# SCOTUSblog
SUPREME COURT OF THE UNITED STATES BLOG

# Final Stat Pack for October Term 2019
*July 20, 2020*

| | |
|---|---|
| Signed merits opinions after oral argument | + 53 |
| Per curiam merits opinions after oral argument | + 2 |
| Summary reversals | + 6 |
| **Total merits opinions released** | **61** |
| | |
| Petitions granted for argument | + 71 |
| Summary reversals | + 6 |
| Cases rescheduled for argument during OT20 | − 11 |
| Cases disposed in light of other opinions during OT19 | − 2 |
| Cases dismissed before oral argument | − 1 |
| Cases dismissed after oral argument | − 1 |
| Cases consolidated after oral argument | − 1 |
| **Total merits opinions expected** | **61** |
| | |
| **Cases set for argument during OT20** | **31** |

You can find past Stat Packs here: <https://www.scotusblog.com/reference/stat-pack/>. A few matters regarding our methodology are worth mentioning at the outset. First, SCOTUSblog treats consolidated cases as a single case, as determined by the case with the lowest docket number (prior to the release of an opinion) or the case that is captioned with an opinion. To the extent that two cases are argued separately but later decided with only one opinion, we will remove one of the cases from this Stat Pack, except to include it in the Pace of Grants chart to maintain cross-conference comparisons. The most unusual way we manage these later-consolidated cases is to merge the oral-argument data for the two cases. We combine the questions asked by each justice in the separate oral argument proceedings into one "consolidated" session. Second, this Stat Pack frequently uses the term "merits opinions," "merits docket" or "merits cases." Those three terms are used interchangeably, and signify the set of cases decided "on the merits." Those cases include signed opinions after oral argument (the bulk of all merits cases), most per curiam opinions released after oral argument, summary reversals (cases decided with per curiam opinions without briefing or oral argument, often to reverse a lower court) and cases decided by an equally divided court. Cases that are dismissed as improvidently granted are not included in our tally of merits cases.

# Term Index

This chart includes a summary of the cases for the term including (1) majority opinion author, (2) vote, (3) days between argument and opinion, (4) judgment and (5) court below. For each sitting, the chart provides the number of majority opinions written by each justice and the average number of days between argument and opinion for that justice's majority opinions.

## October

| Case | Author | Vote | Days | J | Court | Justice | # | Avg |
|---|---|---|---|---|---|---|---|---|
| Kahler | EK | 6-3 | 168d | A | ST | JGR | 0 | - |
| NantKwest | SMS | 9-0 | 65d | A | CAFC | CT | 1 | 55d |
| Ramos | NMG | 6-3 | 196d | R | ST | RBG | 0 | - |
| Bostock | NMG | 6-3 | 251d | R | CA11 | SGB | 1 | 230d |
| Aurelius | SGB | 9-0 | 230d | R | CA1 | SAA | 1 | 139d |
| Garcia | SAA | 5-4 | 139d | R | ST | SMS | 1 | 65d |
| Rotkiske | CT | 8-1 | 55d | A | CA3 | EK | 1 | 168d |
| | | | | | | NMG | 2 | 224d |
| | | | | | | BMK | 0 | - |
| | | | | | | PC | 0 | - |
| | | | | | | Tot. | 7 | |
| | | | | | | Expect | 7 | |
| | | | | | | Avg. | | 158d |

## November

| Case | Author | Vote | Days | J | Court | Justice | # | Avg |
|---|---|---|---|---|---|---|---|---|
| Barton | BMK | 5-4 | 171d | A | CA11 | JGR | 1 | 219d |
| Glover | CT | 8-1 | 154d | R | ST | CT | 1 | 154d |
| CITGO | SMS | 7-2 | 146d | A | CA3 | RBG | 1 | 62d |
| Allen | EK | 9-0 | 139d | A | CA4 | SGB | 1 | 169d |
| Maui | SGB | 6-3 | 169d | R | CA9 | SAA | 1 | 105d |
| IBM | PC | 9-0 | 69d | R | CA2 | SMS | 1 | 146d |
| Regents | JGR | 5-4 | 219d | R | CA9 | EK | 1 | 139d |
| Hernandez | SAA | 5-4 | 105d | A | CA5 | NMG | 1 | 131d |
| Comcast | NMG | 9-0 | 131d | R | CA9 | BMK | 1 | 171d |
| Ritzen | RBG | 9-0 | 62d | A | CA6 | PC | 1 | 69d |
| | | | | | | Tot. | 10 | |
| | | | | | | Expect | 10 | |
| | | | | | | Avg. | | 137d |

## December

| Case | Author | Vote | Days | J | Court | Justice | # | Avg |
|---|---|---|---|---|---|---|---|---|
| N.Y. Rifle | PC | 6-3 | 147d | R | CA2 | JGR | 2 | 143d |
| Public.Resource | JGR | 5-4 | 147d | A | CA11 | CT | 0 | - |
| Rodriguez | NMG | 9-0 | 84d | R | CA10 | RBG | 2 | 105d |
| Atlantic | JGR | 7-2 | 139d | R | ST | SGB | 2 | 92d |
| Intel | SAA | 9-0 | 84d | A | CA9 | SAA | 1 | 84d |
| Banister | EK | 7-2 | 180d | R | CA5 | SMS | 1 | 139d |
| Guerrero-Lasprilla | SGB | 7-2 | 105d | R | CA5 | EK | 1 | 180d |
| Thryv | RBG | 7-2 | 133d | R | CAFC | NMG | 1 | 84d |
| Maine Community | SMS | 8-1 | 139d | R | CAFC | BMK | 1 | 76d |
| Holguin-Hernandez | SGB | 9-0 | 78d | R | CA5 | PC | 1 | 147d |
| Monasky | RBG | 9-0 | 76d | A | CA6 | Tot. | 12 | |
| McKinney | BMK | 5-4 | 76d | A | ST | Expect | 12 | |
| | | | | | | Avg. | | 116d |

## January

| Case | Author | Vote | Days | J | Court | Justice | # | Avg |
|---|---|---|---|---|---|---|---|---|
| Lucky | SMS | 9-0 | 122d | R | CA2 | JGR | 1 | 160d |
| Thole | BMK | 5-4 | 140d | A | CA8 | CT | 1 | 132d |
| Kelly | EK | 9-0 | 114d | R | CA3 | RBG | 1 | 36d |
| Romag | NMG | 9-0 | 100d | R | CAFC | SGB | 0 | - |
| Babb | SAA | 8-1 | 82d | R | CA11 | SAA | 1 | 82d |
| Shular | RBG | 9-0 | 36d | A | CA11 | SMS | 1 | 122d |
| GE Energy | CT | 9-0 | 132d | R | CA11 | EK | 1 | 114d |
| Espinoza | JGR | 5-4 | 160d | R | ST | NMG | 1 | 100d |
| | | | | | | BMK | 1 | 140d |
| | | | | | | PC | 0 | - |
| | | | | | | Tot. | 8 | |
| | | | | | | Expect | 8 | |
| | | | | | | Avg. | | 111d |

## February

| Case | Author | Vote | Days | J | Court | Justice | # | Avg |
|---|---|---|---|---|---|---|---|---|
| Cowpasture | CT | 7-2 | 112d | R | CA4 | JGR | 1 | 118d |
| Opati | NMG | 8-0 | 84d | R | CADC | CT | 1 | 112d |
| Sineneng-Smith | RBG | 9-0 | 72d | R | CA9 | RBG | 1 | 72d |
| Lomax | EK | 9-0 | 103d | A | CA10 | SGB | 1 | 117d |
| Nasrallah | BMK | 7-2 | 91d | R | CA11 | SAA | 1 | 115d |
| Thuraissigiam | SAA | 7-2 | 115d | R | CA9 | SMS | 1 | 111d |
| Seila Law | JGR | 5-4 | 118d | R | CA9 | EK | 1 | 113d |
| Liu | SMS | 8-1 | 111d | R | CA9 | NMG | 1 | 84d |
| June Medical | SGB | 5-4 | 117d | R | CA5 | BMK | 1 | 91d |
| | | | | | | PC | 0 | - |
| | | | | | | Tot. | 9 | |
| | | | | | | Expect | 9 | |
| | | | | | | Avg. | | 103d |

## May

| Case | Author | Vote | Days | J | Court | Justice | # | Avg |
|---|---|---|---|---|---|---|---|---|
| Booking.com | RBG | 8-1 | 57d | A | CA4 | JGR | 2 | 58d |
| Open Society | BMK | 5-3 | 55d | R | CA2 | CT | 1 | 63d |
| Little Sisters | CT | 7-2 | 63d | R | CA3 | RBG | 1 | 57d |
| Consultants | BMK | 6-3 | 61d | A | CA4 | SGB | 0 | - |
| McGirt | NMG | 5-4 | 59d | R | ST | SAA | 1 | 58d |
| Guadalupe | SAA | 7-2 | 58d | R | CA9 | SMS | 0 | - |
| Mazars | JGR | 7-2 | 58d | R | CADC | EK | 1 | 54d |
| Vance | JGR | 7-2 | 58d | A | CA2 | NMG | 1 | 59d |
| Chiafalo | EK | 9-0 | 54d | A | ST | BMK | 2 | 58d |
| | | | | | | PC | 0 | - |
| | | | | | | Tot. | 9 | |
| | | | | | | Expect | 9 | |
| | | | | | | Avg. | | 58d |

## Summary Reversal

| Case | Author | Vote | Days | J | Court |
|---|---|---|---|---|---|
| Thompson | PC | 9-0 | n/a | R | CA9 |
| Archdiocese | PC | 9-0 | n/a | R | ST |
| Davis | PC | 9-0 | n/a | R | CA5 |
| RNC | PC | 5-4 | n/a | R | CA7 |
| Andrus | PC | 6-3 | n/a | R | ST |
| Lee | PC | 5-4 | n/a | R | CADC |

## Total

| Justice | # | | | |
|---|---|---|---|---|
| JGR | 7 | | Dismissed after argument | 1 | Malvo |
| CT | 5 | | Dismissed before argument | 1 | Walker |
| RBG | 6 | | Consolidated after arg. | 1 | Harris |
| SGB | 5 | | Disposed by other decision | 2 | Baca, Murphy |
| SAA | 6 | | Rescheduled for next term | 11* | |
| SMS | 5 | | | | |
| EK | 6 | | | | |
| NMG | 7 | | | | |
| BMK | 6 | | | | |
| PC | 8 | | | | |
| Op. Issued | 61 | | | | |
| Op. Expected | 61 | | | | |
| Pct. Decided | 100% | | | | |
| Average Time | 112d | | | | |

* On April 13, 2020, the court rescheduled 10 cases from OT19 to OT20 due to the COVID-19 pandemic. An extension of the briefing schedule in *Salinas*, originally granted in January for argument during OT19, pushed the case back to OT20.

# Circuit Scorecard

| October Term 2019 | | | | | | | |
|---|---|---|---|---|---|---|---|
| | Number | Percent | Decided | Aff'd | Rev'd | Aff'd % | Rev'd % |
| CA1 | 1 | 1% | 1 | 0 | 1 | 0% | 100% |
| CA2 | 8 | 12% | 8 | 2 | 6 | 25% | 75% |
| CA3 | 4 | 6% | 4 | 2 | 2 | 50% | 50% |
| CA4 | 4 | 6% | 4 | 3 | 1 | 75% | 25% |
| CA5 | 7 | 10% | 7 | 1 | 6 | 14% | 86% |
| CA6 | 3 | 4% | 3 | 3 | 0 | 100% | 0% |
| CA7 | 1 | 1% | 1 | 0 | 1 | 0% | 100% |
| CA8 | 1 | 1% | 1 | 1 | 0 | 100% | 0% |
| CA9 | 10 | 14% | 10 | 1 | 9 | 10% | 90% |
| CA10 | 4 | 6% | 4 | 1 | 2 | 33% | 67% |
| CA11 | 7 | 10% | 7 | 3 | 4 | 43% | 57% |
| CA DC | 4 | 6% | 4 | 1 | 3 | 25% | 75% |
| CA Fed | 4 | 6% | 4 | 1 | 3 | 25% | 75% |
| CA AF | 0 | % | 0 | 0 | 0 | 0% | 0% |
| State | 11 | 16% | 11 | 3 | 8 | 27% | 73% |
| Dist. Court | 0 | % | 0 | 0 | 0 | 0% | 0% |
| Original | 0 | % | 0 | 0 | 0 | 0% | 0% |
| | 68 | 100% | 68 | 22 | 46 | 32% | 68% |

| October Term 2020 | | |
|---|---|---|
| | Number | Percent |
| CA1 | 0 | 0% |
| CA2 | 1 | 3% |
| CA3 | 2 | 5% |
| CA4 | 1 | 3% |
| CA5 | 7 | 19% |
| CA6 | 4 | 11% |
| CA7 | 2 | 5% |
| CA8 | 2 | 5% |
| CA9 | 3 | 14% |
| CA10 | 1 | 3% |
| CA11 | 2 | 5% |
| CA DC | 3 | 8% |
| CA Fed | 1 | 3% |
| CA AF | 2 | 5% |
| State | 3 | 8% |
| Dist. Court | 0 | 0% |
| Original | 1 | 3% |
| | 37 | 100% |

* For the Circuit Scorecards only, we treat certain consolidated cases as separate decisions rather than as one. For consolidated cases that stemmed from different lower court decisions, we counted the cases separately on this table to most accurately reflect the Supreme Court's treatment of the precedents below. For cases that were consolidated in the court below, we count the Supreme Court's decision only once. Throughout the rest of the Stat Pack consolidated cases are uniformly treated as a single case.

** For purposes of the Circuit Scorecards, we include as "affirmances" merits opinions that let stand the lower-court opinion, and as "reversals" opinions that only vacate the lower-court decision and remand for further consideration.

*** The circuit scorecard does not include *Walker*, which was dismissed before argument, *Malvo*, which was dismissed after argument, *Murphy*, which was restored to the calendar after OT18 but never scheduled for argument during OT19, or *N.Y. Rifle*, which was argued on December 2, 2019, and dismissed as moot on April 27, 2020, via a 6-3 per curiam opinion.

# Circuit Scorecard

This chart features affirmance and reversal rates for each circuit and each justice. The first number is the number of times a particular justice voted to affirm a decision of the court below, and the second number is the number of times that justice voted to vacate or reverse the decision below.

| | Roberts | Thomas | Ginsburg | Breyer | Alito | Sotomayor | Kagan | Gorsuch | Kavanaugh | Total Votes | Overall Decisions |
|---|---|---|---|---|---|---|---|---|---|---|---|
| CA1 | 0-1 | 0-1 | 0-1 | 0-1 | 0-1 | 0-1 | 0-1 | 0-1 | 0-1 | 0-9 | 0-1 |
| CA2 | 2-6 | 3-5 | 3-5 | 3-5 | 3-5 | 3-5 | 2-5 | 4-4 | 2-6 | 25-46 | 2-6 |
| CA3 | 2-2 | 1-3 | 2-2 | 2-2 | 1-3 | 3-1 | 2-2 | 2-2 | 2-2 | 17-19 | 2-2 |
| CA4 | 3-1 | 3-1 | 2-2 | 1-3 | 3-1 | 4-0 | 3-1 | 3-1 | 3-1 | 25-11 | 3-1 |
| CA5 | 1-6 | 5-2 | 0-7 | 0-7 | 5-2 | 0-7 | 0-7 | 2-5 | 2-5 | 15-46 | 1-6 |
| CA6 | 3-0 | 2-1 | 3-0 | 3-0 | 2-1 | 3-0 | 3-0 | 3-0 | 2-1 | 24-3 | 3-0 |
| CA7 | 0-1 | 0-1 | 1-0 | 1-0 | 0-1 | 1-0 | 1-0 | 0-1 | 0-1 | 4-5 | 0-1 |
| CA8 | 1-0 | 1-0 | 0-1 | 0-1 | 1-0 | 0-1 | 0-1 | 1-0 | 1-0 | 5-4 | 1-0 |
| CA9 | 1-9 | 4-6 | 3-7 | 2-8 | 3-7 | 4-6 | 3-7 | 3-7 | 2-8 | 25-65 | 1-9 |
| CA10 | 1-2 | 1-2 | 1-2 | 1-2 | 1-2 | 1-1 | 1-2 | 1-2 | 1-2 | 9-17 | 1-2 |
| CA11 | 3-4 | 5-2 | 1-6 | 1-6 | 4-3 | 2-5 | 2-5 | 3-4 | 4-3 | 25-38 | 3-4 |
| CA DC | 1-3 | 1-3 | 2-2 | 2-2 | 1-3 | 2-2 | 2-2 | 0-4 | 0-3 | 11-24 | 1-3 |
| CA Fed | 1-3 | 1-3 | 1-3 | 1-3 | 2-2 | 2-2 | 1-3 | 2-2 | 1-3 | 12-24 | 1-3 |
| State | 5-6 | 6-5 | 3-8 | 3-8 | 6-5 | 4-7 | 5-6 | 5-6 | 4-7 | 41-58 | 3-8 |
| Dist. Court | 0-0 | 0-0 | 0-0 | 0-0 | 0-0 | 0-0 | 0-0 | 0-0 | 0-0 | 0-0 | 0-0 |
| Totals | 24-44 | 33-35 | 22-46 | 20-48 | 32-36 | 29-38 | 25-42 | 29-39 | 24-43 | 238-371 | 22-46 |

# Makeup of the Merits Docket

The following charts depict different characteristics of the cases that were released with merits opinions. These charts include information about cases disposed of with signed opinions, summary reversals or affirmances by an equally divided court.



