

Justice Agreement - Highs and Lows

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

	Highest Agreement			Lowest Agreement		
All Cases	1	Ginsburg - Sotomayor	95.8%	1	Alito - Sotomayor	49.3%
	2	Thomas - Alito	93.0%	2	Thomas - Sotomayor	50.7%
	3	Breyer - Kagan	92.6%	3	Ginsburg - Alito	53.5%
	4	Sotomayor - Kagan	91.2%	4	Breyer - Alito	53.5%
	5	Roberts - Kennedy	90.1%	5	Thomas - Ginsburg	54.9%
	6	Breyer - Sotomayor	90.1%	6	Thomas - Breyer	54.9%
	7	Ginsburg - Kagan	89.7%	7	Sotomayor - Gorsuch	55.1%
	8	Ginsburg - Breyer	88.7%	8	Alito - Kagan	57.4%
	9	Kennedy - Gorsuch	85.5%	9	Ginsburg - Gorsuch	58.0%
	10	Kennedy - Thomas	83.1%	10	Thomas - Kagan	58.8%

Divided Cases	1	Ginsburg - Sotomayor	93.0%	1	Alito - Sotomayor	16.3%
	2	Thomas - Alito	88.4%	2	Thomas - Sotomayor	18.6%
	3	Breyer - Kagan	88.1%	3	Ginsburg - Alito	23.3%
	4	Sotomayor - Kagan	85.7%	4	Breyer - Alito	23.3%
	5	Roberts - Kennedy	83.7%	5	Thomas - Ginsburg	25.6%
	6	Breyer - Sotomayor	83.7%	6	Thomas - Breyer	25.6%
	7	Ginsburg - Kagan	83.3%	7	Sotomayor - Gorsuch	26.2%
	8	Ginsburg - Breyer	81.4%	8	Ginsburg - Gorsuch	31.0%
	9	Kennedy - Gorsuch	76.2%	9	Alito - Kagan	31.0%
	10	Kennedy - Thomas	72.1%	10	Thomas - Kagan	33.3%

5-4 Cases	1	Thomas - Alito	100.0%	1	Kennedy - Kagan	0.0%
	2	Breyer - Sotomayor	100.0%	2	Thomas - Breyer	0.0%
	3	Kennedy - Thomas	94.7%	3	Thomas - Sotomayor	0.0%
	4	Kennedy - Alito	94.7%	4	Breyer - Alito	0.0%
	5	Thomas - Gorsuch	94.7%	5	Alito - Sotomayor	0.0%
	6	Ginsburg - Breyer	94.7%	6	Kennedy - Breyer	5.3%
	7	Ginsburg - Sotomayor	94.7%	7	Kennedy - Sotomayor	5.3%
	8	Alito - Gorsuch	94.7%	8	Thomas - Ginsburg	5.3%
	9	Breyer - Kagan	94.4%	9	Ginsburg - Alito	5.3%
	10	Sotomayor - Kagan	94.4%	10	Breyer - Gorsuch	5.3%