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Case of the Mondays: Examining Media Coverage of Oral Arguments Based on Weekday Selection

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Abstract

The US Supreme Court follows a fixed weekly schedule, with specific days assigned for tasks. Oral arguments – held on select Mondays, Tuesdays, and Wednesdays – are the only public part of the Court's decision-making process. We argue that news outlets consider the Court's schedule when deciding which arguments to cover. To test this, we analyze media coverage of oral arguments from the 2019, 2020, and 2021 terms. Our findings reveal a notable disparity, with Monday arguments receiving the most coverage. This highlights the influence of the Court's schedule on media attention, shaping public awareness, and the perceived importance of cases.

Introduction

During the 2021 term, the US Supreme Court grappled with numerous cases challenging administrative rules or actions by federal agencies, including those of the Department of Health and Human Services and the Environmental Protection Agency. For instance, in *American Hospital Association v. Becerra* (2022), the Court deliberated on whether the Department of Health and Human Services' decision to lower drug reimbursement rates for certain hospitals was a reasonable interpretation of the Medicare statute. Similarly, in *West Virginia v. Environmental Protection Agency* (2022), the question of whether the Environmental Protection Agency possesses the authority to regulate greenhouse gas emissions across various industries was at the forefront. Both cases center on the scope of agency authority. However, an interesting discrepancy arises in media coverage: while *West Virginia*, argued during a Monday session of oral arguments, had eleven different media outlets cover arguments, *Becerra*, argued on Tuesday, received no coverage at all.[1] This raises the question: does the day a case is argued impact its media coverage?

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[1]Within 24 hours of the arguments, *American Hospital Association v. Becerra* (2022) did not receive online print coverage from major outlets, including *USA Today*, *The New York Times*, *The Wall Street Journal*,

The public depends on news media to provide timely and accessible information about the US Supreme Court. The technical legal language used to discuss cases during oral argument, as well as in the Court's written opinions, makes it difficult for the public to digest information directly from the Court. As a result, media coverage serves as a vital link between the public and the High Court. Importantly, this coverage is generated and distributed at the discretion of media outlets. Amidst the rich literature seeking to explain the media's coverage of the Supreme Court, a crucial procedural facet and a key player within the Court have remained underexplored: the impact of the oral argument schedule and the Clerk responsible for it.

In what follows, we explore the Clerk's role and the consequences of their oral argument scheduling decisions. We contend that the choice of a particular weekday for oral arguments may hold substantial influence over a case's visibility and its perceived importance among both the media and, subsequently, the public. This is because the timing of these proceedings may significantly impact how they are covered by the press. Press coverage, in turn, is known to shape public perceptions of which current events and issues are most important (e.g., Iyengar and Kinder 1987). The Court is no exception. Media outlets' decisions about which aspects of the Supreme Court's docket to cover mold individuals' views of the Court's decisions and its institutional legitimacy (e.g., Caldeira and Gibson 1992; Slotnik and Segal 1998; Gibson and Caldeira 2009; Johnston and Bartels 2010; Zilis 2015; Linos and Twist 2016; Hitt and Searles 2018; Wedeking and Zilis 2022). If some oral argument days receive more media attention, the Clerk's role in scheduling these arguments, although appearing as a procedural task, may be instrumental in shaping the public narrative – or lack thereof – surrounding a case and its societal impact, as well as public support for the Court as an institution.

The importance of media coverage cannot be overstated. Media serves as the primary conduit through which the public learns about the Court's activities and decisions. This coverage influences public opinion and trust in the judiciary, helping to maintain the Court's legitimacy (Gibson and Caldeira 2009). When cases receive more media attention, they become part of the public discourse, potentially shaping policy debates and public understanding of critical legal issues. For instance, the agenda-setting role of the media suggests that the more coverage an issue receives, the more likely the public is to consider it important (McCombs and Shaw 1993). This means that cases argued on days with higher media activity, such as Mondays, might be perceived as more significant simply because they are more visible to the public.

To explore this intricate interplay of scheduling and media attention, we investigate whether the Court's scheduling practices influence online print media coverage of Supreme Court oral arguments. Using cases from the 2019, 2020, and 2021 terms, we scrutinize an array of factors, including the nature of the cases, the parties involved, and the dynamics of media reporting. We find that even after accounting for other factors, cases argued before the Court on Mondays are more likely to receive

media coverage. This suggests that reporters highlight some cases and not others based in part on a less obvious element: the Court's calendar.

We proceed as follows: First, we examine the central role played by the court Clerk in shaping the Supreme Court's oral argument schedule. Next, we explore the Court's weekly calendar and consider the workload of journalists and their decision-making processes in selecting stories for daily coverage. Building on this foundation, we construct our theoretical framework, present our hypothesis, and test it. We conclude by discussing the implications of our findings, exploring how oral argument scheduling contributes to the way in which citizens interact with and form judgments about the decisions handed down by the Supreme Court.

Role of the Court Clerk

The Supreme Court has a longstanding tradition of scheduling oral arguments on specific weekdays, with a distinct preference for Mondays, Tuesdays, and Wednesdays.[2] The responsibility for orchestrating this schedule falls squarely on the shoulders of the Clerk of Supreme Court. The Judicial Code (28 U.S.C. § 671) outlines the appointment and removal process for the Clerk, whose duties are defined by this statute, Supreme Court Rule 1 and Rule 27, and the Court's established customs and practices.[3] The Clerk of the Supreme Court occupies a pivotal position within the judicial structure, working in concert with the marshal, the librarian, and the reporter of decisions, each contributing in their unique capacity to the Court's operations and the broader legal landscape (Hudon 1956; Wagner 2001; Rehnquist 2002; Joyce 2005; Epstein et al. 2015).[4]

The origins of the Clerk of the US Supreme Court position can be traced back to the Judiciary Act of 1789. Enshrined within this Act, Congress mandated, "And be it [further] enacted, That the Supreme Court, and the district courts shall have power to appoint Clerks for their respective courts."[5] Distinct from judicial law clerks who assist justices with research and making judicial decisions, the Clerk of the Court assumes a multifaceted, non-judicial role that goes beyond traditional administrative tasks (Messinger 2002). In today's context, the Clerk plays a central role in the Court's daily operations, with a set of crucial responsibilities that ensure the smooth functioning of the judicial system. These current duties include managing the Court's docket, scheduling oral arguments, overseeing the filing of case documents, and maintaining accurate and easily accessible records of all Court proceedings (Messinger 2002).[6] As former Clerk of the US Supreme Court, William Suter, aptly described, the Clerk "manages the flow of cases and all the related paperwork."[7]

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[2]https://www.supremecourt.gov/visiting/visitorsguidetooralargument.aspx#:~:text=Beginning%20the% 20first%20Monday%20in,breaks%20during%20December%20and%20February.

[3]https://www.supremecourt.gov/filingandrules/2023RulesoftheCourt.pdf.

[4]While not statutory officers, also included are the Court Counsel, the Curator, the Director of Information Technology, and the Public Information Officer. See https://www.supremecourt.gov/about/about.aspx.

[5]https://www.archives.gov/milestone-documents/federal-judiciary-act.

[6]Other staff members within Clerk of the US Supreme Court's office, including attorneys and paralegals, assist with these tasks.

[7]https://www.c-span.org/video/?26806-1/duties-Clerk-us-supreme-court.

In addition, the Clerk is instrumental in enhancing transparency and public accessibility within the judicial process by publishing hearing lists and case information (Messinger 2002). This ensures that both legal counsel and the public have a clear understanding of the Court's proceedings. Furthermore, the Clerk serves as a crucial link between the Supreme Court and other judicial bodies, the legal community, and the broader public. This involves coordinating information exchange, facilitating communication, and fostering collaboration among the Court and its various stakeholders (Messinger 2002). In essence, the Clerk of the Supreme Court is far more than an administrative figure; they are an integral linchpin in the American judicial system.

