

Justice Agreement - Highs and Lows

The following tables list the Justice pairs with the highest and lowest agreement rates based on our three metrics for justice agreement—all cases, non-unanimous cases, and 5-4 cases only—when Justices agree in full, part, or judgment only. Non-unanimous cases are those where 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	Sotomayor - Kagan	96.8%	1	Alito - Sotomayor	64.1%
	2	Ginsburg - Sotomayor	95.4%	2	Ginsburg - Alito	64.6%
	3	Ginsburg - Kagan	95.3%	3	Alito - Kagan	65.1%
	4	Breyer - Kagan	90.5%	4	Thomas - Sotomayor	66.2%
	5	Roberts - Alito	89.2%	5	Thomas - Ginsburg	66.7%
	6	Ginsburg - Breyer	89.2%	6	Scalia - Breyer	67.7%
	7	Thomas - Alito	87.7%	7	Thomas - Kagan	68.8%
	8	Breyer - Sotomayor	87.5%	8	Roberts - Sotomayor	70.8%
	9	Roberts - Thomas	86.4%	9	Scalia - Sotomayor	70.8%
	10	Scalia - Thomas	86.4%	10	Roberts - Ginsburg	71.2%

Divided Cases	1	Sotomayor - Kagan	92.9%	1	Alito - Sotomayor	17.9%
	2	Ginsburg - Sotomayor	89.7%	2	Ginsburg - Alito	20.7%
	3	Ginsburg - Kagan	89.7%	3	Alito - Kagan	21.4%
	4	Breyer - Kagan	78.6%	4	Thomas - Sotomayor	24.1%
	5	Roberts - Alito	75.9%	5	Thomas - Ginsburg	26.7%
	6	Ginsburg - Breyer	75.9%	6	Scalia - Breyer	27.6%
	7	Thomas - Alito	72.4%	7	Thomas - Kagan	31.0%
	8	Breyer - Sotomayor	71.4%	8	Roberts - Sotomayor	34.5%
	9	Roberts - Thomas	70.0%	9	Scalia - Sotomayor	34.5%
	10	Scalia - Thomas	70.0%	10	Roberts - Ginsburg	36.7%

5-4 Cases	1	Roberts - Alito	100.0%	1	Roberts - Ginsburg	0.0%
	2	Ginsburg - Sotomayor	100.0%	2	Roberts - Sotomayor	0.0%
	3	Ginsburg - Kagan	100.0%	3	Roberts - Kagan	0.0%
	4	Sotomayor - Kagan	100.0%	4	Scalia - Breyer	0.0%
	5	Roberts - Thomas	86.7%	5	Ginsburg - Alito	0.0%
	6	Thomas - Alito	85.7%	6	Alito - Sotomayor	0.0%
	7	Roberts - Scalia	73.3%	7	Alito - Kagan	0.0%
	8	Scalia - Thomas	73.3%	8	Thomas - Ginsburg	13.3%
	9	Ginsburg - Breyer	73.3%	9	Thomas - Kagan	13.3%
	10	Breyer - Kagan	73.3%	10	Thomas - Sotomayor	14.3%