Oral Argument - Justices

For our purposes, the number of "questions" per argument is simply the number of times a given justice's name appears in the argument transcript in capital letters. To account for the chief justice's administrative comments – such as his call for an advocate to begin – his tally for each case has been uniformly reduced by three "questions."

Average Number of Questions Per Argument

Justice	Average
Kavanaugh	16.7
Sotomayor	21.2
Breyer	19.7
Alito	13.8
Ginsburg	9.4
Gorsuch	14.2
Roberts	12.6
Kagan	15.4
Thomas	0

Frequency as the Top Questioner or as a Top 3 Questioner

Justice	Freq. Top 1	Freq. Top 3
Kavanaugh	24%	50%
Sotomayor	15%	70%
Breyer	26%	57%
Alito	6%	30%
Ginsburg	2%	11%
Gorsuch	19%	38%
Roberts	2%	19%
Kagan	11%	43%
Thomas	-	-

Cases With Most Total Justice Questions

Case	Questions
Glover	217
Regents	195
Comcast	183
Aurelius	176
Russo	154
Thole	153
Bostock	153
Espinoza	147
Cowpasture	145

Most Active Arguments

Justice	Argument	Number of Questions (% of all questions)
Kavanaugh	Thole	48 (31%)
Sotomayor	Atlantic Richfield	50 (40%)
Breyer	Romag	50 (40%)
Alito	Kahler	34 (27%)
Ginsburg	Bostock	36 (24%)
Gorsuch	Glover	43 (20%)
Roberts	Glover	39 (18%)
Kagan	Kelly	30 (23%)
Thomas	-	-

Frequency as the First Questioner

Justice	Frequency	
Ginsburg	21/47	45%
Roberts	8/47	17%
Sotomayor	7/47	15%
Alito	6/47	13%
Kavanaugh	4/46	9%
Gorsuch	1/47	2%
Breyer	0/47	
Kagan	0/47	
Thomas	0/47	

*The figures on this page omit the telephonic arguments conducted in May 2020 due to the COVID-19 pandemic.

Oral Argument - Advocates

Overview

	OT12	OT13	OT14	OT15	OT16	OT17	OT18	OT19
Number of Different Advocates	120	121	112	117	100	113	122	103
Number of Total Appearances	193	185	178	186	158	163	178	155

Most Popular Advocate Origins

State	Total
Washington, D.C.	103
California	8
New York	7
Texas	5
Virginia	5

Appearances by Advocates Who...	OT12	OT13	OT14	OT15	OT16	OT17	OT18	OT19
...Are from the Office of the Solicitor General	64 (33%)	61 (33%)	56 (31%)	59 (32%)	48 (30%)	48 (29%)	50 (28%)	42 (27%)
...Have experience in the Office of the Solicitor General	Not Available	85 (47%)	78 (46%)	84 (71%)	73 (48%)	71 (65%)	86 (48%)	80 (52%)
...Have argued at least twice during the Term	104 (54%)	96 (52%)	104 (58%)	109 (59%)	94 (59%)	77 (47%)	87 (49%)	82 (53%)
...Are "expert" Supreme Court litigators*	137 (71%)	131 (71%)	116 (66%)	136 (74%)	115 (74%)	89 (56%)	123 (69%)	114 (74%)
...Are based in Washington, D.C.**	125 (65%)	119 (64%)	101 (57%)	122 (66%)	97 (61%)	97 (60%)	109 (61%)	103 (66%)
...Are female	33 (17%)	28 (15%)	34 (19%)	32 (18%)	33 (21%)	19 (12%)	30 (17%)	20 (13%)
...Are female and not from the Office of the Solicitor General***	17 (13%)	11 (9%)	17 (14%)	13 (10%)	15 (14%)	10 (9%)	21 (12%)	13 (8%)

Most Popular Supreme Court Clerkships

Clerkship	Appearances	Advocates
Scalia	25	10
Roberts	17	8
Ginsburg	7	6
Breyer	7	4
Kagan	6	4
Souter	5	4

Most Popular Law Schools

Law School	Appearances	Advocates
Harvard	41	33
Yale	32	20
Chicago	12	2
Stanford	10	6
Virginia	9	6

* We adopt Richard Lazarus' definition of an "expert" Supreme Court litigator: one who has argued five or more times before the Supreme Court or works in an office where lawyers have collectively argued more than 10 times. See Richard J. Lazarus, "Advocacy Matters Before and Within the Supreme Court: Transforming the Court by Transforming the Bar," 97 Geo. L.J. 1487, 1490 n.17 (2008).
** An advocate's "origin" is simply the state of origin listed for that lawyer on the court's monthly hearing lists. If attorneys from the Office of the Solicitor General are omitted, lawyers based in Washington, D.C., appeared 59 times during OT18.
*** The percentage figures for this category omit all advocates from the Office of the Solicitor General. They demonstrate the percentage of female advocates from positions other than those within the Office of the Solicitor General as a percentage of all men or women arguing from positions other than those within the Office of the Solicitor General.

