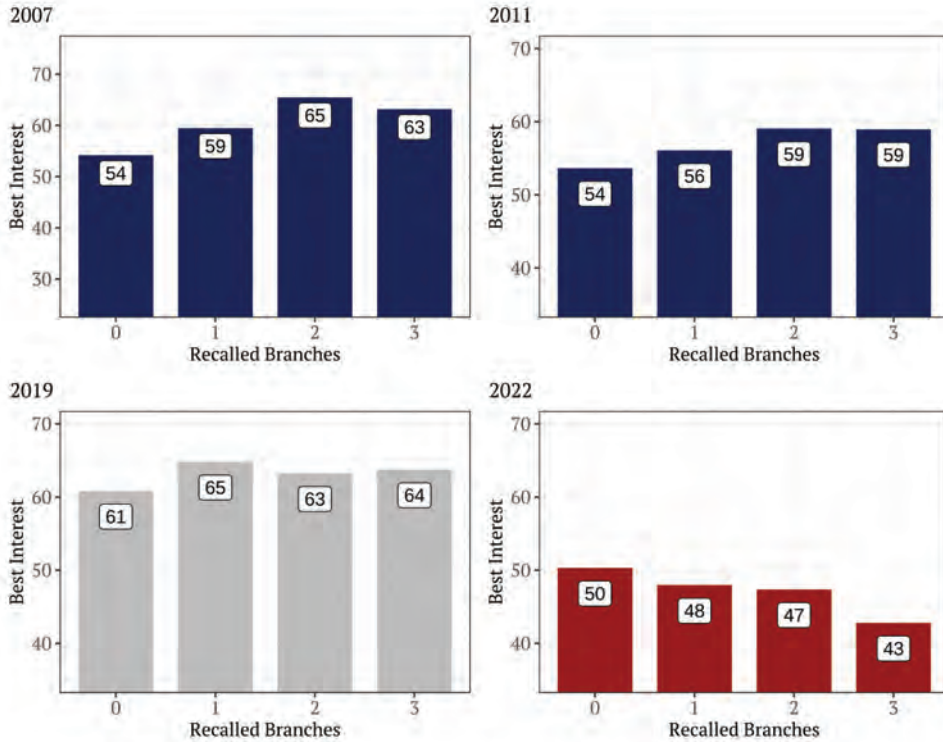
Source: APPC Civics Knowledge Survey, October 2025
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believe that the courts are too mixed up in politics and that the courts are fair and impartial in their rulings. This suggests that people who know more about civics are more likely to have an opinion, rather than to “neither agree nor disagree,” on these questions — but they do not necessarily hold views more favorable toward the courts.

It is also worth asking: In the face of widespread declining trust in all public institutions, is civics knowledge still as positively correlated with support for the *Supreme Court* as it once was?⁶⁶ To address this question further, we can turn to previous surveys focusing on the *Supreme Court* to compare this relationship over time.

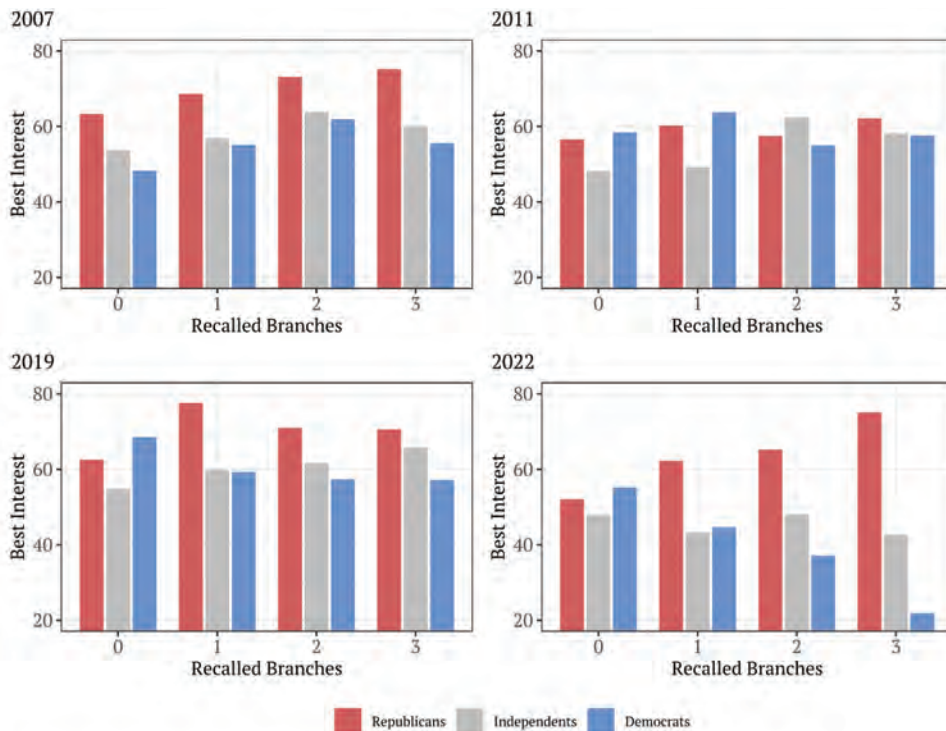
To do so, we return to one of the questions detailed in **Figure 5** about *general civics knowledge*. That is because, over time, respondents were consistently asked to recall the three branches of government in each survey. In this analysis, we then look at a simplified knowledge scale — how many branches were you able to recall? **Figure 7** scales our trust measure to range from 0 (not at all) to 100 (a great deal).⁶⁷ The x-axis is instead the number of branches the individual was able to recall, rather than the scale used above. In 2007 and 2011 (both presented in blue), the conventional wisdom holds: More knowledgeable respondents were more trusting in the