Court Below

- State — 12, 18%
- US Court of Appeals — 54, 82%
- Three-Judge District Court
- Original



Source of Jurisdiction

- Certiorari — 66, 100%
- Appeals
- Original



Docket

- In-Forma Pauperis — 9, 13%
- Paid — 58, 87%
- Original



Nature

- Civil — 52, 79%
- Criminal — 11, 17%
- Habeas — 3, 4%
- Original
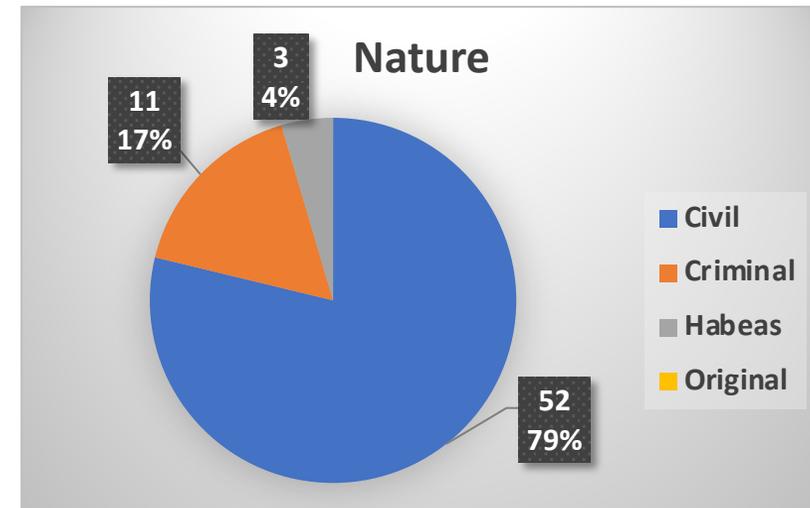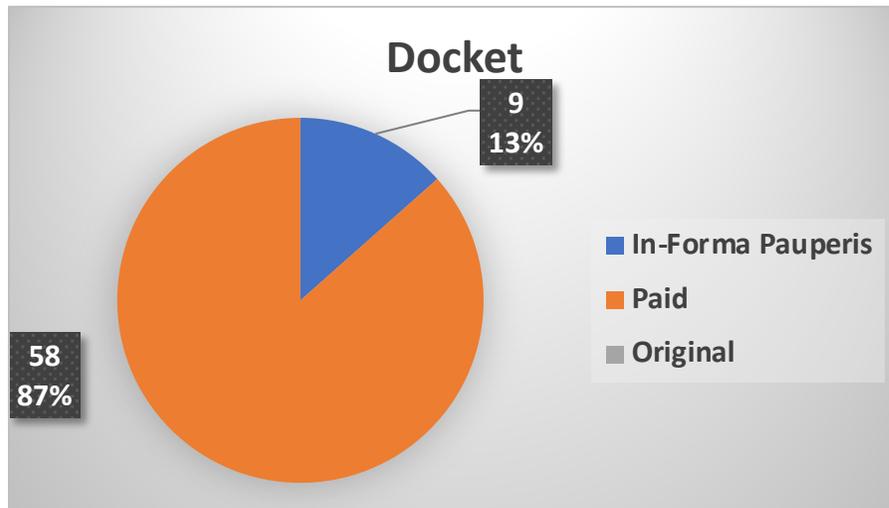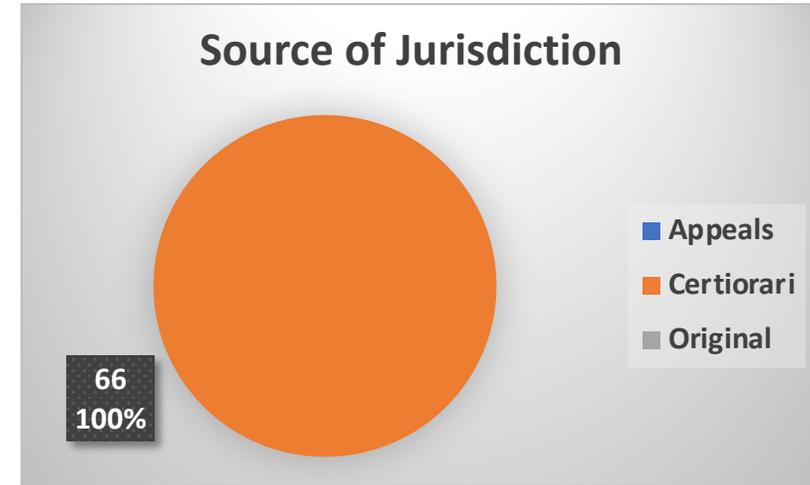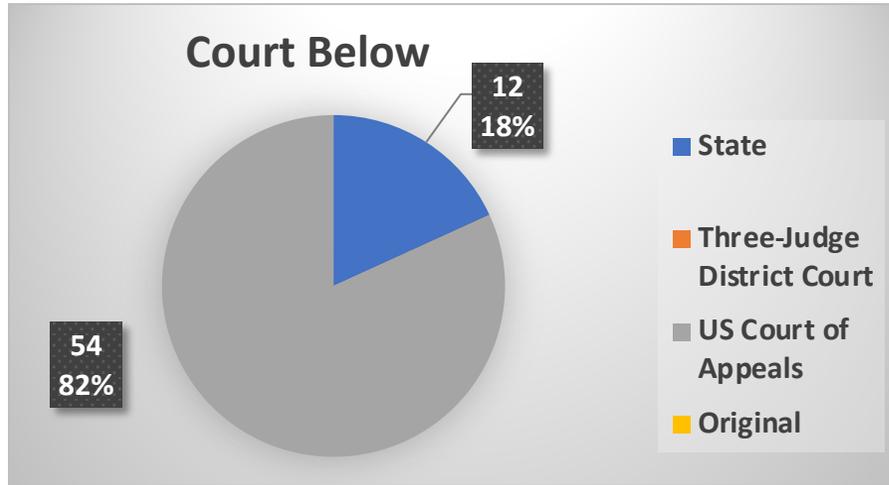
Technically, all paid and in forma pauperis cases have been on the same docket since 1971, with paid cases beginning each year with case number 1, and IFP cases beginning at number 5001. Original cases remain on a separate docket and follow a separate numbering convention. For more information on the dockets, see Eugene Gressman et al., "Supreme Court Practice" 55–56 (9th ed. 2007).
The charts here do not include the court's decisions in *RNC* or *Lee*, which were never filed as petitions for certiorari at the court.

# Opinions By Sitting

| | October | November | December | January | February | May | | |
|---|---|---|---|---|---|---|---|---|
| Roberts | 0 | 1 | 2 | 1 | 1 | 2 | JGR | 7 |
| Thomas | 1 | 1 | 0 | 1 | 1 | 1 | CT | 5 |
| Ginsburg | 0 | 1 | 2 | 1 | 1 | 1 | RBG | 6 |
| Breyer | 1 | 1 | 2 | 0 | 1 | 0 | SGB | 5 |
| Alito | 1 | 1 | 1 | 1 | 1 | 1 | SAA | 6 |
| Sotomayor | 1 | 1 | 1 | 1 | 1 | 0 | SMS | 5 |
| Kagan | 1 | 1 | 1 | 1 | 1 | 1 | EK | 6 |
| Gorsuch | 2 | 1 | 1 | 1 | 1 | 1 | NMG | 7 |
| Kavanaugh | 0 | 1 | 1 | 1 | 1 | 2 | BMK | 6 |
| Per Curiam | 0 | 1 | 1 | 0 | 0 | 0 | Per Cur. | 2 |
| | October | November | December | January | February | May | Opinions | 55 |
| | Argued: 9 \| Decided: 8 | Argued: 10 \| Decided: 10 | Argued: 12 \| Decided: 12 | Argued: 8 \| Decided: 8 | Argued: 9 \| Decided: 9 | Argued: 10 \| Decided: 10 | Argued | 58 |

| October | | November | | December | | January | | February | | May | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| *Kahler* | EK | *Barton* | BMK | *N.Y. Rifle* | PC | *Lucky* | SMS | *Cowpasture* | CT | *Booking.com* | RBG |
| *NantKwest* | SMS | *Glover* | CT | *Public.Resource* | JGR | *Thole* | BMK | *Opati* | NMG | *Open Society* | BMK |
| *Ramos* | NMG | *CITGO* | SMS | *Rodriguez* | NMG | *Kelly* | EK | *Sineneng-Smith* | RBG | *Little Sisters* | CT |
| *Bostock* | NMG | *Allen* | EK | *Atlantic* | JGR | *Romag* | NMG | *Lomax* | EK | *Consultants* | BMK |
| *Harris* * | | *Maui* | SGB | *Intel* | SAA | *Babb* | SAA | *Nasrallah* | BMK | *McGirt* | NMG |
| *Aurelius* | SBG | *IBM* | PC | *Banister* | EK | *Shular* | RBG | *Thuraissigiam* | SAA | *Guadalupe* | SAA |
| *Garcia* | SAA | *Regents* | JGR | *Guerrero-Lasprilla* | SGB | *GE Energy* | CT | *Seila Law* | JGR | *Mazars* | JGR |
| *Rotkiske* | CT | *Hernandez* | SAA | *Thryv* | RBG | *Espinoza* | JGR | *Liu* | SMS | *Vance* | JGR |
| ~~*Malvo*~~ ** | | *Comcast* | NMG | *Maine Community* | SMS | | | *June Medical* | SGB | *Chiafalo* | EK |
| | | *Ritzen* | RBG | *Holguin-Hernandez* | SGB | | | | | *Baca* *** | |
| | | | | *Monasky* | RBG | | | | | | |
| | | | | *McKinney* | BMK | | | | | | |

*After oral argument in *Harris* on October 8, 2019, the court consolidated the case with its decision in *Bostock* on June 15, 2020.

**After oral argument in *Malvo* on October 16, 2019, the court dismissed the case pursuant to Rule 46 on February 26, 2020.

***After oral argument in *Baca* on May 13, 2020, the court on July 6, 2020, reversed the decision below in a one-page per curiam opinion "for the reasons stated in" its opinion in *Chiafalo*.

# Time Between Oral Argument and Opinion

| Argued | Avg. | Total |
|---|---|---|
| **October** | 158d | 7 |
| **November** | 137d | 10 |
| **December** | 116 | 12 |
| **January** | 111 | 8 |
| **February** | 103d | 9 |
| **May** | 58d | 9 |
| **Overall** | 112d | 55 |

| | |
|---|---|
| **Average** | **112d** |
| **Median** | **105d** |

| | | |
|---|---|---|
| **Shortest** | *Shular* | 36d |
| **Longest** | *Bostock* | 251d |

| Averages | |
|---|---|
| **OT06** | 96d |
| **OT07** | 94d |
| **OT08** | 94d |
| **OT09** | 109d |
| **OT10** | 106d |
| **OT11** | 97d |
| **OT12** | 95d |
| **OT13** | 94d |
| **OT14** | 95d |
| **OT15** | 95d |
| **OT16** | 92d |
| **OT17** | 109d |
| **OT18** | 105d |

| | Rank | Case | Days | Author | Vote | Argued | Decided |
|---|---|---|---|---|---|---|---|
| **Shortest** | **1** | *Shular* | 36 | Ginsburg | 9-0 | Jan. 21, 2020 | Feb. 26, 2020 |
| | **2** | *Chiafalo* | 54 | Kagan | 9-0 | May 13, 2020 | July 6, 2020 |
| | **3** | *Open Society* | 55 | Kavanaugh | 5-3 | May 5, 2020 | June 29, 2020 |
| | **4** | *Rotkiske* | 55 | Thomas | 8-1 | Oct. 16, 2019 | Dec. 10, 2019 |
| | **5** | *Booking.com* | 57 | Ginsburg | 8-1 | May 4, 2020 | June 30, 2020 |
| | **6** | *Guadalupe* | 58 | Alito | 7-2 | May 11, 2020 | July 8, 2020 |
| | **7** | *Mazars* | 58 | Roberts | 7-2 | May 12, 2020 | July 9, 2020 |
| | **8** | *Vance* | 58 | Roberts | 7-2 | May 12, 2020 | July 9, 2020 |
| | **9** | *McGirt* | 59 | Gorsuch | 5-4 | May 11, 2020 | July 9, 2020 |
| | **10** | *Consultants* | 61 | Kavanaugh | 6-3 | May 6, 2020 | July 6, 2020 |

| | Rank | Case | Days | Author | Vote | Argued | Decided |
|---|---|---|---|---|---|---|---|
| **Longest** | **1** | *Bostock* | 251 | Gorsuch | 6-3 | Oct. 8, 2019 | June 15, 2020 |
| | **2** | *Aurelius* | 230 | Breyer | 9-0 | Oct. 15, 2019 | June 1, 2020 |
| | **3** | *Regents* | 219 | Roberts | 5-4 | Nov. 12, 2019 | June 18, 2020 |
| | **4** | *Ramos* | 196 | Gorsuch | 6-3 | Oct. 7, 2019 | Apr. 20, 2020 |
| | **5** | *Banister* | 180 | Kagan | 7-2 | Dec. 4, 2019 | June 1, 2020 |
| | **6** | *Barton* | 171 | Kavanaugh | 5-4 | Nov. 4, 2019 | Apr. 23, 2020 |
| | **7** | *Maui* | 169 | Breyer | 6-3 | Nov. 6, 2019 | Apr. 23, 2020 |
| | **8** | *Kahler* | 168 | Kagan | 6-3 | Oct. 7, 2019 | Mar. 23, 2020 |
| | **9** | *Glover* | 154 | Thomas | 8-1 | Nov. 4, 2019 | Apr. 6, 2020 |
| | **10** | *Public.Resource* | 147 | Roberts | 5-4 | Dec. 2, 2019 | Apr. 27, 2020 |

| | 0-30 days | 30-59 | 60-89 | 90-119 | 120-149 | 150-179 | 180-209 | 210-239 | More than 240 |
|---|---|---|---|---|---|---|---|---|---|
| **OT16** | 0 | 16 | 21 | 11 | 6 | 5 | 2 | 1 | 0 |
| **OT17** | 1 | 8 | 18 | 12 | 10 | 5 | 4 | 1 | 1 |
| **OT18** | 0 | 11 | 16 | 17 | 13 | 6 | 2 | 1 | 1 |
| **OT19** | 1 | 9 | 13 | 11 | 12 | 4 | 2 | 2 | 1 |

# Workload – Opinions Released Each Week

The chart below demonstrates how many opinions were released by each justice during each opinion week.

| Justice | Type | October #1 | #2 | #3 | November #1 | #2 | #3 | December #1 | #2 | #3 | January #1 | #2 | #3 | February #1 | #2 | #3 | March #1 | #2 | #3 | April #1 | #2 | #3 | May #1 | #2 | #3 | June #1 | #2 | #3 | #4 | July #1 | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **JGR** | Majority | | | | | | | | | | | | | | | | 1 | 1 | | | | | | | | 1 | | 2 | 2 | | 7 |
| | Concurring | | | | | | | | | | | | | | | | | | | | | | | | | | | 1 | | | 1 |
| | Dissenting | | | | | | | | | | | | | | | | | | | | | | | | | | | | 1 | | 1 |
| | **Total** | | | | | | | | | | | | | | | | 1 | 1 | | | | | | | | 1 | | 3 | 3 | | 9 |
| **CT** | Majority | | | | | | | | 1 | | | | | | | | | 1 | | | | | | | 1 | | 1 | | 1 | | 5 |
| | Concurring | | | | | | | | | | | | | 2 | 1 | | 1 | | | 1 | | 1 | | | 2 | | 1 | 3 | 2 | | 14 |
| | Dissenting | | | | | | | | | | | | | | | 1 | 1 | 1 | 2 | 1 | 1 | | | | 1 | | | 1 | 3 | | 12 |
| | **Total** | | | | | | | | 1 | | | | | 2 | 1 | | 2 | 1 | 2 | 2 | 1 | 1 | | | 4 | | 2 | 4 | 6 | | 31 |
| **RBG** | Majority | | | | | | | | 1 | | | | | 2 | | | 1 | | | 1 | | 1 | | | | | | 1 | | | 6 |
| | Concurring | | | | | | | | | | | | | | | 1 | | | | | | | | | | | | | | | 1 |
| | Dissenting | | | | | | | | 1 | | | | | 2 | | | | | 1 | | 1 | | | | | | | 1 | 1 | | 7 |
| | **Total** | | | | | | | | 1 | 1 | | | | 4 | | | 1 | | 1 | 1 | 1 | 1 | | | | | | 2 | 1 | | 14 |
| **SGB** | Majority | | | | | | | | | | | | | 1 | | | 1 | | | 1 | | | | | 1 | | | 1 | | | 5 |
| | Concurring | | | | | | | | | | | | | | | | 1 | | | | | | | | | | 1 | | | | 2 |
| | Dissenting | | | | | | | | | | | | | | 1 | | 1 | | | | | | | | | | | 3 | 2 | | 7 |
| | **Total** | | | | | | | | | | | | | 1 | 1 | | 3 | | | 1 | | | | | 1 | | 1 | 4 | 2 | | 14 |
| **SAA** | Majority | | | | | | | | | | | | | 2 | 1 | | 1 | | | | | | | | | | 1 | | 1 | | 6 |
| | Concurring | | | | | | | | | | | | | 3 | | | | 2 | | | | | | | | | | 1 | 1 | | 7 |
| | Dissenting | | | | | | | | | | | | | | | | | 2 | 2 | | | | | | 1 | | | 3 | 2 | | 11 |
| | **Total** | | | | | | | | | | | | | 5 | 1 | | 1 | 4 | 2 | | | | | | 1 | 3 | 1 | 2 | 4 | | 24 |
| **SMS** | Majority | | | | | | | | 1 | | | | | | | | 1 | | | 1 | 1 | | | | | | 1 | | | | 5 |
| | Concurring | | | | | | | | 1 | | | | | | | | | 1 | 2 | | | | | | 2 | | | 1 | 1 | | 9 |
| | Dissenting | | | | | | | | | | | | | | | | | 1 | 1 | | | | | | 1 | | 1 | 1 | 2 | | 8 |
| | **Total** | | | | | | | | 2 | | | | | | | | 1 | 2 | 3 | 1 | 1 | | | | 3 | | 2 | 2 | 3 | | 22 |
| **EK** | Majority | | | | | | | | | | | | | | | | 2 | | | | 1 | | 1 | 1 | | | | 1 | | | 6 |
| | Concurring | | | | | | | | | | 1 | | | | | | | | | | 1 | | | | | | | 1 | | | 3 |
| | Dissenting | | | | | | | | | | | | | | | | | | | | | | | | | | 1 | | | | 1 |
| | **Total** | | | | | | | | | | 1 | | | | | | 2 | | | | 1 | | 1 | 1 | | | 1 | 2 | | | 10 |
| **NMG** | Majority | | | | | | | | | | | | | 1 | | | 1 | | | 2 | | 1 | | | | 1 | | 1 | | | 7 |
| | Concurring | | | | | | | | | | 1 | | | | | | | | | | | | | | | | | 1 | 1 | | 3 |
| | Dissenting | | | | | | | | | | | | | | | | | | | | 2 | | | | | | | 1 | | | 3 |
| | **Total** | | | | | | | | | | 1 | | | 1 | | | 1 | | | 4 | | 1 | | | | 1 | | 2 | 2 | | 13 |
| **BMK** | Majority | | | | | | | | | | | | | 1 | | | 1 | | | | 2 | | | | | | | 1 | 1 | | 6 |
| | Concurring | | | | | | | | | | | | | 1 | | | | | | 2 | | 1 | | | | | | | 1 | | 5 |
| | Dissenting | | | | | | | | | | | | | | | | | | | | | 2 | | | | | | | 1 | | 3 |
| | **Total** | | | | | | | | | | | | | 2 | | | 3 | 1 | | | 2 | | | | | | | 2 | 2 | | 14 |

