

Justice Agreement - Highs and Lows

The following tables list the justice pairs with the highest and lowest agreement rates based on both metrics for justice agreement—i.e., all cases and non-unanimous cases only—when justices agree in full, part or judgment only. Non-unanimous cases are those in which at least one justice dissented; cases that produced only a majority opinion and one or more concurring opinions are not included in that measure.

	Highest Agreement			Lowest Agreement		
All Cases	1	Ginsburg - Sotomayor	95.3%	1	Alito - Sotomayor	50.0%
	2	Breyer - Kagan	95.1%	2	Thomas - Sotomayor	53.1%
	3	Thomas - Alito	93.8%	3	Ginsburg - Alito	54.7%
	4	Sotomayor - Kagan	91.8%	4	Breyer - Alito	56.3%
	5	Breyer - Sotomayor	90.6%	5	Sotomayor - Gorsuch	56.5%
	6	Ginsburg - Kagan	90.2%	6	Alito - Kagan	57.4%
	7	Roberts - Kennedy	89.1%	7	Thomas - Ginsburg	57.8%
	8	Ginsburg - Breyer	89.1%	8	Thomas - Breyer	59.4%
	9	Kennedy - Gorsuch	85.5%	9	Ginsburg - Gorsuch	59.7%
	10	Kennedy - Thomas	84.4%	10	Thomas - Kagan	60.7%

Divided Cases	1	Ginsburg - Sotomayor	91.9%	1	Alito - Sotomayor	13.5%
	2	Breyer - Kagan	91.7%	2	Thomas - Sotomayor	18.9%
	3	Thomas - Alito	89.2%	3	Ginsburg - Alito	21.6%
	4	Sotomayor - Kagan	86.1%	4	Breyer - Alito	24.3%
	5	Breyer - Sotomayor	83.8%	5	Sotomayor - Gorsuch	25.0%
	6	Ginsburg - Kagan	83.3%	6	Thomas - Ginsburg	27.0%
	7	Roberts - Kennedy	81.1%	7	Alito - Kagan	27.8%
	8	Ginsburg - Breyer	81.1%	8	Thomas - Breyer	29.7%
	9	Kennedy - Gorsuch	75.0%	9	Ginsburg - Gorsuch	30.6%
	10	Kennedy - Thomas	73.0%	10	Thomas - Kagan	33.3%

5-4 Cases	1	Kennedy - Thomas	100.0%	1	Kennedy - Breyer	0.0%
	2	Kennedy - Alito	100.0%	2	Kennedy - Sotomayor	0.0%
	3	Thomas - Alito	100.0%	3	Kennedy - Kagan	0.0%
	4	Breyer - Sotomayor	100.0%	4	Thomas - Breyer	0.0%
	5	Breyer - Kagan	100.0%	5	Thomas - Sotomayor	0.0%
	6	Sotomayor - Kagan	100.0%	6	Thomas - Kagan	0.0%
	7	Kennedy - Gorsuch	93.3%	7	Breyer - Alito	0.0%
	8	Thomas - Gorsuch	93.3%	8	Alito - Sotomayor	0.0%
	9	Ginsburg - Breyer	93.3%	9	Alito - Kagan	0.0%
	10	Ginsburg - Sotomayor	93.3%	10	Kennedy - Ginsburg	6.7%