FIGURE 7. CIVICS KNOWLEDGE AND TRUST IN THE SUPREME COURT



Source: APPC Constitution Day Survey 2007–2022
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FIGURE 8. CIVICS KNOWLEDGE AND TRUST IN THE SUPREME COURT BY PARTY IDENTIFICATION



Source: APPC Constitution Day Survey 2007–2022
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Supreme Court than in current times. But civics knowledge is not correlated with trust in 2019 (in grey) and is *negatively* correlated in 2022 (in red).⁶⁸ Why might this be the case?

Figure 8 disaggregates the trends from Figure 7 by partisan identification. The most dramatic trend can be seen in the panel from 2022. Where in previous years there were few consistent differences, the divergence by party in 2022 was stark. Democrats and Republicans unable to recall any of the three branches place comparable trust in the U.S. Supreme Court. But among respondents with high civics knowledge, Republicans are more than three times more trusting. While there is a small increase in trust among Republicans as they become more knowledgeable, there is a much larger decrease in trust among Democrats as they become more knowledgeable. This could reflect a negativity bias in perceptions of the Supreme Court, or the idea that negative reactions in response to a disliked decision are greater than positive reactions in response to a liked decision.⁶⁹ Viewed this way, it is possible that increased levels of knowledge had a more negative effect on Democrats than a positive effect on Republicans.

To summarize, the public’s trust in both the U.S. Supreme Court specifically and the federal judiciary as a whole more generally have declined over the past few decades. And while civics knowledge continues to be associated with trust in the federal judiciary as a whole, that relationship has not only declined, but *reversed* for the U.S. Supreme Court — that is, more knowledgeable respondents are now less trusting in the U.S. Supreme Court.

How worrisome are these trends? In the next section, we turn from the public’s trust and approval of the

courts — measures in which we may expect to observe short-term changes in response to individual decisions — to focus on “the reservoir of goodwill,” or the historical institutional support for the judiciary. Has dissatisfaction with particular actions by the Supreme Court affected the reservoir of goodwill that sustains the legitimacy of the judiciary?

SUPPORT FOR JUDICIAL LEGITIMACY

The Supreme Court’s unique role and reputation for being above politics have historically sustained high levels of public approval and trust as well as a sense of legitimacy (or “a widely accepted mandate to render judgments for a political community”).⁷⁰ However, legal scholars and political scientists have long distinguished between *approval and trust* on the one hand and *legitimacy* on the other.⁷¹ Where approval and trust are short-term measures that are grounded in satisfaction with particular decisions and actions, belief in the Court’s legitimacy stems from public satisfaction with the Court’s performance of its constitutional role.⁷² This is what leads people to respect the Court’s rulings and its authority even when they disagree with a decision.⁷³

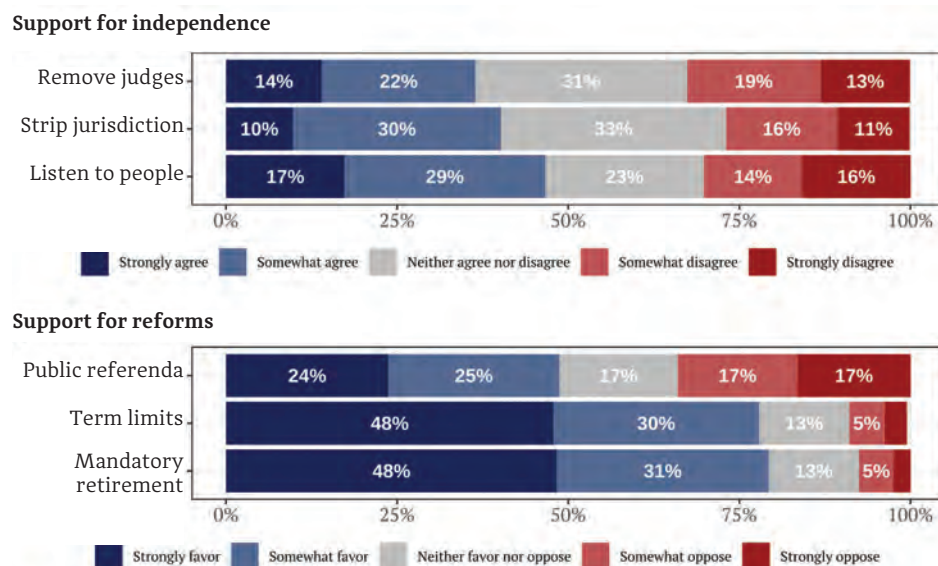
For this final analysis, we summarize the public’s support for the judiciary as an institution, or what we call “institutional support,” as a way to measure legitimacy.

Measuring Institutional Support for the Judiciary

To measure institutional support for the judiciary, we asked respondents two kinds of questions.

