

STATISTICS FOR THE SUPREME COURT'S OCTOBER TERM 1996

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INTRODUCTION

This compilation of Supreme Court statistics provides a summary view of the recently completed Supreme Court term by reporting how the Court disposed of cases, as well as the degree to which the Justices agreed with each other. Readers are cautioned, however, that these statistics can give only the broadest overview of the term and cannot in any sense replace serious study of the Court's individual decisions.

STATISTICAL BREAKDOWN OF PUBLISHED OPINIONS

Argued Cases and Their Disposition	
Number of arguments	84
Decided by signed opinion	80
Dismissed with unsigned opinion	1
Dismissed without opinion	3

Decisions: Summary Dispositions (Not Including cases granted, vacated and remanded without opinion)			
Summary reversals and GVRs	10	Summary affirmances	4

Total Number of Decisions by Opinion			
From oral argument	81	From summary rulings	10

Splits in Decisions by Opinion (5-4 column does not reflect one decision that is 5-4 <i>in part</i>)							
Unanimous	29	9-0	15	8-1	6	7-2 or 6-2	13
6-3	12	5-4	16	4-4	0	Other	0

Treatment of the Lower Court							
Reversed or vacated	65	Affirmed	23	Reversed or vacated in part and affirmed in part	1	Other	2

Treatment of the United States									
Did not participate	27	Won as a party	21	Won as an amicus	24	Lost as a party	10	Lost as an amicus	9

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OPINION AUTHORSHIP

Total Number of Opinions									
Rehnquist	15	Stevens	31	O'Connor	21	Scalia	28	Kennedy	11
Souter	19	Thomas	16	Ginsburg	16	Breyer	26		
Majority or Plurality Opinions									
Per Curiam	11	Rehnquist	11	Stevens	10	O'Connor	9	Scalia	9
Kennedy	8	Souter	8	Thomas	8	Ginsburg	9	Breyer	8
Concurring Opinions									
Rehnquist	0	Stevens	4	O'Connor	5	Scalia	9	Kennedy	1
Souter	4	Thomas	3	Ginsburg	4	Breyer	6		
Dissenting Opinions									
Rehnquist	4	Stevens	17	O'Connor	7	Scalia	10	Kennedy	2
Souter	7	Thomas	5	Ginsburg	3	Breyer	12		
Unanimous Majority Opinions									
Per Curiam	5	Rehnquist	2	Stevens	3	O'Connor	3	Scalia	5
Kennedy	1	Souter	1	Thomas	4	Ginsburg	3	Breyer	2

DISSENTING VOTES

Total Number									
Rehnquist	12	Stevens	26	O'Connor	10	Scalia	17	Kennedy	6
Souter	12	Thomas	16	Ginsburg	17	Breyer	20		
Number of Times a Justice Was the Only Dissenter in a Case									
Rehnquist	1	Stevens	5	O'Connor	0	Scalia	0	Kennedy	0
Souter	0	Thomas	0	Ginsburg	0	Breyer	0		

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FIVE-TO-FOUR CASES

Five-to-Four Cases (including one case that was 5-4 on a major issue)									
Number of cases					17				
Five-to-Four Cases: Alignments									
Rehnquist, O'Connor, Scalia, Kennedy, Thomas					8				
Stevens, O'Connor, Souter, Ginsburg, Breyer					2				
Rehnquist, Scalia, Kennedy, Souter, Thomas					1				
Stevens, O'Connor, Kennedy, Souter, Breyer					1				
Stevens, Kennedy, Souter, Ginsburg, Breyer					1				
Rehnquist, Stevens, Kennedy, Souter, Breyer					1				
Stevens, Scalia, Kennedy, Souter, Thomas					1				
Stevens, O'Connor, Kennedy, Ginsburg, Breyer					1				
Rehnquist, Stevens, Souter, Ginsburg, Breyer					1				
Authorship of the Opinion									
Rehnquist	1	Stevens	2	O'Connor	2	Scalia	2	Kennedy	4
Souter	3	Thomas	2	Ginsburg	0	Breyer	1		
Membership in the Majority									
Rehnquist	11	Stevens	8	O'Connor	12	Scalia	10	Kennedy	14
Souter	8	Thomas	10	Ginsburg	5	Breyer	7		