In what follows, we investigate the Clerk's role as scheduler of the Court's oral arguments. Procedurally, the Clerk takes charge of arranging the schedule of arguments, as stipulated by Supreme Court Rule 27.1, which states, "From time to time, the Clerk will prepare a calendar of cases ready for argument."[8] The flexibility provided by this rule allows for additions and rearrangements to be made during each term as circumstances require. Furthermore, Supreme Court Rule 27.1 emphasizes the Clerk's responsibility to "publish a hearing list in advance of each argument session for the convenience of counsel and the information of the public."[9] This transparency aids in providing clarity regarding the Court's proceedings. Additionally, the Clerk is entrusted with the task of notifying counsel when their presence is required for oral argument.[10] Rule 27.1 underscores the importance of communication, specifying that any professional or religious commitments that might preclude counsel from appearing for argument on a particular date should be promptly communicated to the Clerk by letter, with a copy sent to opposing counsel, soon after certiorari is granted.[11] This seamless coordination and scheduling undertaken by the Clerk plays a vital role in ensuring the efficient and smooth operation of the Supreme Court.

The Clerk's role in scheduling oral arguments is not only a matter of administrative convenience but may also hold the subtle power to shape public perceptions of cases. Oral arguments are a critical aspect of the Court's function, offering a public window into the judicial process and allowing for the testing of legal arguments under the scrutiny of the justices (e.g., Wrightsman 2008; Black, Johnson, and Wedeking 2012). We contend that, in addition to the factors already identified in the extant literature (e.g., case salience), the scheduling of these proceedings – especially the choice of a weekday for arguments – can have a substantial impact on whether a case receives media coverage. We now explore the existing literature to explain how these scheduling decisions interact with the broader landscape of judicial discourse. We begin by examining the Court's internal weekly calendar before shifting our focus to how journalists select their stories.

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[8]https://www.supremecourt.gov/filingandrules/2023RulesoftheCourt.pdf.

[9]https://www.supremecourt.gov/filingandrules/2023RulesoftheCourt.pdf.

[10]While Rule 27.1 outlines that, ordinarily, a case will not be called for argument less than two weeks after the brief on the merits from the respondent or appellee is due, it is important to note that the scheduling process usually allows for more extended timelines (Stern and Gressman 1950; Shapiro et al. 2019). In most recent terms, when a case's review was granted before mid-January, oral arguments were typically scheduled within the same term (Shapiro et al. 2019).

[11]https://www.supremecourt.gov/casehand/Guide%20for%20Counsel%202022.pdf.

The Supreme Court's Weekly Schedule

The US Supreme Court operates within a meticulously structured weekly schedule. This framework defines its regular term from the inaugural first Monday in October to late June. This routine not only provides a clear outline for the Court's proceedings but also underscores the unique importance of certain days within this schedule. Oral arguments, a cornerstone of the Court's activities, are convened on select Mondays, Tuesdays, and Wednesdays. These proceedings are the only public portion of the Supreme Court's decision-making process and serve as a hallowed forum for attorneys to present their cases, defend their positions, and grapple with the probing questions posed by the justices.[12] Fridays carry their own brand of significance (Dickson 2001; Howard 2015). This is the day of private conference, an integral juncture where the justices convene to deliberate upon the cases they have recently heard and cast preliminary votes.[13] Thursdays are typically "unscheduled" except when Friday is a holiday, or in May and June when the Court uses this day for its weekly conference meetings (Baum 2019). This structured routine permeates the Court's regular term, offering a glimpse into its orchestrated operations.

Additional activities on Mondays make it the rhythmic heartbeat of the Court's public workweek. Within the weekly symphony of legal proceedings, a series of vital functions and rituals uniquely converge on Mondays. One such highlight is the release of the Order List, a public document that details the Court's recent actions, including its decisions to accept or reject cases. This list serves as a window into the Court's priorities and decisively sets the agenda for legal discourse.[14] In addition to the Order List, Mondays often mark the solemn and dignified occasion of admitting new members to the Supreme Court Bar, an established tradition that serves as a poignant reminder of the Court's enduring role in upholding the rule of law.[15]

Finally, at noon on the Mondays following argument weeks, the Court historically convened for a momentous purpose: the announcement of decisions (Stern and Gressman 1950; Douglas 1959; Schwartz 1997). These "Decision Mondays" featured a public reading of printed opinions, a longstanding ritual that defined the Court's schedule for a significant stretch. This tradition of exclusively announcing Supreme Court decisions on Mondays has relaxed, with the Court sometimes releasing decisions on other days, particularly toward the term's conclusion in June. The historical significance may still resonate in the modern operation of the Court, though, underscoring the enduring importance of Mondays in its rhythm. Our contention is that Mondays at the Supreme Court transcend mere scheduling; they

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[12]Oral arguments are not heard every week. Rather, there is a monthly sitting that usually takes place over the course of two weeks. Each Supreme Court term typically consists of seven oral argument sessions or sittings. Information about each sitting is available on the Court's calendar, which is published on its website, https://www.supremecourt.gov.

[13]In 1955, the Court overhauled its calendar, changing its conference day from Saturday to Friday and eliminating oral arguments on Fridays (see Cordray and Cordray 2004). Also, it is worth noting that while conference days are important, the media, and in turn the public, does not have access to conference. However, the media does have access to oral arguments.

[14]https://www.supremecourt.gov/orders/ordersofthecourt/22.

[15]https://www.supremecourt.gov/about/procedures.aspx. https://www.supremecourt.gov/about/procedures.aspx#:~:text=On%20Monday%20mornings%20this%20includes,Court%20releases%20orders%20and%20opinions.

stand as focal points where the Court's prominence and impact in the legal and judicial realm shine most brightly.

Covering the Supreme Court

> *"I see a Court that is quite blithely oblivious to the needs to convey its work to the outside world, and a press corps that is often groping along in the dark, trying to make sense out of the shadows on the cave wall."*[16]
>
> – Linda Greenhouse, Legal Journalist for *The New York Times*

Linda Greenhouse's insights shed light on the unique challenges journalists face when covering the US Supreme Court. Traditional journalistic tools, like sources, leaks, and off-the-record informants, which are central to reporting on government affairs, have limited influence in the context of the Supreme Court (Greenhouse 1995). Journalists who gain access to the Court often find it remarkably quiet compared to the dynamic political environments to which they are accustomed (Newland 1964). Unlike other branches, the Court issues press releases infrequently, and justices do not often publicly comment on decisions or address criticisms.[17] Interactions with the justices, central figures in the legal drama, are rare and typically confined to formal oral argument sessions and when the Court takes the bench to announce opinions. While reporters observe the Court's work during these public proceedings, there is nothing analogous to a "post-game" interview with the justices. This lack of direct access contributes to the mystique surrounding Supreme Court reporting, and limits journalists' opportunities to engage with the decision-makers at the heart of the nation's legal system (Slotnik and Segal 1998; Hoekstra 2003), and ultimately, discern which Court activities demand their focus and coverage (Newland 1964).

In addition, journalists covering the Supreme Court often face the dual challenge of broad legal responsibilities and a lack of specialized training. First, they are not able to focus exclusively on the Court because they also cover other significant legal beats, such as the Department of Justice, Congress's Judiciary Committees, and national legal developments (Greenhouse 1995). This broad scope of coverage makes it difficult for them to dedicate the necessary time and attention to the complexities of the Court. Second, many journalists lack formal legal reporting training, which further complicates their ability to interpret and communicate intricate Court information effectively. Despite the availability of physical facilities and raw opinions, understanding and accurately presenting legal matters to a broad audience remains a substantial challenge. Consequently, having Court experts on a journalism team is crucial for ensuring accurate and swift reporting on Court matters (Hamilton 2004).