First, we asked respondents about the degree to which they agreed or disagreed with three statements

FIGURE 9. THE PUBLIC’S INSTITUTIONAL SUPPORT FOR THE FEDERAL COURTS



Source: APPC Civics Knowledge Survey, October 2023
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related to judicial independence, each of which would tend to make the judiciary less independent (independence statements):

- The right of the federal courts to decide certain types of controversial issues should be reduced. (Strip Jurisdiction)
- The federal courts ought to be made less independent so that they listen more to what the people want. (Listen to People)
- Federal judges who consistently make unpopular decisions should be removed from their positions as judges. (Remove Judges)

To measure the public’s willingness to implement major reforms to the workings of the judiciary, we asked respondents to tell us the degree to which they support or oppose three possible reform proposals, each of which would tend to decrease the power of judges (reform proposals):

- Setting a specific number of years that federal judges serve instead of granting them lifetime appointments (Term Limits)
- Requiring that federal judges retire by a certain age (Mandatory Retirement)
- Allowing the public to vote to overturn federal court decisions on controversial issues (Public Referenda)

In general, agreement with the three statements about judicial independence (“independence statements”), and likewise agreement with the three reform proposals (“reform proposals”), would tend to show less institutional support for the judiciary. The responses to these items from APPC’s October 2023 Civics Knowledge Survey can be found in **Figure 9**.

While none of the independence statements received majority support, this is only because of considerable indifference among respondents (roughly a quarter to a third of them

“neither agreed nor disagreed” with the statements). However, the majority of respondents who actually had an opinion would reduce the independence of the courts; that is, for each statement, more respondents “strongly” or “somewhat” agreed than “strongly” or “somewhat” disagreed. With respect to the reform proposals, we see that large majorities — nearly 80 percent — support term limits and mandatory retirement ages for judges.

Takeaways

In discussing what can be done to foster confidence in the federal judiciary, it is important to consider the different factors that legal scholars have historically connected to trust in the judiciary:

- **Commitment to Democratic Norms:** Scholars have found that citizens “more firmly committed to democratic norms,” such as the protection of the political rights of minorities, support for the rule of law, and belief in due process express greater institutional support for the judiciary, given its role in securing these important societal functions.⁷⁴
- **Exposure to Legitimizing Symbols:** When people learn about the judiciary, they are continuously exposed to “symbols” that reinforce the courts as unique institutions (judicial robes, scales of justice, temple-like buildings) as well as to the courts’ unique processes (lengthy written justifications for rulings, use of Latin phrases, announcement of decisions). Studies have suggested that these “symbols” may “activate preexisting loyalty toward the institution” and “reinforce the understanding that courts are different from other po-

THE SAME POLARIZATION THAT HAS ERODED SUPPORT FOR THE JUDICIARY HAS ALSO REDUCED BELIEF IN DEMOCRATIC NORMS. CIVICS EDUCATION ALONE MAY NOT BE ENOUGH TO STEM THESE ANTI-DEMOCRATIC TIDES.

litical institutions,” removed from the political bargaining of the other branches.⁷⁵

- **Confidence in Judicial Process:** Early work on institutional legitimacy found that citizens who knew more about politics were more likely to view the Supreme Court as impartial and competent in its decision-making and to have a stronger belief that justices rely on the law and not values in making their decisions.⁷⁶ Without addressing the merits of “legal realism,”⁷⁷ it suffices to note that civics knowledge exposes the public to the “frame” of legality, or the concept that judi-

cial decision-making is devoid of a judge’s personal ideological and policy preferences.⁷⁸ Studies have shown that citizens who believe the Court is legalistic in its decision-making express greater institutional support for the judiciary.⁷⁹

Fostering Public Confidence in the Courts

These three pillars (commitment to democratic norms, exposure to legitimizing symbols, and confidence in the judicial process) have long provided a guide to fostering greater confidence in the judiciary through robust civics education. We believe that civics education can nurture understanding of and support for the democratic norms that serve as guardrails for our government, while further exposing the public to the legitimizing symbols and procedures of the judiciary that reaffirm the courts’ unique role in our checks and balances system.

However, trust in all public institutions — be they government, universities, or the media — is in decline.⁸⁰ Political discourse challenging an institution’s legitimacy can undermine confidence in the processes and procedures of democracy.⁸¹ And the same polarization that has eroded support for the judiciary⁸² has also reduced belief in democratic norms.⁸³ Civics education alone may not be enough to stem these anti-democratic tides.

Recent controversies concerning the politics of Supreme Court nominations, the *Dobbs* leak and subsequent decision, and ethics standards for Supreme Court justices may also have detracted from the stream of legitimizing symbols and processes to which the public is exposed. Chief Justice Roberts argues that “[w]e do not have Obama judges or Trump judges, Bush judges or Clinton judges,” but “an extraordinary group ▶

of dedicated judges doing their level best to do equal right to those appearing before them.”⁸⁴ Unfortunately, much of the public seems to feel differently.

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¹ DAVID EASTON, A SYSTEMS ANALYSIS OF POLITICAL LIFE 273 (1965).

² See James L. Gibson & Gregory A. Caldeira, *Has Legal Realism Damaged the Legitimacy of the U.S. Supreme Court?*, 45 L. & Soc’y. Rev. 195, 214 (2011) (finding that Americans regard courts as highly legitimate within the American political scheme).

³ See Vanessa A. Baird & Amy Gangl, *Shattering the Myth of Legality: The Impact of the Media’s Framing of Supreme Court Procedures on Perceptions of Fairness*, 27 POL. PSYCH. 597, 604–06 (2006); see also *id.* at 198 n.7.