JUSTICES' VOTING RELATIONSHIPS

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	Stevens	O'Connor	Scalia	Kennedy	Souter	Thomas	Ginsburg	Breyer
Rehnquist	91	90	91	91	91	91	91	91
	50 - 55%	66 - 73%	62 - 68%	77 - 85%	63 - 69%	67 - 74%	56 - 62%	53 - 58%
	8 - 64%	8 - 82%	18 - 88%	4 - 89%	6 - 76%	14 - 89%	10 - 73%	10 - 69%
	2 - 66%	2 - 84%	2 - 90%	0 - 89%	4 - 80%	2 - 91%	3 - 76%	3 - 73%
	31 - 34%	14 - 16%	9 - 10%	10 - 11%	18 - 20%	8 - 9%	22 - 24%	25 - 27%
Stevens	90	91	91	91	91	91	91	91
	50 - 56%	36 - 40%	58 - 64%	64 - 70%	40 - 44%	70 - 77%	67 - 74%	67 - 74%
	7 - 63%	17 - 58%	7 - 71%	9 - 80%	13 - 58%	7 - 85%	9 - 84%	9 - 84%
	4 - 68%	3 - 62%	3 - 75%	3 - 84%	3 - 62%	3 - 88%	4 - 88%	4 - 88%
	29 - 32%	35 - 38%	23 - 25%	15 - 16%	35 - 38%	11 - 12%	11 - 12%	11 - 12%
O'Connor	90	90	90	90	90	90	90	90
	63 - 70%	68 - 76%	62 - 69%	69 - 77%	55 - 61%	55 - 61%	55 - 61%	55 - 61%
	17 - 89%	9 - 86%	7 - 77%	12 - 90%	13 - 76%	11 - 73%	11 - 73%	11 - 73%
	1 - 90%	2 - 88%	4 - 81%	0 - 90%	3 - 79%	2 - 76%	2 - 76%	2 - 76%
	9 - 10%	11 - 12%	17 - 19%	9 - 10%	19 - 21%	22 - 24%	22 - 24%	22 - 24%
Scalia	91	91	91	91	91	91	91	91
	65 - 71%	48 - 53%	80 - 88%	43 - 47%	41 - 45%	41 - 45%	41 - 45%	41 - 45%
	12 - 85%	17 - 71%	9 - 98%	22 - 71%	16 - 63%	16 - 63%	16 - 63%	16 - 63%
	2 - 87%	4 - 76%	1 - 99%	2 - 74%	4 - 67%	4 - 67%	4 - 67%	4 - 67%
	12 - 13%	22 - 24%	1 - 1%	24 - 26%	30 - 33%	30 - 33%	30 - 33%	30 - 33%
Kennedy	91	91	91	91	91	91	91	91
	66 - 73%	68 - 75%	58 - 64%	57 - 63%	57 - 63%	57 - 63%	57 - 63%	57 - 63%
	5 - 78%	9 - 85%	10 - 75%	6 - 69%	6 - 69%	6 - 69%	6 - 69%	6 - 69%
	4 - 82%	2 - 87%	3 - 78%	3 - 73%	3 - 73%	3 - 73%	3 - 73%	3 - 73%
	16 - 18%	12 - 13%	20 - 22%	25 - 27%	25 - 27%	25 - 27%	25 - 27%	25 - 27%
Souter	91	91	91	91	91	91	91	91
	55 - 60%	68 - 75%	65 - 71%	65 - 71%	65 - 71%	65 - 71%	65 - 71%	65 - 71%
	11 - 73%	11 - 87%	10 - 82%	10 - 82%	10 - 82%	10 - 82%	10 - 82%	10 - 82%
	3 - 76%	4 - 91%	4 - 87%	4 - 87%	4 - 87%	4 - 87%	4 - 87%	4 - 87%
	22 - 24%	8 - 9%	12 - 13%	12 - 13%	12 - 13%	12 - 13%	12 - 13%	12 - 13%
Thomas	91	91	91	91	91	91	91	91
	46 - 51%	44 - 48%	44 - 48%	44 - 48%	44 - 48%	44 - 48%	44 - 48%	44 - 48%
	17 - 69%	11 - 60%	11 - 60%	11 - 60%	11 - 60%	11 - 60%	11 - 60%	11 - 60%
	4 - 74%	3 - 64%	3 - 64%	3 - 64%	3 - 64%	3 - 64%	3 - 64%	3 - 64%
	24 - 26%	33 - 36%	33 - 36%	33 - 36%	33 - 36%	33 - 36%	33 - 36%	33 - 36%
Ginsburg	91	91	91	91	91	91	91	91
	69 - 76%	69 - 76%	69 - 76%	69 - 76%	69 - 76%	69 - 76%	69 - 76%	69 - 76%
	11 - 88%	11 - 88%	11 - 88%	11 - 88%	11 - 88%	11 - 88%	11 - 88%	11 - 88%
	2 - 90%	2 - 90%	2 - 90%	2 - 90%	2 - 90%	2 - 90%	2 - 90%	2 - 90%
	9 - 10%	9 - 10%	9 - 10%	9 - 10%	9 - 10%	9 - 10%	9 - 10%	9 - 10%

KEY

Total No. of Cases Decided Together (e.g., for Rehnquist and Stevens: 91)
No. and % of Cases Agreed in Full (e.g., for Rehnquist and Stevens: 50 cases = 55%)
No. of Cases Agreed in Part & % of Cases Agreed in Full or in Part (e.g., for Rehnquist and Stevens: 58 cases (50 + 8) = 64%)
No. of Cases Agreed in the Judgment & % of Cases Agreed in Full, in Part, or in the Judgment (e.g., for Rehnquist and Stevens: 60 cases (50 + 8 + 2) = 66%)
No. and % of Cases Disagreed Completely (e.g., for Rehnquist and Stevens: 31 cases = 34%)