Finally, the limited number of journalists covering the Supreme Court also contend with the relentless demands of the 24-hour news cycle (Davis and Strickler 2000) and tight deadlines more generally (Dunaway and Graber 2022). The constant pressures for news gathering, content production, and rapid information dissemination make it

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[16]Greenhouse (1995, 1559).

[17]The Court's press releases are available on its website: https://www.supremecourt.gov/publicinfo/press/pressreleases.aspx. One example of a justice speaking out publicly is Clarence Thomas responding to allegations that a GOP donor paid for expensive trips for him and his family in 2023. For coverage of his response, see https://www.youtube.com/watch?v=mvLEbgmapLQ.

challenging for journalists and editorial teams to determine what specific Court activities to prioritize.

Despite these limitations, news organizations must select aspects of the Supreme Court's behavior that they anticipate will engage their audience (Wu and Hamilton 2004; McManus 2009). The decision-making process regarding what constitutes newsworthy content involves various factors. Some emphasize the fundamental aspects of an event – the "who, what, where, when, and why" (Wu and Hamilton 2004) – while others analyze predispositions, news routines, and the values shaping news content (Galtung and Ruge 1965; Graber 2012). Additionally, an economic perspective explores how information transforms into news, suggesting that the media's focus on profit maximization influences content (Wu and Hamilton 2004; McManus 2009; Vining and Marcin 2014). These multifaceted considerations shape the decisions made by journalists when determining which aspects of the Supreme Court's behavior to cover in their stories.

Given the Court's limited interaction with journalists, the scarcity of available reporters, and the relentless demands of the 24-hour news cycle, journalists often resort to cues provided by the Court itself to decide on coverage priorities, aiming to cater to audience demand and enhance profitability (Wu and Hamilton 2004; McManus 2009). The Court's calendar helps the media selectively prioritize coverage of significant stories (Sobel 1970; Katsh 1983). This practice aligns with a broader trend in the news industry, where organizations frequently seek external guidance from governmental bodies and elites to identify events worthy of coverage (Soley 1992; Slotnik and Segal 1998; Kothari 2010; Brulle, Carmichael, and Jenkins 2012). Moreover, media coverage is crucial for the public's understanding and perception of the judiciary, as extensive coverage can elevate public awareness and comprehension of judicial decisions (e.g., Slotnik and Segal 1998; Baum 2019). Such coverage is essential for maintaining the legitimacy of the Court (Gibson, Caldeira, and Spence 2003).

Expectations

Within the Court's context, the weekly schedule acts as a ready guide for journalists, streamlining the decision-making process on what to cover without the need for exhaustive research into individual cases, decisions, and order lists. Notably, Lydia Wheeler, a senior reporter at *Bloomberg Law*, emphasizes the significance of tracking the Supreme Court's schedule because "you'll have several stories all at once."[18] Similarly, Todd Ruger, a senior legal affairs staff writer at *CQ Roll Call*, points out that his Supreme Court coverage mainly focuses on its scheduled cases. As he puts it, "it all starts with the docket."[19] Their insights underscore the reliance of journalists on the Court's schedule to gauge the newsworthiness of its proceedings.

Anecdotal evidence suggests that Mondays may hold particular importance for staff within the Court's chambers when considering media coverage as well. This is supported by correspondence from Pam Karlan, a clerk for Justice Harry Blackmun, who wrote to him as he contemplated when to announce his dissent from the bench in the case *Bowers v. Hardwick* (1986). She suggested, "As for timing, whether you

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[18]https://www.youtube.com/watch?t=224&v=S7sABAcNlZQ&feature=youtu.be.
[19]https://www.youtube.com/watch?v=S7sABAcNlZQ&t=1051s.

want to announce the dissent or not, I think Friday is a bad day to have the case brought down. A summer Friday and Saturday are probably the least likely times for people to take notice of what the Court has done. I would press, if I were you, for Monday instead" (Liptak 2010).

Amidst the complexities of Supreme Court proceedings, the timing and strategic scheduling of oral arguments may play a subtle yet influential role in shaping media coverage. The Supreme Court Clerk, often operating discreetly, may wield substantial, and perhaps unintentional, influence in framing the narrative surrounding the Court's caseload before decisions are made. Drawing from the literature's emphasis on journalists' reliance on cues from government institutions, particularly the Supreme Court, to set their coverage priorities (Soley 1992; Kothari 2010), and considering the Court's focus on Mondays, we anticipate that Monday's oral arguments garner the most extensive media attention among the days scheduled for hearings (Monday to Wednesday). Oral arguments themselves are pivotal, as they provide a rare public forum for the justices to engage directly with the attorneys, often leading to key moments that are highlighted in media reports (e.g., Johnson, Wahlbeck, and Spriggs 2006; Black et al. 2011). Journalists, striving for compelling content, may use the Court's schedule as a compass to identify noteworthy events. The strategic coordination of pivotal Court events, including the release of the Order List and the ceremonial induction of individuals to the bar, alongside the long-standing importance attributed to Mondays, may signal to journalists that oral arguments held on Mondays bear considerable significance within the Court's proceedings. Furthermore, the time constraints journalists face within the relentless 24-hour news cycle hint that efficiency gains could be achieved by concentrating on cases heard during this more active day at the Court. As a result, we anticipate that the Clerk's choices in scheduling oral arguments influence media coverage, with cases slotted for Mondays attracting more attention compared to those scheduled on Tuesdays and Wednesdays.

> **Clerk's Scheduling Hypothesis**: Cases scheduled on Mondays will be more likely to garner media attention than those scheduled on Tuesdays and Wednesdays.

We focus on examining the impact of scheduling while acknowledging that there are other factors that contribute to whether a Supreme Court case receives media coverage at the oral arguments stage. We seek to build on the extant literature by testing whether case scheduling shapes media coverage even after controlling for these other known influences.

Methods

We compiled an extensive dataset comprising online print news media coverage of Supreme Court oral arguments spanning from October 2019 through April 2022, encompassing three full Court terms – October 2019, 2020, and 2021. Our dataset covers a total of 20 argument sessions spanning these terms, comprising a rich tapestry of 174 individual cases. To ensure our research encapsulates a comprehensive spectrum of media attention directed at the Court's oral arguments, we selected the top ten US newspapers by average weekday paid circulation, which also includes digital circulation data for 2019 (*USA Today*, *The New York Times*, *The Wall Street Journal*, *Minneapolis Star Tribune*, *Newsday*, *The Boston Globe*, *New York Post*, *The*

Washington Post, *Los Angeles Times*, and *The Chicago Tribune*).[20] Furthermore, we focused on the online print coverage from the top eight US television news organizations reporting on political news, based on viewership statistics (*CNN*, *PBS*, *CBS*, *Fox News*, *Fox Business*, *NBC*, *MSNBC*, and *ABC*). This method allows us to ensure we capture "mainstream" Court coverage across diverse ideological spectrums and geographic regions. In essence, it grants us a holistic understanding of Court media coverage, untethered from any specific political or ideological camp.

This emphasis on online presence aligns with contemporary media consumption trends, with a vast majority of US adults (82%) reporting that they often or sometimes obtain news from digital platforms, as opposed to traditional print sources, which are used by fewer than 5% of individuals.[21] Additionally, we curated online print news stories from the television networks of interest, as data from the Pew Research Center has affirmed the preference of accessing news through digital platforms, which now stand as the most popular source for news. This approach enables us to gauge the influence newspapers and television outlets wield in the digital realm, particularly concerning their coverage of oral arguments at the Supreme Court.

