



**New C-SPAN/Penn, Schoen and Berland Associates Poll:
What Americans Know About the U.S. Supreme Court and Want
Changed About the Court**

(September 24, 2009) - A new C-SPAN poll of awareness and knowledge of the U.S. Supreme Court shows that nearly nine in ten American voters (88%) say the Court has an impact on their everyday lives -- but only half (49%) of respondents could name a specific case heard by the Court.

The survey of 801 voters conducted for C-SPAN on September 17th by Penn, Schoen and Berland Associates, LLC, also indicates the public supports major changes to the Court, most notably revisiting the concept of constitutionally-guaranteed lifetime appointments.

Nearly eight in ten respondents (79%) know there is no mandatory retirement age for Supreme Court justices; 56% of those surveyed said would prefer that justices do not receive lifetime appointments. In fact, fully three-in-four (78%) of survey participants would prefer 18-year terms to the high court, a proposal published in the Harvard Journal of Law and Public Policy and reported on by the *New York Times*, among others. (In fact, the average tenure of the eight Justices appointed before this summer is 17 years. Newly-appointed Justice Sotomayor replaced Justice Souter, who served 18.6 years.)

Another major change to the Court favored by survey respondents is televised oral arguments; nearly two in three (65%) want cameras in the Supreme Court (tracking closely with a 61% finding in a July 2009 C-SPAN poll conducted directly before the Sotomayor hearings).

"Americans are telling us that the work of the Supreme Court is important to their lives. So much so, that they want greater transparency around its work -- that's what's behind the support for televising the High Court's oral Arguments," said Robert Green, principal, Penn, Schoen and Berland Associates.

(Every state currently allows at least some level of television coverage of appellate court proceedings. Cameras also have been officially permitted in the 2nd and 9th Federal appeals courts on a case-by-case basis since 1996. In addition, the Supreme Court of Canada first allowed a camera in its courtroom in 1981 and next month, Britain's Supreme Court will admit television cameras.)

AWARENESS OF COURT PROCEEDINGS

Of the 49% of those surveyed who could name any case heard by the Court, one case predominates: *Roe vs. Wade* (named by 84%). A few respondents were able to cite other cases: *Brown vs. Board of Education* (9%); *Plessy vs. Ferguson* (3%); *Bush vs. Gore* (1%); *District of Columbia vs. Heller* (1%); *Marbury v. Madison* (1%).

When specifically asked about *Bush vs. Gore* (the case that decided the 2000 presidential election), 71 percent said the ruling did not affect their view of the high court.

The poll was conducted to coincide with C-SPAN's upcoming "Supreme Court Week," which begins on October 4 at 9 PM (ET) with a 90-minute original feature documentary on the Supreme Court, described mostly through the commentary of the Justices who serve there. Over the following week, C-SPAN will air its exclusive one-on-one interviews with every current and retired Justice in their entirety -- the first time so many Justices have granted interviews for a television production.

"During Supreme Court Week, C-SPAN viewers will have a rare opportunity to hear the Justices talking about the role of the Court, its traditions, and its history," C-SPAN president Susan Swain said. "We hope that our programs will help expand Americans' knowledge of the Supreme Court."

Full results of this survey can be found at C-SPAN's website, www.c-span.org <<http://www.c-span.org>>. Topline results are as follows:

1. Have you ever visited Washington DC?

Yes 61% / No 39%

2. Have you ever toured or visited the U.S. Supreme Court as a part of your visit to Washington DC? (*Only asked of the 61% who have visited Washington DC*)

Yes 35%/No 65%

3. Is it currently a requirement for the **Chief Justice** of the United States to be a lawyer?

Yes 48% / No 52%

4. Is there a mandatory retirement age for U.S. Supreme Court Justices?

Yes 21% / No 79%

5. Currently, US Supreme Court Justices serve lifetime appointments. Do you strongly agree, somewhat agree, somewhat disagree, or strongly disagree that Supreme Court Justices should serve lifetime appointments?

Agree 45% / Disagree 56%

6. What if U.S. Supreme Court Justices served an 18-year term with possible reappointment by the President subject to Senate confirmation? Would you strongly prefer an 18-year term to a lifetime appointment, somewhat prefer an 18-year term, somewhat prefer lifetime appointment and not change to an 18-year term, or strongly prefer a lifetime appointment and not change to an 18-year term?

Prefer 18-year term limit 78% / Prefer lifetime appointment 23%

7. Over the years, how many women have been sworn in as Justices of the U.S. Supreme Court?

3% said 0 / 9% said 1 / 27% said 2 / 37% said 3 / 8% said 4

8. Over the years, how many African Americans have been sworn in as Justices of the U.S. Supreme Court?

9% said 0 / 28% said 1 / 39% said 2 / 9% said 3 / 4% said 4

9. Can you name any case heard by the U.S. Supreme Court?

Yes 49%

Roe vs. Wade 84%

Brown vs. Board of Education 9%

Plessy vs. Ferguson 3%

Bush vs. Gore 1%

District of Columbia vs. Heller 1%

Marbury vs. Madison 1%

No 51%

10. Of the following list, which issue or issues do you think the U.S. Supreme Court deals with most often? (multiple responses permitted – top 5 here)

Free speech 43%

Capital punishment 42%

Affirmative action 32%

Gun rights 31%

Abortion 30%

11. Of the following list, which issue or issues do you think the U.S. Supreme Court *should* deal with more often? (multiple responses permitted – top 5 here)

Capital punishment 32%

Free speech 32%

Political campaign/elections 27%

Gun rights 26%

Affirmative action 25%

12. Speaking generally, what percent of the cases heard by the U.S. Supreme Court involve abortion, abortion rights, or the right to choose?

42% said 1-10%

37% said 11-25%

17% said 26-50%

13. Did the Supreme Court's ruling on the 2000 *Bush vs. Gore* election affect your view of the Court?

Yes 29% / No 71%

14. How did the Supreme Court's ruling on the 2000 *Bush vs. Gore* election affect your view of the Court? (*Ask only of the 29% who said the ruling affected their view of the Court – top 3 answers listed here*)

Corrupt/ruling was a sham/rigged 11%

Gore received more popular votes 9%

They should not have been involved at all 8%

15. Do you strongly agree, somewhat agree, somewhat disagree, or strongly disagree that the decisions made by the U.S. Supreme Court have an impact on your everyday life as a citizen?

Agree 88% / Disagree 12%

16. The U.S. Supreme Court currently posts transcripts of oral arguments on its website the same day the Court hears the arguments. Are you familiar with this practice?

Yes 17% / No 83%

17. The U.S. Supreme Court currently does not allow television coverage of its oral arguments.

Please indicate if you strongly agree, somewhat agree, somewhat disagree or strongly disagree that the U.S. Supreme Court should allow television coverage of its oral arguments.

Agree 65% / Disagree 35%

18. Some Supreme Court experts say they would support full-length, unedited, gavel-to-gavel television coverage of oral arguments. However, other experts fear that television news outlets will take clips from oral arguments that are out of context and sensationalize small portions of entire oral arguments. Would you still agree that Supreme Court oral arguments should be televised if it meant clipped, shortened, and otherwise edited-for-TV coverage of Supreme Court oral arguments?

Yes, still agree 54% / No, second thoughts 46%

Survey Methodology

Penn, Schoen and Berland Associates, LLC, conducted online interviews on September 17, 2009 among 801 2008 general election voters in the United States. The margin of error for the entire sample is +/- 3.46 at the 95% confidence level.

About C-SPAN

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