Oral Argument - Advocates

	Appearances		Position	Law School	Supreme Court Clerkship	U.S. Solicitor General Experience	Gender
Advocates Who Have Argued Two or More Cases During OT19							
Name	**OT19**	**All Time**	**Position**	**Law School**	**Supreme Court Clerkship**	**U.S. Solicitor General Experience**	**Gender**
Noel Francisco	7	19	Solicitor General	Chicago	Antonin Scalia	Yes	Male
Paul Clement	6	102	Kirkland & Ellis	Harvard	Antonin Scalia	Yes	Male
Jeffrey Wall	5	26	Principal Deputy Solicitor General	Chicago	Clarence Thomas	Yes	Male
Malcolm Stewart	4	87	Deputy Solicitor General	Yale	Harry Blackmun	Yes	Male
Lisa Blatt	3	40	Williams & Connolly	Texas	None	Yes	Female
Jonathan Ellis	3	6	Assistant to the Solicitor General	Pennsylvania	John Roberts	Yes	Male
Eric Feigin	3	24	Assistant to the Solicitor General	Stanford	Stephen Breyer	Yes	Male
Paul Hughes	3	8	McDermott Will & Emery	Yale	None	None	Male
Edwin Kneedler	3	145	Deputy Solicitor General	Virginia	None	Yes	Male
Christopher Michel	3	6	Assistant to the Solicitor General	Yale	John G. Roberts	Yes	Male
Morgan Ratner	3	6	Assistant to the Solicitor General	Harvard	John G. Roberts	Yes	Female
Erica Ross	3	6	Assistant to the Solicitor General	Stanford	Elena Kagan	Yes	Female
Jonathan Bond	2	6	Assistant to the Solicitor General	George Washington	Antonin Scalia	Yes	Male
Brian Burgess	2	2	Goodwin Procter	NYU	Sonia Sotomayor	Yes	Male
Toby Crouse	2	2	Kansas Solicitor General	Kansas	None	None	Male
Shay Dvoretzky	2	12	Jones Day	Yale	Antonin Scalia	None	Male
Jeffrey Fisher	2	40	Stanford Supreme Court Clinic	Michigan	John Paul Stevens	None	Male
Matthew Guarnieri	2	3	Assistant to the Solicitor General	Columbia	None	Yes	Male
Michael Huston	2	5	Assistant to the Solicitor General	Michigan	John G. Roberts	Yes	Male
Sopan Joshi	2	3	Assistant to the Solicitor General	Northwestern	Antonin Scalia, Samuel Alito	Yes	Male
Neal Katyal	2	41	Hogan Lovells	Yale	Stephen Breyer	Yes	Male
Douglas Letter	2	3	U.S. House of Representatives	Berkeley	None	None	Male
Frederick Liu	2	6	Assistant to the Solicitor General	Yale	John G. Roberts	Yes	Male
Roman Martinez	2	9	Latham & Watkins	Yale	John G. Roberts	Yes	Male
Elizabeth Murrill	2	3	Louisiana Solicitor General	Louisiana State	None	None	Female
Theodore Olson	2	64	Gibson Dunn	Berkeley	None	Yes	Male
Joseph Palmore	2	12	Morrison & Foerster	Virginia	Ruth Bader Ginsburg	Yes	Male
Adam Unikowsky	2	9	Jenner & Block	Harvard	Antonin Scalia	None	Male
Donald B. Verrilli, Jr.	2	52	Munger, Tolles & Olson	Columbia	William Brennan	Yes	Male
Anthony Yang	2	31	Assistant to the Solicitor General	Yale	None	Yes	Male

Oral Argument – May 2020 Sitting

The court heard argument in 10 cases remotely via telephone in May 2020 after the building's closure due to the COVID-19 pandemic. The data for Roberts has been adjusted to remove the time he spent timekeeping during the arguments. Sotomayor and Kagan were each recused from one of the 10 cases, so their averages are only for the nine cases in which they participated.

Justice	Average Time Per Turn (seconds)	Average Words Per Turn
Sotomayor	280	568
Alito	232	530
Breyer	224	548
Kagan	223	582
Gorsuch	219	569
Kavanaugh	208	520
Ginsburg	185	330
Roberts	176	427
Thomas	125	279

Case	Total Argument Time (seconds)
Vance	6080
Little Sisters	5955
Guadalupe	5912
Mazars	5787
McGirt	5503
Chiafalo	4465
Barr	4375
Booking.com	4347
Open Society	4129
Baca	3666

Case	Attorney	Words	Time (seconds)
Booking.com	Blatt	3888	1436
Booking.com	Ross	4581	1521
Open Society	Bowker	2871	1289
Open Society	Michel	3661	1325
Little Sisters	Francisco	2024	847
Little Sisters	Clement	2640	995
Little Sisters	Fischer	4368	1659
Barr	Martinez	3539	1216
Barr	Stewart	3696	1434
McGirt	Gershengorn	2588	971
McGirt	Kanji	1910	707
McGirt	Kneedler	1948	851
McGirt	Mansinghani	2262	810
Guadalupe	Fisher	5787	1953
Guadalupe	Rassbach	2377	910
Guadalupe	Ratner	2052	931
Mazars	Letter	3444	1435
Mazars	Strawbridge	2762	1157
Mazars	Wall	1902	771
Vance	Francisco	2414	882
Vance	Dunne	5587	1979
Vance	Sekulow	2479	914
Chiafalo	Lessig	3726	1383
Chiafalo	Purcell	4572	1447
Baca	Harrow	2715	999
Baca	Weiser	2708	1067