# Workload – Slip Pages Released Each Week

The chart below demonstrates how many written pages of opinions were released by each justice during each opinion week.

| | | October | | | November | | | December | | | January | | | February | | | March | | | April | | | May | | | June | | | | July | Total |
| Justice | Type | #1 | #2 | #3 | #1 | #2 | #3 | #1 | #2 | #3 | #1 | #2 | #3 | #1 | #2 | #3 | #1 | #2 | #3 | #1 | #2 | #3 | #1 | #2 | #3 | #1 | #2 | #3 | #4 | #1 | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| JGR | Majority | | | | | | | | | | | | | | | | | | | | | | | 22 | 18 | | 29 | 59 | 42 | | 170 |
| | Concurring | | | | | | | | | | | | | | | | | | | | | | | | | | | 16 | | | 16 |
| | Dissenting | | | | | | | | | | | | | | | | | | | | | | | | | | | | 37 | | 37 |
| | Total | | | | | | | | | | | | | | | | | | | | | | | 22 | 18 | | 29 | 75 | 79 | | 223 |
| CT | Majority | | | | | | | | 7 | | | | | | | 10 | | | | | | | | | 12 | | 18 | | | 26 | 73 |
| | Concurring | | | | | | | | | | 10 | | 3 | 3 | | | | 9 | 9 | | | | | | 14 | | | 10 | 35 | 17 | 110 |
| | Dissenting | | | | | | | | | | | | | 12 | 11 | 8 | 17 | 8 | | | | | | | 8 | | 26 | 11 | 20 | 37 | 158 |
| | Total | | | | | | | | 7 | | 10 | | 3 | 15 | 11 | 18 | 17 | 17 | 9 | | | | | | 34 | | 44 | 21 | 55 | 80 | 341 |
| RBG | Majority | | | | | | | | | | 12 | | | 28 | | | | | | 16 | | 11 | | | | | | 14 | | | 81 |
| | Concurring | | | | | | | | | | | | | | | | 4 | | | | | | | | | | | | | | 4 |
| | Dissenting | | | | | | | 7 | | | | | | 21 | | | | | 6 | | 4 | | | | | | | 6 | 22 | | 66 |
| | Total | | | | | | | 7 | | | 12 | | | 49 | | | 4 | | 6 | 16 | 4 | 11 | | | | | | 20 | 22 | | 151 |
| SGB | Majority | | | | | | | | | | | | | 6 | | 13 | | | | 8 | | | | | 11 | | | 40 | | | 78 |
| | Concurring | | | | | | | | | | | | | | | 2 | | | | | | | | | | | 9 | | | | 11 |
| | Dissenting | | | | | | | | | | | | | | 7 | 23 | | | | | | | | | | | | 56 | 15 | | 101 |
| | Total | | | | | | | | | | | | | 6 | 7 | 38 | | | | 8 | | | | | 11 | | 9 | 96 | 15 | | 190 |
| SAA | Majority | | | | | | | | | | | | | 32 | 20 | | 14 | | | | | | | | | | | 36 | | 27 | 129 |
| | Concurring | | | | | | | | | | | | | 7 | | | | 10 | | | | | | | | | | | 13 | 19 | 49 |
| | Dissenting | | | | | | | | | | | | | | | | | 44 | 39 | | | | | | 16 | | 63 | | 34 | 27 | 223 |
| | Total | | | | | | | | | | | | | 39 | 20 | | 14 | 54 | 39 | | | | | | 16 | | 63 | 36 | 47 | 73 | 401 |
| SMS | Majority | | | | | | | | 10 | | | | | | | | | 16 | | | 31 | 12 | | | | | | 20 | | | 89 |
| | Concurring | | | | | | | | 2 | | | | | | | | | | 1 | 7 | | | | | 26 | | 4 | | 2 | 2 | 44 |
| | Dissenting | | | | | | | | | | | | | | | | | | 8 | 15 | | | | | 25 | | 21 | 40 | 11 | 25 | 155 |
| | Total | | | | | | | | 12 | | | | | | | | | 16 | 9 | 22 | 31 | 12 | | | 51 | | 25 | 60 | 13 | 27 | 278 |
| EK | Majority | | | | | | | | | | | | | | | 41 | | | | | 13 | | | | 16 | 7 | | | 18 | | 95 |
| | Concurring | | | | | | | | | | | 2 | | | | | | | 5 | | | | | | | | | | 7 | | 14 |
| | Dissenting | | | | | | | | | | | | | | | | | | | | | | | | | | | 39 | | | 39 |
| | Total | | | | | | | | | | | 2 | | | | 41 | | | 5 | | 13 | | | | 16 | 7 | | 39 | 25 | | 148 |
| NMG | Majority | | | | | | | | | | | | | 6 | | 13 | | | 33 | | | | 12 | | | | 33 | | 42 | | 139 |
| | Concurring | | | | | | | | | | | 3 | | | | | | | | | | | | | | | | 8 | 7 | | 18 |
| | Dissenting | | | | | | | | | | | | | | | | | | 34 | | | | | | | | | 21 | | | 55 |
| | Total | | | | | | | | | | | 3 | | 6 | | 13 | | | 67 | | | | 12 | | | | 33 | 29 | 49 | | 212 |
| BMK | Majority | | | | | | | | | | | | | 7 | | | | | 17 | | | | | | 21 | | | 9 | | 25 | 79 |
| | Concurring | | | | | | | | | | | | | 3 | | | | | 21 | 1 | | | | | | | | | | 5 | 30 |
| | Dissenting | | | | | | | | | | | | | | | | | | | | | | | | | | 36 | 2 | | | 38 |
| | Total | | | | | | | | | | | | | 10 | | | | | 38 | 1 | | | | | 21 | | 36 | 11 | | 30 | 147 |

# Opinions Authored by Each Justice

| | # | Roberts | Thomas | Ginsburg | Breyer | Alito | Sotomayor | Kagan | Gorsuch | Kavanaugh | PC | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Majority Opinions | 1 | Atlantic | Rotkiske | Ritzen | Holguin-Hernandez | Garcia | NantKwest | Kahler | Comcast | McKinney | IBM | |
| | 2 | Public.Resource | Glover | Thryv | Maui | Babb | Maine Community | Banister | Ramos | Barton | N.Y. Rifle | |
| | 3 | Regents | GE Energy | Shular | Aurelius | Hernandez | Lucky | Kelly | Bostock | Thole | Davis | |
| | 4 | Espinoza | Cowpasture | Sineneng-Smith | Guerrero-Lasprilla | Intel | CITGO | Lomax | Opati | Nasrallah | RNC | |
| | 5 | Seila Law | Little Sisters | Monasky | June Medical | Thuraissigiam | Liu | Allen | Romag | Open Society | Archdiocese | |
| | 6 | Vance | | Booking.com | | Guadalupe | | Chiafalo | Rodriguez | Consultants | Thompson | |
| | 7 | Mazars | | | | | | | McGirt | | Andrus | |
| | 9 | | | | | | | | | | Lee | 61 |
| | 10 | | | | | | | | | | | |
| | 11 | | | | | | | | | | | |
| | 12 | | | | | | | | | | | |
| | 13 | | | | | | | | | | | |
| | 14 | | | | | | | | | | | |
| | 15 | | | | | | | | | | | |
| | 16 | | | | | | | | | | | |
| Concurring Opinions | 1 | June Medical | Garcia | Comcast | Allen | Holguin-Hernandez | GE Energy | IBM | IBM | | N.Y. Rifle | |
| | 2 | | Ramos | | Thuraissigiam | Romag | Babb | Glover | Espinoza | | Shular | |
| | 3 | | Thole | | | Atlantic | Romag | Little Sisters | Consultants | | Maui | |
| | 4 | | Aurelius | | | Monasky | Aurelius | | | | Ramos | |
| | 5 | | Sineneng-Smith | | | Archdiocese | Ramos | | | | Vance | |
| | 6 | | Hernandez | | | Espinoza | Rotkiske | | | | | |
| | 7 | | Allen | | | Little Sisters | Regents | | | | | |
| | 8 | | Monasky | | | | Booking.com | | | | | |
| | 9 | | Thuraissigiam | | | | Consultants | | | | | 45 |
| | 10 | | Espinoza | | | | | | | | | |
| | 11 | | Seila Law | | | | | | | | | |
| | 12 | | Open Society | | | | | | | | | |
| | 13 | | Chiafalo | | | | | | | | | |
| | 14 | | Guadalupe | | | | | | | | | |
| | 15 | | | | | | | | | | | |
| Dissenting Opinions | 1 | McGirt | Guerrero-Lasprilla | Rotkiske | Garcia | N.Y. Rifle | Glover | Seila Law | | Atlantic | Bostock | |
| | 2 | | CITGO | Hernandez | Kahler | Ramos | Barton | | | Thryv | Regents | |
| | 3 | | Maui | McKinney | Booking.com | Bostock | Thole | | | June Medical | June Medical | |
| | 4 | | Public.Resource | RNC | Open Society | Maine Community | Cowpasture | | | | | |
| | 5 | | Babb | Public.Resource | Espinoza | Banister | Thuraissigiam | | | | | |
| | 6 | | Nasrallah | Espinoza | Consultants | Andrus | Espinoza | | | | | |
| | | | Regents | Little Sisters | Lee | Maui | Guadalupe | | | | | |
| | 7 | | Liu | | | Regents | Lee | | | | | |
| | 8 | | June Medical | | | June Medical | | | | | | |
| | 9 | | McGirt | | | Vance | | | | | | 53 |
| | 10 | | Vance | | | Mazars | | | | | | |
| | 11 | | Mazars | | | | | | | | | |
| | 12 | | | | | | | | | | | |
| | 13 | | | | | | | | | | | |
| Total | | 9 | 31 | 14 | 14 | 24 | 22 | 10 | 13 | 14 | 8 | 159 |

*Plurality opinions are treated as majority opinions throughout the Stat Pack.

# Total Opinion Authorship

The number of opinions five pages or longer is included in parentheses and represented by the thicker bars in the chart below.

| | Total Opinions | Majority Opinions | Concurring Opinions | Dissenting Opinions |
|---|---|---|---|---|
| **Roberts** | 9 (9) | 7 (7) | 1 (1) | 1 (1) |
| **Thomas** | 31 (26) | 5 (5) | 14 (10) | 12 (11) |
| **Ginsburg** | 14 (11) | 6 (6) | 1 (0) | 7 (6) |
| **Breyer** | 14 (12) | 5 (5) | 2 (1) | 7 (6) |
| **Alito** | 24 (18) | 6 (6) | 7 (3) | 11 (9) |
| **Sotomayor** | 22 (16) | 5 (5) | 9 (3) | 8 (7) |
| **Kagan** | 10 (9) | 6 (6) | 3 (2) | 1 (1) |
| **Gorsuch** | 13 (12) | 7 (7) | 3 (2) | 3 (3) |
| **Kavanaugh** | 14 (10) | 6 (6) | 5 (2) | 3 (2) |
| **Per Curiam** | 8 (3) | 8 (3) | | |
| | **159 (126)** | **61 (56)** | **45 (24)** | **53 (46)** |
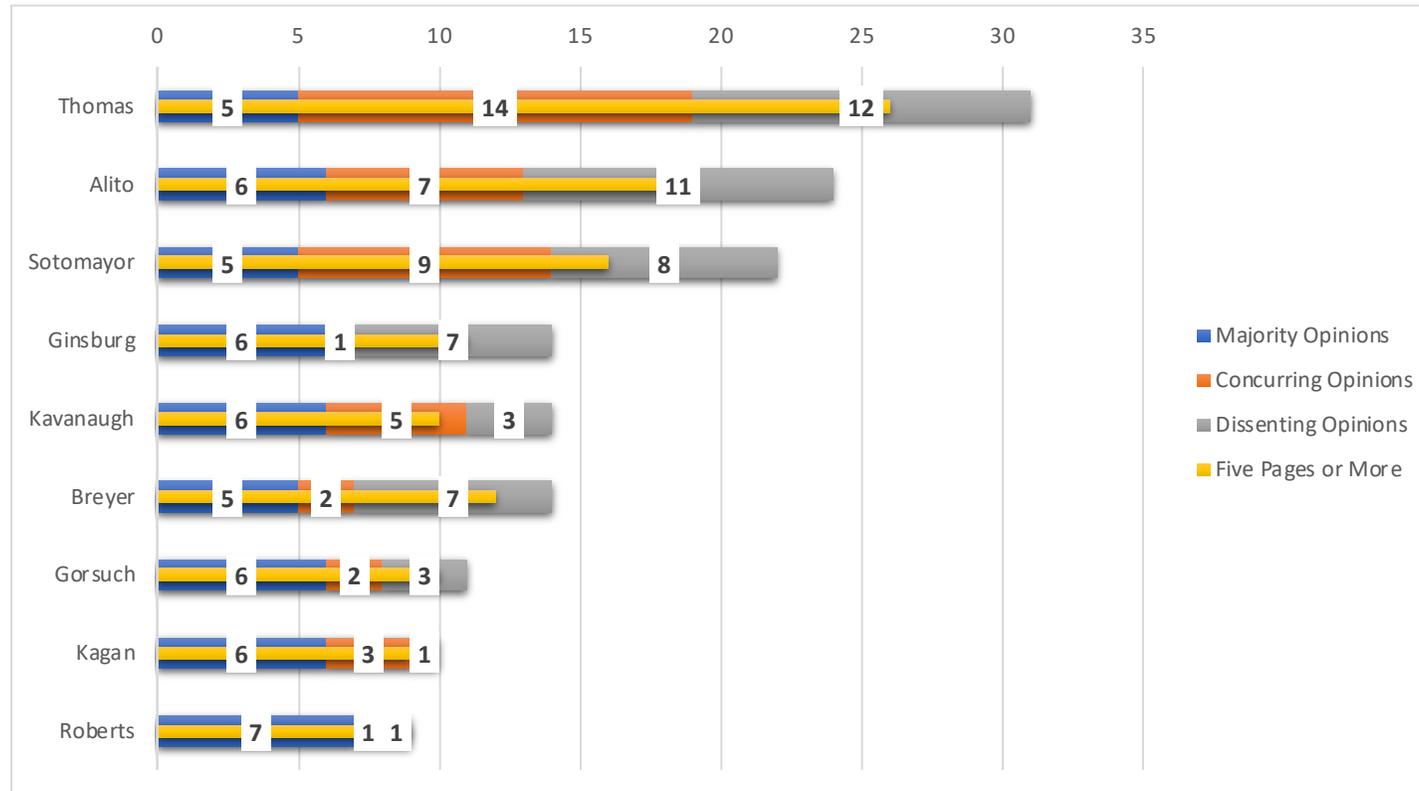
# Total Opinions Over Time

