

# STATISTICS FOR THE SUPREME COURT'S OCTOBER TERM 1995

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## INTRODUCTION

The tables on these four pages set out a series of statistics for the just-finished Supreme Court Term. They are intended to give the reader a summary view of how the Court disposed of cases, as well as the degree to which the Justices agreed with each other. To be sure, the data is just a snapshot view, and cannot replace serious study of the Court's individual decisions. In addition, there were times when it was necessary to make judgment calls about whether the Justices, in fact agreed with each other, notwithstanding the labels (*e.g.*, concurring in the judgment) that accompanied their opinions.

UNANIMITY	
Unanimous decisions:	28
9-0 decisions, <i>i.e.</i> , full agreement on the judgment but more than one opinion:	10
8-1 or 7-1 decisions:	9
7-2 or 6-2 decisions:	17
6-3 decisions:	4
5-4 decisions:	13
4-4 decisions:	1
Other arrangements:	3

## GENERAL STATISTICS FOR OCTOBER TERM 1995

DISPOSITIONS	
Cases disposed of after argument and by signed opinion:	75
Cases disposed of after argument but without signed opinion:	2
Cases disposed of by substantial opinion but without oral argument, <i>i.e.</i> , cases decided on the briefs:	8
Total number of cases:	85

JUDGMENTS	
Lower court opinions reversed or vacated:	50
Lower court opinions affirmed:	29
Lower court opinions reversed or vacated in part and affirmed in part:	4
Original jurisdiction or habeas dismissed:	2

TREATMENT OF THE UNITED STATES	
Record of the United States as a party or <i>amicus curiae</i> in cases disposed of after argument and by signed opinion: Won 37; Lost 16; and Won in Part 1	

JUSTICE-BY-JUSTICE STATISTICS  
FOR OCTOBER TERM 1995

1995

OPINION AUTHORSHIP

	Rehnquist	Stevens	O'Connor	Scalia	Kennedy	Souter	Thomas	Ginsburg	Breyer
Majority	10	6	8	8	8	7	8	8	5
Plurality or Plurality-like	0	1	1	1	0	1	0	0	3
Dissent (full or partial)	1	22	3	8	5	6	9	3	6
Concurrence	4	7	3	9	5	6	5	7	4
Total opinions authored	15	36	15	26	18	20	22	18	18
Unanimous Majority	1	3	2	5	4	5	2	1	2

Per Curiam or other unsigned disposition: 10

DISSENTING VOTES

Number of times each Justice dissented in full or in part:

Rehnquist:	14
Stevens:	23
O'Connor:	8
Scalia:	17
Kennedy:	6
Souter:	11
Thomas:	19
Ginsburg:	17
Breyer:	16

Number of times a Justice was the sole dissenter in a case:

Stevens:	5
Scalia:	2
Thomas:	2
All others:	0

5-4 DECISIONS

5-4 decisions: 16 (this includes both the 13 cases in which the Justices split 5-4 in the judgment and 3 others in which they split 5-4 over a key issue in the case)

Number of times each Justice was a member of a 5-4 majority:

Rehnquist:	10
Stevens:	5
O'Connor:	12
Scalia:	10
Kennedy:	13
Souter:	7
Thomas:	10
Ginsburg:	7
Breyer:	6

Number of times particular 5-4 voting arrangements occurred:

Rehnquist, O'Connor, Scalia, Kennedy, Thomas:	7
Rehnquist, O'Connor, Scalia, Thomas, Ginsburg:	1
Rehnquist, O'Connor, Scalia, Souter, Thomas:	1
Rehnquist, Scalia, Kennedy, Thomas, Ginsburg:	1
O'Connor, Kennedy, Souter, Ginsburg, Breyer:	1
Stevens, O'Connor, Kennedy, Souter, Breyer:	1
Stevens, O'Connor, Souter, Ginsburg, Breyer:	1
Stevens, Kennedy, Souter, Ginsburg, Breyer:	3

**KEY**

The following chart sets forth how often the individual Justices voted together or apart. Each "cell" shows the relationship between two Justices, and includes six pieces of information.

