

Online Appendix

Rhetorical Agreement Questions

The following list of rhetorical agreement questions (RAQs) was used to identify utterances ending in a question mark that function as a statement. This list was compiled by beginning with Zillmann (1972), and then identifying additional Court-specific RAQs by reading 30 oral argument transcripts from the Johnson (2001, 2004) dataset.

is it not?	are they not?	is he not?	correct?
wouldn't it?	isn't it?	don't they?	doesn't she?
doesn't he?	couldn't he?	couldn't she?	couldn't they?
couldn't we?	isn't that right?	doesn't it?	could they not?
could she not?	could he not?	could we not?	yes?
has he not?	has she not?	have we not?	have they not?
are you not?	are we not?	did it not?	does it not?
is that not true?	would it not?	would it?	wouldn't you?

Table A1: Table of rhetorical agreement questions identified from hand-coding Johnson's (2004) data. I used guidance from Zillmann (1972) to identify relevant phrases.

Marginal Effects

Table A2 presents the marginal effects for all statistically significant variables from both models presented in the paper. Marginal effects are calculated as relative change in the probability that the petitioner wins (Model 1) or earns a justice's vote (Model 2). All continuous variables were calculated over the range of one standard deviation below to above the sample mean while all other variables were held at median or modal values.

Variable	Range Calculated	Marginal Effect	
		Court Model	Justice Model
Question Difference	1 s.d. below to above mean	+13.1%	+5.1%
Statement Difference	1 s.d. below to above mean	-14.8%	-31.3%
Word Difference Pct	1 s.d. below to above mean	-37.3%	-21.5%
Neg. Emotion Difference	1 s.d. below to above mean	-3.4%	+4.3%
SG for Petitioner	no SG to SG for Petr.	+21.2%	+18.6%
SG for Respondent	no SG to SG for Resp.	-31.8%	-14.9%
Amicus Brief Difference	1 s.d. below to above mean	+23.4%	+19.9%
Ideology	1 s.d. below to above mean	—	+3.4%
Ideology*Con. Petitioner.	1 s.d. below to above mean	—	+34.5%

Table A2: Marginal effects, calculated as relative percent change in predicted probabilities, for Court-level and Justice-level models. All other variables held at modal or median values.

References

- Johnson, Timothy R. 2001. "Information, Oral Arguments, and Supreme Court Decision Making." *American Politics Research* 29(4):331–351.
- Johnson, Timothy R. 2004. *Oral Arguments and Decision Making on the United States Supreme Court*. Albany, NY: SUNY Press.
- Zillmann, Dolf. 1972. "Rhetorical Elicitation of Agreement in Persuasion." *Journal of Personality and Social Psychology* 21(2):159.