Our data collection process was meticulous. We visited each news outlet's website and employed strategic keyword searches such as "Supreme Court argument [INSERT CASE NAME]" for each orally argued case in our specified terms. Understanding that media outlets often employ shorthand or refer to the parties as either petitioner or respondent, we conducted additional searches, including "Supreme Court argument [INSERT PETITIONER NAME IN CASE]" and "Supreme Court argument [INSERT RESPONDENT'S NAME IN CASE]." In total, this comprehensive approach entailed 525 searches for each of the 18 media outlets in our dataset, culminating in 9,450 online searches across online print media outlets. Furthermore, we conducted a broad-scope search for "Supreme Court argument" on each news outlet's website for each day of oral argument across our 20 sessions of interest, amassing approximately 3,000 additional searches.[22]

While some searches were straightforward, cases with generic petitioner or defendant names necessitated additional scrutiny. In such instances, we double-checked both the date and content of each article to ensure its focus was aligned with the relevant oral argument. For consolidated cases, our search criteria remained consistent, with articles being attributed to the case caption listed on the Court's docket.[23]

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[20]To compile this list, we relied on Cision as a source (https://www.cision.com/2019/01/top-ten-us-daily-newspapers/). The *Minneapolis Star Tribune* was renamed the *Minnesota Star Tribune* in 2024. However, as our dataset extends only through 2022, we will continue to refer to it as the *Minneapolis Star Tribune* throughout this article.

[21]See https://www.pewresearch.org/fact-tank/2021/01/12/more-than-eight-in-ten-americans-get-news-from-digital-devices/.

[22]For the sessions from October 2019 to March 2020 (before livestreaming began), we searched using the specified criteria on the date of each oral argument session and on the Friday of each argument week. This is because the Court released audio for the entire week's arguments on Fridays. However, for the May 2020 session onwards, we only collect stories on the date the case was argued. This is due to the live availability of audio, which news outlets could access immediately. Our coding decision aligns with the traditional 24-hour news cycle (Rosenberg and Feldman 2008).

[23]An example is provided by the case of *US Forest Service v. Cowpasture River Assn.* (2020) and *Atlantic Coast Pipeline, LLC v. Cowpasture River Assn.* (Consolidated) (2020) – all articles were included under the caption for *US Forest Service* to ensure comprehensive coverage.

After establishing a database focusing on the coverage of the Court's oral arguments by the media, we systematically coded the presence or absence of stories produced by each outlet for each case argued. This process led to the creation of our main dependent variable, termed "Story," which is coded as 1, when a media outlet generated at least one story related to a particular case, and as 0 if no story was produced by the outlet for that specific case. We focus on whether a case receives any media coverage rather than the volume of coverage for three key reasons. First, the data are skewed toward no coverage, with the mean for "Story" at 0.20. This indicates that only 20% of media outlet-case pairings result in at least one story, while 80% do not generate any stories. Additionally, the median and mode for "Story" are both 0, and only 1.7% of cases received oral argument coverage from all 18 media outlets. Given the high rate of no coverage, a binary measure of whether a media outlet covered a case is appropriate for this analysis.[24] Second, there is significant variation in the resources of the top online print news media outlets, including both the resources of the outlet as a whole and the resources the outlet devotes to coverage of the US Supreme Court, making a focus on whether an outlet produces at least one story about a case a more appropriate comparison.[25] Third, differences in archiving practices, search algorithms, and the availability of stories over time could introduce biases and noise into attempts to capture the volume of

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[24]Additionally, we examined the distribution of total stories per case, which accounts for situations where an outlet can produce more than one story about a case. This case-level analysis differs from the case-outlet pairings used in our main analysis. Generally, coverage remains limited at the case level. Among cases that receive coverage, the modal number of outlets covering a given case is one. More specifically, 22.0% of covered cases are reported in only one outlet (even if the outlet generates more than one story), while 9.9% are reported in two outlets. Coverage in three outlets occurs in 8.8% of cases, with decreases as the number of outlets increases – 7.7% of cases appear in four outlets, and 4.4% in five outlets. Less than 5% of cases achieve coverage in more than six outlets. This distribution shows that when coverage occurs, it is concentrated in a small set of outlets, reinforcing the use of a binary dependent variable, which captures whether a case receives any coverage while retaining meaningful variation despite sparse broader coverage. We also attempted to model the number of stories as a categorical variable, with cases classified into four levels: no coverage (0), fewer than 5 stories (1), 6–10 stories (2), and 10+ stories (3). However, this approach proved ineffective. The logistic regression model using the categorical variable had minimal explanatory power, as shown by a very low pseudo R-squared (0.0044) and a non-significant likelihood-ratio chi-squared statistic (p = 0.3010). The main limitation of the categorical measure lies in the skewed distribution of coverage. With most cases falling into the "no coverage" or "fewer than 5 stories" categories, there are too few cases in the higher categories (2 and 3) to offer meaningful differentiation. As a result, the categorical measure introduces complexity without improving the model's ability to explain media coverage patterns. This again reinforces our choice of a binary dependent variable, which captures the core distinction of whether a case receives any coverage, while avoiding the challenges posed by the sparse distribution of higher coverage levels. Future research could examine media coverage across a greater time span, which would likely include more cases with greater media coverage across the eighteen media outlets in our sample.

[25]While many of the news organizations included in our dataset possess substantial resources, significant disparities exist in their allocation, particularly concerning dedicated Supreme Court coverage. Outlets such as the *Minneapolis Star Tribune*, *Newsday*, and the *New York Post* lack dedicated Supreme Court reporters to our knowledge, which inherently limits their ability to provide comprehensive coverage. Conversely, outlets like *The Washington Post* (Ann Marimow) and *CNN* (Joan Biskupic) have a specialized reporter focused on the Supreme Court, and some have two, such as *The New York Times* (Adam Liptak and Abbie VanSickle), allowing for even greater in-depth coverage. Our focus on whether an outlet produces at least one story about a Supreme Court case allows for a more equitable comparison among diverse outlets, recognizing that not all news organizations can offer the same level of coverage.

stories. By using a binary measure, we mitigate these concerns and increase the reliability of the analysis.

Our primary independent variable is the day of the week when a case was orally argued. We hypothesize that cases heard on Mondays are more likely to garner media attention. To capture this, we create a dummy variable called "Monday." This variable is set to 1 if an argument took place on a Monday and 0 if it occurred on a Tuesday or Wednesday.[26]

Certainly, there are numerous factors at play within this context. Research consistently highlights the correlation between the significance of cases heard by the Court and the extent of media coverage they attract (Slotnik and Segal 1998; Maltzman, Spriggs, and Wahlbeck 2000; Johnson 2004). To rigorously test our hypothesis, we consider various additional factors that might influence the media coverage a case receives after oral arguments.

First, we account for other potentially newsworthy activities occurring at the Court. For example, cases heard on the "First Day of Term" for the Supreme Court may increase or otherwise alter coverage due to the added attention the Court receives on these significant dates. We also considered the presence of an "Order List" alongside oral arguments and the number of decisions released on the same day ("Decision Release").[27] Within this context, we also account for when a case was granted certiorari. According to previous research, the timing of case acceptance can influence when cases are scheduled for oral argument. For example, cases accepted earlier in the term may be more likely to be heard sooner, as the Court often prioritizes its docket to manage workload and ensure timely decisions (Epstein, Landes, and Posner 2012). Therefore, we assign cases a number based on the order in which they were granted certiorari per term. The Court formally issues "orders" when a case is granted certiorari and often grants certiorari for more than one case at a time.[28] This allows us to group together cases granted review at the same time. For instance, if multiple cases are granted certiorari in the same order, they are collectively assigned the same rank (e.g., the first cases granted certiorari within a term are given a 1, the next case(s) are given a 2, and so forth). This system allows us to account for the fact that cases accepted earlier may be more likely to be heard earlier in the term, although not necessarily on a specific day. We label this variable "Acceptance Rank," with values ranging from 1 to 9, the first cases accepted in a term to the last cases accepted. Collectively, these factors could potentially affect the amount of media coverage surrounding a case by competing for media attention or increasing the overall likelihood that journalists are focused on the Court.