| Term | Majority Opinions | Concurring Opinions | Dissenting Opinions | Total Opinions | Summary Reversals |
|---|---|---|---|---|---|
| OT05 | 82 | 39 | 56 | 177 | 11 |
| OT06 | 73 | 46 | 57 | 176 | 4 |
| OT07 | 69 | 43 | 59 | 171 | 2 |
| OT08 | 79 | 46 | 71 | 196 | 4 |
| OT09 | 86 | 65 | 51 | 202 | 14 |
| OT10 | 82 | 49 | 47 | 178 | 5 |
| OT11 | 76 | 37 | 48 | 161 | 11 |
| OT12 | 78 | 39 | 52 | 169 | 5 |
| OT13 | 73 | 41 | 32 | 146 | 6 |
| OT14 | 74 | 44 | 68 | 186 | 8 |
| OT15 | 76 | 36 | 50 | 162 | 13 |
| OT16 | 69 | 38 | 32 | 139 | 7 |
| OT17 | 71 | 45 | 49 | 165 | 11 |
| OT18 | 72 | 39 | 56 | 167 | 5 |
| OT19 | 53 | 45 | 53 | 151 | 6 |
| Average (OT05-19) | 74 | 43 | 52 | 170 | 7 |
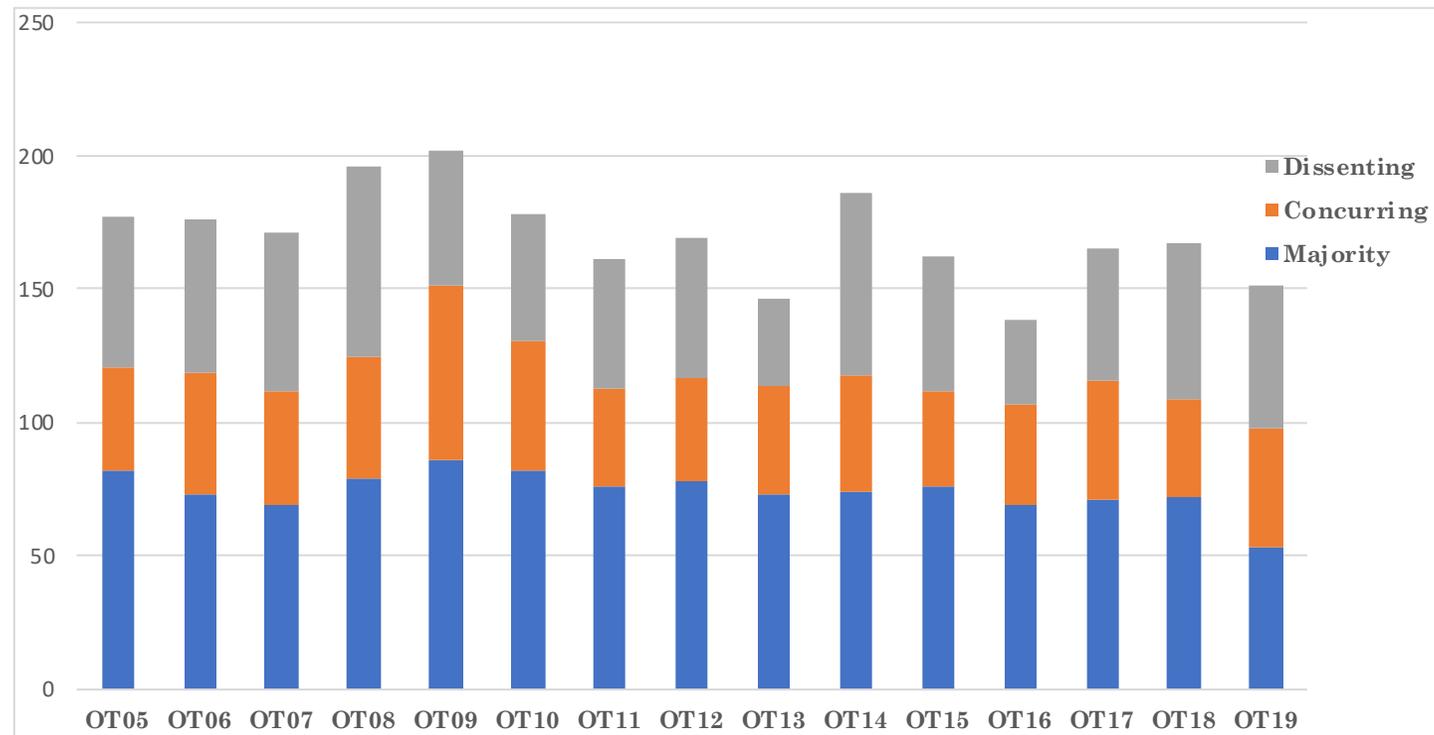
# Majority Opinion Authorship

### Majority Opinions Authored

| | Total | 9-0 | 8-1 | 7-2 | 6-3 | 5-4 | Average Majority |
|---|---|---|---|---|---|---|---|
| Roberts | 7 | - | - | 3 | - | 4 | 5.9 |
| Thomas | 5 | 1 | 2 | 2 | - | - | 7.8 |
| Ginsburg | 6 | 4 | 1 | 1 | - | - | 8.5 |
| Breyer | 5 | 2 | - | 1 | 1 | 1 | 7.2 |
| Alito | 6 | 1 | 1 | 2 | - | 2 | 6.8 |
| Sotomayor | 5 | 2 | 2 | 1 | - | - | 8.2 |
| Kagan | 6 | 4 | - | 1 | 1 | - | 8.2 |
| Gorsuch | 7 | 4 | - | - | 2 | 1 | 7.6 |
| Kavanaugh | 6 | - | - | 1 | 1 | 4 | 5.5 |
| | 53 | 18 | 6 | 12 | 5 | 12 | 6.3 |

### Percentage of Majority Opinions Decided with Unanimous Judgment

| | |
|---|---|
| Ginsburg | 67% |
| Breyer | 40% |
| Thomas | 20% |
| Sotomayor | 40% |
| Kavanaugh | 0% |
| Kagan | 67% |
| Gorsuch | 57% |
| Roberts | 0% |
| Alito | 17% |

### Authorship as a Percentage of Similar Opinions

| | 9-0 | 8-1 | 7-2 | 6-3 | 5-4 |
|---|---|---|---|---|---|
| Roberts | - | - | 25% | - | 33% |
| Thomas | 6% | 33% | 17% | - | - |
| Ginsburg | 22% | 17% | 8% | - | - |
| Breyer | 11% | - | 8% | 20% | 8% |
| Alito | 6% | 17% | 17% | - | 17% |
| Sotomayor | 11% | 33% | 8% | - | - |
| Kagan | 22% | - | 8% | 20% | - |
| Gorsuch | 22% | - | - | 40% | 8% |
| Kavanaugh | - | - | 8% | 20% | 33% |

### Average Days Between Argument and Opinion

| | |
|---|---|
| Alito | 97.2 |
| Kagan | 126.3 |
| Gorsuch | 129.3 |
| Roberts | 128.4 |
| Kavanaugh | 99.0 |
| Sotomayor | 116.6 |
| Breyer | 139.8 |
| Thomas | 103.2 |
| Ginsburg | 72.7 |

# Majority Opinion Distribution

For each case decided with a merits opinion, the author of the majority opinion is selected by the most senior justice who votes with the majority. For example, in *Herrera v. Wyoming*, a 5-4 decision in which Justices Ginsburg, Breyer, Sotomayor, Kagan and Gorsuch voted in the majority, Justice Ginsburg (the most senior justice in the majority) assigned authorship duties to Justice Sotomayor (the author of the majority opinion). The tables below demonstrate how the five most senior justices on the court assigned majority opinions during OT19 when they had the chance. For unanimous cases we have showed only statistics for Chief Justice Roberts because he is always the most senior justice in a unanimous majority.

| Unanimous Cases | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | **Roberts** | **Thomas** | **Ginsburg** | **Breyer** | **Alito** | **Sotomayor** | **Kagan** | **Gorsuch** | **Kavanaugh** |
| **Roberts (18)** | 0 | 1 | 4 | 2 | 1 | 2 | 4 | 4 | 0 |

| 5-4 Cases | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | **Roberts** | **Thomas** | **Ginsburg** | **Breyer** | **Alito** | **Sotomayor** | **Kagan** | **Gorsuch** | **Kavanaugh** |
| **Roberts (11)** | 4 | 0 | 0 | 1 | 2 | 0 | 0 | 0 | 4 |
| **Thomas (0)** | | - | - | - | - | - | - | - | - |
| **Ginsburg (1)** | | | - | - | - | - | - | 1 | - |
| **Breyer (0)** | | | | - | - | - | - | - | - |
| **Alito (0)** | | | | | - | - | - | - | - |

*Although the court issued 22 unanimous and 14 5-4 opinions this term, four of the unanimous opinions (*IBM, Thompson, Davis* and *Archdiocese*) and two of the 5-4 opinions (*RNC, Lee*) were "per curiam" opinions, meaning they were unsigned and attributed to the court as a whole, minus any justices who explicitly noted disagreement.

# Frequency in the Majority

The following charts measure how frequently each justice has voted with the majority during October Term 2019. The charts include summary reversals but do not include cases that were dismissed.

| All Cases | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| Justice | Votes | Frequency in Majority | | OT18 | OT17 | OT16 | OT15 | OT14 | OT13 | OT12 |
| Roberts | 61 | 59 | 97% | 85% | 93% | 93% | 92% | 80% | 92% | 86% |
| Thomas | 61 | 44 | 72% | 75% | 81% | 82% | 72% | 61% | 88% | 79% |
| Ginsburg | 61 | 45 | 75% | 75% | 73% | 85% | 88% | 86% | 85% | 79% |
| Breyer | 61 | 47 | 77% | 76% | 73% | 90% | 94% | 92% | 88% | 83% |
| Alito | 61 | 45 | 73% | 82% | 79% | 86% | 84% | 72% | 88% | 79% |
| Sotomayor | 61 | 44 | 72% | 75% | 68% | 90% | 83% | 89% | 82% | 79% |
| Kagan | 60 | 47 | 78% | 82% | 74% | 93% | 95% | 85% | 92% | 81% |
| Gorsuch | 61 | 54 | 89% | 75% | 85% | 82% | - | - | - | - |
| Kavanaugh | 60 | 56 | 93% | 91% | - | - | - | - | - | - |

| Divided Cases | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| Justice | Votes | Frequency in Majority | | OT18 | OT17 | OT16 | OT15 | OT14 | OT13 | OT12 |
| Roberts | 39 | 37 | 95% | 75% | 89% | 83% | 84% | 66% | 76% | 73% |
| Thomas | 39 | 22 | 56% | 59% | 69% | 57% | 49% | 34% | 64% | 60% |
| Ginsburg | 39 | 23 | 59% | 59% | 56% | 63% | 78% | 77% | 56% | 60% |
| Breyer | 39 | 25 | 64% | 61% | 56% | 77% | 89% | 86% | 64% | 67% |
| Alito | 39 | 23 | 58% | 70% | 67% | 67% | 70% | 52% | 63% | 59% |
| Sotomayor | 39 | 22 | 56% | 59% | 49% | 76% | 68% | 82% | 46% | 59% |
| Kagan | 38 | 25 | 66% | 70% | 59% | 83% | 91% | 75% | 75% | 63% |
| Gorsuch | 39 | 32 | 82% | 59% | 75% | 63% | - | - | - | - |
| Kavanaugh | 39 | 35 | 90% | 79% | - | - | - | - | - | - |

# Strength of the Majority

| Cases Affirmed by an Equally Divided Court | |
| --- | --- |
| Term | Total |
| OT05 | 0 |
| OT06 | 0 |
| OT07 | 2 |
| OT08 | 0 |
| OT09 | 0 |
| OT10 | 2 |
| OT11 | 0 |
| OT12 | 0 |
| OT13 | 0 |
| OT14 | 0 |
| OT15 | 4 |
| OT16 | 0 |
| OT17 | 1 |
| OT18 | 0 |
| OT19 | 0 |
| Average (OT05-OT19) | .6 |

| Argument Sitting | Decided | 9-0 | 8-1 | 7-2 | 6-3 | 5-4 | Average Majority |
| --- | --- | --- | --- | --- | --- | --- | --- |
| October | 7 | 2 | 1 | - | 3 | 1 | 7.0 |
| November | 10 | 4 | 1 | 1 | 1 | 3 | 7.2 |
| December | 12 | 4 | 1 | 4 | 1 | 2 | 7.3 |
| January | 8 | 5 | 1 | - | - | 2 | 7.9 |
| February | 9 | 3 | 1 | 3 | - | 2 | 7.3 |
| May | 9 | 1 | 1 | 4 | 1 | 2 | 6.5 |
| Summary Reversal | 6 | 3 | - | - | 1 | 2 | 7.2 |

| Number of Opinions Per Case |
| --- |
| 2.9 |
| 2.8 |
| 2.2 |
| 2.8 |
| 2.6 |
| 3.2 |
| 1.8 |

| Term Recusals | |
| --- | --- |
| Justice | Total |
| Kavanaugh | 1 |
| Kagan | 1 |
| Sotomayor | 1 |
| Gorsuch | 1 |

| Solo Dissents | | |
| --- | --- | --- |
| Justice | Total (OT19) | Average* (OT05-OT18) |
| Breyer | 1 | .40 |
| Thomas | 2 | 2.1 |
| Gorsuch | - | .67 |
| Alito | 1 | .58 |
| Sotomayor | 1 | .80 |
| Kagan | - | 0 |
| Roberts | - | 0 |
| Kavanaugh | - | 0 |
| Ginsburg | 1 | .86 |

* Averages consider only the terms during which a justice served on the court. Roberts, Kagan and Kavanaugh have never filed a lone dissenting vote.

# Merits Cases By Vote Split

| 9-0<br>22 (36%) | 8-1<br>6 (10%) | 7-2<br>12 (20%) | 6-3<br>7 (11%) | 5-4<br>14 (23%) | |
|---|---|---|---|---|---|
| Nantkwest | Rotkiske | Guerrero-Lasprilla | Kahler | Hernandez | 🟥 |
| Aurelius | Glover | Banister | Ramos | Barton | 🟥 |
| Lucky | Maine Community | Thryv | Bostock | Thole | 🟥 |
| Kelly | Babb | Atlantic | Maui | RNC (PC) | 🟥 |
| Sineneng-Smith | Liu | Cowpasture | N.Y. Rifle (PC) | McKinney | 🟥 |
| Romag | Booking.com | Nasrallah | Andrus (PC) | Garcia | 🟥 |
| Ritzen | | CITGO | Consultants | Public.Resource | 🟨 |
| Lomax | | Thuraissigiam | | Regents | 🟦 |
| GE Energy | | Guadalupe | | Seila Law | 🟥 |
| IBM (PC) | | Little Sisters | | June Medical | 🟦 |
| Monasky | | Mazars | | Espinoza | 🟥 |
| Rodriguez | | Vance | | Open Society (5-3) | 🟥 |
| Shular | | | | McGirt | 🟦 |
| Chiafalo | | | | Lee | 🟥 |
| Holguin-Hernandez | | | | | |
| Intel | | | | | |
| Allen | | | | | |
| Comcast | | | | | |
| Opati (8-0) | | | | | |
| Thompson (PC) | | | | | |
| Davis (PC) | | | | | |
| Archdiocese (PC) | | | | | |

| Past Terms | | | | | |
|---|---|---|---|---|---|
| | **9-0** | **8-1** | **7-2** | **6-3** | **5-4** |
| **OT10** | 46% | 12% | 15% | 5% | 20% |
| **OT11** | 45% | 11% | 8% | 17% | 20% |
| **OT12** | 49% | 5% | 9% | 8% | 29% |
| **OT13** | 66% | 3% | 10% | 8% | 14% |
| **OT14** | 41% | 7% | 12% | 15% | 26% |
| **OT15** | 48% | 11% | 20% | 11% | 5% |
| **OT16** | 59% | 9% | 17% | 4% | 10% |
| **OT17** | 39% | 8% | 15% | 10% | 26% |
| **OT18** | 39% | 7% | 11% | 15% | 28% |
| **Avg.** | 48% | 8% | 13% | 10% | 20% |

\* We treat cases with eight or fewer votes as if they were decided by the full court. For 8-0, 7-1 and 6-2 decisions, we simply assume that the nonparticipating justice would have joined the majority. In cases that are decided 5-3, we look at each case individually to decide whether it was more likely that the nonparticipating justice would join the majority or the dissent. Our assumption that nine justices voted in each case applies only to figures that treat each case as a whole, like the chart above, and not to figures that focus on the behavior of individual justices, like our Justice Agreement charts.

\*\* For cases that are decided by a 5-4 vote, we provide information about whether the majority was made up of the most common conservative bloc (Roberts, Thomas, Alito, Gorsuch and Kavanaugh), the most liberal bloc (Ginsburg, Breyer, Sotomayor and Kagan) along with any of the more conservative justices, or a more uncommon alignment. A conservative lineup is marked with a red square, a liberal lineup is marked with a blue square and all others are marked with a yellow square.

\*\*\* For per curiam opinions, we assume that all justices who do not publicly dissent voted with the majority.

# Unanimity

To take a closer look at unanimity at the court, we created three distinct measures of unanimity. The measures of unanimity are defined as follows:

**Measure #1**: When all justices simply voted for the same judgment – i.e., whether to affirm or reverse the judgment below. This is the broadest measure of unanimity because it allows for justices to write separate opinions – and sometimes even conflicting ones – as long as each justice voted to affirm or reverse the decision below.

**Measure #2**: When all justices joined some part of the same majority opinion, but one or more justices (1) wrote separately to state an individual position or (2) did not join the majority opinion in full.

**Measure #3**: When all justices joined a single majority opinion in full, without any justices writing separate concurring opinions. This is the narrowest measure of unanimity because it requires that the justices agree in full and without any written reservations or additions.

| | | | |
|---|---|---|---|
| **Measure #3** | *All justices in total agreement* | 9 | 15% |
| **Measure #2** | *All justices join the majority opinion* | 8 | 13% |
| **Measure #1** | *All justices vote for the same judgment* | 5 | 8% |

| | | | |
|---|---|---|---|
| **Divided** | *Justices disagree in judgment* | 39 | 64% |

\* Note that Measure #2 incorporates the cases captured in Measure #1, just as Measure #3 captures those cases included in Measures #1 and #2. For more information on our measures of unanimity, see Kedar S. Bhatia, A Few Notes On Unanimity, SCOTUSblog (July 10, 2014 10:40 AM), <http://www.scotusblog.com/2014/07/a-few-notes-on-unanimity/>.

