

## Interim Stat Pack for October Term 2017

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### Summary of the Term

|  |  |               |
|--|--|---------------|
| <b>Total Merits Opinions Released</b>            |  | <b>55</b>     |
| + Signed merits opinions after oral argument     |  | 45            |
| + Per Curiam merits opinions after oral argument |  | 1             |
| + Summary reversals                              |  | 8             |
| + Affirmed 4-4                                   |  | 1             |
| <br><b>Total Merits Opinions Expected</b>        |  | <br><b>69</b> |
| + Petitions granted and set for argument         |  | 67            |
| + Summary reversals                              |  | 8             |
| - Cases dismissed before oral argument           |  | -4            |
| - Cases dismissed after oral argument            |  | -2            |
| <br><b>Cases Set for Argument During OT18</b>    |  | <br><b>23</b> |

\* You can find past Stat Packs here: <http://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 arguments, summary reversals (cases decided with per curiam opinions on the merits or oral argument, often to reverse a lower court), and cases decided by an equally divided (4-4) court. Cases that are dismissed as improvidently granted are not included in our tally of merits cases.

### Opinions by Sitting

|                  |                        |                        |            |                        |            |                         |            |                        |            |                        |            |                        |            |         |           |
|------------------|------------------------|------------------------|------------|------------------------|------------|-------------------------|------------|------------------------|------------|------------------------|------------|------------------------|------------|---------|-----------|
| <b>Roberts</b>   | 1                      | -                      | -          | 1                      | 1          | 1                       | -          | <b>JGR</b>             | 4          |                        |            |                        |            |         |           |
| <b>Kennedy</b>   | 1                      | -                      | 1          | 1                      | 1          | 1                       | -          | <b>AMK</b>             | 5          |                        |            |                        |            |         |           |
| <b>Thomas</b>    | 1                      | 1                      | 1          | 1                      | -          | -                       | -          | <b>CT</b>              | 4          |                        |            |                        |            |         |           |
| <b>Ginsburg</b>  | 1                      | 1                      | 1          | 1                      | -          | 1                       | 1          | <b>RBG</b>             | 6          |                        |            |                        |            |         |           |
| <b>Breyer</b>    | 1                      | 1                      | 1          | -                      | 1          | -                       | 2          | <b>SGB</b>             | 6          |                        |            |                        |            |         |           |
| <b>Alito</b>     | 1                      | 1                      | 1          | 1                      | -          | 1                       | -          | <b>SAA</b>             | 5          |                        |            |                        |            |         |           |
| <b>Sotomayor</b> | 1                      | 1                      | 1          | 1                      | 1          | -                       | 1          | <b>SMS</b>             | 6          |                        |            |                        |            |         |           |
| <b>Kagan</b>     | 1                      | 1                      | 1          | -                      | -          | 1                       | -          | <b>EK</b>              | 4          |                        |            |                        |            |         |           |
| <b>Gorsuch</b>   | 1                      | -                      | 2          | 1                      | -          | 1                       | -          | <b>NMG</b>             | 5          |                        |            |                        |            |         |           |
|                  | <b>October</b>         | <b>November</b>        |            | <b>December</b>        |            | <b>January</b>          |            | <b>February</b>        |            | <b>March</b>           |            | <b>April</b>           |            | Decided | <b>48</b> |
|                  | Decided: 9   Remain: 0 | Decided: 6   Remain: 0 |            | Decided: 9   Remain: 1 |            | Decided: 7   Remain: 2  |            | Decided: 6   Remain: 3 |            | Decided: 7   Remain: 1 |            | Decided: 5   Remain: 7 |            | Argued  | <b>63</b> |
| <i>Epic</i>      | <i>NMG</i>             | <i>Wilson</i>          | <i>SGB</i> | <i>SAS Institute</i>   | <i>NMG</i> | <i>Texas</i>            | <i>NMG</i> | <i>Hays</i>            |            | <i>Sveen</i>           | <i>EK</i>  | <i>WesternGeco</i>     |            |         |           |
| <i>Gill</i>      | <i>JGR</i>             | <i>Ayestas</i>         | <i>SAA</i> | <i>Oil States</i>      | <i>CT</i>  | <i>Florida</i>          |            | <i>Currier</i>         |            | <i>NIFLA</i>           |            | <i>Wisconsin Cent.</i> |            |         |           |
| <i>Jennings</i>  | <i>SAA</i>             | <i>U.S. Bank</i>       | <i>EK</i>  | <i>Digital Realty</i>  | <i>RBG</i> | <i>Collins</i>          | <i>SMS</i> | <i>Rosales-Mireles</i> | <i>SMS</i> | <i>Upper Skagit</i>    | <i>NMG</i> | <i>Lamar</i>           | <i>SMS</i> |         |           |
| <i>Dimaya</i>    | <i>EK</i>              | <i>Artis</i>           | <i>RBG</i> | <i>Cyan</i>            | <i>EK</i>  | <i>Byrd</i>             | <i>AMK</i> | <i>Dahda</i>           | <i>SGB</i> | <i>Sanchez-Gomez</i>   | <i>JGR</i> | <i>Wayfair</i>         |            |         |           |
| <i>Wesby</i>     | <i>CT</i>              | <i>Merit</i>           | <i>SMS</i> | <i>Carpenter</i>       |            | <i>Husted</i>           | <i>SAA</i> | <i>Janus</i>           |            | <i>China Agritech</i>  | <i>RBG</i> | <i>Lagos</i>           | <i>SGB</i> |         |           |
| <i>Class</i>     | <i>SGB</i>             | <i>Patchak</i>         | <i>CT</i>  | <i>NCAA</i>            | <i>SAA</i> | <i>Dalmazzi</i>         |            | <i>AmEx</i>            |            | <i>Hughes</i>          | <i>AMK</i> | <i>Washington</i>      |            |         |           |
| <i>Hamer</i>     | <i>RBG</i>             |                        |            | <i>Rubin</i>           | <i>SMS</i> | <i>Hall</i>             | <i>JGR</i> | <i>Microsoft</i>       |            | <i>Koons</i>           | <i>SAA</i> | <i>Lucia</i>           |            |         |           |
| <i>NAM</i>       | <i>SMS</i>             |                        |            | <i>Masterpiece</i>     | <i>AMK</i> | <i>Encino Motorcars</i> | <i>CT</i>  | <i>Lozman</i>          | <i>AMK</i> | <i>Benisek</i>         | <i>PC</i>  | <i>Pereira</i>         |            |         |           |
| <i>Jesner</i>    | <i>AMK</i>             |                        |            | <i>Marinello</i>       | <i>SGB</i> | <i>McCoy</i>            | <i>RBG</i> | <i>MN Voter's</i>      | <i>JGR</i> |                        |            | <i>Chavez-Meza</i>     | <i>SGB</i> |         |           |
|                  |                        |                        |            | <i>Smith</i>           | <i>NMG</i> |                         |            |                        |            |                        |            | <i>Perez</i>           |            |         |           |
|                  |                        |                        |            |                        |            |                         |            |                        |            |                        |            | <i>Animal Sci.</i>     | <i>RBG</i> |         |           |
|                  |                        |                        |            |                        |            |                         |            |                        |            |                        |            | <i>Hawaii</i>          |            |         |           |

## Circuit Scorecard

### October Term 2017

|             | Number    | Percent     | Decided   | Aff'd     | Rev'd     | Aff'd %    | Rev'd %    |
|-------------|-----------|-------------|-----------|-----------|-----------|------------|------------|
| CA1         | 1         | 1%          |           |           |           | -          | -          |
| CA2         | 4         | 5%          | 3         | 1         | 2         | 33%        | 67%        |
| CA3         | 3         | 4%          | 3         | 0         | 3         | 0%         | 100%       |
| CA4         | -         | -           | -         | -         | -         | -          | -          |
| CA5         | 4         | 5%          | 4         | 1         | 3         | 25%        | 75%        |
| CA6         | 4         | 5%          | 3         | 0         | 3         | 0%         | 100%       |
| CA7         | 7         | 9%          | 5         | 3         | 2         | 60%        | 40%        |
| CA8         | 3         | 4%          | 3         | 1         | 2         | 33%        | 67%        |
| CA9         | 15        | 20%         | 13        | 2         | 9         | 18%        | 82%        |
| CA10        | 2         | 3%          | 2         | 2         | 0         | 100%       | 0%         |
| CA11        | 6         | 8%          | 6         | 1         | 5         | 17%        | 83%        |
| CA DC       | 5         | 7%          | 4         | 1         | 3         | 25%        | 75%        |
| CA Fed      | 3         | 4%          | 2         | 1         | 1         | 50%        | 50%        |
| CA AF       | 3         | 4%          | 2         | 0         | 0         | -          | -          |
| State       | 8         | 11%         | 6         | 1         | 5         | 17%        | 83%        |
| Dist. Court | 3         | 4%          | 2         | 1         | 1         | 50%        | 50%        |
| Original    | 3         | 4%          | 2         | N/A       | N/A       | N/A        | N/A        |
|             | <b>74</b> | <b>100%</b> | <b>60</b> | <b>15</b> | <b>39</b> | <b>28%</b> | <b>72%</b> |

### October Term 2018

|             | Number    | Percent     |
|-------------|-----------|-------------|
| CA1         | 1         | 4%          |
| CA2         | 1         | 4%          |
| CA3         | 2         | 8%          |
| CA4         | 1         | 4%          |
| CA5         | 1         | 4%          |
| CA6         | 1         | 4%          |
| CA7         | -         | -           |
| CA8         | 3         | 13%         |
| CA9         | 6         | 25%         |
| CA10        | 1         | 4%          |
| CA11        | 2         | 8%          |
| CA DC       | 2         | 8%          |
| CA Fed      | -         | -           |
| CA AF       | -         | -           |
| State       | 3         | 13%         |
| Dist. Court | -         | -           |
| Original    | -         | -           |
|             | <b>24</b> | <b>100%</b> |

\* 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, such as the cases consolidated as *Epic Systems Corp. v. Lewis*, 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, such as the three petitions from the U.S. Court of Appeals for the 2nd Circuit in *Ziglar v. Abbasi*, *Ashcroft v. Abbasi*, and *Hasty v. Abbasi* (OT16), we counted the Supreme Court's decision only once. Throughout the rest of the Stat Pack consolidated cases are uniformly treated as a single case.

\*\* *Washington v. United States*, in which the court split 4-4, is listed as a case granted from the Ninth Circuit and subsequently "decided." However, we did not include the affirmance of the Ninth Circuit in the number of Ninth Circuit cases affirmed, 2.

## 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        | Kennedy        | Thomas         | Ginsburg       | Breyer         | Alito          | Sotomayor      | Kagan          | Gorsuch        | Total Votes      | Overall Decisions |
|--------------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|------------------|-------------------|
| <b>CA1</b>         | 0 - 0          | 0 - 0          | 0 - 0          | 0 - 0          | 0 - 0          | 0 - 0          | 0 - 0          | 0 - 0          | 0 - 0          | 0 - 0            | 0 - 0             |
| <b>CA2</b>         | 1 - 2          | 1 - 2          | 2 - 1          | 0 - 3          | 0 - 3          | 2 - 1          | 0 - 3          | 0 - 3          | 1 - 2          | 7 - 20           | 7 - 18            |
| <b>CA3</b>         | 0 - 3          | 0 - 3          | 0 - 3          | 1 - 2          | 0 - 3          | 0 - 3          | 1 - 2          | 0 - 3          | 0 - 3          | 2 - 25           | 2 - 22            |
| <b>CA4</b>         | 0 - 0          | 0 - 0          | 0 - 0          | 0 - 0          | 0 - 0          | 0 - 0          | 0 - 0          | 0 - 0          | 0 - 0          | 0 - 0            | 0 - 0             |
| <b>CA5</b>         | 1 - 3          | 1 - 3          | 2 - 2          | 0 - 4          | 0 - 4          | 2 - 2          | 0 - 4          | 0 - 4          | 1 - 3          | 7 - 29           | 7 - 26            |
| <b>CA6</b>         | 0 - 3          | 0 - 3          | 0 - 3          | 1 - 2          | 1 - 2          | 0 - 3          | 1 - 2          | 1 - 2          | 0 - 3          | 4 - 23           | 4 - 20            |
| <b>CA7</b>         | 3 - 2          | 3 - 2          | 3 - 2          | 3 - 2          | 3 - 2          | 3 - 2          | 3 - 2          | 2 - 2          | 3 - 2          | 26 - 18          | 26 - 16           |
| <b>CA8</b>         | 1 - 2          | 1 - 2          | 1 - 2          | 1 - 2          | 2 - 1          | 1 - 2          | 2 - 1          | 1 - 2          | 2 - 1          | 12 - 15          | 12 - 13           |
| <b>CA9</b>         | 1 - 10         | 1 - 10         | 1 - 10         | 6 - 5          | 5 - 6          | 1 - 10         | 6 - 5          | 4 - 6          | 2 - 9          | 31 - 75          | 27 - 63           |
| <b>CA10</b>        | 2 - 0          | 1 - 1          | 2 - 0          | 2 - 0          | 2 - 0          | 2 - 0          | 1 - 1          | 1 - 1          | 0 - 0          | 13 - 3           | 13 - 2            |
| <b>CA11</b>        | 2 - 4          | 1 - 5          | 5 - 1          | 1 - 5          | 1 - 5          | 4 - 2          | 1 - 5          | 1 - 5          | 3 - 3          | 19 - 35          | 19 - 30           |
| <b>CA DC</b>       | 0 - 4          | 1 - 3          | 2 - 2          | 1 - 3          | 1 - 3          | 2 - 2          | 1 - 3          | 1 - 3          | 0 - 4          | 9 - 27           | 9 - 24            |
| <b>CA Fed.</b>     | 0 - 2          | 1 - 1          | 1 - 1          | 2 - 0          | 2 - 0          | 1 - 1          | 2 - 0          | 2 - 0          | 0 - 2          | 11 - 7           | 11 - 6            |
| <b>State Ct.</b>   | 1 - 5          | 2 - 4          | 4 - 2          | 2 - 4          | 1 - 5          | 5 - 1          | 2 - 4          | 1 - 5          | 3 - 3          | 21 - 33          | 21 - 29           |
| <b>Dist. Court</b> | 1 - 1          | 1 - 1          | 1 - 1          | 1 - 1          | 1 - 1          | 1 - 1          | 1 - 1          | 1 - 1          | 1 - 1          | 9 - 9            | 9 - 8             |
| <b>Original</b>    | 1 - 1          | 1 - 1          | 1 - 1          | 1 - 1          | 1 - 1          | 1 - 1          | 1 - 1          | 0 - 1          | 1 - 1          | 8 - 9            | 8 - 8             |
|                    | <b>14 - 42</b> | <b>15 - 41</b> | <b>25 - 31</b> | <b>22 - 34</b> | <b>20 - 36</b> | <b>25 - 31</b> | <b>22 - 34</b> | <b>15 - 38</b> | <b>17 - 37</b> | <b>179 - 328</b> | <b>17 - 40</b>    |

### Merits Cases by Vote Split

| 9-0<br>27 (59%)               | 8-1<br>3 (9%)           | 7-2<br>8 (17%)                | 6-3<br>7 (4%)             | 5-4<br>9 (10%)              |
|-------------------------------|-------------------------|-------------------------------|---------------------------|-----------------------------|
| Kernan v. Cuero (PC)          | Collins v. Virginia     | Marinello v. U.S.             | Tharpe v. Sellers (PC)    | Artis v. D.C.               |
| Dunn v. Madison (PC)          | Sveen v. Melin          | Kisela v. Hughes (PC)         | Class v. U.S.             | Murphy v. Smith             |
| Hamer v. Neighborhood Housing | Lozman v. Riviera Beach | Oil States v. Greene's        | Patchak v. Zinke          | Jennings v. Rodriguez (5-3) |
| In re United States (PC)      |                         | Murphy v. NCAA                | Wilson v. Sellers         | Encino Motorcars v. Navarro |
| D.C. v. Wesby                 |                         | Upper Skagit v. Lundgren      | McCoy v. Louisiana        | Sessions v. Dimaya          |
| NAM v. DOD                    |                         | Masterpiece v. Co. Comm'n     | Hughes v. U.S.            | Jesner v. Arab Bank         |
| CNH v. Reese (PC)             |                         | MN Voter's Alliance v. Mansky | Chavez-Meza v. U.S. (5-3) | SAS Inst. v. Iancu          |
| Montana v. Wyoming (PC) (8-0) |                         | Rosales-Mireles v. U.S.       |                           | Epic v. Lewis               |
| Digital Realty v. Somers      |                         |                               |                           | Husted v. Randolph Inst.    |
| Rubin v. Iran (8-0)           |                         |                               |                           |                             |
| Merit v. FTI                  |                         |                               |                           |                             |
| U.S. Bank v. Lakeridge        |                         |                               |                           |                             |
| Texas v. New Mexico           |                         |                               |                           |                             |
| Cyan v. Beaver                |                         |                               |                           |                             |
| Ayestas v. Davis              |                         |                               |                           |                             |
| Hall v. Hall                  |                         |                               |                           |                             |
| U.S. v. Sanchez-Gomez         |                         |                               |                           |                             |
| Byrd v. U.S.                  |                         |                               |                           |                             |
| Dahda v. U.S. (8-0)           |                         |                               |                           |                             |
| Lagos v. U.S.                 |                         |                               |                           |                             |
| Koons v. U.S.                 |                         |                               |                           |                             |
| Lamar v. Appling              |                         |                               |                           |                             |
| Azar v. Garza (PC)            |                         |                               |                           |                             |
| China Agritech v. Resh        |                         |                               |                           |                             |
| Animal Sci. Prods v. Hebei    |                         |                               |                           |                             |
| Gill v. Whitford              |                         |                               |                           |                             |
| Benisek v. Lamone (PC)        |                         |                               |                           |                             |

| Past Terms  |     |     |     |     |     |
|-------------|-----|-----|-----|-----|-----|
|             | 9-0 | 8-1 | 7-2 | 6-3 | 5-4 |
| <b>OT10</b> | 46% | 12% | 15% | 5%  | 20% |
| <b>OT11</b> | 45% | 11% | 8%  | 17% | 20% |
| <b>OT12</b> | 49% | 5%  | 9%  | 8%  | 29% |
| <b>OT13</b> | 66% | 3%  | 10% | 8%  | 14% |
| <b>OT14</b> | 41% | 7%  | 12% | 15% | 26% |
| <b>OT15</b> | 48% | 11% | 20% | 11% | 5%  |
| <b>OT16</b> | 59% | 9%  | 17% | 4%  | 10% |
| <b>Avg.</b> | 50% | 8%  | 13% | 10% | 18% |

\* 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 recused 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 recused 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.