⁴ See generally BRANDON L. BARTELS & CHRISTOPHER D. JOHNSTON, *CURBING THE COURT: WHY THE PUBLIC CONSTRAINS JUDICIAL INDEPENDENCE* (2020) (investigating the ways in which judicial institutions are vulnerable to the influences of politics); James L. Gibson, Gregory A. Caldeira & Kenyatta Spence, *Measuring Attitudes Toward the United States Supreme Court*, 47 AM. J. POL. SCI. 354 (2003) (expounding on the finding that the Supreme Court still held a high level of legitimacy in the aftermath of the disputed 2000 presidential election and related Supreme Court decision); James L. Gibson, *The Legitimacy of the U.S. Supreme Court in a Polarized Polity*, 4 J. EMPIRICAL LEGAL STUD. 507 (2007) (concluding that the Supreme Court has substantial institutional legitimacy even within the context of deep political divisions within the American mass public and American political system).

⁵ President Dwight D. Eisenhower, Press Conference Statements Regarding *Brown v. Board of*

Education (May 19, 1954) (transcript available at <https://www.presidency.ucsb.edu/documents/the-presidents-news-conference-454>).

⁶ President Barack Obama, Statement from the White House Addressing the Anniversary of *Citizens United v. FEC* (Jan. 21, 2015) (transcript available at <https://obamawhitehouse.archives.gov/the-press-office/remarks-president-state-union-address>).

⁷ Gregory A. Caldeira, *Public Opinion and the U.S. Supreme Court: FDR’s Court-Packing Plan*, 81 AM. POL. SCI. REV. 1139, 1141 (1987).

⁸ See, e.g., Gary Langer, *Most Say Wait on Ginsburg Seat, While Opposing Packing the Court: Poll*, ABC NEWS (Sept. 25, 2020, 2:00 PM), <https://abcnews.go.com/Politics/wait-ginsburg-seat-opposing-packing-court/story?id=73239784> (54 percent of respondents opposed increasing the number of Supreme Court justices).

⁹ See generally BARTELS & JOHNSTON, *supra* note 4 (arguing that American citizens seek to limit the Court’s power when it suits their political aims, especially during times of sharp partisan polarization).

¹⁰ 597 U.S. 215 (2022).

¹¹ GALLUP, <https://news.gallup.com/poll/4732/supreme-court.aspx> (last visited Mar. 21, 2024).

¹² See Jared Sharpe, *Majority of Americans Support Supreme Court Reforms, Including Terms Limits and Ethics Requirements, According to New UMass Amherst Poll*, U. MASS. AMHERST (June 16, 2023), <https://www.umass.edu/news/article/majority-americans-support-supreme-court-reforms-including-term-limits-and-ethics> (finding 65 percent of adults surveyed favored term limits for Supreme Court justices and 89 percent favored holding Supreme Court justices to a formal code of ethics that requires they “avoid impropriety and the appearance of impropriety in all activities”); see also Pew Research Center, *Americans’ Dismal Views of the Nation’s Politics*, PEW RSCH. CTR. (Sept. 19, 2023), <https://www.pewresearch.org/politics/2023/09/19/how-americans-view-proposals-to-change-the-political-system/> (finding 74 percent of adults surveyed favored implementing a maximum age limit for Supreme Court justices).

¹³ See Appendix for additional details on the data and findings.

¹⁴ James L. Gibson, Gregory A. Caldeira & Vanessa A. Baird, *On the Legitimacy of National High Courts*, 92 AM. POL. SCI. REV. 343, 344 (1998).

¹⁵ Chief Justice John Roberts, 2019 Year-End Report to the Judiciary (Dec. 31, 2019), <https://www.supremecourt.gov/publicinfo/year-end/year-endreports.aspx>.

¹⁶ See Annenberg Public Policy Center, *Politicians in Robes’: How a Sharp Right Turn Imperiled Trust in the Supreme Court*, ANNENBERG PUB. POL’Y. CTR. (Mar. 6, 2024), <https://www.annenbergpublicpolicycenter.org/politicians-in-robos-how-a-sharp-right-turn-imperiled-trust-in-the-supreme-court/>. Full question wordings and topline summaries for the survey items can be found with the online version of this article posted at judicature.duke.edu.

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ *Id.* Although 63 percent of Democrats and 67 percent of those who do not identify with the two major parties expressed a “great deal” or a “fair amount” of trust in the Supreme Court

in 2019, those figures fell to 32 and 44 in 2022, respectively.

²¹ *Id.*

²² GALLUP, *supra* note 11.

²³ Charles Franklin, *New Marquette Law School Poll National Survey Finds Continued General Trend of Lower Public Approval of Work of U.S. Supreme Court*, MARQUETTE UNIV. L. SCH. POLL. (Mar. 28, 2023), <https://law.marquette.edu/poll/2023/03/28/new-marquette-law-school-poll-national-survey-finds-continued-general-trend-of-lower-public-approval-of-work-of-u-s-supreme-court/>.

²⁴ Katy Lin & Carroll Doherty, *Favorable Views of Supreme Court Fall to Historic Low*, PEW RSCH. CTR. (July 21, 2023), <https://www.pewresearch.org/short-reads/2023/07/21/favorable-views-of-supreme-court-fall-to-historic-low/> (comparing a 43 percent decrease in Democrats and Democratic-leaning independents that favorably view the Supreme Court with a seven percent decrease in Republicans and Republican-leaning independents between 2021 and 2023).