(1) Number of cases decided together		
(2) Number with full agreement	(3) Number with partial agreement	(4) Number with total disagreement
(5) Percentage of total agreement		
(6) Percentage of total and partial agreement together		

So, in the "cell" for Justices Rehnquist and Stevens (reproduced to the right), you see that they decided 81 cases together, in which they agreed in full 38 times, in part 13 times, and not at all 30 times. Their full agreement in 38 of 81 cases is 46.91%. Their full or partial agreement in 51 of 81 cases is 62.96%.

81		
38	13	30
46.91%		
62.96%		

**Data on Voting Relationships**

	Rehnquist	Stevens	O'Connor	Scalia	Kennedy	Souter	Thomas	Ginsburg	Breyer															
Rehnquist	81		83			83			83			82			83			83						
	38	13	30	65	7	11	63	10	10	62	7	14	54	11	18	64	9	9	53	11	19	47	14	22
	46.91%			78.31%			75.90%			74.70%			65.06%			78.05%			63.86%			56.63%		
	62.96%			86.75%			87.95%			83.13%			78.31%			89.02%			77.11%			73.49%		
Stevens	81		81			81			81			81			80			81			81			
	38	13	30	44	14	23	33	15	33	49	13	19	52	17	12	34	14	32	56	12	13	53	19	9
	46.91%			54.32%			40.74%			60.49%			64.20%			42.50%			69.14%			65.43%		
	62.96%			71.60%			59.26%			76.54%			85.19%			60.00%			83.95%			88.89%		
O'Connor	83		81			83			83			83			82			83			83			
	65	7	11	44	14	23	57	11	15	62	11	10	61	11	11	57	11	14	55	11	17	59	11	13
	78.31%			54.32%			68.67%			74.70%			73.49%			69.51%			66.27%			71.08%		
	86.75%			71.60%			81.93%			87.95%			86.75%			82.93%			79.52%			84.34%		

0148-3139/96/S0+51.00

0145

95

0148-8139/96/50+51.00

	Rehnquist			Stevens			O'Connor			Scalia			Kennedy			Souter			Thomas			Ginsburg			Breyer		
Scalia	83			81			83						83			83			82			83			83		
	63	10	10	33	15	33	57	11	15				54	11	18	46	15	22	68	8	6	44	14	25	41	16	26
	75.90%			40.74%			68.67%						65.06%			55.42%			82.93%			53.01%			49.40%		
	87.95%			59.26%			81.93%						78.31%			73.49%			92.68%			69.88%			68.67%		
Kennedy	83			81			83			83						83			82			83			83		
	62	7	14	49	13	19	62	11	10	54	11	18				58	14	11	53	10	19	61	9	13	52	18	13
	74.70%			60.49%			74.70%			65.06%						69.88%			64.63%			73.49%			62.65%		
	83.13%			76.54%			87.95%			78.31%						86.75%			76.83%			84.34%			84.34%		
Souter	83			81			83			83			83						82			83			83		
	54	11	18	52	17	12	61	11	11	46	15	22	58	14	11				46	13	23	65	10	8	67	12	4
	65.06%			64.20%			73.49%			55.42%			69.88%						56.10%			78.31%			80.72%		
	78.31%			85.19%			86.75%			73.49% <sup>f</sup>			86.75%						71.95%			90.36%			95.18%		
Thomas	82			80			82			82			82			82						82			82		
	64	9	9	34	14	32	57	11	14	68	8	6	53	10	19	46	13	23				44	12	26	38	17	27
	78.05%			42.50%			69.51%			82.93%			64.63%			56.10%						53.66%			46.34%		
	89.02%			60.00%			82.93%			92.68%			76.83%			71.95%						68.29%			67.07%		
Ginsburg	83			81			83			83			83			83			82						83		
	53	11	19	56	12	13	55	11	17	44	14	25	61	9	13	65	10	8	44	12	26				58	15	10
	63.86%			69.14%			66.27%			53.01%			73.49%			78.31%			53.66%						69.88%		
	77.11%			83.95%			79.52%			69.88%			84.34%			90.36%			68.29%						87.95%		
Breyer	83			81			83			83			83			83			82			83					
	47	14	22	53	19	9	59	11	13	41	16	26	52	18	13	67	12	4	38	17	27	58	15	10			
	56.63%			65.43%			71.08%			49.40%			62.65%			80.72%			46.34%			69.88%					
	73.49%			88.89%			84.34%			68.67%			84.34%			95.18%			67.07%			87.95%					