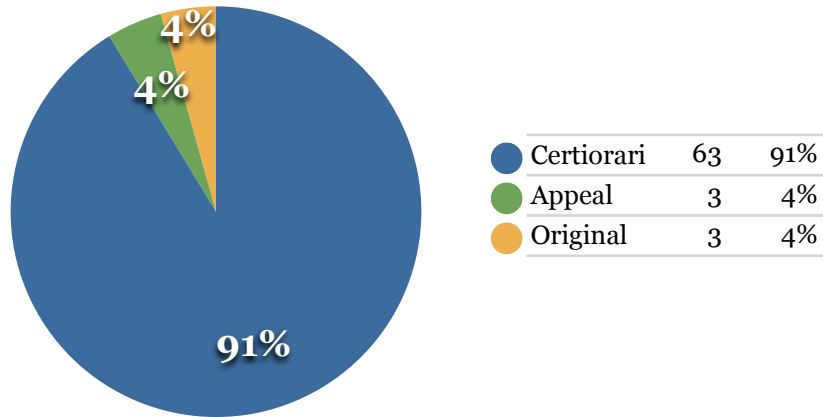
\*\* For cases that are decided by a 5-4 vote, we provide information about whether the majority was made up of the most common conservative bloc (Roberts, Kennedy, Thomas, Alito and Gorsuch), the most common liberal bloc (Kennedy, Ginsburg, Breyer, Sotomayor and Kagan), or a more uncommon alignment.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

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

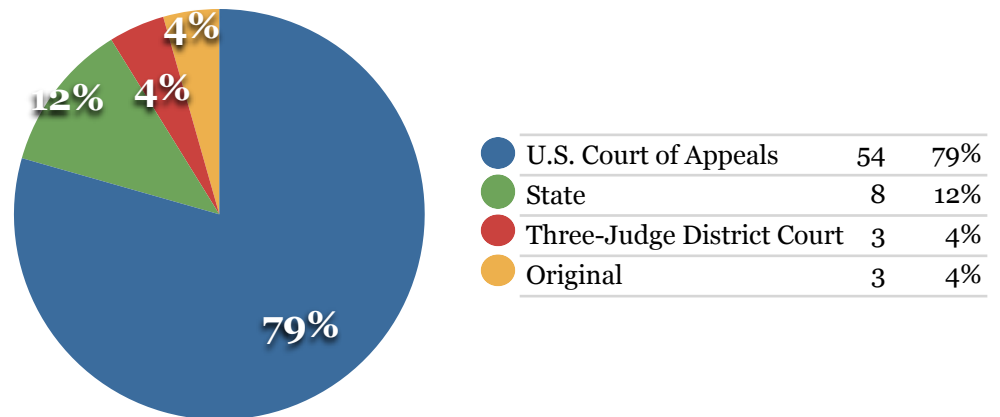
## Make-Up of the Merits Docket

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.

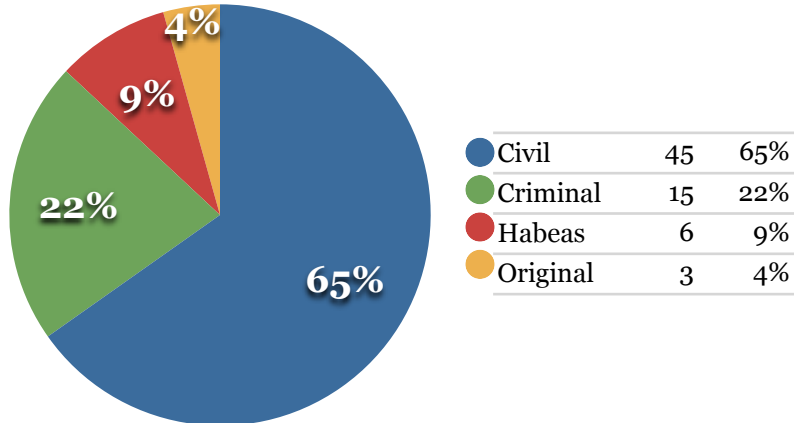
### Source of Jurisdiction



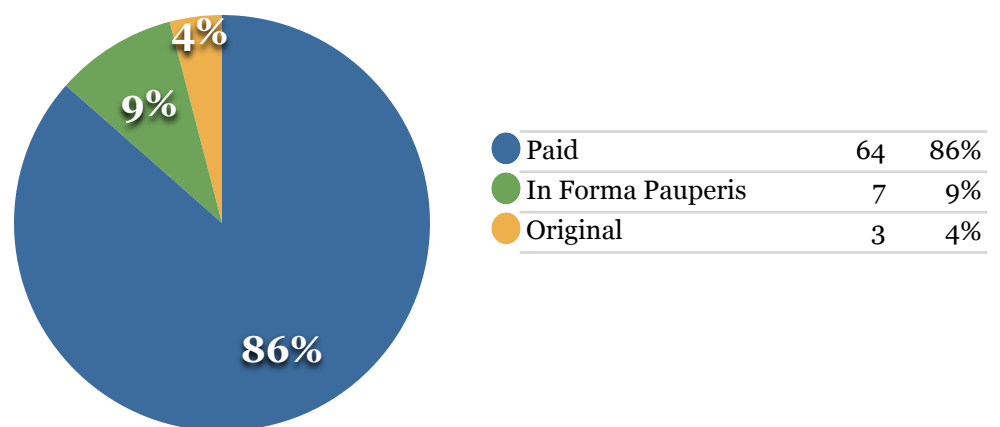
### Court Below



### Nature



### Docket\*

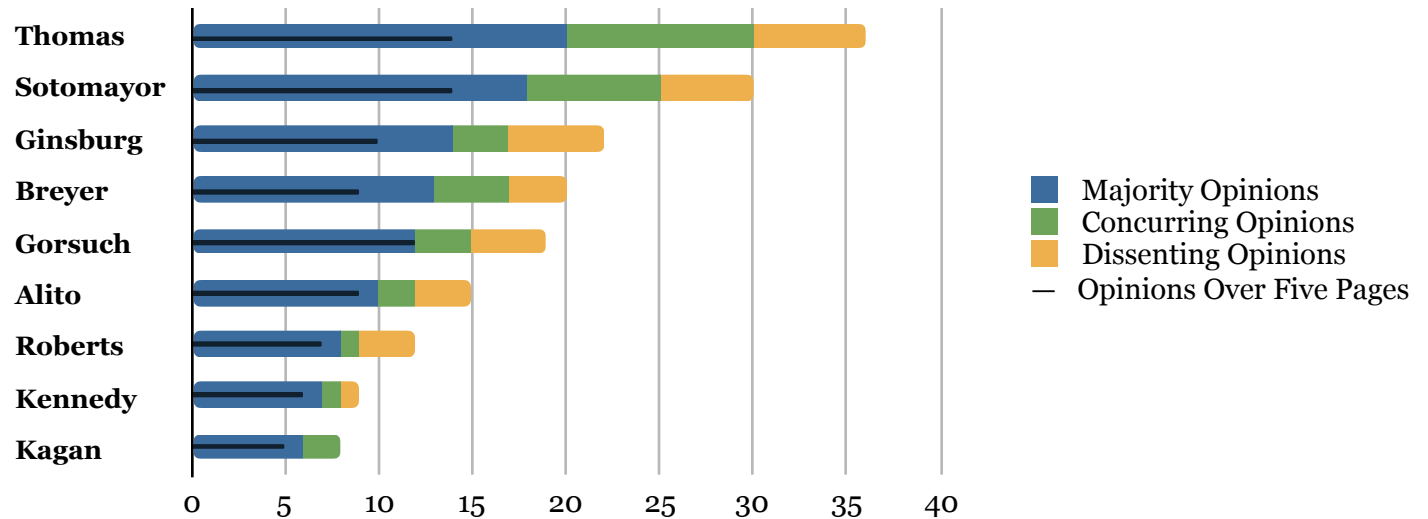


\* Technically, all paid and in forma pauperis cases have been on the same docket since 1971, with paid cases beginning each year with case number 1, and IFP cases beginning at number 5001. Accordingly, the first paid case of this term was numbered 15-1 and the first IFP case was numbered 15-5001. Original 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).

## Total Opinion Authorship

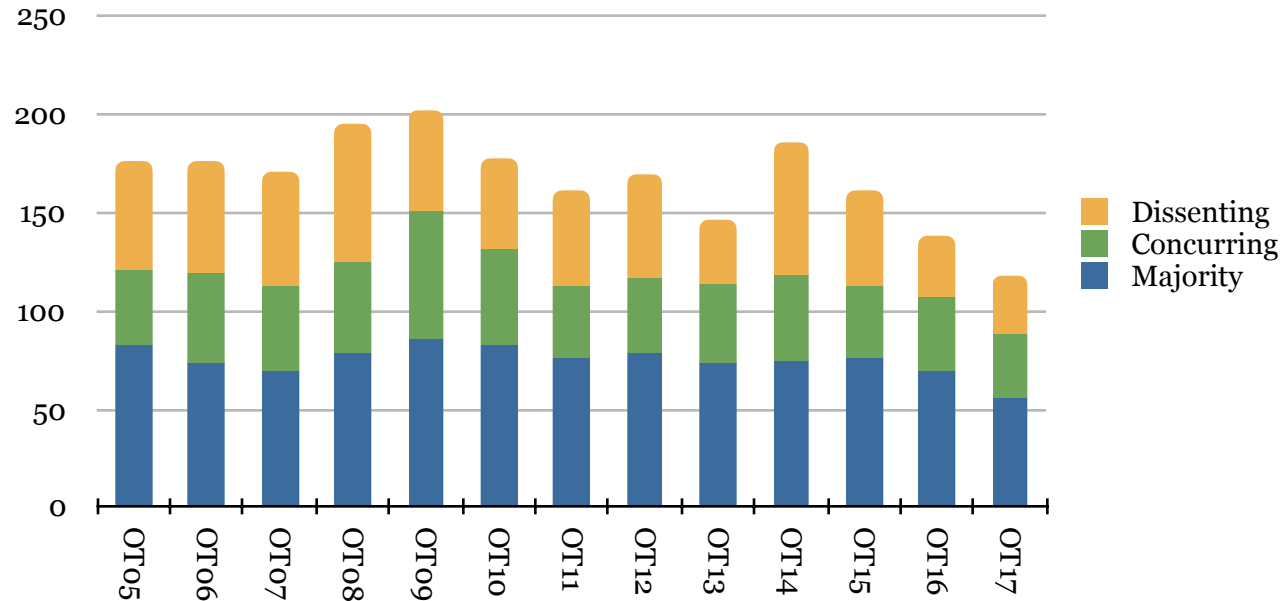
The number of opinions five pages or longer is included in parentheses and represented by a black line in the chart below.

|                   | Total Opinions  | Majority Opinions | Concurring Opinions | Dissenting Opinions |
|-------------------|-----------------|-------------------|---------------------|---------------------|
| <b>Roberts</b>    | <b>8</b> (7)    | 4 (4)             | 1 (0)               | 3 (3)               |
| <b>Kennedy</b>    | <b>7</b> (6)    | 5 (5)             | 1 (0)               | 1 (1)               |
| <b>Thomas</b>     | <b>20</b> (14)  | 4 (4)             | 10 (4)              | 6 (6)               |
| <b>Ginsburg</b>   | <b>14</b> (10)  | 6 (6)             | 3 (0)               | 5 (4)               |
| <b>Breyer</b>     | <b>13</b> (9)   | 6 (6)             | 4 (0)               | 3 (3)               |
| <b>Alito</b>      | <b>10</b> (9)   | 5 (5)             | 2 (1)               | 3 (3)               |
| <b>Sotomayor</b>  | <b>18</b> (14)  | 6 (6)             | 7 (3)               | 5 (5)               |
| <b>Kagan</b>      | <b>6</b> (5)    | 4 (4)             | 2 (1)               | - (-)               |
| <b>Gorsuch</b>    | <b>12</b> (12)  | 5 (5)             | 3 (3)               | 4 (4)               |
| <b>Per Curiam</b> | <b>10</b> (6)   | 10 (6)            | - (-)               | - (-)               |
|                   | <b>118</b> (92) | <b>55</b> (51)    | <b>33</b> (12)      | <b>30</b> (29)      |



### Total Opinions Over Time

| Term           | Majority Opinions | Concurring Opinions | Dissenting Opinions | Total Opinions |
|----------------|-------------------|---------------------|---------------------|----------------|
| OT05           | 82                | 39                  | 56                  | 177            |
| OT06           | 73                | 46                  | 57                  | 176            |
| OT07           | 69                | 43                  | 59                  | 171            |
| OT08           | 79                | 46                  | 71                  | 196            |
| OT09           | 86                | 65                  | 51                  | 202            |
| OT10           | 82                | 49                  | 47                  | 178            |
| OT11           | 76                | 37                  | 48                  | 161            |
| OT12           | 78                | 39                  | 52                  | 169            |
| OT13           | 73                | 41                  | 32                  | 146            |
| OT14           | 74                | 44                  | 68                  | 186            |
| OT15           | 76                | 36                  | 50                  | 162            |
| OT16           | 69                | 38                  | 32                  | 139            |
| OT17           | 55                | 33                  | 30                  | 118            |
| <b>Average</b> | <b>75</b>         | <b>43</b>           | <b>50</b>           | <b>168</b>     |





### Opinions Authored by Each Justice

|                            |    | Roberts       | Kennedy     | Thomas           | Ginsburg         | Breyer        | Alito     | Sotomayor       | Kagan       | Gorsuch       | PC         |            |
|----------------------------|----|---------------|-------------|------------------|------------------|---------------|-----------|-----------------|-------------|---------------|------------|------------|
| <b>Majority Opinions</b>   | 1  | Hall          | Jesner      | Wesby            | Hamer            | Class         | Jennings  | NAM             | U.S. Bank   | Smith         | Kernan     | <b>55</b>  |
|                            | 2  | Sanchez-Gomez | Byrd        | Patchak          | Artis            | Marinello     | Ayestas   | Rubin           | Cyan        | Texas         | Dunn       |            |
|                            | 3  | MN Voter's    | Masterpiece | Encino Motorcars | Digital Realty   | Wilson        | NCAA      | Merit           | Dimaya      | SAS Institute | In re U.S. |            |
|                            | 4  | Gill          | Hughes      | Oil States       | McCoy            | Dahda         | Koons     | Collins         | Sveen       | Epic          | Tharpe     |            |
|                            | 5  |               | Lozman      |                  | China Agritech   | Lagos         | Husted    | Lamar           |             | Upper Skagit  | CNH        |            |
|                            | 6  |               |             |                  | Animal Sci.      | Chavez-Meza   |           | Rosales-Mireles |             |               | Montana    |            |
|                            | 7  |               |             |                  |                  |               |           |                 |             |               | Kisela     |            |
|                            | 8  |               |             |                  |                  |               |           |                 |             |               | Microsoft  |            |
|                            | 9  |               |             |                  |                  |               |           |                 |             |               | Azar       |            |
|                            | 10 |               |             |                  |                  |               |           |                 |             |               | Benisek    |            |
|                            | 11 |               |             |                  |                  |               |           |                 |             |               |            |            |
|                            | 12 |               |             |                  |                  |               |           |                 |             |               |            |            |
|                            | 13 |               |             |                  |                  |               |           |                 |             |               |            |            |
|                            | 14 |               |             |                  |                  |               |           |                 |             |               |            |            |
|                            | 15 |               |             |                  |                  |               |           |                 |             |               |            |            |
| <b>Concurring Opinions</b> | 1  | Upper Skagit  | U.S. Bank   | Digital Realty   | Dunn             | Dunn          | Jesner    | Wesby           | Masterpiece | Dimaya        | <b>33</b>  |            |
|                            | 2  |               |             | Jennings         | Wesby            | Patchak       | Byrd      | Digital Realty  | Gill        | Jesner        |            |            |
|                            | 3  |               |             | Jesner           | Patchak          | Oil States    |           | Patchak         |             | Masterpiece   |            |            |
|                            | 4  |               |             | Byrd             |                  | NCAA          |           | U.S. Bank       |             |               |            |            |
|                            | 5  |               |             | NCAA             |                  |               |           | Ayestas         |             |               |            |            |
|                            | 6  |               |             | Epic             |                  |               |           | Hughes          |             |               |            |            |
|                            | 7  |               |             | Collins          |                  |               |           | China Agritech  |             |               |            |            |
|                            | 8  |               |             | Masterpiece      |                  |               |           |                 |             |               |            |            |
|                            | 9  |               |             | Husted           |                  |               |           |                 |             |               |            |            |
|                            | 10 |               |             | Gill             |                  |               |           |                 |             |               |            |            |
|                            | 11 |               |             |                  |                  |               |           |                 |             |               |            |            |
|                            | 12 |               |             |                  |                  |               |           |                 |             |               |            |            |
|                            | 13 |               |             |                  |                  |               |           |                 |             |               |            |            |
|                            | 14 |               |             |                  |                  |               |           |                 |             |               |            |            |
|                            | 15 |               |             |                  |                  |               |           |                 |             |               |            |            |
| <b>Dissenting Opinions</b> | 1  | Patchak       | Chavez-Meza | Tharpe           | Encino Motorcars | Jennings      | Class     | Smith           |             | Artis         | <b>30</b>  |            |
|                            | 2  | Dimaya        |             | Marinello        | SAS Institute    | SAS Institute | McCoy     | Kisela          |             | Wilson        |            |            |
|                            | 3  | Hughes        |             | Dimaya           | NCAA             | Husted        | Collins   | Jesner          |             | Oil States    |            |            |
|                            | 4  |               |             | Upper Skagit     | Epic             |               |           | Husted          |             | Sveen         |            |            |
|                            | 5  |               |             | Lozman           | Masterpiece      |               |           | MN Voter's      |             |               |            |            |
|                            | 6  |               |             | Rosales-Mireles  |                  |               |           |                 |             |               |            |            |
|                            | 7  |               |             |                  |                  |               |           |                 |             |               |            |            |
|                            | 8  |               |             |                  |                  |               |           |                 |             |               |            |            |
|                            | 9  |               |             |                  |                  |               |           |                 |             |               |            |            |
|                            | 10 |               |             |                  |                  |               |           |                 |             |               |            |            |
|                            | 11 |               |             |                  |                  |               |           |                 |             |               |            |            |
|                            | 12 |               |             |                  |                  |               |           |                 |             |               |            |            |
|                            | 13 |               |             |                  |                  |               |           |                 |             |               |            |            |
|                            | 14 |               |             |                  |                  |               |           |                 |             |               |            |            |
|                            | 15 |               |             |                  |                  |               |           |                 |             |               |            |            |
| <b>Total</b>               |    | <b>8</b>      | <b>7</b>    | <b>20</b>        | <b>14</b>        | <b>13</b>     | <b>10</b> | <b>18</b>       | <b>6</b>    | <b>12</b>     | <b>10</b>  | <b>118</b> |

\* Plurality opinions, like the one by Justice Thomas in *Patchak v. Zinke*, are treated as majority opinions throughout the Stat Pack.