Second, we control for the format diversification of Supreme Court oral arguments, such as via telephone, which coincided with increased media access. Notably, the Court's decision to livestream oral argument audio during the pandemic, a departure from the previous norm for in-person sessions and the shift in

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[26]Cases were distributed fairly evenly between the three oral argument days: Monday = 56, Tuesday = 67, Wednesday = 51.

[27]When numerous decisions are announced simultaneously, the cost of providing news coverage for each decision becomes a challenge due to constrained staff and resources. This phenomenon is highlighted in anecdotal accounts by Davis (1994) and Greenhouse (1995), while Slotnik and Segal (1998) present empirical evidence supporting this issue.

[28]Orders of the Court are available at: https://www.supremecourt.gov/orders/ordersofthecourt/.

media access that corresponded (Houston, Johnson, and Ringsmuth 2023), prompted us to account for whether the case was heard via "Livestream" using a dummy variable. Additionally, Houston, Johnson, and Ringsmuth (2023) found that the greatest news media coverage of oral arguments during the Court's transition to livestreaming occurred in the first session of arguments in May 2020. Therefore, we account for cases heard during this first session with the dummy variable, "May 2020 Session."

Third, we also control for case salience. In constructing these measures, we adopted the methodology outlined by Clark, Lax, and Rice (2015), focusing specifically on media coverage preceding oral proceedings rather than leading up to the decision date, as previously done. The variable "Pre-Argument Stories" quantifies the volume of stories from key news outlets (*The New York Times*, *The Washington Post*, and *Los Angeles Times*) related to each case. Additionally, we account for the frequency of individual justices' participation during argument sessions, termed "Number of OA Turns." By analyzing argument transcripts, we tallied each justice's utterances, aggregating these counts to determine the total for each case. This metric is widely considered reflective of a justice's personal assessment of a case's significance (Black, Johnson, and Wedeking 2012). Research has shown that the number of turns taken by justices in the aggregate can be indicative of the level of engagement and the complexity of a case (e.g., Black, Johnson, and Wedeking 2012). Justices are more likely to take multiple turns when they are deeply engaged with the issues at hand, which can signal to the media that a case is particularly contentious or significant. While Black, Johnson, and Wedeking (2012) emphasize the importance of word counts as an indicator of salience, we argue that counting speaking turns captures important nuances of engagement not fully represented by word count alone. For example, a justice may use multiple turns to redirect an attorney or ask follow-up questions, thereby indicating deeper involvement in the case. Our goal in using the number of oral argument turns is to reflect the level of justice engagement and the dynamism of oral arguments, which can signal to the media that a case is particularly contentious or significant (Johnson, Wahlbeck, and Spriggs 2006).

Next, we control for characteristics of the media outlets themselves. Media outlets often tailor their coverage of Supreme Court oral arguments to align with their ideological leanings and audience preferences, enhancing engagement and loyalty (Gentzkow and Shapiro 2010). This selective reporting reinforces existing beliefs and shapes political discourse, with conservative outlets emphasizing limited government and liberal outlets focusing on civil rights and social justice (Baum and Devins 2019; Dunaway and Graber 2022). To control for this, "Outlet Ideology" reflects the ideological bias of the media outlet, as guided by the Interactive Media Bias Chart.[29] We code outlets as 1 (liberal) if the Interactive Media Bias Chart labels their bias as left, 3 (conservative) if labeled as right, and 2 for center-leaning outlets that display a middle bias according to the Interactive Media Bias Chart.[30] The ideological orientation of a media outlet could impact its

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[29]https://adfontesmedia.com/interactive-media-bias-chart/.

[30]The Media Bias Chart measures bias on an 82-point scale, ranging from −42.00 to 42.00. Outlets with a bias of −6.00 or below have a left bias, outlets with a bias of −5.99 to 5.99 have a middle bias, and outlets with a bias of 6.00 or above have a right political bias. To learn more about how Ad Fontes Media rates bias of news outlets, see https://adfontesmedia.com/methodology/.

willingness to report on and frame coverage of oral arguments before the Court. Next, the "Press Credentials" dummy variable denotes whether each media outlet in our dataset holds a press pass for oral arguments. Media outlets with press passes may be more inclined to report on oral arguments because they have direct access to the proceedings and can provide firsthand coverage.[31]

Finally, recognizing that the specific issues addressed in a case often indicate its legal salience, we include three additional case-level controls. First, we use data provided by the Supreme Court Database (Spaeth et al. 2023) to control the heighted salience associated with a "Civil Liberties Case" and second, "Constitutional Issues." Our decision to prioritize constitutional and civil liberties cases is strongly informed by the findings of Maltzman, Spriggs, and Wahlbeck (2000). Their research demonstrates that civil liberties and constitutional cases are generally perceived as more salient compared to other types of cases. Additionally, we account for whether the "Solicitor General" or their office participated in oral arguments. This involvement signifies a case's significance as suggested by Black and Owens (2012). Collectively, these variables account for a wide range of competing explanations for media coverage of Supreme Court oral arguments.

Logistic regression serves as the analytical backbone for this study due to its suitability in analyzing binary outcomes, like the presence or absence of media coverage for each orally argued case. By employing logistic regression, we can assess the influence of various factors – such as the day of the week, media-related characteristics, case-related characteristics, and other activity at the Court – on the likelihood of media attention. Since we examine whether each case argued during our period of study garnered media coverage across multiple news outlets, there is one observation in our dataset for each case-media outlet pairing.

Results

We begin our analysis with a broad overview, taking a bird's-eye view of coverage. Our first model encompasses both broadcast and print coverage. This approach provides a holistic view of the media landscape surrounding Supreme Court oral arguments, accommodating the varied engagement and information consumption habits across different audience demographics. Table 1 summarizes the first model's results, examining the relationship between Monday oral arguments and the likelihood of a given media outlet producing a story. The coefficient for the variable "Monday" is positive and statistically significant ($p < 0.001$).[32] Moving from a case

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[31]The following news outlets in our dataset hold press passes, allowing one of their reporters to attend oral arguments: *ABC, CBS, CNN, Fox News, Los Angeles Times, NBC News, The New York Times, USA Today, Wall Street Journal*, and *The Washington Post*. In contrast, the *New York Post, Minneapolis Star Tribune, Newsday, Chicago Tribune, The Boston Globe, PBS, MSNBC*, and *Fox Business Network* do not have press passes.