²⁵ GALLUP, *supra* note 11 (41 percent of respondents approved of the way the Supreme Court is handling its job in September 2023); Franklin, *supra* note 23 (44 percent of respondents approved of the way the Supreme Court was handling its job in March 2023); Lin & Doherty, *supra* note 24 (44 percent of respondents held favorable views of the Supreme Court in July 2023).

²⁶ See Matthew Levendusky et al., *Has the Supreme Court Become Just Another Political Branch? Public Perceptions of Court Legitimacy and Approval in a Post-Dobbs World*, 10 SCI. ADVANCES 1 (2024); see also Annenberg Public Policy Center, *supra* note 16. In this study, APPC examined data from a survey conducted in 2022 before and immediately after the *Dobbs* decision leaked and from 18 nationally representative surveys spanning two decades. While there was little evidence of partisan polarization in earlier years, a partisan split occurred immediately after the *Dobbs* leak, which grew following issuance of the actual decision, with Democrats expressing far lower levels of trust in and favorability toward the Court.

²⁷ 597 U.S. 215 (2022).

²⁸ See Pew Research Center, *Majority of Public Disapproves of Supreme Court’s Decision to Overturn Roe v. Wade*, PEW RSCH. CTR. (July 6, 2022), <https://www.pewresearch.org/politics/2022/07/06/majority-of-public-disapproves-of-supreme-courts-decision-to-overturn-roe-v-wade/> (finding 57 percent of respondents strongly or somewhat disapproved of the Supreme Court’s decision that the U.S. Constitution does not guarantee a right to abortion and that abortion laws can be set by states).

²⁹ 410 U.S. 113 (1973).

³⁰ See, e.g., James L. Gibson, *Losing Legitimacy: The Challenges of the Dobbs Ruling to Conventional Legitimacy Theory*, AM. J. POL. SCI. (forthcoming 2024); Levendusky et al., *supra* note 26. The Levendusky survey was administered in April 14–20, May 12–18 (after the leak), and July 5–11 of 2022.

³¹ See Annenberg Public Policy Center, *supra* note 16.

³² *Id.*

³³ See Annenberg Public Policy Center, *Over Half of Americans Disapprove of Supreme Court as Trust Plummets*, ANNENBERG PUB. POL’Y. CTR. (Oct. 11, 2022), <https://www.annenbergpublicpolicycenter.org/over-half-of-americans-disapprove-of-supreme-court-as-trust-plummets/>