## Workload - Opinions Released Each Week

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

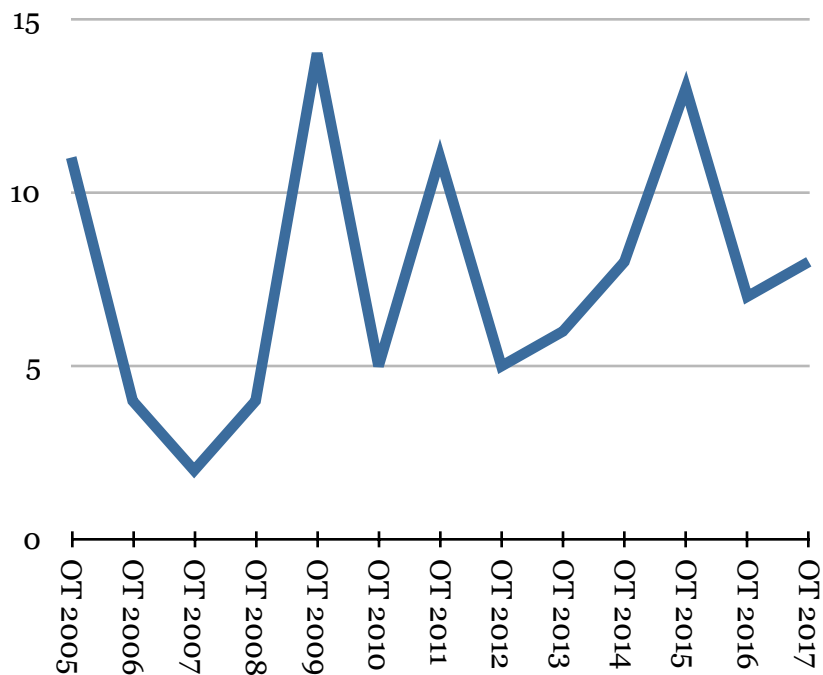
|            |            | October |    |    | November |    |    | December |    |    | January |    |    | February |    |    | March |    |    | April |    |    | May |    |    | June |    |    |    | Total |
|------------|------------|---------|----|----|----------|----|----|----------|----|----|---------|----|----|----------|----|----|-------|----|----|-------|----|----|-----|----|----|------|----|----|----|-------|
|            |            | #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 |       |
| <b>JGR</b> | Majority   |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    | 1     |    |    |       |    | 1  |     |    |    | 1    | 1  |    | 4  |       |
|            | Concurring |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     | 1  |    |      |    |    | 1  |       |
|            | Dissenting |         |    |    |          |    |    |          |    |    |         |    |    | 1        |    |    |       |    |    |       |    | 1  |     |    |    | 1    |    |    | 3  |       |
|            | Total      |         |    |    |          |    |    |          |    |    |         |    |    | 1        |    |    | 1     |    |    |       | 1  |    | 1   | 1  |    | 1    | 1  | 1  | 8  |       |
| <b>AMK</b> | Majority   |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       | 1  |    |     |    |    |      | 1  |    | 5  |       |
|            | Concurring |         |    |    |          |    |    |          |    |    |         |    |    |          | 1  |    |       |    |    |       |    |    |     |    |    |      |    |    | 1  |       |
|            | Dissenting |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      | 1  |    | 1  |       |
|            | Total      |         |    |    |          |    |    |          |    |    |         |    |    |          | 1  |    |       |    |    |       | 1  |    | 1   |    |    | 2    | 2  |    | 7  |       |
| <b>CT</b>  | Majority   |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      |    |    | 4  |       |
|            | Concurring |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      |    |    | 10 |       |
|            | Dissenting |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      |    |    | 6  |       |
|            | Total      |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      |    |    | 20 |       |
| <b>RBG</b> | Majority   |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      |    |    | 6  |       |
|            | Concurring |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      |    |    | 3  |       |
|            | Dissenting |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      |    |    | 5  |       |
|            | Total      |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      |    |    | 14 |       |
| <b>SGB</b> | Majority   |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      |    |    | 6  |       |
|            | Concurring |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      |    |    | 4  |       |
|            | Dissenting |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      |    |    | 3  |       |
|            | Total      |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      |    |    | 13 |       |
| <b>SAA</b> | Majority   |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      |    |    | 5  |       |
|            | Concurring |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      |    |    | 2  |       |
|            | Dissenting |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      |    |    | 3  |       |
|            | Total      |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      |    |    | 10 |       |
| <b>SMS</b> | Majority   |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      |    |    | 6  |       |
|            | Concurring |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      |    |    | 7  |       |
|            | Dissenting |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      |    |    | 5  |       |
|            | Total      |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      |    |    | 18 |       |
| <b>EK</b>  | Majority   |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      |    |    | 4  |       |
|            | Concurring |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      |    |    | 2  |       |
|            | Dissenting |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      |    |    | 0  |       |
|            | Total      |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      |    |    | 6  |       |
| <b>NMG</b> | Majority   |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      |    |    | 5  |       |
|            | Concurring |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      |    |    | 3  |       |
|            | Dissenting |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      |    |    | 4  |       |
|            | Total      |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      |    |    | 12 |       |

## Workload - Slip Pages Released Each Week

|            |              | October |    |    | November |    |    | December |    |    | January |    |    | February |    |    | March |    |    | April |    |    | May |    |    | June |     |     |     | Total |
|------------|--------------|---------|----|----|----------|----|----|----------|----|----|---------|----|----|----------|----|----|-------|----|----|-------|----|----|-----|----|----|------|-----|-----|-----|-------|
|            |              | #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  |       |
| <b>JGR</b> | Majority     |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    | 18    |    |    |       |    | 12 |     |    |    | 19   | 22  |     | 71  |       |
|            | Concurring   |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     | 3  |    |      |     |     | 3   |       |
|            | Dissenting   |         |    |    |          |    |    |          |    |    |         |    | 16 |          |    |    |       |    |    |       |    |    | 15  |    |    | 6    |     |     | 37  |       |
|            | <b>Total</b> |         |    |    |          |    |    |          |    |    |         | 16 |    |          |    | 18 |       |    | 15 |       |    | 12 | 3   |    | 6  | 19   | 22  |     | 111 |       |
| <b>AMK</b> | Majority     |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    | 29    |    |    | 15  |    |    | 32   |     | 13  | 89  |       |
|            | Concurring   |         |    |    |          |    |    |          |    |    |         |    |    | 2        |    |    |       |    |    |       |    |    |     |    |    |      |     |     | 2   |       |
|            | Dissenting   |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      | 8   |     | 8   |       |
|            | <b>Total</b> |         |    |    |          |    |    |          |    |    |         |    | 2  |          |    |    |       | 29 |    | 15    |    |    |     | 32 |    | 21   |     | 99  |     |       |
| <b>CT</b>  | Majority     |         |    |    |          |    |    |          |    |    | 19      |    |    | 16       |    |    | 11    |    |    | 17    |    |    |     |    |    |      |     |     | 63  |       |
|            | Concurring   |         |    |    |          |    |    |          |    |    |         |    | 3  | 13       |    |    |       |    |    | 1     |    | 8  | 2   | 9  | 14 | 3    | 1   |     | 54  |       |
|            | Dissenting   |         |    |    |          |    |    |          |    | 13 |         |    |    |          |    | 12 |       |    | 32 |       |    |    | 14  |    |    |      | 17  |     | 88  |       |
|            | <b>Total</b> |         |    |    |          |    |    |          | 13 | 19 | 3       | 29 |    |          | 12 |    | 11    | 32 | 18 |       | 8  | 16 | 9   | 14 | 3  | 18   |     | 205 |     |       |
| <b>RBG</b> | Majority     |         |    |    |          | 10 |    |          |    |    | 20      | 19 |    |          |    |    |       |    |    |       |    | 13 |     |    |    |      |     |     | 89  |       |
|            | Concurring   |         |    |    |          |    | 1  |          |    |    |         | 2  |    | 3        |    |    |       |    |    |       |    |    |     |    |    |      |     |     | 6   |       |
|            | Dissenting   |         |    |    |          |    |    |          |    |    |         |    |    |          |    | 10 |       | 1  |    |       |    | 5  | 30  |    | 8  |      |     |     | 54  |       |
|            | <b>Total</b> |         |    |    |          | 11 |    |          |    |    | 22      | 19 | 3  |          |    | 10 |       | 1  |    |       | 18 | 30 |     | 8  |    | 27   |     | 149 |     |       |
| <b>SGB</b> | Majority     |         |    |    |          |    |    |          |    |    |         | 11 |    |          | 11 |    |       |    | 11 |       | 12 |    | 8   |    |    |      | 10  | 63  |     |       |
|            | Concurring   |         |    |    |          |    | 3  |          |    |    |         |    | 2  |          |    |    |       |    |    | 1     |    | 3  |     |    |    |      |     | 9   |     |       |
|            | Dissenting   |         |    |    |          |    |    |          |    |    |         |    |    | 33       |    |    |       |    | 10 |       |    |    |     |    |    | 19   |     | 62  |     |       |
|            | <b>Total</b> |         |    |    |          | 3  |    |          |    |    |         | 11 | 35 |          | 11 |    |       | 11 | 11 |       | 15 |    | 8   |    | 19 | 10   |     | 134 |     |       |
| <b>SAA</b> | Majority     |         |    |    |          |    |    |          |    |    |         |    |    | 31       |    | 19 |       |    |    |       | 31 |    |     | 7  | 21 |      |     | 109 |     |       |
|            | Concurring   |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    | 1  |     |    |    |      |     | 8   |     |       |
|            | Dissenting   |         |    |    |          |    |    |          |    |    |         |    | 18 |          |    |    |       |    |    | 7     |    | 12 |     | 6  |    |      |     | 36  |     |       |
|            | <b>Total</b> |         |    |    |          |    |    |          |    |    |         | 18 | 31 |          | 19 |    |       |    | 7  |       | 44 |    | 6   | 7  | 21 |      | 153 |     |     |       |
| <b>SMS</b> | Majority     |         |    |    |          |    |    |          |    |    | 20      | 16 | 19 |          |    |    |       |    |    |       |    |    | 14  |    | 15 |      | 15  | 99  |     |       |
|            | Concurring   |         |    |    |          |    |    |          |    |    |         | 1  | 3  | 2        | 7  | 11 |       |    |    |       |    |    |     |    | 4  | 7    |     | 35  |     |       |
|            | Dissenting   |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    | 15    |    |    | 34    |    |    |     |    |    | 13   |     | 77  |     |       |
|            | <b>Total</b> |         |    |    |          |    |    |          |    | 21 | 34      | 21 | 7  | 11       |    | 15 |       |    | 34 |       |    |    | 14  |    | 19 | 20   | 15  | 211 |     |       |
| <b>EK</b>  | Majority     |         |    |    |          |    |    |          |    |    |         |    |    | 11       | 24 |    |       |    |    | 25    |    |    |     |    |    | 14   |     | 74  |     |       |
|            | Concurring   |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      |     | 18  |     |       |
|            | Dissenting   |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      | 14  | -   |     |       |
|            | <b>Total</b> |         |    |    |          |    |    |          |    |    |         |    |    | 11       | 24 |    |       |    | 25 |       |    |    |     |    | 4  | 14   | 14  | 92  |     |       |
| <b>NMG</b> | Majority     |         |    |    |          |    |    |          |    |    |         | 9  |    | 7        |    |    |       |    |    |       |    |    | 32  |    |    |      |     | 62  |     |       |
|            | Concurring   |         |    |    |          |    |    |          |    |    |         |    |    |          |    |    |       |    |    |       |    |    |     |    |    |      |     | 45  |     |       |
|            | Dissenting   |         |    |    |          |    |    |          |    |    |         | 18 |    |          |    |    |       |    |    |       | 19 | 14 |     |    | 12 |      | 11  | 55  |     |       |
|            | <b>Total</b> |         |    |    |          |    |    |          |    |    | 18      | 9  |    | 7        |    |    |       |    | 33 | 40    |    |    | 32  |    | 12 | 11   | 162 |     |     |       |

## Summary Reversals

| Term           | Summary Reversals |
|----------------|-------------------|
| OT05           | 11                |
| OT06           | 4                 |
| OT07           | 2                 |
| OT08           | 4                 |
| OT09           | 14                |
| OT10           | 5                 |
| OT11           | 11                |
| OT12           | 5                 |
| OT13           | 6                 |
| OT14           | 8                 |
| OT15           | 13                |
| OT16           | 7                 |
| OT17           | 8                 |
| <b>Average</b> | <b>8</b>          |

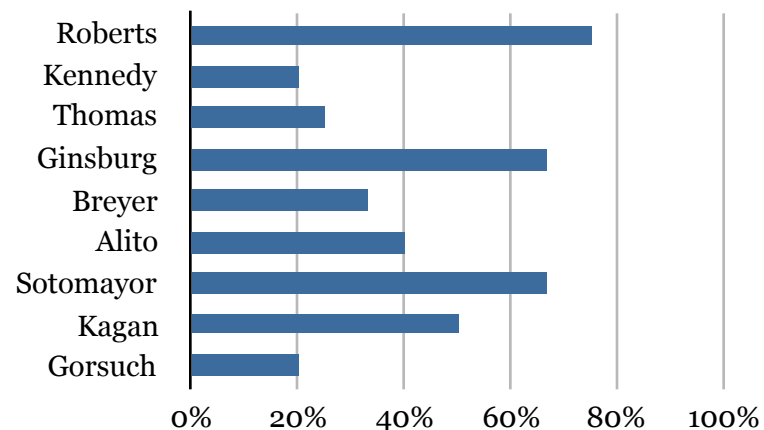


## Majority Opinion Authorship

Majority Opinions Authored

|           | Total     | 9-0       | 8-1      | 7-2      | 6-3      | 5-4      | Average Strength of the Majority |
|-----------|-----------|-----------|----------|----------|----------|----------|----------------------------------|
| Roberts   | 4         | 3         | -        | 1        | -        | -        | 8.5                              |
| Kennedy   | 5         | 1         | 1        | 1        | 1        | 1        | 7.0                              |
| Thomas    | 4         | 1         | -        | 1        | 1        | 1        | 6.8                              |
| Ginsburg  | 6         | 4         | -        | -        | 1        | 1        | 7.8                              |
| Breyer    | 6         | 2         | -        | 1        | 3        | -        | 7.2                              |
| Alito     | 5         | 2         | -        | 1        | -        | 2        | 7.0                              |
| Sotomayor | 6         | 4         | 1        | 1        | -        | -        | 8.5                              |
| Kagan     | 4         | 2         | 1        | -        | -        | 1        | 7.8                              |
| Gorsuch   | 5         | 1         | -        | 1        | -        | 3        | 5.5                              |
|           | <b>45</b> | <b>20</b> | <b>3</b> | <b>7</b> | <b>6</b> | <b>9</b> | <b>7.5</b>                       |

Percentage of Majority Opinions Decided with Unanimous Judgment



Authorship as a Percentage of Similar Opinions

|           | 9-0              | 8-1             | 7-2             | 6-3             | 5-4             |
|-----------|------------------|-----------------|-----------------|-----------------|-----------------|
| Roberts   | 15%              | -               | 14%             | -               | -               |
| Kennedy   | 5%               | 33%             | 14%             | 17%             | 11%             |
| Thomas    | 5%               | -               | 14%             | 17%             | 11%             |
| Ginsburg  | 20%              | -               | -               | 17%             | 11%             |
| Breyer    | 10%              | -               | 14%             | 50%             | -               |
| Alito     | 10%              | -               | 14%             | -               | 22%             |
| Sotomayor | 20%              | 33%             | 14%             | -               | -               |
| Kagan     | 10%              | 33%             | -               | -               | 11%             |
| Gorsuch   | 5%               | -               | 14%             | -               | 33%             |
|           | <b>100% (20)</b> | <b>100% (3)</b> | <b>100% (7)</b> | <b>100% (6)</b> | <b>100% (9)</b> |