[32]We also conducted a logistic regression, substituting a variable that separated each day in which oral arguments were conducted (i.e., argument day is coded as a factor variable where 1 = Monday, 2 = Tuesday, and 3 = Wednesday) for the Monday variable. We examine the relationship between the day of the week as a factor variable and the production of stories related to Supreme Court oral arguments. The coefficient for Tuesday is negative and statistically significant ($p < 0.001$), indicating a significant decrease in the likelihood of media outlets producing stories on Tuesdays compared to Mondays. The coefficient for Wednesday is also negative, but it is not statistically significant ($p > 0.05$). This implies that the difference in media coverage

Table 1. Logistic Regression of the Relationship Between Monday Oral Arguments and Whether a Story Is Produced

	Dependent Variable: Story
Monday	0.599***
	(0.181)
First Day of Term	−0.896*
	(0.299)
Order List	−0.299
	(0.178)
Decision Release	0.931***
	(0.138)
Acceptance Rank	0.127***
	(0.030)
Livestream	0.011
	(0.150)
May 2020 Session	3.050***
	(0.261)
Pre-Argument Stories	0.197***
	(0.019)
Number of OA Turns	0.016***
	(0.001)
Outlet Ideology	−0.026***
	(0.085)
Press Credentials	1.523***
	(0.132)
Civil Liberties Case	0.172
	(0.150)
Constitutional Issues	0.396**
	(0.131)
Solicitor General	−0.161
	(0.135)
Constant	−5.636
	(0.335)
Log Likelihood	−1034.4526
Observations	3,118

Note: Robust standard errors are included in the parentheses.
*$p < 0.05$;
**$p < 0.01$;
***$p < 0.001$ (two-tailed)

heard on a day other than Monday (0) to a case heard on Monday (1) results in an increase of approximately 6.4 percentage points in the predicted probability of media coverage. This finding supports our hypothesis that Monday oral arguments receive

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between Mondays and the other two days on which arguments are held may be driven primarily by the relative difference between cases heard on Mondays versus Tuesdays. Future research could collect additional data to further explore media coverage of arguments held on Wednesdays. These findings are detailed in Table A1 in the Appendix. We also conducted two more logistic regressions in Tables A2 and A3 in the Appendix to explore the relationship between the day of the week (Tuesday or Wednesday as dummy variables) when oral arguments are held, and the likelihood of a story being produced about those arguments. These models echo the findings in Table A1. The coefficient for Tuesday in Table A2 is −0.405, which is statistically significant ($p < 0.001$). The negative coefficient suggests that stories are less likely to be produced for arguments held on Tuesday compared to other days. The coefficient for Wednesday in Table A3 is 0.167, but it is not statistically significant ($p > 0.05$), again suggesting that there is no significant relationship between oral arguments held on Wednesday and the likelihood of a story being produced.
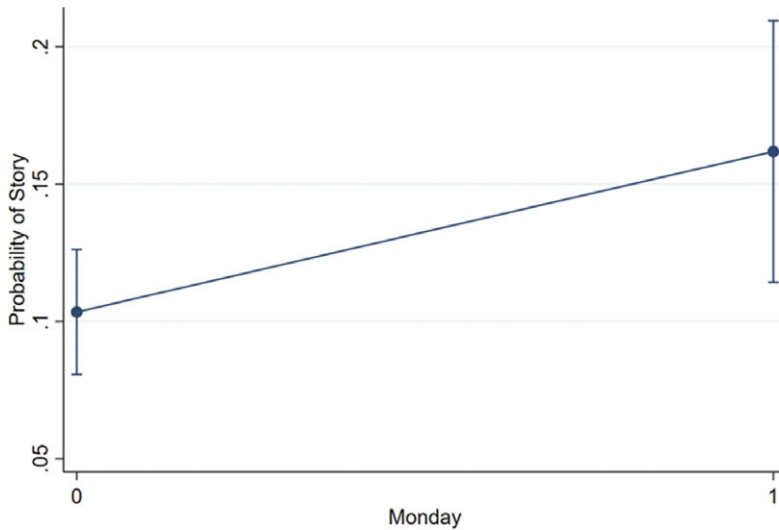
Figure 1. Predicted Probability of a Print Outlet Producing an Online Print Media Story by Monday vs. Non-Monday.

heightened attention from the media compared to the other days on which arguments are held.[33]

This finding holds when we run separate models for online print and broadcast media coverage. While these two mediums often have distinct audience demographics, consumption patterns, and production processes, we observe a similar pattern across both types of coverage. Figure 1 and Figure 2 below display the predicted probabilities of online print and broadcast media stories, respectively, being produced on Mondays compared to other weekdays.

Figure 1 shows the predicted probability that a given print media outlet will produce one or more online story on Monday is approximately 0.16.[34] In contrast, the predicted probability that at least one online print media story is produced on a day other than Monday is approximately 0.10, representing a statistically significant difference ($p < 0.001$). This indicates that print media outlets are significantly more likely to cover Supreme Court oral arguments held on Mondays compared to other weekdays.

As Figure 2 shows, the predicted probability of a broadcast media outlet producing at least one online print story for a case argued on a Monday is approximately 0.14.[35] In contrast, the predicted probability of a broadcast media outlet generating at least one story for an argument held on a day other than Monday is approximately 0.07. The difference in predicted probabilities between Monday and non-Monday is statistically significant ($p < 0.001$), suggesting that broadcast media outlets are also

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[33]We also conducted a two-stage analysis to examine how case salience influences Monday scheduling and whether Monday scheduling independently affects media coverage. Our results indicate that cases scheduled on Mondays receive more media attention ($p = 0.009$), while the likelihood of being scheduled on a Monday does not significantly affect media coverage ($p = 0.460$), suggesting that scheduling itself has a unique impact.

[34]The separate model using only print outlets is Table A4 in the Appendix.

[35]The separate model using only broadcast outlets is Table A5 in the Appendix.
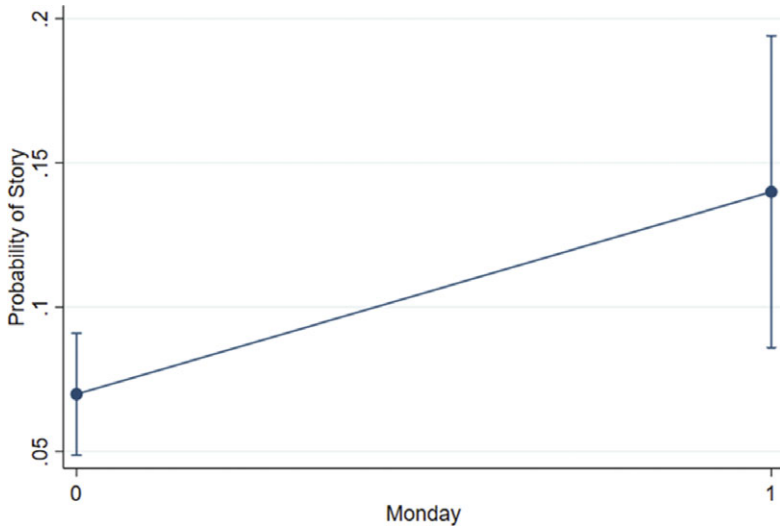
Figure 2. Predicted Probability of a Broadcast Media Outlet Producing an Online Print Story by Monday vs. Non-Monday.

significantly more likely to cover Supreme Court oral arguments heard on Mondays compared to other weekdays.

In sum, the bird's-eye view results indicate that media outlets – both print and broadcast – are significantly more inclined to report on cases heard on Mondays, possibly due to the inherent significance attributed to the beginning of the workweek and the anticipation surrounding the Court's first oral arguments of the week. Controlling for other factors, Monday oral arguments remain a robust predictor of media coverage, underscoring the enduring impact of the Court's scheduling decisions on public discourse and media attention. This finding spotlights the importance of temporal considerations in understanding media coverage of Supreme Court oral arguments and highlights the unique role that Mondays play in shaping the narrative surrounding key legal issues.

Now, we turn our attention to the control variables, highlighting those that demonstrate noteworthy relationships with media coverage. Returning to Table 1, our analysis reveals that proximity to other newsworthy activities, change in the format of oral arguments, and certain characteristics of the cases themselves exert notable influence over media coverage.

