

# 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
<i>Glover</i>	217
<i>Regents</i>	195
<i>Comcast</i>	183
<i>Aurelius</i>	176
<i>Russo</i>	154
<i>Thole</i>	153
<i>Bostock</i>	153
<i>Espinoza</i>	147
<i>Cowpasture</i>	145

Most Active Arguments		
Justice	Argument	Number of Questions (% of all questions)
Kavanaugh	<i>Thole</i>	48 (31%)
Sotomayor	<i>Atlantic Richfield</i>	50 (40%)
Breyer	<i>Romag</i>	50 (40%)
Alito	<i>Kahler</i>	34 (27%)
Ginsburg	<i>Bostock</i>	36 (24%)
Gorsuch	<i>Glover</i>	43 (20%)
Roberts	<i>Glover</i>	39 (18%)
Kagan	<i>Kelly</i>	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.