

CuRIAM: Corpus re Interpretation and Metalanguage in U.S. Supreme Court Opinions

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Summary

- CuRIAM is an English corpus of U.S. Supreme Court opinions
- Includes metalanguage annotations (language about language)
- Annotations come from original legal metalanguage schema
- The corpus helps categorize and quantify how Supreme Court justices reason about language and meaning

Background

- **Metalanguage is language that comments on or draws attention to other language**
- Supreme Court case outcomes can hinge on the meaning of just one or two phrases
- In defending their decisions, justices often make use of metalanguage
- Characterizing legal metalanguage is important as the Court undergoes a shift towards textualism and contemplates arguments based on legal corpus linguistics

Annotation Schema

- 9 categories developed through data exploration and pilot annotation
- 3 groups: general metalanguage, quotes and sources, interpretive rhetoric

Category	Definition
Focal Term (FT)	Word or phrase used metalinguistically and/or whose meaning is under discussion.
Definition (D)	Succinct, reasonably self-contained description of what a word or phrase means. Need not be exhaustive. May also be negative—defining a word by what it's not.
Metalinguistic Cue (MC)	Word or short phrase cueing nearby metalanguage.
Direct Quote (DQ)	Span of text inside quotation marks.
Legal Source (LeS)	Citation or mention appealing to a legal document or authority.
Language Source (LaS)	Citation or mention appealing to an authority on language.
Named Interpretive Rule (NIR)	Mention of a well-established interpretive rule or test used to support an argument about the meaning of a word or phrase.
Example Use (ES)	Intuitive, quoted, or hypothetical examples that demonstrate a word/term can or cannot be used in a certain way.
Appeal to Meaning (ATM)	An explicit argument, implicit value judgment, or other statement indicating how one should go about interpreting meaning (e.g., by appealing to common sense, ordinary meaning, or the language of another statute).

Corpus Example

The Court **interprets** [Metalinguistic Cue] the **phrase** [Metalinguistic Cue] **“arising under”** [Focal Term] [Direct Quote] **in §113(b)** [Legal Source] **to mean** [Metalinguistic Cue] **the same thing as that phrase** [Metalinguistic Cue] **means** [metalinguistic cue] **in the federal-question jurisdiction statute** [Appeal To Meaning], **28 U.S.C. §1331** [Legal Source].

Dataset

- 18 cases from the 2019 U.S. Supreme Court Term focused on statutory interpretation
- 41 opinions (18, majority, 11 concurrences, 12 dissents)
- Data collected from Harvard's Caselaw Access Project
- 180k tokens of English

Annotation

- Initial schema developed
- Pilot annotation of 60k tokens by 4 law students and agreement measured
- Schema and guidelines refined
- Main annotation of entire dataset carried out by one author
- Agreement study carried out on 3 opinions annotated by an additional author
- Overall agreement: gamma of .83
- Exact match F1 varied substantially by category

Category	P	R	F1
Focal Term	0.804	0.879	0.837
Definition	0.869	0.826	0.846
Metalinguistic Cue	0.905	0.869	0.886
Direct Quote	0.996	0.987	0.991
Legal Source	0.977	0.987	0.982
Language Source	0.987	0.991	0.989
Named Interpretive Rule	0.707	0.601	0.636
Example Use	0.938	0.764	0.828
Appeal to Meaning	0.616	0.544	0.556