Days Between Argument and Opinion

| Majority Opinion Author | Days        |
|-------------------------|-------------|
| Ginsburg                | 74d         |
| Breyer                  | 99d         |
| Sotomayor               | 100d        |
| Thomas                  | 111d        |
| Gorsuch                 | 115d        |
| Roberts                 | 121d        |
| Kagan                   | 129d        |
| Alito                   | 134d        |
| Kennedy                 | 136d        |
|                         | <b>111d</b> |

### Strength of the Majority

| Argument Sitting | Decided   | 9-0       | 8-1      | 7-2      | 6-3      | 5-4      | Average Strength of the Majority | Number of Opinions Per Case |
|------------------|-----------|-----------|----------|----------|----------|----------|----------------------------------|-----------------------------|
| October          | 9         | 4         | -        | -        | 1        | 4        | 6.9                              | 2.8                         |
| November         | 6         | 3         | -        | -        | 2        | 1        | 7.3                              | 2.5                         |
| December         | 9         | 3         | -        | 4        | -        | 2        | 7.2                              | 2.7                         |
| January          | 7         | 3         | 1        | -        | 1        | 2        | 7.0                              | 2.5                         |
| February         | 4         | 1         | 1        | 2        | -        | -        | 7.8                              | 1.6                         |
| March            | 7         | 4         | 1        | 1        | 1        | -        | 8.1                              | 1.9                         |
| April            | 4         | 3         | -        | -        | 1        | -        | 8.3                              | 1.3                         |
| Summary Reversal | 8         | 6         | -        | 1        | 1        | -        | 8.5                              | 1.5                         |
|                  | <b>54</b> | <b>27</b> | <b>3</b> | <b>8</b> | <b>7</b> | <b>9</b> | <b>7.5</b>                       | <b>2.1</b>                  |

### 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          |
| <b>Average</b> | <b>0.7</b> |

### Recusals

| Justice   | Total    |
|-----------|----------|
| Kagan     | 3        |
| Gorsuch   | 3        |
| Kennedy   | 1        |
| Roberts   | -        |
| Thomas    | -        |
| Ginsburg  | -        |
| Breyer    | -        |
| Alito     | -        |
| Sotomayor | -        |
|           | <b>7</b> |

### Solo Dissents

| Justice   | Total (OT17) | Average* (OT05-OT16) |
|-----------|--------------|----------------------|
| Thomas    | 1            | 2.2                  |
| Alito     | 1            | 0.5                  |
| Gorsuch   | 1            | 0.0                  |
| Roberts   | -            | 0.0                  |
| Kennedy   | -            | 0.1                  |
| Ginsburg  | -            | 1.0                  |
| Breyer    | -            | 0.3                  |
| Sotomayor | -            | 1.0                  |
| Kagan     | -            | N/A                  |
|           | <b>3</b>     | <b>6.3</b>           |

\*Averages consider only the terms during which a justice served on the court.

## 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, and 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.

|  |                   |  |           |            |
|--|-------------------|--|-----------|------------|
|  | <b>Measure #3</b> | <i>All Justices In Total Agreement</i>   | <b>18</b> | <b>33%</b> |
|  | <b>Measure #2</b> | <i>All Justices Join The Majority Opinion</i>  | <b>24</b> | <b>44%</b> |
|  | <b>Measure #1</b> | <i>All Justices Vote For The Same Judgment</i>                                       | <b>27</b> | <b>49%</b> |
|  | <b>Divided</b>    | <i>Justices Disagree On Whether To Affirm, Reverse, Or Vacate The Decision Below</i> | <b>28</b> | <b>51%</b> |

\* 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/>.

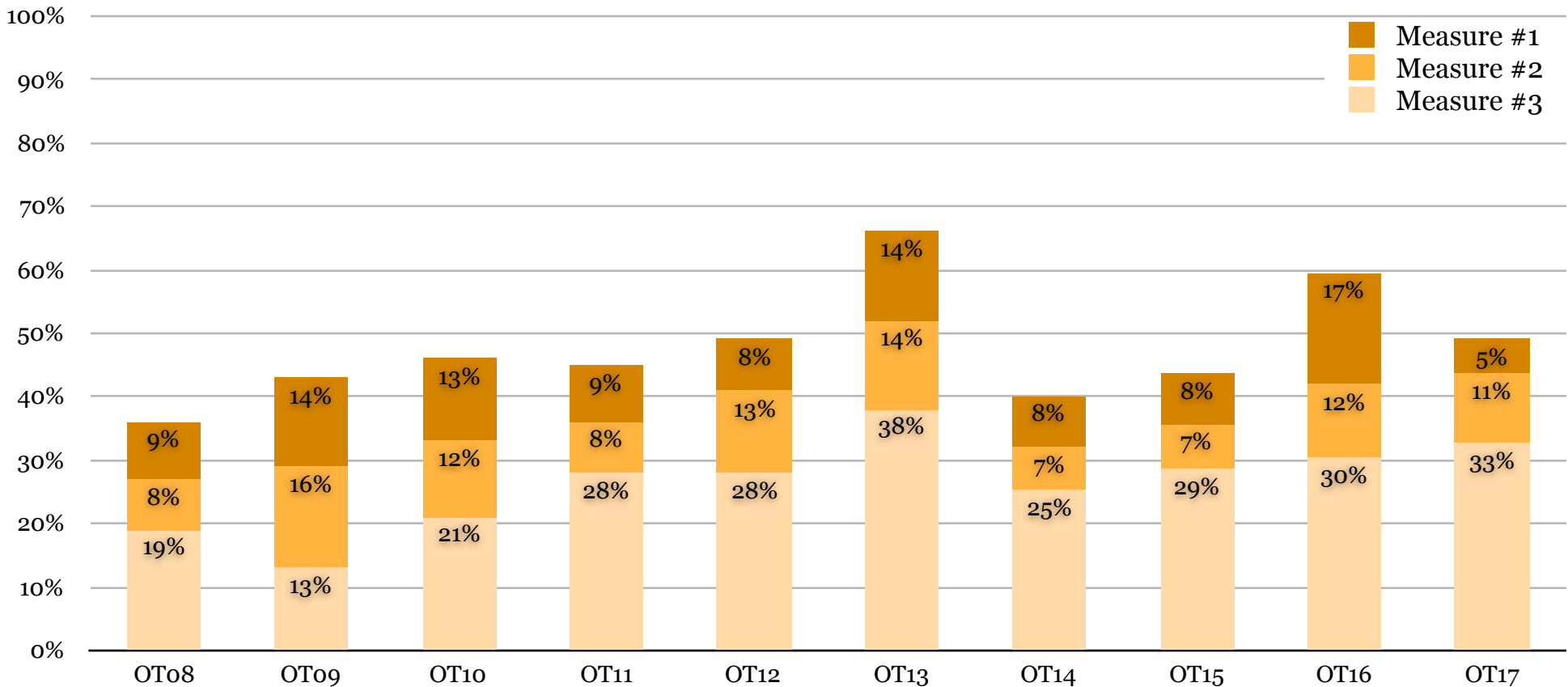
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## Frequency in the Majority

The following charts measure how frequently each justice has voted with the majority during October Term 2017. The charts include summary reversals but do not include cases that were dismissed.

### All Cases

| Justice   | Votes | Frequency in Majority | OT16 | OT15 | OT14 | OT13 | OT12 | OT11 | OT10 |     |
|-----------|-------|-----------------------|------|------|------|------|------|------|------|-----|
| Roberts   | 56    | 52                    | 93%  | 93%  | 92%  | 80%  | 92%  | 86%  | 92%  | 91% |
| Kennedy   | 56    | 51                    | 91%  | 97%  | 98%  | 88%  | 92%  | 91%  | 93%  | 94% |
| Gorsuch   | 54    | 47                    | 87%  | 82%  | -    | -    | -    | -    | -    | -   |
| Kagan     | 53    | 44                    | 83%  | 93%  | 95%  | 85%  | 92%  | 81%  | 82%  | 81% |
| Breyer    | 56    | 46                    | 82%  | 90%  | 94%  | 92%  | 88%  | 83%  | 76%  | 79% |
| Thomas    | 56    | 45                    | 80%  | 82%  | 72%  | 61%  | 88%  | 79%  | 86%  | 88% |
| Alito     | 56    | 45                    | 80%  | 86%  | 84%  | 72%  | 88%  | 79%  | 83%  | 86% |
| Ginsburg  | 56    | 44                    | 79%  | 85%  | 88%  | 86%  | 85%  | 79%  | 70%  | 74% |
| Sotomayor | 56    | 42                    | 75%  | 90%  | 83%  | 89%  | 82%  | 79%  | 80%  | 81% |

### Divided Cases

| Justice   | Votes | Frequency in Majority | OT16 | OT15 | OT14 | OT13 | OT12 | OT11 | OT10 |     |
|-----------|-------|-----------------------|------|------|------|------|------|------|------|-----|
| Roberts   | 29    | 25                    | 86%  | 83%  | 84%  | 66%  | 76%  | 73%  | 86%  | 83% |
| Kennedy   | 29    | 24                    | 83%  | 93%  | 96%  | 80%  | 84%  | 83%  | 88%  | 88% |
| Gorsuch   | 28    | 21                    | 75%  | 63%  | -    | -    | -    | -    | -    | -   |
| Kagan     | 28    | 19                    | 68%  | 83%  | 91%  | 75%  | 75%  | 63%  | 67%  | 67% |
| Breyer    | 29    | 19                    | 66%  | 77%  | 89%  | 86%  | 64%  | 67%  | 57%  | 60% |
| Thomas    | 29    | 18                    | 62%  | 57%  | 49%  | 34%  | 64%  | 60%  | 74%  | 76% |
| Alito     | 29    | 18                    | 62%  | 67%  | 70%  | 52%  | 63%  | 59%  | 69%  | 74% |
| Ginsburg  | 29    | 17                    | 59%  | 63%  | 78%  | 77%  | 56%  | 60%  | 45%  | 50% |
| Sotomayor | 29    | 15                    | 52%  | 76%  | 68%  | 82%  | 46%  | 59%  | 64%  | 64% |

## 5-4 Cases

### Alignment of the Majority

| Majority                                    | 9 | Cases   |
|---|---|---|
| Roberts, Kennedy, Thomas, Alito, Gorsuch    | 7 | <i>Epic, Jesner, SAS Institute, Husted, Jennings, Smith, Encino Motorcars</i> |
| Roberts, Ginsburg, Breyer, Sotomayor, Kagan | 1 | <i>Artis</i>  |
| Ginsburg, Breyer, Sotomayor, Kagan, Gorsuch | 1 | <i>Dimaya</i>   |

| 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%                                 | 63%   | 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           | 9                      | 16%                          | 78%                                 | 100%  | 78%  | 3                              |
| <b>Average</b> | <b>15</b>              | <b>0</b>                     | <b>1</b>                            | <b>1</b>  | <b>0</b>                                     | <b>6</b>                       |

\* For the purposes of this chart, a “Conservative Victory” occurs whenever the majority consists of Chief Justice Roberts and Justices Kennedy, Thomas, Alito and Gorsuch.

## 5-4 Cases

### Membership in a 5-4 Majority

| Justice   | Cases Decided | Frequency in Majority | OT16 | OT15 | OT14 | OT13 | OT12 | OT11 | OT10 |     |
|-----------|---------------|-----------------------|------|------|------|------|------|------|------|-----|
| Roberts   | 9             | 8                     | 89%  | 29%  | 25%  | 53%  | 70%  | 61%  | 67%  | 63% |
| Gorsuch   | 9             | 8                     | 89%  | 67%  | -    | -    | -    | -    | -    | -   |
| Kennedy   | 9             | 7                     | 78%  | 86%  | 100% | 74%  | 100% | 87%  | 80%  | 88% |
| Thomas    | 9             | 7                     | 78%  | 43%  | 25%  | 37%  | 50%  | 65%  | 67%  | 75% |
| Alito     | 9             | 7                     | 78%  | 29%  | 25%  | 47%  | 60%  | 57%  | 60%  | 63% |
| Kagan     | 8             | 2                     | 25%  | 71%  | 50%  | 53%  | 50%  | 43%  | 40%  | 38% |
| Ginsburg  | 9             | 2                     | 22%  | 71%  | 75%  | 63%  | 40%  | 43%  | 33%  | 38% |
| Breyer    | 9             | 2                     | 22%  | 71%  | 75%  | 74%  | 50%  | 48%  | 47%  | 31% |
| Sotomayor | 9             | 2                     | 22%  | 71%  | 75%  | 68%  | 30%  | 39%  | 47%  | 38% |

### 5-4 Majority Opinion Authorship

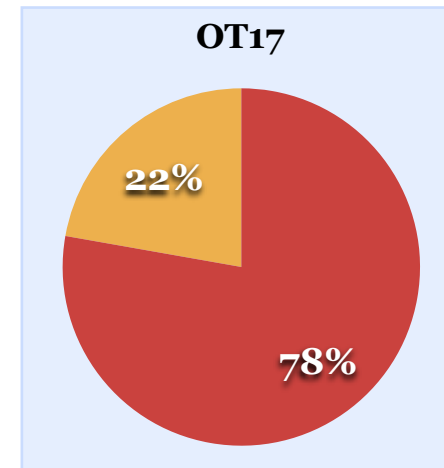
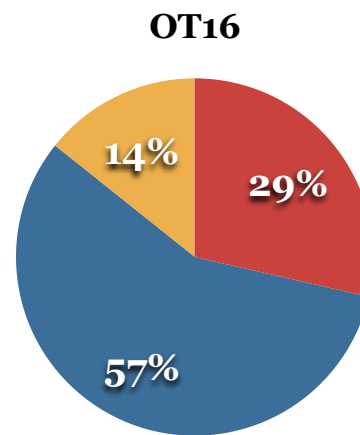
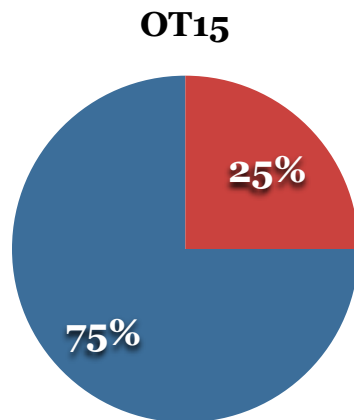
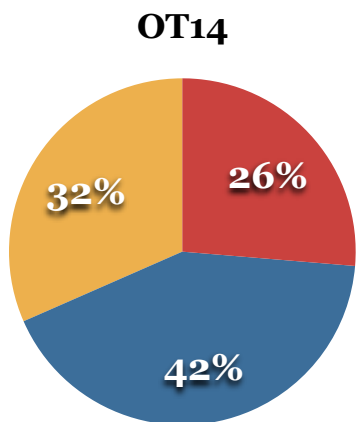
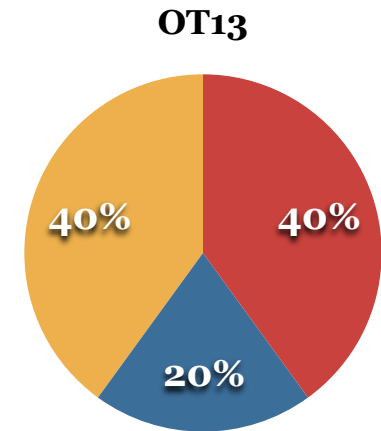
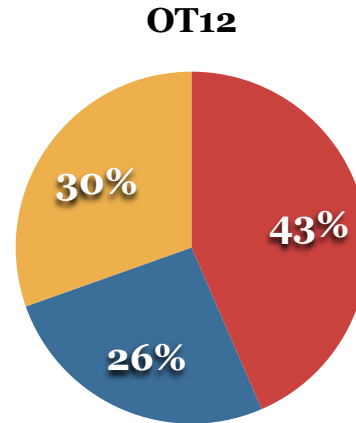
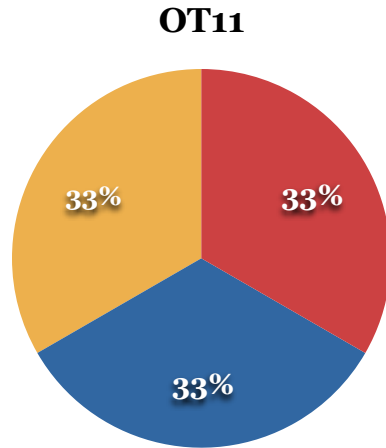
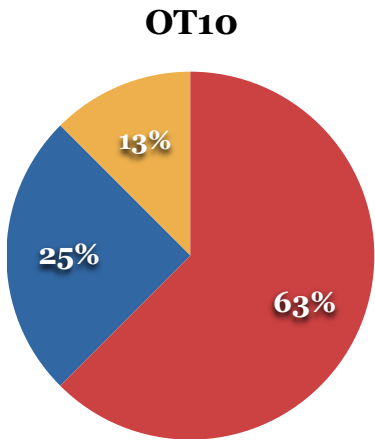
These percentages consider how often a justice authors the majority opinion when that justice is in the majority.\*

| Justice   | Cases Decided | Frequency in the Majority | Opinions Authored | Frequency as Author | OT16 | OT15 | OT14 | OT13 | OT12 | OT11 | OT10 |
|-----------|---------------|---------------------------|-------------------|---------------------|------|------|------|------|------|------|------|
| Ginsburg  | 9             | 2                         | 1                 | 50%                 | 20%  | 0%   | 25%  | 0%   | 10%  | 0%   | 33%  |
| Kagan     | 8             | 2                         | 1                 | 50%                 | 20%  | 0%   | 10%  | 60%  | 10%  | 17%  | 0%   |
| Gorsuch   | 9             | 8                         | 3                 | 38%                 | 0%   | -    | -    | -    | -    | -    | -    |
| Alito     | 9             | 7                         | 2                 | 29%                 | 0%   | 100% | 33%  | 33%  | 46%  | 33%  | 0%   |
| Kennedy   | 9             | 7                         | 1                 | 14%                 | 50%  | 50%  | 14%  | 30%  | 20%  | 33%  | 21%  |
| Thomas    | 9             | 7                         | 1                 | 14%                 | 33%  | 0%   | 0%   | 20%  | 13%  | 0%   | 33%  |
| Roberts   | 9             | 8                         | 0                 | 0%                  | 0%   | 0%   | 20%  | 14%  | 14%  | 10%  | 30%  |
| Breyer    | 9             | 2                         | 0                 | 0%                  | 20%  | 33%  | 21%  | 0%   | 18%  | 43%  | 20%  |
| Sotomayor | 9             | 2                         | 0                 | 0%                  | 0%   | 0%   | 15%  | 0%   | 22%  | 29%  | 17%  |

\* Percentages represent the number of majority opinions authored divided by the number of times a justice was in the majority for a signed opinion.