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# 5-4 Cases

| Alignment of the Majority | | |
|---|---|---|
| **Majority** | | **Cases** |
| Roberts, Thomas, Alito, Gorsuch, Kavanaugh | 10 | *Hernandez, Barton, Thole, McKinney, Garcia, RNC, Espinoza, Selia Law, Open Society, Lee* |
| Roberts, Ginsburg, Breyer, Sotomayor, Kagan | 2 | *Regents, June Medical* |
| Ginsburg, Breyer, Sotomayor, Kagan, Gorsuch | 1 | *McGirt* |
| Roberts, Sotomayor, Kagan, Gorsuch, Kavanaugh | 1 | *Public.Resource* |

| Term | Number of 5-4 Opinions | Percentage of Total Opinions | Percentage of 5-4 Split Ideological * | Conservative Victory * (Percentage of Ideological) | Conservative Victory (Percentage of All 5-4) | Number of Different Alignments |
|---|---|---|---|---|---|---|
| **OT05** | 11 | 12% | 73% | 53% | 45% | 7 |
| **OT06** | 24 | 33% | 79% | 68% | 54% | 6 |
| **OT07** | 12 | 17% | 67% | 50% | 33% | 6 |
| **OT08** | 23 | 29% | 70% | 69% | 48% | 7 |
| **OT09** | 16 | 19% | 69% | 73% | 50% | 7 |
| **OT10** | 16 | 20% | 88% | 71% | 63% | 4 |
| **OT11** | 15 | 20% | 67% | 50% | 33% | 7 |
| **OT12** | 23 | 29% | 70% | 63% | 43% | 7 |
| **OT13** | 10 | 14% | 60% | 67% | 40% | 7 |
| **OT14** | 19 | 26% | 68% | 38% | 26% | 7 |
| **OT15** | 4 | 5% | 100% | 25% | 25% | 2 |
| **OT16** | 7 | 10% | 86% | 33% | 29% | 3 |
| **OT17** | 19 | 26% | 74% | 100% | 74% | 5 |
| **OT18** | 20 | 28% | 80% | 50% | 40% | 10 |
| **OT19** | 14 | 21% | 92% | 77% | 71% | 4 |
| **Average** | 15 | 21% | 76% | 59% | 45% | 6 |

* For the purposes of this chart, a "Conservative Victory" occurs whenever the majority consists of Chief Justice Roberts and Justices Thomas, Alito, Gorsuch and Kavanaugh. A "Liberal Victory" occurs whenever the majority consists of Justices Ginsburg, Breyer, Sotomayor, Kagan and one conservative. An ideological split occurs with either of these two types of victories.

# 5-4 Cases

| | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| **Membership in a 5-4 Majority** | | | | | | | | | | |
| **Justice** | **Cases Decided** | **Frequency in Majority** | **OT18** | **OT17** | **OT16** | **OT15** | **OT14** | **OT13** | **OT12** | **OT11** |
| **Roberts** | 14 | **13** | 93% | 55% | 89% | 29% | 25% | 53% | 70% | 61% | 67% |
| **Thomas** | 14 | **10** | 71% | 65% | 79% | 43% | 25% | 37% | 50% | 65% | 67% |
| **Ginsburg** | 14 | **3** | 21% | 50% | 26% | 71% | 75% | 63% | 40% | 43% | 33% |
| **Breyer** | 14 | **3** | 21% | 50% | 21% | 71% | 75% | 74% | 50% | 48% | 47% |
| **Alito** | 14 | **10** | 71% | 60% | 79% | 29% | 25% | 47% | 60% | 57% | 60% |
| **Sotomayor** | 14 | **4** | 29% | 45% | 21% | 71% | 75% | 68% | 30% | 39% | 47% |
| **Kagan** | 13 | **4** | 31% | 45% | 17% | 71% | 50% | 53% | 50% | 43% | 40% |
| **Gorsuch** | 14 | **12** | 86% | 70% | 84% | 67% | - | - | - | - | - |
| **Kavanaugh** | 14 | **11** | 79% | 67% | - | - | - | - | - | - | - |

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **5-4 Majority Opinion Authorship** | | | | | | | | | | | | |
| **Justice** | **Cases Decided** | **Frequency in the Majority** | **Opinions Authored** | **Frequency as Author** | **OT18** | **OT17** | **OT16** | **OT15** | **OT14** | **OT13** | **OT12** | **OT11** |
| **Roberts** | 14 | **12** | 4 | 29% | 20% | 12% | 0% | 0% | 20% | 14% | 14% | 10% |
| **Thomas** | 14 | **9** | 0 | 0% | 20% | 20% | 33% | 0% | 0% | 20% | 13% | 0% |
| **Ginsburg** | 14 | **3** | 0 | 0% | 5% | 20% | 20% | 0% | 25% | 0% | 10% | 0% |
| **Breyer** | 14 | **3** | 1 | 7% | 5% | 25% | 20% | 33% | 21% | 0% | 18% | 43% |
| **Alito** | 14 | **9** | 2 | 14% | 10% | 27% | 0% | 100% | 33% | 33% | 46% | 33% |
| **Sotomayor** | 14 | **4** | 0 | 0% | 5% | 0% | 0% | 0% | 15% | 0% | 22% | 29% |
| **Kagan** | 13 | **4** | 0 | 0% | 10% | 33% | 20% | 0% | 10% | 60% | 10% | 17% |
| **Gorsuch** | 14 | **11** | 1 | 7% | 15% | 31% | 0% | - | - | - | - | - |
| **Kavanaugh** | 14 | **10** | 4 | 29% | 11% | - | - | - | - | - | - | - |

# 5-4 Cases
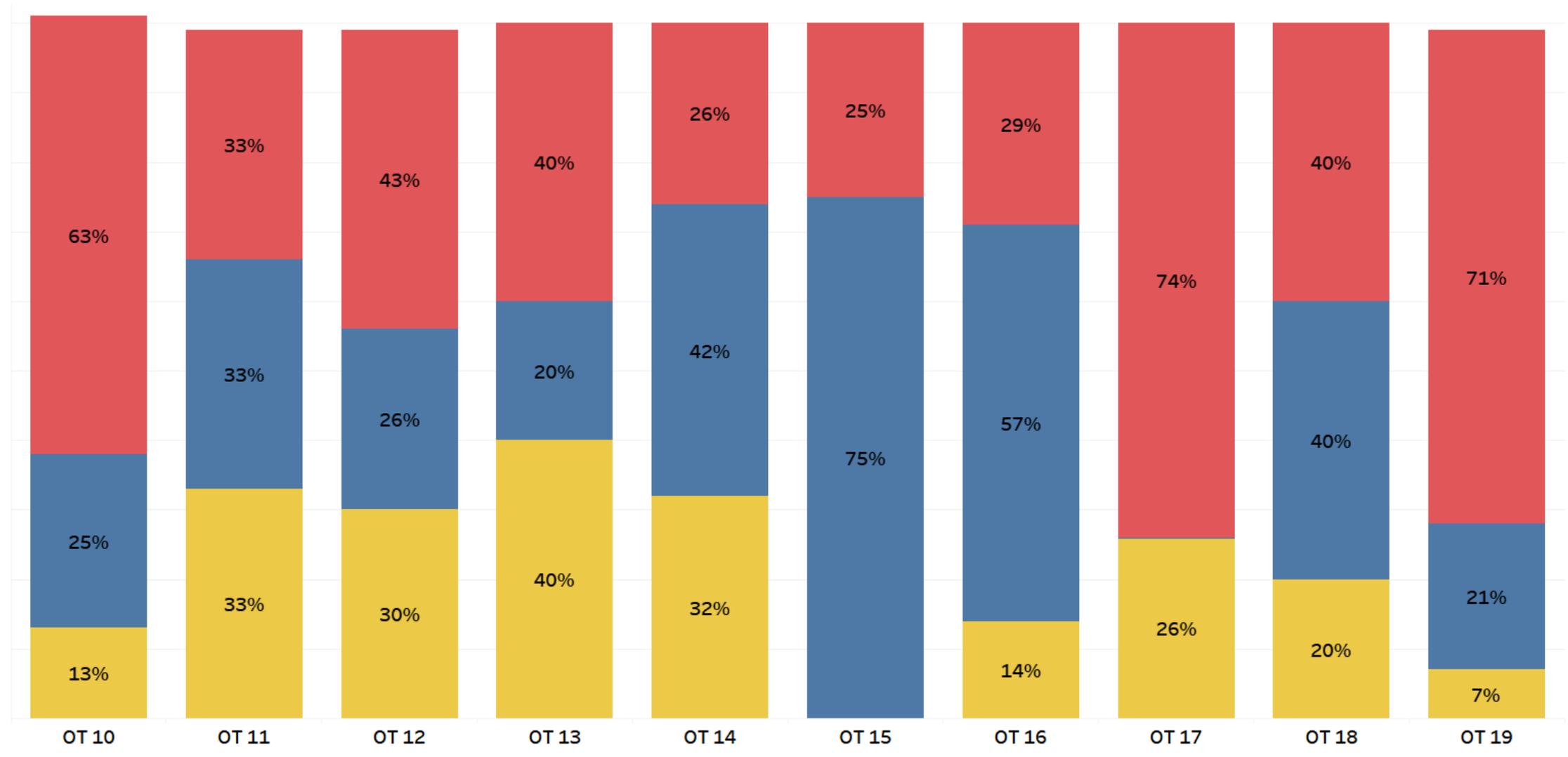


*For OT10 through OT17, a victorious conservative majority (in red) includes Kennedy, Roberts, Scalia/Gorsuch, Thomas and Alito. A victorious liberal majority (in blue) includes Kennedy, Ginsburg, Breyer, Sotomayor and Kagan. Different majorities are marked in yellow.
**For OT18 and OT19, a victorious conservative majority (in red) includes Roberts, Thomas, Alito, Gorsuch and Kavanaugh. A victorious liberal majority (in blue) includes Ginsburg, Breyer, Sotomayor, Kagan and one other justice. Different majorities are marked in yellow.

# Justice Agreement

Key:
- Fully Agree
- Agree in Full or Part
- Agree in Full, Part, or Judgment Only
- Disagree in Judgment

| Row Justice | | Thomas | Ginsburg | Breyer | Alito | Sotomayor | Kagan | Gorsuch | Kavanaugh | Total |
|---|---|---|---|---|---|---|---|---|---|---|
| **Roberts** | Fully Agree | 25 41% | 35 57% | 40 66% | 39 64% | 33 54% | 41 68% | 39 64% | 53 88% | |
| | Full or Part | 42 69% | 40 66% | 41 67% | 47 77% | 38 62% | 45 75% | 50 82% | 55 92% | |
| | Full/Part/Judgment | 44 72% | 43 70% | 45 74% | 47 77% | 42 69% | 47 78% | 52 85% | 56 93% | 61 |
| | Disagree | 17 28% | 18 30% | 16 26% | 14 23% | 19 31% | 13 22% | 9 15% | 4 7% | |
| **Thomas** | Fully Agree | | 14 23% | 17 28% | 30 49% | 13 21% | 16 27% | 32 52% | 23 38% | |
| | Full or Part | | 24 39% | 26 43% | 52 85% | 22 36% | 27 45% | 47 77% | 43 72% | |
| | Full/Part/Judgment | | 30 49% | 32 52% | 56 92% | 27 44% | 30 50% | 49 80% | 47 78% | 61 |
| | Disagree | | 31 51% | 29 48% | 5 8% | 34 56% | 30 50% | 12 20% | 13 22% | |
| **Ginsburg** | Fully Agree | | | 49 80% | 17 28% | 43 70% | 46 77% | 27 44% | 29 48% | |
| | Full or Part | | | 56 92% | 28 46% | 50 82% | 51 85% | 35 57% | 37 62% | |
| | Full/Part/Judgment | | | 57 93% | 31 51% | 54 89% | 52 87% | 38 62% | 40 67% | 61 |
| | Disagree | | | 4 7% | 30 49% | 7 11% | 8 13% | 23 38% | 20 33% | |
| **Breyer** | Fully Agree | | | | 24 39% | 42 69% | 49 82% | 30 49% | 34 57% | |
| | Full or Part | | | | 30 49% | 47 77% | 52 87% | 36 59% | 38 63% | |
| | Full/Part/Judgment | | | | 33 54% | 52 85% | 54 90% | 40 66% | 42 70% | 61 |
| | Disagree | | | | 28 46% | 9 15% | 6 10% | 21 34% | 18 30% | |
| **Alito** | Fully Agree | | | | | 17 28% | 24 40% | 33 54% | 36 60% | |
| | Full or Part | | | | | 25 41% | 32 53% | 47 77% | 48 80% | |
| | Full/Part/Judgment | | | | | 28 46% | 33 55% | 48 79% | 48 80% | 61 |
| | Disagree | | | | | 33 54% | 27 45% | 13 21% | 12 20% | |
| **Sotomayor** | Fully Agree | | | | | | 44 73% | 25 41% | 28 47% | |
| | Full or Part | | | | | | 50 83% | 35 57% | 35 58% | |
| | Full/Part/Judgment | | | | | | 53 88% | 39 64% | 39 65% | 61 |
| | Disagree | | | | | | 7 12% | 22 36% | 21 35% | |
| **Kagan** | Fully Agree | | | | | | | 31 52% | 35 59% | |
| | Full or Part | | | | | | | 38 63% | 40 68% | |
| | Full/Part/Judgment | | | | | | | 40 67% | 42 71% | 60 |
| | Disagree | | | | | | | 20 33% | 18 29% | |
| **Gorsuch** | Fully Agree | | | | | | | | 37 62% | |
| | Full or Part | | | | | | | | 51 85% | |
| | Full/Part/Judgment | | | | | | | | 53 88% | 61 |
| | Disagree | | | | | | | | 7 12% | |
| **Kavanaugh** | | | | | | | | | | 60 |

# Justice Agreement – Divided Cases

| | Thomas | Ginsburg | Breyer | Alito | Sotomayor | Kagan | Gorsuch | Kavanaugh | Total |
|---|---|---|---|---|---|---|---|---|---|
| Roberts | 10  26% | 16  41% | 20  51% | 21  54% | 14  36% | 21  55% | 20  51% | 33  85% | |
| | 22  56% | 19  49% | 20  51% | 25  64% | 18  46% | 23  61% | 28  72% | 34  87% | |
| | 22  56% | 21  54% | 23  59% | 25  64% | 20  51% | 25  66% | 30  77% | 35  90% | 39 |
| | 17  44% | 18  46% | 16  41% | 14  36% | 19  49% | 13  34% | 9  23% | 4  10% | |
| Thomas | | 1  3% | 3  8% | 16  41% | 0  0% | 3  8% | 19  49% | 10  26% | |
| | | 5  13% | 7  18% | 32  82% | 3  8% | 7  18% | 26  67% | 24  62% | |
| | | 8  21% | 10  26% | 34  87% | 5  13% | 8  21% | 27  69% | 26  67% | 39 |
| | | 31  79% | 29  74% | 5  13% | 34  87% | 30  79% | 12  31% | 13  33% | |
| Ginsburg | | | 30  77% | 2  5% | 27  69% | 27  71% | 10  26% | 12  31% | |
| | | | 34  87% | 7  18% | 31  79% | 30  79% | 14  36% | 17  44% | |
| | | | 35  90% | 9  23% | 32  82% | 30  79% | 16  41% | 19  49% | 39 |
| | | | 4  10% | 30  77% | 7  18% | 8  21% | 23  59% | 20  51% | |
| Breyer | | | | 6  15% | 24  62% | 29  76% | 13  33% | 16  41% | |
| | | | | 9  23% | 28  72% | 31  82% | 15  38% | 18  46% | |
| | | | | 11  28% | 30  77% | 32  84% | 18  46% | 21  54% | 39 |
| | | | | 28  72% | 9  23% | 6  16% | 21  54% | 18  46% | |
| Alito | | | | | 1  3% | 6  16% | 16  41% | 20  51% | |
| | | | | | 5  13% | 10  26% | 25  64% | 27  69% | |
| | | | | | 6  15% | 11  29% | 26  67% | 27  69% | 39 |
| | | | | | 33  85% | 27  71% | 13  33% | 12  31% | |
| Sotomayor | | | | | | 26  68% | 9  23% | 11  28% | |
| | | | | | | 30  79% | 15  38% | 16  41% | |
| | | | | | | 31  82% | 17  44% | 18  46% | 39 |
| | | | | | | 7  18% | 22  56% | 21  54% | |
| Kagan | | | | | | | 13  34% | 17  45% | |
| | | | | | | | 16  42% | 19  50% | |
| | | | | | | | 18  47% | 21  55% | 38 |
| | | | | | | | 20  53% | 17  45% | |
| Gorsuch | | | | | | | | 20  51% | |
| | | | | | | | | 30  77% | |
| | | | | | | | | 32  82% | 39 |
| | | | | | | | | 7  18% | |
| Kavanaugh | | | | | | | | | 39 |

**Key**

| | |
|---|---|
| Fully Agree | |
| Agree in Full or Part | |
| Agree in Full, Part, or Judgment Only | |
| Disagree in Judgment | |

