applicants seeking review and failure to clear them generally leads to denial of certiorari without regard to the substance or policy merits of the petitions.

The second major perspective centers on ***litigant resources***. It suggests that petitions for certiorari succeed according to the status, resources, and expertise of petitioners vis-a-vis respondents, the support their positions attract from interest groups, plus whether the lawyers representing the parties make frequent appearances as "repeat players" before the Supreme Court. For example, numerous studies starting with the "cue theory" of Tanenhaus *et al* (1963) show that the Office of the Solicitor General is very successful before the Court in having petitions granted or denied depending on Solicitor General's position as a direct party or amicus curiae (Ulmer *et al* 1972; Segal 1988, 1990; Salokar 1992).

More generally, the status of the parties, i.e., whether "upperdog" or "underdog," is related to the voting behavior of justices in the agenda setting process. Higher status litigants, the upperdogs, generally are more likely to gain access to the Court than underdogs or lower status litigants although this relationship depends in part on the ideological makeup of the Court (Ulmer 1978, 1981; Sheehan, Mishler, and Songer 1992). Other studies reveal the presence of amici curiae briefs filed by interest groups in support of the petitioning party increases the likelihood of petitions being placed on the discuss list and of being granted at conference (Caldeira and Wright 1988, 1990). Parties represented by lawyers who are repeat players with expertise before the Court also have an edge over opponents with less experienced counsel in affecting favorable certiorari decisions (McGuire and Caldeira 1993; McGuire 1995). Experienced lawyers may also recruit interest group support (McGuire 1994).

The third perspective views justices' agenda setting decisions as a matter of ***strategic choice***. This view was first explored by Schubert (1958, 1959, 1962) in his seminal pieces on the "certiorari game" and in subsequent findings that justices' ceritiorari votes are related to their final votes on the merits of cases (Ulmer 1972, 1973; Songer 1979). More generally, justices are seen as anticipating the outcomes of cases and then casting their certiorari votes according to whether these expected outcomes were consistent with their policy views (Brenner 1979).

In later versions of this perspective, justices pursue particular strategies, i.e., either "aggressive grants" or "defensive denials," when casting their agenda votes (Perry 1991; Brenner and Krol 1989; Krol