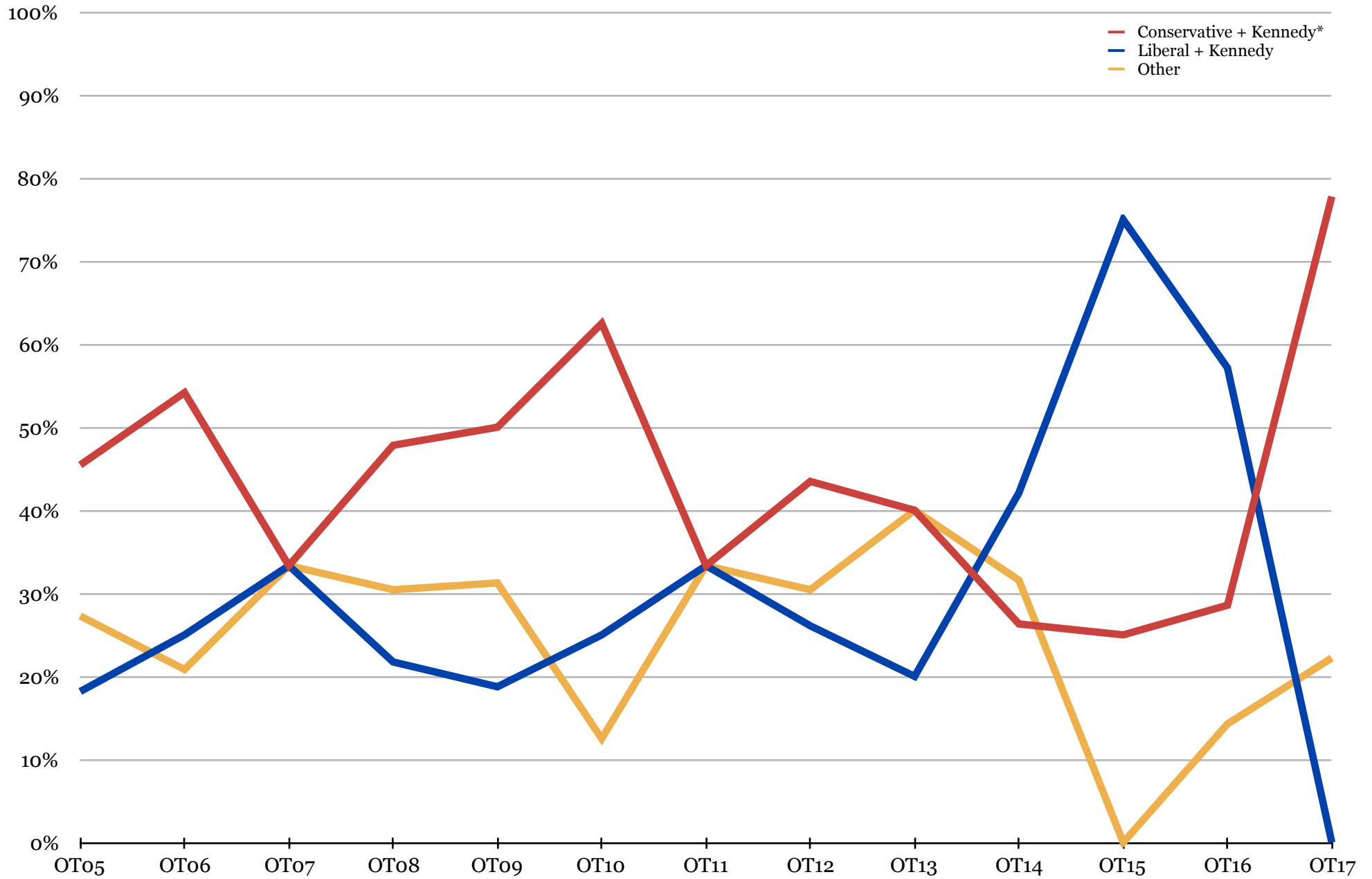
### 5-4 Cases

- Conservative + Kennedy
- Liberal + Kennedy
- Other



\*Conservative = Roberts, Kennedy, Scalia/Gorsuch, Thomas, Alito;  
Liberal = Kennedy, Ginsburg, Breyer, Sotomayor, Kagan

### 5-4 Cases



\*The conservative line includes the combination of Roberts, Kennedy, Scalia/Gorsuch, Thomas and Alito; the liberal line counts the combination of Kennedy, Stevens/Kagan, Souter/Sotomayor, Ginsburg and Breyer. All other alignments of five-justice majorities are grouped into the “other” category.

## Majority Opinion Distribution by Senior Justices

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 *Sessions v. Dimaya*, 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 Kagan (the author of the majority opinion). The tables below demonstrate how the five most senior justices on the court assigned majority opinions during OT17 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 the majority for unanimous opinions.

### Unanimous Cases

|                     | <b>Roberts</b> | <b>Kennedy</b> | <b>Thomas</b> | <b>Ginsburg</b> | <b>Breyer</b> | <b>Alito</b> | <b>Sotomayor</b> | <b>Kagan</b> | <b>Gorsuch</b> |
|---------------------|----------------|----------------|---------------|-----------------|---------------|--------------|------------------|--------------|----------------|
| <b>Roberts (20)</b> | 3 15%          | 1 5%           | 1 5%          | 4 20%           | 2 10%         | 2 10%        | 4 20%            | 2 10%        | 1 5%           |

### Divided Cases

|                     | <b>Roberts</b> | <b>Kennedy</b> | <b>Thomas</b> | <b>Ginsburg</b> | <b>Breyer</b> | <b>Alito</b> | <b>Sotomayor</b> | <b>Kagan</b> | <b>Gorsuch</b> |
|---------------------|----------------|----------------|---------------|-----------------|---------------|--------------|------------------|--------------|----------------|
| <b>Roberts (21)</b> | 1 5%           | 3 14%          | 1 5%          | 2 10%           | 4 19%         | 3 14%        | 2 10%            | 1 5%         | 4 19%          |
| <b>Kennedy (2)</b>  |                | 1 50%          | 1 50%         | 0 0%            | 0 0%          | 0 0%         | 0 0%             | 0 0%         | 0 0%           |
| <b>Thomas (1)</b>   |                |                | 1 100%        | 0 0%            | 0 0%          | 0 0%         | 0 0%             | 0 0%         | 0 0%           |
| <b>Ginsburg (1)</b> |                |                |               | 0 0%            | 0 0%          | 0 0%         | 0 0%             | 1 100%       | 0 0%           |
| <b>Breyer (0)</b>   |                |                |               |                 | 0 0%          | 0 0%         | 0 0%             | 0 0%         | 0 0%           |

### Justice Agreement - All Cases

|           | Kennedy |     | Thomas |     | Ginsburg |     | Breyer |     | Alito |     | Sotomayor |     | Kagan |     | Gorsuch |     | Total |
|-----------|---------|-----|--------|-----|----------|-----|--------|-----|-------|-----|-----------|-----|-------|-----|---------|-----|-------|
| Roberts   | 47      | 87% | 30     | 56% | 35       | 65% | 36     | 67% | 37    | 69% | 30        | 56% | 37    | 73% | 36      | 69% | 54    |
|           | 49      | 91% | 41     | 76% | 39       | 72% | 42     | 78% | 42    | 78% | 37        | 69% | 40    | 78% | 44      | 85% |       |
|           | 49      | 91% | 43     | 80% | 40       | 74% | 42     | 78% | 43    | 80% | 38        | 70% | 40    | 78% | 45      | 87% |       |
|           | 5       | 9%  | 11     | 20% | 14       | 26% | 12     | 22% | 11    | 20% | 16        | 30% | 11    | 22% | 7       | 13% |       |
| Kennedy   | 31      | 57% | 32     | 59% | 33       | 61% | 37     | 69% | 29    | 54% | 36        | 71% | 37    | 71% | 54      |     |       |
|           | 42      | 78% | 38     | 70% | 41       | 76% | 43     | 80% | 38    | 70% | 41        | 80% | 44    | 85% |         |     |       |
|           | 44      | 81% | 39     | 72% | 41       | 76% | 44     | 81% | 39    | 72% | 41        | 80% | 45    | 87% |         |     |       |
|           | 10      | 19% | 15     | 28% | 13       | 24% | 10     | 19% | 15    | 28% | 10        | 20% | 7     | 13% |         |     |       |
| Thomas    | 22      | 41% | 24     | 44% | 42       | 78% | 19     | 35% | 25    | 49% | 35        | 67% | 54    |     |         |     |       |
|           | 30      | 56% | 33     | 61% | 51       | 94% | 28     | 52% | 31    | 61% | 42        | 81% |       |     |         |     |       |
|           | 33      | 61% | 35     | 65% | 52       | 96% | 31     | 57% | 33    | 65% | 42        | 81% |       |     |         |     |       |
|           | 21      | 39% | 19     | 35% | 2        | 4%  | 23     | 43% | 18    | 35% | 10        | 19% |       |     |         |     |       |
| Ginsburg  | 45      | 83% | 24     | 44% | 45       | 83% | 41     | 80% | 26    | 50% | 54        |     |       |     |         |     |       |
|           | 48      | 89% | 30     | 56% | 49       | 91% | 45     | 88% | 33    | 63% |           |     |       |     |         |     |       |
|           | 50      | 93% | 33     | 61% | 52       | 96% | 47     | 92% | 35    | 67% |           |     |       |     |         |     |       |
|           | 4       | 7%  | 21     | 39% | 2        | 4%  | 4      | 8%  | 17    | 33% |           |     |       |     |         |     |       |
| Breyer    | 27      | 50% | 42     | 78% | 44       | 86% | 28     | 54% | 54    |     |           |     |       |     |         |     |       |
|           | 34      | 63% | 48     | 89% | 49       | 96% | 36     | 69% |       |     |           |     |       |     |         |     |       |
|           | 35      | 65% | 50     | 93% | 49       | 96% | 37     | 71% |       |     |           |     |       |     |         |     |       |
|           | 19      | 35% | 4      | 7%  | 2        | 4%  | 15     | 29% |       |     |           |     |       |     |         |     |       |
| Alito     | 20      | 37% | 28     | 55% | 37       | 71% | 54     |     |       |     |           |     |       |     |         |     |       |
|           | 28      | 52% | 32     | 63% | 42       | 81% |        |     |       |     |           |     |       |     |         |     |       |
|           | 31      | 57% | 33     | 65% | 42       | 81% |        |     |       |     |           |     |       |     |         |     |       |
|           | 23      | 43% | 18     | 35% | 10       | 19% |        |     |       |     |           |     |       |     |         |     |       |
| Sotomayor | 36      | 71% | 24     | 46% | 54       |     |        |     |       |     |           |     |       |     |         |     |       |
|           | 44      | 86% | 32     | 62% |          |     |        |     |       |     |           |     |       |     |         |     |       |
|           | 47      | 92% | 34     | 65% |          |     |        |     |       |     |           |     |       |     |         |     |       |
|           | 4       | 8%  | 18     | 35% |          |     |        |     |       |     |           |     |       |     |         |     |       |
| Kagan     | 29      | 59% | 51     |     |          |     |        |     |       |     |           |     |       |     |         |     |       |
|           | 35      | 71% |        |     |          |     |        |     |       |     |           |     |       |     |         |     |       |
|           | 36      | 73% |        |     |          |     |        |     |       |     |           |     |       |     |         |     |       |
|           | 13      | 27% |        |     |          |     |        |     |       |     |           |     |       |     |         |     |       |
| Gorsuch   |         |     |        |     |          |     |        |     |       |     |           |     |       |     | 52      |     |       |

**Key**

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

### Justice Agreement - Non-Unanimous Cases

|                  | Kennedy |     | Thomas |     | Ginsburg |     | Breyer |     | Alito |     | Sotomayor |     | Kagan |     | Gorsuch |     | Total |
|------------------|---------|-----|--------|-----|----------|-----|--------|-----|-------|-----|-----------|-----|-------|-----|---------|-----|-------|
| <b>Roberts</b>   | 21      | 78% | 8      | 30% | 12       | 44% | 12     | 44% | 13    | 48% | 10        | 37% | 13    | 50% | 15      | 58% | 27    |
|                  | 22      | 81% | 15     | 56% | 13       | 48% | 15     | 56% | 16    | 59% | 12        | 44% | 15    | 58% | 19      | 73% |       |
|                  | 22      | 81% | 16     | 59% | 13       | 48% | 15     | 56% | 16    | 59% | 11        | 41% | 15    | 58% | 19      | 73% |       |
|                  | 5       | 19% | 11     | 41% | 14       | 52% | 12     | 44% | 11    | 41% | 16        | 59% | 11    | 42% | 7       | 27% |       |
| <b>Kennedy</b>   | 9       | 33% | 10     | 37% | 10       | 37% | 15     | 56% | 9     | 33% | 13        | 50% | 16    | 62% | 19      | 73% | 27    |
|                  | 16      | 59% | 12     | 44% | 14       | 52% | 17     | 63% | 13    | 48% | 16        | 62% | 19    | 73% | 19      | 73% |       |
|                  | 17      | 63% | 12     | 44% | 14       | 52% | 17     | 63% | 12    | 44% | 16        | 62% | 19    | 73% | 19      | 73% |       |
|                  | 10      | 37% | 15     | 56% | 13       | 48% | 10     | 37% | 15    | 56% | 10        | 38% | 7     | 27% | 7       | 27% |       |
| <b>Thomas</b>    | 3       | 11% | 3      | 11% | 18       | 67% | 1      | 4%  | 5     | 19% | 9         | 35% | 16    | 62% | 16      | 62% | 27    |
|                  | 5       | 19% | 7      | 26% | 24       | 89% | 4      | 15% | 7     | 27% | 8         | 31% | 16    | 62% | 16      | 62% |       |
|                  | 6       | 22% | 8      | 30% | 25       | 93% | 4      | 15% | 8     | 31% | 16        | 62% | 16    | 62% | 16      | 62% |       |
|                  | 21      | 78% | 19     | 70% | 2        | 7%  | 23     | 85% | 18    | 69% | 10        | 38% | 10    | 38% | 10      | 38% |       |
| <b>Ginsburg</b>  | 22      | 81% | 4      | 15% | 22       | 81% | 19     | 73% | 8     | 31% | 8         | 31% | 8     | 31% | 8       | 31% | 27    |
|                  | 23      | 85% | 5      | 19% | 25       | 93% | 21     | 81% | 9     | 35% | 9         | 35% | 9     | 35% | 9       | 35% |       |
|                  | 23      | 85% | 6      | 22% | 25       | 93% | 22     | 85% | 9     | 35% | 9         | 35% | 9     | 35% | 9       | 35% |       |
|                  | 4       | 15% | 21     | 78% | 2        | 7%  | 4      | 15% | 17    | 65% | 17        | 65% | 17    | 65% | 17      | 65% |       |
| <b>Breyer</b>    | 5       | 19% | 20     | 74% | 21       | 81% | 8      | 31% | 8     | 31% | 8         | 31% | 8     | 31% | 8       | 31% | 27    |
|                  | 8       | 30% | 23     | 85% | 24       | 92% | 11     | 42% | 11    | 42% | 11        | 42% | 11    | 42% | 11      | 42% |       |
|                  | 8       | 30% | 23     | 85% | 24       | 92% | 11     | 42% | 11    | 42% | 11        | 42% | 11    | 42% | 11      | 42% |       |
|                  | 19      | 70% | 4      | 15% | 2        | 8%  | 15     | 58% | 15    | 58% | 15        | 58% | 15    | 58% | 15      | 58% |       |
| <b>Alito</b>     | 2       | 7%  | 7      | 27% | 13       | 50% | 13     | 50% | 13    | 50% | 13        | 50% | 13    | 50% | 13      | 50% | 27    |
|                  | 4       | 15% | 8      | 31% | 16       | 62% | 16     | 62% | 16    | 62% | 16        | 62% | 16    | 62% | 16      | 62% |       |
|                  | 4       | 15% | 8      | 31% | 16       | 62% | 16     | 62% | 16    | 62% | 16        | 62% | 16    | 62% | 16      | 62% |       |
|                  | 23      | 85% | 18     | 69% | 10       | 38% | 10     | 38% | 10    | 38% | 10        | 38% | 10    | 38% | 10      | 38% |       |
| <b>Sotomayor</b> | 17      | 65% | 6      | 23% | 6        | 23% | 6      | 23% | 6     | 23% | 6         | 23% | 6     | 23% | 6       | 23% | 27    |
|                  | 21      | 81% | 9      | 35% | 9        | 35% | 9      | 35% | 9     | 35% | 9         | 35% | 9     | 35% | 9       | 35% |       |
|                  | 22      | 85% | 8      | 31% | 8        | 31% | 8      | 31% | 8     | 31% | 8         | 31% | 8     | 31% | 8       | 31% |       |
|                  | 4       | 15% | 18     | 69% | 18       | 69% | 18     | 69% | 18    | 69% | 18        | 69% | 18    | 69% | 18      | 69% |       |
| <b>Kagan</b>     | 10      | 40% | 10     | 40% | 10       | 40% | 10     | 40% | 10    | 40% | 10        | 40% | 10    | 40% | 10      | 40% | 26    |
|                  | 12      | 48% | 12     | 48% | 12       | 48% | 12     | 48% | 12    | 48% | 12        | 48% | 12    | 48% | 12      | 48% |       |
|                  | 12      | 48% | 12     | 48% | 12       | 48% | 12     | 48% | 12    | 48% | 12        | 48% | 12    | 48% | 12      | 48% |       |
|                  | 13      | 52% | 13     | 52% | 13       | 52% | 13     | 52% | 13    | 52% | 13        | 52% | 13    | 52% | 13      | 52% |       |
| <b>Gorsuch</b>   |         |     |        |     |          |     |        |     |       |     |           |     |       |     |         |     | 26    |