# Justice Agreement – 5-4 Cases

| | Thomas | Ginsburg | Breyer | Alito | Sotomayor | Kagan | Gorsuch | Kavanaugh | Total |
|---|---|---|---|---|---|---|---|---|---|
| **Roberts** | 4  29% | 1  7% | 1  7% | 10  71% | 1  7% | 2  15% | 6  43% | 12  86% | |
| | 11  79% | 1  7% | 1  7% | 11  79% | 2  14% | 2  15% | 11  79% | 12  86% | |
| | 11  79% | 2  14% | 2  14% | 11  79% | 3  21% | 3  23% | 11  79% | 12  86% | 14 |
| | 3  21% | 12  86% | 12  86% | 3  21% | 11  79% | 10  77% | 3  21% | 2  14% | |
| **Thomas** | | 0  0% | 0  0% | 5  36% | 0  0% | 0  0% | 9  64% | 4  29% | |
| | | 0  0% | 1  7% | 14  100% | 0  0% | 0  0% | 12  86% | 12  86% | |
| | | 1  7% | 1  7% | 14  100% | 0  0% | 0  0% | 12  86% | 13  93% | 14 |
| | | 13  93% | 13  93% | 0  0% | 14  100% | 13  100% | 2  14% | 1  7% | |
| **Ginsburg** | | | 12  86% | 0  0% | 10  71% | 10  77% | 1  7% | 0  0% | |
| | | | 13  93% | 0  0% | 12  86% | 12  92% | 1  7% | 0  0% | |
| | | | 14  100% | 1  7% | 13  93% | 12  92% | 1  7% | 0  0% | 14 |
| | | | 0  0% | 13  93% | 1  7% | 1  8% | 13  93% | 14  100% | |
| **Breyer** | | | | 0  0% | 10  71% | 10  77% | 1  7% | 0  0% | |
| | | | | 1  7% | 11  79% | 11  85% | 1  7% | 0  0% | |
| | | | | 1  7% | 13  93% | 12  92% | 1  7% | 0  0% | 14 |
| | | | | 13  93% | 1  7% | 1  8% | 13  93% | 14  100% | |
| **Alito** | | | | | 0  0% | 0  0% | 5  36% | 10  71% | |
| | | | | | 0  0% | 0  0% | 12  86% | 13  93% | |
| | | | | | 0  0% | 0  0% | 12  86% | 13  93% | 14 |
| | | | | | 14  100% | 13  100% | 2  14% | 1  7% | |
| **Sotomayor** | | | | | | 11  85% | 2  14% | 1  7% | |
| | | | | | | 12  92% | 2  14% | 1  7% | |
| | | | | | | 13  100% | 2  14% | 1  7% | 14 |
| | | | | | | 0  0% | 12  86% | 13  93% | |
| **Kagan** | | | | | | | 2  15% | 1  8% | |
| | | | | | | | 2  15% | 1  8% | |
| | | | | | | | 2  15% | 1  8% | 13 |
| | | | | | | | 11  85% | 12  92% | |
| **Gorsuch** | | | | | | | | 6  43% | |
| | | | | | | | | 12  86% | |
| | | | | | | | | 13  93% | 14 |
| | | | | | | | | 1  7% | |
| **Kavanaugh** | | | | | | | | | 14 |

**Key**

| | |
|---|---|
| Fully Agree | (cyan) |
| Agree in Full or Part | (light blue) |
| Agree in Full, Part, or Judgment Only | (blue) |
| Disagree in Judgment | (yellow) |

25

# Justice Agreement – Highs and Lows

| | | Highest Agreement | | | Lowest Agreement | |
|---|---|---|---|---|---|---|
| **All Cases** | 1 | Roberts - Kavanaugh | 93% | 1 | Sotomayor - Thomas | 44% |
| | 2 | Ginsburg - Breyer | 93% | 2 | Alito - Sotomayor | 46% |
| | 3 | Alito - Thomas | 92% | 3 | Thomas - Ginsburg | 49% |
| | 4 | Breyer - Kagan | 90% | 4 | Thomas - Kagan | 50% |
| | 5 | Ginsburg - Sotomayor | 89% | 5 | Ginsburg - Alito | 51% |
| | 6 | Gorsuch - Kavanaugh | 88% | 6 | Breyer - Thomas | 52% |
| | 7 | Sotomayor - Kagan | 88% | 7 | Breyer - Alito | 54% |
| | 8 | Ginsburg - Kagan | 87% | 8 | Alito - Kagan | 55% |
| | 9 | Gorsuch - Roberts | 85% | 9 | Ginsburg - Gorsuch | 62% |
| | 10 | Breyer - Sotomayor | 85% | 10 | Sotomayor - Gorsuch | 64% |

| | | Highest Agreement | | | Lowest Agreement | |
|---|---|---|---|---|---|---|
| **Divided Cases** | 1 | Roberts - Kavanaugh | 90% | 1 | Sotomayor - Thomas | 13% |
| | 2 | Ginsburg - Breyer | 90% | 2 | Alito - Sotomayor | 16% |
| | 3 | Alito - Thomas | 87% | 3 | Thomas - Ginsburg | 21% |
| | 4 | Breyer - Kagan | 84% | 4 | Thomas - Kagan | 21% |
| | 5 | Ginsburg - Sotomayor | 82% | 5 | Ginsburg - Alito | 23% |
| | 6 | Gorsuch - Kavanaugh | 82% | 6 | Breyer - Thomas | 26% |
| | 7 | Sotomayor - Kagan | 82% | 7 | Breyer - Alito | 28% |
| | 8 | Ginsburg - Kagan | 79% | 8 | Alito - Kagan | 29% |
| | 9 | Gorsuch - Roberts | 77% | 9 | Ginsburg - Gorsuch | 41% |
| | 10 | Breyer - Sotomayor | 77% | 10 | Sotomayor - Gorsuch | 44% |

| | | Highest Agreement | | | Lowest Agreement | |
|---|---|---|---|---|---|---|
| **5-4 Cases** | 1 | Thomas - Alito | 100% | 1 | Thomas - Sotomayor | 0% |
| | 2 | Ginsburg - Breyer | 100% | 2 | Thomas - Kagan | 0% |
| | 3 | Sotomayor - Kagan | 100% | 3 | Ginsburg - Kavanaugh | 0% |
| | 4 | Thomas – Alito | 93% | 4 | Breyer - Kavanaugh | 0% |
| | 5 | Gorsuch – Kavanaugh | 93% | 5 | Alito - Sotomayor | 0% |
| | 6 | Alito – Kavanaugh | 93% | 6 | Alito - Kagan | 0% |
| | 7 | Breyer – Sotomayor | 93% | 7 | Kagan - Kavanaugh | 7% |
| | 8 | Ginsburg - Sotomayor | 93% | 8 | Sotomayor - Kavanaugh | 7% |
| | 9 | Ginsburg – Kagan | 92% | 9 | Breyer - Gorsuch | 7% |
| | 10 | Breyer – Kagan | 92% | 10 | Ginsburg - Alito | 7% |

# Oral Argument - Justices

For our purposes, the number of "questions" per argument is simply the number of times a given justice's name appears in the argument transcript in capital letters. To account for the chief justice's administrative comments – such as his call for an advocate to begin – his tally for each case has been uniformly reduced by three "questions."

## Average Number of Questions Per Argument

| Justice | Average |
|---------|---------|
| Kavanaugh | 16.7 |
| Sotomayor | 21.2 |
| Breyer | 19.7 |
| Alito | 13.8 |
| Ginsburg | 9.4 |
| Gorsuch | 14.2 |
| Roberts | 12.6 |
| Kagan | 15.4 |
| Thomas | 0 |

## Frequency as the Top Questioner or as a Top 3 Questioner

| Justice | Freq. Top 1 | Freq. Top 3 |
|---------|-------------|-------------|
| Kavanaugh | 24% | 50% |
| Sotomayor | 15% | 70% |
| Breyer | 26% | 57% |
| Alito | 6% | 30% |
| Ginsburg | 2% | 11% |
| Gorsuch | 19% | 38% |
| Roberts | 2% | 19% |
| Kagan | 11% | 43% |
| Thomas | - | - |

## Cases With Most Total Justice Questions

| Case | Questions |
|------|-----------|
| *Glover* | 217 |
| *Regents* | 195 |
| *Comcast* | 183 |
| *Aurelius* | 176 |
| *Russo* | 154 |
| *Thole* | 153 |
| *Bostock* | 153 |
| *Espinoza* | 147 |
| *Cowpasture* | 145 |

## Most Active Arguments

| Justice | Argument | Number of Questions (% of all questions) |
|---------|----------|------------------------------------------|
| Kavanaugh | *Thole* | 48 (31%) |
| Sotomayor | *Atlantic Richfield* | 50 (40%) |
| Breyer | *Romag* | 50 (40%) |
| Alito | *Kahler* | 34 (27%) |
| Ginsburg | *Bostock* | 36 (24%) |
| Gorsuch | *Glover* | 43 (20%) |
| Roberts | *Glover* | 39 (18%) |
| Kagan | *Kelly* | 30 (23%) |
| Thomas | - | - |

## Frequency as the First Questioner

| Justice | Frequency | |
|---------|-----------|------|
| Ginsburg | 21/47 | 45% |
| Roberts | 8/47 | 17% |
| Sotomayor | 7/47 | 15% |
| Alito | 6/47 | 13% |
| Kavanaugh | 4/46 | 9% |
| Gorsuch | 1/47 | 2% |
| Breyer | 0/47 | |
| Kagan | 0/47 | |
| Thomas | 0/47 | |

*The figures on this page omit the telephonic arguments conducted in May 2020 due to the COVID-19 pandemic.

# Oral Argument - Advocates

| Overview | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| | OT12 | OT13 | OT14 | OT15 | OT16 | OT17 | OT18 | OT19 |
| **Number of Different Advocates** | 120 | 121 | 112 | 117 | 100 | 113 | 122 | 103 |
| **Number of Total Appearances** | 193 | 185 | 178 | 186 | 158 | 163 | 178 | 155 |

| Most Popular Advocate Origins | |
|---|---|
| **State** | **Total** |
| Washington, D.C. | 103 |
| California | 8 |
| New York | 7 |
| Texas | 5 |
| Virginia | 5 |

| Appearances by Advocates Who... | OT12 | OT13 | OT14 | OT15 | OT16 | OT17 | OT18 | OT19 |
|---|---|---|---|---|---|---|---|---|
| **...Are from the Office of the Solicitor General** | 64 (33%) | 61 (33%) | 56 (31%) | 59 (32%) | 48 (30%) | 48 (29%) | 50 (28%) | 42 (27%) |
| **...Have experience in the Office of the Solicitor General** | Not Available | 85 (47%) | 78 (46%) | 84 (71%) | 73 (48%) | 71 (65%) | 86 (48%) | 80 (52%) |
| **...Have argued at least twice during the Term** | 104 (54%) | 96 (52%) | 104 (58%) | 109 (59%) | 94 (59%) | 77 (47%) | 87 (49%) | 82 (53%) |
| **...Are "expert" Supreme Court litigators\*** | 137 (71%) | 131 (71%) | 116 (66%) | 136 (74%) | 115 (74%) | 89 (56%) | 123 (69%) | 114 (74%) |
| **...Are based in Washington, D.C.\*\*** | 125 (65%) | 119 (64%) | 101 (57%) | 122 (66%) | 97 (61%) | 97 (60%) | 109 (61%) | 103 (66%) |
| **...Are female** | 33 (17%) | 28 (15%) | 34 (19%) | 32 (18%) | 33 (21%) | 19 (12%) | 30 (17%) | 20 (13%) |
| **...Are female and not from the Office of the Solicitor General\*\*\*** | 17 (13%) | 11 (9%) | 17 (14%) | 13 (10%) | 15 (14%) | 10 (9%) | 21 (12%) | 13 (8%) |

| Most Popular Supreme Court Clerkships | | |
|---|---|---|
| **Clerkship** | **Appearances** | **Advocates** |
| Scalia | 25 | 10 |
| Roberts | 17 | 8 |
| Ginsburg | 7 | 6 |
| Breyer | 7 | 4 |
| Kagan | 6 | 4 |
| Souter | 5 | 4 |

| Most Popular Law Schools | | |
|---|---|---|
| **Law School** | **Appearances** | **Advocates** |
| Harvard | 41 | 33 |
| Yale | 32 | 20 |
| Chicago | 12 | 2 |
| Stanford | 10 | 6 |
| Virginia | 9 | 6 |

\* We adopt Richard Lazarus' definition of an "expert" Supreme Court litigator: one who has argued five or more times before the Supreme Court or works in an office where lawyers have collectively argued more than 10 times. See Richard J. Lazarus, "Advocacy Matters Before and Within the Supreme Court: Transforming the Court by Transforming the Bar," 97 Geo. L.J. 1487, 1490 n.17 (2008).
\*\* An advocate's "origin" is simply the state of origin listed for that lawyer on the court's monthly hearing lists. If attorneys from the Office of the Solicitor General are omitted, lawyers based in Washington, D.C., appeared 59 times during OT18.
\*\*\* The percentage figures for this category omit all advocates from the Office of the Solicitor General. They demonstrate the percentage of female advocates from positions other than those within the Office of the Solicitor General as a percentage of all men or women arguing from positions other than those within the Office of the Solicitor General.

# Oral Argument - Advocates

| Name | Appearances | | Position | Law School | Supreme Court Clerkship | U.S. Solicitor General Experience | Gender |
|------|------|------|------|------|------|------|------|
| | OT19 | All Time | | | | | |
| **Advocates Who Have Argued Two or More Cases During OT19** | | | | | | | |
| Noel Francisco | 7 | 19 | Solicitor General | Chicago | Antonin Scalia | Yes | Male |
| Paul Clement | 6 | 102 | Kirkland & Ellis | Harvard | Antonin Scalia | Yes | Male |
| Jeffrey Wall | 5 | 26 | Principal Deputy Solicitor General | Chicago | Clarence Thomas | Yes | Male |
| Malcolm Stewart | 4 | 87 | Deputy Solicitor General | Yale | Harry Blackmun | Yes | Male |
| Lisa Blatt | 3 | 40 | Williams & Connolly | Texas | None | Yes | Female |
| Jonathan Ellis | 3 | 6 | Assistant to the Solicitor General | Pennsylvania | John Roberts | Yes | Male |
| Eric Feigin | 3 | 24 | Assistant to the Solicitor General | Stanford | Stephen Breyer | Yes | Male |
| Paul Hughes | 3 | 8 | McDermott Will & Emery | Yale | None | None | Male |
| Edwin Kneedler | 3 | 145 | Deputy Solicitor General | Virginia | None | Yes | Male |
| Christopher Michel | 3 | 6 | Assistant to the Solicitor General | Yale | John G. Roberts | Yes | Male |
| Morgan Ratner | 3 | 6 | Assistant to the Solicitor General | Harvard | John G. Roberts | Yes | Female |
| Erica Ross | 3 | 6 | Assistant to the Solicitor General | Stanford | Elena Kagan | Yes | Female |
| Jonathan Bond | 2 | 6 | Assistant to the Solicitor General | George Washington | Antonin Scalia | Yes | Male |
| Brian Burgess | 2 | 2 | Goodwin Procter | NYU | Sonia Sotomayor | Yes | Male |
| Toby Crouse | 2 | 2 | Kansas Solicitor General | Kansas | None | None | Male |
| Shay Dvoretzky | 2 | 12 | Jones Day | Yale | Antonin Scalia | None | Male |
| Jeffrey Fisher | 2 | 40 | Stanford Supreme Court Clinic | Michigan | John Paul Stevens | None | Male |
| Matthew Guarnieri | 2 | 3 | Assistant to the Solicitor General | Columbia | None | Yes | Male |
| Michael Huston | 2 | 5 | Assistant to the Solicitor General | Michigan | John G. Roberts | Yes | Male |
| Sopan Joshi | 2 | 3 | Assistant to the Solicitor General | Northwestern | Antonin Scalia, Samuel Alito | Yes | Male |
| Neal Katyal | 2 | 41 | Hogan Lovells | Yale | Stephen Breyer | Yes | Male |
| Douglas Letter | 2 | 3 | U.S. House of Representatives | Berkeley | None | None | Male |
| Frederick Liu | 2 | 6 | Assistant to the Solicitor General | Yale | John G. Roberts | Yes | Male |
| Roman Martinez | 2 | 9 | Latham & Watkins | Yale | John G. Roberts | Yes | Male |
| Elizabeth Murrill | 2 | 3 | Louisiana Solicitor General | Louisiana State | None | None | Female |
| Theodore Olson | 2 | 64 | Gibson Dunn | Berkeley | None | Yes | Male |
| Joseph Palmore | 2 | 12 | Morrison & Foerster | Virginia | Ruth Bader Ginsburg | Yes | Male |
| Adam Unikowsky | 2 | 9 | Jenner & Block | Harvard | Antonin Scalia | None | Male |
| Donald B. Verrilli, Jr. | 2 | 52 | Munger, Tolles & Olson | Columbia | William Brennan | Yes | Male |
| Anthony Yang | 2 | 31 | Assistant to the Solicitor General | Yale | None | Yes | Male |

# Oral Argument – May 2020 Sitting

The court heard argument in 10 cases remotely via telephone in May 2020 after the building's closure due to the COVID-19 pandemic. The data for Roberts has been adjusted to remove the time he spent timekeeping during the arguments. Sotomayor and Kagan were each recused from one of the 10 cases, so their averages are only for the nine cases in which they participated.

| Justice | Average Time Per Turn (seconds) | Average Words Per Turn |
|---|---|---|
| Sotomayor | 280 | 568 |
| Alito | 232 | 530 |
| Breyer | 224 | 548 |
| Kagan | 223 | 582 |
| Gorsuch | 219 | 569 |
| Kavanaugh | 208 | 520 |
| Ginsburg | 185 | 330 |
| Roberts | 176 | 427 |
| Thomas | 125 | 279 |

| Case | Total Argument Time (seconds) |
|---|---|
| Vance | 6080 |
| Little Sisters | 5955 |
| Guadalupe | 5912 |
| Mazars | 5787 |
| McGirt | 5503 |
| Chiafalo | 4465 |
| Barr | 4375 |
| Booking.com | 4347 |
| Open Society | 4129 |
| Baca | 3666 |

| Case | Attorney | Words | Time (seconds) |
|---|---|---|---|
| Booking.com | Blatt | 3888 | 1436 |
| Booking.com | Ross | 4581 | 1521 |
| Open Society | Bowker | 2871 | 1289 |
| Open Society | Michel | 3661 | 1325 |
| Little Sisters | Francisco | 2024 | 847 |
| Little Sisters | Clement | 2640 | 995 |
| Little Sisters | Fischer | 4368 | 1659 |
| Barr | Martinez | 3539 | 1216 |
| Barr | Stewart | 3696 | 1434 |
| McGirt | Gershengorn | 2588 | 971 |
| McGirt | Kanji | 1910 | 707 |
| McGirt | Kneedler | 1948 | 851 |
| McGirt | Mansinghani | 2262 | 810 |
| Guadalupe | Fisher | 5787 | 1953 |
| Guadalupe | Rassbach | 2377 | 910 |
| Guadalupe | Ratner | 2052 | 931 |
| Mazars | Letter | 3444 | 1435 |
| Mazars | Strawbridge | 2762 | 1157 |
| Mazars | Wall | 1902 | 771 |
| Vance | Francisco | 2414 | 882 |
| Vance | Dunne | 5587 | 1979 |
| Vance | Sekulow | 2479 | 914 |
| Chiafalo | Lessig | 3726 | 1383 |
| Chiafalo | Purcell | 4572 | 1447 |
| Baca | Harrow | 2715 | 999 |
| Baca | Weiser | 2708 | 1067 |