First, the model indicates that the proximity of oral arguments to other newsworthy activities also shapes the likelihood that oral arguments in the case garner media attention. Specifically, the number of decisions released on the same day, captured with our variable "Decision Release," significantly shapes the likelihood of media coverage of oral arguments. Days with the highest number of decisions released show a substantially higher predicted probability of coverage, standing at 0.42. In contrast, days with no decisions released have a notably lower predicted probability of 0.10 ($p < 0.001$). This suggests that the volume of decisions released on a given day plays a pivotal role in shaping media coverage tendencies toward oral arguments, with higher decision release days garnering more attention from the media. Additionally, cases with higher acceptance ranks (those accepted later in the term) are more likely

to result in a story being produced compared to cases with lower acceptance ranks (those accepted earlier in the term) according to our variable "Acceptance Rank." Starting from the lowest acceptance rank (1) with a predicted probability of 0.08, there is a consistent increase in coverage likelihood as we move up the ranks. By the time we reach the highest acceptance rank (9), the predicted probability jumps to 0.20 ($p < 0.001$). This pattern indicates that cases accepted later in the term, represented by higher acceptance rank levels, are more likely to garner media attention. Thus, the timing of a case's acceptance within a term plays a significant role in determining its visibility and coverage in the media. Further, the model indicates that oral arguments in cases heard on the "First Day of Term" are less likely to be covered than those heard on other days throughout the term. More specifically, the predicted probability of media coverage for cases heard on the first day of the term is 0.04, compared to 0.11 for cases heard on other days ($p < 0.001$). We suspect this finding may be a result of news media outlets using the first Monday in October to preview the Court's term rather than providing in-depth coverage of the first cases heard.

Second, the model suggests that the transition to livestreamed oral argument audio also shapes media coverage dynamics. As other work has found, the initial decision to livestream oral argument audio during the COVID-19 pandemic, represented by the variable "May 2020," corresponds with heightened media coverage (Houston, Johnson, and Ringsmuth 2023). The predicted probability of media coverage during the May 2020 session increased significantly, from 0.09 to 0.69 ($p < 0.001$). This suggests that the historic nature of livestreamed oral argument audio garnered greater media attention while livestreaming was a novel, and therefore, more newsworthy event.[36]

Additionally, the two controls tapping case salience predict news media coverage of oral arguments. Preexisting media coverage, measured by the volume of stories from key news outlets preceding oral arguments (variable "Pre-Argument Stories"), also significantly influences subsequent coverage. Starting at a predicted probability of 0.08 for no prior coverage, the likelihood of media coverage increases consistently. For cases that were covered the most before argument, the predicted probability increases to 0.97 ($p < 0.001$). This substantial increase underscores that cases with higher preexisting media coverage levels – which tends to indicate heightened salience – are significantly more likely to continue to be covered by the media, including the oral argument phase, compared to those with lower levels of pre-argument coverage.[37] Next, we also find that as the "Number of OA Turns" taken by

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[36]This was not the only change to the format of oral arguments during this time period (Ringsmuth et al. 2023). For exploratory purposes, we also accounted for the shift to conducting a second round of oral argument questioning in order of seniority after the initial time allocated to each side. This variable is coded as a dummy, where 1 indicates that the case occurred during the October 2021 term, when justices could ask questions at any time and then had the opportunity to ask questions in order of seniority, and 0 indicates cases from previous terms. In our model, this variable has a coefficient of -0.300 ($p < 0.05$). This indicates a negative relationship between this oral argument format and the likelihood of a story being produced about a case. Since the data examined here only encompass one year of the new argument format, future research should further explore the relationship between the structure of these proceedings and media coverage.

[37]While we are constrained by the number of cases included in the analysis, we can begin to explore the extent to which there is an interaction between the day of the week on which a case is argued and the salience of the case. When we include this interaction, the model suggests that having arguments on a Monday tends to amplify the media coverage of cases that already have some level of media interest. For instance, cases that have two stories written about them prior to argument that are argued on Mondays receive significantly more

each justice increases, so too does the likelihood of news coverage. More specifically, the predicted probability of media coverage increases from approximately 0.02 for cases with the fewest turns to 0.48 for cases with the highest number of turns (p < 0.001). This substantial increase suggests that more active participation by the justices during oral arguments captures greater media attention, likely due to the heightened engagement and dynamic nature of the proceedings.

Additionally, characteristics of media outlets played significant roles in determining coverage. Starting with "Outlet Ideology," media outlets with left-leaning ideologies demonstrate a notably greater likelihood of covering oral arguments, with a predicted probability of 0.13. In contrast, conservative-leaning outlets exhibit a decreased inclination toward covering these legal proceedings, registering a predicted probability of only 0.07. This disparity in coverage tendencies is not only pronounced, but also statistically significant (p < 0.001). Overall, the ideological leaning of media outlets significantly influences their coverage decisions. The heightened focus on Supreme Court oral arguments by liberal outlets may be understood through the lens of monitoring and responding to a potentially hostile judiciary. Political science literature suggests that media outlets can play a critical role in shaping public perception and political mobilization, especially when there is a perceived threat to group interests (e.g., Zaller 1992). With the recent conservative shift in the Supreme Court, it is possible that liberal media outlets have increased their coverage of oral arguments to scrutinize judicial actions that might jeopardize progressive policies. This could align with the concept of "watchdog journalism," where media acts as a sentinel against potential threats to democratic values and civil rights (Dunaway and Graber 2022). Moreover, media outlets with "Press Credentials" are significantly more likely to report on oral arguments, with a predicted probability of 0.19, compared to outlets without credentials, which have a probability of 0.04. This difference is statistically significant (p < 0.001), highlighting the influential role of press credentials on reporting tendencies, presumably due to the direct access credentials afford to the Court's proceedings.

Finally, cases involving "Constitutional Issues" also correspond to a greater likelihood of coverage. For example, the predicted probability of coverage for cases speaking to constitutional issues is 0.14 compared to 0.09 for those that do not (p < 0.001). This highlights the media's heightened interest in cases with constitutional implications (Maltzman, Spriggs, and Wahlbeck 2000).

Conclusion

The findings underscore a fascinating interplay between the Supreme Court's scheduling decisions and media coverage patterns. We find that the routinized nature of the Court's public calendar shapes the attention the Court receives from the media with cases orally argued on Mondays garnering more attention than those heard on other days. This highlights the pivotal role of a behind the scenes actor – the Clerk of the Court – who is responsible for scheduling cases for oral argument. Our results

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media coverage compared to cases argued on other days (p = 0.006). Similarly, cases with three and five stories produced about them prior to oral argument receive more attention when argued on Mondays than on other weekdays (p = 0.009 and p = 0.005, respectively). This supports the idea that both the timing and the perceived importance of cases play a role in how much media attention they receive.

suggest that the Clerk's scheduling decisions, whether deliberate or inadvertent, hold important consequences for the Court, the media, and the public.

Media coverage serves as a crucial mechanism for shaping public perceptions and understanding of the Supreme Court and its decisions. Cases argued on days with higher media coverage have the potential to reach a broader audience, thereby influencing public opinion and awareness of key legal issues. By analyzing the relationship between the day of the week and media coverage, we gain insights into how the Court communicates with the public and the factors that shape public discourse on legal matters.

Furthermore, our findings illustrate how administrative planning within the judiciary influences the broader narrative framing the Court's proceedings. The results also provide new insights into the preexisting work showing that the Supreme Court's decisions can produce long-lasting media attention to a given topic. For example, Flemming, Bohte, and Wood (1997) show that cases such as *Brown v. Board of Education* (1954) and *Texas v. Johnson* (1989) precipitated a long-term increase in media coverage of school desegregation issues and free speech and censorship, respectively, and that this coverage extended beyond the cases themselves into more general discussion. The evidence presented here suggests that the day on which a case was argued may amplify or mitigate the impact of the Supreme Court's engagement with an issue on public attention to that issue more broadly. Such insights not only illuminate the nuanced dynamics of media coverage but also spotlight the subtle yet influential roles that administrative decisions within institutions can play in shaping public perception and discourse surrounding critical matters of law and governance.