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



### Justice Agreement - 5-4 Cases

|                  | Kennedy | Thomas | Ginsburg | Breyer | Alito  | Sotomayor | Kagan  | Gorsuch  | Total    |
|------------------|---------|--------|----------|--------|--------|-----------|--------|----------|----------|
| <b>Roberts</b>   | 7 78%   | 3 33%  | 1 11%    | 1 11%  | 6 67%  | 1 11%     | 1 13%  | 5 56%    | <b>9</b> |
|                  | 8 89%   | 8 89%  | 1 11%    | 1 11%  | 8 89%  | 2 22%     | 1 13%  | 7 78%    |          |
|                  | 8 89%   | 8 89%  | 1 11%    | 1 11%  | 8 89%  | 1 11%     | 1 13%  | 7 78%    |          |
|                  | 1 11%   | 1 11%  | 8 89%    | 8 89%  | 1 11%  | 8 89%     | 7 88%  | 2 22%    |          |
| <b>Kennedy</b>   | 4 44%   | 0 0%   | 0 0%     | 0 0%   | 8 89%  | 0 0%      | 0 0%   | 6 67%    | <b>9</b> |
|                  | 9 100%  | 0 0%   | 0 0%     | 0 0%   | 9 100% | 1 11%     | 0 0%   | 8 89%    |          |
|                  | 9 100%  | 0 0%   | 0 0%     | 0 0%   | 9 100% | 0 0%      | 0 0%   | 8 89%    |          |
|                  | 0 0%    | 9 100% | 9 100%   | 9 100% | 0 0%   | 9 100%    | 8 100% | 1 11%    |          |
| <b>Thomas</b>    | 0 0%    | 0 0%   | 4 44%    | 0 0%   | 0 0%   | 0 0%      | 0 0%   | 4 44%    | <b>9</b> |
|                  | 0 0%    | 0 0%   | 9 100%   | 1 11%  | 0 0%   | 0 0%      | 0 0%   | 8 89%    |          |
|                  | 0 0%    | 0 0%   | 9 100%   | 0 0%   | 0 0%   | 0 0%      | 0 0%   | 8 89%    |          |
|                  | 9 100%  | 9 100% | 0 0%     | 9 100% | 8 100% | 8 100%    | 1 11%  |          |          |
| <b>Ginsburg</b>  | 9 100%  | 0 0%   | 8 89%    | 7 88%  | 0 0%   | 0 0%      | 0 0%   | 0 0%     | <b>9</b> |
|                  | 9 100%  | 0 0%   | 9 100%   | 8 100% | 1 11%  | 1 11%     | 1 11%  |          |          |
|                  | 9 100%  | 0 0%   | 9 100%   | 8 100% | 1 11%  | 1 11%     | 1 11%  |          |          |
|                  | 0 0%    | 9 100% | 0 0%     | 0 0%   | 8 89%  | 8 89%     | 8 89%  |          |          |
| <b>Breyer</b>    | 0 0%    | 8 89%  | 7 88%    | 0 0%   | 6 67%  | 0 0%      | 0 0%   | 6 67%    | <b>9</b> |
|                  | 0 0%    | 9 100% | 8 100%   | 1 11%  | 8 89%  | 1 11%     | 1 11%  |          |          |
|                  | 0 0%    | 9 100% | 8 100%   | 1 11%  | 8 89%  | 1 11%     | 1 11%  |          |          |
|                  | 9 100%  | 0 0%   | 0 0%     | 8 89%  | 8 89%  | 8 89%     | 8 89%  |          |          |
| <b>Alito</b>     | 0 0%    | 0 0%   | 6 67%    | 0 0%   | 0 0%   | 0 0%      | 0 0%   | 6 67%    | <b>9</b> |
|                  | 1 11%   | 0 0%   | 8 89%    | 0 0%   | 0 0%   | 0 0%      | 0 0%   |          |          |
|                  | 0 0%    | 0 0%   | 8 89%    | 0 0%   | 0 0%   | 0 0%      | 0 0%   |          |          |
|                  | 9 100%  | 8 100% | 1 11%    | 1 11%  | 1 11%  | 1 11%     | 1 11%  |          |          |
| <b>Sotomayor</b> | 6 75%   | 0 0%   | 0 0%     | 0 0%   | 0 0%   | 0 0%      | 0 0%   | 6 75%    | <b>9</b> |
|                  | 8 100%  | 2 22%  | 2 22%    | 2 22%  | 2 22%  | 2 22%     | 2 22%  |          |          |
|                  | 8 100%  | 1 11%  | 1 11%    | 1 11%  | 1 11%  | 1 11%     | 1 11%  |          |          |
|                  | 0 0%    | 8 89%  | 8 89%    | 8 89%  | 8 89%  | 8 89%     | 8 89%  |          |          |
| <b>Kagan</b>     | 0 0%    | 0 0%   | 0 0%     | 0 0%   | 0 0%   | 0 0%      | 0 0%   | 0 0%     | <b>8</b> |
|                  | 1 13%   | 1 13%  | 1 13%    | 1 13%  | 1 13%  | 1 13%     | 1 13%  |          |          |
|                  | 1 13%   | 1 13%  | 1 13%    | 1 13%  | 1 13%  | 1 13%     | 1 13%  |          |          |
|                  | 7 88%   | 7 88%  | 7 88%    | 7 88%  | 7 88%  | 7 88%     | 7 88%  |          |          |
| <b>Gorsuch</b>   |         |        |          |        |        |           |        | <b>9</b> |          |

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

## 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 |                     |       |
|----------------------|-------------------|----------------------|--------|------------------|---------------------|-------|
| <b>All Cases</b>     | 1                 | Thomas - Alito       | 96.3%  | 1                | Thomas - Sotomayor  | 57.4% |
|                      | 2                 | Ginsburg - Sotomayor | 96.3%  | 2                | Alito - Sotomayor   | 57.4% |
|                      | 3                 | Breyer - Kagan       | 96.1%  | 3                | Thomas - Ginsburg   | 61.1% |
|                      | 4                 | Ginsburg - Breyer    | 92.6%  | 4                | Ginsburg - Alito    | 61.1% |
|                      | 5                 | Breyer - Sotomayor   | 92.6%  | 5                | Thomas - Kagan      | 64.7% |
|                      | 6                 | Ginsburg - Kagan     | 92.2%  | 6                | Alito - Kagan       | 64.7% |
|                      | 7                 | Sotomayor - Kagan    | 92.2%  | 7                | Thomas - Breyer     | 64.8% |
|                      | 8                 | Roberts - Kennedy    | 90.7%  | 8                | Breyer - Alito      | 64.8% |
|                      | 9                 | Roberts - Gorsuch    | 86.5%  | 9                | Sotomayor - Gorsuch | 65.4% |
|                      | 10                | Kennedy - Gorsuch    | 86.5%  | 10               | Ginsburg - Gorsuch  | 67.3% |
| <b>Divided Cases</b> | 1                 | Thomas - Alito       | 92.6%  | 1                | Thomas - Sotomayor  | 14.8% |
|                      | 2                 | Ginsburg - Sotomayor | 92.6%  | 2                | Alito - Sotomayor   | 14.8% |
|                      | 3                 | Breyer - Kagan       | 92.3%  | 3                | Thomas - Ginsburg   | 22.2% |
|                      | 4                 | Ginsburg - Breyer    | 85.2%  | 4                | Ginsburg - Alito    | 22.2% |
|                      | 5                 | Breyer - Sotomayor   | 85.2%  | 5                | Thomas - Breyer     | 29.6% |
|                      | 6                 | Ginsburg - Kagan     | 84.6%  | 6                | Breyer - Alito      | 29.6% |
|                      | 7                 | Sotomayor - Kagan    | 84.6%  | 7                | Thomas - Kagan      | 30.8% |
|                      | 8                 | Roberts - Kennedy    | 81.5%  | 8                | Alito - Kagan       | 30.8% |
|                      | 9                 | Roberts - Gorsuch    | 73.1%  | 9                | Sotomayor - Gorsuch | 30.8% |
|                      | 10                | Kennedy - Gorsuch    | 73.1%  | 10               | Ginsburg - Gorsuch  | 34.6% |
| <b>5-4 Cases</b>     | 1                 | Kennedy - Thomas     | 100.0% | 1                | Kennedy - Ginsburg  | 0.0%  |
|                      | 2                 | Kennedy - Alito      | 100.0% | 2                | Kennedy - Breyer    | 0.0%  |
|                      | 3                 | Thomas - Alito       | 100.0% | 3                | Kennedy - Sotomayor | 0.0%  |
|                      | 4                 | Ginsburg - Breyer    | 100.0% | 4                | Kennedy - Kagan     | 0.0%  |
|                      | 5                 | Ginsburg - Sotomayor | 100.0% | 5                | Thomas - Ginsburg   | 0.0%  |
|                      | 6                 | Ginsburg - Kagan     | 100.0% | 6                | Thomas - Breyer     | 0.0%  |
|                      | 7                 | Breyer - Sotomayor   | 100.0% | 7                | Thomas - Sotomayor  | 0.0%  |
|                      | 8                 | Breyer - Kagan       | 100.0% | 8                | Thomas - Kagan      | 0.0%  |
|                      | 9                 | Sotomayor - Kagan    | 100.0% | 9                | Ginsburg - Alito    | 0.0%  |
|                      | 10                | Roberts - Kennedy    | 88.9%  | 10               | Breyer - Alito      | 0.0%  |

## Time Between Oral Argument and Opinion

The following charts address the time it takes for the court to release opinions following oral argument. The court released 45 merits opinions after argument during OT17.

| Argued         | Avg.        | Total     | Remain    |
|----------------|-------------|-----------|-----------|
| October        | 157d        | 9         | -         |
| November       | 124d        | 6         | -         |
| December       | 122d        | 10        | 1         |
| January        | 105d        | 9         | 2         |
| February       | 104d        | 9         | 3         |
| March          | 70d         | 8         | 1         |
| April          | 49d         | 12        | 7         |
| <b>Overall</b> | <b>111d</b> | <b>63</b> | <b>14</b> |

|                |             |
|----------------|-------------|
| <b>Average</b> | <b>111d</b> |
| <b>Median</b>  | <b>108d</b> |

|                 |              |      |
|-----------------|--------------|------|
| <b>Shortest</b> | <i>Hamer</i> | 29d  |
| <b>Longest</b>  | <i>Gill</i>  | 258d |

### Averages

|      |      |
|------|------|
| OT05 | 79d  |
| OT06 | 96d  |
| OT07 | 94d  |
| OT08 | 94d  |
| OT09 | 109d |
| OT10 | 106d |
| OT11 | 97d  |
| OT12 | 95d  |
| OT13 | 94d  |
| OT14 | 95d  |
| OT15 | 95d  |
| OT16 | 92d  |

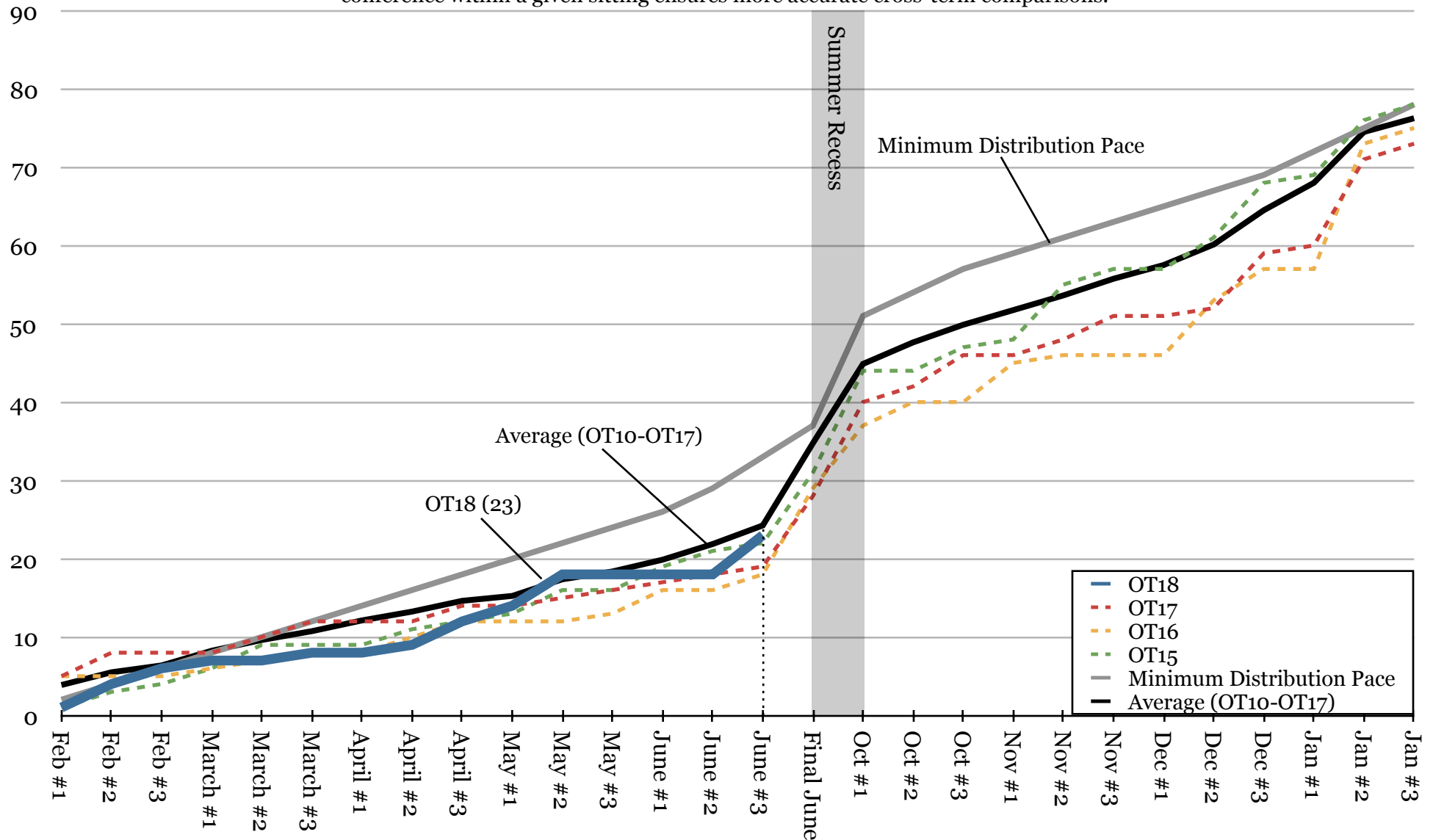
|                 | Rank                  |                                      | Author  | Vote      | Argued       | Decided      |              |
|-----------------|-----------------------|--------------------------------------|---------|-----------|--------------|--------------|--------------|
| <b>Shortest</b> | 1                     | <i>Hamer v. Neighborhood Housing</i> | 29d     | Ginsburg  | 9-0          | Oct 10, 2017 | Nov 8, 2017  |
|                 | 2                     | <i>Lagos v. U.S.</i>                 | 41d     | Breyer    | 9-0          | Apr 18, 2018 | May 29, 2018 |
|                 | 3                     | <i>Lamar v. Appling</i>              | 48d     | Sotomayor | 9-0          | Apr 17, 2018 | Jun 4, 2018  |
|                 | 4                     | <i>U.S. v. Sanchez-Gomez</i>         | 49d     | Roberts   | 9-0          | Mar 26, 2018 | May 14, 2018 |
|                 | 5                     | <i>Animal Sci. Prods v. Hebei</i>    | 51d     | Ginsburg  | 9-0          | Apr 24, 2018 | Jun 14, 2018 |
|                 | 6                     | <i>Texas v. New Mexico</i>           | 56d     | Gorsuch   | 9-0          | Jan 8, 2018  | Mar 5, 2018  |
|                 | 6                     | <i>Chavez-Meza v. U.S.</i>           | 56d     | Breyer    | 5-3          | Apr 23, 2018 | Jun 18, 2018 |
|                 | 8                     | <i>Upper Skagit v. Lundgren</i>      | 61d     | Gorsuch   | 7-2          | Mar 21, 2018 | May 21, 2018 |
|                 | 9                     | <i>Koons v. U.S.</i>                 | 69d     | Alito     | 9-0          | Mar 27, 2018 | Jun 4, 2018  |
| 9               | <i>Hughes v. U.S.</i> | 69d                                  | Kennedy | 6-3       | Mar 27, 2018 | Jun 4, 2018  |              |

|                | Rank                          |                                  | Author | Vote    | Argued       | Decided      |              |
|----------------|-------------------------------|----------------------------------|--------|---------|--------------|--------------|--------------|
| <b>Longest</b> | 1                             | <i>Gill v. Whitford</i>          | 258d   | Roberts | 9-0          | Oct 3, 2017  | Jun 18, 2018 |
|                | 2                             | <i>Epic v. Lewis</i>             | 231d   | Gorsuch | 5-4          | Oct 2, 2017  | May 21, 2018 |
|                | 3                             | <i>Sessions v. Dimaya</i>        | 196d   | Kagan   | 5-4          | Oct 3, 2017  | Apr 17, 2018 |
|                | 4                             | <i>Jesner v. Arab Bank</i>       | 195d   | Kennedy | 5-4          | Oct 11, 2017 | Apr 24, 2018 |
|                | 5                             | <i>Masterpiece v. Co. Comm'n</i> | 181d   | Kennedy | 7-2          | Dec 5, 2017  | Jun 4, 2018  |
|                | 6                             | <i>Wilson v. Sellers</i>         | 169d   | Breyer  | 6-3          | Oct 30, 2017 | Apr 17, 2018 |
|                | 7                             | <i>Murphy v. NCAA</i>            | 161d   | Alito   | 7-2          | Dec 4, 2017  | May 14, 2018 |
|                | 8                             | <i>Husted v. Randolph Inst.</i>  | 152d   | Alito   | 5-4          | Jan 10, 2018 | Jun 11, 2018 |
|                | 9                             | <i>SAS Inst. v. Iancu</i>        | 148d   | Gorsuch | 5-4          | Nov 27, 2017 | Apr 24, 2018 |
| 9              | <i>Oil States v. Greene's</i> | 148d                             | Thomas | 7-2     | Nov 27, 2017 | Apr 24, 2018 |              |

|      | Less than 30 days | 30-59 | 60-89 | 90-119 | 120-149 | 150-179 | 180-209 | 210-239 | More than 240 |
|------|-------------------|-------|-------|--------|---------|---------|---------|---------|---------------|
| OT14 | 0                 | 11    | 21    | 21     | 8       | 2       | 2       | 1       | 0             |
| OT15 | 1                 | 17    | 16    | 19     | 5       | 3       | 6       | 0       | 0             |
| OT16 | 0                 | 16    | 21    | 11     | 6       | 5       | 2       | 1       | 0             |
| OT17 | 1                 | 6     | 13    | 10     | 8       | 3       | 3       | 1       | 1             |