# Pace of Grants

The following chart plots the pace at which the court fills its merits docket for a given term. Each date marker represents the conference within a given sitting. For instance, Feb #1 is the first February conference, which, during OT19, took place on February 21, 2020. Categorizing grants by their conference within a given sitting ensures more accurate cross-term comparisons.
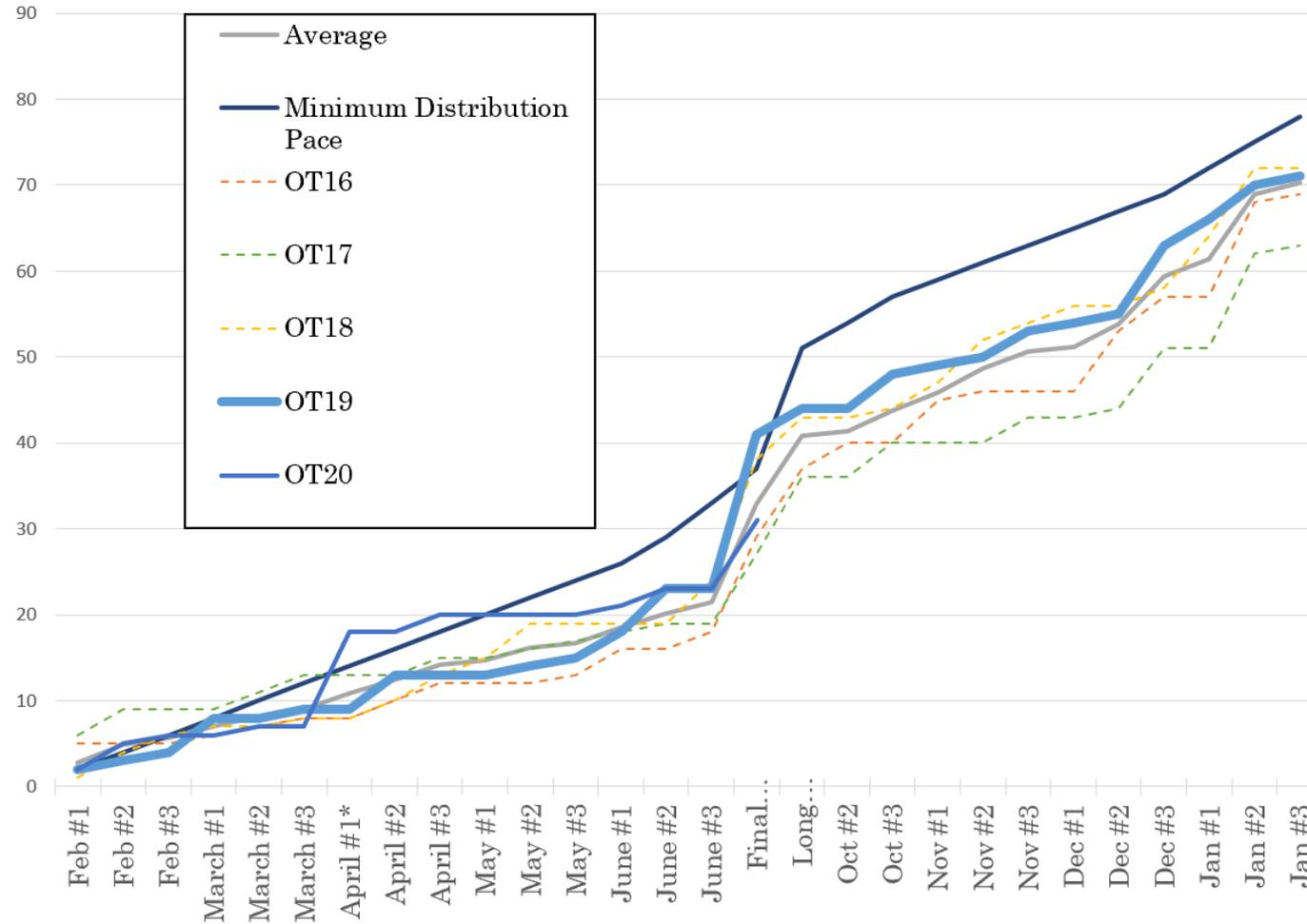


The Minimum Distribution Pace presented in this chart reflects the number of petitions that must be granted to fill the court's docket for oral argument while giving the litigants in each case a complete or near-complete briefing schedule. The pace also reflects the number of petitions raised at each conference and other factors affecting the certiorari process.

*The jump in OT20 grants in the April #1 conference signifies the court's decision on April 13, 2020, to reschedule 10 cases from OT19 to OT20 due to the COVID-19 pandemic.

# Pace of Grants – Per Conference

| | October Term | | | | | | | | | | | | | | | Average (OT 06-OT19) | | Range (OT06-OT19) | Calendar Weeks Covered | Grants Per Weeks Covered (OT06-OT19) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | '06 | '07 | '08 | '09 | '10 | '11 | '12 | '13 | '14 | '15 | '16 | '17 | '18 | '19 | '20 | | | | | |
| Feb #1 | 4 | 2 | 8 | 9 | 3 | 7 | 6 | 4 | 0 | 1 | 5 | 6 | 1 | 2 | 2 | 4.1 | | 0-9 | 4 | 1.0 |
| Feb #2 | 0 | 3 | 3 | 1 | 1 | 0 | 0 | 2 | 5 | 2 | 0 | 3 | 3 | 1 | 3 | 1.7 | 6.7 | 0-5 | 1 | 1.7 |
| Feb #3 | 1 | 0 | 0 | 1 | 3 | 1 | 0 | 1 | 1 | 1 | 0 | 0 | 2 | 1 | 1 | 0.9 | | 0-3 | 1 | 0.9 |
| Mar #1 | 0 | 0 | 8 | 0 | 4 | 2 | 2 | 3 | 1 | 2 | 1 | 0 | 1 | 4 | 0 | 2.0 | | 0-8 | 2 | 1.0 |
| Mar #2 | 1 | 2 | 2 | 1 | 0 | 1 | 1 | 2 | 1 | 3 | 1 | 2 | 0 | 0 | 1 | 1.2 | 4.3 | 0-3 | 1 | 1.2 |
| Mar #3 | 1 | 0 | 2 | 1 | 0 | 2 | 2 | 1 | 1 | 0 | 1 | 2 | 1 | 1 | 0 | 1.1 | | 0-2 | 1 | 1.1 |
| April #1 | 3 | 0 | 2 | 3 | 4 | 1 | 1 | 2 | 3 | 0 | 0 | 0 | 0 | 0 | 11* | 1.4 | | 0-4 | 2 | 0.7 |
| April #2 | 0 | 1 | 2 | 3 | 2 | 0 | 0 | 1 | 2 | 2 | 2 | 0 | 2 | 4 | 0 | 1.5 | 4.3 | 0-4 | 1 | 1.5 |
| April #3 | 1 | 1 | 0 | 4 | 0 | 2 | 1 | 1 | 2 | 1 | 2 | 2 | 3 | 0 | 2 | 1.4 | | 0-4 | 1 | 1.4 |
| May #1 | 4 | 0 | 1 | 4 | 1 | 1 | 0 | 1 | 1 | 1 | 0 | 0 | 2 | 0 | 0 | 1.1 | | 0-4 | 2 | 0.6 |
| May #2 | 0 | 3 | 0 | 1 | 5 | 1 | 1 | 5 | 1 | 3 | 0 | 1 | 4 | 1 | 0 | 1.9 | 4.1 | 0-5 | 1 | 1.9 |
| May #3 | 1 | 4 | 0 | 1 | 1 | 1 | 1 | 2 | 1 | 0 | 1 | 1 | 0 | 1 | 0 | 1.1 | | 0-4 | 1 | 1.1 |
| June #1 | 4 | 1 | 0 | 2 | 0 | 2 | 1 | 2 | 0 | 3 | 3 | 1 | 0 | 3 | 1 | 1.6 | | 0-4 | 1 | 1.6 |
| June #2 | 1 | 3 | 3 | 4 | 4 | 4 | 2 | 1 | 2 | 2 | 0 | 1 | 0 | 5 | 2 | 2.3 | 16.2 | 0-5 | 1 | 2.3 |
| June #3 | 2 | 1 | 3 | 3 | 3 | 4 | 1 | 4 | 3 | 1 | 2 | 0 | 5 | 0 | 0 | 2.3 | | 0-5 | 1 | 2.3 |
| June #4 | 5 | 5 | 9 | 7 | 7 | 13 | 10 | 12 | 13 | 9 | 11 | 8 | 14 | 18 | 8** | 10.1 | | 5-18 | 1 | 10.1 |
| Oct #1 | 9 | 17 | 10 | 11 | 13 | 7 | 9 | 8 | 12 | 13 | 8 | 9 | 5 | 3 | | 9.6 | | 3-17 | 13 | 0.7 |
| Oct #2 | 2 | 0 | 1 | 5 | 7 | 2 | 7 | 2 | 0 | 0 | 3 | 0 | 0 | 0 | | 2.1 | 13.7 | 0-7 | 2 | 1.0 |
| Oct #3 | 1 | 2 | 1 | 2 | 1 | 4 | 1 | 2 | 3 | 3 | 0 | 4 | 1 | 4 | | 2.1 | | 0-4 | 1 | 2.1 |
| Nov #1 | 4 | 2 | 2 | 3 | 5 | 1 | 4 | 1 | 0 | 1 | 5 | 0 | 3 | 1 | | 2.3 | | 0-5 | 2 | 1.2 |
| Nov #2 | 2 | 1 | 1 | 0 | 0 | 5 | 1 | 0 | 4 | 7 | 1 | 0 | 5 | 1 | | 2.0 | 6.4 | 0-7 | 1 | 2.0 |
| Nov #3 | 0 | 1 | 5 | 1 | 2 | 3 | 4 | 2 | 2 | 2 | 0 | 3 | 2 | 3 | | 2.1 | | 0-5 | 1 | 2.1 |
| Dec #1 | 0 | 3 | 2 | 3 | 3 | 4 | 3 | 4 | 2 | 0 | 0 | 0 | 2 | 1 | | 1.9 | | 0-4 | 1 | 1.0 |
| Dec #2 | 3 | 3 | 2 | 2 | 2 | 1 | 2 | 1 | 3 | 4 | 7 | 1 | 0 | 1 | | 2.3 | 8.6 | 1-7 | 2 | 1.2 |
| Dec #3 | 5 | 6 | 2 | 3 | 3 | 5 | 5 | 2 | 3 | 7 | 4 | 7 | 2 | 8 | | 4.4 | | 2-8 | 1 | 4.4 |
| Jan #1 | 7 | 6 | 4 | 1 | 5 | 1 | 3 | 8 | 0 | 1 | 0 | 0 | 6 | 3 | | 3.2 | | 0-8 | 4 | 0.8 |
| Jan #2 | 4 | 4 | 6 | 5 | 0 | 0 | 6 | 3 | 6 | 4 | 11 | 11 | 8 | 4 | | 5.1 | 9.7 | 0-11 | 1 | 5.1 |
| Jan #3 | 7 | 2 | 0 | 0 | 0 | 1 | 2 | 0 | 1 | 3 | 1 | 1 | 0 | 1 | | 1.4 | | 0-7 | 1 | 1.4 |
| Total | 72 | 73 | 79 | 81 | 79 | 76 | 76 | 77 | 73 | 76 | 69 | 63 | 72 | 71 | 31 | 74.1 | | 63-81 | 52 | 1.4 |

*The jump in OT20 grants in the April #1 conference signifies the court's decision on April 13, 2020, to reschedule 10 cases from OT19 to OT20 due to the COVID-19 pandemic.
**This total includes four cases granted on July 9, 2020, after an additional conference on July 8, 2020.

# Pace of Opinions

The following chart plots the pace at which the court releases merits opinions throughout the term, beginning in October and ending in June. This chart includes both opinions released after full briefing and summary reversals. Here, as in the Pace of Grants chart, cases are categorized by their week of release within a given sitting, rather than by calendar month. For example, the opinions for Feb #1 of OT19 were actually released between February 24-26, 2020.
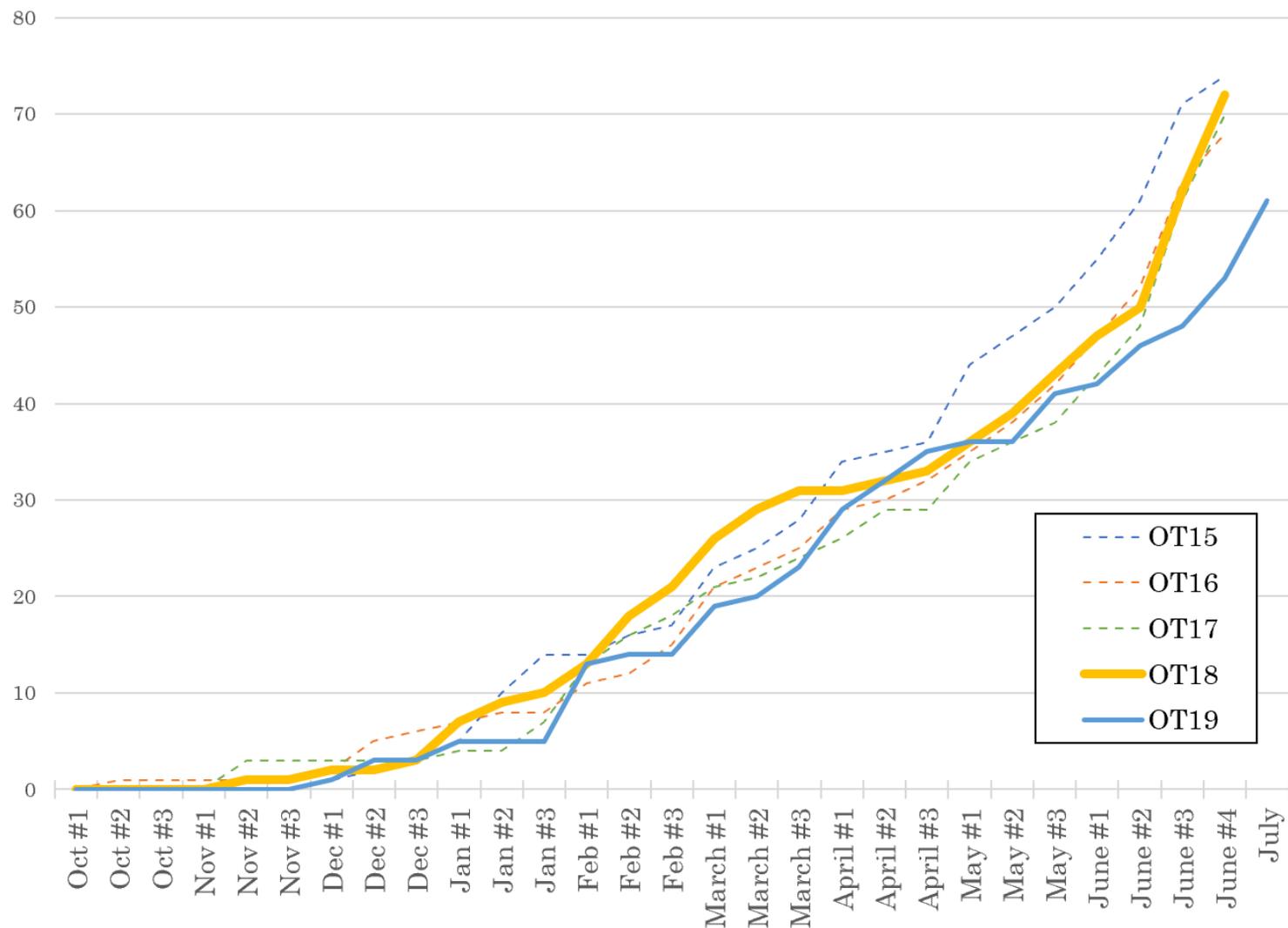
# Pace of Opinions – Per Week