Media coverage of the Supreme Court is not merely about informing the public; it is also a pivotal factor in maintaining the Court's legitimacy and influence more broadly. Extensive coverage can elevate public awareness and understanding of the Court and its work, thereby reinforcing the Court's role in democratic governance (Gibson and Caldeira 2009). Conversely, limited coverage can obscure and diminish public engagement with the judiciary. The timing of oral arguments, particularly on days like Monday when media attention is higher, can thus play a crucial role in ensuring that the Court's activities are prominently featured in public discourse. Recognizing the importance of this dynamic helps to illuminate how seemingly procedural decisions, like scheduling, can have far-reaching impacts on public trust and institutional legitimacy.

This study offers not only a deeper comprehension of media behavior, but also highlights avenues for strategic considerations within the judiciary. Courts may now weigh the potential impact of scheduling decisions on public perception, recognizing that certain days can significantly amplify the reach and influence of their proceedings. In essence, our research not only uncovers the present dynamics of media coverage surrounding Supreme Court cases, but also lays the foundation for informed decision-making and strategic planning in the future. Courts could also consider the extent to which they choose to permit discretion in seemingly administrative tasks such as scheduling versus opting to craft policies that minimize the opportunity for individual choices. Such policies may be particularly impactful when staffing transitions occur within a court.

As the legal landscape continues to evolve, the role of the Supreme Court Clerk in shaping media narratives is an integral consideration, inviting a reimagining of the factors shaping how judicial proceedings are presented and, ultimately, received by the public. The results also suggest that scholars studying media coverage of the

judiciary more broadly, such as stories about cases accepted for review, might benefit from assessing the extent to which the timing of news stories coincides with patterns within the judicial calendar. Future work could further examine when and how case scheduling became linked with media coverage, as well as the role of the Clerk of the Court more generally, and the potential impact of other administrative actions that occur behind the scenes at the Court on the Court's relationship with the media and the public. Finally, future research could explore other factors that might influence oral argument salience, such as additional issue areas, the parties involved, and the broader political context. A larger dataset spanning additional terms would provide leverage to assess these and other case-specific factors alongside scheduling to form a more comprehensive understanding of the dynamics that drive media coverage of Supreme Court oral arguments.

For now, this study highlights how scheduling decisions impact the Supreme Court's interaction with the media and the public, emphasizing the significant role of timing in shaping public discourse and perceptions of the Court.

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Appendix

Table A1. Logistic Regression of the Relationship Between Day of Oral Arguments as Factor Variable and Whether a Story Is Produced (Monday is the Excluded Category)

	Dependent Variable: Story
Tuesday	−0.662***
	(0.187)
Wednesday	−0.400
	(0.214)
First Day of Term	−0.905*
	(0.399)
Order List	−0.219
	(0.185)
Decision Release	0.940***
	(0.138)
Acceptance Rank	0.126***
	(0.030)
Livestream	−0.005
	(0.151)
May 2020 Session	3.042***
	(0.262)
Pre-Argument Stories	0.198***
	(0.019)
Number of OA Turns	0.016***
	(0.001)
Outlet Ideology	−0.363***
	(0.085)
Press Credentials	1.525***
	(0.133)
Civil Liberties Case	0.154
	(0.151)
Constitutional Issues	0.391**
	(0.131)
Solicitor General	−0.129
	(0.136)
Constant	−5.063
Log Likelihood	−1032.8916
Observations	3,118

Note: Robust standard errors are included in the parentheses.
*$p < 0.05$;
**$p < 0.01$;
***$p < 0.001$ (two-tailed)

Table A2. Logistic Regression of the Relationship Between Tuesday Oral Arguments and Whether a Story Is Produced

	Dependent Variable: Story
Tuesday	−0.405***
	(0.125)
First Day of term	−0.832*
	(0.397)
Order List	0.036
	(0.124)
Decision Release	0.951***
	(0.139)
Acceptance Rank	0.118***
	(0.030)
Livestream	0.000
	(0.151)
May 2020 Session	3.096***
	(0.261)
Pre-Argument Stories	0.198***
	(0.020)
Number of OA Turns	0.015***
	(0.001)
Outlet Ideology	−0.363***
	(0.085)
Press Credentials	1.524***
	(0.0.133)
Civil Liberties Case	0.132
	(0.150)
Constitutional Issues	0.384**
	(0.130)
Solicitor General	−0.120
	(0.135)
Constant	−5.330
	(0.338)
Log Likelihood	−1034.6341
Observations	3,118

Note: Robust standard errors are included in the parentheses.
*$p < 0.05$;
**$p < 0.01$;
***$p < 0.001$ (two-tailed)

Table A3. Logistic Regression of the Relationship Between Wednesday Oral Arguments and Whether a Story Is Produced

	Dependent Variable: Story
Wednesday	0.167
	(0.144)
First Day of Term	−0.715
	(0.395)
Order List	0.197
	(0.140)
Decision Release	0.950***
	(0.139)
Acceptance Rank	0.112***
	(0.030)
Livestream	0.034
	(0.150)
May 2020 Session	3.170***
	(0.259)
Pre-Argument Stories	0.198***
	(0.019)
Number of OA Turns	0.016***
	(0.001)
Outlet Ideology	−0.361***
	(0.085)
Press Credentials	1.519***
	(0.132)
Civil Liberties Case	0.133
	(0.150)
Constitutional Issues	0.381**
	(0.130)
Solicitor General	−0.161
	(0.135)
Constant	−5.603
	(0.337)
Log Likelihood	−1039.3035
Observations	3,118

Note: Robust standard errors are included in the parentheses.
*$p < 0.05$;
**$p < 0.01$;
***$p < 0.001$ (two-tailed)

Table A4. Logistic Regression of a Print Outlet Producing an Online Print Media Story by Monday vs. Non-Monday

	Dependent Variable: Story
Monday	0.515*
	(0.238)
First Day of Term	−0.507
	(0.439)
Order List	−0.180
	(0.231)
Decision Release	0.859***
	(0.187)
Acceptance Rank	0.097*
	(0.040)
Livestream	0.151
	(0.197)
May 2020 Session	2.958***
	(0.349)
Pre-Argument Stories	0.193***
	(0.026)
Number of OA Turns	0.014***
	(0.002)
Outlet Ideology	−0.378**
	(0.129)
Press Credentials	1.646***
	(0.161)
Civil Liberties Case	0.485*
	(0.196)
Constitutional Issues	0.428*
	(0.173)
Solicitor General	−0.123
	(0.176)
Constant	−5.154
Log Likelihood	−593.838
Observations	1,731

Note: Robust standard errors are included in the parentheses.
*$p < 0.05$;
**$p < 0.01$;
***$p < 0.001$ (two-tailed)

Table A5. Logistic Regression of a Broadcast Media Outlet Producing an Online Print Story by Monday vs. Non-Monday

	Dependent Variable: Story
Monday	0.773**
	(0.294)
Order List	−0.510*
	(0.290)
Decision Release	1.078***
	(0.213)
Acceptance Rank	0.177***
	(0.048)
Livestream	−0.208
	(0.240)
May 2020 Session	3.479***
	(0.421)
Pre-Argument Stories	0.217***
	(0.029)
Number of OA Turns	0.020***
	(0.002)
Outlet Ideology	−0.176
	(0.126)
Press Credentials	2.433***
	(0.353)
Civil Liberties Case	−0.296
	(0.246)
Constitutional Issues	0.365
	(0.207)
Solicitor General	−0.214
	(0.217)
Constant	−7.731
Log Likelihood	−406.037
Observations	1,331

Note: Robust standard errors are included in the parentheses.
$*p < 0.05$;
$**p < 0.01$;
$***p < 0.001$ (two-tailed)
Note: The logistic regression analysis indicated that the variable "First Day of Term" was omitted from the model because it perfectly predicted the dependent variable "Story." Consequently, 56 observations where "First Day of Term" was non-zero were also excluded from the analysis. If we only include the 56 observations where "First Day of Term" = 1, "Monday" is still significant at the $p < 0.01$ level.