IAA: token-level exact match F1

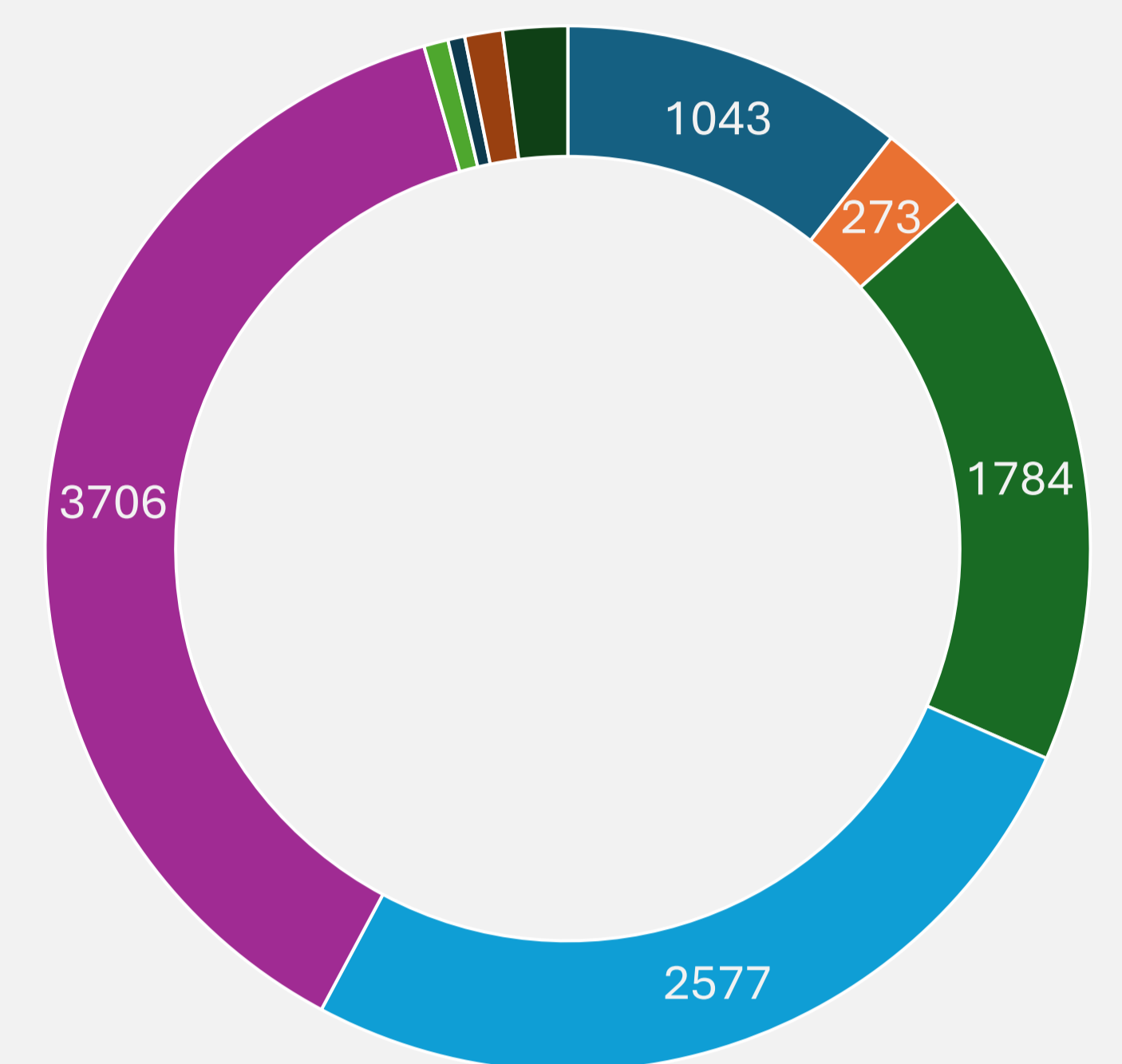
Corpus Statistics

- 10k spans of metalanguage
- 63% of sentences contained at least one metalinguistic span
- 3,100 instances of general metalanguage (FT, D, MC)
- 6,357 instances quotes and sources (DQ, LeS, LaS)
- 362 instances of interpretive rhetoric (NIR, ES, ATM)
- Annotated span length varies by category, ranging from an average of 1.3 tokens for metalinguistic cues to 27.8 tokens for appeals to meaning

Analysis

Category Counts

■ FT ■ D ■ MC ■ DQ ■ LeS
■ LaS ■ NIR ■ ES ■ ATM



- Direct quotes, legal sources, focal terms, and metalinguistic cues were highly frequent
- Categories signaled by formatting cues showed the highest rates of agreement
- Dissenting opinions show the highest rates of metalanguage use, followed by majority opinions and then concurrences
- Categories in the interpretive rhetoric group (NIR, ES, ATM) were less frequent than expected and proved challenging to annotate

Conclusions

- Developed the first schema of legal metalanguage applicable to U.S. Supreme Court opinions
- Introduced CuRIAM, an English corpus of legal metalanguage in U.S. Supreme Court opinions
- Described the distribution of legal metalanguage in Supreme Court opinions and analyzed patterns

Limitations

- Data sampled from only the 2019 Supreme Court term
- The corpus includes the writings of only 9 justices, and therefore serves as a starting point for the study of legal metalanguage
- Because the corpus covers the U.S. Supreme Court, it is limited to only English

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