- [hereinafter Annenberg ASAPH August 2022] (detailing the findings and methodology of the August 2022 ASAPH survey).
- 34 The February 2023 survey results regarding the “judicial branch as a whole” have never been published. This article contains the first published presentation of the data. See Annenberg Public Policy Center, *supra* note 16 (describing the methodology of the February 2023 survey).
- 35 These figures come from two administrations of the Annenberg Science and Public Health (ASAPH) survey, one in August 2022 and one in February 2023. These surveys had the advantage of interviewing the same respondents, minimizing sampling effects. However, different questions were asked with each administration, and it is possible that intervening events or news may have changed respondents’ feelings about the Court or judicial system in ways that are not accounted for in the data.
- 36 Annenberg ASAPH August 2022, *supra* note 33 (finding that 24 percent of respondents did not trust the Supreme Court to operate in the best interests of the American people (“not at all”) but 18 percent of respondents did not trust federal and state courts to operate in the best interests of the American people (“not at all”).
- 37 See Jeffrey M. Jones, *Trust in Federal Government Branches Continues to Falter*, GALLUP (Oct. 11, 2022), <https://news.gallup.com/poll/402737/trust-federal-government-branches-continues-falter.aspx>; see also Levendusky et al., *supra* note 26, at 2.
- 38 See Jones, *supra* note 37 (providing data). Graph created by authors.
- 39 See Annenberg ASAPH August 2022, *supra* note 33.
- 40 Jones, *supra* note 37.
- 41 See *supra* notes 34–35.
- 42 See *supra* notes 34–35.
- 43 See *supra* notes 34–35.
- 44 See *supra* notes 34–35.
- 45 See *supra* notes 34–35.
- 46 See *supra* notes 34–35.
- 47 See *supra* notes 34–35.
- 48 See *supra* notes 34–35.
- 49 See *supra* notes 34–35.
- 50 See *supra* notes 34–35.
- 51 Gibson et al., *supra* note 14, at 344.
- 52 See Gregory Casey, *The Supreme Court and Myth: An Empirical Investigation*, 8 L. & Soc’y. REV. 385, 404–08 (1974); see also WALTER F. MURPHY, JOSEPH TANENHAUS & DANIEL KASTNER, PUBLIC EVALUATIONS OF CONSTITUTIONAL COURTS: ALTERNATIVE EXPLANATIONS (1973).
- 53 James L. Gibson & Gregory A. Caldeira, *Confirmation Politics and Legitimacy of the U.S. Supreme Court: Institutional Loyalty, Positivity Bias, and the Alito Nomination*, 53 AM. J. POL. SCI. 139, 140 (2009) (explaining that individuals learning about the Supreme Court are susceptible to the influence of strong legitimizing legal symbols leading them to accept the notion that politics play a limited role in the judicial process).
- 54 James L. Gibson, Milton Lodge & Benjamin Woodson, *Losing, but Accepting: Legitimacy, Positivity Theory, and the Symbols of Judicial Authority*, 48 L. & Soc’y. REV. 837, 838 (2014).
- 55 *Id.*
- 56 JAMES L. GIBSON & GREGORY A. CALDEIRA, CITIZENS, COURTS, AND CONFIRMATIONS: POSITIVITY THEORY AND THE JUDGMENTS OF THE AMERICAN PEOPLE 438 (2009).
- 57 See generally Gibson et al., *supra* note 14, at 344–45 (observing that individuals who are more knowledgeable about law and courts are more supportive of judicial institutions).
- 58 See Annenberg Public Policy Center, *Americans’ Civics Knowledge Drops on First Amendment and Branches of Government*, ANNENBERG. PUB. POL’Y. CTR. (Sept. 13, 2022), <https://www.annenberg-publicpolicycenter.org/americans-civics-knowledge-drops-on-first-amendment-and-branches-of-government/> [hereinafter Annenberg 2022 Civics Survey]. This data supporting Figures 4–9 has not been previously published, but it draws from prior Annenberg Constitution Day Civics Surveys conducted in 2007, 2011, 2019, and 2022. An accompanying appendix, available online, details the supporting data.
- 59 See, e.g., *id.*; Annenberg Public Policy Center, *Americans’ Civics Knowledge Increases But Still Has a Long Way to Go*, ANNENBERG. PUB. POL’Y. CTR. (Sept. 12, 2019), <https://www.annenberg-publicpolicycenter.org/americans-civics-knowledge-increases-2019-survey/> [hereinafter Annenberg 2019 Civics Survey].
- 60 See, e.g., Annenberg 2022 Civics Survey, *supra* note 58; Annenberg 2019 Civics Survey, *supra* note 59.
- 61 This question was first asked in the 2023 survey, the results of which have not been previously published. But this question has been asked in other surveys conducted by other scholars to measure civics knowledge. See James L. Gibson & Gregory A. Caldeira, *Knowing the Supreme Court? A Reconsideration of Public Ignorance of the High Court*, 71 J. POL. 429, 433–44 (2009).
- 62 The data cited in Figures 4–9 has not been previously published and appears here for the first time. Further details are provided in the Appendix, available at judicature.duke.edu.
- 63 Compare *id.* at judicature.duke.edu, with Michael X. Delli Carpini & Scott Keeter, *Measuring Political Knowledge: Putting First Things First*, 37 AM. J. POL. SCI. 1179, 1185 (1993) (finding that young adults were less informed about most aspects of politics than were older adults).
- 64 See Appendix at judicature.duke.edu; see also Carpini & Keeter, *supra* note 63, at 1185 (concluding that women were generally less politically informed than men, but this was less true for issues like abortion or women’s suffrage).
- 65 See Appendix at judicature.duke.edu.
- 66 See generally Gibson et al., *supra* note 14, at 344–45 (observing that individuals who are more knowledgeable about law and courts are more supportive of judicial institutions); see also Lee Rainie & Andrew Perrin, *Key Findings About Americans’ Declining Trust in Government and Each Other*, PEW RSCH. CTR. (July 22, 2019), <https://www.pewresearch.org/short-reads/2019/07/22/key-findings-about-americans-declining-trust-in-government-and-each-other/> (finding that individuals with more education are more likely to trust the government generally compared to individuals with less education).
- 67 The survey asked: “Generally speaking, how much do you trust the federal judiciary as a whole to operate in the best interests of the American people?” Possible responses were: “a great deal,” “a fair amount,” “not too much,” or “not at all.” See Appendix at judicature.duke.edu.
- 68 Specifically, as knowledgeability increased, trust decreased among respondents in 2022.
- 69 See generally Anke Grosskopf & Jeffery J. Mondak, *Do Attitudes Toward Specific Supreme Court Decisions Matter? The Impact of Webster and Texas v. Johnson on Public Confidence in the Supreme Court*, 51 POL. RSCH. Q. 633 (1998) (analyzing whether, and in what manner, attitudes regarding specific Supreme Court decisions influence subsequent levels of confidence in the Court itself).
- 70 See James L. Gibson, *The Legitimacy of the U.S. Supreme Court in a Polarized Polity*, 4 J. EMPIRICAL LEGAL STUD. 507, 532–33 (2007) (concluding that recent findings reinforce rather than challenge prior research that determined the majority of Americans trust the Supreme Court and accept its legitimacy regardless of respondents’ political ideology).
- 71 See, e.g., *id.* at 517–20.
- 72 See *id.*
- 73 See *id.*
- 74 See, e.g., Gregory A. Caldeira & James L. Gibson, *The Etiology of Public Support for the Supreme Court*, 36 AM. J. POL. SCI. 635, 648 (1992).
- 75 GIBSON & CALDEIRA, *supra* note 56, at 8; see also Gibson & Caldeira, *supra* note 53, at 140–41.
- 76 See, e.g., Walter F. Murphy & Joseph Tanenhaus, *Public Opinion and the United State Supreme Court: A Preliminary Mapping of Some Prerequisites for Court Legitimation of Regime Changes*, 2 L. & Soc’y. REV. 357, 373–76 (1968); Tom R. Tyler & Gregory Mitchell, *Legitimacy and the Empowerment of Discretionary Legal Authority: The United States Supreme Court and Abortion Rights*, 43 DUKE L. J. 703, 783 (1994).
- 77 See Gibson & Caldeira, *supra* note 2, at 195–98 (defining judicial realism as the model of judicial decision-making in which individual justices’ ideologies and values play a large role).
- 78 See *id.* at 196.
- 79 See, e.g., Vanessa Baird, *Building Institutional Legitimacy*, 54 POL. RSCH. Q. 333, 351 (2001) (suggesting that as people are exposed to institutions over time, support for legalistic procedures will mitigate the effect of displeasing decisions); Baird & Gangl, *supra* note 3, at 606–07 (concluding that perceptions of legalistic decision-making enhance the perceived fairness of the decision-making process, a key underpinning of judicial legitimacy).
- 80 See Rainie & Perrin, *supra* note 66.
- 81 See Katherine Clayton et al., *Elite Rhetoric Can Undermine Democratic Norms*, 118 PROC. NAT’L. ACAD. SCI. 1, 3 (2021) (finding that exposure to rhetoric challenging election legitimacy erodes trust and confidence in elections among people who approve of the speaker but increases trust and confidence in elections among people who disapprove of the speaker).
- 82 See *supra* Figure 1 and accompanying discussion (illustrating a decline in trust among Democrats and Democratic-leaning independents beginning in 2019 while Republican trust remained relatively consistent).
- 83 See Jon Kingzette et al., *How Affective Polarization Undermines Support for Democratic Norms*, 85 PUB. OP. Q. 663, 667–69 (2021) (determining that affective political polarization shapes beliefs about fundamental democratic norms).
- 84 Chief Justice John Roberts, *supra* note 15.