## Pace of Grants

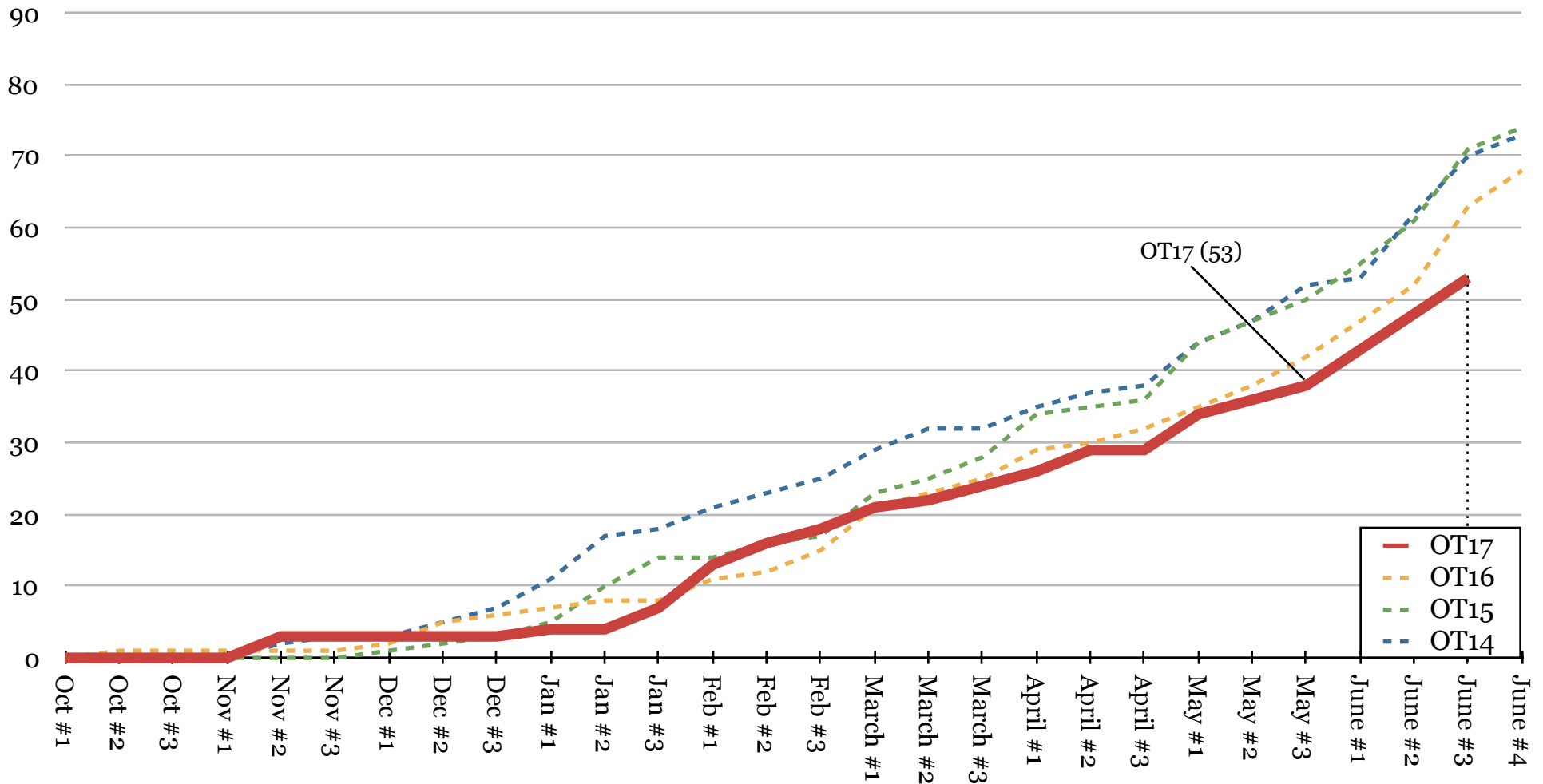
The following chart plots the pace at which the court fills its merits docket for a given term. Each date marker represents the conference within a given sitting. For instance, Feb #3 is the third February conference, which, during OT17, took place on March 2, 2018. Categorizing grants by their conference 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.

## 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 release within a given sitting, rather than by calendar month. For example, the opinions for Feb #3 of OT17 were actually released on March 5, 2018.



### Grants Per Conference

|              | October Term |     |     |     |     |     |     |     |     |     |     |     | Average (OT06-OT16) | Range (OT06-OT16) | Calendar Weeks Covered | Grants Per Weeks Covered (OT06-OT16) |     |
|--------------|--------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|---------------------|-------------------|------------------------|--------------------------------------|-----|
|              | '06          | '07 | '08 | '09 | '10 | '11 | '12 | '13 | '14 | '15 | '16 | '17 |                     |                   |                        |                                      |     |
| Feb #1       | 4            | 2   | 8   | 9   | 3   | 7   | 6   | 4   | 0   | 1   | 5   | 1   | 4.5                 | 7.1               | 0 - 9                  | 4                                    | 1.1 |
| Feb #2       | 0            | 3   | 3   | 1   | 1   | 0   | 0   | 2   | 5   | 2   | 3   | 3   | 1.8                 |                   | 0 - 5                  | 1                                    | 1.8 |
| Feb #3       | 1            | 0   | 0   | 1   | 3   | 1   | 0   | 1   | 1   | 1   | 0   | 2   | 0.8                 |                   | 0 - 3                  | 1                                    | 0.8 |
| March #1     | 0            | 0   | 8   | 0   | 4   | 2   | 2   | 3   | 1   | 2   | 0   | 1   | 2.0                 | 4.5               | 0 - 8                  | 2                                    | 1.0 |
| March #2     | 1            | 2   | 2   | 1   | 0   | 1   | 1   | 2   | 1   | 3   | 2   | 0   | 1.5                 |                   | 0 - 3                  | 1                                    | 1.5 |
| March #3     | 1            | 0   | 2   | 1   | 0   | 2   | 2   | 1   | 1   | 0   | 2   | 1   | 1.1                 |                   | 0 - 2                  | 1                                    | 1.1 |
| April #1     | 3            | 0   | 2   | 3   | 4   | 1   | 1   | 2   | 3   | 0   | 0   | 0   | 1.7                 | 4.3               | 0 - 4                  | 2                                    | 0.9 |
| April #2     | 0            | 1   | 2   | 3   | 2   | 0   | 0   | 1   | 2   | 2   | 0   | 1   | 1.2                 |                   | 0 - 3                  | 1                                    | 1.2 |
| April #3     | 1            | 1   | 0   | 4   | 0   | 2   | 1   | 1   | 2   | 1   | 2   | 3   | 1.4                 |                   | 0 - 4                  | 1                                    | 1.4 |
| May #1       | 4            | 0   | 1   | 4   | 1   | 1   | 0   | 1   | 1   | 1   | 0   | 2   | 1.3                 | 4.4               | 0 - 4                  | 2                                    | 0.6 |
| May #2       | 0            | 3   | 0   | 1   | 5   | 1   | 1   | 5   | 1   | 3   | 1   | 4   | 1.9                 |                   | 0 - 5                  | 1                                    | 1.9 |
| May #3       | 1            | 4   | 0   | 1   | 1   | 1   | 1   | 2   | 1   | 0   | 1   | 0   | 1.2                 |                   | 0 - 4                  | 1                                    | 1.2 |
| June #1      | 4            | 1   | 0   | 2   | 0   | 2   | 1   | 2   | 0   | 3   | 1   | 0   | 1.5                 | 15.3              | 0 - 4                  | 1                                    | 1.5 |
| June #2      | 1            | 3   | 3   | 4   | 4   | 4   | 2   | 1   | 2   | 2   | 1   | 0   | 2.5                 |                   | 1 - 4                  | 1                                    | 2.5 |
| June #3      | 2            | 1   | 3   | 3   | 3   | 4   | 1   | 4   | 3   | 1   | 1   | 5   | 2.4                 |                   | 1 - 4                  | 1                                    | 2.4 |
| June #4      | 5            | 5   | 9   | 7   | 7   | 13  | 10  | 12  | 13  | 9   | 9   |     | 9.0                 |                   | 5 - 13                 | 1                                    | 9.0 |
| Oct #1       | 9            | 17  | 10  | 11  | 13  | 7   | 9   | 8   | 12  | 14  | 12  |     | 11.1                | 15.8              | 7 - 17                 | 13                                   | 0.9 |
| Oct #2       | 2            | 0   | 1   | 5   | 7   | 2   | 7   | 2   | 0   | 0   | 2   |     | 2.5                 |                   | 0 - 7                  | 2                                    | 1.3 |
| Oct #3       | 1            | 2   | 1   | 2   | 1   | 4   | 1   | 2   | 3   | 3   | 4   |     | 2.2                 |                   | 1 - 4                  | 1                                    | 2.2 |
| Nov #1       | 4            | 2   | 2   | 3   | 5   | 1   | 4   | 1   | 0   | 1   | 0   |     | 2.1                 | 6.5               | 0 - 5                  | 2                                    | 1.0 |
| Nov #2       | 2            | 1   | 1   | 0   | 0   | 5   | 1   | 0   | 4   | 8   | 2   |     | 2.2                 |                   | 0 - 8                  | 1                                    | 2.2 |
| Nov #3       | 0            | 1   | 5   | 1   | 2   | 3   | 4   | 2   | 2   | 2   | 3   |     | 2.3                 |                   | 0 - 5                  | 1                                    | 2.3 |
| Dec #1       | 0            | 3   | 2   | 3   | 3   | 4   | 3   | 4   | 2   | 0   | 0   |     | 2.2                 | 8.8               | 0 - 4                  | 1                                    | 2.2 |
| Dec #2       | 3            | 3   | 2   | 2   | 2   | 1   | 2   | 1   | 3   | 4   | 1   |     | 2.2                 |                   | 1 - 4                  | 2                                    | 1.1 |
| Dec #3       | 5            | 6   | 2   | 3   | 3   | 5   | 5   | 2   | 3   | 8   | 7   |     | 4.5                 |                   | 2 - 8                  | 1                                    | 4.5 |
| Jan #1       | 7            | 6   | 4   | 1   | 5   | 1   | 3   | 8   | 0   | 1   | 1   |     | 3.4                 | 9.5               | 0 - 8                  | 4                                    | 0.8 |
| Jan #2       | 4            | 4   | 6   | 5   | 0   | 0   | 6   | 3   | 6   | 7   | 11  |     | 4.7                 |                   | 0 - 11                 | 1                                    | 4.7 |
| Jan #3       | 7            | 2   | 0   | 0   | 0   | 1   | 2   | 0   | 1   | 2   | 1   |     | 1.5                 |                   | 0 - 7                  | 1                                    | 1.5 |
| <b>Total</b> | 72           | 73  | 79  | 81  | 79  | 76  | 76  | 77  | 73  | 81  | 72  | 23  | 76.3                | 76.3              | 72 - 81                | 52                                   | 1.5 |

## Opinions Per Week

|              | October Term |     |     |     |     |     |     |     |     |     |     |     | Average     |             | Range       |
|--------------|--------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------------|-------------|-------------|
|              | '06          | '07 | '08 | '09 | '10 | '11 | '12 | '13 | '14 | '15 | '16 | '17 | (OT06-OT16) | (OT06-OT16) | (OT06-OT16) |
| Oct #1       | 0            | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 0.0         | 0.4         | 0 - 0       |
| Oct #2       | 0            | 0   | 1   | 0   | 0   | 0   | 0   | 0   | 0   | 0   | 1   | 0   | 0.2         |             | 0 - 1       |
| Oct #3       | 1            | 0   | 0   | 1   | 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   | 0.3         | 1.6         | 0 - 2       |
| Nov #2       | 0            | 1   | 1   | 1   | 1   | 3   | 1   | 0   | 2   | 0   | 0   | 3   | 0.9         |             | 0 - 3       |
| Nov #3       | 1            | 0   | 0   | 1   | 1   | 0   | 1   | 0   | 1   | 0   | 0   | 0   | 0.5         |             | 0 - 1       |
| Dec #1       | 0            | 0   | 1   | 1   | 1   | 0   | 1   | 3   | 0   | 1   | 1   | 0   | 0.8         | 3.7         | 0 - 3       |
| Dec #2       | 1            | 2   | 0   | 5   | 0   | 0   | 1   | 2   | 2   | 1   | 3   | 0   | 1.5         |             | 0 - 5       |
| Dec #3       | 2            | 3   | 1   | 0   | 1   | 2   | 1   | 1   | 2   | 1   | 1   | 0   | 1.4         |             | 0 - 3       |
| Jan #1       | 4            | 3   | 4   | 4   | 2   | 7   | 4   | 3   | 4   | 2   | 1   | 1   | 3.5         | 9.2         | 1 - 7       |
| Jan #2       | 1            | 3   | 5   | 5   | 3   | 4   | 1   | 1   | 6   | 5   | 1   | 0   | 3.2         |             | 1 - 6       |
| Jan #3       | 3            | 1   | 6   | 1   | 4   | 4   | 1   | 3   | 1   | 4   | 0   | 3   | 2.5         |             | 0 - 6       |
| Feb #1       | 5            | 5   | 5   | 5   | 4   | 7   | 9   | 6   | 3   | 0   | 3   | 6   | 4.7         | 9.4         | 0 - 9       |
| Feb #2       | 1            | 2   | 3   | 3   | 6   | 1   | 4   | 5   | 2   | 2   | 1   | 3   | 2.7         |             | 1 - 6       |
| Feb #3       | 2            | 1   | 4   | 2   | 3   | 1   | 1   | 1   | 2   | 1   | 3   | 2   | 1.9         |             | 1 - 4       |
| March #1     | 1            | 2   | 2   | 1   | 3   | 7   | 4   | 3   | 4   | 6   | 6   | 3   | 3.5         | 7.9         | 1 - 7       |
| March #2     | 2            | 2   | 5   | 5   | 2   | 5   | 3   | 2   | 3   | 2   | 2   | 1   | 3.0         |             | 2 - 5       |
| March #3     | 2            | 1   | 2   | 0   | 2   | 2   | 1   | 0   | 0   | 3   | 2   | 2   | 1.4         |             | 0 - 3       |
| April #1     | 5            | 5   | 4   | 4   | 2   | 4   | 4   | 4   | 3   | 6   | 4   | 2   | 4.1         | 8.2         | 2 - 6       |
| April #2     | 3            | 1   | 4   | 3   | 2   | 2   | 1   | 3   | 2   | 1   | 1   | 3   | 2.1         |             | 1 - 4       |
| April #3     | 5            | 1   | 4   | 2   | 2   | 0   | 1   | 3   | 1   | 1   | 2   | 0   | 2.0         |             | 0 - 5       |
| May #1       | 1            | 1   | 2   | 3   | 3   | 1   | 3   | 1   | 6   | 8   | 3   | 5   | 2.9         | 10.1        | 1 - 8       |
| May #2       | 5            | 4   | 3   | 6   | 6   | 5   | 4   | 5   | 3   | 3   | 3   | 2   | 4.3         |             | 3 - 6       |
| May #3       | 1            | 3   | 2   | 5   | 2   | 2   | 2   | 3   | 5   | 3   | 4   | 2   | 2.9         |             | 1 - 5       |
| June #1      | 4            | 3   | 5   | 4   | 8   | 2   | 3   | 5   | 1   | 5   | 5   | 5   | 4.1         | 25.0        | 1 - 8       |
| June #2      | 8            | 9   | 6   | 9   | 9   | 2   | 7   | 6   | 9   | 6   | 5   | 5   | 6.9         |             | 2 - 9       |
| June #3      | 6            | 7   | 7   | 10  | 10  | 8   | 8   | 8   | 8   | 10  | 11  | 5   | 8.5         |             | 6 - 11      |
| June #4      | 8            | 10  | 2   | 5   | 5   | 5   | 12  | 3   | 3   | 3   | 5   |     | 5.5         |             | 2 - 12      |
| <b>Total</b> | 72           | 70  | 79  | 86  | 82  | 75  | 78  | 73  | 73  | 74  | 68  | 53  | 75.5        | 75.5        | 68 - 86     |

