decisions it reviewed (Osgoode Hall Law Journal 1994, 173; see also Russell 1992). In the United States, the comparable percentage was 36 percent (Epstein *et al* 1996, 212). A second contrast is that unanimous decisions on the merits are much more common in Canada than in the United States where there is a tradition of dissent. In 1991, roughly 70 percent of the cases in Canada's Court were unanimously decided (Osgoode Hall Law Journal 1994, 180; see also Russell 1992). For this same year, the proportion was 40 percent in the United States (Epstein *et al* 1996, 194). To the extent the Canadian justices try to anticipate the outcomes of cases, they can expect that the applications they approve for leave to appeal are more likely to be affirmed than reversed, and that the historical odds favor a unanimous decision rather than a divided one.

THE "CANADA DATABASE," MODIFICATIONS IN THE RESEARCH DESIGN, AND OPERATIONALIZATION OF KEY VARIABLES

Extensive modifications have been made to the original research design. While additional support from the National Science Foundation made these changes feasible, the modifications are consistent with the four theoretical perspectives that inform the American literature of agenda setting in courts of final appeal. Table 2 summarizes the changes in the project's research design and the data that have been or are being collected for this project. The heavily shaded cells indicate the scope of the original research design. The more lightly shaded cells show the expansion of the project's focus from a single year, 1995, to a three-year period, plus the enlargement of the data collection phase to include the "public importance" arguments made by appellants' attorneys. Data collection was completed in 1996 in all of these shaded cells; the unshaded cells indicate data collection is currently underway.

TABLE 2 ABOUT HERE

The project now has a multiple-year focus. The original "focal" year, 1995, was expanded to a three year focus, 1993-1995, and then further enlarged to include two succeeding years. In effect, the study period covers five years, 1993-1997. In addition, case-based data from the Court's merits or final decisions between 1975-1992 provide a historical dimension to the Court's agenda process. Data collection, however, could not be extended to the years prior to 1975 because the Court did not report a substantial proportion of its decisions, nearly a third each term on the average; presumably these cases were not sufficiently important to warrant publication of the opinions. One of the effects of the reform in