Appendix – Topline Results & Question Wording

Generally speaking, how much do you trust **the U.S. Supreme Court** to operate in the best interests of the American people—a great deal, a fair amount, not too much or not at all?

- 4 A great deal
- 3 A fair amount
- 2 Not too much
- 1 Not at all
- 998 [PN: IF CATI:] (DO NOT READ) Don't know
- 999 [PN: IF CATI:] (DO NOT READ) Refused
- 999 [PN: IF WEB:] Decline/Web blank

Figure 1 – Trust in the Supreme Court

Year	Independents*	Democrats	Republicans	U.S. Adults
2005	74%	74	77	75
2006	59	63	74	64
2007	64	56	80	66
2011	56	61	67	60
2013	56	64	52	58
2019	67	63	76	68
2022	44	32	70	46
2023	49	39	72	53

*Includes Independents and those who identify with a third party or no party.

Note: Percent reporting “a great deal” or “a fair amount”.

Figure 2 – Confidence in the Three Branches

This data is originally from Gallup:

1972 – 2022: <https://news.gallup.com/poll/402737/trust-federal-government-branches-continues-falter.aspx>

2023: <https://news.gallup.com/poll/512651/americans-trust-local-government-congress-least.aspx>

Figure 3 – Trust in the Judiciary

Generally speaking, how much do you trust **the judicial branch as a whole** to operate in the best interests of the American people—a great deal, a fair amount, not too much or not at all?

- 4 A great deal
- 3 A fair amount
- 2 Not too much
- 1 Not at all
- 998 [PN: IF CATI:] (DO NOT READ) Don't know
- 999 [PN: IF CATI:] (DO NOT READ) Refused
- 999 [PN: IF WEB:] Decline/Web blank

Demographic	Category	Not at all	Not too much	A fair amount	A great deal
Age	65+	3%	27	51	19
	50-64	3	25	57	15
	30-49	3	35	51	12
	18-29	12	32	48	8
Education	No College	6	32	50	13
	College+	3	27	56	15
Gender	Female	4	31	53	12
	Male	5	28	52	15
Party ID	Independent	6	30	51	13
	Republican	3	27	53	17
	Democrat	2	33	52	14
Race	White	4	32	52	12
	Black	7	34	45	14
	Hispanic	4	26	52	18
	Asian	4	21	68	7
Education	Civics Education	4	27	53	16
	No Civics	4	29	58	10

*Includes Independents and those who identify with a third party or no party.
 Note: Values less than 3% are omitted from the figure for clarity.

Figure 4 – Civics Knowledge

BRANCH1. Do you happen to know any of the three branches of government?

- 1 Yes
- 2 No
- 998 **[PN: IF CATI:]** (DO NOT READ) Don't know
- 999 **[PN: IF CATI:]** (DO NOT READ) Refused
- 999 **[PN: IF WEB:]** Decline/Web blank

BRANCH2. Would you mind naming any of them, the three branches of government?

[PN: IF CATI: (DO NOT READ LIST; ALLOW UP TO 3 RESPONSES)]

[PN: IF CATI: (IF RESPONDENT NAMES ONLY 1 OR 2, PROBE: “Any others?”)]

[PN: IF WEB: (Please type each branch of government you know of in the text boxes below, up to 3)]

Branches Named	U.S. Adults
0	19%
1	9
2	13
3	58

SCAPPOINT. Some judges in the U.S. are (elected); others are (appointed) to the bench. Do you happen to know if the justices to the U.S. Supreme Court are (elected) or (appointed) to the bench?

- 1 Elected
- 2 Appointed **[CORRECT]**
- 998 **[PN: IF CATI:]** (DO NOT READ) Don't know
- 999 **[PN: IF CATI:]** (DO NOT READ) Refused
- 999 **[PN: IF WEB:]** Decline/Web blank

Response	U.S. Adults
Elected	19
Appointed	81

CHECKBALANCE. If the president and Supreme Court differ on whether an action by the president is constitutional, who has the final responsibility for determining if the action is constitutional- (the president), (Congress), or (the Supreme Court), or are you not sure?