## Oral Argument - Advocates


















































































### Advocates Who Appeared Two or More Times During OT17

| Name*                       | Appearances |          | Position                           | Law School        | Supreme Court Clerkship | U.S. Solicitor General Experience |
|-----------------------------|-------------|----------|------------------------------------|-------------------|-------------------------|-----------------------------------|
|                             | OT16        | All-Time |                                    |                   |                         |                                   |
| <b>Paul D. Clement</b>      | 6           | 92       | Kirkland & Ellis LLP               | Harvard           | Antonin Scalia          | Yes                               |
| <b>Jeffrey B. Wall</b>      | 5           | 16       | Principal Deputy Solicitor General | Chicago           | Clarence Thomas         | Yes                               |
| <b>Malcolm L. Stewart</b>   | 4           | 79       | Deputy Solicitor General           | Yale              | Harry Blackmun          | Yes                               |
| <b>Noel J. Francisco</b>    | 4           | 7        | Solicitor General                  | Chicago           | Antonin Scalia          | Yes                               |
| <b>Edwin S. Kneedler</b>    | 3           | 138      | Deputy Solicitor General           | Virginia          | None                    | Yes                               |
| <b>Neal K. Katyal</b>       | 3           | 37       | Hogan Lovells LLP                  | Yale              | Stephen Breyer          | Yes                               |
| <b>Jeffrey L. Fisher</b>    | 3           | 35       | Stanford Supreme Court Clinic      | Michigan          | John Paul Stevens       | No                                |
| <b>Kannon K. Shanmugam</b>  | 3           | 23       | Williams & Connolly LLP            | Harvard           | Antonin Scalia          | Yes                               |
| <b>Ann O'Connell</b>        | 3           | 19       | Assistant to the Solicitor General | George Washington | William Rehnquist       | Yes                               |
| <b>Eric J. Feigin</b>       | 3           | 18       | Assistant to the Solicitor General | Stanford          | Stephen Breyer          | Yes                               |
| <b>Brian H. Fletcher</b>    | 3           | 11       | Assistant to the Solicitor General | Harvard           | Ruth Bader Ginsburg     | Yes                               |
| <b>Scott A. Keller</b>      | 3           | 11       | Solicitor General of Texas         | Texas             | Anthony Kennedy         | No                                |
| <b>Rachel P. Kovner</b>     | 3           | 11       | Assistant to the Solicitor General | Stanford          | Antonin Scalia          | Yes                               |
| <b>Allon Kedem</b>          | 3           | 8        | Assistant to the Solicitor General | Yale              | Elena Kagan             | Yes                               |
| <b>Zachary D. Tripp</b>     | 3           | 8        | Assistant to the Solicitor General | Columbia          | Ruth Bader Ginsburg     | Yes                               |
| <b>Eric E. Murphy</b>       | 3           | 5        | Ohio State Solicitor               | Chicago           | Anthony Kennedy         | No                                |
| <b>Daniel L. Geyser</b>     | 3           | 4        | Stris & Maher LLP                  | Harvard           | None                    | No                                |
| <b>Michael R. Dreeben</b>   | 2           | 105      | Deputy Solicitor General           | Duke              | None                    | Yes                               |
| <b>David C. Frederick</b>   | 2           | 50       | Kellogg Huber PLLC                 | Texas             | Byron White             | Yes                               |
| <b>Gregory G. Garre</b>     | 2           | 44       | Latham & Watkins LLP               | George Washington | William Rehnquist       | Yes                               |
| <b>Paul M. Smith</b>        | 2           | 21       | Jenner & Block LLP                 | Yale              | Lewis Powell            | No                                |
| <b>E. Joshua Rosenkranz</b> | 2           | 17       | Orrick, Herrington & Sutcliffe LLP | Georgetown        | William Brennan         | No                                |
| <b>Shay Dvoretzky</b>       | 2           | 7        | Jones Day LLP                      | Yale              | Antonin Scalia          | No                                |
| <b>Adam G. Unikowsky</b>    | 2           | 6        | Jenner & Block LLP                 | Harvard           | Antonin Scalia          | No                                |
| <b>Frederick R. Yarger</b>  | 2           | 4        | Colorado Solicitor General         | Chicago           | None                    | No                                |
| <b>Robert A. Parker</b>     | 2           | 3        | Assistant to the Solicitor General | Yale              | None                    | Yes                               |
| <b>Total: 26</b>            |             |          |                                    |                   |                         |                                   |
































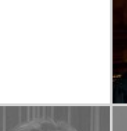












































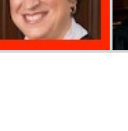


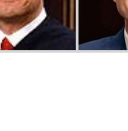
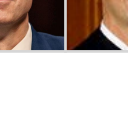
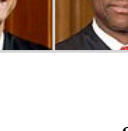
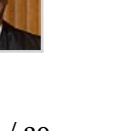
## Voting Alignment - All Cases

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  | Kennedy   | Roberts   | Gorsuch   | Alito   | Thomas  |
|---|-------------------|------|------------|---|--|---|---|---|---|---|---|---|
| <i>Kernan v. Cuero</i>  | November 6, 2017  | 9-0  | Per Curiam |    |    |    |    |    |    |    |    |    |
| <i>Dunn v. Madison</i>  | November 6, 2017  | 9-0  | Per Curiam |    |    |    |    |    |    |    |    |    |
| <i>Hamer v. Neighborhood Housing</i>                                  | November 8, 2017  | 9-0  | Ginsburg   |    |    |    |    |    |    |    |    |    |
| <i>In re United States</i>  | December 20, 2017 | 9-0  | Per Curiam |    |    |    |    |    |    |    |    |    |
| <i>Tharpe v. Sellers</i>  | January 8, 2018   | 6-3  | Per Curiam |   |   |   |   |   |   |   |   |   |
| <i>District of Columbia v. Wesby</i>                                  | January 22, 2018  | 9-0  | Thomas     |  |  |  |  |  |  |  |  |  |
| <i>Artis v. District of Columbia</i>                                  | January 22, 2018  | 5-4  | Ginsburg   |  |  |  |  |  |  |  |  |  |
| <i>National Association of Manufacturers v. Department of Defense</i> | January 22, 2018  | 9-0  | Sotomayor  |  |  |  |  |  |  |  |  |  |
| <i>CNH Industrial N.V. v. Reese</i>                                   | February 20, 2018 | 9-0  | Per Curiam |  |  |  |  |  |  |  |  |  |











































































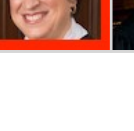


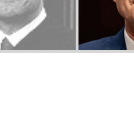
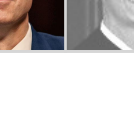

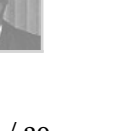


## Voting Alignment - All Cases (continued)

| Case Name                                       | Decided           | Vote | Author     | Sotomayor   | Ginsburg   | Kagan   | Breyer  | Kennedy   | Roberts   | Gorsuch   | Alito   | Thomas  |
|---|-------------------|------|------------|---|--|---|---|---|---|---|---|---|
| <i>Montana v. Wyoming</i>                       | February 20, 2018 | 8-0  | Per Curiam |    |    |    |    |    |    |    |    |    |
| <i>Digital Realty Trust v. Somers</i>           | February 21, 2018 | 9-0  | Ginsburg   |    |    |    |    |    |    |    |    |    |
| <i>Class v. United States</i>                   | February 21, 2018 | 6-3  | Breyer     |    |    |    |    |    |    |    |    |    |
| <i>Rubin v. Islamic Republic of Iran</i>        | February 21, 2018 | 8-0  | Sotomayor  |    |    |    |    |    |    |    |    |    |
| <i>Murphy v. Smith</i>                          | February 21, 2018 | 5-4  | Gorsuch    |    |    |    |    |    |    |    |    |    |
| <i>Patchak v. Zinke</i>                         | February 27, 2018 | 6-3  | Thomas     |   |   |   |   |   |   |   |   |   |
| <i>Jennings v. Rodriguez</i>                    | February 27, 2018 | 5-3  | Alito      |  |  |  |  |  |  |  |  |  |
| <i>Merit Management Group v. FTI Consulting</i> | February 27, 2018 | 9-0  | Sotomayor  |  |  |  |  |  |  |  |  |  |
| <i>U.S. Bank N.A. v. Village at Lakeridge</i>   | March 5, 2018     | 9-0  | Kagan      |  |  |  |  |  |  |  |  |  |































































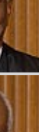












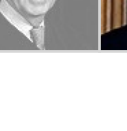

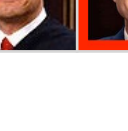
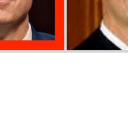
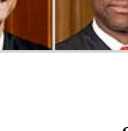
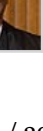


## Voting Alignment - All Cases (continued)

| Case Name                              | Decided        | Vote | Author     | Sotomayor   | Ginsburg   | Kagan   | Breyer  | Kennedy   | Roberts   | Gorsuch   | Alito   | Thomas  |
|--|----------------|------|------------|---|--|---|---|---|---|---|---|---|
| <i>Texas v. New Mexico</i>             | March 5, 2018  | 9-0  | Gorsuch    |    |    |    |    |    |    |    |    |    |
| <i>Cyan v. Beaver County Employees</i> | March 20, 2018 | 9-0  | Kagan      |    |    |    |    |    |    |    |    |    |
| <i>Marinello v. United States</i>      | March 21, 2018 | 7-2  | Breyer     |    |    |    |    |    |    |    |    |    |
| <i>Ayestas v. Davis</i>                | March 21, 2018 | 9-0  | Alito      |    |    |    |    |    |    |    |    |    |
| <i>Hall v. Hall</i>                    | March 27, 2018 | 9-0  | Roberts    |    |    |    |    |    |    |    |    |    |
| <i>Encino Motorcars v. Navarro</i>     | April 2, 2018  | 5-4  | Thomas     |   |   |   |   |   |   |   |   |   |
| <i>Kisela v. Hughes</i>                | April 2, 2018  | 7-2  | Per Curiam |  |  |  |  |  |  |  |  |  |
| <i>Wilson v. Sellers</i>               | April 17, 2018 | 6-3  | Breyer     |  |  |  |  |  |  |  |  |  |
| <i>Sessions v. Dimaya</i>              | April 17, 2018 | 5-4  | Kagan      |  |  |  |  |  |  |  |  |  |











































































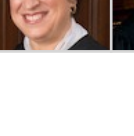


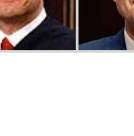
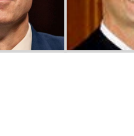
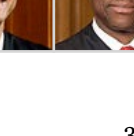
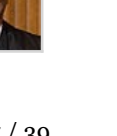


## Voting Alignment - All Cases (continued)

| Case Name  | Decided        | Vote | Author   | Sotomayor   | Ginsburg   | Kagan   | Breyer  | Kennedy   | Roberts   | Gorsuch   | Alito   | Thomas  |
|--|----------------|------|----------|---|--|---|---|---|---|---|---|---|
| <i>Jesner v. Arab Bank</i>                                 | April 24, 2018 | 5-4  | Kennedy  |    |    |    |    |    |    |    |    |    |
| <i>Oil States Energy Services v. Greene's Energy Group</i> | April 24, 2018 | 7-2  | Thomas   |    |    |    |    |    |    |    |    |    |
| <i>SAS Institute v. Iancu</i>                              | April 24, 2018 | 5-4  | Gorsuch  |    |    |    |    |    |    |    |    |    |
| <i>United States v. Sanchez-Gomez</i>                      | May 14, 2018   | 9-0  | Roberts  |    |    |    |    |    |    |    |    |    |
| <i>Byrd v. United States</i>                               | May 14, 2018   | 9-0  | Kennedy  |    |    |    |    |    |    |    |    |    |
| <i>McCoy v. Louisiana</i>                                  | May 14, 2018   | 6-3  | Ginsburg |   |   |   |   |   |   |   |   |   |
| <i>Dahda v. United States</i>                              | May 14, 2018   | 8-0  | Breyer   |  |  |  |  |  |  |  |  |  |
| <i>Murphy v. National Collegiate Athletic Association</i>  | May 14, 2018   | 7-2  | Alito    |  |  |  |  |  |  |  |  |  |
| <i>Epic Systems Corp. v. Lewis</i>                         | May 21, 2018   | 5-4  | Gorsuch  |  |  |  |  |  |  |  |  |  |











































































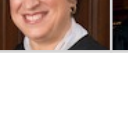


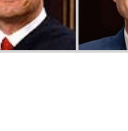
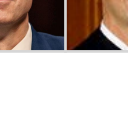
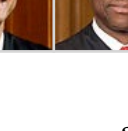
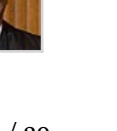


## Voting Alignment - All Cases (continued)

| Case Name   | Decided       | Vote | Author     | Sotomayor   | Ginsburg   | Kagan   | Breyer  | Kennedy   | Roberts   | Gorsuch   | Alito   | Thomas  |
|---|---------------|------|------------|---|--|---|---|---|---|---|---|---|
| <i>Upper Skagit Indian Tribe v. Lundgren</i>                    | May 21, 2018  | 7-2  | Gorsuch    |    |    |    |    |    |    |    |    |    |
| <i>Lagos v. United States</i>                                   | May 29, 2018  | 9-0  | Breyer     |    |    |    |    |    |    |    |    |    |
| <i>Collins v. Virginia</i>                                      | May 29, 2018  | 8-1  | Sotomayor  |    |    |    |    |    |    |    |    |    |
| <i>Masterpiece Cakeshop v. Colorado Civil Rights Commission</i> | June 4, 2018  | 7-2  | Kennedy    |    |    |    |    |    |    |    |    |    |
| <i>Hughes v. United States</i>                                  | June 4, 2018  | 6-3  | Kennedy    |    |    |    |    |    |    |    |    |    |
| <i>Koons v. United States</i>                                   | June 4, 2018  | 9-0  | Alito      |   |   |   |   |   |   |   |   |   |
| <i>Lamar, Archer &amp; Cofrin, LLP v. Appling</i>               | June 4, 2018  | 9-0  | Sotomayor  |  |  |  |  |  |  |  |  |  |
| <i>Azar v. Garza</i>  | June 4, 2018  | 9-0  | Per Curiam |  |  |  |  |  |  |  |  |  |
| <i>China Agritech, Inc. v. Resh</i>                             | June 11, 2018 | 9-0  | Ginsburg   |  |  |  |  |  |  |  |  |  |

























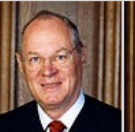


























































## Voting Alignment - All Cases (continued)

| Case Name                                       | Decided       | Vote | Author     | Sotomayor   | Ginsburg   | Kagan   | Breyer  | Kennedy   | Roberts   | Gorsuch   | Alito   | Thomas  |
|---|---------------|------|------------|---|--|---|---|---|---|---|---|---|
| <i>Husted v. Randolph Institute</i>             | June 11, 2018 | 5-4  | Alito      |    |    |    |    |    |    |    |    |    |
| <i>Sveen v. Melin</i>                           | June 11, 2018 | 8-1  | Kagan      |    |    |    |    |    |    |    |    |    |
| <i>Minnesota Voters Alliance v. Mansky</i>      | June 14, 2018 | 7-2  | Roberts    |    |    |    |    |    |    |    |    |    |
| <i>Animal Science Products v. Hebei Welcome</i> | June 14, 2018 | 9-0  | Ginsburg   |    |    |    |    |    |    |    |    |    |
| <i>Gill v. Whitford</i>                         | June 18, 2018 | 9-0  | Roberts    |    |    |    |    |    |    |    |    |    |
| <i>Lozman v. Riviera Beach</i>                  | June 18, 2018 | 8-1  | Kennedy    |   |   |   |   |   |   |   |   |   |
| <i>Chavez-Meza v. United States</i>             | June 18, 2018 | 5-3  | Breyer     |  |  |  |  |  |  |  |  |  |
| <i>Rosales-Mireles v. United States</i>         | June 18, 2018 | 7-2  | Sotomayor  |  |  |  |  |  |  |  |  |  |
| <i>Benisek v. Lamone</i>                        | June 18, 2018 | 9-0  | 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  | Kennedy   | Roberts   | Gorsuch   | Alito   | Thomas  |
|--------------------------------------|-------------------|------|----------|---|--|---|---|---|---|---|---|---|
| <i>Artis v. District of Columbia</i> | January 22, 2018  | 5-4  | Ginsburg |    |    |    |    |    |    |    |    |    |
| <i>Murphy v. Smith</i>               | February 21, 2018 | 5-4  | Gorsuch  |    |    |    |    |    |    |    |    |    |
| <i>Jennings v. Rodriguez</i>         | February 27, 2018 | 5-3  | Alito    |    |    |    |    |    |    |    |    |    |
| <i>Encino Motorcars v. Navarro</i>   | April 2, 2018     | 5-4  | Thomas   |    |    |    |    |    |    |    |    |    |
| <i>Sessions v. Dimaya</i>            | April 17, 2018    | 5-4  | Kagan    |    |    |    |    |    |    |    |    |    |
| <i>Jesner v. Arab Bank</i>           | April 24, 2018    | 5-4  | Kennedy  |   |   |   |   |   |   |   |   |   |
| <i>SAS Institute v. Iancu</i>        | April 24, 2018    | 5-4  | Gorsuch  |  |  |  |  |  |  |  |  |  |
| <i>Epic Systems Corp. v. Lewis</i>   | May 21, 2018      | 5-4  | Gorsuch  |  |  |  |  |  |  |  |  |  |
| <i>Husted v. Randolph Institute</i>  | June 11, 2018     | 5-4  | Alito    |  |  |  |  |  |  |  |  |  |