| October Term | '06 | '07 | '08 | '09 | '10 | '11 | '12 | '13 | '14 | '15 | '16 | '17 | '18 | '19 | Average (OT06-OT18) | | Range (OT06-OT18) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Oct #1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | | 0-0 |
| Oct #2 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0.2 | 0.3 | 0-1 |
| Oct #3 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.2 | | 0-1 |
| Nov #1 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0.2 | | 0-2 |
| Nov #2 | 0 | 1 | 1 | 1 | 1 | 3 | 1 | 0 | 2 | 0 | 0 | 3 | 1 | 0 | 1.1 | 1.7 | 0-3 |
| Nov #3 | 1 | 0 | 0 | 1 | 1 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0.4 | | 0-1 |
| Dec #1 | 0 | 0 | 1 | 1 | 1 | 0 | 1 | 3 | 0 | 1 | 1 | 0 | 1 | 1 | 0.8 | | 0-3 |
| Dec #2 | 1 | 2 | 0 | 5 | 0 | 0 | 1 | 2 | 2 | 1 | 3 | 0 | 0 | 2 | 1.3 | 3.3 | 0-5 |
| Dec #3 | 2 | 3 | 1 | 0 | 1 | 2 | 1 | 1 | 2 | 1 | 1 | 0 | 1 | 0 | 1.2 | | 0-3 |
| Jan #1 | 4 | 3 | 4 | 4 | 2 | 7 | 4 | 3 | 4 | 2 | 1 | 1 | 4 | 2 | 3.3 | | 1-7 |
| Jan #2 | 1 | 3 | 5 | 5 | 3 | 4 | 1 | 1 | 6 | 5 | 1 | 0 | 2 | 0 | 2.8 | 8.6 | 1-6 |
| Jan #3 | 3 | 1 | 6 | 1 | 4 | 4 | 1 | 3 | 1 | 4 | 0 | 3 | 1 | 0 | 2.5 | | 0-6 |
| Feb #1 | 5 | 5 | 5 | 5 | 4 | 7 | 9 | 6 | 3 | 0 | 3 | 6 | 3 | 8 | 4.7 | | 0-9 |
| Feb #2 | 1 | 2 | 3 | 3 | 6 | 1 | 4 | 5 | 2 | 2 | 1 | 3 | 5 | 1 | 2.9 | 9.6 | 1-6 |
| Feb #3 | 2 | 1 | 4 | 2 | 3 | 1 | 1 | 1 | 2 | 1 | 3 | 2 | 3 | 0 | 2 | | 1-4 |
| March #1 | 1 | 2 | 2 | 1 | 3 | 7 | 4 | 3 | 4 | 6 | 6 | 3 | 5 | 5 | 3.6 | | 1-7 |
| March #2 | 2 | 2 | 5 | 5 | 2 | 5 | 3 | 2 | 3 | 2 | 2 | 1 | 3 | 1 | 2.8 | 7.9 | 1-5 |
| March #3 | 2 | 1 | 2 | 0 | 2 | 2 | 1 | 0 | 0 | 3 | 2 | 2 | 2 | 3 | 1.5 | | 0-3 |
| April #1 | 5 | 5 | 4 | 4 | 2 | 4 | 4 | 4 | 3 | 6 | 4 | 2 | 0 | 6 | 3.6 | | 0-6 |
| April #2 | 3 | 1 | 4 | 3 | 2 | 2 | 1 | 3 | 2 | 1 | 1 | 3 | 1 | 3 | 2.1 | 7.5 | 1-4 |
| April #3 | 5 | 1 | 4 | 2 | 2 | 0 | 1 | 3 | 1 | 1 | 2 | 0 | 1 | 3 | 1.8 | | 0-5 |
| May #1 | 1 | 1 | 2 | 3 | 3 | 1 | 3 | 1 | 6 | 8 | 3 | 5 | 3 | 1 | 3.1 | | 1-8 |
| May #2 | 5 | 4 | 3 | 6 | 6 | 5 | 4 | 5 | 3 | 3 | 3 | 2 | 3 | 0 | 4 | 10 | 2-6 |
| May #3 | 1 | 3 | 2 | 5 | 2 | 2 | 2 | 3 | 5 | 3 | 4 | 2 | 4 | 5 | 2.9 | | 1-5 |
| June #1 | 4 | 3 | 5 | 4 | 8 | 2 | 3 | 5 | 1 | 5 | 5 | 5 | 4 | 1 | 4.2 | | 1-8 |
| June #2 | 8 | 9 | 6 | 9 | 9 | 2 | 7 | 6 | 9 | 6 | 5 | 5 | 3 | 4 | 6.5 | 25.8 | 2-9 |
| June #3 | 6 | 7 | 7 | 10 | 10 | 8 | 8 | 8 | 8 | 10 | 11 | 13 | 12 | 2 | 9.1 | | 6-13 |
| June #4 | 8 | 10 | 2 | 5 | 5 | 5 | 12 | 3 | 3 | 3 | 5 | 9 | 10 | 5 | 6.2 | | 2-12 |
| July | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 8 | -- | -- | -- |
| Total | 72 | 70 | 79 | 86 | 82 | 75 | 78 | 73 | 73 | 74 | 68 | 70 | 72 | 61 | 74.8 | 74.8 | 68-86 |

# Voting Alignment – All Cases

Cases are sorted by date of decision. Dissenting justices are shaded in gray and the author of the majority opinion is highlighted in red.

| Case Name | Decided | Vote | Author | Sotomayor | Ginsburg | Kagan | Breyer | Roberts | Kavanaugh | Gorsuch | Alito | Thomas |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Thompson v. Hebdon* | Nov. 25, 2019 | 9-0 | Per Curiam | | | | | | | | | |
| *Rotkiske v. Klemm* | Dec. 10, 2019 | 8-1 | Thomas | | | | | | | | | |
| *Peter v. NantKwest, Inc.* | Dec. 11, 2019 | 9-0 | Sotomayor | | | | | | | | | |
| *Ritzen Group, Inc. v. Jackson Masonry, LLC* | Jan. 14, 2020 | 9-0 | Ginsburg | | | | | | | | | |
| *Retirement Plans Committee of IBM v. Jander* | Jan. 14, 2020 | 9-0 | Per Curiam | | | | | | | | | |
| *Roman Catholic Archdiocese of San Juan, Puerto Rico v. Feliciano* | Feb. 24, 2020 | 9-0 | Per Curiam | | | | | | | | | |
| *Monasky v. Taglieri* | Feb. 25, 2020 | 9-0 | Ginsburg | | | | | | | | | |
| *Hernandez v. Mesa* | Feb. 25, 2020 | 5-4 | Alito | | | | | | | | | |

# Voting Alignment – All Cases

Cases are sorted by date of decision. Dissenting justices are shaded in gray and the author of the majority opinion is highlighted in red.

| Case Name | Decided | Vote | Author | Sotomayor | Ginsburg | Kagan | Breyer | Roberts | Kavanaugh | Gorsuch | Alito | Thomas |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Rodriguez v. Federal Deposit Insurance Corp.* | Feb. 25, 2020 | 9-0 | Gorsuch | | | | | | | | | |
| *McKinney v. Arizona* | Feb. 25, 2020 | 5-4 | Kavanaugh | | | | | | | | | |
| *Shular v. United States* | Feb. 26, 2020 | 9-0 | Ginsburg | | | | | | | | | |
| *Holguin-Hernandez v. United States* | Feb. 26, 2020 | 9-0 | Breyer | | | | | | | | | |
| *Intel Corp. Investment Policy Committee v. Sulyma* | Feb. 26, 2020 | 9-0 | Alito | | | | | | | | | |
| *Kansas v. Garcia* | Mar. 3, 2020 | 5-4 | Alito | | | | | | | | | |
| *Guerrero-Lasprilla v. Barr* | Mar. 23, 2020 | 7-2 | Breyer | | | | | | | | | |
| *Allen v. Cooper* | Mar. 23, 2020 | 9-0 | Kagan | | | | | | | | | |

# Voting Alignment – All Cases

Cases are sorted by date of decision. Dissenting justices are shaded in gray and the author of the majority opinion is highlighted in red.

| Case Name | Decided | Vote | Author | Sotomayor | Ginsburg | Kagan | Breyer | Roberts | Kavanaugh | Gorsuch | Alito | Thomas |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Kahler v. Kansas* | Mar. 23, 2020 | 6-3 | Kagan | | | | | | | | | |
| *Comcast Corp. v. National Association of African American-Owned Media* | Mar. 23, 2020 | 9-0 | Gorsuch | | | | | | | | | |
| *Davis v. United States* | Mar. 23, 2020 | 9-0 | Per Curiam | | | | | | | | | |
| *CITGO Asphalt Refining Co. v. Frescati Shipping Co., Ltd.* | Mar. 30, 2020 | 7-2 | Sotomayor | | | | | | | | | |
| *Kansas v. Glover* | Apr. 6, 2020 | 8-1 | Thomas | | | | | | | | | |
| *Babb v. Wilkie* | Apr. 6, 2020 | 8-1 | Alito | | | | | | | | | |
| *Republican National Committee v. Democratic National Committee* | Apr. 6, 2020 | 5-4 | Per Curiam | | | | | | | | | |
| *Atlantic Richfield Co. v. Christian* | Apr. 20, 2020 | 7-2 | Roberts | | | | | | | | | |

# Voting Alignment – All Cases

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| Case Name | Decided | Vote | Author | Sotomayor | Ginsburg | Kagan | Breyer | Roberts | Kavanaugh | Gorsuch | Alito | Thomas |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Thryv, Inc. v. Click-To-Call Technologies, LP* | Apr. 20, 2020 | 7-2 | Ginsburg | | | | | | | | | |
| *Ramos v. Louisiana* | Apr. 20, 2020 | 6-3 | Gorsuch | | | | | | | | | |
| *County of Maui, Hawaii v. Hawaii Wildlife Fund* | Apr. 23, 2020 | 6-3 | Breyer | | | | | | | | | |
| *Romag Fasteners Inc. v. Fossil Inc.* | Apr. 23, 2020 | 9-0 | Gorsuch | | | | | | | | | |
| *Barton v. Barr* | Apr. 23, 2020 | 5-4 | Kavanaugh | | | | | | | | | |
| *Georgia v. Public.Resource.Org Inc.* | Apr. 27, 2020 | 5-4 | Roberts | | | | | | | | | |
| *Maine Community Health Options v. United States* | Apr. 27, 2020 | 8-1 | Sotomayor | | | | | | | | | |
| *New York State Rifle & Pistol Association Inc. v. City of New York, New York* | Apr. 27, 2020 | 6-3 | Per Curiam | | | | | | | | | |
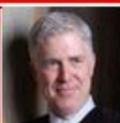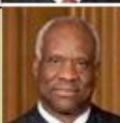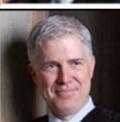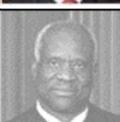
# Voting Alignment – All Cases

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| Case Name | Decided | Vote | Author | Sotomayor | Ginsburg | Kagan | Breyer | Roberts | Kavanaugh | Gorsuch | Alito | Thomas |
|-----------|---------|------|--------|-----------|----------|-------|--------|---------|-----------|---------|-------|--------|
| *United States v. Sineneng-Smith* | May 7, 2020 | 9-0 | Ginsburg | | Ginsburg | | | | | | | |
| *Kelly v. United States* | May 7, 2020 | 9-0 | Kagan | | | Kagan | | | | | | |
| *Lucky Brand Dungarees Inc. v. Marcel Fashion Group Inc.* | May 14, 2020 | 9-0 | Sotomayor | Sotomayor | | | | | | | | |
| *Opati v. Republic of Sudan* | May 18, 2020 | 8-0 | Gorsuch | | | | | | | Gorsuch | | |
| *GE Energy Power Conversion France SAS v. Outokumpu Stainless USA LLC* | June 1, 2020 | 9-0 | Thomas | | | | | | | | | Thomas |
| *Financial Oversight and Management Board for Puerto Rico v. Aurelius Investment, LLC* | June 1, 2020 | 9-0 | Breyer | | | | Breyer | | | | | |
| *Banister v. Davis* | June 1, 2020 | 7-2 | Kagan | | | Kagan | | | | | *(dissent)* | *(dissent)* |
| *Thole v. U.S. Bank, N.A.* | June 1, 2020 | 5-4 | Kavanaugh | *(dissent)* | *(dissent)* | *(dissent)* | *(dissent)* | | Kavanaugh | | | |
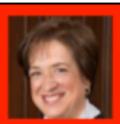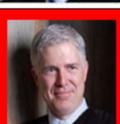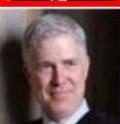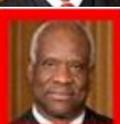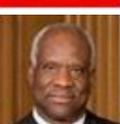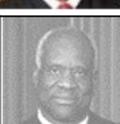
# Voting Alignment – All Cases

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| Case Name | Decided | Vote | Author | Sotomayor | Ginsburg | Kagan | Breyer | Roberts | Kavanaugh | Gorsuch | Alito | Thomas |
|-----------|---------|------|--------|-----------|----------|-------|--------|---------|-----------|---------|-------|--------|
| *Nasrallah v. Barr* | June 1, 2020 | 7-2 | Kavanaugh | | | | | | | | | |
| *Lomax v. Ortiz-Marquez* | June 8, 2020 | 9-0 | Kagan | | | | | | | | | |
| *U.S. Forest Service v. Cowpasture River Preservation Association* | June 15, 2020 | 7-2 | Thomas | | | | | | | | | |
| *Bostock v. Clayton County, Georgia* | June 15, 2020 | 6-3 | Gorsuch | | | | | | | | | |
| *Andrus v. Texas* | June 15, 2020 | 6-3 | Per Curiam | | | | | | | | | |
| *Department of Homeland Security v. Regents of the University of California* | June 18, 2020 | 5-4 | Roberts | | | | | | | | | |
| *Liu v. Securities and Exchange Commission* | June 22, 2020 | 8-1 | Sotomayor | | | | | | | | | |
| *Department of Homeland Security v. Thuraissigiam* | June 25, 2020 | 7-2 | Alito | | | | | | | | | |

# Voting Alignment – All Cases

Cases are sorted by date of decision. Dissenting justices are shaded in gray and the author of the majority opinion is highlighted in red.

| Case Name | Decided | Vote | Author | Sotomayor | Ginsburg | Kagan | Breyer | Roberts | Kavanaugh | Gorsuch | Alito | Thomas |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Seila Law LLC v. Consumer Financial Protection Bureau* | June 29, 2020 | 5-4 | Roberts | | | | | | | | | |
| *June Medical Services v. Russo* | June 29, 2020 | 5-4 | Breyer | | | | | | | | | |
| *United States Agency for International Development v. Alliance for Open Society International, Inc.* | June 29, 2020 | 5-3 | Kavanaugh | | | | | | | | | |
| *Espinoza v. Montana Department of Revenue* | June 30, 2020 | 5-4 | Roberts | | | | | | | | | |
| *U.S. Patent and Trademark Office v. Booking.com BV* | June 30, 2020 | 8-1 | Ginsburg | | | | | | | | | |
| *Chiafalo v. Washington* | July 6, 2020 | 9-0 | Kagan | | | | | | | | | |
| *Barr v. American Association of Political Consultants Inc.* | July 6, 2020 | 6-3 | Kavanaugh | | | | | | | | | |
| *Little Sisters of the Poor Saints Peter and Paul Home v. Pennsylvania* | July 8, 2020 | 7-2 | Thomas | | | | | | | | | |

# Voting Alignment – All Cases

Cases are sorted by date of decision. Dissenting justices are shaded in gray and the author of the majority opinion is highlighted in red.

| Case Name | Decided | Vote | Author | Sotomayor | Ginsburg | Kagan | Breyer | Roberts | Kavanaugh | Gorsuch | Alito | Thomas |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Our Lady of Guadalupe School v. Morrissey-Berru* | July 8, 2020 | 7-2 | Alito | | | | | | | | | |
| *Trump v. Vance* | July 9, 2020 | 7-2 | Roberts | | | | | | | | | |
| *Trump v. Mazars, LLP* | July 9, 2020 | 7-2 | Roberts | | | | | | | | | |
| *McGirt v. Oklahoma* | July 9, 2020 | 5-4 | Gorsuch | | | | | | | | | |
| *Barr v. Lee* | July 14, 2020 | 5-4 | Per Curiam | | | | | | | | | |

# Voting Alignment – 5-4 Cases

Cases are sorted by date of decision. Dissenting justices are shaded in gray and the author of the majority opinion is highlighted in red.

| Case Name | Decided | Vote | Author | Sotomayor | Ginsburg | Kagan | Breyer | Roberts | Kavanaugh | Gorsuch | Alito | Thomas |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Hernandez v. Mesa* | Feb. 25, 2020 | 5-4 | Alito | | | | | | | | | |
| *McKinney v. Arizona* | Feb. 25, 2020 | 5-4 | Kavanaugh | | | | | | | | | |
| *Kansas v. Garcia* | Mar. 3, 2020 | 5-4 | Alito | | | | | | | | | |
| *Republican National Committee v. Democratic National Committee* | Apr. 6, 2020 | 5-4 | Per Curiam | | | | | | | | | |
| *Barton v. Barr* | Apr. 23, 2020 | 5-4 | Kavanaugh | | | | | | | | | |
| *Georgia v. Public.Resource.Org Inc.* | Apr. 27, 2020 | 5-4 | Roberts | | | | | | | | | |
| *Thole v. U.S. Bank, N.A.* | June 1, 2020 | 5-4 | Kavanaugh | | | | | | | | | |
| *Department of Homeland Security v. Regents of the University of California* | June 18, 2020 | 5-4 | Roberts | | | | | | | | | |

# Voting Alignment – 5-4 Cases

Cases are sorted by date of decision. Dissenting justices are shaded in gray and the author of the majority opinion is highlighted in red.

| Case Name | Decided | Vote | Author | Sotomayor | Ginsburg | Kagan | Breyer | Roberts | Kavanaugh | Gorsuch | Alito | Thomas |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Seila Law LLC v. Consumer Financial Protection Bureau* | June 29, 2020 | 5-4 | Roberts | | | | | | | | | |
| *June Medical Services v. Russo* | June 29, 2020 | 5-4 | Breyer | | | | | | | | | |
| *United States Agency for International Development v. Alliance for Open Society International, Inc.* | June 29, 2020 | 5-3 | Kavanaugh | | | | | | | | | |
| *Espinoza v. Montana Department of Revenue* | June 30, 2020 | 5-4 | Roberts | | | | | | | | | |
| *McGirt v. Oklahoma* | July 9, 2020 | 5-4 | Gorsuch | | | | | | | | | |
| *Barr v. Lee* | July 14, 2020 | 5-4 | Per Curiam | | | | | | | | | |

44