- 1 President
- 2 Congress
- 3 Supreme Court **[CORRECT]**
- 8 Not sure
- 999 **[PN: IF CATI:]** (DO NOT READ) Refused
- 999 **[PN: IF WEB:]** Decline/Web blank

Response	U.S. Adults
President	4%
Congress	23
Supreme Court	59
Not Sure	15

Figure 5 – CIVICS KNOWLEDGE AND TRUST IN THE FEDERAL JUDICIARY

Knowledge Scale	Not at all	Not too much	A fair amount	A great deal
Low (0) Knowledge	19%	45	31	5
Middle (1-2) Knowledge	10	37	46	7
High (3) Knowledge	9	31	49	12

Figure 6 – Civics Knowledge and Specific Confidence in the Federal Courts

Q2. Thinking about federal judges and federal courts, if you were accused of a crime you did not commit, how likely, if at all, would you be to get a fair trial?

Q3. Thinking about the federal judiciary, please indicate how much you agree or disagree with the following statements: Federal courts tend to favor the poor over the wealthy.

Q4. Thinking about the federal judiciary, please indicate how much you agree or disagree with the following statements: Federal courts get too mixed up in politics.

Q5. Thinking about the federal judiciary, please indicate how much you agree or disagree with the following statements: Federal courts are fair and impartial in their rulings.

[PN: IF CATI:] (READ LIST)

- 004 Very likely
- 003 Somewhat likely
- 002 Not too likely
- 001 Not at all likely
- 998 [PN: IF CATI:] (DO NOT READ) Don't know
- 999 [PN: IF CATI:] (DO NOT READ) Refused
- 999 [PN: IF WEB:] Decline/Web blank

Q2.

Knowledge Scale	Not at all likely	Not too likely	Somewhat likely	Very likely
Low (0) Knowledge	7%	19	61	14
Middle (1-2) Knowledge	8	25	54	13
High (3) Knowledge	5	21	56	18

Q3.

Knowledge Scale	Not at all likely	Not too likely	Somewhat likely	Very likely
Low (0) Knowledge	38	15	31	9
Middle (1-2) Knowledge	29	30	31	7
High (3) Knowledge	42	24	28	5

Q4.

Knowledge Scale	Not at all likely	Not too likely	Somewhat likely	Very likely
Low (0) Knowledge	1	6	44	32
Middle (1-2) Knowledge	3	7	26	39
High (3) Knowledge	4	10	16	40

Q5.

Knowledge Scale	Not at all likely	Not too likely	Somewhat likely	Very likely
Low (0) Knowledge	9	19	41	28
Middle (1-2) Knowledge	8	26	31	31
High (3) Knowledge	8	29	20	38

Figure 8 – Civics Knowledge and Trust in the Supreme Court by Party Identification

Branches					
Known	Year	Republican	Independent	Democrat	
0	2007	63%	54	48	
1	2007	69	57	55	
2	2007	73	64	62	
3	2007	75	60	56	
0	2011	57	48	58	
1	2011	60	49	64	
2	2011	57	62	55	
3	2011	62	58	58	
0	2019	63	55	69	
1	2019	78	60	59	
2	2019	71	62	57	
3	2019	71	66	57	
0	2022	52	48	55	
1	2022	62	43	45	
2	2022	65	48	37	
3	2022	75	43	22	

*Includes Independents and those who identify with a third party or no party.

Note: Values less than 3% are omitted from the figure for clarity.

Figure 9 – The Public’s Institutional Support for the Federal Courts

Thinking about the federal judiciary, please indicate how much you agree or disagree with the following statements:

- Q1. Federal judges who consistently make unpopular decisions should be removed from their position as judges.
- Q2. The right of federal courts to decide certain types of controversial issues should be reduced.
- Q3. The federal courts ought to be made less independent so that they listen more to what the people want.

- 1 Strongly disagree
- 2 Somewhat disagree
- 3 Neither agree nor disagree
- 4 Somewhat agree
- 5 Strongly agree
- 998 [PN: IF CATI:] (DO NOT READ) Don't know
- 999 [PN: IF CATI:] (DO NOT READ) Refused
- 999 [PN: IF WEB:] Decline/Web blank

	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree
Remove Judges	13	19	31	22	14
Strip Jurisdiction	11	16	33	30	10
Listen to People	16	14	23	29	17

How much do you favor or oppose each of the following proposals?

Q4. Setting a specific number of years that federal judges serve instead of granting them lifetime appointments

Q5. Requiring that federal judges retire by a certain age

Q6. Prohibiting federal judges from participating in cases in which they have personal or financial interests

- 1 Strongly oppose
- 2 Somewhat oppose
- 3 Neither favor nor oppose
- 4 Somewhat favor
- 5 Strongly favor
- 998 [PN: IF CATI:] (DO NOT READ) Don't know
- 999 [PN: IF CATI:] (DO NOT READ) Refused / [PN: IF WEB:] Web blank

	Strongly oppose	Somewhat oppose	Neither favor nor oppose	Somewhat favor	Strongly favor
Term Limits Mandatory	3	5	13	30	48
Retirement Age	2	5	13	31	48
Public Referenda	17	17	17	25	24